



# AGENDA

State Board of Education

June 17, 2022

**STATE BOARD OF EDUCATION**  
*(State Board for Career and Technology Education)*

**KEVEN ELLIS, Lufkin**  
**Chair of the State Board of Education**  
**District 9**

**PAM LITTLE, Fairview**  
**Vice Chair of the State Board of Education**  
**District 12**

**GEORGINA PÉREZ, El Paso**  
**Secretary of the State Board of Education**  
**District 1**

**Board Members**

**RUBEN CORTEZ, Jr., Brownsville**  
**District 2**

**AUDREY YOUNG, Trinity**  
**District 8**

**MARISA PEREZ-DIAZ, Converse**  
**District 3**

**TOM MAYNARD, Florence**  
**District 10**

**LAWRENCE ALLEN, Jr., Houston**  
**District 4**

**PATRICIA HARDY, Fort Worth**  
**District 11**

**REBECCA BELL-METEREAU**  
**San Marcos, District 5**

**AICHA DAVIS, Dallas**  
**District 13**

**WILL HICKMAN, Houston**  
**District 6**

**SUE MELTON-MALONE**  
**Robinson, District 14**

**MATT ROBINSON, Friendswood**  
**District 7**

**JAY JOHNSON, Pampa**  
**District 15**

**Committees of the State Board of Education**  
(updated January 26, 2021)

**INSTRUCTION**

Sue Melton-Malone, chair  
Audrey Young, vice chair  
Rebecca Bell-Metereau  
Pam Little  
Georgina Pérez

**SCHOOL FINANCE/PERMANENT SCHOOL FUND**

Tom Maynard, chair  
Lawrence Allen, Jr., vice chair  
Keven Ellis  
Pat Hardy  
Marisa Perez-Diaz

**SCHOOL INITIATIVES**

Matt Robinson, chair  
Aicha Davis, vice chair  
Ruben Cortez, Jr.  
Will Hickman  
Jay Johnson

June 14, 2022

State Board of Education  
Austin, Texas

I certify that this is the official agenda of the State Board of Education for its meeting on June 14-17, 2022. Agenda items have been prepared and reviewed by Texas Education Agency staff and are presented for the board's discussion and consideration. Where appropriate, I have proposed an action.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Mike Morath', with a long horizontal flourish extending to the right.

Mike Morath  
Commissioner of Education



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**William B. Travis Building  
1701 N. Congress Avenue, Austin, Texas**

**SCHEDULE AND AGENDAS**

**Committees and Board  
State Board of Education, Austin, Texas**

<b>Meeting Times June 14-17, 2022</b>	
<b><u>Tuesday, June 14, 2022</u></b>	
<b>9:00 a.m.</b>	<b>Committee of the Full Board (Room 1-104)</b>
<b><u>Wednesday, June 15, 2022</u></b>	
<b>9:00 a.m.</b>	<b>Committee of the Full Board (Room 1-104)</b>
<b><u>Thursday, June 16, 2022</u></b>	
<b>9:00 a.m.</b>	<b>Committee on Instruction (Room 1-100)</b>
	<b>Committee on School Finance/Permanent School Fund (Room 1-104)</b>
	<b>The meeting will start at 10:00 a.m. or upon adjournment of the PSF Corporation Meeting.</b>
<b>9:00 a.m.</b>	<b>Committee on School Initiatives (Room 1-111)</b>
<b><u>Friday, June 17, 2022</u></b>	
<b>9:00 a.m.</b>	<b>General Meeting (Room 1-104)</b>

If the Committee of the Full Board does not complete its agenda Tuesday, it will resume its meeting on Wednesday, Thursday, or Friday. If the Committee of the Full Board does not complete its agenda Wednesday, it will resume its meeting on Thursday or Friday. If the Committee on Instruction does not complete its meeting on Thursday, it will resume its meeting on Friday. If the Committee on School Finance/Permanent School Fund does not complete its agenda Thursday, it will resume its meeting on Friday. If the Committee on School Initiatives does not complete its agenda Thursday, it will resume its meeting on Friday.

NOTE: The chair may permit the board to take up and discuss any of the discussion items on a committee agenda, including hearing any invited presentations to a committee, based upon a recommendation from the committee or inability of the committee to complete its agenda on a preceding day.

The SBOE or a committee of the SBOE may conduct a closed meeting on any agenda item in accordance with Texas Open Meetings Act, Chapter 551, Subchapters D and E. Before any closed meeting is convened, the presiding officer will publicly identify the section or sections of the Act authorizing the closed meeting. All final votes, actions, or decisions will be taken in open meeting.

The agenda is online at <https://tea.texas.gov/sboe/agenda/> on the Texas Education Agency website. The posted information contains links to board action items including rule items and rule text, and selected discussion items. Public comments on proposed rules may be submitted electronically. All agenda items and rule text are subject to change at any time prior to each board meeting. To the extent possible, copies of changes made after the agenda and the schedule are published will be available at the board meeting.

**TUESDAY**  
**June 14, 2022**

**9:00 a.m.**

**COMMITTEE OF THE FULL BOARD – Room 1-104**

*Public testimony – Individual testimony will be taken 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 <https://tea.texas.gov/about-tea/leadership/state-board-of-education/sboe-meetings/sboe-operating-rules> or in the information section of the agenda.*

- 1. Public Hearing Regarding Review of 19 TAC Chapter 230, Professional Educator Preparation and Certification, Subchapter C, Assessment of Educators, §230.21, Educator Assessment (Board agenda page I-1)**

**COMMITTEE - DISCUSSION**  
**SBOE - NO ACTION**

A public hearing before the State Board of Education (SBOE) is scheduled for Tuesday, June 14, 2022, in the William B. Travis Building, Room 1-104. Testimony will be presented regarding review of 19 Texas Administrative Code (TAC) Chapter 230, Professional Educator Preparation and Certification, Subchapter C, Assessment of Educators, §230.21, Educator Assessment. In accordance with SBOE operating procedures, oral testimony will be limited to two minutes per person. Statutory authority for 19 TAC §230.21 is the Texas Education Code (TEC), §§21.041(b)(1), (2), and (4); 21.044(a); 21.048; 21.050; 22.082; and Texas Occupations Code (TOC), §54.003.

- 2. Review of the Report on Permanent School Fund Percentage Distribution Rates Under Consideration for Fiscal Years 2024 and 2025 (Board agenda page I-3)**

**COMMITTEE - ACTION**  
**SBOE - CONSENT**

This item provides an opportunity for the board to evaluate and approve the report on Permanent School Fund (PSF) percentage distribution rates under consideration for fiscal years 2024 and 2025. The board will consider various factors associated with the distribution rate such as expected returns, inflation, and student growth. Additionally, this item provides the opportunity for the board to discuss anticipated instructional materials needs for the 2024-2025 biennium. Statutory authority is the Texas Constitution, Article VII, §2 and §5; and 19 Texas Administrative Code (TAC), Chapter 33.

**COMMITTEE OF THE FULL BOARD (continued)**

3. **Proposed New 19 TAC Chapter 126, Texas Essential Knowledge and Skills for Technology Applications, Subchapter A, Elementary, §§126.1-126.3 and 126.8-126.10, and Subchapter B, Middle School, §§126.17-126.19  
(Second Reading and Final Adoption)  
(Board agenda page I-5)**

**COMMITTEE - ACTION  
SBOE - ACTION**

This item presents for second reading and final adoption proposed new 19 Texas Administrative Code (TAC) Chapter 126, Texas Essential Knowledge and Skills for Technology Applications, Subchapter A, Elementary, §126.1, Technology Applications, Kindergarten, Adopted 2022; §126.2, Technology Applications, Grade 1, Adopted 2022; §126.3, Technology Applications, Grade 2, Adopted 2022; §126.8, Technology Applications, Grade 3, Adopted 2022; §126.9, Technology Applications, Grade 4, Adopted 2022; and §126.10, Technology Applications, Grade 5, Adopted 2022; and Subchapter B, Middle School, §126.17, Technology Applications, Grade 6, Adopted 2022; §126.18, Technology Applications, Grade 7, Adopted 2022; and §126.19, Technology Applications, Grade 8, Adopted 2022. The proposed new rules would update the technology applications standards to ensure the standards remain current. No changes are recommended since approved for first reading. Statutory authority is the Texas Education Code (TEC), §7.102(c)(4) and §28.002(a), (c), (c-3), and (z).

**COMMITTEE OF THE FULL BOARD (continued)**

4. **Proposed New 19 TAC Chapter 127, Texas Essential Knowledge and Skills for Career Development and Career and Technical Education, Subchapter O, Science, Technology, Engineering, and Mathematics, §§127.788-127.794**  
**(Second Reading and Final Adoption)**  
**(Board agenda page I-36)**

**COMMITTEE - ACTION**  
**SBOE - ACTION**

This item presents for second reading and final adoption proposed new 19 Texas Administrative Code (TAC) Chapter 127, Texas Essential Knowledge and Skills for Career Development and Career and Technical Education, Subchapter O, Science, Technology, Engineering, and Mathematics, §127.788, Fundamentals of Computer Science (One Credit), Adopted 2022; §127.789, Computer Science I (One Credit), Adopted 2022; §127.790, Computer Science II (One Credit), Adopted 2022; §127.791, Computer Science III (One Credit), Adopted 2022; §127.792, Foundations of Cybersecurity (One Credit), Adopted 2022; §127.793, Digital Forensics (One Credit), Adopted 2022; and §127.794, Cybersecurity Capstone (One Credit), Adopted 2022. The proposed new rules would update the Texas Essential Knowledge and Skills (TEKS) for the high school cybersecurity and computer science courses to ensure the standards remain current. No changes are recommended since approved for first reading. Statutory authority is the Texas Education Code (TEC), §§7.102(c)(4); 28.002(a), (c), (c-3), and (f)(2); and 28.025(a), (c-1)(1), and (c-10).

5. **Proposed New 19 TAC Chapter 113, Texas Essential Knowledge and Skills for Social Studies, Subchapter C, High School, §113.76, Personal Financial Literacy and Economics**  
**(Second Reading and Final Adoption)**  
**(Board agenda page I-67)**

**COMMITTEE - ACTION**  
**SBOE - ACTION**

This item presents for second reading and final adoption proposed new 19 Texas Administrative Code (TAC) Chapter 113, Texas Essential Knowledge and Skills for Social Studies, Subchapter C, High School, §113.76, Personal Financial Literacy and Economics. The proposed new rule would add Texas Essential Knowledge and Skills (TEKS) for a new social studies course to comply with the requirements of Senate Bill (SB) 1063, 87th Texas Legislature, Regular Session, 2021. No changes are recommended since approved for first reading. Statutory authority is the Texas Education Code (TEC), §§7.102(c)(4); 28.002(a) and (c); and 28.025(b-1) and (b-22), as amended and added by SB 1063, 87th Texas Legislature, Regular Session, 2021.

**COMMITTEE OF THE FULL BOARD (continued)**

6. **Proposed Amendment to 19 TAC Chapter 74, Curriculum Requirements, Subchapter A, Required Curriculum, §74.3, Description of a Required Secondary Curriculum (Second Reading and Final Adoption)**  
**(Board agenda page I-76)**

**COMMITTEE - ACTION**  
**SBOE - ACTION**

This item presents for second reading and final adoption a proposed amendment to 19 Texas Administrative Code (TAC) Chapter 74, Curriculum Requirements, Subchapter A, Required Curriculum, §74.3, Description of a Required Secondary Curriculum. The proposed amendment would update the list of high school courses for social studies and physical education that are required to be offered to students. No changes are recommended since approved for first reading. Statutory authority is the Texas Education Code (TEC), §§7.102(c)(4), 28.002(a) and (c), and 28.025(b-1) and (b-22), as amended and added by Senate Bill (SB) 1063, 87th Texas Legislature, Regular Session, 2021.

7. **Proposed Amendment to 19 TAC Chapter 66, State Adoption and Distribution of Instructional Materials, Subchapter C, Local Operations, §66.105, Certification by School Districts (First Reading and Filing Authorization)**  
**(Board agenda page I-82)**

**COMMITTEE - ACTION**  
**SBOE - ACTION**

This item presents for first reading and filing authorization proposed amendment to 19 Texas Administrative Code (TAC) Chapter 66, State Adoption and Distribution of Instructional Materials, Subchapter C, Local Operations, §66.105, Certification by School Districts. The proposed amendment would add a certification requirement to align with Senate Bill 1, 87th Texas Legislature, Regular Session, 2021. Statutory authority is the Texas Education Code (TEC), §§7.102, 31.003, 31.004, 31.005, 31.0211, and 31.101; SB 1, Article III, 87th Texas Legislature, Regular Session, 2021; and 47 USC §254(h)(5)(B) and (C).

**WEDNESDAY  
June 15, 2022**

**9:00 a.m.**

**COMMITTEE OF THE FULL BOARD – Room 1-104**

*Public testimony – Individual testimony will be taken 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 <https://tea.texas.gov/about-tea/leadership/state-board-of-education/sboe-meetings/sboe-operating-rules> or in the information section of the agenda.*

**1. Commissioner's Comments  
(Board agenda page I-86)**

**COMMITTEE - DISCUSSION  
SBOE - NO ACTION**

This item provides an opportunity for the board to be briefed on current agenda items, agency operations, policy implementation, and public education-related legislation.

**2. Consideration of the Commissioner of Education's  
Generation 27 Open-Enrollment Charter School  
Proposals  
(Board agenda page I-87)**

**COMMITTEE - ACTION  
SBOE - ACTION**

This item provides the committee and board an opportunity to review and take action or no action on the commissioner's list of proposed Subchapter D Open-Enrollment Charter Schools scheduled to open in the 2023-24 school year. If awarded, the charters will have an initial five-year term. Statutory authority is the Texas Education Code (TEC), §12.101.

**3. Update on Texas Essential Knowledge and Skills  
(TEKS) Review  
(Board agenda page I-89)**

**COMMITTEE - ACTION  
SBOE - ACTION**

This item provides the opportunity for staff to present an update on the review of the Texas Essential Knowledge and Skills (TEKS) and the English Language Proficiency Standards (ELPS) and for the board to provide additional guidance to TEKS and ELPS review work groups, as necessary. Statutory authority for this action is the Texas Education Code (TEC), §§7.102(c)(4), 28.002(a) and (c), and 28.025(a).

**COMMITTEE OF THE FULL BOARD (continued)**

**4. Long-Range Plan for Technology Update  
(Board agenda page I-92)**

**COMMITTEE - DISCUSSION  
SBOE - NO ACTION**

This item provides an opportunity for staff to update the committee on feedback received for the planned revisions of the 2018-2023 Long-Range Plan for Technology (LRPT) and review feedback received from the board in the April 2022 meeting. Statutory authority is the Texas Education Code (TEC), §32.001.

**5. Discussion of Pending Litigation  
(Board agenda page I-93)**

**COMMITTEE - DISCUSSION  
SBOE - NO ACTION**

The State Board of Education (SBOE) may enter into executive session in accordance with the Texas Government Code, §551.071(1)(A), to discuss pending and contemplated litigation with the general counsel, legal staff, and, if necessary, attorney(s) from the Attorney General's Office. The Committee of the Full Board will meet in Room 1-103 to discuss this item.

Cases to be discussed may include:

*Student v. Conroe ISD, Texas Education Agency and State Board of Education*, Civil Cause No. 1:21-CV-01048-LY (U.S. District Court – Western District of Texas (Austin)); and

any other litigation arising after the date of posting or reasonably contemplated as of the date of the board meeting.



**THURSDAY  
June 16, 2022**

**9:00 a.m.**

**COMMITTEE ON INSTRUCTION – Room 1-100**

**Members: Sue Melton-Malone, chair; Audrey Young, vice chair; Rebecca Bell-Metereau; Pam Little; and Georgina C. Pérez. A quorum of the State Board of Education may attend the committee meeting and discuss items on the committee agenda.**

*Public testimony – Individual testimony will be taken 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*

*<https://tea.texas.gov/about-tea/leadership/state-board-of-education/sboe-meetings/sboe-operating-rules>  
or in the information section of the agenda.*

- 1. Proposed Repeal of 19 TAC Chapter 115, Texas Essential Knowledge and Skills for Health Education, Subchapter A, Elementary, §§115.1-115.7, Subchapter B, Middle School, §§115.21-115.23, and Subchapter C, High School, §§115.31-115.33  
(Second Reading and Final Adoption)  
(Board agenda page II-1)**

**COMMITTEE - ACTION  
SBOE - CONSENT**

This item presents for second reading and final adoption the proposed repeal of 19 Texas Administrative Code (TAC) Chapter 115, Texas Essential Knowledge and Skills for Health Education, Subchapter A, Elementary, §115.1, Implementation of Texas Essential Knowledge and Skills for Health Education, Elementary; §115.2, Health Education, Kindergarten; §115.3, Health Education, Grade 1; §115.4, Health Education, Grade 2; §115.5, Health Education, Grade 3; §115.6, Health Education, Grade 4; §115.7, Health Education, Grade 5; Subchapter B, Middle School, §115.21, Implementation of Texas Essential Knowledge and Skills for Health Education, Middle School; §115.22, Health Education, Grade 6; §115.23, Health Education, Grade 7-8; and Subchapter C, High School, §115.31, Implementation of Texas Essential Knowledge and Skills for Health Education, High School; §115.32, Health 1, Grades 9-10 (One-Half Credit); and §115.33, Advanced Health, Grades 11-12 (One-Half Credit). The proposed repeals would remove the Texas Essential Knowledge and Skills (TEKS) for Kindergarten-Grade 12 health education and related implementation language that will be superseded by 19 TAC §§115.11-115.17, 115.25-115.28, and 115.37-115.40 beginning with the 2022-2023 school year. No changes are recommended since approved for first reading. Statutory authority is the Texas Education Code (TEC), §7.102(c)(4) and §28.002(a) and (c).

**COMMITTEE ON INSTRUCTION (continued)**

2. **Proposed Repeal of 19 TAC Chapter 116, Texas Essential Knowledge and Skills for Physical Education, Subchapter A, Elementary, §§116.1-116.7, Subchapter B, Middle School, §§116.21-116.24, and Subchapter C, High School, §§116.51-116.56 (Second Reading and Final Adoption) (Board agenda page II-5)**

**COMMITTEE - ACTION  
SBOE - CONSENT**

This item presents for second reading and final adoption the proposed repeal of 19 Texas Administrative Code (TAC) Chapter 116, Texas Essential Knowledge and Skills for Physical Education, Subchapter A, Elementary, §116.1, Implementation of Texas Essential Knowledge and Skills for Physical Education, Elementary; §116.2, Physical Education, Kindergarten; §116.3, Physical Education, Grade 1; §116.4, Physical Education, Grade 2; §116.5, Physical Education, Grade 3; §116.6, Physical Education, Grade 4; §116.7, Physical Education, Grade 5; Subchapter B, Middle School, §116.21, Implementation of Texas Essential Knowledge and Skills for Physical Education, Middle School; §116.22, Physical Education, Grade 6; §116.23, Physical Education, Grade 7; §116.24, Physical Education, Grade 8; and Subchapter C, High School, §116.51, Implementation of Texas Essential Knowledge and Skills for Physical Education, High School; §116.52, Foundations of Personal Fitness (One-Half Credit); §116.53, Adventure/Outdoor Education (One-Half Credit); §116.54, Aerobic Activities (One-Half Credit); §116.55, Individual Sports (One-Half Credit); and §116.56, Team Sports (One-Half Credit). The proposed repeal would remove the Texas Essential Knowledge and Skills (TEKS) for Kindergarten-Grade 12 physical education and related implementation language that will be superseded by 19 TAC §§116.11-116.17, 116.25-116.28, and 116.61-116.64 beginning with the 2022-2023 school year. No changes are recommended since approved for first reading. Statutory authority is the Texas Education Code (TEC), §7.102(c)(4) and §28.002(a), and (c).

**COMMITTEE ON INSTRUCTION (continued)**

3. **Proposed Repeal of 19 TAC Chapter 127, Texas Essential Knowledge and Skills for Career Development and Career and Technical Education, Subchapter G, Education and Training, §§127.310, 127.312, and 127.313; Subchapter I, Health Science, §127.409; and Subchapter O, Science, Technology, Engineering, and Mathematics, §§127.753, 127.755, 127.761, and 127.764; and Chapter 130, Texas Essential Knowledge and Skills for Career and Technical Education, Subchapter J, Human Services, §130.277**  
**(Second Reading and Final Adoption)**  
**[\(Board agenda page II-9\)](#)**

**COMMITTEE - ACTION**  
**SBOE - CONSENT**

This item presents for second reading and final adoption the proposed repeal of 19 Texas Administrative Code (TAC) Chapter 127, Texas Essential Knowledge and Skills for Career Development and Career and Technical Education, Subchapter G, Education and Training, §127.310, Principles of Education and Training (One Credit), Adopted 2015; §127.312, Instructional Practices (Two Credits), Adopted 2015; and §127.313, Practicum in Education and Training (Two Credits), Adopted 2015; Subchapter I, Health Science, §127.409, Health Informatics (One Credit), Adopted 2015; and Subchapter O, Science, Technology, Engineering, and Mathematics, §127.753, Engineering Design and Problem Solving (One Credit), Adopted 2015; §127.755, Engineering Science (One Credit), Adopted 2015; §127.761, Fundamentals of Computer Science (One Credit); and §127.764, Computer Science III (One Credit); and Chapter 130, Texas Essential Knowledge and Skills for Career and Technical Education, Subchapter J, Human Services, §130.277, Child Development (One Credit), Adopted 2015. The proposed repeals would remove the Texas Essential Knowledge and Skills (TEKS) for nine career and technical education (CTE) courses that will be superseded by 19 TAC §§127.316, 127.317, 127.325, 127.326, 127.418, 127.782, 127.785, 127.788, and 127.791 beginning with the 2022-2023 school year. No changes are recommended since approved for first reading. Statutory authority is the Texas Education Code (TEC), §7.102(c)(4) and §28.002(a) and (c).

**COMMITTEE ON INSTRUCTION (continued)**

- 4. Approval of Updates and Substitutions to Adopted Instructional Materials**  
**(Board agenda page II-42)**

**COMMITTEE - ACTION**  
**SBOE - CONSENT**

This item provides the opportunity for the committee and board to approve update and/or substitution requests received since the last board meeting. The updated content has been reviewed by 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. Statutory authority is the Texas Education Code (TEC), §31.003 and §31.022.

- 5. Discussion of Annual Audit Reports for Credit by Examination from Texas Tech University and The University of Texas at Austin**  
**(Board agenda page II-44)**

**COMMITTEE - DISCUSSION**  
**SBOE - NO ACTION**

This item provides an opportunity for the committee to discuss the annual audit reports submitted by Texas Tech University and The University of Texas at Austin regarding examinations used for credit by examination. Statutory authority is the Texas Education Code (TEC), §28.023.

- 6. Proposed Approval of Innovative Courses**  
**(Board agenda page II-114)**

**COMMITTEE - ACTION**  
**SBOE - ACTION**

This item recommends approval of innovative courses that do not fall within any of the subject areas of the foundation or enrichment curriculum. Statutory authority is the Texas Education Code (TEC), §28.002(f).

**THURSDAY  
June 16, 2022**

**10:00 a.m. or upon adjournment of the PSF Corporation Meeting**

**COMMITTEE ON SCHOOL FINANCE/PERMANENT SCHOOL FUND – Room 1-104**

**Members: Tom Maynard, chair; Lawrence A. Allen, Jr., vice chair; Keven Ellis; Patricia Hardy; Marisa Perez-Diaz. A quorum of the State Board of Education may attend the committee meeting and discuss items on the committee agenda. A quorum of the Committee of Investment Advisors to the Permanent School Fund may attend the committee meeting and discuss items on the committee agenda.**

*Public testimony – Individual testimony will be taken 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 <https://tea.texas.gov/about-tea/leadership/state-board-of-education/sboe-meetings/sboe-operating-rules> or in the information section of the agenda.*

- 1. Proposed Amendment to 19 TAC Chapter 109, Budgeting, Accounting, and Auditing, Subchapter C, Adoptions By Reference, §109.41, Financial Accountability System Resource Guide (Second Reading and Final Adoption)  
(Board agenda page III-1)**

**COMMITTEE - ACTION  
SBOE - ACTION**

This item presents for second reading and final adoption a proposed amendment to 19 Texas Administrative Code (TAC) Chapter 109, Budgeting, Accounting, and Auditing, Subchapter C, Adoptions By Reference, §109.41, Financial Accountability System Resource Guide. The proposed amendment would adopt by reference the updated *Financial Accountability System Resource Guide* (FASRG). No changes are recommended since approved for first reading. Statutory authority is the Texas Education Code (TEC), §§7.102(c)(32), 44.001(a) and (b), 44.007(a)-(d), and 44.008(b).

- 2. Per Capita Apportionment Rate for the 2021-2022 School Year  
(Board agenda page III-7)**

**COMMITTEE - DISCUSSION  
SBOE – NO ACTION**

A per capita apportionment rate for each school year is set based on an estimate of the amount available for expenditure from the Available School Fund (ASF). A preliminary 2021–2022 per capita apportionment rate of \$402.428 was set in September 2021. A final per capita apportionment rate is set by the commissioner of education based on actual funds available for expenditure. Agency staff will present the final rate for the 2021–2022 school year at the June 2022 meeting of the Committee on School Finance/Permanent School Fund. Statutory authority is the Texas Education Code (TEC), §§48.004, §48.251(c), and §43.001(b).

**COMMITTEE ON SCHOOL FINANCE/PERMANENT SCHOOL FUND (continued)**

- 3. Report on Permanent School Fund Securities Transactions and the Investment Portfolio and Ratification of Purchases and Sales for the Months of February, March, and April 2022**  
**(Board agenda page III-8)**

**COMMITTEE - ACTION**  
**SBOE - CONSENT**

This item provides an opportunity for the committee and board to receive a report on Permanent School Fund (PSF) Securities Transactions and the Investment Portfolio and consider approval of purchases and sales of investments executed in the portfolio of the PSF for the months of February, March, and April 2022. Statutory authority is the Texas Constitution, Article VII, §2 and §5; and 19 Texas Administrative Code (TAC), Chapter 33.

- 4. Report on Permanent School Fund Liquid Account and Ratification of Purchases and Sales for the Months of February, March, and April 2022**  
**(Board agenda page III-9)**

**COMMITTEE - ACTION**  
**SBOE - CONSENT**

This item provides an opportunity for the committee and board to receive a status update report on the liquid account and consider approval of the purchases and sales of investments executed in the liquid account for the months of February, March, and April 2022. Statutory authority is the Texas Constitution, Article VII, §2 and §5; Texas Natural Resources Code (NRC), §51.414, as repealed by SB 1232, 87th Legislature, Regular Session, 2021; and 19 Texas Administrative Code (TAC) Chapter 33.

- 5. First Quarter 2022 Permanent School Fund Performance Report**  
**(Board agenda page III-10)**

**COMMITTEE - DISCUSSION**  
**SBOE - NO ACTION**

The performance measurement consultant to the Permanent School Fund (PSF), BNY Mellon Asset Servicing, will report on the investment performance during the first calendar quarter 2022 and the cumulative investment performance of various portfolios of the PSF. This item provides the opportunity for the committee to discuss in depth, various issues related to portfolio management such as risk characteristics of portfolios and portfolio attributes. Statutory authority is the Texas Constitution, Article VII, §2 and §5; 19 Texas Administrative Code (TAC), Chapter 33.

**COMMITTEE ON SCHOOL FINANCE/PERMANENT SCHOOL FUND (continued)**

- 6. Review the Process to Consider Board Member Nominees for a School Land Board Position** **COMMITTEE - ACTION**  
**(Board agenda page III-11)** **SBOE - CONSENT**

This item provides an opportunity for the committee and board to review the process to consider nominees for a School Land Board position. Statutory authority is the Texas Constitution, Article VII, §2 and §5; 19 Texas Administrative Code (TAC), Chapter 33.

- 7. Review and Adoption of the Long-Term Strategic Asset Allocation Plan of the Permanent School Fund of the State Board of Education and the Permanent School Fund Liquid Account** **COMMITTEE - ACTION**  
**(Board agenda page III-12)** **SBOE - CONSENT**

This item provides an opportunity for the board to review and adopt the long-term strategic asset allocation plan of the Permanent School Fund (PSF) of the State Board of Education (SBOE) and the PSF Liquid Account. Statutory authority is the Texas Constitution, Article VII, §2 and §5; 19 Texas Administrative Code (TAC), Chapter 33.

- 8. Report of the Permanent School Fund Executive Administrator and Chief Investment Officer** **COMMITTEE - DISCUSSION**  
**(Board agenda page III-13)** **SBOE - NO ACTION**

The Permanent School Fund (PSF) executive administrator will report to the committee on matters relating to the management of the PSF and the Charter District Reserve Fund. The report may present information on historical and current status of Fund holdings, current and proposed investment policies and procedures, and historical and current fund performance and compliance. The administrator may update the board on the bond guarantee program, the status of requests for proposal, or for qualifications and current contracts for services and other administrative activities undertaken on behalf of the board. The administrator may provide an update on the PSF distribution or on the effect of legislation impacting the PSF. The administrator may provide an analysis of current and future investment market conditions, focusing upon the impact on the holdings of the PSF. Statutory authority is the Texas Constitution, Article VII, §2 and §5; and 19 Texas Administrative Code (TAC), Chapter 33.



**THURSDAY  
June 16, 2022**

**9:00 a.m.**

**COMMITTEE ON SCHOOL INITIATIVES – Room 1-111**

**Members: Matt Robinson, chair; Aicha Davis, vice chair; Ruben Cortez, Jr; Will Hickman; Jay Johnson. A quorum of the State Board of Education may attend the committee meeting and discuss items on the committee agenda.**

*Public testimony – Individual testimony will be taken 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 <https://tea.texas.gov/about-tea/leadership/state-board-of-education/sboe-meetings/sboe-operating-rules> or in the information section of the agenda.*

- 1. Adoption of Review of 19 TAC Chapter 61, School Districts, Subchapter A, Board of Trustees Relationship, and Subchapter B, Special Purpose School Districts (Board agenda page IV-1)**

**COMMITTEE - ACTION  
SBOE - ACTION**

Texas Government Code (TGC), §2001.039, establishes a four-year rule review cycle for all state agency rules, including State Board of Education (SBOE) rules. This item presents the adoption of the review of 19 Texas Administrative Code (TAC) Chapter 61, School Districts, Subchapter A, Board of Trustees Relationship, and Subchapter B, Special Purpose School Districts. The rules being reviewed relate to continuing education for school board members, nomination of trustees for military reservation school districts and Boys Ranch Independent School District, applicability of state law for special purpose school districts, and applicability of state law to Boys Ranch Independent School District. The statutory authority for the rule review is the Texas Government Code (TGC), §2001.039. The statutory authority for 19 TAC Chapter 61, Subchapter A, is the Texas Education Code (TEC), §11.159, as amended by House Bill (HB) 690, 87th Texas Legislature, 2021, and TEC, §§11.185, 11.186, and 11.352; and for Subchapter B, is TEC, §11.351 and §11.352.

- 2. Open-Enrollment Charter School Generation 28 Application Updates (Board agenda page IV-14)**

**COMMITTEE - DISCUSSION  
SBOE - NO ACTION**

The director of the Division of Charter School Authorizing and Administration will discuss updates regarding the Generation 28 Open-Enrollment Charter Application cycle. Statutory authority is the Texas Education Code (TEC), §12.101.



**COMMITTEE ON SCHOOL INITIATIVES (continued)**

3. **Review of Proposed Amendment to 19 TAC Chapter 230, Professional Educator Preparation and Certification, Subchapter C, Assessment of Educators, §230.21, Educator Assessment (Board agenda page IV-15)**

**COMMITTEE - ACTION  
SBOE - ACTION**

This item provides the State Board of Education (SBOE) an opportunity to review the State Board for Educator Certification (SBEC) rule actions that would propose an amendment to 19 Texas Administrative Code (TAC) Chapter 230, Professional Educator Preparation and Certification, Subchapter C, Assessment of Educators, §230.21, Educator Assessment. The proposed amendment would specify the timeline by which a passing score on a certification exam can be used for certification purposes; would update the figure specifying the required pedagogy certification exams for issuance of the probationary or standard certificate; and would remove certificate categories that are no longer operational. The statutory authority for 19 TAC §230.21 is the Texas Education Code (TEC), §§21.041(b)(1), (2), and (4); 21.044(a); 21.048; 21.050; 22.082; and Texas Occupations Code (TOC), §54.003.

4. **Review of Proposed Revisions to 19 TAC Chapter 231, Requirements for Public School Personnel Assignments, Subchapter B, Prekindergarten–Grade 6 Assignments; Subchapter C, Grades 6–8 Assignments; and Subchapter E, Grades 9–12 Assignments (Board agenda page IV-44)**

**COMMITTEE - ACTION  
SBOE - ACTION**

This item provides the State Board of Education (SBOE) an opportunity to review the State Board for Educator Certification (SBEC) rule actions that would propose revisions to 19 Texas Administrative Code (TAC) Chapter 231, Requirements for Public School Personnel Assignments, Subchapter B, Prekindergarten–Grade 6 Assignments; Subchapter C, Grades 6–8 Assignments; and Subchapter E, Grades 9–12 Assignments. The proposed revisions would incorporate courses approved by the State Board of Education (SBOE), would add certificate areas to the list of credentials appropriate for placement into an assignment, and would incorporate technical edits where needed to improve readability and align citations. The statutory authority for 19 TAC Chapter 231 is the Texas Education Code (TEC), §§21.003(a), 21.031(a), 21.041(b)(1) and (2), and 21.064.

**COMMITTEE ON SCHOOL INITIATIVES (continued)**

5. **Review of Proposed Amendment to 19 TAC Chapter 250, Administration, Subchapter B, Rulemaking Procedures, §250.20, Petition for Adoption of Rules or Rule Changes**  
**(Board agenda page IV-107)**

**COMMITTEE - ACTION**  
**SBOE - ACTION**

This item provides the State Board of Education (SBOE) an opportunity to review the State Board for Educator Certification (SBEC) rule actions that would propose an amendment to 19 Texas Administrative Code (TAC) Chapter 250, Administration, Subchapter B, Rulemaking Procedures, §250.20, Petition for Adoption of Rules or Rule Changes. The proposed amendment would update the SBEC's petition procedures to allow for increased ease in submitting a petition for rulemaking for the SBEC's consideration. The statutory authority for Chapter 250, Subchapter B, §250.20, is the Texas Education Code (TEC), §21.035(b) and §21.041(a) and (b)(1), and Texas Government Code (TGC), §2001.021.

## **Information Materials**

1. **State Board of Education Operating Rules (amended January 26, 2021)**  
*Public testimony information begins on page V-8.*  
**(Board agenda page V-1)**

2. **Current Status of the Permanent School Fund**  
**(Board agenda page V-26)**

3. **2021-2025 Rule Review Plan for State Board of Education Rules**  
**(Board agenda page V-27)**

This item outlines the rule review plan for State Board of Education (SBOE) rules during the period of September 2021 through August 2025. Texas Government Code (TGC), §2001.039, requires an ongoing four-year rule review of existing state agency rules, including SBOE rules. The rule review requirement in TGC, §2001.039, is designed to ensure that the reason for initially adopting or readopting a rule continues to exist.

4. **Review of Annual Audit Plan of the Division of Financial Compliance for 2022-2023 School Year**  
**(Board agenda page V-35)**

This item covers the annual audit plan of the Division of Financial Compliance for the 2022-2023 school year for field and independent financial reviews as specifically described in 19 TAC Chapter 109, Texas Education Agency Audit Functions, §109.21, Annual Audit Plan.

**CONSENT AGENDA  
STATE BOARD OF EDUCATION  
June 17, 2022**

**(1) Review of the Report on Permanent School Fund Percentage Distribution Rates Under Consideration for Fiscal Years 2024 and 2025**

This item provides an opportunity for the committee and board to evaluate and approve the report on Permanent School Fund percentage distribution rates under consideration for fiscal years 2024 and 2025. The board will consider various factors associated with the distribution rate such as expected returns, inflation, and student population growth. Additionally, this item provides the opportunity for the board to discuss anticipated instructional material needs for the 2024-2025 biennium. Statutory authority is the Texas Constitution, Article VII, §2 and §5; and 19 Texas Administrative Code (TAC), Chapter 33.

(Agenda Exhibit) ..... I-3

**(2) Proposed Repeal of 19 TAC Chapter 115, Texas Essential Knowledge and Skills for Health Education, Subchapter A, Elementary, §§115.1-115.7, Subchapter B, Middle School, §§115.21-115.23, and Subchapter C, High School, §§115.31-115.33 (Second Reading and Final Adoption)**

This item presents for second reading and final adoption the proposed repeal of 19 Texas Administrative Code (TAC) Chapter 115, Texas Essential Knowledge and Skills for Health Education, Subchapter A, Elementary, §115.1, Implementation of Texas Essential Knowledge and Skills for Health Education, Elementary; §115.2, Health Education, Kindergarten; §115.3, Health Education, Grade 1; §115.4, Health Education, Grade 2; §115.5, Health Education, Grade 3; §115.6, Health Education, Grade 4; §115.7, Health Education, Grade 5; Subchapter B, Middle School, §115.21, Implementation of Texas Essential Knowledge and Skills for Health Education, Middle School; §115.22, Health Education, Grade 6; §115.23, Health Education, Grade 7-8; and Subchapter C, High School, §115.31, Implementation of Texas Essential Knowledge and Skills for Health Education, High School; §115.32, Health 1, Grades 9-10 (One-Half Credit); and §115.33, Advanced Health, Grades 11-12 (One-Half Credit). The proposed repeals would remove the Texas Essential Knowledge and Skills (TEKS) for Kindergarten-Grade 12 health education and related implementation language that will be superseded by 19 TAC §§115.11-115.17, 115.25-115.28, and 115.37-115.40 beginning with the 2022-2023 school year. No changes are recommended since approved for first reading. Statutory authority is the Texas Education Code (TEC), §7.102(c)(4) and §28.002(a) and (c).

(Agenda Exhibit) ..... II-1

**(3) Proposed Repeal of 19 TAC Chapter 116, Texas Essential Knowledge and Skills for Physical Education, Subchapter A, Elementary, §§116.1-116.7, Subchapter B, Middle School, §§116.21-116.24, and Subchapter C, High School, §§116.51-116.56 (Second Reading and Final Adoption)**

This item presents for second reading and final adoption the proposed repeal of 19 Texas Administrative Code (TAC) Chapter 116, Texas Essential Knowledge and Skills for Physical Education, Subchapter A, Elementary, §116.1, Implementation of Texas Essential Knowledge and Skills for Physical Education, Elementary; §116.2, Physical Education, Kindergarten; §116.3, Physical Education, Grade 1; §116.4, Physical Education, Grade 2; §116.5, Physical Education, Grade 3; §116.6, Physical Education, Grade 4; §116.7, Physical Education, Grade 5; Subchapter B, Middle School, §116.21, Implementation of Texas Essential Knowledge and Skills for Physical Education, Middle School; §116.22, Physical Education, Grade 6; §116.23, Physical Education, Grade 7; §116.24, Physical Education, Grade 8; and Subchapter C, High School, §116.51, Implementation of Texas Essential Knowledge and Skills for Physical Education, High School; §116.52, Foundations of Personal Fitness (One-Half Credit); §116.53, Adventure/Outdoor Education (One-Half Credit); §116.54, Aerobic Activities (One-Half Credit); §116.55, Individual Sports (One-Half Credit); and §116.56, Team Sports (One-Half Credit). The proposed repeal would remove the Texas Essential Knowledge and Skills (TEKS) for Kindergarten-Grade 12 physical education and related implementation language that will be superseded by 19 TAC §§116.11-116.17, 116.25-116.28, and 116.61-116.64 beginning with the 2022-2023 school year. No changes are recommended since approved for first reading. Statutory authority is the Texas Education Code (TEC), §7.102(c)(4) and §28.002(a), and (c).

(Agenda Exhibit) ..... II-5

**(4) Proposed Repeal of 19 TAC Chapter 127, Texas Essential Knowledge and Skills for Career Development and Career and Technical Education, Subchapter G, Education and Training, §§127.310, 127.312, and 127.313; Subchapter I, Health Science, §127.409; and Subchapter O, Science, Technology, Engineering, and Mathematics, §§127.753, 127.755, 127.761, and 127.764; and Chapter 130, Texas Essential Knowledge and Skills for Career and Technical Education, Subchapter J, Human Services, §130.277 (Second Reading and Final Adoption)**

This item presents for second reading and final adoption the proposed repeal of 19 Texas Administrative Code (TAC) Chapter 127, Texas Essential Knowledge and Skills for Career Development and Career and Technical Education, Subchapter G, Education and Training, §127.310, Principles of Education and Training (One Credit), Adopted 2015; §127.312, Instructional Practices (Two Credits), Adopted 2015; and §127.313, Practicum in Education and Training (Two Credits), Adopted 2015; Subchapter I, Health Science, §127.409, Health Informatics (One Credit), Adopted 2015; and Subchapter O, Science, Technology, Engineering, and Mathematics, §127.753, Engineering Design and Problem Solving (One Credit), Adopted 2015; §127.755, Engineering Science (One Credit), Adopted 2015; §127.761, Fundamentals of Computer Science (One Credit); and §127.764, Computer Science III (One Credit); and Chapter 130, Texas Essential Knowledge and Skills for Career and Technical Education, Subchapter J, Human Services, §130.277, Child Development (One Credit), Adopted 2015. The proposed repeals would remove the Texas Essential Knowledge and Skills (TEKS) for nine career and technical education (CTE) courses that will be superseded by 19 TAC §§127.316, 127.317, 127.325, 127.326, 127.418, 127.782, 127.785, 127.788, and 127.791 beginning with the 2022-2023 school year. No changes are recommended since approved for first reading. Statutory authority is the Texas Education Code (TEC), §7.102(c)(4) and §28.002(a) and (c).

(Agenda Exhibit) ..... II-9

**(5) Approval of Updates and Substitutions to Adopted Instructional Materials**

This item provides the opportunity for the committee and board to approve update and/or substitution requests received since the last board meeting. The updated content has been reviewed by 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. Statutory authority is the Texas Education Code (TEC), §31.003 and §31.022.

[\(Agenda Exhibit\)](#) ..... II-42

**(6) Report on Permanent School Fund Securities Transactions and the Investment Portfolio and Ratification of Purchases and Sales for the Months of February, March, and April 2022**

This item provides an opportunity for the committee and board to consider approval of the purchases and sales of investments executed in the portfolio of the Permanent School Fund (PSF) for the months of February, March, and April 2022. Statutory authority is the Texas Constitution, Article VII, §2 and §5; and 19 Texas Administrative Code (TAC), Chapter 33.

[\(Agenda Exhibit\)](#) ..... III-8

**(7) Report on Permanent School Fund Liquid Account and Ratification of Purchases and Sales for the Months of February, March, and April 2022**

This item provides an opportunity for the committee and board to receive a status update report on the liquid account and consider approval of the purchases and sales of investments executed in the liquid account for the months of February, March, and April 2022. Statutory authority is the Texas Constitution, Article VII, §2 and §5; Texas Natural Resources Code (NRC), §51.414, as repealed by SB 1232, 87th Legislature, Regular Session, 2021; and 19 Texas Administrative Code (TAC) Chapter 33.

[\(Agenda Exhibit\)](#) ..... III-9

**(8) Review the Process to Consider Board Member Nominees for a School Land Board Position**

This item provides an opportunity for the committee and board to review the process to consider nominees for a School Land Board position. Statutory authority is the Texas Constitution, Article VII, §2 and §5; 19 Texas Administrative Code (TAC), Chapter 33.

[\(Agenda Exhibit\)](#) ..... III-11

**(9) Review and Adoption of the Long-Term Strategic Asset Allocation Plan of the Permanent School Fund of the State Board of Education and the Permanent School Fund Liquid Account**

This item provides an opportunity for the board to review and adopt the long-term strategic asset allocation plan of the Permanent School Fund (PSF) of the State Board of Education (SBOE) and the PSF Liquid Account. Statutory authority is the Texas Constitution, Article VII, §2 and §5; 19 Texas Administrative Code (TAC), Chapter 33.

[\(Agenda Exhibit\)](#) ..... III-12

**OFFICIAL AGENDA**

**STATE BOARD OF EDUCATION  
AUSTIN, TEXAS**

**June 17, 2022  
9:00 a.m.**

**William B. Travis Building, Room 1-104  
1701 N. Congress Avenue**

**Invocation**

**Pledge of Allegiance**

**Roll Call**

**Approval of Minutes**

**State Board of Education, April 8, 2022 & May 16, 2022**

**1. Resolution and Presentations**

Resolution honoring the 2022 Student Heroes Award Recipients

Presentation of Milken Educator Award

2022 Texas Elementary Teacher of the Year, Jennifer Han, McAllen ISD

2022 Texas Secondary Teacher of the Year, Ramon Benavides, Ysleta ISD

*Public testimony – Individual testimony will be taken 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 <https://tea.texas.gov/about-tea/leadership/state-board-of-education/sboe-meetings/sboe-operating-rules> or in the information section of the agenda.*

**2. Approval of Consent Agenda**

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

**(Agenda Exhibit) .....** 19

**COMMITTEE OF THE FULL BOARD**

3. **Proposed New 19 TAC Chapter 126, Texas Essential Knowledge and Skills for Technology Applications, Subchapter A, Elementary, §§126.1-126.3 and 126.8-126.10, and Subchapter B, Middle School, §§126.17-126.19**  
(Second Reading and Final Adoption)

This item presents for second reading and final adoption proposed new 19 Texas Administrative Code (TAC) Chapter 126, Texas Essential Knowledge and Skills for Technology Applications, Subchapter A, Elementary, §126.1, Technology Applications, Kindergarten, Adopted 2022; §126.2, Technology Applications, Grade 1, Adopted 2022; §126.3, Technology Applications, Grade 2, Adopted 2022; §126.8, Technology Applications, Grade 3, Adopted 2022; §126.9, Technology Applications, Grade 4, Adopted 2022; and §126.10, Technology Applications, Grade 5, Adopted 2022; and Subchapter B, Middle School, §126.17, Technology Applications, Grade 6, Adopted 2022; §126.18, Technology Applications, Grade 7, Adopted 2022; and §126.19, Technology Applications, Grade 8, Adopted 2022. The proposed new rules would update the technology applications standards to ensure the standards remain current. No changes are recommended since approved for first reading. Statutory authority is the Texas Education Code (TEC), §7.102(c)(4) and §28.002(a), (c), (c-3), and (z).

(Agenda Exhibit) ..... I-5

4. **Proposed New 19 TAC Chapter 127, Texas Essential Knowledge and Skills for Career Development, Subchapter O, Science, Technology, Engineering, and Mathematics, §§127.788-127.794**  
(Second Reading and Final Adoption)

This item presents for second reading and final adoption proposed new 19 Texas Administrative Code (TAC) Chapter 127, Texas Essential Knowledge and Skills for Career Development and Career and Technical Education, Subchapter O, Science, Technology, Engineering, and Mathematics, §127.788, Fundamentals of Computer Science (One Credit), Adopted 2022; §127.789, Computer Science I (One Credit), Adopted 2022; §127.790, Computer Science II (One Credit), Adopted 2022; §127.791, Computer Science III (One Credit), Adopted 2022; §127.792, Foundations of Cybersecurity (One Credit), Adopted 2022; §127.793, Digital Forensics (One Credit), Adopted 2022; and §127.794, Cybersecurity Capstone (One Credit), Adopted 2022. The proposed new rules would update the Texas Essential Knowledge and Skills (TEKS) for the high school cybersecurity and computer science courses to ensure the standards remain current. No changes are recommended since approved for first reading. Statutory authority is the Texas Education Code (TEC), §§7.102(c)(4); 28.002(a), (c), (c-3), and (f)(2); and 28.025(a), (c-1)(1), and (c-10).

(Agenda Exhibit) ..... I-36



**COMMITTEE OF THE FULL BOARD**

**5. Proposed New 19 TAC Chapter 113, Texas Essential Knowledge and Skills for Social Studies, Subchapter C, High School, §113.76, Personal Financial Literacy and Economics (Second Reading and Final Adoption)**

This item presents for second reading and final adoption proposed new 19 Texas Administrative Code (TAC) Chapter 113, Texas Essential Knowledge and Skills for Social Studies, Subchapter C, High School, §113.76, Personal Financial Literacy and Economics. The proposed new rule would add Texas Essential Knowledge and Skills (TEKS) for a new social studies course to comply with the requirements of Senate Bill (SB) 1063, 87th Texas Legislature, Regular Session, 2021. No changes are recommended since approved for first reading. Statutory authority is the Texas Education Code (TEC), §§7.102(c)(4); 28.002(a) and (c); and 28.025(b-1) and (b-22), as amended and added by SB 1063, 87th Texas Legislature, Regular Session, 2021.

(Agenda Exhibit) ..... I-67

**6. Proposed Amendment to 19 TAC Chapter 74, Curriculum Requirements, Subchapter A, Required Curriculum, §74.3, Description of a Required Secondary Curriculum (Second Reading and Final Adoption)**

This item presents for second reading and final adoption a proposed amendment to 19 Texas Administrative Code (TAC) Chapter 74, Curriculum Requirements, Subchapter A, Required Curriculum, §74.3, Description of a Required Secondary Curriculum. The proposed amendment would update the list of high school courses for social studies and physical education that are required to be offered to students. No changes are recommended since approved for first reading. Statutory authority is the Texas Education Code (TEC), §§7.102(c)(4), 28.002(a) and (c), and 28.025(b-1) and (b-22), as amended and added by Senate Bill (SB) 1063, 87th Texas Legislature, Regular Session, 2021.

(Agenda Exhibit) ..... I-76

**7. Proposed Amendment to 19 TAC Chapter 66, State Adoption and Distribution of Instructional Materials, Subchapter C, Local Operations, §66.105, Certification by School Districts (First Reading and Filing Authorization)**

This item presents for first reading and filing authorization proposed amendment to 19 Texas Administrative Code (TAC) Chapter 66, State Adoption and Distribution of Instructional Materials, Subchapter C, Local Operations, §66.105, Certification by School Districts. The proposed amendment would add a certification requirement to align with Senate Bill 1, 87th Texas Legislature, Regular Session, 2021. Statutory authority is the Texas Education Code (TEC), §§7.102, 31.003, 31.004, 31.005, 31.0211, and 31.101; SB 1, Article III, 87th Texas Legislature, Regular Session, 2021; and 47 USC §254(h)(5)(B) and (C).

(Agenda Exhibit) ..... I-82

**COMMITTEE OF THE FULL BOARD**

**8. Consideration of the Commissioner of Education’s Generation 27 Open-Enrollment Charter School Proposals**

This item provides the committee and board an opportunity to review and take action or no action on the commissioner’s list of proposed Subchapter D Open-Enrollment Charter Schools scheduled to open in the 2023-2024 school year. If awarded, the charters will have an initial five-year term. Statutory authority is the Texas Education Code (TEC), §12.101.

(Agenda Exhibit) ..... I-87

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

This item provides the opportunity for staff to present an update on the review of the Texas Essential Knowledge and Skills (TEKS) and the English Language Proficiency Standards (ELPS) and for the board to provide additional guidance to TEKS and ELPS review work groups, as necessary. Statutory authority for this action is the Texas Education Code (TEC), §§7.102(c)(4), 28.002(a) and (c), and 28.025(a).

(Agenda Exhibit) ..... I-89

**COMMITTEE ON INSTRUCTION**

**10. Proposed Approval of Innovative Courses**

This item recommends approval of innovative courses that do not fall within any of the subject areas of the foundation or enrichment curriculum. Statutory authority is the Texas Education Code (TEC), §28.002(f).

(Agenda Exhibit) ..... II-114

**COMMITTEE ON SCHOOL FINANCE/PERMANENT SCHOOL FUND**

**11. Proposed Amendment to 19 TAC Chapter 109, Budgeting, Accounting, and Auditing, Subchapter C, Adoptions By Reference, §109.41, Financial Accountability System Resource Guide (Second Reading and Final Adoption)**

This item presents for second reading and final adoption a proposed amendment to 19 Texas Administrative Code (TAC) Chapter 109, Budgeting, Accounting, and Auditing, Subchapter C, Adoptions By Reference, §109.41, Financial Accountability System Resource Guide. The proposed amendment would adopt by reference the updated *Financial Accountability System Resource Guide* (FASRG). No changes are recommended since approved for first reading. Statutory authority is the Texas Education Code (TEC), §§7.102(c)(32), 44.001(a) and (b), 44.007(a)-(d), and 44.008(b).

(Agenda Exhibit) ..... III-1

**COMMITTEE ON SCHOOL INITIATIVES**

**12. Adoption of Review of 19 TAC Chapter 61, School Districts, Subchapter A, Board of Trustees Relationship, and Subchapter B, Special Purpose School Districts**

Texas Government Code (TGC), §2001.039, establishes a four-year rule review cycle for all state agency rules, including State Board of Education (SBOE) rules. This item presents the adoption of the review of 19 Texas Administrative Code (TAC) Chapter 61, School Districts, Subchapter A, Board of Trustees Relationship, and Subchapter B, Special Purpose School Districts. The rules being reviewed relate to continuing education for school board members, nomination of trustees for military reservation school districts and Boys Ranch Independent School District, applicability of state law for special purpose school districts, and applicability of state law to Boys Ranch Independent School District. The statutory authority for the rule review is the Texas Government Code (TGC), §2001.039. The statutory authority for 19 TAC Chapter 61, Subchapter A, is the Texas Education Code (TEC), §11.159, as amended by House Bill (HB) 690, 87th Texas Legislature, 2021, and TEC, §§11.185, 11.186, and 11.352; and for Subchapter B, is TEC, §11.351 and §11.352.

(Agenda Exhibit) ..... IV-1

**13. Review of Proposed Amendment to 19 TAC Chapter 230, Professional Educator Preparation and Certification, Subchapter C, Assessment of Educators, §230.21, Educator Assessment**

This item provides the State Board of Education (SBOE) an opportunity to review the State Board for Educator Certification (SBEC) rule actions that would propose an amendment to 19 Texas Administrative Code (TAC) Chapter 230, Professional Educator Preparation and Certification, Subchapter C, Assessment of Educators, §230.21, Educator Assessment. The proposed amendment would specify the timeline by which a passing score on a certification exam can be used for certification purposes; would update the figure specifying the required pedagogy certification exams for issuance of the probationary or standard certificate; and would remove certificate categories that are no longer operational. The statutory authority for 19 TAC §230.21 is the Texas Education Code (TEC), §§21.041(b)(1), (2), and (4); 21.044(a); 21.048; 21.050; 22.082; and Texas Occupations Code (TOC), §54.003.

(Agenda Exhibit) ..... IV-15

**COMMITTEE ON SCHOOL INITIATIVES**

**14. Review of Proposed Revisions to 19 TAC Chapter 231, Requirements for Public School Personnel Assignments, Subchapter B, Prekindergarten–Grade 6 Assignments; Subchapter C, Grades 6–8 Assignments; and Subchapter E, Grades 9–12 Assignments**

This item provides the State Board of Education (SBOE) an opportunity to review the State Board for Educator Certification (SBEC) rule actions that would propose revisions to 19 Texas Administrative Code (TAC) Chapter 231, Requirements for Public School Personnel Assignments, Subchapter B, Prekindergarten–Grade 6 Assignments; Subchapter C, Grades 6–8 Assignments; and Subchapter E, Grades 9–12 Assignments. The proposed revisions would incorporate courses approved by the State Board of Education (SBOE), would add certificate areas to the list of credentials appropriate for placement into an assignment, and would incorporate technical edits where needed to improve readability and align citations. The statutory authority for 19 TAC Chapter 231 is the Texas Education Code (TEC), §§21.003(a), 21.031(a), 21.041(b)(1) and (2), and 21.064.

(Agenda Exhibit) ..... IV-44

**15. Review of Proposed Amendment to 19 TAC Chapter 250, Administration, Subchapter B, Rulemaking Procedures, §250.20, Petition for Adoption of Rules or Rule Changes**

This item provides the State Board of Education (SBOE) an opportunity to review the State Board for Educator Certification (SBEC) rule actions that would propose an amendment to 19 Texas Administrative Code (TAC) Chapter 250, Administration, Subchapter B, Rulemaking Procedures, §250.20, Petition for Adoption of Rules or Rule Changes. The proposed amendment would update the SBEC’s petition procedures to allow for increased ease in submitting a petition for rulemaking for the SBEC’s consideration. The statutory authority for Chapter 250, Subchapter B, §250.20, is the Texas Education Code (TEC), §21.035(b) and §21.041(a) and (b)(1), and Texas Government Code (TGC), §2001.021.

(Agenda Exhibit) ..... IV-107

**REPORTS OF COMMITTEES REGARDING AGENDA ITEMS POSTED FOR DISCUSSION ON COMMITTEE AGENDAS**

Committee chairs may provide an update about discussion items considered during the current meeting by any standing committee or ad hoc committee.

**REPORTS OF OTHER STATE BOARD OF EDUCATION MEMBERS REGARDING AGENDA ITEMS AND EDUCATIONAL ACTIVITIES AND CONCERNS IN INDIVIDUAL DISTRICTS**

Members of the State Board of Education may present information regarding agenda items or other relevant information about public education.

## **Information Materials**

1. **State Board of Education Operating Rules (amended January 26, 2021)**  
*Public testimony information begins on page V-8.*  
**(Board agenda page V-1)**

2. **Current Status of the Permanent School Fund**  
**(Board agenda page V-26)**

3. **2021-2025 Rule Review Plan for State Board of Education Rules**  
**(Board agenda page V-27)**

This item outlines the rule review plan for State Board of Education (SBOE) rules during the period of September 2021 through August 2025. Texas Government Code (TGC), §2001.039, requires an ongoing four-year rule review of existing state agency rules, including SBOE rules. The rule review requirement in TGC, §2001.039, is designed to ensure that the reason for initially adopting or readopting a rule continues to exist.

4. **Review of Annual Audit Plan of the Division of Financial Compliance for 2022-2023 School Year**  
**(Board agenda page V-35)**

This item covers the annual audit plan of the Division of Financial Compliance for the 2022-2023 school year for field and independent financial reviews as specifically described in 19 TAC Chapter 109, Texas Education Agency Audit Functions, §109.21, Annual Audit Plan.

# **COMMITTEE OF THE FULL BOARD**

**Public Hearing Regarding Review of 19 TAC Chapter 230, Professional Educator Preparation and Certification, Subchapter C, Assessment of Educators, §230.21, Educator Assessment**

**June 14, 2022**

**COMMITTEE OF THE FULL BOARD: DISCUSSION  
STATE BOARD OF EDUCATION: NO ACTION**

**SUMMARY:** A public hearing before the State Board of Education (SBOE) is scheduled for Tuesday, June 14, 2022, in the William B. Travis Building, Room 1-104. Testimony will be presented regarding review of 19 Texas Administrative Code (TAC) Chapter 230, Professional Educator Preparation and Certification, Subchapter C, Assessment of Educators, §230.21, Educator Assessment. In accordance with SBOE operating procedures, oral testimony will be limited to two minutes per person.

**STATUTORY AUTHORITY:** Texas Education Code (TEC), §§21.041(b)(1), (2), and (4); 21.044(a); 21.048; 21.050; 22.082; and Texas Occupations Code (TOC), §54.003.

TEC, §21.041(b)(1), (2), and (4), require the SBEC to propose rules that provide for the regulation of educators and the general administration of the TEC, Chapter 21, Subchapter B, in a manner consistent with the TEC, Chapter 21, Subchapter B; specify the classes of educator certificates to be issued, including emergency certificates; and specify the requirements for the issuance and renewal of an educator certificate.

TEC, §21.044(a), requires the SBEC to propose rules establishing training requirements a person must accomplish to obtain a certificate, enter an internship, or enter an induction-year program.

TEC, §21.048, states the SBEC shall propose rules prescribing comprehensive examinations for each class of certificate issued by the board that includes not requiring more than 45 days elapsing between examination retakes and that starting January 1, 2021, all candidates teaching prekindergarten through grade six must demonstrate proficiency in the science of teaching reading on a certification examination.

TEC, §21.050(a), states a person who applies for a teaching certificate must possess a bachelor's degree.

TEC, §21.050(b), states the SBEC shall provide for a minimum number of semester credit hours of field-based experience or internship.

TEC, §21.050(c), states a person who receives a bachelor's degree required for a teaching certificate on the basis of higher education coursework completed while receiving an exemption from tuition and fees under the TEC, §54.363, may not be required to participate in any field experience or internship consisting of student teaching to receive a teaching certificate.

TEC, §22.082, requires SBEC to subscribe to the criminal history clearinghouse as provided by Texas Government Code, §411.0845, and may obtain any law enforcement or criminal history records that relate to a specific applicant for or holder of a certificate issued under Chapter 21, Subchapter B.

TOC, §54.003, states a licensing authority shall provide accommodations and eligibility criteria for examinees diagnosed as having dyslexia.

The full text of statutory citations can be found in the statutory authority section of this agenda.

**BACKGROUND INFORMATION AND JUSTIFICATION:** The SBEC rules in 19 TAC Chapter 230 specify the testing requirements for initial certification and for additional certificates based on examination. These requirements ensure educators are qualified and professionally prepared to instruct the schoolchildren of Texas.

At the July 2019 SBEC meeting, the SBEC adopted the edTPA performance assessment pilot as a portfolio-based assessment to gather data from the assessment on Texas candidates. From SBEC discussions in 2018, the goal of moving to a performance assessment was to improve the quality and consistency of newly certified teachers. This item provides the SBEC the opportunity to transition carefully from the edTPA pilot to full implementation. Given the feedback and input from the SBEC and stakeholders, the proposed rule text will allow for a three-phase approach over the next three academic years.

At the February 2022 SBEC meeting, Texas Education Agency (TEA) staff shared additional information regarding the edTPA implementation plan and addressed questions posed by members of the SBEC and stakeholders at the December 2021 meeting.

Review of 19 TAC Chapter 230, Professional Educator Preparation and Certification, Subchapter C, Assessment of Educators, §230.21, Educator Assessment is presented for action as a separate item in this agenda.

**Staff Members Responsible:**

Emily Garcia, Associate Commissioner, Educator Preparation, Certification, and Enforcement  
Jessica McLoughlin, Director, Educator Standards, Testing, and Preparation



**Review of the Report on Permanent School Fund Percentage Distribution Rates  
Under Consideration for Fiscal Years 2024 and 2025**

**June 17, 2022**

**COMMITTEE OF THE FULL BOARD: ACTION  
STATE BOARD OF EDUCATION: CONSENT**

**SUMMARY:** This item provides an opportunity for the board to evaluate and approve the report on Permanent School Fund (PSF) percentage distribution rates under consideration for fiscal years 2024 and 2025. The board will consider various factors associated with the distribution rate such as expected returns, inflation, and student growth. Additionally, this item provides the opportunity for the board to discuss anticipated instructional materials needs for the 2024-2025 biennium.

**STATUTORY AUTHORITY:** Texas Constitution, [Article VII, §2](#) and [§5](#); and 19 Texas Administrative Code (TAC) Chapter 33.

The Texas Constitution, Article VII, §2 and §5 establish the permanent school fund, the assets that comprise the permanent school fund, the bond guarantee program, the available school fund, and authorize the State Board of Education (SBOE) to manage and invest the permanent school fund in accordance with the prudent person standard.

19 TAC Chapter 33 codifies administrative rules that provide a statement of investment objectives, policies, and guidelines of the Texas Permanent School Fund and Bond Guarantee Program as adopted by the SBOE.

The full text of statutory citations can be found in the statutory authority section of this agenda.

**PREVIOUS BOARD ACTION:** At the July 2020 meeting, the board approved the percentage distribution rate to the Available School Fund (ASF) from the PSF for fiscal years 2022 and 2023 to be between 3.76% and 4.68%.

**BACKGROUND INFORMATION AND JUSTIFICATION:** The amendment to Article VII of the Constitution changed the PSF distribution from an income-based policy to a total return policy. This distribution rate is to be determined by a vote of two-thirds of the total membership of the SBOE taken before the regular session of the legislature convenes. If the SBOE does not adopt a rate, then the legislature will adopt a rate by general law or appropriation. The current rate is 4.18% of the average market value for the trailing 16 state fiscal quarters ending November 30, 2020.

According to the General Appropriations Act (SB 1): Permanent School Fund Distribution Rate, at least 45 days prior to the adoption of the distribution rate from the Permanent School Fund to the Available School Fund by the State Board of Education, the Texas Education Agency must report to the Legislative Budget Board and the Governor on the following:

- a. The distribution rate or rates under consideration
- b. The assumptions and methodology used in determining the rate or rates under consideration
- c. The annual amount the distribution rate or rates under consideration are estimated to provide, and the difference between them and the annual distribution amounts for the preceding three biennia

- d. The optimal distribution amount for the preceding biennium, based on an analysis of intergenerational equity, and the difference between it and the actual distribution amount

**Staff Member Responsible:**

Holland Timmins, Executive Administrator and Chief Investment Officer, Texas Permanent School Fund

**Proposed New 19 TAC Chapter 126, Texas Essential Knowledge and Skills for Technology Applications,  
Subchapter A, Elementary, §§126.1-126.3 and 126.8-126.10; and Subchapter B, Middle School,  
§§126.17-126.19  
(Second Reading and Final Adoption)**

**June 17, 2022**

**COMMITTEE OF THE FULL BOARD: ACTION  
STATE BOARD OF EDUCATION: ACTION**

**SUMMARY:** This item presents for second reading and final adoption proposed new 19 Texas Administrative Code (TAC) Chapter 126, Texas Essential Knowledge and Skills for Technology Applications, Subchapter A, Elementary, §126.1, Technology Applications, Kindergarten, Adopted 2022; §126.2, Technology Applications, Grade 1, Adopted 2022; §126.3, Technology Applications, Grade 2, Adopted 2022; §126.8, Technology Applications, Grade 3, Adopted 2022; §126.9, Technology Applications, Grade 4, Adopted 2022; and §126.10, Technology Applications, Grade 5, Adopted 2022; and Subchapter B, Middle School, §126.17, Technology Applications, Grade 6, Adopted 2022; §126.18, Technology Applications, Grade 7, Adopted 2022; and §126.19, Technology Applications, Grade 8, Adopted 2022. The proposed new rules would update the technology applications standards to ensure the standards remain current. No changes are recommended since approved for first reading.

**STATUTORY AUTHORITY:** Texas Education Code (TEC), §7.102(c)(4) and §28.002(a), (c), (c-3), and (z).

TEC, §7.102(c)(4), requires the State Board of Education (SBOE) to establish curriculum and graduation requirements.

TEC, §28.002(a), identifies the subjects of the required curriculum.

TEC, §28.002(c), requires the SBOE to identify by rule the essential knowledge and skills of each subject in the required curriculum that all students should be able to demonstrate and that will be used in evaluating instructional materials and addressed on the state assessment instruments.

TEC, §28.002(c-3), requires the SBOE to include coding, computer programming, computational thinking, and cybersecurity in the Texas Essential Knowledge and Skills (TEKS) for technology applications for Kindergarten-Grade 8. The statute also requires that, as needed, the SBOE review and revise the technology applications TEKS every five years to ensure that the standards are relevant to student education and align current or emerging professions.

TEC, §28.002(z), requires the SBOE to adopt rules to require school districts to incorporate instruction in digital citizenship, including information regarding the potential criminal consequences of cyberbullying, into the district's curriculum.

The full text of statutory citations can be found in the statutory authority section of this agenda.

**EFFECTIVE DATE:** The proposed effective date of the proposed new sections is 20 days after filing as adopted with the Texas Register. Under TEC, §7.102(f), the SBOE must approve the rule action at second reading and final adoption by a vote of two-thirds of its members to specify an effective date earlier than the beginning of the 2023-2024 school year. The earlier effective date will enable districts to begin preparing for implementation of the revised elementary and middle school technology applications TEKS.

**PREVIOUS BOARD ACTION:** The SBOE originally adopted the TEKS for technology applications effective September 1, 1998. The SBOE adopted revisions to the technology applications TEKS effective September 26, 2011. In January 2020, the SBOE adopted revisions to technology applications to consolidate high school technology applications courses into the career and technical education (CTE) TEKS in 19 TAC Chapter 130 effective August 1, 2020.

Proposed new §§126.1-126.3, 126.8-126.10, and 126.17-126.19 were approved for first reading and filing authorization at the April 2022 SBOE meeting.

**BACKGROUND INFORMATION AND JUSTIFICATION:** In accordance with statutory requirements that the SBOE identify by rule the essential knowledge and skills of each subject in the required curriculum, the SBOE follows a board-approved cycle to review and revise the essential knowledge and skills for each subject. Technology applications is part of the required curriculum for Kindergarten-Grade 8 only. In 2020, the SBOE approved the consolidation of the high school technology applications courses into the CTE TEKS.

At the January 2021 meeting, SBOE members were asked to designate content advisors for the review and revision of the technology applications TEKS. Applications to serve on the TEKS review work groups were posted on the Texas Education Agency (TEA) website in March 2021. In April 2021, TEA distributed a survey to collect information from educators regarding the review and revision of the technology applications TEKS. TEA staff provided applications for the technology applications review work groups to SBOE members on a monthly basis from May-September 2021.

Technology applications TEKS review content advisor and work group meetings convened in 2021 were conducted virtually. In July 2021, technology applications TEKS review content advisors met virtually to develop consensus recommendations regarding revisions to the technology applications TEKS and met with representatives from Work Group A to discuss their recommendations. Also in July 2021, Work Group A convened to discuss the consensus recommendations, review survey results, and develop recommendations for how subsequent technology applications TEKS review work groups could address the feedback received. Work Group B was convened in September 2021 and was charged with developing recommendations for a new strand framework. The work group recommended six new strands and reorganized the current technology applications TEKS into the proposed new strands. Work Group C was convened in October 2021 to draft recommendations for student expectations for two of the strands in the proposed new strand framework. Work Group D was convened at the end of October 2021 to draft recommendations for the remaining four proposed new strands. The work group recommended eliminating one of the strands, which would reduce the original proposed strand framework to a total of five strands. Work Group E was convened for a virtual meeting in December 2021 to review the vertical alignment of the strands across all grade levels and to ensure the proposed new standards could be reasonably taught in an academic year. In December 2021, content advisors were sent the draft recommendations for review. A discussion item on the draft recommendations was presented to the board at the January 2022 SBOE meeting. At the April 2022 SBOE, the board approved for first reading and filing authorization proposed new §§126.1-126.3, 126.8-126.10, and 126.17-126.19.

The attachment to this item reflects the text of proposed new Chapter 126, Subchapter A, §§126.1-126.3 and 126.8-126.10, and Subchapter B, §§126.17-126.19, for consideration for second reading and final adoption. The proposed new sections would adopt updated technology applications standards to ensure the standards remain current. No changes are recommended since approved for first reading.

**FISCAL IMPACT:** No changes have been made to this section since published as proposed.

TEA has determined that for the first five years the proposal is in effect (2022-2026), there are no fiscal implications to the state. There will be implications for TEA if the state develops professional development to help teachers and administrators understand the revised TEKS. Any professional development that is created would be based on whether TEA received an appropriation for professional development in the next biennium.

There may be fiscal implications for school districts and charter schools to implement the proposed new TEKS, which may include the need for professional development and revisions to district-developed databases, curriculum, and scope and sequence documents. Since curriculum and instruction decisions are made at the local district level, it is difficult to estimate the fiscal impact on any given district.

**LOCAL EMPLOYMENT IMPACT:** No changes have been made to this section since published as proposed.

The proposal has no effect on local economy; therefore, no local employment impact statement is required under Texas Government Code, §2001.022.

**SMALL BUSINESS, MICROBUSINESS, AND RURAL COMMUNITY IMPACT:** No changes have been made to this section since published as proposed.

The proposal has no direct adverse economic impact for small businesses, microbusinesses, or rural communities; therefore, no regulatory flexibility analysis specified in Texas Government Code, §2006.002, is required.

**COST INCREASE TO REGULATED PERSONS:** No changes have been made to this section since published as proposed.

The proposal does not impose a cost on regulated persons, another state agency, a special district, or a local government and, therefore, is not subject to Texas Government Code, §2001.0045.

**TAKINGS IMPACT ASSESSMENT:** No changes have been made to this section since published as proposed.

The proposal does not impose a burden on private real property and, therefore, does not constitute a taking under Texas Government Code, §2007.043.

**GOVERNMENT GROWTH IMPACT:** No changes have been made to this section since published as proposed.

TEA staff prepared a Government Growth Impact Statement assessment for this proposed rulemaking. During the first five years the proposed rulemaking would be in effect, it would create new regulations by adopting new technology applications TEKS required to be offered by school districts and charter schools.

The proposed rulemaking would not create or eliminate a government program; would not require the creation of new employee positions or elimination of existing employee positions; would not require an increase or decrease in future legislative appropriations to the agency; would not require an increase or decrease in fees paid to the agency; would not expand, limit, or repeal an existing regulation; would not increase or decrease the number of individuals subject to its applicability; and would not positively or adversely affect the state's economy.

**PUBLIC BENEFIT AND COST TO PERSONS:** No changes have been made to this section since published as proposed.

The proposal would better align the TEKS and coordinate the standards with the adoption of instructional materials. There is no anticipated economic cost to persons who are required to comply with the proposal.

**DATA AND REPORTING IMPACT:** No changes have been made to this section since published as proposed.

The proposal would have no data and reporting impact.

**PRINCIPAL AND CLASSROOM TEACHER PAPERWORK REQUIREMENTS:** No changes have been made to this section since published as proposed.

TEA has determined that the proposal would not require a written report or other paperwork to be completed by a principal or classroom teacher.

**PUBLIC COMMENTS:** Following the April 2022 SBOE meeting, notice of proposed new 19 TAC §§126.1-126.3, 126.8-126.10, and 126.17-126.19 was filed with the Texas Register, initiating the public comment period. The public comment period began May 6, 2022, and ended at 5:00 p.m. on June 10, 2022. No comments had been received at the time this item was prepared. A summary of public comments received will be provided to the SBOE prior to and during the June 2022 meeting. The SBOE will take registered oral and written comments on the proposal at the appropriate committee meeting in June 2022 in accordance with the SBOE board operating policies and procedures.

**MOTION TO BE CONSIDERED:** The State Board of Education:

Approve for second reading and final adoption proposed new 19 TAC Chapter 126, Texas Essential Knowledge and Skills for Technology Applications, Subchapter A, Elementary, §126.1, Technology Applications, Kindergarten, Adopted 2022; §126.2, Technology Applications, Grade 1, Adopted 2022; §126.3, Technology Applications, Grade 2, Adopted 2022; §126.8, Technology Applications, Grade 3, Adopted 2022; §126.9, Technology Applications, Grade 4, Adopted 2022; and §126.10, Technology Applications, Grade 5, Adopted 2022; and Subchapter B, Middle School, §126.17, Technology Applications, Grade 6, Adopted 2022; §126.18, Technology Applications, Grade 7, Adopted 2022; and §126.19, Technology Applications, Grade 8, Adopted 2022; and

Make an affirmative finding that immediate adoption of the proposed new 19 TAC Chapter 126, Texas Essential Knowledge and Skills for Technology Applications, Subchapter A, Elementary, §126.1, Technology Applications, Kindergarten, Adopted 2022; §126.2, Technology Applications, Grade 1, Adopted 2022; §126.3, Technology Applications, Grade 2, Adopted 2022; §126.8, Technology Applications, Grade 3, Adopted 2022; §126.9, Technology Applications, Grade 4, Adopted 2022; and §126.10, Technology Applications, Grade 5, Adopted 2022; and Subchapter B, Middle School, §126.17, Technology Applications, Grade 6, Adopted 2022; §126.18, Technology Applications, Grade 7, Adopted 2022; and §126.19, Technology Applications, Grade 8, Adopted 2022, is necessary and shall have an effective date of 20 days after filing as adopted with the Texas Register. *(Per TEC, §7.102(f), a vote of two-thirds of the members of the board is necessary for an earlier effective date.)*

**Staff Members Responsible:**

Monica Martinez, Associate Commissioner, Standards and Programs  
Shelly Ramos, Senior Director, Curriculum Standards and Student Support

**Attachment:**

Text of Proposed New 19 TAC Chapter 126, Texas Essential Knowledge and Skills for Technology Applications, Subchapter A, Elementary, §§126.1-126.3 and 126.8-126.10, and Subchapter B, Middle School, §§126.17-126.19

Text of Proposed New 19 TAC

Chapter 126. Texas Essential Knowledge and Skills for Technology Applications

Subchapter A. Elementary

§126.1. Technology Applications, Kindergarten, Adopted 2022.

- (a) Implementation. The provisions of this section shall be implemented by school districts beginning with the 2024-2025 school year.
- (1) No later than August 1, 2024, the commissioner of education shall determine whether instructional materials funding has been made available to Texas public schools for materials that cover the essential knowledge and skills identified in this section.
  - (2) If the commissioner makes the determination that instructional materials funding has been made available this section shall be implemented beginning with the 2024-2025 school year and apply to the 2024-2025 and subsequent school years.
  - (3) If the commissioner does not make the determination that instructional materials funding has been made available under this subsection, the commissioner shall determine no later than August 1 of each subsequent school year whether instructional materials funding has been made available. If the commissioner determines that instructional materials funding has been made available, the commissioner shall notify the State Board of Education and school districts that this section shall be implemented for the following school year.
- (b) Introduction.
- (1) Technology includes data communication, data processing, and the devices used for these tasks locally and across networks. Learning to apply these technologies motivates students to develop critical-thinking skills, higher-order thinking, and innovative problem solving. Technology applications incorporates the study of digital tools, devices, communication, and programming to empower students to apply current and emerging technologies in their careers, their education, and beyond.
  - (2) The technology applications Texas Essential Knowledge and Skills (TEKS) consist of five strands that prepare students to be literate in technology applications by Grade 8: computational thinking; creativity and innovation; data literacy, management, and representation; digital citizenship; and practical technology concepts. Communication and collaboration skills are embedded across the strands.
    - (A) Computational thinking. Students break down the problem-solving process into four steps: decomposition, pattern recognition, abstraction, and algorithms.
    - (B) Creativity and innovation. Students use innovative design processes to develop solutions to problems. Students plan a solution, create the solution, test the solution, iterate, and debug the solution as needed and implement a completely new and innovative product.
    - (C) Data literacy, management, and representation. Students collect, organize, manage, analyze, and publish various types of data for an audience.
    - (D) Digital citizenship. Students practice the ethical and effective application of technology and develop an understanding of cybersecurity and the impact of a digital footprint to become safe, productive, and respectful digital citizens.
    - (E) Practical technology concepts. Students build their knowledge of software applications and hardware focusing on keyboarding and use of applications and tools.
  - (3) The technology applications TEKS can be integrated into all content areas and can support stand-alone courses. Districts have the flexibility of offering technology applications in a variety of settings, including through a stand-alone course or by integrating the technology applications standards in the essential knowledge and skills for one or more courses or subject areas.



- (4) Statements containing the word "including" reference content that must be mastered, while those containing the phrase "such as" are intended as possible illustrative examples.
- (c) Knowledge and skills.
- (1) Computational thinking--foundations. The student explores the core concepts of computational thinking, a set of problem-solving processes that involve decomposition, pattern recognition, abstraction, and algorithms. The student is expected to:
- (A) identify a problem or task such as making a sandwich and break it down (decompose) into smaller pieces;
  - (B) identify simple patterns and make predictions based on the patterns; and
  - (C) identify algorithms (step-by-step instructions) using a sequential process such as first, next, then, and last.
- (2) Computational thinking--applications. The student, with guidance from an educator, applies the fundamentals of computer science. The student is expected to create a sequence of code with or without technology such as solving a maze using drag-and-drop programming or creating step-by-step directions for student movement to a specific location.
- (3) Creativity and innovation--innovative design process. The student takes an active role in learning by using a design process to solve authentic problems for a local or global audience, using a variety of technologies. The student is expected to:
- (A) practice personal skills, including following directions, needed to successfully implement design processes; and
  - (B) use a design process with components such as asking questions, brainstorming, or storyboarding to identify and solve authentic problems with adult assistance.
- (4) Data literacy, management, and representation--collect data. The student defines data and explains how data can be found and collected. The student is expected to:
- (A) communicate an understanding that data is information collected about people, events, or objects such as computer searches and weather patterns; and
  - (B) communicate with adult assistance the idea that digital devices can search for and retrieve information.
- (5) Digital citizenship--social interactions. The student identifies appropriate ways to communicate in various digital environments. The student is expected to identify and demonstrate responsible behavior within a digital environment.
- (6) Digital citizenship--ethics and laws. The student recognizes and practices responsible, legal, and ethical behavior while using digital tools and resources. The student is expected to:
- (A) demonstrate acceptable use of digital resources and devices as outlined in local policies or acceptable use policy (AUP); and
  - (B) communicate an understanding that all digital content has owners.
- (7) Digital citizenship--privacy, safety, and security. The student practices safe, legal, and ethical digital behaviors to become a socially responsible digital citizen. The student is expected to:
- (A) identify ways to keep a user account safe, including not sharing login information and logging off accounts and devices; and
  - (B) identify and discuss what information is safe to share online such as hobbies and likes and dislikes and what information is unsafe such as identifying information.
- (8) Practical technology concepts--skills and tools. The student demonstrates knowledge and appropriate use of technology systems, concepts, and operations. The student is expected to:

- (A) use a variety of applications, devices, and online learning environments to engage with content;
- (B) identify basic computer hardware, including a variety of input and output devices, and software using accurate terminology;
- (C) perform software application functions such as opening an application and modifying, printing, and saving digital artifacts using a variety of developmentally appropriate digital tools and resources;
- (D) practice ergonomically correct keyboarding techniques and developmentally appropriate hand and body positions; and
- (E) identify, locate, and practice using keys on the keyboard, including letters, numbers, and special keys such as space bar and backspace.

**§126.2. Technology Applications, Grade 1, Adopted 2022.**

- (a) Implementation. The provisions of this section shall be implemented by school districts beginning with the 2024-2025 school year.
  - (1) No later than August 1, 2024, the commissioner of education shall determine whether instructional materials funding has been made available to Texas public schools for materials that cover the essential knowledge and skills identified in this section.
  - (2) If the commissioner makes the determination that instructional materials funding has been made available this section shall be implemented beginning with the 2024-2025 school year and apply to the 2024-2025 and subsequent school years.
  - (3) If the commissioner does not make the determination that instructional materials funding has been made available under this subsection, the commissioner shall determine no later than August 1 of each subsequent school year whether instructional materials funding has been made available. If the commissioner determines that instructional materials funding has been made available, the commissioner shall notify the State Board of Education and school districts that this section shall be implemented for the following school year.
- (b) Introduction.
  - (1) Technology includes data communication, data processing, and the devices used for these tasks locally and across networks. Learning to apply these technologies motivates students to develop critical-thinking skills, higher-order thinking, and innovative problem solving. Technology applications incorporates the study of digital tools, devices, communication, and programming to empower students to apply current and emerging technologies in their careers, their education, and beyond.
  - (2) The technology applications Texas Essential Knowledge and Skills (TEKS) consist of five strands that prepare students to be literate in technology applications by grade 8: computational thinking; creativity and innovation; data literacy, management, and representation; digital citizenship; and practical technology concepts. Communication and collaboration skills are embedded across the strands.
    - (A) Computational thinking. Students break down the problem-solving process into four steps: decomposition, pattern recognition, abstraction, and algorithms.
    - (B) Creativity and innovation. Students use innovative design processes to develop solutions to problems. Students plan a solution, create the solution, test the solution, iterate, and debug the solution as needed, and implement a completely new and innovative product.
    - (C) Data literacy, management, and representation. Students collect, organize, manage, analyze, and publish various types of data for an audience.

- (D) Digital citizenship. Students practice the ethical and effective application of technology and develop an understanding of cybersecurity and the impact of a digital footprint to become safe, productive, and respectful digital citizens.
  - (E) Practical technology concepts. Students build their knowledge of software applications and hardware focusing on keyboarding and use of applications and tools.
  - (3) The technology applications TEKS can be integrated into all content areas and can support stand-alone courses. Districts have the flexibility of offering technology applications in a variety of settings, including through a stand-alone course or by integrating the technology applications standards in the essential knowledge and skills for one or more courses or subject areas.
  - (4) Statements containing the word "including" reference content that must be mastered, while those containing the phrase "such as" are intended as possible illustrative examples.
- (c) Knowledge and skills.
- (1) Computational thinking--foundations. The student explores the core concepts of computational thinking, a set of problem-solving processes that involve decomposition, pattern recognition, abstraction, and algorithms. The student is expected to:
    - (A) identify and discuss a problem or task and break down (decompose) the solution into sequential steps;
    - (B) identify the simple patterns found in the solutions to everyday problems or tasks; and
    - (C) create a simple algorithm (step-by-step instructions) for an everyday task.
  - (2) Computational thinking--applications. The student, with guidance from an educator, applies the fundamentals of computer science. The student is expected to create a sequence of code that solves a simple problem with or without technology.
  - (3) Creativity and innovation--innovative design process. The student takes an active role in learning by using a design process to solve authentic problems for a local or global audience, using a variety of technologies. The student is expected to:
    - (A) practice personal skills and behaviors, including following directions and mental agility, needed to implement a design process successfully; and
    - (B) use a design process with components such as asking questions, brainstorming, or storyboarding to identify and solve authentic problems with adult assistance.
  - (4) Creativity and innovation--emerging technologies. The student understands that technology is dynamic and impacts different communities. The student is expected to identify examples of how technology has impacted different communities.
  - (5) Data literacy, management, and representation--collect data. The student defines data and explains how data can be found and collected. The student is expected to:
    - (A) explore and collect many types of data such as preferences or daily routines of people, events, or objects; and
    - (B) conduct a basic search using provided keywords and digital sources with adult assistance.
  - (6) Digital citizenship--social interactions. The student identifies appropriate ways to communicate in various digital environments. The student is expected to describe and demonstrate respectful behavior within a digital environment.
  - (7) Digital citizenship--ethics and laws. The student recognizes and practices responsible, legal, and ethical behavior while using digital tools and resources. The student is expected to:
    - (A) explain and demonstrate the importance of acceptable use of digital resources and devices as outlined in local policies or acceptable use policy (AUP); and

- (B) communicate an understanding that all digital content has owners and explain the importance of respecting others' belongings as they apply to digital content and information.
- (8) Digital citizenship--privacy, safety, and security. The student practices safe, legal, and ethical digital behaviors to become a socially responsible digital citizen. The student is expected to:
  - (A) identify ways to keep a user account safe, including not sharing login information and logging off accounts and devices;
  - (B) identify and discuss what information is safe to share online such as hobbies and likes and dislikes and what information is unsafe such as identifying information; and
  - (C) discuss and define cyberbullying with teacher support and guidance.
- (9) Practical technology concepts--skills and tools. The student demonstrates knowledge and appropriate use of technology systems, concepts, and operations. The student is expected to:
  - (A) select and use a variety of applications, devices, and online learning environments to create an original product;
  - (B) describe basic computer hardware, including a variety of input and output devices, and software using accurate terminology;
  - (C) perform software application functions such as file management, collaboration, and the creation and revision of digital artifacts using a variety of developmentally appropriate digital tools and resources;
  - (D) practice ergonomically correct keyboarding techniques and developmentally appropriate hand and body positions; and
  - (E) identify, locate, and practice using keys on the keyboard, including upper- and lower-case letters, numbers, and special keys such as space bar, shift, and backspace.

**§126.3. Technology Applications, Grade 2, Adopted 2022.**

- (a) Implementation. The provisions of this section shall be implemented by school districts beginning with the 2024-2025 school year.
  - (1) No later than August 1, 2024, the commissioner of education shall determine whether instructional materials funding has been made available to Texas public schools for materials that cover the essential knowledge and skills identified in this section.
  - (2) If the commissioner makes the determination that instructional materials funding has been made available this section shall be implemented beginning with the 2024-2025 school year and apply to the 2024-2025 and subsequent school years.
  - (3) If the commissioner does not make the determination that instructional materials funding has been made available under this subsection, the commissioner shall determine no later than August 1 of each subsequent school year whether instructional materials funding has been made available. If the commissioner determines that instructional materials funding has been made available, the commissioner shall notify the State Board of Education and school districts that this section shall be implemented for the following school year.
- (b) Introduction.
  - (1) Technology includes data communication, data processing, and the devices used for these tasks locally and across networks. Learning to apply these technologies motivates students to develop critical-thinking skills, higher-order thinking, and innovative problem solving. Technology applications incorporates the study of digital tools, devices, communication, and programming to empower students to apply current and emerging technologies in their careers, their education, and beyond.

- (2) The technology applications Texas Essential Knowledge and Skills (TEKS) consist of five strands that prepare students to be literate in technology applications by grade 8: computational thinking; creativity and innovation; data literacy, management, and representation; digital citizenship; and practical technology concepts. Communication and collaboration skills are embedded across the strands.
- (A) Computational thinking. Students break down the problem-solving process into four steps: decomposition, pattern recognition, abstraction, and algorithms.
  - (B) Creativity and innovation. Students use innovative design processes to develop solutions to problems. Students plan a solution, create the solution, test the solution, iterate, and debug the solution as needed, and implement a completely new and innovative product.
  - (C) Data literacy, management, and representation. Students collect, organize, manage, analyze, and publish various types of data for an audience.
  - (D) Digital citizenship. Students practice the ethical and effective application of technology and develop an understanding of cybersecurity and the impact of a digital footprint to become safe, productive, and respectful digital citizens.
  - (E) Practical technology concepts. Students build their knowledge of software applications and hardware focusing on keyboarding and use of applications and tools.
- (3) The technology applications TEKS can be integrated into all content areas and can support stand-alone courses. Districts have the flexibility of offering technology applications in a variety of settings, including through a stand-alone course or by integrating the technology applications standards in the essential knowledge and skills for one or more courses or subject areas.
- (4) Statements containing the word "including" reference content that must be mastered, while those containing the phrase "such as" are intended as possible illustrative examples.
- (c) Knowledge and skills.
- (1) Computational thinking--foundations. The student explores the core concepts of computational thinking, a set of problem-solving processes that involve decomposition, pattern recognition, abstraction, and algorithms. The student is expected to:
    - (A) identify and communicate a problem or task and break down (decompose) multiple solutions into sequential steps;
    - (B) identify complex patterns and make predictions based on the pattern;
    - (C) analyze a plan with adult assistance that outlines the steps needed to complete a task; and
    - (D) create and troubleshoot simple algorithms (step-by-step instructions) that include conditionals such as if-then statements as they apply to an everyday task.
  - (2) Computational thinking--applications. The student, with guidance from an educator, applies the fundamentals of computer science. The student is expected to:
    - (A) identify and explore what a variable is in a sequence of code; and
    - (B) use a design process to create a sequence of code that includes loops to solve a simple problem with or without technology.
  - (3) Creativity and innovation--innovative design process. The student takes an active role in learning by using a design process to solve authentic problems for a local or global audience, using a variety of technologies. The student is expected to:
    - (A) demonstrate personal skills and behaviors, including effective communication, following directions, and mental agility, needed to implement a design process successfully; and
    - (B) apply a design process with components such as testing and reflecting to create new and useful solutions to identify and solve for authentic problems.

- (4) Creativity and innovation--emerging technologies. The student demonstrates an understanding that technology is dynamic and impacts different communities. The student is expected to identify and analyze how technology impacts different communities.
- (5) Data literacy, management, and representation--collect data. The student defines data and explains how data can be found and collected. The student is expected to:
- (A) identify and collect non-numerical data, such as weather patterns, preferred reading genres, and holidays; and
  - (B) conduct a basic search independently using provided keywords and digital sources.
- (6) Data literacy, management, and representation--communicate and publish results. The student communicates data through the use of digital tools. The student is expected to use a digital tool to individually or collaboratively create and communicate data visualizations such as pictographs and bar graphs.
- (7) Digital citizenship--social interactions. The student identifies appropriate ways to communicate in various digital environments. The student is expected to participate in digital environments to develop responsible and respectful interactions.
- (8) Digital citizenship--ethics and laws. The student recognizes and practices responsible, legal, and ethical behavior while using digital tools and resources. The student is expected to:
- (A) explain and demonstrate the importance of acceptable use of digital resources and devices as outlined in local policies or acceptable use policy (AUP); and
  - (B) communicate an understanding that all digital content has owners and explain the importance of respecting others' belongings as they apply to digital content and information.
- (9) Digital citizenship--privacy, safety, and security. The student practices safe, legal, and ethical digital behaviors to become a socially responsible digital citizen. The student is expected to:
- (A) demonstrate account safety, including creating a strong password and logging off accounts and devices;
  - (B) compare and contrast private and public information and discuss what is safe to be shared online and with whom; and
  - (C) discuss cyberbullying and identify examples.
- (10) Practical technology concepts—skills and tools. The student demonstrates knowledge and appropriate use of technology systems, concepts, and operations. The student is expected to:
- (A) select and use a variety of applications, devices, and online learning environments to create and share content;
  - (B) identify, compare, and describe the function of basic computer hardware, including a variety of input and output devices, and software applications using accurate terminology;
  - (C) operate a variety of developmentally appropriate digital tools and resources to perform software application functions such as reviewing digital artifacts and designing solutions to problems;
  - (D) practice ergonomically correct keyboarding techniques and developmentally appropriate hand and body positions; and
  - (E) identify, locate, and practice using keys on the keyboard, including secondary actions of different keys such as "@" , "#," "\$," and "?".

**§126.8. Technology Applications, Grade 3, Adopted 2022.**

- (a) Implementation. The provisions of this section shall be implemented by school districts beginning with the 2024-2025 school year.
- (1) No later than August 1, 2024, the commissioner of education shall determine whether instructional materials funding has been made available to Texas public schools for materials that cover the essential knowledge and skills identified in this section.
  - (2) If the commissioner makes the determination that instructional materials funding has been made available this section shall be implemented beginning with the 2024-2025 school year and apply to the 2024-2025 and subsequent school years.
  - (3) If the commissioner does not make the determination that instructional materials funding has been made available under this subsection, the commissioner shall determine no later than August 1 of each subsequent school year whether instructional materials funding has been made available. If the commissioner determines that instructional materials funding has been made available, the commissioner shall notify the State Board of Education and school districts that this section shall be implemented for the following school year.
- (b) Introduction.
- (1) Technology includes data communication, data processing, and the devices used for these tasks locally and across networks. Learning to apply these technologies motivates students to develop critical-thinking skills, higher-order thinking, and innovative problem solving. Technology applications incorporates the study of digital tools, devices, communication, and programming to empower students to apply current and emerging technologies in their careers, their education, and beyond.
  - (2) The technology applications Texas Essential Knowledge and Skills (TEKS) consist of five strands that prepare students to be literate in technology applications by Grade 8: computational thinking; creativity and innovation; data literacy, management, and representation; digital citizenship; and practical technology concepts. Communication and collaboration skills are embedded across the strands.
    - (A) Computational thinking. Students break down the problem-solving process into four steps: decomposition, pattern recognition, abstraction, and algorithms.
    - (B) Creativity and innovation. Students use innovative design processes to develop solutions to problems. Students plan a solution, create the solution, test the solution, iterate, and debug the solution as needed, and implement a completely new and innovative product.
    - (C) Data literacy, management, and representation. Students collect, organize, manage, analyze, and publish various types of data for an audience.
    - (D) Digital citizenship. Students practice the ethical and effective application of technology and develop an understanding of cybersecurity and the impact of a digital footprint to become safe, productive, and respectful digital citizens.
    - (E) Practical technology concepts. Students build their knowledge of software applications and hardware focusing on keyboarding and use of applications and tools. Students also build their knowledge and use of technology systems, including integrating the use of multiple applications.
  - (3) The technology applications TEKS can be integrated into all content areas and can support stand-alone courses. Districts have the flexibility of offering technology applications in a variety of settings, including through a stand-alone course or by integrating the technology applications standards in the essential knowledge and skills for one or more courses or subject areas.
  - (4) Statements containing the word "including" reference content that must be mastered, while those containing the phrase "such as" are intended as possible illustrative examples.
- (c) Knowledge and skills.

- (1) Computational thinking--foundations. The student explores the core concepts of computational thinking, a set of problem-solving processes that involve decomposition, pattern recognition, abstraction, and algorithms. The student is expected to:
  - (A) decompose story problems into smaller, manageable subproblems and identify a solution to the problems;
  - (B) identify simple and complex patterns in story problems;
  - (C) develop a plan collaboratively and document a plan that outlines specific steps taken to complete a project; and
  - (D) debug simple algorithms (set of procedures) by identifying and removing errors.
- (2) Computational thinking--applications. The student applies the fundamentals of computer science. The student is expected to:
  - (A) use variables within a program to store data; and
  - (B) use a design process to create programs that include sequences, loops, and conditionals to express ideas or address a problem.
- (3) Creativity and innovation--innovative design process. The student takes an active role in learning by using a design process to solve authentic problems for a local or global audience, using a variety of technologies. The student is expected to:
  - (A) explain the importance of and demonstrate personal skills and behaviors, including metacognition, effective communication, following directions, and mental agility, needed to implement the design process successfully; and
  - (B) apply an appropriate design process using components such as peer and teacher feedback to create new and useful solutions to authentic problems.
- (4) Creativity and innovation--emerging technologies. The student demonstrates an understanding that technology is dynamic and impacts different communities. The student is expected to define emerging technologies.
- (5) Data literacy, management, and representation--collect data. The student uses digital strategies to collect and identify data. The student is expected to:
  - (A) identify and collect numerical data such as the price of goods or temperature; and
  - (B) use various search strategies with adult assistance.
- (6) Data literacy, management, and representation--organize, manage, and analyze data. The student uses data to answer questions. The student is expected to analyze data in graphs to identify and discuss trends and inferences.
- (7) Data literacy, management, and representation--communicate and publish results. The student communicates data through the use of digital tools to inform an audience. The student is expected to use digital tools to communicate and publish results to inform an intended audience.
- (8) Digital citizenship--social interactions. The student understands different styles of digital communication and that a student's actions online can have a long-term impact. The student is expected to:
  - (A) define digital footprint;
  - (B) define digital etiquette; and
  - (C) define digital collaboration.
- (9) Digital citizenship--ethics and laws. The student recognizes and practices responsible, legal, and ethical behavior while using digital tools and resources. The student is expected to:



- (A) demonstrate adherence to local acceptable use policy (AUP) that reflects positive social behavior in the digital environment;
  - (B) communicate the purpose of copyright law and identify appropriate and inappropriate uses of digital content and information; and
  - (C) identify the required elements of citations for digital forms of media.
- (10) Digital citizenship--privacy, safety, and security. The student practices safe, legal, and ethical digital behaviors to become a socially responsible digital citizen. The student is expected to:
- (A) demonstrate account safety, including creating a strong password and logging off accounts and devices;
  - (B) describe ways to employ safe practices such as protecting digital identity and avoid online dangers such as accessing unsafe websites or clicking on suspicious links; and
  - (C) discuss cyberbullying and explain how to respond to cyberbullying.
- (11) Practical technology concepts--processes. The student engages with technology systems, concepts, and operations. The student is expected to:
- (A) compare and contrast applications such as word processor, spreadsheet, and presentation tools for relevance to an assigned task; and
  - (B) perform software application functions such as inserting or deleting text, inserting images, and formatting page layout and margins.
- (12) Practical technology concepts--skills and tools. The student selects appropriate methods or techniques for an assigned task and identifies and solves simple hardware and software problems using common troubleshooting strategies. The student is expected to:
- (A) communicate an understanding of terminology related to operating systems and network systems such as internet, intranet, wireless network, short-range wireless technology, and learning management systems;
  - (B) identify where and how to save files such as using appropriate naming conventions and effective file management strategies;
  - (C) demonstrate proper touch keyboarding techniques with accuracy and ergonomic strategies such as correct hand and body positions;
  - (D) identify and practice using keyboard or other input device shortcuts for actions such as copy, paste, undo, or closing windows; and
  - (E) identify minor technical problems with hardware and software and solve the issues with assistance.

**§126.9. Technology Applications, Grade 4, Adopted 2022.**

- (a) Implementation. The provisions of this section shall be implemented by school districts beginning with the 2024-2025 school year.
  - (1) No later than August 1, 2024, the commissioner of education shall determine whether instructional materials funding has been made available to Texas public schools for materials that cover the essential knowledge and skills identified in this section.
  - (2) If the commissioner makes the determination that instructional materials funding has been made available this section shall be implemented beginning with the 2024-2025 school year and apply to the 2024-2025 and subsequent school years.
  - (3) If the commissioner does not make the determination that instructional materials funding has been made available under this subsection, the commissioner shall determine no later than August 1 of each subsequent school year whether instructional materials funding has been made available. If the commissioner determines that instructional materials funding has been made available, the

commissioner shall notify the State Board of Education and school districts that this section shall be implemented for the following school year.

(b) Introduction.

- (1) Technology includes data communication, data processing, and the devices used for these tasks locally and across networks. Learning to apply these technologies motivates students to develop critical-thinking skills, higher-order thinking, and innovative problem solving. Technology applications incorporates the study of digital tools, devices, communication, and programming to empower students to apply current and emerging technologies in their careers, their education, and beyond.
- (2) The technology applications Texas Essential Knowledge and Skills (TEKS) consist of five strands that prepare students to be literate in technology applications by Grade 8: computational thinking; creativity and innovation; data literacy, management, and representation; digital citizenship; and practical technology concepts. Communication and collaboration skills are embedded across the strands.
  - (A) Computational thinking. Students break down the problem-solving process into four steps: decomposition, pattern recognition, abstraction, and algorithms.
  - (B) Creativity and innovation. Students use innovative design processes to develop solutions to problems. Students plan a solution, create the solution, test the solution, iterate, and debug the solution as needed, and implement a completely new and innovative product.
  - (C) Data literacy, management, and representation. Students collect, organize, manage, analyze, and publish various types of data for an audience.
  - (D) Digital citizenship. Students practice the ethical and effective application of technology and develop an understanding of cybersecurity and the impact of a digital footprint to become safe, productive, and respectful digital citizens.
  - (E) Practical technology concepts. Students build their knowledge of software applications and hardware focusing on keyboarding and use of applications and tools. Students also build their knowledge and use of technology systems, including integrating the use of multiple applications.
- (3) The technology applications TEKS can be integrated into all content areas and can support stand-alone courses. Districts have the flexibility of offering technology applications in a variety of settings, including through a stand-alone course or by integrating the technology applications standards in the essential knowledge and skills for one or more courses or subject areas.
- (4) Statements containing the word "including" reference content that must be mastered, while those containing the phrase "such as" are intended as possible illustrative examples.

(c) Knowledge and skills.

- (1) Computational thinking--foundations. The student explores the core concepts of computational thinking, a set of problem-solving processes that involve decomposition, pattern recognition, abstraction, and algorithms. The student is expected to:
  - (A) decompose story problems into smaller, manageable subproblems and discuss and document various solutions to the problems;
  - (B) identify patterns in story problems and make predictions based on the pattern;
  - (C) communicate design plans and solutions using a variety of options; and
  - (D) debug algorithms (set of procedures) by identifying and removing errors.
- (2) Computational thinking--applications. The student applies the fundamentals of computer science. The student is expected to:
  - (A) use variables within a program to modify data; and

- (B) use a design process to create programs that include sequences, loops, and conditionals to express ideas or address a problem.
- (3) Creativity and innovation--innovative design process. The student takes an active role in learning by using a design process to solve authentic problems for a local or global audience, using a variety of technologies. The student is expected to:
  - (A) explain the importance of and demonstrate personal skills and behaviors, including problem solving and questioning, effective communication, following directions, mental agility, and metacognition, that are needed to implement a design process successfully; and
  - (B) apply an appropriate design process that includes components to improve processes and refine original products for authentic problems.
- (4) Creativity and innovation--emerging technologies. The student demonstrates an understanding that technology is dynamic and impacts different communities. The student is expected to identify examples of emerging technologies.
- (5) Data literacy, management, and representation--collect data. The student uses digital strategies to collect and identify data. The student is expected to:
  - (A) classify numerical and non-numerical data; and
  - (B) identify and collect data by using various search strategies, including two or more keywords within specific parameters.
- (6) Data literacy, management, and representation--organize, manage, and analyze data. The student uses data to answer questions. The student is expected to use digital tools to transform and make inferences about data to answer a question.
- (7) Data literacy, management, and representation--communicate and publish results. The student communicates data through the use of digital tools to inform an audience. The student is expected to use digital tools to communicate results of an inquiry to inform an intended audience.
- (8) Digital citizenship--social interactions. The student understands different styles of digital communication and that a student's actions online can have a long-term impact. The student is expected to:
  - (A) describe how information retained online creates a permanent digital footprint;
  - (B) describe appropriate digital etiquette for various forms of digital communication such as text, email, and online chat; and
  - (C) demonstrate appropriate digital etiquette for various forms of digital collaboration such as shared documents, video conferencing, and other platforms.
- (9) Digital citizenship--ethics and laws. The student recognizes and practices responsible, legal, and ethical behavior while using digital tools and resources. The student is expected to:
  - (A) demonstrate adherence to local acceptable use policy (AUP) and explain the importance of responsible and ethical technology use;
  - (B) describe the rights and responsibilities of a creator, define copyright law, and explain how copyright law applies to creative work; and
  - (C) create citations for digital forms of media with assistance.
- (10) Digital citizenship--privacy, safety, and security. The student practices safe, legal, and ethical digital behaviors to become a socially responsible digital citizen. The student is expected to:
  - (A) demonstrate account safety, including creating a strong password and logging off devices, and explain the importance of these practices;

- (B) identify and discuss types of data collection tools such as cookies, pop-ups, smart devices, and unsecured networks and explain why it is important to maintain digital privacy; and
- (C) discuss and explain how to respond to cyberbullying, including advocating for self and others.
- (11) Practical technology concepts--processes. The student engages with technology systems, concepts, and operations. The student is expected to:
  - (A) evaluate and choose applications for relevance to an assigned task; and
  - (B) perform software application functions such as outline options, bulleting, and numbering lists, and perform editing functions such as finding and replacing.
- (12) Practical technology concepts--skills and tools. The student selects appropriate methods or techniques for an assigned task and identifies and solves simple hardware and software problems using common troubleshooting strategies. The student is expected to:
  - (A) communicate an understanding of terminology related to virtual systems such as video conferencing, augmented reality, and virtual reality environments;
  - (B) evaluate where and how to save, including the use of appropriate naming conventions and effective file management strategies and folder structures;
  - (C) demonstrate proper touch keyboarding techniques with speed and accuracy and ergonomic strategies such as correct hand and body positions;
  - (D) identify and practice using cross-curricular symbols or other input device shortcuts on a keyboard; and
  - (E) use troubleshooting strategies to solve minor technical problems with hardware and software such as restarting software or rebooting hardware.

**§126.10. Technology Applications, Grade 5, Adopted 2022.**

- (a) Implementation. The provisions of this section shall be implemented by school districts beginning with the 2024-2025 school year.
  - (1) No later than August 1, 2024, the commissioner of education shall determine whether instructional materials funding has been made available to Texas public schools for materials that cover the essential knowledge and skills identified in this section.
  - (2) If the commissioner makes the determination that instructional materials funding has been made available this section shall be implemented beginning with the 2024-2025 school year and apply to the 2024-2025 and subsequent school years.
  - (3) If the commissioner does not make the determination that instructional materials funding has been made available under this subsection, the commissioner shall determine no later than August 1 of each subsequent school year whether instructional materials funding has been made available. If the commissioner determines that instructional materials funding has been made available, the commissioner shall notify the State Board of Education and school districts that this section shall be implemented for the following school year.
- (b) Introduction.
  - (1) Technology includes data communication, data processing, and the devices used for these tasks locally and across networks. Learning to apply these technologies motivates students to develop critical-thinking skills, higher-order thinking, and innovative problem solving. Technology applications incorporates the study of digital tools, devices, communication, and programming to empower students to apply current and emerging technologies in their careers, their education, and beyond.

- (2) The technology applications Texas Essential Knowledge and Skills (TEKS) consist of five strands that prepare students to be literate in technology applications by Grade 8: computational thinking; creativity and innovation; data literacy, management, and representation; digital citizenship; and practical technology concepts. Communication and collaboration skills are embedded across the strands.
- (A) Computational thinking. Students break down the problem-solving process into four steps: decomposition, pattern recognition, abstraction, and algorithms.
  - (B) Creativity and innovation. Students use innovative design processes to develop solutions to problems. Students plan a solution, create the solution, test the solution, iterate, and debug the solution as needed, and implement a completely new and innovative product.
  - (C) Data literacy, management, and representation. Students collect, organize, manage, analyze, and publish various types of data for an audience.
  - (D) Digital citizenship. Students practice the ethical and effective application of technology and develop an understanding of cybersecurity and the impact of a digital footprint to become safe, productive, and respectful digital citizens.
  - (E) Practical technology concepts. Students build their knowledge of software applications and hardware focusing on keyboarding and use of applications and tools. Students also build their knowledge and use of technology systems, including integrating the use of multiple applications.
- (3) The technology applications TEKS can be integrated into all content areas and can support stand-alone courses. Districts have the flexibility of offering technology applications in a variety of settings, including through a stand-alone course or by integrating the technology applications standards in the essential knowledge and skills for one or more courses or subject areas.
- (4) Statements containing the word "including" reference content that must be mastered, while those containing the phrase "such as" are intended as possible illustrative examples.
- (c) Knowledge and skills.
- (1) Computational thinking--foundations. The student explores the core concepts of computational thinking, a set of problem-solving processes that involve decomposition, pattern recognition, abstraction, and algorithms. The student is expected to:
    - (A) decompose a real-world problem into smaller, manageable subproblems using graphic organizers such as learning maps, concept maps, or other representations of data;
    - (B) identify patterns in real-world problems and make predictions based on the pattern;
    - (C) design and create an outline collaboratively that documents a problem, possible solutions, and an expected timeline for the development of a coded solution; and
    - (D) compare multiple algorithms for the same task and determine which algorithm is the most appropriate for that task.
  - (2) Computational thinking--applications. The student applies the fundamentals of computer science. The student is expected to:
    - (A) use variables within a program to store and modify data;
    - (B) use a design process to create block-based programs that include sequences, loops, conditionals, and events to solve an everyday problem; and
    - (C) analyze a code and how the code may be reused to develop new or improved programs.
  - (3) Creativity and innovation--innovative design process. The student takes an active role in learning by using a design process to solve authentic problems for a local or global audience, using a variety of technologies. The student is expected to:

- (A) explain the importance of and demonstrate personal skills and behaviors, including persistence, effective communication, following directions, mental agility, metacognition, problem solving and questioning, that are needed to implement a design process successfully; and
  - (B) apply an appropriate design process that includes components to generate multiple solutions for an authentic problem and develop original products.
- (4) Creativity and innovation--emerging technologies. The student demonstrates an understanding that technology is dynamic and impacts different communities. The student is expected to predict how emerging technologies may impact different communities.
- (5) Data literacy, management, and representation--collect data. The student uses digital strategies to collect and identify data. The student is expected to:
- (A) identify and collect quantitative and qualitative data with digital tools; and
  - (B) identify keyword(s), Boolean operators, and limiters within provided search strategies.
- (6) Data literacy, management, and representation--organize, manage, and analyze data. The student uses data to answer questions. The student is expected to use digital tools to analyze and transform data and make inferences to answer questions.
- (7) Data literacy, management, and representation--communicate and publish results. The student communicates data through the use of digital tools to inform an audience. The student is expected to use digital tools to communicate and display data using appropriate visualization to inform an intended audience.
- (8) Digital citizenship--social interactions. The student understands different styles of digital communication and that a student's actions online can have a long-term impact. The student is expected to:
- (A) identify the components of a digital footprint such as online activity, game use, or social media platforms;
  - (B) describe appropriate digital etiquette for addressing different audiences such as peers, teachers, and other adults; and
  - (C) apply appropriate digital etiquette for collaborating with different audiences such as peers, teachers, and other adults.
- (9) Digital citizenship--ethics and laws. The student recognizes and practices responsible, legal, and ethical behavior while using digital tools and resources. The student is expected to:
- (A) demonstrate adherence to local acceptable use policy (AUP) and explain the importance of responsible and ethical technology use;
  - (B) describe the purpose of copyright law and the possible consequences for inappropriate use of digital content; and
  - (C) create citations for digital forms of media with assistance.
- (10) Digital citizenship--privacy, safety, and security. The student practices safe, legal, and ethical digital behaviors to become a socially responsible digital citizen. The student is expected to:
- (A) discuss cybersecurity strategies such as using a secured internet connection to protect digital information;
  - (B) discuss how data collection technology is used to track online navigation and identify strategies to maintain digital privacy and security; and
  - (C) discuss and identify how interactions can escalate online and explain ways to stand up to cyberbullying, including advocating for self and others.

- (11) Practical technology concepts--processes. The student engages with technology systems, concepts, and operations. The student is expected to:
- (A) identify file types for text, graphics, and multimedia files; and
  - (B) perform software application functions, including inserting or deleting text and images and formatting tools or options.
- (12) Practical technology concepts--skills and tools. The student selects appropriate methods or techniques for an assigned task and identifies and solves simple hardware and software problems using common troubleshooting strategies. The student is expected to:
- (A) describe and evaluate operating systems, learning management systems, virtual systems, and network systems such as internet, intranet, wireless network, and short-range wireless technology;
  - (B) organize files using appropriate naming conventions and folder structures;
  - (C) demonstrate proper touch keyboarding techniques with increasing speed and accuracy and ergonomic strategies such as correct hand and body positions;
  - (D) demonstrate keyboard or other input device shortcuts with fluency; and
  - (E) use help sources to research application features and solve software issues.

## Subchapter B. Middle School

### §126.17. Technology Applications, Grade 6, Adopted 2022.

- (a) Implementation. The provisions of this section shall be implemented by school districts beginning with the 2024-2025 school year.
- (1) No later than August 1, 2024, the commissioner of education shall determine whether instructional materials funding has been made available to Texas public schools for materials that cover the essential knowledge and skills identified in this section.
  - (2) If the commissioner makes the determination that instructional materials funding has been made available this section shall be implemented beginning with the 2024-2025 school year and apply to the 2024-2025 and subsequent school years.
  - (3) If the commissioner does not make the determination that instructional materials funding has been made available under this subsection, the commissioner shall determine no later than August 1 of each subsequent school year whether instructional materials funding has been made available. If the commissioner determines that instructional materials funding has been made available, the commissioner shall notify the State Board of Education and school districts that this section shall be implemented for the following school year.
- (b) Introduction.
- (1) Technology includes data communication, data processing, and the devices used for these tasks locally and across networks. Learning to apply these technologies motivates students to develop critical-thinking skills, higher-order thinking, and innovative problem solving. Technology applications incorporates the study of digital tools, devices, communication, and programming to empower students to apply current and emerging technologies in their careers, their education, and beyond.
  - (2) The technology applications Texas Essential Knowledge and Skills (TEKS) consist of five strands that prepare students to be literate in technology applications by Grade 8: computational thinking; creativity and innovation; data literacy, management, and representation; digital citizenship; and practical technology concepts. Communication and collaboration skills are embedded across the strands.
    - (A) Computational thinking. Students break down the problem-solving process into four steps: decomposition, pattern recognition, abstraction, and algorithms.
    - (B) Creativity and innovation. Students use innovative design processes to develop solutions to problems. Students plan a solution, create the solution, test the solution, iterate, and debug the solution as needed, and implement a completely new and innovative product.
    - (C) Data literacy, management, and representation. Students collect, organize, manage, analyze, and publish various types of data for an audience.
    - (D) Digital citizenship. Students practice the ethical and effective application of technology and develop an understanding of cybersecurity and the impact of a digital footprint to become safe, productive, and respectful digital citizens.
    - (E) Practical technology concepts. Students build their knowledge of software applications and hardware focusing on keyboarding and use of applications and tools. Students also build their knowledge and use of technology systems, including integrating the use of multiple applications.
  - (3) The technology applications TEKS can be integrated into all content areas and can support stand-alone courses. Districts have the flexibility of offering technology applications in a variety of settings, including through a stand-alone course or by integrating the technology applications standards in the essential knowledge and skills for one or more courses or subject areas.



- (4) Statements containing the word "including" reference content that must be mastered, while those containing the phrase "such as" are intended as possible illustrative examples.
- (c) Knowledge and skills.
- (1) Computational thinking--foundations. The student explores the core concepts of computational thinking, a set of problem-solving processes that involve decomposition, pattern recognition, abstraction, and algorithms. The student is expected to:
- (A) decompose real-world problems into structured parts by using visual representation;
  - (B) analyze the patterns and sequences found in visual representations such as learning maps, concept maps, or other representations of data;
  - (C) define abstraction and distinguish between generalized information and specific information in the context of solving a problem or completing a task;
  - (D) design a plan collaboratively using visual representation to document a problem, possible solutions, and an expected timeline for the development of a coded solution;
  - (E) analyze different techniques used in debugging and apply them to an algorithm; and
  - (F) analyze the benefits of using iteration (code and sequence repetition) in algorithms.
- (2) Computational thinking--applications. The student applies the fundamentals of computer science. The student is expected to:
- (A) define and label variables that relate to their programming or algorithm; and
  - (B) use a design process to create block-based and text-based programs that include sequences, loops, conditionals, and events to solve an everyday problem.
- (3) Creativity and innovation--innovative design process. The student takes an active role in learning by using a design process and creative thinking to develop and evaluate solutions, considering a variety of local and global perspectives. The student is expected to:
- (A) resolve challenges in design processes independently using goal setting and personal character traits such as demonstrating courage and confidence;
  - (B) discuss and implement a design process using digital tools to compare, contrast, and evaluate student-generated outcomes; and
  - (C) identify how the design process is used in various industries.
- (4) Creativity and innovation--emerging technologies. The student demonstrates a thorough understanding of the role of technology throughout history and its impact on societies. The student is expected to:
- (A) discuss how changes in technology throughout history have impacted various areas of study;
  - (B) discuss how global trends impact the development of technology; and
  - (C) transfer current knowledge to the learning of newly encountered technologies.
- (5) Data literacy, management, and representation--collect data. The student uses advanced digital strategies to collect and represent data. The student is expected to:
- (A) demonstrate how data can be represented in Boolean expression; and
  - (B) discuss and use advanced search strategies, including keywords, Boolean operators, and limiters.
- (6) Data literacy, management, and representation--organize, manage, and analyze data. The student uses digital tools to transform data, make inferences, and predictions. The student is expected to use digital tools to transform data in order to identify and discuss trends and make inferences.

- (7) Data literacy, management, and representation--communicate and publish results. The student creates digital products to communicate data to an audience for an intended purpose. The student is expected to use digital tools to communicate and display data from a product or process to inform an intended audience.
- (8) Digital citizenship--social interactions. The student understands different styles of digital communication and that a student's actions online can have a long-term impact. The student is expected to:
- (A) identify the impact of a digital footprint;
  - (B) create formal and informal digital communications using appropriate digital etiquette; and
  - (C) collaborate on digital platforms such as recording a video conference presentation using appropriate formal and informal digital etiquette.
- (9) Digital citizenship--ethics and laws. The student recognizes and practices responsible, legal, and ethical behavior while using digital tools and resources. The student is expected to:
- (A) adhere to local acceptable use policy (AUP) and practice safe, ethical, and positive online behaviors;
  - (B) discuss and define intellectual property and associated terms, including copyright law, permission, fair use, creative commons, open source, and public domain;
  - (C) create citations and cite sources for a variety of digital forms of intellectual property; and
  - (D) describe how information can be exaggerated or misrepresented online.
- (10) Digital citizenship--privacy, safety, and security. The student practices safe, legal, and ethical digital behaviors to become a socially responsible digital citizen. The student is expected to:
- (A) identify real-world cybersecurity problems such as phishing, malware, password attacks, identity theft, and hacking; and
  - (B) identify various methods of cyberbullying such as harassment, impersonation, and cyberstalking.
- (11) Practical technology concepts--processes. The student evaluates and selects appropriate methods or techniques for an independent project and identifies and solves common hardware and software problems using troubleshooting strategies. The student is expected to create and design files in various formats such as text, graphics, video, and audio files.
- (12) Practical technology concepts--skills and tools. The student leverages technology systems, concepts, and operations to produce digital artifacts. The student is expected to:
- (A) apply appropriate technology terminology such as cloud applications, input, output, and basic programming;
  - (B) identify effective file management strategies such as file naming conventions, local and remote locations, backup, hierarchy, folder structure, file conversion, tags, and emerging digital organizational strategies;
  - (C) select and use the appropriate platform and tools to complete a specific task or project;
  - (D) demonstrate improvement in speed and accuracy as measured by words per minute when applying correct keyboarding techniques;
  - (E) select and use appropriate shortcuts within applications;
  - (F) use help sources to research application features and solve software issues;
  - (G) identify types of local and remote data storage such as cloud architecture or local server; and

(H) use productivity tools found in spread sheet, word processing, and publication applications to create digital artifacts such as reports, graphs, and charts.

**§126.18. Technology Applications, Grade 7, Adopted 2022.**

(a) Implementation. The provisions of this section shall be implemented by school districts beginning with the 2024-2025 school year.

- (1) No later than August 1, 2024, the commissioner of education shall determine whether instructional materials funding has been made available to Texas public schools for materials that cover the essential knowledge and skills identified in this section.
- (2) If the commissioner makes the determination that instructional materials funding has been made available this section shall be implemented beginning with the 2024-2025 school year and apply to the 2024-2025 and subsequent school years.
- (3) If the commissioner does not make the determination that instructional materials funding has been made available under this subsection, the commissioner shall determine no later than August 1 of each subsequent school year whether instructional materials funding has been made available. If the commissioner determines that instructional materials funding has been made available, the commissioner shall notify the State Board of Education and school districts that this section shall be implemented for the following school year.

(b) Introduction.

- (1) Technology includes data communication, data processing, and the devices used for these tasks locally and across networks. Learning to apply these technologies motivates students to develop critical-thinking skills, higher-order thinking, and innovative problem solving. Technology applications incorporates the study of digital tools, devices, communication, and programming to empower students to apply current and emerging technologies in their careers, their education, and beyond.
- (2) The technology applications Texas Essential Knowledge and Skills (TEKS) consist of five strands that prepare students to be literate in technology applications by Grade 8: computational thinking; creativity and innovation; data literacy, management, and representation; digital citizenship; and practical technology concepts. Communication and collaboration skills are embedded across the strands.
  - (A) Computational thinking. Students break down the problem-solving process into four steps: decomposition, pattern recognition, abstraction, and algorithms.
  - (B) Creativity and innovation. Students use innovative design processes to develop solutions to problems. Students plan a solution, create the solution, test the solution, iterate, and debug the solution as needed, and implement a completely new and innovative product.
  - (C) Data literacy, management, and representation. Students collect, organize, manage, analyze, and publish various types of data for an audience.
  - (D) Digital citizenship. Students practice the ethical and effective application of technology and develop an understanding of cybersecurity and the impact of a digital footprint to become safe, productive, and respectful digital citizens.
  - (E) Practical technology concepts. Students build their knowledge of software applications and hardware focusing on keyboarding and use of applications and tools. Students also build their knowledge and use of technology systems, including integrating the use of multiple applications.
- (3) The technology applications TEKS can be integrated into all content areas and can support stand-alone courses. Districts have the flexibility of offering technology applications in a variety of settings, including through a stand-alone course or by integrating the technology applications standards in the essential knowledge and skills for one or more courses or subject areas.

- (4) Statements containing the word "including" reference content that must be mastered, while those containing the phrase "such as" are intended as possible illustrative examples.
- (c) Knowledge and skills.
- (1) Computational thinking--foundations. The student explores the core concepts of computational thinking, a set of problem-solving processes that involve decomposition, pattern recognition, abstraction, and algorithms. The student is expected to:
- (A) decompose real-world problems into structured parts using flowcharts;
  - (B) analyze the patterns and sequences found in flowcharts;
  - (C) identify abstraction and analyze how an algorithm the student created can be generalized to solve additional problems;
  - (D) design a plan collaboratively using flowcharts to document a problem, possible solutions, and an expected timeline for the development of a coded solution;
  - (E) analyze different techniques used in debugging and apply them to an algorithm; and
  - (F) analyze the benefits of using iteration (code and sequence repetition) in algorithms.
- (2) Computational thinking--applications. The student applies the fundamentals of computer science. The student is expected to:
- (A) manipulate and rename variables and describe different data types; and
  - (B) use a software design process to create text-based programs with nested loops that address different subproblems within a real-world context.
- (3) Creativity and innovation--innovative design process. The student takes an active role in learning by using a design process and creative thinking to develop and evaluate solutions, considering a variety of local and global perspectives. The student is expected to:
- (A) resolve challenges in design processes independently using goal setting and personal character traits such as demonstrating responsibility and advocating for self appropriately;
  - (B) discuss and implement a design process that includes planning and selecting digital tools to develop and refine a prototype or model through trial and error; and
  - (C) identify how the design process is used in various industries.
- (4) Creativity and innovation--emerging technologies. The student demonstrates a thorough understanding of the role of technology throughout history and its impact on societies. The student is expected to:
- (A) explain how changes in technology throughout history have impacted various areas of study;
  - (B) explain how global trends impact the development of technology; and
  - (C) transfer current knowledge to the learning of newly encountered technologies.
- (5) Data literacy, management, and representation--collect data. The student uses advanced digital strategies to collect and represent data. The student is expected to:
- (A) demonstrate how data can be represented in a binary number systems; and
  - (B) evaluate advanced search strategies, including keywords, Boolean operators, and limiters.
- (6) Data literacy, management, and representation--organize, manage, and analyze data. The student uses digital tools to transform data, make inferences, and predictions. The student is expected to use digital tools in order to transform data to analyze trends and make inferences and predictions.

- (7) Data literacy, management, and representation--communicate and publish results. The student creates digital products to communicate data to an audience for an intended purpose. The student is expected to use digital tools to communicate and display data from a product or process to inform or persuade an intended audience.
- (8) Digital citizenship--social interactions. The student understands different styles of digital communication and that a student's actions online can have a long-term impact. The student is expected to:
- (A) classify actions as having a positive or negative effect on a digital footprint;
  - (B) create and revise formal and informal communications using a feedback process and appropriate digital etiquette; and
  - (C) collaborate on digital platforms such as recording a video conference presentation using appropriate formal and informal digital etiquette.
- (9) Digital citizenship--ethics and laws. The student recognizes and practices responsible, legal, and ethical behavior while using digital tools and resources. The student is expected to:
- (A) adhere to local acceptable use policy (AUP) and practice and model safe, ethical, and positive online behaviors;
  - (B) explain the importance of intellectual property laws, including the benefits of protection for content owners, and the consequences of violating these laws;
  - (C) create citations and cite sources for a variety of digital forms of intellectual property; and
  - (D) evaluate how various types of media, including social media, and technology can be used to exaggerate and misrepresent information.
- (10) Digital citizenship--privacy, safety, and security. The student practices safe, legal, and ethical digital behaviors to become a socially responsible digital citizen. The student is expected to:
- (A) describe and model ways to protect oneself from real-world cybersecurity attacks; and
  - (B) analyze the negative impacts of cyberbullying on the victim and the bully.
- (11) Practical technology concepts--processes. The student evaluates and selects appropriate methods or techniques for an independent project and identifies and solves common hardware and software problems using troubleshooting strategies. The student is expected to choose a variety of digital tools to create, share, and communicate digital artifacts.
- (12) Practical technology concepts--skills and tools. The student leverages technology systems, concepts, and operations to produce digital artifacts. The student is expected to:
- (A) demonstrate proficiency in the appropriate use of technology terminology in projects through team collaboration and communication;
  - (B) demonstrate effective file management strategies such as file naming conventions, local and remote locations, backup, hierarchy, folder structure, file conversion, tags, and emerging digital organizational strategies with assistance;
  - (C) select and use appropriate platform and tools, including selecting and using software or hardware for a defined task;
  - (D) demonstrate improvement in speed and accuracy as measured by words per minute when applying correct keyboarding techniques;
  - (E) select and use appropriate shortcuts within applications;
  - (F) research and test potential solutions to solve hardware and software problems;
  - (G) use a variety of types of local and remote data storage to store or share data such as cloud architecture or local server; and

- (H) select and use productivity tools found in spread sheet, word processing, and publication applications to create digital artifacts such as reports, graphs, and charts with increasing complexity.

**§126.19. Technology Applications, Grade 8, Adopted 2022.**

- (a) Implementation. The provisions of this section shall be implemented by school districts beginning with the 2024-2025 school year.
- (1) No later than August 1, 2024, the commissioner of education shall determine whether instructional materials funding has been made available to Texas public schools for materials that cover the essential knowledge and skills identified in this section.
  - (2) If the commissioner makes the determination that instructional materials funding has been made available this section shall be implemented beginning with the 2024-2025 school year and apply to the 2024-2025 and subsequent school years.
  - (3) If the commissioner does not make the determination that instructional materials funding has been made available under this subsection, the commissioner shall determine no later than August 1 of each subsequent school year whether instructional materials funding has been made available. If the commissioner determines that instructional materials funding has been made available, the commissioner shall notify the State Board of Education and school districts that this section shall be implemented for the following school year.
- (b) Introduction.
- (1) Technology includes data communication, data processing, and the devices used for these tasks locally and across networks. Learning to apply these technologies motivates students to develop critical-thinking skills, higher-order thinking, and innovative problem solving. Technology applications incorporates the study of digital tools, devices, communication, and programming to empower students to apply current and emerging technologies in their careers, their education, and beyond.
  - (2) The technology applications Texas Essential Knowledge and Skills (TEKS) consist of five strands that prepare students to be literate in technology applications by Grade 8: computational thinking; creativity and innovation; data literacy, management, and representation; digital citizenship; and practical technology concepts. Communication and collaboration skills are embedded across the strands.
    - (A) Computational thinking. Students break down the problem-solving process into four steps: decomposition, pattern recognition, abstraction, and algorithms.
    - (B) Creativity and innovation. Students use innovative design processes to develop solutions to problems. Students plan a solution, create the solution, test the solution, iterate, and debug the solution as needed, and implement a completely new and innovative product.
    - (C) Data literacy, management, and representation. Students collect, organize, manage, analyze, and publish various types of data for an audience.
    - (D) Digital citizenship. Students practice the ethical and effective application of technology and develop an understanding of cybersecurity and the impact of a digital footprint to become safe, productive, and respectful digital citizens.
    - (E) Practical technology concepts. Students build their knowledge of software applications and hardware focusing on keyboarding and use of applications and tools. Students also build their knowledge and use of technology systems, including integrating the use of multiple applications.
  - (3) The technology applications TEKS can be integrated into all content areas and can support stand-alone courses. Districts have the flexibility of offering technology applications in a variety of settings, including through a stand-alone course or by integrating the technology applications standards in the essential knowledge and skills for one or more courses or subject areas.

- (4) Statements containing the word "including" reference content that must be mastered, while those containing the phrase "such as" are intended as possible illustrative examples.
- (c) Knowledge and skills.
- (1) Computational thinking--foundations. The student explores the core concepts of computational thinking, a set of problem-solving processes that involve decomposition, pattern recognition, abstraction, and algorithms. The student is expected to:
- (A) decompose real-world problems into structured parts using pseudocode;
  - (B) analyze the patterns and sequences found in pseudocode and identify its variables;
  - (C) practice abstraction by developing a generalized algorithm that can solve different types of problems;
  - (D) design a plan collaboratively using pseudocode to document a problem, possible solutions, and an expected timeline for the development of a coded solution;
  - (E) develop, compare, and improve algorithms for a specific task to solve a problem; and
  - (F) analyze the benefits of using iteration (code and sequence repetition) in algorithms.
- (2) Computational thinking--applications. The student applies the fundamentals of computer science. The student is expected to:
- (A) construct named variables with multiple data types and perform operations on their values;
  - (B) use a software design process to create text-based programs with nested loops that address different subproblems within a real-world context; and
  - (C) modify and implement previously written code to develop improved programs.
- (3) Creativity and innovation--innovative design process. The student takes an active role in learning by using a design process and creative thinking to develop and evaluate solutions, considering a variety of local and global perspectives. The student is expected to:
- (A) demonstrate innovation in a design process using goal setting and personal character traits, including demonstrating calculated risk-taking and tolerance;
  - (B) discuss and implement a design process that includes planning, selecting digital tools to develop, test, and evaluate design limitations, and refining a prototype or model; and
  - (C) identify how the design process is used in various industries.
- (4) Creativity and innovation--emerging technologies. The student demonstrates a thorough understanding of the role of technology throughout history and its impact on societies. The student is expected to:
- (A) evaluate how changes in technology throughout history have impacted various areas of study;
  - (B) evaluate and predict how global trends impact the development of technology; and
  - (C) transfer current knowledge to the learning of newly encountered technologies.
- (5) Data literacy, management, and representation--collect data. The student uses advanced digital strategies to collect and represent data. The student is expected to:
- (A) compare and contrast data types, including binary, integers, real numbers, Boolean data, and text-based representations; and
  - (B) apply appropriate search strategies, including keywords, Boolean operators, and limiters, to achieve a specified outcome that includes a variety of file formats.

- (6) Data literacy, management, and representation--organize, manage, and analyze data. The student uses digital tools to transform data, make inferences, and predictions. The student is expected to use digital tools in order to transform data, analyze trends, and predict possibilities and develop steps for the creation of an innovative process or product.
- (7) Data literacy, management, and representation--communicate and publish results. The student creates digital products to communicate data to an audience for an intended purpose. The student is expected to use digital tools to communicate and publish data from a product or process to persuade an intended audience.
- (8) Digital citizenship--social interactions. The student understands different styles of digital communication and that a student's actions online can have a long-term impact. The student is expected to:
- (A) analyze the importance of managing a digital footprint and how a digital footprint can affect the future;
  - (B) create and publish a formal digital communication for a global audience using appropriate digital etiquette; and
  - (C) collaborate and publish for a global audience on digital platforms such as recording and editing videos using appropriate formal and informal digital etiquette.
- (9) Digital citizenship--ethics and laws. The student recognizes and practices responsible, legal, and ethical behavior while using digital tools and resources. The student is expected to:
- (A) adhere to local acceptable use policy (AUP) and practice and advocate for safe, ethical, and positive online behaviors;
  - (B) adhere to appropriate intellectual property law when creating digital products;
  - (C) create citations and cite sources for a variety of digital forms of intellectual property; and
  - (D) evaluate the bias of digital information sources, including websites.
- (10) Digital citizenship--privacy, safety, and security. The student practices safe, legal, and ethical digital behaviors to become a socially responsible digital citizen. The student is expected to:
- (A) analyze real-world scenarios to identify cybersecurity threats and propose ways to prevent harm; and
  - (B) evaluate scenarios or case studies to identify warning signs of a cyberbullying victim such as withdrawal or lack of sleep and predict the outcomes for both the victim and the bully.
- (11) Practical technology concepts--processes. The student evaluates and selects appropriate methods or techniques for an independent project and identifies and solves common hardware and software problems using troubleshooting strategies. The student is expected to:
- (A) combine various file formats for a specific project or audience; and
  - (B) share and seek feedback on files in various formats, including text, raster and vector graphics, video, and audio files.
- (12) Practical technology concepts--skills and tools. The student leverages technology systems, concepts, and operations to produce digital artifacts. The student is expected to:
- (A) integrate use of appropriate technology terminology in scholarly inquiry and dialogue such as classroom discussion and written samples;
  - (B) implement effective file management strategies independently, including file naming conventions, local and remote locations, backup, hierarchy, folder structure, file conversion, tags, and emerging digital organizational strategies;



- (C) select and use appropriate platform and tools, including selecting and using software or hardware to transfer data;
- (D) demonstrate improvement in speed and accuracy as measured by words per minute when applying correct keyboarding techniques;
- (E) select and use appropriate shortcuts within applications;
- (F) apply appropriate troubleshooting techniques and seek technical assistance as needed;
- (G) compare types of local and remote data storage such as cloud architecture or local server and select the appropriate type of storage to store and share data; and
- (H) select and use productivity tools found in spread sheet, word processing, and publication applications to create digital artifacts, including reports, graphs, and charts, with increasing complexity.

**Proposed New 19 TAC Chapter 127, Texas Essential Knowledge and Skills for Career Development and Career and Technical Education, Subchapter O, Science, Technology, Engineering, and Mathematics, §§127.788-127.794**  
**(Second Reading and Final Adoption)**

**June 17, 2022**

**COMMITTEE OF THE FULL BOARD: ACTION**  
**STATE BOARD OF EDUCATION: ACTION**

**SUMMARY:** This item presents for second reading and final adoption proposed new 19 Texas Administrative Code (TAC) Chapter 127, Texas Essential Knowledge and Skills for Career Development and Career and Technical Education, Subchapter O, Science, Technology, Engineering, and Mathematics, §127.788, Fundamentals of Computer Science (One Credit), Adopted 2022; §127.789, Computer Science I (One Credit), Adopted 2022; §127.790, Computer Science II (One Credit), Adopted 2022; §127.791, Computer Science III (One Credit), Adopted 2022; §127.792, Foundations of Cybersecurity (One Credit), Adopted 2022; §127.793, Digital Forensics (One Credit), Adopted 2022; and §127.794, Cybersecurity Capstone (One Credit), Adopted 2022. The proposed new rules would update the Texas Essential Knowledge and Skills (TEKS) for the high school cybersecurity and computer science courses to ensure the standards remain current. No changes are recommended since approved for first reading.

**STATUTORY AUTHORITY:** Texas Education Code (TEC), [§§7.102\(c\)\(4\); 28.002\(a\), \(c\), \(c-3\), and \(f\)\(2\); and 28.025\(a\), \(c-1\)\(1\), and \(c-10\)](#).

TEC, §7.102(c)(4), requires the State Board of Education (SBOE) to establish curriculum and graduation requirements.

TEC, §28.002(a), identifies the subjects of the required curriculum.

TEC, §28.002(c), requires the SBOE to identify by rule the essential knowledge and skills of each subject in the required curriculum that all students should be able to demonstrate and that will be used in evaluating instructional materials and addressed on the state assessment instruments.

TEC, §28.002(c-3), requires the SBOE to adopt rules for technology applications in Kindergarten-Grade 8 that include coding, computer programming, computational thinking, and cybersecurity.

TEC, §28.002(f)(2), requires the SBOE to approve courses in cybersecurity for credit for high school graduation.

TEC, §28.025(a), requires the SBOE to determine by rule the curriculum requirements for the foundation high school graduation program that are consistent with the required curriculum under TEC, §28.002, and to designate the specific courses in the foundation curriculum that are required under the foundation high school program.

TEC, §28.025(c-1)(1), establishes that an endorsement may be earned in science, technology, engineering, and mathematics (STEM), which includes courses related to science, including environmental science; technology, including computer science, cybersecurity, and computer coding; engineering; and advanced mathematics.

TEC, §28.025(c-10), requires the SBOE to adopt or select five technology applications courses on cybersecurity to be included in a cybersecurity pathway for the STEM endorsement.

The full text of statutory citations can be found in the statutory authority section of this agenda.

**EFFECTIVE DATE:** The proposed effective date of the proposed new sections is 20 days after filing as adopted with the Texas Register. Under TEC, §7.102(f), the SBOE must approve the rule action at second reading and final adoption by a vote of two-thirds of its members to specify an effective date earlier than the beginning of the 2023-2024 school year. The earlier effective date will enable districts to begin preparing for implementation of the revised career and technical education (CTE) TEKS.

**PREVIOUS BOARD ACTION:** The SBOE adopted the technology applications TEKS effective September 1, 1998. In April 2011, the SBOE adopted revisions to the technology applications TEKS effective September 26, 2011. The SBOE adopted the TEKS for Foundations of Cybersecurity and Cybersecurity Capstone effective for the 2019-2020 school year. In 2020, the SBOE approved the consolidation of the high school technology applications courses, which included courses in computer science, cybersecurity, and digital forensics, into the CTE TEKS. A discussion item on proposed revisions to the computer science courses was presented to the board at the June 2021 SBOE meeting. A discussion item on proposed revisions to the TEKS for the three cybersecurity courses was presented to the board at the January 2022 SBOE meeting. The board approved for first reading and filing authorization proposed new §§127.788-127.794 at the April 2022 SBOE meeting.

In November 2021, the board approved for second reading and final adoption proposed new CTE TEKS for certain courses in the health science, education and training, hospitality and tourism, law and public safety, and STEM programs of study. The new CTE TEKS will be implemented over the course of three school years from 2022-2023 to 2024-2025.

**BACKGROUND INFORMATION AND JUSTIFICATION:** In accordance with statutory requirements that the SBOE by rule identify the essential knowledge and skills of each subject in the required curriculum, the SBOE follows a board-approved cycle to review and revise the essential knowledge and skills for each subject.

At the January 2021 meeting, the board held a work session to discuss the timeline for the TEKS review and revision process and associated activities, including updates to State Board for Educator Certification teacher assignment rules and certification examinations, adoption of instructional materials, and the completion of the Texas Resource Review. Texas Education Agency (TEA) staff provided an overview of CTE programs of study and a skills gap analysis that is being completed to inform review and revision of the CTE TEKS.

Also during the January 2021 meeting, staff provided an update on plans for the review and revision of CTE courses that satisfy a science graduation requirement as well as certain courses in the health science, education and training, and STEM programs of study. Applications to serve on these CTE TEKS review work groups were posted on the TEA website in December 2020. TEA staff provided SBOE members applications for approval to serve on a CTE work group at the January 2021 SBOE meeting. Additional applications were provided to SBOE members in February and March 2021. Work groups were convened from March-July 2021 to develop recommendations for the CTE courses. At the June 2021 SBOE meeting, a discussion item for proposed new 19 TAC Chapter 130 was presented to the board. At the September 2021 SBOE meeting, one representative from each CTE TEKS review committee provided invited testimony to the Committee of the Full Board.

The SBOE postponed first reading and filing authorization for a selection of courses from the education and training and STEM programs of study, including §127.783, Engineering Design and Presentation I, and §127.784, Engineering Design and Presentation II, to allow additional time to review and finalize recommendations. The programming and software development work group met in February and March

2022 to finalize their recommendations and to align the standards for the computer science courses with the Kindergarten-Grade 8 Technology Applications TEKS.

The 85th Texas Legislature, Regular Session, 2017, passed House Bill 3593, requiring that the SBOE approve courses in cybersecurity for credit for high school graduation. The legislation also added cybersecurity and computer coding to the courses to be included in a STEM endorsement and required that the SBOE adopt or select five technology applications courses on cybersecurity to be included in a cybersecurity pathway for the STEM endorsement.

In August 2018, a committee of secondary and postsecondary educators and business and industry representatives was selected to develop recommended TEKS for new cybersecurity courses for the required pathway. In April 2019, the SBOE approved for second reading and final adoption TEKS for two new cybersecurity courses: Foundations of Cybersecurity and Cybersecurity Capstone. At the June 2019 meeting, the board approved revisions to the TEKS for the existing Digital Forensics course so that it would better align with the new pathway. In 2020, the SBOE approved the consolidation of the high school technology applications courses into the CTE TEKS. A discussion item was presented to the board at the January 2022 SBOE meeting.

It is recommended that the TEKS for Fundamentals of Computer Science and Computer Science III be implemented beginning with the 2022-2023 school year. The TEKS for Foundations of Cybersecurity, Cybersecurity Capstone, Digital Forensics, Computer Science I, and Computer Science II are recommended for implementation in the 2024-2025 school year.

The attachment to this item reflects the text of proposed new §§127.788-127.794 for consideration by the SBOE for second reading and final adoption. The proposed new sections would update the TEKS for the high school cybersecurity and computer science courses to ensure the standards remain current. No changes are recommended since approved for first reading.

**FISCAL IMPACT:** No changes have been made to this section since published as proposed.

TEA has determined that for the first five years the proposal is in effect (2022-2026), there are no fiscal implications to the state. However, there will be implications for TEA if the state develops professional development to help teachers and administrators understand the revised TEKS. Any professional development that is created would be based on whether TEA received an appropriation for professional development in the next biennium.

There may be fiscal implications for school districts and charter schools to implement the proposed revisions to the TEKS, which may include the need for professional development and revisions to district-developed databases, curriculum, and scope and sequence documents. Since curriculum and instruction decisions are made at the local district level, it is difficult to estimate the fiscal impact on any given district.

**LOCAL EMPLOYMENT IMPACT:** No changes have been made to this section since published as proposed.

The proposal has no effect on local economy; therefore, no local employment impact statement is required under Texas Government Code, §2001.022.

**SMALL BUSINESS, MICROBUSINESS, AND RURAL COMMUNITY IMPACT:** No changes have been made to this section since published as proposed.

The proposal has no direct adverse economic impact for small businesses, microbusinesses, or rural communities; therefore, no regulatory flexibility analysis specified in Texas Government Code, §2006.002, is required.

**COST INCREASE TO REGULATED PERSONS:** No changes have been made to this section since published as proposed.

The proposal does not impose a cost on regulated persons, another state agency, a special district, or a local government and, therefore, is not subject to Texas Government Code, §2001.0045.

**TAKINGS IMPACT ASSESSMENT:** No changes have been made to this section since published as proposed.

The proposal does not impose a burden on private real property and, therefore, does not constitute a taking under Texas Government Code, §2007.043.

**GOVERNMENT GROWTH IMPACT:** No changes have been made to this section since published as proposed.

TEA staff prepared a Government Growth Impact Statement assessment for this proposed rulemaking. During the first five years the proposed rulemaking would be in effect, it would create new regulations by proposing new CTE TEKS required to be taught by school districts and charter schools offering the courses.

The proposed rulemaking would not create or eliminate a government program; would not require the creation of new employee positions or elimination of existing employee positions; would not require an increase or decrease in future legislative appropriations to the agency; would not require an increase or decrease in fees paid to the agency; would not expand, limit, or repeal an existing regulation; would not increase or decrease the number of individuals subject to its applicability; and would not positively or adversely affect the state's economy.

**PUBLIC BENEFIT AND COST TO PERSONS:** No changes have been made to this section since published as proposed.

The proposal would better align the TEKS and coordinate the standards with the adoption of instructional materials. There is no anticipated economic cost to persons who are required to comply with the proposal.

**DATA AND REPORTING IMPACT:** No changes have been made to this section since published as proposed.

The proposal would have no data and reporting impact.

**PRINCIPAL AND CLASSROOM TEACHER PAPERWORK REQUIREMENTS:** No changes have been made to this section since published as proposed.

TEA has determined that the proposal would not require a written report or other paperwork to be completed by a principal or classroom teacher.

**PUBLIC COMMENTS:** Following the April 2022 SBOE meeting, notice of proposed new §§127.788-127.794 was filed with the Texas Register, initiating the public comment period. The public comment period began May 6, 2022 and ended at 5:00 p.m. on June 10, 2022. No comments had been received at

the time this item was prepared. A summary of public comments received will be provided to the SBOE prior to and during the June 2022 meeting. The SBOE will take registered oral and written comments on the proposal at the appropriate committee meeting in June 2022 in accordance with the SBOE board operating policies and procedures.

**MOTION TO BE CONSIDERED:** The State Board of Education:

Approve for second reading and final adoption proposed new 19 TAC Chapter 127, Texas Essential Knowledge and Skills for Career Development and Career and Technical Education, Subchapter O, Science, Technology, Engineering, and Mathematics, §127.788, Fundamentals of Computer Science (One Credit), Adopted 2022; §127.789, Computer Science I (One Credit), Adopted 2022; §127.790, Computer Science II (One Credit), Adopted 2022; §127.791, Computer Science III (One Credit), Adopted 2022; §127.792, Foundations of Cybersecurity (One Credit), Adopted 2022; §127.793, Digital Forensics (One Credit), Adopted 2022; and §127.794, Cybersecurity Capstone (One Credit), Adopted 2022; and

Make an affirmative finding that immediate adoption of proposed new 19 TAC Chapter 127, Texas Essential Knowledge and Skills for Career Development and Career and Technical Education, Subchapter O, Science, Technology, Engineering, and Mathematics, §127.788, Fundamentals of Computer Science (One Credit), Adopted 2022; §127.789, Computer Science I (One Credit), Adopted 2022; §127.790, Computer Science II (One Credit), Adopted 2022; §127.791, Computer Science III (One Credit), Adopted 2022; §127.792, Foundations of Cybersecurity (One Credit), Adopted 2022; §127.793, Digital Forensics (One Credit), Adopted 2022; and §127.794, Cybersecurity Capstone (One Credit), Adopted 2022, is necessary and shall have an effective date of 20 days after filing as adopted with the Texas Register. (Per TEC, §7.102(f), a vote of two-thirds of the members of the board is necessary for an earlier effective date.)

**Staff Members Responsible:**

Monica Martinez, Associate Commissioner, Standards and Programs  
Shelly Ramos, Senior Director, Curriculum Standards and Student Support

**Attachment:**

Text of Proposed New 19 TAC Chapter 127, Texas Essential Knowledge and Skills for Career Development and Career and Technical Education, Subchapter O, Science, Technology, Engineering, and Mathematics, §127.788, Fundamentals of Computer Science (One Credit), Adopted 2022; §127.789, Computer Science I (One Credit), Adopted 2022; §127.790, Computer Science II (One Credit), Adopted 2022; §127.791, Computer Science III (One Credit), Adopted 2022; §127.792, Foundations of Cybersecurity (One Credit), Adopted 2022; §127.793, Digital Forensics (One Credit), Adopted 2022; and §127.794, Cybersecurity Capstone (One Credit), Adopted 2022

ATTACHMENT  
Text of Proposed New 19 TAC

**Chapter 127. Texas Essential Knowledge and Skills for Career Development and Career and Technical Education**

**Subchapter O. Science, Technology, Engineering, and Mathematics**

**§127.788. Fundamentals of Computer Science (One Credit), Adopted 2022.**

- (a) Implementation. The provisions of this section shall be implemented by school districts beginning with the 2023-2024 school year.
- (1) No later than August 1, 2023, the commissioner of education shall determine whether instructional materials funding has been made available to Texas public schools for materials that cover the essential knowledge and skills identified in this section.
  - (2) If the commissioner makes the determination that instructional materials funding has been made available this section shall be implemented beginning with the 2023-2024 school year and apply to the 2023-2024 and subsequent school years.
  - (3) If the commissioner does not make the determination that instructional materials funding has been made available under subsection (a) of this section, the commissioner shall determine no later than August 1 of each subsequent school year whether instructional materials funding has been made available. If the commissioner determines that instructional materials funding has been made available, the commissioner shall notify the State Board of Education and school districts that this section shall be implemented for the following school year.
- (b) General requirements. This course is recommended for students in Grades 9-12. Students shall be awarded one credit for successful completion of this course.
- (c) Introduction.
- (1) Career and technical education instruction provides content aligned with challenging academic standards, industry-relevant technical knowledge, and college and career readiness skills for students to further their education and succeed in current and emerging professions.
  - (2) The Science, Technology, Engineering, and Mathematics (STEM) Career Cluster focuses on planning, managing, and providing scientific research and professional and technical services such as laboratory and testing services and research and development services.
  - (3) Fundamentals of Computer Science is intended as a first course for those students just beginning the study of computer science. Students will learn about the computing tools that are used every day. Students will foster their creativity and innovation through opportunities to design, implement, and present solutions to real-world problems. Students will collaborate and use computer science concepts to access, analyze, and evaluate information needed to solve problems. Students will learn computational thinking, problem-solving, and reasoning skills that are the foundation of computer science. By using computer science knowledge and skills that support the work of individuals and groups in solving problems, students will select the technology appropriate for the task, synthesize knowledge, create solutions, and evaluate the results. Students will learn digital citizenship by researching current laws, regulations, and best practices and by practicing integrity and respect. Students will gain an understanding of the principles of computer science through the study of technology operations and concepts.
  - (4) Students are encouraged to participate in extended learning experiences such as career and technical student organizations and other leadership or extracurricular organizations.
  - (5) 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.
- (d) Knowledge and skills.

- (1) Employability. The student identifies various employment opportunities in the computer science field. The student is expected to:
  - (A) identify job opportunities and accompanying job duties and tasks;
  - (B) examine the role of certifications, resumes, and portfolios in the computer science profession;
  - (C) employ effective technical reading and writing skills;
  - (D) employ effective verbal and non-verbal communication skills;
  - (E) solve problems and think critically;
  - (F) demonstrate leadership skills and function effectively as a team member;
  - (G) demonstrate an understanding of legal and ethical responsibilities in relation to the field of computer science;
  - (H) demonstrate planning and time-management skills; and
  - (I) compare university computer science programs.
- (2) Creativity and innovation. The student develops products and generates new knowledge, understanding, and skills. The student is expected to:
  - (A) investigate and explore various career opportunities within the computer science field and report findings through various media;
  - (B) create algorithms for the solution of various problems;
  - (C) discuss methods and create and publish web pages using a web-based language such as HTML, Java Script, or XML; and
  - (D) use generally accepted design standards for spacing, fonts, and color schemes to create functional user interfaces, including static and interactive screens.
- (3) Communication and collaboration. The student communicates and collaborates with peers to contribute to his or her own learning and the learning of others. The student is expected to:
  - (A) seek and respond to advice or feedback from peers, educators, or professionals when evaluating problem solutions;
  - (B) debug and solve problems using reference materials and effective strategies; and
  - (C) publish information in a variety of ways such as print, monitor display, web pages, or video.
- (4) Critical thinking, problem solving, and decision making. The student uses appropriate strategies to analyze problems and design algorithms. The student is expected to:
  - (A) demonstrate the ability to insert external standalone objects such as scripts or widgets into web pages;
  - (B) communicate an understanding of binary representation of data in computer systems, perform conversions between decimal and binary number systems, and count in binary number systems;
  - (C) identify a problem's description, purpose, and goals;
  - (D) demonstrate coding proficiency in a programming language by developing solutions that create stories, games, and animations;
  - (E) identify and use the appropriate data type to properly represent the data in a program problem solution;
  - (F) communicate an understanding of and use variables within a programmed story, game, or animation;



- (G) use arithmetic operators to create mathematical expressions, including addition, subtraction, multiplication, real division, integer division, and modulus division;
  - (H) communicate an understanding of and use sequence within a programmed story, game, or animation;
  - (I) communicate an understanding of and use conditional statements within a programmed story, game, or animation;
  - (J) communicate an understanding of and use iteration within a programmed story, game, or animation;
  - (K) use random numbers within a programmed story, game, or animation; and
  - (L) test program solutions by investigating intended outcomes.
- (5) Digital citizenship. The student explores and understands safety, legal, cultural, and societal issues relating to the use of technology and information. The student is expected to:
- (A) discuss privacy and copyright laws and model ethical acquisition of digital information by citing sources using established methods;
  - (B) compare various non-copyright asset sharing options such as open source, freeware, and public domain;
  - (C) demonstrate proper digital etiquette and knowledge of acceptable use policies when using networks;
  - (D) explain the value of strong passwords and virus detection and prevention for privacy and security;
  - (E) discuss and give examples of the impact of computing and computing-related advancements on society; and
  - (F) analyze how electronic media can affect reliability of information.
- (6) Technology operations and concepts. The student understands technology concepts, systems, and operations as they apply to computer science. The student is expected to:
- (A) identify and explain the function of basic computer components, including a central processing unit (CPU), storage, and peripheral devices;
  - (B) use system tools, including appropriate file management;
  - (C) compare different operating systems;
  - (D) describe the differences between an application and an operating system; and
  - (E) use various input, processing, output, and primary/secondary storage devices.

**§127.789. Computer Science I (One Credit), Adopted 2022.**

- (a) Implementation. The provisions of this section shall be implemented by school districts beginning with the 2024-2025 school year.
  - (1) No later than August 1, 2024, the commissioner of education shall determine whether instructional materials funding has been made available to Texas public schools for materials that cover the essential knowledge and skills identified in this section.
  - (2) If the commissioner makes the determination that instructional materials funding has been made available this section shall be implemented beginning with the 2024-2025 school year and apply to the 2024-2025 and subsequent school years.
  - (3) If the commissioner does not make the determination that instructional materials funding has been made available under subsection (a) of this section, the commissioner shall determine no later than August 1 of each subsequent school year whether instructional materials funding has been made

available. If the commissioner determines that instructional materials funding has been made available, the commissioner shall notify the State Board of Education and school districts that this section shall be implemented for the following school year.

(b) General requirements. This course is recommended for students in Grades 9-12. Prerequisite or corequisite: Algebra I. Students shall be awarded one credit for successful completion of this course.

(c) Introduction.

- (1) Career and technical education instruction provides content aligned with challenging academic standards, industry-relevant technical knowledge, and college and career readiness skills for students to further their education and succeed in current and emerging professions.
- (2) The Science, Technology, Engineering, and Mathematics (STEM) Career Cluster focuses on planning, managing, and providing scientific research and professional and technical services such as laboratory and testing services and research and development services.
- (3) Computer Science I will foster students' creativity and innovation by presenting opportunities to design, implement, and present meaningful programs through a variety of media. Students will collaborate with one another, their instructor, and various electronic communities to solve the problems presented throughout the course. Through computational thinking and data analysis, students will identify task requirements, plan search strategies, and use computer science concepts to access, analyze, and evaluate information needed to solve problems. By using computer science knowledge and skills that support the work of individuals and groups in solving problems, students will select the technology appropriate for the task, synthesize knowledge, create solutions, and evaluate the results. Students will learn digital citizenship by researching current laws, regulations, and best practices and by practicing integrity and respect. Students will gain an understanding of the principles of computer science through the study of technology operations, systems, and concepts.
- (4) Students are encouraged to participate in extended learning experiences such as career and technical student organizations and other leadership or extracurricular organizations.
- (5) 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.

(d) Knowledge and skills.

- (1) Employability. The student identifies various employment opportunities in the computer science field. The student is expected to:
  - (A) identify job opportunities and accompanying job duties and tasks;
  - (B) examine the role of certifications, resumes, and portfolios in the computer science profession;
  - (C) employ effective technical reading and writing skills;
  - (D) employ effective verbal and non-verbal communication skills;
  - (E) solve problems and think critically;
  - (F) demonstrate leadership skills and function effectively as a team member;
  - (G) communicate an understanding of legal and ethical responsibilities in relation to the field of computer science;
  - (H) demonstrate planning and time-management skills; and
  - (I) compare university computer science programs.
- (2) Communication and collaboration. The student communicates and collaborates with peers to contribute to his or her own learning and the learning of others. The student is expected to:

- (A) participate in learning communities as a learner, initiator, contributor, and teacher/mentor; and
- (B) seek and respond to advice from peers, educators, or professionals when evaluating quality and accuracy of the student's product.
- (3) Programming style and presentation. The student utilizes proper programming style and develops appropriate visual presentation of data, input, and output. The student is expected to:
  - (A) create and properly label and display output;
  - (B) create interactive input interfaces, with relevant user prompts, to acquire data from a user such as console displays or Graphical User Interfaces (GUIs);
  - (C) write programs with proper programming style to enhance the readability and functionality of a code by using descriptive identifiers, internal comments, white space, spacing, indentation, and a standardized program style;
  - (D) format data displays using standard formatting styles; and
  - (E) display simple vector graphics using lines, circles, and rectangles.
- (4) Critical thinking, problem solving, and decision making. The student uses appropriate strategies to analyze problems and design algorithms. The student is expected to:
  - (A) use program design problem-solving strategies such as flowchart or pseudocode to create program solutions;
  - (B) create a high-level program plan using a visual tool such as a flowchart or graphic organizer;
  - (C) identify the tasks and subtasks needed to solve a problem;
  - (D) identify the data types and objects needed to solve a problem;
  - (E) identify reusable components from existing code;
  - (F) design a solution to a problem;
  - (G) code a solution from a program design;
  - (H) identify error types, including syntax, lexical, run time, and logic;
  - (I) test program solutions with valid and invalid test data and analyze resulting behavior;
  - (J) debug and solve problems using error messages, reference materials, language documentation, and effective strategies;
  - (K) create and implement common algorithms such as finding greatest common divisor, finding the biggest number out of three, finding primes, making change, and finding the average;
  - (L) create program solutions that address basic error handling such as preventing division by zero and type mismatch;
  - (M) select the most appropriate construct for a defined problem;
  - (N) create program solutions by using the arithmetic operators to create mathematical expressions, including addition, subtraction, multiplication, real division, integer division, and modulus division;
  - (O) create program solutions to problems using available mathematics library functions or operators, including absolute value, round, power, square, and square root;
  - (P) develop program solutions that use assignment;
  - (Q) develop sequential algorithms to solve non-branching and non-iterative problems;

- (R) develop algorithms to decision-making problems using branching control statements;
  - (S) develop iterative algorithms and code programs to solve practical problems;
  - (T) demonstrate the appropriate use of the relational operators;
  - (U) demonstrate the appropriate use of the logical operators; and
  - (V) generate and use random numbers.
- (5) Digital citizenship. The student explores and understands safety, legal, cultural, and societal issues relating to the use of technology and information. The student is expected to:
- (A) discuss and explain intellectual property, privacy, sharing of information, copyright laws, and software licensing agreements;
  - (B) practice ethical acquisition and use of digital information;
  - (C) demonstrate proper digital etiquette, responsible use of software, and knowledge of acceptable use policies;
  - (D) investigate privacy and security measures, including strong passwords, pass phrases, and other methods of authentication and virus detection and prevention; and
  - (E) investigate computing and computing-related advancements and the social and ethical ramifications of computer usage.
- (6) Technology operations, systems, and concepts. The student understands technology concepts, systems, and operations as they apply to computer science. The student is expected to:
- (A) identify and describe the function of major hardware components, including primary and secondary memory, a central processing unit (CPU), and peripherals;
  - (B) differentiate between current programming languages, discuss the general purpose for each language, and demonstrate knowledge of specific programming terminology and concepts and types of software development applications;
  - (C) differentiate between a high-level compiled language and an interpreted language;
  - (D) identify and use concepts of object-oriented design;
  - (E) differentiate between local and global scope access variable declarations;
  - (F) encapsulate data and associated subroutines into an abstract data type;
  - (G) create subroutines that do not return values with and without the use of arguments and parameters;
  - (H) create subroutines that return typed values with and without the use of arguments and parameters;
  - (I) create calls to processes passing arguments that match parameters by number, type, and position;
  - (J) compare data elements using logical and relational operators;
  - (K) identify and convert binary representation of numeric and nonnumeric data in computer systems using American Standard Code for Information Interchange (ASCII) or Unicode;
  - (L) identify finite limits of numeric data such as integer wrap around and floating point precision;
  - (M) perform numerical conversions between the decimal and binary number systems and count in the binary number system;
  - (N) choose, identify, and use the appropriate data types for integer, real, and Boolean data when writing program solutions;

- (O) analyze the concept of a variable, including primitives and objects;
- (P) represent and manipulate text data, including concatenation and other string functions;
- (Q) identify and use the structured data type of one-dimensional arrays to traverse, search, and modify data;
- (R) choose, identify, and use the appropriate data type or structure to properly represent the data in a program problem solution; and
- (S) compare strongly typed and un-typed programming languages.

**§127.790. Computer Science II (One Credit), Adopted 2022.**

- (a) Implementation. The provisions of this section shall be implemented by school districts beginning with the 2024-2025 school year.
  - (1) No later than August 1, 2024, the commissioner of education shall determine whether instructional materials funding has been made available to Texas public schools for materials that cover the essential knowledge and skills identified in this section.
  - (2) If the commissioner makes the determination that instructional materials funding has been made available this section shall be implemented beginning with the 2024-2025 school year and apply to the 2024-2025 and subsequent school years.
  - (3) If the commissioner does not make the determination that instructional materials funding has been made available under subsection (a) of this section, the commissioner shall determine no later than August 1 of each subsequent school year whether instructional materials funding has been made available. If the commissioner determines that instructional materials funding has been made available, the commissioner shall notify the State Board of Education and school districts that this section shall be implemented for the following school year.
- (b) General requirements. This course is recommended for students in Grades 10-12. Prerequisites: Algebra I and Computer Science I or AP Computer Science Principles. Students shall be awarded one credit for successful completion of this course.
- (c) Introduction.
  - (1) Career and technical education instruction provides content aligned with challenging academic standards, industry-relevant technical knowledge, and college and career readiness skills for students to further their education and succeed in current and emerging professions.
  - (2) The Science, Technology, Engineering, and Mathematics (STEM) Career Cluster focuses on planning, managing, and providing scientific research and professional and technical services such as laboratory and testing services and research and development services.
  - (3) Computer Science II will foster students' creativity and innovation by presenting opportunities to design, implement, and present meaningful programs through a variety of media. Students will collaborate with one another, their instructor, and various electronic communities to solve the problems presented throughout the course. Through computational thinking and data analysis, students will identify task requirements, plan search strategies, and use computer science concepts to access, analyze, and evaluate information needed to solve problems. By using computer science knowledge and skills that support the work of individuals and groups in solving problems, students will select the technology appropriate for the task, synthesize knowledge, create solutions, and evaluate the results. Students will gain an understanding of computer science through the study of technology operations, systems, and concepts.
  - (4) Students are encouraged to participate in extended learning experiences such as career and technical student organizations and other leadership or extracurricular organizations.
  - (5) 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.

(d) Knowledge and skills.

- (1) Employability. The student identifies various employment opportunities in the computer science field. The student is expected to:
  - (A) identify job opportunities and accompanying job duties and tasks;
  - (B) examine the role of certifications, resumes, and portfolios in the computer science profession;
  - (C) employ effective technical reading and writing skills;
  - (D) employ effective verbal and non-verbal communication skills;
  - (E) solve problems and think critically;
  - (F) demonstrate leadership skills and function effectively as a team member;
  - (G) identify legal and ethical responsibilities in relation to the field of computer science;
  - (H) demonstrate planning and time-management skills; and
  - (I) compare university computer science programs.
- (2) Creativity and innovation. The student develops products and generates new understandings by extending existing knowledge. The student is expected to:
  - (A) use program design problem-solving strategies to create program solutions;
  - (B) read, analyze, and modify programs and their accompanying documentation such as an application programming interface (API), internal code comments, external documentation, or readme files;
  - (C) follow a systematic problem-solving process that identifies the purpose and goals, the data types and objects needed, and the subtasks to be performed;
  - (D) compare design methodologies and implementation techniques such as top-down, bottom-up, and black box;
  - (E) trace a program, including inheritance and black box programming;
  - (F) choose, identify, and use the appropriate abstract data type, advanced data structure, and supporting algorithms to properly represent the data in a program problem solution; and
  - (G) use object-oriented programming development methodology, including data abstraction, encapsulation with information hiding, inheritance, and procedural abstraction in program development.
- (3) Communication and collaboration. The student communicates and collaborates with peers to contribute to his or her own learning and the learning of others. The student is expected to:
  - (A) use the principles of software development to work in software design teams;
  - (B) break a problem statement into specific solution requirements;
  - (C) create a program development plan;
  - (D) code part of a solution from a program development plan while a partner codes the remaining part;
  - (E) collaborate with a team to test a solution, including boundary and standard cases; and
  - (F) develop presentations to report the solution findings.
- (4) Data literacy and management. The student locates, analyzes, processes, and organizes data. The student is expected to:
  - (A) use programming file structure and file access for required resources;

- (B) acquire and process information from text files, including files of known and unknown sizes;
  - (C) manipulate data using string processing;
  - (D) manipulate data values by casting between data types;
  - (E) use the structured data type of one-dimensional arrays to traverse, search, modify, insert, and delete data;
  - (F) identify and use the structured data type of two-dimensional arrays to traverse, search, modify, insert, and delete data;
  - (G) identify and use a list object data structure to traverse, search, insert, and delete data; and
  - (H) differentiate between categories of programming languages, including machine, assembly, high-level compiled, high-level interpreted, and scripted.
- (5) Critical thinking, problem solving, and decision making. The student uses appropriate strategies to analyze problems and design algorithms. The student is expected to:
- (A) develop sequential algorithms using branching control statements, including nested structures, to create solutions to decision-making problems;
  - (B) develop choice algorithms using selection control statements based on ordinal values;
  - (C) demonstrate the appropriate use of short-circuit evaluation in certain situations;
  - (D) use Boolean algebra, including De Morgan's Law, to evaluate and simplify logical expressions;
  - (E) develop iterative algorithms using nested loops;
  - (F) identify, trace, and appropriately use recursion in programming solutions, including algebraic computations;
  - (G) trace, construct, evaluate, and compare search algorithms, including linear searching and binary searching;
  - (H) identify, describe, trace, evaluate, and compare standard sorting algorithms, including selection sort, bubble sort, insertion sort, and merge sort;
  - (I) measure time and space efficiency of various sorting algorithms, including analyzing algorithms using "big-O" notation for best, average, and worst-case data patterns;
  - (J) develop algorithms to solve various problems such as factoring, summing a series, finding the roots of a quadratic equation, and generating Fibonacci numbers;
  - (K) test program solutions by investigating boundary conditions; testing classes, methods, and libraries in isolation; and performing stepwise refinement;
  - (L) identify and debug compile, syntax, runtime, and logic errors;
  - (M) compare efficiency of search and sort algorithms by using informal runtime comparisons, exact calculation of statement execution counts, and theoretical efficiency values using "big-O" notation, including worst-case, best-case, and average-case time/space analysis;
  - (N) count, convert, and perform mathematical operations in the decimal, binary, octal, and hexadecimal number systems;
  - (O) identify maximum integer boundary, minimum integer boundary, imprecision of real number representations, and round-off errors;
  - (P) create program solutions to problems using a mathematics library;
  - (Q) use random number generator algorithms to create simulations;

- (R) use composition and inheritance relationships to identify and create class definitions and relationships;
- (S) explain and use object relationships between defined classes, abstract classes, and interfaces;
- (T) create object-oriented class definitions and declarations using variables, constants, methods, parameters, and interface implementations;
- (U) create adaptive behaviors using polymorphism;
- (V) use reference variables for object and string data types;
- (W) use value and reference parameters appropriately in method definitions and method calls;
- (X) implement access scope modifiers;
- (Y) use object comparison for content quality;
- (Z) duplicate objects using the appropriate deep or shallow copy;
- (AA) apply functional decomposition to a program solution;
- (BB) create objects from class definitions through instantiation; and
- (CC) examine and mutate the properties of an object using accessors and modifiers.

**§127.791. Computer Science III (One Credit), Adopted 2022.**

- (a) Implementation. The provisions of this section shall be implemented by school districts beginning with the 2023-2024 school year.
  - (1) No later than August 1, 2023, the commissioner of education shall determine whether instructional materials funding has been made available to Texas public schools for materials that cover the essential knowledge and skills identified in this section.
  - (2) If the commissioner makes the determination that instructional materials funding has been made available this section shall be implemented beginning with the 2023-2024 school year and apply to the 2023-2024 and subsequent school years.
  - (3) If the commissioner does not make the determination that instructional materials funding has been made available under subsection (a) of this section, the commissioner shall determine no later than August 1 of each subsequent school year whether instructional materials funding has been made available. If the commissioner determines that instructional materials funding has been made available, the commissioner shall notify the State Board of Education and school districts that this section shall be implemented for the following school year.
- (b) General requirements. This course is recommended for students in Grades 11 and 12. Prerequisite: Computer Science II, Advanced Placement (AP) Computer Science A, or International Baccalaureate (IB) Computer Science Standard Level or IB Computer Science Higher Level. Students shall be awarded one credit for successful completion of this course.
- (c) Introduction.
  - (1) Career and technical education instruction provides content aligned with challenging academic standards, industry-relevant technical knowledge, and college and career readiness skills for students to further their education and succeed in current and emerging professions.
  - (2) The Science, Technology, Engineering, and Mathematics (STEM) Career Cluster focuses on planning, managing, and providing scientific research and professional and technical services such as laboratory and testing services and research and development services.
  - (3) Computer Science III will foster students' creativity and innovation by presenting opportunities to design, implement, and present meaningful programs through a variety of media. Students will collaborate with one another, their instructor, and various electronic communities to solve the



problems presented throughout the course. Through computational thinking and data analysis, students will identify task requirements, plan search strategies, and use computer science concepts to access, analyze, and evaluate information needed to solve problems. By using computer science knowledge and skills that support the work of individuals and groups in solving problems, students will select the technology appropriate for the task, synthesize knowledge, create solutions, and evaluate the results. Students will gain an understanding of advanced computer science data structures through the study of technology operations, systems, and concepts.

- (4) Students are encouraged to participate in extended learning experiences such as career and technical student organizations and other leadership or extracurricular organizations.
  - (5) 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.
  - (6) Students are encouraged to participate in extended learning experiences such as career and technical student organizations and other leadership or extracurricular organizations.
- (d) Knowledge and skills.
- (1) Employability. The student identifies various employment opportunities in the computer science field. The student is expected to:
    - (A) identify job opportunities and accompanying job duties and tasks;
    - (B) examine the role of certifications, resumes, and portfolios in the computer science profession;
    - (C) employ effective technical reading and writing skills;
    - (D) employ effective verbal and non-verbal communication skills;
    - (E) solve problems and think critically;
    - (F) demonstrate leadership skills and function effectively as a team member;
    - (G) demonstrate an understanding of legal and ethical responsibilities in relation to the field of computer science;
    - (H) demonstrate planning and time-management skills; and
    - (I) compare university computer science programs.
  - (2) Creativity and innovation. The student develops products and generates new understandings by extending existing knowledge. The student is expected to:
    - (A) apply object-oriented programming, including data abstraction, encapsulation, inheritance, and polymorphism, to manage the complexity of a project;
    - (B) design and implement a class hierarchy;
    - (C) read and write class specifications using visual organizers, including Unified Modeling Language;
    - (D) identify, describe, evaluate, compare, and implement standard sorting algorithms that perform sorting operations on data structures, including quick sort and heap sort; and
    - (E) identify and use the appropriate abstract data type, advanced data structure, and supporting algorithms to properly represent the data in a program problem solution.
  - (3) Communication and collaboration. The student communicates and collaborates with peers to contribute to his or her own learning and the learning of others. The student is expected to:
    - (A) use networked tools for file management and collaboration; and
    - (B) work in software design teams.

- (4) Data literacy and management. The student locates, analyzes, processes, and organizes data. The student is expected to:
- (A) identify and use two-dimensional ragged arrays to traverse, search, modify, insert, and delete data;
  - (B) describe and demonstrate proper linked list management, including maintaining the head and safe addition and deletion of linked objects;
  - (C) create or trace program solutions using a linked-list data structure, including unordered single, ordered single, double, and circular linked;
  - (D) describe composite data structures, including a linked list of linked lists;
  - (E) create or trace program solutions using stacks, queues, trees, heaps, priority queues, graph theory, and enumerated data types;
  - (F) create or trace program solutions using sets, including hash and tree-based data structures;
  - (G) create or trace program solutions using map style data structures; and
  - (H) write and modify text file data.
- (5) Critical thinking, problem solving, and decision making. The student uses appropriate strategies to analyze problems and design algorithms. The student is expected to:
- (A) evaluate expressions using bitwise operators;
  - (B) evaluate expressions using the ternary operator;
  - (C) identify, trace, and appropriately use recursion in programming solutions, including processing binary trees;
  - (D) create or trace program solutions using hashing;
  - (E) explore common algorithms such as matrix addition and multiplication, fractals, Towers of Hanoi, and magic square; and
  - (F) create program solutions that exhibit robust behavior by recognizing and avoiding runtime errors and handling anticipated errors.
- (6) Testing and documentation. The student demonstrates appropriate documentation and testing practices. The student is expected to:
- (A) use appropriate formatting and write documentation to support code maintenance, including pre- and post-condition statements;
  - (B) write program assumptions in the form of assertions;
  - (C) write a Boolean expression to test a program assertion; and
  - (D) construct assertions to make explicit program invariants.
- (7) Practical application of technology. The student utilizes technology concepts, systems, and operations as they apply to computer science. The student is expected to:
- (A) analyze and create computer program workflow charts and basic system diagrams, documenting system functions, features, and operations;
  - (B) gather requirements, design, and implement a process by which programs can interact with each other such as using interfaces;
  - (C) create simple programs using a low-level language such as assembly;
  - (D) create discovery programs in a high-level language;
  - (E) create scripts for an operating system;

(F) explore industry best practices for secure programming; and

(G) explore emerging industry or technology trends.

**§127.792. Foundations of Cybersecurity (One Credit), Adopted 2022.**

(a) Implementation. The provisions of this section shall be implemented by school districts beginning with the 2023-2024 school year.

(1) No later than August 1, 2023, the commissioner of education shall determine whether instructional materials funding has been made available to Texas public schools for materials that cover the essential knowledge and skills identified in this section.

(2) If the commissioner makes the determination that instructional materials funding has been made available this section shall be implemented beginning with the 2023-2024 school year and apply to the 2023-2024 and subsequent school years.

(3) If the commissioner does not make the determination that instructional materials funding has been made available under this subsection, the commissioner shall determine no later than August 1 of each subsequent school year whether instructional materials funding has been made available. If the commissioner determines that instructional materials funding has been made available, the commissioner shall notify the State Board of Education and school districts that this section shall be implemented for the following school year.

(b) General requirements. This course is recommended for students in Grades 9-12. Students shall be awarded one credit for successful completion of this course.

(c) Introduction.

(1) Career and technical education instruction provides content aligned with challenging academic standards, industry and relevant technical knowledge, and college and career readiness skills for students to further their education and succeed in current and emerging professions.

(2) The Science, Technology, Engineering, and Mathematics (STEM) Career Cluster focuses on planning, managing, and providing scientific research and professional and technical services such as laboratory and testing services and research and development services.

(3) Cybersecurity is a critical discipline concerned with safeguarding computers, networks, programs, and data from unauthorized access. As a field, it has gained prominence with the expansion of a globally connected society. As computing has become more sophisticated, so too have the abilities of adversaries looking to penetrate networks and access systems and sensitive information. Cybersecurity professionals prevent, detect, and respond to minimize disruptions to governments, organizations, and individuals.

(4) In the Foundations of Cybersecurity course, students will develop the knowledge and skills needed to explore fundamental concepts related to the ethics, laws, and operations of cybersecurity. Students will examine trends and operations of cyberattacks, threats, and vulnerabilities. Students will review and explore security policies designed to mitigate risks. The skills obtained in this course prepare students for additional study in cybersecurity. A variety of courses are available to students interested in this field. Foundations of Cybersecurity may serve as an introductory course in this field of study.

(5) Students are encouraged to participate in extended learning experiences such as career and technical student organizations and other leadership or extracurricular organizations.

(6) 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.

(d) Knowledge and skills.

(1) Employability skills. The student demonstrates necessary skills for career development and successful completion of course outcomes. The student is expected to:

- (A) identify and demonstrate employable work behaviors such as regular attendance, punctuality, maintenance of a professional work environment, and effective written and verbal communication;
  - (B) identify and demonstrate positive personal qualities such as authenticity, resilience, initiative, and a willingness to learn new knowledge and skills;
  - (C) solve problems and think critically;
  - (D) demonstrate leadership skills and function effectively as a team member; and
  - (E) demonstrate an understanding of ethical and legal responsibilities and ramifications in relation to the field of cybersecurity.
- (2) Professional awareness. The student identifies various employment opportunities and requirements in the cybersecurity field. The student is expected to:
- (A) identify job and internship opportunities and accompanying job duties and tasks;
  - (B) research careers in cybersecurity and information security and develop professional profiles that match education and job skills required for obtaining a job in both the public and private sectors;
  - (C) identify and discuss certifications for cybersecurity-related careers; and
  - (D) explain the different types of services and roles found within a cybersecurity functional area such as a security operations center (SOC).
- (3) Ethics and laws. The student understands ethical and current legal standards, rights and restrictions governing technology, technology systems, digital media, and the use of social media. The student is expected to:
- (A) demonstrate and advocate for ethical and legal behaviors both online and offline among peers, family, community, and employers;
  - (B) investigate and analyze local, state, national, and international cybersecurity laws such as the USA PATRIOT Act of 2001, General Data Protection Regulation, Digital Millennium Copyright Act, Computer Fraud and Abuse Act, and Health Insurance Portability and Accountability Act of 1996 (HIPAA);
  - (C) investigate and analyze noteworthy incidents or events regarding cybersecurity;
  - (D) communicate an understanding of ethical and legal behavior when presented with various scenarios related to cybersecurity activities;
  - (E) define and identify tactics used in an incident such as social engineering, malware, denial of service, spoofing, and data vandalism; and
  - (F) identify and use appropriate methods for citing sources.
- (4) Ethics and laws. The student differentiates between ethical and malicious hacking. The student is expected to:
- (A) identify motivations and perspectives for hacking;
  - (B) distinguish between types of threat actors such as hacktivists, criminals, state-sponsored actors, and foreign governments;
  - (C) identify and describe the impact of cyberattacks on the global community, society, and individuals;
  - (D) differentiate between industry terminology for types of hackers such as black hats, white hats, and gray hats; and
  - (E) determine and describe possible outcomes and legal ramifications of ethical versus malicious hacking practices.

- (5) Ethics and laws. The student identifies and defines cyberterrorism and counterterrorism. The student is expected to:
- (A) define cyberterrorism, state-sponsored cyberterrorism, and hacktivism;
  - (B) compare and contrast physical terrorism and cyberterrorism, including domestic and foreign actors;
  - (C) define and explain intelligence gathering;
  - (D) explain the role of cyber defense in protecting national interests and corporations;
  - (E) explain the role of cyber defense in society and the global economy; and
  - (F) explain the importance of protecting public infrastructures such as electrical power grids, water systems, pipelines, transportation, and power generation facilities from cyberterrorism.
- (6) Digital citizenship. The student understands and demonstrates the social responsibility of end users regarding significant issues related to digital technology, digital hygiene, and cyberbullying. The student is expected to:
- (A) identify and understand the nature and value of privacy;
  - (B) analyze the positive and negative implications of a digital footprint and the maintenance and monitoring of an online presence;
  - (C) discuss the role and impact of technology on privacy;
  - (D) identify the signs, emotional effects, and legal consequences of cyberbullying and cyberstalking; and
  - (E) identify and discuss effective ways to deter and report cyberbullying.
- (7) Digital citizenship. The student understands the implications of sharing information and access with others. The student is expected to:
- (A) define personally identifiable information (PII);
  - (B) evaluate the risks and benefits of sharing PII;
  - (C) describe the impact of granting applications unnecessary permissions such as mobile devices accessing camera and contacts;
  - (D) describe the risks of granting third parties access to personal and proprietary data on social media and systems; and
  - (E) describe the risks involved with accepting Terms of Service (ToS) or End User License Agreements (EULA) without a basic understanding of the terms or agreements.
- (8) Cybersecurity skills. The student understands basic cybersecurity concepts and definitions. The student is expected to:
- (A) define cybersecurity and information security;
  - (B) identify basic risk management and risk assessment principles related to cybersecurity threats and vulnerabilities, including the Zero Trust model;
  - (C) explain the fundamental concepts of confidentiality, integrity, and availability (CIA triad);
  - (D) describe the trade-offs between convenience and security;
  - (E) identify and analyze cybersecurity breaches and incident responses;
  - (F) identify and analyze security challenges in domains such as physical, network, cloud, and web;

- (G) define and discuss challenges faced by cybersecurity professionals such as internal and external threats;
  - (H) identify indicators of compromise such as common risks, warning signs, and alerts of compromised systems;
  - (I) explore and discuss the vulnerabilities of network-connected devices such as Internet of Things (IoT);
  - (J) use appropriate cybersecurity terminology;
  - (K) explain the concept of penetration testing, including tools and techniques; and
  - (L) explore and identify common industry frameworks such as MITRE ATT&CK™, MITRE Engage™, and Cyber Kill Chain, and the Diamond Model.
- (9) Cybersecurity skills. The student understands and explains various types of malicious software (malware). The student is expected to:
- (A) define malware, including spyware, ransomware, viruses, and rootkits;
  - (B) identify the transmission and function of malware such as trojan horses, worms, and viruses;
  - (C) discuss the impact of malware and the model of "as a service";
  - (D) explain the role of reverse engineering for the detection of malware and viruses; and
  - (E) describe free and commercial antivirus and anti-malware software also known as Endpoint Detection and Response software.
- (10) Cybersecurity skills. The student understands and demonstrates knowledge of techniques and strategies to prevent a system from being compromised. The student is expected to:
- (A) define system hardening;
  - (B) use basic system administration privileges;
  - (C) explain the importance of patching operating systems;
  - (D) explain the importance of software updates;
  - (E) describe standard practices to configure system services;
  - (F) explain the importance of backup files;
  - (G) research and explain standard practices for securing computers, networks, and operating systems, including the concept of least privilege; and
  - (H) identify vulnerabilities caused by a lack of cybersecurity awareness and training such as weaknesses posed by individuals within an organization.
- (11) Cybersecurity skills. The student understands basic network operations. The student is expected to:
- (A) identify basic network devices, including routers and switches;
  - (B) define network addressing;
  - (C) analyze incoming and outgoing rules for traffic passing through a firewall;
  - (D) identify well known ports by number and service provided, including port 22 (Secure Shell Protocol/ssh), port 80 (Hypertext Transfer Protocol/http), and port 443 (Hypertext Transfer Protocol Secure/https);
  - (E) identify commonly exploited ports and services, including ports 20 and 21 (File Transfer Protocol/ftp), port 23 (telnet protocol), and port 3389 (Remote Desktop Protocol/rdp); and

- (F) identify common tools for monitoring ports and network traffic.
- (12) Cybersecurity skills. The student identifies standard practices of system administration. The student is expected to:
- (A) define what constitutes a secure password;
  - (B) create a secure password policy, including length, complexity, account lockout, and rotation;
  - (C) identify methods of password cracking such as brute force and dictionary attacks; and
  - (D) examine and configure security options to allow and restrict access based on user roles.
- (13) Cybersecurity skills. The student demonstrates necessary steps to maintain user access on the system. The student is expected to:
- (A) identify different types of user accounts and groups on an operating system;
  - (B) explain the fundamental concepts and standard practices related to access control, including authentication, authorization, and auditing;
  - (C) compare methods for single- and multi-factor authentication such as passwords, biometrics, personal identification numbers (PINs), secure tokens, and other passwordless authentication methods;
  - (D) define and explain the purpose and benefits of an air-gapped computer; and
  - (E) explain how hashes and checksums may be used to validate the integrity of transferred data.
- (14) Cybersecurity skills. The student explores the field of digital forensics. The student is expected to:
- (A) explain the importance of digital forensics to organizations, private citizens, and the public sector;
  - (B) identify the role of chain of custody in digital forensics;
  - (C) explain the four steps of the forensics process, including collection, examination, analysis, and reporting;
  - (D) identify when a digital forensics investigation is necessary;
  - (E) identify information that can be recovered from digital forensics investigations such as metadata and event logs; and
  - (F) analyze the purpose of event logs and identify suspicious activity.
- (15) Cybersecurity skills. The student explores the operations of cryptography. The student is expected to:
- (A) explain the purpose of cryptography and encrypting data;
  - (B) research historical uses of cryptography;
  - (C) review and explain simple cryptography methods such as shift cipher and substitution cipher;
  - (D) define and explain public key encryption; and
  - (E) compare and contrast symmetric and asymmetric encryption.
- (16) Vulnerabilities, threats, and attacks. The student understands vulnerabilities, threats, and attacks. The student is expected to:
- (A) explain how computer vulnerabilities leave systems open to cyberattacks;
  - (B) explain how users are the most common vehicle for compromising a system at the application level;

- (C) define and describe vulnerability, payload, exploit, port scanning, and packet sniffing;
  - (D) identify internal threats to systems such as logic bombs and insider threats;
  - (E) define and describe cyberattacks, including man-in-the-middle, distributed denial of service, spoofing, and back-door attacks;
  - (F) differentiate types of social engineering techniques such as phishing; web links in email, instant messaging, social media, and other online communication with malicious links; shoulder surfing; and dumpster diving; and
  - (G) identify various types of application-specific attacks such as cross-site scripting and injection attacks.
- (17) Vulnerabilities, threats, and attacks. The student evaluates the vulnerabilities of networks. The student is expected to:
- (A) compare vulnerabilities associated with connecting devices to public and private networks;
  - (B) explain device vulnerabilities and security solutions on networks such as supply chain security and counterfeit products;
  - (C) compare and contrast protocols such as HTTP versus HTTPS;
  - (D) debate the broadcasting or hiding of a wireless service set identifier (SSID); and
  - (E) research and discuss threats such as mandatory access control (MAC) spoofing and packet sniffing.
- (18) Vulnerabilities, threats, and attacks. The student analyzes threats to computer applications. The student is expected to:
- (A) define application security;
  - (B) identify methods of application security such as secure development policies and practices;
  - (C) explain the purpose and function of vulnerability scanners;
  - (D) explain how coding errors may create system vulnerabilities such as buffer overflows and lack of input validation; and
  - (E) analyze the risks of distributing insecure programs.
- (19) Risk assessment. The student understands risk and how risk assessment and risk management defend against attacks. The student is expected to:
- (A) define commonly used risk assessment terms, including risk, asset, and inventory;
  - (B) identify risk management strategies, including acceptance, avoidance, transference, and mitigation; and
  - (C) compare and contrast risks based on an industry accepted rubric or metric such as Risk Assessment Matrix.

**§127.793. Digital Forensics (One Credit), Adopted 2022.**

- (a) Implementation. The provisions of this section shall be implemented by school districts beginning with the 2023-2024 school year.
  - (1) No later than August 1, 2023, the commissioner of education shall determine whether instructional materials funding has been made available to Texas public schools for materials that cover the essential knowledge and skills identified in this section.



- (2) If the commissioner makes the determination that instructional materials funding has been made available this section shall be implemented beginning with the 2023-2024 school year and apply to the 2023-2024 and subsequent school years.
- (3) If the commissioner does not make the determination that instructional materials funding has been made available under this subsection, the commissioner shall determine no later than August 1 of each subsequent school year whether instructional materials funding has been made available. If the commissioner determines that instructional materials funding has been made available, the commissioner shall notify the State Board of Education and school districts that this section shall be implemented for the following school year.
- (b) General requirements. This course is recommended for students in Grades 9-12. Prerequisite: Foundations of Cybersecurity. Students shall be awarded one credit for successful completion of this course.
- (c) Introduction.
- (1) Career and technical education instruction provides content aligned with challenging academic standards, , industry relevant technical knowledge, and college and career readiness skills for students to further their education and succeed in current and emerging professions.
- (2) The Science, Technology, Engineering, and Mathematics (STEM) Career Cluster focuses on planning, managing, and providing scientific research and professional and technical services, such as laboratory and testing services and research and development services.
- (3) Digital forensics is a critical discipline concerned with analyzing anomalous activity on computers, networks, programs, and data. As a discipline, it has grown with the expansion of a globally connected digital society. As computing has become more sophisticated, so too have the abilities to access systems and sensitive information. Digital forensics professionals investigate and craft appropriate responses to disruptions to governments, organizations, and individuals. Whereas cybersecurity takes a proactive approach to information assurance to minimize harm, digital forensics takes a reactive approach to incident response.
- (4) Digital Forensics introduces students to the knowledge and skills of digital forensics. The course provides a survey of the field of digital forensics and incident response.
- (5) Students are encouraged to participate in extended learning experiences such as career and technical student organizations and other leadership or extracurricular organizations.
- (6) 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.
- (d) Knowledge and skills.
- (1) Employability skills. The student identifies necessary skills for career development and employment opportunities. The student is expected to:
- (A) investigate the need for digital forensics;
- (B) research careers in digital forensics along with the education and job skills required for obtaining a job in both the public and private sector;
- (C) identify job and internship opportunities and accompanying job duties and tasks;
- (D) identify and discuss certifications for digital forensics careers;
- (E) explain ethical and legal responsibilities in relation to the field of digital forensics;
- (F) identify and describe businesses and government agencies that use digital forensics;
- (G) identify and describe the kinds of crimes investigated by digital forensics specialists; and
- (H) solve problems and think critically.
- (2) Employability skills. The student communicates and collaborates effectively. The student is expected to:

- (A) apply effective teamwork strategies;
  - (B) collaborate with a community of peers and professionals;
  - (C) create, review, and edit a report summarizing technical findings; and
  - (D) present technical information to a non-technical audience.
- (3) Ethics and laws. The student recognizes and analyzes ethical and current legal standards, rights, and restrictions related to digital forensics. The student is expected to:
- (A) develop a plan to advocate for ethical and legal behaviors both online and offline among peers, family, community, and employers;
  - (B) research and discuss local, state, national, and international law such as the Electronic Communications Privacy Act of 1986, Title III (Pen Register Act); USA PATRIOT Act of 2001; and Digital Millennium Copyright Act;
  - (C) research and discuss historic cases or events regarding digital forensics or cybersecurity;
  - (D) analyze ethical and legal behavior when presented with confidential or sensitive information in various scenarios related to cybersecurity activities;
  - (E) analyze case studies of computer incidents;
  - (F) use the findings of a computer incident investigation to reconstruct a computer incident;
  - (G) identify and discuss intellectual property laws, issues, and use;
  - (H) contrast legal and illegal aspects of information gathering;
  - (I) contrast ethical and unethical aspects of information gathering;
  - (J) analyze emerging legal and societal trends affecting digital forensics; and
  - (K) discuss how technological changes affect applicable laws.
- (4) Digital citizenship. The student understands and demonstrates the social responsibility of end users regarding digital technology, safety, digital hygiene, and cyberbullying. The student is expected to:
- (A) identify and use digital information responsibly;
  - (B) use digital tools responsibly;
  - (C) identify and use valid and reliable sources of information; and
  - (D) gain informed consent prior to investigating incidents.
- (5) Digital forensics skills. The student locates, processes, analyzes, and organizes data. The student is expected to:
- (A) identify sources of data;
  - (B) analyze and report data collected;
  - (C) discuss how to maintain data integrity such as by enabling encryption;
  - (D) examine and describe metadata of a file; and
  - (E) examine and describe how multiple data sources can be used for digital forensics, including investigating malicious software (malware) and email threats.
- (6) Digital forensics skills. The student understands software concepts and operations as they apply to digital forensics. The student is expected to:
- (A) compare software applications as they apply to digital forensics;
  - (B) describe the purpose of various application types such as email, web, file sharing, security applications, and data concealment tools;

- (C) identify the different purposes of data formats such as pdf, wav, jpeg, and exe;
  - (D) describe how application logs and metadata are used for investigations such as Security Information and Event Management (SIEM) reports;
  - (E) describe digital forensics tools;
  - (F) select the proper software tool based on appropriateness, effectiveness, and efficiency for a given digital forensics scenario;
  - (G) describe components of applications such as configurations settings, data, supporting files, and user interface; and
  - (H) describe how the "as a service" model applies to incident response.
- (7) Digital forensics skills. The student understands operating systems concepts and functions as they apply to digital forensics. The student is expected to:
- (A) compare various operating systems;
  - (B) describe file attributes, including access and creation times;
  - (C) describe how operating system logs are used for investigations;
  - (D) compare and contrast the file systems of various operating systems;
  - (E) compare various primary and secondary storage devices; and
  - (F) differentiate between volatile and non-volatile memory.
- (8) Digital forensics skills. The student understands networking concepts and operations as they apply to digital forensics. The student is expected to:
- (A) examine networks, including Internet Protocol (IP) addressing and subnets;
  - (B) describe the Open Systems Interconnection (OSI) model;
  - (C) describe the Transmission Control Protocol/Internet Protocol (TCP/IP) model;
  - (D) use network forensic analysis tools to examine network traffic data from sources such as firewalls, routers, intrusion detection systems (IDS), and remote access logs; and
  - (E) identify malicious or suspicious network activities such as mandatory access control (MAC) spoofing and rogue wireless access points.
- (9) Digital forensics skills. The student explains the principles of access controls. The student is expected to:
- (A) define the principle of least privilege;
  - (B) describe the impact of granting access and permissions;
  - (C) identify different access components such as passwords, tokens, key cards, and biometric verification systems;
  - (D) explain the value of an access log to identify suspicious activity;
  - (E) describe the risks of granting third parties access to personal and proprietary data on social media and systems;
  - (F) describe the risks involved with accepting Terms of Service (ToS) or End User License Agreements (EULA) without a basic understanding of the terms or agreements; and
  - (G) identify various access control methods such as mandatory access control (MAC), attribute-based access control (ABAC), role-based access control (RBAC), and discretionary access control (DAC).
- (10) Incident response. The student follows a methodological approach to prepare for and respond to an incident. The student is expected to:

- (A) define the components of the incident response cycle, including preparation; detection and analysis; containment, eradication, and recovery; and post-incident activity;
  - (B) describe incident response preparation;
  - (C) discuss incident response detection and analysis;
  - (D) discuss containment and eradication of and recovery from an incident;
  - (E) describe post-incident activities such as reflecting on lessons learned, using collected incident data, and retaining evidence of an incident;
  - (F) develop an incident response plan; and
  - (G) describe ways a user may compromise the validity of existing evidence.
- (11) Incident response. The student objectively analyzes collected data from an incident. The student is expected to:
- (A) identify the role of chain of custody in digital forensics;
  - (B) describe safe data handling procedures;
  - (C) explain the fundamental concepts of confidentiality, integrity, availability, authentication, and authorization;
  - (D) identify and report information conflicts or suspicious activity;
  - (E) identify events of interest and suspicious activity by examining network traffic; and
  - (F) identify events of interest and suspicious activity by examining event logs.
- (12) Incident response. The student analyzes the various ways systems can be compromised. The student is expected to:
- (A) analyze the different signatures of cyberattacks;
  - (B) identify points of weakness and attack vectors such as online spoofing, phishing, and social engineering; and
  - (C) differentiate between simple versus multistage attacks.

**§127.794. Cybersecurity Capstone (One Credit), Adopted 2022.**

- (a) Implementation. The provisions of this section shall be implemented by school districts beginning with the 2023-2024 school year.
- (1) No later than August 1, 2023, the commissioner of education shall determine whether instructional materials funding has been made available to Texas public schools for materials that cover the essential knowledge and skills identified in this section.
  - (2) If the commissioner makes the determination that instructional materials funding has been made available this section shall be implemented beginning with the 2023-2024 school year and apply to the 2023-2024 and subsequent school years.
  - (3) If the commissioner does not make the determination that instructional materials funding has been made available under this subsection, the commissioner shall determine no later than August 1 of each subsequent school year whether instructional materials funding has been made available. If the commissioner determines that instructional materials funding has been made available, the commissioner shall notify the State Board of Education and school districts that this section shall be implemented for the following school year.
- (b) General requirements. This course is recommended for students in Grades 11 and 12. Prerequisite: Foundations of Cybersecurity. Students shall be awarded one credit for successful completion of this course.
- (c) Introduction.

- (1) Career and technical education instruction provides content aligned with challenging academic standards, industry relevant technical knowledge, and college and career readiness skills for students to further their education and succeed in current and emerging foundations.
  - (2) The Science, Technology, Engineering, and Mathematics (STEM) Career Cluster focuses on planning, managing, and providing scientific research and professional and technical services such as laboratory and testing services, and research and development services.
  - (3) Cybersecurity is a critical discipline concerned with safeguarding computers, networks, programs, and data from unauthorized access. As a field, it has gained prominence with the expansion of a globally connected society. As computing has become more sophisticated, so too have the abilities of adversaries looking to penetrate networks and access sensitive information. Cybersecurity professionals prevent, detect, and respond to minimize disruptions to governments, organizations, and individuals.
  - (4) In the Cybersecurity Capstone course, students will develop the knowledge and skills needed to explore advanced concepts related to the ethics, laws, and operations of cybersecurity. Students will examine trends and operations of cyberattacks, threats, and vulnerabilities. Students will develop security policies to mitigate risks. The skills obtained in this course prepare students for additional study toward industry certification. A variety of courses are available to students interested in the cybersecurity field. Cybersecurity Capstone may serve as a culminating course in this field of study.
  - (5) Students are encouraged to participate in extended learning experiences such as career and technical student organizations and other leadership or extracurricular organizations.
  - (6) 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.
- (d) Knowledge and skills.
- (1) Employability skills. The student demonstrates necessary skills for career development and successful completion of course outcomes. The student is expected to:
    - (A) identify and demonstrate employable work behaviors such as regular attendance, punctuality, maintenance of a professional work environment, and effective written and verbal communication;
    - (B) identify and demonstrate positive personal qualities such as authenticity, resilience, initiative, and a willingness to learn new knowledge and skills;
    - (C) solve problems and think critically;
    - (D) demonstrate leadership skills and function effectively as a team member; and
    - (E) communicate an understanding of ethical and legal responsibilities in relation to the field of cybersecurity.
  - (2) Employability skills. The student identifies various employment opportunities in the cybersecurity field. The student is expected to:
    - (A) develop a personal career plan along with the education, job skills, and experience necessary to achieve career goals;
    - (B) develop a resume or a portfolio appropriate to a chosen career plan; and
    - (C) demonstrate interview skills for successful job placement.
  - (3) Ethics and laws. The student evaluates ethical and current legal standards, rights, and restrictions governing technology, technology systems, digital media and information technology, and the use of social media in the context of today's society. The student is expected to:
    - (A) analyze and apply to a scenario local, state, national, and international cybersecurity laws such as David's Law and Digital Millennium Copyright Act;

- (B) evaluate noteworthy incidents or events regarding cybersecurity; and
- (C) evaluate compliance requirements such as Section 508 of the Rehabilitation Act of 1973, Family Educational Rights and Privacy Act of 1974 (FERPA), Health Insurance Portability and Accountability Act of 1996 (HIPAA), Gramm-Leach-Bliley Act (GLBA), and Cybersecurity Maturity Model Certification (CMMC).
- (4) Digital citizenship. The student understands and demonstrates the social responsibility of end users regarding significant issues relating to digital technology, safety, digital hygiene, and cyberbullying. The student is expected to:
  - (A) debate the relationship between privacy and security; and
  - (B) differentiate between ethical and unethical behavior when presented with various scenarios related to cybersecurity activities.
- (5) Cybersecurity skills. The student simulates the process of penetration testing. The student is expected to:
  - (A) illustrate the phases of penetration testing, including plan, discover, attack, and report;
  - (B) design a plan to gain authorization for penetration testing;
  - (C) evaluate commonly used vulnerability scanning tools such as port scanning, packet sniffing, and password crackers;
  - (D) develop a list of exploits based on results of scanning tool reports; and
  - (E) prioritize a list of mitigations based on results of scanning tool reports.
- (6) Cybersecurity skills. The student understands common cryptographic methods. The student is expected to:
  - (A) evaluate symmetric and asymmetric algorithms such as substitution cipher, Advanced Encryption Standard (AES), Diffie-Hellman, and Rivest-Shamir-Adleman (RSA);
  - (B) interpret the purpose of hashing algorithms, including blockchain;
  - (C) demonstrate password salting;
  - (D) explain and create a digital signature; and
  - (E) illustrate steganography.
- (7) Cybersecurity skills. The student understands the concept of system defense. The student is expected to:
  - (A) explain the purpose of establishing system baselines;
  - (B) evaluate the role of physical security;
  - (C) evaluate the functions of network security devices such as firewalls, intrusion detection systems (IDS), intrusion prevention systems (IPS), intrusion detection prevention systems (IDPS), and security information and event management (SIEM) systems;
  - (D) analyze log files for anomalies; and
  - (E) develop a plan demonstrating the concept of defense in depth.
- (8) Cybersecurity skills. The student demonstrates an understanding of secure network design. The student is expected to:
  - (A) explain the benefits of network segmentation, including sandboxes, air gaps, and virtual local area networks (VLAN);
  - (B) investigate and discuss the role of software-managed networks, including virtualization and cloud architecture;

- (C) evaluate the role of honeypots and honeynets in networks; and
  - (D) create an incoming and outgoing network policy for a firewall.
- (9) Cybersecurity skills. The student integrates principles of digital forensics. The student is expected to:
- (A) identify cyberattacks by their signatures, indicators, or patterns;
  - (B) explain proper data acquisition;
  - (C) examine evidence from devices for suspicious activities; and
  - (D) critique current cybercrime cases involving digital forensics.
- (10) Cybersecurity skills. The student explores expanding and emerging technology. The student is expected to:
- (A) describe the concept of Security as a Service and the role of managed security service providers (MSSP);
  - (B) describe the integration of artificial intelligence and machine learning in cybersecurity;
  - (C) investigate impacts made by predictive analytics on cybersecurity; and
  - (D) research and investigate other emerging trends such as augmented reality and quantum computing.
- (11) Cybersecurity skills. The student uses various operating system environments. The student is expected to:
- (A) select and execute appropriate commands via the command line interface (CLI) such as ls, cd, pwd, cp, mv, chmod, ps, sudo, and passwd;
  - (B) describe the file system structure for multiple operating systems;
  - (C) manipulate and edit files within the CLI; and
  - (D) determine network status using the CLI with commands such as ping, ifconfig/ipconfig, traceroute/tracert, and netstat.
- (12) Cybersecurity skills. The student clearly and effectively communicates technical information. The student is expected to:
- (A) collaborate with others to create a technical report;
  - (B) create, review, and edit a report summarizing technical findings; and
  - (C) present technical information to a non-technical audience.
- (13) Risk assessment. The student understands risk and how risk assessment and risk management defend against attacks. The student is expected to:
- (A) differentiate types of attacks, including operating systems, software, hardware, network, physical, social engineering, and cryptographic;
  - (B) explain blended threats such as combinations of software, hardware, network, physical, social engineering, and cryptographic;
  - (C) discuss types of risk, including business, operational, security, and financial;
  - (D) discuss risk response techniques, including accept, transfer, avoid, and mitigate;
  - (E) develop a plan of preventative measures based on discovered vulnerabilities and the likelihood of a cyberattack;
  - (F) identify and discuss common vulnerability disclosure websites;

- (G) describe common web vulnerabilities such as cross-site scripting, buffer overflow, injection, spoofing, and denial of service;
  - (H) describe common data destruction and media sanitation practices such as wiping, shredding, and degaussing; and
  - (I) develop an incident response plan for a given scenario or attack.
- (14) Risk assessment. The student understands risk management processes and concepts. The student is expected to:
- (A) describe Zero Trust, least privilege, and various access control methods such as mandatory access control (MAC), role-based access control (RBAC), and discretionary access control (DAC);
  - (B) develop and defend a plan for multi-factor access control using components such as biometric verification systems, key cards, tokens, and passwords; and
  - (C) review and appraise a disaster recovery plan (DRP) that includes backups, redundancies, system dependencies, and alternate sites.
- (15) Risk assessment. The student investigates the role and effectiveness of environmental controls. The student is expected to:
- (A) explain commonly used physical security controls, including lock types, fences, barricades, security doors, and mantraps; and
  - (B) describe the role of embedded systems such as fire suppression; heating, ventilation, and air conditioning (HVAC) systems; security alarms; and video monitoring.



**Proposed New 19 TAC Chapter 113, Texas Essential Knowledge and Skills for Social Studies,  
Subchapter C, High School, §113.76, Personal Financial Literacy and Economics  
(Second Reading and Final Adoption)**

**June 17, 2022**

**COMMITTEE OF THE FULL BOARD: ACTION  
STATE BOARD OF EDUCATION: ACTION**

**SUMMARY:** This item presents for second reading and final adoption proposed new 19 Texas Administrative Code (TAC) Chapter 113, Texas Essential Knowledge and Skills for Social Studies, Subchapter C, High School, §113.76, Personal Financial Literacy and Economics. The proposed new rule would add Texas Essential Knowledge and Skills (TEKS) for a new social studies course to comply with the requirements of Senate Bill (SB) 1063, 87th Texas Legislature, Regular Session, 2021. No changes are recommended since approved for first reading.

**STATUTORY AUTHORITY:** Texas Education Code (TEC), §§7.102(c)(4); 28.002(a) and (c); and 28.025(b-1) and (b-22), as amended and added by SB 1063, 87th Texas Legislature, Regular Session, 2021.

TEC, §7.102(c)(4), requires the State Board of Education (SBOE) to establish curriculum and graduation requirements.

TEC, §28.002(a), identifies the subjects of the required curriculum.

TEC, §28.002(c), requires the SBOE to identify by rule the essential knowledge and skills of each subject in the required curriculum that all students should be able to demonstrate and that will be used in evaluating instructional materials and addressed on the state assessment instruments.

TEC, §28.025(b-1), as amended by SB 1063, 87th Texas Legislature, Regular Session, 2021, requires the SBOE to determine by rule specific courses for graduation under the foundation high school program.

TEC, §28.025(b-22), as added by SB 1063, 87th Texas Legislature, Regular Session, 2021, requires that, in adopting TEKS for a personal financial literacy and economics course, the SBOE must ensure that the required curriculum allocates two-thirds of instruction time to instruction in personal financial literacy and one-third of instruction time to instruction in economics.

The full text of statutory citations can be found in the statutory authority section of this agenda.

**EFFECTIVE DATE:** The proposed effective date of the proposed new section is 20 days after filing as adopted with the Texas Register. Under TEC, §7.102(f), the SBOE must approve the rule action at second reading and final adoption by a vote of two-thirds of its members to specify an effective date earlier than the beginning of the 2023-2024 school year. The earlier effective date will enable districts to begin offering the new course in the 2022-2023 school year in accordance with statute.

**PREVIOUS BOARD ACTION:** The SBOE adopted §113.49, Personal Financial Literacy (One-Half Credit), Adopted 2016, effective August 22, 2016. A discussion item on a proposed new section for personal financial literacy and economics to implement SB 1063 was presented to the Committee of the Full Board at the January 2022 SBOE meeting. At the April 2022 SBOE meeting, the board approved for first reading and filing authorization proposed new §113.76.

**BACKGROUND INFORMATION AND JUSTIFICATION:** The 83rd Texas Legislature passed House Bill 2662, amending TEC, §28.0021, to require school districts and open-enrollment charter schools offering a high school program to provide a one-half credit elective course in personal financial literacy. In 2016, the SBOE adopted the proposed new personal financial literacy course. The course, 19 TAC §113.49, Personal Financial Literacy (One-Half Credit), Adopted 2016, was implemented beginning with the 2016-2017 school year.

In 2021, the 87th Texas Legislature passed SB 1063, amending TEC, §28.025, to add a one-half credit course in personal financial literacy and economics as an option to meet the one-half credit graduation requirement for economics under the Foundation High School Program. SB 1063 requires that the SBOE adopt TEKS for the personal financial literacy and economics course and that the required curriculum for the course allocate two-thirds of the instructional time to personal financial literacy and one-third of instructional time to economics.

A personal financial literacy and economics TEKS review work group convened twice in January 2022 and once in February 2022 to draft recommendations for the proposed new course. The work group's charge included developing recommendations for revisions to §113.49, Personal Financial Literacy (One-Half Credit), Adopted 2016; §113.31, Economics with Emphasis on the Free Enterprise System and Its Benefits, High School (One-Half Credit), Adopted 2018; and §113.61, Economics Advanced Studies (One-Half Credit), which will be presented to the SBOE for discussion at a future meeting.

The attachment to this item reflects the text of proposed new §113.76 for consideration by the SBOE for second reading and final adoption. No changes are recommended since approved for first reading.

**FISCAL IMPACT:** No changes have been made to this section since published as proposed.

The Texas Education Agency (TEA) has determined that for the first five years the proposal is in effect (2022-2026), there are no fiscal implications to the state. However, there will be implications for TEA if the state develops professional development to help teachers and administrators understand the revised TEKS. Any professional development that is created would be based on whether TEA received an appropriation for professional development in the next biennium.

There may be fiscal implications for school districts and charter schools to implement the proposed revisions to the TEKS, which may include the need for professional development and revisions to district-developed databases, curriculum, and scope and sequence documents. Since curriculum and instruction decisions are made at the local district level, it is difficult to estimate the fiscal impact on any given district.

**LOCAL EMPLOYMENT IMPACT:** No changes have been made to this section since published as proposed.

The proposal has no effect on local economy; therefore, no local employment impact statement is required under Texas Government Code, §2001.022.

**SMALL BUSINESS, MICROBUSINESS, AND RURAL COMMUNITY IMPACT:** No changes have been made to this section since published as proposed.

The proposal has no direct adverse economic impact for small businesses, microbusinesses, or rural communities; therefore, no regulatory flexibility analysis specified in Texas Government Code, §2006.002, is required.

**COST INCREASE TO REGULATED PERSONS:** No changes have been made to this section since published as proposed.

The proposal does not impose a cost on regulated persons, another state agency, a special district, or a local government and, therefore, is not subject to Texas Government Code, §2001.0045.

**TAKINGS IMPACT ASSESSMENT:** No changes have been made to this section since published as proposed.

The proposal does not impose a burden on private real property and, therefore, does not constitute a taking under Texas Government Code, §2007.043.

**GOVERNMENT GROWTH IMPACT:** No changes have been made to this section since published as proposed.

TEA staff prepared a Government Growth Impact Statement assessment for this proposed rulemaking. During the first five years the proposed rulemaking would be in effect, it would create a new regulation by proposing new social studies TEKS required to be taught by school districts and charter schools offering the course.

The proposed rulemaking would not create or eliminate a government program; would not require the creation of new employee positions or elimination of existing employee positions; would not require an increase or decrease in future legislative appropriations to the agency; would not require an increase or decrease in fees paid to the agency; would not expand, limit, or repeal an existing regulation; would not increase or decrease the number of individuals subject to its applicability; and would not positively or adversely affect the state's economy.

**PUBLIC BENEFIT AND COST TO PERSONS:** No changes have been made to this section since published as proposed.

The proposed new rule would add TEKS for a new social studies course to comply with the requirements of SB 1063, 87th Texas Legislature, Regular Session, 2021, and would allow students to fulfill their economics graduation requirement by successfully completing this course. There is no anticipated economic cost to persons who are required to comply with the proposal.

**DATA AND REPORTING IMPACT:** No changes have been made to this section since published as proposed.

The proposal would have no data and reporting impact.

**PRINCIPAL AND CLASSROOM TEACHER PAPERWORK REQUIREMENTS:** No changes have been made to this section since published as proposed.

TEA has determined that the proposal would not require a written report or other paperwork to be completed by a principal or classroom teacher.

**PUBLIC COMMENTS:** Following the April 2022 SBOE meeting, notice of proposed new §113.76 was filed with the Texas Register, initiating the public comment period. The public comment period began May 6, 2022 and ended at 5:00 p.m. on June 10, 2022. No comments had been received at the time this item was prepared. A summary of public comments received will be provided to the SBOE prior to and during the June 2022 meeting. The SBOE will take registered oral and written comments on the proposal

at the appropriate committee meeting in June 2022 in accordance with the SBOE board operating policies and procedures.

**MOTION TO BE CONSIDERED:** The State Board of Education:

Approve for second reading and final adoption proposed new 19 TAC Chapter 113, Texas Essential Knowledge and Skills for Social Studies, Subchapter C, High School, §113.76, Personal Financial Literacy and Economics; and

Make an affirmative finding that immediate adoption of proposed new 19 TAC Chapter 113, Texas Essential Knowledge and Skills for Social Studies, Subchapter C, High School, §113.76, Personal Financial Literacy and Economics, is necessary and shall have an effective date of 20 days after filing as adopted with the Texas Register. *(Per TEC, §7.102(f), a vote of two-thirds of the members of the board is necessary for an earlier effective date.)*

**Staff Members Responsible:**

Monica Martinez, Associate Commissioner, Standards and Programs

Shelly Ramos, Senior Director, Curriculum Standards and Student Support

**Attachment:**

Text of Proposed New 19 TAC Chapter 113, Texas Essential Knowledge and Skills for Social Studies, Subchapter C, High School, §113.76, Personal Financial Literacy and Economics

ATTACHMENT  
Text of Proposed New 19 TAC

**Chapter 113. Texas Essential Knowledge and Skills for Social Studies**

**Subchapter C. High School**

**§113.76. Personal Financial Literacy and Economics (One-Half Credit).**

- (a) Implementation. The provisions of this section shall be implemented by school districts beginning with the 2022-2023 school year.
- (b) General requirements. This course is recommended for students in Grades 11 and 12. Students shall be awarded one-half credit for successful completion of this course.
- (c) Introduction.
  - (1) The Personal Financial Literacy and Economics Course emphasizes the economic way of thinking, which serves as a framework for the personal financial decision-making opportunities introduced in the course. Students will demonstrate the ability to anticipate and address financial challenges as these challenges occur over their lifetime. In addition, students are introduced to common economic and personal financial planning terms and concepts. As a result of learning objective concepts and integrating subjective information, students gain the ability to lead productive and financially self-sufficient lives.
  - (2) Personal Financial Literacy and Economics builds on and extends the economic content and concepts studied in Kindergarten-Grade 12 social studies in Texas. The course provides a foundation in both microeconomics and macroeconomics. Students will survey the impact of demand, supply, various industry structures, and government policies on the market for goods, services, and wages for workers. Macroeconomic study involves economic systems with an emphasis on free enterprise market systems, goals of full employment, price stability, and growth while examining problems such as unemployment and inflation and the policies enacted to address them. The course also builds on and extends the personal finance content and concepts studied in Kindergarten-Grade 8 in mathematics in Texas. It is an integrative course that applies the same economic way of thinking developed to making choices about how to allocate scarce resources in an economy to how to make them at the personal level. The course requires that students demonstrate critical thinking by exploring how to invest in themselves with education and skill development, earn income, and budget for spending, saving, investing, and protecting. Students will examine their individual responsibility for managing their personal finances and understand the impact on standard of living and long-term financial well-being. Further, students will connect how their financial decision making impacts the greater economy.
  - (3) This course was created in response to Texas Education Code (TEC), §28.025(b-22), satisfies the high school requirement, and meets the two-thirds of instructional time in personal financial literacy and one-third of instructional time in economics. In addition, the course addresses new financial challenges of modern economy.
  - (4) State and federal laws mandate a variety of celebrations and observances, including Celebrate Freedom Week.
    - (A) Each social studies class shall include, during Celebrate Freedom Week as provided under TEC, §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.

- (B) Each school district shall require that, during Celebrate Freedom Week or other week of instruction prescribed under subparagraph (A) of this paragraph, 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."
- (5) Students identify and discuss how the actions of U.S. citizens and the local, state, and federal governments have either met or failed to meet the ideals espoused in the founding documents.
- (6) Students understand that a constitutional republic is a representative form of government whose representatives derive their authority from the consent of the governed, serve for an established tenure, and are sworn to uphold the constitution.
- (7) 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.
- (d) Knowledge and skills.
  - (1) Economics. The student understands the fundamental concepts of economics. The student is expected to:
    - (A) analyze how the concepts of scarcity, choice, and opportunity costs apply to decision making;
    - (B) interpret a production-possibilities curve and apply the concepts of scarcity, choice, and opportunity costs;
    - (C) explain how the production-possibilities curve represents cost-benefit decision making;
    - (D) use the circular flow model to identify how households, firms, and governments interact in both resource markets and product markets;
    - (E) evaluate how prices and quantities are determined through supply and demand;
    - (F) interpret a supply-and-demand graph, including equilibrium point, surpluses, and shortages;
    - (G) analyze how non-price determinants of supply and demand affect equilibrium price and equilibrium quantity; and
    - (H) explain how supply and demand exist in both resource and product markets.
  - (2) Economics. The student understands that macroeconomic issues and policies have an impact on personal finance. The student is expected to:
    - (A) identify types of progressive and regressive taxes at the local, state, and national levels and explain the economic importance of each;
    - (B) examine and evaluate the reasons for federal income taxation, Social Security taxation, Medicaid taxation, and Medicare taxation, including earnings limitations as applicable;
    - (C) explain how all economic systems are mixed and exist on a spectrum between pure market and pure command systems;
    - (D) explain the benefits of the U.S. free enterprise system, including private property and incentives;
    - (E) discuss the importance of full employment, price stability, and economic growth in achieving the macroeconomic goals of the United States;

- (F) explain the impact of fiscal policies enacted by government decisions on interest rates, inflation, and unemployment; and
  - (G) explain the impact of monetary policies enacted by the Federal Reserve System on interest rates, inflation, and unemployment.
- (3) Personal financial literacy--investing in education and skills. The student recognizes the costs and benefits of various types of postsecondary education and training throughout the student's lifetime. The student is expected to:
- (A) analyze the relationship between education and training and earnings throughout the student's lifetime;
  - (B) investigate and evaluate the costs and benefits of various postsecondary education and training institutions;
  - (C) describe the process for completing grant and scholarship applications, including the Free Application for Federal Student Aid (FAFSA®) provided by the U.S. Department of Education or the Texas Application for State Financial Aid (TASFA);
  - (D) analyze and compare various student grant and loan options, including private and federal loans;
  - (E) interpret data from a student aid report; and
  - (F) research and align interests and skills with potential careers and postsecondary education to assure a life strategy that will produce employment the student enjoys with a desired standard of living.
- (4) Personal financial literacy--earning. The student recognizes that a variety of factors influence income. The student is expected to:
- (A) identify sources of income, including wages and salaries, profits, interest, rent, dividends, and capital gains;
  - (B) compare common employee benefits such as health insurance, sick leave, retirement plans, and other tax-favored health and dependent care plans;
  - (C) differentiate among and calculate gross, net, and taxable income; and
  - (D) identify factors such as educational attainment and market demand for careers that can influence the labor market and affect income.
- (5) Personal financial literacy--entrepreneurship. The student discusses the opportunities available for entrepreneurship. The student is expected to:
- (A) describe the role of the entrepreneur in creating businesses;
  - (B) explain how an entrepreneur earns income, including through profits from the creation or ownership of businesses;
  - (C) compare total compensation and additional benefits and obligations as a self-employed or independent contractor with total compensation as an employee;
  - (D) discuss the resources available for entrepreneurship and the federal, state, and local agencies available to assist with or provide grants for the creation of a small business;
  - (E) analyze the risks and rewards of entrepreneurship, including those associated with starting a new business, owning a small business, and purchasing a franchise; and
  - (F) explain the characteristics of business organization such as sole proprietorships, partnerships, and corporations.
- (6) Personal financial literacy--spending. The student understands how to set personal spending goals. The student is expected to:

- (A) develop financial goals for the short, medium, and long term that are specific, measurable, attainable, realistic, and time based;
  - (B) analyze the opportunity costs of spending and saving in recognizing short-, medium-, and long-term goals;
  - (C) identify and prioritize types of purchases and charitable giving;
  - (D) evaluate various forms of financial exchange such as cash, checks, credit cards, debit cards, mobile payment applications, and electronic transfers;
  - (E) discuss the importance of tracking income and expenses to reconcile financial records;
  - (F) evaluate the impact of unplanned spending;
  - (G) analyze costs and benefits of owning versus renting housing; and
  - (H) analyze costs and benefits of owning versus leasing a vehicle.
- (7) Personal financial literacy--credit and debt. The student understands the costs and benefits of borrowing. The student is expected to:
- (A) compare and contrast sources of credit such as banks, merchants, peer-to-peer, payday loans, and title loans;
  - (B) identify the characteristics and dangers of predatory lending practices;
  - (C) compare and contrast types of credit, including revolving and installment credit, and collateralized loans versus unsecured credit;
  - (D) discuss how character, capacity, and collateral can adversely or positively impact an individual's credit rating and the ability to obtain credit;
  - (E) explain how to access and interpret a sample credit report and score;
  - (F) describe the importance of monitoring credit reports regularly and addressing errors;
  - (G) discuss how factors such as medical expenses, job loss, divorce, or a failed business could lead to bankruptcy; and
  - (H) determine and discuss if and when to use credit by considering the truth in lending disclosures.
- (8) Personal financial literacy--saving and investing. The student understands the importance of saving and investing in creating wealth and building assets. The student is expected to:
- (A) determine the exponential growth benefits of starting early to invest with continuous contributions;
  - (B) determine the number of years it will take for savings to double in value by using the rule of 72;
  - (C) evaluate the costs and benefits of various savings options such as bank savings accounts, certificates of deposit, and money market mutual funds;
  - (D) evaluate risk and return of various investment options, including stocks, bonds, mutual funds, and exchange-traded funds (ETFs);
  - (E) evaluate the relative benefits of pre-tax and post-tax investing;
  - (F) develop a short-term saving strategy to achieve a goal such as establishing and maintaining an emergency fund;
  - (G) develop an intermediate-term saving and investing strategy to achieve a goal such as accumulating a down payment on a home or vehicle; and
  - (H) develop a long-term investing strategy to achieve a goal such as a financially secure retirement.



- (9) Personal financial literacy--protecting and insuring. The student recognizes financial risks faced by individuals and families and identifies strategies for handling these risks to avoid potential loss of assets and earning potential. The student is expected to:
- (A) apply risk management strategies, including avoiding, reducing, retaining, and transferring risk;
  - (B) define insurance terminology, including premiums, deductibles, co-pays, and policy limits;
  - (C) explain the costs and benefits of different types and sources of health insurance;
  - (D) explain the costs and benefits of disability and long-term care insurance;
  - (E) explain the costs and benefits of life insurance, including term insurance and whole life insurance;
  - (F) explain the costs and benefits of property insurance, including homeowner's and renter's insurance;
  - (G) explain the costs and benefits of automobile insurance and factors that impact the price of insurance, including the type of vehicle, age and sex of driver, driving record, deductible, and geographic location;
  - (H) identify ways to reduce risk of identity theft and protect personal information;
  - (I) describe and identify examples of common schemes and scams such as Ponzi schemes and pyramid, phishing, check cashing, and home renovation scams;
  - (J) explain how consumer protection agencies protect consumers against fraud; and
  - (K) explain the importance of estate planning, including guardianship of minor children, wills, beneficiary designation, power of attorney, living will, and medical directives.
- (10) Personal financial literacy skills. The student understands how to set personal financial goals. The student is expected to:
- (A) use problem-solving and decision-making processes 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;
  - (B) develop a budget that addresses short-, medium-, and long-term financial goals; and
  - (C) explain why earning income, spending, credit, debt, saving and investing, and protecting and insuring are important parts of a comprehensive financial plan and develop a plan that incorporates these components.

**Proposed Amendment to 19 TAC Chapter 74, Curriculum Requirements, Subchapter A,  
Required Curriculum, §74.3, Description of a Required Secondary Curriculum  
(Second Reading and Final Adoption)**

**June 17, 2022**

**COMMITTEE OF THE FULL BOARD: ACTION**  
**STATE BOARD OF EDUCATION: ACTION**

**SUMMARY:** This item presents for second reading and final adoption a proposed amendment to 19 Texas Administrative Code (TAC) Chapter 74, Curriculum Requirements, Subchapter A, Required Curriculum, §74.3, Description of a Required Secondary Curriculum. The proposed amendment would update the list of high school courses for social studies and physical education that are required to be offered to students. No changes are recommended since approved for first reading.

**STATUTORY AUTHORITY:** Texas Education Code (TEC), §§7.102(c)(4), 28.002(a) and (c), and 28.025(b-1) and (b-22), as amended and added by Senate Bill (SB) 1063, 87th Texas Legislature, Regular Session, 2021.

TEC, §7.102(c)(4), requires the State Board of Education (SBOE) to establish curriculum and graduation requirements.

TEC, §28.002(a), identifies the subjects of the required curriculum.

TEC, §28.002(c), requires the SBOE to identify by rule the essential knowledge and skills of each subject in the required curriculum that all students should be able to demonstrate and that will be used in evaluating instructional materials and addressed on the state assessment instruments.

TEC, §28.025(b-1), as amended by SB 1063, 87th Texas Legislature, Regular Session, 2021, requires the SBOE to determine by rule specific courses for graduation under the foundation high school program.

TEC, §28.025(b-22), as added by SB 1063, 87th Texas Legislature, Regular Session, 2021, requires that, in adopting Texas Essential Knowledge and Skills (TEKS) for a personal financial literacy and economics course, the SBOE must ensure that the required curriculum allocates two-thirds of instruction time to instruction in personal financial literacy one-third of instruction time to instruction in economics.

The full text of statutory citations can be found in the statutory authority section of this agenda.

**EFFECTIVE DATE:** The proposed effective date of the proposed amendment is 20 days after filing as adopted with the Texas Register. Under TEC, §7.102(f), the SBOE must approve the rule action at second reading and final adoption by a vote of two-thirds of its members to specify an effective date earlier than the beginning of the 2023-2024 school year. The earlier effective date would update the rule to address new physical education and social studies courses as soon as possible.

**PREVIOUS BOARD ACTION:** The SBOE adopted 19 TAC Chapter 74, Subchapter A, effective September 1, 1996. Section 74.3 was last amended effective October 25, 2020. The board approved for first reading and filing authorization proposed amendment to §74.3 at the April 2022 SBOE meeting.

**BACKGROUND INFORMATION AND JUSTIFICATION:** The 87th Texas Legislature, Regular Session, 2021, passed Senate Bill (SB) 1063, amending TEC, §28.025, to add a one-half credit course in

personal financial literacy and economics as an option to meet the one-half credit graduation requirement for economics under the Foundation High School Program. SB 1063 requires that the SBOE adopt TEKS for a combined personal financial literacy and economics course to be offered beginning with the 2022-2023 school year. To ensure that students have the option of satisfying the economics graduation requirement with the new Personal Financial Literacy and Economics course, it is recommended that the SBOE consider adding the new course to the list of social studies courses that districts are required to offer.

Additionally, in 2020 the SBOE adopted new Kindergarten-Grade 12 physical education TEKS, which will be implemented beginning with the 2022-2023 school year. The new TEKS replaced the existing high school physical education courses with three new courses.

The proposed amendment would add a requirement in subsection (b)(2)(D) that districts offer the new Personal Financial Literacy and Economics course and would provide an exception for districts with an enrollment of less than 500 students.

The proposed amendment would also align the required secondary curriculum in subsection (b)(2)(E) with the changes to the high school physical education course offerings.

The attachment to this item reflects the text of proposed amendment to §74.3 for consideration by the SBOE for second reading and final adoption. No changes are recommended since approved for first reading.

**FISCAL IMPACT:** No changes have been made to this section since published as proposed.

The Texas Education Agency (TEA) has determined that there are no additional costs to state or local government required to comply with the proposal.

**LOCAL EMPLOYMENT IMPACT:** No changes have been made to this section since published as proposed.

The proposal has no effect on local economy; therefore, no local employment impact statement is required under Texas Government Code, §2001.022.

**SMALL BUSINESS, MICROBUSINESS, AND RURAL COMMUNITY IMPACT:** No changes have been made to this section since published as proposed.

The proposal has no direct adverse economic impact for small businesses, microbusinesses, or rural communities; therefore, no regulatory flexibility analysis specified in Texas Government Code, §2006.002, is required.

**COST INCREASE TO REGULATED PERSONS:** No changes have been made to this section since published as proposed.

The proposal does not impose a cost on regulated persons, another state agency, a special district, or a local government and, therefore, is not subject to Texas Government Code, §2001.0045.

**TAKINGS IMPACT ASSESSMENT:** No changes have been made to this section since published as proposed.

The proposal does not impose a burden on private real property and, therefore, does not constitute a taking under Texas Government Code, §2007.043.

**GOVERNMENT GROWTH IMPACT:** No changes have been made to this section since published as proposed.

TEA staff prepared a Government Growth Impact Statement assessment for this proposed rulemaking. During the first five years the proposed rulemaking would be in effect, it would expand an existing regulation by updating the list of high school courses required to be offered.

The proposed rulemaking would not create or eliminate a government program; would not require the creation of new employee positions or elimination of existing employee positions; would not require an increase or decrease in future legislative appropriations to the agency; would not require an increase or decrease in fees paid to the agency; would not create a new regulation; would not limit or repeal an existing regulation; would not increase or decrease the number of individuals subject to its applicability; and would not positively or adversely affect the state's economy.

**PUBLIC BENEFIT AND COST TO PERSONS:** No changes have been made to this section since published as proposed.

The proposal would update the rule regarding secondary courses required to be offered in order to provide additional flexibility for students in meeting high school graduation requirements and to avoid confusion for districts and schools regarding course names. There is no anticipated economic cost to persons who are required to comply with the proposal.

**DATA AND REPORTING IMPACT:** No changes have been made to this section since published as proposed.

The proposal would have no new data and reporting impact.

**PRINCIPAL AND CLASSROOM TEACHER PAPERWORK REQUIREMENTS:** No changes have been made to this section since published as proposed.

TEA has determined that the proposal would not require a written report or other paperwork to be completed by a principal or classroom teacher.

**PUBLIC COMMENTS:** Following the April 2022 SBOE meeting, notice of proposed amendment to §74.3 was filed with the Texas Register, initiating the public comment period. The public comment period began May 6, 2022, and ended at 5:00 p.m. on June 10, 2022. No comments had been received at the time this item was prepared. A summary of public comments received will be provided to the SBOE prior to and during the June 2022 meeting. The SBOE will take registered oral and written comments on the proposal at the appropriate committee meeting in June 2022 in accordance with the SBOE board operating policies and procedures.

**MOTION TO BE CONSIDERED:** The State Board of Education:

Approve for second reading and final adoption the proposed amendment to 19 TAC Chapter 74, Curriculum Requirements, Subchapter A, Required Curriculum, §74.3, Description of a Required Secondary Curriculum; and

Make an affirmative finding that immediate adoption of the proposed amendment to 19 TAC Chapter 74, Curriculum Requirements, Subchapter A, Required Curriculum, §74.3, Description of a Required Secondary Curriculum, is necessary and shall have an effective date of 20 days after filing as adopted with the Texas Register. *(Per TEC, §7.102(f), a vote of two-thirds of the members of the board is necessary for an earlier effective date.)*

**Staff Members Responsible:**

Monica Martinez, Associate Commissioner, Standards and Programs

Shelly Ramos, Senior Director, Curriculum Standards and Student Support

**Attachment:**

Text of Proposed Amendment to 19 TAC Chapter 74, Curriculum Requirements, Subchapter A, Required Curriculum, §74.3, Description of a Required Secondary Curriculum

**ATTACHMENT**  
**Text of Proposed Amendment to 19 TAC**

**Chapter 74. Curriculum Requirements**

**Subchapter A. Required Curriculum**

**§74.3. Description of a Required Secondary Curriculum.**

- (a) (No change.)
- (b) Secondary Grades 9-12.
  - (1) A school district that offers Grades 9-12 must provide instruction in the required curriculum as specified in §74.1 of this title. The district must ensure that sufficient time is provided for teachers to teach and for students to learn the subjects in the required curriculum. The school district may provide instruction in a variety of arrangements and settings, including mixed-age programs designed to permit flexible learning arrangements for developmentally appropriate instruction for all student populations to support student attainment of course and grade level standards.
  - (2) The school district must offer the courses listed in this paragraph and maintain evidence that students have the opportunity to take these courses:
    - (A) English language arts--English I, II, III, and IV and at least one additional advanced English course;
    - (B) mathematics--Algebra I, Algebra II, Geometry, Precalculus, and Mathematical Models with Applications;
    - (C) science--Integrated Physics and Chemistry, Biology, Chemistry, Physics, and at least two additional science courses selected from Aquatic Science, Astronomy, Earth and Space Science, Environmental Systems, Advanced Animal Science, Advanced Biotechnology, Advanced Plant and Soil Science, Anatomy and Physiology, Engineering Design and Problem Solving, Food Science, Forensic Science, Medical Microbiology, Pathophysiology, Scientific Research and Design, and Engineering Science. The requirement to offer two additional courses may be reduced to one by the commissioner of education upon application of a school district with a total high school enrollment of less than 500 students. Science courses shall include at least 40% hands-on laboratory investigations and field work using appropriate scientific inquiry;
    - (D) social studies--United States History Studies Since 1877, World History Studies, United States Government, World Geography Studies, Personal Financial Literacy, ~~and~~ Economics with Emphasis on the Free Enterprise System and Its Benefits , and Personal Financial Literacy and Economics. The requirement to offer both Economics with Emphasis on the Free Enterprise System and Its Benefits and Personal Financial Literacy and Economics may be reduced to one by the commissioner of education upon application of a school district with a total high school enrollment of less than 500 students ;
    - (E) physical education--at least two courses selected from Lifetime Fitness and Wellness Pursuits, Lifetime Recreation and Outdoor Pursuits, or Skill-Based Lifetime Activities [Foundations of Personal Fitness, Adventure/Outdoor Education, Aerobic Activities, or Team or Individual Sports] ;
    - (F) fine arts--courses selected from at least two of the four fine arts areas (art, music, theatre, and dance)--Art I, II, III, IV; Music I, II, III, IV; Theatre I, II, III, IV; or Dance I, II, III, IV;
    - (G) career and technical education-- three or more career and technical education courses for four or more credits with at least one advanced course aligned with a specified number of

Texas Education Agency-designated programs of study determined by enrollment as follows:

- (i) one program of study for a district with fewer than 500 students enrolled in high school;
  - (ii) two programs of study for a district with 501-1,000 students enrolled in high school;
  - (iii) three programs of study for a district with 1,001-2,000 students enrolled in high school;
  - (iv) four programs of study for a district with 1,001-5,000 students enrolled in high school;
  - (v) five programs of study for a district with 5,001-10,000 students enrolled in high school; and
  - (vi) six programs of study for a district with more than 10,000 students enrolled in high school.
- (H) languages other than English--Levels I, II, and III or higher of the same language;
  - (I) computer science--one course selected from Fundamentals of Computer Science, Computer Science I, or Advanced Placement (AP) Computer Science Principles; and
  - (J) speech--Communication Applications.
- (3) Districts may offer additional courses from the complete list of courses approved by the State Board of Education to satisfy graduation requirements as referenced in this chapter.
  - (4) The school district must provide each student the opportunity to participate in all courses listed in subsection (b)(2) of this section. The district must provide students the opportunity each year to select courses in which they intend to participate from a list that includes all courses required to be offered in subsection (b)(2) of this section. If the school district will not offer the required courses every year, but intends to offer particular courses only every other year, it must notify all enrolled students of that fact. A school district must teach a course that is specifically required for high school graduation at least once in any two consecutive school years. For a subject that has an end-of-course assessment, the district must either teach the course every year or employ options described in Subchapter C of this chapter (relating to Other Provisions) to enable students to earn credit for the course and must maintain evidence that it is employing those options.
  - (5) For students entering Grade 9 beginning with the 2007-2008 school year, districts must ensure that one or more courses offered in the required curriculum for the recommended and advanced high school programs include a research writing component.
- (c) (No change.)

**Proposed Amendment to 19 TAC Chapter 66, State Adoption and Distribution of Instructional Materials, Subchapter C, Local Operations, §66.105, Certification by School Districts  
(First Reading and Filing Authorization)**

**June 17, 2022**

**COMMITTEE OF THE FULL BOARD: ACTION**  
**STATE BOARD OF EDUCATION: ACTION**

**SUMMARY:** This item presents for first reading and filing authorization proposed amendment to 19 Texas Administrative Code (TAC) Chapter 66, State Adoption and Distribution of Instructional Materials, Subchapter C, Local Operations, §66.105, Certification by School Districts. The proposed amendment would add a certification requirement to align with Senate Bill 1, 87th Texas Legislature, Regular Session, 2021.

**STATUTORY AUTHORITY:** Texas Education Code (TEC), §§7.102, 31.003, 31.004, 31.005, 31.0211, and 31.101; SB 1, Article III, 87th Texas Legislature, Regular Session, 2021; and 47 USC §254(h)(5)(B) and (C).

TEC, §7.102, requires the State Board of Education (SBOE) to adopt rules related to TEC, Chapter 31.

TEC, §31.003, authorizes the SBOE to adopt rules for the adoption, requisition, distribution, care, use, and disposal of instructional materials.

TEC, §31.004, requires annual certification to the SBOE and commissioner that the district or open-enrollment charter provides instructional materials to cover the Texas Essential Knowledge and Skills (TEKS).

TEC, §31.005, authorizes an open-enrollment charter school to use the instructional materials allotment and subjects the school to TEC, Chapter 31, as if the school were a school district.

TEC, §31.0211, authorizes school districts to receive a biennial allotment from the state instructional materials and technology fund and for the commissioner to adopt rules related to the allotment.

TEC, §31.101, requires a school district board of trustees or a governing body of an open-enrollment charter school to notify the SBOE of instructional materials selected.

SB 1, Article III, 87th Texas Legislature, Regular Session, 2021, directed the SBOE to ensure that recipients of funds from the state instructional materials and technology fund meet the requirements for certification under the Children's Internet Protection Act when using those funds to purchase instructional materials or technology.

47 USC §254(h)(5)(B) and (C), Children's Internet Protection Act, requires school districts and open-enrollment charter schools to certify with respect to minors and adults that it is enforcing a policy of internet safety that protects against access to visual depictions that are obscene or child pornography.

The full text of statutory citations can be found in the statutory authority section of this agenda.

**EFFECTIVE DATE:** The proposed effective date of the proposed amendment is 20 days after filing as adopted with the Texas Register. Under TEC, §7.102(f), the SBOE must approve the rule action at second



reading and final adoption by a vote of two-thirds of its members to specify an effective date earlier than the beginning of the 2023-2024 school year. The earlier effective date would allow the SBOE to comply with the requirements in Rider 8 of the General Appropriations Act.

**PREVIOUS BOARD ACTION:** At the April 2022 SBOE meeting, the Committee of the Full Board discussed possible amendments to Chapter 66 related to requiring certification by school districts and open-enrollment charter schools regarding protection against access to obscene or harmful content in online instructional materials.

**BACKGROUND INFORMATION AND JUSTIFICATION:** Section 66.105 addresses local education agency certification for providing each student with instructional materials covering of all elements of the essential knowledge and skills adopted by the SBOE for each subject and each grade level, other than physical education.

SB 1, 87th Texas Legislature, Regular Session, 2021, directed the SBOE to ensure that recipients of funds from the state instructional materials and technology fund meet the requirements for certification under 47 USC §254(h)(5)(B) and (C), Children's Internet Protection Act, when using those funds to purchase instructional materials or technology. The proposed amendment to §66.105 would add new subsection (b) to clarify the instructional materials certification requirements for school districts and open-enrollment charter schools regarding children's internet safety in accordance with SB 1.

The attachment to this item reflects the text of the proposed amendment to §66.105 for consideration by the SBOE for first reading and filing authorization.

**FISCAL IMPACT:** The Texas Education Agency (TEA) has determined that there are no additional costs to state or local government, including school districts and open-enrollment charter schools, required to comply with the proposal.

**LOCAL EMPLOYMENT IMPACT:** The proposal has no effect on local economy; therefore, no local employment impact statement is required under Texas Government Code, §2001.022.

**SMALL BUSINESS, MICROBUSINESS, AND RURAL COMMUNITY IMPACT:** The proposal has no direct adverse economic impact for small businesses, microbusinesses, or rural communities; therefore, no regulatory flexibility analysis specified in Texas Government Code, §2006.002, is required.

**COST INCREASE TO REGULATED PERSONS:** The proposal does not impose a cost on regulated persons, another state agency, a special district, or a local government and, therefore, is not subject to Texas Government Code, §2001.0045.

**TAKINGS IMPACT ASSESSMENT:** The proposal does not impose a burden on private real property and, therefore, does not constitute a taking under Texas Government Code, §2007.043.

**GOVERNMENT GROWTH IMPACT:** TEA staff prepared a Government Growth Impact Statement assessment for this proposed rulemaking. During the first five years the proposed rulemaking would be in effect, it would expand an existing regulation by adding a requirement for school districts and open-enrollment charter schools to certify that the district or charter school protects against access to obscene or harmful content in compliance with the requirements for certification under the Children's Internet Protection Act, 47 USC §254(h)(5)(B) and (C).

The proposed rulemaking would not create or eliminate a government program; would not require the creation of new employee positions or elimination of existing employee positions; would not require an

increase or decrease in future legislative appropriations to the agency; would not require an increase or decrease in fees paid to the agency; would not create a new regulation; would not limit or repeal an existing regulation; would not increase or decrease the number of individuals subject to its applicability; and would not positively or adversely affect the state's economy.

**PUBLIC BENEFIT AND COST TO PERSONS:** The proposal would ensure that districts are aware of the requirement to protect students from harmful or inappropriate content on the internet. There is no anticipated economic cost to persons who are required to comply with the proposal.

**DATA AND REPORTING IMPACT:** The proposal would have no data and reporting impact.

**PRINCIPAL AND CLASSROOM TEACHER PAPERWORK REQUIREMENTS:** TEA has determined that the proposal would not require a written report or other paperwork to be completed by a principal or classroom teacher.

**PUBLIC COMMENTS:** The public comment period on the proposal begins July 22, 2022, and ends at 5:00 p.m. on August 26, 2022. The SBOE will take registered oral and written comments on the proposal at the appropriate committee meeting in August-September 2022 in accordance with the SBOE board operating policies and procedures. A request for a public hearing on the proposal submitted under the Administrative Procedure Act must be received by the commissioner of education not more than 14 calendar days after notice of the proposal has been published in the *Texas Register* on July 22, 2022.

**MOTION TO BE CONSIDERED:** The State Board of Education:

Approve for first reading and filing authorization the proposed amendment to 19 TAC Chapter 66, State Adoption and Distribution of Instructional Materials, Subchapter C, Local Operations, §66.105, Certification by School Districts.

**Staff Members Responsible:**

Melissa Lautenschlager, Director, Instructional Materials and Implementation  
Amie Williams, Director, Instructional Materials Review and Procurement

**Attachment:**

Text of Proposed Amendment to 19 TAC Chapter 66, State Adoption and Distribution of Instructional Materials, Subchapter C, Local Operations, §66.105, Certification by School Districts

**ATTACHMENT**  
**Text of Proposed Amendment to 19 TAC**

**Chapter 66. State Adoption and Distribution of Instructional Materials**

**Subchapter C. Local Operations**

**§66.105. Certification by School Districts.**

- (a) Prior to the beginning of each school year, each school district and open-enrollment charter school shall submit to the State Board of Education (SBOE) and commissioner of education certification that for each subject in the required curriculum under the Texas Education Code, §28.002, other than physical education, and each grade level, the district or charter school provides each student with instructional materials that cover all elements of the essential knowledge and skills adopted by the SBOE. The certification shall be submitted in a format approved by the commissioner [~~of education~~] and can be based on both state-adopted and non-state-adopted materials.
- (b) Each school district or open-enrollment charter school shall certify, in a format approved by the commissioner, that the district or charter school protects against access to obscene or harmful content in compliance with the requirements for certification under the Children's Internet Protection Act, 47 USC §254(h)(5)(B) and (C).
- (c) [~~(b)~~] The certifications shall be ratified by local school boards of trustees or governing bodies in public, noticed meetings.

## Commissioner's Comments

June 15, 2022

**COMMITTEE OF THE FULL BOARD: DISCUSSION**  
**STATE BOARD OF EDUCATION: NO ACTION**

**SUMMARY:** This item provides an opportunity for the board to be briefed on current agenda items, agency operations, policy implementation, and public education-related legislation.

**BOARD RESPONSE:** Review and comment.

**BACKGROUND INFORMATION AND JUSTIFICATION:** On an as needed basis, the board will be briefed on significant public education issues and events.

**Staff Member Responsible:**

Yolanda Walker, Executive Director, State Board of Education Support Division

**Consideration of the Commissioner of Education’s Generation 27  
Open-Enrollment Charter School Proposals**

**June 17, 2022**

**COMMITTEE OF THE FULL BOARD: ACTION  
STATE BOARD OF EDUCATION: ACTION**

**SUMMARY:** This item provides the committee and board an opportunity to review and take action or no action on the commissioner’s list of proposed Subchapter D Open-Enrollment Charter Schools scheduled to open in the 2023-24 school year. If awarded, the charters will have an initial five-year term.

**STATUTORY AUTHORITY:** Texas Education Code (TEC), §12.101.

TEC, §12.101 requires the commissioner to notify the State Board of Education (SBOE) of each charter the commissioner proposes to grant. Unless, before the 90th day after the date on which the board receives the notice from the commissioner, a majority of the members of the board present and voting, vote against the grant of that charter, the commissioner's proposal to grant the charter takes effect.

The full text of statutory citations can be found in the statutory authority section of this agenda.

**PREVIOUS BOARD ACTION:** Annually, within 90 days of the commissioner’s notification of his intent to grant open-enrollment charter school(s), the SBOE has an opportunity to formally consider the commissioner’s proposals and to take action or no action. At the June 2021 meeting, the SBOE took into consideration the seven applicants recommended by the commissioner of education for charter award. The SBOE voted to take no action on the following three charter applicants: Essence Preparatory Charter School (San Antonio), Rocketship Public Schools (Ft. Worth), and Thrive Center for Success (Magnolia). The SBOE vetoed four of the charter applicants, Heritage Classical Academy (Houston), The Justice Hub (Houston), Red Brick Academy Charter School (Houston), and S.H. James Preparatory Academy (San Antonio).

**BACKGROUND INFORMATION AND JUSTIFICATION:** TEC, §12.101 grants the commissioner the authority to award up to 305 open-enrollment charters to eligible entities that are considered capable of carrying out the responsibilities of the charter, are likely to operate a school of high quality, have been proposed by the commissioner, and are not vetoed by a majority of the SBOE members present and voting. Prior to the charter school award cycle, the commissioner adopted the Generation 27 Open-Enrollment Charter Instructions and Guidance and Request for Application, establishing the timeline and procedures for the application cycle, the contents of the application, and the criteria by which charter schools would be awarded to eligible entities. Generation 27 applications must have earned a minimum cut score of 85% to be granted an interview.

Twenty applications were submitted by the December 7, 2021 deadline, and after eligibility, completion, and plagiarism checks by Texas Education Agency (TEA) staff, 18 applications advanced to external review. The external reviewers, designated through a Request for Qualifications (RFQ) process, scored the 18 applications. Nine of the applications met the minimum cut score of 85% to advance to capacity interviews. The commissioner’s designee and TEA staff conducted interviews on Tuesday, May 10, Wednesday, May 11, and Thursday, May 12, 2022. SBOE members were invited to attend the interviews.

**MOTION TO BE CONSIDERED:** The State Board of Education:

Review and take no action on the commissioner's list of proposed Generation 27 Subchapter D Open-Enrollment Charter Schools scheduled to open in the 2023-24 school year.

**Staff Members Responsible:**

Kelvey Oeser, Deputy Commissioner, Educator Support  
Marian Schutte, Director, Charter School Authorizing and Administration

**Separate Exhibit:**

Commissioner of Education's Generation 27 Open-Enrollment Charter School Proposals  
(to be provided at the June 2022 SBOE meeting)

## Update on Texas Essential Knowledge and Skills (TEKS) Review

June 17, 2022

### COMMITTEE OF THE FULL BOARD: ACTION STATE BOARD OF EDUCATION: ACTION

**SUMMARY:** This item provides the opportunity for staff to present an update on the review of the Texas Essential Knowledge and Skills (TEKS) and the English Language Proficiency Standards (ELPS) and for the board to provide additional guidance to TEKS and ELPS review work groups, as necessary.

**STATUTORY AUTHORITY:** Texas Education Code (TEC), §§7.102(c)(4); 28.002(a) and (c); and 28.025(a).

TEC, §7.102(c)(4), requires the State Board of Education (SBOE) to establish curriculum and graduation requirements.

TEC, §28.002(a), identifies the subjects of the required curriculum.

TEC, §28.002(c), requires the SBOE to by rule identify the essential knowledge and skills of each subject in the required curriculum that all students should be able to demonstrate and that will be used in evaluating instructional materials and addressed on the state assessment instruments.

TEC, §28.025(a), requires the SBOE to by rule determine the curriculum requirements for the foundation high school graduation program that are consistent with the required curriculum under the TEC, §28.002.

The full text of statutory citations can be found in the statutory authority section of this agenda.

**PREVIOUS BOARD ACTION:** The SBOE adopted the TEKS for all subjects effective September 1, 1998. The English language arts and reading TEKS were amended effective September 4, 2008. The Spanish language arts and reading TEKS were amended effective November 26, 2008. The TEKS for high school English elective courses were amended effective August 23, 2010. The English and Spanish language arts and reading TEKS for Kindergarten-Grade 8 were amended effective September 25, 2017, and the English language arts and reading and English as a second language (ESL) TEKS for high school were amended effective November 12, 2017. The K-12 TEKS for English and Spanish language arts and reading were again amended effective August 1, 2019, to make technical adjustments to the standards. The mathematics TEKS were amended effective August 1, 2006. The secondary mathematics TEKS were amended effective February 22, 2009. The mathematics TEKS were again amended effective September 12, 2012. The science TEKS were amended effective August 4, 2009 and were amended again to streamline the science TEKS effective August 27, 2018. The social studies TEKS were amended effective August 23, 2010 and were amended again to streamline the social studies TEKS in 2018. The career and technical education (CTE) TEKS were amended effective August 23, 2010. The CTE TEKS were again amended effective August 28, 2017. The fine arts TEKS were amended effective August 24, 2015. The TEKS for languages other than English (LOTE) were amended effective July 15, 2014, and December 31, 2014. The technology applications TEKS were amended effective September 26, 2011. At the November 2020 meeting, the board gave final approval to the health education TEKS and the physical education TEKS, which are scheduled to be effective August 1, 2022. The board also gave final approval in November 2020 to TEKS for four high school science courses to be implemented beginning with the 2023-2024 school year. At the June 2021 meeting, the SBOE gave final approval to TEKS for five additional high school science courses. At the December 2021 SBOE meeting, the board gave final approval to the TEKS for Kindergarten-Grade 8 science.

At the June 2019 SBOE meeting, the board held a work session to discuss updating the TEKS and instructional materials review and adoption schedule. At the September 2019 meeting, the board approved the schedule through the 2030-2031 school year. The board held another work session to discuss updates to the TEKS and instructional materials review and adoption schedule at the January 2021 meeting. The board approved updates to the TEKS and instructional materials review and adoption schedule at the April 2021 meeting.

The TEKS for K-8 technology applications, CTE programs of study in cybersecurity and programming and software development, and K-12 social studies are currently under review by the SBOE.

**BACKGROUND INFORMATION AND JUSTIFICATION:** The board received training from a standards writing advisor at the July 2014 meeting. The standards writing advisor provided additional training to Texas Education Agency (TEA) staff in October 2014 to support future facilitation of the TEKS review committees.

In 2017, the SBOE significantly revised the process for the review and revision of the TEKS. The 2017 TEKS review process was used for the streamlining of the social studies TEKS. At the November 2018 meeting, the SBOE approved updates to the 2017 TEKS review and revision process to better clarify the process. The updated process was used for the review of the physical education, health education, and science TEKS.

The SBOE began the review of the English Language Proficiency Standards (ELPS) in early 2019, in accordance with the SBOE's approved TEKS and instructional materials review schedule. Applications to serve on ELPS review work groups were posted on the TEA website in December 2018. Also in December 2018, TEA distributed a survey to collect information from educators regarding the review and revision of the ELPS.

At the January 2021 meeting, the board held a work session to discuss the timeline for the TEKS review and revision process and associated activities, including updates to State Board for Educator Certification teacher assignment rules and certification exams, adoption of instructional materials, and the completion of the Texas Resource Review. TEA provided an overview of career and technical education (CTE) programs of study and a skills gap analysis that is being completed to inform review and revision of the CTE TEKS. The board discussed potential adjustments to the TEKS and Instructional Materials Review and Adoption Schedule.

At the November 2021 meeting, the SBOE gave final approval of certain CTE courses that satisfy a science graduation requirement as well as certain courses in the health science, education and training, and science, technology, engineering, and mathematics (STEM) programs of study. TEKS for additional education and training and STEM courses will be considered by the SBOE for first reading and filing authorization as a separate item in this agenda.

In May 2021, the board nominated individuals to serve as content advisors for the review of the TEKS for technology applications. An application was posted on the TEA website in April 2021. TEA staff provided SBOE members applications for approval to serve on the technology applications work groups in May, June, and August 2021. Work groups were convened in July, September, October, November, and December 2021. Proposed new TEKS for Kindergarten-Grade 8 technology applications will be considered by the SBOE for first reading and filing authorization as a separate item in this agenda.

At the June and November 2021 SBOE meetings, the board discussed the review of the social studies TEKS. Board members designated content advisors for the social studies TEKS review in August 2021. An application to serve on work groups was posted on the TEA website in September 2021. Additionally,



in September 2021, a survey was posted on the TEA website to ask for feedback on the current TEKS for social studies. TEA staff provided SBOE members applications for approval to serve on the social studies work groups in September, October, and November 2021 and January and April 2022. The content advisors convened to discuss consensus recommendations in December 2021 and January 2022. Work groups were convened to develop recommendations for the social studies TEKS in January, February, March, April, and May 2022.

**Staff Members Responsible:**

Monica Martinez, Associate Commissioner, Standards and Support Services  
Shelly Ramos, Senior Director, Curriculum Standards and Student Support

## Long-Range Plan for Technology Update

June 15, 2022

### **COMMITTEE OF THE FULL BOARD: DISCUSSION STATE BOARD OF EDUCATION: NO ACTION**

**SUMMARY:** This item provides an opportunity for staff to update the committee on feedback received for the planned revisions of the 2018-2023 Long-Range Plan for Technology (LRPT) and review feedback received from the board in the April 2022 meeting.

**STATUTORY AUTHORITY:** Texas Education Code, [\(TEC\) §32.001](#).

TEC, §32.001 requires the State Board of Education (SBOE) to develop a long-range plan for technology and update the plan at least every five years.

The full text of statutory citations can be found in the statutory authority section of this agenda.

**FUTURE ACTION EXPECTED:** The SBOE will review and approve updates for the LRPT.

**BACKGROUND INFORMATION AND JUSTIFICATION:** Over the last 3 years, since approval of the 2018-2023 LRPT, perception of the role of technology in education has been transformed; the definition and scope of educational technology itself has fundamentally changed. In accordance with the statutory requirement to update the plan at least every five years, the Texas Education Agency reconvened the original 2018-2023 LRPT Advisory Committee and a number of additional subject matter experts to evaluate, revise and add to the 2018 plan to accurately reflect the needs of local education agencies today.

#### **Staff Members Responsible:**

Melody Parrish, Deputy Commissioner of Technology/CIO, Office of Information Technology  
Julia Schacherl, Director of Strategic Projects, Office of Information Technology

## Discussion of Pending Litigation

June 15, 2022

### **COMMITTEE OF THE FULL BOARD: DISCUSSION STATE BOARD OF EDUCATION: NO ACTION**

**SUMMARY:** The State Board of Education (SBOE) may enter into executive session in accordance with the Texas Government Code, §551.071(1)(A), to discuss pending and contemplated litigation with the general counsel, legal staff, and, if necessary, attorney(s) from the Attorney General's Office. The Committee of the Full Board will meet in Room 1-103 to discuss this item.

Cases to be discussed may include:

*Student v. Conroe ISD, Texas Education Agency and State Board of Education*, Civil Cause No. 1:21-CV-01048-LY (U.S. District Court – Western District of Texas (Austin)); and

any other litigation arising after the date of posting or reasonably contemplated as of the date of the board meeting.

**BOARD RESPONSE:** Board may advise and comment.

**BACKGROUND INFORMATION AND JUSTIFICATION:** At every regularly scheduled meeting, the SBOE has the opportunity to be apprised of pending litigation as the need arises. The SBOE may also receive continued briefing on procedural developments.

**Staff Member Responsible:**

Von Byer, General Counsel, Legal Services

# **COMMITTEE ON INSTRUCTION**

**Proposed Repeal of 19 TAC Chapter 115, Texas Essential Knowledge and Skills for Health Education, Subchapter A, Elementary, §§115.1-115.7, Subchapter B, Middle School, §§115.21-115.23, and Subchapter C, High School, §§115.31-115.33  
(Second Reading and Final Adoption)**

**June 17, 2022**

**COMMITTEE ON INSTRUCTION: ACTION  
STATE BOARD OF EDUCATION: CONSENT**

**SUMMARY:** This item presents for second reading and final adoption the proposed repeal of 19 Texas Administrative Code (TAC) Chapter 115, Texas Essential Knowledge and Skills for Health Education, Subchapter A, Elementary, §115.1, Implementation of Texas Essential Knowledge and Skills for Health Education, Elementary; §115.2, Health Education, Kindergarten; §115.3, Health Education, Grade 1; §115.4, Health Education, Grade 2; §115.5, Health Education, Grade 3; §115.6, Health Education, Grade 4; §115.7, Health Education, Grade 5; Subchapter B, Middle School, §115.21, Implementation of Texas Essential Knowledge and Skills for Health Education, Middle School; §115.22, Health Education, Grade 6; §115.23, Health Education, Grade 7-8; and Subchapter C, High School, §115.31, Implementation of Texas Essential Knowledge and Skills for Health Education, High School; §115.32, Health 1, Grades 9-10 (One-Half Credit); and §115.33, Advanced Health, Grades 11-12 (One-Half Credit). The proposed repeals would remove the Texas Essential Knowledge and Skills (TEKS) for Kindergarten-Grade 12 health education and related implementation language that will be superseded by 19 TAC §§115.11-115.17, 115.25-115.28, and 115.37-115.40 beginning with the 2022-2023 school year. No changes are recommended since approved for first reading.

**STATUTORY AUTHORITY:** Texas Education Code (TEC), §7.102(c)(4) and §28.002(a) and (c).

TEC, §7.102(c)(4), requires the State Board of Education (SBOE) to establish curriculum and graduation requirements.

TEC, §28.002(a), identifies the subjects of the required curriculum.

TEC, §28.002(c), requires the SBOE to identify by rule the essential knowledge and skills of each subject in the required curriculum that all students should be able to demonstrate and that will be used in evaluating instructional materials and addressed on the state assessment instruments.

The full text of statutory citations can be found in the statutory authority section of this agenda.

**EFFECTIVE DATE:** The proposed effective date of the proposed repeals is August 1, 2022. Under TEC, §7.102(f), the SBOE must approve the rule action at second reading and final adoption by a vote of two-thirds of its members to specify an effective date earlier than the beginning of the 2023-2024 school year. The earlier effective date would repeal superseded TEKS to avoid confusion with new TEKS that are being implemented at the beginning of the 2022-2023 school year.

**PREVIOUS BOARD ACTION:** The SBOE adopted the TEKS for health education effective September 1, 1998. On August 26, 2013, and August 28, 2017, the SBOE adopted amendments to the TEKS for Chapter 115, Subchapter B. Additionally, on August 28, 2017, the SBOE adopted revisions to the TEKS for Chapter 115, Subchapter C. At the September 2020 SBOE meeting, the board approved for first reading and filing authorization proposed new §§115.11-115.17, 115.25-115.28, and 115.37-115.40. At the November 2020 SBOE meeting, the board approved for second reading and final adoption proposed

new §§115.11-115.17, 115.25-115.28, and 115.37-115.40 with an effective date of August 1, 2022. The SBOE approved for first reading and filing authorization the proposed repeal of §§115.1-115.7, 115.21-115.23, and 115.31-115.33 at the April 2022 SBOE meeting.

**BACKGROUND INFORMATION AND JUSTIFICATION:** In accordance with statutory requirements that the SBOE by rule identify the essential knowledge and skills of each subject in the required curriculum, the SBOE follows a board-approved cycle to review and revise the essential knowledge and skills for each subject.

At the November 2020 SBOE meeting, the board approved for second reading and final adoption proposed new §§115.11-115.17, 115.25-115.28, and 115.37-115.40 to be implemented beginning in the 2022-2023 school year.

The proposed repeals would remove sections that will be superseded by §§115.11-115.17, 115.25-115.28, and 115.37-115.40 effective August 1, 2022.

The text of the proposed repeal of Chapter 115, Subchapter A, §§115.1-115.7, Subchapter B, §§115.21-115.23, and Subchapter C, §§115.31-115.33, is not included as an attachment to this item due to the volume of rules; however, the rules are viewable on the Texas Education Agency (TEA) website at <https://tea.texas.gov/about-tea/laws-and-rules/texas-administrative-code/19-tac-chapter-115>.

No changes are recommended since approved for first reading.

**FISCAL IMPACT:** No changes have been made to this section since published as proposed.

TEA has determined that there are no additional costs to state or local government required to comply with the proposal.

**LOCAL EMPLOYMENT IMPACT:** No changes have been made to this section since published as proposed.

The proposal has no effect on local economy; therefore, no local employment impact statement is required under Texas Government Code, §2001.022.

**SMALL BUSINESS, MICROBUSINESS, AND RURAL COMMUNITY IMPACT:** No changes have been made to this section since published as proposed.

The proposal has no direct adverse economic impact for small businesses, microbusinesses, or rural communities; therefore, no regulatory flexibility analysis specified in Texas Government Code, §2006.002, is required.

**COST INCREASE TO REGULATED PERSONS:** No changes have been made to this section since published as proposed.

The proposal does not impose a cost on regulated persons, another state agency, a special district, or a local government and, therefore, is not subject to Texas Government Code, §2001.0045.

**TAKINGS IMPACT ASSESSMENT:** No changes have been made to this section since published as proposed.

The proposal does not impose a burden on private real property and, therefore, does not constitute a taking under Texas Government Code, §2007.043.

**GOVERNMENT GROWTH IMPACT:** No changes have been made to this section since published as proposed.

TEA staff prepared a Government Growth Impact Statement assessment for this proposed rulemaking. During the first five years the proposed rulemaking would be in effect, it would repeal existing regulations by removing health education TEKS that will be superseded by a newly adopted set of TEKS.

The proposed rulemaking would not create or eliminate a government program; would not require the creation of new employee positions or elimination of existing employee positions; would not require an increase or decrease in future legislative appropriations to the agency; would not require an increase or decrease in fees paid to the agency; would not create a new regulation; would not expand or limit an existing regulation; would not increase or decrease the number of individuals subject to its applicability; and would not positively or adversely affect the state's economy.

**PUBLIC BENEFIT AND COST TO PERSONS:** No changes have been made to this section since published as proposed.

The proposed repeals would remove the TEKS for Kindergarten-Grade 12 health education and related implementation language that will be superseded by §§115.11-115.17, 115.25-115.28, and 115.37-115.40 beginning with the 2022-2023 school year. There is no anticipated economic cost to persons who are required to comply with the proposal.

**DATA AND REPORTING IMPACT:** No changes have been made to this section since published as proposed.

The proposal would have no data and reporting impact.

**PRINCIPAL AND CLASSROOM TEACHER PAPERWORK REQUIREMENTS:** No changes have been made to this section since published as proposed.

TEA has determined that the proposal would not require a written report or other paperwork to be completed by a principal or classroom teacher.

**PUBLIC COMMENTS:** Following the April 2022 SBOE meeting, notice of the proposed repeal of 19 TAC §§115.1-115.7, 115.21-115.23, and 115.31-115.33 was filed with the Texas Register, initiating the public comment period. The public comment period began May 6, 2022, and ended at 5:00 p.m. on June 10, 2022. No comments had been received at the time this item was prepared. A summary of public comments received will be provided to the SBOE prior to and during the June 2022 meeting. The SBOE will take registered oral and written comments on the proposal at the appropriate committee meeting in June 2022 in accordance with the SBOE board operating policies and procedures.

**MOTION TO BE CONSIDERED:** The State Board of Education:

Approve for second reading and final adoption the proposed repeal of 19 TAC Chapter 115, Texas Essential Knowledge and Skills for Health Education, Subchapter A, Elementary, §115.1, Implementation of Texas Essential Knowledge and Skills for Health Education, Elementary; §115.2, Health Education, Kindergarten; §115.3, Health Education, Grade 1; §115.4, Health Education, Grade 2; §115.5, Health Education, Grade 3; §115.6, Health Education, Grade 4; and

§115.7, Health Education, Grade 5; Subchapter B, Middle School, §115.21, Implementation of Texas Essential Knowledge and Skills for Health Education, Middle School; §115.22, Health Education, Grade 6; and §115.23, Health Education, Grade 7-8; and Subchapter C, High School, §115.31, Implementation of Texas Essential Knowledge and Skills for Health Education, High School; §115.32, Health 1, Grades 9-10 (One-Half Credit); and §115.33, Advanced Health, Grades 11-12 (One-Half Credit); and

Make an affirmative finding that immediate adoption of the proposed repeal of 19 TAC Chapter 115, Texas Essential Knowledge and Skills for Health Education, Subchapter A, Elementary, §115.1, Implementation of Texas Essential Knowledge and Skills for Health Education, Elementary; §115.2, Health Education, Kindergarten; §115.3, Health Education, Grade 1; §115.4, Health Education, Grade 2; §115.5, Health Education, Grade 3; §115.6, Health Education, Grade 4; and §115.7, Health Education, Grade 5; Subchapter B, Middle School, §115.21, Implementation of Texas Essential Knowledge and Skills for Health Education, Middle School; §115.22, Health Education, Grade 6; and §115.23, Health Education, Grade 7-8; and Subchapter C, High School, §115.31, Implementation of Texas Essential Knowledge and Skills for Health Education, High School; §115.32, Health 1, Grades 9-10 (One-Half Credit); and §115.33, Advanced Health, Grades 11-12 (One-Half Credit), is necessary and shall have an effective date of August 1, 2022. (Per TEC, §7.102(f), a vote of two-thirds of the members of the board is necessary for an earlier effective date.)

**Staff Members Responsible:**

Monica Martinez, Associate Commissioner, Standards and Programs

Shelly Ramos, Senior Director, Curriculum Standards and Student Support



**Proposed Repeal of 19 TAC Chapter 116, Texas Essential Knowledge and Skills for Physical Education, Subchapter A, Elementary, §§116.1-116.7, Subchapter B, Middle School, §§116.21-116.24, and Subchapter C, High School, §§116.51-116.56  
(Second Reading and Final Adoption)**

**June 17, 2022**

**COMMITTEE ON INSTRUCTION: ACTION  
STATE BOARD OF EDUCATION: CONSENT**

**SUMMARY:** This item presents for second reading and final adoption the proposed repeal of 19 Texas Administrative Code (TAC) Chapter 116, Texas Essential Knowledge and Skills for Physical Education, Subchapter A, Elementary, §116.1, Implementation of Texas Essential Knowledge and Skills for Physical Education, Elementary; §116.2, Physical Education, Kindergarten; §116.3, Physical Education, Grade 1; §116.4, Physical Education, Grade 2; §116.5, Physical Education, Grade 3; §116.6, Physical Education, Grade 4; §116.7, Physical Education, Grade 5; Subchapter B, Middle School, §116.21, Implementation of Texas Essential Knowledge and Skills for Physical Education, Middle School; §116.22, Physical Education, Grade 6; §116.23, Physical Education, Grade 7; §116.24, Physical Education, Grade 8; and Subchapter C, High School, §116.51, Implementation of Texas Essential Knowledge and Skills for Physical Education, High School; §116.52, Foundations of Personal Fitness (One-Half Credit); §116.53, Adventure/Outdoor Education (One-Half Credit); §116.54, Aerobic Activities (One-Half Credit); §116.55, Individual Sports (One-Half Credit); and §116.56, Team Sports (One-Half Credit). The proposed repeal would remove the Texas Essential Knowledge and Skills (TEKS) for Kindergarten-Grade 12 physical education and related implementation language that will be superseded by 19 TAC §§116.11-116.17, 116.25-116.28, and 116.61-116.64 beginning with the 2022-2023 school year. No changes are recommended since approved for first reading.

**STATUTORY AUTHORITY:** Texas Education Code (TEC), §7.102(c)(4) and §28.002(a), and (c).

TEC, §7.102(c)(4), requires the State Board of Education (SBOE) to establish curriculum and graduation requirements.

TEC, §28.002(a), identifies the subjects of the required curriculum.

TEC, §28.002(c), requires the SBOE to identify by rule the essential knowledge and skills of each subject in the required curriculum that all students should be able to demonstrate and that will be used in evaluating instructional materials and addressed on the state assessment instruments.

The full text of statutory citations can be found in the statutory authority section of this agenda.

**EFFECTIVE DATE:** The proposed effective date of the proposed repeals is August 1, 2022. Under TEC, §7.102(f), the SBOE must approve the rule action at second reading and final adoption by a vote of two-thirds of its members to specify an effective date earlier than the beginning of the 2023-2024 school year. The earlier effective date would repeal superseded TEKS to avoid confusion with new TEKS that are being implemented at the beginning of the 2022-2023 school year.

**PREVIOUS BOARD ACTION:** The SBOE adopted the TEKS for physical education effective September 1, 1998. At the September 2020 meeting, the board approved for first reading and filing authorization proposed new §§116.11-116.17, 116.25-116.28, and 116.61-116.64. At the November 2020 meeting, the board approved for second reading and final adoption proposed new §§116.11-116.17,

116.25-116.28, and 116.61-116.64 with an effective date of August 1, 2022. The board approved for first reading and filing authorization the proposed repeal of §§116.1-116.7, 116.21-116.24, and 116.51-116.56 at the April 2022 SBOE meeting.

**BACKGROUND INFORMATION AND JUSTIFICATION:** In accordance with statutory requirements that the SBOE by rule identify the essential knowledge and skills of each subject in the required curriculum, the SBOE follows a board-approved cycle to review and revise the essential knowledge and skills for each subject.

At the November 2020 SBOE meeting, the board approved for second reading and final adoption proposed new §§116.11-116.17, 116.25-116.28, and 116.61-116.64 to be implemented beginning in the 2022-2023 school year.

The proposed repeals would remove sections that will be superseded by §§116.11-116.17, 116.25-116.28, and 116.61-116.64 effective August 1, 2022.

The text of the proposed repeal of Chapter 116, Subchapter A, §§116.1-116.7, Subchapter B, §§116.21-116.24, and Subchapter C, §§116.51-116.56, is not included as an attachment to this item due to the volume of rules; however, the rules are viewable on the Texas Education Agency (TEA) website at <https://tea.texas.gov/about-tea/laws-and-rules/texas-administrative-code/19-tac-chapter-116>.

No changes are recommended since approved for first reading.

**FISCAL IMPACT:** No changes have been made to this section since published as proposed.

TEA has determined there are no additional costs to state or local government required to comply with the proposal.

**LOCAL EMPLOYMENT IMPACT:** No changes have been made to this section since published as proposed.

The proposal has no effect on local economy; therefore, no local employment impact statement is required under Texas Government Code, §2001.022.

**SMALL BUSINESS, MICROBUSINESS, AND RURAL COMMUNITY IMPACT:** No changes have been made to this section since published as proposed.

The proposal has no direct adverse economic impact for small businesses, microbusinesses, or rural communities; therefore, no regulatory flexibility analysis specified in Texas Government Code, §2006.002, is required.

**COST INCREASE TO REGULATED PERSONS:** No changes have been made to this section since published as proposed.

The proposal does not impose a cost on regulated persons, another state agency, a special district, or a local government and, therefore, is not subject to Texas Government Code, §2001.0045.

**TAKINGS IMPACT ASSESSMENT:** No changes have been made to this section since published as proposed.

The proposal does not impose a burden on private real property and, therefore, does not constitute a taking under Texas Government Code, §2007.043.

**GOVERNMENT GROWTH IMPACT:** No changes have been made to this section since published as proposed.

TEA staff prepared a Government Growth Impact Statement assessment for this proposed rulemaking. During the first five years the proposed rulemaking would be in effect, it would repeal existing regulations by removing the physical education TEKS that will be superseded by a newly adopted set of TEKS.

The proposed rulemaking would not create or eliminate a government program; would not require the creation of new employee positions or elimination of existing employee positions; would not require an increase or decrease in future legislative appropriations to the agency; would not require an increase or decrease in fees paid to the agency; would not create a new regulation; would not expand or limit an existing regulation; would not increase or decrease the number of individuals subject to its applicability; and would not positively or adversely affect the state's economy.

**PUBLIC BENEFIT AND COST TO PERSONS:** No changes have been made to this section since published as proposed.

The proposed repeals would remove the TEKS for Kindergarten-Grade 12 physical education and related implementation language that will be superseded by §§116.11-116.17, 116.25-116.28, and 116.61-116.64 beginning with the 2022-2023 school year. There is no anticipated economic cost to persons who are required to comply with the proposal.

**DATA AND REPORTING IMPACT:** No changes have been made to this section since published as proposed.

The proposal would have no data and reporting impact.

**PRINCIPAL AND CLASSROOM TEACHER PAPERWORK REQUIREMENTS:** No changes have been made to this section since published as proposed.

TEA has determined that the proposal would not require a written report or other paperwork to be completed by a principal or classroom teacher.

**PUBLIC COMMENTS:** Following the April 2022 SBOE meeting, notice of the proposed repeal of 19 TAC §§116.1-116.7, 116.21-116.24, and 116.51-116.56 was filed with the Texas Register, initiating the public comment period. The public comment period began May 6, 2022, and ended at 5:00 p.m. on June 10, 2022. No comments had been received at the time this item was prepared. A summary of public comments received will be provided to the SBOE prior to and during the June 2022 meeting. The SBOE will take registered oral and written comments on the proposal at the appropriate committee meeting in June 2022 in accordance with the SBOE board operating policies and procedures.

**MOTION TO BE CONSIDERED:** The State Board of Education:

Approve for second reading and final adoption the proposed repeal of 19 TAC Chapter 116, Texas Essential Knowledge and Skills for Physical Education, Subchapter A, Elementary, §116.1, Implementation of Texas Essential Knowledge and Skills for Physical Education, Elementary; §116.2, Physical Education, Kindergarten; §116.3, Physical Education, Grade 1; §116.4, Physical

Education, Grade 2; §116.5, Physical Education, Grade 3; §116.6, Physical Education, Grade 4; and §116.7, Physical Education, Grade 5; Subchapter B, Middle School, §116.21, Implementation of Texas Essential Knowledge and Skills for Physical Education, Middle School; §116.22, Physical Education, Grade 6; §116.23, Physical Education, Grade 7; and §116.24, Physical Education, Grade 8; and Subchapter C, High School, §116.51, Implementation of Texas Essential Knowledge and Skills for Physical Education, High School; §116.52, Foundations of Personal Fitness (One-Half Credit); §116.53, Adventure/Outdoor Education (One-Half Credit); §116.54, Aerobic Activities (One-Half Credit); §116.55, Individual Sports (One-Half Credit); and §116.56, Team Sports (One-Half Credit); and

Make an affirmative finding that immediate adoption of the proposed repeal of 19 TAC Chapter 116, Texas Essential Knowledge and Skills for Physical Education, Subchapter A, Elementary, §116.1, Implementation of Texas Essential Knowledge and Skills for Physical Education, Elementary; §116.2, Physical Education, Kindergarten; §116.3, Physical Education, Grade 1; §116.4, Physical Education, Grade 2; §116.5, Physical Education, Grade 3; §116.6, Physical Education, Grade 4; and §116.7, Physical Education, Grade 5; Subchapter B, Middle School, §116.21, Implementation of Texas Essential Knowledge and Skills for Physical Education, Middle School; §116.22, Physical Education, Grade 6; §116.23, Physical Education, Grade 7; and §116.24, Physical Education, Grade 8; and Subchapter C, High School, §116.51, Implementation of Texas Essential Knowledge and Skills for Physical Education, High School; §116.52, Foundations of Personal Fitness (One-Half Credit); §116.53, Adventure/Outdoor Education (One-Half Credit); §116.54, Aerobic Activities (One-Half Credit); §116.55, Individual Sports (One-Half Credit); and §116.56, Team Sports (One-Half Credit), is necessary and shall have an effective date of August 1, 2022. (Per TEC, §7.102(f), a vote of two-thirds of the members of the board is necessary for an earlier effective date.)

**Staff Members Responsible:**

Monica Martinez, Associate Commissioner, Standards and Programs

Shelly Ramos, Senior Director, Curriculum Standards and Student Support

**Proposed Repeal of 19 TAC Chapter 127, Texas Essential Knowledge and Skills for Career Development and Career and Technical Education, Subchapter G, Education and Training, §§127.310, 127.312, and 127.313; Subchapter I, Health Science, §127.409; and Subchapter O, Science, Technology, Engineering, and Mathematics, §§127.753, 127.755, 127.761, and 127.764; and Chapter 130, Texas Essential Knowledge and Skills for Career and Technical Education, Subchapter J, Human Services, §130.277**  
**(Second Reading and Final Adoption)**

**June 17, 2022**

**COMMITTEE ON INSTRUCTION: ACTION**  
**STATE BOARD OF EDUCATION: CONSENT**

**SUMMARY:** This item presents for second reading and final adoption the proposed repeal of 19 Texas Administrative Code (TAC) Chapter 127, Texas Essential Knowledge and Skills for Career Development and Career and Technical Education, Subchapter G, Education and Training, §127.310, Principles of Education and Training (One Credit), Adopted 2015; §127.312, Instructional Practices (Two Credits), Adopted 2015; and §127.313, Practicum in Education and Training (Two Credits), Adopted 2015; Subchapter I, Health Science, §127.409, Health Informatics (One Credit), Adopted 2015; and Subchapter O, Science, Technology, Engineering, and Mathematics, §127.753, Engineering Design and Problem Solving (One Credit), Adopted 2015; §127.755, Engineering Science (One Credit), Adopted 2015; §127.761, Fundamentals of Computer Science (One Credit); and §127.764, Computer Science III (One Credit); and Chapter 130, Texas Essential Knowledge and Skills for Career and Technical Education, Subchapter J, Human Services, §130.277, Child Development (One Credit), Adopted 2015. The proposed repeals would remove the Texas Essential Knowledge and Skills (TEKS) for nine career and technical education (CTE) courses that will be superseded by 19 TAC §§127.316, 127.317, 127.325, 127.326, 127.418, 127.782, 127.785, 127.788, and 127.791 beginning with the 2022-2023 school year. No changes are recommended since approved for first reading.

**STATUTORY AUTHORITY:** Texas Education Code (TEC), [§7.102\(c\)\(4\)](#) and [§28.002\(a\) and \(c\)](#).

TEC, [§7.102\(c\)\(4\)](#), requires the State Board of Education (SBOE) to establish curriculum and graduation requirements.

TEC, [§28.002\(a\)](#), identifies the subjects of the required curriculum.

TEC, [§28.002\(c\)](#), requires the SBOE to identify by rule the essential knowledge and skills of each subject in the required curriculum that all students should be able to demonstrate and that will be used in evaluating instructional materials and addressed on the state assessment instruments.

The full text of statutory citations can be found in the statutory authority section of this agenda.

**EFFECTIVE DATE:** The proposed effective date of the proposed repeals is August 1, 2022. Under TEC, [§7.102\(f\)](#), the SBOE must approve the rule action at second reading and final adoption by a vote of two-thirds of its members to specify an effective date earlier than the beginning of the 2023-2024 school year. The earlier effective date would repeal sections to avoid confusion with new TEKS that are being implemented at the beginning of the 2022-2023 school year.

**PREVIOUS BOARD ACTION:** The SBOE adopted the TEKS for CTE, including career development, in 19 TAC Chapters 119-125 and 127 effective September 1, 1998. The SBOE approved revisions to the

CTE TEKS in Chapter 127 and new Chapter 130, Subchapters A-P, effective August 23, 2010. In 2015, the CTE TEKS were amended effective August 28, 2017. In 2018, the SBOE adopted revisions to 19 TAC Chapter 130, Subchapters B, H, M, and O, effective March 27, 2018. The CTE TEKS were last amended in 2020 when the SBOE adopted revisions to 19 TAC Chapter 130, Subchapters A, C, K, O, and Q, effective August 1, 2020. At the November 2021 SBOE meeting, the board approved for first reading and filing authorization the proposed repeal of 19 TAC §§130.161-130.166, 130.201-130.211, 130.221-130.234, 130.251-130.263, 130.331-130.343, and 130.401-130.435, and proposed new 19 TAC §§127.309-127.314, 127.402-127.415, 127.468-127.480, 127.625-127.648, and 127.742-127.776. The board approved for first reading and filing authorization proposed repeal of §§127.310, 127.312, 127.313, 127.409, 127.753, 127.755, 127.761, 127.764, and 130.277 at the April 2022 SBOE meeting.

**BACKGROUND INFORMATION AND JUSTIFICATION:** The TEKS for courses associated with 17 CTE career clusters are codified by subchapter in 19 TAC Chapters 127 and 130. In December 2020, the SBOE began initial steps to prepare for the review and revision of CTE courses in programs of study for the education and training, health science, and science, technology, engineering, and mathematics career clusters. Two additional courses eligible to satisfy a graduation requirement in science were also part of the review. At the November 2021 SBOE meeting, the board approved for second reading and final adoption proposed new TEKS for these courses.

Due to the structure of Chapter 130, there were not enough sections to add the new CTE courses under consideration in their original subchapters. To accommodate the addition of new and future courses, the CTE TEKS in Chapter 130 are being moved to existing 19 TAC Chapter 127, which has been renamed "Texas Essential Knowledge and Skills for Career Development and Career and Technical Education."

The proposed repeals would remove the TEKS for nine CTE courses that will be superseded by 19 TAC §§127.316, 127.317, 127.325, 127.326, 127.418, 127.782, 127.785, 127.788, and 127.791 beginning with the 2022-2023 school year. No changes are recommended since approved for first reading.

**FISCAL IMPACT:** No changes have been made to this section since published as proposed.

TEA has determined that there are no additional costs to state or local government required to comply with the proposal.

**LOCAL EMPLOYMENT IMPACT:** No changes have been made to this section since published as proposed.

The proposal has no effect on local economy; therefore, no local employment impact statement is required under Texas Government Code, §2001.022.

**SMALL BUSINESS, MICROBUSINESS, AND RURAL COMMUNITY IMPACT:** No changes have been made to this section since published as proposed.

The proposal has no direct adverse economic impact for small businesses, microbusinesses, or rural communities; therefore, no regulatory flexibility analysis specified in Texas Government Code, §2006.002, is required.

**COST INCREASE TO REGULATED PERSONS:** No changes have been made to this section since published as proposed.

The proposal does not impose a cost on regulated persons, another state agency, a special district, or a local government and, therefore, is not subject to Texas Government Code, §2001.0045.

**TAKINGS IMPACT ASSESSMENT:** No changes have been made to this section since published as proposed.

The proposal does not impose a burden on private real property and, therefore, does not constitute a taking under Texas Government Code, §2007.043.

**GOVERNMENT GROWTH IMPACT:** No changes have been made to this section since published as proposed.

TEA staff prepared a Government Growth Impact Statement assessment for this proposed rulemaking. During the first five years the proposed rulemaking would be in effect, it would repeal existing regulations by removing CTE TEKS that will be superseded by a newly adopted set of TEKS.

The proposed rulemaking would not create or eliminate a government program; would not require the creation of new employee positions or elimination of existing employee positions; would not require an increase or decrease in future legislative appropriations to the agency; would not require an increase or decrease in fees paid to the agency; would not create a new regulation; would not expand or limit an existing regulation; would not increase or decrease the number of individuals subject to its applicability; and would not positively or adversely affect the state's economy.

**PUBLIC BENEFIT AND COST TO PERSONS:** No changes have been made to this section since published as proposed.

The proposed repeals would remove the TEKS for nine CTE courses that will be superseded by §§127.316, 127.317, 127.325, 127.326, 127.418, 127.782, 127.785, 127.788, and 127.791 beginning with the 2022-2023 school year. There is no anticipated economic cost to persons who are required to comply with the proposal.

**DATA AND REPORTING IMPACT:** No changes have been made to this section since published as proposed.

The proposal would have no data and reporting impact.

**PRINCIPAL AND CLASSROOM TEACHER PAPERWORK REQUIREMENTS:** No changes have been made to this section since published as proposed.

TEA has determined that the proposal would not require a written report or other paperwork to be completed by a principal or classroom teacher.

**PUBLIC COMMENTS:** Following the April 2022 SBOE meeting, notice of proposed repeal of §§127.310, 127.312, 127.313, 127.409, 127.753, 127.755, 127.761, 127.764, and 130.277 was filed with the Texas Register, initiating the public comment period. The public comment period began May 6, 2022, and ended at 5:00 p.m. on June 10, 2022. No comments had been received at the time this item was prepared. A summary of public comments received will be provided to the SBOE prior to and during the June 2022 meeting. The SBOE will take registered oral and written comments on the proposal at the appropriate committee meeting in June 2022 in accordance with the SBOE board operating policies and procedures.

**MOTION TO BE CONSIDERED:** The State Board of Education:

Approve for second reading and final adoption the proposed repeal of 19 TAC Chapter 127, Texas Essential Knowledge and Skills for Career Development and Career and Technical Education, Subchapter G, Education and Training, §127.310, Principles of Education and Training (One Credit), Adopted 2015; §127.312, Instructional Practices (Two Credits), Adopted 2015; and §127.313, Practicum in Education and Training (Two Credits), Adopted 2015; Subchapter I, Health Science, §127.409, Health Informatics (One Credit), Adopted 2015; and Subchapter O, Science, Technology, Engineering, and Mathematics, §127.753, Engineering Design and Problem Solving (One Credit), Adopted 2015; §127.755, Engineering Science (One Credit), Adopted 2015; §127.761, Fundamentals of Computer Science (One Credit); and §127.764, Computer Science III (One Credit); and Chapter 130, Texas Essential Knowledge and Skills for Career and Technical Education, Subchapter J, Human Services, §130.277, Child Development (One Credit), Adopted 2015; and

Make an affirmative finding that immediate adoption of the proposed repeal of 19 TAC Chapter 127, Texas Essential Knowledge and Skills for Career Development and Career and Technical Education, Subchapter G, Education and Training, §127.310, Principles of Education and Training (One Credit), Adopted 2015; §127.312, Instructional Practices (Two Credits), Adopted 2015; and §127.313, Practicum in Education and Training (Two Credits), Adopted 2015; Subchapter I, Health Science, §127.409, Health Informatics (One Credit), Adopted 2015; and Subchapter O, Science, Technology, Engineering, and Mathematics, §127.753, Engineering Design and Problem Solving (One Credit), Adopted 2015; §127.755, Engineering Science (One Credit), Adopted 2015; §127.761, Fundamentals of Computer Science (One Credit); and §127.764, Computer Science III (One Credit); and Chapter 130, Texas Essential Knowledge and Skills for Career and Technical Education, Subchapter J, Human Services, §130.277, Child Development (One Credit), Adopted 2015, is necessary and shall have an effective date of August 1, 2022. *(Per TEC, §7.102(f), a vote of two-thirds of the members of the board is necessary for an earlier effective date.)*

**Staff Members Responsible:**

Monica Martinez, Associate Commissioner, Standards and Programs

Shelly Ramos, Senior Director, Curriculum Standards and Student Support

**Attachment:**

Text of Proposed Repeal of 19 TAC Chapter 127, Texas Essential Knowledge and Skills for Career Development and Career and Technical Education, Subchapter G, Education and Training, §§127.310, 127.312, and 127.313; Subchapter I, Health Science, §127.409; and Subchapter O, Science, Technology, Engineering, and Mathematics, §§127.753, 127.755, 127.761, and 127.764; and Chapter 130, Texas Essential Knowledge and Skills for Career and Technical Education, Subchapter J, Human Services, §130.277



ATTACHMENT  
Text of Proposed Repeal of 19 TAC

**Chapter 127. Texas Essential Knowledge and Skills for Career Development and Career  
and Technical Education**

**Subchapter G. Education and Training**

**~~§127.310. Principles of Education and Training (One Credit), Adopted 2015.~~**

- ~~(a) General requirements. This course is recommended for students in Grades 9 and 10. Students shall be awarded one credit for successful completion of this course.~~
- ~~(b) Introduction:~~
- ~~(1) Career and technical education instruction provides content aligned with challenging academic standards and relevant technical knowledge and skills for students to further their education and succeed in current or emerging professions.~~
  - ~~(2) The Education and Training Career Cluster focuses on planning, managing, and providing education and training services and related learning support services.~~
  - ~~(3) Principles of Education and Training is designed to introduce learners to the various careers available within the Education and Training Career Cluster. Students use self knowledge as well as educational and career information to analyze various careers within the Education and Training Career Cluster. Students will develop a graduation plan that leads to a specific career choice in the student's interest area.~~
  - ~~(4) Students are encouraged to participate in extended learning experiences such as career and technical student organizations and other leadership or extracurricular organizations.~~
  - ~~(5) 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.~~
- ~~(c) Knowledge and skills:~~
- ~~(1) The student demonstrates professional standards/employability skills as required by business and industry. The student is expected to:~~
    - ~~(A) demonstrate written communication;~~
    - ~~(B) perform job appropriate numerical and arithmetic application;~~
    - ~~(C) practice various forms of communication such as verbal and non-verbal communication used in educational and career settings;~~
    - ~~(D) exhibit teamwork skills;~~
    - ~~(E) apply decision making skills;~~
    - ~~(F) implement problem solving techniques;~~
    - ~~(G) acquire conflict management skills;~~
    - ~~(H) develop leadership skills;~~
    - ~~(I) demonstrate professionalism; and~~
    - ~~(J) develop effective work ethic practices.~~
  - ~~(2) The student explores education and training careers by such means as shadowing, interviewing, career interest inventory, researching, and/or self reflection. The student is expected to:~~

- ~~(A) — identify and investigate the three Education and Training Programs of Study: Teaching/Training, Professional Support Services, and Administration and Administrative Support;~~
- ~~(B) — analyze transferable skills among a variety of careers within the Education and Training Career Cluster;~~
- ~~(C) — recognize the impact of career choice on personal lifestyle;~~
- ~~(D) — develop productive work habits such as organization, time management, and initiative; and~~
- ~~(E) — analyze assessment results such as an interest and ability inventory as relative to those necessary for success in education and training.~~
- ~~(3) — The student explains societal impacts within the education and training career cluster. The student is expected to:~~
  - ~~(A) — investigate trends or issues that have influenced the development of education across the United States such as historical, societal, cultural, and political trends and issues; and~~
  - ~~(B) — predict the Education and Training Career Cluster job market by using information from sources such as labor market information, technology, and societal or economic trends.~~
- ~~(4) — The student explores careers in the teaching and training program of study. The student is expected to:~~
  - ~~(A) — summarize the various roles and responsibilities of professionals in the fields of teaching and training;~~
  - ~~(B) — describe typical personal characteristics, qualities, and aptitudes of professionals in the field of teaching and training;~~
  - ~~(C) — investigate education or training alternatives after high school for a career choice within the student's interest areas; and~~
  - ~~(D) — examine education or training degree plans for various occupations within the field of teaching and training.~~
- ~~(5) — The student explores careers in the professional support services program of study. The student is expected to:~~
  - ~~(A) — summarize the various roles and responsibilities of professionals in the field of professional support services;~~
  - ~~(B) — describe typical personal characteristics, qualities, and aptitudes of professionals in the field of professional support services;~~
  - ~~(C) — investigate education and training alternatives after high school for a career choice within the student's interest areas; and~~
  - ~~(D) — examine education and training degree plans for various occupations within the field of professional support services.~~
- ~~(6) — The student explores careers in the administration and administrative support program of study. The student is expected to:~~
  - ~~(A) — summarize the various roles and responsibilities of professionals in the field of administration and administrative support;~~
  - ~~(B) — describe typical personal characteristics, qualities, and aptitudes of professionals in the field of administration and administrative support;~~
  - ~~(C) — investigate education and training alternatives after high school for a career choice within the student's interest areas; and~~

- ~~(D) — examine education and training degree plans for various occupations within the fields of administration and administrative support.~~
- ~~(7) — The student experiences authentic education and training opportunities. The student is expected to:
 
  - ~~(A) — experience educator duties and responsibilities through activities such as assisting, shadowing, or observing;~~
  - ~~(B) — develop instructional materials such as visuals, teacher aids, manipulatives, lesson components, and mini-lessons; and~~
  - ~~(C) — formulate a personal set of beliefs relevant to education in preparation of developing a philosophy of education.~~~~
- ~~(8) — The student explores options in education and career planning. The student is expected to:
 
  - ~~(A) — develop a graduation plan that leads to a specific career choice in the area of interest;~~
  - ~~(B) — identify high school and dual enrollment courses related to specific career cluster programs of study;~~
  - ~~(C) — identify and compare technical and community college programs that align with interest areas; and~~
  - ~~(D) — identify and compare university programs and institutions that align with interest areas.~~~~
- ~~(9) — The student documents technical knowledge and skills. The student is expected to:
 
  - ~~(A) — assemble basic professional portfolio components such as basic resume, samples of work, service learning log, assessment results, and mock scholarship applications; and~~
  - ~~(B) — present the portfolio to interested stakeholders.]~~~~

**§127.312. Instructional Practices (Two Credits), Adopted 2015.**

- ~~(a) — General requirements. This course is recommended for students in Grades 11 and 12. Recommended prerequisites: Principles of Education and Training and Human Growth and Development. Students shall be awarded two credits for successful completion of this course.~~
- ~~(b) — Introduction:
 
  - ~~(1) — Career and technical education instruction provides content aligned with challenging academic standards and relevant technical knowledge and skills for students to further their education and succeed in current or emerging professions.~~
  - ~~(2) — The Education and Training Career Cluster focuses on planning, managing, and providing education and training services and related learning support services.~~
  - ~~(3) — Instructional Practices is a field based (practicum) internship that provides students with background knowledge of child and adolescent development as well as principles of effective teaching and training practices. Students work under the joint direction and supervision of both a teacher with knowledge of early childhood, middle childhood, and adolescence education and exemplary educators or trainers in direct instructional roles with elementary, middle school, and high school aged students. Students learn to plan and direct individualized instruction and group activities, prepare instructional materials, develop materials for educational environments, assist with record keeping, and complete other responsibilities of teachers, trainers, paraprofessionals, or other educational personnel.~~
  - ~~(4) — Students are encouraged to participate in extended learning experiences such as career and technical student organizations and other leadership or extracurricular organizations.~~
  - ~~(5) — 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.~~~~
- ~~(c) — Knowledge and skills:~~

- ~~(1) — The student demonstrates professional standards/employability skills as required by business and industry. The student is expected to:~~
- ~~(A) — demonstrate written communication;~~
  - ~~(B) — perform job appropriate numerical and arithmetic application;~~
  - ~~(C) — practice various forms of communication such as verbal and non-verbal communication skills used in educational and career settings;~~
  - ~~(D) — exhibit teamwork skills;~~
  - ~~(E) — apply decision-making skills;~~
  - ~~(F) — implement problem-solving techniques;~~
  - ~~(G) — acquire conflict management skills;~~
  - ~~(H) — develop leadership skills;~~
  - ~~(I) — demonstrate professionalism; and~~
  - ~~(J) — develop effective work ethic practices.~~
- ~~(2) — The student explores the teaching and training profession. The student is expected to:~~
- ~~(A) — demonstrate an understanding of the historical foundations of education and training in the United States;~~
  - ~~(B) — determine and implement knowledge and skills needed by teaching and training professionals;~~
  - ~~(C) — demonstrate and implement personal characteristics needed by teaching and training professionals;~~
  - ~~(D) — identify qualities of effective schools;~~
  - ~~(E) — investigate possible career options in the field of education and training;~~
  - ~~(F) — discuss teaching and training in non-traditional setting such as those in corporations, community outreach, nonprofits, and government entities; and~~
  - ~~(G) — formulate a professional philosophy of education based on a personal set of beliefs.~~
- ~~(3) — The student understands the learner and the learning process. The student is expected to:~~
- ~~(A) — relate and implement principles and theories of human development to teaching and training situations;~~
  - ~~(B) — relate and implement principles and theories about the learning process to teaching and training situations;~~
  - ~~(C) — demonstrate and implement behaviors and skills that facilitate the learning process; and~~
  - ~~(D) — explain the relationship between effective instructional practices and learning differences, learner exceptionality, and special needs conditions.~~
- ~~(4) — The student interacts effectively in the role of an educator. The student is expected to:~~
- ~~(A) — demonstrate effective interaction skills with stakeholders such as students, educators, parents/guardians, community members, and other professionals; and~~
  - ~~(B) — demonstrate techniques promoting literacy.~~
- ~~(5) — The student plans and develops effective instruction. The student is expected to:~~
- ~~(A) — explain the role of the Texas Essential Knowledge and Skills in planning and evaluating instruction;~~

- ~~(B) — explain the rationale for having a fundamental knowledge of the subject matter in order to plan, prepare, and deliver effective instruction;~~
- ~~(C) — explain the rationale for and process of instructional planning;~~
- ~~(D) — describe principles and theories that impact instructional planning;~~
- ~~(E) — create clear short-term and long-term learning objectives that are developmentally appropriate for students; and~~
- ~~(F) — demonstrate lesson planning to meet instructional goals.~~
- ~~(6) — The student creates an effective learning environment. The student is expected to:~~
  - ~~(A) — describe and implement a safe and an effective learning environment;~~
  - ~~(B) — demonstrate teacher and trainer characteristics that promote an effective learning environment;~~
  - ~~(C) — identify classroom management techniques that promote an effective learning environment; and~~
  - ~~(D) — demonstrate conflict management and mediation techniques supportive of an effective learning environment.~~
- ~~(7) — The student assesses teaching and learning. The student is expected to:~~
  - ~~(A) — describe the role of assessment as part of the learning process;~~
  - ~~(B) — analyze the assessment process; and~~
  - ~~(C) — use appropriate assessment strategies in an instructional setting.~~
- ~~(8) — The student understands the relationship between school and society. The student is expected to:~~
  - ~~(A) — explain the relationship between school and society;~~
  - ~~(B) — recognize and use resources for professional growth such as family, school, and community resources; and~~
  - ~~(C) — collaborate with stakeholders such as family, school, and community to promote learning.~~
- ~~(9) — The student develops technology skills. The student is expected to:~~
  - ~~(A) — describe the role of technology in the instructional process;~~
  - ~~(B) — use technology applications appropriate for specific subject matter and student needs; and~~
  - ~~(C) — demonstrate skillful use of technology as a tool for instruction, evaluation, and management.~~
- ~~(10) — The student understands the professional, ethical, and legal responsibilities in teaching and training. The student is expected to:~~
  - ~~(A) — describe teacher and trainer characteristics that promote professional and ethical conduct;~~
  - ~~(B) — analyze professional and ethical standards that apply to educators and trainers;~~
  - ~~(C) — analyze situations requiring decisions based on professional, ethical, and legal considerations; and~~
  - ~~(D) — analyze expected effects of compliance and non-compliance with Texas teacher code of conduct.~~
- ~~(11) — The student participates in field-based experiences in education and training. The student is expected to:~~
  - ~~(A) — apply instructional strategies and concepts within a local educational or training facility; and~~

~~(B) — document, assess, and reflect on instructional experiences.~~

~~(12) — The student documents technical knowledge and skills. The student is expected to:~~

~~(A) — update professional portfolio components such as resume, samples of work, service learning log, assessment results, and mock scholarship applications; and~~

~~(B) — present the portfolio to interested stakeholders.]~~

**[§127.313. Practicum in Education and Training (Two Credits), Adopted 2015.]**

~~(a) — General requirements. This course is recommended for students in Grade 12. Prerequisite: Instructional Practices. Recommended prerequisites: Principles of Education and Training and Human Growth and Development. Students shall be awarded two credits for successful completion of this course. A student may repeat this course once for credit provided that the student is experiencing different aspects of the industry and demonstrating proficiency in additional and more advanced knowledge and skills.~~

~~(b) — Introduction:~~

~~(1) — Career and technical education instruction provides content aligned with challenging academic standards and relevant technical knowledge and skills for students to further their education and succeed in current or emerging professions.~~

~~(2) — The Education and Training Career Cluster focuses on planning, managing, and providing education and training services and related learning support services.~~

~~(3) — Practicum in Education and Training is a field-based internship that provides students background knowledge of child and adolescent development principles as well as principles of effective teaching and training practices. Students in the course work under the joint direction and supervision of both a teacher with knowledge of early childhood, middle childhood, and adolescence education and exemplary educators in direct instructional roles with elementary, middle school, and high school-aged students. Students learn to plan and direct individualized instruction and group activities, prepare instructional materials, assist with record keeping, make physical arrangements, and complete other responsibilities of classroom teachers, trainers, paraprofessionals, or other educational personnel.~~

~~(4) — Students are encouraged to participate in extended learning experiences such as career and technical student organizations and other leadership or extracurricular organizations.~~

~~(5) — 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.~~

~~(c) — Knowledge and skills:~~

~~(1) — The student demonstrates professional standards/employability skills as required by business and industry. The student is expected to:~~

~~(A) — demonstrate written communication;~~

~~(B) — perform job-appropriate numerical and arithmetic application;~~

~~(C) — practice various forms of communication such as verbal and non-verbal communication used in educational and career settings;~~

~~(D) — exhibit teamwork skills;~~

~~(E) — apply decision-making skills;~~

~~(F) — implement problem-solving techniques;~~

~~(G) — acquire conflict management skills;~~

~~(H) — develop leadership skills;~~

~~(I) — demonstrate professionalism; and~~

- ~~(J) — develop effective work ethic practices.~~
- ~~(2) — The student explores the teaching and training profession. The student is expected to:~~
- ~~(A) — analyze current trends and issues that impact education such as political, societal, and economic trends and issues;~~
  - ~~(B) — demonstrate and implement knowledge and skills needed by the teaching and training profession;~~
  - ~~(C) — update assessment of personal characteristics needed to work in the teaching and training profession;~~
  - ~~(D) — explore qualities of effective schools;~~
  - ~~(E) — refine professional philosophy of education based on a personal set of beliefs;~~
  - ~~(F) — explore the educational/academic requirements and possible degree/certifications available in education;~~
  - ~~(G) — refine personal career plan in preparation for a career in the field of education or training;~~
  - ~~(H) — explore teaching and training in non-traditional setting such as those in corporations, community outreach, nonprofits, and government entities; and~~
  - ~~(I) — explore educational high needs and teacher shortage areas.~~
- ~~(3) — The student understands the learner and learning process. The student is expected to:~~
- ~~(A) — apply principles and theories of human development appropriate to specific teaching or training situations;~~
  - ~~(B) — apply principles and theories about the learning process to specific teaching or training situations;~~
  - ~~(C) — analyze the dynamics of personal and student behaviors that facilitate the learning process;~~
  - ~~(D) — analyze teaching skills that facilitate the learning process; and~~
  - ~~(E) — demonstrate and evaluate effective instructional practices to accommodate diversity such as learning differences, learner exceptionality, and special-needs considerations.~~
- ~~(4) — The student interacts effectively in the role of an educator. The student is expected to:~~
- ~~(A) — demonstrate and evaluate effective interaction skills with stakeholders such as students, educators, parents/guardians, community members, and other professionals; and~~
  - ~~(B) — demonstrate and evaluate techniques promoting literacy.~~
- ~~(5) — The student plans and uses effective instruction. The student is expected to:~~
- ~~(A) — apply principles and theories that impact instructional planning;~~
  - ~~(B) — develop instructional materials that align with the Texas Essential Knowledge and Skills;~~
  - ~~(C) — demonstrate competency in core and non-core subject areas;~~
  - ~~(D) — create lessons plans that meet instructional goals;~~
  - ~~(E) — analyze concepts for developing effective instructional strategies;~~
  - ~~(F) — evaluate and analyze effectiveness of lessons plans and instructional strategies; and~~
  - ~~(G) — explain how learner and professional feedback is used to guide selection and adjustment of instructional strategies.~~
- ~~(6) — The student creates and maintains an effective learning environment. The student is expected to:~~
- ~~(A) — create and maintain a safe and an effective learning environment;~~

- ~~(B) — integrate teacher or trainer characteristics that promote an effective learning environment;~~
- ~~(C) — apply classroom management techniques that promote an effective learning environment;  
and~~
- ~~(D) — demonstrate specific conflict management and mediation techniques supportive of an effective learning environment.~~
- ~~(7) — The student assesses instruction and learning. The student is expected to:
  - ~~(A) — develop and apply assessments to foster student learning;~~
  - ~~(B) — use assessment strategies to promote personal growth and teaching or training improvement; and~~
  - ~~(C) — use reflective techniques to promote personal growth and teaching or training improvement.~~~~
- ~~(8) — The student understands the relationship between school and society. The student is expected to:
  - ~~(A) — identify and support learning through advocacy;~~
  - ~~(B) — select family, school, and community resources for professional growth; and~~
  - ~~(C) — promote learning and build support through positive school partnership activities with stakeholders such as families, schools, communities, and business/industry.~~~~
- ~~(9) — The student develops technology skills. The student is expected to:
  - ~~(A) — access and use current technology applications appropriate for specific subject matter and student needs; and~~
  - ~~(B) — integrate the skillful use of technology as a tool for instruction, evaluation, and management.~~~~
- ~~(10) — The student understands the professional, ethical, and legal responsibilities in teaching and training. The student is expected to:
  - ~~(A) — develop teacher and trainer characteristics that promote professional and ethical conduct;~~
  - ~~(B) — analyze professional and ethical standards that apply to educators and trainers;~~
  - ~~(C) — analyze situations requiring decisions based on professional, ethical, and legal considerations; and~~
  - ~~(D) — analyze expected effects of compliance and non-compliance with Texas teacher code of conduct.~~~~
- ~~(11) — The student explores the need and opportunities for continued professional development for educators and trainers. The student is expected to:
  - ~~(A) — identify strategies and resources for the professional development of educators or trainers such as research and assessment;~~
  - ~~(B) — demonstrate teacher or trainer characteristics that promote ongoing professional development and lifelong learning; and~~
  - ~~(C) — plan for professional growth.~~~~
- ~~(12) — The student continues to participate in field-based experiences in education or training. The student is expected to:
  - ~~(A) — apply instructional strategies and concepts within a local educational or training facility;  
and~~
  - ~~(B) — document, assess, and reflect on instructional experiences.~~~~
- ~~(13) — The student documents technical knowledge and skills. The student is expected to:~~



~~(A) — gather artifacts and documentation that support attainment of technical skill competencies;~~

~~(B) — update a professional portfolio to include components such as a resume, samples of work, service learning log, recognitions, awards, scholarship essays, letters of recommendation, certifications, and evaluations; and~~

~~(C) — present the portfolio to interested stakeholders.]~~

## Chapter 127. Texas Essential Knowledge and Skills for Career Development and Career and Technical Education

### Subchapter I. Health Science

#### §127.409. Health Informatics (One Credit), Adopted 2015.

- (a) ~~General requirements. This course is recommended for students in Grades 11 and 12. Prerequisites: Business Information Management I and Medical Terminology. Students shall be awarded one credit for successful completion of this course.~~
- (b) ~~Introduction.~~
- ~~(1) Career and technical education instruction provides content aligned with challenging academic standards and relevant technical knowledge and skills for students to further their education and succeed in current or emerging professions.~~
  - ~~(2) The Health Science Career Cluster focuses on planning, managing, and providing therapeutic services, diagnostic services, health informatics, support services, and biotechnology research and development.~~
  - ~~(3) The Health Informatics course is designed to provide knowledge of one of the fastest growing areas in both academic and professional fields. The large gap between state-of-the-art computer technologies and the state of affairs in health care information technology has generated demand for information and health professionals who can effectively design, develop, and use technologies such as electronic medical records, patient monitoring systems, and digital libraries, while managing the vast amount of data generated by these systems.~~
  - ~~(4) Students are encouraged to participate in extended learning experiences such as career and technical student organizations and other leadership or extracurricular organizations.~~
  - ~~(5) 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.~~
- (c) ~~Knowledge and skills.~~
- ~~(1) The student demonstrates professional standards/employability skills as required by business and industry. The student is expected to:~~
    - ~~(A) demonstrate verbal and non-verbal communication in a clear, concise, and effective manner;~~
    - ~~(B) demonstrate adaptability skills such as problem solving and creative thinking;~~
    - ~~(C) develop a career plan;~~
    - ~~(D) employ teamwork;~~
    - ~~(E) create a job specific resume; and~~
    - ~~(F) appraise the characteristics desired by employers such as work ethics and professionalism.~~
  - ~~(2) The student interprets fundamental knowledge of concepts of health information systems technology and the tools for collecting, storing, and retrieving health care data. The student is expected to:~~
    - ~~(A) discuss and define the common information systems;~~
    - ~~(B) differentiate between the six types of information systems;~~
    - ~~(C) explain how each of the six information systems support the administrative, financial, clinical, and research needs of a health care enterprise;~~

- ~~(D) — describe the components of an information system; and~~
- ~~(E) — implement the concepts of health informatics by creating a culminating project.~~
- ~~(3) — The student employs the various types of databases in relation to health informatics. The student is expected to:~~
  - ~~(A) — define the function of a database management system;~~
  - ~~(B) — identify the purpose of data modeling;~~
  - ~~(C) — define the customary steps in the data modeling process;~~
  - ~~(D) — differentiate between entities, attributes, and relationships in a data model; and~~
  - ~~(E) — explain various types of organizational databases.~~
- ~~(4) — The student distinguishes between data and information. The student is expected to:~~
  - ~~(A) — discuss the importance of data security, accuracy, integrity, and validity; and~~
  - ~~(B) — demonstrate an understanding of data information concepts for health information systems and electronic health records.~~
- ~~(5) — The student examines the evolution of the health information system. The student is expected to:~~
  - ~~(A) — evaluate the growing role of the electronic health record;~~
  - ~~(B) — review the progress of the development of the electronic health record; and~~
  - ~~(C) — explain functional requirements for electronic health records.~~
- ~~(6) — The student examines the process of medical diagnostic and coding concepts as well as current procedural practices. The student is expected to:~~
  - ~~(A) — examine Health Insurance Portability and Accountability Act (HIPAA) guidelines for confidentiality, privacy, and security of a patient's information within the medical record;~~
  - ~~(B) — differentiate between insurance fraud and insurance abuse;~~
  - ~~(C) — discuss the linkage between current procedural technology (CPT) codes, International Classification of Diseases, 10th revision, clinical modification (ICD-10-CM) codes, and medical necessity for reimbursement for charges billed;~~
  - ~~(D) — search ICD-10-CM code system for correct diagnosis code using patient information;~~
  - ~~(E) — identify the two types of codes in the health care common procedure coding system (HCPCS); and~~
  - ~~(F) — explain how medical coding affects the payment process.~~
- ~~(7) — The student identifies agencies involved in the health insurance claims process. The student is expected to:~~
  - ~~(A) — define Medicaid and Medicare;~~
  - ~~(B) — discuss health care benefit programs such as TRICARE and CHAMPVA;~~
  - ~~(C) — explain how to manage a worker's compensation case;~~
  - ~~(D) — complete a current health insurance claim form such as the Centers for Medicare and Medicaid Service (CMS-1500) form; and~~
  - ~~(E) — identify three ways to transmit electronic claims.]~~

## Chapter 127. Texas Essential Knowledge and Skills for Career Development and Career and Technical Education

### Subchapter O. Science, Technology, Engineering, and Mathematics

#### §127.753. Engineering Design and Problem Solving (One Credit), Adopted 2015.

- (a) ~~General requirements. This course is recommended for students in Grades 11 and 12. Prerequisites: Algebra I and Geometry. Recommended prerequisites: two Science, Technology, Engineering, and Mathematics (STEM) Career Cluster credits. Students must meet the 40% laboratory and fieldwork requirement. This course satisfies a high school science graduation requirement. Students shall be awarded one credit for successful completion of this course.~~
- (b) ~~Introduction:~~
- ~~(1) Career and technical education instruction provides content aligned with challenging academic standards and relevant technical knowledge and skills for students to further their education and succeed in current or emerging professions.~~
  - ~~(2) The STEM Career Cluster focuses on planning, managing, and providing scientific research and professional and technical services, including laboratory and testing services, and research and development services.~~
  - ~~(3) The Engineering Design and Problem Solving course is the creative process of solving problems by identifying needs and then devising solutions. The solution may be a product, technique, structure, or process depending on the problem. Science aims to understand the natural world, while engineering seeks to shape this world to meet human needs and wants. Engineering design takes into consideration limiting factors or "design under constraint." Various engineering disciplines address a broad spectrum of design problems using specific concepts from the sciences and mathematics to derive a solution. The design process and problem solving are inherent to all engineering disciplines.~~
  - ~~(4) Engineering Design and Problem Solving reinforces and integrates skills learned in previous mathematics and science courses. This course emphasizes solving problems, moving from well-defined toward more open-ended, with real-world application. Students will apply critical thinking skills to justify a solution from multiple design options. Additionally, the course promotes interest in and understanding of career opportunities in engineering.~~
  - ~~(5) This course is intended to stimulate students' ingenuity, intellectual talents, and practical skills in devising solutions to engineering design problems. Students use the engineering design process cycle to investigate, design, plan, create, and evaluate solutions. At the same time, this course fosters awareness of the social and ethical implications of technological development.~~
  - ~~(6) Science, as defined by the National Academy of Sciences, is the "use of evidence to construct testable explanations and predictions of natural phenomena, as well as the knowledge generated through this process." This vast body of changing and increasing knowledge is described by physical, mathematical, and conceptual models. Students should know that some questions are outside the realm of science because they deal with phenomena that are not scientifically testable.~~
  - ~~(7) Scientific inquiry is the planned and deliberate investigation of the natural world. Scientific methods of investigation are experimental, descriptive, or comparative. The method chosen should be appropriate to the question being asked.~~
  - ~~(8) Scientific decision making is a way of answering questions about the natural world. Students should be able to distinguish between scientific decision making methods (scientific methods) and ethical and social decisions that involve science (the application of scientific information).~~
  - ~~(9) A system is a collection of cycles, structures, and processes that interact. All systems have basic properties that can be described in space, time, energy, and matter. Change and constancy occur in~~

~~systems as patterns and can be observed, measured, and modeled. These patterns help to make predictions that can be scientifically tested. Students should analyze a system in terms of its components and how these components relate to each other, to the whole, and to the external environment.~~

~~(10) Students are encouraged to participate in extended learning experiences such as career and technical student organizations and other leadership or extracurricular organizations.~~

~~(11) 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.~~

~~(c) Knowledge and skills.~~

~~(1) The student demonstrates professional standards/employability skills as required by business and industry. The student is expected to:~~

~~(A) demonstrate knowledge of how to dress appropriately, speak politely, and conduct oneself in a manner appropriate for the profession;~~

~~(B) show the ability to cooperate, contribute, and collaborate as a member of a group in an effort to achieve a positive collective outcome;~~

~~(C) present written and oral communication in a clear, concise, and effective manner;~~

~~(D) demonstrate time management skills in prioritizing tasks, following schedules, and performing goal relevant activities in a way that produces efficient results; and~~

~~(E) demonstrate punctuality, dependability, reliability, and responsibility in performing assigned tasks as directed.~~

~~(2) The student, for at least 40% of instructional time, conducts engineering laboratory and field activities using safe, environmentally appropriate, and ethical practices. The student is expected to:~~

~~(A) demonstrate safe practices during engineering laboratory and field activities; and~~

~~(B) demonstrate an understanding of the use and conservation of resources and the proper disposal or recycling of materials.~~

~~(3) The student uses scientific methods and equipment during laboratory and field investigations. The student is expected to:~~

~~(A) know the definition of science and understand that it has limitations, as specified in subsection (b)(6) of this section;~~

~~(B) know that hypotheses are tentative and testable statements that must be capable of being supported or not supported by observational evidence. Hypotheses of durable explanatory power that have been tested over a wide variety of conditions are incorporated into theories;~~

~~(C) know that scientific theories are based on natural and physical phenomena and are capable of being tested by multiple independent researchers. Unlike hypotheses, scientific theories are well established and highly reliable explanations, but they may be subject to change as new areas of science and new technologies are developed;~~

~~(D) distinguish between scientific hypotheses and scientific theories;~~

~~(E) plan and implement descriptive, comparative, and experimental investigations, including asking questions, formulating testable hypotheses, and selecting equipment and technology;~~

~~(F) collect and organize qualitative and quantitative data and make measurements with accuracy and precision using tools such as calculators, spreadsheet software, data-collecting probes, computers, standard laboratory glassware, microscopes, various prepared slides, stereoscopes, metric rulers, electronic balances, gel electrophoresis~~

- ~~apparatuses, micropipettors, hand lenses, Celsius thermometers, hot plates, lab notebooks or journals, timing devices, cameras, Petri dishes, lab incubators, dissection equipment, meter sticks, and models, diagrams, or samples of biological specimens or structures;~~
- ~~(G) — analyze, evaluate, make inferences, and predict trends from data; and~~
- ~~(H) — communicate valid conclusions supported by the data through methods such as lab reports, labeled drawings, graphic organizers, journals, summaries, oral reports, and technology based reports.~~
- ~~(4) — The student uses critical thinking, scientific reasoning, and problem solving to make informed decisions within and outside the classroom. The student is expected to:~~
- ~~(A) — in all fields of science, analyze, evaluate, and critique scientific explanations by using empirical evidence, logical reasoning, and experimental and observational testing, including examining all sides of scientific evidence of those scientific explanations, so as to encourage critical thinking by the student;~~
- ~~(B) — communicate and apply scientific information extracted from various sources such as current events, news reports, published journal articles, and marketing materials;~~
- ~~(C) — draw inferences based on data related to promotional materials for products and services;~~
- ~~(D) — evaluate the impact of scientific research on society and the environment;~~
- ~~(E) — evaluate models according to their limitations in representing biological objects or events; and~~
- ~~(F) — research and describe the history of biology and contributions of scientists.~~
- ~~(5) — The student applies knowledge of science and mathematics and the tools of technology to solve engineering design problems. The student is expected to:~~
- ~~(A) — apply scientific processes and concepts outlined in the Texas essential knowledge and skills (TEKS) for Biology, Chemistry, or Physics relevant to engineering design problems;~~
- ~~(B) — apply concepts, procedures, and functions outlined in the TEKS for Algebra I, Geometry, and Algebra II relevant to engineering design problems;~~
- ~~(C) — select appropriate mathematical models to develop solutions to engineering design problems;~~
- ~~(D) — integrate advanced mathematics and science skills as necessary to develop solutions to engineering design problems;~~
- ~~(E) — judge the reasonableness of mathematical models and solutions;~~
- ~~(F) — investigate and apply relevant chemical, mechanical, biological, electrical, and physical properties of materials to engineering design problems;~~
- ~~(G) — identify the inputs, processes, outputs, control, and feedback associated with open and closed systems;~~
- ~~(H) — describe the difference between open loop and closed loop control systems;~~
- ~~(I) — make measurements with accuracy and precision and specify tolerances;~~
- ~~(J) — use appropriate measurement systems, including customary and International System (SI) of units; and~~
- ~~(K) — use conversions between measurement systems to solve real-world problems.~~
- ~~(6) — The student communicates through written documents, presentations, and graphic representations using the tools and techniques of professional engineers. The student is expected to:~~

- ~~(A) — communicate visually by sketching and creating technical drawings using established engineering graphic tools, techniques, and standards;~~
  - ~~(B) — read and comprehend technical documents, including specifications and procedures;~~
  - ~~(C) — prepare written documents such as memorandums, emails, design proposals, procedural directions, letters, and technical reports using the formatting and terminology conventions of technical documentation;~~
  - ~~(D) — organize information for visual display and analysis using appropriate formats for various audiences, including graphs and tables;~~
  - ~~(E) — evaluate the quality and relevance of sources and cite appropriately; and~~
  - ~~(F) — defend a design solution in a presentation.~~
- ~~(7) — The student recognizes the history, development, and practices of the engineering professions. The student is expected to:~~
- ~~(A) — identify and describe career options, working conditions, earnings, and educational requirements of various engineering disciplines such as those listed by the Texas Board of Professional Engineers;~~
  - ~~(B) — recognize that engineers are guided by established codes emphasizing high ethical standards;~~
  - ~~(C) — explore the differences, similarities, and interactions among engineers, scientists, and mathematicians;~~
  - ~~(D) — describe how technology has evolved in the field of engineering and consider how it will continue to be a useful tool in solving engineering problems;~~
  - ~~(E) — discuss the history and importance of engineering innovation on the U.S. economy and quality of life; and~~
  - ~~(F) — describe the importance of patents and the protection of intellectual property rights.~~
- ~~(8) — The student creates justifiable solutions to open-ended real-world problems using engineering design practices and processes. The student is expected to:~~
- ~~(A) — identify and define an engineering problem;~~
  - ~~(B) — formulate goals, objectives, and requirements to solve an engineering problem;~~
  - ~~(C) — determine the design parameters associated with an engineering problem such as materials, personnel, resources, funding, manufacturability, feasibility, and time;~~
  - ~~(D) — establish and evaluate constraints pertaining to a problem, including health, safety, social, environmental, ethical, political, regulatory, and legal;~~
  - ~~(E) — identify or create alternative solutions to a problem using a variety of techniques such as brainstorming, reverse engineering, and researching engineered and natural solutions;~~
  - ~~(F) — test and evaluate proposed solutions using methods such as models, prototypes, mock-ups, simulations, critical design review, statistical analysis, or experiments;~~
  - ~~(G) — apply structured techniques to select and justify a preferred solution to a problem such as a decision tree, design matrix, or cost-benefit analysis;~~
  - ~~(H) — predict performance, failure modes, and reliability of a design solution; and~~
  - ~~(I) — prepare a project report that clearly documents the designs, decisions, and activities during each phase of the engineering design process.~~
- ~~(9) — The student manages an engineering design project. The student is expected to:~~

- ~~(A) — participate in the design and implementation of a real world or simulated engineering project using project management methodologies, including initiating, planning, executing, monitoring and controlling, and closing a project;~~
- ~~(B) — develop a plan and project schedule for completion of a project;~~
- ~~(C) — work in teams and share responsibilities, acknowledging, encouraging, and valuing contributions of all team members;~~
- ~~(D) — compare and contrast the roles of a team leader and other team responsibilities;~~
- ~~(E) — identify and manage the resources needed to complete a project;~~
- ~~(F) — use a budget to determine effective strategies to meet cost constraints;~~
- ~~(G) — create a risk assessment for an engineering design project;~~
- ~~(H) — analyze and critique the results of an engineering design project; and~~
- ~~(I) — maintain an engineering notebook that chronicles work such as ideas, concepts, inventions, sketches, and experiments.]~~

**§127.755. Engineering Science (One Credit), Adopted 2015;**

~~(a) — General requirements. This course is recommended for students in Grades 10-12. Prerequisite: Algebra I and Biology, Chemistry, Integrated Physics and Chemistry (IPC), or Physics. Recommended prerequisite: Geometry. Students must meet the 40% laboratory and fieldwork requirement. This course satisfies a high school science graduation requirement. Students shall be awarded one credit for successful completion of this course.~~

~~(b) — Introduction:~~

- ~~(1) — Career and technical education instruction provides content aligned with challenging academic standards and relevant technical knowledge and skills for students to further their education and succeed in current or emerging professions.~~
- ~~(2) — The Science, Technology, Engineering, and Mathematics (STEM) Career Cluster focuses on planning, managing, and providing scientific research and professional and technical services, including laboratory and testing services, and research and development services.~~
- ~~(3) — Engineering Science is an engineering course designed to expose students to some of the major concepts and technologies that they will encounter in a postsecondary program of study in any engineering domain. Students will have an opportunity to investigate engineering and high-tech careers. In Engineering Science, students will employ science, technology, engineering, and mathematical concepts in the solution of real-world challenge situations. Students will develop problem-solving skills and apply their knowledge of research and design to create solutions to various challenges. Students will also learn how to document their work and communicate their solutions to their peers and members of the professional community.~~
- ~~(4) — Science, as defined by the National Academy of Sciences, is the "use of evidence to construct testable explanations and predictions of natural phenomena, as well as the knowledge generated through this process." This vast body of changing and increasing knowledge is described by physical, mathematical, and conceptual models. Students should know that some questions are outside the realm of science because they deal with phenomena that are not scientifically testable.~~
- ~~(5) — Scientific inquiry is the planned and deliberate investigation of the natural world. Scientific methods of investigation are experimental, descriptive, or comparative. The method chosen should be appropriate to the question being asked.~~
- ~~(6) — Scientific decision making is a way of answering questions about the natural world. Students should be able to distinguish between scientific decision-making methods (scientific methods) and ethical and social decisions that involve science (the application of scientific information).~~



- ~~(7) — A system is a collection of cycles, structures, and processes that interact. All systems have basic properties that can be described in space, time, energy, and matter. Change and constancy occur in systems as patterns and can be observed, measured, and modeled. These patterns help to make predictions that can be scientifically tested. Students should analyze a system in terms of its components and how these components relate to each other, to the whole, and to the external environment.~~
- ~~(8) — Students are encouraged to participate in extended learning experiences such as career and technical student organizations and other leadership or extracurricular organizations.~~
- ~~(9) — 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.~~
- ~~(e) — Knowledge and skills:~~
- ~~(1) — The student demonstrates professional standards/employability skills as required by business and industry. The student is expected to:~~
- ~~(A) — demonstrate knowledge of how to dress appropriately, speak politely, and conduct oneself in a manner appropriate for the profession;~~
  - ~~(B) — show the ability to cooperate, contribute, and collaborate as a member of a group in an effort to achieve a positive collective outcome;~~
  - ~~(C) — present written and oral communication in a clear, concise, and effective manner;~~
  - ~~(D) — demonstrate time management skills in prioritizing tasks, following schedules, and performing goal relevant activities in a way that produces efficient results; and~~
  - ~~(E) — demonstrate punctuality, dependability, reliability, and responsibility in performing assigned tasks as directed.~~
- ~~(2) — The student, for at least 40% of instructional time, conducts laboratory and field investigations using safe, environmentally appropriate, and ethical practices. The student is expected to:~~
- ~~(A) — demonstrate safe practices during laboratory and field investigations; and~~
  - ~~(B) — demonstrate an understanding of the use and conservation of resources and the proper disposal or recycling of materials.~~
- ~~(3) — The student uses scientific methods and equipment during laboratory and field investigations. The student is expected to:~~
- ~~(A) — know the definition of science and understand that it has limitations, as specified in subsection (b)(4) of this section;~~
  - ~~(B) — know that hypotheses are tentative and testable statements that must be capable of being supported or not supported by observational evidence. Hypotheses of durable explanatory power which have been tested over a wide variety of conditions are incorporated into theories;~~
  - ~~(C) — know scientific theories are based on natural and physical phenomena and are capable of being tested by multiple independent researchers. Unlike hypotheses, scientific theories are well-established and highly reliable explanations, but they may be subject to change as new areas of science and new technologies are developed;~~
  - ~~(D) — distinguish between scientific hypotheses and scientific theories;~~
  - ~~(E) — plan and implement descriptive, comparative, and experimental investigations, including asking questions, formulating testable hypotheses, and selecting equipment and technology;~~
  - ~~(F) — collect and organize qualitative and quantitative data and make measurements with accuracy and precision using tools such as spreadsheet software, data collecting probes, computers, standard laboratory glassware, microscopes, various prepared slides;~~

~~stereoscopes, electronic balances, micropipettors, hand lenses, surgical and imaging equipment, thermometers, hot plates, lab notebooks or journals, timing devices, Petri dishes, lab incubators, dissection equipment, and models, diagrams, or samples of biological specimens or structures;~~

~~(G) — analyze, evaluate, make inferences, and predict trends from data; and~~

~~(H) — communicate valid conclusions supported by the data through methods such as lab reports, labeled drawings, graphic organizers, journals, summaries, oral reports, and technology-based reports.~~

~~(4) — The student uses critical thinking, scientific reasoning, and problem solving to make informed decisions within and outside the classroom. The student is expected to:~~

~~(A) — in all fields of science, analyze, evaluate, and critique scientific explanations by using empirical evidence, logical reasoning, and experimental and observational testing, including examining all sides of scientific evidence of those scientific explanations, so as to encourage critical thinking;~~

~~(B) — communicate and apply scientific information extracted from various sources such as current events, news reports, published journal articles, and marketing materials;~~

~~(C) — draw inferences based on data related to promotional materials for products and services;~~

~~(D) — evaluate the impact of scientific research on society and the environment; and~~

~~(E) — evaluate models according to their limitations in representing objects or events.~~

~~(5) — The student investigates engineering-related fields and career opportunities. The student is expected to:~~

~~(A) — differentiate between engineering and engineering technology;~~

~~(B) — compare the roles or job descriptions for career opportunities in the fields of pure science, engineering, and engineering technology;~~

~~(C) — identify and differentiate between the different engineering disciplines; and~~

~~(D) — demonstrate appropriate oral, written, and visual forms of technical communication.~~

~~(6) — The student demonstrates an understanding of design problems and works individually and as a member of a team to solve design problems. The student is expected to:~~

~~(A) — solve design problems individually and in a team;~~

~~(B) — create solutions to existing problems using a design process;~~

~~(C) — use a design brief to identify problem specifications and establish project constraints;~~

~~(D) — use communication to achieve a desired goal within a team; and~~

~~(E) — work as a member of a team to conduct research to develop a knowledge base, stimulate creative ideas, and make informed decisions.~~

~~(7) — The student understands mechanisms, including simple and compound machines, and performs calculations related to mechanical advantage, drive ratios, work, and power. The student is expected to:~~

~~(A) — explain the purpose and operation of components, including gears, sprockets, pulley systems, and simple machines;~~

~~(B) — explain how components, including gears, sprockets, pulley systems, and simple machines, make up mechanisms;~~

~~(C) — distinguish between the six simple machines and their attributes and components;~~

~~(D) — measure forces and distances related to a mechanism;~~

- ~~(E) — calculate work and power in mechanical systems;~~
- ~~(F) — determine experimentally the efficiency of mechanical systems; and~~
- ~~(G) — calculate mechanical advantage and drive ratios of mechanisms.~~
- ~~(8) — The student understands energy sources, energy conversion, and circuits and performs calculations related to work and power. The student is expected to:~~
  - ~~(A) — identify and categorize energy sources as nonrenewable, renewable, or inexhaustible;~~
  - ~~(B) — define and calculate work and power in electrical systems;~~
  - ~~(C) — calculate power in a system that converts energy from electrical to mechanical; and~~
  - ~~(D) — define voltage, current, and resistance and calculate each quantity in series, parallel, and combination electrical circuits using Ohm's law.~~
- ~~(9) — The student understands system energy requirements and how energy sources can be combined to convert energy into useful forms. The student understands the relationships among material conductivity, resistance, and geometry in order to calculate energy transfer and determine power loss and efficiency. The student is expected to:~~
  - ~~(A) — explain the purpose of energy management;~~
  - ~~(B) — evaluate system energy requirements in order to select the proper energy source;~~
  - ~~(C) — explain how multiple energy sources can be combined to convert energy into useful forms;~~
  - ~~(D) — describe how hydrogen fuel cells create electricity and heat and how solar cells create electricity;~~
  - ~~(E) — measure and analyze how thermal energy is transferred via convection, conduction, and radiation;~~
  - ~~(F) — analyze how thermal energy transfer is affected by conduction, thermal resistance values, convection, and radiation; and~~
  - ~~(G) — calculate resistance, efficiency, and power transfer in power transmission and distribution applications for various material properties.~~
- ~~(10) — The student understands the interaction of forces acting on a body and performs calculations related to structural design. The student is expected to:~~
  - ~~(A) — illustrate, calculate, and experimentally measure all forces acting upon a given body;~~
  - ~~(B) — locate the centroid of structural members mathematically or experimentally;~~
  - ~~(C) — calculate moment of inertia of structural members;~~
  - ~~(D) — define and calculate static equilibrium;~~
  - ~~(E) — differentiate between scalar and vector quantities;~~
  - ~~(F) — identify properties of a vector, including magnitude and direction;~~
  - ~~(G) — calculate the X and Y components given a vector;~~
  - ~~(H) — calculate moment forces given a specified axis;~~
  - ~~(I) — calculate unknown forces using equations of equilibrium; and~~
  - ~~(J) — calculate external and internal forces in a statically determinate truss using translational and rotational equilibrium equations.~~
- ~~(11) — The student understands material properties and the importance of choosing appropriate materials for design. The student is expected to:~~

- ~~(A) — conduct investigative non-destructive material property tests on selected common household products;~~
  - ~~(B) — calculate and measure the weight, volume, mass, density, and surface area of selected common household products; and~~
  - ~~(C) — identify the manufacturing processes used to create selected common household products.~~
- ~~(12) — The student uses material testing to determine a product's function and performance. The student is expected to:~~
- ~~(A) — use a design process and mathematical formulas to solve and document design problems;~~
  - ~~(B) — obtain measurements of material samples such as length, width, height, and mass;~~
  - ~~(C) — use material testing to determine a product's reliability, safety, and predictability in function;~~
  - ~~(D) — identify and calculate test sample material properties using a stress-strain curve; and~~
  - ~~(E) — identify and compare measurements and calculations of sample material properties such as elastic range, proportional limit, modulus of elasticity, elastic limit, resilience, yield point, plastic deformation, ultimate strength, failure, and ductility using stress-strain data points.~~
- ~~(13) — The student understands that control systems are designed to provide consistent process control and reliability and uses computer software to create flowcharts and control system operating programs. The student is expected to:~~
- ~~(A) — create detailed flowcharts using a computer software application;~~
  - ~~(B) — create control system operating programs using computer software;~~
  - ~~(C) — create system control programs that use flowchart logic;~~
  - ~~(D) — select appropriate input and output devices based on the need of a technological system; and~~
  - ~~(E) — judge between open and closed-loop systems in order to select the most appropriate system for a given technological problem.~~
- ~~(14) — The student demonstrates an understanding of fluid power systems and calculates values in a variety of systems. The student is expected to:~~
- ~~(A) — identify and explain basic components and functions of fluid power devices;~~
  - ~~(B) — differentiate between pneumatic and hydraulic systems and between hydrodynamic and hydrostatic systems;~~
  - ~~(C) — use Pascal's Law to calculate values in a fluid power system;~~
  - ~~(D) — distinguish between gauge pressure and absolute pressure and between temperature and absolute temperature;~~
  - ~~(E) — calculate values in a pneumatic system using the ideal gas laws; and~~
  - ~~(F) — calculate flow rate, flow velocity, and mechanical advantage in a hydraulic system.~~
- ~~(15) — The student demonstrates an understanding of statistics and applies the concepts to real-world engineering design problems. The student is expected to:~~
- ~~(A) — calculate the theoretical probability that an event will occur;~~
  - ~~(B) — calculate the experimental frequency distribution of an event occurring;~~
  - ~~(C) — apply the Bernoulli process to events that only have two distinct possible outcomes;~~

- (D) — apply AND, OR, and NOT logic to solve complex probability scenarios;
  - (E) — apply Bayes's theorem to calculate the probability of multiple events occurring;
  - (F) — calculate the central tendency of a data array, including mean, median, and mode;
  - (G) — calculate data variation, including range, standard deviation, and variance; and
  - (H) — create a histogram to illustrate frequency distribution.
- (16) — The student demonstrates an understanding of kinematics in one and two dimensions and applies the concepts to real world engineering design problems. The student is expected to:
- (A) — calculate distance, displacement, speed, velocity, and acceleration from data;
  - (B) — calculate experimentally the acceleration due to gravity given data from a free fall device;
  - (C) — calculate the X and Y components of an object in projectile motion; and
  - (D) — determine the angle needed to launch a projectile a specific range given the projectile's initial velocity.]

**§127.761. Fundamentals of Computer Science (One Credit):**

(a) — General requirements. Students shall be awarded one credit for successful completion of this course. This course is recommended for students in Grades 9-12.

(b) — Introduction:

- (1) — Career and technical education instruction provides content aligned with challenging academic standards and relevant technical knowledge and skills for students to further their education and succeed in current or emerging professions.
- (2) — The Science, Technology, Engineering, and Mathematics (STEM) Career Cluster focuses on planning, managing, and providing scientific research and professional and technical services, including laboratory and testing services, and research and development services.
- (3) — Fundamentals of Computer Science is intended as a first course for those students just beginning the study of computer science. Students will learn about the computing tools that are used every day. Students will foster their creativity and innovation through opportunities to design, implement, and present solutions to real world problems. Students will collaborate and use computer science concepts to access, analyze, and evaluate information needed to solve problems. Students will learn the problem-solving and reasoning skills that are the foundation of computer science. By using computer science knowledge and skills that support the work of individuals and groups in solving problems, students will select the technology appropriate for the task, synthesize knowledge, create solutions, and evaluate the results. Students will learn digital citizenship by researching current laws and regulations and by practicing integrity and respect. Students will gain an understanding of the principles of computer science through the study of technology operations and concepts. The six strands include creativity and innovation; communication and collaboration; research and information fluency; critical thinking; problem solving, and decision making; digital citizenship; and technology operations and concepts.
- (4) — Students are encouraged to participate in extended learning experiences such as career and technical student organizations and other leadership or extracurricular organizations.
- (5) — 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.

(c) — Knowledge and skills:

- (1) — Creativity and innovation. The student develops products and generates new understanding by extending existing knowledge. The student is expected to:

- ~~(A) — investigate and explore various career opportunities within the computer science field and report findings through various media;~~
- ~~(B) — create and publish interactive stories, games, and animations;~~
- ~~(C) — create and publish interactive animations;~~
- ~~(D) — create algorithms for the solution of various problems;~~
- ~~(E) — create web pages using a mark up language;~~
- ~~(F) — use the Internet to create and publish solutions; and~~
- ~~(G) — design creative and effective user interfaces;~~
- ~~(2) — Communication and collaboration. The student communicates and collaborates with peers to contribute to his or her own learning and the learning of others. The student is expected to:~~
  - ~~(A) — seek and respond to advice from peers and professionals in evaluating problem solutions;~~
  - ~~(B) — debug and solve problems using reference materials and effective strategies; and~~
  - ~~(C) — publish information in a variety of ways such as print, monitor display, web pages, and video;~~
- ~~(3) — Research and information fluency. The student locates, analyzes, processes, and organizes data. The student is expected to:~~
  - ~~(A) — construct appropriate electronic search strategies; and~~
  - ~~(B) — use a variety of resources, including other subject areas, together with various productivity tools to gather authentic data as a basis for individual and group programming projects;~~
- ~~(4) — Critical thinking, problem solving, and decision making. The student uses appropriate strategies to analyze problems and design algorithms. The student is expected to:~~
  - ~~(A) — demonstrate the ability to insert applets into web pages;~~
  - ~~(B) — find, download, and insert scripting code into web pages to enhance interactivity;~~
  - ~~(C) — understand binary representation of data in computer systems, perform conversions between decimal and binary number systems, and count in binary number systems;~~
  - ~~(D) — read and define a problem's description, purpose, and goals;~~
  - ~~(E) — demonstrate coding proficiency in a contemporary programming language by developing solutions that create stories, games, and animations;~~
  - ~~(F) — choose, identify, and use the appropriate data type to properly represent data in a problem solution;~~
  - ~~(G) — demonstrate an understanding of and use variables within a programmed story, game, or animation;~~
  - ~~(H) — demonstrate proficiency in the use of arithmetic operators to create mathematical expressions, including addition, subtraction, multiplication, real division, integer division, and modulus division;~~
  - ~~(I) — demonstrate an understanding of and use sequence within a programmed story, game, or animation;~~
  - ~~(J) — demonstrate an understanding of and use conditional statements within a programmed story, game, or animation;~~
  - ~~(K) — demonstrate an understanding of and use iteration within a programmed story, game, or animation;~~

- ~~(L) — create an interactive story, game, or animation;~~
- ~~(M) — use random numbers within a programmed story, game, or animation; and~~
- ~~(N) — test program solutions by investigating valid and invalid data.~~
- ~~(5) — Digital citizenship. The student explores and understands safety, legal, cultural, and societal issues relating to the use of technology and information. The student is expected to:~~
  - ~~(A) — discuss copyright laws/issues and model ethical acquisition of digital information by citing sources using established methods;~~
  - ~~(B) — demonstrate proper digital etiquette and knowledge of acceptable use policies when using networks, especially resources on the Internet and on intranets;~~
  - ~~(C) — investigate measures such as passwords or virus detection/prevention to protect computer systems and databases from unauthorized use and tampering;~~
  - ~~(D) — understand the safety risks associated with the use of social networking sites;~~
  - ~~(E) — discuss the impact of computing and computing related advancements on society; and~~
  - ~~(F) — determine the reliability of information available through electronic media.~~
- ~~(6) — Technology operations and concepts. The student understands technology concepts, systems, and operations as they apply to computer science. The student is expected to:~~
  - ~~(A) — demonstrate knowledge of the basic computer components, including a central processing unit (CPU), storage, and input/output devices;~~
  - ~~(B) — use operating system tools, including appropriate file management;~~
  - ~~(C) — demonstrate knowledge and appropriate use of different operating systems;~~
  - ~~(D) — demonstrate knowledge and understanding of basic network connectivity;~~
  - ~~(E) — describe, compare, and contrast the differences between an application and an operating system; and~~
  - ~~(F) — compare, contrast, and appropriately use various input, processing, output, and primary/secondary storage devices.]~~

**§127.764. Computer Science III (One Credit):**

- ~~(a) — General requirements. Students shall be awarded one credit for successful completion of this course. Prerequisite: Computer Science II, Advanced Placement (AP) Computer Science A, or International Baccalaureate (IB) Computer Science. This course is recommended for students in Grades 11 and 12.~~
- ~~(b) — Introduction:~~
  - ~~(1) — Career and technical education instruction provides content aligned with challenging academic standards and relevant technical knowledge and skills for students to further their education and succeed in current or emerging professions.~~
  - ~~(2) — The Science, Technology, Engineering, and Mathematics (STEM) Career Cluster focuses on planning, managing, and providing scientific research and professional and technical services, including laboratory and testing services, and research and development services.~~
  - ~~(3) — Computer Science III will foster students' creativity and innovation by presenting opportunities to design, implement, and present meaningful programs through a variety of media. Students will collaborate with one another, their instructor, and various electronic communities to solve the problems presented throughout the course. Through data analysis, students will identify task requirements, plan search strategies, and use computer science concepts to access, analyze, and evaluate information needed to solve problems. By using computer science knowledge and skills that support the work of individuals and groups in solving problems, students will select the technology appropriate for the task, synthesize knowledge, create solutions, and evaluate the~~

results. Students will learn digital citizenship by researching current laws and regulations and by practicing integrity and respect. Students will gain an understanding of advanced computer science data structures through the study of technology operations, systems, and concepts. The six strands include creativity and innovation; communication and collaboration; research and information fluency; critical thinking; problem solving, and decision making; digital citizenship; and technology operations and concepts.

(4) 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.

(5) Students are encouraged to participate in extended learning experiences such as career and technical student organizations and other leadership or extracurricular organizations.

(e) Knowledge and skills:

(1) Creativity and innovation. The student develops products and generates new understandings by extending existing knowledge. The student is expected to:

(A) apply data abstraction and encapsulation to manage complexity;

(B) implement a student created class hierarchy;

(C) read and write class specifications using visual organizers, including Unified Modeling Language;

(D) use black box programming methodology;

(E) design, create, and use interfaces to apply protocols;

(F) identify, describe, design, create, evaluate, and compare standard sorting algorithms that perform sorting operations on data structures, including quick sort and heap sort;

(G) select, identify, and use the appropriate abstract data type, advanced data structure, and supporting algorithms to properly represent the data in a program problem solution; and

(H) manage complexity by using a systems approach.

(2) Communication and collaboration. The student communicates and collaborates with peers to contribute to his or her own learning and the learning of others. The student is expected to:

(A) use local area networks (LANs) and wide area networks (WANs), including the Internet and intranets, in research, file management, and collaboration;

(B) create interactive human interfaces to acquire data from a user and display program results using an advanced Graphical User Interface (GUI);

(C) write programs and communicate with proper programming style to enhance the readability and functionality of the code by using meaningful descriptive identifiers, internal comments, white space, indentation, and a standardized program style; and

(D) work in software design teams.

(3) Research and information fluency. The student locates, analyzes, processes, and organizes data. The student is expected to:

(A) identify and use the structured data type of arrays of objects to traverse, search, modify, insert, and delete data;

(B) identify and use two dimensional ragged arrays to traverse, search, modify, insert, and delete data;

(C) identify and use a list object data structure, including vector, to traverse, search, insert, and delete object data;

(D) understand and trace a linked list data structure;



- ~~(E) — create program solutions using a linked list data structure, including unordered single, ordered single, double, and circular linked;~~
- ~~(F) — understand composite data structures, including a linked list of linked lists;~~
- ~~(G) — understand and create program solutions using stacks, queues, trees, heaps, priority queues, graph theory, and enumerated data types;~~
- ~~(H) — understand and create program solutions using sets, including HashSet and TreeSet;~~
- ~~(I) — understand and create program solutions using maps, including HashMap and TreeMap; and~~
- ~~(J) — write and modify text file data.~~
- ~~(4) — Critical thinking, problem solving, and decision making. The student uses appropriate strategies to analyze problems and design algorithms. The student is expected to:~~
  - ~~(A) — develop choice algorithms using selection control statements, including break, label, and continue;~~
  - ~~(B) — demonstrate proficiency in the use of the bitwise operators;~~
  - ~~(C) — develop iterative algorithms using do-while loops;~~
  - ~~(D) — demonstrate proficiency in the use of the ternary operator;~~
  - ~~(E) — create program solutions that use iterators;~~
  - ~~(F) — identify, trace, and appropriately use recursion;~~
  - ~~(G) — understand and create program solutions using hashing;~~
  - ~~(H) — perform pattern recognition using regular expressions;~~
  - ~~(I) — explore common algorithms, including matrix addition and multiplication, fractals, Towers of Hanoi, and magic square;~~
  - ~~(J) — create program solutions that exhibit robust behavior by understanding and avoiding runtime errors and handling anticipated errors;~~
  - ~~(K) — understand object-oriented design concepts of inner classes, outer classes, and anonymous classes;~~
  - ~~(L) — use object reference scope identifiers, including null, this, and super;~~
  - ~~(M) — provide object functionality to primitive data types;~~
  - ~~(N) — write program assumptions in the form of assertions;~~
  - ~~(O) — write a Boolean expression to test a program assertion; and~~
  - ~~(P) — construct assertions to make explicit program invariants.~~
- ~~(5) — Digital citizenship. The student explores and understands safety, legal, cultural, and societal issues relating to the use of technology and information. The student is expected to:~~
  - ~~(A) — model ethical acquisition and use of digital information; and~~
  - ~~(B) — demonstrate proper digital etiquette, responsible use of software, and knowledge of acceptable use policies.~~
- ~~(6) — Technology operations and concepts. The student understands technology concepts, systems, and operations as they apply to computer science. The student is expected to:~~
  - ~~(A) — compare and contrast high-level programming languages;~~
  - ~~(B) — create a small workgroup network;~~
  - ~~(C) — create and apply a basic network addressing scheme; and~~

~~(D) — create discovery programs in a low level language, high level language, and scripting language.]~~

## Chapter 130. Texas Essential Knowledge and Skills for Career and Technical Education

### Subchapter J. Human Services

#### §130.277. Child Development (One Credit), Adopted 2015.

- (a) General requirements. This course is recommended for students in Grades 10-12. Recommended prerequisite: Principles of Human Services. Students shall be awarded one credit for successful completion of this course.
- (b) Introduction.
- (1) Career and technical education instruction provides content aligned with challenging academic standards and relevant technical knowledge and skills for students to further their education and succeed in current or emerging professions.
  - (2) The Human Services Career Cluster focuses on preparing individuals for employment in career pathways that relate to families and human needs such as counseling and mental health services, family and community services, personal care services, and consumer services.
  - (3) Child Development is a technical laboratory course that addresses knowledge and skills related to child growth and development from prenatal through school age children, equipping students with child development skills. Students use these skills to promote the well-being and healthy development of children and investigate careers related to the care and education of children.
  - (4) Students are encouraged to participate in extended learning experiences such as career and technical student organizations and other leadership or extracurricular organizations.
  - (5) 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.
- (c) Knowledge and skills.
- (1) The student demonstrates professional standards/employability skills as required by business and industry. The student is expected to:
    - (A) apply interpersonal communication skills in business and industry settings;
    - (B) explain and recognize the value of collaboration within the workplace;
    - (C) examine the importance of time management to succeed in the workforce;
    - (D) identify work ethics and professionalism in a job setting; and
    - (E) develop problem-solving and critical thinking skills.
  - (2) The student analyzes roles and responsibilities of parenting. The student is expected to:
    - (A) identify parenting skills and responsibilities;
    - (B) investigate the legal rights and responsibilities of parents;
    - (C) analyze relationship and communication skills needed for parenting; and
    - (D) explore the parental responsibilities of educating children.
  - (3) The student examines the protection and safety of children. The student is expected to:
    - (A) recognize the signs of domestic violence;
    - (B) demonstrate first aid and cardiopulmonary resuscitation skills;
    - (C) evaluate community resources relevant to the care and protection of children, including child-care services, health care services, and organizations;
    - (D) examine appropriate health care for children, including immunizations;

- ~~(E) — assess the safety of children's cribs, toys, clothing, and food; and~~
- ~~(F) — discuss legislation and public policies affecting children.~~
- ~~(4) — The student investigates components of optimal prenatal care and development. The student is expected to:~~
  - ~~(A) — identify signs and stages of pregnancy;~~
  - ~~(B) — analyze the effect of environmental and hereditary factors on fetal development, including prenatal brain development;~~
  - ~~(C) — describe nutritional needs prior to and during pregnancy;~~
  - ~~(D) — analyze appropriate medical care and good health practices prior to and during pregnancy;~~
  - ~~(E) — explore technological advances in prenatal care and development; and~~
  - ~~(F) — analyze the process of labor and delivery.~~
- ~~(5) — The student investigates strategies for optimizing the development of infants, including those with special needs. The student is expected to:~~
  - ~~(A) — explain the physical, emotional, social, and intellectual needs of the infant;~~
  - ~~(B) — investigate the impact of the infant on the family in areas such as roles, finances, responsibilities, and relationships;~~
  - ~~(C) — identify typical growth and development of infants such as brain development;~~
  - ~~(D) — identify appropriate nutritional needs for infants; and~~
  - ~~(E) — discuss the advantages of breast feeding.~~
- ~~(6) — The student investigates strategies for optimizing the development of toddlers, including those with special needs. The student is expected to:~~
  - ~~(A) — analyze the physical, emotional, social, and intellectual needs of the toddler;~~
  - ~~(B) — create play activities such as mathematics, science, physical movement, outdoor play, art, and music that enhance a toddler's growth and development;~~
  - ~~(C) — identify patterns of typical growth and development of toddlers; and~~
  - ~~(D) — prepare snacks or meals that meet appropriate nutritional guidelines for toddlers.~~
- ~~(7) — The student analyzes the growth and development of preschool children, including those with special needs. The student is expected to:~~
  - ~~(A) — analyze the physical, emotional, social, and intellectual needs of the preschool child;~~
  - ~~(B) — describe the role of play in a preschool child's growth and development;~~
  - ~~(C) — develop activities such as physical exercise or group play that meet developmental needs of preschool children;~~
  - ~~(D) — prepare snacks or meals that meet appropriate nutritional guidelines for preschool children; and~~
  - ~~(E) — identify appropriate licensing regulations for preschools.~~
- ~~(8) — The student analyzes the growth and development of school-age children, including those with special needs. The student is expected to:~~
  - ~~(A) — analyze the physical, emotional, social, and intellectual needs of the school-age child;~~
  - ~~(B) — assess the role of the school environment on the growth and development of the school-age child;~~

- ~~(C) — evaluate the importance of individual and group identification to the growth and development of school-age children;~~
- ~~(D) — develop appropriate activities for meeting developmental needs of school-age children such as physical exercise, language development, communication, listening skills, independence, conflict resolution, and self-discipline;~~
- ~~(E) — create recipes for nutritious snacks or meals appropriate for preparation by school-age children;~~
- ~~(F) — explore careers involving school-age children;~~
- ~~(G) — discuss legislation and public policies affecting school-age children; and~~
- ~~(H) — propose short and long-term career goals in child development.]~~

## Approval of Updates and Substitutions to Adopted Instructional Materials

June 17, 2022

### COMMITTEE ON INSTRUCTION: ACTION STATE BOARD OF EDUCATION: CONSENT

**SUMMARY:** This item provides the opportunity for the committee and board to approve update and/or substitution requests received since the last board meeting. The updated content has been reviewed by 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.

**STATUTORY AUTHORITY:** Texas Education Code (TEC), §31.003 and §31.022.

TEC, §31.003, permits the State Board of Education (SBOE) to adopt rules for the adoption, requisition, distribution, care, use, and disposal of instructional materials.

TEC, §31.022(b), requires the SBOE to adopt rules to provide for a full and complete investigation of instructional materials for each subject in the foundation curriculum and for each subject in the enrichment curriculum.

The full text of statutory citations can be found in the statutory authority section of this agenda.

**PREVIOUS BOARD ACTION:** In February 2015, the SBOE approved a substitution request for three science products, kindergarten–grade 2, from Discovery Education. In April 2016, the SBOE approved an update request for two math products, grades 6–8, from Texas State University. In April 2019, the Committee on Instruction (COI) postponed a vote on an update request for three English language arts and reading products, grades 6–8, from ThinkCERCA. The board approved the update request from ThinkCERCA at the June 2019 meeting. At the September 2019 meeting, the SBOE postponed a vote on an update request from EDUSPARK, Inc. for four Spanish language arts and reading products, kindergarten, and grades 1, 4, and 5. The request from EDUSPARK, Inc. was approved by the SBOE at the November 2019 meeting. In January 2020, a substitution request from Origo Education for English and Spanish math, kindergarten–grade 5, was submitted to the COI but no action was taken. In April 2020, the SBOE approved the substitution request from Origo Education for English and Spanish math, kindergarten–grade 5. In September 2020, the SBOE approved an update request from Learning A–Z for six English language arts and reading products, kindergarten–grade 2. In November 2020, the SBOE approved an update request from Learning A–Z for three English language arts and reading products, grades 2–4. In January 2021, the SBOE approved an update request from Learning A–Z for English language arts and reading, grade 5 and a substitution request from QuaverEd for their prekindergarten product. In April 2021, the SBOE approved an update request from EDUSPARK, Inc. for English and Spanish prekindergarten products and a substitution request from Cheng & Tsui Co. Inc. for their Chinese Level I languages other than English product. In June 2021, the SBOE approved an update request from Learning A–Z for English language arts and reading, grades 2–4. In September 2021, the SBOE approved update requests from The Children’s Learning Institute at UT Health Science Center for prekindergarten English and Spanish. In November 2021, the SBOE approved a substitution request from Cheng & Tsui and an update request from Learning A–Z, grades 1–5. In January 2022, the SBOE approved update requests from Learning A–Z, English language arts and reading, grades 2 and 3. In April 2022, the SBOE approve a substitution request from Learning Without Tears for kindergarten handwriting, and an update request from Learning A–Z for English language arts and reading, grades K–4.

**BACKGROUND INFORMATION AND JUSTIFICATION:** Rules in 19 TAC §66.75 permit a publisher to submit a request for approval to substitute an updated edition of state-adopted instructional materials. The rule also requires that all requests for updates involving content in state-adopted instructional materials be approved by the SBOE prior to their introduction into state-adopted instructional materials.

Rules in 19 TAC §66.76 permit a publisher to submit a request for approval to substitute a new edition of state-adopted instructional materials. The rule also requires that all requests for updates involving content used in determining the product's eligibility for adoption must be approved by the SBOE prior to their introduction into state-adopted instructional materials.

**MOTION TO BE CONSIDERED:** The State Board of Education:

Approve the request from Learning A–Z to update content in its product *Raz Plus ELL Texas Edition*, grades 2–5, adopted under *Proclamation 2019*.

**Staff Members Responsible:**

Melissa Lautenschlager, Director, Instructional Materials and Implementation  
Amie Williams, Director, Instructional Materials Review and Procurement

**Attachment I:**

[Learning A–Z English language arts and reading, grade 2](#)

**Attachment II:**

[Learning A–Z English language arts and reading, grade 3](#)

**Attachment III:**

[Learning A–Z English language arts and reading, grade 4](#)

**Attachment IV:**

[Learning A–Z English language arts and reading, grade 5](#)

**Separate Exhibit:**

Additional Updates and/or Substitutions Submitted for Approval  
(to be provided at the June 2022 SBOE meeting)

**Discussion of Annual Audit Reports for Credit by Examination from  
Texas Tech University and The University of Texas at Austin**

**June 16, 2022**

**COMMITTEE ON INSTRUCTION: DISCUSSION  
STATE BOARD OF EDUCATION: NO ACTION**

**SUMMARY:** This item provides an opportunity for the committee to discuss the annual audit reports submitted by Texas Tech University and The University of Texas at Austin regarding examinations used for credit by examination.

**STATUTORY AUTHORITY:** Texas Education Code (TEC), §28.023.

TEC, §28.023 requires districts to develop or select for review examinations for acceleration for each primary school grade level and for credit for secondary school academic subjects based on guidelines established by the State Board of Education (SBOE).

The full text of statutory citations can be found in the statutory authority section of this agenda.

**BACKGROUND INFORMATION AND JUSTIFICATION:** General provisions in 19 TAC §74.24 include the option for school districts to administer examinations developed by Texas Tech University or The University of Texas at Austin for credit for secondary school academic subjects.

During the February 2007 meeting of the Committee on Instruction, the committee chair instructed agency staff to request that the two institutions provide the information necessary for review of each of their examinations used for credit by examination. Correspondence was sent to the institutions requesting the review. Staff members from both universities responded that the process for aligning the examinations with the Texas Essential Knowledge and Skills (TEKS) was under way for some examinations and completed for others.

During the July 2007 committee meeting, public testimony raised additional concerns regarding the examinations. The committee chair asked staff to investigate the possibility of a third-party review of the updated examinations. During the September 2007 meeting, the committee instructed staff to draft proposed changes to the rule for action at the November 2007 meeting that would require an annual report by an outside auditor to confirm TEKS alignment of the examinations developed by Texas Tech University and The University of Texas at Austin.

The SBOE established a process for the regular review and audit of examinations provided by Texas Tech University and The University of Texas at Austin for credit by examination and acceleration by examination. During the January 2008 meeting, the SBOE adopted a proposed amendment to 19 TAC §74.24 that added language in subsection (a)(2) specifying that these two entities must ensure that their assessments are aligned with the TEKS, arrange for a third-party audit of 20% of their assessments annually, and report the results of each audit to the Texas Education Agency (TEA) by May 31 of each year. In July 2009, TEA staff presented the first audit results. Audit results have been presented to the SBOE for discussion annually since 2009. This item presents the annual audit results that were due to the agency May 31, 2022.



**Staff Members Responsible:**

Monica Martinez, Associate Commissioner, Standards and Support Services  
Shelly Ramos, Senior Director, Curriculum Standards and Student Support

**Attachment I:**

Text of Current 19 TAC §74.24, Credit by Examination

**Attachment II:**

Audit Summary from Texas Tech University

**Attachment III:**

Audit Summary from The University of Texas at Austin

## ATTACHMENT I

### Text of 19 TAC

## Chapter 74. Curriculum Requirements

### Subchapter C. Other Provisions

#### §74.24. Credit by Examination.

- (a) General provisions.
  - (1) A school district must provide at least one window to test between January 1 and March 31, one window to test between April 1 and June 30, one window to test between July 1 and September 30, and one window to test between October 1 and December 31 annually when each examination 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 unless the examination has an administration date that is established by an entity other than the school district. A student may take a specific examination only once during each window. The testing window must be designed to meet the needs of all students. The dates must be publicized in the community.
  - (2) A school district shall provide opportunities for a student who is homeless or in substitute care who transfers to the district after the start of the school year to be administered credit by examination at any point during the school year.
  - (3) 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) For each grade level or course, 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 to and address all assessable Texas Essential Knowledge and Skills (TEKS) at the appropriate level of rigor.
    - (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.
  - (4) A school district must have the approval of the school district board of trustees for the development and use of its own tests or to purchase examinations that thoroughly test the essential knowledge and skills in the applicable grade level or subject area.
  - (5) 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 school 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 school district board of trustees. The board of trustees shall approve an audit process to be completed for assessments for acceleration.
  - (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 80% 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 school district board of trustees shall approve for each high school course, to the extent available, at least four examinations. The board of trustees shall approve an audit process to be completed for examinations under subparagraph (B)(iii) of this paragraph.
    - (A) The examinations shall include the following, which are not subject to the requirements in paragraphs (2)-(7) of this subsection:
      - (i) College Board advanced placement examinations; and
      - (ii) examinations administered through the College-Level Examination Program.
    - (B) The examinations may include examinations developed by:
      - (i) Texas Tech University;
      - (ii) The University of Texas at Austin;
      - (iii) the school district; and
      - (iv) another entity if the assessment meets all of the requirements in paragraph (2) of this subsection.
  - (2) In order for a school district to administer an examination for credit, prior to the first administration, the school district or the provider of the assessment must certify that the examination:
    - (A) is aligned to all assessable TEKS for the course;
    - (B) has not been published and is not publicly available;
    - (C) will only be administered in a secure environment under standardized conditions by a school district or institution of higher education; and
    - (D) has been evaluated to ensure:
      - (i) test scores can be interpreted as indicators of what the test is intended to measure; and
      - (ii) consistency of test results across testing conditions.
  - (3) A school district or the provider of the assessment must make public an annual report, including:
    - (A) the test development process;
    - (B) a statement certifying that the examination meets the criteria in paragraph (2)(D) of this subsection;
    - (C) the number of students who took each examination;
    - (D) the number of students who scored 70% or above on each examination;
    - (E) the number of students who scored 80% or above on each examination; and
    - (F) the average score for all students who took the examination for each examination.
  - (4) In order for a school district to administer an examination for credit for a course that has a state end-of-course assessment instrument, the school district or the provider of the assessment must certify, prior to the first administration, that the examination:

- (A) meets the requirements of paragraph (2) of this subsection;
  - (B) has been externally validated and determined to:
    - (i) align to and appropriately address all assessable TEKS for the course;
    - (ii) assess the appropriate level of rigor for each student expectation; and
    - (iii) yield comparable distribution of results across tested subgroups.
- (5) If the number of students who take an examination in a given year is not sufficient to determine comparable results among subgroups, the provider may obtain approval from the State Board of Education to demonstrate comparable results over a specified number of years. Approval may authorize use of the assessment, if the assessment meets all other criteria, during the period authorized by the SBOE to achieve comparable results.
- (6) For an examination that is validated in accordance with paragraph (4) of this subsection, a school district or the provider of the assessment must make public:
- (A) the annual report required by paragraph (3) of this subsection;
  - (B) all relevant test development specifications; and
  - (C) a statement certifying that the examination meets the criteria in paragraph (4)(B) of this subsection.
  - (D) results for all tested subgroups disaggregated by students who receive prior instruction and students with no prior instruction and including descriptive data for small subgroups.
- (7) Examinations for courses that do not have a state end-of-course assessment shall meet all requirements in paragraph (2) of this subsection no later than the 2019-2020 school year.
- (8) 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:
- (A) a three or higher on a College Board advanced placement examination that has been approved by the school district board of trustees for the applicable course;
  - (B) a scaled score of 50 or higher on an examination administered through the College-Level Examination Program and approved by the school district board of trustees for the applicable course; or
  - (C) 80% on any other criterion-referenced test approved by the school district board of trustees for the applicable course.
- (9) A student may not attempt to earn credit by examination for a specific high school course more than two times.
- (10) If a student fails to earn credit by examination for a specific high school course before the beginning of the school year in which the student would ordinarily be required to enroll in that course in accordance with the school district's prescribed course sequence, the student must satisfactorily complete the course to receive credit.
- (11) If a student is given credit in accordance with paragraph (8) of this subsection in a subject on the basis of an examination on which the student scored 80% or higher, the school district must enter the examination score on the student's transcript, and the student is not required to take an applicable end-of-course assessment instrument for the course.
- (12) 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 approved by the school district board of trustees for the applicable course.



May 11, 2022

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RE: 2022 Credit by Examination Audit

Please find attached a list of the most recent Credit by Examination (CBE) audits for May 2022. There are 24 CBEs included in this audit, and these represent 20% of our currently active examinations. This is the fourteenth year of the audit and thus the fourth year of the current five-year cycle. This year's selections focused on ELAR K-8, ENG 1-4, and Creative Writing, Psychology, Sociology, Communications Applications, and Public Speaking. Where indicated, we have passed auditor feedback to our curriculum department for author review and revision.

As in previous years, our auditors are all Texas-certified instructors who are not otherwise affiliated with Texas Tech University Independent School District (TTUISD / TTU K-12):

- ELAR K-3: Whitney Lamming, Meadow ISD
- ELAR 4-6B: Audrey Jones, Laura Bush Middle School
- ELAR 7A-8B: Lauren Hyatt, New Hope Academy
- ENG 1A-2B: Valorie Poirier, Lubbock-Cooper HS
- ENG 3A-4B: Elizabeth Jackson, Southland ISD
- Creative Writing, Psychology, Sociology: Melissa Kramer, Levelland ISD
- Communications Applications, Public Speaking 3A: Michele Cook, Laura Bush Middle School

If you have any questions regarding these CBEs or our audit process, please don't hesitate to contact me at (806) 742-7227 or by email at [Justin.Louder@ttu.edu](mailto:Justin.Louder@ttu.edu).

We greatly appreciate your support.

Justin R Louder, EdD  
Associate Vice Provost  
Interim Superintendent, TTU K-12  
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**Detailed Results of the 2022 CBE Audit for TTU K-12**

CBE Title	Results	Detailed Summary of Auditor Responses	Action Taken
<b>KIND ELAR K</b> – English Language Arts and Reading, Kindergarten	-Aligned with TEKS with changes specified -Contains appropriate breadth of coverage of TEKS with changes specified -Contains appropriate level of rigor for TEKS covered with changes specified	Specific comments provided for the following questions: 8, 50  Comments provided for the following TEKS (evaluated as “not assessable”): 1(A-E), 4, 8, 9, 10, 11B, 12	Referred to Curriculum for author review/revision.
<b>ELEM ELAR 1</b> – English Language Arts and Reading, Grade 1	-Aligned with TEKS -Contains appropriate breadth of coverage of TEKS with changes specified -Contains appropriate level of rigor for TEKS covered	Specific comments provided for the following questions:  Comments provided for the following TEKS (some evaluated as “not assessable”): 1, 2, 4, 5, 6, 7, 10, 12	Referred to Curriculum for author review/revision.
<b>ELEM ELAR 2</b> – English Language Arts and Reading, Grade 2	-Aligned with TEKS -Contains appropriate breadth of coverage of TEKS -Contains appropriate level of rigor for TEKS covered	Comments provided for the following TEKS (some evaluated as “not assessable”): 1, 4, 5, 10, 13	Referred to Curriculum for author review/revision.
<b>ELEM ELAR 3</b> – English Language Arts and Reading, Grade 3	-Aligned with TEKS -Contains appropriate breadth of coverage of TEKS -Contains appropriate level of rigor for TEKS covered	Comments provided for the following TEKS (evaluated as “not assessable”): 1, 13	No action necessary.

<p><b>ELEM ELAR 4 –</b> English Language Arts and Reading, Grade 4</p>	<p>-Aligned with TEKS with changes specified -Contains appropriate breadth of coverage of TEKS -Contains appropriate level of rigor for TEKS covered</p>	<p>Specific comments provided for the following questions: 50, 61, 71, 72, 74, 76</p> <p>Comments provided for the following TEKS (some evaluated as “not assessable”): 1, 2(A(i-iii, v), B(i-iv), C), 3D, 5, 6(A, C, D, E, H, I), 7(A, B, D-G), 8(A, D), 9E(i, iii), 10(B, D-G), 12(A, B, D), 13(B-D, F, G)</p>	<p>Referred to Curriculum for author review/revision.</p>
<p><b>ELEM ELAR 5 –</b> English Language Arts and Reading, Grade 5</p>	<p>-Aligned with TEKS with changes specified -Contains appropriate breadth of coverage of TEKS -Contains appropriate level of rigor for TEKS covered</p>	<p>Specific comments provided for the following questions: 2, 13, 15, 18, 34.</p> <p>Comments provided for the following TEKS (some evaluated as “not assessable”): 1, 2(A, B (i, iii-v), C), 3D, 4, 5, 6(A- E, H, I), 7(A, E-G), 8(A, B), 9(A, C, D(iii), E(i-iii)), 10(C, D, F, G), 11E, 12D, 13</p>	<p>Referred to Curriculum for author review/revision.</p>
<p><b>MID ELAR 6A –</b> English Language Arts and Reading, Grade 6, first semester</p>	<p>-Aligned with TEKS with changes specified -Contains appropriate breadth of coverage of TEKS -Contains appropriate level of rigor for TEKS covered</p>	<p>General comments provided. Specific comments provided for the following questions: 1-3, 6-8, 13, 14, 28, 29, 30, 31-38, 64-69, 74, 76.</p> <p>Comments provided for the following TEKS (some evaluated as “not assessable”): 1, 3, 4, 5(A-C, E, H, I), 6(A, B, D-G, I), 7D, 8(A, C, D-F), 9(B, G), 11(B, C, D), 12</p>	<p>Referred to Curriculum for author review/revision.</p>

<p><b>MID ELAR 6B</b> – English Language Arts and Reading, Grade 6, second semester</p>	<p>-Aligned with TEKS with changes specified          -Contains appropriate breadth of coverage of TEKS          -Contains appropriate level of rigor for TEKS covered</p>	<p>Specific comments provided for the following questions: 5, 12, 18, 20, 25, 27, 28, 38, 39, 48-54, 69-70, 71, 84-86, 94-97, 99</p> <p>Comments provided for the following TEKS (some evaluated as “not assessable”): 1, 3, 4, 5(A, B, D, E, I), 6(A, B, D-G, I), 7(B, D), 8C, 11(C, D), 12(A- C, F, H-J)</p>	<p>Referred to Curriculum for author review/revision.</p>
<p><b>MID ELAR 7A</b> – English Language Arts and Reading, Grade 7, first semester</p>	<p>-Aligned with TEKS with changes specified          -Contains appropriate breadth of coverage of TEKS          -Contains appropriate level of rigor for TEKS covered with changes specified</p>	<p>Specific comments provided for the following questions: 6-10, 19, 20, 27- 31, 32-38, 39-44, 47, 57-59</p>	<p>Referred to Curriculum for author review/revision.</p>
<p><b>MID ELAR 7B</b> – English Language Arts and Reading, Grade 7, second semester</p>	<p>-Aligned with TEKS with changes specified          -Contains appropriate breadth of coverage of TEKS          -Contains appropriate level of rigor for TEKS covered with changes specified</p>	<p>Specific comments provided for the following questions: 7-8, 19-22, 25-30, 31-33, 38-39, 40-42, 51-52, 62-63</p> <p>Comments provided for the following TEKS (evaluated as “not assessable”): 12(B-D, F, H(i, ii), J)</p>	<p>Referred to Curriculum for author review/revision.</p>
<p><b>MID ELAR 8A</b> – English Language Arts and Reading, Grade 8, first semester</p>	<p>-Aligned with TEKS with changes specified          -Contains appropriate breadth of coverage of TEKS          -Contains appropriate level of rigor for TEKS covered with changes specified</p>	<p>Specific comments provided for the following question: 15, 16, 17, 18, 22, 23, 24, 25, 29, 30, 31, 33, 34, 35, 42, 43, 44, 45, 46, 47, 49, 50, 53, 54, 60, 61, 62, 66</p>	<p>Referred to Curriculum for author review/revision.</p>



<p><b>MID ELAR 8B</b> – English Language Arts and Reading, Grade 8, second semester</p>	<p>-Aligned with TEKS with changes specified          -Contains appropriate breadth of coverage of TEKS          -Contains appropriate level of rigor for TEKS covered with changes specified</p>	<p>Specific comments provided for the following questions: 1-6, 7-13, 18-21, 32-35, 36-38, 40, 42, 45-47, 51-54, 57-60</p> <p>Comments provided for the following TEKS (evaluated as “not assessable”): 12(A-J)</p>	<p>Referred to Curriculum for author review/revision.</p>
<p><b>HIGH ENG 1A</b> – English, Level I, first semester</p>	<p>-Aligned with TEKS          -Contains appropriate breadth of coverage of TEKS          -Contains appropriate level of rigor for TEKS covered</p>	<p>Analysis mapping questions to TEKS provided.</p>	<p>No action necessary.</p>
<p><b>HIGH ENG 1B</b> – English, Level I, second semester</p>	<p>-Aligned with TEKS          -Contains appropriate breadth of coverage of TEKS          -Contains appropriate level of rigor for TEKS covered</p>	<p>Analysis mapping questions to TEKS provided.</p>	<p>No action necessary.</p>
<p><b>HIGH ENG 2A</b> – English, Level II, first semester</p>	<p>-Aligned with TEKS          -Contains appropriate breadth of coverage of TEKS          -Contains appropriate level of rigor for TEKS covered</p>	<p>Analysis mapping questions to TEKS provided.</p>	<p>No action necessary.</p>
<p><b>HIGH ENG 2B</b> – English, Level II, second semester</p>	<p>-Aligned with TEKS          -Contains appropriate breadth of coverage of TEKS          -Contains appropriate level of rigor for TEKS covered</p>	<p>Analysis mapping questions to TEKS provided.</p>	<p>No action necessary.</p>

<p><b>HIGH ENG 3A</b> – English, Level III, first semester</p>	<p>-Aligned with TEKS with changes specified -Contains appropriate breadth of coverage of TEKS with changes specified -Contains appropriate level of rigor for TEKS covered with changes specified</p>	<p>General comments provided. Specific comments provided for the following questions: 42-50, 61-69</p> <p>Comments provided for the following TEKS (some evaluated as “not assessable”): 1(A-D), 2A, 3, 4(A-C, E, I), 5(A, E, I, J), 7F, 9E, 11(E, G)</p>	<p>Referred to Curriculum for author review/revision.</p>
<p><b>HIGH ENG 3B</b> – English, Level III, second semester</p>	<p>-Aligned with TEKS with changes specified -Contains appropriate breadth of coverage of TEKS with changes specified -Contains appropriate level of rigor for TEKS covered with changes specified</p>	<p>General comments provided. Specific comments provided for the following questions: 5, 15</p>	<p>Referred to Curriculum for author review/revision.</p>
<p><b>HIGH ENG 4A</b> – English, Level IV, first semester</p>	<p>-Aligned with TEKS with changes specified -Contains appropriate breadth of coverage of TEKS with changes specified -Contains appropriate level of rigor for TEKS covered with changes specified</p>	<p>General comments provided. Specific comments provided for the following questions: 46-50, 59-63</p> <p>Comments provided for the following TEKS (evaluated as “not assessable”): 1(A-D), 2A, 3, 4(A-E), 5(A, C, E, I, J), 7F, 9E, 10A, 11(A-D, I)</p>	<p>Referred to Curriculum for author review/revision.</p>
<p><b>HIGH ENG 4B</b> – English, Level IV, second semester</p>	<p>-Aligned with TEKS with changes specified -Contains appropriate breadth of coverage of TEKS with changes specified -Contains appropriate level of rigor for TEKS covered with changes specified</p>	<p>General comments provided. Specific comments provided for the following questions: 9, 31-34, 40-44, 59-63</p>	<p>Referred to Curriculum for author review/revision.</p>

<b>HIGH Creative Writing –</b>	<ul style="list-style-type: none"> <li>-Aligned with TEKS with changes specified</li> <li>-Contains appropriate breadth of coverage of TEKS with changes specified</li> <li>-Contains appropriate level of rigor for TEKS covered with changes specified</li> </ul>	<p>General comments provided. Specific comments provided for the following questions: 1, 5, 6, 10, 25, 27, 37, 45</p> <p>Comments provided for the following TEKS (evaluated as “not assessable”): 1(A, E), 2(C, F, G),4(B, C)</p>	Referred to Curriculum for author review/revision.
<b>HIGH Psychology –</b>	<ul style="list-style-type: none"> <li>-Aligned with TEKS</li> <li>-Contains appropriate breadth of coverage of TEKS</li> <li>-Contains appropriate level of rigor for TEKS covered</li> </ul>	Analysis mapping questions to TEKS provided.	No action necessary.
<b>HIGH Sociology –</b>	<ul style="list-style-type: none"> <li>-Aligned with TEKS</li> <li>-Contains appropriate breadth of coverage of TEKS</li> <li>-Contains appropriate level of rigor for TEKS covered</li> </ul>	Specific comments provided for the following questions: 43, 48	Referred to Curriculum for author review/revision.
<b>HIGH Communication Applications –</b>	<ul style="list-style-type: none"> <li>-Aligned with TEKS with changes specified</li> <li>-Contains appropriate breadth of coverage of TEKS with changes specified</li> <li>-Contains appropriate level of rigor for TEKS covered</li> </ul>	Comments provided for the following TEKS (some evaluated as “not assessable”): 2(C, D, H), 3(C, D, E, G), 4L	Referred to Curriculum for author review/revision.
<b>HIGH Public Speaking 3A –</b>	<ul style="list-style-type: none"> <li>-Aligned with TEKS with changes specified</li> <li>-Contains appropriate breadth of coverage of TEKS with changes specified</li> <li>-Contains appropriate level of rigor for TEKS covered with changes specified</li> </ul>	Comments provided for the following TEKS (some evaluated as “not assessable”): 1(B, C), 4E, 5B, 6(A, B, E), 7(B, D), 8(A, B)	Referred to Curriculum for author review/revision.

## Notes on TEKS (by course)

### KIND ELAR K – English Language Arts and Reading, Kindergarten

Comments provided for the following TEKS: 1(A-E), 4, 8, 9, 10, 11B, 12.

The auditor's comments fall into this area: items which cannot be tested on a written and/or multiple-choice exam.

Specific comments follow, with each TEKS item quoted for reference.

TEKS: 1(A-E), 4, 8, 9, 10, 11B, 12

1(A-E): “Developing and sustaining foundational language skills: listening, speaking, discussion, and thinking--oral language. The student develops oral language through listening, speaking, and discussion. The student is expected to: (A) **listen actively and ask questions to understand information and answer questions using multi-word responses;**” (B) **restate and follow oral directions that involve a short, related sequence of actions;**” (C) **share information and ideas by speaking audibly and clearly using the conventions of language;**” (D) **work collaboratively with others by following agreed-upon rules for discussion, including taking turns; and**” (E) **develop social communication such as introducing himself/herself, using common greetings, and expressing needs and wants.”**

Auditor comment: Cannot be assessed due to the nature of the item (not conventionally testable).

4: “Developing and sustaining foundational language skills: listening, speaking, reading, writing, and thinking--self-sustained reading. **The student reads grade-appropriate texts independently. The student is expected to self-select text and interact independently with text for increasing periods of time.”**

Auditor comment: Cannot be assessed due to the nature of the item (not conventionally testable).

8: “Multiple genres: listening, speaking, reading, writing, and thinking using multiple texts--genres. The student recognizes and analyzes genre-specific characteristics, structures, and purposes within and across increasingly complex traditional, contemporary, classical, and diverse texts. The student is expected to: (A) **demonstrate knowledge of distinguishing characteristics of well-known children's literature such as folktales, fables, fairy tales, and nursery rhymes;** (B) **discuss rhyme and rhythm in nursery rhymes and a variety of poems;** (C) **discuss main characters in drama;** (D) **recognize characteristics and structures of informational text, including: (i) the central idea and supporting evidence with adult assistance; (ii) titles and simple graphics to gain information; and (iii) the steps in a sequence with adult assistance;**

(E) **recognize characteristics of persuasive text with adult assistance and state what the author is trying to persuade the reader to think or do;** and (F) **recognize characteristics of multimodal and digital texts.”**

Auditor comment: Cannot be assessed due to time limitations (and/or item has secondary importance).

9: “Author's purpose and craft: listening, speaking, reading, writing, and thinking using multiple texts. The student uses critical inquiry to analyze the authors' choices and how they influence and communicate meaning within a variety of texts. The student analyzes and applies author's craft purposefully in order to develop his or her own products and performances. The student is expected to: (A) **discuss with adult assistance the author's purpose for writing text;** (B) **discuss with adult assistance how the use of text structure contributes to the author's purpose;** (C) **discuss with adult assistance the author's use of print and graphic features to achieve specific purposes;** (D) **discuss with adult assistance how the author uses words that help the reader visualize;** and (E) **listen to and experience first- and third-person texts.”**

Auditor comment: Cannot be assessed due to the nature of the item (not conventionally testable).

10: “Composition: listening, speaking, reading, writing, and thinking using multiple texts--writing process. **The student uses the writing process recursively to compose multiple texts that are legible and uses appropriate conventions.** The student is expected to: (A) **plan by generating ideas for writing through class discussions and drawings;** (B) **develop drafts in oral, pictorial, or written form by organizing ideas;** (C) **revise drafts by adding details in pictures or words;** (D) **edit drafts with adult assistance using standard English conventions,** including: (i) complete sentences; (ii) verbs; (iii) singular and plural nouns; (iv) adjectives, including articles; (v) prepositions; (vi) pronouns, including subjective, objective, and possessive cases; (vii) capitalization of the first letter in a sentence and name; (viii) punctuation marks at the end of declarative sentences; and (ix) correct spelling of words with grade-appropriate orthographic patterns and rules and high-frequency words; and (E) share writing.”

Auditor comment: Cannot be assessed due to the nature of the item (not conventionally testable).

11B: “Composition: listening, speaking, reading, writing, and thinking using multiple texts--genres. The student uses genre characteristics and craft to compose multiple texts that are meaningful. (B) **The student is expected to: dictate or compose informational texts.”**

Auditor comment: Cannot be assessed due to the nature of the item (not conventionally testable).

12: “Inquiry and research: listening, speaking, reading, writing, and thinking using multiple texts. **The student engages in both short-term and sustained recursive inquiry processes for a variety**

**of purposes. The student is expected to: (A) generate questions for formal and informal inquiry with adult assistance; (B) develop and follow a research plan with adult assistance; (C) gather information from a variety of sources with adult assistance; (D) demonstrate understanding of information gathered with adult assistance; and (E) use an appropriate mode of delivery, whether written, oral, or multimodal, to present results.”**

Auditor comment: Cannot be assessed due to the nature of the item (not conventionally testable).

### **ELEM ELAR 1 – English Language Art and Reading, Grade 1**

Comments provided for the following TEKS: 1, 2, 4, 5, 6, 7, 10, 12.

The auditor’s comments fall into two general areas:

- A. items which cannot be tested on a written and/or multiple-choice exam
- B. items which might be covered by using the auditor’s suggestions

Specific comments for each area follow, with each TEKS item quoted for reference.

#### A. items which cannot be tested on a written and/or multiple-choice exam

TEKS: 1, 4, 5, 6, 7, 12

1: “Developing and sustaining foundational language skills: listening, speaking, discussion, and thinking--oral language. The student develops oral language through listening, speaking, and discussion. The student is expected to: (A) **listen actively, ask relevant questions to clarify information, and answer questions using multi-word responses;** (B) **follow, restate, and give oral instructions that involve a short, related sequence of actions;** (C) **share information and ideas about the topic under discussion, speaking clearly at an appropriate pace and using the conventions of language;** (D) **work collaboratively with others by following agreed-upon rules for discussion, including listening to others, speaking when recognized, and making appropriate contributions;** and (E) **develop social communication such as introducing himself/herself and others, relating experiences to a classmate, and expressing needs and feelings.”**

Auditor comment: Cannot be assessed due to the nature of the item (not conventionally testable).

4: “Developing and sustaining foundational language skills: listening, speaking, reading, writing, and thinking--fluency. **The student reads grade-level text with fluency and comprehension. The student is expected to use appropriate fluency (rate, accuracy, and prosody) when reading grade level text.”**

Auditor comment: Cannot be assessed due to the nature of the item (not conventionally testable).

5: “Developing and sustaining foundational language skills: listening, speaking, reading, writing, and thinking--self-sustained reading. **The student reads grade-appropriate texts independently.** The student is **expected to self-select text and interact independently with text for increasing periods of time.**”

Auditor comment: Cannot be assessed due to the nature of the item (not conventionally testable).

6: “Comprehension skills: listening, speaking, reading, writing, and thinking using multiple texts. The student uses metacognitive skills to both develop and deepen comprehension of increasingly complex texts. The student is expected to: (A) **establish purpose for reading assigned and self-selected texts with adult assistance;** (B) **generate questions about text before, during, and after reading to deepen understanding and gain information with adult assistance;** (C) **make and correct or confirm predictions using text features, characteristics of genre, and structures with adult assistance;** (D) **create mental images to deepen understanding with adult assistance;** (E) **make connections to personal experiences, ideas in other texts, and society with adult assistance;** (F) **make inferences and use evidence to support understanding with adult assistance;** (G) **evaluate details to determine what is most important with adult assistance;** (H) **synthesize information to create new understanding with adult assistance;** and (I) **monitor comprehension and make adjustments such as re-reading, using background knowledge, checking for visual cues, and asking questions when understanding breaks down.**”

Auditor comment: Cannot be assessed due to the nature of the item (not conventionally testable).

7: “Response skills: listening, speaking, reading, writing, and thinking using multiple texts. The student responds to an increasingly challenging variety of sources that are read, heard, or viewed. The student is expected to: (A) **describe personal connections to a variety of sources;** (B) **write brief comments on literary or informational texts;** (C) **use text evidence to support an appropriate response;** (D) **retell texts in ways that maintain meaning;** (E) **interact with sources in meaningful ways such as illustrating or writing;** and (F) **respond using newly acquired vocabulary as appropriate.**”

Auditor comment: Cannot be assessed due to the nature of the item (not conventionally testable).

12: “Composition: listening, speaking, reading, writing, and thinking using multiple texts--genres. **The student uses genre characteristics and craft to compose multiple texts that are meaningful.** The student is expected to: (A) **dictate or compose literary texts, including personal narratives and poetry;** (B) **dictate or compose informational texts, including procedural texts;** and (C) **dictate or compose correspondence such as thank you notes or letters.**”

Auditor comment: Cannot be assessed due to time limitations (and/or item has secondary importance).

C. items which might be covered by using the auditor's suggestions

TEKS: 2, 10.

2: "Developing and sustaining foundational language skills: listening, speaking, reading, writing, and thinking--beginning reading and writing. The student develops word structure knowledge through phonological awareness, print concepts, phonics, and morphology to communicate, decode, and spell. The student is expected to: (A) **demonstrate phonological awareness** by: (i) producing a series of rhyming words; (ii) recognizing spoken alliteration or groups of words that begin with the same spoken onset or initial sound; (iii) distinguishing between long and short vowel sounds in one-syllable words; (iv) recognizing the change in spoken word when a specified phoneme is added, changed, or removed; (v) **blending spoken phonemes to form one-syllable words, including initial and/or final consonant blends**; (vi) **manipulating phonemes within base words**; and (vii) **segmenting spoken one-syllable words of three to five phonemes into individual phonemes, including words with initial and/or final consonant blends**;"

Auditor comment: Can be assessed using the suggestions: adding questions specifically for rhyming and phonom skills (manipulation, blending, segmenting).

10: "Author's purpose and craft: listening, speaking, reading, writing, and thinking using multiple texts. The student uses critical inquiry to analyze the authors' choices and how they influence and communicate meaning within a variety of texts. The student analyzes and applies author's craft purposefully in order to develop his or her own products and performances. The student is expected to: (A) **discuss the author's purpose for writing text**; (B) **discuss how the use of text structure contributes to the author's purpose**; (C) **discuss with adult assistance the author's use of print and graphic features to achieve specific purposes**; (D) **discuss how the author uses words that help the reader visualize**; and (E) **listen to and experience first- and third-person texts.**"

Auditor comment: Can be assessed using the suggestions: can include questions with story about author's purpose.

**ELEM ELAR 2 – English Language Art and Reading, Grade 2**

Comments provided for the following TEKS: 1, 4, 5, 10, 13.

The auditor's comments fall into two general areas:

- A. items which cannot be tested on a written and/or multiple-choice exam
- B. items which might be covered by using the auditor's suggestions

Specific comments for each area follow, with each TEKS item quoted for reference.



A. items which cannot be tested on a written and/or multiple-choice exam

TEKS: 1, 4, 5, 13

1: “Developing and sustaining foundational language skills: listening, speaking, discussion, and thinking--oral language. **The student develops oral language through listening, speaking, and discussion.** The student is expected to: (A) **listen actively, ask relevant questions to clarify information, and answer questions using multi-word responses;** (B) **follow, restate, and give oral instructions that involve a short, related sequence of actions;** (C) **share information and ideas that focus on the topic under discussion, speaking clearly at an appropriate pace and using the conventions of language;** (D) **work collaboratively with others by following agreed-upon rules for discussion, including listening to others, speaking when recognized, making appropriate contributions, and building on the ideas of others;** and (E) **develop social communication such as distinguishing between asking and telling.”**

Auditor comment: Cannot be assessed due to the nature of the item (not conventionally testable).

4: “Developing and sustaining foundational language skills: listening, speaking, reading, writing, and thinking--fluency. The **student reads grade-level text with fluency and comprehension.** The student is expected to use appropriate fluency (rate, accuracy, and prosody) when reading grade-level text.”

Auditor comment: Cannot be assessed due to time limitations (and/or item has secondary importance).

5: “Developing and sustaining foundational language skills: listening, speaking, reading, writing, and thinking--self-sustained reading. The student reads grade-appropriate texts independently. **The student is expected to self-select text and read independently for a sustained period of time.”**

Auditor comment: Cannot be assessed due to time limitations (and/or item has secondary importance).

13: “Inquiry and research: listening, speaking, reading, writing, and thinking using multiple texts. **The student engages in both short-term and sustained recursive inquiry processes for a variety of purposes.** The student is expected to: (A) **generate questions for formal and informal inquiry with adult assistance;** (B) **develop and follow a research plan with adult assistance;** (C) **identify and gather relevant sources and information to answer the questions;** (D) **identify primary and secondary sources;** (E) **demonstrate understanding of information gathered;** (F) **cite sources appropriately;** and (G) **use an appropriate mode of delivery, whether written, oral, or multimodal, to present results.”**

Auditor comment: Cannot be assessed due to time limitations (and/or item has secondary importance).

B. items which might be covered by using the auditor’s suggestions

TEKS: 10

10: “Author's purpose and craft: listening, speaking, reading, writing, and thinking using multiple texts. The student uses critical inquiry to analyze the authors' choices and how they influence and communicate meaning within a variety of texts. **The student analyzes and applies author's craft purposefully in order to develop his or her own products and performances.** The student is expected to: (A) **discuss the author's purpose for writing text;** (B) **discuss how the use of text structure contributes to the author's purpose;** (C) **discuss the author's use of print and graphic features to achieve specific purposes;** (D) **discuss the use of descriptive, literal, and figurative language;** (E) **identify the use of first or third person in a text;** and (F) **identify and explain the use of repetition.”**

Auditor comment: Can be assessed using the suggestions: There were a small amount of author’s purpose questions on exam. I would suggest adding questions of figurative language, point of view and repetition.

**ELEM ELAR 3 – English Language Art and Reading, Grade 3**

Comments provided for the following TEKS: 1, 13.

The auditor’s comments fall into this area: items which cannot be tested on a written and/or multiple-choice exam.

Specific comments follow, with each TEKS item quoted for reference.

TEKS: 1, 13

1: “Developing and sustaining foundational language skills: listening, speaking, discussion, and thinking--oral language. **The student develops oral language through listening, speaking, and discussion.** The student is expected to: (A) **listen actively, ask relevant questions to clarify information, and make pertinent comments;** (B) **follow, restate, and give oral instructions that involve a series of related sequences of action;** (C) **speak coherently about the topic under discussion, employing eye contact, speaking rate, volume, enunciation, and the conventions of language to communicate ideas effectively;** (D) **work collaboratively with others by following agreed-upon rules, norms, and protocols;** and (E) **develop social communication such as conversing politely in all situations.”**

Auditor comment: Cannot be assessed due to the nature of the item (not conventionally testable).

13: “Inquiry and research: listening, speaking, reading, writing, and thinking using multiple texts. **The student engages in both short-term and sustained recursive inquiry processes for a variety of purposes.** The student is expected to: (A) **generate questions on a topic for formal and informal inquiry;** (B) **develop and follow a research plan with adult assistance;** (C) **identify and gather**

**relevant information from a variety of sources; (D) identify primary and secondary sources; (E) demonstrate understanding of information gathered; (F) recognize the difference between paraphrasing and plagiarism when using source materials; (G) create a works cited page; and (H) use an appropriate mode of delivery, whether written, oral, or multimodal, to present results.”**

Auditor comment: Cannot be assessed due to time limitations (and/or item has secondary importance).

#### **ELEM ELAR 4 – English Language Art and Reading, Grade 4**

Comments provided for the following TEKS: 1, 2(A(i-iii, v), B(i-iv), C), 3D, 5, 6(A, C, D, E, H, I), 7(A, B, D-G), 8(A, D), 9E(i, iii), 10(B, D-G), 12(A, B, D), 13(B-D, F, G).

The auditor’s comments fall into two general areas:

- A. items which cannot be tested on a written and/or multiple-choice exam
- B. items which might be covered by using the auditor’s suggestions

Specific comments for each area follow, with each TEKS item quoted for reference.

#### A. items which cannot be tested on a written and/or multiple-choice exam

TEKS: 1, 2C, 5, 6(A, I), 13(B-D, F, G).

1: “Developing and sustaining foundational language skills: listening, speaking, discussion, and thinking--oral language. The student develops oral language through listening, speaking, and discussion. The student is expected to: (a) **listen actively, ask relevant questions to clarify information, and make pertinent comments;** (b) **follow, restate, and give oral instructions that involve a series of related sequences of action;** (c) **express an opinion supported by accurate information, employing eye contact, speaking rate, volume, enunciation, and the conventions of language to communicate ideas effectively;** and (d) **work collaboratively with others to develop a plan of shared responsibilities.”**

Auditor comment: Cannot be assessed due to the nature of the item (not conventionally testable). “Not assessable due to oral language and collaboration.”

2C: “Developing and sustaining foundational language skills: listening, speaking, reading, writing, and thinking--beginning reading and writing. The student develops word structure knowledge through phonological awareness, print concepts, phonics, and morphology to communicate, decode, and spell. The student is expected to: (c) **write legibly in cursive to complete assignments.”**

Auditor comment: Cannot be assessed due to the nature of the item (not conventionally testable). “Writing legibly in cursive.”

5: “Developing and sustaining foundational language skills: listening, speaking, reading, writing, and thinking--self-sustained reading. **The student reads grade-appropriate texts independently. The student is expected to self-select text and read independently for a sustained period of time.**”

Auditor comment: Cannot be assessed due to the nature of the item (not conventionally testable).  
“Sustained reading of a self-selected text.”

6(A, I): “Comprehension skills: listening, speaking, reading, writing, and thinking using multiple texts. The student uses metacognitive skills to both develop and deepen comprehension of increasingly complex texts. The student is expected to: (A) **establish purpose for reading assigned and self-selected texts;**” and (I) **monitor comprehension and make adjustments such as re-reading, using background knowledge, asking questions, and annotating when understanding breaks down.**”

Auditor comment: Cannot be assessed due to the nature of the item (not conventionally testable).  
6A: “self-selected reading pieces”

13(B-D, F, G): “Inquiry and research: listening, speaking, reading, writing, and thinking using multiple texts. The student engages in both short-term and sustained recursive inquiry processes for a variety of purposes. The student is expected to: (B) **develop and follow a research plan with adult assistance;**” (C) **identify and gather relevant information from a variety of sources;**” (D) **identify primary and secondary sources;**” (F) **recognize the difference between paraphrasing and plagiarism when using source materials;**” (G) **develop a bibliography;**

Auditor comment: Cannot be assessed due to the nature of the item (not conventionally testable).

B. items which might be covered by using the auditor’s suggestions

TEKS: 2(A(i-iii, v), 2B (i-iv), 3D, 6(C-E, H), 7(A, B, D-G), 8(A, D), 9E(i, iii), 10(B, D-G), 12(A, B, D).

2(A(i-iii,v), B(i-iv)): “Developing and sustaining foundational language skills: listening, speaking, reading, writing, and thinking--beginning reading and writing. The student develops word structure knowledge through phonological awareness, print concepts, phonics, and morphology to communicate, decode, and spell. The student is expected to: (A) **demonstrate and apply phonetic knowledge by: (i) decoding words with specific orthographic patterns and rules, including regular and irregular plurals; (ii) decoding multisyllabic words with closed syllables; open syllables; VCe syllables; vowel teams, including digraphs and diphthongs; r-controlled syllables; and final stable syllables; (iii) decoding words using advanced knowledge of syllable division patterns such as VV; (v) decoding words using knowledge of suffixes, including how they can change base words such as dropping e, changing y to i, and doubling final consonants;**” (B) **demonstrate and apply spelling knowledge by: (i) spelling multisyllabic words with closed syllables; open syllables; VCe syllables; vowel teams, including digraphs and diphthongs; r-controlled syllables; and final stable syllables; (ii) spelling homophones; (iii) spelling multisyllabic words with multiple sound-spelling patterns; (iv) spelling words using advanced knowledge of syllable division patterns;**”

Auditor comment: "No questions present"

3D: "Developing and sustaining foundational language skills: listening, speaking, reading, writing, and thinking--vocabulary. The student uses newly acquired vocabulary expressively. The student is expected to: (D) **identify, use, and explain the meaning of homophones such as reign/rain.**"

Auditor comment: "No questions present"

6(C-E, H): "Comprehension skills: listening, speaking, reading, writing, and thinking using multiple texts. The student uses metacognitive skills to both develop and deepen comprehension of increasingly complex texts. The student is expected to: (C) **make and correct or confirm predictions using text features, characteristics of genre, and structures;**" (D) **create mental images to deepen understanding;**" (E) **make connections to personal experiences, ideas in other texts, and society;**"(H) **synthesize information to create new understanding;**"

Auditor comment: "No questions present"

7(A, B, D-G): "Response skills: listening, speaking, reading, writing, and thinking using multiple texts. The student responds to an increasingly challenging variety of sources that are read, heard, or viewed. The student is expected to: (A) **describe personal connections to a variety of sources, including self-selected texts;**"(B) **write responses that demonstrate understanding of texts, including comparing and contrasting ideas across a variety of sources;**" (D) **retell, paraphrase, or summarize texts in ways that maintain meaning and logical order;**" (E) **interact with sources in meaningful ways such as notetaking, annotating, freewriting, or illustrating;**" (F) **respond using newly acquired vocabulary as appropriate;**" (G) **discuss specific ideas in the text that are important to the meaning.**"

Auditor comment: "No written response questions to cover these TEKS."

8(A, D): "Multiple genres: listening, speaking, reading, writing, and thinking using multiple texts--literary elements. The student recognizes and analyzes literary elements within and across increasingly complex traditional, contemporary, classical, and diverse literary texts. The student is expected to: (A) **infer basic themes supported by text evidence;**" (D) **explain the influence of the setting, including historical and cultural settings, on the plot.**"

Auditor comment: "No questions present."

9E (i, iii): "Multiple genres: listening, speaking, reading, writing, and thinking using multiple texts--genres. The student recognizes and analyzes genre-specific characteristics, structures, and purposes within and across increasingly complex traditional, contemporary, classical, and diverse texts. The student is expected to: (E) **recognize characteristics and structures of argumentative text by: (i) identifying the claim; (iii) identifying the intended audience or reader; and"**

Auditor comment: “No questions present.”

10(B, D – G): “Author’s purpose and craft: listening, speaking, reading, writing, and thinking using multiple texts. The student uses critical inquiry to analyze the authors’ choices and how they influence and communicate meaning within a variety of texts. The student analyzes and applies author’s craft purposefully in order to develop his or her own products and performances. The student is expected to: (B) **explain how the use of text structure contributes to the author’s purpose;** (D) **describe how the author’s use of imagery, literal and figurative language such as simile and metaphor, and sound devices such as alliteration and assonance achieves specific purposes;** (E) **identify and understand the use of literary devices, including first- or third-person point of view;** (F) **discuss how the author’s use of language contributes to voice;** (G) **identify and explain the use of anecdote.**”

Auditor comment: “No questions present.”

12(A, B, D): “Composition: listening, speaking, reading, writing, and thinking using multiple texts--genres. The student uses genre characteristics and craft to compose multiple texts that are meaningful. The student is expected to: (A) **compose literary texts such as personal narratives and poetry using genre characteristics and craft;** (B) **compose informational texts, including brief compositions that convey information about a topic, using a clear central idea and genre characteristics and craft;** (D) **compose correspondence that requests information.**”

Auditor comment: “No written prompts in these genres present.”

## **ELEM ELAR 5 – English Language Art and Reading, Grade 5**

Comments provided for the following TEKS: 1, 2(A, B (i, iii-v), C), 3D, 4, 5, 6(A- E, H, I), 7(A, E-G), 8(A, B), 9(A, C, D(iii), E(i-iii)), 10(C, D, F, G), 11E, 12D, 13.

The auditor’s comments fall into two general areas:

- A. items which cannot be tested on a written and/or multiple-choice exam
- B. items which might be covered by using the auditor’s suggestions

Specific comments for each area follow, with each TEKS item quoted for reference.

### A. items which cannot be tested on a written and/or multiple-choice exam

TEKS: 1, 2(A, C), 4, 5, 6(A- E, H, I), 7(E-G), 11E, 12D, 13A(ii).

1: “Developing and sustaining foundational language skills: listening, speaking, discussion, and thinking--oral language. The student develops oral language through listening, speaking, and discussion. The student is expected to: (A) **listen actively to interpret verbal and non-verbal messages, ask relevant questions, and make pertinent comments;** (B) **follow, restate, and give oral instructions that include multiple action steps;** (C) **give an organized presentation employing eye**

**contact, speaking rate, volume, enunciation, natural gestures, and conventions of language to communicate ideas effectively; and (D) work collaboratively with others to develop a plan of shared responsibilities.”**

Auditor comment: Cannot be assessed due to the nature of the item (not conventionally testable).  
“Oral language TEKS.”

2(A, C): “Developing and sustaining foundational language skills: listening, speaking, reading, writing, and thinking--beginning reading and writing. The student develops word structure knowledge through phonological awareness, print concepts, phonics, and morphology to communicate, decode, and spell. The student is expected to: (A) **demonstrate and apply phonetic knowledge** by: (i) **decoding words with consonant changes, including /t/ to /sh/ such as in select and selection and /k/ to /sh/ such as music and musician;** (ii) **decoding multisyllabic words with closed syllables; open syllables; VCe syllable; vowel teams, including digraphs and diphthongs; r-controlled syllables; and final stable syllables;** (iii) **decoding words using advanced knowledge of syllable division patterns;** (iv) **decoding words using advanced knowledge of the influence of prefixes and suffixes on base words;** and (v) **identifying and reading high-frequency words from a research-based list;”** (C) **write legibly in cursive.”**

Auditor comment: Cannot be assessed due to the nature of the item (not conventionally testable).  
2A: “Decoding/basic reading/phonics TEKS.” 2C: “Writing legibly in cursive.”

4: “Developing and sustaining foundational language skills: listening, speaking, reading, writing, and thinking--fluency. **The student reads grade-level text with fluency and comprehension. The student is expected to use appropriate fluency (rate, accuracy, and prosody) when reading grade-level text.”**

Auditor comment: Cannot be assessed due to the nature of the item (not conventionally testable).  
“Fluency.”

5: “Developing and sustaining foundational language skills: listening, speaking, reading, writing, and thinking--self-sustained reading. **The student reads grade-appropriate texts independently. The student is expected to self-select text and read independently for a sustained period of time.”**

Auditor comment: Cannot be assessed due to the nature of the item (not conventionally testable).  
“Self-selected, self-sustained reading.”

6(A-E, H, I): “Comprehension skills: listening, speaking, reading, writing, and thinking using multiple texts. The student uses metacognitive skills to both develop and deepen comprehension of increasingly complex texts. The student is expected to: (A) **establish purpose for reading assigned and self-selected texts;”** (B) **generate questions about text before, during, and after reading to deepen understanding and gain information;”** (C) **make and correct or confirm predictions using**

text features, characteristics of genre, and structures;” (D) create mental images to deepen understanding;” (E) make connections to personal experiences, ideas in other texts, and society;” (H) synthesize information to create new understanding;” (I) monitor comprehension and make adjustments such as re-reading, using background knowledge, asking questions, and annotating when understanding breaks down.”

Auditor comment: Cannot be assessed due to the nature of the item (not conventionally testable). 6(A-E): “Personal comprehension skills.” 6(H, I): “Synthesizing and monitoring personal comprehension.”

7(E-G): “Response skills: listening, speaking, reading, writing, and thinking using multiple texts. The student responds to an increasingly challenging variety of sources that are read, heard, or viewed. The student is expected to: (E) **interact with sources in meaningful ways such as notetaking, annotating, freewriting, or illustrating;**” (F) **respond using newly acquired vocabulary as appropriate;** and” (G) **discuss specific ideas in the text that are important to the meaning.**”

Auditor comment: Cannot be assessed due to the nature of the item (not conventionally testable). “Interactions with the text, response, and discussion.”

11E: “Composition: listening, speaking, reading, writing, and thinking using multiple texts--writing process. The student uses the writing process recursively to compose multiple texts that are legible and uses appropriate conventions. The student is expected to: **publish written work for appropriate audiences.**”

Auditor comment: Cannot be assessed due to time limitations (and/or item has secondary importance). “Publishing a written work.”

12D: “Composition: listening, speaking, reading, writing, and thinking using multiple texts--genres. The student uses genre characteristics and craft to compose multiple texts that are meaningful. The student is expected to: (D) **compose correspondence that requests information.**”

Auditor comment: Cannot be assessed due to time limitations (and/or item has secondary importance). “Composing correspondence that requests information.”

13: “Inquiry and research: listening, speaking, reading, writing, and thinking using multiple texts. The student engages in both short-term and sustained recursive inquiry processes for a variety of purposes. The student is expected to: (A) **generate and clarify questions on a topic for formal and informal inquiry;** (B) **develop and follow a research plan with adult assistance;** (C) **identify and gather relevant information from a variety of sources;** (D) **understand credibility of primary and secondary sources;** (E) **demonstrate understanding of information gathered;** (F) **differentiate between paraphrasing and plagiarism when using source materials;** (G) **develop a bibliography;**



and (H) **use an appropriate mode of delivery, whether written, oral, or multimodal, to present results.**”

Auditor comment: Cannot be assessed due to time limitations (and/or item has secondary importance). “Inquiries and research.”

B. items which might be covered by using the auditor’s suggestions

TEKS: 2B(i, iii-v), 3D, 7A, 8(A, B), 9(A, C, D(iii), E(i-iii)), 10(C, D, F, G).

2B(i, iii-v): “Developing and sustaining foundational language skills: listening, speaking, reading, writing, and thinking--beginning reading and writing. The student develops word structure knowledge through phonological awareness, print concepts, phonics, and morphology to communicate, decode, and spell. The student is expected to: (B) **demonstrate and apply spelling knowledge** by: (i) **spelling multisyllabic words with closed syllables; open syllables; VCe syllables; vowel teams, including digraphs and diphthongs; r-controlled syllables; and final stable syllables;** (iii) **spelling multisyllabic words with multiple sound-spelling patterns;** (iv) **spelling words using advanced knowledge of syllable division patterns;** (v) **spelling words using knowledge of prefixes;**”

Auditor comment: “Questions could easily be added in order to assess these TEKS (choose the correct spelling) – prefixes, -multi-syllabic words.”

3D: “Developing and sustaining foundational language skills: listening, speaking, reading, writing, and thinking--vocabulary. The student uses newly acquired vocabulary expressively. The student is expected to: (D) **identify, use, and explain the meaning of adages and puns.**”

Auditor comment: “A question about an adage or pun could easily be added. (Which of the following is a pun?)”

7A: “Response skills: listening, speaking, reading, writing, and thinking using multiple texts. The student responds to an increasingly challenging variety of sources that are read, heard, or viewed. The student is expected to: (A) **describe personal connections to a variety of sources, including self-selected texts;**”

Auditor comment: “A writing prompt asking the student to share a personal connection to a self-selected text they’ve read over the course of the class period.”

8(A, B): “Multiple genres: listening, speaking, reading, writing, and thinking using multiple texts--literary elements. The student recognizes and analyzes literary elements within and across increasingly complex traditional, contemporary, classical, and diverse literary texts. The student

is expected to: (A) **infer multiple themes within a text using text evidence;** (B) **analyze the relationships of and conflicts among the characters;**

Auditor comment: "Using a fiction piece, have students identify the conflict among characters; have students identify a possible theme or message within the same text."

9(A, C, D(iii), E(i-iii)), :: "Multiple genres: listening, speaking, reading, writing, and thinking using multiple texts--genres. The student recognizes and analyzes genre-specific characteristics, structures, and purposes within and across increasingly complex traditional, contemporary, classical, and diverse texts. The student is expected to: (A) **demonstrate knowledge of distinguishing characteristics of well-known children's literature such as folktales, fables, legends, myths, and tall tales;** (C) **explain structure in drama such as character tags, acts, scenes, and stage directions;** (D) **recognize characteristics and structures of informational text, including: (iii) organizational patterns such as logical order and order of importance;** (E) **recognize characteristics and structures of argumentative text by: (i) identifying the claim; (ii) explaining how the author has used facts for or against an argument; and (iii) identifying the intended audience or reader; and"**

Auditor comment: 9A: "A question identifying characteristics of a folk tale, fable, etc could easily be added." 9C: "A drama piece with relevant questions regarding characteristics could easily be added." 9D(iii): "No questions present." 9E(i-iii): "An argumentative piece with relevant questions could easily be added."

10(C, D, F, G): "Author's purpose and craft: listening, speaking, reading, writing, and thinking using multiple texts. The student uses critical inquiry to analyze the authors' choices and how they influence and communicate meaning within a variety of texts. The student analyzes and applies author's craft purposefully in order to develop his or her own products and performances. The student is expected to: (C) **analyze the author's use of print and graphic features to achieve specific purposes;** (D) **describe how the author's use of imagery, literal and figurative language such as simile and metaphor, and sound devices achieves specific purposes;** (F) **examine how the author's use of language contributes to voice; and** (G) **explain the purpose of hyperbole, stereotyping, and anecdote."**

Auditor comment: "No questions present."

## **ELEM ELAR 6A – English Language Art and Reading, Grade 6**

Comments provided for the following TEKS: 1, 3, 4, 5(A-C, E, H, I), 6(A, B, D-G, I), 7D, 8(A, C-F), 9(B, G), 11(B-D), 12.

The auditor's comments fall into two general areas:

- A. items which cannot be tested on a written and/or multiple-choice exam

B. items which might be covered by using the auditor’s suggestions

Specific comments for each area follow, with each TEKS item quoted for reference.

A. items which cannot be tested on a written and/or multiple-choice exam

TEKS: 1, 3, 4, 5(A-C, E, H, I), 11(B-D), 12.

1: “Developing and sustaining foundational language skills: listening, speaking, discussion, and thinking--oral language. The student develops oral language through listening, speaking, and discussion. The **student is expected to: (A) listen actively to interpret a message, ask clarifying questions, and respond appropriately; (B) follow and give oral instructions that include multiple action steps; (C) give an organized presentation with a specific stance and position, employing eye contact, speaking rate, volume, enunciation, natural gestures, and conventions of language to communicate ideas effectively; and (D) participate in student-led discussions by eliciting and considering suggestions from other group members, taking notes, and identifying points of agreement and disagreement.**”

Auditor comment: Cannot be assessed due to the nature of the item (not conventionally testable). “Oral language TEKS.”

3: “Developing and sustaining foundational language skills: listening, speaking, reading, writing, and thinking--fluency. **The student reads grade-level text with fluency and comprehension. The student is expected to adjust fluency when reading grade-level text based on the reading purpose.**”

Auditor comment: Cannot be assessed due to the nature of the item (not conventionally testable). “Fluency & comprehension TEKS.”

4: “Developing and sustaining foundational language skills: listening, speaking, reading, writing, and thinking--self-sustained reading. **The student reads grade-appropriate texts independently. The student is expected to self-select text and read independently for a sustained period of time.**”

Auditor comment: Cannot be assessed due to the nature of the item (not conventionally testable). “Self-selected/self-sustained reading.”

5(A - C, E, H, I): “Comprehension skills: listening, speaking, reading, writing, and thinking using multiple texts. **The student uses metacognitive skills to both develop and deepen comprehension of increasingly complex texts.** The student is expected to: (A) **establish purpose for reading assigned and self-selected text; (B) generate questions about text before, during, and after reading to deepen understanding and gain information; (C) make and correct or confirm predictions using text features, characteristics of genre, and structures; (E) make connections to personal experiences, ideas in other texts, and society; (H) synthesize information to create new understanding; and (I) monitor comprehension and make**

**adjustments such as re-reading, using background knowledge, asking questions, and annotating when understanding breaks down.”**

Auditor Comment: Cannot be assessed due to the nature of the item (not conventionally testable). “Comprehension skills.”

11(B - D): “Composition: listening, speaking, reading, writing, and thinking using multiple texts--genres. The student uses genre characteristics and craft to compose multiple texts that are meaningful. **The student is expected to: (B) compose informational texts, including multi-paragraph essays that convey information about a topic, using a clear controlling idea or thesis statement and genre characteristics and craft; (C) compose multi-paragraph argumentative texts using genre characteristics and craft ; and (D) compose correspondence that reflects an opinion, registers a complaint, or requests information in a business or friendly structure.”**

Auditor comment: Cannot be assessed due to time limitations. “Composing correspondence and/or multi-paragraph essays.”

12: “Inquiry and research: listening, speaking, reading, writing, and thinking using multiple texts. **The student engages in both short-term and sustained recursive inquiry processes for a variety of purposes. The student is expected to: (A) generate student-selected and teacher-guided questions for formal and informal inquiry; (B) develop and revise a plan; (C) refine the major research question, if necessary, guided by the answers to a secondary set of questions; (D) identify and gather relevant information from a variety of sources; (E) differentiate between primary and secondary sources; (F) synthesize information from a variety of sources; (G) differentiate between paraphrasing and plagiarism when using source materials; (H) examine sources for: (i) reliability, credibility, and bias; and (ii) faulty reasoning such as hyperbole, emotional appeals, and stereotype; (I) display academic citations and use source materials ethically; and (J) use an appropriate mode of delivery, whether written, oral, or multimodal, to present results.”**

Auditor comment: Cannot be assessed due to the nature of the item (not conventionally testable). “Inquiry and research TEKS.”

B. items which might be covered by using the auditor’s suggestions

TEKS: 6(A, B, D-G, I), 7D, 8(A, C-F), 9(B, G).

6(A, B, D - G, I): “Response skills: listening, speaking, reading, writing, and thinking using multiple texts. **The student responds to an increasingly challenging variety of sources that are read, heard, or viewed. The student is expected to: (A) describe personal connections to a variety of sources, including self-selected texts; (B) write responses that demonstrate understanding of texts, including comparing sources within and across genres; (D) paraphrase and summarize texts in ways that maintain meaning and logical order; (E) interact with sources in meaningful**

ways such as notetaking, annotating, freewriting, or illustrating; (F) respond using newly acquired vocabulary as appropriate; (G) discuss and write about the explicit or implicit meanings of text; (I) reflect on and adjust responses as new evidence is presented.”

Auditor comment: “Any type of reading passage that would then ask for a written response could assess these TEKS.”

7D: “Multiple genres: listening, speaking, reading, writing, and thinking using multiple texts--literary elements. **The student recognizes and analyzes literary elements within and across increasingly complex traditional, contemporary, classical, and diverse literary texts.** The student is expected to: (D) **analyze how the setting, including historical and cultural settings, influences character and plot development.**”

Auditor comment: “No question/applicable passage.”

8(A, C, D-F): “Multiple genres: listening, speaking, reading, writing, and thinking using multiple texts--genres. **The student recognizes and analyzes genre-specific characteristics, structures, and purposes within and across increasingly complex traditional, contemporary, classical, and diverse texts.** The student is expected to: (A) **demonstrate knowledge of literary genres such as realistic fiction, adventure stories, historical fiction, mysteries, humor, and myths;** (C) **analyze how playwrights develop characters through dialogue and staging;** (D) **analyze characteristics and structural elements of informational text, including: (i) the controlling idea or thesis with supporting evidence; (ii) features such as introduction, foreword, preface, references, or acknowledgements to gain background information;** and (E) **analyze characteristics and structures of argumentative text by: (i) identifying the claim; (iii) identifying the intended audience or reader;** and (F) **analyze characteristics of multimodal and digital texts.**”

Auditor comment: “Questions addressing knowledge of literary genre characteristics, drama, text features, and certain characteristics of argumentative texts could be added.”

9(B, G) : “Author's purpose and craft: listening, speaking, reading, writing, and thinking using multiple texts. **The student uses critical inquiry to analyze the authors' choices and how they influence and communicate meaning within a variety of texts. The student analyzes and applies author's craft purposefully in order to develop his or her own products and performances.** The student is expected to: (B) **analyze how the use of text structure contributes to the author's purpose;**” (G) **explain the differences between rhetorical devices and logical fallacies.**”

Auditor comment: 9B: “No text structure/author’s purpose questions.” 9G: “An opportunity to explain the difference between a rhetorical device and a logical fallacy.”

## **ELEM ELAR 6B – English Language Art and Reading, Grade 6**

Comments provided for the following TEKS: 1, 3, 4, 5(A, B, D, E, I), 6(A, B, D-G, I), 7(B, D), 8C, 11(C, D), 12(A-C, F, H-J).

The auditor's comments fall into two general areas:

- A. items which cannot be tested on a written and/or multiple-choice exam
- B. items which might be covered by using the auditor's suggestions

Specific comments for each area follow, with each TEKS item quoted for reference.

A. items which cannot be tested on a written and/or multiple-choice exam

TEKS: 1, 3, 4, 11(C, D), 12(A-C, F, H-J).

1: "Developing and sustaining foundational language skills: listening, speaking, discussion, and thinking--oral language. **The student develops oral language through listening, speaking, and discussion.** The student is expected to: (A) **listen actively to interpret a message, ask clarifying questions, and respond appropriately;** (B) **follow and give oral instructions that include multiple action steps;** (C) **give an organized presentation with a specific stance and position, employing eye contact, speaking rate, volume, enunciation, natural gestures, and conventions of language to communicate ideas effectively;** and (D) **participate in student-led discussions by eliciting and considering suggestions from other group members, taking notes, and identifying points of agreement and disagreement."**

Auditor comment: Cannot be assessed due to the nature of the item (not conventionally testable). "Oral language TEKS."

3: "Developing and sustaining foundational language skills: listening, speaking, reading, writing, and thinking--fluency. The **student reads grade-level text with fluency and comprehension.** The student is **expected to adjust fluency when reading grade-level text based on the reading purpose."**

Auditor comment: Cannot be assessed due to the nature of the item (not conventionally testable). "Fluency TEKS."

4: "Developing and sustaining foundational language skills: listening, speaking, reading, writing, and thinking--self-sustained reading. The **student reads grade-appropriate texts independently.** The **student is expected to self-select text and read independently for a sustained period of time."**

Auditor comment: Cannot be assessed due to the nature of the item (not conventionally testable). "Self-sustained, self-selected reading TEKS."

11(C, D): "Composition: listening, speaking, reading, writing, and thinking using multiple texts--genres. The student uses genre characteristics and craft to compose multiple texts that are meaningful. The student is expected to: (C) **compose multi-paragraph argumentative texts using genre characteristics and craft ;** and (D) **compose correspondence that reflects an opinion, registers a complaint, or requests information in a business or friendly structure."**

Auditor comment: Cannot be assessed due to the nature of the item (not conventionally testable). "Correspondence and argumentative composition."

12(A-C, F, H-J): "Inquiry and research: listening, speaking, reading, writing, and thinking using multiple texts. The **student engages in both short-term and sustained recursive inquiry processes for a variety of purposes.** The student is expected to: (A) **generate student-selected and teacher-guided questions for formal and informal inquiry;** (B) **develop and revise a plan;** (C) **refine the major research question, if necessary, guided by the answers to a secondary set of questions;** (F) **synthesize information from a variety of sources;** (H) **examine sources for: (i) reliability, credibility, and bias; and (l) display academic citations and use source materials ethically;** and (J) **use an appropriate mode of delivery, whether written, oral, or multimodal, to present results."**

Auditor comment: Cannot be assessed due to time limitations. "Hard to assess research TEKS."

B. items which might be covered by using the auditor's suggestions

TEKS: 5(A, B, D, E, I), 6(A, B, D-G, I), 7(B, D), 8C.

5(A, B, D, E, I): "Comprehension skills: listening, speaking, reading, writing, and thinking using multiple texts. The student uses metacognitive skills to both develop and deepen comprehension of increasingly complex texts. The student is expected to: (A) **establish purpose for reading assigned and self-selected text;**" (B) **generate questions about text before, during, and after reading to deepen understanding and gain information;**" (D) **create mental images to deepen understanding;**" (E) **make connections to personal experiences, ideas in other texts, and society;**" (I) **monitor comprehension and make adjustments such as re-reading, using background knowledge, asking questions, and annotating when understanding breaks down."**

Auditor comment: 5A: "Self-selected text TEKS." 5B: "Comprehension TEKS." 5D and E: "No questions." 5I: "Comprehension TEKS."

6(A, B, D-G, I): "Response skills: listening, speaking, reading, writing, and thinking using multiple texts. The student responds to an increasingly challenging variety of sources that are read, heard, or viewed. The student is expected to: (A) **describe personal connections to a variety of sources, including self-selected texts;** (B) **write responses that demonstrate understanding of texts, including comparing sources within and across genres;** (D) **paraphrase and summarize texts in ways that maintain meaning and logical order;** (E) **interact with sources in meaningful ways such as notetaking, annotating, freewriting, or illustrating;** (F) **respond using newly acquired vocabulary as appropriate;** (G) **discuss and write about the explicit or implicit meanings of text;** (I) **reflect on and adjust responses as new evidence is presented."**

Auditor comment: "Any type of reading passage that then asks for a written response could assess these TEKS."

7(B, D): “Multiple genres: listening, speaking, reading, writing, and thinking using multiple texts-- literary elements. The student recognizes and analyzes literary elements within and across increasingly complex traditional, contemporary, classical, and diverse literary texts. The student is expected to: (B) **analyze how the characters' internal and external responses develop the plot;** (D) **analyze how the setting, including historical and cultural settings, influences character and plot development.”**

Auditor comment: “No questions present, but could be added with an appropriate reading passage.”

8C: “Multiple genres: listening, speaking, reading, writing, and thinking using multiple texts-- genres. The student recognizes and analyzes genre-specific characteristics, structures, and purposes within and across increasingly complex traditional, contemporary, classical, and diverse texts. The student is expected to: (C) **analyze how playwrights develop characters through dialogue and staging;”**

Auditor comment: “Questions with applicable passages could be added in order to assess these TEKS.”

## **MID ELAR 7B – English Language Arts and Reading, Grade 7, Semester 2**

Comments provided for the following TEKS: 12(B-D, F, H(i, ii), J).

The auditor’s comments fall into this area: items which cannot be tested on a written and/or multiple-choice exam.

Specific comments follow, with each TEKS item quoted for reference.

TEKS: 12(B-D, F, H(i, ii), J).

12(B-D, F, H(i, ii), J): “Inquiry and research: listening, speaking, reading, writing, and thinking using multiple texts. The student engages in both short-term and sustained recursive inquiry processes for a variety of purposes. The student is expected to: (B) **develop and revise a plan;** (C) **compose multi-paragraph argumentative texts using genre characteristics and craft;** and” (D) **identify and gather relevant information from a variety of sources;”** (F) **synthesize information from a variety of sources;”** (H) **examine sources for: (i) reliability, credibility, and bias; and (ii) faulty reasoning such as hyperbole, emotional appeals, and stereotype;”** (J) **use an appropriate mode of delivery, whether written, oral, or multimodal, to present results.”**

Auditor comment: Cannot be assessed due to the nature of the item (not conventionally testable).

## **MID ELAR 8B – English Language Arts and Reading, Grade 8, Semester 2**

Comments provided for the following TEKS: 12.



The auditor’s comments fall into this area: items which cannot be tested on a written and/or multiple-choice exam.

Specific comments follow, with each TEKS item quoted for reference.

TEKS: 12.

12: “Inquiry and research: listening, speaking, reading, writing, and thinking using multiple texts. The student engages in both short-term and sustained recursive inquiry processes for a variety of purposes. The student is expected to: (A) **generate student-selected and teacher-guided questions for formal and informal inquiry**; (B) **develop and revise a plan**; (C) **refine the major research question, if necessary, guided by the answers to a secondary set of questions**; (D) **identify and gather relevant information from a variety of sources**; (E) **differentiate between primary and secondary sources**; (F) **synthesize information from a variety of sources**; (G) **differentiate between paraphrasing and plagiarism when using source materials**; (H) **examine sources for: (i) reliability, credibility, and bias, including omission; and (ii) faulty reasoning such as bandwagon appeals, repetition, and loaded language**; (I) **display academic citations and use source materials ethically**; and (J) **use an appropriate mode of delivery, whether written, oral, or multimodal, to present results.**”

Auditor comment: Cannot be assessed due to the nature of the item (not conventionally testable).

### HIGH ENG 3A – English Level III, Semester 1

Comments provided for the following TEKS: 1(A-D), 2A, 3, 4(A-C, E, I), 5(A, E, I, J), 7F, 9E, 11(E, G).

The auditor’s comments fall into two general areas:

- A. items which cannot be tested on a written and/or multiple-choice exam
- B. items which might be covered by using the auditor’s suggestions

Specific comments for each area follow, with each TEKS item quoted for reference.

A. items which cannot be tested on a written and/or multiple-choice exam

TEKS: 1(A-D), 2A, 3, 4(A-C, E, I), 5(A, E, I, J), 7F, 9E, 11E.

1(A-D): “Developing and sustaining foundational language skills: listening, speaking, discussion, and thinking--oral language. The student develops oral language through listening, speaking, and discussion. The student is expected to: (A) **engage in meaningful and respectful discourse when evaluating the clarity and coherence of a speaker's message and critiquing the impact of a speaker's use of diction and syntax**; (B) **follow and give complex instructions, clarify meaning by asking pertinent questions, and respond appropriately**; (C) **give a formal presentation that exhibits a logical structure, smooth transitions, accurate evidence, well-chosen details, and rhetorical devices and that employs eye contact, speaking rate such as pauses for effect, volume, enunciation, purposeful gestures, and conventions of language to communicate ideas**

**effectively; and (D) participate collaboratively, offering ideas or judgments that are purposeful in moving the team toward goals, asking relevant and insightful questions, tolerating a range of positions and ambiguity in decision making, and evaluating the work of the group based on agreed-upon criteria.”**

Auditor comment: Cannot be assessed due to the nature of the item (not conventionally testable) and/or time limitations (and/or item has secondary importance).

2A: “Developing and sustaining foundational language skills: listening, speaking, reading, writing, and thinking--vocabulary. The student uses newly acquired vocabulary expressively. The student is expected to: **use print or digital resources to clarify and validate understanding of multiple meanings of advanced vocabulary;”**

Auditor comment: Cannot be assessed due to the nature of the item (not conventionally testable) and/or time limitations (and/or item has secondary importance).

3: “Developing and sustaining foundational language skills: listening, speaking, reading, writing, and thinking--self-sustained reading. The student reads grade-appropriate texts independently. **The student is expected to self-select text and read independently for a sustained period of time.”**

Auditor comment: Cannot be assessed due to the nature of the item (not conventionally testable) and/or time limitations (and/or item has secondary importance).

4(A-C, E): “Comprehension skills: listening, speaking, reading, writing, and thinking using multiple texts. The student uses metacognitive skills to both develop and deepen comprehension of increasingly complex texts. The student is expected to: (A) **establish purpose for reading assigned and self-selected texts; (B) generate questions about text before, during, and after reading to deepen understanding and gain information; (C) make and correct or confirm predictions using text features, characteristics of genre, and structures; (E) make connections to personal experiences, ideas in other texts, and society;”**

Auditor Comment: Cannot be assessed due to the nature of the item (not conventionally testable) and/or time limitations (and/or item has secondary importance).

5(A, E, I, J): “Response skills: listening, speaking, reading, writing, and thinking using multiple texts. The student responds to an increasingly challenging variety of sources that are read, heard, or viewed. The student is expected to: (A) **describe personal connections to a variety of sources, including self-selected texts; (E) interact with sources in meaningful ways such as notetaking, annotating, freewriting, or illustrating; (I) reflect on and adjust responses when valid evidence warrants; and (J) defend or challenge the authors' claims using relevant text evidence.”**

Auditor comment: Cannot be assessed due to the nature of the item (not conventionally testable) and/or time limitations (and/or item has secondary importance).

7F: “Multiple genres: listening, speaking, reading, writing, and thinking using multiple texts--genres. The student recognizes and analyzes genre-specific characteristics, structures, and purposes within and across increasingly complex traditional, contemporary, classical, and diverse texts. The student is expected to: **analyze the effectiveness of characteristics of multimodal and digital texts.**”

Auditor comment: Cannot be assessed due to the nature of the item (not conventionally testable) and/or time limitations (and/or item has secondary importance).

9E: “Composition: listening, speaking, reading, writing, and thinking using multiple texts--writing process. The student uses the writing process recursively to compose multiple texts that are legible and use appropriate conventions. The student is expected to: **publish written work for appropriate audiences.**”

Auditor comment: Cannot be assessed due to the nature of the item (not conventionally testable) and/or time limitations (and/or item has secondary importance).

11E: “Inquiry and research: listening, speaking, reading, writing, and thinking using multiple texts. The student engages in both short-term and sustained recursive inquiry processes for a variety of purposes. The student is expected to: **(E) locate relevant sources;**”

Auditor comment: Cannot be assessed due to the nature of the item (not conventionally testable) and/or time limitations (and/or item has secondary importance).

B. items which might be covered by using the auditor’s suggestions

TEKS: 11G.

11G: “Inquiry and research: listening, speaking, reading, writing, and thinking using multiple texts. The student engages in both short-term and sustained recursive inquiry processes for a variety of purposes. The student is expected to: **(G) examine sources for: (i) credibility, bias and accuracy; and (ii) faulty reasoning such as post hoc-ad hoc, circular reasoning, red herring, and assumptions;**”

Auditor comment: Can be assessed using the following suggestions: Include questions about correct citations, paraphrasing, quoted texts, avoiding plagiarism.

**HIGH ENG 4A – English Level IV, Semester 1**

Comments provided for the following TEKS: 1(A-D), 2A, 3, 4(A-E), 5(A, C, E, I, J), 7F, 9E, 10A, 11(A-D, I).

The auditor’s comments fall into this area: items which cannot be tested on a written and/or multiple-choice exam.

Specific comments follow, with each TEKS item quoted for reference.

TEKS: 1(A-D), 2A, 3, 4(A-E), 5(A, C, E, I, J), 7F, 9E, 10A, 11(A-D, I).

1(A-D): “Developing and sustaining foundational language skills: listening, speaking, discussion, and thinking--oral language. The student develops oral language through listening, speaking, and discussion. The student is expected to:(A) **engage in meaningful and respectful discourse when evaluating the clarity and coherence of a speaker's message and critiquing the impact of a speaker's use of diction, syntax, and rhetorical strategies;** (B) **follow and give complex instructions, clarify meaning by asking pertinent questions, and respond appropriately;** (C) **formulate sound arguments and present using elements of classical speeches such as introduction, first and second transitions, body, conclusion, the art of persuasion, rhetorical devices, employing eye contact, speaking rate such as pauses for effect, volume, enunciation, purposeful gestures, and conventions of language to communicate ideas effectively;** and (D) **participate collaboratively, offering ideas or judgments that are purposeful in moving the team toward goals, asking relevant and insightful questions, tolerating a range of positions and ambiguity in decision making, and evaluating the work of the group based on agreed-upon criteria.”**

Auditor comment: Cannot be assessed due to the nature of the item (not conventionally testable).

2A: “Developing and sustaining foundational language skills: listening, speaking, reading, writing, and thinking--vocabulary. The student uses newly acquired vocabulary expressively. The student is expected to: (A) **use print or digital resources to clarify and validate understanding of multiple meanings of advanced vocabulary;”**

Auditor comment: Cannot be assessed due to the nature of the item (not conventionally testable).

3: “Developing and sustaining foundational language skills: listening, speaking, reading, writing, and thinking--self-sustained reading. The student reads grade-appropriate texts independently. **The student is expected to self-select text and read independently for a sustained period of time.”**

Auditor comment: Cannot be assessed due to the nature of the item (not conventionally testable) and/or time limitations (and/or item has secondary importance).

4(A-E): “Comprehension skills: listening, speaking, reading, writing, and thinking using multiple texts. The student uses metacognitive skills to both develop and deepen comprehension of increasingly complex texts. The student is expected to: (A) **establish purpose for reading assigned and self-selected texts;** (B) **generate questions about text before, during, and after reading to deepen understanding and gain information;** (C) **make and correct or confirm predictions using text features, characteristics of genre, and structures;** (D) **create mental images to deepen understanding;** (E) **make connections to personal experiences, ideas in other texts, and society;”**

Auditor Comment: Cannot be assessed due to the nature of the item (not conventionally testable) and/or time limitations (and/or item has secondary importance).

5(A, C, E, I, J): “Response skills: listening, speaking, reading, writing, and thinking using multiple texts. The student responds to an increasingly challenging variety of sources that are read, heard, or viewed. The student is expected to: (A) **describe personal connections to a variety of sources, including self-selected texts;** (C) **use text evidence and original commentary to support an evaluative response;** (E) **interact with sources in meaningful ways such as notetaking, annotating, freewriting, or illustrating;** (I) **reflect on and adjust responses when valid evidence warrants;** and (J) **defend or challenge the authors' claims using relevant text evidence.”**

Auditor comment: Cannot be assessed due to the nature of the item (not conventionally testable) and/or time limitations (and/or item has secondary importance).

7F: “Multiple genres: listening, speaking, reading, writing, and thinking using multiple texts--genres. The student recognizes and analyzes genre-specific characteristics, structures, and purposes within and across increasingly complex traditional, contemporary, classical, and diverse texts. The student is expected to: (F) **critique and evaluate the effectiveness of characteristics of multimodal and digital texts.”**

Auditor comment: Cannot be assessed due to the nature of the item (not conventionally testable) and/or time limitations (and/or item has secondary importance).

9E: “Composition: listening, speaking, reading, writing, and thinking using multiple texts--writing process. The student uses the writing process recursively to compose multiple texts that are legible and use appropriate conventions. The student is expected to: (E) **publish written work for appropriate audiences.”**

Auditor comment: Cannot be assessed due to the nature of the item (not conventionally testable) and/or time limitations (and/or item has secondary importance).

10A: “Composition: listening, speaking, reading, writing, and thinking using multiple texts--genres. The student uses genre characteristics and craft to compose multiple texts that are meaningful. The student is expected to: (A) **compose literary texts such as fiction and poetry using genre characteristics and craft;”**

Auditor comment: Cannot be assessed due to the nature of the item (not conventionally testable) and/or time limitations (and/or item has secondary importance).

11(A-D, I): “Inquiry and research: listening, speaking, reading, writing, and thinking using multiple texts. The student engages in both short-term and sustained recursive inquiry processes for a variety of purposes. The student is expected to: (A) **develop questions for formal and informal inquiry;** (B) **critique the research process at each step to implement changes as needs occur and are identified;** (C) **develop and revise a plan;** (D) **modify the major**

**research question as necessary to refocus the research plan; (I) use an appropriate mode of delivery, whether written, oral, or multimodal, to present results.”**

Auditor comment: Cannot be assessed due to the nature of the item (not conventionally testable) and/or time limitations (and/or item has secondary importance).

## **HIGH – Creative Writing**

Comments provided for the following TEKS: 1(A, E), 2(C, F, G),4(B, C).

The auditor’s comments fall into this area: items which might be covered using the auditor’s suggestions

Specific comments follow, with each TEKS item quoted for reference.

TEKS: 1(A, E), 2(C, F, G),4(B, C)

1(A, E): “The student writes for a variety of audiences and purposes to develop versatility as a writer. The student is expected to: (A) **write expressive, informative, and persuasive literary texts effectively;**” (E) **choose topics and forms to develop fluency and voice;**”

Auditor comment: Can be assessed using the suggestions: 1A: “Have students create multiple short writing samples using various genres. Use a rubric for each, this would cover TEKS 1A plus others.” 1E: “This TEKS would be better assessed using multiple short writing samples.”

2(C, F, G): “The student selects and uses recursive writing processes for self-initiated and assigned writing. The student is expected to: (C) **use vocabulary, sentence structure, organization, and rhetorical devices appropriate to audience and purpose;**” (F) **frequently refine selected pieces to publish for general and specific audiences;** and” (G) **write both independently and collaboratively.”**

Auditor comment: Can be assessed using the suggestions: 2C: “This TEKS would be best assessed using writing samples.” 2F: “This TEKS would be best addressed through either multiple short writing samples, and/or revising/editing a short passage.” 2G: “This TEKS can be partially assessed through writing samples however, the collaborative portion is not able to be assess in this format.”

4(B, C): “The student evaluates his/her own writing and the writings of others. The student is expected to: (B) **generate and apply peer and self-assessment;**” (C) **accumulate, review, and evaluate his/her own written work to determine its strengths and weaknesses and to set goals as a writer.”**

Auditor comment: Can be assessed using the suggestions: 4B: “This TEKS requires a collaborative peer review portion that is not assessable in this format, but students could complete the individual assessment portion through the use of writing samples.” 4C: “This TEKS can be best assessed through writing several short passages and using a rubric to evaluate them.”

## HIGH – Communication Applications

Comments provided for the following TEKS: 2C, 2D, 2H, 3C, 3D, 3E, 3G, 4L.

The auditor’s comments fall into two general areas:

- A. items which cannot be tested on a written and/or multiple-choice exam
- B. items which might be covered by using the auditor’s suggestions

Specific comments for each area follow, with each TEKS item quoted for reference.

### A. items which cannot be tested on a written and/or multiple-choice exam

TEKS: 2(C, D), 3E, 4L.

2(C, D): “Interpersonal. The student uses appropriate interpersonal communication strategies in professional and social contexts. The student is expected to: (C) **use communication management skills to develop appropriate assertiveness, tact, and courtesy;**” (D) **use professional etiquette and protocol in situations such as making introductions, speaking on the telephone, and offering and receiving criticism;**”

Auditor comment: Cannot be assessed due to the nature of the item (not conventionally testable).

3E: “Group communication. The student communicates effectively in groups in professional and social contexts. The student is expected to: (E) **use appropriate verbal, nonverbal, and listening skills to promote group effectiveness;**”

Auditor comment: Cannot be assessed due to the nature of the item (not conventionally testable).

4L: “Presentations. The student makes and evaluates formal and informal professional presentations. The student is expected to: (L) **participate in question-and-answer sessions following presentations;**”

Auditor comment: Cannot be assessed due to the nature of the item (not conventionally testable).

### B. items which might be covered using the auditor’s suggestions

TEKS: 2H, 3(C, D, G).

2H: “Interpersonal. The student uses appropriate interpersonal communication strategies in professional and social contexts. The student is expected to: (H) **identify and use appropriate strategies for dealing with differences, including gender, ethnicity, and age;**”

Auditor comment: Can be assessed using the suggestions: An appropriate multiple-choice question can be made for this standard.

3(C, D, G): “Group communication. The student communicates effectively in groups in professional and social contexts. The student is expected to: (C) **identify and analyze the roles of group members and their influence on group dynamics;**” (D) **demonstrate understanding of group roles and their impact on group effectiveness;**” (G) **use effective communication strategies in leadership roles;**”

Auditor comment: Can be assessed using the suggestions: An appropriate multiple-choice question can be made for this standard.

### **HIGH – Public Speaking 3A**

Comments provided for the following TEKS: 1(B, C), 4E, 5B, 6(A, B, E), 7(B, D), 8(A, B).

The auditor’s comments fall into three general areas:

- A. items which cannot be tested on a written and/or multiple-choice exam
- B. items which are partially covered on the exam
- C. items which might be covered by using the auditor’s suggestions

Specific comments for each area follow, with each TEKS item quoted for reference.

#### A. items which cannot be tested on a written and/or multiple-choice exam

TEKS: 4E, 5B, 6B, 7(B, D), 8A.

4E: “Organization. The student organizes speeches. The student is expected to: (E) **analyze and evaluate the organization of oral or written speech models.**”

Auditor comment: Cannot be assessed due to the nature of the item (not conventionally testable).

5B: “Proofs and appeals. The student uses valid proofs and appeals in speeches. The student is expected to: (B) **choose logical proofs and appeals that meet standard tests of evidence;**”

Auditor comment: Cannot be assessed due to time limitations (and/or item has secondary importance).

6B: “Style. The student develops skills in using oral language in public speeches. The student is expected to: (B) **write manuscripts to facilitate language choices and enhance oral style;**”

Auditor comment: Cannot be assessed due to time limitations (and/or item has secondary importance).



7B: "Delivery. The student uses appropriate strategies for rehearsing and presenting speeches. The student is expected to: (B) **rehearse and employ a variety of delivery strategies;**" (D) **use notes, manuscripts, rostrum, visual aids, and/or electronic devices;"**

Auditor comment: Cannot be assessed due to the nature of the item (not conventionally testable).

8A: "Evaluation. The student analyzes and evaluates speeches. The student is expected to: (A) **use critical, deliberative, and appreciative listening skills to evaluate speeches;"**

Auditor comment: Cannot be assessed due to the nature of the item (not conventionally testable).

B. items which are partially covered on the exam

TEKS: 1(B, C).

1(B, C): "Rhetoric. The student traces the development of the rhetorical perspective. The student is expected to: (B) **explain and use the classical rhetorical canons of invention, organization, style, memory, and delivery;"** (C) **analyze how modern public address influences public opinion and policy in a democratic republic;"**

Auditor comment: The questions that pertain to this standard are all lower-level rote memory questions with no opportunity for application of knowledge.

C. items which might be covered using the auditor's suggestions

TEKS: 6(A, E), 8B.

6(A, E): "Style. The student develops skills in using oral language in public speeches. The student is expected to: (A) **distinguish between oral and written language styles;"** (E) **employ previews, transitions, summaries, signposts, and other appropriate rhetorical strategies to enhance clarity;"**

Auditor comment: 6A: "Can be assessed using the suggestions: Students can be given excerpts of speeches to assess style." 6E: "Can be assessed using the suggestions: Students can be given excerpts of speeches to assess/identify signposts, etc."

8B: "Evaluation. The student analyzes and evaluates speeches. The student is expected to: (B) **critique speeches using knowledge of rhetorical principles."**

Auditor comment: Can be assessed using the suggestions: Students can analyze excerpts of speeches in a multiple-choice format.



# The University of Texas at Austin UT High School

Kelsey Kling  
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RE: 2021-22 Credit by Examination Audit

Please find attached a list of the most recent Credit by Examination (CBE) audits for the 2021-22 school year. There are 24 CBEs included in this audit, which represent about 20% of our active examinations. Our selections focused on examinations that have not been audited in the past four years.

Leslie Alvarez, Hayley Johnson, Nana Baffour, Kentoshia McCoy, Shawn Jones, Lynelle Williams, and Allison Payne, all Texas-certified instructors and highly qualified in their area of audit, performed this year's audits. None are employees of the University of Texas at Austin High School.

All changes suggested by auditors to better meet the Texas Essential Knowledge and Skills were considered and implemented in these Credit by Exams. Ongoing dialogue occurred regularly between curriculum developers and auditors to ensure complete coverage while maintaining the integrity and rigor of the exams.

If you have any questions regarding these CBEs or our audit process, please do not hesitate to contact me at (512) 232-8328 or by email at [kristina.huff@austin.utexas.edu](mailto:kristina.huff@austin.utexas.edu).

Thank you,

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The University of Texas at Austin  
**UT High School**

**UT High School Credit by Exam Audit  
 2021-22**

<b>CBE Title</b>	<b>Results</b>	<b>Detailed Summary of Auditor Responses</b>
Kindergarten Science, Form A	-Aligned with TEKS -Contains appropriate breadth of coverage of TEKS with changes	No revisions required.
Kindergarten Science, Form B	-Aligned with TEKS -Contains appropriate breadth of coverage of TEKS with changes	No revisions required.
First Grade Science, Form A	-Aligned with TEKS -Contains appropriate breadth of coverage of TEKS with changes	Revised question(s) 26 to fully meet the TEKS.
First Grade Science, Form B	-Aligned with TEKS -Contains appropriate breadth of coverage of TEKS with changes	No revisions required.
Second Grade Science, Form A	-Aligned with TEKS -Contains appropriate breadth of coverage of TEKS with changes	No revisions required.
Second Grade Science, Form B	-Aligned with TEKS -Contains appropriate breadth of coverage of TEKS with changes	Revised question(s) 37 to fully meet the TEKS.
Third Grade Science, Form A	-Aligned with TEKS -Contains appropriate breadth of coverage of TEKS with changes	Revised question(s) 7 to fully meet the TEKS.
Third Grade Science, Form B	-Aligned with TEKS -Contains appropriate breadth of coverage of TEKS with changes	No revisions required.
Fourth Grade Science, Form A	-Aligned with TEKS -Contains appropriate breadth of coverage of TEKS with changes	No revisions required.
Fourth Grade Science, Form B	-Aligned with TEKS -Contains appropriate breadth of coverage of TEKS with changes	Revised question(s) 12 and 21 to fully meet the TEKS.



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Fifth Grade Science, Form A	-Aligned with TEKS -Contains appropriate breadth of coverage of TEKS with changes	No revisions required.
Fifth Grade Science, Form B	-Aligned with TEKS -Contains appropriate breadth of coverage of TEKS with changes	No revisions required.
Sixth Grade Science, Form A	-Aligned with TEKS -Contains appropriate breadth of coverage of TEKS with changes	No revisions required.
Sixth Grade Science, Form B	-Aligned with TEKS -Contains appropriate breadth of coverage of TEKS with changes	Revised question(s) 3, 39, and 49 to fully meet the TEKS.
Seventh Grade Science, Form A	-Aligned with TEKS -Contains appropriate breadth of coverage of TEKS with changes	No revisions required.
Seventh Grade Science, Form B	-Aligned with TEKS -Contains appropriate breadth of coverage of TEKS with changes	No revisions required.
Eighth Grade Science, Form A	-Aligned with TEKS -Contains appropriate breadth of coverage of TEKS with changes	Revised question(s) 9, 19, and 36 to fully meet the TEKS.
Eighth Grade Science, Form B	-Aligned with TEKS -Contains appropriate breadth of coverage of TEKS with changes	Revised question(s) 9, 17, and 18 to fully meet the TEKS.
Kindergarten Language Arts, Form A	-Aligned with TEKS -Contains appropriate breadth of coverage of TEKS with changes	Revised question(s) 12, 23, 24, 30, 36, 37, and 44 to fully meet the TEKS.
Kindergarten Language Arts, Form B	-Aligned with TEKS -Contains appropriate breadth of coverage of TEKS with changes	Revised question(s) 27, 32, 36, 37, and 44 to fully meet the TEKS.
First Grade Language Arts, Form A	-Aligned with TEKS -Contains appropriate breadth of coverage of TEKS with changes	Revised question(s) 1, 13, 16, 18, 19, 20, 26, 28, 39, 40, 41, 43, and 54 to fully meet the TEKS.
First Grade Language Arts, Form B	-Aligned with TEKS -Contains appropriate breadth of coverage of TEKS with changes	Revised question(s) 3, 16, 18, 19, 20, 26, 28, 43, 48, 51, and 54 to fully meet the TEKS.



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Second Grade Language Arts, Form A	-Aligned with TEKS -Contains appropriate breadth of coverage of TEKS with changes	Revised question(s) 3, 14, and 52 to fully meet the TEKS.
Second Grade Language Arts, Form B	-Aligned with TEKS -Contains appropriate breadth of coverage of TEKS with changes	No revisions required.
Third Grade Language Arts, Form A	-Aligned with TEKS -Contains appropriate breadth of coverage of TEKS with changes	Revised question(s) 2, 4, 8, 9, 12, 13, 21, 24, 26, 30, 31, 32, 33, 35, 44, 49, and 50 to fully meet the TEKS.
Third Grade Language Arts, Form B	-Aligned with TEKS -Contains appropriate breadth of coverage of TEKS with changes	Revised question(s) 1, 2, 4, 5, 7, 8, 11, 12, 24, 26, 30, 31, 32, 33, 34, 35, 36, 38, 39, 40, 44, 47, 48, 49, and 50 to fully meet the TEKS.
Fourth Grade Language Arts, Form A	-Aligned with TEKS -Contains appropriate breadth of coverage of TEKS with changes	Revised question(s) 1, 2, 3, 4, 6, 13, 31, 34, 39, and 42 to fully meet the TEKS.
Fourth Grade Language Arts, Form B	-Aligned with TEKS -Contains appropriate breadth of coverage of TEKS with changes	Revised question(s) 1, 2, 3, 4, 7, 8, 10, 13, 15, 17, 18, 22, 37, 38, 39, 42, and 43 to fully meet the TEKS.
Fifth Grade Language Arts, Form A	-Aligned with TEKS -Contains appropriate breadth of coverage of TEKS with changes	Revised question(s) 1, 3, 8, 9, 23, 25, 33, 35, 36, 37, 39, 40, and 44 to fully meet the TEKS.
Fifth Grade Language Arts, Form B	-Aligned with TEKS -Contains appropriate breadth of coverage of TEKS with changes	Revised question(s) 3, 4, 11, 15, 16, 20, 23, 25, 32, 33, 34, 35, 36, 37, 40, and 41 to fully meet the TEKS.
Sixth Grade Language Arts, Form A	-Aligned with TEKS -Contains appropriate breadth of coverage of TEKS with changes	Revised question(s) 1, 4, 5, 6, 12, 19, 20, 21, 22, 23, 25, 27, 28, 30, 37, 40, 41, 45, 48, 49, and 50 to fully meet the TEKS.
Sixth Grade Language Arts, Form B	-Aligned with TEKS -Contains appropriate breadth of coverage of TEKS with changes	Revised question(s) 3, 4, 5, 9, 19, 20, 23, 27, 33, 38, 45, 48, and 49 to fully meet the TEKS.
Seventh Grade Language Arts, Form A	-Aligned with TEKS -Contains appropriate breadth of coverage of TEKS with changes	Revised question(s) 2, 3, 29, 34, and 38 to fully meet the TEKS.
Seventh Grade Language Arts, Form B	-Aligned with TEKS -Contains appropriate breadth of coverage of TEKS with changes	Revised question(s) 5, 22, 29, 34, 37, 38, 49, 51, and 52 to fully meet the TEKS.



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Eighth Grade Language Arts, Form A	-Aligned with TEKS -Contains appropriate breadth of coverage of TEKS with changes	Revised question(s) 5, 26, 28, 29, 33, 34, 37, 38, and 39 to fully meet the TEKS.
Eighth Grade Language Arts, Form B	-Aligned with TEKS -Contains appropriate breadth of coverage of TEKS with changes	Revised question(s) 7, 29, 34, 37, 38, 39, 42, and 44 to fully meet the TEKS.
Spanish 1A, Form A	-Aligned with TEKS -Contains appropriate breadth of coverage of TEKS with changes	Revised question(s) S3 and S5 to fully meet the TEKS.
Spanish 1A, Form B	-Aligned with TEKS -Contains appropriate breadth of coverage of TEKS with changes	Revised question(s) S3, 25, 29, 35, and 40 to fully meet the TEKS.
Spanish 1B, Form A	-Aligned with TEKS -Contains appropriate breadth of coverage of TEKS with changes	Revised question(s) S5, 13, 30, and 43 to fully meet the TEKS.
Spanish 1B, Form B	-Aligned with TEKS -Contains appropriate breadth of coverage of TEKS with changes	Revised question(s) S1, S2, 14, 16, 30, 34, and 35 to fully meet the TEKS.
Spanish 2A, Form A	-Aligned with TEKS -Contains appropriate breadth of coverage of TEKS with changes	Revised question(s) 8 and 44 to fully meet the TEKS.
Spanish 2A, Form B	-Aligned with TEKS -Contains appropriate breadth of coverage of TEKS with changes	Revised question(s) S4, 19, R4, 41, and 43 to fully meet the TEKS.
Spanish 2B, Form A	-Aligned with TEKS -Contains appropriate breadth of coverage of TEKS with changes	Revised question(s) S2, S3, S4, 21, and 24 to fully meet the TEKS.
Spanish 2B, Form B	-Aligned with TEKS -Contains appropriate breadth of coverage of TEKS with changes	Revised question(s) 16, 18, 20, 23, 29, 32, 33, 39, and R4 to fully meet the TEKS.
Spanish 3A, Form A	-Aligned with TEKS -Contains appropriate breadth of coverage of TEKS with changes	Revised question(s) 28 and 33 to fully meet the TEKS.
Spanish 3A, Form B	-Aligned with TEKS -Contains appropriate breadth of coverage of TEKS with changes	Revised question(s) 31 and R4 to fully meet the TEKS.



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Spanish 3B, Form A	-Aligned with TEKS -Contains appropriate breadth of coverage of TEKS with changes	Revised question(s) 34 to fully meet the TEKS.
Spanish 3B, Form B	-Aligned with TEKS -Contains appropriate breadth of coverage of TEKS with changes	Revised question(s) S1, S3, 21, 38, and R4 to fully meet the TEKS.



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P O Box 7700, Campus Code Q5100  
Austin, Texas 78713  
T 866 361.UTHS F 512 232 6414  
highschool.utexas.edu

**Texas Essential Knowledge and Skills  
Kindergarten Science Credit by Examination  
Final Report from Auditor**

I, Leslie Alvarez, confirm that I have thoroughly reviewed the Kindergarten Science Credit by Examination and affirm that the exams align with the Texas Essential Knowledge and Skills for Kindergarten Science as detailed in the Texas Administration Code, Chapter 112, Subchapter A, §112.11 (b), 1A – 10D.

**Summary of Changes:**

*I recommend revisions to the following questions to better align TEKS to the content or to better balance overall TEKS coverage:*

*No revisions required*

Signature:

Date:

01/26/2022



**Texas Essential Knowledge and Skills  
First Grade Science Credit by Examination  
Final Report from Auditor**

I, Leslie Alvarez, confirm that I have thoroughly reviewed the First Grade Science Credit by Examination and affirm that the exams align with the Texas Essential Knowledge and Skills for First Grade Science as detailed in the Texas Administration Code, Chapter 112, Subchapter A, §112.12 (b), 1A – 10D.

**Summary of Changes:**

*I recommend revisions to the following questions to better align TEKS to the content or to better balance overall TEKS coverage:*

*First Grade Science, Form A, question 26*

Signature: \_\_\_\_\_



Date: \_\_\_\_\_

03/06/2022



**Texas Essential Knowledge and Skills  
Second Grade Science Credit by Examination  
Final Report from Auditor**

I, Leslie Alvarez, confirm that I have thoroughly reviewed the Second Grade Science Credit by Examination and affirm that the exams align with the Texas Essential Knowledge and Skills for Second Grade Science as detailed in the Texas Administration Code, Chapter 112, Subchapter A, §112.13 (b), 1A – 10C.

**Summary of Changes:**

*I recommend revisions to the following questions to better align TEKS to the content or to better balance overall TEKS coverage:*

*Second Grade Science, Form B, question 37*

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

01/26/2022


**Texas Essential Knowledge and Skills  
Third Grade Science Credit by Examination  
Final Report from Auditor**

I, Hayley Johnson, confirm that I have thoroughly reviewed the Third Grade Science Credit by Examination and affirm that the exams align with the Texas Essential Knowledge and Skills for Third Grade Science as detailed in the Texas Administration Code, Chapter 112, Subchapter A, §112.14 (b), 1A – 10B.

**Summary of Changes:**

*I recommend revisions to the following questions to better align TEKS to the content or to better balance overall TEKS coverage:*

*Third Grade Science, Form A, question 7*

Signature:   
Date: 1/26/2022

**Texas Essential Knowledge and Skills  
Fourth Grade Science Credit by Examination  
Final Report from Auditor**

I, Hayley Johnson, confirm that I have thoroughly reviewed the Fourth Grade Science Credit by Examination and affirm that the exams align with the Texas Essential Knowledge and Skills for Fourth Grade Science as detailed in the Texas Administration Code, Chapter 112, Subchapter A, §112.15 (b), 1A – 10C.

**Summary of Changes:**

*I recommend revisions to the following questions to better align TEKS to the content or to better balance overall TEKS coverage:*

*Fourth Grade Science, Form B, question 12, 21*

Signature:   
Date: 1/20/2022

**Texas Essential Knowledge and Skills**  
**Fifth Grade Science Credit by Examination**  
**Final Report from Auditor**

I, Hayley Johnson, confirm that I have thoroughly reviewed the Fifth Grade Science Credit by Examination and affirm that the exams align with the Texas Essential Knowledge and Skills for Fifth Grade Science as detailed in the Texas Administration Code, Chapter 112, Subchapter A, §112.16 (b), 1A – 10B.

**Summary of Changes:**

*I recommend revisions to the following questions to better align TEKS to the content or to better balance overall TEKS coverage:*

*No revisions required*

Signature: \_\_\_\_\_

*Hayley Johnson*

Date: \_\_\_\_\_

*1/26/2022*



**Texas Essential Knowledge and Skills  
Sixth Grade Science Credit by Examination  
Final Report from Auditor**

I, Nana Baffour, confirm that I have thoroughly reviewed the Sixth Grade Science Credit by Examination and affirm that the exams align with the Texas Essential Knowledge and Skills for Sixth Grade Science as detailed in the Texas Administration Code, Chapter 112, Subchapter B, §112.18 (b), 1A – 12F.

**Summary of Changes:**

*I recommend revisions to the following questions to better align TEKS to the content or to better balance overall TEKS coverage:*

*Sixth Grade Science, Form B, question 3, 39, 49*

Signature: 

Date: 1/27/2022



**Texas Essential Knowledge and Skills  
Seventh Grade Science Credit by Examination  
Final Report from Auditor**

I, Nana Baffour, confirm that I have thoroughly reviewed the Seventh Grade Science Credit by Examination and affirm that the exams align with the Texas Essential Knowledge and Skills for Sixth Grade Science as detailed in the Texas Administration Code, Chapter 112, Subchapter B, §112.19 (b), 1A – 14C.

**Summary of Changes:**

*I recommend revisions to the following questions to better align TEKS to the content or to better balance overall TEKS coverage:*

*No revisions required*

Signature:

Date:

*1/27/2022*



**Texas Essential Knowledge and Skills  
Eighth Grade Science Credit by Examination  
Final Report from Auditor**

I, Nana Baffour, confirm that I have thoroughly reviewed the Eighth Grade Science Credit by Examination and affirm that the exams align with the Texas Essential Knowledge and Skills for Eighth Grade Science as detailed in the Texas Administration Code, Chapter 112, Subchapter B, §112.20 (b), 1A – 11C.

**Summary of Changes:**

*I recommend revisions to the following questions to better align TEKS to the content or to better balance overall TEKS coverage:*

*Eighth Grade Science, Form A, questions 9, 19, and 36*

*Eighth Grade Science, Form B, questions 9, 17, and 18*

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

*1/27/2022*





**Texas Essential Knowledge and Skills**  
**Kindergarten English Language Arts and Reading Credit by Examination**  
**Final Report from Auditor**

I, Kentoshia McCoy, confirm that I have thoroughly reviewed the Kindergarten English Language Arts and Reading Credit by Examination and affirm that the exams align with the Texas Essential Knowledge and Skills for Kindergarten English Language Arts and Reading as detailed in the Texas Administration Code, Chapter 110, Subchapter A, §110.2 (b), 1A – 12E.

**Summary of Changes:**

*I recommend revisions to the following questions to better align TEKS to the content or to better balance overall TEKS coverage:*

*Kindergarten English Language Arts and Reading, Form A, question(s) 12, 23, 24, 30, 36, 37, 44*

*Kindergarten English Language Arts and Reading, Form B, question(s) 27, 32, 36, 37, 44*

Signature:

Date:

03-07-2022



**Texas Essential Knowledge and Skills**  
**First Grade English Language Arts and Reading Credit by Examination**  
**Final Report from Auditor**

I, Kentoshia McCoy, confirm that I have thoroughly reviewed the First Grade English Language Arts and Reading Credit by Examination and affirm that the exams align with the Texas Essential Knowledge and Skills for First Grade English Language Arts and Reading as detailed in the Texas Administration Code, Chapter 110, Subchapter A, §110.3 (b), 1A ~ 13E.

**Summary of Changes:**

*I recommend revisions to the following questions to better align TEKS to the content or to better balance overall TEKS coverage:*

*First Grade English Language Arts and Reading, Form A, question(s) 1, 13, 16, 18, 19, 20, 26, 28, 39, 40, 41, 43,*

*54*

*First Grade English Language Arts and Reading, Form B, question(s) 3, 16, 18, 19, 20, 26, 28, 43, 48, 51, 54*

Signature:

Date:

03-07-2022

**Texas Essential Knowledge and Skills**  
**Second Grade English Language Arts and Reading Credit by Examination**  
**Final Report from Auditor**

I, Kentoshia McCoy, confirm that I have thoroughly reviewed the Second Grade English Language Arts and Reading Credit by Examination and affirm that the exams align with the Texas Essential Knowledge and Skills for Second Grade English Language Arts and Reading as detailed in the Texas Administration Code, Chapter 110, Subchapter A, §110.4 (b), 1A – 13G.

**Summary of Changes:**

*I recommend revisions to the following questions to better align TEKS to the content or to better balance overall TEKS coverage:*

*First Grade English Language Arts and Reading, Form A, question(s) 3, 14, 52*

Signature: \_\_\_\_\_

*Kentoshia McCoy*

Date: \_\_\_\_\_

*03-07-2022*

**Texas Essential Knowledge and Skills**  
**Third Grade English Language Arts and Reading Credit by Examination**  
**Final Report from Auditor**

I, Shawn Jones, confirm that I have thoroughly reviewed the Third Grade English Language Arts and Reading Credit by Examination and affirm that the exams align with the Texas Essential Knowledge and Skills for Third Grade English Language Arts and Reading as detailed in the Texas Administration Code, Chapter 110, Subchapter A, §110.5 (b), 1A – 13H.

**Summary of Changes:**

*I recommend revisions to the following questions to better align TEKS to the content or to better balance overall TEKS coverage:*

*Third Grade English Language Arts and Reading, Form A, question(s) 2, 4, 8, 9, 12, 13, 21, 24, 26, 30, 31, 32, 33, 35, 44, 49, 50*

*Third Grade English Language Arts and Reading, Form B, question(s) 1, 2, 4, 5, 7, 8, 11, 12, 24, 26, 30, 31, 32, 33, 34, 35, 36, 38, 39, 40, 44, 47, 48, 49, 50*

Signature: Shawn Jones  
Date: 3-3-22



**Texas Essential Knowledge and Skills**  
**Fourth Grade English Language Arts and Reading Credit by Examination**  
**Final Report from Auditor**

I, Shawn Jones, confirm that I have thoroughly reviewed the Fourth Grade English Language Arts and Reading Credit by Examination and affirm that the exams align with the Texas Essential Knowledge and Skills for Fourth Grade English Language Arts and Reading as detailed in the Texas Administration Code, Chapter 110, Subchapter A, §110.6 (b), 1A – 13H.

**Summary of Changes:**

*I recommend revisions to the following questions to better align TEKS to the content or to better balance overall TEKS coverage:*

*Fourth Grade English Language Arts and Reading, Form A, question(s) 1, 2, 3, 4, 6, 13, 31, 34, 39, 42*

*Fourth Grade English Language Arts and Reading, Form B, question(s) 1, 2, 3, 4, 7, 8, 10, 13, 15, 17, 18, 22, 37, 38, 39, 42, 43*

Signature: Shawn Jones  
Date: 3-3-22



**Texas Essential Knowledge and Skills**  
**Fifth Grade English Language Arts and Reading Credit by Examination**  
**Final Report from Auditor**

I, Shawn Jones, confirm that I have thoroughly reviewed the Fifth Grade English Language Arts and Reading Credit by Examination and affirm that the exams align with the Texas Essential Knowledge and Skills for Fifth Grade English Language Arts and Reading as detailed in the Texas Administration Code, Chapter 110, Subchapter A, §110.7 (b), 1A – 13H.

**Summary of Changes:**

*I recommend revisions to the following questions to better align TEKS to the content or to better balance overall TEKS coverage:*

*Fifth Grade English Language Arts and Reading, Form A, question(s) 1, 3, 8, 9, 23, 25, 33, 35, 36, 37, 39, 40, 44*

*Fifth Grade English Language Arts and Reading, Form B, question(s) 3, 4, 11, 15, 16, 20, 23, 25, 32, 33, 34, 35,  
36, 37, 40, 41*

Signature: Shawn Jones  
Date: 3-3-22

**Texas Essential Knowledge and Skills**  
**Sixth Grade English Language Arts and Reading Credit by Examination**  
**Final Report from Auditor**

I, Lynelle Williams, confirm that I have thoroughly reviewed the Sixth Grade English Language Arts and Reading Credit by Examination and affirm that the exams align with the Texas Essential Knowledge and Skills for Sixth Grade English Language Arts and Reading as detailed in the Texas Administration Code, Chapter 110, Subchapter B, §110.22 (b), 1A – 12J.

**Summary of Changes:**

*I recommend revisions to the following questions to better align TEKS to the content or to better balance overall TEKS coverage:*

*Sixth Grade English Language Arts and Reading, Form A, question(s) 1, 4, 5, 6, 12, 19, 20, 21, 22, 23, 25, 27, 28, 30, 37, 40, 41, 45, 48, 49, 50*

*Sixth Grade English Language Arts and Reading, Form B, question(s) 3, 4, 5, 9, 19, 20, 23, 27, 33, 38, 45, 48, 49*

Signature: \_\_\_\_\_

*Lynelle Williams*

Date: \_\_\_\_\_

*3/1/22*

**Texas Essential Knowledge and Skills**  
**Seventh Grade English Language Arts and Reading Credit by Examination**  
**Final Report from Auditor**

I, Lynelle Williams, confirm that I have thoroughly reviewed the Seventh Grade English Language Arts and Reading Credit by Examination and affirm that the exams align with the Texas Essential Knowledge and Skills for Seventh Grade English Language Arts and Reading as detailed in the Texas Administration Code, Chapter 110, Subchapter B, §110.23 (b), 1A – 12J.

**Summary of Changes:**

*I recommend revisions to the following questions to better align TEKS to the content or to better balance overall TEKS coverage:*

*Seventh Grade English Language Arts and Reading, Form A, question(s) 2, 3, 29, 34, 38*

*Seventh Grade English Language Arts and Reading, Form B, question(s) 5, 22, 29, 34, 37, 38, 49, 51, 52*

Signature: \_\_\_\_\_

*L Williams*

Date: \_\_\_\_\_

*3/1/22*



**Texas Essential Knowledge and Skills**  
**Eighth Grade English Language Arts and Reading Credit by Examination**  
**Final Report from Auditor**

I, Lynelle Williams, confirm that I have thoroughly reviewed the Eighth Grade English Language Arts and Reading Credit by Examination and affirm that the exams align with the Texas Essential Knowledge and Skills for Eighth Grade English Language Arts and Reading as detailed in the Texas Administration Code, Chapter 110, Subchapter B, §110.24 (b), 1A – 12J.

**Summary of Changes:**

*I recommend revisions to the following questions to better align TEKS to the content or to better balance overall TEKS coverage:*

*Eighth Grade English Language Arts and Reading, Form A, question(s) 5, 26, 28, 29, 33, 34, 37, 38, 39*

*Eighth Grade English Language Arts and Reading, Form B, question(s) 7, 29, 34, 37, 38, 39, 42, 44*

Signature: \_\_\_\_\_

*L Williams*

Date: \_\_\_\_\_

*3/1/22*

**Texas Essential Knowledge and Skills  
Spanish I Credit by Examination  
Final Report from Auditor**

I, Allison Payne, confirm that I have thoroughly reviewed the Spanish I, Semesters A and B, Credit by Examination and affirm that the exams align with the Texas Essential Knowledge and Skills for Languages Other Than English as detailed in the Texas Administration Code, Chapter 114, Subchapter C, §114.39. Level I, Novice Mid to Novice High Proficiency (c), 1A – 3B.

**Summary of Changes:**


*I recommend revisions to the following questions to better align TEKS to the content or to better balance overall TEKS coverage:*

*Spanish IA, Form A, question(s) S3, S5*

*Spanish IA, Form B, question(s) S3, 25, 29, 35, 40*

*Spanish IB, Form A, question(s) S5, 13, 30, 43*

*Spanish IB, Form B, question(s) S1, S2, 14, 16, 30, 34, 35*

Signature:   
Date: 2-18-22

**Texas Essential Knowledge and Skills**  
**Spanish II Credit by Examination**  
**Final Report from Auditor**

I, Allison Payne, confirm that I have thoroughly reviewed the Spanish II, Semesters A and B, Credit by Examination and affirm that the exams align with the Texas Essential Knowledge and Skills for Languages Other Than English as detailed in the Texas Administration Code, Chapter 114, Subchapter C, §114.40. Level II, Novice High to Intermediate Low Proficiency (c), 1A – 3B.

**Summary of Changes:**


*I recommend revisions to the following questions to better align TEKS to the content or to better balance overall TEKS coverage:*

*Spanish IIA, Form A, question(s) 8, 44*

*Spanish IIA, Form B, question(s) S4, 19, R4, 41, 43*

*Spanish IIB, Form A, question(s) S2, S3, S4, 21, 24*

*Spanish IIB, Form B, question(s) 16, 18, 20, 23, 29, 32, 33, 39, R4*

Signature:   
Date: 2-18-22

**Texas Essential Knowledge and Skills  
Spanish III Credit by Examination  
Final Report from Auditor**

I, Allison Payne, confirm that I have thoroughly reviewed the Spanish III, Semesters A and B, Credit by Examination and affirm that the exams align with the Texas Essential Knowledge and Skills for Languages Other Than English as detailed in the Texas Administration Code, Chapter 114, Subchapter C, §114.41. Level III, Intermediate Low to Intermediate Mid Proficiency (c), 1A – 3C.

**Summary of Changes:**


*I recommend revisions to the following questions to better align TEKS to the content or to better balance overall TEKS coverage:*

*Spanish IIIA, Form A, question(s) 28, 33*

*Spanish IIIA, Form B, question(s) 31, R4*

*Spanish IIIB, Form A, question(s) 34*

*Spanish IIIB, Form B, question(s) S1, S3, 21, 38, R4*

Signature:   
Date: 2-18-22



# The University of Texas at Austin UT High School

## Credit by Exam Audit Five-Year Plan

Updated: 10/2/18

2019	2020	2021	2022	2023
German 1 (2 semesters) German 2 (2 semesters)  Integrated Physics and Chemistry (2 semesters) Biology (2 semesters) Chemistry (2 semesters) Physics (2 semesters) Environmental Systems (2 semesters)  K-8 Math (9 exams)	K-8 Social Studies (9 exams)  Japanese 1 (full year) Japanese 2 (full year) Korean 1 (full year) Korean 2 (full year) Vietnamese 1 (2 semesters) Vietnamese 2 (2 semesters)  Art 1 (2 semesters)	Health 1 (One Semester) Foundations of Personal Fitness (One Semester) PE 1B (One Semester, total 6 exams)  Algebra 1 (2 semesters) Algebra 2 (2 semesters) Geometry (2 semesters) Precalculus (2 semesters)  US History (2 semesters) Economics (1 semester) US Government (1 semester) World Geography (2 semesters) World History (2 semesters)	K-8 Science (9 exams)  K-8 English (9 exams)  Spanish 1 (2 semesters) Spanish 2 (2 semesters) Spanish 3 (2 semesters)	Business Information Management (2 semesters)  French 1 (2 semesters) French 2 (2 semesters) Chinese 1, traditional (full year) Chinese 1, simplified (full year) Chinese 2, traditional (full year) Chinese 2, simplified (full year)  Communication Applications (1 semester) 9-12 English (8 semesters)
23	19	24	24	19

## Proposed Approval of Innovative Courses

June 17, 2022

**COMMITTEE ON INSTRUCTION: ACTION**  
**STATE BOARD OF EDUCATION: ACTION**

**SUMMARY:** This item recommends approval of innovative courses that do not fall within any of the subject areas of the foundation or enrichment curriculum.

**STATUTORY AUTHORITY:** Texas Education Code ([TEC](#)), [§28.002\(f\)](#).

TEC, §28.002(f), authorizes local school districts to offer courses in addition to those in the required curriculum for local credit and requires the State Board of Education (SBOE) to be flexible in approving a course for credit for high school graduation.

The full text of statutory citations can be found in the statutory authority section of this agenda.

**PREVIOUS BOARD ACTION:** The SBOE adopted 19 TAC §74.27, Innovative Courses and Programs, to be effective September 1, 1996, with amendments to be effective September 1, 1998, and December 25, 2007. In November 2019, the SBOE adopted additional amendments to 19 TAC §74.27 to be effective December 25, 2019.

From May 1998 through July 2003, the SBOE approved a total of 45 new innovative courses that do not fall within any of the subject areas of the foundation or enrichment curriculum through the annual approval process. In May 2004, July 2007, July 2009, January 2011, January 2012, January 2013, and July 2014 the SBOE approved the renewal of innovative courses in addition to approving new courses. In April 2005, April 2006, May 2008, May 2010, and April 2014 the SBOE approved renewal of innovative courses. In July 2010, the SBOE approved one new course. In April 2015, the SBOE approved for a period of five years three expiring course series submitted for renewal. In April 2016, the SBOE approved one new course for a period of three years and one new course for a one-year period. The SBOE approved for a period of five years each the renewal of three expiring innovative courses in November 2016. At the January-February 2017 meeting, the SBOE approved for renewal two expiring innovative courses for a period of five years, and at the April 2017 SBOE meeting, the SBOE approved for renewal three additional courses for a period of five years each. At the June 2017 SBOE meeting, the SBOE approved two new courses for a period of five years each. At the April 2018 SBOE meeting, the SBOE approved one new course for a period of five years. At the January-February 2019 SBOE meeting, the SBOE renewed one course for a period of three years and granted one course a one-year extension. At the April 2019 SBOE meeting, the board approved for renewal two courses for a period of three years and one course for a period of five years. At the June 2019 SBOE meeting, the board approved renewal of one course for a period of three years and one new course for a period of two years. The board approved renewal of eight innovative courses for a period of five years at the January 2020 SBOE meeting. At the June-July 2020 SBOE meeting, the SBOE renewed ten courses for a period of five years and granted one new course a two-year approval. In January 2021, the SBOE renewed one course for a period of five years. At the January 2022 SBOE meeting, the board approved renewal of one course for a period of three years and five courses for a period of five years. At the April 2022 SBOE meeting, the board approved renewal of six courses for a period of five years.

**BACKGROUND INFORMATION AND JUSTIFICATION:** After the board adopted new rules concerning graduation requirements, the experimental courses previously approved were phased out as of August 31, 1998. As a result of the adoption of the Texas Essential Knowledge and Skills (TEKS), districts now submit new requests for innovative course approval for courses that do not have TEKS.

The process outlined in 19 TAC §74.27 provides authority for the commissioner of education to approve discipline-based courses, but reserves for SBOE review and approval those courses that do not fall within any of the subject areas of the foundation or enrichment curriculum.

A brief description of the courses submitted for SBOE review and consideration will be provided to SBOE members at the April 2022 meeting. If approved, the recommended effective date for the courses would be August 1, 2022. With the approval of the local board of trustees, the courses would be available for school districts' use beginning with the 2022-2023 school year.

**PUBLIC BENEFIT AND COST TO PERSONS:** Students would have access to courses that meet local district needs.

**MOTION TO BE CONSIDERED:** The State Board of Education:

Approve the innovative courses that do not fall within any of the subject areas of the foundation or enrichment curriculum as shown in the separate exhibit.

**Staff Members Responsible:**

Monica Martinez, Associate Commissioner, Standards and Support Services

Shelly Ramos, Senior Director, Curriculum Standards and Student Support

**Attachment:**

Text of 19 TAC §74.27, Innovative Courses and Programs

**Separate Exhibit:**

Innovative Courses Recommended for Approval  
(to be provided at the June 2022 SBOE meeting)

## ATTACHMENT

### Text of 19 TAC

#### Chapter 74. Curriculum Requirements

##### Subchapter C. Other Provisions

###### §74.27. Innovative Courses and Programs.

- (a) 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) Applications shall not be approved if the proposed course significantly duplicates the content of a Texas Essential Knowledge and Skills (TEKS)-based course or can reasonably be taught within an existing TEKS-based course.
  - (4) 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) data that demonstrates successful implementation or piloting of the course;
    - (D) a description of activities, major resources, and materials to be used;
    - (E) the methods of evaluating student outcomes;
    - (F) the qualifications of the teacher;
    - (G) any training required in order to teach the course and any associated costs; and
    - (H) the amount of credit requested.
  - (5) To request approval from the commissioner for a career and technical education innovative course, the applying school district or organization must submit with its request for approval evidence that the course is aligned with state and/or regional labor market data.
  - (6) With the approval of the local board of trustees, a school district may offer, without modifications, any state-approved innovative course.
- (b) An ethnic studies course that has been approved by the commissioner as an innovative course shall be presented to the SBOE for discussion and consideration for inclusion in the TEKS.



- (1) Only comprehensive ethnic studies courses in Native American studies, Latino studies, African American studies, and/or Asian Pacific Islander studies, inclusive of history, government, economics, civic engagement, culture, and science and technology, shall be presented to the SBOE for consideration.
- (2) The chair of the Committee on Instruction, in accordance with SBOE Operating Rule 2.5(b) shall collaborate with the board chair to place the item on the next available Committee on Instruction agenda following commissioner approval of the innovative course.

**COMMITTEE ON SCHOOL FINANCE/  
PERMANENT SCHOOL FUND**

**Proposed Amendment to 19 TAC Chapter 109, Budgeting, Accounting, and Auditing,  
Subchapter C, Adoptions By Reference, §109.41, Financial Accountability System Resource Guide  
(Second Reading and Final Adoption)**

**June 17, 2022**

**COMMITTEE ON SCHOOL FINANCE/PERMANENT SCHOOL FUND: ACTION  
STATE BOARD OF EDUCATION: ACTION**

**SUMMARY:** This item presents for second reading and final adoption a proposed amendment to 19 Texas Administrative Code (TAC) Chapter 109, Budgeting, Accounting, and Auditing, Subchapter C, Adoptions By Reference, §109.41, Financial Accountability System Resource Guide. The proposed amendment would adopt by reference the updated *Financial Accountability System Resource Guide* (FASRG). No changes are recommended since approved for first reading.

**STATUTORY AUTHORITY:** Texas Education Code (TEC), §§7.102(c)(32), 44.001(a) and (b), 44.007(a)-(d), and 44.008(b).

TEC, §7.102(c)(32), requires the State Board of Education (SBOE) to adopt rules concerning school district budgets and audits of school district fiscal accounts as required under TEC, Chapter 44, Subchapter A.

TEC, §44.001(a), requires the commissioner to establish advisory guidelines relating to the fiscal management of a school district. TEC, §44.001(b), requires the commissioner to report annually to the SBOE the status of school district fiscal management as reflected by the advisory guidelines and by statutory requirements.

TEC, §44.007(a), requires the board of trustees of each school district to adopt and install a standard school fiscal accounting system that conforms with generally accepted accounting principles. TEC, §44.007(b), requires the accounting system to meet at least the minimum requirements prescribed by the commissioner, subject to review and comment by the state auditor. TEC, §44.007(c), requires a record to be kept of all revenues realized and of all expenditures made during the fiscal year for which a budget is adopted. A report of the revenues and expenditures for the preceding fiscal year is required to be filed with the agency on or before the date set by the SBOE. TEC, §44.007(d), requires each district, as part of the report required by TEC, §44.007, to include management, cost accounting, and financial information in a format prescribed by the SBOE in a manner sufficient to enable the board to monitor the funding process and determine educational system costs by district, campus, and program.

TEC, §44.008(b), requires the independent audit to meet at least the minimum requirements and be in the format prescribed by the SBOE, subject to review and comment by the state auditor. The audit must include an audit of the accuracy of the fiscal information provided by the district through the Public Education Information Management System (PEIMS).

The full text of statutory citations can be found in the statutory authority section of this agenda.

**EFFECTIVE DATE:** The proposed effective date of the proposed amendment is 20 days after filing as adopted with the Texas Register. Under TEC, §7.102(f), the SBOE must approve the rule action at second reading and final adoption by a vote of two-thirds of its members to specify an effective date earlier than the beginning of the 2023-2024 school year. The earlier effective date will ensure the provisions of the FASRG align with current governmental accounting and auditing standards for school districts and charter schools as soon as possible.

**PREVIOUS BOARD ACTION:** The current FASRG, dated June 2021, was adopted by reference in §109.41 effective June 21, 2021. At the January 2022 SBOE meeting, the committee discussed the proposed amendment to §109.41 and the proposed updates to the FASRG modules to be adopted by reference in the rule. At the April 2022 SBOE meeting, the board approved for first reading and filing authorization the proposed amendment to §109.41.

**BACKGROUND INFORMATION AND JUSTIFICATION:** The FASRG describes the rules of financial accounting for school districts, charter schools, and education service centers and is adopted by reference under §109.41. Revisions to the FASRG would align the content with current governmental accounting and auditing standards, remove obsolete requirements, and remove descriptions and discussions of best practices and other non-mandatory elements.

Requirements for financial accounting and reporting are derived from generally accepted accounting principles (GAAP). School districts and charter schools are required to adhere to GAAP. Legal and contractual considerations typical of the government environment are reflected in the fund structure basis of accounting.

An important function of governmental accounting systems is to enable administrators to assure and report on compliance with finance-related legal provisions. This assurance and reporting means that the accounting system and its terminology, fund structure, and procedures must be adapted to satisfy finance-related legal requirements. However, the basic financial statements of school districts and charter schools should be prepared in conformity with GAAP.

School district and charter school accounting systems shall use the accounting code structure presented in the Account Code section of the FASRG (Module 1). Funds shall be classified and identified on required financial statements by the same code number and terminology provided in the Account Code section of the FASRG (Module 1).

The following changes would be made to Modules 1-6 of the FASRG.

#### Module 1, Financial Accounting and Reporting (FAR) and FAR Appendices

Module 1 would align with current governmental accounting standards. Proposed Module 1 would include the following significant changes. School districts and charter schools would be required to maintain proper budgeting and financial accounting and reporting systems. In addition, school districts would be required to establish principles and policies to ensure uniformity in accounting in conformity with GAAP established by the Governmental Accounting Standards Board (GASB) and the Financial Accounting Standards Board (FASB).

#### Module 2, Special Supplement - Charter Schools

Module 2 would align with current financial and accounting reporting standards. Proposed Module 2 would include the following significant changes. The proposed module would establish financial and accounting requirements for Texas public charter schools to ensure uniformity in accounting in conformity with GAAP. The proposed module would also include current guidance that complements the American Institute of Certified Public Accountants (AICPA) *Audit and Accounting Guide, State and Local Governments* and supplements the *Government Auditing Standards* of the United States Government Accountability Office (GAO). These requirements facilitate preparation of financial statements that conform to GAAP established by the FASB.

#### Module 3, Special Supplement - Non-profit Charter Schools Chart of Accounts

Module 3 would align with current governmental accounting standards. Proposed Module 3 would include the following significant changes. Charter schools would be required to maintain proper

budgeting and financial accounting and reporting systems that are in conformity with Texas Education Data Standards (TEDS) in the Texas Student Data Systems (TSDS) PEIMS. In addition, charter schools would be required to establish principles and policies to ensure uniformity in accounting in conformity with GAAP established by the FASB. The proposed module would also include current auditing guidance that complements the AICPA *Audit and Accounting Guide, State and Local Governments* and supplements the *Government Auditing Standards* of the United States GAO. These requirements facilitate preparation of financial statements that conform to GAAP established by the FASB.

#### Module 4, Auditing

Module 4 would align with current governmental auditing standards. Proposed Module 4 would include the following significant changes. The proposed module would establish auditing requirements for Texas public school districts and charter schools and include current requirements from TEC, §44.008, as well as Title 2, Code of Federal Regulations, Part 200, Subpart F, Audit Requirements, that implement the federal Single Audit Act. The proposed module would also include current auditing guidance that complements the AICPA *Audit and Accounting Guide, State and Local Governments* and supplements the *Government Auditing Standards* of the United States GAO. These requirements facilitate preparation of financial statements that conform to GAAP established by the GASB.

#### Module 5, Purchasing

Module 5 would align with current purchasing laws and standards. Proposed Module 5 would include the following significant changes. School districts and charter schools would be required to establish procurement policies and procedures that align with their unique operating environment and ensure compliance with relevant statutes and policies.

#### Module 6, Compensatory Education, Guidelines, Financial Treatment, and an Auditing and Reporting System

Module 6 would align with current governmental accounting standards. Proposed Module 6 would include the following significant changes. School districts and charter schools would be required to maintain proper budgeting and financial accounting and reporting systems. The module would provide current information to assist local school officials' understanding of the numerous options for use of the state compensatory education allotment and provide current guidance for compliance.

**FISCAL IMPACT:** No changes have been made to this section since published as proposed.

The Texas Education Agency (TEA) has determined that there are no additional costs to state or local government required to comply with the proposal.

**LOCAL EMPLOYMENT IMPACT:** No changes have been made to this section since published as proposed.

The proposal has no effect on local economy; therefore, no local employment impact statement is required under Texas Government Code, §2001.022.

**SMALL BUSINESS, MICROBUSINESS, AND RURAL COMMUNITY IMPACT:** No changes have been made to this section since published as proposed.

The proposal has no direct adverse economic impact for small businesses, microbusinesses, or rural communities; therefore, no regulatory flexibility analysis specified in Texas Government Code, §2006.002, is required.

**COST INCREASE TO REGULATED PERSONS:** No changes have been made to this section since published as proposed.

The proposal does not impose a cost on regulated persons, another state agency, a special district, or a local government and, therefore, is not subject to Texas Government Code, §2001.0045.

**TAKINGS IMPACT ASSESSMENT:** No changes have been made to this section since published as proposed.

The proposal does not impose a burden on private real property and, therefore, does not constitute a taking under Texas Government Code, §2007.043.

**GOVERNMENT GROWTH IMPACT:** No changes have been made to this section since published as proposed.

TEA staff prepared a Government Growth Impact Statement assessment for this proposed rulemaking. During the first five years the proposed rulemaking would be in effect, it would expand and limit an existing regulation. The proposal would amend requirements and provide updated governmental accounting and auditing standards. In some instances, the proposed changes would add information, and in some instances, information would be removed.

The proposed rulemaking would not create or eliminate a government program; would not require the creation of new employee positions or elimination of existing employee positions; would not require an increase or decrease in future legislative appropriations to the agency; would not require an increase or decrease in fees paid to the agency; would not create a new regulation; would not repeal an existing regulation; would not increase or decrease the number of individuals subject to its applicability; and would not positively or adversely affect the state's economy.

**PUBLIC BENEFIT AND COST TO PERSONS:** No changes have been made to this section since published as proposed.

The proposal would ensure that the provisions of the FASRG align with current governmental accounting and auditing standards for school districts and charter schools. There is no anticipated economic cost to persons who are required to comply with the proposal.

**DATA AND REPORTING IMPACT:** No changes have been made to this section since published as proposed.

The proposal would have no data and reporting impact.

**PRINCIPAL AND CLASSROOM TEACHER PAPERWORK REQUIREMENTS:** No changes have been made to this section since published as proposed.

TEA has determined that the proposal would not require a written report or other paperwork to be completed by a principal or classroom teacher.

**PUBLIC COMMENTS:** Following the April 2022 SBOE meeting, notice of the proposed amendment to 19 TAC §109.41 was filed with the Texas Register, initiating the public comment period. The public comment period began May 6, 2022, and ended at 5:00 p.m. on June 10, 2022. No comments had been received at the time this item was prepared. A summary of public comments received will be provided to the SBOE during the June 2022 meeting. The SBOE will take registered oral and written comments on the proposal at the appropriate committee meeting in June 2022 in accordance with the SBOE board operating policies and procedures.

**MOTION TO BE CONSIDERED:** The State Board of Education:

Approve for second reading and final adoption the proposed amendment to 19 TAC Chapter 109, Budgeting, Accounting, and Auditing, Subchapter C, Adoptions By Reference, §109.41, Financial Accountability System Resource Guide; and

Make an affirmative finding that immediate adoption of the proposed amendment to 19 TAC Chapter 109, Budgeting, Accounting, and Auditing, Subchapter C, Adoptions By Reference, §109.41, Financial Accountability System Resource Guide, is necessary and shall have an effective date of 20 days after filing as adopted with the Texas Register. *(Per TEC, §7.102(f), a vote of two-thirds of the members of the board is necessary for an earlier effective date.)*

**Staff Members Responsible:**

Leo Lopez, Associate Commissioner, School Finance  
David Marx, Senior Director, Financial Compliance

**Attachment I:**

Text of Proposed Amendment to 19 TAC Chapter 109, Budgeting, Accounting, and Auditing, Subchapter C, Adoptions By Reference, §109.41, Financial Accountability System Resource Guide

**Attachment II:**

Proposed FASRG Module 1, Financial Accounting and Reporting (FAR)

**Attachment III:**

Proposed FASRG Module 1, FAR Appendices

**Attachment IV:**

Proposed FASRG Module 2, Special Supplement - Charter Schools

**Attachment V:**

Proposed FASRG Module 3, Special Supplement - Non-profit Charter Schools Chart of Accounts

**Attachment VI:**

Proposed FASRG Module 4, Auditing

**Attachment VII:**

Proposed FASRG Module 5, Purchasing

**Attachment VIII:**

Proposed FASRG Module 6, Compensatory Education, Guidelines, Financial Treatment, and an Auditing and Reporting System

Due to the size of Attachments II-VIII, the FASRG modules are available electronically on the TEA website at <https://tea.texas.gov/finance-and-grants/financial-accountability/financial-accountability-system-resource-guide>.

**ATTACHMENT I**  
**Text of Proposed Amendment to 19 TAC**

**Chapter 109. Budgeting, Accounting, and Auditing**

**Subchapter C. Adoptions By Reference**

**§109.41. Financial Accountability System Resource Guide.**

The rules for financial accounting are described in the official Texas Education Agency (TEA) publication Financial Accountability System Resource Guide, Version 18.0 [~~dated June 2021~~], which is adopted by this reference as the agency's official rule. A copy is available on the TEA website with information related to financial compliance.



## Per Capita Apportionment Rate for the 2021-2022 School Year

June 16, 2022

### COMMITTEE ON SCHOOL FINANCE/PERMANENT SCHOOL FUND: DISCUSSION STATE BOARD OF EDUCATION: NO ACTION

**SUMMARY:** A per capita apportionment rate for each school year is set based on an estimate of the amount available for expenditure from the Available School Fund (ASF). A preliminary 2021-2022 per capita apportionment rate of \$402.428 was set in September 2021. A final per capita apportionment rate is set by the commissioner of education based on actual funds available for expenditure. Agency staff will present the final rate for the 2021-2022 school year at the June 2022 meeting of the Committee on School Finance/Permanent School Fund.

**STATUTORY AUTHORITY:** Texas Education Code (TEC), §§48.004, 48.251(c), and 43.001(b).

TEC, §48.004, requires the commissioner of education to implement and administer the Foundation School Program (FSP).

TEC, §48.251(c), requires the FSP to be financed with state available school funds distributed in accordance with the law.

TEC, §43.001(b), describes the appropriations that make up the ASF.

The full text of statutory citations can be found in the statutory authority section of this agenda.

**PREVIOUS BOARD ACTION:** A preliminary 2021–2022 per capita apportionment rate of \$402.428 was established in September 2021.

**BACKGROUND INFORMATION AND JUSTIFICATION:** House Bill 1, the General Appropriations Bill enacted by the 87th Texas Legislature, 2021, contains an estimate of the amount that will be available for expenditures from the ASF for the 2021-2022 school year. The per capita apportionment will include distributions from the Permanent School Fund and funds from state occupation taxes and from the Motor Fuels Tax. The preliminary per capita apportionment rate set by the commissioner of education is based on an estimate of the funds available for expenditure. A final rate is established later in the school year by the commissioner of education based on actual funds available for expenditure.

**FISCAL IMPACT:** The per capita apportionment rate finances part of the cost of the FSP. State aid comes from the ASF and the Foundation School Fund (FSF). The per capita apportionment rate determines how much of each district's total state aid is paid from the ASF. The part that is not financed by the ASF must be paid from the FSF.

#### **Staff Members Responsible:**

Leo Lopez, Associate Commissioner, School Finance  
Amy Copeland, Director, State Funding

#### **Separate Exhibit:**

Final Per Capita Apportionment Rate for 2021-2022  
(to be provided at the June 2022 SBOE meeting)

**Report on Permanent School Fund Securities Transactions and the Investment Portfolio and Ratification of Purchases and Sales for the Months of February, March, and April 2022**

**June 17, 2022**

**COMMITTEE ON SCHOOL FINANCE/PERMANENT SCHOOL FUND: ACTION  
STATE BOARD OF EDUCATION: CONSENT**

**SUMMARY:** This item provides an opportunity for the committee and board to receive a report on Permanent School Fund (PSF) Securities Transactions and the Investment Portfolio and consider approval of purchases and sales of investments executed in the portfolio of the PSF for the months of February, March, and April 2022.

**STATUTORY AUTHORITY:** Texas Constitution, [Article VII, §2](#) and [§5](#), and 19 Texas Administrative Code (TAC) Chapter 33.

The Texas Constitution, Article VII, §2 and §5 establish the permanent school fund, the assets that comprise the permanent school fund, the bond guarantee program, the available school fund, and authorize the State Board of Education (SBOE) to manage and invest the permanent school fund in accordance with the prudent person standard.

19 TAC Chapter 33 codifies administrative rules that provide a statement of investment objectives, policies, and guidelines of the Texas Permanent School Fund and Bond Guarantee Program as adopted by the SBOE.

The full text of statutory citations can be found in the statutory authority section of this agenda.

**PREVIOUS BOARD ACTION:** At the April 2022 meeting, the board approved purchases in the amount of \$1,600,184,569 and sales in the amount of \$1,943,010,053 conducted in the investment portfolio of the PSF for the months of December 1, 2021, through January 31, 2022.

**BACKGROUND INFORMATION AND JUSTIFICATION:** The purchases and sales of the investment portfolio are reviewed by the staff to ensure compliance with the Investment Guidelines, Policies, and Objectives of the PSF. The specific amounts of the purchases and sales for the reporting period will be recommended to the board for ratification upon approval by the Committee on School Finance/Permanent School Fund.

**Staff Member Responsible:**

Holland Timmins, Executive Administrator and Chief Investment Officer, Texas Permanent School Fund

**Report on Permanent School Fund Liquid Account and Ratification of Purchases and Sales for the Months of February, March, and April 2022**

**June 17, 2022**

**COMMITTEE ON SCHOOL FINANCE/PERMANENT SCHOOL FUND: ACTION  
STATE BOARD OF EDUCATION: CONSENT**

**SUMMARY:** This item provides an opportunity for the committee and board to receive a status update report on the liquid account and consider approval of the purchases and sales of investments executed in the liquid account for the months of February, March, and April 2022.

**STATUTORY AUTHORITY:** Texas Constitution, [Article VII, §2](#) and [§5](#); Texas Natural Resources Code ([NRC](#)), [§51.414](#), as repealed by SB 1232, 87th Legislature, Regular Session, 2021; and 19 Texas Administrative Code (TAC) Chapter 33.

The Texas Constitution, Article VII, §2 and §5 establish the permanent school fund, the assets that comprise the permanent school fund, the bond guarantee program, the available school fund, and authorize the State Board of Education (SBOE) to manage and invest the permanent school fund in accordance with the prudent person standard.

NRC, §51.414, created the Liquid Account within the Permanent School Fund to be managed by the SBOE.

19 TAC Chapter 33 codifies administrative rules that provide a statement of investment objectives, policies, and guidelines of the Texas Permanent School Fund and Bond Guarantee Program as adopted by the SBOE.

The full text of statutory citations can be found in the statutory authority section of this agenda.

**PREVIOUS BOARD ACTION:** At the April 2022 meeting, the board approved purchases in the amount of \$1,429,209,087 and sales in the amount of \$20,853,379 for the Permanent School Fund Liquid Account for the period December 1, 2021 through January 31, 2022.

**Staff Member Responsible:**

Holland Timmins, Executive Administrator and Chief Investment Officer, Texas Permanent School Fund

## First Quarter 2022 Permanent School Fund Performance Report

June 16, 2022

### COMMITTEE ON SCHOOL FINANCE/PERMANENT SCHOOL FUND: DISCUSSION STATE BOARD OF EDUCATION: NO ACTION

**SUMMARY:** The performance measurement consultant to the Permanent School Fund (PSF), BNY Mellon Asset Servicing, will report on the investment performance during the first calendar quarter 2022 and the cumulative investment performance of various portfolios of the PSF. This item provides the opportunity for the committee to discuss in depth, various issues related to portfolio management such as risk characteristics of portfolios and portfolio attributes.

**STATUTORY AUTHORITY:** Texas Constitution, [Article VII, §2](#) and [§5](#); 19 Texas Administrative Code (TAC), Chapter 33.

The Texas Constitution, Article VII, §2 and §5 establish the permanent school fund, the assets that comprise the permanent school fund, the bond guarantee program, the available school fund, and authorize the State Board of Education (SBOE) to manage and invest the permanent school fund in accordance with the prudent person standard.

19 TAC Chapter 33 codifies administrative rules that provide a statement of investment objectives, policies, and guidelines of the Texas Permanent School Fund and Bond Guarantee Program as adopted by the SBOE.

The full text of statutory citations can be found in the statutory authority section of this agenda.

**BACKGROUND INFORMATION AND JUSTIFICATION:** An in-depth performance review at the committee level is intended to allow committee members to review not only total return information for each managed portfolio, but to gain a more thorough understanding of the risk characteristics, portfolio attributes, and portfolio structures of each portfolio that all contribute to return.

**Staff Member Responsible:**

Holland Timmins, Executive Administrator and Chief Investment Officer, Texas Permanent School Fund

## **Review the Process to Consider Board Member Nominees for a School Land Board Position**

**June 17, 2022**

### **COMMITTEE ON SCHOOL FINANCE/PERMANENT SCHOOL FUND: ACTION STATE BOARD OF EDUCATION: CONSENT**

**SUMMARY:** This item provides an opportunity for the committee and board to review the process to consider nominees for a School Land Board position.

**STATUTORY AUTHORITY:** Texas Constitution, [Article VII, §2](#) and [§5](#), and 19 Texas Administrative Code (TAC) Chapter 33.

The Texas Constitution, Article VII, §2 and §5 establish the permanent school fund, the assets that comprise the permanent school fund, the bond guarantee program, the available school fund, and authorize the State Board of Education (SBOE) to manage and invest the permanent school fund in accordance with the prudent person standard.

19 TAC Chapter 33 codifies administrative rules that provide a statement of investment objectives, policies, and guidelines of the Texas Permanent School Fund and Bond Guarantee Program as adopted by the SBOE.

The full text of statutory citations can be found in the statutory authority section of this agenda.

**BACKGROUND INFORMATION AND JUSTIFICATION:** At the June 2021 meeting the SBOE approved a list of nominees to be submitted to the governor for consideration for appointment to the School Land Board.

**Staff Member Responsible:**

Holland Timmins, Executive Administrator and Chief Investment Officer, Texas Permanent School Fund

**Review and Adoption of the Long-Term Strategic Asset Allocation Plan of the Permanent School Fund of the State Board of Education and the Permanent School Fund Liquid Account**

**June 17, 2022**

**COMMITTEE ON SCHOOL FINANCE/PERMANENT SCHOOL FUND: ACTION  
STATE BOARD OF EDUCATION: CONSENT**

**SUMMARY:** This item provides an opportunity for the board to review and adopt the long-term strategic asset allocation plan of the Permanent School Fund (PSF) of the State Board of Education (SBOE) and the PSF Liquid Account.

**STATUTORY AUTHORITY:** Texas Constitution, [Article VII, §2](#) and [§5](#); and 19 Texas Administrative Code (TAC) Chapter 33.

**PREVIOUS BOARD ACTION:** In July 2020, the board reviewed and adopted the PSF long-term strategic asset allocation plan.

**BACKGROUND INFORMATION AND SIGNIFICANT ISSUES:** One of the primary duties of the board in its oversight of the PSF is to establish the long-term asset allocation policy of the Fund. The allocation of the Fund's assets between various classes of securities will explain approximately 90% of the Fund's variation of returns. The overall risk assumed by the Fund is managed through the diversification of asset classes in which the Fund is invested.

House Bill (HB) 4388, 86th Texas Legislature, 2019 provided the authority to the PSF to manage the PSF Liquid Account.

**Staff Member Responsible:**

Holland Timmins, Executive Administrator and Chief Investment Officer, Texas Permanent School Fund

**Report of the Permanent School Fund Executive Administrator and  
Chief Investment Officer**

**June 16, 2022**

**COMMITTEE ON SCHOOL FINANCE/PERMANENT SCHOOL FUND: DISCUSSION  
STATE BOARD OF EDUCATION: NO ACTION**

**SUMMARY:** The Permanent School Fund (PSF) executive administrator will report to the committee on matters relating to the management of the PSF and the Charter District Reserve Fund. The report may present information on historical and current status of Fund holdings, current and proposed investment policies and procedures, and historical and current Fund performance and compliance. The administrator may update the board on the bond guarantee program, the status of requests for proposal or for qualifications and current contracts for services and other administrative activities undertaken on behalf of the board. The administrator may provide an update on the PSF distribution or on the effect of legislation impacting the PSF. The administrator may provide an analysis of current and future investment market conditions, focusing upon the impact on the holdings of the PSF.

**STATUTORY AUTHORITY:** Texas Constitution, [Article VII, §2](#) and [§5](#), and 19 Texas Administrative Code (TAC) Chapter 33.

The Texas Constitution, Article VII, §2 and §5 establish the permanent school fund, the assets that comprise the permanent school fund, the bond guarantee program, the available school fund, and authorize the State Board of Education (SBOE) to manage and invest the permanent school fund in accordance with the prudent person standard.

19 TAC Chapter 33 codifies administrative rules that provide a statement of investment objectives, policies, and guidelines of the Texas Permanent School Fund and Bond Guarantee Program as adopted by the SBOE.

The full text of statutory citations can be found in the statutory authority section of this agenda.

**Staff Member Responsible:**

Holland Timmins, Executive Administrator and Chief Investment Officer, Texas Permanent School Fund

# **COMMITTEE ON SCHOOL INITIATIVES**



**Adoption of Review of 19 TAC Chapter 61, School Districts, Subchapter A, Board of Trustees Relationship, and Subchapter B, Special Purpose School Districts**

**June 17, 2022**

**COMMITTEE ON SCHOOL INITIATIVES: ACTION  
STATE BOARD OF EDUCATION: ACTION**

**SUMMARY:** Texas Government Code (TGC), §2001.039, establishes a four-year rule review cycle for all state agency rules, including State Board of Education (SBOE) rules. This item presents the adoption of the review of 19 Texas Administrative Code (TAC) Chapter 61, School Districts, Subchapter A, Board of Trustees Relationship, and Subchapter B, Special Purpose School Districts. The rules being reviewed relate to continuing education for school board members, nomination of trustees for military reservation school districts and Boys Ranch Independent School District, applicability of state law for special purpose school districts, and applicability of state law to Boys Ranch Independent School District.

**STATUTORY AUTHORITY:** The statutory authority for the rule review is the Texas Government Code (TGC), §2001.039. The statutory authority for 19 TAC Chapter 61, Subchapter A, is the Texas Education Code (TEC), §11.159, as amended by House Bill (HB) 690, 87th Texas Legislature, 2021, and TEC, §§11.185, 11.186, and 11.352; and for Subchapter B, is TEC, §11.351 and §11.352.

TGC, §2001.039, requires all state agencies to review their rules at least once every four years.

TEC, §11.159, as amended by HB 690, 87<sup>th</sup> Texas Legislature, 2021, requires the SBOE to provide a training course for independent school district trustees.

TEC, §11.185 and §11.186, require each district board of trustees to adopt proficiency plans and annual goals for early childhood literacy, mathematics proficiency, and college, career, and military readiness.

TEC, §11.351 authorizes the SBOE to establish special-purpose school districts for the education of students in special situations whose educational needs are not adequately met by regular school districts.

TEC, §11.352 authorizes the SBOE to adopt rules for the governance of special-purpose school districts, including the appointment of school board trustees. Absent a rule adopted under §11.352, the laws applicable to independent school districts apply to special-purpose districts.

The full text of statutory citations can be found in the statutory authority section of this agenda.

**PREVIOUS BOARD ACTION:** The SBOE last adopted the review of 19 TAC Chapter 61, Subchapter A, in June 2018, finding that the reasons for initially adopting the rules continued to exist. 19 TAC Chapter 61, Subchapter B, §61.101 was adopted to be effective October 25, 2020, and §61.111 was adopted to be effective June 13, 2021. The proposed review of 19 TAC Chapter 61 was presented to the Committee on School Initiatives at the April 2022 meeting.

**BACKGROUND INFORMATION AND JUSTIFICATION:** The SBOE rules in 19 TAC Chapter 61 are organized as follows: Subchapter A, Board of Trustees Relationship, and Subchapter B, Special Purpose School Districts. Following is a summary of each subchapter.

*Subchapter A. Board of Trustees Relationship*

The rule in §61.1 describes the continuing education requirements for school district boards of trustees.

The rule in §61.2 describes the requirements for nominations to the boards of trustees of special-purpose districts.

*Subchapter B. Special Purpose School Districts*

The rule in §61.101 establishes the applicability of state laws to the special-purpose school districts operated by the University of Texas at Austin and Texas Tech University.

The rule in §61.111 establishes the applicability of state laws to Boys Ranch Independent School District.

If authorized by the SBOE, the TEA will file the adopted review with the *Texas Register* stating that the SBOE finds the reasons for adopting 19 TAC Chapter 61, Subchapters A and B, continue to exist. The filing of the adopted review stating that the reasons for adoption continue to exist would not preclude any amendments that may be proposed at different dates through a separate rulemaking process.

**PUBLIC COMMENTS:** TEA filed the notice of proposed review of 19 TAC Chapter 61, Subchapters A and B, with the *Texas Register* following the April 2022 SBOE meeting. The public comment period on the proposed review began May 6, 2022, and ended at 5:00 p.m. on June 10, 2022. Public comments received will be provided to the SBOE during the June 2022 meeting. The SBOE will take registered oral and written comments on the proposed review at the committee meeting in June 2022 in accordance with the SBOE board operating policies and procedures.

**MOTION TO BE CONSIDERED:** The State Board of Education:

Adopt the review of 19 TAC Chapter 61, School Districts, Subchapter A, Board of Trustees Relationship, and Subchapter B, Special Purpose School Districts

**Staff Member Responsible:**

Christopher Lucas, Director, Policy, Planning, and Operations, Governance and Accountability

**Attachment:**

Text of 19 TAC Chapter 61, School Districts, Subchapter A, Board of Trustees Relationship, and Subchapter B, Special Purpose School Districts

**ATTACHMENT  
Text of 19 TAC**

**Chapter 61. School Districts**

**Subchapter A. Board of Trustees Relationship**

**§61.1. Continuing Education for School Board Members.**

- (a) Under the Texas Education Code (TEC), §11.159, the State Board of Education (SBOE) shall adopt a framework for governance leadership to be used in structuring continuing education for school board members. The framework shall be posted to the Texas Education Agency (TEA) website and shall be distributed annually by the president of each board of trustees to all current board members and the superintendent.
- (b) The continuing education required under the TEC, §11.159, applies to each member of an independent school district board of trustees.
  - (1) Each school board member of an independent school district shall complete a local district orientation.
    - (A) The purpose of the local orientation is to familiarize new board members with local board policies and procedures and district goals and priorities.
    - (B) A candidate for school board may complete the training up to one year before he or she is elected or appointed. A newly elected or appointed school board member who did not complete this training in the year preceding his or her election or appointment must complete the training within 120 calendar days after election or appointment.
    - (C) The orientation shall be at least three hours in length.
    - (D) The orientation shall address local district practices in the following, in addition to topics chosen by the local district:
      - (i) curriculum and instruction;
      - (ii) business and finance operations;
      - (iii) district operations;
      - (iv) superintendent evaluation; and
      - (v) board member roles and responsibilities.
    - (E) Each board member should be made aware of the continuing education requirements of this section and those of the following:
      - (i) open meetings act in Texas Government Code, §551.005;
      - (ii) public information act in Texas Government Code, §552.012; and
      - (iii) cybersecurity in Texas Government Code, §2054.5191.
    - (F) The orientation shall be open to any board member who chooses to attend.
  - (2) Each school board member of an independent school district shall complete a basic orientation to the TEC and relevant legal obligations.
    - (A) The orientation shall have special, but not exclusive, emphasis on statutory provisions related to governing Texas school districts.

- (B) A candidate for school board may complete the training up to one year before he or she is elected or appointed. A newly elected or appointed school board member who did not complete this training in the year preceding his or her election or appointment must complete the training within 120 calendar days after election or appointment.
  - (C) The orientation shall be at least three hours in length.
  - (D) Topics shall include, but not be limited to, the TEC, Chapter 26 (Parental Rights and Responsibilities), and the TEC, §28.004 (Local School Health Advisory Council and Health Education Instruction).
  - (E) The orientation shall be provided by a regional education service center (ESC).
  - (F) The orientation shall be open to any board member who chooses to attend.
  - (G) The continuing education may be fulfilled through online instruction, provided that the training incorporates interactive activities that assess learning and provide feedback to the learner and offers an opportunity for interaction with the instructor.
  - (H) The ESC shall determine the clock hours of training credit to be awarded for successful completion of an online course and shall provide verification of completion as required in subsection (h) of this section.
- (3) After each session of the Texas Legislature, including each regular session and called session related to education, each school board member shall complete an update to the basic orientation to the TEC.
- (A) The update session shall be of sufficient length to familiarize board members with major changes in statute and other relevant legal developments related to school governance.
  - (B) The update shall be provided by an ESC or a registered provider, as defined by subsection (c) of this section.
  - (C) A board member who has attended an ESC basic orientation session described in paragraph (2) of this subsection that incorporated the most recent legislative changes is not required to attend an update.
  - (D) The continuing education may be fulfilled through online instruction, provided that the training is designed and offered by a registered provider, incorporates interactive activities that assess learning and provide feedback to the learner, and offers an opportunity for interaction with the instructor.
  - (E) The ESC or registered provider shall determine the clock hours of training credit to be awarded for successful completion of an online course and shall provide verification of completion as required in subsection (h) of this section.
- (4) The entire board shall participate with their superintendent in a team-building session.
- (A) The purpose of the team-building session is to enhance the effectiveness of the board-superintendent team and to assess the continuing education needs of the board-superintendent team.
  - (B) The session shall be held annually.
  - (C) The session shall be at least three hours in length.
  - (D) The session shall include a review of the roles, rights, and responsibilities of a local board as outlined in the framework for governance leadership described in subsection (a) of this section.
  - (E) The assessment of needs shall be based on the framework for governance leadership described in subsection (a) of this section and shall be used to plan continuing education activities for the year for the governance leadership team.

- (F) The team-building session shall be provided by an ESC or a registered provider as described in subsection (c) of this section.
  - (G) The superintendent's participation in team-building sessions as part of the continuing education for board members shall represent one component of the superintendent's ongoing professional development.
- (5) In addition to the continuing education requirements in paragraphs (1) through (4) of this subsection, each board member shall complete additional continuing education based on the framework for governance leadership described in subsection (a) of this section.
- (A) The purpose of continuing education is to address the continuing education needs referenced in paragraph (4) of this subsection.
  - (B) The continuing education shall be completed annually.
  - (C) In a board member's first year of service, he or she shall complete at least ten hours of continuing education in fulfillment of assessed needs.
  - (D) Following a board member's first year of service, he or she shall complete at least five hours of continuing education annually in fulfillment of assessed needs.
  - (E) A board president shall complete continuing education related to leadership duties of a board president as some portion of the annual requirement.
  - (F) At least 50% of the continuing education shall be designed and delivered by persons not employed or affiliated with the board member's local school district. No more than one hour of the required continuing education that is delivered by the local district may utilize self-instructional materials.
  - (G) The continuing education shall be provided by an ESC or a registered provider, as defined by subsection (c) of this section.
  - (H) The continuing education may be fulfilled through online instruction, provided that the training is designed and offered by a registered provider, incorporates interactive activities that assess learning and provide feedback to the learner, and offers an opportunity for interaction with the instructor.
  - (I) The ESC or registered provider shall determine the clock hours of training credit to be awarded for successful completion of an online course and shall provide verification of completion as required in subsection (h) of this section.
- (6) Each school board member shall complete continuing education on evaluating student academic performance and setting individual campus goals for early childhood literacy and mathematics and college, career, and military readiness.
- (A) The purpose of the training on evaluating student academic performance is to provide research-based information to board members that is designed to support the oversight role of the board of trustees outlined in the TEC, §11.1515.
  - (B) The purpose of the continuing education on setting individual campus goals for early childhood literacy and mathematics and college, career, and military readiness is to facilitate boards meeting the requirements of TEC, §11.185 and §11.186.
  - (C) A candidate for school board may complete the training up to one year before he or she is elected or appointed. A newly elected or appointed school board member who did not complete this training in the year preceding his or her election or appointment must complete the training within 120 calendar days after election or appointment.
  - (D) The continuing education shall be completed every two years.
  - (E) The training shall be at least three hours in length.

- (F) The continuing education required by this subsection shall include, at a minimum:
    - (i) instruction in school board behaviors correlated with improved student outcomes with emphasis on:
      - (I) setting specific, quantifiable student outcome goals; and
      - (II) adopting plans to improve early literacy and numeracy and college, career, and military readiness for applicable student groups evaluated in the Closing the Gaps domain of the state accountability system established under TEC, Chapter 39;
    - (ii) instruction in progress monitoring practices to improve student outcomes; and
    - (iii) instruction in state accountability with emphasis on the Texas Essential Knowledge and Skills, state assessment instruments administered under the TEC, Chapter 39, and the state accountability system established under the TEC, Chapter 39.
  - (G) The continuing education shall be provided by an authorized provider as defined by subsection (d) of this section.
  - (H) If the training is attended by an entire school board and its superintendent, includes a review of local school district data on student achievement, and otherwise meets the requirements of subsection (b)(4) of this section, the training may serve to meet a school board member's obligation to complete training under subsection (b)(4) and (6) of this section, as long as the training complies with the Texas Open Meetings Act.
- (7) Each board member shall complete continuing education on identifying and reporting potential victims of sexual abuse, human trafficking, and other maltreatment of children in accordance with TEC, §11.159(c)(2).
- (A) A candidate for school board may complete the training up to one year before he or she is elected or appointed. A newly elected or appointed school board member who did not complete this training in the year preceding his or her election or appointment must complete the training within 120 calendar days after election or appointment.
  - (B) The training shall be completed every two years.
  - (C) The training shall be at least one hour in length.
  - (D) The training must familiarize board members with the requirements of TEC, §38.004 and §38.0041, and §61.1051 of this title (relating to Reporting Child Abuse or Neglect, Including Trafficking of a Child).
  - (E) The training required by this subsection shall include, at a minimum:
    - (i) instruction in best practices of identifying potential victims of child abuse, human trafficking, and other maltreatment of children;
    - (ii) instruction in legal requirements to report potential victims of child abuse, human trafficking, and other maltreatment of children; and
    - (iii) instruction in resources and organizations that help support victims and prevent child abuse, human trafficking, and other maltreatment of children.
  - (F) The training sessions shall be provided by a registered provider as defined by subsection (c) of this section.
  - (G) This training may be completed online, provided that the training is designed and offered by a registered provider, incorporates interactive activities that assess learning and provide feedback to the learner, and offers an opportunity for interaction with the instructor.

- (H) The registered provider shall determine the clock hours of training credit to be awarded for successful completion of an online course and shall provide verification of completion as required in subsection (h) of this section.
- (c) For the purposes of this section, a registered provider has demonstrated proficiency in the content required for a specific training. A private or professional organization, school district, government agency, college/university, or private consultant shall register with the TEA to provide the board member continuing education required in subsection (b)(3), (5), and (7) of this section.
  - (1) The registration process shall include documentation of the provider's training and/or expertise in the activities and areas covered in the framework for governance leadership.
  - (2) An updated registration shall be required of a provider of continuing education every three years.
  - (3) A school district that provides continuing education exclusively for its own board members is not required to register.
  - (4) An ESC is not required to register under this subsection.
- (d) An authorized provider meets all the requirements of a registered provider and has demonstrated proficiency in the content required in subsection (b)(4) and (6) of this section. Proficiency may be demonstrated by completing a TEA-approved train-the-trainer course that includes evaluation on the topics and following a review of the provider's qualifications and course design, or through other means as determined by the commissioner.
  - (1) A private or professional organization, school district, government agency, college/university, or private consultant may be authorized by TEA to provide the board member training required in subsection (b)(4) and (6) of this section.
  - (2) An ESC shall be authorized by TEA to provide the board member training required in subsection (b)(4) and (6) of this section.
  - (3) The authorization process shall include documentation of the provider's training and/or expertise in the activities and areas covered in the framework for governance leadership.
  - (4) An updated authorization shall be required of a provider of training every three years.
- (e) No continuing education shall take place during a school board meeting unless that meeting is called expressly for the delivery of board member continuing education. However, continuing education may take place prior to or after a legally called board meeting in accordance with the provisions of the Texas Government Code, §551.001(4).
- (f) An ESC board member continuing education program shall be open to any interested person, including a current or prospective board member. A district is not responsible for any costs associated with individuals who are not current board members.
- (g) A registration fee shall be determined by ESCs to cover the costs of providing continuing education programs offered by ESCs.
- (h) For each training described in this section, the provider of continuing education shall provide verification of completion of board member continuing education to the individual participant and to the participant's school district. The verification must include the provider's authorization or registration number.
- (i) To the extent possible, the entire board shall participate in continuing education programs together.

- (j) At the last regular meeting of the board of trustees before an election of trustees, the current president of each local board of trustees shall announce the name of each board member who has completed the required continuing education, who has exceeded the required hours of continuing education, and who is deficient in meeting the required continuing education as of the anniversary of the date of each board member's election or appointment to the board or two-year anniversary of his or her previous training, as applicable. The announcement shall state that completing the required continuing education is a basic obligation and expectation of any sitting board member under SBOE rule. The minutes of the last regular board meeting before an election of trustees must reflect whether each trustee has met or is deficient in meeting the training required for the trustee as of the first anniversary of the date of the trustee's election or appointment or two-year anniversary of his or her previous training, as applicable. The president shall cause the minutes of the local board to reflect the announcement and, if the minutes reflect that a trustee is deficient in training as of the anniversary of his or her joining the board, the district shall post the minutes on the district's Internet website within 10 business days of the meeting and maintain the posting until the trustee meets the requirements.
- (k) Annually, the SBOE shall commend those local board-superintendent teams that complete at least eight hours of the continuing education specified in subsection (b)(4) and (5) of this section as an entire board-superintendent team.
- (l) Annually, the SBOE shall commend local board-superintendent teams that effectively implement the commissioner's trustee improvement and evaluation tool developed under the TEC, §11.182, or any other tool approved by the commissioner.
- (m) This section will be implemented May 1, 2020. This section as it read prior to adoption by the SBOE at its January 2020 meeting controls continuing education for school board members until May 1, 2020.

*Statutory Authority: The provisions of this §61.1 issued under the Texas Education Code, §§11.159, 11.185, and 11.186.*

*Source: The provisions of this §61.1 adopted to be effective March 1, 1996, 21 TexReg 875; amended to be effective May 7, 2003, 28 TexReg 3718; amended to be effective December 20, 2010, 35 TexReg 11223; amended to be effective August 25, 2014, 39 TexReg 6224; amended to be effective June 13, 2018, 43 TexReg 3783; amended to be effective March 24, 2020, 45 TexReg 1984.*

**§61.2. Nomination of Trustees for Military Reservation School Districts and Boys Ranch Independent School District.**

- (a) In nominating trustee candidates for military reservation school districts, the commanding officer of the military reservation shall do the following:
  - (1) submit a list to the commissioner of education with at least one nominee for each vacancy. A majority of the trustees appointed to the school board must be civilian, and all may be civilian. When two or more vacancies occur simultaneously, a list of at least one nominee for each vacancy shall be submitted. In cases when the commanding officer wishes to reappoint existing board members, a list of at least one nominee for each vacancy must still be submitted. Nominees not selected for existing vacancies may be resubmitted as candidates for subsequent vacancies. The commanding officer may rank in the order of preference the nominees submitted for each vacancy;
  - (2) submit a statement that verifies that each of the nominees is qualified under the general school laws of Texas and lives or is employed on the military reservation;
  - (3) submit a copy of a current biographical vita (resume) for each nominee, with a signature by the nominee attesting truth to the contents of the biographical vita;
  - (4) submit a statement from each nominee that expresses the nominee's willingness to accept appointment and to serve in such a capacity with full adherence to the state-established standards on the duties and responsibilities of school board members;
  - (5) submit a signed statement that expresses recognition of the powers of the board of trustees to govern and manage the operations of the military reservation school districts;



- (6) submit a signed statement regarding the governance and management operations of the district that expresses recognition that the role of the commanding officer of the military reservation is limited only to the duty defined by statute in the process for appointing members of the board of trustees; and
  - (7) submit a statement that the membership composition of the entire board of trustees is in full compliance with the provisions of the Texas Education Code (TEC), §11.352.
- (b) In nominating trustee candidates for the Boys Ranch Independent School District (ISD), the president and chief executive officer of the Cal Farley's Boys Ranch shall do the following:
- (1) submit a name to the commissioner for each vacancy. When two or more vacancies occur simultaneously, a name for each vacancy shall be submitted. In cases when the president and chief executive officer wishes to reappoint existing board members, the name of the existing board member for each vacancy must still be submitted;
  - (2) submit a statement that verifies that each of the nominees is qualified under the general school laws of Texas;
  - (3) submit a copy of a current biographical vita (resume) for each of the nominees, with a signature by the nominee attesting truth to the contents of the biographical vita;
  - (4) submit a statement from each of the nominees that expresses the nominee's willingness to accept appointment and to serve in such a capacity with full adherence to the state-established standards on the duties and responsibilities of school board members;
  - (5) submit a signed statement that expresses recognition of the powers of the board of trustees to govern and manage the operations of the Boys Ranch ISD;
  - (6) submit a signed statement regarding the governance and management operations of the district that expresses recognition that the role of the superintendent is in full compliance with the provisions of the TEC, §11.201; and
  - (7) submit a statement that the membership composition of the entire board of trustees is in full compliance with the provisions of the TEC, §11.352.
- (c) A member of a board of trustees appointed under the TEC, §11.352, and this section will serve a term of two years. A member of the board of trustees, who during the period of the term of office resigns from office or experiences a change of status that disqualifies such member for appointment under the provisions of the TEC, shall become ineligible to serve at the time of the change of status. A board vacancy resulting from such resignation or disqualification shall be filled in accordance with the procedures established under the TEC, §11.352, and this section.

*Statutory Authority: The provisions of this §61.2 issued under the Texas Education Code, §11.352.*

*Source: The provisions of this §61.2 adopted to be effective September 1, 1996, 21 TexReg 3705; amended to be effective December 20, 2010, 35 TexReg 11223; amended to be effective March 7, 2012, 37 TexReg 1510; amended to be effective March 24, 2020, 45 TexReg 1984.*

## **Subchapter B. Special Purpose School Districts**

### **§61.101. Applicability of State Law for Special Purpose School Districts.**

- (a) This section applies only to the special purpose school districts operated by the University of Texas at Austin and Texas Tech University.
- (b) The special purpose school districts operated by the University of Texas at Austin and Texas Tech University are public schools of this state fulfilling the mission of the Texas public education system to ensure that Texas students receive a quality education that enables them to achieve their potential and fully participate now and in the future in the social, economic, and educational opportunities of our state and nation.

- (c) Each special purpose school district shall be governed by the board of regents of the parent university, which has the authority and responsibilities of a school district board of trustees with respect to the operation of the special purpose school district but has no authority to levy a tax. The board of regents may delegate authority and responsibilities.
- (d) Each special purpose school district shall have an advisory board consisting of at least five members that, along with the superintendent, reports to the board of regents regarding the operation of the district. The president of the university may designate a person to report on the management, operations, and accountability of the special purpose school district to the board of regents. The following requirements apply to each special purpose school district.
  - (1) The advisory board shall hold public meetings that comply with appropriate notice requirements for governmental bodies.
  - (2) The president of the university shall appoint the superintendent of the special purpose school district.
  - (3) The university shall submit nominees for approval by the State Board of Education (SBOE) to serve as special purpose school district advisory board members. The superintendent may not participate in the nomination process for the advisory board.
  - (4) The superintendent and advisory board shall ensure information required to be made available to the public is made available on the special purpose school district's website.
  - (5) The university shall develop an advisory board training program that provides the relevant board training required under Texas Education Code (TEC), §11.159, and shall submit to the SBOE the training requirements by September 1 of each odd-numbered year.
- (e) Students who are eligible to enroll in a Texas independent or common school district are eligible to enroll in a special purpose school district, and each special purpose school district:
  - (1) shall establish an initial enrollment window for each academic semester that uses a lottery to fill open spots not filled by previously enrolled students. After the initial enrollment window closes, enrollment may be based on a first come first served basis;
  - (2) shall develop an outreach program targeted at underserved student populations;
  - (3) may admit students at least 21 years of age and under 26 years of age for the purpose of completing the requirements for a high school diploma in accordance with TEC, §25.001. For purposes of TEC, §25.001(b-2), the term "classroom setting" does not include a virtual classroom that has no physical proximity; and
  - (4) is neither required nor prohibited from providing a student with home computer equipment or internet access.
- (f) Except as provided elsewhere in this section, each special purpose school district operates as a public school of Texas, and the laws applicable to Texas public schools, per TEC, §11.352(c), apply, including:
  - (1) providing for equal education opportunity, in accordance with the TEC and constitutions of Texas and the United States;
  - (2) charging fees, holding funding in trust for the education of students, and spending funding to achieve the educational purposes listed in this section;
  - (3) complying with student records retention, transmission, and other related requirements;
  - (4) having access to other school resources such as regional education service centers under TEC, Chapter 8 and §11.003; commissioner of education waiver authority under TEC, §7.056; school immunity under TEC, Chapter 22, Subchapter B; and relevant grant programs;
  - (5) certification requirements under TEC, §§21.003, 21.055, and 21.057, and continuing education requirements under TEC, §21.054, with employment practices to include provisions substantially similar to TEC, §21.0031 and §21.058;

- (6) complying with the health, safety, and welfare provisions such as reporting of misconduct under TEC, §§21.006, 21.0061, 21.009, 21.057, 21.058, 21.0581, and 21.062, and background checks under TEC, Chapter 22, Subchapters C and C-1;
- (7) parental and student rights such as those provided for in TEC, Chapter 26.
  - (A) The special purpose school district shall establish a grievance process for complaints.
  - (B) If the special purpose school district determines that releasing a copy of an assessment would jeopardize the security of the assessment because it has not been published and is not publicly available, in place of releasing a copy of the assessment, the special purpose school district shall provide information regarding the standards and concepts for which the student failed to demonstrate proficiency or, using appropriate security protocols, make the assessment available for personal review by the student and parent without releasing a copy;
- (8) creditable years of service;
- (9) curriculum and graduation requirements under TEC, Chapter 28;
- (10) the instructional materials allotment and the provisions of TEC, Chapter 31; and
- (11) accreditation, assessment of academic skills, academic accountability, and interventions and sanctions under TEC, §11.001 and Chapters 39 and 39A.
- (g) Each special purpose school district shall develop a policy regarding when a student is deemed absent and has excessive absences under its program.
  - (1) If the student has excessive absences under the policy, the special purpose school district shall notify both the student and the school district the student would otherwise be entitled to attend that the student has been disenrolled from the special purpose school district.
  - (2) By September 1 of each odd-numbered school year, the special purpose school district shall submit its absence policy to the SBOE, including any modifications made since the previous submission.
- (h) If a special purpose school district seeks a waiver under commissioner authority for more than three consecutive years, the special purpose school district shall submit the issue to the SBOE for consideration as a possible permanent exemption.
- (i) As a special purpose school district is designed to provide education statewide through digital learning methodologies, the following special requirements and modifications are in effect.
  - (1) TEC, Chapter 12A, does not apply.
  - (2) TEC, Chapter 22, Subchapter A, does not apply.
  - (3) The superintendent shall make personnel decisions for the special purpose school district.
    - (A) Employee grievances shall be covered by the parent university's human resources practices.
    - (B) The parent university's human resources requirements and practices shall apply to employees, unless otherwise indicated by law or rule.
  - (4) The special purpose school district shall operate in the time and accounting manner necessary to comply with the funding model established by the commissioner for access to Foundation School Program (FSP) funds.
  - (5) The special purpose school district shall adopt a student code of conduct that aligns with the provisions of TEC, Chapter 37, but is not required to include the use of disciplinary alternative education programs or juvenile justice alternative education programs.
  - (6) The special purpose school district shall annually submit to the SBOE a report on disciplinary actions made to the district and a report on complaints made to the special purpose school district.

- (7) TEC, §§11.1542, 11.1543, and 11.155, do not apply.
  - (8) The special purpose school district is not required to have the membership compositions for committees under TEC, §§11.251, 11.252, 11.253, or 11.255, but must develop plans and policies that comply with those provisions.
  - (9) Educator contract requirements under TEC, Chapter 21, Subchapters C, D, E, F, and G; appraisal system requirements under TEC, Chapter 21, Subchapter H; duties and benefits requirements under TEC, Chapter 21, Subchapter I; and staff development requirements under TEC, Chapter 21, Subchapter J, do not apply, and the special purpose school district shall develop an appraisal system that contains the items in TEC, §21.351(a).
  - (10) TEC, §§25.08111 and 25.111-25.114, do not apply.
  - (11) The requirements of TEC, §28.004, to have a school health advisory council do not apply, but the special purpose school district shall:
    - (A) comply with the provisions of TEC, §28.004, with regard to the parameters of health education and curriculum materials; posting, notice, and grievance provisions; and consideration of related issues; and
    - (B) require that the advisory board solicit community and parental input and develop recommendations regarding the subject matter of TEC, §28.004(c)(1), (2)(A) and (D)-(H), and (3)-(6).
  - (12) Financial accountability and fiscal management under TEC, Chapters 39 and 44, shall apply as if the special purpose school district were a university charter school, and the special purpose school district's public funds must be maintained in a manner that allows auditing of the public funds separate from other funds.
- (j) The provisions of this section apply to each special purpose school district's operation for educating students eligible for enrollment in Texas public schools who enroll in the state-funded special purpose school district. This section does not apply to a tuition-based program operated in tandem with the state-funded program. However, the school operations that include Texas students are subject to subsection (l) of this section.
- (1) A parent of a Texas student may voluntarily decide to enroll a student in the tuition-based program.
  - (2) The special purpose school district shall biannually report student attendance in its state-funded school and Texas student attendance in its tuition-supported school. Information shall be provided to ensure that student participation does not disadvantage any student group from access to the state-funded school.
- (k) Each special purpose school district shall submit to the SBOE by September 1 of each odd-numbered year an updated list by section of the TEC, Title I and Title II, with recommendations regarding which sections of the code should apply or not apply to the operations of its schools. The submission must compare the recommendations to the list last provided to the SBOE.
- (l) If the special purpose school district declines FSP payment, the special purpose school district is authorized to charge tuition and is subject to:
- (1) accreditation, academic assessment, academic and financial accountability, and interventions under TEC, Chapters 39 and 39A; and
  - (2) reporting requirements imposed by the Texas Education Agency.
- (m) The parent university of each special purpose school district shall submit nominations for and establish an advisory board as soon as practicable, and the provisions of this section that require the special purpose school district to develop a policy apply beginning with the 2021-2022 school year.

*Statutory Authority: The provisions of this §61.101 issued under the Texas Education Code, §11.351.*

*Source: The provisions of this §61.101 adopted to be effective October 25, 2020, 45 TexReg 7420.*

**§61.111. Applicability of State Law to Boys Ranch Independent School District.**

- (a) This section applies only to Boys Ranch Independent School District.
- (b) Boys Ranch Independent School District, a special purpose school district operated by Cal Farley's Boys Ranch, is a public school of this state fulfilling the mission of the Texas public education system to ensure that Texas students receive a quality education that enables them to achieve their potential and fully participate now and in the future in the social, economic, and educational opportunities of our state and nation.
- (c) Except as provided by subsection (d) of this section, the laws applicable to Texas public schools apply to Boys Ranch Independent School District in accordance with Texas Education Code (TEC), §11.352(c).
- (d) The following sections of the TEC do not apply to Boys Ranch Independent School District:
  - (1) TEC, §25.0811, related to the first day of instruction; and
  - (2) TEC, §25.0812, related to the last day of school.

*Statutory Authority: The provisions of this §61.111 issued under the Texas Education Code, §11.351 and §11.352.*

*Source: The provisions of this §61.111 adopted to be effective June 13, 2021, 46 TexReg 3519.*

## Open-Enrollment Charter School Generation 28 Application Updates

June 16, 2022

### **COMMITTEE ON SCHOOL INITIATIVES: DISCUSSION STATE BOARD OF EDUCATION: NO ACTION**

**SUMMARY:** The director of the Division of Charter School Authorizing and Administration will discuss updates regarding the Generation 28 Open-Enrollment Charter Application cycle.

**STATUTORY AUTHORITY:** Texas Education Code ([TEC](#)) §12.101.

TEC, §12.101 requires the commissioner to notify the State Board of Education (SBOE) of each charter the commissioner proposes to grant. Unless, before the 90th day after the date on which the board receives the notice from the commissioner, a majority of the members of the board present and voting, vote against the grant of that charter, the commissioner's proposal to grant the charter takes effect.

The full text of statutory citations can be found in the statutory authority section of this agenda.

**BACKGROUND INFORMATION AND JUSTIFICATION:** The SBOE is engaged in an ongoing effort to remain abreast of the evolving state-educational landscape and prepare to address areas that are within its jurisdiction. To that end, this item is for discussion of updates pertaining to the Generation 28 application.

Public information concerning open-enrollment charter schools is available at the division of Charter Schools – Subchapter D Charters page found on the Texas Education Agency's website (<https://tea.texas.gov/charterapp.aspx>). The Generation 28 application and required attachments are accessible on that page.

#### **Staff Members Responsible:**

Kelvey Oeser, Deputy Commissioner, Educator Support

Marian Schutte, Director, Charter School Authorizing and Administration

**Review of Proposed Amendment to 19 TAC Chapter 230, Professional Educator Preparation and Certification, Subchapter C, Assessment of Educators, §230.21, Educator Assessment**

**June 17, 2022**

**COMMITTEE ON SCHOOL INITIATIVES: ACTION  
STATE BOARD OF EDUCATION: ACTION**

**SUMMARY:** This item provides the State Board of Education (SBOE) an opportunity to review the State Board for Educator Certification (SBEC) rule actions that would propose an amendment to 19 Texas Administrative Code (TAC) Chapter 230, Professional Educator Preparation and Certification, Subchapter C, Assessment of Educators, §230.21, Educator Assessment. The proposed amendment would specify the timeline by which a passing score on a certification exam can be used for certification purposes; would update the figure specifying the required pedagogy certification exams for issuance of the probationary or standard certificate; and would remove certificate categories that are no longer operational.

**STATUTORY AUTHORITY:** The statutory authority for 19 TAC §230.21 is the Texas Education Code (TEC), §§21.041(b)(1), (2), and (4); 21.044(a); 21.048; 21.050; 22.082; and Texas Occupations Code (TOC), §54.003.

TEC, §21.041(b)(1), (2), and (4), require the SBEC to propose rules that provide for the regulation of educators and the general administration of the TEC, Chapter 21, Subchapter B, in a manner consistent with the TEC, Chapter 21, Subchapter B; specify the classes of educator certificates to be issued, including emergency certificates; and specify the requirements for the issuance and renewal of an educator certificate.

TEC, §21.044(a), requires the SBEC to propose rules establishing training requirements a person must accomplish to obtain a certificate, enter an internship, or enter an induction-year program.

TEC, §21.048, states the SBEC shall propose rules prescribing comprehensive examinations for each class of certificate issued by the board that includes not requiring more than 45 days elapsing between examination retakes and that starting January 1, 2021, all candidates teaching prekindergarten through grade six must demonstrate proficiency in the science of teaching reading on a certification examination.

TEC, §21.050(a), states a person who applies for a teaching certificate must possess a bachelor's degree.

TEC, §21.050(b), states the SBEC shall provide for a minimum number of semester credit hours of field-based experience or internship.

TEC, §21.050(c), states a person who receives a bachelor's degree required for a teaching certificate on the basis of higher education coursework completed while receiving an exemption from tuition and fees under the TEC, §54.363, may not be required to participate in any field experience or internship consisting of student teaching to receive a teaching certificate.

TEC, §22.082, requires SBEC to subscribe to the criminal history clearinghouse as provided by Texas Government Code, §411.0845, and may obtain any law enforcement or criminal history records that relate to a specific applicant for or holder of a certificate issued under Chapter 21, Subchapter B.

TOC, §54.003, states a licensing authority shall provide accommodations and eligibility criteria for examinees diagnosed as having dyslexia.

The full text of statutory citations can be found in the statutory authority section of this agenda.

**PREVIOUS BOARD ACTION:** None.

**BACKGROUND INFORMATION AND JUSTIFICATION:** The SBEC rules in 19 TAC Chapter 230 specify the testing requirements for initial certification and for additional certificates based on examination. These requirements ensure educators are qualified and professionally prepared to instruct the schoolchildren of Texas.

At the July 2019 SBEC meeting, the SBEC adopted the edTPA performance assessment pilot as a portfolio-based assessment to gather data from the assessment on Texas candidates. From SBEC discussions in 2018, the goal of moving to a performance assessment was to improve the quality and consistency of newly certified teachers. This item provides the SBEC the opportunity to transition carefully from the edTPA pilot to full implementation. Given the feedback and input from the SBEC and stakeholders, the proposed rule text will allow for a three-phase approach over the next three academic years.

At the February 2022 SBEC meeting, Texas Education Agency (TEA) staff shared additional information regarding the edTPA implementation plan and addressed questions posed by members of the SBEC and stakeholders at the December 2021 meeting.

Following is a description of the proposed amendment to Chapter 230, Subchapter C, §230.21, included in Attachment I. The changes also include technical edits made to §230.21(a)(3)(A) to update cross references.

### **Subchapter C, §230.21. Assessment of Educators**

#### *Proposed Amendment to §230.21(e)*

The proposed amendment to §230.21(e) would specify that for issuance of a probationary or standard certificate in more than one certification category, a candidate must pass the appropriate pedagogy examination under Figure: 19 TAC §230.21(e) for any one of the certificates sought. This change would allow for educators to be issued probationary or standard certificates in more than one certification category by passing only one edTPA certification exam. The current rule requires educators to take each edTPA certification exam for the aligned certificate, which means that educators pursuing certification in two certification categories are required to take two edTPA certification exams. This proposed change would align with feedback from educator preparation programs (EPPs) participating in the edTPA pilot, who expressed concern about the expense and duplicative effort caused by the current rule.

The proposed amendment to §230.21(e) would also update the testing requirements for educator certification indicated in Figure: 19 TAC §230.21(e). A summary of the proposed changes shown in Attachment II is included below.

#### *Update to Figure Titles*

The proposed amendment to Figure: 19 TAC §230.21(e) would update the column title from "Pedagogical Requirement(s)" to "Required Pedagogy Test(s)" to align the language of the title to the other test column in the figure, "Required Content Pedagogy Test(s)."



### *Operationalize edTPA as the Pedagogy Exam Requirement*

The proposed amendment to Figure: 19 TAC §230.21(e) would add a last operational date of August 31, 2023, for the 160 Pedagogy and Professional Responsibilities (PPR) EC–12 TExES exam. The addition of the last operational date of August 31, 2023, for the PPR exam would allow for a one-year overlap in the 2022–2023 academic year (AY), during which EPPs could choose to approve candidates to take either the PPR or appropriate edTPA exam to fulfill their pedagogy exam requirement. The intent of the one-year overlap would be to support EPPs and candidates in the transition to the new edTPA exams by allowing all EPPs one additional year to pilot edTPA implementation within their programs. The 160 PPR EC–12 exam would retire as of September 1, 2023.

The proposed amendment to Figure: 19 TAC §230.21(e) would also strike "pilot exam" for all edTPA exams to indicate that the exams would no longer be considered pilot exams under §230.1(17) and would be fully operational.

These proposed changes would implement edTPA as the required pedagogy exam beginning in the 2023–2024 AY.

### *EPP and Candidate Choice in edTPA Exams*

The proposed amendment to §230.21(e) would add the 2151 edTPA: Career and Technical Education edTPA exam as a pedagogy exam option for the following certificates: Technology Education: Grades 6–12; Family and Consumer Sciences, Composite: Grades 6–12; Human Development and Family Studies: Grades 8–12; Hospitality, Nutrition, and Food Sciences: Grades 8–12; Agriculture, Food, and Natural Resources: Grades 6–12; Business and Finance: Grades 6–12; and Marketing: Grades 6–12.

The addition of the edTPA: Career and Technical Education exam for the indicated certification categories would provide flexibility for EPPs and candidates to select the edTPA exam that best aligns with their given instructional context.

The proposed amendment to §230.21(e) would also add the following eight edTPA exams as pedagogy exam options for the Core Subjects with Science of Teaching Reading (STR): EC–6 certificate: 2001 edTPA Elementary Literacy; 2002 edTPA Elementary Mathematics; 2149 edTPA Elementary Education: Mathematics with Literacy Task 4; 2014 edTPA: Early Childhood Education; 2016 edTPA: Middle Childhood Mathematics; 2017 edTPA: Middle Childhood Science; 2018 edTPA: Middle Childhood English Language Arts; and 2019 edTPA: Middle Childhood History/Social Studies.

The addition of the indicated edTPA exams for certification in Core Subjects with STR: EC–6 would provide flexibility for EPPs and candidates to select the edTPA exam that best aligns with their given instructional context. The current required edTPA exam for Core Subjects with STR: EC–6 is the Elementary Education: Literacy with Task 4 Mathematics. The new proposed rule would allow for EPPs and candidates to choose from eight additional exams based on their instructional context. For example, a candidate teaching in a fourth-grade science classroom would have the option to take the edTPA: Middle Childhood Science exam. This change is informed by feedback from EPPs participating in the edTPA pilot, who indicated that in some circumstances the requirements of the edTPA Elementary Education: Literacy with Mathematics Task 4 were challenging to meet given the candidate's classroom setting. This change would allow for flexible options for strong alignment between classroom setting and edTPA exam.

In addition, the options would also allow candidates to complete a 15-rubric exam (e.g., edTPA Elementary Literacy) versus the currently required 18-rubric exam (edTPA Elementary Education: Literacy with Mathematics Task 4). This would reduce overall the number of tasks that elementary candidates would be required to complete in the submission of their edTPA portfolio.

#### *Remove Retired Certificates*

The proposed amendment to §230.21(e) would strike the following four retired certificates and their associated exam requirements: Core Subjects: Early Childhood–Grade 6; Core Subjects: Grades 4–8; English Language Arts and Reading: Grades 4–8; and English Language Arts and Reading/Social Studies: Grades 4–8. Striking the four certificates listed would remove them from the testing figure. Each of the four certificates was replaced by the new certificate name including "with the Science of Teaching Reading" and the required examinations in October 2020. The intent of the change would be to streamline the testing figure for readability.

#### *Update the Exam Requirements for Health Science: Grades 6–12 and Junior Reserve Officer Training Corps (JROTC): Grades 6–12*

The proposed amendment to §230.21(e) would add the 2151 edTPA: Career and Technical Education exam as a pedagogy exam for the Health Science: Grades 6–12 certificate, which would implement an edTPA exam requirement for the certification category.

The proposed amendment would also update the content pedagogy exam requirement for the Junior Reserve Officer Training Corps (JROTC): Grades 6–12 certificate to include the 370 Pedagogy and Professional Responsibilities (PPR) for Trade and Industrial Education 6–12 TExES exam. The addition of the 370 PPR for Trade and Industrial Education 6–12 exam as a pedagogy exam requirement for the JROTC: 6–12 certificate would allow for the continued administration of an aligned pedagogy exam after the last operational date of the 160 PPR exam. There is no specific edTPA exam for JROTC certification, but the requirements for the certification field align with the requirements for Trade and Industrial Education fields, in that these candidates can attain certification based on a certificate issued by one of the military branches. The 370 PPR for Trade and Industrial Education 6–12 exam would therefore be the most appropriately aligned pedagogy exam for JROTC.

#### *Proposed Amendment to 19 TAC §230.21(f)*

The proposed amendment to §230.21(f) would clarify that a passing score on a certification exam could be used for certification recommendation up to one year after the last operational date for the exam. This amendment would provide clarity to the field on the last date that an educator may be recommended for certification used a passing score on an exam that is no longer operational.

#### *Update on edTPA Implementation Plan*

At the December 2021 SBEC meeting, TEA staff shared a draft edTPA implementation plan, indicating a start date of September 1, 2022, with a three-year phased-in approach. The draft plan was as follows:

- 2022–2023 AY of Non-Consequential Implementation: No official cut score but all first-time test taker candidates seeking initial certification would be required to complete the edTPA assessment as the pedagogy exam requirement.
- 2023–2024 AY of Non-Consequential Implementation: No official cut score but all candidates seeking initial certification would be required to complete the edTPA assessment as the pedagogy exam requirement.

- 2024–2025 AY of Consequential Implementation: An official cut score would be implemented during this period. Candidates would need to meet or exceed the given cut score to pass the exam.

As a result of SBEC member and stakeholder questions and feedback, staff have updated the proposed timeline to implement the edTPA requirement. The updates are specific to the 2022–2023 AY, which are as follows:

- edTPA would be an option as an assessment in addition to the PPR: EC–12 exam for the demonstration of pedagogical knowledge and skills for the majority of initial educator certification categories.
- Clarification that EPPs would not be held accountable for candidate performance on the edTPA in the program's Accountability System for Educator Preparation (ASEP) rating. Section 229.4, Determination of Accreditation Status, currently specifies that EPPs are held accountable for candidate performance on PPR and non-PPR exams. Therefore, programs would not be held accountable for edTPA performance. Future rulemaking would be required to implement edTPA in §229.4 as a component of an EPP's ASEP rating. The updated implementation plan reflects that this rulemaking would be effective for the 2023–2024 AY onward.

These updates would allow EPPs the flexibility to implement or scale the edTPA requirement in a manner that works best for the program, including potentially piloting the edTPA requirement with some, but not all, certification categories or routes, in this first year. The updates would also provide time for EPPs to further engage in learning opportunities (e.g., attend targeted trainings and webinars; examine candidate performance data; partner with programs who participated in the previous, three-year edTPA pilot to identify and implement best practices) to inform and support the subsequent phased-in years of edTPA implementation.

The revised draft timeline and implementation plan are reflected in the chart below.

Revised Draft Timeline and Implementation Plan		
Implementation Year	Implementation Phase	Implementation Actions
2022–2023	<p><b>Non-Consequential Implementation with Choice:</b> Both the edTPA and the PPR exam would be available as pedagogy exam options. No official cut score would be implemented during this period. Candidates would "pass" the edTPA when they submit a complete edTPA portfolio.</p>	<p>edTPA would be an option as an assessment in addition to the PPR: EC–12 exam for the demonstration of pedagogical knowledge and skills for the majority of initial educator certification categories.</p> <p>The edTPA would be implemented non-consequentially as a data collection year. In addition, this first year of non-consequential implementation with choice will allow EPPs to further engage in learning opportunities (e.g., attend targeted trainings and webinars; partner with programs who participated in the previous, three-year edTPA pilot to identify and implement best practices) to inform and support the subsequent phased-in years of edTPA implementation.</p> <p>To support this learning process, EPPs would not be held accountable for candidate performance on the edTPA during the 2022–2023 AY in the EPP's Accountability System for Educator Preparation (ASEP) rating.</p>

		<p>SBEC rulemaking to implement candidate edTPA performance as a component of an EPP's ASEP accountability for the 2023–2024 AY onward.</p> <p>A standard setting committee, comprised of Texas educators, would recommend passing standards informed by the three years of edTPA pilot data and the first non-consequential implementation year data (Spring 2024).</p> <p>Commissioner rulemaking period to implement committee recommended passing standards would begin.</p> <p>Note: For the purpose of the non-consequential implementation period, a complete portfolio would be defined as a portfolio with less than two condition codes. This mirrors the requirements for teacher candidates during the edTPA pilot.</p>
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<p><b>2023–2024</b></p>	<p><b>Non-Consequential Implementation:</b> No official cut score would be implemented during this period. Candidates would "pass" the edTPA when they submit a complete edTPA portfolio.</p>	<p>edTPA would be required non-consequentially for all test takers* as a data collection year beginning September 1, 2023.</p> <p>EPPs would be held accountable for candidate performance on the edTPA during the 2023–2024 academic year in the EPP's ASEP rating, though the edTPA would continue to be implemented non-consequentially.</p> <p>edTPA passing standards would be adopted in commissioner rules by January 2024, with an effective date of September 2024, in order to provide ample notice to the field.</p> <p>Note: For the purpose of the non-consequential implementation period, a complete portfolio would be defined as a portfolio with less than two condition codes. This mirrors the requirements for teacher candidates during the edTPA pilot.</p>
<p><b>2024–2025</b></p>	<p><b>Consequential Implementation:</b> An official cut score would be implemented during this period. Candidates would need to meet or exceed the given cut score to pass the exam.</p>	<p>edTPA would be required consequentially for all test takers* beginning September 1, 2024.</p> <p>EPPs would be held accountable for candidate performance on the edTPA during the 2024–2025 AY in the EPP's ASEP rating.</p> <p>edTPA passing standards would be effective as of September 1, 2024.</p>

\*The requirement would exclude the Trade and Industrial Education: EC–12, Trade and Industrial Workforce Training: Grades 6–12, and the Junior Reserve Officer Training Corps (JROTC): Grades 6–12 certificate categories because the certificates have a separate pedagogy exam requirement.

*SBOE Review of Proposed SBEC Rules*

Under the TEC, §21.042, the SBEC must submit a written copy of each rule it proposes to adopt to the SBOE for review. The SBOE may reject the proposed rule by a vote of at least two-thirds of the members of the SBOE present and voting but may not modify a rule.

**FISCAL IMPACT:** No changes have been made to this section since published as proposed. The TEA staff has determined there is an anticipated fiscal impact on individuals required to comply with the proposal during the first five years the rule is in effect. When required for certification, the edTPA exam will increase the cost for the pedagogy certification exam by \$195 per examination. The edTPA exam will be optional in Fiscal Year (FY) 2023, so no individuals will be required to comply or to incur increased cost during the first year the rules are in effect. In FY 2024 onward, the proposed rules will require all candidates to take the edTPA exam. Based on 2020–2021 first-attempt testing data, TEA estimates administering 24,466 edTPA exams annually in FY 2024 onward, leading to a total additional cost to candidates of \$4,770,870 annually, and a total cost of \$19,083,480 to candidates over the first five years the rule is in effect. There is no additional fiscal impact on state or local government to comply with the proposal. EPPs may incur costs in implementing the edTPA exam requirement, though those costs would be locally determined, as there are no required costs associated with EPP implementation of the exam.

**LOCAL EMPLOYMENT IMPACT:** No changes have been made to this section since published as proposed. The proposal has no effect on local economy; therefore, no local employment impact statement is required under Texas Government Code (TGC), §2001.022.

**SMALL BUSINESS, MICROBUSINESS, AND RURAL COMMUNITY IMPACT:** No changes have been made to this section since published as proposed. The proposal has no direct adverse economic impact for small businesses, microbusinesses, or rural communities; therefore, no regulatory flexibility analysis, specified in TGC, §2006.002, is required.

**COST INCREASE TO REGULATED PERSONS:** No changes have been made to this section since published as proposed. The proposal does impose a cost on regulated persons, another state agency, a special district, or a local government, and, therefore, is subject to TGC, §2001.0045. However, the proposal is exempt from TGC, §2001.0045, as provided under that statute, because the proposal is necessary to ensure that certified Texas educators are competent to educate Texas students and, therefore, necessary to protect the safety and welfare of the residents of this state.

**TAKINGS IMPACT ASSESSMENT:** No changes have been made to this section since published as proposed. The proposal does not impose a burden on private real property and, therefore, does not constitute a taking under TGC, §2007.043.

**GOVERNMENT GROWTH IMPACT:** No changes have been made to this section since published as proposed. The TEA staff prepared a Government Growth Impact Statement assessment for this proposed rulemaking. During the first five years the proposed rulemaking would be in effect, it would not create or eliminate a government program; would not require the creation of new employee positions or elimination of existing employee positions; would not require an increase or decrease in future legislative appropriations to the agency; would not require an increase or decrease in fees paid to the agency; would not require a new regulation; would not expand, limit, or repeal an existing regulation; would not increase

or decrease the number of individuals subject to its applicability; and would not positively or adversely affect the state's economy.

**PUBLIC BENEFIT AND COST TO PERSONS:** No changes have been made to this section since published as proposed. The public benefit anticipated as a result of the proposal would be the increased teacher knowledge and skill in critical pedagogical competencies, leading to the anticipated growth in teacher readiness to meet the needs of Texas's diverse student population. The TEA staff determined there is an economic cost to persons required to comply with the proposal. Future teacher candidates seeking probationary or standard certification would be required to take the edTPA exam beginning in FY 2024. The edTPA exam requirement will increase the exam cost for the pedagogy certification exam by \$195. Based on 2020–2021 first attempt testing data, TEA staff anticipate administering 24,466 exams annually in FY 2024 onward, leading to a total additional cost of \$4,770,870 annually.

**DATA AND REPORTING IMPACT:** No changes have been made to this section since published as proposed. The proposal would have no new data and reporting impact.

**PRINCIPAL AND CLASSROOM TEACHER PAPERWORK REQUIREMENTS:** No changes have been made to this section since published as proposed. The TEA staff has determined that the proposal would not require a written report or other paperwork to be completed by a principal or classroom teacher.

**PUBLIC COMMENTS:** In accordance with the SBEC rulemaking process, a summary of comments received by the SBEC on its proposed rules is shared with the SBOE under separate cover prior to this SBOE meeting.

**MOTION TO BE CONSIDERED:** The State Board of Education:

Take no action on the proposed amendment to 19 TAC Chapter 230, Professional Educator Preparation and Certification, Subchapter C, Assessment of Educators, §230.21, Educator Assessment.

**Staff Members Responsible:**

Emily Garcia, Associate Commissioner, Educator Preparation, Certification, and Enforcement  
Jessica McLoughlin, Director, Educator Standards, Testing, and Preparation

**Attachment I:**

Text of Proposed Amendment to 19 TAC Chapter 230, Professional Educator Preparation and Certification, Subchapter C, Assessment of Educators, §230.21, Educator Assessment

**Attachment II:**

Text of Proposed Figure: 19 TAC §230.21(e)

**ATTACHMENT I**  
**Text of Proposed Amendment to 19 TAC**

**Chapter 230. Professional Educator Preparation and Certification**

**Subchapter C. Assessment of Educators**

**§230.21. Educator Assessment.**

- (a) A candidate seeking certification as an educator must pass the examination(s) required by the Texas Education Code (TEC), §21.048, and the State Board for Educator Certification (SBEC) in §233.1(e) of this title (relating to General Authority) and shall not retake an examination more than four times, unless the limitation is waived for good cause. The burden of proof shall be upon the candidate to demonstrate good cause.
- (1) For the purposes of the retake limitation described by the TEC, §21.048, an examination retake is defined as a second or subsequent attempt to pass any examination required for the issuance of a certificate, including an individual core subject examination that is part of the overall examination required for the issuance of a Core Subjects certificate as described in §233.2 of this title (relating to Early Childhood; Core Subjects).
- (A) A canceled examination score is not considered an examination retake.
- (B) An examination taken by an educator during a pilot period is not considered part of an educator's five-time test attempt limit.
- (C) Pursuant to TEC, §21.0491(d), the limit on number of test attempts does not apply to the trade and industrial workforce training certificate examination prescribed by the SBEC.
- (D) A candidate who fails a computer- or paper-based examination cannot retake the examination before 30 days have elapsed following the candidate's last attempt to pass the examination.
- (2) Good cause is:
- (A) the candidate's highest score on an examination is within one conditional standard error of measurement (CSEM) of passing, and the candidate has completed 50 clock-hours of educational activities. CSEMs will be published annually on the Texas Education Agency (TEA) website;
- (B) the candidate's highest score on an examination is within two CSEMs of passing, and the candidate has completed 100 clock-hours of educational activities;
- (C) the candidate's highest score on an examination is within three CSEMs of passing, and the candidate has completed 150 clock-hours of educational activities;
- (D) the candidate's highest score on an examination is not within three CSEMs of passing, and the candidate has completed 200 clock-hours of educational activities;
- (E) if the candidate needs a waiver for more than one of the individual core subject examinations that are part of the overall examination required for the issuance of a Core Subjects certificate, the candidate has completed the number of clock-hours of educational activities required for each individual core subject examination as described in subparagraphs (A)-(D) of this paragraph up to a maximum of 300 clock-hours. The number of clock-hours for each examination may be divided equally based on the number of examinations in the waiver request, but the number of clock-hours for an examination shall not be less than 50; or
- (F) if a CSEM is not appropriate for an examination, the TEA staff will identify individuals who are familiar and knowledgeable with the examination content to review the candidate's performance on the five most recent examinations, identify the deficit

competency or competencies, and determine the number of clock-hours of educational activities required.

- (3) Educational activities are defined as:
- (A) institutes, workshops, seminars, conferences, interactive distance learning, video conferencing, online activities, undergraduate courses, graduate courses, training programs, in-service, or staff development given by an approved continuing professional education provider or sponsor, pursuant to §232.17 of this title (relating to Pre-Approved Continuing Professional Education Provider or Sponsor) and §232.19 of this title (relating to Approval of Private Companies, Private Entities, and Individuals as Continuing Professional Education Providers ), or an approved educator preparation program (EPP), pursuant to §228.10 of this title (relating to Approval Process); and
  - (B) being directly related to the knowledge and skills included in the certification examination competency or competencies in which the candidate answered less than 70 percent of competency questions correctly. The formula for identifying a deficit competency is the combined total of correct answers for each competency on the five most recent examinations divided by the combined total of questions for each competency on the five most recent examinations.
- (4) Documentation of educational activities that a candidate must submit includes:
- (A) the provider, sponsor, or program's name, address, telephone number, and email address. The TEA staff may contact the provider, sponsor, or program to verify an educational activity;
  - (B) the name of the educational activity (e.g., course title, course number);
  - (C) the competency or competencies addressed by the educational activity as determined by the formula described in paragraph (3)(B) of this subsection;
  - (D) the provider, sponsor, or program's description of the educational activity (e.g., syllabus, course outline, program of study); and
  - (E) the provider, sponsor, or program's written verification of the candidate's completion of the educational activity (e.g., transcript, certificate of completion). The written verification must include:
    - (i) the provider, sponsor, or program's name;
    - (ii) the candidate's name;
    - (iii) the name of the educational activity;
    - (iv) the date(s) of the educational activity; and
    - (v) the number of clock-hours completed for the educational activity. Clock-hours completed before the most recent examination attempt or after a request for a waiver is submitted shall not be included. One semester credit hour earned at an accredited institution of higher education is equivalent to 15 clock-hours.
- (5) To request a waiver of the limitation, a candidate must meet the following conditions:
- (A) the candidate is otherwise eligible to take an examination. A candidate seeking a certificate based on completion of an EPP must have the approval of an EPP to request a waiver;
  - (B) beginning September 1, 2016, the candidate pays the non-refundable waiver request fee of \$160;
  - (C) the candidate requests the waiver of the limitation in writing on forms developed by the TEA staff; and
  - (D) the request for the waiver is postmarked not earlier than:



- (i) 45 calendar days after an unsuccessful attempt at the fourth retake of an examination as defined in the TEC, §21.048; or
    - (ii) 90 calendar days after the date of the most recent denied waiver of the limitation request; or
    - (iii) 180 calendar days after the date of the most recent unsuccessful examination attempt that was the result of the most recently approved request for waiver of the limitation.
  - (6) The TEA staff shall administratively approve each application that meets the criteria specified in paragraphs (2)-(5) of this subsection.
  - (7) An applicant who does not meet the criteria in paragraphs (2)-(5) of this subsection may appeal to the SBEC for a final determination of good cause. A determination by the SBEC is final and may not be appealed.
  - (b) A candidate seeking a standard certificate as an educator based on completion of an approved EPP may take the appropriate certification examination(s) required by subsection (a) of this section only at such time as the EPP determines the candidate's readiness to take the examinations, or upon successful completion of the EPP, whichever comes first.
  - (c) The holder of a lifetime Texas certificate effective before February 1, 1986, must pass examinations prescribed by the SBEC to be eligible for continued certification, unless the individual has passed the Texas Examination of Current Administrators and Teachers (TECAT).
  - (d) The commissioner of education approves the satisfactory level of performance required for certification examinations, and the SBEC approves a schedule of examination fees and a plan for administering the examinations.
  - (e) The appropriate examination(s) required for certification are specified in the figure provided in this subsection. For issuance of a probationary or standard certificate in more than one certification category, a candidate must pass the appropriate pedagogy examination specified in the figure provided in this subsection for any one of the certificates sought.
- Figure: 19 TAC §230.21(e) [~~Figure: 19 TAC §230.21(e)~~]
- (f) Scores from examinations required under this title must be made available to the examinee, the TEA staff, and, if appropriate, the EPP from which the examinee will seek a recommendation for certification. Passing scores on an examination required under this section may be utilized for certification if the candidate is recommended for certification up to one year after the last operational date for the examination as prescribed in Figure: 19 TAC §230.21(e).
  - (g) The following provisions concern ethical obligations relating to examinations.
    - (1) An educator or candidate who participates in the development, design, construction, review, field testing, scoring, or validation of an examination shall not reveal or cause to be revealed the contents of the examination to any other person.
    - (2) An educator or candidate who administers an examination shall not:
      - (A) allow or cause an unauthorized person to view any part of the examination;
      - (B) copy, reproduce, or cause to be copied or reproduced any part of the examination;
      - (C) reveal or cause to be revealed the contents of the examination;
      - (D) correct, alter, or cause to be corrected or altered any response to a test item contained in the examination;
      - (E) provide assistance with any response to a test item contained in the examination or cause assistance to be provided; or
      - (F) deviate from the rules governing administration of the examination.

- (3) An educator or candidate who is an examinee shall not:
  - (A) copy, reproduce, or cause to be copied or reproduced any test item contained in the examination;
  - (B) provide assistance with any response to a test item contained in the examination, or cause assistance to be provided;
  - (C) solicit or accept assistance with any response to a test item contained in the examination;
  - (D) deviate from the rules governing administration of the examination; or
  - (E) otherwise engage in conduct that amounts to cheating, deception, or fraud.
- (4) An educator, candidate, or other test taker shall not:
  - (A) solicit information about the contents of test items on an examination that the educator, candidate, or other test taker has not already taken from an individual who has had access to those items, or offer information about the contents of specific test items on an examination to individuals who have not yet taken the examination;
  - (B) fail to pay all test costs and fees as required by this chapter or the testing vendor; or
  - (C) otherwise engage in conduct that amounts to violations of test security or confidentiality integrity, including cheating, deception, or fraud.
- (5) A person who violates this subsection is subject to:
  - (A) sanction, including, but not limited to, disallowance and exclusion from future examinations either in perpetuity or for a period of time that serves the best interests of the education profession, in accordance with the provisions of the TEC, §21.041(b)(7), and Chapter 249 of this title (relating to Disciplinary Proceedings, Sanctions, and Contested Cases); and/or
  - (B) denial of certification in accordance with the provisions of the TEC, §21.041(b)(7), and Chapter 249 of this title; and/or
  - (C) voiding of a score from an examination in which a violation specified in this subsection occurred as well as a loss of a test attempt for purposes of the retake limit in subsection (a) of this section.

**ATTACHMENT II**  
**Text of Proposed Amendment to 19 TAC**

**Figure: 19 TAC §230.21(e) [~~Figure: 19 TAC §230.21(e)~~]**

<b>Certificate TAC Reference</b>	<b>Certificate Name</b>	<b>Required Content Pedagogy Test(s)</b>	<b>Required Pedagogy Test(s) [<del>Pedagogical Requirement(s)</del>]</b>
<b>Art</b>			
§233.10	Art: Early Childhood–Grade 12	178 Art EC–12 Texas Examinations of Educator Standards (TExES)	160 Pedagogy and Professional Responsibilities (PPR) EC–12 TExES ( <u>last operational date 8/31/2023</u> ) or 2015 edTPA: Visual Arts [ <del>(pilot exam)</del> ]
<b>Bilingual Education</b>			
§233.6	Bilingual Education Supplemental: Spanish	164 Bilingual Education Supplemental TExES <b>and</b> 190 Bilingual Target Language Proficiency (BTLPT)—Spanish TExES	Not Applicable: Not a Stand-alone Certificate
§233.6	Bilingual Education Supplemental: American Sign Language	164 Bilingual Education Supplemental TExES <b>and</b> 184 American Sign Language (ASL) EC–12 TExES <b>and</b> 073 Texas Assessment of Sign Communications—American Sign Language (TASC—ASL)	Not Applicable: Not a Stand-alone Certificate
§233.6	Bilingual Education Supplemental: Arabic	164 Bilingual Education Supplemental TExES <b>and</b> American Council for the Teaching of Foreign Languages (ACTFL) 614 Oral Proficiency Interview (OPI)—Arabic <b>and</b> 615 Writing Proficiency Test (WPT)—Arabic	Not Applicable: Not a Stand-alone Certificate

<b>Certificate TAC Reference</b>	<b>Certificate Name</b>	<b>Required Content Pedagogy Test(s)</b>	<b>Required Pedagogy Test(s) [<u>Pedagogical Requirement(s)</u>]</b>
§233.6	Bilingual Education Supplemental: Chinese	164 Bilingual Education Supplemental TExES <b>and</b> ACTFL 618 OPI—Chinese (Mandarin) <b>and</b> 619 WPT—Chinese (Mandarin)	Not Applicable: Not a Stand-alone Certificate
<b>Bilingual Education (continued)</b>			
§233.6	Bilingual Education Supplemental: Japanese	164 Bilingual Education Supplemental TExES <b>and</b> ACTFL 616 OPI—Japanese <b>and</b> 617 WPT—Japanese	Not Applicable: Not a Stand-alone Certificate
§233.6	Bilingual Education Supplemental: Vietnamese	164 Bilingual Education Supplemental TExES <b>and</b> ACTFL 620 OPI—Vietnamese <b>and</b> 621 WPT—Vietnamese	Not Applicable: Not a Stand-alone Certificate
<b>Career and Technical Education</b>			
§233.13	Technology Education: Grades 6–12	171 Technology Education 6–12 TExES	160 PPR EC–12 TExES ( <u>last operational date 8/31/2023</u> ) or 2143 edTPA: Technology and Engineering Education [ <del>(pilot exam)</del> ] or 2151 edTPA: Career and Technical Education
§233.13	Family and Consumer Sciences, Composite: Grades 6–12	American Association of Family and Consumer Sciences (AAFCS) 200 Family and Consumer Sciences—Composite Examination	160 PPR EC–12 TExES ( <u>last operational date 8/31/2023</u> ) or 2117 edTPA: Family and Consumer Sciences [ <del>(pilot exam)</del> ] or 2151 edTPA: Career and Technical Education
§233.13	Human Development and Family Studies: Grades 8–12	AAFCS 202 Human Development and Family Studies Concentration Examination	160 PPR EC–12 TExES ( <u>last operational date 8/31/2023</u> ) or 2117 edTPA: Family and Consumer Sciences [ <del>(pilot exam)</del> ] or 2151 edTPA: Career and Technical Education

<b>Certificate TAC Reference</b>	<b>Certificate Name</b>	<b>Required Content Pedagogy Test(s)</b>	<b>Required Pedagogy Test(s) [<u>Pedagogical Requirement(s)</u>]</b>
§233.13	Hospitality, Nutrition, and Food Sciences: Grades 8–12	AAFCS 201 Hospitality, Nutrition, and Food Science Concentration Examination	160 PPR EC–12 TExES (last operational date <u>8/31/2023</u> ) or 2117 edTPA: Family and Consumer Sciences [ <del>pilot exam</del> ] or 2151 edTPA: Career and Technical Education
<b>Career and Technical Education (continued)</b>			
§233.13	Agriculture, Food, and Natural Resources: Grades 6–12	272 Agriculture, Food, and Natural Resources 6–12 TExES	160 PPR EC–12 TExES (last operational date <u>8/31/2023</u> ) or 2100 edTPA: Agricultural Education [ <del>pilot exam</del> ] or 2151 edTPA: Career and Technical Education
§233.13	Business and Finance: Grades 6–12	276 Business and Finance 6–12 TExES	160 PPR EC–12 TExES (last operational date <u>8/31/2023</u> ) or 2102 edTPA: Business Education [ <del>pilot exam</del> ] or 2151 edTPA: Career and Technical Education
§233.14	Marketing: Grades 6–12	275 Marketing 6–12 TExES	160 PPR EC–12 TExES (last operational date <u>8/31/2023</u> ) or 2102 edTPA: Business Education [ <del>pilot exam</del> ] or 2151 edTPA: Career and Technical Education
§233.14	Health Science: Grades 6–12	273 Health Science 6–12 TExES	160 PPR EC–12 TExES (last operational date <u>8/31/2023</u> ) or 2151 edTPA: Career and Technical Education

<b>Certificate TAC Reference</b>	<b>Certificate Name</b>	<b>Required Content Pedagogy Test(s)</b>	<b>Required Pedagogy Test(s) [<u>Pedagogical Requirement(s)</u>]</b>
§233.14	Trade and Industrial Education: Grades 6–12	Not Applicable	270 Pedagogy and Professional Responsibilities for Trade and Industrial Education 6–12 TExES (last operational date 8/31/2021) Starting 9/1/2021 370 Pedagogy and Professional Responsibilities for Trade and Industrial Education 6–12 TExES
<b>Career and Technical Education (continued)</b>			
§233.14	Trade and Industrial Workforce Training: Grades 6–12	Not Applicable	370 Pedagogy and Professional Responsibilities for Trade and Industrial Education 6–12 TExES
<b>Computer Science and Technology Applications</b>			
§233.5	Computer Science: Grades 8–12	241 Computer Science 8–12 TExES	160 PPR EC–12 TExES (last operational date 8/31/2023) or 2143 edTPA: Technology and Engineering Education [ <del>(pilot exam)</del> ]
§233.5	Technology Applications: Early Childhood–Grade 12	242 Technology Applications EC–12 TExES	160 PPR EC–12 TExES (last operational date 8/31/2023) or 2108 edTPA: Educational Technology Specialist [ <del>(pilot exam)</del> ]
<b>Core Subjects</b>			
<u>§233.2</u>	<u>Core Subjects: Early Childhood–Grade 6</u>	<u>291 Core Subjects EC–6 TExES</u>	<u>160 PPR EC–12 TExES or 2110 edTPA: Elementary Education: Literacy with Mathematics Task 4 (pilot exam)</u>

Certificate TAC Reference	Certificate Name	Required Content Pedagogy Test(s)	Required Pedagogy Test(s) [ <u>Pedagogical Requirement(s)</u> ]
<b>Core Subjects (continued)</b>			
§233.2	Core Subjects with Science of Teaching Reading: Early Childhood–Grade 6	293 Science of Teaching Reading TExES <b>and either:</b> 291 Core Subjects EC–6 TExES (last operational date 12/31/2021) <b>or</b> 391 Core Subjects EC–6 TExES (starting 1/1/2021)	160 PPR EC–12 TExES ( <u>last operational date 8/31/2023</u> ) or 2110 edTPA: Elementary Education: Literacy with Mathematics Task 4 ( <u>pilot exam</u> ) or 2001 edTPA: Elementary Literacy or 2002 edTPA: Elementary Mathematics or 2149 edTPA: Elementary Education: Mathematics with Literacy Task 4 or 2014 edTPA: Early Childhood Education or 2016 edTPA: Middle Childhood Mathematics or 2017 edTPA: Middle Childhood Science or 2018 edTPA: Middle Childhood English Language Arts or 2019 edTPA: Middle Childhood History/Social Studies
<del>§233.2</del>	<del>Core Subjects: Grades 4–8</del>	<del>211 Core Subjects 4–8 TExES</del>	<del>160 PPR EC–12 TExES or 2016 edTPA: Middle Childhood Mathematics (pilot exam) or 2017 edTPA: Middle Childhood Science (pilot exam) or 2018 edTPA: Middle Childhood English Language Arts (pilot exam) or 2019 edTPA: Middle Childhood History/Social Studies (pilot exam)]</del>

Certificate TAC Reference	Certificate Name	Required Content Pedagogy Test(s)	Required Pedagogy Test(s) [ <del>Pedagogical Requirement(s)</del> ]
<b>Core Subjects</b> (continued)			
§233.2	Core Subjects with Science of Teaching Reading: Grades 4–8	293 Science of Teaching Reading TExES <b>and</b> 211 Core Subjects 4–8 TExES	160 PPR EC–12 TExES ( <u>last operational date 8/31/2023</u> ) or 2016 edTPA: Middle Childhood Mathematics [ <del>pilot exam</del> ] or 2017 edTPA: Middle Childhood Science [ <del>pilot exam</del> ] or 2018 edTPA: Middle Childhood English Language Arts [ <del>pilot exam</del> ] or 2019 edTPA: Middle Childhood History/Social Studies [ <del>pilot exam</del> ]



Certificate TAC Reference	Certificate Name	Required Content Pedagogy Test(s)	Required Pedagogy Test(s) [ <del>Pedagogical Requirement(s)</del> ]
<b>Counselor</b>			
§239.20	School Counselor: Early Childhood–Grade 12	152 School Counselor EC–12 TExES (last operational date 8/31/2021) Starting 9/1/2021 252 School Counselor EC–12 TExES	Not Applicable: Not an Initial Certificate
<b>Dance</b>			
§233.10	Dance: Grades 6–12	279 Dance 6–12 TExES	160 PPR EC–12 TExES (last operational date 8/31/2023) or 2021 edTPA: K–12 Performing Arts [ <del>pilot exam</del> ]
<b>Early Childhood</b>			
§233.2	Early Childhood: Prekindergarten–Grade 3	292 Early Childhood: PK–3 TExES <b>and</b> 293 Science of Teaching Reading TExES	160 PPR EC–12 TExES (last operational date 8/31/2023) or 2014 edTPA: Early Childhood Education [ <del>pilot exam</del> ]
<b>Educational Diagnostician</b>			
§239.84	Educational Diagnostician: Early Childhood–Grade 12	153 Educational Diagnostician EC–12 TExES (last operational date 12/31/2020) Starting 1/1/2021 251 Educational Diagnostician EC–12 TExES	Not Applicable: Not an Initial Certificate

Certificate TAC Reference	Certificate Name	Required Content Pedagogy Test(s)	Required Pedagogy Test(s) [ <u>Pedagogical Requirement(s)</u> ]
<b>English Language Arts and Reading</b>			
<del>§233.3</del>	<del>English Language Arts and Reading: Grades 4–8</del>	<del>117 English Language Arts and Reading 4–8 TExES</del>	<del>160 PPR EC–12 TExES or 2018 edTPA: Middle Childhood English Language Arts (pilot exam)]</del>
§233.3	English Language Arts and Reading with Science of Teaching Reading: Grades 4–8	293 Science of Teaching Reading TExES <b>and</b> 117 English Language Arts and Reading 4–8 TExES (last operational date 12/31/2021) <b>or</b> 217 English Language Arts and Reading 4–8 TExES (starting 1/1/2022)	160 PPR EC–12 TExES (last operational date 8/31/2023) or 2018 edTPA: Middle Childhood English Language Arts [ <del>pilot exam</del> ]
§233.3	English Language Arts and Reading: Grades 7–12	231 English Language Arts and Reading 7–12 TExES	160 PPR EC–12 TExES (last operational date 8/31/2023) or 2003 edTPA: Secondary English Language Arts [ <del>pilot exam</del> ]
<del>§233.3</del>	<del>English Language Arts and Reading/Social Studies: Grades 4–8</del>	<del>113 English Language Arts and Reading/ Social Studies 4–8 TExES</del>	<del>160 PPR EC–12 TExES or 2018 edTPA: Middle Childhood English Language Arts (pilot exam) or 2019 edTPA: Middle Childhood History/Social Studies (pilot exam)]</del>
§233.3	English Language Arts and Reading/Social Studies with Science of Teaching Reading: Grades 4–8	293 Science of Teaching Reading TExES <b>and</b> 113 English Language Arts and Reading/ Social Studies 4–8 TExES	160 PPR EC–12 TExES (last operational date 8/31/2023) or 2018 edTPA: Middle Childhood English Language Arts [ <del>pilot exam</del> ] or 2019 edTPA: Middle Childhood History/Social Studies [ <del>pilot exam</del> ]
§239.93	Reading Specialist: Early Childhood–Grade 12	151 Reading Specialist EC–12 TExES	Not Applicable: Not an Initial Certificate

Certificate TAC Reference	Certificate Name	Required Content Pedagogy Test(s)	Required Pedagogy Test(s) [ <del>Pedagogical Requirement(s)</del> ]
<b>English as a Second Language</b>			
§233.7	English as a Second Language Supplemental	154 English as a Second Language Supplemental TExES	Not Applicable: Not a Stand-alone Certificate
<b>Gifted and Talented</b>			
§233.9	Gifted and Talented Supplemental	162 Gifted and Talented TExES	Not Applicable: Not a Stand-alone Certificate
<b>Health</b>			
§233.11	Health: Early Childhood–Grade 12	157 Health Education EC–12 TExES	160 PPR EC–12 TExES ( <u>last operational date 8/31/2023</u> ) or 2119 edTPA: Health Education [ <del>(pilot exam)</del> ]

<b>Certificate TAC Reference</b>	<b>Certificate Name</b>	<b>Required Content Pedagogy Test(s)</b>	<b>Required Pedagogy Test(s) [Pedagogical Requirement(s)]</b>
<b>Journalism</b>			
§233.3	Journalism: Grades 7–12	256 Journalism 7–12 TExES	160 PPR EC–12 TExES (last operational date <u>8/31/2023</u> ) or 2003 edTPA: Secondary English Language Arts [ <del>pilot exam</del> ]
<b>Junior Reserve Officer Training</b>			
§233.17	Junior Reserve Officer Training Corps: Grades 6–12	Not Applicable	160 PPR EC–12 TExES (last operational date <u>8/31/2023</u> ) or 370 Pedagogy and Professional Responsibilities for Trade and Industrial Education 6–12 TExES
<b>Languages Other Than English</b>			
§233.15	American Sign Language: Early Childhood–Grade 12	184 ASL EC–12 TExES <b>and</b> 073 TASC–ASL	160 PPR EC–12 TExES (last operational date <u>8/31/2023</u> ) or 2020 edTPA: World Language [ <del>pilot exam</del> ]
§233.15	Arabic: Early Childhood–Grade 12	ACTFL 605 OPI—Arabic <b>and</b> 600 WPT—Arabic	160 PPR EC–12 TExES (last operational date <u>8/31/2023</u> ) or 2020 edTPA: World Language [ <del>pilot exam</del> ]
§233.15	Chinese: Early Childhood–Grade 12	ACTFL 606 OPI—Chinese (Mandarin) <b>and</b> 601 WPT—Chinese (Mandarin)	160 PPR EC–12 TExES (last operational date <u>8/31/2023</u> ) or 2020 edTPA: World Language [ <del>pilot exam</del> ]
§233.15	French: Early Childhood–Grade 12	610 Languages Other Than English (LOTE) French EC–12 TExES	160 PPR EC–12 TExES (last operational date <u>8/31/2023</u> ) or 2020 edTPA: World Language [ <del>pilot exam</del> ]

Certificate TAC Reference	Certificate Name	Required Content Pedagogy Test(s)	Required Pedagogy Test(s) [ <u>Pedagogical Requirement(s)</u> ]
<b>Languages Other Than English (continued)</b>			
§233.15	German: Early Childhood–Grade 12	611 LOTE German EC–12 TExES	160 PPR EC–12 TExES (last operational date <u>8/31/2023</u> ) or 2020 edTPA: World Language [ <del>pilot exam</del> ]
§233.15	Hindi: Early Childhood–Grade 12	ACTFL 622 OPI—Hindi <b>and</b> 623 WPT—Hindi	160 PPR EC–12 TExES (last operational date <u>8/31/2023</u> ) or 2020 edTPA: World Language [ <del>pilot exam</del> ]
§233.15	Italian: Early Childhood–Grade 12	ACTFL 624 OPI—Italian <b>and</b> 625 WPT—Italian	160 PPR EC–12 TExES (last operational date <u>8/31/2023</u> ) or 2020 edTPA: World Language [ <del>pilot exam</del> ]
§233.15	Japanese: Early Childhood–Grade 12	ACTFL 607 OPI—Japanese <b>and</b> 602 WPT—Japanese	160 PPR EC–12 TExES (last operational date <u>8/31/2023</u> ) or 2020 edTPA: World Language [ <del>pilot exam</del> ]
§233.15	Korean: Early Childhood–Grade 12	ACTFL 630 OPI—Korean <b>and</b> 631 WPT—Korean	160 PPR EC–12 TExES (last operational date <u>8/31/2023</u> ) or 2020 edTPA: World Language [ <del>pilot exam</del> ]

<b>Certificate TAC Reference</b>	<b>Certificate Name</b>	<b>Required Content Pedagogy Test(s)</b>	<b>Required Pedagogy Test(s) [Pedagogical Requirement(s)]</b>
<b>Languages Other Than English (continued)</b>			
§233.15	Latin: Early Childhood–Grade 12	612 LOTE Latin EC–12 TExES	160 PPR EC–12 TExES (last operational date <u>8/31/2023</u> ) or 2104 edTPA: Classical Languages [ <del>pilot exam</del> ]
§233.15	Portuguese: Early Childhood–Grade 12	ACTFL 632 OPI—Portuguese <b>and</b> 633 WPT—Portuguese	160 PPR EC–12 TExES (last operational date <u>8/31/2023</u> ) or 2020 edTPA: World Language [ <del>pilot exam</del> ]
§233.15	Russian: Early Childhood–Grade 12	ACTFL 608 OPI—Russian <b>and</b> 603 WPT—Russian	160 PPR EC–12 TExES (last operational date <u>8/31/2023</u> ) or 2020 edTPA: World Language [ <del>pilot exam</del> ]
§233.15	Spanish: Early Childhood–Grade 12	613 LOTE Spanish EC–12 TExES	160 PPR EC–12 TExES (last operational date <u>8/31/2023</u> ) or 2020 edTPA: World Language [ <del>pilot exam</del> ]
§233.15	Turkish: Early Childhood–Grade 12	ACTFL 626 OPI—Turkish <b>and</b> 627 WPT—Turkish	160 PPR EC–12 TExES (last operational date <u>8/31/2023</u> ) or 2020 edTPA: World Language [ <del>pilot exam</del> ]
§233.15	Vietnamese: Early Childhood–Grade 12	ACTFL 609 OPI—Vietnamese <b>and</b> 604 WPT—Vietnamese	160 PPR EC–12 TExES (last operational date <u>8/31/2023</u> ) or 2020 edTPA: World Language [ <del>pilot exam</del> ]
<b>Librarian</b>			
§239.60	School Librarian: Early Childhood–Grade 12	150 School Librarian Early Childhood–12 TExES	Not Applicable: Not an Initial Certificate

Certificate TAC Reference	Certificate Name	Required Content Pedagogy Test(s)	Required Pedagogy Test(s) [Pedagogical Requirement(s)]
<b>Mathematics and Science</b>			
§233.4	Mathematics: Grades 4–8	115 Mathematics 4–8 TExES	160 PPR EC–12 TExES (last operational date <u>8/31/2023</u> ) or 2016 edTPA: Middle Childhood Mathematics [( <u>pilot exam</u> )]
§233.4	Science: Grades 4–8	116 Science 4–8 TExES	160 PPR EC–12 TExES (last operational date <u>8/31/2023</u> ) or 2017 edTPA: Middle Childhood Science [( <u>pilot exam</u> )]
§233.4	Mathematics/Science: Grades 4–8	114 Mathematics/ Science 4–8 TExES	160 PPR EC–12 TExES (last operational date <u>8/31/2023</u> ) or 2016 edTPA: Middle Childhood Mathematics [( <u>pilot exam</u> )] or 2017 edTPA: Middle Childhood Science [( <u>pilot exam</u> )]
§233.4	Mathematics: Grades 7–12	235 Mathematics 7–12 TExES	160 PPR EC–12 TExES (last operational date <u>8/31/2023</u> ) or 2005 edTPA: Secondary Mathematics [( <u>pilot exam</u> )]
§233.4	Science: Grades 7–12	236 Science 7–12 TExES	160 PPR EC–12 TExES (last operational date <u>8/31/2023</u> ) or 2006 edTPA: Secondary Science [( <u>pilot exam</u> )]
§233.4	Life Science: Grades 7–12	238 Life Science 7–12 TExES	160 PPR EC–12 TExES (last operational date <u>8/31/2023</u> ) or 2006 edTPA: Secondary Science [( <u>pilot exam</u> )]

Certificate TAC Reference	Certificate Name	Required Content Pedagogy Test(s)	Required Pedagogy Test(s) [ <u>Pedagogical Requirement(s)</u> ]
<b>Mathematics and Science (continued)</b>			
§233.4	Physical Science: Grades 6–12	237 Physical Science 6–12 TExES	160 PPR EC–12 TExES (last operational date <u>8/31/2023</u> ) or 2006 edTPA: Secondary Science [ <del>(pilot exam)</del> ]
§233.4	Physics/Mathematics: Grades 7–12	243 Physics/Mathematics 7–12 TExES	160 PPR EC–12 TExES (last operational date <u>8/31/2023</u> ) or 2005 edTPA: Secondary Mathematics [ <del>(pilot exam)</del> ] or 2006 edTPA: Secondary Science [ <del>(pilot exam)</del> ]
§233.4	Mathematics/Physical Science/Engineering: Grades 6–12	274 Mathematics/Physical Science/Engineering 6–12 TExES	160 PPR EC–12 TExES (last operational date <u>8/31/2023</u> ) or 2005 edTPA: Secondary Mathematics [ <del>(pilot exam)</del> ] or 2006 edTPA: Secondary Science [ <del>(pilot exam)</del> ] or 2143 edTPA: Technology and Engineering Education [ <del>(pilot exam)</del> ]
§233.4	Chemistry: Grades 7–12	240 Chemistry 7–12 TExES	160 PPR EC–12 TExES (last operational date <u>8/31/2023</u> ) or 2006 edTPA: Secondary Science [ <del>(pilot exam)</del> ]
<b>Music</b>			
§233.10	Music: Early Childhood–Grade 12	177 Music EC–12 TExES	160 PPR EC–12 TExES (last operational date <u>8/31/2023</u> ) or 2021 edTPA: K–12 Performing Arts [ <del>(pilot exam)</del> ]



Certificate TAC Reference	Certificate Name	Required Content Pedagogy Test(s)	Required Pedagogy Test(s) [ <del>Pedagogical Requirement(s)</del> ]
<b>Physical Education</b>			
§233.12	Physical Education: Early Childhood–Grade 12	158 Physical Education EC–12 TExES	160 PPR EC–12 TExES ( <u>last operational date 8/31/2023</u> ) or 2011 edTPA: Physical Education [ <del>(pilot exam)</del> ]

Certificate TAC Reference	Certificate Name	Required Content Pedagogy Test(s)	Required Pedagogy Test(s) [ <u>Pedagogical Requirement(s)</u> ]
<b>Principal and Superintendent</b>			
§241.20	Principal as Instructional Leader: Early Childhood–Grade 12	268 Principal as Instructional Leader TExES	Educational Testing Service (ETS) 368 Performance Assessment for School Leaders (PASL)
§241.35	Principal as Instructional Leader Endorsement	Not Applicable: Not an Initial Certificate (Individuals must already hold a valid certificate to serve in the role of principal to be eligible for this endorsement.)	Educational Testing Service (ETS) 368 Performance Assessment for School Leaders (PASL)
§242.20	Superintendent: Early Childhood–Grade 12	195 Superintendent TExES	Not Applicable: Not an Initial Certificate
<b>Social Studies</b>			
§233.3	Social Studies: Grades 4–8	118 Social Studies 4–8 TExES	160 PPR EC–12 TExES ( <u>last operational date 8/31/2023</u> ) or 2019 edTPA: Middle Childhood History/Social Studies [ <u>(pilot exam)</u> ]
§233.3	Social Studies: Grades 7–12	232 Social Studies 7–12 TExES	160 PPR EC–12 TExES ( <u>last operational date 8/31/2023</u> ) or 2004 edTPA: Secondary History/Social Studies [ <u>(pilot exam)</u> ]
§233.3	History: Grades 7–12	233 History 7–12 TExES	160 PPR EC–12 TExES ( <u>last operational date 8/31/2023</u> ) or 2004 edTPA: Secondary History/Social Studies [ <u>(pilot exam)</u> ]
<b>Speech Communications</b>			
§233.3	Speech: Grades 7–12	129 Speech 7–12 TExES	160 PPR EC–12 TExES ( <u>last operational date 8/31/2023</u> ) or 2003 edTPA: Secondary English Language Arts [ <u>(pilot exam)</u> ]

Certificate TAC Reference	Certificate Name	Required Content Pedagogy Test(s)	Required Pedagogy Test(s) <u>[Pedagogical Requirement(s)]</u>
<b>Special Education</b>			
§233.8	Special Education: Early Childhood–Grade 12	161 Special Education EC–12 TExES	160 PPR EC–12 TExES ( <u>last operational date 8/31/2023</u> ) or 2012 edTPA: Special Education [ <del>pilot exam</del> ]
§233.8	Special Education Supplemental	163 Special Education Supplemental TExES	Not Applicable: Not a Stand-alone Certificate
§233.8	Teacher of the Deaf and Hard of Hearing: Early Childhood–Grade 12	181 Deaf and Hard of Hearing EC–12 TExES <b>and</b> 072 TASC or 073 TASC—ASL (required for assignment but not for certification)	160 PPR EC–12 TExES ( <u>last operational date 8/31/2023</u> ) or 2012 edTPA: Special Education [ <del>pilot exam</del> ]
§233.8	Teacher of Students with Visual Impairments Supplemental: Early Childhood–Grade 12	182 Visually Impaired TExES <b>and</b> 283 Braille TExES	Not Applicable: Not a Stand-alone Certificate
<b>Theatre</b>			
§233.10	Theatre: Early Childhood–Grade 12	180 Theatre EC–12 TExES	160 PPR EC–12 TExES ( <u>last operational date 8/31/2023</u> ) or 2021 edTPA: K–12 Performing Arts [ <del>pilot exam</del> ]

**Review of Proposed Revisions to 19 TAC Chapter 231, Requirements for Public School Personnel Assignments, Subchapter B, Prekindergarten–Grade 6 Assignments; Subchapter C, Grades 6–8 Assignments; and Subchapter E, Grades 9–12 Assignments**

**June 17, 2022**

**COMMITTEE ON SCHOOL INITIATIVES: ACTION  
STATE BOARD OF EDUCATION: ACTION**

**SUMMARY:** This item provides the State Board of Education (SBOE) an opportunity to review the State Board for Educator Certification (SBEC) rule actions that would propose revisions to 19 Texas Administrative Code (TAC) Chapter 231, Requirements for Public School Personnel Assignments, Subchapter B, Prekindergarten–Grade 6 Assignments; Subchapter C, Grades 6–8 Assignments; and Subchapter E, Grades 9–12 Assignments. The proposed revisions would incorporate courses approved by the State Board of Education (SBOE), would add certificate areas to the list of credentials appropriate for placement into an assignment, and would incorporate technical edits where needed to improve readability and align citations.

**STATUTORY AUTHORITY:** The statutory authority for 19 TAC Chapter 231 is the Texas Education Code (TEC), §§21.003(a), 21.031(a), 21.041(b)(1) and (2), and 21.064.

TEC, §21.003(a), states that a person may not be employed as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, educational diagnostician, or school counselor by a school district unless the person holds an appropriate certificate or permit issued as provided by the TEC, Chapter 21, Subchapter B.

TEC, §21.031(a), states that the SBEC shall regulate and oversee all aspects of the certification, continuing education, and standards of conduct of public school educators.

TEC, §21.041(b)(1), requires the SBEC to propose rules that provide for the regulation of educators and the general administration of the TEC, Chapter 21, Subchapter B, in a manner consistent with the TEC, Chapter 21, Subchapter B.

TEC, §21.041(b)(2), requires the SBEC to propose rules that specify the classes of educator certificates to be issued, including emergency certificates.

TEC, §21.064, requires the SBEC to stop the issuance and renewal of master teacher certificates effective September 1, 2019, to add a designation of "legacy" to each master teacher certificate issued, and to recognize these certificates until they expire.

The full text of statutory citations can be found in the statutory authority section of this agenda.

**PREVIOUS BOARD ACTION:** None.

**BACKGROUND INFORMATION AND JUSTIFICATION:** The SBEC rules in 19 TAC Chapter 231 establish the personnel assignments that correlate with appropriate certifications and are organized as follows:

- Subchapter A, Criteria for Assignment of Public School Personnel;

- Subchapter B, Prekindergarten–Grade 6 Assignments;
- Subchapter C, Grades 6–8 Assignments;
- Subchapter D, Electives, Disciplinary Courses, Local Credit Courses, and Innovative Courses, Grades 6–12 Assignments;
- Subchapter E, Grades 9–12 Assignments,
- Subchapter F, Special Education–Related Services Personnel Assignments, and
- Subchapter G, Paraprofessional Personnel, Administrators, and Other Instructional and Professional Support Assignments.

These subchapters offer guidance to school districts and educators by providing the list of courses by grade level and subject area and identifying the corresponding certificates and other requirements for placement of individuals into classroom and/or campus assignments.

Proposed revisions to 19 TAC Chapter 231, Subchapters B, C, and E, shown in the attachment, are described below.

### **Subchapter B. Prekindergarten–Grade 6 Assignments**

#### *Science of Teaching Reading Personnel Assignments*

To align with statutory requirements in House Bill (HB) 3, 86th Texas Legislature, Regular Session, 2019, the proposed amendments would add certificates that reflect the requirement that educators demonstrate proficiency in the science of teaching reading to teach certain courses. Changes to the following sections would add the appropriate certificates to teach those courses:

- §§231.3, 231.9, 231.21, 231.23, and 231.27 would add these certificates:
  - "Core Subjects with Science of Teaching Reading: Early Childhood–Grade 6" and
  - "Early Childhood: Prekindergarten–Grade 3"
- §231.15 and §231.17 would add these certificates:
  - "Core Subjects with Science of Teaching Reading: Early Childhood–Grade 6,"
  - "Early Childhood: Prekindergarten–Grade 3 (Prekindergarten–Grade 3 only)," and
  - "Core Subjects with Science of Teaching Reading: Grades 4–8 (Grades 4–6 only)"
- §231.25 and new §231.31 would add this certificate:
  - "Early Childhood: Prekindergarten–Grade 3 (Prekindergarten–Grade 3 only)"

#### *Titles, Assignments, and Technical Changes*

The proposed amendment to §231.11 would update the title to "Bilingual, Prekindergarten–Grade 6" to reflect the appropriate course title with the assignment and would provide technical edits to align the appropriate certificates with the course.

The proposed amendment to §231.13 would update the title to "English as a Second Language, Prekindergarten–Grade 6" to reflect the appropriate course title with the assignment.

The proposed amendment to §231.15 would update the title to "Elementary, Prekindergarten–Grade 6" to reflect the appropriate course title with the assignment and would provide technical edits to align the appropriate certificates with the course.

The proposed amendment to §231.17 would update the title to "Reading, Prekindergarten–Grade 6" to reflect the appropriate course title with the assignment and would provide technical edits to align the appropriate certificates with the course.

The proposed amendment to §231.19 would update the title to "Languages Other Than English, Prekindergarten–Grade 6," would add American Sign Language to the list of courses, and would provide technical edits to align the appropriate certificates with the course.

Proposed new §231.31, "Health, Prekindergarten–Grade 6," would add to the course offerings with existing certificates appropriate for the assignment and update content previously inadvertently left out of the rules.

### **Subchapter C. Grades 6–8 Assignments**

#### *Science of Teaching Reading Personnel Assignments*

To align with statutory requirements in HB 3, 86th Texas Legislature, Regular Session, 2019, the proposed amendments would add certificates that reflect the requirement that educators demonstrate proficiency in the science of teaching reading to teach certain courses. Changes to the following sections would add the appropriate certificates to teach those courses:

- §§231.41, 231.43, 231.45, 231.49, 231.51, 231.57, 231.61, and 231.63 would add these certificates:
  - "Core Subjects with Science of Teaching Reading: Early Childhood–Grade 6" and
  - "Core Subjects with Science of Teaching Reading: Grades 4–8"
- §§231.67, 231.69, 231.71, and 231.73 would add these certificates:
  - "Core Subjects with Science of Teaching Reading: Early Childhood–Grade 6"
- §231.59 and §231.65 would add this certificate:
  - "Core Subjects with Science of Teaching Reading: Grades 4–8"
- §§231.45, 231.49, and 231.51 would add these certificates:
  - "English Language Arts and Reading with Science of Teaching Reading: Grades 4–8," and
  - "English Language Arts and Reading/Social Studies with Science of Teaching Reading: Grades 4–8"
- §231.57 and new §231.59 would add this certificate:
  - "English Language Arts and Reading/Social Studies with Science of Teaching Reading: Grades 4–8"

#### *Titles, Assignments, and Technical Changes*

The proposed amendment to §231.67, Health, Grades 6–8, would delete outdated certificate references in paragraphs (11) and (23) and provide further clarity around appropriate qualifications for the assignment. The remaining rules would be renumbered accordingly.

The proposed amendment to §231.69, Physical Education, Grades 6–8, would delete outdated certificate references in paragraphs (8) and (16) and provide further clarity around appropriate qualifications for the assignment. The remaining rules would be renumbered accordingly.

The proposed amendment to §231.79, Career Development, Grades 6–8, would add Technology Applications: Early Childhood–Grade 12 and Technology Applications: Grades 8–12 to the list of certificates appropriate to teach this course.

## **Subchapter E. Grades 9–12 Assignments**

### *Titles, Assignments, and Technical Changes*

#### *Division 1. English Language Arts and Reading, Grades 9–12 Assignments.*

The proposed amendments to §231.131, Writing, Grades 9–12, and §231.135, Journalism, Grades 9–12, would incorporate minor technical edits for both courses to remove nonexistent courses, correct course name titles, and delete outdated certificate and semester credit hour references. The remaining information in these sections would be renumbered accordingly, as applicable.

#### *Division 2. Languages Other Than English, Grades 9–12 Assignments.*

The proposed amendment to §231.153, American Sign Language, Grades 9–12, subsection (a), would add "or American Sign Language, Advanced Independent Study" to reflect a complete listing of courses for assignments to teach this subject at this grade level. All other information remains unchanged as presented in rule.

#### *Division 3. Social Studies, Grades 9–12 Assignments.*

The proposed amendment to §231.173, Economics with Emphasis on the Free Enterprise System and Its Benefits, Grades 9–12, would add "or Economics Advanced Studies" to reflect a complete listing of courses for assignments to teach this subject at this grade level. All other information remains unchanged as presented in rule.

#### *Division 9. Career Development, Grades 9–12 Assignments.*

The proposed amendment to §231.271, Career Development, Grades 9–12, subsections (a) and (c), would add Technology Applications: Early Childhood–Grade 12 and Technology Applications: Grades 8–12 to the list of certificates appropriate for the specified assignments.

#### *Division 10. Agriculture, Food, and Natural Resources, Grades 9–12 Assignments.*

The proposed amendment to §231.281, Agriculture, Food, and Natural Resources, Grades 9–12, would remove Energy and Natural Resource Technology from the list of courses to create proposed new §231.293, Energy and Natural Resource Technology, Grades 9–12, and list the certificates appropriate for placement into the assignment. The proposed change would clarify that individuals already teaching courses in the Renewable Energy Program of Study would also be eligible to teach this course.

#### *Division 12. Arts, Audio Video Technology, and Communications, Grades 9–12 Assignments.*

The proposed amendments would incorporate a minor technical edit to the division title to read, "Arts, Audio/Video Technology, and Communications, Grades 9–12 Assignments." The technical edit would align the division title reference with all other course listings in rule.

*Division 19. Human Services, Grades 9–12 Assignments.*

The proposed amendment to §231.469, Cosmetology, Grades 9–12, would remove the reference to "a valid license as a cosmetology instructor issued by the Texas Department of Licensing and Regulation (TDLR)," eliminated during the 2021 legislative session, and would replace the reference to a required credential with "a valid Cosmetology Operator license or Class A Barber Operator license."

Proposed amendments as specified by divisions and sections would add Trade and Industrial Workforce Training: Grades 6–12 to the list of certificates appropriate for placement into the following assignments:

- Division 10: §231.289 and §231.291
- Division 11: §§231.301, 231.303, 231.305, 231.307, 231.309, 231.311, and 231.313
- Division 12: §§231.333, 231.335, 231.337, 231.339, and 231.341
- Division 16: §§231.401, 231.403, and 231.405
- Division 18: §231.441 and §231.443
- Division 20: §§231.481, 231.483, 231.485, 231.487, and 231.489
- Division 21: §231.501 and §231.503
- Division 22: §§231.521, 231.523, and 231.525
- Division 23: §231.543
- Division 25: §231.631 and §231.633

*Aligning with SBOE and Necessary Updates*

To reflect courses approved by the SBOE and to make other necessary updates, the changes proposed in the specified divisions below would identify the appropriate certificates and/or training requirements for placement into various assignments.

*Division 14. Education and Training, Grades 9–12 Assignments.*

The proposed amendment to §231.381, Education and Training, Grades 9–12, would add two new SBOE-approved courses: Practicum in Early Learning, Grades 9–12, and Extended Practicum in Early Learning, Grades 9–12. The proposed changes to subsections (b) and (c) would confirm that certificates and training requirements already established in rule are appropriate for assignment to teach the two new courses.

*Division 17. Health Science, Grades 9–12 Assignments.*

The proposed amendment to §231.421(a) would add the new SBOE-approved course, Pharmacy II, to the list of course offerings. The certificates already established in rule are applicable for placement into this new course assignment.

The proposed amendment to §231.421(b) would add the new SBOE-approved course, Medical Assistant, to the list of course offerings. The certificates already established in rule are applicable for placement into this new course assignment.

The proposed amendment to §231.423, Anatomy and Physiology, Medical Microbiology, and Pathophysiology, Grades 9–12, would add the new SBOE-approved course, Respiratory Therapy I, to the list of course offerings. The certificates already established in rule are applicable for placement into this new course assignment.



The proposed amendment to §231.425, Mathematics for Medical Professionals, Grades 9–12, would add the new SBOE-approved course, Medical Coding and Billing, to the list of course offerings. The certificates already established in rule are applicable for placement into this new course assignment.

The proposed amendment to §231.427, Health Informatics, Grades 9–12, would delete business, office education, and marketing certificates specified in paragraphs (5) through (9). These proposed changes align with SBOE changes to content prerequisites to teach this course.

Proposed new §231.429, Healthcare Administration and Management; Leadership and Management in Nursing, Grades 9–12, would add two new SBOE-approved courses and the certificates appropriate for placement into these course assignments.

*Division 24. Science, Technology, Engineering, and Mathematics, Grades 9–12 Assignments.*

The proposed amendments to this division would delete references to Science, Technology, Engineering, and Mathematics: Grades 6–12 certificate from 12 sections: §§231.561, 231.563, 231.565, 231.567, 231.569, 231.571, 231.573, 231.575, 231.577, 231.579, 231.581, and 231.583. A Science, Technology, Engineering, and Mathematics (STEM) certificate does not exist, nor are there any plans to create an SBEC-issued certificate for this subject area. The proposed deletion of references to this non-existent certificate will reduce confusion in the field regarding STEM certification. The remaining information in these sections would be renumbered accordingly, as applicable.

The proposed amendments would also add Trade and Industrial Education: Grades 6–12, Trade and Industrial Education: Grades 8–12, and Trade and Industrial Workforce Training: Grades 6–12 certificates, as applicable, to the list of credentials appropriate for placement into assignments specified in 16 sections: §§231.561, 231.563, 231.565, 231.567, 231.569, 231.571, 231.573, 231.575, 231.577, 231.579, 231.581, 231.583, 231.587, 231.589, 231.591, and 231.593. The remaining information in these sections would be renumbered accordingly, as applicable.

*Division 26. Energy, Grades 9–12 Assignments.*

The proposed amendment to §231.651, Energy and Natural Resources, Grades 9–12, would change the heading to "Energy" for this series of course listings and add the Trade and Industrial Workforce Training: Grades 6–12 certificate to the list of credentials appropriate to teach the specified courses. The remaining information in these sections would be renumbered accordingly, and as applicable.

*SBOE Review of Proposed SBEC Rules*

Under the TEC, §21.042, the SBEC must submit a written copy of each rule it proposes to adopt to the SBOE for review. The SBOE may reject the proposed rule by a vote of at least two-thirds of the members of the SBOE present and voting but may not modify a rule.

**FISCAL IMPACT:** No changes have been made to this section since published as proposed. The Texas Education Agency (TEA) staff has determined that there is no additional fiscal impact on state and local governments and that there are no additional costs to persons or entities required to comply with the proposal.

**LOCAL EMPLOYMENT IMPACT:** No changes have been made to this section since published as proposed. The proposal has no effect on local economy; therefore, no local employment impact statement is required under Texas Government Code (TGC), §2001.022.

**SMALL BUSINESS, MICROBUSINESS, AND RURAL COMMUNITY IMPACT:** No changes have been made to this section since published as proposed. The proposal has no direct adverse economic impact for small businesses, microbusinesses, or rural communities; therefore, no regulatory flexibility analysis, specified in TGC, §2006.002, is required.

**COST INCREASE TO REGULATED PERSONS:** No changes have been made to this section since published as proposed. The proposal does not impose a cost on regulated persons, another state agency, a special district, or a local government and, therefore, is not subject to TGC, §2001.0045.

**TAKINGS IMPACT ASSESSMENT:** No changes have been made to this section since published as proposed. The proposal does not impose a burden on private real property and, therefore, does not constitute a taking under TGC, §2007.043.

**GOVERNMENT GROWTH IMPACT:** No changes have been made to this section since published as proposed. The TEA staff prepared a Government Growth Impact Statement assessment for this proposed rulemaking. During the first five years the proposed rulemaking would be in effect, it would not create or eliminate a government program; would not require the creation of new employee positions or elimination of existing employee positions; would not require an increase or decrease in future legislative appropriations to the agency; would not require an increase or decrease in fees paid to the agency; would not create a new regulation; would not expand, limit, or repeal an existing regulation; would not increase or decrease the number of individuals subject to its applicability; and would not positively or adversely affect the state's economy.

**PUBLIC BENEFIT AND COST TO PERSONS:** No changes have been made to this section since published as proposed. The public benefit anticipated as a result of the proposal would be clear guidance for districts on appropriate credentials for placement of individuals into classroom, administrative, and support personnel assignments. The TEA staff has determined there is no anticipated cost to persons who are required to comply with the proposal.

**DATA AND REPORTING IMPACT:** No changes have been made to this section since published as proposed. The proposal would have no new data and reporting impact.

**PRINCIPAL AND CLASSROOM TEACHER PAPERWORK REQUIREMENTS:** No changes have been made to this section since published as proposed. The TEA staff has determined that the proposal would not require a written report or other paperwork to be completed by a principal or classroom teacher.

**PUBLIC COMMENTS:** In accordance with the SBEC rulemaking process, a summary of comments received by the SBEC on its proposed rules is shared with the SBOE under separate cover prior to this SBOE meeting.

**MOTION TO BE CONSIDERED:** The State Board of Education:

Take no action on proposed revisions to 19 TAC Chapter 231, Requirements for Public School Personnel Assignments, Subchapter B, Prekindergarten–Grade 6 Assignments; Subchapter C, Grades 6–8 Assignments; and Subchapter E, Grades 9–12 Assignments.

**Staff Members Responsible:**

Emily Garcia, Associate Commissioner, Educator Preparation, Certification, and Enforcement  
Marilyn Cook, Director, Educator Certification

**Attachment:**

Text of Proposed Revisions to 19 TAC Chapter 231, Requirements for Public School Personnel Assignments, Subchapter B, Prekindergarten–Grade 6 Assignments; Subchapter C, Grades 6–8 Assignments; and Subchapter E, Grades 9–12 Assignments

**ATTACHMENT**  
**Text of Proposed Revisions to 19 TAC**

**Chapter 231. Requirements for Public School Personnel Assignments**

**Subchapter B. Prekindergarten-Grade 6 Assignments**

**§231.3. General Education, Prekindergarten.**

- (a) All-level certification in art, health education, music, physical education, speech communication and theatre arts, or theatre may be assigned to teach in the certified area(s) in Prekindergarten-Grade 12.
- (b) An assignment for General Education, Prekindergarten, is allowed with one of the following certificates.
  - (1) Bilingual Generalist: Early Childhood-Grade 4.
  - (2) Bilingual Generalist: Early Childhood-Grade 6.
  - (3) Core Subjects: Early Childhood-Grade 6.
  - (4) Core Subjects with Science of Teaching Reading: Early Childhood-Grade 6.
  - (5) Early Childhood: Prekindergarten-Grade 3.
  - (6) ~~(4)~~ Early Childhood Education (Prekindergarten and Kindergarten).
  - (7) ~~(5)~~ Elementary--General.
    - (A) Teachers assigned prior to the 1991-1992 school year are required to complete a minimum of 90 clock-hours of in-service training (may be advanced academic training) or six semester credit hours in early childhood education, inclusive of but not limited to child development or language acquisition, by September 1, 1993, to be eligible for assignment.
    - (B) Initial assignments beginning with the 1991-1992 school year require the early childhood education delivery system or endorsement.
  - (8) ~~(6)~~ Elementary--General (Grades 1-6).
    - (A) Teachers assigned prior to the 1991-1992 school year are required to complete a minimum of 90 clock-hours of in-service training (may be advanced academic training) or six semester credit hours in early childhood education, inclusive of but not limited to child development or language acquisition, by September 1, 1993, to be eligible for assignment.
    - (B) Initial assignments beginning with the 1991-1992 school year require the early childhood education delivery system or endorsement.
  - (9) ~~(7)~~ Elementary--General (Grades 1-8).
    - (A) Teachers assigned prior to the 1991-1992 school year are required to complete a minimum of 90 clock-hours of in-service training (may be advanced academic training) or six semester credit hours in early childhood education, inclusive of but not limited to child development or language acquisition, by September 1, 1993, to be eligible for assignment.
    - (B) Initial assignments beginning with the 1991-1992 school year require the early childhood education delivery system or endorsement.
  - (10) ~~(8)~~ Elementary Early Childhood Education (Prekindergarten-Grade 6).
  - (11) ~~(9)~~ Elementary Self-Contained (Grades 1-8).
    - (A) Teachers assigned prior to the 1991-1992 school year are required to complete a minimum of 90 clock-hours of in-service training (may be advanced academic training)

or six semester credit hours in early childhood education, inclusive of but not limited to child development or language acquisition, by September 1, 1993, to be eligible for assignment.

- (B) Initial assignments beginning with the 1991-1992 school year require the early childhood education delivery system or endorsement.

- (12) ~~(10)~~ English as a Second Language Generalist: Early Childhood-Grade 4.
- (13) ~~(11)~~ English as a Second Language Generalist: Early Childhood-Grade 6.
- (14) ~~(12)~~ Generalist: Early Childhood-Grade 4.
- (15) ~~(13)~~ Generalist: Early Childhood-Grade 6.
- (16) ~~(14)~~ Kindergarten.
- (17) ~~(15)~~ Legacy Master Mathematics Teacher (Early Childhood-Grade 4) (Mathematics only).
- (18) ~~(16)~~ Legacy Master Reading Teacher (Early Childhood-Grade 12) (Reading only).
- (19) ~~(17)~~ Legacy Master Science Teacher (Early Childhood-Grade 4) (Science only).
- (20) ~~(18)~~ Prekindergarten-Grade 5.
- (21) ~~(19)~~ Prekindergarten-Grade 6.
- (22) ~~(20)~~ Teacher of Young Children--General.

**§231.9. General Education, Kindergarten.**

- (a) All-level certification in art, health education, music, physical education, speech communication and theatre arts, or theatre may be assigned to teach in the certified area(s) in Prekindergarten-Grade 12.
- (b) An assignment for General Education, Kindergarten, is allowed with one of the following certificates.

- (1) Bilingual Generalist: Early Childhood-Grade 4.
- (2) Bilingual Generalist: Early Childhood-Grade 6.
- (3) Core Subjects: Early Childhood-Grade 6.
- (4) Core Subjects with Science of Teaching Reading: Early Childhood-Grade 6.
- (5) Early Childhood: Prekindergarten-Grade 3.
- (6) ~~(4)~~ Early Childhood Education (Prekindergarten and Kindergarten).
- (7) ~~(5)~~ Elementary Early Childhood Education (Prekindergarten-Grade 6).
- (8) ~~(6)~~ English as a Second Language Generalist: Early Childhood-Grade 4.
- (9) ~~(7)~~ English as a Second Language Generalist: Early Childhood-Grade 6.
- (10) ~~(8)~~ Generalist: Early Childhood-Grade 4.
- (11) ~~(9)~~ Generalist: Early Childhood-Grade 6.
- (12) ~~(10)~~ Kindergarten.
- (13) ~~(11)~~ Legacy Master Mathematics Teacher (Early Childhood-Grade 4) (Mathematics only).
- (14) ~~(12)~~ Legacy Master Reading Teacher (Early Childhood-Grade 12) (Reading only).
- (15) ~~(13)~~ Legacy Master Science Teacher (Early Childhood-Grade 4) (Science only).
- (16) ~~(14)~~ Prekindergarten-Grade 5--General.
- (17) ~~(15)~~ Prekindergarten-Grade 6--General.
- (18) ~~(16)~~ Teacher of Young Children--General.

**§231.11. Bilingual, Prekindergarten-Grade 6, ~~[Kindergarten-Grade 6]~~**

- (a) An assignment for Bilingual, Prekindergarten-Grade 6, ~~[Kindergarten-Grade 6]~~ is allowed with one of the following certificates.
- (1) Bilingual Generalist: Early Childhood-Grade 4 (Kindergarten-Grade 4 only).
  - (2) Bilingual Generalist: Early Childhood-Grade 6.
  - (3) Bilingual Generalist: Grades 4-8 (Grades 4-6 only).
  - (4) A valid classroom teaching certificate appropriate for the grade level and subject areas taught plus any bilingual education certificate or endorsement.
  - (5) Prekindergarten-Grade 5--Bilingual/English as a Second Language (Prekindergarten-Grade 5 only).
  - (6) Prekindergarten-Grade 6--Bilingual/English as a Second Language.
  - (7) Prekindergarten-Grade 12--Bilingual/English as a Second Language.
- (b) An assignment for the English component only of a dual language immersion/one-way or two-way bilingual education program model for Prekindergarten-Grade 6 ~~[Kindergarten-Grade 6]~~ is allowed with a valid classroom teaching certificate appropriate for the grade level and subject areas taught plus a bilingual education certificate or endorsement or an English as a Second Language certificate or endorsement.

**§231.13. English as a Second Language, Prekindergarten-Grade 6, ~~[Kindergarten-Grade 6]~~**

An assignment for English as a Second Language, Prekindergarten-Grade 6, ~~[Kindergarten-Grade 6]~~ is allowed with one of the following certificates.

- (1) An elementary certified teacher with a valid English as a Second Language supplemental certificate or endorsement or bilingual education supplemental certificate or endorsement may be assigned to teach English as a Second Language at the kindergarten level.
- (2) A valid classroom teaching certificate appropriate for the grade level and subject areas taught plus one of the following.
  - (A) Bilingual Education Supplemental.
  - (B) Bilingual Education Supplemental (Early Childhood-Grade 4).
  - (C) Bilingual Education Supplemental (Grades 4-8).
  - (D) Bilingual Endorsement.
  - (E) Bilingual/English as a Second Language Endorsement.
  - (F) English as a Second Language Endorsement.
  - (G) English as a Second Language Supplemental.
- (3) Bilingual Generalist: Early Childhood-Grade 4 (Kindergarten-Grade 4 only).
- (4) Bilingual Generalist: Early Childhood-Grade 6.
- (5) Bilingual Generalist: Grades 4-8 (Grades 4-6 only).
- (6) English as a Second Language Generalist: Early Childhood-Grade 4 (Kindergarten-Grade 4 only).
- (7) English as a Second Language Generalist: Early Childhood-Grade 6.
- (8) English as a Second Language Generalist: Grades 4-8 (Grades 4-6 only).
- (9) Prekindergarten-Grade 5--Bilingual/English as a Second Language (Prekindergarten-Grade 5 only).
- (10) Prekindergarten-Grade 6--Bilingual/English as a Second Language.

- (11) Prekindergarten-Grade 12--English as a Second Language.
- (12) Prekindergarten-Grade 12--Bilingual/English as a Second Language.
- (13) Teacher certificate appropriate for grade level of assignment and assigned to teach English as a Second Language in an approved English as a Second Language program during the 1981-1982 school year in the same school district.

**§231.15. Elementary, Prekindergarten-Grade 6. [~~Grades 1-6.~~]**

An assignment for Elementary, Prekindergarten-Grade 6. [~~Grades 1-6.~~] is allowed with one of the following certificates.

- (1) Bilingual Generalist: Early Childhood-Grade 4 (Grades 1-4 only).
- (2) Bilingual Generalist: Early Childhood-Grade 6.
- (3) Bilingual Generalist: Grades 4-8 (Grades 4-6 only).
- (4) Core Subjects: Early Childhood-Grade 6.
- ~~(5) Core Subjects with Science of Teaching Reading: Early Childhood-Grade 6.~~
- ~~(6) Early Childhood: Prekindergarten-Grade 3 (Prekindergarten-Grade 3 only).~~
- ~~(7) [~~5~~] Core Subjects: Grades 4-8 (Grades 4-6 only).~~
- ~~(8) Core Subjects with Science of Teaching Reading: Grades 4-8 (Grades 4-6 only).~~
- ~~(9) [~~6~~] Elementary--General.~~
- ~~(10) [~~7~~] Elementary--General (Grades 1-6).~~
- ~~(11) [~~8~~] Elementary--General (Grades 1-8).~~
- ~~(12) [~~9~~] Elementary Early Childhood Education (Prekindergarten-Grade 6).~~
- ~~(13) [~~10~~] Elementary Self-Contained (Grades 1-8).~~
- ~~(14) [~~11~~] English as a Second Language Generalist: Early Childhood-Grade 4 (Grades 1-4 only).~~
- ~~(15) [~~12~~] English as a Second Language Generalist: Early Childhood-Grade 6.~~
- ~~(16) [~~13~~] English as a Second Language Generalist: Grades 4-8 (Grades 4-6 only).~~
- ~~(17) [~~14~~] Generalist: Early Childhood-Grade 4 (Grades 1-4 only).~~
- ~~(18) [~~15~~] Generalist: Early Childhood-Grade 6.~~
- ~~(19) [~~16~~] Generalist: Grades 4-8 (Grades 4-6 only).~~
- ~~(20) [~~17~~] Legacy Master Mathematics Teacher (Early Childhood-Grade 4) (Mathematics in Grades 1-4 only).~~
- ~~(21) [~~18~~] Legacy Master Mathematics Teacher (Grades 4-8) (Mathematics in Grades 4-6 only).~~
- ~~(22) [~~19~~] Legacy Master Reading Teacher (Early Childhood-Grade 12) (Reading in Grades 1-6 only).~~
- ~~(23) [~~20~~] Legacy Master Science Teacher (Early Childhood-Grade 4) (Science in Grades 1-4 only).~~
- ~~(24) [~~21~~] Legacy Master Science Teacher (Grades 4-8) (Science in Grades 4-6 only).~~
- ~~(25) [~~22~~] Prekindergarten-Grade 5--General (Grades 1-5 only).~~
- ~~(26) [~~23~~] Prekindergarten-Grade 6--General.~~
- ~~(27) [~~24~~] Teacher of Young Children--General (Grades 1-3 only).~~

**§231.17. Reading, Prekindergarten-Grade 6, [Grades 1-6.]**

An assignment for Reading, Prekindergarten-Grade 6, [Grades 1-6.] is allowed with one of the following certificates.

- (1) A teacher certificate that matches the subject and grade level of the assignment (Prekindergarten-Grade 6).
- (2) An elementary teacher certificate appropriate for Grades 1-6 assignment.
- (3) Bilingual Generalist: Early Childhood-Grade 4 (Grades 1-4 only).
- (4) Bilingual Generalist: Early Childhood-Grade 6.
- (5) Bilingual Generalist: Grades 4-8 (Grades 4-6 only).
- (6) Core Subjects: Early Childhood-Grade 6.
- (7) Core Subjects with Science of Teaching Reading: Early Childhood-Grade 6.
- (8) Early Childhood: Prekindergarten-Grade 3 (Prekindergarten-Grade 3 only).
- (9) [~~7~~] Core Subjects: Grades 4-8 (Grades 4-6 only).
- (10) Core Subjects with Science of Teaching Reading: Grades 4-8 (Grades 4-6 only).
- (11) [~~8~~] English as a Second Language Generalist: Early Childhood-Grade 4 (Grades 1-4 only).
- (12) [~~9~~] English as a Second Language Generalist: Early Childhood-Grade 6.
- (13) [~~10~~] English as a Second Language Generalist: Grades 4-8 (Grades 4-6 only).
- (14) [~~11~~] English Language Arts and Reading: Grades 4-8 (Grades 4-6 only).
- (15) [~~12~~] English Language Arts and Reading/Social Studies: Grades 4-8 (Grades 4-6 only).
- (16) [~~13~~] Generalist: Early Childhood-Grade 4 (Grades 1-4 only).
- (17) [~~14~~] Generalist: Early Childhood-Grade 6.
- (18) [~~15~~] Generalist: Grades 4-8 (Grades 4-6 only).
- (19) [~~16~~] Legacy Master Reading Teacher (Early Childhood-Grade-12).
- (20) [~~17~~] Reading Specialist.
- (21) [~~18~~] Reading Specialist (Early Childhood-Grade 12).

**§231.19. Languages Other Than English, Prekindergarten-Grade 6, [Grades 1-6.]**

An assignment for Languages Other Than English, Classical Languages, American Sign Language, or Discovering Languages and Cultures, Prekindergarten-Grade 6, [Grades 1-6.] is allowed with one of the following certificates.

- (1) A teacher certificate that matches the subject and grade level of the assignment Prekindergarten-Grade 6, [Grades 1-6.]
- (2) A Languages Other Than English certificate in the appropriate language (Early Childhood-Grade 12).
- (3) A secondary teacher certificate with a teaching field in the language of assignment plus six semester credit hours of elementary education.

**§231.21. Art, Prekindergarten-Grade 6.**

An assignment for Art, Prekindergarten-Grade 6, is allowed with one of the following certificates.

- (1) A teacher certificate that matches the subject and grade level of the assignment (Prekindergarten-Grade 6).



- (2) All-Level Art.
- (3) All-Level Art (Prekindergarten-Grade 12).
- (4) Art: Early Childhood-Grade 12.
- (5) Bilingual Generalist: Early Childhood-Grade 4 (Early Childhood-Grade 4 only).
- (6) Bilingual Generalist: Early Childhood-Grade 6.
- (7) Core Subjects: Early Childhood-Grade 6.
- (8) Core Subjects with Science of Teaching Reading: Early Childhood-Grade 6.
- (9) Early Childhood: Prekindergarten-Grade 3 (Prekindergarten-Grade 3 only).
- (10) ~~(8)~~ Early Childhood Education (Prekindergarten and Kindergarten only).
- (11) ~~(9)~~ English as a Second Language Generalist: Early Childhood-Grade 4 (Early Childhood-Grade 4 only).
- (12) ~~(10)~~ English as a Second Language Generalist: Early Childhood-Grade 6.
- (13) ~~(11)~~ Generalist: Early Childhood-Grade 4 (Early Childhood-Grade 4 only).
- (14) ~~(12)~~ Generalist: Early Childhood-Grade 6.

**§231.23. Music, Prekindergarten-Grade 6.**

An assignment for Music, Prekindergarten-Grade 6, is allowed with one of the following certificates.

- (1) A teacher certificate that matches the subject and grade level of the assignment (Prekindergarten-Grade 6).
- (2) All-Level Music.
- (3) All-Level Music (Prekindergarten-Grade 12).
- (4) Bilingual Generalist: Early Childhood-Grade 4 (Early Childhood-Grade 4 only).
- (5) Bilingual Generalist: Early Childhood-Grade 6.
- (6) Core Subjects: Early Childhood-Grade 6.
- (7) Core Subjects with Science of Teaching Reading: Early Childhood-Grade 6.
- (8) Early Childhood: Prekindergarten-Grade 3 (Prekindergarten-Grade 3 only).
- (9) ~~(7)~~ Early Childhood Education (Prekindergarten and Kindergarten only).
- (10) ~~(8)~~ English as a Second Language Generalist: Early Childhood-Grade 4 (Early Childhood-Grade 4 only).
- (11) ~~(9)~~ English as a Second Language Generalist: Early Childhood-Grade 6.
- (12) ~~(10)~~ Generalist: Early Childhood-Grade 4 (Early Childhood-Grade 4 only).
- (13) ~~(11)~~ Generalist: Early Childhood-Grade 6.
- (14) ~~(12)~~ Music: Early Childhood-Grade 12.

**§231.25. Theatre, Prekindergarten-Grade 6.**

An assignment for Theatre, Prekindergarten-Grade 6, is allowed with one of the following certificates.

- (1) All-Level Speech and Drama.
- (2) All-Level Speech Communications/Theatre Arts.
- (3) All-Level Theatre Arts.

- (4) An elementary teacher certificate appropriate for Prekindergarten-Grade 6 assignment.
- (5) Early Childhood: Prekindergarten-Grade 3 (Prekindergarten-Grade 3 only).
- (6) ~~(5)~~ Early Childhood Education (Prekindergarten and Kindergarten only).
- (7) ~~(6)~~ Theatre: Early Childhood-Grade 12.

**§231.27. Physical Education, Prekindergarten-Grade 6.**

An assignment for Physical Education, Prekindergarten-Grade 6, is allowed with one of the following certificates.

- (1) A teacher certificate that matches the subject and grade level of the assignment (Prekindergarten-Grade 6).
- (2) All-Level Physical Education.
- (3) All-Level Health and Physical Education.
- (4) An elementary teacher certificate appropriate for Prekindergarten-Grade 6 assignment.
- (5) Bilingual Generalist: Early Childhood-Grade 4 (Early Childhood-Grade 4 only).
- (6) Bilingual Generalist: Early Childhood-Grade 6.
- (7) Core Subjects: Early Childhood-Grade 6.
- (8) Core Subjects with Science of Teaching Reading: Early Childhood-Grade 6.
- (9) Early Childhood: Prekindergarten-Grade 3 (Prekindergarten-Grade 3 only).
- (10) ~~(8)~~ Early Childhood Education (Prekindergarten and Kindergarten only).
- (11) ~~(9)~~ English as a Second Language Generalist: Early Childhood-Grade 4 (Early Childhood-Grade 4 only).
- (12) ~~(10)~~ English as a Second Language Generalist: Early Childhood-Grade 6.
- (13) ~~(11)~~ Generalist: Early Childhood-Grade 4 (Early Childhood-Grade 4 only).
- (14) ~~(12)~~ Generalist: Early Childhood-Grade 6.
- (15) ~~(13)~~ Physical Education: Early Childhood-Grade 12.

**§231.31. Health Education, Prekindergarten-Grade 6.**

An assignment for Health Education, Prekindergarten-Grade 6, is allowed with one of the following certificates.

- (1) A teacher certificate that matches the subject and grade level of the assignment (Prekindergarten-Grade 6).
- (2) All-Level Physical Education.
- (3) All-Level Health and Physical Education.
- (4) An elementary teacher certificate appropriate for Prekindergarten-Grade 6 assignment.
- (5) Bilingual Generalist: Early Childhood-Grade 4 (Early Childhood-Grade 4 only).
- (6) Bilingual Generalist: Early Childhood-Grade 6.
- (7) Core Subjects: Early Childhood-Grade 6.
- (8) Core Subjects with Science of Teaching Reading: Early Childhood-Grade 6.
- (9) Early Childhood: Prekindergarten-Grade 3 (Prekindergarten-Grade 3 only).
- (10) Early Childhood Education (Prekindergarten and Kindergarten only).

- (11) English as a Second Language Generalist: Early Childhood-Grade 4 (Early Childhood-Grade 4 only).
- (12) English as a Second Language Generalist: Early Childhood-Grade 6.
- (13) Generalist: Early Childhood-Grade 4 (Early Childhood-Grade 4 only).
- (14) Generalist: Early Childhood-Grade 6.
- (15) Physical Education: Early Childhood-Grade 12.

### **Subchapter C. Grades 6-8 Assignments**

#### **§231.41. Self-Contained, Grades 6-8.**

- (a) Self-contained is defined as a class in which one teacher teaches all or most subjects to one class of students.
- (b) An assignment in a self-contained classroom for All General Subjects, Grades 6-8, is allowed with one of the following certificates.
  - (1) Bilingual Generalist: Early Childhood-Grade 6 (Grade 6 only).
  - (2) Bilingual Generalist: Grades 4-8 (English language arts, mathematics, science, and social studies only).
  - (3) Core Subjects: Early Childhood-Grade 6 (Grade 6 only).
  - (4) Core Subjects with Science of Teaching Reading: Early Childhood-Grade 6 (Grade 6 only).
  - (5) ~~(4)~~ Core Subjects: Grades 4-8 (English language arts, mathematics, science, and social studies only).
  - (6) Core Subjects with Science of Teaching Reading: Grades 4-8 (English language arts, mathematics, science, and social studies only).
  - (7) ~~(5)~~ Elementary--General.
  - (8) ~~(6)~~ Elementary--General (Grades 1-6) (Grade 6 only).
  - (9) ~~(7)~~ Elementary--General (Grades 1-8).
  - (10) ~~(8)~~ Elementary Early Childhood Education (Prekindergarten-Grade 6) (Grade 6 only).
  - (11) ~~(9)~~ Elementary Self-Contained (Grades 1-8).
  - (12) ~~(10)~~ English as a Second Language Generalist: Early Childhood-Grade 6 (Grade 6 only).
  - (13) ~~(11)~~ English as a Second Language Generalist: Grades 4-8 (English language arts, mathematics, science, and social studies only).
  - (14) ~~(12)~~ Generalist: Early Childhood-Grade 6 (Grade 6 only).
  - (15) ~~(13)~~ Generalist: Grades 4-8 (English language arts, mathematics, science, and social studies only).
  - (16) ~~(14)~~ Prekindergarten-Grade 6--General (Grade 6 only).

#### **§231.43. All General Subjects, Grade 6.**

- (a) An assignment in a departmentalized classroom for All General Subjects, Grade 6, for a holder of a valid elementary level certificate is allowed with one of the following certificates.
  - (1) Any elementary teacher certificate appropriate for Grade 6.
  - (2) Bilingual Generalist: Early Childhood-Grade 6.
  - (3) Bilingual Generalist: Grades 4-8 (English language arts, mathematics, science, and social studies only).

- (4) Core Subjects: Early Childhood-Grade 6.
  - (5) Core Subjects with Science of Teaching Reading: Early Childhood-Grade 6.
  - (6) ~~(5)~~ Core Subjects: Grades 4-8 (English language arts, mathematics, science, and social studies only).
  - (7) Core Subjects with Science of Teaching Reading: Grades 4-8 (English language arts, mathematics, science, and social studies only).
  - (8) ~~(6)~~ English as a Second Language Generalist: Early Childhood-Grade 6.
  - (9) ~~(7)~~ English as a Second Language Generalist: Grades 4-8 (English, language arts, mathematics, science, and social studies only).
  - (10) ~~(8)~~ Generalist: Early Childhood-Grade 6.
  - (11) ~~(9)~~ Generalist: Grades 4-8 (English language arts, mathematics, science, and social studies only).
- (b) Requirements for a holder of a secondary or all-level certificate in a departmentalized Grades 6-8 assignment are specified for each subject area in this subchapter.

**§231.45. English Language Arts, Grades 6-8.**

An assignment in a departmentalized classroom for English Language Arts, Grades 6-8, for a holder of a valid elementary, secondary, or all-level certificate is allowed with one of the following certificates.

- (1) Bilingual Generalist: Early Childhood-Grade 6 (Grade 6 only).
- (2) Bilingual Generalist: Grades 4-8.
- (3) Core Subjects: Early Childhood-Grade 6 (Grade 6 only).
- (4) Core Subjects with Science of Teaching Reading: Early Childhood-Grade 6 (Grade 6 only).
- (5) ~~(4)~~ Core Subjects: Grades 4-8.
- (6) Core Subjects with Science of Teaching Reading: Grades 4-8.
- (7) ~~(5)~~ Elementary English (Grades 1-8).
- (8) ~~(6)~~ Elementary teacher certificate plus 18 semester credit hours in English.
- (9) ~~(7)~~ English as a Second Language Generalist: Early Childhood-Grade 6 (Grade 6 only).
- (10) ~~(8)~~ English as a Second Language Generalist: Grades 4-8.
- (11) ~~(9)~~ English Language Arts and Reading: Grades 4-8.
- (12) English Language Arts and Reading with Science of Teaching Reading: Grades 4-8.
- (13) ~~(10)~~ English Language Arts and Reading/Social Studies: Grades 4-8.
- (14) English Language Arts and Reading/Social Studies with Science of Teaching Reading: Grades 4-8.
- (15) ~~(11)~~ English Language Arts and Reading: Grades 7-12 (Grades 7 and 8 only).
- (16) ~~(12)~~ English Language Arts and Reading: Grades 8-12 (Grade 8 only).
- (17) ~~(13)~~ Generalist: Early Childhood-Grade 6 (Grade 6 only).
- (18) ~~(14)~~ Generalist: Grades 4-8.
- (19) ~~(15)~~ Grades 6-12 or Grades 6-8--English.
- (20) ~~(16)~~ Grades 6-12 or Grades 6-8--English Language Arts, Composite.
- (21) ~~(17)~~ Junior High School or High School--English.
- (22) ~~(18)~~ Junior High School or High School--English Language Arts, Composite.

- (23) [~~19~~] Secondary English (Grades 6-12).
- (24) [~~20~~] Secondary English Language Arts, Composite (Grades 6-12).
- (25) [~~21~~] Secondary or all-level teacher certificate plus 18 semester credit hours in English.

**§231.49. Reading (At or Above Grade Level), Grades 6-8.**

An assignment in a departmentalized classroom for Reading (at or above grade level), Grades 6-8, for a holder of a valid elementary, secondary, or all-level certificate is allowed with one of the following certificates.

- (1) Bilingual Generalist: Early Childhood-Grade 6 (Grade 6 only).
- (2) Bilingual Generalist: Grades 4-8.
- (3) Core Subjects: Early Childhood-Grade 6 (Grade 6 only).
- (4) Core Subjects with Science of Teaching Reading: Early Childhood-Grade 6 (Grade 6 only).
- (5) [~~4~~] Core Subjects: Grades 4-8.
- (6) Core Subjects with Science of Teaching Reading: Grades 4-8.
- (7) [~~5~~] Elementary English (Grades 1-8). This assignment requires verifiable preparation in teaching of reading such as in-service, seminar, or college course in reading. Initial assignments beginning with the 1990-1991 school year require nine semester credit hours of upper-division coursework in reading with at least one course in diagnostic reading techniques.
- (8) [~~6~~] Elementary Reading (Grades 1-8).
- (9) [~~7~~] Elementary teacher certificate plus 18 semester credit hours in English and nine semester credit hours of upper-division coursework in reading with at least one course in diagnostic reading techniques.
- (10) [~~8~~] English as a Second Language Generalist: Early Childhood-Grade 6 (Grade 6 only).
- (11) [~~9~~] English as a Second Language Generalist: Grades 4-8.
- (12) [~~10~~] English Language Arts and Reading: Grades 4-8.
- (13) English Language Arts and Reading with Science of Teaching Reading: Grades 4-8.
- (14) [~~11~~] English Language Arts and Reading: Grades 7-12 (Grades 7 and 8 only).
- (15) [~~12~~] English Language Arts and Reading: Grades 8-12 (Grade 8 only).
- (16) [~~13~~] English Language Arts and Reading/Social Studies: Grades 4-8.
- (17) English Language Arts and Reading/Social Studies with Science of Teaching Reading: Grades 4-8.
- (18) [~~14~~] Generalist: Early Childhood-Grade 6 (Grade 6 only).
- (19) [~~15~~] Generalist: Grades 4-8.
- (20) [~~16~~] Junior High School or High School--English.
- (21) [~~17~~] Junior High School or High School--English Language Arts, Composite. This assignment includes at least six semester credit hours of reading. Initial assignments beginning with the 2003-2004 school year require nine semester credit hours of upper-division coursework in reading with at least one course in diagnostic reading techniques.
- (22) [~~18~~] Junior High School or High School--Reading.
- (23) [~~19~~] Legacy Master Reading Teacher (Early Childhood-Grade 12).
- (24) [~~20~~] Reading Specialist.

- (25) [~~21~~] Reading Specialist (Early Childhood-Grade 12).
- (26) [~~22~~] Secondary English (Grades 6-8). This assignment requires verifiable preparation in teaching of reading such as in-service, seminar, or college course in reading. Initial assignments beginning with the 1990-1991 school year require nine semester credit hours of upper-division coursework in reading with at least one course in diagnostic reading techniques.
- (27) [~~23~~] Secondary English Language Arts, Composite (Grades 6-8). This assignment includes at least six semester credit hours of reading. Initial assignments beginning with the 2003-2004 school year require nine semester credit hours of upper-division coursework in reading with at least one course in diagnostic reading techniques.
- (28) [~~24~~] Secondary Reading (Grades 6-8).
- (29) [~~25~~] Secondary English (Grades 6-12). This assignment requires verifiable preparation in teaching of reading such as in-service, seminar, or college course in reading. Initial assignments beginning with the 1990-1991 school year require nine semester credit hours of upper-division coursework in reading with at least one course in diagnostic reading techniques.
- (30) [~~26~~] Secondary English Language Arts, Composite (Grades 6-12). This assignment includes at least six semester credit hours of reading. Initial assignments beginning with the 2003-2004 school year require nine semester credit hours of upper-division coursework in reading with at least one course in diagnostic reading techniques.
- (31) [~~27~~] Secondary Reading (Grades 6-12).
- (32) [~~28~~] Secondary or all-level teacher certificate plus 18 semester credit hours in English and nine semester credit hours of upper-division coursework in reading with at least one course in diagnostic reading techniques.

**§231.51. Reading Improvement (One Year or More Below Grade Level), Grades 6-8.**

An assignment in a departmentalized classroom for Reading Improvement (one year or more below grade level), Grades 6-8, for a holder of a valid elementary, secondary, or all-level certificate is allowed with one of the following certificates.

- (1) Bilingual Generalist: Early Childhood-Grade 6 (Grade 6 only).
- (2) Bilingual Generalist: Grades 4-8.
- (3) Core Subjects: Early Childhood-Grade 6 (Grade 6 only).
- (4) Core Subjects with Science of Teaching Reading: Early Childhood-Grade 6 (Grade 6 only).
- (5) [~~4~~] Core Subjects: Grades 4-8.
- (6) Core Subjects with Science of Teaching Reading: Grades 4-8.
- (7) [~~5~~] Elementary English (Grades 1-8). This assignment requires verifiable preparation in teaching of reading such as in-service, seminar, or college course in reading. Initial assignments beginning with the 1990-1991 school year require nine semester credit hours of upper-division coursework in reading with at least one course in diagnostic reading techniques.
- (8) [~~6~~] Elementary Reading (Grades 1-8).
- (9) [~~7~~] Elementary teacher certificate plus 18 semester credit hours in English and nine semester credit hours of upper-division coursework in reading with at least one course in diagnostic reading techniques.
- (10) [~~8~~] English as a Second Language Generalist: Early Childhood-Grade 6 (Grade 6 only).
- (11) [~~9~~] English as a Second Language Generalist: Grades 4-8.
- (12) [~~10~~] English Language Arts and Reading: Grades 4-8.
- (13) English Language Arts and Reading with Science of Teaching Reading: Grades 4-8.

- (14) ~~(11)~~ English Language Arts and Reading: Grades 7-12 (Grades 7 and 8 only).
- (15) ~~(12)~~ English Language Arts and Reading: Grades 8-12 (Grade 8 only).
- (16) ~~(13)~~ English Language Arts and Reading/Social Studies: Grades 4-8.
- (17) English Language Arts and Reading/Social Studies with Science of Teaching Reading: Grades 4-8.
- (18) ~~(14)~~ Generalist: Early Childhood-Grade 6 (Grade 6 only).
- (19) ~~(15)~~ Generalist: Grades 4-8.
- (20) ~~(16)~~ Grades 6-12 or Grades 6-8--English. This assignment requires verifiable preparation in the teaching of reading such as in-service, seminar, or college course in reading. Initial assignments beginning with the 1990-1991 school year require nine semester credit hours of upper-division coursework in reading with at least one course in diagnostic reading techniques.
- (21) ~~(17)~~ Grades 6-12 or Grades 6-8--English Language Arts, Composite. This assignment includes at least six semester credit hours of reading. Initial assignments beginning with the 2003-2004 school year require nine semester credit hours of upper-division coursework in reading with at least one course in diagnostic reading techniques.
- (22) ~~(18)~~ Grades 6-12 or Grades 6-8--Reading.
- (23) ~~(19)~~ Junior High School or High School--English. This assignment requires verifiable preparation in the teaching of reading such as in-service, seminar, or college course in reading. Initial assignments beginning with the 1990-1991 school year require nine semester credit hours of upper-division coursework in reading with at least one course in diagnostic reading techniques.
- (24) ~~(20)~~ Junior High School or High School--English Language Arts, Composite. This assignment includes at least six semester credit hours of reading. Initial assignments beginning with the 2003-2004 school year require nine semester credit hours of upper-division coursework in reading with at least one course in diagnostic reading techniques.
- (25) ~~(21)~~ Junior High School or High School--Reading.
- (26) ~~(22)~~ Legacy Master Reading Teacher (Early Childhood-Grade 12).
- (27) ~~(23)~~ Reading Specialist.
- (28) ~~(24)~~ Reading Specialist (Early Childhood-Grade 12).
- (29) ~~(25)~~ Secondary English (Grades 6-12). This assignment requires verifiable preparation in the teaching of reading such as in-service, seminar, or college course in reading. Initial assignments beginning with the 1990-1991 school year require nine semester credit hours of upper-division coursework in reading with at least one course in diagnostic reading techniques.
- (30) ~~(26)~~ Secondary English Language Arts, Composite (Grades 6-12). This assignment includes at least six semester credit hours of reading. Initial assignments beginning with the 2003-2004 school year require nine semester credit hours of upper-division coursework in reading with at least one course in diagnostic reading techniques.
- (31) ~~(27)~~ Secondary Reading (Grades 6-12).
- (32) ~~(28)~~ Teacher certificate plus 9 semester credit hours of upper-division coursework in reading with at least one course in diagnostic reading techniques.

**§231.57. Social Studies, Grade 6.**

An assignment in a departmentalized classroom for Social Studies, Grade 6, for a holder of a valid elementary, secondary, or all-level certificate is allowed with one of the following certificates.

- (1) Any elementary teacher certificate appropriate for Grade 6.
- (2) Bilingual Generalist: Early Childhood-Grade 6.

- (3) Bilingual Generalist: Grades 4-8.
- (4) Core Subjects: Early Childhood-Grade 6.
- (5) Core Subjects with Science of Teaching Reading: Early Childhood-Grade 6.
- (6) ~~(5)~~ Core Subjects: Grades 4-8.
- (7) Core Subjects with Science of Teaching Reading: Grades 4-8.
- (8) ~~(6)~~ English as a Second Language Generalist: Early Childhood-Grade 6.
- (9) ~~(7)~~ English as a Second Language Generalist: Grades 4-8.
- (10) ~~(8)~~ English Language Arts and Reading/Social Studies: Grades 4-8.
- (11) English Language Arts and Reading/Social Studies with Science of Teaching Reading: Grades 4-8.
- (12) ~~(9)~~ Generalist: Early Childhood-Grade 6.
- (13) ~~(10)~~ Generalist: Grades 4-8.
- (14) ~~(11)~~ Grades 6-12 or Grades 6-8--Economics.
- (15) ~~(12)~~ Grades 6-12 or Grades 6-8--Geography.
- (16) ~~(13)~~ Grades 6-12 or Grades 6-8--Government.
- (17) ~~(14)~~ Grades 6-12 or Grades 6-8--History.
- (18) ~~(15)~~ Grades 6-12 or Grades 6-8--Psychology.
- (19) ~~(16)~~ Grades 6-12 or Grades 6-8--Sociology.
- (20) ~~(17)~~ Grades 6-12 or Grades 6-8--Social Studies.
- (21) ~~(18)~~ Grades 6-12 or Grades 6-8--Social Studies, Composite.
- (22) ~~(19)~~ Junior High School or High School--Anthropology.
- (23) ~~(20)~~ Junior High School or High School--Economics.
- (24) ~~(21)~~ Junior High School or High School--Geography.
- (25) ~~(22)~~ Junior High School or High School--Government-Political Science.
- (26) ~~(23)~~ Junior High School or High School--History.
- (27) ~~(24)~~ Junior High School or High School--Psychology.
- (28) ~~(25)~~ Junior High School or High School--Sociology.
- (29) ~~(26)~~ Junior High School or High School--Social Science, Composite.
- (30) ~~(27)~~ Secondary Economics (Grades 6-12).
- (31) ~~(28)~~ Secondary Geography (Grades 6-12).
- (32) ~~(29)~~ Secondary Government (Grades 6-12).
- (33) ~~(30)~~ Secondary History (Grades 6-12).
- (34) ~~(31)~~ Secondary Psychology (Grades 6-12).
- (35) ~~(32)~~ Secondary Sociology (Grades 6-12).
- (36) ~~(33)~~ Secondary Social Studies (Grades 6-12).
- (37) ~~(34)~~ Secondary Social Studies, Composite (Grades 6-12).
- (38) ~~(35)~~ Secondary or all-level teacher certificate plus 18 semester credit hours in social studies.



(39) [~~36~~] Social Studies: Grades 4-8.

**§231.59. Social Studies, Grades 7 and 8.**

An assignment in a departmentalized classroom for Social Studies, Grades 7 and 8, for a holder of a valid elementary, secondary, or all-level certificate is allowed with one of the following certificates.

- (1) Bilingual Generalist: Grades 4-8.
- (2) Core Subjects: Grades 4-8.
- (3) Core Subjects with Science of Teaching Reading: Grades 4-8.
- (4) [~~3~~] Elementary History.
- (5) [~~4~~] Elementary History (Grades 1-8).
- (6) [~~5~~] Elementary Social Studies (Grades 1-8).
- (7) [~~6~~] Elementary teacher certificate plus 18 semester credit hours in social studies.
- (8) [~~7~~] English as a Second Language Generalist: Grades 4-8.
- (9) [~~8~~] English Language Arts and Reading/Social Studies: Grades 4-8.
- (10) English Language Arts and Reading/Social Studies with Science of Teaching Reading: Grades 4-8.
- (11) [~~9~~] Generalist: Grades 4-8.
- (12) [~~10~~] Grades 6-12 or Grades 6-8--History.
- (13) [~~11~~] Grades 6-12 or Grades 6-8--Social Studies.
- (14) [~~12~~] Grades 6-12 or Grades 6-8--Social Studies, Composite.
- (15) [~~13~~] High School--History.
- (16) [~~14~~] High School--Social Science, Composite.
- (17) [~~15~~] History: Grades 7-12.
- (18) [~~16~~] History: Grades 8-12 (Grade 8 only).
- (19) [~~17~~] Junior High School or High School--History.
- (20) [~~18~~] Junior High School or High School--Social Science, Composite.
- (21) [~~19~~] Secondary History (Grades 6-12).
- (22) [~~20~~] Secondary Social Studies (Grades 6-12).
- (23) [~~21~~] Secondary Social Studies, Composite (Grades 6-12).
- (24) [~~22~~] Secondary or all-level teacher certificate plus 18 semester credit hours in social studies.
- (25) [~~23~~] Social Studies: Grades 4-8.
- (26) [~~24~~] Social Studies: Grades 7-12.
- (27) [~~25~~] Social Studies: Grades 8-12 (Grade 8 only).

**§231.61. Mathematics, Grades 6-8.**

An assignment in a departmentalized classroom for Mathematics, Grades 6-8, for a holder of a valid elementary, secondary, or all-level certificate is allowed with one of the following certificates.

- (1) Bilingual Generalist: Early Childhood-Grade 6 (Grade 6 only).
- (2) Bilingual Generalist: Grades 4-8.

- (3) Core Subjects: Early Childhood-Grade 6 (Grade 6 only).
- (4) Core Subjects with Science of Teaching Reading: Early Childhood-Grade 6 (Grade 6 only).
- (5) ~~(4)~~ Core Subjects: Grades 4-8.
- (6) Core Subjects with Science of Teaching Reading: Grades 4-8.
- (7) ~~(5)~~ Elementary Mathematics (Grades 1-8). A teacher holding an Elementary Mathematics (Grades 1-8) certificate may teach Algebra I at the middle school level for high school graduation credit.
- (8) ~~(6)~~ Elementary teacher certificate plus 18 semester credit hours in mathematics.
- (9) ~~(7)~~ English as a Second Language Generalist: Early Childhood-Grade 6 (Grade 6 only).
- (10) ~~(8)~~ English as a Second Language Generalist: Grades 4-8.
- (11) ~~(9)~~ Generalist: Early Childhood-Grade 6 (Grade 6 only).
- (12) ~~(10)~~ Generalist: Grades 4-8.
- (13) ~~(11)~~ Grades 6-12 or Grades 6-8--Mathematics.
- (14) ~~(12)~~ Junior High School or High School--Mathematics.
- (15) ~~(13)~~ Junior High School or High School--Mathematical Science, Composite.
- (16) ~~(14)~~ Legacy Master Mathematics Teacher (Grades 4-8).
- (17) ~~(15)~~ Legacy Master Mathematics Teacher (Grades 8-12) (Grade 8 only).
- (18) ~~(16)~~ Mathematics: Grades 4-8. A teacher holding a Mathematics: Grades 4-8 certificate may teach Algebra I at the middle school level for high school graduation credit.
- (19) ~~(17)~~ Mathematics: Grades 7-12 (Grades 7 and 8 only).
- (20) ~~(18)~~ Mathematics: Grades 8-12 (Grade 8 only).
- (21) ~~(19)~~ Mathematics/Physical Science/Engineering: Grades 6-12.
- (22) ~~(20)~~ Mathematics/Physical Science/Engineering: Grades 8-12 (Grade 8 only).
- (23) ~~(21)~~ Mathematics/Science: Grades 4-8.
- (24) ~~(22)~~ Physics/Mathematics: Grades 7-12 (Grades 7 and 8 only).
- (25) ~~(23)~~ Physics/Mathematics: Grades 8-12 (Grade 8 only).
- (26) ~~(24)~~ Secondary Mathematics (Grades 6-12).
- (27) ~~(25)~~ Secondary or all-level teacher certificate plus 18 semester credit hours in mathematics.

### §231.63. Science, Grade 6.

An assignment in a departmentalized classroom for Science, Grade 6, for a holder of a valid elementary, secondary, or all-level certificate is allowed with one of the following certificates.

- (1) Any elementary teacher certificate appropriate for Grade 6.
- (2) Bilingual Generalist: Early Childhood-Grade 6.
- (3) Bilingual Generalist: Grades 4-8.
- (4) Core Subjects: Early Childhood-Grade 6.
- (5) Core Subjects with Science of Teaching Reading: Early Childhood-Grade 6.
- (6) ~~(5)~~ Core Subjects: Grades 4-8.
- (7) Core Subjects with Science of Teaching Reading: Grades 4-8.
- (8) ~~(6)~~ English as a Second Language Generalist: Early Childhood-Grade 6.

- (9) ~~(7)~~ English as a Second Language Generalist: Grades 4-8.
- (10) ~~(8)~~ Generalist: Early Childhood-Grade 6.
- (11) ~~(9)~~ Generalist: Grades 4-8.
- (12) ~~(10)~~ Grades 6-12 or Grades 6-8--Biology.
- (13) ~~(11)~~ Grades 6-12 or Grades 6-8--Chemistry.
- (14) ~~(12)~~ Grades 6-12 or Grades 6-8--Earth Science.
- (15) ~~(13)~~ Grades 6-12 or Grades 6-8--Life/Earth Science.
- (16) ~~(14)~~ Grades 6-12 or Grades 6-8--Physical Science.
- (17) ~~(15)~~ Grades 6-12 or Grades 6-8--Physics.
- (18) ~~(16)~~ Grades 6-12 or Grades 6-8--Science.
- (19) ~~(17)~~ Grades 6-12 or Grades 6-8--Science, Composite.
- (20) ~~(18)~~ Junior High School or High School--Biology.
- (21) ~~(19)~~ Junior High School or High School--Chemistry.
- (22) ~~(20)~~ Junior High School or High School--Earth Science.
- (23) ~~(21)~~ Junior High School or High School--Life/Earth Science.
- (24) ~~(22)~~ Junior High School or High School--Life/Earth Middle-School Science.
- (25) ~~(23)~~ Junior High School or High School--Physical Science.
- (26) ~~(24)~~ Junior High School or High School--Physics.
- (27) ~~(25)~~ Junior High School or High School--Science.
- (28) ~~(26)~~ Junior High School or High School--Science, Composite.
- (29) ~~(27)~~ Legacy Master Science Teacher (Grades 4-8).
- (30) ~~(28)~~ Mathematics/Science: Grades 4-8.
- (31) ~~(29)~~ Science: Grades 4-8.
- (32) ~~(30)~~ Secondary Biology (Grades 6-12).
- (33) ~~(31)~~ Secondary Chemistry (Grades 6-12).
- (34) ~~(32)~~ Secondary Earth Science (Grades 6-12).
- (35) ~~(33)~~ Secondary Life/Earth Science (Grades 6-12).
- (36) ~~(34)~~ Secondary Physical Science (Grades 6-12).
- (37) ~~(35)~~ Secondary Physics (Grades 6-12).
- (38) ~~(36)~~ Secondary Science (Grades 6-12).
- (39) ~~(37)~~ Secondary Science, Composite (Grades 6-12).
- (40) ~~(38)~~ Secondary or all-level teacher certificate plus 18 semester credit hours in any combination of sciences.

**§231.65. Science, Grades 7 and 8.**

An assignment in a departmentalized classroom for Science, Grades 7 and 8, is allowed with one of the following certificates.

- (1) Bilingual Generalist: Grades 4-8.

- (2) Chemistry: Grades 7-12.
- (3) Chemistry: Grades 8-12 (Grade 8 only).
- (4) Core Subjects: Grades 4-8.
- (5) Core Subjects with Science of Teaching Reading: Grades 4-8.
- (6) [~~5~~] Elementary Biology.
- (7) [~~6~~] Elementary Chemistry.
- (8) [~~7~~] Elementary Earth Science.
- (9) [~~8~~] Elementary Life/Earth Middle-School Science.
- (10) [~~9~~] Elementary Physical Science.
- (11) [~~10~~] Elementary Physics.
- (12) [~~11~~] Elementary Biology (Grades 1-8).
- (13) [~~12~~] Elementary Chemistry (Grades 1-8).
- (14) [~~13~~] Elementary Earth Science (Grades 1-8).
- (15) [~~14~~] Elementary Life/Earth Middle-School Science (Grades 1-8).
- (16) [~~15~~] Elementary Physical Science (Grades 1-8).
- (17) [~~16~~] Elementary Physics (Grades 1-8).
- (18) [~~17~~] Elementary teacher certificate plus 18 semester credit hours in any combination of sciences.
- (19) [~~18~~] English as a Second Language Generalist: Grades 4-8.
- (20) [~~19~~] Generalist: Grades 4-8.
- (21) [~~20~~] Grades 6-12 or Grades 6-8--Biology.
- (22) [~~21~~] Grades 6-12 or Grades 6-8--Chemistry.
- (23) [~~22~~] Grades 6-12 or Grades 6-8--Earth Science.
- (24) [~~23~~] Grades 6-12 or Grades 6-8--Life/Earth Middle-School Science.
- (25) [~~24~~] Grades 6-12 or Grades 6-8--Physical Science.
- (26) [~~25~~] Grades 6-12 or Grades 6-8--Physics.
- (27) [~~26~~] Grades 6-12 or Grades 6-8--Science.
- (28) [~~27~~] Grades 6-12 or Grades 6-8--Science, Composite.
- (29) [~~28~~] Junior High School or High School--Biology.
- (30) [~~29~~] Junior High School or High School--Chemistry.
- (31) [~~30~~] Junior High School or High School--Earth Science.
- (32) [~~31~~] Junior High School or High School--Life/Earth Middle-School Science.
- (33) [~~32~~] Junior High School or High School--Physical Science.
- (34) [~~33~~] Junior High School or High School--Physics.
- (35) [~~34~~] Junior High School or High School--Science.
- (36) [~~35~~] Junior High School or High School--Science, Composite.
- (37) [~~36~~] Life Science: Grades 7-12.

- (38) ~~(37)~~ Life Science: Grades 8-12 (Grade 8 only).
- (39) ~~(38)~~ Legacy Master Science Teacher (Grades 4-8).
- (40) ~~(39)~~ Legacy Master Science Teacher (Grades 8-12) (Grade 8 only).
- (41) ~~(40)~~ Mathematics/Physical Science/Engineering: Grades 6-12.
- (42) ~~(41)~~ Mathematics/Physical Science/Engineering: Grades 8-12 (Grade 8 only).
- (43) ~~(42)~~ Mathematics/Science: Grades 4-8.
- (44) ~~(43)~~ Physical Science: Grades 6-12.
- (45) ~~(44)~~ Physical Science: Grades 8-12 (Grade 8 only).
- (46) ~~(45)~~ Physics/Mathematics: Grades 7-12.
- (47) ~~(46)~~ Physics/Mathematics: Grades 8-12 (Grade 8 only).
- (48) ~~(47)~~ Science: Grades 4-8.
- (49) ~~(48)~~ Science: Grades 7-12.
- (50) ~~(49)~~ Science: Grades 8-12 (Grade 8 only).
- (51) ~~(50)~~ Secondary Biology (Grades 6-12).
- (52) ~~(51)~~ Secondary Chemistry (Grades 6-12).
- (53) ~~(52)~~ Secondary Earth Science (Grades 6-12).
- (54) ~~(53)~~ Secondary Life/Earth Science (Grades 6-12).
- (55) ~~(54)~~ Secondary Physical Science (Grades 6-12).
- (56) ~~(55)~~ Secondary Physics (Grades 6-12).
- (57) ~~(56)~~ Secondary Science (Grades 6-12).
- (58) ~~(57)~~ Secondary Science, Composite (Grades 6-12).
- (59) ~~(58)~~ Secondary or all-level teacher certificate plus 18 semester credit hours in any combination of sciences.

**§231.67. Health, Grades 6-8.**

An assignment in a departmentalized classroom for Health, Grades 6-8, is allowed with one of the following certificates.

- (1) All-Level Health and Physical Education.
- (2) All-Level Physical Education.
- (3) Bilingual Generalist: Early Childhood-Grade 6 (Grade 6 only).
- (4) Core Subjects: Early Childhood-Grade 6 (Grade 6 only).
- ~~(5) Core Subjects with Science of Teaching Reading: Early Childhood-Grade 6 (Grade 6 only).~~
- ~~(6) ~~(5)~~ Elementary Health.~~
- ~~(7) ~~(6)~~ Elementary Health and Physical Education.~~
- ~~(8) ~~(7)~~ Elementary Physical Education.~~
- ~~(9) ~~(8)~~ Elementary Health (Grades 1-8).~~
- (10) ~~(9)~~ Elementary Health and Physical Education (Grades 1-8).
- (11) ~~(10)~~ Elementary Physical Education (Grades 1-8).

~~[(11) Elementary teacher certificate plus 12 semester credit hours in health, mental health, consumer health, public health, biology, microbiology, anatomy, physiology, kinesiology, foods, nutrition, family relations, disease control and prevention, safety, drug abuse prevention, or coordinated health programs.]~~

(12) English as a Second Language Generalist: Early Childhood-Grade 6 (Grade 6 only).

(13) Generalist: Early Childhood-Grade 6 (Grade 6 only).

(14) Grades 6-12 or Grades 6-8--Health.

(15) Grades 6-12 or Grades 6-8--Physical Education.

(16) Health: Early Childhood-Grade 12.

(17) Junior High School or High School--Health.

(18) Junior High School or High School--Health and Physical Education.

(19) Junior High School or High School--Physical Education.

(20) Physical Education: Early Childhood-Grade 12.

(21) Secondary Health (Grades 6-12).

(22) Secondary Physical Education (Grades 6-12).

~~[(23) Secondary or all level teacher certificate plus 12 semester credit hours in health, mental health, consumer health, public health, biology, microbiology, anatomy, physiology, kinesiology, foods, nutrition, family relations, disease control and prevention, safety, drug abuse prevention, or coordinated health programs.]~~

#### §231.69. Physical Education, Grades 6-8.

An assignment in a departmentalized classroom for Physical Education, Grades 6-8, is allowed with one of the following certificates.

(1) All-Level Health and Physical Education.

(2) All-Level Physical Education.

(3) Bilingual Generalist: Early Childhood-Grade 6 (Grade 6 only).

(4) Core Subjects: Early Childhood-Grade 6 (Grade 6 only).

(5) Core Subjects with Science of Teaching Reading: Early Childhood-Grade 6 (Grade 6 only).

~~(6) [(5)]~~ Elementary Health and Physical Education.

~~(7) [(6)]~~ Elementary Physical Education.

~~(8) [(7)]~~ Elementary Physical Education (Grades 1-8).

~~[(8) Elementary teacher certificate plus 12 semester credit hours in physical education, including safety and coordinated school health programs.]~~

(9) English as a Second Language Generalist: Early Childhood-Grade 6 (Grade 6 only).

(10) Generalist: Early Childhood-Grade 6 (Grade 6 only).

(11) Grades 6-12 or Grades 6-8--Physical Education.

(12) Junior High School or High School--Health and Physical Education.

(13) Junior High School or High School--Physical Education.

(14) Physical Education: Early Childhood-Grade 12.

(15) Secondary Physical Education (Grades 6-12).

~~[(16) Secondary or all-level teacher certificate plus 12 semester credit hours in physical education, including safety and coordinated school health programs.]~~

**§231.71. Art, Middle School 1-3.**

An assignment in a departmentalized classroom for Art, Middle School 1-3, is allowed with one of the following certificates.

- (1) All-Level Art.
- (2) Art: Early Childhood-Grade 12.
- (3) Bilingual Generalist: Early Childhood-Grade 6 (Grade 6 only).
- (4) Core Subjects: Early Childhood-Grade 6 (Grade 6 only).
- (5) Core Subjects with Science of Teaching Reading: Early Childhood-Grade 6 (Grade 6 only).
- ~~(6) [(5)]~~ Elementary Art (Grades 1-8).
- ~~(7) [(6)]~~ Elementary teacher certificate plus 18 semester credit hours in art.
- ~~(8) [(7)]~~ English as a Second Language Generalist: Early Childhood-Grade 6 (Grade 6 only).
- ~~(9) [(8)]~~ Generalist: Early Childhood-Grade 6 (Grade 6 only).
- ~~(10) [(9)]~~ Grades 6-12 or Grades 6-8--Art.
- ~~(11) [(10)]~~ Junior High School or High School--Art.
- ~~(12) [(11)]~~ Secondary Art (Grades 6-12).
- ~~(13) [(12)]~~ Secondary or all-level teacher certificate plus 18 semester credit hours in art.

**§231.73. Music, Middle School 1-3.**

An assignment in a departmentalized classroom for Music, Middle School 1-3, is allowed with one of the following certificates.

- (1) All-Level Music.
- (2) Bilingual Generalist: Early Childhood-Grade 6 (Grade 6 only).
- (3) Core Subjects: Early Childhood-Grade 6 (Grade 6 only).
- (4) Core Subjects with Science of Teaching Reading: Early Childhood-Grade 6 (Grade 6 only).
- ~~(5) [(4)]~~ Elementary Music.
- ~~(6) [(5)]~~ Elementary Music (Grades 1-8).
- ~~(7) [(6)]~~ Elementary teacher certificate plus 18 semester credit hours in music.
- ~~(8) [(7)]~~ English as a Second Language Generalist: Early Childhood-Grade 6 (Grade 6 only).
- ~~(9) [(8)]~~ Generalist: Early Childhood-Grade 6 (Grade 6 only).
- ~~(10) [(9)]~~ Grades 6-12 or Grades 6-8--Music.
- ~~(11) [(10)]~~ Junior High School or High School--Music.
- ~~(12) [(11)]~~ Music: Early Childhood-Grade 12.
- ~~(13) [(12)]~~ Secondary Music (Grades 6-12).
- ~~(14) [(13)]~~ Secondary or all-level teacher certificate plus 18 semester credit hours in music.

**§231.79. Career Development, Grades 6-8.**

An assignment in a departmentalized classroom for Career Development, College and Career Readiness, or Investigating Careers, Grades 6-8, for a holder of a valid secondary or all-level certificate is allowed with a Technology Applications: Early Childhood-Grade 12 certificate, a Technology Applications: Grades 8-12 certificate, and any vocational or career and technical education classroom teaching certificate specified in §233.13 of this title (relating to Career and Technical Education (Certificates not requiring experience and preparation in a skill area)) or §233.14 of this title (relating to Career and Technical Education (Certificates requiring experience and preparation in a skill area)).

**Subchapter E. Grades 9-12 Assignments**

**Division 1. English Language Arts and Reading, Grades 9-12 Assignments**

**§231.131. Writing, Grades 9-12.**

An assignment for [Writing,] Research and Technical Writing, Creative Writing, or Practical Writing Skills; Literary Genres; Humanities; Independent Study in English; Visual Media Analysis and Production; or Contemporary Media, Grades 9-12, is allowed with one of the following certificates.

- (1) English Language Arts and Reading: Grades 7-12.
- (2) English Language Arts and Reading: Grades 8-12.
- (3) Grades 6-12 or Grades 9-12--English.
- (4) Grades 6-12 or Grades 9-12--English Language Arts, Composite.
- (5) Junior High School (Grades 9-10 only) or High School--English.
- (6) Junior High School (Grades 9-10 only) or High School--English Language Arts, Composite.
- (7) Secondary English (Grades 6-12).
- (8) Secondary English Language Arts, Composite (Grades 6-12).

**§231.135. Journalism, Grades 9-12.**

An assignment for Journalism, Advanced Journalism, Yearbook I-III, Literary Magazine, Newspaper [Production] I-III, Photojournalism, Advanced Broadcast Journalism I-III, or Independent Study in Journalism, is allowed with one of the following certificates.

- (1) Grades 6-12 or Grades 9-12--Journalism.
- (2) Grades 6-12 or Grades 9-12--English Language Arts, Composite. This assignment includes at least six semester credit hours in Journalism.
- (3) Journalism: Grades 7-12.
- (4) Journalism: Grades 8-12.
- (5) Junior High School (Grades 9-10 only) or High School--Journalism.
- (6) Junior High School (Grades 9-10 only) or High School--English Language Arts, Composite. This assignment includes at least six semester credit hours in Journalism.
- (7) Secondary Journalism (Grades 6-12).
- (8) Secondary English Language Arts, Composite (Grades 6-12). This assignment includes at least six semester credit hours in Journalism.

**Division 2. Languages Other Than English, Grades 9-12 Assignments**



**§231.153. American Sign Language, Grades 9-12.**

- (a) An assignment for American Sign Language, Levels I-IV, Grades 9-12, or American Sign Language, Advanced Independent Study is allowed with one of the following certificates.
  - (1) American Sign Language.
  - (2) American Sign Language: Early Childhood-Grade 12.
- (b) The Texas Assessment of Sign Communication-American Sign Language (TASC-ASL) is required for an American Sign Language assignment.

**Division 3. Social Studies, Grades 9-12 Assignments**

**§231.173. Economics with Emphasis on the Free Enterprise System and Its Benefits, Grades 9-12.**

An assignment for Economics with Emphasis on the Free Enterprise System and Its Benefits or Economics Advanced Studies, Grades 9-12, is allowed with one of the following certificates.

- (1) Any business certificate.
- (2) Grades 6-12 or Grades 9-12--Economics.
- (3) Grades 6-12 or Grades 9-12--Social Studies.
- (4) Grades 6-12 or Grades 9-12--Social Studies, Composite.
- (5) Junior High School (Grades 9-10 only) or High School--Economics.
- (6) Junior High School (Grades 9-10 only) or High School--Social Science, Composite.
- (7) Secondary Economics (Grades 6-12).
- (8) Secondary Social Studies (Grades 6-12).
- (9) Secondary Social Studies, Composite (Grades 6-12).
- (10) Social Studies: Grades 7-12.
- (11) Social Studies: Grades 8-12.

**Division 9. Career Development, Grades 9-12 Assignments**

**§231.271. Career Development, Grades 9-12.**

- (a) Subject to the requirements in subsection (e) of this section, an assignment for Career Preparation I, Career Preparation II, or Extended Career Preparation, Grades 9-12, is allowed with one of the following certificates.
  - (1) Any vocational or career and technical education (CTE) classroom teaching certificate specified in §233.13 of this title (relating to Career and Technical Education (Certificates not requiring experience and preparation in a skill area)) or §233.14 of this title (relating to Career and Technical Education (Certificates requiring experience and preparation in a skill area)).
  - (2) Any special education certificate so long as, beginning with the 2020-2021 school year, the special education-certified teacher assigned to teach this course shall complete Texas Education Agency-approved training found at [tea.texas.gov/cte](http://tea.texas.gov/cte) prior to teaching this course.
  - (3) Technology Applications: Early Childhood-Grade 12.
  - (4) Technology Applications: Grades 8-12.
- (b) An assignment for Project-Based Research, Grades 9-12, is allowed with one of the following certificates.
  - (1) Any vocational or CTE classroom teaching certificate specified in §233.13 of this title or §233.14 of this title.

- (2) Technology Applications: Early Childhood-Grade 12.
- (3) Technology Applications: Grades 8-12.
- (c) An assignment for Applied Mathematics for Technical Professionals, Grades 9-12, is allowed with one of the following certificates.
  - (1) Any vocational or CTE classroom teaching certificate specified in §233.13 of this title or §233.14 of this title. This assignment requires a bachelor's degree.
  - (2) Grades 6-12 or Grades 9-12 Mathematics.
  - (3) Legacy Master Mathematics Teacher (Grades 8-12).
  - (4) Mathematics: Grades 7-12.
  - (5) Mathematics: Grades 8-12.
  - (6) Mathematics/Physical Science/Engineering: Grades 6-12.
  - (7) Mathematics/Physical Science/Engineering: Grades 8-12.
  - (8) Physics/Mathematics: Grades 7-12.
  - (9) Physics/Mathematics: Grades 8-12.
  - (10) Secondary Mathematics (Grades 6-12).
  - (11) Computer Science: Grades 8-12.
  - (12) Grades 6-12 or Grades 9-12--Computer Information Systems.
  - (13) Junior High School (Grades 9-10 only) or High School--Computer Information Systems.
  - (14) Secondary Computer Information Systems (Grades 6-12).
  - (15) Technology Applications: Early Childhood-Grade 12.
  - (16) Technology Applications: Grades 8-12.
- (d) All teachers assigned to Applied Mathematics for Technical Professionals shall participate in Texas Education Agency-approved training prior to teaching this course effective with the 2019-2020 school year. Specific details about the required training can be found at [tea.texas.gov/cte](http://tea.texas.gov/cte).
- (e) The school district is responsible for ensuring that each teacher assigned to Career Preparation I, Career Preparation II, or Extended Career Preparation, Grades 9-12, has completed appropriate training in state and federal requirements regarding work-based learning and safety.

## **Division 10. Agriculture, Food, and Natural Resources, Grades 9-12 Assignments**

### **§231.281. Agriculture, Food, and Natural Resources, Grades 9-12.**

- (a) An assignment for Advanced Energy and Natural Resource Technology; Agriculture Laboratory and Field Experience; ~~[Energy and Natural Resource Technology]~~; Equine Science; Food Processing; Food Technology and Safety; Forestry and Woodland Ecosystems; Greenhouse Operation and Production; Horticultural Science; Landscape Design and Management; Livestock Production; Principles of Agriculture, Food, and Natural Resources; Professional Standards in Agribusiness; Range Ecology and Management; Small Animal Management; Turf Grass Management; Veterinary Medical Applications; or Wildlife, Fisheries, and Ecology Management, Grades 9-12, is allowed with one of the following certificates.
  - (1) Agriculture, Food, and Natural Resources: Grades 6-12.
  - (2) Agricultural Science and Technology: Grades 6-12.
  - (3) Any vocational agriculture certificate.

- (b) Subject to the requirements in subsection (c) of this section, an assignment for Practicum in Agriculture, Food, and Natural Resources or Extended Practicum in Agriculture, Food, and Natural Resources, Grades 9-12, is allowed with one of the following certificates.
- (1) Agriculture, Food, and Natural Resources: Grades 6-12.
  - (2) Agricultural Science and Technology: Grades 6-12.
  - (3) Any vocational agriculture certificate.
- (c) The school district is responsible for ensuring that each teacher assigned to Practicum in Agriculture, Food, and Natural Resources or Extended Practicum in Agriculture, Food, and Natural Resources, Grades 9-12, has completed appropriate training in state and federal requirements regarding work-based learning and safety.

**§231.289. Agricultural Equipment Design and Fabrication; Agricultural Structures Design and Fabrication; Agricultural Mechanics and Metal Technologies; Agricultural Power Systems; Grades 9-12.**

An assignment for Agricultural Equipment Design and Fabrication, Agricultural Structures Design and Fabrication, Agricultural Mechanics and Metal Technologies, or Agricultural Power Systems, Grades 9-12, is allowed with one of the following certificates.

- (1) Agriculture, Food, and Natural Resources: Grades 6-12.
- (2) Agricultural Science and Technology: Grades 6-12.
- (3) Any vocational agriculture certificate.
- (4) Trade and Industrial Education: Grades 6-12. This assignment requires appropriate work approval.
- (5) Trade and Industrial Education: Grades 8-12. This assignment requires appropriate work approval.
- (6) Trade and Industrial Workforce Training: Grades 6-12. This assignment requires appropriate work approval.
- (7) ~~(6)~~ Vocational Trades and Industry. This assignment requires appropriate work approval.

**§231.291. Floral Design, Grades 9-12.**

An assignment for Floral Design, Grades 9-12, is allowed with one of the following certificates.

- (1) Agriculture, Food, and Natural Resources: Grades 6-12.
- (2) Agricultural Science and Technology: Grades 6-12.
- (3) Any vocational agriculture certificate.
- (4) Trade and Industrial Education: Grades 6-12. This assignment requires appropriate work approval.
- (5) Trade and Industrial Education: Grades 8-12. This assignment requires appropriate work approval.
- (6) Trade and Industrial Workforce Training: Grades 6-12. This assignment requires appropriate work approval.
- (7) ~~(6)~~ Vocational Trades and Industry. This assignment requires appropriate work approval.
- (8) ~~(7)~~ All-Level Art.
- (9) ~~(8)~~ Art: Early Childhood-Grade 12.
- (10) ~~(9)~~ Grades 6-12 or Grades 9-12--Art.
- (11) ~~(10)~~ Junior High School (Grades 9-10 only) or High School--Art.
- (12) ~~(11)~~ Secondary Art (Grades 6-12).

**§231.293. Energy and Natural Resource Technology, Grades 9-12.**

An assignment for Energy and Natural Resource Technology, Grades 9-12, is allowed with one of the following certificates.

- (1) Agriculture, Food, and Natural Resources: Grades 6-12.
- (2) Agricultural Science and Technology: Grades 6-12.
- (3) Any vocational agriculture certificate.
- (4) Life Science: Grades 7-12.
- (5) Life Science: Grades 8-12.
- (6) Mathematics/Physical Science/Engineering: Grades 6-12.
- (7) Mathematics/Physical Science/Engineering: Grades 8-12.
- (8) Secondary Industrial Arts (Grades 6-12).
- (9) Secondary Industrial Technology (Grades 6-12).
- (10) Technology Education: Grades 6-12.
- (11) Trade and Industrial Education: Grades 6-12. This assignment requires appropriate work approval.
- (12) Trade and Industrial Education: Grades 8-12. This assignment requires appropriate work approval.
- (13) Trade and Industrial Workforce Training: Grades 6-12. This assignment requires appropriate work approval.

**Division 11. Architecture and Construction, Grades 9-12 Assignments**

**§231.301. Principles of Architecture; Principles of Construction, Grades 9-12.**

An assignment for Principles of Architecture or Principles of Construction, Grades 9-12, is allowed with one of the following certificates.

- (1) Agriculture, Food, and Natural Resources: Grades 6-12.
- (2) Agricultural Science and Technology: Grades 6-12.
- (3) Any home economics or homemaking certificate.
- (4) Family and Consumer Sciences, Composite: Grades 6-12.
- (5) Mathematics/Physical Science/Engineering: Grades 6-12.
- (6) Mathematics/Physical Science/Engineering: Grades 8-12.
- (7) Secondary Industrial Arts (Grades 6-12).
- (8) Secondary Industrial Technology (Grades 6-12).
- (9) Technology Education: Grades 6-12.
- (10) Trade and Industrial Education: Grades 6-12. This assignment requires appropriate work approval.
- (11) Trade and Industrial Education: Grades 8-12. This assignment requires appropriate work approval.
- (12) Trade and Industrial Workforce Training: Grades 6-12. This assignment requires appropriate work approval.
- (13) ~~(12)~~ Vocational Trades and Industry. This assignment requires appropriate work approval.

**§231.303. Interior Design, Grades 9-12.**

- (a) An assignment for Interior Design I or Interior Design II, Grades 9-12, is allowed with one of the following certificates.
  - (1) Any home economics or homemaking certificate.
  - (2) Family and Consumer Sciences, Composite: Grades 6-12.
  - (3) Trade and Industrial Education: Grades 6-12. This assignment requires appropriate work approval.
  - (4) Trade and Industrial Education: Grades 8-12. This assignment requires appropriate work approval.
  - (5) Trade and Industrial Workforce Training: Grades 6-12. This assignment requires appropriate work approval.
  - ~~(6) Vocational Trades and Industry. This assignment requires appropriate work approval.~~
- (b) Subject to the requirements in subsection (c) of this section, an assignment for Practicum in Interior Design or Extended Practicum in Interior Design, Grades 9-12, is allowed with one of the following certificates.
  - (1) Any home economics or homemaking certificate.
  - (2) Family and Consumer Sciences, Composite: Grades 6-12.
  - (3) Trade and Industrial Education: Grades 6-12. This assignment requires appropriate work approval.
  - (4) Trade and Industrial Education: Grades 8-12. This assignment requires appropriate work approval.
  - (5) Trade and Industrial Workforce Training: Grades 6-12. This assignment requires appropriate work approval.
  - ~~(6) Vocational Trades and Industry. This assignment requires appropriate work approval.~~
- (c) The school district is responsible for ensuring that each teacher assigned to Practicum in Interior Design or Extended Practicum in Interior Design, Grades 9-12, has completed appropriate training in state and federal requirements regarding work-based learning and safety.

**§231.305. Architectural Design, Grades 9-12.**

- (a) An assignment for Architectural Design I or Architectural Design II, Grades 9-12, is allowed with one of the following certificates.
  - (1) Mathematics/Physical Science/Engineering: Grades 6-12.
  - (2) Mathematics/Physical Science/Engineering: Grades 8-12.
  - (3) Secondary Industrial Arts (Grades 6-12).
  - (4) Secondary Industrial Technology (Grades 6-12).
  - (5) Technology Education: Grades 6-12.
  - (6) Trade and Industrial Education: Grades 6-12. This assignment requires appropriate work approval.
  - (7) Trade and Industrial Education: Grades 8-12. This assignment requires appropriate work approval.
  - (8) Trade and Industrial Workforce Training: Grades 6-12. This assignment requires appropriate work approval.
  - ~~(9) Vocational Trades and Industry. This assignment requires appropriate work approval.~~
- (b) Subject to the requirements in subsection (c) of this section, an assignment for Practicum in Architectural Design or Extended Practicum in Architectural Design, Grades 9-12, is allowed with one of the following certificates.
  - (1) Mathematics/Physical Science/Engineering: Grades 6-12.
  - (2) Mathematics/Physical Science/Engineering: Grades 8-12.

- (3) Secondary Industrial Arts (Grades 6-12).
- (4) Secondary Industrial Technology (Grades 6-12).
- (5) Technology Education: Grades 6-12.
- (6) Trade and Industrial Education: Grades 6-12. This assignment requires appropriate work approval.
- (7) Trade and Industrial Education: Grades 8-12. This assignment requires appropriate work approval.
- (8) Trade and Industrial Workforce Training: Grades 6-12. This assignment requires appropriate work approval.

(9) [~~8~~] Vocational Trades and Industry. This assignment requires appropriate work approval.

(10) [~~9~~] Any home economics or homemaking certificate.

(11) [~~10~~] Family and Consumer Sciences, Composite: Grades 6-12.

- (c) The school district is responsible for ensuring that each teacher assigned to Practicum in Architectural Design or Extended Practicum in Architectural Design, Grades 9-12, has completed appropriate training in state and federal requirements regarding work-based learning and safety.

**§231.307. Construction Management; Construction Technology, Grades 9-12.**

- (a) An assignment for Construction Management I, Construction Management II, Construction Technology I, or Construction Technology II, Grades 9-12, is allowed with one of the following certificates.

- (1) Agriculture, Food, and Natural Resources: Grades 6-12.
- (2) Agricultural Science and Technology: Grades 6-12.
- (3) Any vocational agriculture certificate.
- (4) Mathematics/Physical Science/Engineering: Grades 6-12.
- (5) Mathematics/Physical Science/Engineering: Grades 8-12.
- (6) Secondary Industrial Arts (Grades 6-12).
- (7) Secondary Industrial Technology (Grades 6-12).
- (8) Technology Education: Grades 6-12.
- (9) Trade and Industrial Education: Grades 6-12. This assignment requires appropriate work approval.
- (10) Trade and Industrial Education: Grades 8-12. This assignment requires appropriate work approval.
- (11) Trade and Industrial Workforce Training: Grades 6-12. This assignment requires appropriate work approval.

(12) [~~11~~] Vocational Trades and Industry. This assignment requires appropriate work approval.

- (b) Subject to the requirements in subsection (c) of this section, an assignment for Practicum in Construction Management, Practicum in Construction Technology, Extended Practicum in Construction Management, or Extended Practicum in Construction Technology, Grades 9-12, is allowed with one of the following certificates.

- (1) Agriculture, Food, and Natural Resources: Grades 6-12.
- (2) Agricultural Science and Technology: Grades 6-12.
- (3) Any vocational agriculture certificate.
- (4) Mathematics/Physical Science/Engineering: Grades 6-12.
- (5) Mathematics/Physical Science/Engineering: Grades 8-12.
- (6) Secondary Industrial Arts (Grades 6-12).

- (7) Secondary Industrial Technology (Grades 6-12).
- (8) Technology Education: Grades 6-12.
- (9) Trade and Industrial Education: Grades 6-12. This assignment requires appropriate work approval.
- (10) Trade and Industrial Education: Grades 8-12. This assignment requires appropriate work approval.
- (11) Trade and Industrial Workforce Training: Grades 6-12. This assignment requires appropriate work approval.
- (12) ~~(11)~~ Vocational Trades and Industry. This assignment requires appropriate work approval.

(c) The school district is responsible for ensuring that each teacher assigned to Practicum in Construction Management, Practicum in Construction Technology, Extended Practicum in Construction Management, or Extended Practicum in Construction Technology, Grades 9-12, has completed appropriate training in state and federal requirements regarding work-based learning and safety.

**§231.309. Building Maintenance Technology, Grades 9-12.**

An assignment for Building Maintenance Technology I or Building Maintenance Technology II, Grades 9-12, is allowed with one of the following certificates.

- (1) Agriculture, Food, and Natural Resources: Grades 6-12.
- (2) Agricultural Science and Technology: Grades 6-12.
- (3) Any vocational agriculture certificate.
- (4) Secondary Industrial Arts (Grades 6-12).
- (5) Secondary Industrial Technology (Grades 6-12).
- (6) Technology Education: Grades 6-12.
- (7) Trade and Industrial Education: Grades 6-12. This assignment requires appropriate work approval.
- (8) Trade and Industrial Education: Grades 8-12. This assignment requires appropriate work approval.
- (9) Trade and Industrial Workforce Training: Grades 6-12. This assignment requires appropriate work approval.
- (10) ~~(9)~~ Vocational Trades and Industry. This assignment requires appropriate work approval.

**§231.311. Mill and Cabinetmaking Technology, Grades 9-12.**

An assignment for Mill and Cabinetmaking Technology, Grades 9-12, is allowed with one of the following certificates.

- (1) Secondary Industrial Arts (Grades 6-12).
- (2) Secondary Industrial Technology (Grades 6-12).
- (3) Technology Education: Grades 6-12.
- (4) Trade and Industrial Education: Grades 6-12. This assignment requires appropriate work approval.
- (5) Trade and Industrial Education: Grades 8-12. This assignment requires appropriate work approval.
- (6) Trade and Industrial Workforce Training: Grades 6-12. This assignment requires appropriate work approval.
- (7) ~~(6)~~ Vocational Trades and Industry. This assignment requires appropriate work approval.

**§231.313. Electrical Technology; Heating, Ventilation, and Air Conditioning (HVAC) and Refrigeration Technology; Masonry Technology; and Plumbing Technology, Grades 9-12.**

- (a) An assignment for Electrical Technology I; Electrical Technology II; Heating, Ventilation, and Air Conditioning (HVAC) and Refrigeration I; Heating, Ventilation, and Air Conditioning (HVAC) and Refrigeration II; Masonry Technology I; Masonry Technology II; Plumbing Technology I; or Plumbing Technology II, Grades 9-12, is allowed with one of the following certificates.
- (1) Trade and Industrial Education: Grades 6-12. This assignment requires appropriate work approval.
  - (2) Trade and Industrial Education: Grades 8-12. This assignment requires appropriate work approval.
  - (3) Trade and Industrial Workforce Training: Grades 6-12. This assignment requires appropriate work approval.
  - (4) ~~(4)~~ Vocational Trades and Industry. This assignment requires appropriate work approval.
- (b) Subject to the requirements in subsection (c) of this section, an assignment for Practicum in Masonry Technology or Extended Practicum in Masonry Technology, Grades 9-12, is allowed with one of the following certificates.
- (1) Trade and Industrial Education: Grades 6-12. This assignment requires appropriate work approval.
  - (2) Trade and Industrial Education: Grades 8-12. This assignment requires appropriate work approval.
  - (3) Trade and Industrial Workforce Training: Grades 6-12. This assignment requires appropriate work approval.
  - (4) ~~(4)~~ Vocational Trades and Industry. This assignment requires appropriate work approval.
- (c) The school district is responsible for ensuring that each teacher assigned to Practicum in Masonry Technology or Extended Practicum in Masonry Technology, Grades 9-12, has completed appropriate training in state and federal requirements regarding work-based learning and safety.

**Division 12. Arts, Audio/Video ~~Audio-Video~~ Technology, and Communications, Grades 9-12 Assignments**

**§231.333. Principles of Arts, Audio/Video Technology, and Communications, Grades 9-12.**

An assignment for Principles of Arts, Audio/Video Technology, and Communications, Grades 9-12, is allowed with one of the following certificates.

- (1) Any business or office education certificate.
- (2) Business and Finance: Grades 6-12.
- (3) Business Education: Grades 6-12.
- (4) Secondary Industrial Arts (Grades 6-12).
- (5) Secondary Industrial Technology (Grades 6-12).
- (6) Technology Applications: Early Childhood-Grade 12.
- (7) Technology Applications: Grades 8-12.
- (8) Technology Education: Grades 6-12.
- (9) Trade and Industrial Education: Grades 6-12. This assignment requires appropriate work approval.
- (10) Trade and Industrial Education: Grades 8-12. This assignment requires appropriate work approval.
- (11) Trade and Industrial Workforce Training: Grades 6-12. This assignment requires appropriate work approval.
- (12) ~~(11)~~ Vocational Trades and Industry. This assignment requires appropriate work approval.



~~(13)~~ ~~(12)~~ Any home economics or homemaking certificate.

~~(14)~~ ~~(13)~~ Family and Consumer Sciences, Composite: Grades 6-12.

**§231.335. Animation, Grades 9-12.**

- (a) An assignment for Animation I, Animation I Lab, Animation II, or Animation II Lab, Digital Art and Animation, 3-D Modeling and Animation, Grades 9-12, is allowed with one of the following certificates.
- (1) Any business or office education certificate.
  - (2) Business and Finance: Grades 6-12.
  - (3) Business Education: Grades 6-12.
  - (4) Secondary Industrial Arts (Grades 6-12).
  - (5) Secondary Industrial Technology (Grades 6-12).
  - (6) Technology Applications: Early Childhood-Grade 12.
  - (7) Technology Applications: Grades 8-12.
  - (8) Technology Education: Grades 6-12.
  - (9) Trade and Industrial Education: Grades 6-12. This assignment requires appropriate work approval.
  - (10) Trade and Industrial Education: Grades 8-12. This assignment requires appropriate work approval.
  - (11) Trade and Industrial Workforce Training: Grades 6-12. This assignment requires appropriate work approval.
  - ~~(12)~~ ~~(11)~~ Vocational Trades and Industry. This assignment requires appropriate work approval.
- (b) Subject to the requirements in subsection (c) of this section, an assignment for Practicum in Animation or Extended Practicum in Animation, Grades 9-12, is allowed with one of the following certificates.
- (1) Any business or office education certificate.
  - (2) Business and Finance: Grades 6-12.
  - (3) Business Education: Grades 6-12.
  - (4) Secondary Industrial Arts (Grades 6-12).
  - (5) Secondary Industrial Technology (Grades 6-12).
  - (6) Technology Applications: Early Childhood-Grade 12.
  - (7) Technology Applications: Grades 8-12.
  - (8) Technology Education: Grades 6-12.
  - (9) Trade and Industrial Education: Grades 6-12. This assignment requires appropriate work approval.
  - (10) Trade and Industrial Education: Grades 8-12. This assignment requires appropriate work approval.
  - (11) Trade and Industrial Workforce Training: Grades 6-12. This assignment requires appropriate work approval.
  - ~~(12)~~ ~~(11)~~ Vocational Trades and Industry. This assignment requires appropriate work approval.
- (c) The school district is responsible for ensuring that each teacher assigned to Practicum in Animation or Extended Practicum in Animation, Grades 9-12, has completed appropriate training in state and federal requirements regarding work-based learning and safety.

**§231.337. Audio/Video Production; Graphic Design and Illustration, Grades 9-12.**

- (a) An assignment for Audio/Video Production I; Audio/Video Production I Lab; Audio/Video Production II; Audio/Video Production II Lab; Digital Audio Technology I; Digital Audio Technology II; Graphic Design

and Illustration I; Graphic Design and Illustration I Lab; Graphic Design and Illustration II; Graphic Design and Illustration II Lab; Video Game Design; Web Game Development; Digital Design and Media Production; or Digital Communications in the 21st Century, Grades 9-12, is allowed with one of the following certificates.

- (1) Secondary Industrial Arts (Grades 6-12).
- (2) Secondary Industrial Technology (Grades 6-12).
- (3) Technology Applications: Early Childhood-Grade 12.
- (4) Technology Applications: Grades 8-12.
- (5) Technology Education: Grades 6-12.
- (6) Trade and Industrial Education: Grades 6-12. This assignment requires appropriate work approval.
- (7) Trade and Industrial Education: Grades 8-12. This assignment requires appropriate work approval.
- (8) Trade and Industrial Workforce Training: Grades 6-12. This assignment requires appropriate work approval.
- (9) ~~(8)~~ Vocational Trades and Industry. This assignment requires appropriate work approval.

(b) Subject to the requirements in subsection (c) of this section, an assignment for Practicum in Audio/Video Production, Practicum in Graphic Design and Illustration, Extended Practicum in Audio/Video Production, or Extended Practicum in Graphic Design and Illustration, Grades 9-12, is allowed with one of the following certificates.

- (1) Secondary Industrial Arts (Grades 6-12).
- (2) Secondary Industrial Technology (Grades 6-12).
- (3) Technology Applications: Early Childhood-Grade 12.
- (4) Technology Applications: Grades 8-12.
- (5) Technology Education: Grades 6-12.
- (6) Trade and Industrial Education: Grades 6-12. This assignment requires appropriate work approval.
- (7) Trade and Industrial Education: Grades 8-12. This assignment requires appropriate work approval.
- (8) Trade and Industrial Workforce Training: Grades 6-12. This assignment requires appropriate work approval.
- (9) ~~(8)~~ Vocational Trades and Industry. This assignment requires appropriate work approval.

(c) The school district is responsible for ensuring that each teacher assigned to Practicum in Audio/Video Production, Practicum in Graphic Design and Illustration, Extended Practicum in Audio/Video Production, or Extended Practicum in Graphic Design and Illustration, Grades 9-12, has completed appropriate training in state and federal requirements regarding work-based learning and safety.

### **§231.339. Photography, Grades 9-12.**

- (a) An assignment for Commercial Photography I, Commercial Photography I Lab, Commercial Photography II, or Commercial Photography II Lab, Grades 9-12, is allowed with one of the following certificates.
- (1) Art (Early Childhood-Grade 12).
  - (2) Art: Junior High School (Grades 9-10 only), High School, Secondary.
  - (3) Art (Grades 6-12, Grades 9-12, or All-Level).
  - (4) Secondary Industrial Arts (Grades 6-12).
  - (5) Secondary Industrial Technology (Grades 6-12).
  - (6) Technology Education: Grades 6-12.

- (7) Technology Applications: Early Childhood-Grade 12.
  - (8) Technology Applications: Grades 8-12.
  - (9) Trade and Industrial Education: Grades 6-12. This assignment requires appropriate work approval.
  - (10) Trade and Industrial Education: Grades 8-12. This assignment requires appropriate work approval.
  - (11) Trade and Industrial Workforce Training: Grades 6-12. This assignment requires appropriate work approval.
  - (12) ~~(11)~~ Vocational Trades and Industry. This assignment requires appropriate work approval.
- (b) Subject to the requirements in subsection (c) of this section, an assignment for Practicum in Commercial Photography or Extended Practicum in Commercial Photography, Grades 9-12, is allowed with one of the following certificates.
- (1) Secondary Industrial Arts (Grades 6-12).
  - (2) Secondary Industrial Technology (Grades 6-12).
  - (3) Technology Education: Grades 6-12.
  - (4) Trade and Industrial Education: Grades 6-12. This assignment requires appropriate work approval.
  - (5) Trade and Industrial Education: Grades 8-12. This assignment requires appropriate work approval.
  - (6) Trade and Industrial Workforce Training: Grades 6-12. This assignment requires appropriate work approval.
  - (7) ~~(6)~~ Vocational Trades and Industry. This assignment requires appropriate work approval.
  - (8) ~~(7)~~ Technology Applications: Early Childhood-Grade 12.
  - (9) ~~(8)~~ Technology Applications: Grades 8-12.
- (c) The school district is responsible for ensuring that each teacher assigned to Practicum in Commercial Photography or Extended Practicum in Commercial Photography, Grades 9-12, has completed appropriate training in state and federal requirements regarding work-based learning and safety.

**§231.341. Printing and Imaging Technology, Grades 9-12.**

- (a) An assignment for Printing and Imaging Technology I, Printing and Imaging Technology I Lab, Printing and Imaging Technology II, or Printing and Imaging Technology II Lab, Grades 9-12, is allowed with one of the following certificates.
- (1) Trade and Industrial Education: Grades 6-12. This assignment requires appropriate work approval.
  - (2) Trade and Industrial Education: Grades 8-12. This assignment requires appropriate work approval.
  - (3) Trade and Industrial Workforce Training: Grades 6-12. This assignment requires appropriate work approval.
  - (4) ~~(3)~~ Vocational Trades and Industry. This assignment requires appropriate work approval.
  - (5) ~~(4)~~ Technology Applications: Early Childhood-Grade 12.
  - (6) ~~(5)~~ Technology Applications: Grades 8-12.
  - (7) ~~(6)~~ Technology Education: Grades 6-12.
  - (8) ~~(7)~~ Secondary Industrial Arts: Grades 8-12.
  - (9) ~~(8)~~ Secondary Industrial Technology: Grades 6-12.
- (b) Subject to the requirements in subsection (c) of this section, an assignment for Practicum in Printing and Imaging Technology or Extended Practicum in Printing and Imaging Technology, Grades 9-12, is allowed with one of the following certificates.

- (1) Trade and Industrial Education: Grades 6-12. This assignment requires appropriate work approval.
  - (2) Trade and Industrial Education: Grades 8-12. This assignment requires appropriate work approval.
  - (3) Trade and Industrial Workforce Training: Grades 6-12. This assignment requires appropriate work approval.
  - (4) ~~(3)~~ Vocational Trades and Industry. This assignment requires appropriate work approval.
  - (5) ~~(4)~~ Technology Applications: Early Childhood-Grade 12.
  - (6) ~~(5)~~ Technology Applications: Grades 8-12.
  - (7) ~~(6)~~ Technology Education: Grades 6-12.
  - (8) ~~(7)~~ Secondary Industrial Arts: Grades 8-12.
  - (9) ~~(8)~~ Secondary Industrial Technology: Grades 6-12.
- (c) The school district is responsible for ensuring that each teacher assigned to Practicum in Printing and Imaging Technology or Extended Practicum in Printing and Imaging Technology, Grades 9-12, has completed appropriate training in state and federal requirements regarding work-based learning and safety.

### **Division 14. Education and Training, Grades 9-12 Assignments**

#### **§231.381. Education and Training, Grades 9-12.**

- (a) An assignment for Instructional Practices or Principles of Education and Training, Grades 9-12, is allowed with any valid classroom teacher or administrator certificate.
- (b) Subject to the requirements in subsection (c) of this section, an assignment for Practicum in Education and Training , ~~or~~ Extended Practicum in Education and Training , Practicum in Early Learning, or Extended Practicum in Early Learning , Grades 9-12, is allowed with any valid classroom teacher or administrator certificate.
- (c) The school district is responsible for ensuring that each teacher assigned to Practicum in Education and Training , ~~or~~ Extended Practicum in Education and Training, Practicum in Early Learning, or Extended Practicum in Early Learning, Grades 9-12, has completed appropriate training in state and federal requirements regarding work-based learning and safety.

### **Division 16. Government and Public Administration, Grades 9-12 Assignments**

#### **§231.401. Government and Public Administration, Grades 9-12.**

- (a) An assignment for Foreign Service and Diplomacy, Planning and Governance, Political Science I and II, Principles of Government and Public Administration, or Public Management and Administration, Grades 9-12, is allowed with one of the following.
  - (1) Grades 6-12 or Grades 9-12--Government.
  - (2) Grades 6-12 or Grades 9-12--Social Studies.
  - (3) Junior High School (Grades 9-10 only) or High School--Government-Political Science.
  - (4) Junior High School (Grades 9-10 only) or High School--Social Science, Composite.
  - (5) Secondary Government (Grades 6-12).
  - (6) Secondary Political Science (Grades 6-12).
  - (7) Secondary Social Science, Composite (Grades 6-12).
  - (8) Secondary Social Studies, Composite (Grades 6-12).
  - (9) Social Studies: Grades 7-12.

- (10) Social Studies: Grades 8-12.
  - (11) Trade and Industrial Education: Grades 6-12. This assignment requires appropriate work approval.
  - (12) Trade and Industrial Education: Grades 8-12. This assignment requires appropriate work approval.
  - (13) Trade and Industrial Workforce Training: Grades 6-12. This assignment requires appropriate work approval.
  - (14) ~~(13)~~ Vocational Trades and Industry. This assignment requires appropriate work approval.
- (b) Subject to the requirements in subsection (c) of this section, an assignment for Practicum in Local, State, and Federal Government or Extended Practicum in Local, State, and Federal Government, Grades 9-12, is allowed with one of the following certificates.
- (1) Grades 6-12 or Grades 9-12--Government.
  - (2) Grades 6-12 or Grades 9-12--Social Studies.
  - (3) Junior High School (Grades 9-10 only) or High School--Government-Political Science.
  - (4) Junior High School (Grades 9-10 only) or High School--Social Science, Composite.
  - (5) Secondary Government (Grades 6-12).
  - (6) Secondary Political Science (Grades 6-12).
  - (7) Secondary Social Science, Composite (Grades 6-12).
  - (8) Secondary Social Studies, Composite (Grades 6-12).
  - (9) Social Studies: Grades 7-12.
  - (10) Social Studies: Grades 8-12.
  - (11) Trade and Industrial Education: Grades 6-12. This assignment requires appropriate work approval.
  - (12) Trade and Industrial Education: Grades 8-12. This assignment requires appropriate work approval.
  - (13) Trade and Industrial Workforce Training: Grades 6-12. This assignment requires appropriate work approval.
  - (14) ~~(13)~~ Vocational Trades and Industry. This assignment requires appropriate work approval.
- (c) The school district is responsible for ensuring that each teacher assigned to Practicum in Local, State, and Federal Government or Extended Practicum in Local, State, and Federal Government, Grades 9-12, has completed appropriate training in state and federal requirements regarding work-based learning and safety.

**§231.403. Revenue, Taxation, and Regulation, Grades 9-12.**

An assignment for Revenue, Taxation, and Regulation, Grades 9-12, is allowed with one of the following certificates.

- (1) Any business or office education certificate.
- (2) Business and Finance: Grades 6-12.
- (3) Business Education: Grades 6-12.
- (4) Grades 6-12 or Grades 9-12--Social Studies.
- (5) Junior High School (Grades 9-10 only) or High School--Social Science, Composite.
- (6) Secondary Social Science, Composite (Grades 6-12).
- (7) Secondary Social Studies, Composite (Grades 6-12).
- (8) Social Studies: Grades 7-12.
- (9) Social Studies: Grades 8-12.

- (10) Trade and Industrial Education: Grades 6-12. This assignment requires appropriate work approval.
- (11) Trade and Industrial Education: Grades 8-12. This assignment requires appropriate work approval.
- (12) Trade and Industrial Workforce Training: Grades 6-12. This assignment requires appropriate work approval.
- (13) [~~(12)~~] Vocational Trades and Industry. This assignment requires appropriate work approval.

**§231.405. National Security, Grades 9-12.**

An assignment for National Security, Grades 9-12, is allowed with one of the following certificates.

- (1) Trade and Industrial Education: Grades 6-12. This assignment requires appropriate work approval.
- (2) Trade and Industrial Education: Grades 8-12. This assignment requires appropriate work approval.
- (3) Trade and Industrial Workforce Training: Grades 6-12. This assignment requires appropriate work approval.
- (4) [~~(3)~~] Vocational Trades and Industry. This assignment requires appropriate work approval.

**Division 17. Health Science, Grades 9-12 Assignments**

**§231.421. Health Science, Grades 9-12.**

- (a) An assignment for Health Science Theory, Health Science Clinical, Pharmacology, Pharmacy II, Principles of Health Science, or World Health Research, Grades 9-12, is allowed with one of the following certificates.
  - (1) Health Science: Grades 6-12.
  - (2) Health Science Technology Education: Grades 8-12.
  - (3) Vocational Health Occupations.
  - (4) Vocational Health Science Technology.
- (b) An assignment for Medical Terminology or Medical Assistant, Grades 9-12, is allowed with one of the following certificates.
  - (1) Secondary Biology (Grades 6-12).
  - (2) Secondary Science (Grades 6-12).
  - (3) Secondary Science, Composite (Grades 6-12).
  - (4) Health Science: Grades 6-12.
  - (5) Health Science Technology Education: Grades 8-12.
  - (6) Life Science: Grades 7-12.
  - (7) Life Science: Grades 8-12.
  - (8) Legacy Master Science Teacher (Grades 8-12).
  - (9) Science: Grades 7-12.
  - (10) Science: Grades 8-12.
  - (11) Vocational Health Occupations.
  - (12) Vocational Health Science Technology.
- (c) Subject to the requirements in subsection (d) of this section, an assignment for Practicum in Health Science or Extended Practicum in Health Science, Grades 9-12, is allowed with one of the following certificates.

- (1) Health Science: Grades 6-12.
  - (2) Health Science Technology Education: Grades 8-12.
  - (3) Vocational Health Occupations.
  - (4) Vocational Health Science Technology.
- (d) The school district is responsible for ensuring that each teacher assigned to Practicum in Health Science or Extended Practicum in Health Science, Grades 9-12, has completed appropriate training in state and federal requirements regarding work-based learning and safety.

**§231.423. Anatomy and Physiology, Medical Microbiology, ~~and~~ Pathophysiology, and Respiratory Therapy I, Grades 9-12.**

- (a) An assignment for Anatomy and Physiology, Medical Microbiology, ~~or~~ Pathophysiology, or Respiratory Therapy I, Grades 9-12, is allowed with one of the following certificates.
- (1) Secondary Biology (Grades 6-12).
  - (2) Secondary Science (Grades 6-12).
  - (3) Secondary Science, Composite (Grades 6-12).
  - (4) Health Science: Grades 6-12. This assignment requires a bachelor's degree.
  - (5) Health Science Technology Education: Grades 8-12. This assignment requires a bachelor's degree.
  - (6) Life Science: Grades 7-12.
  - (7) Life Science: Grades 8-12.
  - (8) Legacy Master Science Teacher (Grades 8-12).
  - (9) Science: Grades 7-12.
  - (10) Science: Grades 8-12.
  - (11) Vocational Health Occupations. This assignment requires a bachelor's degree.
  - (12) Vocational Health Science Technology. This assignment requires a bachelor's degree.
- (b) All teachers assigned to this course shall participate in Texas Education Agency-approved training prior to teaching this course effective with the 2019-2020 school year. Specific details about the required training can be found at [tea.texas.gov/cte](http://tea.texas.gov/cte).

**§231.425. Mathematics for Medical Professionals; Medical Coding and Billing, Grades 9-12. ~~Grades 9-12.~~**

- (a) An assignment for Mathematics for Medical Professionals or Medical Coding and Billing, Grades 9-12, is allowed with one of the following certificates.
- (1) Health Science: Grades 6-12. This assignment requires a bachelor's degree.
  - (2) Health Science Technology Education: Grades 8-12. This assignment requires a bachelor's degree.
  - (3) Vocational Health Occupations. This assignment requires a bachelor's degree.
  - (4) Vocational Health Science Technology. This assignment requires a bachelor's degree.
  - (5) Legacy Master Mathematics Teacher (Grades 8-12).
  - (6) Mathematics: Grades 7-12.
  - (7) Mathematics: Grades 8-12.
  - (8) Mathematics/Physical Science/Engineering: Grades 6-12.
  - (9) Mathematics/Physical Science/Engineering: Grades 8-12.
  - (10) Physics/Mathematics: Grades 7-12.

- (11) Physics/Mathematics: Grades 8-12.
  - (12) Secondary Mathematics.
- (b) All teachers assigned to this course shall participate in Texas Education Agency-approved training prior to teaching this course effective with the 2019-2020 school year. Specific details about the required training can be found at [tea.texas.gov/cte](http://tea.texas.gov/cte).

**§231.427. Health Informatics, Grades 9-12.**

An assignment for Health Informatics, Grades 9-12, is allowed with one of the following certificates.

- (1) Health Science: Grades 6-12.
- (2) Health Science Technology Education: Grades 8-12.
- (3) Vocational Health Occupations.
- (4) Vocational Health Science Technology.
- ~~[(5) Any business or office education certificate.]~~
- ~~[(6) Business and Finance: Grades 6-12.]~~
- ~~[(7) Business Education: Grades 6-12.]~~
- ~~[(8) Marketing: Grades 6-12.]~~
- ~~[(9) Marketing Education: Grades 8-12.]~~

**§231.429. Healthcare Administration and Management; Leadership and Management in Nursing, Grades 9-12.**

An assignment for Healthcare Administration and Management or Leadership and Management in Nursing, Grades 9-12, is allowed with one of the following certificates.

- (1) Health Science: Grades 6-12.
- (2) Health Science Technology Education: Grades 8-12.
- (3) Vocational Health Occupations.
- (4) Vocational Health Science Technology.

**Division 18. Hospitality and Tourism, Grades 9-12 Assignments**

**§231.441. Hospitality and Tourism, Grades 9-12.**

- (a) An assignment for Hospitality Services, Hotel Management, Principles of Hospitality and Tourism, or Travel and Tourism Management, Grades 9-12, is allowed with one of the following certificates.
- (1) Any home economics or homemaking certificate.
  - (2) Any marketing or distributive education certificate.
  - (3) Family and Consumer Sciences, Composite: Grades 6-12.
  - (4) Hospitality, Nutrition, and Food Sciences: Grades 8-12.
  - (5) Marketing: Grades 6-12.
  - (6) Marketing Education: Grades 8-12.
  - (7) Trade and Industrial Education: Grades 6-12. This assignment requires appropriate work approval.
  - (8) Trade and Industrial Education: Grades 8-12. This assignment requires appropriate work approval.



(9) Trade and Industrial Workforce Training: Grades 6-12. This assignment requires appropriate work approval.

(10) [(9)] Vocational Trades and Industry. This assignment requires appropriate work approval.

(b) Subject to the requirements in subsection (c) of this section, an assignment for Practicum in Hospitality Services or Extended Practicum in Hospitality Services, Grades 9-12, is allowed with one of the following certificates.

(1) Any home economics or homemaking certificate.

(2) Any marketing or distributive education certificate.

(3) Family and Consumer Sciences, Composite: Grades 6-12.

(4) Hospitality, Nutrition, and Food Sciences: Grades 8-12.

(5) Marketing: Grades 6-12.

(6) Marketing Education: Grades 8-12.

(7) Trade and Industrial Education: Grades 6-12. This assignment requires appropriate work approval.

(8) Trade and Industrial Education: Grades 8-12. This assignment requires appropriate work approval.

(9) Trade and Industrial Workforce Training: Grades 6-12. This assignment requires appropriate work approval.

(10) [(9)] Vocational Trades and Industry. This assignment requires appropriate work approval.

(c) The school district is responsible for ensuring that each teacher assigned to Practicum in Hospitality Services or Extended Practicum in Hospitality Services, Grades 9-12, has completed appropriate training in state and federal requirements regarding work-based learning and safety.

#### **§231.443. Culinary Arts, Grades 9-12.**

(a) An assignment for Introduction to Culinary Arts, Culinary Arts, or Advanced Culinary Arts, Grades 9-12, is allowed with one of the following certificates.

(1) Any home economics or homemaking certificate.

(2) Family and Consumer Sciences, Composite: Grades 6-12.

(3) Hospitality, Nutrition, and Food Sciences: Grades 8-12.

(4) Trade and Industrial Education: Grades 6-12. This assignment requires appropriate work approval.

(5) Trade and Industrial Education: Grades 8-12. This assignment requires appropriate work approval.

(6) Trade and Industrial Workforce Training: Grades 6-12. This assignment requires appropriate work approval.

(7) [(6)] Vocational Trades and Industry. This assignment requires appropriate work approval.

(b) Subject to the requirements in subsection (c) of this section, an assignment for Practicum in Culinary Arts or Extended Practicum in Culinary Arts, Grades 9-12, is allowed with one of the following certificates.

(1) Any home economics or homemaking certificate.

(2) Family and Consumer Sciences, Composite: Grades 6-12.

(3) Hospitality, Nutrition, and Food Sciences: Grades 8-12.

(4) Trade and Industrial Education: Grades 6-12. This assignment requires appropriate work approval.

(5) Trade and Industrial Education: Grades 8-12. This assignment requires appropriate work approval.

(6) Trade and Industrial Workforce Training: Grades 6-12. This assignment requires appropriate work approval.

- (7) ~~[(6)]~~ Vocational Trades and Industry. This assignment requires appropriate work approval.
- (c) The school district is responsible for ensuring that each teacher assigned to Practicum in Culinary Arts or Extended Practicum in Culinary Arts, Grades 9-12, has completed appropriate training in state and federal requirements regarding work-based learning and safety.

### **Division 19. Human Services, Grades 9-12 Assignments**

#### **§231.469. Cosmetology, Grades 9-12.**

An assignment for Introduction to Cosmetology, Cosmetology I, Cosmetology II, or Principles of Cosmetology Design and Color Theory, Grades 9-12, is allowed with one of the following certificates plus a valid Cosmetology Operator license or Class A Barber Operator license. ~~[a valid license as a cosmetology instructor issued by the Texas Department of Licensing and Regulation.]~~

- (1) Trade and Industrial Education: Grades 6-12. This assignment requires appropriate work approval.
- (2) Trade and Industrial Education: Grades 8-12. This assignment requires appropriate work approval.
- (3) Trade and Industrial Workforce Training: Grades 6-12. This assignment requires appropriate work approval.
- (4) ~~[(3)]~~ Vocational Trades and Industry. This assignment requires appropriate work approval.

### **Division 20. Information Technology, Grades 9-12 Assignments**

#### **§231.481. Information Technology, Grades 9-12.**

An assignment for Principles of Information Technology, Networking, or Networking Lab, Grades 9-12, is allowed with one of the following certificates.

- (1) Any business or office education certificate.
- (2) Business and Finance: Grades 6-12.
- (3) Business Education: Grades 6-12.
- (4) Secondary Industrial Arts (Grades 6-12).
- (5) Secondary Industrial Technology (Grades 6-12).
- (6) Technology Applications: Early Childhood-Grade 12.
- (7) Technology Applications: Grades 8-12.
- (8) Technology Education: Grades 6-12.
- (9) Trade and Industrial Education: Grades 6-12. This assignment requires appropriate work approval.
- (10) Trade and Industrial Education: Grades 8-12. This assignment requires appropriate work approval.
- (11) Trade and Industrial Workforce Training: Grades 6-12. This assignment requires appropriate work approval.
- (12) ~~[(11)]~~ Vocational Trades and Industry. This assignment requires appropriate work approval.

#### **§231.483. Digital Media, Grades 9-12.**

An assignment for Digital Media, Grades 9-12, is allowed with one of the following certificates.

- (1) Any business or office education certificate.
- (2) Business and Finance: Grades 6-12.
- (3) Business Education: Grades 6-12.
- (4) Secondary Industrial Arts (Grades 6-12).

- (5) Secondary Industrial Technology (Grades 6-12).
- (6) Technology Education: Grades 6-12.
- (7) Technology Applications: Early Childhood-Grade 12.
- (8) Technology Applications: Grades 8-12.
- (9) Trade and Industrial Education: Grades 6-12. This assignment requires appropriate work approval.
- (10) Trade and Industrial Education: Grades 8-12. This assignment requires appropriate work approval.
- (11) Trade and Industrial Workforce Training: Grades 6-12. This assignment requires appropriate work approval.
- (12) ~~(11)~~ Vocational Trades and Industry. This assignment requires appropriate work approval.

**§231.485. Web Communications, Web Design, Grades 9-12.**

An assignment for Web Communications or Web Design, Grades 9-12, is allowed with one of the following certificates.

- (1) Secondary Industrial Arts (Grades 6-12).
- (2) Secondary Industrial Technology (Grades 6-12).
- (3) Technology Applications: Early Childhood-Grade 12.
- (4) Technology Applications: Grades 8-12.
- (5) Technology Education: Grades 6-12.
- (6) Trade and Industrial Education: Grades 6-12. This assignment requires appropriate work approval.
- (7) Trade and Industrial Education: Grades 8-12. This assignment requires appropriate work approval.
- (8) Trade and Industrial Workforce Training: Grades 6-12. This assignment requires appropriate work approval.
- (9) ~~(8)~~ Vocational Trades and Industry. This assignment requires appropriate work approval.
- (10) ~~(9)~~ Any business or office education certificate.
- (11) ~~(10)~~ Business and Finance: Grades 6-12.
- (12) ~~(11)~~ Business Education: Grades 6-12.

**§231.487. Computer Maintenance, Grades 9-12.**

An assignment for Computer Maintenance or Computer Maintenance Lab, Grades 9-12, is allowed with one of the following certificates.

- (1) Secondary Industrial Arts (Grades 6-12).
- (2) Secondary Industrial Technology (Grades 6-12).
- (3) Technology Education: Grades 6-12.
- (4) Trade and Industrial Education: Grades 6-12. This assignment requires appropriate work approval.
- (5) Trade and Industrial Education: Grades 8-12. This assignment requires appropriate work approval.
- (6) Trade and Industrial Workforce Training: Grades 6-12. This assignment requires appropriate work approval.
- (7) ~~(6)~~ Vocational Trades and Industry. This assignment requires appropriate work approval.
- (8) ~~(7)~~ Technology Applications: Early Childhood-Grade 12.
- (9) ~~(8)~~ Technology Applications: Grades 8-12.

**§231.489. Computer Technician; Information Technology, Grades 9-12.**

- (a) Subject to the requirements in subsection (b) of this section, an assignment for Computer Technician Practicum, Extended Computer Technician Practicum, Practicum in Information Technology, or Extended Practicum in Information Technology, Grades 9-12, is allowed with one of the following certificates.
- (1) Secondary Industrial Arts (Grades 6-12).
  - (2) Secondary Industrial Technology (Grades 6-12).
  - (3) Technology Education: Grades 6-12.
  - (4) Technology Applications: Early Childhood-Grade 12.
  - (5) Technology Applications: Grades 8-12.
  - (6) Trade and Industrial Education: Grades 6-12. This assignment requires appropriate work approval.
  - (7) Trade and Industrial Education: Grades 8-12. This assignment requires appropriate work approval.
  - (8) Trade and Industrial Workforce Training: Grades 6-12. This assignment requires appropriate work approval.
  - ~~(9) Vocational Trades and Industry.~~ This assignment requires appropriate work approval.
- (b) The school district is responsible for ensuring that each teacher assigned to Computer Technician Practicum, Extended Computer Technician Practicum, Practicum in Information Technology, or Extended Practicum in Information Technology, Grades 9-12, has completed appropriate training in state and federal requirements regarding work-based learning and safety.

**Division 21. Law, Public Safety, Corrections, and Security, Grades 9-12 Assignments**

**§231.501. Law, Public Safety, Corrections, and Security, Grades 9-12.**

- (a) An assignment for Correctional Services; Court Systems and Practices; Criminal Investigations; Federal Law Enforcement and Protective Services; Firefighter I and II; Law Enforcement I and II; or Principles of Law, Public Safety, Corrections, and Security, Grades 9-12, is allowed with a valid license appropriate for the assignment plus one of the following certificates.
- (1) Trade and Industrial Education: Grades 6-12. This assignment requires appropriate work approval.
  - (2) Trade and Industrial Education: Grades 8-12. This assignment requires appropriate work approval.
  - (3) Trade and Industrial Workforce Training: Grades 6-12. This assignment requires appropriate work approval.
  - ~~(4) Vocational Trades and Industry.~~ This assignment requires appropriate work approval.
- (b) Subject to the requirements in subsection (c) of this section, an assignment for Practicum in Law, Public Safety, Corrections, and Security or Extended Practicum in Law, Public Safety, Corrections, and Security, Grades 9-12, is allowed with a current license appropriate for the assignment plus one of the following certificates.
- (1) Trade and Industrial Education: Grades 6-12. This assignment requires appropriate work approval.
  - (2) Trade and Industrial Education: Grades 8-12. This assignment requires appropriate work approval.
  - (3) Trade and Industrial Workforce Training: Grades 6-12. This assignment requires appropriate work approval.
  - ~~(4) Vocational Trades and Industry.~~ This assignment requires appropriate work approval.
- (c) The school district is responsible for ensuring that each teacher assigned to Practicum in Law, Public Safety, Corrections, and Security or Extended Practicum in Law, Public Safety, Corrections, and Security, Grades 9-12, has completed appropriate training in state and federal requirements regarding work-based learning and safety.

**§231.503. Forensic Science, Grades 9-12.**

- (a) Subject to the requirements in subsection (b) of this section, an assignment for Forensic Science, Grades 9-12, is allowed with one of the following certificates.
- (1) Chemistry: Grades 7-12.
  - (2) Chemistry: Grades 8-12.
  - (3) Health Science: Grades 6-12. This assignment requires a bachelor's degree.
  - (4) Health Science Technology Education: Grades 8-12. This assignment requires a bachelor's degree.
  - (5) Life Science: Grades 7-12.
  - (6) Life Science: Grades 8-12.
  - (7) Legacy Master Science Teacher (Grades 8-12).
  - (8) Science: Grades 7-12.
  - (9) Science: Grades 8-12.
  - (10) Secondary Biology (Grades 6-12).
  - (11) Secondary Chemistry (Grades 6-12).
  - (12) Secondary Science (Grades 6-12).
  - (13) Secondary Science, Composite (Grades 6-12).
  - (14) Trade and Industrial Education: Grades 6-12. This assignment requires a bachelor's degree and appropriate work approval.
  - (15) Trade and Industrial Education: Grades 8-12. This assignment requires a bachelor's degree and appropriate work approval.
  - (16) Trade and Industrial Workforce Training: Grades 6-12. This assignment requires appropriate work approval.
  - (17) ~~(16)~~ Vocational Health Occupations. This assignment requires a bachelor's degree.
  - (18) ~~(17)~~ Vocational Health Science Technology. This assignment requires a bachelor's degree.
  - (19) ~~(18)~~ Vocational Trades and Industry. This assignment requires a bachelor's degree and appropriate work approval.
- (b) All teachers assigned to this course shall participate in Texas Education Agency-approved training prior to teaching this course effective with the 2019-2020 school year. Specific details about the required training can be found at [tea.texas.gov/cte](http://tea.texas.gov/cte).

**Division 22. Manufacturing, Grades 9-12 Assignments**

**§231.521. Manufacturing, Grades 9-12.**

- (a) An assignment for Diversified Manufacturing I, Diversified Manufacturing II, Manufacturing Engineering Technology I, Metal Fabrication and Machining I, Metal Fabrication and Machining II, Precision Metal Manufacturing I, Precision Metal Manufacturing II, Precision Metal Manufacturing II Lab, Principles of Manufacturing, Grades 9-12, is allowed using one of the following certificates.
- (1) Mathematics/Physical Science/Engineering: Grades 6-12.
  - (2) Mathematics/Physical Science/Engineering: Grades 8-12.
  - (3) Secondary Industrial Arts (Grades 6-12).
  - (4) Secondary Industrial Technology (Grades 6-12).

- (5) Technology Education: Grades 6-12.
  - (6) Trade and Industrial Education: Grades 6-12. This assignment requires appropriate work approval.
  - (7) Trade and Industrial Education: Grades 8-12. This assignment requires appropriate work approval.
  - (8) Trade and Industrial Workforce Training: Grades 6-12. This assignment requires appropriate work approval.
  - (9) ~~(8)~~ Vocational Trades and Industry. This assignment requires appropriate work approval.
- (b) Subject to the requirements in subsection (c) of this section, an assignment for Practicum in Manufacturing or Extended Practicum in Manufacturing, Grades 9-12, is allowed with one of the following certificates.
- (1) Mathematics/Physical Science/Engineering: Grades 6-12.
  - (2) Mathematics/Physical Science/Engineering: Grades 8-12.
  - (3) Secondary Industrial Arts (Grades 6-12).
  - (4) Secondary Industrial Technology (Grades 6-12).
  - (5) Technology Education: Grades 6-12.
  - (6) Trade and Industrial Education: Grades 6-12. This assignment requires appropriate work approval.
  - (7) Trade and Industrial Education: Grades 8-12. This assignment requires appropriate work approval.
  - (8) Trade and Industrial Workforce Training: Grades 6-12. This assignment requires appropriate work approval.
  - (9) ~~(8)~~ Vocational Trades and Industry. This assignment requires appropriate work approval.
  - (10) ~~(9)~~ Agriculture, Food, and Natural Resources: Grades 6-12.
  - (11) ~~(10)~~ Agricultural Science and Technology: Grades 6-12.
  - (12) ~~(11)~~ Any vocational agriculture certificate.
- (c) The school district is responsible for ensuring that each teacher assigned to Practicum in Manufacturing or Extended Practicum in Manufacturing, Grades 9-12, has completed appropriate training in state and federal requirements regarding work-based learning and safety.

**§231.523. Welding, Grades 9-12.**

An assignment for Introduction to Welding, Welding I, Welding II, or Welding II Lab, Grades 9-12, is allowed with one of the following certificates.

- (1) Agriculture, Food, and Natural Resources: Grades 6-12.
- (2) Agricultural Science and Technology: Grades 6-12.
- (3) Any vocational agriculture certificate.
- (4) Secondary Industrial Arts (Grades 6-12).
- (5) Secondary Industrial Technology (Grades 6-12).
- (6) Technology Education: Grades 6-12.
- (7) Trade and Industrial Education: Grades 6-12. This assignment requires appropriate work approval.
- (8) Trade and Industrial Education: Grades 8-12. This assignment requires appropriate work approval.
- (9) Trade and Industrial Workforce Training: Grades 6-12. This assignment requires appropriate work approval.
- (10) ~~(9)~~ Vocational Trades and Industry. This assignment requires appropriate work approval.

**§231.525. Manufacturing Engineering Technology II, Grades 9-12.**

- (a) An assignment for Manufacturing Engineering Technology II, Grades 9-12, is allowed with one of the following certificates.
- (1) Grades 6-12 or Grades 9-12 Mathematics.
  - (2) Legacy Master Mathematics Teacher (Grades 8-12).
  - (3) Mathematics: Grades 7-12.
  - (4) Mathematics: Grades 8-12.
  - (5) Mathematics/Physical Science/Engineering: Grades 6-12.
  - (6) Mathematics/Physical Science/Engineering: Grades 8-12.
  - (7) Physics/Mathematics: Grades 7-12.
  - (8) Physics/Mathematics: Grades 8-12.
  - (9) Secondary Industrial Arts (Grades 6-12).
  - (10) Secondary Industrial Arts Technology (Grades 6-12).
  - (11) Secondary Mathematics.
  - (12) Technology Education: Grades 6-12.
  - (13) Trade and Industrial Education: Grades 6-12. This assignment requires a bachelor's degree and appropriate work approval.
  - (14) Trade and Industrial Education: Grades 8-12. This assignment requires a bachelor's degree and appropriate work approval.
  - (15) Trade and Industrial Workforce Training: Grades 6-12. This assignment requires appropriate work approval.
  - (16) ~~(15)~~ Vocational Trades and Industry. This assignment requires a bachelor's degree and appropriate work approval.
- (b) All teachers assigned to this course shall participate in Texas Education Agency-approved training prior to teaching the course effective with the 2019-2020 school year. Specific details about the required training can be found at [tea.texas.gov/cte](http://tea.texas.gov/cte).

**Division 23. Marketing, Grades 9-12 Assignments**

**§231.543. Advertising, Grades 9-12.**

An assignment for Advertising, Grades 9-12, is allowed with one of the following certificates.

- (1) Any marketing or distributive education certificate.
- (2) Marketing: Grades 6-12.
- (3) Marketing Education: Grades 8-12.
- (4) Trade and Industrial Education: Grades 6-12. This assignment requires appropriate work approval.
- (5) Trade and Industrial Education: Grades 8-12. This assignment requires appropriate work approval.
- (6) Trade and Industrial Workforce Training: Grades 6-12. This assignment requires appropriate work approval.
- (7) ~~(6)~~ Vocational Trades and Industry. This assignment requires appropriate work approval.
- (8) ~~(7)~~ Any business or office education certificate.
- (9) ~~(8)~~ Business and Finance: Grades 6-12.

(10) ~~(9)~~ Business Education: Grades 6-12.

## **Division 24. Science, Technology, Engineering, and Mathematics, Grades 9-12 Assignments**

### **§231.561. Principles of Applied Engineering, Grades 9-12.**

An assignment for Principles of Applied Engineering, Grades 9-12, is allowed with one of the following certificates.

- (1) Agriculture, Food, and Natural Resources: Grades 6-12.
- (2) Agricultural Science and Technology: Grades 6-12.
- (3) Any vocational agriculture certificate.
- (4) Health Science: Grades 6-12.
- (5) Health Science Technology Education: Grades 8-12.
- (6) Mathematics/Physical Science/Engineering: Grades 6-12.
- (7) Mathematics/Physical Science/Engineering: Grades 8-12.
- ~~(8) Science, Technology, Engineering, and Mathematics: Grades 6-12.~~
- (8) ~~(9)~~ Secondary Industrial Arts (Grades 6-12).
- (9) ~~(10)~~ Secondary Industrial Technology (Grades 6-12).
- (10) ~~(11)~~ Technology Education: Grades 6-12.
- (11) ~~(12)~~ Trade and Industrial Education: Grades 6-12. This assignment requires appropriate work approval.
- (12) ~~(13)~~ Trade and Industrial Education: Grades 8-12. This assignment requires appropriate work approval.
- (13) ~~Trade and Industrial Workforce Training: Grades 6-12. This assignment requires appropriate work approval.~~
- (14) Vocational Health Occupations.
- (15) Vocational Health Science Technology.
- (16) Vocational Trades and Industry. This assignment requires appropriate work approval.

### **§231.563. Principles of Biosciences, Grades 9-12.**

An assignment for Principles of Biosciences, Grades 9-12, is allowed with one of the following certificates.

- (1) Agriculture, Food, and Natural Resources: Grades 6-12.
- (2) Agricultural Science and Technology: Grades 6-12.
- (3) Any vocational agriculture certificate.
- (4) Health Science: Grades 6-12.
- (5) Health Science Technology Education: Grades 8-12.
- (6) Mathematics/Physical Science/Engineering: Grades 6-12.
- (7) Mathematics/Physical Science/Engineering: Grades 8-12.
- ~~(8) Science, Technology, Engineering, and Mathematics: Grades 6-12.~~
- (8) ~~(9)~~ Secondary Industrial Technology (Grades 6-12).
- (9) ~~(10)~~ Secondary Industrial Arts (Grades 6-12).



- (10) ~~(41)~~ Technology Education: Grades 6-12.
- (11) Trade and Industrial Education: Grades 6-12. This assignment requires appropriate work approval.
- (12) Trade and Industrial Education: Grades 8-12. This assignment requires appropriate work approval.
- (13) Trade and Industrial Workforce Training: Grades 6-12. This assignment requires appropriate work approval.
- (14) ~~(42)~~ Vocational Health Occupations.
- (15) ~~(43)~~ Vocational Health Science Technology.

**§231.565. Biotechnology I; Biotechnology II, Grades 9-12.**

- (a) Subject to the requirements in subsection (b) of this section, an assignment for Biotechnology I or Biotechnology II, Grades 9-12, is allowed with one of the following certificates.
  - (1) Agriculture, Food, and Natural Resources: Grades 6-12.
  - (2) Agricultural Science and Technology: Grades 6-12.
  - (3) Any vocational agriculture certificate.
  - (4) Health Science: Grades 6-12. This assignment requires a bachelor's degree.
  - (5) Health Science Technology Education: Grades 8-12. This assignment requires a bachelor's degree.
  - (6) Life Science: Grades 7-12.
  - (7) Life Science: Grades 8-12.
  - (8) Legacy Master Science Teacher (Grades 8-12).
  - (9) Science: Grades 7-12.
  - (10) Science: Grades 8-12.
  - ~~(11) Science, Technology, Engineering, and Mathematics: Grades 6-12.~~
  - (11) ~~(42)~~ Secondary Biology (Grades 6-12).
  - (12) ~~(43)~~ Secondary Science (Grades 6-12).
  - (13) ~~(44)~~ Secondary Science, Composite (Grades 6-12).
  - (14) Trade and Industrial Education: Grades 6-12. This assignment requires appropriate work approval.
  - (15) Trade and Industrial Education: Grades 8-12. This assignment requires appropriate work approval.
  - (16) Trade and Industrial Workforce Training: Grades 6-12. This assignment requires appropriate work approval.
  - (17) ~~(45)~~ Vocational Health Occupations. This assignment requires a bachelor's degree.
  - (18) ~~(46)~~ Vocational Health Science Technology. This assignment requires a bachelor's degree.
- (b) All teachers assigned to this course shall participate in Texas Education Agency-approved training prior to teaching this course effective with the 2019-2020 school year. Specific details about the required training can be found at [tea.texas.gov/cte](http://tea.texas.gov/cte).

**§231.567. Engineering Design and Presentation, Grades 9-12.**

- (a) An assignment for Engineering Design and Presentation I or Engineering Design and Presentation II, Grades 9-12, is allowed with one of the following certificates.
  - (1) Mathematics/Physical Science/Engineering: Grades 6-12.
  - (2) Mathematics/Physical Science/Engineering: Grades 8-12.

~~[(3) Science, Technology, Engineering, and Mathematics: Grades 6-12.]~~

(3) ~~[(4)]~~ Secondary Industrial Arts (Grades 6-12).

(4) ~~[(5)]~~ Secondary Industrial Technology (Grades 6-12).

(5) ~~[(6)]~~ Technology Education: Grades 6-12.

(6) ~~[(7)]~~ Trade and Industrial Education: Grades 6-12. This assignment requires appropriate work approval.

(7) ~~[(8)]~~ Trade and Industrial Education: Grades 8-12. This assignment requires appropriate work approval.

(8) ~~Trade and Industrial Workforce Training: Grades 6-12. This assignment requires appropriate work approval.~~

(9) Vocational Trades and Industry. This assignment requires appropriate work approval.

(b) Subject to the requirements in subsection (c) of this section, an assignment for Practicum in Science, Technology, Engineering, and Mathematics or Extended Practicum in Science, Technology, Engineering, and Mathematics, Grades 9-12, is allowed with one of the following certificates.

(1) Agriculture, Food, and Natural Resources: Grades 6-12.

(2) Agricultural Science and Technology: Grades 6-12.

(3) Any vocational agriculture certificate.

(4) Health Science: Grades 6-12. This assignment requires a bachelor's degree.

(5) Health Science Technology Education: Grades 8-12. This assignment requires a bachelor's degree.

(6) Life Science: Grades 7-12.

(7) Life Science: Grades 8-12.

(8) Mathematics/Physical Science/Engineering: Grades 6-12.

(9) Mathematics/Physical Science/Engineering: Grades 8-12.

~~[(10) Science, Technology, Engineering, and Mathematics: Grades 6-12.]~~

(10) ~~[(11)]~~ Secondary Industrial Arts (Grades 6-12).

(11) ~~[(12)]~~ Secondary Industrial Technology (Grades 6-12).

(12) ~~[(13)]~~ Technology Education: Grades 6-12.

(13) ~~[(14)]~~ Trade and Industrial Education: Grades 6-12. This assignment requires appropriate work approval.

(14) ~~[(15)]~~ Trade and Industrial Education: Grades 8-12. This assignment requires appropriate work approval.

(15) ~~Trade and Industrial Workforce Training: Grades 6-12. This assignment requires appropriate work approval.~~

(16) Vocational Trades and Industry. This assignment requires appropriate work approval.

(c) The school district is responsible for ensuring that each teacher assigned to Practicum in Science, Technology, Engineering, and Mathematics or Extended Practicum in Science, Technology, Engineering, and Mathematics, Grades 9-12, has completed appropriate training in state and federal requirements regarding work-based learning and safety.

### **§231.569. Engineering Mathematics; Robotics II, Grades 9-12.**

(a) Subject to the requirements in subsection (b) of this section, an assignment for Engineering Mathematics or Robotics II, Grades 9-12, is allowed with one of the following certificates.

(1) Legacy Master Mathematics Teacher (Grades 8-12).

- (2) Mathematics: Grades 7-12.
- (3) Mathematics: Grades 8-12.
- (4) Mathematics/Physical Science/Engineering: Grades 6-12.
- (5) Mathematics/Physical Science/Engineering: Grades 8-12.
- (6) Physics/Mathematics: Grades 7-12.
- (7) Physics/Mathematics: Grades 8-12.
- ~~(8) Science, Technology, Engineering, and Mathematics: Grades 6-12.~~

(8) ~~(9)~~ Secondary Mathematics (Grades 6-12).

(9) ~~(10)~~ Secondary Industrial Arts (Grades 6-12).

(10) ~~(11)~~ Secondary Industrial Technology (Grades 6-12).

(11) ~~(12)~~ Technology Education: Grades 6-12.

(12) Trade and Industrial Education: Grades 6-12. This assignment requires appropriate work approval.

(13) Trade and Industrial Education: Grades 8-12. This assignment requires appropriate work approval.

(14) Trade and Industrial Workforce Training: Grades 6-12. This assignment requires appropriate work approval.

- (b) All teachers assigned to this course shall participate in Texas Education Agency-approved training prior to teaching this course effective with the 2019-2020 school year. Specific details about the required training can be found at [tea.texas.gov/cte](http://tea.texas.gov/cte).

**§231.571. AC/DC Electronics; Solid State Electronics, Grades 9-12.**

An assignment for Electronics, AC/DC Electronics, or Solid State Electronics, Grades 9-12, is allowed with one of the following certificates.

(1) Mathematics/Physical Science/Engineering: Grades 6-12.

(2) Mathematics/Physical Science/Engineering: Grades 8-12.

~~(3) Science, Technology, Engineering, and Mathematics: Grades 6-12.~~

(3) ~~(4)~~ Secondary Industrial Arts (Grades 6-12).

(4) ~~(5)~~ Secondary Industrial Technology (Grades 6-12).

(5) ~~(6)~~ Technology Education: Grades 6-12.

(6) ~~(7)~~ Trade and Industrial Education: Grades 6-12. This assignment requires appropriate work approval.

(7) ~~(8)~~ Trade and Industrial Education: Grades 8-12. This assignment requires appropriate work approval.

(8) ~~(9)~~ Trade and Industrial Workforce Training: Grades 6-12. This assignment requires appropriate work approval.

(9) Vocational Trades and Industry. This assignment requires appropriate work approval.

**§231.573. Principles of Technology, Grades 9-12.**

- (a) Subject to the requirements in subsection (b) of this section, an assignment for Principles of Technology, Grades 9-12, is allowed with one of the following certificates.

(1) Legacy Master Science Teacher (Grades 8-12).

(2) Mathematics/Physical Science/Engineering: Grades 6-12.

(3) Mathematics/Physical Science/Engineering: Grades 8-12.

- (4) Physical Science: Grades 6-12.
- (5) Physical Science: Grades 8-12.
- (6) Physics/Mathematics: Grades 7-12.
- (7) Physics/Mathematics: Grades 8-12.
- (8) Science: Grades 7-12.
- (9) Science: Grades 8-12.
- ~~[(10) Science, Technology, Engineering, and Mathematics: Grades 6-12.]~~

- ~~(10) [(11)] Secondary Industrial Arts (Grades 6-12).~~
- ~~(11) [(12)] Secondary Industrial Technology (Grades 6-12).~~
- ~~(12) [(13)] Secondary Physics (Grades 6-12).~~
- ~~(13) [(14)] Secondary Science, Composite (Grades 6-12).~~
- ~~(14) [(15)] Technology Education: Grades 6-12.~~
- ~~(15) Trade and Industrial Education: Grades 6-12. This assignment requires appropriate work approval.~~
- ~~(16) Trade and Industrial Education: Grades 8-12: This assignment requires appropriate work approval.~~
- ~~(17) Trade and Industrial Workforce Training: Grades 6-12. This assignment requires appropriate work approval.~~

- (b) An assignment for Principles of Technology, Grades 9-12, may also be taught with a vocational agriculture certificate or a trades and industry certificate with verifiable physics applications experience in business and industry, if assigned prior to the 1998-1999 school year. Six semester credit hours of college physics, chemistry, or electricity/electronics may be substituted for the business and industry experience. All teachers assigned to these courses shall participate in Texas Education Agency-approved training prior to teaching these courses effective with the 2019-2020 school year. Specific details about the required training can be found at [tea.texas.gov/cte](http://tea.texas.gov/cte).

**§231.575. Engineering Design and Problem Solving, Grades 9-12.**

- (a) Subject to the requirements in subsection (b) of this section, an assignment for Engineering Design and Problem Solving, Grades 9-12, is allowed with one of the following certificates.
  - (1) Legacy Master Science Teacher (Grades 8-12).
  - (2) Mathematics/Physical Science/Engineering: Grades 6-12.
  - (3) Mathematics/Physical Science/Engineering: Grades 8-12.
  - (4) Physical Science: Grades 6-12.
  - (5) Physical Science: Grades 8-12.
  - (6) Physics/Mathematics: Grades 7-12.
  - (7) Physics/Mathematics: Grades 8-12.
  - (8) Science: Grades 7-12.
  - (9) Science: Grades 8-12.

- ~~[(10) Science, Technology, Engineering, and Mathematics: Grades 6-12.]~~
- ~~(10) [(11)] Secondary Industrial Arts (Grades 6-12).~~
- ~~(11) [(12)] Secondary Industrial Technology (Grades 6-12).~~
- ~~(12) [(13)] Secondary Physics (Grades 6-12).~~

- (13) ~~(14)~~ Secondary Science (Grades 6-12).
- (14) ~~(15)~~ Secondary Science, Composite (Grades 6-12).
- (15) ~~(16)~~ Technology Education: Grades 6-12.
- ~~(16) Trade and Industrial Education: Grades 6-12. This assignment requires appropriate work approval.~~
- ~~(17) Trade and Industrial Education: Grades 8-12. This assignment requires appropriate work approval.~~
- ~~(18) Trade and Industrial Workforce Training: Grades 6-12. This assignment requires appropriate work approval.~~

- (b) All teachers assigned to this course shall participate in Texas Education Agency-approved training prior to teaching this course effective with the 2019-2020 school year. Specific details about the required training can be found at [tea.texas.gov/cte](http://tea.texas.gov/cte).

**§231.577. Scientific Research and Design, Grades 9-12.**

- (a) Subject to the requirements in subsection (b) of this section, an assignment for Scientific Research and Design, Grades 9-12, is allowed with one of the following certificates.
  - (1) Any vocational or career and technical education classroom teaching certificate with a bachelor's degree and 18 semester credit hours in any combination of sciences.
  - (2) Any science certificate valid for the grade level of the assignment.
  - (3) Legacy Master Science Teacher (Grades 8-12).
  - ~~(4) Science, Technology, Engineering, and Mathematics: Grades 6-12.~~
- (b) All teachers assigned to this course shall participate in Texas Education Agency-approved training prior to teaching this course effective with the 2019-2020 school year. Specific details about the required training can be found at [tea.texas.gov/cte](http://tea.texas.gov/cte).

**§231.579. Engineering Science, Grades 9-12.**

- (a) Subject to the requirements in subsection (b) of this section, an assignment for Engineering Science, Grades 9-12, is allowed with one of the following certificates.
  - (1) Legacy Master Science Teacher (Grades 8-12).
  - (2) Mathematics/Physical Science/Engineering: Grades 6-12.
  - (3) Mathematics/Physical Science/Engineering: Grades 8-12.
  - (4) Physical Science: Grades 6-12.
  - (5) Physical Science: Grades 8-12.
  - (6) Physics/Mathematics: Grades 7-12.
  - (7) Physics/Mathematics: Grades 8-12.
  - (8) Science: Grades 7-12.
  - (9) Science: Grades 8-12.
  - ~~(10) Science, Technology, Engineering, and Mathematics: Grades 6-12.~~
  - ~~(11) Secondary Industrial Arts (Grades 6-12).~~
  - ~~(12) Secondary Industrial Technology (Grades 6-12).~~
  - ~~(13) Secondary Physics (Grades 6-12).~~
  - ~~(14) Secondary Science (Grades 6-12).~~
  - ~~(15) Secondary Science, Composite (Grades 6-12).~~

(15) ~~(16)~~ Technology Education: Grades 6-12.

~~(16) Trade and Industrial Education: Grades 6-12. This assignment requires appropriate work approval.~~

~~(17) Trade and Industrial Education: Grades 8-12. This assignment requires appropriate work approval.~~

~~(18) Trade and Industrial Workforce Training: Grades 6-12. This assignment requires appropriate work approval.~~

- (b) All teachers assigned to Engineering Science shall participate in Texas Education Agency-approved training prior to teaching this course effective with the 2019-2020 school year. Specific details about the required training can be found at [tea.texas.gov/cte](http://tea.texas.gov/cte).

### §231.581. Digital Electronics, Grades 9-12.

- (a) Subject to the requirements in subsection (b) of this section, an assignment for Digital Electronics, Grades 9-12, is allowed with one of the following certificates.

(1) Legacy Master Mathematics Teacher (Grades 8-12).

(2) Mathematics/Physical Science/Engineering: Grades 6-12.

(3) Mathematics/Physical Science/Engineering: Grades 8-12.

(4) Physics/Mathematics: Grades 7-12.

(5) Physics/Mathematics: Grades 8-12.

~~(6) Science, Technology, Engineering, and Mathematics: Grades 6-12.]~~

~~(6) (7) Secondary Industrial Arts (Grades 6-12).~~

~~(7) (8) Secondary Industrial Technology (Grades 6-12).~~

~~(8) (9) Secondary Mathematics (Grades 6-12).~~

~~(9) (10) Technology Education: Grades 6-12.~~

~~(10) Trade and Industrial Education: Grades 6-12. This assignment requires appropriate work approval.~~

~~(11) Trade and Industrial Education: Grades 8-12. This assignment requires appropriate work approval.~~

~~(12) Trade and Industrial Workforce Training: Grades 6-12. This assignment requires appropriate work approval.~~

- (b) All teachers assigned to Digital Electronics shall participate in Texas Education Agency-approved training prior to teaching this course effective with the 2019-2020 school year. Specific details about the required training can be found at [tea.texas.gov/cte](http://tea.texas.gov/cte).

### §231.583. Robotics I, Grades 9-12.

An assignment for Robotics I, Grades 9-12, is allowed with one of the following certificates.

(1) Mathematics/Physical Science/Engineering: Grades 6-12.

(2) Mathematics/Physical Science/Engineering: Grades 8-12.

(3) Physics/Mathematics: Grades 7-12.

(4) Physics/Mathematics: Grades 8-12.

~~(5) Science, Technology, Engineering, and Mathematics: Grades 6-12.]~~

~~(5) (6) Secondary Industrial Arts (Grades 6-12).~~

~~(6) (7) Secondary Industrial Technology (Grades 6-12).~~

~~(7) (8) Technology Applications: Early Childhood-Grade 12.~~

~~(8) (9) Technology Applications: Grades 8-12.~~

- (9) ~~[(10)]~~ Technology Education: Grades 6-12.
- (10) ~~[(11)]~~ Trade and Industrial Education: Grades 6-12. This assignment requires appropriate work approval.
- (11) ~~[(12)]~~ Trade and Industrial Education: Grades 8-12. This assignment requires appropriate work approval.
- (12) Trade and Industrial Workforce Training: Grades 6-12. This assignment requires appropriate work approval.
- (13) Vocational Trades and Industry. This assignment requires appropriate work approval.

**§231.587. Fundamentals of Computer Science, Advanced Placement Computer Science Principles, Grades 9-12.**

An assignment for Fundamentals of Computer Science or Advanced Placement Computer Science Principles, Grades 9-12, is allowed with one of the following certificates.

- (1) Computer Science: Grades 8-12.
- (2) Grades 6-12 or Grades 9-12--Computer Information Systems.
- (3) Junior High School (Grades 9-10 only) or High School--Computer Information Systems.
- (4) Secondary Computer Information Systems (Grades 6-12).
- (5) Technology Applications: Early Childhood-Grade 12.
- (6) Technology Applications: Grades 8-12.
- (7) Trade and Industrial Education: Grades 6-12. This assignment requires a bachelor's degree and appropriate work approval.
- (8) Trade and Industrial Education: Grades 8-12. This assignment requires a bachelor's degree and appropriate work approval.
- (9) Trade and Industrial Workforce Training: Grades 6-12. This assignment requires a bachelor's degree and appropriate work approval.

**§231.589. Game Programming and Design, Grades 9-12.**

An assignment for Game Programming and Design, Grades 9-12, is allowed with one of the following certificates.

- (1) Computer Science: Grades 8-12.
- (2) Grades 6-12 or Grades 9-12--Computer Information Systems.
- (3) Junior High School (Grades 9-10 only) or High School--Computer Information Systems.
- (4) Secondary Computer Information Systems (Grades 6-12).
- (5) Secondary Industrial Arts (Grades 6-12).
- (6) Secondary Industrial Technology (Grades 6-12).
- (7) Technology Applications: Early Childhood-Grade 12.
- (8) Technology Applications: Grades 8-12.
- (9) Technology Education: Grades 6-12.
- (10) Trade and Industrial Education: Grades 6-12. This assignment requires appropriate work approval.
- (11) Trade and Industrial Education: Grades 8-12. This assignment requires appropriate work approval.
- (12) Trade and Industrial Workforce Training: Grades 6-12. This assignment requires appropriate work approval.

(13) ~~(12)~~ Vocational Trades and Industry. This assignment requires appropriate work approval.

**§231.591. Mobile Applications Development, Grades 9-12.**

An assignment for Mobile Applications Development, Grades 9-12, is allowed with one of the following certificates.

- (1) Computer Science: Grades 8-12.
- (2) Grades 6-12 or Grades 9-12--Computer Information Systems.
- (3) Junior High School (Grades 9-10 only) or High School--Computer Information Systems.
- (4) Secondary Computer Information Systems (Grades 6-12).
- (5) Technology Applications: Early Childhood-Grade 12.
- (6) Technology Applications: Grades 8-12.
- (7) Trade and Industrial Education: Grades 6-12. This assignment requires a bachelor's degree and appropriate work approval.
- (8) Trade and Industrial Education: Grades 8-12. This assignment requires a bachelor's degree and appropriate work approval.
- (9) Trade and Industrial Workforce Training: Grades 6-12. This assignment requires a bachelor's degree and appropriate work approval.
- (10) ~~(9)~~ Any business or office education certificate.
- (11) ~~(10)~~ Business and Finance: Grades 6-12.
- (12) ~~(11)~~ Business Education: Grades 6-12.
- (13) ~~(12)~~ Marketing: Grades 6-12.
- (14) ~~(13)~~ Marketing Education: Grades 8-12.

**§231.593. Cybersecurity, Grades 9-12.**

An assignment for Foundations of Cybersecurity, Grades 9-12, and Cybersecurity Capstone is allowed with one of the following certificates.

- (1) Computer Science: Grades 8-12.
- (2) Grades 6-12 or Grades 9-12--Computer Information Systems.
- (3) Junior High School (Grades 9-10 only) or High School--Computer Information Systems.
- (4) Secondary Computer Information Systems (Grades 6-12).
- (5) Technology Applications: Early Childhood-Grade 12.
- (6) Technology Applications: Grades 8-12.
- (7) Technology Education: Grades 6-12.
- (8) Trade and Industrial Education: Grades 6-12. This assignment requires appropriate work approval.
- (9) Trade and Industrial Education: Grades 8-12. This assignment requires appropriate work approval.
- (10) Trade and Industrial Workforce Training: Grades 6-12. This assignment requires appropriate work approval.
- (11) ~~(10)~~ Vocational Trades and Industry. This assignment requires appropriate work approval.

**Division 25. Transportation, Distribution, and Logistics, Grades 9-12 Assignments**



**§231.631. Transportation, Distribution, and Logistics, Grades 9-12.**

- (a) An assignment for Energy and Power of Transportation Systems; Aircraft Airframe Technology; Aircraft Powerplant Technology; Automotive Basics; Automotive Technology I: Maintenance and Light Repair; Automotive Technology II: Automotive Service; Advanced Transportation Systems Laboratory; Basic Collision Repair and Refinishing; Collision Repair; Paint and Refinishing; Diesel Equipment Technology I; Diesel Equipment Technology II; Distribution and Logistics; Introduction to Aircraft Technology; Principles of Distribution and Logistics; Principles of Transportation Systems; Introduction to Transportation Technology; or Management of Transportation Systems, Grades 9-12, is allowed with one of the following certificates.
- (1) Technology Education: Grades 6-12.
  - (2) Trade and Industrial Education: Grades 6-12. This assignment requires appropriate work approval.
  - (3) Trade and Industrial Education: Grades 8-12. This assignment requires appropriate work approval.
  - (4) Trade and Industrial Workforce Training: Grades 6-12. This assignment requires appropriate work approval.
  - (5) ~~(4)~~ Vocational Trades and Industry. This assignment requires appropriate work approval.
- (b) Subject to the requirements in subsection (c) of this section, an assignment for Practicum in Transportation Systems, Extended Practicum in Transportation Systems, Practicum in Distribution and Logistics, or Extended Practicum in Distribution and Logistics, Grades 9-12, is allowed with one of the following certificates.
- (1) Trade and Industrial Education: Grades 6-12. This assignment requires appropriate work approval.
  - (2) Trade and Industrial Education: Grades 8-12. This assignment requires appropriate work approval.
  - (3) Trade and Industrial Workforce Training: Grades 6-12. This assignment requires appropriate work approval.
  - (4) ~~(3)~~ Vocational Trades and Industry. This assignment requires appropriate work approval.
- (c) The school district is responsible for ensuring that each teacher assigned to Practicum in Transportation Systems, Extended Practicum in Transportation Systems, Practicum in Distribution and Logistics, or Extended Practicum in Distribution and Logistics, Grades 9-12, has completed appropriate training in state and federal requirements regarding work-based learning and safety.

**§231.633. Small Engine Technology, Grades 9-12.**

An assignment for Small Engine Technology I or Small Engine Technology II, Grades 9-12, is allowed with one of the following certificates.

- (1) Agriculture, Food, and Natural Resources: Grades 6-12.
- (2) Agricultural Science and Technology: Grades 6-12.
- (3) Any vocational agriculture certificate.
- (4) Secondary Industrial Arts (Grades 6-12).
- (5) Secondary Industrial Technology (Grades 6-12).
- (6) Technology Education: Grades 6-12.
- (7) Trade and Industrial Education: Grades 6-12. This assignment requires appropriate work approval.
- (8) Trade and Industrial Education: Grades 8-12. This assignment requires appropriate work approval.
- (9) Trade and Industrial Workforce Training: Grades 6-12. This assignment requires appropriate work approval.
- (10) ~~(9)~~ Vocational Trades and Industry. This assignment requires appropriate work approval.

## Division 26. Energy, Grades 9-12 Assignments

### §231.651. Energy [~~and Natural Resources~~] , Grades 9-12.

An assignment for Oil and Gas Production I; Oil and Gas Production II; Oil and Gas Production III; Oil and Gas Production IV; Introduction to Process Technology; Foundations of Energy; or Petrochemical Safety, Health, and Environment, Grades 9-12, is allowed with one of the following certificates.

- (1) Agriculture, Food, and Natural Resources: Grades 6-12.
- (2) Agricultural Science and Technology: Grades 6-12.
- (3) Any vocational agriculture certificate.
- (4) Trade and Industrial Education: Grades 6-12. This assignment requires appropriate work approval.
- (5) Trade and Industrial Education: Grades 8-12. This assignment requires appropriate work approval.
- (6) Trade and Industrial Workforce Training: Grades 6-12. This assignment requires appropriate work approval.
- (7) [~~(6)~~] Vocational Trades and Industry. This assignment requires appropriate work approval.

**Review of Proposed Amendment to 19 TAC Chapter 250, Administration, Subchapter B, Rulemaking Procedures, §250.20, Petition for Adoption of Rules or Rule Changes**

**June 17, 2022**

**COMMITTEE ON SCHOOL INITIATIVES: ACTION  
STATE BOARD OF EDUCATION: ACTION**

**SUMMARY:** This item provides the State Board of Education (SBOE) an opportunity to review the State Board for Educator Certification (SBEC) rule actions that would propose an amendment to 19 Texas Administrative Code (TAC) Chapter 250, Administration, Subchapter B, Rulemaking Procedures, §250.20, Petition for Adoption of Rules or Rule Changes. The proposed amendment would update the SBEC's petition procedures to allow for increased ease in submitting a petition for rulemaking for the SBEC's consideration.

**STATUTORY AUTHORITY:** The statutory authority for Chapter 250, Subchapter B, §250.20, is the Texas Education Code (TEC), §21.035(b) and §21.041(a) and (b)(1), and Texas Government Code (TGC), §2001.021.

TEC, §21.035(b), requires the Texas Education Agency (TEA) to provide the SBEC's administrative functions and services.

TEC, §21.041(a), authorizes the SBEC to adopt rules as necessary to implement its procedures.

TEC, §21.041(b)(1), requires the SBEC to propose rules that provide for the regulation of educators and the general administration of the TEC, Chapter 21, Subchapter B, in a manner consistent with the TEC, Chapter 21, Subchapter B.

TGC, §2001.021, authorizes a state agency to prescribe by rule the form for a petition and the procedure for the submission, consideration, and disposition.

The full text of statutory citations can be found in the statutory authority section of this agenda.

**PREVIOUS BOARD ACTION:** None.

**BACKGROUND INFORMATION AND JUSTIFICATION:** TGC, §2001.021, requires that procedures to petition for the adoption of rule changes be adopted by rule. To comply with statute, the SBEC rules in 19 TAC Chapter 250, Subchapter B, establish procedures for SBEC petition for rulemaking in §250.20, Petition for Adoption of Rules or Rule Changes.

The proposed amendment to §250.20(a) would update the SBEC's petition procedures, including the petition form included as Figure: 19 TAC §250.20(a), to improve efficiency by ensuring that an interested person can submit the petition electronically. In addition, the proposed amendment to the Figure: 19 TAC §250.20(a) would specify one TEA division as the collection point for all petitions submitted to the SBEC and would allow the petitioner to provide an email address on the petition form. This would ensure timely acknowledgement, communication, review, status, and final decision of a petition by TEA staff for consideration by the SBEC at a future meeting.

The proposed new §250.20(d)(5) would allow the SBEC the opportunity to deny a petition for any other reason the SBEC determines is grounds for denial. This would clarify that SBEC has the authority to deny for any reasons not specified in the enumerated list in subsection (d).

The proposed amendment to §250.20 would also include technical edits to improve readability.

### *SBOE Review of Proposed SBEC Rules*

Under the TEC, §21.042, the SBEC must submit a written copy of each rule it proposes to adopt to the SBOE for review. The SBOE may reject the proposed rule by a vote of at least two-thirds of the members of the SBOE present and voting but may not modify a rule.

**FISCAL IMPACT:** No changes have been made to this section since published as proposed. The TEA staff has determined that there is no additional fiscal impact on state or local governments and that there are no additional costs to entities required to comply with the proposal.

**LOCAL EMPLOYMENT IMPACT:** No changes have been made to this section since published as proposed. The proposal has no effect on local economy; therefore, no local employment impact statement is required under Texas Government Code (TGC), §2001.022.

**SMALL BUSINESS, MICROBUSINESS, AND RURAL COMMUNITY IMPACT:** No changes have been made to this section since published as proposed. The proposal has no direct adverse economic impact for small businesses, microbusinesses, or rural communities; therefore, no regulatory flexibility analysis, specified in TGC, §2006.002, is required.

**COST INCREASE TO REGULATED PERSONS:** No changes have been made to this section since published as proposed. The proposal does not impose a cost on regulated persons, another state agency, a special district, or a local government and, therefore, is not subject to TGC, §2001.0045.

**TAKINGS IMPACT ASSESSMENT:** No changes have been made to this section since published as proposed. The proposal does not impose a burden on private real property and, therefore, does not constitute a taking under TGC, §2007.043.

**GOVERNMENT GROWTH IMPACT:** No changes have been made to this section since published as proposed. The TEA staff prepared a Government Growth Impact Statement assessment for this proposed rulemaking. During the first five years the proposed rulemaking would be in effect, the proposed amendment would expand an existing regulation by allowing for a petition for rulemaking to be submitted via electronic means.

The proposed rulemaking would not create or eliminate a government program; would not require the creation of new employee positions or elimination of existing employee positions; would not require an increase or decrease in future legislative appropriations to the agency; would not require an increase or decrease in fees paid to the agency; would not create a new regulation; would not limit or repeal an existing regulation; would not increase or decrease the number of individuals subject to its applicability; and would not positively or adversely affect the state's economy.

**PUBLIC BENEFIT AND COST TO PERSONS:** No changes have been made to this section since published as proposed. The public benefit anticipated as a result of the proposal would be providing another means by which an interested person can file a petition for rulemaking, create a more efficient

process, and reflect current procedures. There is no anticipated economic cost to persons who are required to comply with the proposal.

**DATA AND REPORTING IMPACT:** No changes have been made to this section since published as proposed. The proposal would have no new data and reporting impact.

**PRINCIPAL AND CLASSROOM TEACHER PAPERWORK REQUIREMENTS:** No changes have been made to this section since published as proposed. The TEA staff has determined that the proposal would not require a written report or other paperwork to be completed by a principal or classroom teacher.

**PUBLIC COMMENTS:** In accordance with the SBEC rulemaking process, a summary of comments received by the SBEC on its proposed rules is shared with the SBOE under separate cover prior to this SBOE meeting.

**MOTION TO BE CONSIDERED:** The State Board of Education:

Take no action on the proposed amendment to 19 TAC Chapter 250, Administration, Subchapter B, Rulemaking Procedures, §250.20, Petition for Adoption of Rules or Rule Changes.

**Staff Members Responsible:**

Emily Garcia, Associate Commissioner, Educator Preparation, Certification, and Enforcement  
Christie Pogue, Director, SBEC Policy Development and Support

**Attachment I:**

Text of Proposed Amendment to 19 TAC Chapter 250, Administration, Subchapter B, Rulemaking Procedures, §250.20, Petition for Adoption of Rules or Rule Changes

**Attachment II:**

Text of Proposed Figure: 19 TAC §250.20(a)

ATTACHMENT I  
Text of Proposed Amendment to 19 TAC

**Chapter 250. Administration**

**Subchapter B. Rulemaking Procedures**

**§250.20. Petition for Adoption of Rules or Rule Changes.**

- (a) Any interested person, as defined in Texas Government Code (TGC) , §2001.021, may petition for the adoption, amendment, or repeal of a rule of the State Board for Educator Certification (SBEC) by filing a petition on the [a] form provided in this subsection. The petition shall be signed and submitted to the designated Texas Education Agency (TEA) office. The TEA staff shall evaluate the merits of the petition [proposal] to determine whether to recommend that rulemaking proceedings be initiated or that the petition be denied.
- Figure: 19 TAC §250.20(a) [Figure: 19 TAC §250.20(a)]
- (b) In accordance with TGC [~~the Texas Government Code~~] , §2001.021, the TEA staff must respond to the petitioner within 60 calendar days of receipt of the petition.
- (1) Where possible, the recommendation concerning the petition shall be placed on the next SBEC agenda, and the SBEC shall act on the petition within 60 calendar days [the 60 calendar day time limit].
- (2) Where the time required to review the petition or the scheduling of SBEC meetings will not permit the SBEC to act on the petition within the required 60 calendar days, the TEA staff shall respond to the petitioner within the required 60 calendar days, notifying the petitioner of the date of the SBEC meeting at which the recommendation will be presented to the SBEC for action.
- (c) The SBEC will review the petition and the recommendation and will either deny the petition, giving reasons for the denial, or direct the TEA staff to begin the rulemaking process [~~or deny the petition, giving reasons for the denial~~] . The TEA staff will notify the petitioner of the SBEC's action related to the petition.
- (d) Without limitation to the reasons for denial in this subsection, the SBEC may deny a petition on the following grounds:
- (1) the SBEC does not have jurisdiction or authority to propose or to adopt the petitioned rule;
- (2) the petitioned rule conflicts with a statute, court decision, another rule proposed or adopted by the SBEC, or other law;
- (3) the SBEC determines that a different proceeding, procedure, or act more appropriately addresses the subject matter of the petition than initiating a rulemaking proceeding; [~~or~~]
- (4) the petitioner files [is inappropriately using the opportunity to file a rulemaking petition under this section, as evidenced by filing] a petition:
- (A) before the fourth anniversary of the SBEC's having previously considered and rejected a similar rule on the same subject matter; or
- (B) to amend a rule proposed or adopted by the SBEC that has not yet become effective ; or [~~]~~
- (5) any other reason the SBEC determines is grounds for denial.
- (e) If the SBEC initiates rulemaking procedures in response to a petition, the rule text which the SBEC proposes may differ from the rule text proposed by the petitioner.

ATTACHMENT II

Text of Proposed Amendment to 19 TAC

Figure: 19 TAC §250.20(a) | ~~Figure: 19 TAC §250.20(a)~~

**STATE BOARD FOR EDUCATOR CERTIFICATION**  
**Petition for Adoption of a Rule**

The Texas Government Code, §2001.021, provides that any interested person may petition an agency requesting the adoption of a rule.

The petition [~~Petitions~~] should be signed and submitted [~~to~~]:

by mail to Rulemaking Division, Texas Education Agency, 1701 North Congress Avenue, Austin Texas 78701-1494; or [Office of Educator Leadership and Quality]

[Texas Education Agency, 1701 North Congress Avenue, Austin, Texas 78701-1494]

by using the email button at the bottom of this petition form or by emailing directly to [sbecrules@tea.texas.gov](mailto:sbecrules@tea.texas.gov).

Name:

Affiliation/Organization (if applicable):

Address:

Email Address:

Telephone:

Date:

Texas Government Code, §2001.021, specifies that an interested person must meet one of the following criteria. Please check all of the following that apply to you.

- resident of Texas
- business entity located in Texas
- governmental subdivision located in Texas
- public or private organization located in Texas that is not a state agency

Proposed rule text (indicate words to be added or deleted from the current text):

Statutory authority for the proposed rule action:

Why is this rule action necessary or desirable?

(If more space is required, attach additional sheets.)

\_\_\_\_\_  
Petitioner's Signature

(Typing your name in the field above serves as your signature for the purposes of this petition.)

[Click here to submit petition form](#)

# **INFORMATION MATERIALS**



**STATE BOARD OF EDUCATION OPERATING RULES**  
(amended January 26, 2021)

**CHAPTER 1. BOARD ORGANIZATION**

*The statutory citation for this chapter is the Texas Education Code, §7.107.*

**§1.1. Officers of the Board.**

- (a) Selection.
  - (1) The vice chair and secretary of the board shall be elected by a majority vote in accordance with Texas Education Code, §7.107, to serve for a term of two years and until their successors are elected.
  - (2) Either of these officers may be removed from office by a vote of not less than two-thirds of the membership of the board.
  - (3) In case of death or resignation of the vice chair or the secretary of the board, the board shall elect by a majority vote a board member to fill the vacancy for the unexpired term of that officer at the next board meeting.
- (b) Duties.
  - (1) Chair. The chair shall preside at meetings and perform all other duties prescribed by law, by board rule, or by board direction.
  - (2) Vice chair. The vice chair shall perform the duties of the chair in case of absence or disability of the chair and other duties as the chair may request. Should the office of the chair become vacant, the vice chair shall serve as chair until a successor has been appointed by the governor.
  - (3) Secretary. The secretary shall perform all duties as required by law and such other duties as the chair may request.

**§1.2. Committees of the Board.**

- (a) The standing committees of the board and their areas of oversight are:

**Committee of the Full Board**

- 1. Public testimony
- 2. Establishment of essential knowledge and skills (TEKS)
- 3. Instructional materials proclamations and adoption of instructional materials
- 4. Consideration of the Commissioner of Education's open-enrollment charter school proposals

### **Committee on Instruction**

1. Establishment of curriculum and graduation requirements
2. Curriculum implementation (including credit by examination, Texas Advanced Placement Incentive Program, and procedures concerning dyslexia and related disorders)
3. Student assessment program implementation
4. General education
5. Education of individuals with disabilities
6. Gifted and talented education
7. Adult education
8. Library standards
9. Texas School for the Blind and Visually Impaired/Texas School for the Deaf

### **Committee on School Finance/Permanent School Fund**

1. State and federal funding issues
2. Financial budgeting, reporting, and regulation
3. Contract and grant approval
4. Instructional materials financing and operations
5. Community education funding
6. Oversight of the Bond Guarantee Program
7. Permanent School Fund management oversight, including audit responsibility, investment objectives, and investment decisions
8. Review of nominations for gubernatorial appointments: Teacher Retirement System, School Land Board

### **Committee on School Initiatives**

1. Long-range plans required by statute
  2. Educational technology and telecommunications
  3. Review and evaluation of charter school applications, revisions, and amendments the commissioner of education proposes to grant
  4. State Board for Educator Certification rules review
  5. School board member training policy
  6. Hearing examiners
  7. Military reservation and special purpose school districts
  8. Extracurricular activities
  9. Home-rule school district probation and revocation
- (b) Amendments to the areas of committee oversight reflecting new or changing board responsibilities may be made during the board's periodic operating rules review or by means of resolution addressing the change in responsibilities should such change occur between the operating rules review.
- (c) Committees may receive information, investigate, study and report to the board. The board may from time to time define by resolution the areas of oversight of each committee as may be necessary. Each committee shall review and make recommendations on the board agenda items falling under its areas of oversight; except that the chair of the board, in consultation with the respective committee chair, may designate any board agenda item for review and recommendation by the Committee of the Full Board.

- (d) The Committee of the Full Board shall be composed of all members of the board, and the chair of the board shall be the chair of the Committee of the Full Board.
- (e) The Committees on Instruction, School Finance/Permanent School Fund, and School Initiatives shall be composed of five members selected by the officers of the board. Each member will serve on one committee in addition to the Committee of the Full Board. The officers of the board shall request in writing the committee choices of the members ranked in order of preference and shall make committee assignments in the public view for terms of two years at the organizational meeting after the qualification of new members as the next order of business following election of board officers and adoption of rules. Vacancies shall be filled in a similar fashion. In addition to preference, the officers of the board shall also consider seniority (total years of service), ethnicity balance, gender balance, racial diversity, geographic balance, and relevant qualifications specific to a committee assignment in making committee assignments. Each committee shall elect a chair from among its members and the chair may appoint a vice chair. An officer of the board is not eligible to serve as the chair of a standing committee.
- (f) Ad hoc committees (i.e., task forces) may be constituted from time to time as directed by a vote of the board or by the chair to perform such duties as the board or chair may assign. The personnel and length of service of ad hoc committees shall be designated by the chair unless otherwise directed by a vote of the board. No action taken by any ad hoc committee shall be final or binding upon the board unless otherwise directed by a vote of the board.
- (g) Occasionally, committees may find it necessary to request legal opinions, comprehensive studies, or reports to be prepared by the staff to aid the committees in their deliberations. To ensure clarity and coordination, all such requests shall be directed to State Board of Education Support staff and shall be reflected in the minutes of the committee meeting. The Chair or the Commissioner may request that the Attorney General issue an opinion under Texas Government Code §402.042.

**§1.3. Board Member Seating Selection.**

With the exception of the chair, vice chair, and secretary, the seating of board members will be by State Board of Education districts. The seating for the remaining 12 members will be rotated annually at the first board meeting of the calendar year. Any member with a special need may exchange seats with another board member who is in agreement with that exchange.

## CHAPTER 2. MEETINGS

*The statutory citations for this chapter are the Texas Education Code, §§7.055, 7.106, 7.107, 7.110, and 39.030, and the Texas Government Code, Title 5, Open Government; Ethics, Subtitle A, Open Government, Chapter 551, Open Meetings.*

### **§2.1. Regular Meetings of the Board.**

In accordance with Texas Education Code, §7.106, four regular meetings of the board a year shall be held in Austin, Texas. If a quorum is not present for a meeting, the meeting shall be recessed or adjourned and all items on the agenda shall be heard at a subsequent meeting.

### **§2.2. Special Meetings of the Board.**

Special meetings of the board may be held at times and places as ordered by the chair during a regular meeting, or special meetings may be called by the chair of the board to be held at a time and place the chair shall designate.

### **§2.3. Open Meetings.**

Regular, special, and committee meetings of the board shall be open to the public; however, the board or board committees may meet in executive session in accordance with law and these rules. Open meetings of the board and standing committees shall be broadcast live over the Internet. The chair may limit in-person attendance at a meeting to ensure health and safety of board members and members of the public. In such instances, governor's orders shall be followed, and members of the public shall be given access to view all portions of the meetings virtually.

### **§2.4. Executive Sessions.**

Executive sessions of the board or of board committees are meetings with only board members and persons authorized by law. Executive sessions shall be held in accordance with Texas Government Code, Chapter 551, Open Meetings.

### **§2.5. Agendas.**

- (a) The chair has the primary responsibility for creating the SBOE meeting agendas. This includes the SBOE agenda, the Committee of the Full Board agenda, and all committee agendas. Other than as provided in this subsection and subsections (b) and (c) of this section, all agenda items are subject to the approval of the chair. If a member wishes an item to be placed on the agenda of the Committee of the Full Board, the member should request in writing that the chair place the item on the agenda. The chair will respond in writing whether or not the item will be placed on the agenda. If the chair declines in writing to place the item on the agenda, the member may make a motion during a board meeting to include the item on the agenda. If the board approves the request, it is placed on the agenda of the Committee of the Full Board for the next meeting.
- (b) The chairs of the Committee on Instruction, Committee on School Finance/Permanent School Fund, Committee on School Initiatives, and ad hoc committees shall collaborate with the board chair regarding items to be placed on their respective committee agendas. Committee agendas shall include statutorily mandated motions, items assigned to the

committee by the board chair, items posted at the discretion of the committee chair and items voted on as set out in subsection (c) below. Committee chairs may post discussion items per their discretion, but action items must be approved by the board chair, subject to the process set out in (c) below.

- (c) Any member of the board may request that a committee chair place an item on the agenda of that chair's committee, other than the Committee of the Full Board, as either a discussion item or an action item. If the committee chair agrees, the item is placed on the agenda of that chair's committee in accordance with the member's request, subject to the approval of the board chair. If the committee chair denies the member's request, the member may appeal the denial to the board chair. If the board chair denies the request, the member may appeal the denial to the board. If the board approves the request, it is placed on the agenda of the committee to which the request was made at the next meeting of that committee.
- (d) A subject on the agenda that is outside the scope of the board's authority may only be considered by the board or the Committee of the Full Board by a vote of a majority of the membership of the board. The chair, in consultation with Agency legal counsel, shall make a determination regarding whether an item is outside the scope of the board's authority when preparing the agenda. Any member may move to place an item determined by the chair to be outside the scope of the board's authority on the agenda for a subsequent meeting.
- (e) The commissioner of education shall prepare and submit to each member of the board, prior to each meeting, a draft agenda schedule listing item titles with short summaries of each item. Materials supplementing the agenda may be included. Official agendas will be available the day of the board meeting.

## **§2.6. Official Transaction of Business.**

- (a) The board shall transact official business only when in session with a quorum present. Unless otherwise provided by law, in order for a board action to be final, it must be approved by a majority of the board members present and voting.
- (b) The chair may authorize the board to meet via remote video or web conference. As required by Government Code §551.127(c), if videoconference calling technology is used, the meeting location where the presiding officer of the meeting is present must be open to the public, except during executive sessions. The chair may limit the number of remote conference locations in the interest of decorum and capacity.
- (c) The chair may modify procedures for conducting meetings of the board if emergency protocols are enacted by the governor related to a pandemic or similar event. In such instances, governor's orders and emergency rules shall be followed.
- (d) If a board member participates in a meeting virtually, the board member must be visible by video and must have capabilities to be heard by other board members and members of the public. A member who is not present on camera during a vote of the board will be noted as absent for the vote.

- (e) No posters, props, or other visual displays are allowed by board members within the meeting rooms or at remote locations without permission from the presiding chair.

**§2.7. Rules of Order.**

- (a) The board shall observe *Robert's Rules of Order, Newly Revised*, except as otherwise provided by board rules or by statute.
- (b) The presiding chair shall preserve order and decorum during meetings. In case of disturbance or disorderly conduct in the public gallery, the chair may order that any disruptive individuals be cleared from the area.
- (c) No signs, placards, flags, noisemakers, or other objects of a similar nature shall be permitted in the audience gallery area.
- (d) No applause, outburst or other demonstration by any spectator shall be permitted during the public testimony, public hearing or debate portion of any State Board of Education meeting. After warnings to the audience to refrain from such demonstrations, the presiding chair may direct that disruptive individuals in the gallery area be removed as necessary to preserve decorum during meetings.
- (e) Supporters of a testifier may not gather behind the podiums used for testimony. Testifiers are free to use a portion of their testimony time to acknowledge supporters seated in the audience.

**§2.8. Minutes.**

The official minutes of the board shall be kept by the office of the commissioner of education or the commissioner's designee and shall be available to any citizen desiring to examine them. Official minutes are those which the board has approved, and which carry the original signature of the secretary of the board.

**§2.9. Resolutions.**

- (a) A member wishing to offer a resolution shall give notice of the resolution by submitting a copy to the chair and the State Board of Education Support staff not less than four weeks prior to the Monday of the week during which the meeting at which the resolution is to be considered. The board shall consider the resolution and any germane amendments at the next meeting following such notice.
- (b) Titles for congratulatory, commendatory or other non-substantive resolutions shall be submitted by the timelines prescribed in this section with resolution text following a date and time consistent with the staff's pre-meeting preparation timeline.
- (c) The board may consider a resolution which expresses an opinion related to specific instructional materials or which expresses concerns as to the appropriateness of specific instructional materials for certain ages or populations. Resolutions considered under this subsection must conform to the following:
  - (1) The resolution shall be submitted in compliance with subsection (a) of this section.

- (2) Board action on a resolution expressing an opinion related to specific instructional materials may only be considered after final action has been taken concerning placement of the specific instructional materials on the list of adopted instructional materials for use in the public schools of Texas. Board action relative to instructional materials resolutions must take place within 90 days of adoption of the specific instructional materials under 19 TAC Chapter 66, State Adoption and Distribution of Instructional Materials, §66.66(b).
- (3) Nothing in the resolution shall be construed to replace or modify any final action taken by the board under 19 TAC Chapter 66.
- (4) The board may adopt a resolution expressing an opinion related to instructional materials based on the following criteria:
  - (A) Instructional materials should present the most current factual information accurately and objectively without editorial opinion or bias by the authors. Theories should be clearly distinguished from fact and presented in an objective educational manner.
  - (B) Instructional materials should promote citizenship, patriotism, democracy, understanding of the essentials and benefits of the free enterprise system, respect for recognized authority, and respect for individual rights. The materials should not include selections or works that encourage or condone civil disorder, social strife, or disregard of the law. Violence, if it appears, should be treated in the context of its cause and consequence. It should not appear for reasons of unwholesome excitement or sensationalism.
    - (i) Instructional materials should present positive aspects of the United States and its heritage.
    - (ii) When significant political or social movements in history generate no clear consensus, instructional materials should present balanced and factual treatment of the positions.
    - (iii) Free enterprise means an economic system characterized by private or corporate ownership of capital goods; investments that are determined by private decision rather than by state control; and prices, production, and the distribution of goods that are determined in a free market.
  - (C) Instructional materials should not include blatantly offensive language or illustrations.
  - (D) Instructional materials should treat divergent groups fairly without stereotyping and reflect the positive contributions of all individuals and groups to the American way of life. Illustrations and written materials should avoid bias toward any particular group or individual and present a wide range of goal choices. Particular care should be taken in the treatment of ethnic groups, issues related to the aging and aged, roles of men and women, the dignity of workers, and respect for the work ethic.

- (i) Instructional materials should not encourage lifestyles deviating from generally accepted standards of society.
  - (ii) Instructional materials should provide an objective view of cultural confluence and include information needed to develop mutual understanding and respect among all elements of our population. Materials should reflect an awareness that culture and language variation does exist and can be used to promote successful learning.
  - (iii) Instructional materials should present examples of men and women participating in a variety of roles and activities and also shall present the economic, political, social, and cultural contributions of men and women, past and present.
  - (iv) Instructional materials that treat aspects of the world of work should reflect the positive contributions of all types of careers to the American economic system and way of life. People presented should reflect varieties of work and be treated without bias toward particular kinds of work.
  - (v) Instructional materials should present traditional and contemporary roles of men, women, boys, and girls.
  - (vi) Instructional materials should present balanced treatment of issues related to aging and the aged.
- (5) A representative of the publisher of the specific instructional material shall be given the opportunity to address the board prior to action by the board on such a resolution.
  - (6) A copy of any resolution passed by the board expressing an opinion related to specific instructional material shall be provided to the board president and superintendent of each school district in Texas.

**§2.10. Oral Public Testimony in Connection with Regular Board and Committee Meetings.**

- (a) General Provisions.
  - (1) In accordance with Texas Education Code, §7.110, the board shall provide opportunity for oral public testimony at regular committee meetings, special meetings, and at regularly scheduled meetings of the State Board of Education.
  - (2) Work session and ad hoc committee meetings are exempt from this requirement.
  - (3) The presiding chair shall take appropriate action to avoid unduly repetitious testimony.
  - (4) The presiding chair shall assure that members of the public with differing viewpoints have reasonable access to address the board and take steps to ensure that individuals will be given priority over registered lobbyists.



- (5) The presiding chair shall determine which speakers will be heard and the order in which they will be heard if the number exceeds that number which may reasonably be expected to testify in the allotted time for presentations. The presiding chair shall also determine whether speakers who did not register or who registered late will be heard and whether persons asking to testify as a substitute for a registered speaker may do so.
  - (6) The board, without debate, may allow a person to testify for clarification and informational purposes, whether or not he/she has registered or previously testified. The person is not required to honor the request.
- (b) Registration Procedures.
- (1) Individuals may register between the hours of 8 a.m. (Central Time) on the Thursday preceding the board meeting and 5 p.m. on the Friday preceding the board meeting on the agency website at <https://tea.texas.gov/PublicTestimonySBOE/>, or, during normal operating hours, by telephone at (512) 463-9007 or in person at the William B. Travis (WBT) State Office Building, 1701 N. Congress, room 1-109, Austin, Texas 78701.
  - (2) The speaker shall provide his or her name and organizational affiliation, if any, contact telephone number, mailing address, email address, and indicate which item or topic the speaker will address and viewpoint on the topic; and the speaker will disclose if he or she is a lobbyist registered with the Texas Ethics Commission.
  - (3) A person may register himself or herself, and one other person. Organizations may not register more than two persons per item.
  - (4) Those registering online will receive an email confirming the registration during the next business day.
  - (5) Registrations will be listed based upon registration date and time or alternating points of view in order of registration date and time.
  - (6) Late registration will be accepted until 30 minutes before the scheduled start of a meeting, however late registrants are not guaranteed an opportunity to testify due to time constraints.
  - (7) Speakers will be informed if it appears that time constraints will not permit all speakers to make their presentation within the allotted time.
  - (8) All speakers shall provide twenty (20) collated or stapled copies of their testimony. Registered speakers who are unable to make their presentations due to time constraints are encouraged to provide twenty (20) copies of their testimony for distribution to board members and agency executive staff. Written testimony will not be attached to committee minutes.
- (c) Oral Public Testimony to Committees.
- (1) Oral public testimony to committees is limited to the topics posted for action or discussion on committee agendas at that specific committee meeting.

- (2) In order to maximize the total number of testifiers who are able to provide oral testimony, two-minute time limits on individual oral testimony will be imposed unless modified by the presiding chair.
  - (3) The presiding chair shall designate whether oral public testimony shall be taken at the beginning of the meeting or at the time the related item is taken up by the committee.
  - (4) The presiding chair shall take steps to ensure that individuals will be given priority over registered lobbyists. The committee, without debate, may allow a person to testify for clarification and informational purposes, whether or not he/she has registered or previously testified. The person is not required to honor the request.
- (d) Oral Public Testimony to the General Meeting of the Board.
- (1) Oral public testimony at general meetings of the State Board of Education is limited to topics that are *not* posted for action or discussion at the corresponding regular committee meetings or information published in the information section of the agenda.
  - (2) Thirty (30) minutes shall be allotted for oral public testimony, excluding the questions and answers, at the beginning of each board meeting, unless modified by a majority vote of the board. Three-minute time limits on individual oral testimony will be imposed unless modified by the presiding chair. Testimony invited by board members shall not be counted against the time allotted for oral public testimony. Agency staff shall inform the presiding chair and any affected registered speakers prior to the meeting if time constraints may not allow some registered speakers to testify.
  - (3) The presiding chair shall take steps to ensure that individuals will be given priority over registered lobbyists. The board, without debate, may allow a person to testify for clarification and informational purposes, whether or not he/she has registered or previously testified. The person is not required to honor the request.

**§2.11. Written Testimony in Connection with Regular Board and Committee Meetings.**

- (a) Persons may file written testimony with regard to any committee or board agenda item. Any written testimony or comments shall identify the date of the meeting; the subject of the comments; the name of the author; the name of the author's organizational affiliation, if any; and indicate whether the author is a lobbyist registered with the Texas Ethics Commission.
- (b) If the written testimony is submitted at the regular board or committee meeting, twenty (20) collated or stapled copies shall be provided for distribution to board members and agency executive staff. Written testimony will not be attached to the board minutes.
- (c) Persons who were unable to attend or to testify at a committee or board meeting due to time constraints may provide twenty (20) collated or stapled copies of their testimony to agency staff for distribution to board members and agency executive staff.

**§2.12. Public Hearings.**

- (a) Types of Public Hearings.
  - (1) Hearings regarding proposed board rules. The board shall conduct a public hearing on a substantive rule if a hearing is requested by at least 25 persons, a governmental subdivision or agency, or an association having at least 25 members. Testimony is restricted to comments regarding the proposed action. The hearing must be set to take place before any action is adopted. The public hearing shall be conducted before the appropriate board committee as determined by the board chair in accordance with the areas of oversight defined in board operating rules.
  - (2) Other types of hearings. The board may also hold public hearings on proposed actions, such as those relating to adoption of Texas essential knowledge and skills and (TEKS) instructional materials issues. The public hearing shall be conducted before the appropriate board committee as determined by the board chair in accordance with the areas of oversight defined in board operating rules. Public hearings regarding the instructional materials adoption process are governed by 19 TAC §66.60. Public hearings regarding revision of the TEKS are governed by the SBOE-approved TEKS review and revision process.
- (b) Speakers shall preregister in accordance with the procedures set out in §2.10(b).
- (c) The presiding chair shall establish the procedures for conducting the public hearing. These procedures shall include, but are not limited to, the following:
  - (1) Providing for presentations from invited persons or an introduction from staff;
  - (2) Providing that preregistered speakers are heard in order of registration times and dates, or requiring alternating points of view in order of registration times and dates;
  - (3) Establishing time limits for speakers, generally two minutes each;
  - (4) Adjourning the hearing at the end of the allotted time period listed in the agenda item or any extension granted by a vote of the majority of the board or appropriate committee.
- (d) Persons who testify at a public hearing may bring twenty (20) collated or stapled copies of their testimony for distribution to board members and agency executive staff.
- (e) Persons who were unable to testify at a public hearing due to time constraints may provide twenty (20) members and agency executive staff.
- (f) Prior to the meeting, agency staff shall inform the presiding chair and shall attempt to inform any affected registered speakers if time constraints may not allow some registered speakers to testify.

**§2.13. Public Comments Regarding Proposed Rulemaking.**

All interested persons have a reasonable opportunity to submit data, views and arguments, prior to the board adoption of any rule. Public comments regarding proposed board rules may be submitted as provided in the notice of proposed rulemaking published in the *Texas Register*. The deadline for submitting public comments is 5:00 p.m. on Friday the week prior to the start of the board meeting. The board will also take registered oral and written comments on proposed rulemaking at the appropriate committee meeting.

## CHAPTER 3. TRAVEL AND EXPENSES

*The statutory citations for this chapter are the Texas Education Code, §7.105, Texas Government Code, Chapter 660, and the General Appropriations Act.*

### **§3.1. Reimbursement of Expenses.**

- (a) Members of the State Board of Education receive no salary but are reimbursed for all expenses incurred for attending regular and special meetings of the board and of board committees.
- (b) All reimbursements for expenditures shall be in accordance with Texas Education Code, §7.105(b), Texas Government Code, Chapter 660, the General Appropriations Act, and these rules.
- (c) Only expenses of board members may be reimbursed. Expenses for spouses, family, or other persons traveling with board members are not reimbursable.
- (d) Board members must submit receipts for the following expenses:
  - (1) public transportation (excluding receipts for bus, taxi, ride share services or limousine);
  - (2) car rental;
  - (3) lodging; and
  - (4) conference registration fees (which may not include banquets, books, or materials).
- (e) Lodging receipts must show the rate for single occupancy plus tax which will be the maximum reimbursable amount per day for lodging.
- (f) Receipts are not required to claim expenses for meals; however, the General Appropriations Act provides that "none of the funds appropriated under this act for travel expenses may be expended for alcoholic beverages" and no such expenses may be claimed for reimbursement.
- (g) Other official travel expenses which board members may claim include the following when the expenses are required for the conduct of state business:
  - (1) parking fees (including personal vehicles);
  - (3) notary fees for official documents; and
  - (4) wireless connection.

- (h) Board members may not claim reimbursement for expenses such as the following:
  - (1) laundry or other personal items;
  - (2) tips or gratuities of any kind; and
  - (3) alcoholic beverages.
- (i) All claims for reimbursement will be reviewed by agency accounting personnel to ensure compliance with the requirements of the appropriations act, and any appropriate adjustments to claims shall be made by staff.
- (j) A yearly budget shall be established for travel of board members. The budgeted amount would include an allotment of travel funds for board members to attend board meetings and committee meetings, and an allotment for in-district, out-of-district, and out-of-state meetings. An additional allotment shall be budgeted for travel of the chair when representing the State Board of Education at meetings. When there is a change in office during the fiscal year, the travel budget will be reassigned to the new board member.
- (k) A board member may be reimbursed for travel expenses for attending activities other than State Board of Education meetings and committee meetings provided that the board members are in compliance with the following procedures:
  - (1) In-District and Out-of-District Travel. In-district and out-of-district travel is at each member's discretion. Prior approval is not required; however, any travel for which reimbursement is requested must be directly related to the duties and responsibilities of the State Board of Education. Any requests for reimbursement, directly or indirectly related to seeking election to office, will not be allowed.
  - (2) Out-of-State Travel. Prior approval is required by the officers of the board (chair, vice chair, and secretary).
- (l) A board member may be reimbursed for travel expenses incurred while serving on any board, council, or commission or serving in any official board position as an appointee for specific administrative functions when appointed by the State Board of Education or its chair, or subject to approval of the board or its officers of the board.
- (m) None of the funds appropriated in the General Appropriations Act shall be used for influencing the outcome of any election, or the passage or defeat of any legislative measure.

**§3.2. Travel Arrangements and Hotel Reservations for State Board of Education Meetings.**

- (a) Board members shall be responsible for making their own arrangements for travel to and from board meetings. Agency travel coordinators are available for assistance.
- (b) A State Board of Education Support staff member or his/her designee will make guaranteed hotel reservations for each board member upon request.

- (c) Any change in or cancellation of reservations shall be the responsibility of the individual board member in whose name the reservations were made. Board members who wish to change or cancel their reservations must contact the hotel directly or call the State Board of Education support office. All bills received by the agency for unused or uncanceled reservations will be forwarded for payment to the board member in whose name the reservations were made.

**§3.3. Acceptance of Gifts and/or Grants for Charter School Evaluation.**

- (a) Purpose. The State Board of Education (SBOE) may accept a gift and/or grant for the limited purpose of expenses associated with evaluating an applicant for an open-enrollment charter school.

- (1) An entity making a gift and/or grant under this section may not:
  - (A) limit the use of the funds to any individual applicant, cycle or class of applicants;
  - (B) be a charter operator in this or any other state, a management company, service provider or vendor of any kind to charter schools in this or any other state;
  - (C) have common board members or corporate members with any entity operating a charter in Texas or applying to operate a charter in Texas;
  - (D) be an individual required to register as a lobbyist under Chapter 305, Government Code; or
  - (E) be an employee, attorney, contractor or other agent of any kind to charter schools in this or any other state.
- (2) An entity making a gift and/or grant under this section may not do so if the source of funds used for the gift and/or grant were received from an entity that could not make a gift and/or grant under this section.
- (3) For purposes of this section, a spouse or dependent child of an individual prohibited from making a gift and/or grant is also prohibited.
- (4) For purposes of this section, an entity includes any legal entity such as corporations, individuals and other business associations. An individual is limited to a natural person.
- (5) An entity making a gift and/or grant shall certify that it has complied with all requirements of this section in a format approved by the board chair.

- (b) Procedure. The SBOE may accept a gift and/or grant under this section only by an affirmative vote of the board.

- (1) A charter may not be evaluated using funds under this section unless the commissioner has:

- (A) proposed to award a charter to that applicant pursuant to Section 12.101(b); or
  - (B) requested the participation of individual board members in the agency's preliminary evaluation of an applicant.
- (2) The commissioner shall receive, disburse and account for funds accepted by the board.
  - (3) Funds accepted under this section may be used solely to pay reasonable travel expenses, including meals and accommodations, for SBOE members and TEA staff as necessary to evaluate applicants for open-enrollment under this section. Unless approved by the board chair and the commissioner, travel expenses are limited to those available for travel by SBOE members or state employees.
  - (4) In making decisions under this section, the board chair will consult with the board member acting as a liaison under Section 12.101(b). The board chair will also consult with the chair of the Committee on School Initiatives, unless doing so would create a quorum of a committee of the board. A decision by the board chair under this section is final.
  - (5) Board members evaluating a charter applicant under this section shall be selected by the board chair. The board chair will, to the extent possible, give preference to board members whose districts include proposed locations at which the charter would operate. Under no circumstances will a quorum of the board or a committee of the board participate in an evaluation under this section.
  - (6) The board chair may request that relevant TEA employees accompany board members in evaluating charter applicants under this section. The commissioner must approve participation of agency employees.
  - (7) Except as provided by this subsection, board members and TEA staff may not accept anything of value from an applicant and shall limit contact with the applicant and its employees and representatives to the actual investigation of the charter. The board chair may authorize acceptance of reasonable local transportation and meals from the applicant as necessary to facilitate the evaluation.
  - (8) In addition to board members and TEA staff, the board chair may authorize other professionals to participate in an evaluation under this section. Such a professional may not be an individual or entity unable to donate funds under subsection (a) and is subject to all conditions and limits imposed by this section on board members.
- (c) Evaluation. Each board member will individually report to the Committee on School Initiatives regarding his/her evaluation of a proposed charter prior to consideration of the charter by the board under §7.102(c)(9). The Committee on School Initiatives will develop a standard form for use by board members in evaluating a charter under this section.
  - (d) Reporting. Expenses reimbursed for each board member, TEA staff or other professionals shall be made publicly available and reported as appropriate on a board member's personal financial statement.



## CHAPTER 4. CONDUCT AND PUBLIC RELATIONS

*The statutory citations for this chapter are the Texas Education Code, §7.108; the Texas Government Code, §305.006, and Chapter 572, Personal Financial Disclosure, Standards of Conduct, and Conflict of Interest; and the Texas Election Code, Chapter 251, General Provisions.*

### **§4.1. Standards of Conduct and Conflicts of Interest.**

- (a) Personal interest in board actions. Whenever a board member has a financial interest in any matter to be voted upon by the board, such a member shall state at an open meeting that he or she has such an interest in the matter and shall abstain from voting and discussion concerning the matter.
- (b) The Permanent School Fund ethics policy governs the conduct of State Board of Education members with respect to the investment and management of the Permanent School Fund.

### **§4.2. Press and Public Relations.**

- (a) Prior to each State Board of Education meeting, the agenda shall be made available by agency staff to the capitol press corps; governor's office; Legislative Budget Board; Legislative Reference Library; School Land Board; Texas Higher Education Coordinating Board; regional education service centers; and state offices of professional education organizations which have requested the agenda.
- (b) A press table shall be provided at meetings of the State Board of Education and press representatives shall be supplied with copies of the official agenda for the meeting and other materials relating to specific agenda items.
- (c) The State Board of Education shall seek to maintain open relations with the press by answering reporters' questions frankly and by providing official statements through press releases and answers to follow-up inquiries.

### **§4.3. Disclosure of Campaign Contributions and Gifts.**

- (a) Any person, corporation, or other legal entity which proposes to enter into a contract with or applies for a grant, contract, or charter which may be granted by the State Board of Education shall disclose whether, at any time in the preceding four years, the person, corporation, or other legal entity has made a campaign contribution to a candidate for or member of the State Board of Education. Disclosure shall be made in writing to the commissioner of education 14 calendar days prior to consideration by the board or any committee of a contract, grant, or charter.

- (b) A person, corporation, or other legal entity which proposes to enter into a contract with or applies for a grant, contract, or charter which may be granted by the State Board of Education shall disclose in the same manner any benefit conferred on a candidate for or member of the State Board of Education during the preceding four years. A benefit need not be disclosed if the aggregate value of benefits conferred on a candidate for or a member of the State Board of Education during the preceding four years does not exceed \$250, or a different limit set by §572.023(b)(7), Texas Government Code. This requirement applies whether or not the person, corporation, or other legal entity is required to report the expenditure to the Texas Ethics Commission. For purposes of this section, a benefit is not conferred if the candidate for or a member of the State Board of Education has paid for the member's own participation, as well as any participation by other persons for the direct benefit of any business in which the member has a substantial interest as defined under Texas Government Code §572.005 (1) - (7).
- (c) In this section:
- (1) "person, corporation, or other legal entity" includes:
    - (A) any individual who would have a "substantial interest" in the person, corporation, or other legal entity as that term is defined in Texas Government Code, §572.005 (1) - (6);
    - (B) an attorney, representative, registered lobbyist, employee, or other agent who receives payment for representing the interests of the person, firm, or corporation before the board or to board members, or whose duties are directly related to the contract, grant, or charter; or
    - (C) an individual related within the first degree by affinity or consanguinity, as determined under Chapter 573, Government Code, to the person covered by (c)(1).
  - (2) "contract, grant, or charter" means any application to enter into a contractual relationship with or otherwise receive funding from the State Board of Education, including without limitation contracts for investment advisors, consultants, or investment managers for the Permanent School Fund and applicants for charters to operate open enrollment charter schools.
  - (3) "campaign contribution" has the meaning defined in Texas Election Code, §251.001.
  - (4) "benefit" has the meaning defined in Texas Penal Code, §36.01.
  - (5) "candidate for or a member of the State Board of Education" includes a person related within the first degree of affinity or consanguinity, as determined under Chapter 573, Government Code, to a candidate for or a member of the State Board of Education.
- (d) A person, corporation, or other legal entity has a continuing duty to report contributions or expenditures made through the term of a contract, grant, or charter and shall within 21 calendar days notify the commissioner of education and the board chair upon making a contribution or expenditure covered by this section.

- (e) Failure to disclose a contribution or expenditure under this section shall be grounds for canceling or revoking the contract, grant, or charter in the discretion of the board. Only those contributions or expenditures made after the effective date of this rule are required to be disclosed.
- (f) This section does not affect the validity of contracts, grants, or charters existing on its effective date but does apply to the renewal or extension of any contract, grant, or charter.
- (g) Before distributing bids or applications for a contract with the board, staff will provide any disclosure made under subsection (a) or (b) to a board member to whom the disclosure applies. A board member shall have 10 calendar days to provide a written statement relating to the disclosure for distribution along with all disclosures.
- (h) An SBOE member shall on April 15 of each year submit a list of businesses that the SBOE member has a substantial interest in as defined in Texas Government Code §572.005 (1) - (7) and all DBAs or assumed names of any such businesses. If any change occurs in the identities of businesses that an SBOE member has a substantial interest in, the SBOE member shall submit an amendment within 30 calendar days of the date of such change. A person, corporation, or other legal entity which proposes to enter into a contract with or applies for a grant, contract, or charter that may be granted by the State Board of Education shall be provided the combined list of all board members and shall disclose any campaign contribution or benefit under subsections (a) or (b) on behalf of any business in which an SBOE member has a substantial interest.

**§4.4. Instructional Materials Submitted to the Texas Resource Review.**

- (a) An SBOE member shall not nominate instructional materials for submittal to the Texas Resource Review without a majority vote of the board endorsing said nomination.

## CHAPTER 5. RULES AND THE RULEMAKING PROCESS

*The statutory citation for this chapter is the Texas Government Code, Chapter 2001, Subchapter B; Texas Government Code, Chapter 2002, Subchapter B; Texas Education Code, §7.102(e)-(f).*

### **§5.1. State Board of Education Rules.**

- (a) An action of the board to adopt a rule under the Texas Education Code is effective only if the rule's preamble published in the *Texas Register* includes a statement of the specified statutory authority contained in the Texas Education Code to adopt the rule.
- (b) Rules submitted to the Office of the Secretary of State for publication in the *Texas Register* shall conform to requirements promulgated by the Secretary of State.

### **§5.2. Adoption, Amendment, and Repeal of State Board of Education Rules.**

- (a) Proposed new rules, amendments, and repeals must appear on the agenda for discussion at one board meeting and for action at two subsequent board meetings as First Reading and Second Reading, unless a departure from this rulemaking process is approved by the board.
- (b) Each member of the board shall receive copies of the preliminary and official board meeting agendas containing all proposed new rules, amendments, or repeals to be considered.
- (c) The board can take action only if the rule is posted for action in the official notice of the meeting that is published in the *Texas Register*. The commissioner is authorized to file information with the Secretary of State to comply with the requirements of Texas Government Code, Chapter 2001, Subchapter B; and Texas Government Code, Chapter 2002, Subchapter B, regarding adoption of rules.
  - (1) **First Reading and Filing Authorization.** The board can authorize the commissioner to file a proposed new rule, amendment, or repeal with the Secretary of State for publication in the *Texas Register* as it appears in the agenda or with changes to the material presented in the agenda.
  - (2) **Second Reading and Final Adoption.** If the public comment period after filing the proposal with the Secretary of State has elapsed, the board can adopt a new rule, amendment, or repeal. If a board committee determines that a substantial revision of the material presented in the agenda shall be considered, the board shall not take final action before the next board meeting.
  - (3) **Withdrawal.** The board can authorize the commissioner to withdraw a proposed new rule, amendment, or repeal that was previously filed with the Secretary of State.
  - (4) **Refiling.** The board can authorize the commissioner to withdraw and refile a proposed new rule or amendment that was previously filed with the Secretary of State if there are substantive changes from the original filing.

- (d) The board can authorize the commissioner to conduct a public hearing on behalf of the State Board of Education concerning board rules. The public hearing shall be transcribed and the transcript made available for review by board members.
- (e) Except as otherwise provided by law, a rule does not take effect until the beginning of the school year that begins at least 90 days after the date of the rule adoption.
- (f) A rule may take effect earlier than the date set forth in subsection (e) if the rule's preamble specified an earlier date with the reason for the earlier date and:
  - (1) the earlier effective date is a requirement of:
    - (A) a federal law, or
    - (B) a state law that specifically refers to Texas Education Code §7.102 and expressly requires the adoption of an earlier effective date; or
  - (2) on an affirmative vote of two-thirds of the members of the board, the board makes a finding that an earlier effective date is necessary.

**§5.3. Emergency Rules.**

The board may adopt emergency rules without prior notice or hearing. Conditions under which emergency rules can be adopted and the periods for which they are effective are governed by Texas Government Code §2001.034. The board shall also comply with the requirements of Section 5.2(f) of these rules and the notice of emergency meeting requirements in Texas Government Code, §551.045. Emergency rules will be placed on a board agenda for adoption as a permanent rule.

**§5.4. Filing Non-Substantive Rule Corrections with the Secretary of State.**

The commissioner may approve and file with the Secretary of State non-substantive corrections to State Board of Education rules. Non-substantive rule corrections may only include typographical, grammatical, referencing, or spelling errors and technical edits to comply with *Texas Register* style and format requirements. The commissioner will provide a mark-up of any such corrections to the board.

**§5.5. Rulemaking Authority.**

Except for rules adopted under §5.4 of these rules (relating to Filing Non-Substantive Rule Corrections with the Secretary of State), or other exceptions specifically authorized by the board, all rules of the State Board of Education shall be approved by the State Board of Education.

**§5.6. Review of the State Board of Education Rules.**

In accordance with Texas Government Code, §2001.039, the State Board of Education shall review its rules every four years to assure that statutory authority for the rules continues to exist. If necessary, proposed amendments will be brought to the board following the procedure described in §5.2 of these rules

**§5.7. Filing of Amendments.**

A member wishing to amend any Texas Essential Knowledge and Skills (TEKS) being considered by the board for second reading and final adoption shall submit the amendment in writing to the staff no later than noon on the day prior to the final vote on the adoption of the TEKS. All amendments shall be made available to the public to the extent possible. This rule may be suspended by a two-thirds vote.

## CHAPTER 6. ADVISORY GROUPS

*The statutory citations for this chapter are the Texas Education Code, §§7.102(b), 29.254, 32.034, and 61.077.*

### **§6.1. General Provisions.**

- (a) The State Board of Education may establish a Committee of Investment Advisors (CIA) to the Permanent School Fund and approve all selected appointments. The CIA shall be composed of not more than 15 members, one appointed by each State Board of Education member, who each have considerable institutional investment expertise and are free from conflicts of interest. The CIA member will closely advise the individual State Board of Education member who appointed the member on all matters relative to the management of the Permanent School Fund as necessary. The CIA may meet in person or via conference call or telephone conference as needed. Duties and responsibilities of the CIA are within the *Texas Permanent School Fund - Investment Procedures Manual*, Section A.2.
- (b) If the board does not establish a CIA, nothing shall prevent a board member from selecting and working with an investment advisor in a manner consistent with federal and state laws and the Investment Procedures Manual.
- (c) Content advisors and work group members will be selected in accordance with the TEKS Review and Revision Process.

## CHAPTER 7. NOMINATIONS FOR GUBERNATORIAL APPOINTMENTS

*The statutory citations for this chapter are the Texas Government Code, §651.009(a) and §825.003, and Texas Natural Resources Code, §32.012.*

### **§7.1. Gubernatorial Appointments.**

Pursuant to statute, the State Board of Education shall submit to the Governor lists of citizens from which appointments are to be made for the boards described in this section: Teacher Retirement System Board of Trustees and School Land Board.

### **§7.2. Timelines.**

The Chair and/or his or her designee shall work collaboratively with staff and the Governor's Appointments Office to establish appropriate timelines for the placement on the agenda to meet appointment timelines and that proper criteria is applied by the State Board of Education.

### **§7.3. Nominee Selection.**

The board shall select nominees in such a manner as to facilitate adherence to diversity of appointments: "In each case in which the governing body of a state board, commission, or other state agency that has statewide jurisdiction is appointed by the governor or another appointing authority, the governor or appointing authority shall ensure that, to the extent possible, the membership of the governing body reflects the racial, ethnic, and geographic diversity of this state." (§651.009(a), Government Code)

### **§7.4. Teacher Retirement System.**

The Governor shall appoint two members of the TRS board of trustees, subject to confirmation by two-thirds of the senate, from lists of nominees submitted by the State Board of Education. These persons must be persons who have demonstrated financial expertise, have worked in private business or industry, and have broad investment experience preferably in investment of pension funds (Government Code §825.003). The board selection process shall be as follows:

- (a) Each member shall be entitled to nominate one person who meets the criteria described in this section.
- (b) The Committee on School Finance/Permanent School Fund shall adopt an evaluation process using the criteria described in this rule, subject to approval of the board, and engage an impartial third party to evaluate candidates submitted by members.
- (c) The Committee shall recommend to the full board a slate of candidates for adoption. The list of nominees is subject to amendment by the board, but the final list must comply with statutory requirements.

### **§7.5. School Land Board.**

The Governor shall appoint two members of the School Land Board, subject to confirmation by the senate, from lists of candidates submitted by the State Board of Education. One of the



members appointed by the governor must be a resident of a county with a population of less than 200,000.

- (a) The School Land Board duties as described in the Texas Natural Resources Code (§§32.061, 51.011, 51.413) are:
  - (1) manage and control any land, mineral or royalty interest, real estate investment, or other interest, including revenue received from those sources, that is set apart to the permanent school fund together with the mineral estate in riverbeds, channels, and the tidelands, including islands;
  - (2) acquire, sell, lease, trade, improve, maintain, protect, or otherwise manage, control, or use land, mineral and royalty interests, real estate investments, or other interests, including revenue received from those sources, that are set apart to the permanent school fund in any manner, at such prices, and under such terms and conditions as the board finds to be in the best interest of the fund;
  - (3) consult with the president, chairman, or other head of the department, board, or agency, as applicable, or with the representative of the head, on each matter before the board that affects land owned or held in trust for the use and benefit of a department, board, or agency of the state; and,
  - (4) make determinations as to the release of any funds to the available school fund or to the State Board of Education for investment in the permanent school fund.
- (b) Each member shall be entitled to nominate one person who meets the criteria described in this section.
- (c) The Committee on School Finance/Permanent School Fund shall adopt an evaluation process using the criteria described in this rule, subject to approval of the board, and engage an impartial third party to evaluate candidates submitted by members.
- (d) The Committee shall recommend to the full board a slate of candidates for adoption. The list of nominees is subject to amendment by the board, but the final list must comply with statutory requirements.

**§7.6. Rules and Procedures.**

The board may adopt additional rules and procedures related to these selection processes.

**Texas Permanent School Fund**  
**Asset Allocation Mix - SBOE**  
**April 30, 2022**

<u>Asset Class</u>	<u>Portfolio</u>	<u>Book Value</u>	<u>Mix</u>	<u>Fair Value</u>	<u>Mix</u>
Equity	Domestic Small-Mid Cap	\$ 1,571,086,222	5.19%	\$ 2,241,634,226	5.61%
	Domestic Large Cap	1,795,293,355	5.92%	4,606,269,565	11.56%
	Total Domestic Equity	3,366,379,577	11.11%	6,847,903,791	17.17%
	International Equity - Blackrock	4,338,675,028	14.30%	5,742,564,197	14.42%
	Emerging Market Equity - Navarro	820,737,541	2.70%	1,074,147,316	2.70%
	Total Public Market Equity	8,525,792,146	28.11%	13,664,615,304	34.29%
Fixed Income	Domestic Fixed Income	5,068,946,465	16.70%	4,587,333,371	11.52%
	Treasuries	1,471,592,801	4.85%	1,099,769,433	2.76%
	Chisos1 High Yield	287,226,770	0.95%	265,055,848	0.67%
	Chisos2 High Yield	288,433,321	0.95%	266,887,167	0.67%
	Total High Yield	575,660,091	1.90%	531,943,015	1.34%
	Investec Emerging Market Debt	1,335,989,885	4.40%	1,251,977,272	3.14%
	Ashmore Emerging Market Debt	1,347,172,173	4.44%	1,190,444,987	2.99%
	Total Emerging Market Debt	2,683,162,058	8.84%	2,442,422,259	6.13%
	Total Fixed Income	9,799,361,415	32.29%	8,661,468,078	21.75%
Absolute Return	Raven 1	609,920,655	2.01%	1,021,997,995	2.57%
	Raven 4	317,058,880	1.04%	557,712,039	1.40%
	Raven 6	281,564,719	0.93%	433,907,573	1.09%
	Raven 7	164,981,684	0.54%	260,484,067	0.65%
	Raven 8	688,679,905	2.27%	821,255,420	2.06%
	Total Absolute Return	2,062,205,843	6.79%	3,095,357,094	7.77%
Private Equity	Columbia NB Crossroads Fund L.P.	195,965,645	0.65%	244,907,861	0.61%
	Columbia NB Crossroads Fund II L.P.	283,691,337	0.93%	447,723,848	1.12%
	Columbia NB Crossroads Fund II Tranche C	657,233,946	2.17%	1,249,516,747	3.14%
	Columbia NB Crossroads Fund II Tranche D	1,079,708,702	3.56%	1,715,641,578	4.31%
	TPSF NB PE Program	731,920,952	2.41%	1,578,352,000	3.96%
	Private Equity Direct	1,863,959,022	6.14%	2,933,118,813	7.36%
	Columbia CS Fund, L.P.	145,149,802	0.48%	230,478,124	0.58%
	Total Private Equity	4,957,629,406	16.34%	8,399,738,971	21.08%
Emerging Managers	Private Equity Emerging Manager	7,987,406	0.03%	7,987,406	0.02%
	Total Emerging Managers	7,987,406	0.03%	7,987,406	0.02%
Real Estate	Direct Real Estate Investments	3,089,138,084	10.18%	4,107,995,012	10.31%
	Total Real Estate	3,089,138,084	10.18%	4,107,995,012	10.31%
Real Return	Real Return - TIPS	1,151,741,958	3.79%	1,138,166,518	2.86%
	Real Return Commodities - Terlingua 3	456,380,716	1.50%	460,029,269	1.15%
	Total Real Return	1,608,122,674	5.29%	1,598,195,787	4.01%
Total Unallocated Cash		298,824,961	0.97%	298,824,961	0.77%
Fund Total		30,349,061,935	100.00%	39,834,182,613	100.00%

Notes: The asset classes include cash that has been allocated to the investment portfolios.  
Exposure includes fair value of funded investments plus unfunded commitments.

<u>Exposure:</u>	Total Private Equity Exposure and Percentage of Fund Total Fair Value	10,796,647,560	27.10%
	Total Real Estate Exposure and Percentage of Fund Total Fair Value	6,194,173,951	15.55%
	Total Emerging Manager Private Equity and Percentage of Fund Total Fair Value	300,000,000	0.75%
	Total Emerging Manager Real Estate and Percentage of Fund Total Fair Value	150,000,000	0.377%

Current State Board of Education approved Strategic Asset Allocation Mix (approved July 2, 2020)

Large Cap U.S. Equity			
Small/Mid Cap U.S. Equity			
Developed and Emerging Market International Large Cap Equity	14.00%	U.S. Treasuries	3.00%
Emerging Market Equity	6.00%	Absolute Return	7.00%
Core Bonds	14.00%	Private Equity	15.00%
High Yield Bonds	3.00%	Real Estate	11.00%
Emerging Market Debt (Local Currency)	12.00%	Emerging Manager Program	1.00%
	3.00%	Real Return (Commodities)	1.00%
	7.00%	Real Return (TIPS)	3.00%
			100.00%

## 2021-2025 Rule Review Plan for State Board of Education Rules

### STATE BOARD OF EDUCATION: INFORMATION

**SUMMARY:** This item outlines the rule review plan for State Board of Education (SBOE) rules during the period of September 2021 through August 2025. Texas Government Code (TGC), §2001.039, requires an ongoing four-year rule review of existing state agency rules, including SBOE rules. The rule review requirement in TGC, §2001.039, is designed to ensure that the reason for initially adopting or readopting a rule continues to exist.

**BACKGROUND INFORMATION AND JUSTIFICATION:** Senate Bill 178, 76th Texas Legislature, 1999, amended the TGC by adding §2001.039, which requires the review of existing state agency rules. The rule review requirement in TGC, §2001.039, is designed to ensure that the reason for adopting or readopting the rule continues to exist.

The 2021-2025 SBOE rule review plan reflected in Attachment I repeats the cycle of review that was conducted during the 2017-2021 SBOE rule review period with the addition of new rules that took effect subsequent to the adoption of that plan and the removal of rules that were repealed. The 2021-2025 plan, approved by the SBOE in June 2021, is the seventh rule review cycle of SBOE rules. In accordance with Texas Education Code, §28.002(m), and as was the case with previous rule review plans, the Texas Essential Knowledge and Skills (TEKS) are exempt from the rule review requirement and are not included in the 2021-2025 rule review plan. Although the TEKS will not be reviewed as part of the rule review process, the SBOE conducts a review of the curriculum content on a schedule determined by the SBOE.

The 2021-2025 rule review plan for SBOE rules will appear on an ongoing basis in the information pages of the SBOE agenda. Any necessary modifications to the plan will also appear in the information pages of the SBOE agenda. The rule review plan will also be posted on the agency's website and updated if necessary.

*Rule Review Procedures.* Secretary of State rules specify the following two-step review process to implement the rule review requirement in TGC, §2001.039:

1. a Notice of Proposed Review (Intention to review) that announces a public comment period for comments on whether the reason for adopting or readopting the rules continues to exist (see example in Attachment II); and
2. a Notice of Adopted Review (Readoption) that summarizes the public comments received, if any, in response to the notice of proposed review and provides a response to each comment (see examples in Attachment II).

The rule review process for SBOE rules is illustrated in this item using three examples that present the following points: (1) if no amendments are recommended to rules under review, the item presenting the adoption of the review will complete the rule review process and no further action will be necessary; and (2) if amendments are recommended to rules under review, the item presenting the adoption of the review will complete the rule review process and the amendments will be presented as a separate item under the standard rulemaking process.

**Example 1. Rule Review with No Changes**

January SBOE Meeting	SBOE Committee (discussion)	Discussion item that briefly describes the rule and specifies that no changes are being recommended.
	Texas Register	After the SBOE meeting, staff files Notice of Proposed Review (see Attachment II).
April SBOE Meeting	SBOE Committee and Full SBOE	Action item that presents a summary of comments received, if any, from Notice of Proposed Review. The SBOE authorizes filing the Notice of Adopted Review, noting that no changes are being proposed to the rule as a result of the review.
	Texas Register	After the SBOE meeting, staff files Notice of Adopted Review that states the rule will continue to exist without changes (see Attachment II).
END OF REVIEW PROCESS (no item at June SBOE Meeting)		

**Example 2. Rule Review with Changes**

January SBOE Meeting	SBOE Committee (discussion)	Discussion item that briefly describes the rule, outlines issues to be considered, and specifies anticipated changes to the rule.
	Texas Register	After the SBOE meeting, staff files Notice of Proposed Review (see Attachment II).
April SBOE Meeting	SBOE Committee and Full SBOE (first reading)	Separate action items are included in the agenda: one that presents comments received, if any, from Notice of Proposed Review and one that provides the SBOE the opportunity to propose amendments. The SBOE authorizes filing the Notice of Adopted Review and approves the proposed amendments for first reading and filing authorization.
	Texas Register	After the SBOE meeting, staff files proposed amendments and the Notice of Adopted Review that states the rule will continue to exist and changes are being proposed (see Attachment II).
END OF REVIEW PROCESS		
June SBOE Meeting	SBOE Committee and Full SBOE (second reading)	Action item that presents the proposed amendments for second reading and final adoption. Item includes a summary of comments, if any, on proposed amendments.
	Texas Register	After the SBOE meeting, staff files adopted amendments.
END OF AMENDMENT PROCESS		

**Example 3. Repeal of Rule under Review**

January SBOE Meeting	SBOE Committee (first reading)	Action item that presents the proposed repeal of rule. SBOE approves proposed repeal for first reading and filing authorization.
	Texas Register	After the SBOE meeting, staff files proposed repeal. No Notice of Proposed Review required for repeals.
April SBOE Meeting	SBOE Committee and Full SBOE (second reading)	Action item that presents the proposed repeal of rule for second reading and final adoption.
	Texas Register	After the SBOE meeting, staff files adopted repeal.
END OF REPEAL PROCESS		

**Staff Members Responsible:**

Cristina De La Fuente-Valadez, Director, Rulemaking

Lynette Smith, Program Specialist, Rulemaking

**Attachment I:**

2021-2025 Rule Review Plan for State Board of Education Rules

**Attachment II:**

Sample Notices of Proposed Review and Adopted Review

**ATTACHMENT I**

**2021-2025 Rule Review Plan for State Board of Education Rules**  
*(Approved June 25, 2021)*

*Texas Government Code, §2001.039, requires a four-year rule review cycle for all state agency rules, including State Board of Education (SBOE) rules. The rule review is designed to ensure that the reason for adopting or readopting the rule continues to exist. It only includes rules currently in effect at the time the plan is adopted.*

*Texas Education Code, §28.002(m), exempts the Texas Essential Knowledge and Skills (TEKS) from the rule review requirement; accordingly, this rule review plan does not include the rule chapters for the TEKS. Although the rules will not be reviewed as part of the rule review process, the SBOE conducts a review of the TEKS on a schedule determined by the SBOE.*

<b>Review Period: September 2021–August 2022</b>			
<b>Chapter Title</b>	<b>Subchapter Title</b>	<b>Topic</b>	<b>Begin Review</b>
<b>Chapter 74. Curriculum Requirements</b>	<i>Subchapter A. Required Curriculum</i>	Curriculum	September 2021
	<i>Subchapter B. Graduation Requirements</i>		
	<i>Subchapter C. Other Provisions</i>		
	<i>Subchapter D. Graduation Requirements, Beginning with School Year 2001-2002</i>		
	<i>Subchapter E. Graduation Requirements, Beginning with School Year 2004-2005</i>		
	<i>Subchapter F. Graduation Requirements, Beginning with School Year 2007-2008</i>		
	<i>Subchapter G. Graduation Requirements, Beginning with School Year 2012-2013</i>		
<b>Chapter 89. Adaptations for Special Populations</b>	<i>Subchapter A. Gifted/Talented Education</i>	Special Populations	January 2022
	<i>Subchapter C. Texas Certificate of High School Equivalency</i>		
	<i>Subchapter D. Special Education Services and Settings</i>		
<b>Chapter 61. School Districts</b>	<i>Subchapter A. Board of Trustees Relationship</i>	Administration	April 2022
	<i>Subchapter B. Special Purpose School Districts</i>		

<b>Review Period: September 2022–August 2023</b>			
<b>Chapter Title</b>	<b>Subchapter Title</b>	<b>Topic</b>	<b>Begin Review</b>
<b>Chapter 129. Student Attendance</b>	<i>Subchapter A. Student Attendance Allowed</i>	Finance	January 2023
	<i>Subchapter B. Student Attendance Accounting</i>		
<b>Chapter 157. Hearings and Appeals</b>	<i>Subchapter A. General Provisions for Hearings Before the State Board of Education</i>	Personnel	January 2023
	<i>Subchapter D. Independent Hearing Examiners</i>		

<b>Review Period: September 2023–August 2024</b>			
<b>Chapter Title</b>	<b>Subchapter Title</b>	<b>Topic</b>	<b>Begin Review</b>
<b>Chapter 33. Statement of Investment Objectives, Policies, and Guidelines of the Texas Permanent School Fund</b>	<i>Subchapter A. State Board of Education Rules</i>	Finance	September 2023
<b>Chapter 66. State Adoption and Distribution of Instructional Materials</b>	<i>Subchapter A. General Provisions</i>	Instructional Materials	November 2023
	<i>Subchapter B. State Adoption of Instructional Materials</i>		
	<i>Subchapter C. Local Operations</i>		
<b>Chapter 100. Charters</b>	<i>Subchapter A. Open-Enrollment Charter Schools</i>	Charter Schools	January 2024
	<i>Subchapter B. Home-Rule School District Charters</i>		

<b>Review Period: September 2024–August 2025</b>			
<b>Chapter Title</b>	<b>Subchapter Title</b>	<b>Topic</b>	<b>Begin Review</b>
<b>Chapter 30. Administration</b>	<i>Subchapter A. State Board of Education: General Provisions</i>	Administration	November 2024
	<i>Subchapter B. State Board of Education: Purchasing and Contracts</i>		
<b>Chapter 101. Assessment</b>	<i>Subchapter A. General Provisions</i>	Assessment	January 2025
	<i>Subchapter B. Implementation of Assessments</i>		
	<i>Subchapter C. Local Option</i>		
<b>Chapter 109. Budgeting, Accounting, and Auditing</b>	<i>Subchapter A. Budgeting, Accounting, Financial Reporting, and Auditing for School Districts</i>	Finance	January 2025
	<i>Subchapter B. Texas Education Agency Audit Functions</i>		
	<i>Subchapter C. Adoptions by Reference</i>		
	<i>Subchapter D. Uniform Bank Bid or Request for Proposal and Depository Contract</i>		



# SAMPLES

## Attachment II

### **Notice of Proposed Review (Intention to review)**

The State Board of Education (SBOE) proposes the review of 19 Texas Administrative Code (TAC) Chapter 30, Administration, pursuant to Texas Government Code (TGC), §2001.039. The rules being reviewed by the SBOE in 19 TAC Chapter 30 are organized under the following subchapters: Subchapter A, State Board of Education: General Provisions, and Subchapter B, State Board of Education: Purchasing and Contracts.

As required by TGC, §2001.039, the SBOE will accept comments as to whether the reasons for adopting 19 TAC Chapter 30, Subchapters A and B, continue to exist.

The public comment period on the review begins December 18, 2020, and ends at 5:00 p.m. on January 22, 2021. A form for submitting public comments on the proposed rule review is available on the TEA website at [https://tea.texas.gov/About\\_TEA/Laws\\_and\\_Rules/SBOE\\_Rules\\_\(TAC\)/State\\_Board\\_of\\_Education\\_Rule\\_Review](https://tea.texas.gov/About_TEA/Laws_and_Rules/SBOE_Rules_(TAC)/State_Board_of_Education_Rule_Review). The SBOE will take registered oral and written comments on the review at the appropriate committee meeting in January 2021 in accordance with the SBOE board operating policies and procedures.

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### **Notice of Adopted Review (with no changes to rule) (Readoption)**

The State Board of Education (SBOE) adopts the review of 19 Texas Administrative Code (TAC) Chapter 30, Administration, pursuant to Texas Government Code, §2001.039. The rules in 19 TAC Chapter 30 are organized under the following subchapters: Subchapter A, State Board of Education: General Provisions, and Subchapter B, State Board of Education: Purchasing and Contracts. The SBOE proposed the review of 19 TAC Chapter 30, Subchapters A and B, in the December 18, 2020 issue of the *Texas Register* (45 TexReg 9253).

The SBOE finds that the reasons for adopting 19 TAC Chapter 30, Subchapters A and B, continue to exist and readopts the rules. The SBOE received no comments related to the review.

No changes are necessary as a result of the review.

**Notice of Adopted Review (with changes to rule)  
(Readoption with changes)**

The State Board of Education (SBOE) adopts the review of 19 Texas Administrative Code (TAC) Chapter 30, Administration, pursuant to Texas Government Code (TGC), §2001.039. The rules in 19 TAC Chapter 30 are organized under the following subchapters: Subchapter A, State Board of Education: General Provisions, and Subchapter B, State Board of Education: Purchasing and Contracts. The SBOE proposed the review of 19 TAC Chapter 30, Subchapters A and B, in the December 18, 2020 issue of the *Texas Register* (45 TexReg 9253).

Relating to the review of 19 TAC Chapter 30, Subchapter A, the SBOE finds that the reasons for adopting Subchapter A continue to exist and readopts the rule. The SBOE received no comments related to the review of Subchapter A. As a result of the review, the SBOE approved a proposed amendment to 19 TAC §30.1, which can be found in the Proposed Rules section of this issue. The proposed amendment would update the SBOE petition procedures to allow for electronic submission of a petition authorized under TGC, §2001.021.

Relating to the review of 19 TAC Chapter 30, Subchapter B, the SBOE finds that the reasons for adopting Subchapter B continue to exist and readopts the rules. The SBOE received no comments related to the review of Subchapter B. No changes are necessary as a result of the review.

**Review of Annual Audit Plan of the Division of Financial Compliance  
for 2022-2023 School Year**

**June 17, 2022**

**STATE BOARD OF EDUCATION: INFORMATION**

**SUMMARY:** This item covers the annual audit plan of the Division of Financial Compliance for the 2022-2023 school year for field and independent financial reviews as specifically described in 19 TAC Chapter 109, Texas Education Agency Audit Functions, §109.21, Annual Audit Plan.

**BACKGROUND INFORMATION AND JUSTIFICATION:** Title 19 Texas Administrative Code §109.21 requires the commissioner of education to annually submit, for review of the Committee on School Finance/Permanent School Fund, an audit plan for field and independent financial reviews. The commissioner may amend the plan as needed.

**Staff Member Responsible:**

David Marx, Director, Financial Compliance

**Attachment:**

Audit Plan of the Division of Financial Compliance for 2022-2023 School Year

## Audit Plan for the 2022-2023 School Year

*The commissioner of education shall submit an annual audit plan for field and independent audits for review of the designated committee of the State Board of Education. The plan may be amended as needed by the commissioner of education. The designated committee of the State Board of Education shall be informed at least annually by the commissioner of education on the progress of and amendments to the plan.*

*Texas Administrative Code §109.21; Texas Education Code, §44.001*

This required audit plan is submitted by the Division of Financial Compliance. It includes the division's functional work responsibilities, which primarily are reviews of student attendance data, annual financial and compliance reports, fiscal management reviews, certified public accountant work paper reviews, school health and related services, and special allotment reviews.

### **Audit Plan Items:**

- 1. Reviews of Student Attendance Data**
- 2. Reviews of Annual Financial and Compliance Reports**
- 3. Reviews of Certified Public Accountant Work Papers**
- 4. Follow-up and Fiscal Management Reviews**
- 5. Special Allotment Expenditure Reviews**
- 6. School Health and Related Services**
- 7. Additional Reviews**

## Audit Plan

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1. **Reviews of Student Attendance** – The Division of Financial Compliance will review the student attendance systems and processes of selected school districts and open-enrollment charter schools to determine compliance with the *Student Attendance Accounting Handbook* (SAAH).
  - a. Reviews will be based on a risk assessment and available resources.
  - b. The division will forward adjustments to Foundation School Program (FSP) funds to the State Funding Division for enforcement actions. The division will report issues of noncompliance to the appropriate division.
  - c. Projected Number of Reviews: 100-125

### Primary Authorizing Rules:

Section 2.1 of the SAAH (adopted by reference in 19 Texas Administrative Code [TAC] §129.1025):

Your district must make available and provide to the Financial Compliance Division of the TEA copies of all required attendance records within 20 working days of written request by the agency.

19 TAC §129.21(a):

All public schools in Texas must maintain records to reflect the average daily attendance (ADA) for the allocation of Foundation School Program (FSP) funds and other funds allocated by the Texas Education Agency (TEA). Superintendents, principals, and teachers are responsible to their school boards and to the state to maintain accurate, current attendance records.

19 TAC §100.1029(a):

Agency authority. The Texas Education Agency (TEA) may conduct routine audits, monitoring, and other investigations of the charter school or charter holder to determine compliance with the terms of the open-enrollment charter, with the terms of federal or state grants, or as authorized in the Texas Education Code (TEC) or other law.

### Additional Authorizing Rules:

19 TAC §129.21(d); Section 1.5 of the SAAH (19 TAC §129.1025)

2. **Reviews of Annual Financial and Compliance Reports (AFRs)** – The division will review the AFRs that all school districts, open-enrollment charter schools, and regional education service centers (local education agencies [LEAs]) are required to submit. The division will conduct reviews to verify that recipients (both LEAs and non-LEAs) of federal funds over a certain threshold have had an independent audit conducted, as required for compliance with Office of Management and Budget (OMB) Circular 2-Code of Federal Regulations (CFR) 200.
  - a. The division will review all independently audited AFRs, including associated reports such as single audits, reports on internal control over compliance, and electronically submitted information.
  - b. The division will:
    - i. report issues of noncompliance to the individual school district or charter school,
    - ii. report questioned costs noted by the independent auditor to the Division of Federal Fiscal Compliance and Reporting for enforcement action, and
    - iii. report issues of noncompliance noted by the independent auditor to the appropriate division or state or federal agency, if applicable.
  - c. Projected Number of Reviews: 1,200

Primary Authorizing Statutes and Rules:

TEC, §44.008(a) and (e) (excerpts):

- (a) The board of school trustees of each school district shall have its school district fiscal accounts audited annually at district expense by a certified or public accountant holding a permit from the Texas State Board of Public Accountancy.
- (e) The audit reports shall be reviewed by the agency, and the commissioner shall notify the board of trustees of objections, violations of sound accounting practices or law and regulation requirements, or of recommendations concerning the audit reports that the commissioner wants to make.

Title 2 CFR §200.331(d):

- (d) Monitor the activities of the subrecipient as necessary to ensure that the subaward is used for authorized purposes, in compliance with Federal statutes, regulations, and the terms and conditions of the subaward; and that subaward performance goals are achieved.

19 TAC §109.23(c) (excerpt):

Auditors from the Texas Education Agency must review independent audit reports.

Additional Authorizing Statutes and Rules: TEC, §§ 44.001, 44.007(d), 44.009(a), and 44.010; Sections 4.2.3 and 4.2.7 of the FASRG (19 TAC §109.41); 19 TAC §109.1 and §109.25(c)

3. **Reviews of Certified Public Accountant (CPA) Work Papers** – The division will review the work papers of independent auditors engaged by school districts, open-enrollment charter schools, and regional education service centers to determine whether the independent auditors complied with applicable standards.

- a. Reviews will be based on a risk assessment and available resources.
- b. The division will report issues of noncompliance to the Texas State Board of Public Accountancy.
- c. Projected Number of Reviews: 5-10

Primary Authorizing Statute:

TEC, §44.008(a) (excerpt):

The board of school trustees of each school district shall have its school district fiscal accounts audited annually at district expense by a certified or public accountant holding a permit from the Texas State Board of Public Accountancy.

19 TAC §109.23(c) (excerpt):

Auditors from the Texas Education Agency must review independent audit reports.

19 TAC §109.23(e) (excerpt):

If at any time the TEA division responsible for financial compliance reviews an audit firm's working papers . . . .

Additional Authorizing Statutes and Rules:

TEC, §44.007(a) and §44.008(b); Sections 4.2.3 and 4.2.6 of the FASRG (19 TAC §109.41); 19 TAC §109.1(a) and §109.23(c).

4. **Follow-up and Fiscal Management and Compliance Reviews** – The division will review the business office procedures and internal controls of school districts and open-enrollment charter schools for compliance with the FASRG, generally accepted accounting principles, and best practices. Reviews will include verifying that school districts and charter schools have corrected problems that are identified in AFR findings and FIRST indicators.
- a. Reviews will be based on a risk assessment and available resources.
  - b. The division will report issues of noncompliance to the individual school district or charter school and the appropriate division or state or federal agency, if applicable.
  - c. Projected Number of Reviews: 10-20

Primary Authorizing Statute:

TEC, §44.008(a) (excerpt):

The board of school trustees of each school district shall have its school district fiscal accounts audited annually at district expense by a certified or public accountant holding a permit from the Texas State Board of Public Accountancy.

TEC, §7.021(a)(13):

The agency shall review school district budgets, audit reports, and other fiscal reports as required under Sections 44.008 and 44.010 and prescribe forms for financial reports made by or for school districts to the commissioner or the agency as required under Section 44.009.

19 TAC §100.1029(a):

Agency authority. The Texas Education Agency (TEA) may conduct routine audits, monitoring, and other investigations of the charter school or charter holder to determine compliance with the terms of the open-enrollment charter, with the terms of federal or state grants, or as authorized in the Texas Education Code (TEC) or other law.

5. **Special Allotment Expenditure Reviews** - The division will review the expenditure levels for FSP programs, including special education, state compensatory education, bilingual education, gifted and talented education, career and technical education, early education, dyslexia education, and college, career and military readiness education, to determine whether a school district or charter school has complied with state laws and rules.
  - a. Reviews will be based on a risk assessment and available resources.
  - b. The division will report issues of noncompliance to the individual school district or charter school and to the appropriate division or state or federal agency, if applicable.
  - c. Projected Number of Reviews: 5

Primary Authorizing Statute:

TEC, §44.008(a) and (e) (excerpts):

- (a) The board of school trustees of each school district shall have its school district fiscal accounts audited annually at district expense by a certified or public accountant holding a permit from the Texas State Board of Public Accountancy.
- (e) The audit reports shall be reviewed by the agency, and the commissioner shall notify the board of trustees of objections, violations of sound accounting practices or law and regulation requirements, or of recommendations concerning the audit reports that the commissioner wants to make.

19 TAC §109.25(a) (excerpt):

The commissioner of education shall ensure that districts follow guidelines contained in the "Financial Accountability System Resource Guide" in attributing supplemental direct costs to state compensatory education and accelerated instruction programs and services.

Additional Authorizing Statutes and Rules:

TEC, §§39.234, 48.102, 48.103, 48.104, 48.105, 48.106, 48.108, 48.109, 48.110; 19 TAC §§109.23(b) and (c), and 109.25



6. **School Health and Related Services** – The division will review documentation that supports the submission by school districts and charter schools of certain costs for reimbursement by Medicaid that the school or charter school provided to students who have additional needs. Documentation also should show that the program is in compliance with federal and state law.
- a. The program is operated within a Memorandum of Understanding with Texas Health and Human Services Commission (HHSC).
  - b. Reviews will be based on a risk assessment that determines who receives a review.
  - c. The division reports its findings to both the district and HHSC.
  - d. Projected Number of Reviews: 0-5

Primary Authorizing Statute:

Texas Government Code §531.021(a) and (b) (excerpts):

- (a) The commission is the state agency to administer the federal Medicaid funds.
- (b) The commission shall: (1) plan and direct Medicaid in each agency that operates a portion of Medicaid, including the management of the Medicaid managed care system and the development, procurement, management, and monitoring of contracts necessary to implement the Medicaid managed care system ....

Memorandum of Understanding with HHSC Section III, Part F (excerpt):

F. TEA has the primary responsibility for program compliance monitoring. TEA will develop self-monitoring tools and procedures for providers, with HHSC input and approval. TEA agrees to conduct compliance monitoring desk reviews each quarter and onsite compliance reviews as necessary based on risk-based assessment. TEA will share the results of these desk reviews and onsite audits with HHSC.

7. **Additional Reviews Performed by the Division of Financial Compliance** – These reviews do not fall under the “field and independent audits” specified in 19 TAC §109.21.
- **Superintendent Severance Payments** – On receiving a school district’s disclosure of a severance payment to a superintendent, the division will review the superintendent’s contractual agreement and supporting documentation to determine any necessary adjustments to the district’s FSP payments. (TEC, §11.201[c]; 19 TAC §105.1021)
  - **Fiscal Year Changes** – The division will review and document receipt of the forms that school districts and open-enrollment charter schools must submit when changing the start and end dates of their fiscal year.
  - **Depository Contracts** – The division will document the information each school district and charter school is required to report each year regarding the school’s main depository bank account. (19 TAC §§100.1043[b], 109.51, and 109.52)
  - **New Charter School Visits** – The division will consult with all new charter schools in their first year of operations. Guidance provided will include guidance on student attendance accounting, business office organization, governance, and working with the division and agency.

- **Other types of reviews** – As a way of providing transparency for the public, the division is undertaking reviewing other types of projects for compliance with applicable laws and rules. Types of reviews the division is considering are procurement and construction projects, travel and reimbursement, transportation recording and reporting, and cash management and activity funds.

Throughout the year, the division will adjust this audit plan to accommodate the effects of unplanned and unscheduled work. Examples of unplanned and unscheduled work are: public information requests and production requests; record reviews; increased audit and examination activity from the United States Department of Education and other external partners and stakeholders; school consolidations and charter revocations; and resource allocation.

**STATUTORY AUTHORITY REFERENCE SECTION:**

TEXAS CONSTITUTION ARTICLE VII

TEXAS EDUCATION CODE (TEC)

TEXAS GOVERNMENT CODE (TGC)

TEXAS OCCUPATIONS CODE (TOC)

NATURAL RESOURCES CODE (NRC)

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ARTICLE 7. EDUCATION  
SECTION 2

**Sec. 2. PERMANENT SCHOOL FUND.**

All funds, lands and other property heretofore set apart and appropriated for the support of public schools; all the alternate sections of land reserved by the State out of grants heretofore made or that may hereafter be made to railroads or other corporations of any nature whatsoever; one half of the public domain of the State; and all sums of money that may come to the State from the sale of any portion of the same, shall constitute a permanent school fund.

**Sec. 2A. RELEASE OF STATE CLAIM TO CERTAIN LANDS AND MINERALS WITHIN SHELBY, FRAZIER, AND MCCORMICK LEAGUE AND IN BASTROP COUNTY.**

- (a) The State of Texas hereby relinquishes and releases any claim of sovereign ownership or title to an undivided one-third interest in and to the lands and minerals within the Shelby, Frazier, and McCormick League (now located in Fort Bend and Austin counties) arising out of the interest in that league originally granted under the Mexican Colonization Law of 1823 to John McCormick on or about July 24, 1824, and subsequently voided by the governing body of Austin's Original Colony on or about December 15, 1830.
- (b) The State of Texas relinquishes and releases any claim of sovereign ownership or title to an interest in and to the lands, excluding the minerals, in Tracts 2-5, 13, 15-17, 19-20, 23-26, 29-32, and 34-37, in the A. P. Nance Survey, Bastrop County, as said tracts are:
  - (1) shown on Bastrop County Rolled Sketch No. 4, recorded in the General Land Office on December 15, 1999; and
  - (2) further described by the field notes prepared by a licensed state land surveyor of Travis County in September through November 1999 and May 2000.
- (c) Title to such interest in the lands and minerals described by Subsection (a) is confirmed to the owners of the remaining interests in such lands and minerals. Title to the lands, excluding the minerals, described by Subsection (b) is confirmed to the holder of record title to each tract. Any outstanding land award or land payment obligation owed to the state for lands described by Subsection (b) is canceled, and any funds previously paid related to an outstanding land award or land payment obligation may not be refunded.
- (d) The General Land Office shall issue a patent to the holder of record title to each tract described by Subsection (b). The patent shall be issued in the same manner as other patents except that no filing fee or patent fee may be required.
- (e) A patent issued under Subsection (d) shall include a provision reserving all mineral interest in the land to the state.
- (f) This section is self-executing.

**Sec. 2B. AUTHORITY TO RELEASE STATE'S INTEREST IN CERTAIN PERMANENT SCHOOL FUND LAND HELD BY PERSON UNDER COLOR OF TITLE.**

- (a) The legislature by law may provide for the release of all or part of the state's interest in land, excluding mineral rights, if:
  - (1) the land is surveyed, unsold, permanent school fund land according to the records of the General Land Office;
  - (2) the land is not patentable under the law in effect before January 1, 2002; and
  - (3) the person claiming title to the land:

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SECTION 2

- (A) holds the land under color of title;
  - (B) holds the land under a chain of title that originated on or before January 1, 1952;
  - (C) acquired the land without actual knowledge that title to the land was vested in the State of Texas;
  - (D) has a deed to the land recorded in the appropriate county; and
  - (E) has paid all taxes assessed on the land and any interest and penalties associated with any period of tax delinquency.
- (b) This section does not apply to:
- (1) beach land, submerged or filled land, or islands; or
  - (2) land that has been determined to be state-owned by judicial decree.
- (c) This section may not be used to:
- (1) resolve boundary disputes; or
  - (2) change the mineral reservation in an existing patent.

**Sec. 2C. RELEASE OF STATE CLAIM TO CERTAIN LANDS IN UPSHUR AND SMITH COUNTIES.**

- (a) Except as provided by Subsection (b) of this section, the State of Texas relinquishes and releases any claim of sovereign ownership or title to an interest in and to the tracts of land, including mineral rights, described as follows:

Tract 1:

The first tract of land is situated in Upshur County, Texas, about 14 miles South 30 degrees east from Gilmer, the county seat, and is bounded as follows: Bound on the North by the J. Manning Survey, A-314 the S.W. Beasley Survey A-66 and the David Meredith Survey A-315 and bound on the East by the M. Mann Survey, A-302 and by the M. Chandler Survey, A-84 and bound on the South by the G. W. Hooper Survey, A-657 and by the D. Ferguson Survey, A-158 and bound on the West by the J. R. Wadkins Survey, A-562 and the H. Alsup Survey, A-20, and by the W. Bratton Survey, A-57 and the G. H. Burroughs Survey, A-30 and the M. Tidwell Survey, A-498 of Upshur County, Texas.

Tract 2:

The second tract of land is situated in Smith County, Texas, north of Tyler and is bounded as follows: on the north and west by the S. Leeper A-559, the Frost Thorn Four League Grant A-3, A-9, A-7, A-19, and the H. Jacobs A-504 and on the south and east by the following surveys: John Carver A-247, A. Loverly A-609, J. Gimble A-408, R. Conner A-239, N.J. Blythe A-88, N.J. Blythe A-89, J. Choate A-195, Daniel Minor A-644, William Keys A-527, James H. Thomas A-971, Seaborn Smith A-899, and Samuel Leeper A-559.

- (b) This section does not apply to:
- (1) any public right-of-way, including a public road right-of-way, or related interest owned by a governmental entity;
  - (2) any navigable waterway or related interest owned by a governmental entity; or
  - (3) any land owned by a governmental entity and reserved for public use, including a park, recreation area, wildlife area, scientific area, or historic site.
- (c) This section is self-executing.

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SECTION 5

**Sec. 5. PERMANENT SCHOOL FUND AND AVAILABLE SCHOOL FUND: COMPOSITION, MANAGEMENT, USE, AND DISTRIBUTION.**

- (a) The permanent school fund consists of all land appropriated for public schools by this constitution or the other laws of this state, other properties belonging to the permanent school fund, and all revenue derived from the land or other properties. The available school fund consists of the distributions made to it from the total return on all investment assets of the permanent school fund, the taxes authorized by this constitution or general law to be part of the available school fund, and appropriations made to the available school fund by the legislature. The total amount distributed from the permanent school fund to the available school fund:
- (1) in each year of a state fiscal biennium must be an amount that is not more than six percent of the average of the market value of the permanent school fund, excluding real property belonging to the fund that is managed, sold, or acquired under Section 4 of this article, but including discretionary real assets investments and cash in the state treasury derived from property belonging to the fund, on the last day of each of the 16 state fiscal quarters preceding the regular session of the legislature that begins before that state fiscal biennium, in accordance with the rate adopted by:
- (A) a vote of two-thirds of the total membership of the State Board of Education, taken before the regular session of the legislature convenes; or
- (B) the legislature by general law or appropriation, if the State Board of Education does not adopt a rate as provided by Paragraph (A) of this subdivision; and
- (2) over the 10-year period consisting of the current state fiscal year and the nine preceding state fiscal years may not exceed the total return on all investment assets of the permanent school fund over the same 10-year period.
- (b) The expenses of managing permanent school fund land and investments shall be paid by appropriation from the permanent school fund.
- (c) The available school fund shall be applied annually to the support of the public free schools. Except as provided by this section, the legislature may not enact a law appropriating any part of the permanent school fund or available school fund to any other purpose. The permanent school fund and the available school fund may not be appropriated to or used for the support of any sectarian school. The available school fund shall be distributed to the several counties according to their scholastic population and applied in the manner provided by law.

- (d) The legislature by law may provide for using the permanent school fund to guarantee bonds issued by school districts or by the state for the purpose of making loans to or purchasing the bonds of school districts for the purpose of acquisition, construction, or improvement of instructional facilities including all furnishings thereto. If any payment is required to be made by the permanent school fund as a result of its guarantee of bonds issued by the state, an amount equal to this payment shall be immediately paid by the state from the treasury to the permanent school fund. An amount owed by the state to the permanent school fund under this section shall be a general obligation of the state until paid. The amount of bonds authorized hereunder shall not exceed \$750 million or a higher amount authorized by a two-thirds record vote of both houses of the legislature. If the proceeds of bonds issued by the state are used to provide a loan to a school district and the district becomes delinquent on the loan payments, the amount of the delinquent payments shall be offset against state aid to which the district is otherwise entitled.
- (e) The legislature may appropriate part of the available school fund for administration of a bond guarantee program established under this section.
- (f) Notwithstanding any other provision of this constitution, in managing the assets of the permanent school fund, the State Board of Education may acquire, exchange, sell, supervise, manage, or retain, through procedures and subject to restrictions it establishes and in amounts it considers appropriate, any kind of investment, including investments in the Texas growth fund created by Article XVI, Section [70](#), of this constitution, that persons of ordinary prudence, discretion, and intelligence, exercising the judgment and care under the circumstances then prevailing, acquire or retain for their own account in the management of their affairs, not in regard to speculation but in regard to the permanent disposition of their funds, considering the probable income as well as the probable safety of their capital.
- (g) Notwithstanding any other provision of this constitution or of a statute, the State Board of Education, the General Land Office, or another entity that has responsibility for the management of revenues derived from permanent school fund land or other properties may, in its sole discretion and in addition to other distributions authorized under this constitution or a statute, distribute to the available school fund each year revenue derived during that year from the land or properties, not to exceed \$600 million by each entity each year.

(Amended Aug. 11, 1891, and Nov. 3, 1964; Subsec. (a) amended and (b) and (c) added Nov. 8, 1983; Subsec. (d) added Nov. 8, 1988; Subsec. (b) amended Nov. 7, 1989; Subsec. (a) amended, a new (b) added, a portion of (a) redesignated as (c), former (b) and (c) amended, former (b)-(d) redesignated as (d)-(f), and (g) and (h) added Sept. 13, 2003; former Subsec. (g) and Subsec. (h) expired Dec. 1, 2006; Subsec. (a) amended and current Subsec. (g) added Nov. 8, 2011; Subsec. (g) amended Nov. 5, 2019.)

NATURAL RESOURCES CODE  
TITLE 2. PUBLIC DOMAIN  
SUBTITLE D. DISPOSITION OF THE PUBLIC DOMAIN  
CHAPTER 51. LAND, TIMBER, AND SURFACE RESOURCES  
SUBCHAPTER I. ACQUISITION OF PUBLIC SCHOOL LAND

**NRC, §51.414. PERMANENT SCHOOL FUND LIQUID ACCOUNT.**

- (a) The permanent school fund liquid account is established as an account in the permanent school fund in the State Treasury to be used by the board and the State Board of Education as provided by this section.
- (b) Each quarter, the board shall hold a meeting and adopt a resolution to release from the real estate special fund account funds designated under Section [51.401](#) that are not being used for a purpose listed in Section [51.402\(a\)](#) and are not required for the board's anticipated cash needs for the 90-day period following the date of the meeting, to be deposited to the credit of the permanent school fund liquid account in the State Treasury.
- (c) The State Board of Education may invest funds in the permanent school fund liquid account. The investments may be made only in liquid assets, in the same manner that the permanent school fund is managed by the State Board of Education.
- (d) Investment income and realized capital gains derived from funds in the permanent school fund liquid account shall be deposited in the State Treasury to the credit of the State Board of Education for investment in the permanent school fund. This subsection does not require a deposit if the market value of the assets held in the permanent school fund liquid account is below cost.
- (e) The State Board of Education may use funds in the permanent school fund liquid account to pay for administrative costs associated with implementing this section, including costs associated with contracts for professional investment management, investment advisory services, or custodial services.
- (f) The board shall provide to the State Board of Education in each quarterly report required by Section [32.068](#) the board's anticipated cash needs for the six-month period following the date of the report, to allow the State Board of Education to ensure that the board's cash needs may be met as provided by Subsection (g).
- (g) Not later than the fifth business day after the date of a request of the board, the State Board of Education shall release from the permanent school fund liquid account funds to be deposited to the credit of the real estate special fund account in the State Treasury in an amount requested by the board.

Added by Acts 2019, 86th Leg., R.S., Ch. 493 (H.B. [4388](#)), Sec. 4, eff. September 1, 2019.

Repealed by Acts 2021, 87th Leg., R.S., Ch. 875 (S.B. [1232](#)), Sec. 2.10(4), eff. December 31, 2022.



TEXAS EDUCATION CODE  
CHAPTER 7. STATE ORGANIZATION  
SUBCHAPTER D. STATE BOARD OF EDUCATION

**TEC, §7.102. STATE BOARD OF EDUCATION POWERS AND DUTIES.**

- (a) The board may perform only those duties relating to school districts or regional education service centers assigned to the board by the constitution of this state or by this subchapter or another provision of this code.
- (b) The board has the powers and duties provided by Subsection (c), which shall be carried out with the advice and assistance of the commissioner.
- (c)
  - (1) The board shall develop and update a long-range plan for public education.
  - (2) The board may enter into contracts relating to or accept grants for the improvement of educational programs specifically authorized by statute.
  - (3) The board may accept a gift, donation, or other contribution on behalf of the public school system or agency and, unless otherwise specified by the donor, may use the contribution in the manner the board determines.
  - (4) The board shall establish curriculum and graduation requirements.
  - ~~(5) The board shall establish a standard of performance considered satisfactory on student assessment instruments.~~
  - (6) The board may create special-purpose school districts under Chapter [11](#).
  - (7) The board shall provide for a training course for school district trustees under Section [11.159](#).
  - (8) The board shall adopt a procedure to be used for placing on probation or revoking a home-rule school district charter as required by Subchapter B, Chapter [12](#), and may place on probation or revoke a home-rule school district charter as provided by that subchapter.
  - ~~(9) The board may grant an open enrollment charter or approve a charter revision as provided by Subchapter D, Chapter [12](#).~~
  - (10) The board shall adopt rules establishing criteria for certifying hearing examiners as provided by Section [21.252](#).
  - (11) The board shall adopt rules to carry out the curriculum required or authorized under Section [28.002](#).
  - (12) The board shall establish guidelines for credit by examination under Section [28.023](#).
  - (13) The board shall adopt transcript forms and standards for differentiating high school programs for purposes of reporting academic achievement under Section [28.025](#).
  - (14) The board shall adopt guidelines for determining financial need for purposes of the Texas Advanced Placement Incentive Program under Subchapter C, Chapter [28](#), and may approve payments as provided by that subchapter.
  - (15) The board shall adopt criteria for identifying gifted and talented students and shall develop and update a state plan for the education of gifted and talented students as required under Subchapter D, Chapter [29](#).
  - (16) Repealed by Acts 2013, 83rd Leg., R.S., Ch. 73, Sec. 2.06(a)(1), eff. September 1, 2013.
  - (17) The board shall adopt rules relating to community education development projects as required under Section [29.257](#).
  - (18) The board may approve the plan to be developed and implemented by the commissioner for the coordination of services to children with disabilities as required under Section [30.001](#).
  - (19) The board shall establish a date by which each school district and state institution shall provide to the commissioner the necessary information to determine the district's share of the cost of the education of a student enrolled in the Texas School for the Blind and Visually Impaired or the Texas School for the Deaf as required under Section [30.003](#) and may adopt other rules concerning funding of the education of students enrolled in the Texas School for the Blind and Visually Impaired or the Texas School for the Deaf as authorized under Section [30.003](#).
  - (20) The board shall adopt rules prescribing the form and content of information school districts are required to provide concerning programs offered by state institutions as required under Section [30.004](#).
  - (21) The board shall adopt rules concerning admission of students to the Texas School for the Deaf as required under Section [30.057](#).

- (22) The board shall carry out powers and duties related to regional day school programs for the deaf as provided under Subchapter D, Chapter [30](#).
  - (23) The board shall adopt and purchase or license instructional materials as provided by Chapter [31](#) and adopt rules required by that chapter.
  - (24) The board shall develop and update a long-range plan concerning technology in the public school system as required under Section [32.001](#) and shall adopt rules and policies concerning technology in public schools as provided by Chapter [32](#).
  - (25) The board shall conduct feasibility studies related to the telecommunications capabilities of school districts and regional education service centers as provided by Section [32.033](#).
  - (26) The board shall appoint a board of directors of the center for educational technology under Section [32.034](#).
  - (27) Repealed by Acts 2001, 77th Leg., ch. 1420, Sec. 4.001(b), eff. Sept. 1, 2001.
  - (28) The board shall approve a program for testing students for dyslexia and related disorders as provided by Section [38.003](#).
  - (29) The board shall perform duties in connection with the public school accountability system as prescribed by Chapters [39](#) and [39A](#).
  - (30) The board shall perform duties in connection with the Foundation School Program as prescribed by Chapter [48](#) [42].
  - (31) The board may invest the permanent school fund within the limits of the authority granted by Section [5](#), Article VII, Texas Constitution, and Chapter 43.
  - (32) The board shall adopt rules concerning school district budgets and audits of school district fiscal accounts as required under Subchapter A, Chapter [44](#).
  - (33) The board shall adopt an annual report on the status of the guaranteed bond program and may adopt rules as necessary for the administration of the program as provided under Subchapter C, Chapter [45](#).
  - (34) The board shall prescribe uniform bid blanks for school districts to use in selecting a depository bank as required under Section [45.206](#).
- (d) The board may adopt rules relating to school districts or regional education service centers only as required to carry out the specific duties assigned to the board by the constitution or under Subsection (c).
  - (e) An action of the board to adopt a rule under this section is effective only if the board includes in the rule's preamble a statement of the specific authority under Subsection (c) to adopt the rule.
  - (f) Except as otherwise provided by this subsection, a rule adopted by the board under this section does not take effect until the beginning of the school year that begins at least 90 days after the date on which the rule was adopted. The rule takes effect earlier if the rule's preamble specifies an earlier effective date and the reason for that earlier date and:
    - (1) the earlier effective date is a requirement of:
      - (A) a federal law; or
      - (B) a state law that specifically refers to this section and expressly requires the adoption of an earlier effective date; or
    - (2) on the affirmative vote of two-thirds of the members of the board, the board makes a finding that an earlier effective date is necessary.

TEXAS EDUCATION CODE  
TITLE 2. PUBLIC EDUCATION  
SUBTITLE C. LOCAL ORGANIZATION AND GOVERNANCE  
CHAPTER 11. SCHOOL DISTRICTS  
SUBCHAPTER D. POWERS AND DUTIES OF BOARD OF TRUSTEES OF  
INDEPENDENT SCHOOL DISTRICT

**TEC, §11.159. MEMBER TRAINING AND ORIENTATION.**

- (a) The State Board of Education shall provide a training course for independent school district trustees to be offered by the regional education service centers. Registration for a course must be open to any interested person, including current and prospective board members, and the state board may prescribe a registration fee designed to offset the costs of providing that course.
- (b) A trustee must complete any training required by the State Board of Education. The minutes of the last regular meeting of the board of trustees held before an election of trustees must reflect whether each trustee has met or is deficient in meeting the training required for the trustee as of the first anniversary of the date of the trustee's election or appointment. If the minutes reflect that a trustee is deficient, the district shall post the minutes on the district's Internet website within 10 business days of the meeting and maintain the posting until the trustee meets the requirements.
- (b-1) The State Board of Education shall require a trustee to complete training on school safety. The state board, in coordination with the Texas School Safety Center, shall develop the curriculum and materials for the training.
- (c) The State Board of Education shall require a trustee to complete every two years at least:
  - (1) three hours of training on evaluating student academic performance; and
  - (2) one hour of training on identifying and reporting potential victims of sexual abuse, human trafficking, and other maltreatment of children.
- (c-1) The training required by Subsection (c)(1) must be research-based and designed to support the oversight role of the board of trustees under Section [11.1515](#).
- (c-2) A candidate for trustee may complete the training required by Subsection (c) up to one year before the candidate is elected. A new trustee shall complete the training within 120 days after the date of the trustee's election or appointment. A returning trustee shall complete the training by the second anniversary of the completion of the trustee's previous training.
- (d) A trustee or candidate for trustee may complete training required under Subsection (c) at a regional education service center or through another authorized provider. A provider must certify the completion of the training by a trustee or candidate.

(e) For purposes of this section, "other maltreatment" has the meaning assigned by Section [42.002](#), Human Resources Code.

Added by Acts 1995, 74th Leg., ch. 260, Sec. 1, eff. May 30, 1995.

Amended by:

Acts 2007, 80th Leg., R.S., Ch. 1244 (H.B. [2563](#)), Sec. 5, eff. September 1, 2007.

Acts 2017, 85th Leg., R.S., Ch. 925 (S.B. [1566](#)), Sec. 5, eff. September 1, 2017.

Acts 2019, 86th Leg., R.S., Ch. 214 (H.B. [403](#)), Sec. 1, eff. September 1, 2019.

Acts 2021, 87th Leg., R.S., Ch. 313 (H.B. [690](#)), Sec. 1, eff. September 1, 2021.

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SUBCHAPTER D. POWERS AND DUTIES OF BOARD OF TRUSTEES OF  
INDEPENDENT SCHOOL DISTRICT

**TEC, §11.185. EARLY CHILDHOOD LITERACY AND MATHEMATICS PROFICIENCY PLANS .**

- (a) The board of trustees of each school district shall adopt and post on the district's Internet website early childhood literacy and mathematics proficiency plans that set specific annual goals for the following five school years to reach quantifiable goals for student performance in reading and mathematics at each campus.
- (b) Each plan adopted under Subsection (a) must:
  - (1) identify annual goals for students in each group evaluated under the closing the gaps domain under Section [39.053\(c\)\(3\)](#);
  - (2) include annual goals for aggregate student growth on the third grade reading or mathematics assessment instrument, as applicable, administered under Section [39.023](#) or on an alternative assessment instrument determined by the board of trustees;
  - (3) provide for targeted professional development for classroom teachers in kindergarten or first, second, or third grade who are assigned to campuses that the board of trustees identifies as not meeting the plan's goals;
  - (4) assign at least one district-level administrator or employee of the regional education service center for the district's region to:
    - (A) coordinate implementation of the plan; and
    - (B) submit an annual report to the board of trustees on the district's progress toward the goals set under the plan; and
  - (5) be reviewed annually by the board of trustees at a public meeting.
- (c) Each plan adopted under Subsection (a) may set separate goals for students in a bilingual education or special language program under Subchapter B, Chapter [29](#).
- (d) The professional development provided to classroom teachers under Subsection (b)(3) must, as appropriate, consider the unique needs of students in a bilingual education or special language program under Subchapter B, Chapter [29](#).
- (e) A school district shall post the annual report described by Subsection (b)(4)(B) on the district's Internet website and on the Internet website, if any, of each campus in the district.

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INDEPENDENT SCHOOL DISTRICT

**TEC, §11.186. COLLEGE, CAREER, AND MILITARY READINESS PLANS.**

- (a) The board of trustees of each school district shall adopt college, career, and military readiness plans that set specific annual goals for the following five school years to reach quantifiable goals for measures of student college, career, and military readiness at each campus.
- (b) Each plan adopted under Subsection (a) must:
- (1) identify annual goals for students in each group evaluated under the closing the gaps domain under Section 39.053(c)(3);
  - (2) include annual goals for aggregate student growth on college, career, and military readiness indicators evaluated under the student achievement domain under Section 39.053(c)(1);
  - (3) assign at least one district-level administrator or employee of the regional education service center for the district's region to:
    - (A) coordinate implementation of the plan; and
    - (B) submit an annual report to the board of trustees on the district's progress toward the goals set under the plan; and
  - (4) be reviewed annually by the board of trustees at a public meeting.
- (c) A school district shall post the annual report described by Subsection (b)(3)(B) on the district's Internet website and on the Internet website, if any, of each campus in the district.

TEXAS EDUCATION CODE  
TITLE 2. PUBLIC EDUCATION  
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CHAPTER 11. SCHOOL DISTRICTS  
SUBCHAPTER H. SPECIAL-PURPOSE SCHOOL DISTRICTS

**TEC, §11.351. AUTHORITY TO ESTABLISH SPECIAL-PURPOSE SCHOOL DISTRICT.**

- (a) On the recommendation of the commissioner and after consulting with the school districts involved and obtaining the approval of a majority of those districts in each affected county in which a proposed school district is located, the State Board of Education may establish a special-purpose school district for the education of students in special situations whose educational needs are not adequately met by regular school districts. The board may impose duties or limitations on the school district as necessary for the special purpose of the district. The board shall exercise the powers as provided by this section relating to the districts established under this section.
- (b) The State Board of Education shall grant to the districts the right to share in the available school fund apportionment and other privileges as are granted to independent and common school districts.
- (c) A special-purpose school district established under this section that is operated by a general academic teaching institution, as that term is defined by Section [61.003](#), may:
  - (1) in enrolling students or creating a waitlist for student enrollment, prioritize military-connected students, as that term is defined by Section [25.006\(d\)](#); and
  - (2) enroll a student who:
    - (A) is a dependent of a member of the United States military;
    - (B) was previously enrolled in school in this state; and
    - (C) does not reside in this state due to a military deployment or transfer.

Added by Acts 1995, 74th Leg., ch. 260, Sec. 1, eff. May 30, 1995.

Amended by:

Acts 2021, 87th Leg., R.S., Ch. 1041 (H.B. [4124](#)), Sec. 1, eff. September 1, 2021.

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CHAPTER 11. SCHOOL DISTRICTS  
SUBCHAPTER H. SPECIAL-PURPOSE SCHOOL DISTRICTS

**TEC, §11.352. GOVERNANCE OF SPECIAL-PURPOSE DISTRICT.**

- (a) The State Board of Education shall appoint for each district established under Section 11.351 a board of three, five, or seven trustees, as determined by the State Board of Education. A trustee is not required to be a resident of the district.
- (b) For each military reservation school district, the State Board of Education may appoint a board of three or five trustees. Enlisted military personnel and military officers may be appointed to the school board. A majority of the trustees appointed for the district must be civilians and all may be civilians. The trustees shall be selected from a list of persons who are qualified to serve as members of a school district board of trustees under Section 11.061 and who live or are employed on the military reservation. The list shall be furnished to the board by the commanding officer of the military reservation. The trustees appointed serve terms of two years.
- (c) The State Board of Education may adopt rules for the governance of a special-purpose district. In the absence of a rule adopted under this subsection, the laws applicable to independent school districts apply to a special-purpose district.



TEXAS EDUCATION CODE  
TITLE 2. PUBLIC EDUCATION  
SUBTITLE C. LOCAL ORGANIZATION AND GOVERNANCE  
CHAPTER 12. CHARTERS  
SUBCHAPTER D. OPEN-ENROLLMENT CHARTER SCHOOL

**TEC, §12.101. AUTHORIZATION.**

- (a) In accordance with this subchapter, the commissioner may grant a charter on the application of an eligible entity for an open-enrollment charter school to operate in a facility of a commercial or nonprofit entity, an eligible entity, or a school district, including a home-rule school district. In this subsection, "eligible entity" means:
- (1) an institution of higher education as defined under Section [61.003](#);
  - (2) a private or independent institution of higher education as defined under Section [61.003](#);
  - (3) an organization that is exempt from taxation under Section 501(c)(3), Internal Revenue Code of 1986 (26 U.S.C. Section 501(c)(3)); or
  - (4) a governmental entity.
- (b) After thoroughly investigating and evaluating an applicant, the commissioner, in coordination with a member of the State Board of Education designated for the purpose by the chair of the board, may grant a charter for an open-enrollment charter school only to an applicant that meets any financial, governing, educational, and operational standards adopted by the commissioner under this subchapter, that the commissioner determines is capable of carrying out the responsibilities provided by the charter and likely to operate a school of high quality, and that:
- (1) has not within the preceding 10 years had a charter under this chapter or a similar charter issued under the laws of another state surrendered under a settlement agreement, revoked, denied renewal, or returned; or
  - (2) is not, under rules adopted by the commissioner, considered to be a corporate affiliate of or substantially related to an entity that has within the preceding 10 years had a charter under this chapter or a similar charter issued under the laws of another state surrendered under a settlement agreement, revoked, denied renewal, or returned.
- (b-0) The commissioner shall notify the State Board of Education of each charter the commissioner proposes to grant under this subchapter. Unless, before the 90th day after the date on which the board receives the notice from the commissioner, a majority of the members of the board present and voting vote against the grant of that charter, the commissioner's proposal to grant the charter takes effect. The board may not deliberate or vote on any grant of a charter that is not proposed by the commissioner.
- (b-1) In granting charters for open-enrollment charter schools, the commissioner may not grant a total of more than:

- (1) 215 charters through the fiscal year ending August 31, 2014;
  - (2) 225 charters beginning September 1, 2014;
  - (3) 240 charters beginning September 1, 2015;
  - (4) 255 charters beginning September 1, 2016;
  - (5) 270 charters beginning September 1, 2017; and
  - (6) 285 charters beginning September 1, 2018.
- (b-2) Beginning September 1, 2019, the total number of charters for open-enrollment charter schools that may be granted is 305 charters.
- (b-3) The commissioner may not grant more than one charter for an open-enrollment charter school to any charter holder. The commissioner may consolidate charters for an open-enrollment charter school held by multiple charter holders into a single charter held by a single charter holder with the written consent to the terms of consolidation by or at the request of each charter holder affected by the consolidation.
- (b-4) Notwithstanding Section [12.114](#), approval of the commissioner under that section is not required for establishment of a new open-enrollment charter school campus if the requirements of this subsection are satisfied. A charter holder having an accreditation status of accredited and at least 50 percent of its student population in grades assessed under Subchapter B, Chapter [39](#), or at least 50 percent of the students in the grades assessed having been enrolled in the school for at least three school years may establish one or more new campuses under an existing charter held by the charter holder if:
- (1) the charter holder is currently evaluated under the standard accountability procedures for evaluation under Chapter [39](#) and received a district rating in the highest or second highest performance rating category under Subchapter C, Chapter [39](#), for three of the last five years with at least 75 percent of the campuses rated under the charter also receiving a rating in the highest or second highest performance rating category and with no campus with a rating in the lowest performance rating category in the most recent ratings;
  - (2) the charter holder provides written notice to the commissioner of the establishment of any campus under this subsection in the time, manner, and form provided by rule of the commissioner; and
  - (3) not later than the 60th day after the date the charter holder provides written notice under Subdivision (2), the commissioner does not provide written notice to the charter holder that the commissioner has determined that the charter holder does not satisfy the requirements of this section.
- (b-5) The initial term of a charter granted under this section is five years.

- (b-6) The commissioner shall adopt rules to modify criteria for granting a charter for an open-enrollment charter school under this section to the extent necessary to address changes in performance rating categories or in the financial accountability system under Chapter [39](#).
- (b-7) A charter granted under this section for a dropout recovery school is not considered for purposes of the limit on the number of charters for open-enrollment charter schools imposed by this section. For purposes of this subsection, an open-enrollment charter school is considered to be a dropout recovery school if the school meets the criteria for designation as a dropout recovery school under Section [12.1141\(c\)](#).
- (b-8) In adopting any financial standards under this subchapter that an applicant for a charter for an open-enrollment charter school must meet, the commissioner shall not:
  - (1) exclude any loan or line of credit in determining an applicant's available funding; or
  - (2) exclude an applicant from the grant of a charter solely because the applicant fails to demonstrate having a certain amount of current assets in cash.
- (b-10) The commissioner by rule shall allow a charter holder to provide written notice of the establishment of a new open-enrollment charter school under Subsection (b-4)(2) up to 18 months before the date on which the campus is anticipated to open. Notice provided to the commissioner under this section does not obligate the charter holder to open a new campus.
- (c) If the facility to be used for an open-enrollment charter school is a school district facility, the school must be operated in the facility in accordance with the terms established by the board of trustees or other governing body of the district in an agreement governing the relationship between the school and the district.
- (d) An educator employed by a school district before the effective date of a charter for an open-enrollment charter school operated at a school district facility may not be transferred to or employed by the open-enrollment charter school over the educator's objection.

TEXAS EDUCATION CODE  
TITLE 2. PUBLIC EDUCATION  
SUBTITLE D. EDUCATORS AND SCHOOL DISTRICT EMPLOYEES AND VOLUNTEERS  
CHAPTER 21. EDUCATORS  
SUBCHAPTER A. GENERAL PROVISIONS

**TEC, §21.003. CERTIFICATION REQUIRED.**

- (a) A person may not be employed as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, educational diagnostician, or school counselor by a school district unless the person holds an appropriate certificate or permit issued as provided by Subchapter B.
- (b) Except as otherwise provided by this subsection, a person may not be employed by a school district as an audiologist, occupational therapist, physical therapist, physician, nurse, school psychologist, associate school psychologist, licensed professional counselor, marriage and family therapist, social worker, or speech language pathologist unless the person is licensed by the state agency that licenses that profession and may perform specific services within those professions for a school district only if the person holds the appropriate credential from the appropriate state agency. As long as a person employed by a district before September 1, 2011, to perform marriage and family therapy, as defined by Section 502.002, Occupations Code, is employed by the same district, the person is not required to hold a license as a marriage and family therapist to perform marriage and family therapy with that district.
- (c) The commissioner may waive the requirement for certification of a superintendent if requested by a school district as provided by Section 7.056. A person who is not certified as a superintendent may not be employed by a school district as the superintendent before the person has received a waiver of certification from the commissioner. The commissioner may limit the waiver of certification in any manner the commissioner determines is appropriate. A person may be designated to act as a temporary or interim superintendent for a school district, but the district may not employ the person under a contract as superintendent unless the person has been certified or a waiver has been granted.

TEXAS EDUCATION CODE  
TITLE 2. PUBLIC EDUCATION  
SUBTITLE D. EDUCATORS AND SCHOOL DISTRICT EMPLOYEES AND VOLUNTEERS  
CHAPTER 21. EDUCATORS  
SUBCHAPTER B. CERTIFICATION OF EDUCATORS

**TEC, §21.031. PURPOSE.**

- (a) The State Board for Educator Certification is established to recognize public school educators as professionals and to grant educators the authority to govern the standards of their profession. The board shall regulate and oversee all aspects of the certification, continuing education, and standards of conduct of public school educators.
  
- (b) In proposing rules under this subchapter, the board shall ensure that all candidates for certification or renewal of certification demonstrate the knowledge and skills necessary to improve the performance of the diverse student population of this state.

TEXAS EDUCATION CODE  
TITLE 2. PUBLIC EDUCATION  
SUBTITLE D. EDUCATORS AND SCHOOL DISTRICT EMPLOYEES AND VOLUNTEERS  
CHAPTER 21. EDUCATORS  
SUBCHAPTER B. CERTIFICATION OF EDUCATORS

**TEC, §21.035. DELEGATION AUTHORITY; ADMINISTRATION BY AGENCY.**

- (a) The board is permitted to make a written delegation of authority to the commissioner or the agency to informally dispose of a contested case involving educator certification.
- (b) The agency shall provide the board's administrative functions and services.

TEXAS EDUCATION CODE  
TITLE 2. PUBLIC EDUCATION  
SUBTITLE D. EDUCATORS AND SCHOOL DISTRICT EMPLOYEES AND VOLUNTEERS  
CHAPTER 21. EDUCATORS  
SUBCHAPTER B. CERTIFICATION OF EDUCATORS

**TEC, §21.041. RULES; FEES.**

- (a) The board may adopt rules as necessary for its own procedures.
- (b) The board shall propose rules that:
  - (1) provide for the regulation of educators and the general administration of this subchapter in a manner consistent with this subchapter;
  - (2) specify the classes of educator certificates to be issued, including emergency certificates;
  - (3) specify the period for which each class of educator certificate is valid;
  - (4) specify the requirements for the issuance and renewal of an educator certificate;
  - (5) provide for the issuance of an educator certificate to a person who holds a similar certificate issued by another state or foreign country, subject to Section 21.052;
  - (6) provide for special or restricted certification of educators, including certification of instructors of American Sign Language;
  - (7) provide for disciplinary proceedings, including the suspension or revocation of an educator certificate, as provided by Chapter 2001, Government Code;
  - (8) provide for the adoption, amendment, and enforcement of an educator's code of ethics;
  - (9) provide for continuing education requirements; and
  - (10) provide for certification of persons performing appraisals under Subchapter H.
- (c) The board shall propose a rule adopting a fee for the issuance and maintenance of an educator certificate that, when combined with any fees imposed under Subsection (d), is adequate to cover the cost of administration of this subchapter.
- (d) The board may propose a rule adopting a fee for the approval or renewal of approval of an educator preparation program, or for the addition of a certificate or field of certification to the scope of a program's approval. A fee imposed under this subsection may not exceed the amount necessary, as determined by the board, to provide for the administrative cost of approving, renewing the approval of, and appropriately ensuring the accountability of educator preparation programs under this subchapter.

TEXAS EDUCATION CODE  
TITLE 2. PUBLIC EDUCATION  
SUBTITLE D. EDUCATORS AND SCHOOL DISTRICT EMPLOYEES AND VOLUNTEERS  
CHAPTER 21. EDUCATORS  
SUBCHAPTER A. GENERAL PROVISIONS

**TEC, §21.044. EDUCATOR PREPARATION.**

- (a) The board shall propose rules:
  - (1) specifying what each educator is expected to know and be able to do, particularly with regard to students with disabilities;
  - (2) establishing the training requirements a person must accomplish to obtain a certificate, enter an internship, or enter an induction-year program; and
  - (3) specifying the minimum academic qualifications required for a certificate.
- (a-1) Any training requirements for a certificate specified under Subsection (a) must require that the person demonstrate:
  - (1) basic knowledge of:
    - (A) each disability category under the Individuals with Disabilities Education Act (20 U.S.C. Section 1400 et seq.) and how each category can affect student learning and development; and
    - (B) conditions that may be considered a disability under Section 504, Rehabilitation Act of 1973 (29 U.S.C. Section 794), and how a condition covered by that section can affect student learning and development;
  - (2) competence in the use of proactive instructional planning techniques that:
    - (A) provide flexibility in the ways:
      - (i) information is presented;
      - (ii) students respond or demonstrate knowledge and skills; and
      - (iii) students are engaged;
    - (B) reduce barriers in instruction;
    - (C) provide appropriate accommodations, supports, and challenges; and
    - (D) maintain high achievement expectations for all students, including students with disabilities and students of limited English proficiency; and
  - (3) competence in the use of evidence-based inclusive instructional practices, including:
    - (A) general and special education collaborative and co-teaching models and approaches;
    - (B) multitiered systems of support, including response to intervention strategies, classroom and school level data-based collaborative structures, and evidence-based strategies for intervention and progress monitoring systems in academic areas;
    - (C) classroom management techniques using evidence-based behavioral intervention strategies and supports; and
    - (D) appropriate adaptation strategies, including accommodations, modifications, and instruction in the use of assistive technology for instruction.
- (b) The minimum academic qualifications for a certificate specified under Subsection (a) must require that the



person receive, as part of the training required to obtain that certificate, instruction in detection and education of students with dyslexia.

- (c) The instruction under Subsection (b) must:
  - (1) be developed by a panel of experts in the diagnosis and treatment of dyslexia who are:
    - (A) employed by institutions of higher education; and
    - (B) approved by the board; and
  - (2) include information on:
    - (A) characteristics of dyslexia;
    - (B) identification of dyslexia; and
    - (C) effective, multisensory strategies for teaching students with dyslexia.
- (c-1) The minimum academic qualifications for a certificate specified under Subsection (a) must require that the person receive, as part of the training required to obtain that certificate, instruction regarding mental health, substance abuse, and youth suicide. The instruction required must:
  - (1) be provided through:
    - (A) a program selected from the list of recommended best practice-based programs and research-based practices established under Section [38.351](#); or
    - (B) a course offered by any accredited public or private postsecondary educational institution as part of a degree program; and
  - (2) include effective strategies, including de-escalation techniques and positive behavioral interventions and supports, for teaching and intervening with students with mental health conditions or who engage in substance abuse.
- (c-2) Any minimum academic qualifications for a certificate specified under Subsection (a) that require a person to possess a bachelor's degree must also require that the person receive, as part of the training required to obtain that certificate, instruction in digital learning, virtual learning, and virtual instruction, including a digital literacy evaluation followed by a prescribed digital learning curriculum. The instruction required must:
  - (1) be aligned with the International Society for Technology in Education's standards for teachers;
  - (2) provide effective, evidence-based strategies to determine a person's degree of digital literacy;
  - (3) cover best practices in:
    - (A) assessing students receiving virtual instruction, based on academic progress; and
    - (B) developing a virtual learning curriculum; and
  - (4) include resources to address any deficiencies identified by the digital literacy evaluation.
- (d) In proposing rules under this section, the board shall specify that to obtain a certificate to teach an "applied STEM course," as that term is defined by Section [28.027](#), at a secondary school, a person must:
  - (1) pass the certification test administered by the recognized national or international business and industry group that created the curriculum the applied STEM course is based on; and
  - (2) have at a minimum:
    - (A) an associate degree from an accredited institution of higher education; and

- (B) three years of work experience in an occupation for which the applied STEM course is intended to prepare the student.
- (e) In proposing rules under this section for a person to obtain a certificate to teach a health science technology education course, the board shall specify that a person must have:
  - (1) an associate degree or more advanced degree from an accredited institution of higher education;
  - (2) current licensure, certification, or registration as a health professions practitioner issued by a nationally recognized accrediting agency for health professionals; and
  - (3) at least two years of wage earning experience utilizing the licensure requirement.
- (f) The board may not propose rules for a certificate to teach a health science technology education course that specify that a person must have a bachelor's degree or that establish any other credential or teaching experience requirements that exceed the requirements under Subsection (e).
- (f-1) Board rules addressing ongoing educator preparation program support for a candidate seeking certification in a certification class other than classroom teacher may not require that an educator preparation program conduct one or more formal observations of the candidate on the candidate's site in a face-to-face setting. The rules must permit each required formal observation to occur on the candidate's site or through use of electronic transmission or other video-based or technology-based method.
- (g) Each educator preparation program must provide information regarding:
  - (1) the skills that educators are required to possess, the responsibilities that educators are required to accept, and the high expectations for all students, including students with disabilities, in this state;
  - (2) the effect of supply and demand forces on the educator workforce in this state;
  - (3) the performance over time of the educator preparation program;
  - (4) the importance of building strong classroom management skills;
  - (5) the framework in this state for teacher and principal evaluation, including the procedures followed in accordance with Subchapter H; and
  - (6) appropriate relationships, boundaries, and communications between educators and students.

TEXAS EDUCATION CODE  
TITLE 2. PUBLIC EDUCATION  
SUBTITLE D. EDUCATORS AND SCHOOL DISTRICT EMPLOYEES AND VOLUNTEERS  
CHAPTER 21. EDUCATORS  
SUBCHAPTER B. CERTIFICATION OF EDUCATORS

**TEC, §21.048. CERTIFICATION EXAMINATIONS.**

- (a) The board shall propose rules prescribing comprehensive examinations for each class of certificate issued by the board. The commissioner shall determine the satisfactory level of performance required for each certification examination. For the issuance of a generalist certificate, the commissioner shall require a satisfactory level of examination performance in each core subject covered by the examination.
- (a-1) The board may not require that more than 45 days elapse before a person may retake an examination. A person may not retake an examination more than four times, unless the board waives the limitation for good cause as prescribed by the board.
- (a-2) The board shall adopt rules that provide that in order to teach any grade level from prekindergarten through grade six a person must demonstrate proficiency in the science of teaching reading on a certification examination for each class of certificate issued by the board after January 1, 2021.
- (b) The board may not administer a written examination to determine the competence or level of performance of an educator who has a hearing impairment unless the examination has been field tested to determine its appropriateness, reliability, and validity as applied to, and minimum acceptable performance scores for, persons with hearing impairments.
- (c) An educator who has a hearing impairment is exempt from taking a written examination for a period ending on the first anniversary of the date on which the board determines, on the basis of appropriate field tests, that the examination complies with the standards specified in Subsection (b). On application to the board, the board shall issue a temporary exemption certificate to a person entitled to an exemption under this subsection.
- (c-1) The results of an examination administered under this section are confidential and are not subject to disclosure under Chapter 552, Government Code, unless the disclosure is regarding notification to a parent of the assignment of an uncertified teacher to a classroom as required by Section 21.057.
- (d) In this section:

- (1) "Hearing impairment" means a hearing impairment so severe that the person cannot process linguistic information with or without amplification.
- (2) "Reliability" means the extent to which an experiment, test, or measuring procedure yields the same results on repeated trials.
- (3) "Validity" means being:
  - (A) well-grounded or justifiable;
  - (B) relevant and meaningful;
  - (C) correctly derived from premises or inferences; and
  - (D) supported by objective truth or generally accepted authority.

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**TEC, §21.050. ACADEMIC DEGREE REQUIRED FOR TEACHING CERTIFICATE; FIELD-BASED EXPERIENCE OR INTERNSHIP.**

- (a) A person who applies for a teaching certificate for which board rules require a bachelor's degree must possess a bachelor's degree received with an academic major or interdisciplinary academic major, including reading, ~~[other than education]~~, that is related to the curriculum as prescribed under Subchapter A, Chapter 28.
- (b) ~~[The board may not require more than 18 semester credit hours of education courses at the baccalaureate level for the granting of a teaching certificate.]~~ The board shall provide for a minimum number of semester credit hours of field-based experience or internship to be included in the credit hours needed for certification. The board may propose rules requiring additional credit hours for certification in bilingual education, English as a second language, early childhood education, or special education.
- (c) A person who receives a bachelor's degree required for a teaching certificate on the basis of higher education coursework completed while receiving an exemption from tuition and fees under Section 54.363 may not be required to participate in any field experience or internship consisting of student teaching to receive a teaching certificate.

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**TEC, §21.064. LEGACY MASTER TEACHER CERTIFICATIONS.**

- (a) The board shall recognize a master teacher certificate issued under former Section 21.0481, 21.0482, 21.0483, or 21.0484 until the certificate expires. The board shall note a designation of "legacy" on the certificate.
- (b) A master teacher certificate described by Subsection (a) is not eligible for funding under the teacher incentive allotment under Section [48.112](#).

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CHAPTER 22. SCHOOL DISTRICT EMPLOYEES AND VOLUNTEERS  
SUBCHAPTER C. CRIMINAL HISTORY RECORDS

**TEC, §22.082. ACCESS TO CRIMINAL HISTORY RECORDS BY STATE BOARD FOR  
EDUCATOR CERTIFICATION.**

The State Board for Educator Certification shall subscribe to the criminal history clearinghouse as provided by Section [411.0845](#), Government Code, and may obtain from any law enforcement or criminal justice agency all criminal history record information and all records contained in any closed criminal investigation file that relate to a specific applicant for or holder of a certificate issued under Subchapter B, Chapter [21](#).

TEXAS EDUCATION CODE  
CHAPTER 28. COURSES OF STUDY; ADVANCEMENT  
SUBCHAPTER A. ESSENTIAL KNOWLEDGE AND SKILLS; CURRICULUM

**TEC, §28.002. REQUIRED CURRICULUM.**

- (a) Each school district that offers kindergarten through grade 12 shall offer, as a required curriculum:
- (1) a foundation curriculum that includes:
    - (A) English language arts;
    - (B) mathematics;
    - (C) science; and
    - (D) social studies, consisting of Texas, United States, and world history, government, economics, with emphasis on the free enterprise system and its benefits, and geography; and
  - (2) an enrichment curriculum that includes:
    - (A) to the extent possible, languages other than English;
    - (B) health, with emphasis on:
      - (i) physical health, including the importance of proper nutrition and exercise;
      - (ii) mental health, including instruction about mental health conditions, substance abuse, skills to manage emotions, establishing and maintaining positive relationships, and responsible decision-making; and
      - (iii) suicide prevention, including recognizing suicide-related risk factors and warning signs;
    - (C) physical education;
    - (D) fine arts;
    - (E) career and technology education;
    - (F) technology applications;
    - (G) religious literature, including the Hebrew Scriptures (Old Testament) and New Testament, and its impact on history and literature; and
    - (H) personal financial literacy.
- (b) The State Board of Education by rule shall designate subjects constituting a well-balanced curriculum to be offered by a school district that does not offer kindergarten through grade 12.
- (b-1) In this section, "common core state standards" means the national curriculum standards developed by the Common Core State Standards Initiative.
- (b-2) The State Board of Education may not adopt common core state standards to comply with a duty imposed under this chapter.
- (b-3) A school district may not use common core state standards to comply with the requirement to provide instruction in the essential knowledge and skills at appropriate grade levels under Subsection (c).
- (b-4) Notwithstanding any other provision of this code, a school district or open-enrollment charter school may not be required to offer any aspect of a common core state standards curriculum.



- (c) The State Board of Education, with the direct participation of educators, parents, business and industry representatives, and employers shall by rule identify the essential knowledge and skills of each subject of the required curriculum that all students should be able to demonstrate and that will be used in evaluating instructional materials under Chapter [31](#) and addressed on the assessment instruments required under Subchapter [B](#), Chapter [39](#). As a condition of accreditation, the board shall require each district to provide instruction in the essential knowledge and skills at appropriate grade levels and to make available to each high school student in the district an Algebra II course.
- (c-1) The State Board of Education shall adopt rules requiring students enrolled in grade levels six, seven, and eight to complete at least one fine arts course during those grade levels as part of a district's fine arts curriculum.
- (c-2) Each time the Texas Higher Education Coordinating Board revises the Internet database of the coordinating board's official statewide inventory of workforce education courses, the State Board of Education shall by rule revise the essential knowledge and skills of any corresponding career and technology education curriculum as provided by Subsection (c).
- (c-3) In adopting the essential knowledge and skills for the technology applications curriculum for kindergarten through grade eight, the State Board of Education shall adopt essential knowledge and skills that include coding, computer programming, computational thinking, and cybersecurity. The State Board of Education shall review and revise, as needed, the essential knowledge and skills of the technology applications curriculum every five years to ensure the curriculum:
  - (1) is relevant to student education; and
  - (2) aligns with current or emerging professions.
- (d) The physical education curriculum required under Subsection (a)(2)(C) must be sequential, developmentally appropriate, and designed, implemented, and evaluated to enable students to develop the motor, self-management, and other skills, knowledge, attitudes, and confidence necessary to participate in physical activity throughout life. Each school district shall establish specific objectives and goals the district intends to accomplish through the physical education curriculum. In identifying the essential knowledge and skills of physical education, the State Board of Education shall ensure that the curriculum:
  - (1) emphasizes the knowledge and skills capable of being used during a lifetime of regular physical activity;
  - (2) is 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) requires that, on a weekly basis, at least 50 percent of the physical education class be used for actual student physical activity and that the activity be, to the extent practicable, at a moderate or vigorous level;
  - (4) offers students an opportunity to choose among many types of physical activity in which to participate;
  - (5) offers students both cooperative and competitive games;
  - (6) meets the needs of students of all physical ability levels, including students who have a chronic health problem, disability, including a student who is a person with a disability described under Section [29.003](#)(b) or criteria developed by the agency in accordance with

that section, 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;

- (7) takes 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;
  - (8) teaches self-management and movement skills;
  - (9) teaches cooperation, fair play, and responsible participation in physical activity;
  - (10) promotes student participation in physical activity outside of school; and
  - (11) allows physical education classes to be an enjoyable experience for students.
- (e) American Sign Language is a language for purposes of Subsection (a)(2)(A). A public school may offer an elective course in the language.
- (f) A school district may offer courses for local credit in addition to those in the required curriculum. The State Board of Education shall:
- (1) be flexible in approving a course for credit for high school graduation under this subsection; and
  - (2) approve courses in cybersecurity for credit for high school graduation under this subsection.
- (g) A local instructional plan may draw on state curriculum frameworks and program standards as appropriate. Each district is encouraged to exceed minimum requirements of law and State Board of Education rule. Each district shall ensure that all children in the district participate actively in a balanced curriculum designed to meet individual needs. Before the adoption of a major curriculum initiative, including the use of a curriculum management system, a district must use a process that:
- (1) includes teacher input;
  - (2) provides district employees with the opportunity to express opinions regarding the initiative; and
  - (3) includes a meeting of the board of trustees of the district at which:
    - (A) information regarding the initiative is presented, including the cost of the initiative and any alternatives that were considered; and
    - (B) members of the public and district employees are given the opportunity to comment regarding the initiative.
- (g-1) A district may also offer a course or other activity, including an apprenticeship or training hours needed to obtain an industry-recognized credential or certificate, that is approved by the board of trustees for credit without obtaining State Board of Education approval if:
- (1) the district develops a program under which the district partners with a public or private institution of higher education and local business, labor, and community leaders to develop and provide the courses; and
  - (2) the course or other activity allows students to enter:
    - (A) a career or technology training program in the district's region of the state;

- (B) an institution of higher education without remediation;
  - (C) an apprenticeship training program; or
  - (D) an internship required as part of accreditation toward an industry-recognized credential or certificate for course credit.
- (g-2) Each school district shall annually report to the agency the names of the courses, programs, institutions of higher education, and internships in which the district's students have enrolled under Subsection (g-1) and the names of the courses and institutions of higher education in which the district's students have enrolled under Subsection (g-3). The agency shall make available information provided under this subsection to other districts.
- (g-3) A district may also offer a course in cybersecurity that is approved by the board of trustees for credit without obtaining State Board of Education approval if the district partners with a public or private institution of higher education that offers an undergraduate degree program in cybersecurity to develop and provide the course.
- (h) The State Board of Education and each school district shall require the teaching of informed American patriotism, Texas history, and the free enterprise system in the adoption of instructional materials for kindergarten through grade 12, including the founding documents of the United States. A primary purpose of the public school curriculum is to prepare thoughtful, informed citizens who understand the importance of patriotism and can function productively in a free enterprise society with appreciation for the fundamental democratic principles of our state and national heritage.
- (h-1) In adopting the essential knowledge and skills for the foundation curriculum under Subsection (a)(1), the State Board of Education shall, as appropriate, adopt essential knowledge and skills that develop each student's civic knowledge, including an understanding of:
- (1) the fundamental moral, political, and intellectual foundations of the American experiment in self-government;
  - (2) the history, qualities, traditions, and features of civic engagement in the United States;
  - (3) the structure, function, and processes of government institutions at the federal, state, and local levels; and
  - (4) the founding documents of the United States, including:
    - (A) the entirety of the Declaration of Independence;
    - (B) the entirety of the United States Constitution;
    - (C) the Federalist Papers, including the entirety of Essays 10 and 51;
    - (D) excerpts from Alexis de Tocqueville's *Democracy in America*;
    - (E) the transcript of the first Lincoln-Douglas debate;
    - (F) the writings of the founding fathers of the United States;
    - (G) the entirety of Frederick Douglass's speeches "The Meaning of July Fourth for the Negro" and "What the Black Man Wants"; and
    - (H) the entirety of Martin Luther King Jr.'s speech "I Have a Dream."

Text of subsection as added by Acts 2021, 87th Leg., R.S., Ch. 1005 (H.B. [4509](#)), Sec. 3

Text of subsection effective until December 02, 2021

- (h-2) In providing instruction regarding the founding documents of the United States as described by Subsection (h-1)(4), a school district or open-enrollment charter school shall use those documents as part of the instructional materials for the instruction.

Text of subsection as added by Acts 2021, 87th Leg., R.S., Ch. 772 (H.B. [3979](#)), Sec. 1

Text of subsection effective until December 02, 2021

- (h-2) In adopting the essential knowledge and skills for the social studies curriculum, the State Board of Education shall adopt essential knowledge and skills that develop each student's civic knowledge, including an understanding of:
- (1) the fundamental moral, political, and intellectual foundations of the American experiment in self-government;
  - (2) the history, qualities, traditions, and features of civic engagement in the United States;
  - (3) the history of Native Americans;
  - (4) the structure, function, and processes of government institutions at the federal, state, and local levels;
  - (5) the founding documents of the United States, including:
    - (A) the Declaration of Independence;
    - (B) the United States Constitution;
    - (C) the Federalist Papers;
    - (D) the transcript of the first Lincoln-Douglas debate;
    - (E) the writings of and about the founding fathers and mothers and other founding persons of the United States, including the writings of:
      - (i) George Washington;
      - (ii) Ona Judge;
      - (iii) Thomas Jefferson;
      - (iv) Sally Hemings; and
      - (v) any other founding persons of the United States;
    - (F) writings from Frederick Douglass's newspaper, the North Star;
    - (G) the Book of Negroes;
    - (H) the Fugitive Slave Acts of 1793 and 1850;
    - (I) the Indian Removal Act;
    - (J) Thomas Jefferson's letter to the Danbury Baptists; and
    - (K) William Still's Underground Railroad Records;
  - (6) historical documents related to the civic accomplishments of marginalized populations, including documents related to:
    - (A) the Chicano movement;

- (B) women's suffrage and equal rights;
  - (C) the civil rights movement;
  - (D) the Snyder Act of 1924; and
  - (E) the American labor movement;
- (7) the history of white supremacy, including but not limited to the institution of slavery, the eugenics movement, and the Ku Klux Klan, and the ways in which it is morally wrong;
- (8) the history and importance of the civil rights movement, including the following documents:
- (A) Martin Luther King Jr.'s "Letter from a Birmingham Jail" and "I Have a Dream" speech;
  - (B) the federal Civil Rights Act of 1964 (42 U.S.C. Section 2000a et seq.);
  - (C) the United States Supreme Court's decision in *Brown v. Board of Education*;
  - (D) the Emancipation Proclamation;
  - (E) the Universal Declaration of Human Rights;
  - (F) the Thirteenth, Fourteenth, and Fifteenth Amendments to the United States Constitution;
  - (G) the United States Court of Appeals for the Ninth Circuit decision in *Mendez v. Westminster*;
  - (H) Frederick Douglass's *Narrative of the Life of Frederick Douglass, an American Slave*;
  - (I) the life and work of Cesar Chavez; and
  - (J) the life and work of Dolores Huerta;
- (9) the history and importance of the women's suffrage movement, including the following documents:
- (A) the federal Voting Rights Act of 1965 (52 U.S.C. Section 10101 et seq.);
  - (B) the Fifteenth, Nineteenth, and Twenty-Sixth Amendments to the United States Constitution;
  - (C) Abigail Adams's letter "Remember the Ladies";
  - (D) the works of Susan B. Anthony; and
  - (E) the Declaration of Sentiments;
- (10) the life and works of Dr. Hector P. Garcia;
- (11) the American GI Forum;
- (12) the League of United Latin American Citizens; and
- (13) *Hernandez v. Texas* (1954).

Text of subsection effective on December 02, 2021

- (h-2) In adopting the essential knowledge and skills for the social studies curriculum for each grade level from kindergarten through grade 12, the State Board of Education shall adopt essential knowledge and skills that develop each student's civic knowledge, including:
- (1) an understanding of:
    - (A) the fundamental moral, political, entrepreneurial, and intellectual foundations of the American experiment in self-government;
    - (B) the history, qualities, traditions, and features of civic engagement in the United States;
    - (C) the structure, function, and processes of government institutions at the federal, state, and local levels; and
    - (D) the founding documents of the United States;
  - (2) the ability to:
    - (A) analyze and determine the reliability of information sources;
    - (B) formulate and articulate reasoned positions;
    - (C) understand the manner in which local, state, and federal government works and operates through the use of simulations and models of governmental and democratic processes;
    - (D) actively listen and engage in civil discourse, including discourse with those with different viewpoints; and
    - (E) participate as a citizen in a constitutional democracy by voting; and
  - (3) an appreciation of:
    - (A) the importance and responsibility of participating in civic life;
    - (B) a commitment to the United States and its form of government; and
    - (C) a commitment to free speech and civil discourse.

Text of subsection effective until December 02, 2021

- (h-3) For any social studies course in the required curriculum:
- (1) a teacher may not be compelled to discuss a particular current event or widely debated and currently controversial issue of public policy or social affairs;
  - (2) a teacher who chooses to discuss a topic described by Subdivision (1) shall, to the best of the teacher's ability, strive to explore the topic from diverse and contending perspectives without giving deference to any one perspective;
  - (3) a school district, open-enrollment charter school, or teacher may not require, make part of a course, or award a grade or course credit, including extra credit, for a student's:
    - (A) political activism, lobbying, or efforts to persuade members of the legislative or executive branch at the federal, state, or local level to take specific actions by direct communication; or
    - (B) participation in any internship, practicum, or similar activity involving social or public policy advocacy; and

- (4) a teacher, administrator, or other employee of a state agency, school district, or open-enrollment charter school may not:
- (A) be required to engage in training, orientation, or therapy that presents any form of race or sex stereotyping or blame on the basis of race or sex;
  - (B) require or make part of a course the concept that:
    - (i) one race or sex is inherently superior to another race or sex;
    - (ii) an individual, by virtue of the individual's race or sex, is inherently racist, sexist, or oppressive, whether consciously or unconsciously;
    - (iii) an individual should be discriminated against or receive adverse treatment solely or partly because of the individual's race;
    - (iv) members of one race or sex cannot and should not attempt to treat others without respect to race or sex;
    - (v) an individual's moral character, standing, or worth is necessarily determined by the individual's race or sex;
    - (vi) an individual, by virtue of the individual's race or sex, bears responsibility for actions committed in the past by other members of the same race or sex;
    - (vii) an individual should feel discomfort, guilt, anguish, or any other form of psychological distress on account of the individual's race or sex;
    - (viii) meritocracy or traits such as a hard work ethic are racist or sexist or were created by members of a particular race to oppress members of another race;
    - (ix) the advent of slavery in the territory that is now the United States constituted the true founding of the United States; or
    - (x) with respect to their relationship to American values, slavery and racism are anything other than deviations from, betrayals of, or failures to live up to, the authentic founding principles of the United States, which include liberty and equality; and
  - (C) require an understanding of The 1619 Project.

Text of subsection effective on December 02, 2021

(h-3) Repealed by Acts 2021, 87th Leg., 2nd C.S., Ch. 9 (S.B. 3), Sec. 6, eff. December 2, 2021.

Text of subsection effective until December 02, 2021

(h-4) A state agency, school district, or open-enrollment charter school may not accept private funding for the purpose of developing a curriculum, purchasing or selecting curriculum materials, or providing teacher training or professional development for a course described by Subsection (h-3)(3).

Text of subsection effective on December 02, 2021

(h-4) Repealed by Acts 2021, 87th Leg., 2nd C.S., Ch. 9 (S.B. [3](#)), Sec. 6, eff. December 2, 2021.

Text of subsection effective until December 02, 2021

(h-5) A school district or open-enrollment charter school may not implement, interpret, or enforce any rules or student code of conduct in a manner that would result in the punishment of a student for discussing, or have a chilling effect on student discussion of, the concepts described by Subsection (h-3)(4).

Text of subsection effective on December 02, 2021

(h-5) Repealed by Acts 2021, 87th Leg., 2nd C.S., Ch. 9 (S.B. [3](#)), Sec. 6, eff. December 2, 2021.

Text of subsection effective on December 02, 2021

(h-6) In providing instruction regarding the founding documents of the United States as described by Subsection (h-1)(4), a school district or open-enrollment charter school shall use those documents as part of the instructional materials for the instruction.

Text of subsection effective on December 02, 2021

(h-7) The agency shall ensure that each school district or open-enrollment charter school teaches civics education as part of the district's social studies curriculum in a manner consistent with the essential knowledge and skills adopted under Subsection (h-2).

Text of subsection effective on December 02, 2021

(h-8) Nothing in Subsection (h-2) or (h-7) may be construed as limiting the teaching of or instruction in the essential knowledge and skills adopted under this subchapter.

(i) The State Board of Education shall adopt rules for the implementation of this subchapter. Except as provided by Subsection (j), the board may not adopt rules that designate the methodology used by a teacher or the time spent by a teacher or a student on a particular task or subject.

(j) The State Board of Education by rule may require laboratory instruction in secondary science courses and may require a specific amount or percentage of time in a secondary science course that must be laboratory instruction.



- (k) The State Board of Education, in consultation with the Department of State Health Services and the Texas Diabetes Council, shall develop a diabetes education program that a school district may use in the health curriculum under Subsection (a)(2)(B).
- (l) A school district shall require a student enrolled in full-day prekindergarten, in kindergarten, or in a grade level below grade six to participate in moderate or vigorous daily physical activity for at least 30 minutes throughout the school year as part of the district's physical education curriculum or through structured activity during a school campus's daily recess. To the extent practicable, a school district shall require a student enrolled in prekindergarten on less than a full-day basis to participate in the same type and amount of physical activity as a student enrolled in full-day prekindergarten. A school district shall require students enrolled in grade levels six, seven, and eight to participate in moderate or vigorous daily physical activity for at least 30 minutes for at least four semesters during those grade levels as part of the district's physical education curriculum. If a school district determines, for any particular grade level below grade six, that requiring moderate or vigorous daily physical activity is impractical due to scheduling concerns or other factors, the district may as an alternative require a student in that grade level to participate in moderate or vigorous physical activity for at least 135 minutes during each school week. Additionally, a school district may as an alternative require a student enrolled in a grade level for which the district uses block scheduling to participate in moderate or vigorous physical activity for at least 225 minutes during each period of two school weeks. A school district must provide for an exemption for:
  - (1) any student who is unable to participate in the required physical activity because of illness or disability; and
  - (2) a middle school or junior high school student who participates in an extracurricular activity with a moderate or vigorous physical activity component that is considered a structured activity under rules adopted by the commissioner.
- (l-1) In adopting rules relating to an activity described by Subsection (l)(2), the commissioner may permit an exemption for a student who participates in a school-related activity or an activity sponsored by a private league or club only if the student provides proof of participation in the activity.
- (l-2) To encourage school districts to promote physical activity for children through classroom curricula for health and physical education, the agency, in consultation with the Department of State Health Services, shall designate nationally recognized health and physical education program guidelines that a school district may use in the health curriculum under Subsection (a)(2)(B) or the physical education curriculum under Subsection (a)(2)(C).
- (l-3)
  - (1) This subsection may be cited as "Lauren's Law."
  - (2) The State Board of Education, the Department of State Health Services, or a school district may not adopt any rule, policy, or program under Subsections (a), (k), (l), (l-1), or (l-2) that would prohibit a parent or grandparent of a student from providing any food product of the parent's or grandparent's choice to:
    - (A) children in the classroom of the child of the parent or grandparent on the occasion of the child's birthday; or
    - (B) children at a school-designated function.
- (m) Section [2001.039](#), Government Code, as added by Chapter 1499, Acts of the 76th Legislature, Regular Session, 1999, does not apply to a rule adopted by the State Board of Education under Subsection (c) or (d).

- (n) The State Board of Education may by rule develop and implement a plan designed to incorporate foundation curriculum requirements into the career and technology education curriculum under Subsection (a)(2)(E).
- (o) In approving career and technology courses, the State Board of Education must determine that at least 50 percent of the approved courses are cost-effective for a school district to implement.
- (p) The State Board of Education, in conjunction with the office of the attorney general, shall develop a parenting and paternity awareness program that a school district shall use in the district's high school health curriculum. A school district may use the program developed under this subsection in the district's middle or junior high school curriculum. At the discretion of the district, a teacher may modify the suggested sequence and pace of the program at any grade level. The program must:
  - (1) address parenting skills and responsibilities, including child support and other legal rights and responsibilities that come with parenthood;
  - (2) address relationship skills, including money management, communication skills, and marriage preparation; and
  - (3) in district middle, junior high, or high schools that do not have a family violence prevention program, address skills relating to the prevention of family violence.
- (p-2) A school district may develop or adopt research-based programs and curriculum materials for use in conjunction with the program developed under Subsection (p). The programs and curriculum materials may provide instruction in:
  - (1) child development;
  - (2) parenting skills, including child abuse and neglect prevention; and
  - (3) assertiveness skills to prevent teenage pregnancy, abusive relationships, and family violence.
- (p-3) The agency shall evaluate programs and curriculum materials developed under Subsection (p-2) and distribute to other school districts information regarding those programs and materials.
- (p-4) A student under 14 years of age may not participate in a program developed under Subsection (p) without the permission of the student's parent or person standing in parental relation to the student.
- (q) Repealed by Acts 2013, 83rd Leg., R.S., Ch. 211, Sec. 78(b)(1), eff. September 1, 2014.
- (r) In adopting the essential knowledge and skills for the health curriculum under Subsection (a)(2)(B), the State Board of Education shall adopt essential knowledge and skills that address the science, risk factors, causes, dangers, consequences, signs, symptoms, and treatment of substance abuse, including the use of illegal drugs, abuse of prescription drugs, abuse of alcohol such as by binge drinking or other excessive drinking resulting in alcohol poisoning, inhaling solvents, and other forms of substance abuse. The agency shall compile a list of evidence-based substance abuse awareness programs from which a school district shall choose a program to use in the district's middle school, junior high school, and high school health curriculum. In this subsection, "evidence-based substance abuse awareness program" means a program, practice, or strategy that has been proven to effectively prevent substance abuse among students, as determined by evaluations that are evidence-based.
- (s) In this subsection, "bullying" has the meaning assigned by Section [37.0832](#) and "harassment" has the meaning assigned by Section [37.001](#). In addition to any other essential knowledge and skills the State Board of Education adopts for the health curriculum under Subsection (a)(2)(B), the

board shall adopt for the health curriculum, in consultation with the Texas School Safety Center, essential knowledge and skills that include evidence-based practices that will effectively address awareness, prevention, identification, self-defense in response to, and resolution of and intervention in bullying and harassment.

- (t) The State Board of Education, in consultation with the commissioner of higher education and business and industry leaders, shall develop an advanced language course that a school district may use in the curriculum under Subsection (a)(2)(A) to provide students with instruction in industry-related terminology that prepares students to communicate in a language other than English in a specific professional, business, or industry environment.
- (w) Repealed by Acts 2019, 86th Leg., R.S., Ch. 352 (H.B. [18](#)), Sec. 4.01(2), eff. December 1, 2019.
- (z) The State Board of Education by rule shall require each school district to incorporate instruction in digital citizenship into the district's curriculum, including information regarding the potential criminal consequences of cyberbullying. In this subsection:
  - (1) "Cyberbullying" has the meaning assigned by Section [37.0832](#).
  - (2) "Digital citizenship" means the standards of appropriate, responsible, and healthy online behavior, including the ability to access, analyze, evaluate, create, and act on all forms of digital communication.

TEXAS EDUCATION CODE  
TITLE 2. PUBLIC EDUCATION  
SUBTITLE F. CURRICULUM, PROGRAMS, AND SERVICES  
CHAPTER 28. COURSES OF STUDY; ADVANCEMENT  
SUBCHAPTER B. ADVANCEMENT, PLACEMENT, CREDIT, AND  
ACADEMIC ACHIEVEMENT RECORD

**TEC, §28.023. CREDIT BY EXAMINATION.**

- (a) Using guidelines established by the State Board of Education, a school district shall develop or select for review by the district board of trustees examinations for acceleration for each primary school grade level and for credit for secondary school academic subjects. The guidelines must provide for the examinations to thoroughly test comprehension of the information presented in the applicable grade level or subject. The board of trustees shall approve for each subject, to the extent available, at least four examinations that satisfy State Board of Education guidelines. The examinations approved by the board of trustees must include:
  - (1) advanced placement examinations developed by the College Board; and
  - (2) examinations administered through the College-Level Examination Program.
- (b) A school district shall give a student in a primary grade level credit for a grade level and advance the student one grade level on the basis of an examination for acceleration approved by the board of trustees under Subsection (a) if:
  - (1) the student scores in the 80th percentile or above on each section of the examination;
  - (2) a district representative recommends that the student be advanced; and
  - (3) the student's parent or guardian gives written approval of the advancement.
- (c) A school district shall give a student in grade level six or above credit for a subject on the basis of an examination for credit in the subject approved by the board of trustees under Subsection (a) if the student scores in the 80th percentile or above on the examination or if the student achieves a score as provided by Subsection (c-1). If a student is given credit in a subject on the basis of an examination, the district shall enter the examination score on the student's transcript and the student is not required to take an end-of-course assessment instrument adopted under Section 39.023(c) for that subject.
- (c-1) A school district shall give a student in grade level six or above credit for a subject if the student scores:

- (1) a three or higher on an advanced placement examination approved by the board of trustees under Subsection (a) and developed by the College Board; or
  - (2) a scaled score of 50 or higher on an examination approved by the board of trustees under Subsection (a) and administered through the College-Level Examination Program.
- (d) Each district shall administer each examination approved by the board of trustees under Subsection (a) not fewer than four times each year, at times to be determined by the State Board of Education.
- (e) Subsection (d) does not apply to an examination that has an administration date that is established by an entity other than the school district.
- (f) A student may not attempt more than two times to receive credit for a particular subject on the basis of an examination for credit in that subject.
- (g) If a student fails to achieve the designated score described by Subsection (c) or (c-1) on an applicable examination described by Subsection (c) or (c-1) for a subject before the beginning of the school year in which the student would ordinarily be required to enroll in a course in that subject in accordance with the school district's prescribed course sequence, the student must satisfactorily complete the course to receive credit for the course.
- (h) This subsection applies only to a school district surrounded by a school district described by Section 11.065(a). Notwithstanding any other provision of this section, a school district's board of trustees may establish a minimum required score for each section of an examination for acceleration or an examination for credit approved by the board under Subsection (a) that is higher than the minimum required scores under Subsections (b) and (c), respectively. A minimum required score established by a board of trustees under this subsection:
- (1) may be no greater than a score in the 90th percentile;
  - (2) must be established before the beginning of a school year for examinations to be administered in the school year; and
  - (3) must apply for at least the entire school year.

TEXAS EDUCATION CODE  
CHAPTER 28. COURSES OF STUDY; ADVANCEMENT  
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ACADEMIC ACHIEVEMENT RECORD

**TEC, §28.025. HIGH SCHOOL DIPLOMA AND CERTIFICATE; ACADEMIC ACHIEVEMENT RECORD.**

- (a) The State Board of Education by rule shall determine curriculum requirements for the foundation high school program that are consistent with the required curriculum under Section [28.002](#). The State Board of Education shall designate the specific courses in the foundation curriculum under Section [28.002\(a\)\(1\)](#) required under the foundation high school program. Except as provided by this section, the State Board of Education may not designate a specific course or a specific number of credits in the enrichment curriculum as requirements for the program.
- (b) A school district shall ensure that each student, on entering ninth grade, indicates in writing an endorsement under Subsection (c-1) that the student intends to earn. A district shall permit a student to choose, at any time, to earn an endorsement other than the endorsement the student previously indicated. A student may graduate under the foundation high school program without earning an endorsement if, after the student's sophomore year:
  - (1) the student and the student's parent or person standing in parental relation to the student are advised by a school counselor of the specific benefits of graduating from high school with one or more endorsements; and
  - (2) the student's parent or person standing in parental relation to the student files with a school counselor written permission, on a form adopted by the agency, allowing the student to graduate under the foundation high school program without earning an endorsement.
- (b-1) The State Board of Education by rule shall require that the curriculum requirements for the foundation high school program under Subsection (a) include a requirement that students successfully complete:
  - (1) four credits in English language arts under Section [28.002\(a\)\(1\)\(A\)](#), including one credit in English I, one credit in English II, one credit in English III, and one credit in an advanced English course authorized under Subsection (b-2);
  - (2) three credits in mathematics under Section [28.002\(a\)\(1\)\(B\)](#), including one credit in Algebra I, one credit in geometry, and one credit in any advanced mathematics course authorized under Subsection (b-2);
  - (3) three credits in science under Section [28.002\(a\)\(1\)\(C\)](#), including one credit in biology, one credit in any advanced science course authorized under Subsection (b-2), and one credit in integrated physics and chemistry or in an additional advanced science course authorized under Subsection (b-2);
  - (4) three credits in social studies under Section [28.002\(a\)\(1\)\(D\)](#), including one credit in United States history, at least one-half credit in government and at least one-half credit in economics or personal financial literacy & economics, and one credit in world geography or world history;
  - (5) except as provided under Subsections (b-12), (b-13), and (b-14), two credits in the same language in a language other than English under Section [28.002\(a\)\(2\)\(A\)](#);
  - (6) five elective credits;
  - (7) one credit in fine arts under Section [28.002\(a\)\(2\)\(D\)](#); and

- (8) except as provided by Subsection (b-11), one credit in physical education under Section [28.002\(a\)\(2\)\(C\)](#).
- (b-2) In adopting rules under Subsection (b-1), the State Board of Education shall:
- (1) provide for a student to comply with the curriculum requirements for an advanced English course under Subsection (b-1)(1), for an advanced mathematics course under Subsection (b-1)(2), and for any advanced science course under Subsection (b-1)(3) by successfully completing a course in the appropriate content area that has been approved as an advanced course by board rule or that is offered as an advanced course for credit without board approval as provided by Section [28.002\(g-1\)](#); and
  - (2) allow a student to comply with the curriculum requirements for the third and fourth mathematics credits under Subsection (b-1)(2) or the third and fourth science credits under Subsection (b-1)(3) by successfully completing an advanced career and technical course designated by the State Board of Education as containing substantively similar and rigorous academic content.
- (b-3) In adopting rules for purposes of Subsection (b-2), the State Board of Education must approve a variety of advanced English, mathematics, and science courses that may be taken to comply with the foundation high school program requirements, provided that each approved course prepares students to enter the workforce successfully or postsecondary education without remediation.
- (b-4) A school district may offer the curriculum described in Subsections (b-1)(1) through (4) in an applied manner. Courses delivered in an applied manner must cover the essential knowledge and skills, and the student shall be administered the applicable end-of-course assessment instrument as provided by Sections [39.023\(c\)](#) and [39.025](#).
- (b-5) A school district may offer a mathematics or science course to be taken by a student after completion of Algebra II and physics. A course approved under this subsection must be endorsed by an institution of higher education as a course for which the institution would award course credit or as a prerequisite for a course for which the institution would award course credit.
- (b-6) A school district may allow a student to enroll concurrently in Algebra I and geometry.
- (b-7) The State Board of Education, in coordination with the Texas Higher Education Coordinating Board, shall adopt rules to ensure that a student may comply with the curriculum requirements under the foundation high school program or for an endorsement under Subsection (c-1) by successfully completing appropriate courses in the core curriculum of an institution of higher education under Section [61.822](#). Notwithstanding Subsection (b-15) or (c) of this section, Section [39.025](#), or any other provision of this code and notwithstanding any school district policy, a student who has completed the core curriculum of an institution of higher education under Section [61.822](#), as certified by the institution in accordance with commissioner rule, is considered to have earned a distinguished level of achievement under the foundation high school program and is entitled to receive a high school diploma from the appropriate high school as that high school is determined in accordance with commissioner rule. A student who is considered to have earned a distinguished level of achievement under the foundation high school program under this subsection may apply for admission to an institution of higher education for the first semester or other academic term after the semester or other academic term in which the student completes the core curriculum.
- (b-8) Repealed by Acts 2013, 83rd Leg., R.S., Ch. 211, Sec. 78(b)(3), eff. September 1, 2014.
- (b-9) A school district, with the approval of the commissioner, may allow a student to satisfy the fine arts credit required under Subsection (b-1)(7) by participating in a community-based fine arts program not provided by the school district in which the student is enrolled. The fine arts program must provide instruction in the

essential knowledge and skills identified for fine arts by the State Board of Education under Section [28.002](#)(c). The fine arts program may be provided on or off a school campus and outside the regular school day.

- (b-10) A school district, with the approval of the commissioner, may allow a student to comply with the curriculum requirements for the physical education credit required under Subsection (b-1)(8) by participating in a private or commercially sponsored physical activity program provided on or off a school campus and outside the regular school day.
- (b-11) In adopting rules under Subsection (b-1), the State Board of Education shall allow a student who is unable to participate in physical activity due to disability or illness to substitute one credit in English language arts, mathematics, science, or social studies, one credit in a course that is offered for credit as provided by Section [28.002](#)(g-1), or one academic elective credit for the physical education credit required under Subsection (b-1)(8). A credit allowed to be substituted under this subsection may not also be used by the student to satisfy a graduation requirement other than completion of the physical education credit. The rules must provide that the determination regarding a student's ability to participate in physical activity will be made by:
  - (1) if the student receives special education services under Subchapter [A](#), Chapter [29](#), the student's admission, review, and dismissal committee;
  - (2) if the student does not receive special education services under Subchapter [A](#), Chapter [29](#), but is covered by Section 504, Rehabilitation Act of 1973 (29 U.S.C. Section 794), the committee established for the student under that Act; or
  - (3) if each of the committees described by Subdivisions (1) and (2) is inapplicable, a committee established by the school district of persons with appropriate knowledge regarding the student.
- (b-12) In adopting rules under Subsection (b-1), the State Board of Education shall adopt criteria to allow a student to comply with the curriculum requirements for the two credits in a language other than English required under Subsection (b-1)(5) by substituting two credits in computer programming languages, including computer coding.
- (b-13) In adopting rules under Subsection (b-1), the State Board of Education shall allow a student to substitute credit in another appropriate course for the second credit in the same language in a language other than English otherwise required by Subsection (b-1)(5) if the student, in completing the first credit required under Subsection (b-1)(5), demonstrates that the student is unlikely to be able to complete the second credit. The board rules must establish:
  - (1) the standards and, as applicable, the appropriate school personnel for making a determination under this subsection; and
  - (2) appropriate substitute courses for purposes of this subsection.
- (b-14) In adopting rules under Subsection (b-1), the State Board of Education shall allow a student who, due to disability, is unable to complete two courses in the same language in a language other than English, as provided under Subsection (b-1)(5), to substitute for those credits two credits in English language arts, mathematics, science, or social studies or two credits in career and technology education, technology applications, or other academic electives. A credit allowed to be substituted under this subsection may not also be used by the student to satisfy a graduation credit requirement other than credit for completion of a language other than English. The rules must provide that the determination regarding a student's ability to participate in language-other-than-English courses will be made by:
  - (1) if the student receives special education services under Subchapter [A](#), Chapter [29](#), the student's admission, review, and dismissal committee; or



- (2) if the student does not receive special education services under Subchapter [A](#), Chapter [29](#), but is covered by Section 504, Rehabilitation Act of 1973 (29 U.S.C. Section 794), the committee established for the student under that Act.
- (b-15) A student may earn a distinguished level of achievement under the foundation high school program by successfully completing:
  - (1) four credits in mathematics, which must include Algebra II and the courses described by Subsection (b-1)(2);
  - (2) four credits in science, which must include the courses described by Subsection (b-1)(3);
  - (3) the remaining curriculum requirements under Subsection (b-1); and
  - (4) the curriculum requirements for at least one endorsement under Subsection (c-1).
- (b-16) A student may satisfy an elective credit required under Subsection (b-1)(6) with a credit earned to satisfy the additional curriculum requirements for the distinguished level of achievement under the foundation high school program or an endorsement under Subsection (c-1). This subsection may apply to more than one elective credit.
- (b-17) The State Board of Education shall adopt rules to ensure that a student may comply with the curriculum requirements under Subsection (b-1)(6) by successfully completing an advanced career and technical course, including a course that may lead to an industry-recognized credential or certificate or an associate degree.
- (b-18) In adopting rules under Subsection (b-1), the State Board of Education shall allow a student to comply with the curriculum requirements under Subsection (b-1) by successfully completing a dual credit course.
- (b-19) In adopting rules under Subsection (b-1), the State Board of Education shall adopt criteria to allow a student to comply with curriculum requirements for the world geography or world history credit under Subsection (b-1)(4) by successfully completing a combined world history and world geography course developed by the State Board of Education.
- (b-20) The State Board of Education shall adopt rules to include the instruction developed under Section [28.012](#) in one or more courses in the required curriculum for students in grade levels 9 through 12.
- (b-21) In adopting rules under Subsection (b-1), the State Board of Education shall adopt criteria to allow a student to comply with the curriculum requirement for one credit under Subsection (b-1)(5) by successfully completing at an elementary school either a dual language immersion program under Section [28.0051](#) or a course in American Sign Language.
- (b-22) In adopting rules under Subsection (b-1), the State Board of Education shall ensure that a personal financial literacy & economics course taken to comply with the curriculum requirement under Subsection (b-1)(4) allocates:
  - (1) two-thirds of instruction time to instruction in personal financial literacy; and
  - (2) one-third of instruction time to instruction in economics.
- (b-23) The agency shall:
  - (1) develop a list of free, open-source, and publicly available curricula that may be used by a school district to provide a personal financial literacy & economics course that satisfies the curriculum requirement under Subsection (b-1)(4); and

- (2) seek, accept, and spend any federal or private grant funds and gifts that are available for the purpose of providing a personal financial literacy & economics course as part of the foundation high school program.
- (c) A person may receive a diploma if the person is eligible for a diploma under Section [28.0251](#). In other cases, a student may graduate and receive a diploma only if:
  - (1) the student successfully completes the curriculum requirements identified by the State Board of Education under Subsection (a) and complies with Sections [28.0256](#) and [39.025](#); or
  - (2) the student successfully completes an individualized education program developed under Section [29.005](#).
- (c-1) A student may earn an endorsement on the student's transcript by successfully completing curriculum requirements for that endorsement adopted by the State Board of Education by rule. The State Board of Education by rule shall provide students with multiple options for earning each endorsement, including, to the greatest extent possible, coherent sequences of courses. The State Board of Education by rule must permit a student to enroll in courses under more than one endorsement curriculum before the student's junior year. An endorsement under this subsection may be earned in any of the following categories:
  - (1) science, technology, engineering, and mathematics (STEM), which includes courses directly related to science, including environmental science, technology, including computer science, cybersecurity, and computer coding, engineering, and advanced mathematics;
  - (2) business and industry, which includes courses directly related to database management, information technology, communications, accounting, finance, marketing, graphic design, architecture, construction, welding, logistics, automotive technology, agricultural science, and heating, ventilation, and air conditioning;
  - (3) public services, which includes courses directly related to health sciences and occupations, mental health, education and training, law enforcement, and culinary arts and hospitality;
  - (4) arts and humanities, which includes courses directly related to political science, world languages, cultural studies, English literature, history, and fine arts; and
  - (5) multidisciplinary studies, which allows a student to:
    - (A) select courses from the curriculum of each endorsement area described by Subdivisions (1) through (4); and
    - (B) earn credits in a variety of advanced courses from multiple content areas sufficient to complete the distinguished level of achievement under the foundation high school program.
- (c-2) In adopting rules under Subsection (c-1), the State Board of Education shall:
  - (1) require a student in order to earn any endorsement to successfully complete:
    - (A) four credits in mathematics, which must include:
      - (i) the courses described by Subsection (b-1)(2); and
      - (ii) an additional advanced mathematics course authorized under Subsection (b-2) or an advanced career and technology course designated by the State Board of Education;
    - (B) four credits in science, which must include:

- (i) the courses described by Subsection (b-1)(3); and
  - (ii) an additional advanced science course authorized under Subsection (b-2) or an advanced career and technology course designated by the State Board of Education; and
- (C) two elective credits in addition to the elective credits required under Subsection (b-1)(6); and
- (2) develop additional curriculum requirements for each endorsement with the direct participation of educators and business, labor, and industry representatives, and shall require each school district to report to the agency the categories of endorsements under Subsection (c-1) for which the district offers all courses for curriculum requirements, as determined by board rule.
- (c-3) In adopting rules under Subsection (c-1), the State Board of Education shall adopt criteria to allow a student participating in the arts and humanities endorsement under Subsection (c-1)(4), with the written permission of the student's parent or a person standing in parental relation to the student, to comply with the curriculum requirements for science required under Subsection (c-2)(1)(B)(ii) by substituting for an advanced course requirement a course related to that endorsement.
- (c-4) Each school district must make available to high school students courses that allow a student to complete the curriculum requirements for at least one endorsement under Subsection (c-1). A school district that offers only one endorsement curriculum must offer the multidisciplinary studies endorsement curriculum.
- (c-5) A student may earn a performance acknowledgment on the student's transcript by satisfying the requirements for that acknowledgment adopted by the State Board of Education by rule. An acknowledgment under this subsection may be earned:
  - (1) for outstanding performance:
    - (A) in a dual credit course;
    - (B) in bilingualism and biliteracy;
    - (C) on a college advanced placement test or international baccalaureate examination;
    - (D) on an established, valid, reliable, and nationally norm-referenced preliminary college preparation assessment instrument used to measure a student's progress toward readiness for college and the workplace; or
    - (E) on an established, valid, reliable, and nationally norm-referenced assessment instrument used by colleges and universities as part of their undergraduate admissions process; or
  - (2) for earning a state recognized or nationally or internationally recognized business or industry certification or license.
- (c-6) Notwithstanding Subsection (c), a person may receive a diploma if the person is eligible for a diploma under Section [28.0258](#).
- (c-7) Subject to Subsection (c-8), a student who is enrolled in a special education program under Subchapter [A](#), Chapter [29](#), may earn an endorsement on the student's transcript by:
  - (1) successfully completing, with or without modification of the curriculum:
    - (A) the curriculum requirements identified by the State Board of Education under Subsection (a); and

- (B) the additional endorsement curriculum requirements prescribed by the State Board of Education under Subsection (c-2); and
- (2) successfully completing all curriculum requirements for that endorsement adopted by the State Board of Education:
  - (A) without modification of the curriculum; or
  - (B) with modification of the curriculum, provided that the curriculum, as modified, is sufficiently rigorous as determined by the student's admission, review, and dismissal committee.
- (c-8) For purposes of Subsection (c-7), the admission, review, and dismissal committee of a student in a special education program under Subchapter [A](#), Chapter [29](#), shall determine whether the student is required to achieve satisfactory performance on an end-of-course assessment instrument to earn an endorsement on the student's transcript.
- (c-10) In adopting rules under Subsection (c-1), the State Board of Education shall adopt or select five technology applications courses on cybersecurity to be included in a cybersecurity pathway for the science, technology, engineering, and mathematics endorsement.
- (d) A school district may issue a certificate of coursework completion to a student who successfully completes the curriculum requirements identified by the State Board of Education under Subsection (a) but who fails to comply with Section [39.025](#). A school district may allow a student who receives a certificate to participate in a graduation ceremony with students receiving high school diplomas.
- (e) Each school district shall report the academic achievement record of students who have completed the foundation high school program on transcript forms adopted by the State Board of Education. The transcript forms adopted by the board must be designed to clearly identify whether a student received a diploma or a certificate of coursework completion.
- (e-1) A school district shall clearly indicate a distinguished level of achievement under the foundation high school program as described by Subsection (b-15), an endorsement described by Subsection (c-1), and a performance acknowledgment described by Subsection (c-5) on the transcript of a student who satisfies the applicable requirements. The State Board of Education shall adopt rules as necessary to administer this subsection.
- (e-2) At the end of each school year, each school district shall report through the Public Education Information Management System (PEIMS) the number of district students who, during that school year, were:
  - (1) enrolled in the foundation high school program;
  - (2) pursuing the distinguished level of achievement under the foundation high school program as provided by Subsection (b-15); and
  - (3) enrolled in a program to earn an endorsement described by Subsection (c-1).
- (e-3) Information reported under Subsection (e-2) must be disaggregated by all student groups served by the district, including categories of race, ethnicity, socioeconomic status, sex, and populations served by special programs, including students in special education programs under Subchapter [A](#), Chapter [29](#).
- (f) A school district shall issue a certificate of attendance to a student who receives special education services under Subchapter [A](#), Chapter [29](#), and who has completed four years of high school but has not completed the student's individualized education program. A school district shall allow a student who receives a certificate to participate in a graduation ceremony with students receiving high school diplomas. A student

may participate in only one graduation ceremony under this subsection. This subsection does not preclude a student from receiving a diploma under Subsection (c)(2).

- (g) Repealed by Acts 2013, 83rd Leg., R.S., Ch. 211, Sec. 78(b)(3), eff. September 1, 2014.
- (h) Expired.
- (i) If an 11th or 12th grade student who is homeless or in the conservatorship of the Department of Family and Protective Services transfers to a different school district and the student is ineligible to graduate from the district to which the student transfers, the district from which the student transferred shall award a diploma at the student's request, if the student meets the graduation requirements of the district from which the student transferred.

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**TEC, §31.003. RULES.**

The State Board of Education may adopt rules, consistent with this chapter, for the adoption, requisition, distribution, care, use, and disposal of instructional materials.

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**TEC, §31.004. CERTIFICATION OF PROVISION OF INSTRUCTIONAL MATERIALS.**

- (a) Each school district and open-enrollment charter school shall annually certify to the State Board of Education and the commissioner that, for each subject in the required curriculum under Section [28.002](#), other than physical education, and each grade level, the district provides each student with instructional materials that cover all elements of the essential knowledge and skills adopted by the State Board of Education for that subject and grade level.
- (b) To determine whether each student has instructional materials that cover all elements of the essential knowledge and skills as required by Subsection (a), a school district or open-enrollment charter school may consider:
- (1) instructional materials adopted by the State Board of Education;
  - (2) materials adopted or purchased by the commissioner under Section [31.0231](#) or Subchapter B-1;
  - (3) open education resource instructional materials submitted by eligible institutions and adopted by the State Board of Education under Section [31.0241](#);
  - (4) open education resource instructional materials made available by other public schools;
  - (5) instructional materials developed or purchased by the school district or open-enrollment charter school; and
  - (6) open education resource instructional materials and other electronic instructional materials included in the repository under Section [31.083](#).

Added by Acts 2009, 81st Leg., R.S., Ch. 679 (H.B. [2488](#)), Sec. 2, eff. September 1, 2009.

Amended by:

Acts 2011, 82nd Leg., 1st C.S., Ch. 6 (S.B. [6](#)), Sec. 20, eff. July 19, 2011.

Acts 2017, 85th Leg., R.S., Ch. 581 (S.B. [810](#)), Sec. 3, eff. June 9, 2017.

Acts 2017, 85th Leg., R.S., Ch. 705 (H.B. [3526](#)), Sec. 2, eff. June 12, 2017.

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**TEC, §31.005. FUNDING FOR OPEN-ENROLLMENT CHARTER SCHOOLS.**

An open-enrollment charter school is entitled to the instructional materials and technology allotment under this chapter and is subject to this chapter as if the school were a school district.

Added by Acts 2011, 82nd Leg., 1st C.S., Ch. 6 (S.B. [6](#)), Sec. 20, eff. July 19, 2011.

Amended by:

Acts 2017, 85th Leg., R.S., Ch. 581 (S.B. [810](#)), Sec. 4, eff. June 9, 2017.

Acts 2017, 85th Leg., R.S., Ch. 705 (H.B. [3526](#)), Sec. 3, eff. June 12, 2017.

Reenacted by Acts 2019, 86th Leg., R.S., Ch. 467 (H.B. [4170](#)), Sec. 5.004, eff. September 1, 2019.



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**TEC, §31.022. INSTRUCTIONAL MATERIALS REVIEW AND ADOPTION.**

- (a) The State Board of Education shall adopt a review and adoption cycle for instructional materials for elementary grade levels, including prekindergarten, and secondary grade levels, for each subject in the required curriculum under Section 28.002. In adopting the cycle, the board:
  - (1) is not required to review and adopt instructional materials for all grade levels in a single year; and
  - (2) shall give priority to instructional materials in the following subjects:
    - (A) foundation curriculum subjects for which the essential knowledge and skills have been substantially revised and for which assessment instruments are required under Subchapter B, Chapter 39, including career and technology courses that satisfy foundation curriculum requirements as provided by Section 28.002(n);
    - (B) foundation curriculum subjects for which the essential knowledge and skills have been substantially revised, including career and technology courses that satisfy foundation curriculum requirements as provided by Section 28.002(n);
    - (C) foundation curriculum subjects not described by Paragraph (A) or (B), including career and technology courses that satisfy foundation curriculum requirements as provided by Section 28.002(n); and
    - (D) enrichment curriculum subjects.
- (b) The board shall organize the cycle for subjects in the foundation curriculum so that not more than one-fourth of the instructional materials for subjects in the foundation curriculum are reviewed each biennium. The board shall adopt rules to provide for a full and complete investigation of instructional materials for each subject in the foundation curriculum every eight years. The adoption of instructional materials for a subject in the foundation curriculum may be extended beyond the eight-year period only if the content of instructional materials for a subject is sufficiently current.
- (c) The board shall adopt rules to provide for a full and complete investigation of instructional materials for each subject in the enrichment curriculum on a cycle the board considers appropriate.
- (d) At least 12 months before the beginning of the school year for which instructional materials for a particular subject and grade level will be adopted under the review and adoption cycle, the board shall publish notice of the review and adoption cycle for those instructional materials. A request for production must allow submission of open education resource instructional materials that are available for use by the state without charge on the same basis as instructional materials offered for sale.
- (d-1) A notice published under Subsection (d) must state that a publisher of adopted instructional materials for a grade level other than prekindergarten must submit an electronic sample of the instructional materials as required by Sections 31.027(a) and (b) and may not submit a print sample copy.
- (e) The board shall designate a request for production of instructional materials in a subject area and grade level by the school year in which the instructional materials are intended to be made available in classrooms and not by the school year in which the board makes the request for production.
- (f) The board shall amend any request for production issued for the purchase of instructional materials to conform to the instructional materials funding levels provided by the General Appropriations Act for the year of implementation.
- (g) In determining the disbursement of money to the available school fund and the amount of that disbursement that will be used, in accordance with Section 43.001(d), to fund the instructional materials and technology

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allotment under Section 31.0211, the board must consider the cost of all district technology requirements, as estimated by the commissioner under Section 31.0211(d), and instructional materials for that state fiscal biennium.

- (h) The board shall include information regarding open education resource instructional materials during the adoption cycle, including any cost savings associated with the adoption of open education resource instructional materials.
- (i) During any state fiscal biennium beginning on or after September 1, 2023, the total projected cost of instructional materials under requests for production issued by the board may not exceed 75 percent of the total amount used to fund the instructional materials and technology allotment under Section 31.0211 for that biennium.

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SUBCHAPTER C. LOCAL OPERATIONS

**TEC, §31.101. SELECTION AND PURCHASE OF INSTRUCTIONAL MATERIALS BY SCHOOL DISTRICTS.**

- (a) Each year, during a period established by the State Board of Education, the board of trustees of each school district and the governing body of each open-enrollment charter school shall:
  - (1) for a subject in the foundation curriculum, notify the State Board of Education of the instructional materials selected by the board of trustees or governing body for the following school year from the instructional materials list, including the list adopted under Section [31.0231](#); or
  - (2) for a subject in the enrichment curriculum:
    - (A) notify the State Board of Education of each instructional material selected by the board of trustees or governing body for the following school year from the instructional materials list, including the list adopted under Section [31.0231](#); or
    - (B) notify the State Board of Education that the board of trustees or governing body has selected instructional material that is not on the list.
- (b) In selecting instructional material each year, a school district or open-enrollment charter school may consider the use of open education resource instructional materials.
- (b-1) Repealed by Acts 2011, 82nd Leg., 1st C.S., Ch. 6, Sec. 67(8), eff. July 19, 2011.
- (c) Repealed by Acts 2011, 82nd Leg., 1st C.S., Ch. 6, Sec. 67(8), eff. July 19, 2011.
- (c-1) Repealed by Acts 2011, 82nd Leg., 1st C.S., Ch. 6, Sec. 67(8), eff. July 19, 2011.
- (d) For instructional material that is not on the list, a school district or open-enrollment charter school must use the instructional material for the period of the review and adoption cycle the State Board of Education has established for the subject and grade level for which the instructional material is used.
- (e) A school district or open-enrollment charter school that selects subscription-based instructional material on the list adopted under Section [31.023](#) or electronic instructional material on the list adopted by the commissioner under Section [31.0231](#) may cancel the subscription and subscribe to new instructional material on the list adopted under Section [31.023](#) or electronic instructional

material on the list adopted by the commissioner under Section [31.0231](#) before the end of the state contract period under Section [31.026](#) if:

- (1) the district or school has used the instructional material for at least one school year; and
  - (2) the agency approves the change based on a written request to the agency by the district or school that specifies the reasons for changing the instructional material used by the district or school.
- (f) The commissioner shall maintain an online requisition system for school districts to requisition instructional materials to be purchased with the district's instructional materials and technology allotment.

Added by Acts 1995, 74th Leg., ch. 260, Sec. 1, eff. May 30, 1995.

Amended by:

Acts 2009, 81st Leg., R.S., Ch. 1407 (H.B. [4294](#)), Sec. 5, eff. June 19, 2009.

Acts 2011, 82nd Leg., 1st C.S., Ch. 6 (S.B. [6](#)), Sec. 49, eff. July 19, 2011.

Acts 2011, 82nd Leg., 1st C.S., Ch. 6 (S.B. [6](#)), Sec. 50, eff. July 19, 2011.

Acts 2011, 82nd Leg., 1st C.S., Ch. 6 (S.B. [6](#)), Sec. 67(8), eff. July 19, 2011.

Acts 2017, 85th Leg., R.S., Ch. 581 (S.B. [810](#)), Sec. 28, eff. June 9, 2017.

Acts 2017, 85th Leg., R.S., Ch. 705 (H.B. [3526](#)), Sec. 18, eff. June 12, 2017.

Acts 2019, 86th Leg., R.S., Ch. 467 (H.B. [4170](#)), Sec. 5.020, eff. September 1, 2019.

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SUBCHAPTER B. STATE FUNDING, ADOPTION, AND PURCHASE

**TEC, §31.0211. INSTRUCTIONAL MATERIALS AND TECHNOLOGY ALLOTMENT.**

- (a) A school district is entitled to an allotment each biennium from the state instructional materials and technology fund for each student enrolled in the district on a date during the last year of the preceding biennium specified by the commissioner. The commissioner shall determine the amount of the allotment per student each biennium on the basis of the amount of money available in the state instructional materials and technology fund to fund the allotment. An allotment under this section shall be transferred from the state instructional materials and technology fund to the credit of the district's instructional materials and technology account as provided by Section [31.0212](#).
- (b) A juvenile justice alternative education program under Section [37.011](#) is entitled to an allotment from the state instructional materials and technology fund in an amount determined by the commissioner. The program shall use the allotment to purchase items listed in Subsection (c) for students enrolled in the program. The commissioner's determination under this subsection is final and may not be appealed.

Text of subsection as amended by Acts 2021, 87th Leg., R.S., Ch. 806 (H.B. [1525](#)), Sec. 13

- (c) Subject to Subsection (d), funds allotted under this section may be used to:
  - (1) purchase:
    - (A) materials on the list adopted by the commissioner, as provided by Section [31.0231](#);
    - (B) instructional materials, regardless of whether the instructional materials are on the list adopted under Section [31.024](#);
    - (C) consumable instructional materials, including workbooks;
    - (D) instructional materials for use in bilingual education classes, as provided by Section [31.029](#);
    - (E) instructional materials for use in college preparatory courses under Section [28.014](#), as provided by Section [31.031](#);
    - (F) supplemental instructional materials, as provided by Section [31.035](#);
    - (G) state-developed open education resource instructional materials, as provided by Subchapter B-1;
    - (H) instructional materials and technological equipment under any continuing contracts of the district in effect on September 1, 2011;
    - (I) technological equipment necessary to support the use of materials included on the list adopted by the commissioner under Section [31.0231](#) or any instructional materials purchased with an allotment under this section; and
    - (J) inventory software or systems for storing, managing, and accessing instructional materials and analyzing the usage and effectiveness of the instructional materials; and
  - (2) pay:
    - (A) for training educational personnel directly involved in student learning in the appropriate use of instructional materials and for providing for access to technological equipment for instructional use;
    - (B) the salary and other expenses of an employee who provides technical support for the use of technological equipment directly involved in student learning; and
    - (C) for costs associated with distance learning, including Wi-Fi, Internet access hotspots, wireless network service, broadband service, and other services and technological equipment necessary to facilitate Internet access.

Text of subsection as amended by Acts 2021, 87th Leg., R.S., Ch. 1003 (H.B. [3261](#)), Sec. 1

- (c) Funds allotted under this section may be used to:
  - (1) purchase:
    - (A) materials on the list adopted by the commissioner, as provided by Section [31.0231](#);
    - (B) instructional materials, regardless of whether the instructional materials are on the list

- adopted under Section [31.024](#);
  - (C) consumable instructional materials, including workbooks;
  - (D) instructional materials for use in bilingual education classes, as provided by Section [31.029](#);
  - (E) instructional materials for use in college preparatory courses under Section [28.014](#), as provided by Section [31.031](#);
  - (F) supplemental instructional materials, as provided by Section [31.035](#);
  - (G) state-developed open education resource instructional materials, as provided by Subchapter B-1;
  - (H) instructional materials and technological equipment under any continuing contracts of the district in effect on September 1, 2011;
  - (I) technological equipment necessary to support the use of materials included on the list adopted by the commissioner under Section [31.0231](#) or any instructional materials purchased with an allotment under this section;
  - (J) inventory software or systems for storing, managing, and accessing instructional materials and analyzing the usage and effectiveness of the instructional materials; and
  - (K) services, equipment, and technology infrastructure necessary to ensure Internet connectivity and adequate bandwidth; and
- (2) pay:
- (A) for training educational personnel directly involved in student learning in the appropriate use of instructional materials and for providing for access to technological equipment for instructional use;
  - (B) for training personnel in the electronic administration of assessment instruments; and
  - (C) the salary and other expenses of an employee who provides technical support for the use of technological equipment directly involved in student learning.
- (d) Each biennium the commissioner shall assess the technology needs for all school districts and provide an estimate of the cost for these resources to the State Board of Education.
- (d-1) In purchasing technological equipment, a school district shall:
- (1) secure technological solutions that meet the varying and unique needs of students and teachers in the district; and
  - (2) consider:
    - (A) the long-term cost of ownership; and
    - (B) flexibility for innovation.
- (e) Not later than May 31 of each school year, a school district may request that the commissioner adjust the number of students for which the district is entitled to receive an allotment under Subsection (a) on the grounds that the number of students attending school in the district will increase or decrease during the school year for which the allotment is provided. The commissioner may also adjust the number of students for which a district is entitled to receive an allotment, without a request by the district, if the commissioner determines a different number of students is a more accurate reflection of students who will be attending school in the district. The commissioner's determination under this subsection is final.
- (f) The commissioner may adopt rules as necessary to implement this section.

Added by Acts 2011, 82nd Leg., 1st C.S., Ch. 6 (S.B. [6](#)), Sec. 23, eff. July 19, 2011.

Amended by:

Acts 2013, 83rd Leg., R.S., Ch. 211 (H.B. [5](#)), Sec. 26(a), eff. June 10, 2013.

Acts 2015, 84th Leg., R.S., Ch. 731 (H.B. [1474](#)), Sec. 1, eff. September 1, 2015.

Acts 2017, 85th Leg., R.S., Ch. 581 (S.B. [810](#)), Sec. 5, eff. June 9, 2017.

Acts 2017, 85th Leg., R.S., Ch. 581 (S.B. [810](#)), Sec. 6, eff. June 9, 2017.

Acts 2019, 86th Leg., R.S., Ch. 467 (H.B. [4170](#)), Sec. 5.007, eff. September 1, 2019.

Acts 2019, 86th Leg., R.S., Ch. 724 (H.B. [396](#)), Sec. 2, eff. September 1, 2019.

Reenacted by Acts 2019, 86th Leg., R.S., Ch. 467 (H.B. [4170](#)), Sec. 5.006, eff. September 1, 2019.

Amended by:

Acts 2021, 87th Leg., R.S., Ch. 806 (H.B. [1525](#)), Sec. 13, eff. June 16, 2021.

Acts 2021, 87th Leg., R.S., Ch. 1003 (H.B. [3261](#)), Sec. 1, eff. June 18, 2021.

is section.

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CHAPTER 32. COMPUTERS, COMPUTER-RELATED EQUIPMENT,  
AND STUDENT INFORMATION PROTECTION  
SUBCHAPTER A. POWERS AND DUTIES OF STATE BOARD OF EDUCATION RELATING TO  
ELECTRONIC INSTRUCTIONAL TECHNOLOGY AND COMPUTER-RELATED EQUIPMENT

**TEC, §32.001. DEVELOPMENT OF LONG-RANGE PLAN.**

- (a) The State Board of Education shall develop a long-range plan for:
  - (1) acquiring and using technology in the public school system;
  - (2) fostering professional development related to the use of technology for educators and others associated with child development;
  - (3) fostering computer literacy among public school students so that by the year 2000 each high school graduate in this state has computer-related skills that meet standards adopted by the board; and
  - (4) identifying and, through regional education service centers, distributing information on emerging technology for use in the public schools.
- (b) The State Board of Education shall update the plan developed under Subsection (a) at least every five years.
- (c) The State Board of Education, in coordination with the Texas Higher Education Coordinating Board and other public agencies and institutions the State Board of Education considers appropriate, shall propose legislation and funding necessary to implement the plan developed under Subsection (a).
- (d) In developing the plan, the State Board of Education must consider accessibility of technology to students with disabilities.

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CHAPTER 43. PERMANENT SCHOOL FUND AND AVAILABLE SCHOOL FUND  
SUBCHAPTER A. GENERAL PROVISIONS

**TEC, §43.001. COMPOSITION OF PERMANENT SCHOOL FUND AND AVAILABLE SCHOOL FUND.**

- (a) Except as provided by Subsection (b), the permanent school fund, which is a perpetual endowment for the public schools of this state, consists of:
- (1) all land appropriated for the public schools by the constitution and laws of this state;
  - (2) all of the unappropriated public domain remaining in this state, including all land recovered by the state by suit or otherwise except pine forest land as described by Section [88.111](#) and property described by Section [12.128](#);
  - (3) all proceeds from the authorized sale of permanent school fund land;
  - (4) all proceeds from the lawful sale of any other properties belonging to the permanent school fund;
  - (5) all investments authorized by Section [43.003](#) of assets belonging to the permanent school fund; and
  - (6) all income from the mineral development of permanent school fund land, including income from mineral development of riverbeds and other submerged land.
- (b) The available school fund, which shall be apportioned annually to each county according to its scholastic population, consists of:
- (1) the distributions to the fund from the permanent school fund as provided by Sections [5\(a\)](#) and (g), Article VII, Texas Constitution;
  - (2) one-fourth of all revenue derived from all state occupation taxes, exclusive of delinquencies and cost of collection;
  - (3) one-fourth of revenue derived from state gasoline and special fuels excise taxes as provided by law; and
  - (4) all other appropriations to the available school fund made by the legislature for public school purposes.
- (c) The term "scholastic population" in Subsection (b) or any other law governing the apportionment, distribution, and transfer of the available school fund means all students of school age enrolled in average daily attendance the preceding school year in the public elementary and high school grades of school districts within or under the jurisdiction of a county of this state.
- (d) Each biennium the State Board of Education shall set aside an amount equal to 50 percent of the distribution for that biennium from the permanent school fund to the available school fund as provided by Sections [5\(a\)](#) and (g), Article VII, Texas Constitution, to be placed, subject to the



General Appropriations Act, in the state instructional materials and technology fund established under Section [31.021](#).

Added by Acts 1995, 74th Leg., ch. 260, Sec. 1, eff. May 30, 1995. Amended by Acts 2003, 78th Leg., ch. 201, Sec. 36, eff. June 10, 2003; Acts 2003, 78th Leg., ch. 328, Sec. 2.

Amended by:

Acts 2011, 82nd Leg., 1st C.S., Ch. 6 (S.B. [6](#)), Sec. 65, eff. July 19, 2011.

Acts 2011, 82nd Leg., 1st C.S., Ch. 6 (S.B. [6](#)), Sec. 66, eff. July 19, 2011.

Acts 2015, 84th Leg., R.S., Ch. 731 (H.B. [1474](#)), Sec. 4, eff. September 1, 2015.

Acts 2017, 85th Leg., R.S., Ch. 581 (S.B. [810](#)), Sec. 34, eff. June 9, 2017.

Acts 2017, 85th Leg., R.S., Ch. 705 (H.B. [3526](#)), Sec. 22, eff. June 12, 2017.

Acts 2019, 86th Leg., R.S., Ch. 461 (H.B. [4611](#)), Sec. 1, eff. January 1, 2020.

Acts 2019, 86th Leg., R.S., Ch. 461 (H.B. [4611](#)), Sec. 2, eff. January 1, 2020.

Acts 2019, 86th Leg., R.S., Ch. 467 (H.B. [4170](#)), Sec. 5.028, eff. September 1, 2019.

Acts 2019, 86th Leg., R.S., Ch. 631 (S.B. [1454](#)), Sec. 12, eff. June 10, 2019.

Acts 2021, 87th Leg., R.S., Ch. 875 (S.B. [1232](#)), Sec. 1.02, eff. September 1, 2021.

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**TEC, §43.004. WRITTEN INVESTMENT OBJECTIVES; PERFORMANCE EVALUATION.**

- (a) The State Board of Education shall develop written investment objectives concerning the investment of the permanent school fund. The objectives may address desired rates of return, risks involved, investment time frames, and any other relevant considerations.
- (b) The board shall employ a well-recognized performance measurement service to evaluate and analyze the investment results of the permanent school fund. The service shall compare investment results with the written investment objectives developed by the board, and shall also compare the investment of the permanent school fund with the investment of other public and private funds.

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CHAPTER 44. FISCAL MANAGEMENT  
SUBCHAPTER A. SCHOOL DISTRICT FISCAL MANAGEMENT

**TEC, §44.001. FISCAL GUIDELINES.**

- (a) The commissioner shall establish advisory guidelines relating to the fiscal management of a school district.
- (b) The commissioner shall report annually to the State Board of Education the status of school district fiscal management as reflected by the advisory guidelines and by statutory requirements.

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**TEC, §44.007. ACCOUNTING SYSTEM; REPORT.**

- (a) A standard school fiscal accounting system must be adopted and installed by the board of trustees of each school district. The accounting system must conform with generally accepted accounting principles.
- (b) The accounting system must meet at least the minimum requirements prescribed by the commissioner, subject to review and comment by the state auditor.
- (c) A record must be kept of all revenues realized and of all expenditures made during the fiscal year for which a budget is adopted. A report of the revenues and expenditures for the preceding fiscal year shall be filed with the agency on or before the date set by the State Board of Education.
- (d) The State Board of Education shall require each district, as part of the report required by this section, to include management, cost accounting, and financial information in a format prescribed by the board and in a manner sufficient to enable the board to monitor the funding process and determine educational system costs by district, campus, and program.
- (e) Expired.
- (f) Expired.

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**TEC, §44.008. ANNUAL AUDIT; REPORT.**

- (a) The board of school trustees of each school district shall have its school district fiscal accounts audited annually at district expense by a certified or public accountant holding a permit from the Texas State Board of Public Accountancy. The audit must be completed following the close of each fiscal year.
- (b) The independent audit must meet at least the minimum requirements and be in the format prescribed by the State Board of Education, subject to review and comment by the state auditor. The audit shall include an audit of the accuracy of the fiscal information provided by the district through the Public Education Information Management System (PEIMS).
- (c) Each treasurer receiving or having control of any school fund of any school district shall keep a full and separate itemized account with each of the different classes of its school funds coming into the treasurer 's hands. The treasurer 's records of the district 's itemized accounts and records shall be made available to audit.
- (d) A copy of the annual audit report, approved by the board of trustees, shall be filed by the district with the agency not 11 later than the 150th day after the end of the fiscal year for which the audit was made. If the board of trustees declines or refuses to approve its auditor 's report, it shall nevertheless file with the agency a copy of the audit report with its statement detailing reasons for failure to approve the report.
- (e) The audit reports shall be reviewed by the agency, and the commissioner shall notify the board of trustees of objections, violations of sound accounting practices or law and regulation requirements, or of recommendations concerning the audit reports that the commissioner wants to make. If the audit report reflects that penal laws have been violated, the commissioner shall notify the appropriate county or district attorney and the attorney general. The commissioner shall have access to all vouchers, receipts, district fiscal and financial records, and other school records as the commissioner considers necessary and appropriate for the review, analysis, and passing on audit reports.

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CHAPTER 48 [42]. FOUNDATION SCHOOL PROGRAM  
SUBCHAPTER A. GENERAL PROVISIONS

**TEC, §48.004 [~~42.004~~]. ADMINISTRATION OF THE PROGRAM.**

The commissioner, [~~in accordance with the rules of the State Board of Education,~~] shall adopt rules and take [~~such~~] action and require [~~such~~] reports consistent with this chapter as [~~may be~~] necessary to implement and administer the Foundation School Program.

TEXAS EDUCATION CODE  
TITLE 2: PUBLIC EDUCATION  
SUBTITLE I. SCHOOL FINANCE AND FISCAL MANAGEMENT  
CHAPTER 48. FOUNDATION SCHOOL PROGRAM  
SUBCHAPTER F. FINANCING THE PROGRAM

**TEC, §48.251. FINANCING; GENERAL RULE.**

- (a) The cost of the Foundation School Program for a school district is the total sum of:
  - (1) the sum of the tier one allotments and other funding as follows:
    - (A) the basic allotment under Subchapter B;
    - (B) the student-based allotments under Subchapter C; and
    - (C) the additional funding under Subchapter D; and
  - (2) the tier two allotment under Subchapter E.
- (b) The sum of the Foundation School Program maintenance and operations costs for all accredited school districts in this state constitutes the total maintenance and operations cost of the Foundation School Program.
- (c) The program shall be financed by:
  - (1) state available school funds distributed in accordance with the law;
  - (2) ad valorem tax revenue generated by local school district effort; and
  - (3) state funds appropriated for the purposes of public school education and allocated to each district in an amount sufficient to finance the cost of each district's Foundation School Program not covered by other funds specified in this subsection.

TEXAS GOVERNMENT CODE  
TITLE 10. GENERAL GOVERNMENT  
SUBTITLE A. ADMINISTRATIVE PROCEDURE AND PRACTICE  
CHAPTER 2001. ADMINISTRATIVE PROCEDURE  
SUBCHAPTER B. RULEMAKING

**TGC, §2001.021. PETITION FOR ADOPTION OF RULES.**

- (a) An interested person by petition to a state agency may request the adoption of a rule.
- (b) A state agency by rule shall prescribe the form for a petition under this section and the procedure for its submission, consideration, and disposition. If a state agency requires signatures for a petition under this section, at least 51 percent of the total number of signatures required must be of residents of this state.
- (c) Not later than the 60th day after the date of submission of a petition under this section, a state agency shall:
  - (1) deny the petition in writing, stating its reasons for the denial; or
  - (2) initiate a rulemaking proceeding under this subchapter.
- (d) For the purposes of this section, an interested person must be:
  - (1) a resident of this state;
  - (2) a business entity located in this state;
  - (3) a governmental subdivision located in this state; or
  - (4) a public or private organization located in this state that is not a state agency.



TEXAS GOVERNMENT CODE  
TITLE 10. GENERAL GOVERNMENT  
SUBTITLE A. ADMINISTRATIVE PROCEDURE AND PRACTICE  
CHAPTER 2001. ADMINISTRATIVE PROCEDURE  
SUBCHAPTER B. RULEMAKING

**TGC, §2001.039. AGENCY REVIEW OF EXISTING RULES.**

- (a) A state agency shall review and consider for readoption each of its rules in accordance with this section.
- (b) A state agency shall review a rule not later than the fourth anniversary of the date on which the rule takes effect and every four years after that date. The adoption of an amendment to an existing rule does not affect the dates on which the rule must be reviewed except that the effective date of an amendment is considered to be the effective date of the rule if the agency formally conducts a review of the rule in accordance with this section as part of the process of adopting the amendment.
- (c) The state agency shall readopt, readopt with amendments, or repeal a rule as the result of reviewing the rule under this section.
- (d) The procedures of this subchapter relating to the original adoption of a rule apply to the review of a rule and to the resulting repeal, readoption, or readoption with amendments of the rule, except as provided by this subsection. Publishing the Texas Administrative Code citation to a rule under review satisfies the requirements of this subchapter relating to publishing the text of the rule unless the agency readopts the rule with amendments as a result of the review.
- (e) A state agency's review of a rule must include an assessment of whether the reasons for initially adopting the rule continue to exist.

TEXAS OCCUPATIONS CODE  
TITLE 2. GENERAL PROVISIONS RELATING TO LICENSING  
CHAPTER 54. EXAMINATION ON RELIGIOUS HOLY DAY;  
EXAMINATION ACCOMMODATIONS FOR PERSON WITH DYSLEXIA

**TOC, §54.003. EXAMINATION ACCOMMODATIONS FOR PERSON WITH DYSLEXIA.**

- (a) In this section, "dyslexia" has the meaning assigned by Section [51.970](#), Education Code.
- (b) For each licensing examination administered by a state agency, the agency shall provide reasonable examination accommodations to an examinee diagnosed as having dyslexia.
- (c) Each state agency shall adopt rules necessary to implement this section, including rules to establish the eligibility criteria an examinee must meet for accommodation under this section.

MINUTES

STATE BOARD OF EDUCATION

APRIL-MAY 2022

Minutes

State Board of Education

April 8, 2022

**STATE BOARD OF EDUCATION**  
*(State Board for Career and Technology Education)*

**KEVEN ELLIS, Lufkin**  
**Chair of the State Board of Education**  
**District 9**

**PAM LITTLE, Fairview**  
**Vice Chair of the State Board of**  
**Education**  
**District 12**

**GEORGINA PÉREZ, El Paso**  
**Secretary of the State Board of**  
**Education**  
**District 1**

**Board Members**

**LAWRENCE ALLEN, JR., Houston**  
**District 4**

**WILL HICKMAN, Houston**  
**District 6**

**REBECCA BELL-METHEREAU, San Marcos**  
**District 5**

**TOM MAYNARD, Florence**  
**District 10**

**RUBEN CORTEZ, JR., Brownsville**  
**District 2**

**SUE MELTON-MALONE, Robinson**  
**District 14**

**AICHA DAVIS, Dallas**  
**District 13**

**MARISA PEREZ-DIAZ, Converse**  
**District 3**

**JAY JOHNSON, Pampa**  
**District 15**

**MATT ROBINSON, Friendswood**  
**District 7**

**PATRICIA HARDY, Fort Worth**  
**District 11**

**AUDREY YOUNG, Apple Springs**  
**District 8**

## **Committees of the State Board of Education**

### **INSTRUCTION**

Sue Melton-Malone  
Rebecca Bell-Metereau  
Pam Little  
Georgina Pérez  
Audrey Young

### **SCHOOL FINANCE/PERMANENT SCHOOL FUND**

Tom Maynard  
Lawrence Allen, Jr.  
Keven Ellis  
Pat Hardy  
Marisa Perez-Diaz

### **SCHOOL INITIATIVES**

Matt Robinson  
Ruben Cortez, Jr.  
Aicha Davis  
Will Hickman  
Jay Johnson

Minutes  
State Board of Education  
Friday, April 8, 2022

The State Board of Education met at 9:46 a.m. on Friday, April 8, 2022, in the State Board of Education Room, #1-104, of the William B. Travis Building, 1701 N. Congress Avenue, Austin, Texas. Attendance was noted as follows:

**Present:** Lawrence A. Allen, Jr.; Rebecca Bell-Metereau; Ruben Cortez, Jr.; Aicha Davis; Pat Hardy; Will Hickman; Jay Johnson; Pam Little vice-chair; Tom Maynard; Sue Melton-Malone; Marisa B. Perez-Diaz; Matt Robinson

**Absent:** Keven Ellis, chair; Georgina C. Pérez, secretary, Audrey Young

**Student Performance**

A student performance was provided by the Pampa High School Show Choir from the Pampa Independent School District (ISD).

**Invocation**

**Pledge of Allegiance**

**Roll Call**

**Approval of Minutes**

State Board of Education, January 28, 2022

**MOTION AND VOTE:** *The State Board of Education unanimously approved the Minutes of the January 28, 2022, meeting of the State Board of Education, as printed.*

**1. Resolution and Presentations**

No resolutions were considered.

**Public Testimony**

*Without objection, the presiding officer suspended board operating procedure §2.10(b)(6) to accept late registration outside the allowable registration window and allow late registrants to provide public testimony.*

Public Testimony was provided by the following individual:

NAME: Deborah Simmons  
AFFILIATION: Self

NAME: Ajua Mason  
AFFILIATION: Self

NAME: Rebekah David  
AFFILIATION: Self

NAME: Mary Lowe  
AFFILIATION: Self

NAME: Hollie Plemons  
AFFILIATION: Self

## 2. Approval of Consent Agenda

Any agenda item may be placed on the consent agenda by any State Board of Education committee. The State Board of Education may elect to take separate action on any item on the consent agenda.

*By unanimous consent, the State Board of Education approved the following items on the consent agenda.*

### (1) Approval of Updates and Substitutions to Adopted Instructional Materials

(Board agenda page II-11)

The State Board of Education approved the request from Learning Without Tears to substitute *Kick Start Kindergarten* in its kindergarten English handwriting product adopted under *Proclamation 2019* and the request from Learning A-Z to update its content in *Raz Plus ELL Texas Edition*, grades K-4, adopted under *Proclamation 2019*.

### (2) Adoption of Review of 19 TAC Chapter 89, Adaptations for Special Populations

(Board agenda page II-46)

The State Board of Education adopted the review of 19 TAC Chapter 89, Adaptations for Special Populations.

### (3) Report on Permanent School Fund Securities Transactions and the Investment Portfolio and Ratification of Purchases and Sales for the Months of December 2021 and January 2022

(Board agenda page III-8)

The State Board of Education ratified the purchases and sales for the months of December 2021 and January 2022 in the amounts of \$1,600,184,569 and \$1,943,010,053, respectively.  
(Attachment 1)

### (4) Report on Permanent School Fund Liquid Account and Ratification of Purchases and Sales for the Months of December 2021 and January 2022

(Board agenda page III-9)

The State Board of Education ratified the purchases and sales of the PSF Liquid Account for the period December 1, 2021, through January 31, 2022, in the amounts of \$1,429,209,087 and \$20,853,379, respectively.  
(Attachment 2)



**(5) Adoption of an Annual Report on the Status of the Bond Guarantee Program**  
(Board agenda page III-10)

The State Board of Education adopted the annual report on the status of the Bond Guarantee Program as of August 31, 2021.

**(6) Recommendation for One Reappointment to the Boys Ranch Independent School District Board of Trustees**  
(Board agenda page IV-1)

The State Board of Education approved the reappointment of Mr. George Oven to serve a two-year term of office from April 8, 2022, to April 7, 2024, on the Boys Ranch ISD Board of Trustees.

**(7) Recommendation for One Reappointment and One Appointment to the Fort Sam Houston Independent School District Board of Trustees**  
(Board agenda page IV-7)

The State Board of Education approved the reappointment of Mr. Richard G. Kling III and the appointment of Ms. LaToya E. Sizer to serve two-year terms of office from April 8, 2022, to April 7, 2024, on the Fort Sam Houston ISD Board of Trustees.

**(8) Proposed New 19 TAC Chapter 61, School Districts, Subchapter A, Board of Trustees Relationship, §61.3, School Safety Training for School Board Members (Second Reading and Final Adoption)**  
(Board agenda page IV-35)

The State Board of Education approved for second reading and final adoption proposed new 19 TAC Chapter 61, School Districts, Subchapter A, Board of Trustees Relationship, §61.3, School Safety Training for School Board Members; and made an affirmative finding that immediate adoption of proposed new 19 TAC Chapter 61, School Districts, Subchapter A, Board of Trustees Relationship, §61.3, School Safety Training for School Board Members, is necessary and shall have an effective date of 20 days after filing as adopted with the Texas Register.

**(9) Proposed Amendment to 19 TAC Chapter 109, Budgeting, Accounting, and Auditing, Subchapter C, Adoptions By Reference, §109.41, Financial Accountability System Resource Guide (First Reading and Filing Authorization)**  
(Board agenda page III-1)

The State Board of Education approved for first reading and filing authorization the proposed amendment to 19 TAC Chapter 109, Budgeting, Accounting, and Auditing, Subchapter C, Adoptions By Reference, §109.41, Financial Accountability System Resource Guide.

**COMMITTEE OF THE FULL BOARD**

3. **Proposed Amendments to 19 TAC Chapter 74, Curriculum Requirements, Subchapter B, Graduation Requirements**  
**(Second Reading and Final Adoption)**  
(Board agenda page I-8)

**MOTION AND VOTE:** *It was moved by Mrs. Melton-Malone and carried unanimously that the State Board of Education approve for second reading and final adoption proposed amendments to 19 TAC Chapter 74, Curriculum Requirements, Subchapter B, Graduation Requirements, as amended by the Committee of the Full Board and*

*Make an affirmative finding that immediate adoption of the proposed amendments to 19 TAC Chapter 74, Curriculum Requirements, Subchapter B, Graduation Requirements, is necessary and shall have an effective date of 20 days after filing as adopted with the Texas Register, as recommended by the Committee of the Full Board.*

*(Mr. Cortez and Ms. Perez-Diaz were absent for the vote.)*

4. **Proposed Revisions to 19 TAC Chapter 120, Other Texas Essential Knowledge and Skills, Subchapter A, Character Traits**  
**(Second Reading and Final Adoption)**  
(Board agenda page I-30)

**MOTION AND VOTE:** *It was moved by Mrs. Melton-Malone and carried unanimously that the State Board of Education approve for second reading and final adoption the proposed repeal of 19 TAC Chapter 120, Other Texas Essential Knowledge and Skills, Subchapter A, Character Traits, §120.1, Implementation of Texas Essential Knowledge and Skills for Positive Character Traits; and proposed amendments to §120.3, Texas Essential Knowledge and Skills for Positive Character Traits, Kindergarten-Grade 2, Adopted 2020; §120.5, Texas Essential Knowledge and Skills for Positive Character Traits, Grades 3-5, Adopted 2020; §120.7, Texas Essential Knowledge and Skills for Positive Character Traits, Grades 6-8, Adopted 2020; and §120.9, Texas Essential Knowledge and Skills for Positive Character Traits, Grades 9-12, Adopted 2020; and*

*Make an affirmative finding that immediate adoption of the proposed repeal of 19 TAC Chapter 120, Other Texas Essential Knowledge and Skills, Subchapter A, Character Traits, §120.1, Implementation of Texas Essential Knowledge and Skills for Positive Character Traits; and proposed amendments to §120.3, Texas Essential Knowledge and Skills for Positive Character Traits, Kindergarten-Grade 2, Adopted 2020; §120.5, Texas Essential Knowledge and Skills for Positive Character Traits, Grades 3-5, Adopted 2020; §120.7, Texas Essential Knowledge and Skills for Positive Character Traits, Grades 6-8, Adopted 2020; and §120.9, Texas Essential Knowledge and Skills for Positive Character Traits, Grades 9-12, Adopted 2020, is necessary and shall have an effective date of 20 days after filing as adopted with the Texas Register, as recommended by the Committee of the Full Board.*

*(Ms. Perez-Diaz was absent for the vote.)*

5. **Proposed New 19 TAC Chapter 127, Texas Essential Knowledge and Skills for Career Development, Subchapter G, Education and Training, §§127.317, 127.318, and 127.323, and Subchapter O, Science, Technology, Engineering, and Mathematics, §127.783 and §127.784 (Second Reading and Final Adoption)**  
(Board agenda page I-41)

**MOTION AND VOTE:** *It was moved by Mrs. Melton-Malone and carried unanimously that the State Board of Education approve for second reading and final adoption proposed new 19 TAC Chapter 127, Texas Essential Knowledge and Skills for Career Development, Subchapter G, Education and Training, §127.317, Child Development; §127.318, Child Guidance; and §127.323, Human Growth and Development; and Subchapter O, Science, Technology, Engineering, and Mathematics, §127.783, Engineering Design and Presentation I; and §127.784, Engineering Design and Presentation II; and*

*Make an affirmative finding that immediate adoption of proposed new 19 TAC Chapter 127, Texas Essential Knowledge and Skills for Career Development, Subchapter G, Education and Training, §127.317, Child Development; §127.318, Child Guidance; and §127.323, Human Growth and Development; and Subchapter O, Science, Technology, Engineering, and Mathematics, §127.783, Engineering Design and Presentation I; and §127.784, Engineering Design and Presentation II, is necessary and shall have an effective date of 20 days after filing as adopted with the Texas Register, as recommended by the Committee of the Full Board.*

*(Ms. Perez-Diaz was absent for the vote.)*

6. **Proposed New 19 TAC Chapter 127, Texas Essential Knowledge and Skills for Career Development, Subchapter O, Science, Technology, Engineering, and Mathematics, §§127.788-127.794 (First Reading and Filing Authorization)**  
(Board agenda page I-65)

**MOTION AND VOTE:** *It was moved by Mrs. Melton-Malone and carried unanimously that the State Board of Education approve for first reading and filing authorization proposed new 19 TAC Chapter 127, Texas Essential Knowledge and Skills for Career Development, Subchapter O, Science, Technology, Engineering, and Mathematics, §127.788, Fundamentals in Computer Science (One Credit), Adopted 2022; §127.789, Computer Science I (One Credit), Adopted 2022; §127.790, Computer Science II (One Credit), Adopted 2022; §127.791, Computer Science III (One Credit), Adopted 2022; §127.792, Foundations of Cybersecurity (One Credit), Adopted 2022; §127.793, Digital Forensics (One Credit), Adopted 2022; and §127.794, Cybersecurity Capstone (One Credit), Adopted 2022, as amended and recommended by the Committee of the Full Board.*

*(Ms. Perez-Diaz was absent for the vote.)*

7. **Proposed New 19 TAC Chapter 126, Texas Essential Knowledge and Skills for Technology Applications, Subchapter A, Elementary, §§126.1-126.3 and 126.8-126.10; and Subchapter B, Middle School, §§126.17-126.19**  
**(First Reading and Filing Authorization)**  
(Board agenda page I-70)

**MOTION AND VOTE:** *It was moved by Mrs. Melton-Malone and carried unanimously that the State Board of Education approve for first reading and filing authorization proposed new 19 TAC Chapter 126, Texas Essential Knowledge and Skills for Technology Applications, Subchapter A, Elementary, §126.1, Technology Applications, Kindergarten, Adopted 2022; §126.2, Technology Applications, Grade 1, Adopted 2022; §126.3, Technology Applications, Grade 2, Adopted 2022; §126.8, Technology Applications, Grade 3, Adopted 2022; §126.9, Technology Applications, Grade 4, Adopted 2022; and §126.10, Technology Applications, Grade 5, Adopted 2022; and Subchapter B, Middle School, §126.17, Technology Applications, Grade 6, Adopted 2022; §126.18, Technology Applications, Grade 7, Adopted 2022; and §126.19, Technology Applications, Grade 8, Adopted 2022, as amended and recommended by the Committee of the Full Board.*

*(Ms. Perez-Diaz was absent for the vote.)*

8. **Proposed New 19 TAC Chapter 113, Texas Essential Knowledge and Skills for Social Studies, Subchapter C, High School, §113.76, Personal Financial Literacy and Economics**  
**(First Reading and Filing Authorization)**  
(Board agenda page I-74)

**MOTION AND VOTE:** *It was moved by Mrs. Melton-Malone and carried unanimously that the State Board of Education approve for first reading and filing authorization proposed new 19 TAC Chapter 113, Texas Essential Knowledge and Skills for Social Studies, Subchapter C, High School, §113.76, Personal Financial Literacy and Economics, as amended and recommended by the Committee of the Full Board.*

*(Ms. Perez-Diaz was absent for the vote.)*

9. **Proposed Amendment to 19 TAC Chapter 74, Curriculum Requirements, Subchapter A, Required Curriculum, §74.3, Description of a Required Secondary Curriculum**  
**(First Reading and Filing Authorization)**  
(Board agenda page I-82)

**MOTION AND VOTE:** *It was moved by Mrs. Melton-Malone and carried unanimously that the State Board of Education suspend the board operating procedures in accordance with §5.2(a) to allow consideration at first reading and filing authorization; and approve for first reading and filing authorization the proposed amendment to 19 TAC Chapter 74, Curriculum Requirements, Subchapter A, Required Curriculum, §74.3, Description of a Required Secondary Curriculum, as amended and recommended by the Committee of the Full Board.*

*(Ms. Perez-Diaz was absent for the vote.)*

10. **Proclamation 2024 of the State Board of Education Advertising for Bids on Instructional Materials**  
(Board agenda page I-87)

**MOTION AND VOTE:** *It was moved by Mrs. Melton-Malone and carried unanimously that the State Board of Education approve Proclamation 2024 of the State Board of Education Advertising for Bids for Instructional Materials, as amended and recommended by the Committee of the Full Board.*

*(Ms. Perez-Diaz was absent for the vote.)*

11. **Update on Texas Essential Knowledge and Skills Review**  
(Board agenda page I-88)

The board did not take action on this item.

### **COMMITTEE ON INSTRUCTION**

12. **Proposed Repeal of 19 TAC Chapter 115, Texas Essential Knowledge and Skills for Health Education, Subchapter A, Elementary, §§115.1-115.7, Subchapter B, Middle School, §§115.21-115.23, and Subchapter C, High School, §§115.31-115.33**  
**(First Reading and Filing Authorization)**  
(Board agenda page II-1)

**MOTION AND VOTE:** *It was moved by Mrs. Melton-Malone and carried unanimously that the State Board of Education suspend the board operating procedures in accordance with §5.2(a) to allow consideration at first reading and filing authorization; and*

*Approve for first reading and filing authorization the proposed repeal of 19 TAC Chapter 115, Texas Essential Knowledge and Skills for Health Education, Subchapter A, Elementary, §115.1, Implementation of Texas Essential Knowledge and Skills for Health Education, Elementary; §115.2, Health Education, Kindergarten; §115.3, Health Education, Grade 1; §115.4, Health Education, Grade 2; §115.5, Health Education, Grade 3; §115.6, Health Education, Grade 4; and §115.7, Health Education, Grade 5; Subchapter B, Middle School, §115.21, Implementation of Texas Essential Knowledge and Skills for Health Education, Middle School; §115.22, Health Education, Grade 6; and §115.23, Health Education, Grade 7-8; and Subchapter C, High School, §115.31, Implementation of Texas Essential Knowledge and Skills for Health Education, High School; §115.32, Health 1, Grades 9-10 (One-Half Credit); and §115.33, Advanced Health, Grades 11-12 (One-Half Credit), as recommended by the Committee on Instruction.*

*(Ms. Perez-Diaz was absent for the vote.)*

13. **Proposed Repeal of 19 TAC Chapter 116, Texas Essential Knowledge and Skills for Physical Education, Subchapter A, Elementary, §§116.1-116.7, Subchapter B, Middle School, §§116.21-116.24, and Subchapter C, High School, §§116.51-116.56**  
**(First Reading and Filing Authorization)**  
(Board agenda page II-4)

**MOTION AND VOTE:** *It was moved by Mrs. Melton-Malone and carried unanimously that the State Board of Education suspend the board operating procedures in accordance with §5.2(a) to allow consideration at first reading and filing authorization; and*

*Approve for first reading and filing authorization the proposed repeal of 19 TAC Chapter 116, Texas Essential Knowledge and Skills for Physical Education, Subchapter A, Elementary, §116.1, Implementation of Texas Essential Knowledge and Skills for Physical Education, Elementary; §116.2, Physical Education, Kindergarten; §116.3, Physical Education, Grade 1; §116.4, Physical Education, Grade 2; §116.5, Physical Education, Grade 3; §116.6, Physical Education, Grade 4; and §116.7, Physical Education, Grade 5; Subchapter B, Middle School, §116.21, Implementation of Texas Essential Knowledge and Skills for Physical Education, Middle School; §116.22, Physical Education, Grade 6; §116.23, Physical Education, Grade 7; and §116.24, Physical Education, Grade 8; and Subchapter C, High School, §116.51, Implementation of Texas Essential Knowledge and Skills for Physical Education, High School; §116.52, Foundations of Personal Fitness (One-Half Credit); §116.53, Adventure/Outdoor Education (One-Half Credit); §116.54, Aerobic Activities (One-Half Credit); §116.55, Individual Sports (One-Half Credit); and §116.56, Team Sports (One-Half Credit), as recommended by the Committee on Instruction.*

*(Ms. Perez-Diaz was absent for the vote.)*

14. **Proposed Approval of Innovative Courses**  
(Board agenda page II-7)

**MOTION AND VOTE:** *It was moved by Mrs. Melton-Malone and carried unanimously that the State Board of Education approve for a period of five years the following innovative courses that do not fall within any of the subject areas of the foundation or enrichment curriculum: PeaceKeepers© I and II; and Making Connections I-IV, as recommended by the Committee on Instruction.*

*(Ms. Hardy and Ms. Perez-Diaz were absent for the vote.)*

15. **Proposed Repeal of 19 TAC Chapter 127, Texas Essential Knowledge and Skills for Career Development, Subchapter G, Education and Training, §§127.310, 127.312, and 127.313; Subchapter I, Health Science, §127.409; and Subchapter O, Science, Technology, Engineering, and Mathematics, §§127.753, 127.755, 127.761, and 127.764; and Chapter 130, Texas Essential Knowledge and Skills for Career and Technical Education, Subchapter J, Human Services, §130.277**  
(First Reading and Filing Authorization)  
(Board agenda page II-13)

**MOTION AND VOTE:** *It was moved by Mrs. Melton-Malone and carried without objection that the State Board of Education suspend the board operating procedures in accordance with §5.2(a) to allow consideration at first reading and filing authorization; and*

*Approve for first reading and filing authorization the proposed repeal of 19 TAC Chapter 127, Texas Essential Knowledge and Skills for Career Development, Subchapter G, Education and Training, §127.310, Principles of Education and Training (One Credit), Adopted 2015; §127.312, Instructional Practices (Two Credits), Adopted 2015; and §127.313, Practicum in Education and Training (Two Credits), Adopted 2015; Subchapter I, Health Science, §127.409, Health Informatics (One Credit), Adopted 2015; and Subchapter O, Science, Technology, Engineering, and Mathematics, §127.753, Engineering Design and Problem Solving (One Credit), Adopted 2015; §127.755, Engineering Science (One Credit), Adopted 2015; §127.761, Fundamentals of Computer Science (One Credit); and §127.764, Computer Science III (One Credit); and Chapter 130, Texas Essential Knowledge and Skills for Career and Technical Education, Subchapter J, Human Services, §130.277, Child Development (One Credit), Adopted 2015, as recommended by the Committee on Instruction.*

*(Ms. Perez-Diaz was absent for the vote.)*

#### **COMMITTEE ON SCHOOL FINANCE/PERMANENT SCHOOL FUND**

16. **Proposed Amendment to 19 TAC Chapter 109, Budgeting, Accounting, and Auditing, Subchapter C, Adoptions By Reference, §109.41, Financial Accountability System Resource Guide**  
(First Reading and Filing Authorization)  
(Board agenda page III-1)

This item was placed on the consent agenda.

#### **COMMITTEE ON SCHOOL INITIATIVES**

17. **Review of Proposed Amendments to 19 TAC Chapter 228, Requirements for Educator Preparation Programs, §228.2, Definitions, §228.10, Approval Process, §228.30, Educator Preparation Curriculum, and §228.35, Preparation Program Coursework and/or Trainings**  
(Board agenda page IV-41)

**MOTION AND VOTE:** *It was moved by Dr. Robinson and carried without objection that the State Board of Education take no action on the proposed amendments to 19 TAC Chapter 228, Requirements for Educator Preparation Programs, §228.2, Definitions, §228.10, Approval Process, §228.30, Educator Preparation Curriculum, and §228.35, Preparation Program Coursework and/or Training, as recommended by the Committee on School Initiatives.*

*(Ms. Perez-Diaz was absent for the vote.)*

18. **Review of Proposed Amendments to 19 TAC Chapter 230, Professional Educator Preparation and Certification, Subchapter H, Texas Educator Certificates Based on Certification and College Credentials from Other States or Territories of the United States**  
(Board agenda page IV-80)

**MOTION AND VOTE:** *It was moved by Dr. Robinson and carried without objection that the State Board of Education take no action on the proposed amendments to 19 TAC Chapter 230, Professional Educator Preparation and Certification, Subchapter H, Texas Educator Certificates Based on Certification and College Credentials from Other States or Territories of the United States, as recommended by the Committee on School Initiatives.*

*(Ms. Perez-Diaz was absent for the vote.)*

19. **Review of Proposed Amendments to 19 TAC Chapter 245, Certification of Educators from Other Countries**  
(Board agenda page IV-86)

**MOTION AND VOTE:** *It was moved by Dr. Robinson and carried without objection that the State Board of Education take no action on the proposed amendments to 19 TAC Chapter 245, Certification of Educators from Other Countries, as recommended by the Committee on School Initiatives.*

*(Ms. Perez-Diaz was absent for the vote.)*

20. **Review of Proposed Amendments to 19 TAC Chapter 232, General Certification Provisions, Subchapter A, Certificate Renewal and Continuing Professional Education Requirements**  
(Board agenda page IV-93)

**MOTION AND VOTE:** *It was moved by Dr. Robinson and carried without objection that the State Board of Education take no action on the proposed amendments to 19 TAC Chapter 232, General Certification Provisions, Subchapter A, Certificate Renewal and Continuing Professional Education Requirements, as recommended by the Committee on School Initiatives.*

*(Ms. Perez-Diaz was absent for the vote.)*

## **REGARDING AGENDA ITEMS POSTED FOR DISCUSSION ON COMMITTEE AGENDAS**

### **Committee on Instruction**

Mrs. Melton-Malone did not report on the Committee on Instruction.

### **Committee on School Finance/Permanent School Fund**

Mr. Maynard reported that the corporate board of the Permanent School Fund met prior to the Committee on School Finance. He explained that the board elected officers and adopted a policy for the selection of a chief executive officer (CEO) and named Holland Timmins as the CEO. The board also discussed a facilities plan. Mr. Maynard also announced that the committee will go through the process of asset allocation in June.



Committee on School Initiatives

Dr. Robinson reported that capacity interviews for Generation 27 charter school applications will be held through Zoom.

**REPORTS OF OTHER STATE BOARD OF EDUCATION MEMBERS REGARDING AGENDA ITEMS AND EDUCATIONAL ACTIVITIES AND CONCERNS IN INDIVIDUAL DISTRICTS**

Mrs. Little gave board members an opportunity to provide information regarding agenda items or other relevant information about public education.

The meeting adjourned at 10:55 a.m.

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Georgina C. Pérez, Secretary

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**TEXAS PERMANENT SCHOOL FUND  
SUMMARY OF TRANSACTIONS FOR APPROVAL  
(Including External Manager's Trades)  
For December 1, 2021 through January 31, 2022**

Purchases/Capital Calls:

Long Term Fixed Income	\$ 681,745,206
Public Market Equities	212,965,956
Alternative Investments	<u>705,473,407</u>
 TOTAL	 <u><u>\$ 1,600,184,569</u></u>

Sales/Distributions:

Long Term Fixed Income	\$ 148,101,253
Public Market Equities	914,309,002
Alternative Investments	<u>880,599,798</u>
 TOTAL	 <u><u>\$ 1,943,010,053</u></u>

General Land Office Contributions:

FY 2021 Cumulative January 2021	FY 2022 Cumulative January 2022
\$11,250,000	\$0

Based on the above information provided by staff including a report that deposits to the Permanent School Fund from the General Land Office were \$11,250,000 through January 2021 for fiscal year 2021 versus \$0 through January 2022 for fiscal year 2022, and the recommendation of the Executive Administrator and Chief Investment Officer and the Commissioner of Education; it is moved by unanimous consent that the Committee on School Finance/Permanent School Fund ratify for the months of December 2021 and January 2022 Permanent School Fund portfolio purchases of \$1,600,184,569 and sales of \$1,943,010,053.

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**TEXAS PERMANENT SCHOOL FUND  
SUMMARY OF TRANSACTIONS FOR APPROVAL  
FOR PSF LIQUID ACCOUNTS  
For December 1, 2021 through January 31, 2022**

<u>Purchases:</u>		
	Fixed Income	\$ 231,763,120
	Public Market Equities	<u>1,197,445,967</u>
	 TOTAL	 <u><u>\$ 1,429,209,087</u></u>
 <u>Sales:</u>		
	Fixed Income	\$ -
	Public Market Equities	<u>20,853,379</u>
	 TOTAL	 <u><u>\$ 20,853,379</u></u>

Based on the above information provided by staff and the recommendation of the Executive Administrator and Chief Investment officer and the Commissioner of Education: It is moved by unanimous consent that the Committee on School Finance/Permanent School Fund ratify for the period December 1, 2021 through January 31, 2022 Permanent School Fund Liquid Account purchases of \$1,429,209,087 and sales of \$20,853,379.

Minutes

State Board of Education

May 16, 2022

**Report of the State Board of Education  
Monday, May 16, 2022**

The State Board of Education met at 8:06 a.m. on Monday, May 16, 2022, virtually and in the State Board of Education Room, #1-104, of the William B. Travis Building, 1701 N. Congress Avenue, Austin, Texas. Attendance was noted as follows:

Present: Keven Ellis, chair; Lawrence A. Allen, Jr. (virtual); Rebecca Bell-Metereau; Aicha Davis (virtual); Patricia Hardy; Will Hickman (virtual); Jay Johnson (virtual); Pam Little; Tom Maynard; Georgina C. Pérez (virtual); Marisa B. Perez-Diaz (virtual); Matt Robinson (virtual); Audrey Young (virtual)

Absent: Ruben Cortez, Jr.; Sue Melton-Malone

**Public Testimony**

The State Board of Education heard public testimony on agenda item #1. Information regarding the individuals who presented public testimony is included in the discussion of that item.

**DISCUSSION ITEM**

**1. Discussion of Proposed Framework for Kindergarten-Grade 8 Social Studies Texas Essential Knowledge and Skills**

Public testimony was provided by the following individuals:

NAME: Steven Mintz  
AFFILIATION: University of Texas at Austin

NAME: Jeff Lash  
AFFILIATION: Self

NAME: Shalon Bond  
AFFILIATION: Self

NAME: Julia Brookins  
AFFILIATION: American Historical Association

NAME: Marci Deal  
AFFILIATION: Hurst-Eules-Bedford ISD

NAME: Renee Blackmon  
AFFILIATION: Self

NAME: Linda Miller  
AFFILIATION: Texas Historical Commission

NAME: Joann Zadrozny  
AFFILIATION: Gilbert M. Grosvenor Center for Geographic Education at Texas State University

NAME: Rocio Fierro-Perez  
AFFILIATION: Texas Freedom Network

NAME: Meghan Dougherty  
AFFILIATION: Round Rock ISD

NAME: Lisa Wellborn  
AFFILIATION: Self

NAME: Patience LeBlanc Against  
AFFILIATION: Frisco ISD

NAME: Dmitra-Dejahnae Lucas  
AFFILIATION: Self

NAME: Emily Countryman  
AFFILIATION: Northside ISD

NAME: Michael Boucher  
AFFILIATION: Self

NAME: Shereen Bhalla  
AFFILIATION: Hindu American Foundation

NAME: Casey Cole  
AFFILIATION: Bastrop ISD

NAME: Eliza Epstein  
AFFILIATION: Self

NAME: Jaimi Boutemy De Guislain  
AFFILIATION: Self

NAME: Jeremiah Rush  
AFFILIATION: Frisco ISD

NAME: Michelle Castillo  
AFFILIATION: Intercultural Development Research Association

NAME: Anita Zusman Eddy  
AFFILIATION: Jewish Community Relations Council of the Jewish Federation of Greater Dallas

NAME: Steve Meeker  
AFFILIATION: Montgomery ISD

NAME: Erika Lowery  
AFFILIATION: Self



NAME: Kathleen Gilbert  
AFFILIATION: Hurst-Euless-Bedford ISD

NAME: Kelly Glos  
AFFILIATION: Eagle Mountain-Saginaw ISD

NAME: Daniel Norwood  
AFFILIATION: Mesquite ISD

NAME: Eva Goins  
AFFILIATION: Texas Council of Teachers of English Language Arts

NAME: LaWanda Williams  
AFFILIATION: Texas Council of Teachers of English Language Arts

NAME: Karlene Jolly  
AFFILIATION: Richardson ISD

NAME: Daniel Derasaugh  
AFFILIATION: Carrollton-Farmers Branch ISD

NAME: Richard Golden  
AFFILIATION: University of North Texas

NAME: Christine Thompson  
AFFILIATION: Birdville ISD

NAME: Lanette Aguero  
AFFILIATION: Grand Prairie ISD

NAME: Pier Larsen  
AFFILIATION: Carrollton-Farmers Branch ISD

NAME: Andrea Kline  
AFFILIATION: Self

NAME: Beri Kaplan Schwitzer  
AFFILIATION: Congregation Beth Torah & Education Directors Council-Dallas/Fort Worth

NAME: Melanie Rubin  
AFFILIATION: Self

NAME: Valerie Klein  
AFFILIATION: Adat Chaverim

NAME: Sharon Thorne-Green  
AFFILIATION: Self

NAME: Sherry Owens  
AFFILIATION: Self

NAME: Darsi Bickley  
AFFILIATION: Northwest ISD

NAME: Sarah Lott  
AFFILIATION: Self

NAME: John Hatch  
AFFILIATION: Garland ISD

NAME: Stacie Nickols  
AFFILIATION: McKinney ISD

NAME: Julie Russell  
AFFILIATION: International Leadership of Texas

The State Board of Education expressed a desire to see more specific examples of standards for kindergarten through grade 8 social studies TEKS using the framework approved at the April SBOE meeting. The board chair asked TEA staff to convene work groups to begin work on recommendations to be presented at the June SBOE meeting for review and consideration by the board.

Dr. Ellis adjourned the meeting at 1:11 p.m.

# Minutes

State Board of Education Committees

April 5-8, 2022

**Report of the State Board of Education  
Committee of the Full Board  
Tuesday, April 5, 2022**

The State Board of Education Committee of the Full Board met at 1:03 p.m. on Tuesday, April 5, 2022, in the State Board of Education Room, #1-104, of the William B. Travis Building, 1701 N. Congress Avenue, Austin, Texas. Attendance was noted as follows:

Present: Keven Ellis, chair; Lawrence A. Allen, Jr.; Rebecca Bell-Metereau; Patricia Hardy; Will Hickman; Jay Johnson; Pam Little; Tom Maynard; Sue Melton-Malone; Georgina C. Pérez; Marisa B. Perez-Diaz; Matt Robinson; Audrey Young

Absent: Ruben Cortez, Jr.; Aicha Davis

**Public Testimony**

The Committee of the Full Board heard public testimony on agenda items #2 and #3. Information regarding the individuals who presented public testimony is included in the discussion of that item.

**DISCUSSION ITEMS**

1. **Public Hearing on Proposed New 19 TAC Chapter 126, Texas Essential Knowledge and Skills for Technology Applications, Subchapter A, Elementary, §§126.1-126.3 and 126.8-126.10;and Subchapter B, Middle School, §§126.17-126.19**  
(Board agenda page I-3)

No testimony was received on this item.

2. **Public Hearing on Proposed New 19 TAC Chapter 127, Texas Essential Knowledge and Skills for Career Development, Subchapter O, Science, Technology, Engineering, and Mathematics §§127.788-127.194**  
(Board agenda page I-3)

Invited testimony was provided by the following individuals:

NAME: Mark Emry  
AFFILIATION: Work Group Member (Cybersecurity)

NAME: John Owen  
AFFILIATION: Work Group Member (Programming and Software Development)

Public testimony was provided by the following individuals:

NAME: Tommy Gober  
AFFILIATION: Cyber.org

NAME: Chuck Gardner  
AFFILIATION: Cyber.org

**3. Public Hearing on Proposed New 19 TAC Chapter 113, Texas Essential Knowledge and Skills for Social Studies, Subchapter C, High School, §113.76, Personal Financial Literacy and Economics**

(Board agenda page I-5)

Invited testimony was provided by the following individual:

NAME: Mikal Crowder  
AFFILIATION: Work Group A Member

Public testimony was provided by the following individuals:

NAME: Julia Brookins  
AFFILIATION: American Historical Association

NAME: Clive Muir  
AFFILIATION: Washington University, Olin Business School

NAME: Steven Mintz  
AFFILIATION: The University of Texas at Austin

Dr. Ellis adjourned the meeting at 1:46 p.m.

**Report of the State Board of Education  
Committee of the Full Board  
Wednesday, April 6, 2022**

The State Board of Education Committee of the Full Board met at 9:00 a.m. on Wednesday, April 6, 2022, in the State Board of Education Room, #1-104, of the William B. Travis Building, 1701 N. Congress Avenue, Austin, Texas. Attendance was noted as follows:

Present: Keven Ellis, chair; Lawrence A. Allen, Jr.; Rebecca Bell-Metereau; Ruben Cortez, Jr.; Aicha Davis; Patricia Hardy; Will Hickman; Jay Johnson; Pam Little; Tom Maynard; Sue Melton-Malone; Georgina C. Pérez; Marisa B. Perez-Diaz; Matt Robinson; Audrey Young

**Public Testimony**

The Committee of the Full Board heard public testimony on agenda items #2 and #10. Information regarding the individuals who presented public testimony is included in the discussion of that item.

**DISCUSSION ITEM**

**1. Commissioner's Comments**  
(Board agenda page I-7)

Commissioner Mike Morath presented an overview of the Texas Education Agency *Annual Report* for 2021. He also provided updates on the Teacher Vacancy Task Force that launched in March 2022.

**ACTION ITEMS**

**2. Proposed Amendments to 19 TAC Chapter 74, Curriculum Requirements, Subchapter B, Graduation Requirements (Second Reading and Final Adoption)**  
(Board agenda page I-8)  
[Official agenda item #3]

Public testimony was provided by the following individual:

NAME: Robert Floyd  
AFFILIATION: Texas Music Educators Association and Texas Arts Education Campaign

Shelly Ramos, senior director, curriculum standards and student support, explained that this item proposes changes to graduation requirements to align with statutory changes made by the 87th Texas Legislature, add new courses and update course names and chapter and subchapter references, and add language related to prerequisite requirements for certain CTE courses. Ms. Ramos provided an overview of the proposed amendments.

**MOTION:** *It was moved by Mr. Maynard and seconded by Ms. Hardy to recommend that the State Board of Education approve for second reading and final adoption proposed amendments to 19 TAC Chapter 74, Curriculum Requirements, Subchapter B, Graduation Requirements, and*

*Make an affirmative finding that immediate adoption of the proposed amendments to 19 TAC Chapter 74, Curriculum Requirements, Subchapter B, Graduation Requirements, is necessary and shall have an effective date of 20 days after filing as adopted with the Texas Register.*

**MOTION AND VOTE:** *It was moved by Mrs. Little, seconded by Ms. Hardy, and carried unanimously to recommend that the State Board of Education amend 19 TAC §74.14(d)(2) to reflect staff recommendations to read:*

“(2) earning a composite score of ~~442~~ 441 on the ACT Aspire™ examination.”

**VOTE:** *A vote was taken on the main motion to recommend that the State Board of Education approve for second reading and final adoption proposed amendments to 19 TAC Chapter 74, Curriculum Requirements, Subchapter B, Graduation Requirements, as amended; and*

*Make an affirmative finding that immediate adoption of the proposed amendments to 19 TAC Chapter 74, Curriculum Requirements, Subchapter B, Graduation Requirements, is necessary and shall have an effective date of 20 days after filing as adopted with the Texas Register.*

*The motion carried.*

**3. Proposed Amendments to 19 TAC Chapter 120, Other Texas Essential Knowledge and Skills, Subchapter A, Character Traits (Second Reading and Final Adoption)**

(Board agenda page I-30)

[Official agenda item #4]

Public testimony was provided by the following individuals:

NAME: Mary Lowe  
AFFILIATION: Moms for Liberty

NAME: Hollie Plemons  
AFFILIATION: Self

NAME: Marcy Galle  
AFFILIATION: Self

NAME: Richard McKenzie  
AFFILIATION: Self

**MOTION:** *It was moved by Dr. Robinson and seconded by Ms. Hardy to recommend that the State Board of Education approve for second reading and final adoption the proposed repeal of 19 TAC Chapter 120, Other Texas Essential Knowledge and Skills, Subchapter A, Character Traits, §120.1, Implementation of Texas Essential Knowledge and Skills for Positive Character Traits; and proposed amendments to §120.3, Texas Essential Knowledge and Skills for Positive Character Traits, Kindergarten-Grade 2, Adopted 2020; §120.5, Texas Essential Knowledge and Skills for Positive Character Traits, Grades 3-5, Adopted 2020; §120.7, Texas Essential Knowledge and Skills for Positive Character Traits, Grades 6-8, Adopted 2020; and §120.9, Texas Essential Knowledge and Skills for Positive Character Traits, Grades 9-12, Adopted 2020; and*

*Make an affirmative finding that immediate adoption of the proposed repeal of 19 TAC Chapter 120, Other Texas Essential Knowledge and Skills, Subchapter A, Character Traits, §120.1, Implementation of Texas Essential Knowledge and Skills for Positive Character Traits; and proposed amendments to §120.3, Texas Essential Knowledge and Skills for Positive Character Traits, Kindergarten-Grade 2, Adopted 2020; §120.5, Texas Essential Knowledge and Skills for Positive Character Traits, Grades 3-5, Adopted 2020; §120.7, Texas Essential Knowledge and Skills for Positive Character Traits, Grades 6-8, Adopted 2020; and §120.9, Texas Essential Knowledge and Skills for Positive Character Traits, Grades 9-12, Adopted 2020, is necessary and shall have an effective date of 20 days after filing as adopted with the Texas Register.*

**MOTION AND VOTE:** *It was moved by Mr. Hickman and seconded by Ms. Hardy to recommend that the State Board of Education amend §120.3(b)(3); §120.5(b)(3); §120.7(b)(3); and §120.9(b)(3) to read:*

*“Students are expected to develop an awareness of self-identity as well as recognize multiple perspectives, differences, ~~diversity~~, biases, and the social and cultural context in which they live.”*

*The motion failed.*

**VOTE:** *A vote was taken on the original motion to recommend that the State Board of Education approve for second reading and final adoption the proposed repeal of 19 TAC Chapter 120, Other Texas Essential Knowledge and Skills, Subchapter A, Character Traits, §120.1, Implementation of Texas Essential Knowledge and Skills for Positive Character Traits; and proposed amendments to §120.3, Texas Essential Knowledge and Skills for Positive Character Traits, Kindergarten-Grade 2, Adopted 2020; §120.5, Texas Essential Knowledge and Skills for Positive Character Traits, Grades 3-5, Adopted 2020; §120.7, Texas Essential Knowledge and Skills for Positive Character Traits, Grades 6-8, Adopted 2020; and §120.9, Texas Essential Knowledge and Skills for Positive Character Traits, Grades 9-12, Adopted 2020; and*

*Make an affirmative finding that immediate adoption of the proposed repeal of 19 TAC Chapter 120, Other Texas Essential Knowledge and Skills, Subchapter A, Character Traits, §120.1, Implementation of Texas Essential Knowledge and Skills for Positive Character Traits; and proposed amendments to §120.3, Texas Essential Knowledge and Skills for Positive Character Traits, Kindergarten-Grade 2, Adopted 2020; §120.5, Texas Essential Knowledge and Skills for Positive Character Traits, Grades 3-5, Adopted 2020; §120.7, Texas Essential Knowledge and Skills for Positive Character Traits, Grades 6-8, Adopted 2020; and §120.9, Texas Essential Knowledge and Skills for Positive Character Traits, Grades 9-12, Adopted 2020, is necessary and shall have an effective date of 20 days after filing as adopted with the Texas Register.*

*The motion carried.*



4. **Proposed New 19 TAC Chapter 127, Texas Essential Knowledge and Skills for Career Development, Subchapter G, Education and Training, §§127.317, 127.318, and 127.323, and Subchapter O, Science, Technology, Engineering, and Mathematics, §127.783 and §127.784 (Second Reading and Final Adoption)**

(Board agenda page I-41)

[Official agenda item #5]

Ms. Ramos explained that public comments were received for this rule item, but that the comments were related to another item and not this rule item. Ms. Ramos also explained that there are no recommended changes to this rule item since it was approved for first reading.

**MOTION AND VOTE:** *It was moved by Mrs. Little, seconded by Dr. Robinson, and carried without objection to recommend that the State Board of Education approve for second reading and final adoption proposed new 19 TAC Chapter 127, Texas Essential Knowledge and Skills for Career Development, Subchapter G, Education and Training, §127.317, Child Development; §127.318, Child Guidance; and §127.323, Human Growth and Development; and Subchapter O, Science, Technology, Engineering, and Mathematics, §127.783, Engineering Design and Presentation I; and §127.784, Engineering Design and Presentation II; and*

*Make an affirmative finding that immediate adoption of proposed new 19 TAC Chapter 127, Texas Essential Knowledge and Skills for Career Development, Subchapter G, Education and Training, §127.317, Child Development; §127.318, Child Guidance; and §127.323, Human Growth and Development; and Subchapter O, Science, Technology, Engineering, and Mathematics, §127.783, Engineering Design and Presentation I; and §127.784, Engineering Design and Presentation II, is necessary and shall have an effective date of 20 days after filing as adopted with the Texas Register.*

*(Dr. Young was absent for the vote.)*

5. **Proposed New 19 TAC Chapter 127, Texas Essential Knowledge and Skills for Career Development, Subchapter O, Science, Technology, Engineering, and Mathematics, §§127.788-127.794**

**(First Reading and Filing Authorization)**

(Board agenda page I-65)

[Official agenda item #6]

Ms. Ramos stated that this item proposes revisions to the TEKS for three cybersecurity courses and four computer science courses. She reviewed three staff recommendations for minor revisions to the proposal.

**MOTION:** *It was moved by Mr. Maynard and seconded by Ms. Hardy to recommend that the State Board of Education approve for first reading and filing authorization proposed new 19 TAC Chapter 127, Texas Essential Knowledge and Skills for Career Development, Subchapter O, Science, Technology, Engineering, and Mathematics, §127.788, Fundamentals in Computer Science (One Credit), Adopted 2022; §127.789, Computer Science I (One Credit), Adopted 2022; §127.790, Computer Science II (One Credit), Adopted 2022; §127.791, Computer Science III (One Credit), Adopted 2022; §127.792, Foundations of Cybersecurity (One Credit), Adopted 2022; §127.793, Digital Forensics (One Credit), Adopted 2022; and §127.794, Cybersecurity Capstone (One Credit), Adopted 2022.*

**MOTION AND VOTE:** *It was moved by Mr. Maynard, seconded by Mrs. Little, and carried without objection to recommend that the State Board of Education amend 19 TAC §127.790 and §127.792 to reflect staff recommendations as follows:*

§127.790(d)(5)(C) “demonstrate the appropriate use of ~~situations involving~~ short-circuit evaluation in certain situations;”

§127.792(d)(8)(E) “identify and analyze cybersecurity breaches and incident responses ~~such as conducting simulations;~~”

§127.792(d)(10)(H) “identify vulnerabilities ~~caused by a~~ with the lack of cybersecurity awareness and training such as weaknesses posed by individuals within ~~humans being a weakness in~~ an organization.”

**VOTE:** *A vote was taken on the main motion to recommend that the State Board of Education approve for first reading and filing authorization proposed new 19 TAC Chapter 127, Texas Essential Knowledge and Skills for Career Development, Subchapter O, Science, Technology, Engineering, and Mathematics, §127.788, Fundamentals in Computer Science (One Credit), Adopted 2022; §127.789, Computer Science I (One Credit), Adopted 2022; §127.790, Computer Science II (One Credit), Adopted 2022; §127.791, Computer Science III (One Credit), Adopted 2022; §127.792, Foundations of Cybersecurity (One Credit), Adopted 2022; §127.793, Digital Forensics (One Credit), Adopted 2022; and §127.794, Cybersecurity Capstone (One Credit), Adopted 2022, as amended.*

*The motion carried.*

6. **Proposed New 19 TAC Chapter 126, Texas Essential Knowledge and Skills for Technology Applications, Subchapter A, Elementary, §§126.1-126.3 and 126.8-126.10; and Subchapter B, Middle School, §§126.17-126.19 (First Reading and Filing Authorization)**  
(Board agenda page I-70)  
[Official agenda item #7]

Ms. Ramos explained that the proposed new rules would update the technology applications TEKS to ensure the standards remain current. She also provided an overview of the proposed changes.

**MOTION:** *It was moved by Mr. Maynard and seconded by Dr. Young to recommend that the State Board of Education approve for first reading and filing authorization proposed new 19 TAC Chapter 126, Texas Essential Knowledge and Skills for Technology Applications, Subchapter A, Elementary, §126.1, Technology Applications, Kindergarten, Adopted 2022; §126.2, Technology Applications, Grade 1, Adopted 2022; §126.3, Technology Applications, Grade 2, Adopted 2022; §126.8, Technology Applications, Grade 3, Adopted 2022; §126.9, Technology Applications, Grade 4, Adopted 2022; and §126.10, Technology Applications, Grade 5, Adopted 2022; and Subchapter B, Middle School, §126.17, Technology Applications, Grade 6, Adopted 2022; §126.18, Technology Applications, Grade 7, Adopted 2022; and §126.19, Technology Applications, Grade 8, Adopted 2022.*

**MOTION AND VOTE:** *It was moved by Mr. Maynard, seconded Mrs. Little, and carried without objection to recommend that the State Board of Education amend 19 TAC Chapter 126, Subchapter A and Subchapter B to reflect staff recommendations as follows:*

§126.1(c)(4)(A) “~~communicate an understanding identify~~ that data is information collected about people, events, or objects, such as computer searches and weather patterns; and”

§126.1(c)(8)(C) “perform software application functions such as opening an application and modifying, printing, and saving digital artifacts using ~~operate~~ a variety of developmentally appropriate digital tools and resources ~~to perform software application functions such as opening an application and modifying, printing, and saving digital artifacts;~~”

§126.2(c)(3)(A) “practice personal skills and behaviors, including following directions and mental agility, needed to implement a design process successfully; and”

§126.2(c)(9)(C) “perform software application functions such as file management, collaboration, and the creation and revision of digital artifacts using ~~operate~~ a variety of developmentally appropriate digital tools and resources ~~to perform software application functions such as file management, collaboration, and the creation and revision of digital artifacts;~~”

§126.3(c)(3)(A) “demonstrate personal skills and behaviors, including effective communication, following directions, and mental agility, needed to implement design processes successfully; and”

§126.8(c)(3)(A) “explain the importance of and demonstrate personal skills and behaviors, including metacognition, effective communication, following directions, and mental agility, needed to implement the design processes successfully; and”

§126.8(c)(10)(B) “demonstrate an understanding of the terminology related to operating systems and network systems such as internet, intranet, wireless network ~~wifi~~, short-range wireless technology, and learning management systems;”

§126.9(c)(3)(A) “explain the importance of and demonstrate personal skills and behaviors, including problem solving and questioning, effective communication, following directions, mental agility, and metacognition, that are needed to implement a design process successfully; and”

§126.9(c)(3)(B) “apply an appropriate design process that includes using components ~~such as utilizing feedback~~ to improve and ~~refine~~ processes and refine original products for authentic problems.”

§126.10.(c)(12)(A) “describe and evaluate operating systems, learning management systems, virtual systems, and network systems such as internet, intranet, wireless network ~~wifi~~, and short-range wireless technology;”

§126.19(c)(2)(C) “modify and implement previously written code to develop ~~new and~~ improved programs.”

§126.19(c)(3)(A) “demonstrate innovation in a design process using ~~utilize~~ goal setting and personal character traits ~~growth~~, including demonstrating calculated risk-taking and tolerance ~~to innovate, using innovative design processes;~~”

§126.19(c)(9)(B) “adhere to ~~apply~~ appropriate intellectual property law when creating digital products;”

**VOTE:** *A vote was taken on the main motion to recommend that the State Board of Education approve for first reading and filing authorization proposed new 19 TAC Chapter 126, Texas Essential Knowledge and Skills for Technology Applications, Subchapter A, Elementary, §126.1, Technology Applications, Kindergarten, Adopted 2022; §126.2, Technology Applications, Grade 1, Adopted 2022; §126.3, Technology Applications, Grade 2, Adopted 2022; §126.8, Technology Applications, Grade 3, Adopted 2022; §126.9, Technology Applications, Grade 4, Adopted 2022; and §126.10, Technology Applications, Grade 5, Adopted 2022; and Subchapter B, Middle School, §126.17, Technology Applications, Grade 6, Adopted 2022; §126.18, Technology Applications, Grade 7, Adopted 2022; and §126.19, Technology Applications, Grade 8, Adopted 2022, as amended.*

*The motion carried unanimously.*

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

7. **Proposed New 19 TAC Chapter 113, Texas Essential Knowledge and Skills for Social Studies, Subchapter C, High School, §113.76, Personal Financial Literacy and Economics (First Reading and Filing Authorization)**

(Board agenda page I-74)

[Official agenda item #8]

Ms. Ramos explained that the proposed new rule would add Texas Essential Knowledge and Skills (TEKS) for a new personal financial literacy and economics course to comply with the requirements of Senate Bill 1063, 87th Texas Legislature, Regular Session, 2021.

**MOTION:** *It was moved by Mr. Maynard and seconded by Mrs. Melton-Malone to recommend that the State Board of Education approve for first reading and filing authorization proposed new 19 TAC Chapter 113, Texas Essential Knowledge and Skills for Social Studies, Subchapter C, High School, §113.76, Personal Financial Literacy and Economics.*

**MOTION AND VOTE:** *It was moved by Mrs. Little, seconded by Ms. Pérez, and carried without objection to recommend that the State Board of Education amend 19 TAC §113.76 to reflect staff recommendations as follows:*

§113.76(a) “Implementation. The provisions of this section shall be implemented by school districts beginning with the 2022-2023 school year.”

§113.7(c)(9)(I) “describe and identify examples of recognize common schemes and scams such as Ponzi schemes and pyramid, phishing, check cashing, and home renovation scams;”

§113.7(c)(10)(C) “explain why demonstrate how earning income, spending, credit, debt, saving and investing, and protecting and insuring are important parts part of a comprehensive financial plan and develop a plan that incorporates these components.”

**VOTE:** *A vote was taken on the main motion to recommend that the State Board of Education approve for first reading and filing authorization proposed new 19 TAC Chapter 113, Texas Essential Knowledge and Skills for Social Studies, Subchapter C, High School, §113.76, Personal Financial Literacy and Economics, as amended.*

*The motion carried unanimously.*

*(Dr. Bell-Metereau, Ms. Perez-Diaz, and Dr. Robinson were absent for the vote.)*

**8. Proposed Amendment to 19 TAC Chapter 74, Curriculum Requirements, Subchapter A, Required Curriculum, §74.3, Description of a Required Secondary Curriculum (First Reading and Filing Authorization)**

(Board agenda page I-82)

[Official agenda item #9]

Ms. Ramos explained that this item proposes changes to the list of high school courses that districts are required to offer to students. Ms. Ramos stated that the proposal would update rules to reflect the new physical education courses which will be implemented in the 2022-2023 school year. She also explained that the board could decide whether to require school districts to offer the new Personal Financial Literacy and Economics course. Monica Martinez, associate commissioner for standards and programs, reviewed options for course offering requirements related to the economics graduation requirement.

**MOTION:** *It was moved by Mrs. Melton-Malone and seconded by Mr. Hickman to recommend that the State Board of Education suspend the board operating procedures in accordance with §5.2(a) to allow consideration at first reading and filing authorization; and approve for first reading and filing authorization the proposed amendment to 19 TAC Chapter 74, Curriculum Requirements, Subchapter A, Required Curriculum, §74.3, Description of a Required Secondary Curriculum.*

**MOTION AND VOTE:** *It was moved by Mr. Maynard, seconded by Mr. Hickman, and carried unanimously to recommend that the State Board of Education amend 19 TAC §74.3(b)(2)(D) to read:*

“(D) social studies--United States History Studies Since 1877, World History Studies, United States Government, World Geography Studies, Personal Financial Literacy, Economics with Emphasis on the Free Enterprise System and Its Benefits, and Personal Financial Literacy and Economics. The requirement to offer both Economics with Emphasis on the Free Enterprise System and Its Benefits and Personal Financial Literacy and Economics may be reduced to one by the commissioner of education upon application of a school district with a total high school enrollment of less than 500 students.”

**VOTE:** *A vote was taken on the main motion to recommend that the State Board of Education suspend the board operating procedures in accordance with §5.2(a) to allow consideration at first reading and filing authorization; and approve for first reading and filing authorization the proposed amendment to 19 TAC Chapter 74, Curriculum Requirements, Subchapter A, Required Curriculum, §74.3, Description of a Required Secondary Curriculum, as amended.*

*The motion carried unanimously.*

*(Dr. Bell-Metereau was absent for the vote.)*

9. **Proclamation 2024 of the State Board of Education Advertising for Bids on Instructional Materials**

(Board agenda page I-87)  
[Official agenda item #10]

Melissa Lautenschlager, director of instructional materials and implementation, explained that *Proclamation 2024* calls for instructional materials for science, technology applications, and certain CTE courses. She shared that the agency solicited input from stakeholders through focus groups and public comments and she presented possible amendments in response to stakeholder feedback.

**MOTION:** *It was moved by Mrs. Melton-Malone and seconded by Ms. Hardy to recommend that the State Board of Education approve Proclamation 2024 of the State Board of Education Advertising for Bids for Instructional Materials.*

**MOTION AND VOTE:** *It was moved by Mr. Maynard, seconded by Dr. Bell-Metereau, and carried unanimously to recommend that the State Board of Education amend the draft of Proclamation 2024 to also call for Personal Financial Literacy and Economics instructional materials.*

**MOTION AND VOTE:** *It was moved by Mrs. Little, seconded by Ms. Hardy, and carried unanimously to recommend that the State Board of Education amend the draft of Proclamation 2024 to move the presentation of the Proclamation 2024 Questions and Answers from June 15–17, 2022, to August 30–September 2, 2022.*

**MOTION AND VOTE:** *It was moved by Mrs. Little, seconded by Ms. Hardy, and carried unanimously to recommend that the State Board of Education amend the draft of Proclamation 2024 to move the correlation deadline for the first set of courses from Monday, March 6, 2023, to Monday, April 3, 2023, and the deadline for the second set of courses from Tuesday, May 30, 2023, to Monday, June 26, 2023.*

**MOTION AND VOTE:** *It was moved by Mrs. Little, seconded by Ms. Hardy, and carried unanimously to recommend that the State Board of Education amend the draft of Proclamation 2024 to strike the second paragraph from the official bid section on page 22 and replace it with the following:*

“Publishers must provide per-student pricing and information regarding volume discounts in the manner designated by TEA.”

**MOTION AND VOTE:** *It was moved by Mrs. Little, seconded by Ms. Hardy, and carried unanimously to recommend that the State Board of Education amend the bottom of page 6 of the draft of Proclamation 2024 to read:*

“To comply with TEC §31.082, TEA will contract with a private entity to evaluate instructional materials submitted in response to this proclamation for science through the Texas Resource Review (TRR). The TRR reports will be presented to the SBOE prior to their adoption vote.”

**MOTION AND VOTE:** *It was moved by Mrs. Little, seconded by Ms. Hardy, and carried unanimously to recommend that the State Board of Education amend the draft of Proclamation 2024 to move the TRR rubric public comment period from April–June 2022 to June–July 2022, move rubric posting from June–July 2022 to August–September 2022, and move TRR report posting from August 2023 to September 2023.*

**VOTE:** *A vote was taken on the original motion to recommend that the State Board of Education approve Proclamation 2024 of the State Board of Education Advertising for Bids for Instructional Materials, as amended.*

*The motion carried unanimously.*

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

(Board agenda page I-88)

[Official agenda item #11]

Public testimony was provided by the following individuals:

NAME: Eliza Epstein  
AFFILIATION: Self

NAME: Zane Evans  
AFFILIATION: Self

NAME: Maria de los Angeles Desantos Quezada  
AFFILIATION: Self

NAME: Alisha Tuff  
AFFILIATION: Self

NAME: Valerie Martinez  
AFFILIATION: Ethnic Studies Network of Texas

NAME: Sarah Gould  
AFFILIATION: Mexican-American Civil Rights Institute

Ms. Martinez provided an update on the social studies TEKS review. The board received working documents for certain high school courses from work groups. The work groups for Grade 8, high school U.S. History Studies, and World History Studies made recommendations to reorganize the TEKS so the standards would be presented in chronological order. Work Group B is meeting concurrently and drafting recommendations on social studies skills. The work groups that will draft recommendations for ethnic studies courses have not yet been convened to provide the high school U.S. history work group to develop recommendations first in the event that those recommendations impact the ethnic studies courses.

Ms. Martinez also presented information on a potential new social studies framework for kindergarten–grade 8 for the board’s consideration. This framework would increase the amount of Texas history that is taught by including it in at least six grade levels instead of the two grade levels where it is currently covered. Kindergarten–grade 2 would build foundational content knowledge based around a common theme at each grade level. Grades 3–5 would cover history up to about AD 1500. Grades 6–8 would cover history from AD 1500 to the present with a focus on Texas and United States history.

The committee provided the following guidance related to upcoming work on the review of the social studies TEKS:

- The committee asked TEA to convene work groups to develop TEKS for two additional ethnic studies courses, Native American studies and Asian American studies.
- The committee directed future work groups to develop TEKS for kindergarten–grade 8 as follows: the TEKS for kindergarten–grade 2 would address topics in Texas, U.S., and world history thematically and work groups should look to see if there are other organizational options for organizing the kindergarten–grade 2 content; and the TEKS for grades 3–8 would address history chronologically with grades 3-5 focusing on world history and grades 6-8 focusing on Texas and U.S. history.
- The committee requested that the work group for the high school U.S. history course add early American history that was removed during the streamlining of the social studies TEKS.
- The committee requested that TEA staff organize the current student expectations for social studies into the new framework so that work group members would have a starting point from which to work.

At the suggestion of staff, the board will consider the possibility of a special-called SBOE meeting in late July or early August to give work groups for kindergarten–grade 8 additional time to develop a solid draft for discussion by the board.

## **DISCUSSION ITEMS**

### **11. Long Range Plan for Technology Update** (Board agenda page I-91)

This item was postponed to the Friday, April 8, meeting.

### **12. Discussion of Pending Litigation** (Board agenda page I-92)

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

Dr. Ellis adjourned the meeting at 5:50 p.m.



**Report of the State Board of Education  
Committee on Instruction  
Thursday, April 7, 2022**

The State Board of Education Committee on Instruction met at 9:04 a.m. on Thursday, April 7, 2022, in Room #1-100 of the William B. Travis Building, 1701 N. Congress Avenue, Austin, Texas. Attendance was noted as follows:

Present: Sue Melton-Malone, chair; Rebecca Bell-Metereau; Georgina C. Pérez; Audrey Young, vice-chair

Absent: Pam Little

**Public Testimony**

The Committee on Instruction received no presentations of public testimony.

**ACTION ITEMS**

**1. Proposed Repeal of 19 TAC Chapter 115, Texas Essential Knowledge and Skills for Health Education, Subchapter A, Elementary, §§115.1-115.7, Subchapter B, Middle School, §§115.21-115.23, and Subchapter C, High School, §§115.31-115.33**

**(First Reading and Filing Authorization)**

(Board agenda page II-1)

[Official agenda item #12]

Jessica Snyder, special projects director, curriculum standards and student support division, explained that this item would remove the Texas Essential Knowledge and Skills (TEKS) for Kindergarten-Grade 12 health education and related implementation language that will be superseded by the revised health education TEKS in 19 TAC §§115.11-115.17, 115.25-115.28, and 115.37-115.40 beginning with the 2022-2023 school year.

**MOTION AND VOTE:** *It was moved by Dr. Young, seconded by Dr. Bell-Metereau, and carried unanimously to recommend that the State Board of Education suspend the board operating procedures in accordance with §5.2(a) to allow consideration at first reading and filing authorization; and*

*Approve for first reading and filing authorization the proposed repeal of 19 TAC Chapter 115, Texas Essential Knowledge and Skills for Health Education, Subchapter A, Elementary, §115.1, Implementation of Texas Essential Knowledge and Skills for Health Education, Elementary; §115.2, Health Education, Kindergarten; §115.3, Health Education, Grade 1; §115.4, Health Education, Grade 2; §115.5, Health Education, Grade 3; §115.6, Health Education, Grade 4; and §115.7, Health Education, Grade 5; Subchapter B, Middle School, §115.21, Implementation of Texas Essential Knowledge and Skills for Health Education, Middle School; §115.22, Health Education, Grade 6; and §115.23, Health Education, Grade 7-8; and Subchapter C, High School, §115.31, Implementation of Texas Essential Knowledge and Skills for Health Education, High School; §115.32, Health 1, Grades 9-10 (One-Half Credit); and §115.33, Advanced Health, Grades 11-12 (One-Half Credit).*

2. **Proposed Repeal of 19 TAC Chapter 116, Texas Essential Knowledge and Skills for Physical Education, Subchapter A, Elementary, §§116.1-116.7, Subchapter B, Middle School, §§116.21-116.24, and Subchapter C, High School, §§116.51-116.56**  
**(First Reading and Filing Authorization)**

(Board agenda page II-4)  
[Official agenda item #13]

Ms. Snyder explained that the proposed repeals would remove the TEKS for Kindergarten-Grade 12 physical education and related implementation language that will be superseded by the revised physical education TEKS in 19 TAC §§116.11-116.17, 116.25-116.28, and 116.61-116.64 beginning with the 2022-2023 school year.

**MOTION AND VOTE:** *It was moved by Dr. Young, seconded by Dr. Bell-Metereau, and carried unanimously to recommend that the State Board of Education suspend the board operating procedures in accordance with §5.2(a) to allow consideration at first reading and filing authorization; and*

*Approve for first reading and filing authorization the proposed repeal of 19 TAC Chapter 116, Texas Essential Knowledge and Skills for Physical Education, Subchapter A, Elementary, §116.1, Implementation of Texas Essential Knowledge and Skills for Physical Education, Elementary; §116.2, Physical Education, Kindergarten; §116.3, Physical Education, Grade 1; §116.4, Physical Education, Grade 2; §116.5, Physical Education, Grade 3; §116.6, Physical Education, Grade 4; and §116.7, Physical Education, Grade 5; Subchapter B, Middle School, §116.21, Implementation of Texas Essential Knowledge and Skills for Physical Education, Middle School; §116.22, Physical Education, Grade 6; §116.23, Physical Education, Grade 7; and §116.24, Physical Education, Grade 8; and Subchapter C, High School, §116.51, Implementation of Texas Essential Knowledge and Skills for Physical Education, High School; §116.52, Foundations of Personal Fitness (One-Half Credit); §116.53, Adventure/Outdoor Education (One-Half Credit); §116.54, Aerobic Activities (One-Half Credit); §116.55, Individual Sports (One-Half Credit); and §116.56, Team Sports (One-Half Credit).*

3. **Proposed Approval of Innovative Courses**

(Board agenda page II-7)  
[Official agenda item #14]

Shelly Ramos, senior director, curriculum standards and student support division, explained that there were six innovative courses recommended for approval that do not fall within any of the subject areas of the foundation or enrichment curriculum: PeaceKeepers© I and II; and Making Connections I-IV.

**MOTION AND VOTE:** *It was moved by Dr. Young, seconded by Dr. Bell-Metereau, and carried unanimously to recommend that the State Board of Education approve for a period of five years the following innovative courses that do not fall within any of the subject areas of the foundation or enrichment curriculum: PeaceKeepers© I and II; and Making Connections I-IV.*

**4. Approval of Updates and Substitutions to Adopted Instructional Materials**

(Board agenda page II-11)

[Consent agenda item #(1)]

Amie Williams, director, instructional materials review and procurement, explained that Learning Without Tears is requesting to substitute a new edition of its adopted kindergarten English handwriting product, *Kick Start Kindergarten*, and that Learning A-Z is requesting to update content in its adopted K–4 English language arts and reading product, *Raz Plus ELL Texas Edition*.

**MOTION AND VOTE:** *It was moved by Dr. Young, seconded by Dr. Bell-Metereau, and carried unanimously to recommend that the State Board of Education approve the request from Learning Without Tears to substitute Kick Start Kindergarten in its kindergarten English handwriting product adopted under Proclamation 2019 and the request from Learning A-Z to update its content in Raz Plus ELL Texas Edition, grades K-4, adopted under Proclamation 2019.*

**5. Proposed Repeal of 19 TAC Chapter 127, Texas Essential Knowledge and Skills for Career Development, Subchapter G, Education and Training, §§127.310, 127.312, and 127.313; Subchapter I, Health Science, §127.409; and Subchapter O, Science, Technology, Engineering, and Mathematics, §§127.753, 127.755, 127.761, and 127.764; and Chapter 130, Texas Essential Knowledge and Skills for Career and Technical Education, Subchapter J, Human Services, §130.277**

**(First Reading and Filing Authorization)**

(Board agenda page II-13)

[Official agenda item #15]

Ms. Snyder explained that the proposed repeal would eliminate certain career and technical education courses that will be superseded by 19 TAC §§127.316, 127.317, 127.325, 127.326, 127.418, 127.782, 127.785, 127.788, and 127.791 beginning with the 2022-2023 school year.

**MOTION AND VOTE:** *It was moved by Dr. Young, seconded by Ms. Pérez, and carried unanimously to recommend that the State Board of Education suspend the board operating procedures in accordance with §5.2(a) to allow consideration at first reading and filing authorization; and*

*Approve for first reading and filing authorization the proposed repeal of 19 TAC Chapter 127, Texas Essential Knowledge and Skills for Career Development, Subchapter G, Education and Training, §127.310, Principles of Education and Training (One Credit), Adopted 2015; §127.312, Instructional Practices (Two Credits), Adopted 2015; and §127.313, Practicum in Education and Training (Two Credits), Adopted 2015; Subchapter I, Health Science, §127.409, Health Informatics (One Credit), Adopted 2015; and Subchapter O, Science, Technology, Engineering, and Mathematics, §127.753, Engineering Design and Problem Solving (One Credit), Adopted 2015; §127.755, Engineering Science (One Credit), Adopted 2015; §127.761, Fundamentals of Computer Science (One Credit); and §127.764, Computer Science III (One Credit); and Chapter 130, Texas Essential Knowledge and Skills for Career and Technical Education, Subchapter J, Human Services, §130.277, Child Development (One Credit), Adopted 2015.*

6. **Adoption of Rule Review of 19 TAC Chapter 89, Adaptations for Special Populations**  
(Board agenda page II-46)  
[Consent agenda item #(2)]

Monica Martinez, associate commissioner for standards and programs, explained the purpose of the four-year rule review and indicated that this review included rules relating to gifted/talented education, Texas certificate of high school equivalency, and special education services and settings. She explained that committee members were provided with a summary of public comments received during the public comment period. All public comments were related to gifted/talented education. Ms. Martinez also explained that if the committee wanted to consider amendments to the rule in response to any public comments, a discussion item regarding proposed amendments could be presented at a future board meeting.

**MOTION AND VOTE:** *It was moved by Dr. Young, seconded by Ms. Pérez, and carried unanimously to recommend that the State Board of Education adopt the review of 19 TAC Chapter 89, Adaptations for Special Populations.*

The meeting of the Committee on Instruction adjourned at 9:30 a.m.

**Report of the State Board of Education  
Committee on School Finance/Permanent School Fund  
Thursday, April 7, 2022**

The State Board of Education Committee on School Finance/Permanent School Fund met at 11:40 a.m. on Thursday, April 7, 2022, in the State Board of Education Room, Room #1-104 of the William B. Travis Building, 1701 N. Congress Avenue, Austin, Texas. Attendance was noted as follows:

Present: Tom Maynard, chair; Lawrence A. Allen, Jr., vice chair; Keven Ellis; Patricia Hardy; Marisa B. Perez-Diaz

Non-Committee Members Present: Will Hickman

**Public Testimony**

The Committee on School Finance/Permanent School Fund received no presentations of public testimony.

**ACTION ITEM**

1. **Proposed Amendment to 19 TAC Chapter 109, Budgeting, Accounting, and Auditing, Subchapter C, Adoptions By Reference, §109.41, Financial Accountability System Resource Guide (First Reading and Filing Authorization)**  
(Board agenda page III-1)  
[Official agenda item #16]

David Marx, senior director, financial compliance, explained that the proposed amendment would adopt by reference the updated *Financial Accountability System Resource Guide* (FASRG). He explained the purpose of the guide, what it includes, why it is being updated, and what aspects are being updated.

**MOTION AND VOTE:** *It was moved by Mr. Allen, seconded by Ms. Perez-Diaz, and carried unanimously to recommend that the State Board of Education approve for first reading and filing authorization the proposed amendment to 19 TAC Chapter 109, Budgeting, Accounting, and Auditing, Subchapter C, Adoptions By Reference, §109.41, Financial Accountability System Resource Guide, and placement of this item on the April 8, 2022, consent agenda.*

## **DISCUSSION ITEM**

### **2. Report by the State Auditor’s Office on the Audit of the Permanent School Fund’s Financial Statements and Certification of the Bond Guarantee Program for the Fiscal Year Ending August 31, 2021**

(Board agenda page III-7)

Holland Timmins, executive administrator and chief investment officer, introduced Michael Clayton, audit manager, and Amadou Ngaide, managing auditor from the State Auditor’s Office (SAO) for presentation of the annual audit of the Permanent School Fund (PSF) for the year ending August 31, 2021, and for presentation of results of the Certification of the PSF’s Bond Guarantee Program for fiscal year 2021.

Mr. Ngaide reported that the SAO issued an unmodified (“clean”) opinion on the financial statements audited for the period. He stated that the SAO conducted a review of internal controls and identified no reportable weakness or other items at the Texas Education Agency.

Mr. Ngaide then presented the results of the Certification of the PSF’s Bond Guarantee Program for the fiscal period. He stated that the amount of bonds guaranteed during FY 2021 was within all regulatory limits established by the Texas Education Code (§45.053(a) and (d), and §45.0531(a) and (b)), the Internal Revenue Service (Notice 2010-5 dated December 16, 2009), and the State Board of Education (SBOE), and that the Fund had sufficient reserves to meet the SBOE’s reserve requirements for the same period.

## **ACTION ITEMS**

### **3. Report on Permanent School Fund Securities Transactions and the Investment Portfolio and Ratification of Purchases and Sales for the Months of December 2021 and January 2022**

(Board agenda page III-8)

[Consent agenda item #(3)]

David Trice, managing director of investment finance and operations, provided a summary on the status of the PSF portfolio. Reports presented to the committee were for the reporting period December 1, 2021, through January 31, 2022, unless otherwise noted. Mr. Trice’s report included reporting on the current fair market value of the Fund; the asset allocation mix as of January 31, 2022; PSF transaction activity occurring in the reporting period; revenues and expenditures for the fiscal period beginning September 1, 2021, through January 31, 2022; the activity in the securities lending program for the fiscal period beginning September 1, 2021, through January 31, 2022; the status of transfers from the General Land Office (GLO) through January 31, 2022; current status of the Bond Guarantee Program and the available capacity in the program; broker commissions on both the internal and external equity portfolios and the internal commodities portfolio for the calendar year to date periods January 1, 2021, through December 31, 2021, as well as January 1, 2022, through January 31, 2022; fixed income rating changes for the fiscal period September 1, 2021, through January 31, 2022; short-term cash investments; and ratification of purchases and sales from December 1, 2021, through January 31, 2022.

**MOTION AND VOTE:** *Based on the information provided by staff and the recommendation of the executive administrator and chief investment officer and the commissioner of education, it was moved by Mr. Allen, seconded, and carried without objection to recommend that the State Board of Education ratify the purchases and sales for the months of December 2021 and January 2022 in the amounts of \$1,600,184,569 and \$1,943,010,053, respectively (Attachment A).*

**4. Report on Permanent School Fund Liquid Account and Ratification of Purchases and Sales for the Months of December 2021 and January 2022**

(Board agenda page III-9)

[Consent agenda item #(4)]

Mr. Trice provided a summary of the status of the PSF Liquid Account. Reports presented to the committee were for the reporting period December 1, 2021, through January 31, 2022. Mr. Trice's report included the current fair market value of the Liquid Account; the asset allocation mix as of January 31, 2022; transfer activity between the GLO and the Liquid Account; cumulative Income and Realized Gains transferred to the SBOE from the Liquid Account as of January 31, 2022; transactions occurring in the reporting period; broker commissions on equity portfolios for the calendar year to date periods January 1, 2021, through December 31, 2021, as well as January 1, 2022, through January 31, 2022; and ratification of the cumulative Purchases and Sales of the Liquid Account from December 1, 2021, through January 31, 2022.

**MOTION AND VOTE:** *Based on the information provided by staff and the recommendation of the executive administrator and chief investment officer and the commissioner of education, it was moved by Mr. Allen, seconded by Ms. Perez-Diaz, and carried without objection to recommend that the State Board of Education ratify the purchases and sales of the PSF Liquid Account for the period December 1, 2021, through January 31, 2022, in the amounts of \$1,429,209,087 and \$20,853,379, respectively (Attachment B).*

**5. Adoption of an Annual Report on the Status of the Bond Guarantee Program**

(Board agenda page III-10)

[Consent agenda item #(5)]

Mr. Timmins presented the annual report of the Bond Guarantee Program as required by the Texas Education Code and requested that the committee adopt the report as presented.

**MOTION AND VOTE:** *It was moved by Mr. Allen and carried without objection to recommend that the State Board of Education adopt the annual report on the status of the Bond Guarantee Program as of August 31, 2021.*

**DISCUSSION ITEMS**

**6. Fourth Quarter 2021 Permanent School Fund Performance Report**

(Board agenda page III-11)

Mike Maher, vice president of BNY Mellon Global and Risk Solutions, presented the fourth quarter of 2021 PSF performance report. Mr. Maher began with an overview of the U.S and foreign capital markets and reviewed the performance of the Fund for the fourth quarter of 2021. He stated that the PSF returned 3.61% net of fees for the fourth quarter, outperforming the target benchmark by 22 basis points. Mr. Maher attributed most of the outperformance to Private Equity, Non-core Real Estate, and Emerging Market Debt.

Mr. Maher reviewed the fourth quarter 2021 performance of the PSF by asset class, stating that the total domestic large cap equity composite returned 11.14%, outperforming its benchmark for the quarter by 11 basis points. He stated that the Small/Midcap Equity portfolio returned 7.28% in the quarter, outperforming its benchmark by one basis point. He added that international equities returned 1.58% for the quarter, outperforming its benchmark by 26 basis points for the period.

The fixed income portfolio returned 0.50% for the quarter, underperforming its benchmark by 12 basis points. Mr. Maher stated that the Absolute Return composite returned 0.04% for the quarter, underperforming its benchmark, the HFRI Fund of Funds Composite Index, by eight basis points. Mr. Maher added that the Real Estate composite returned 6.96% for the quarter, outperforming its benchmark by 150 basis points. He further stated that the Real Return Asset class returned 1.07% for the quarter, underperforming its benchmark by 23 basis points. He added that the Emerging Market Debt returned -1.71% for the quarter, outperforming its benchmark by 82 basis points. Mr. Maher stated that the private equity returned 4.16% for the quarter, outperforming its benchmark by 30 basis points. Finally, he stated that the total emerging market equity composite returned -1.71% for the fourth quarter 2021, outperforming its benchmark by eight basis points.

**7. Report of the Permanent School Fund Executive Administrator and Chief Investment Officer**  
(Board agenda page III-12)

Mr. Timmins provided the committee an update on DLA Piper efforts to increase the Bond Guarantee Program capacity. He also acknowledged the PSF staff for all of their hard work.

The meeting of the Committee on School Finance/Permanent School Fund adjourned at 12:46 p.m.



**TEXAS PERMANENT SCHOOL FUND  
SUMMARY OF TRANSACTIONS FOR APPROVAL  
(Including External Manager's Trades)  
For December 1, 2021 through January 31, 2022**

Purchases/Capital Calls:

Long Term Fixed Income	\$ 681,745,206
Public Market Equities	212,965,956
Alternative Investments	<u>705,473,407</u>
 TOTAL	 <u><u>\$ 1,600,184,569</u></u>

Sales/Distributions:

Long Term Fixed Income	\$ 148,101,253
Public Market Equities	914,309,002
Alternative Investments	<u>880,599,798</u>
 TOTAL	 <u><u>\$ 1,943,010,053</u></u>

General Land Office Contributions:

FY 2021 Cumulative January 2021	FY 2022 Cumulative January 2022
\$11,250,000	\$0

Based on the above information provided by staff including a report that deposits to the Permanent School Fund from the General Land Office were \$11,250,000 through January 2021 for fiscal year 2021 versus \$0 through January 2022 for fiscal year 2022, and the recommendation of the Executive Administrator and Chief Investment Officer and the Commissioner of Education; it is moved by unanimous consent that the Committee on School Finance/Permanent School Fund ratify for the months of December 2021 and January 2022 Permanent School Fund portfolio purchases of \$1,600,184,569 and sales of \$1,943,010,053.

**TEXAS PERMANENT SCHOOL FUND  
SUMMARY OF TRANSACTIONS FOR APPROVAL  
FOR PSF LIQUID ACCOUNTS  
For December 1, 2021 through January 31, 2022**

<u>Purchases:</u>		
	Fixed Income	\$ 231,763,120
	Public Market Equities	<u>1,197,445,967</u>
	 TOTAL	 <u><u>\$ 1,429,209,087</u></u>
 <u>Sales:</u>		
	Fixed Income	\$ -
	Public Market Equities	<u>20,853,379</u>
	 TOTAL	 <u><u>\$ 20,853,379</u></u>

Based on the above information provided by staff and the recommendation of the Executive Administrator and Chief Investment officer and the Commissioner of Education: It is moved by unanimous consent that the Committee on School Finance/Permanent School Fund ratify for the period December 1, 2021 through January 31, 2022 Permanent School Fund Liquid Account purchases of \$1,429,209,087 and sales of \$20,853,379.

**Report of the State Board of Education  
Committee on School Initiatives  
Thursday, April 7, 2022**

The State Board of Education Committee on School Initiatives met at 9:06 a.m. on Thursday, April 7, 2022, in Room, #1-111, of the William B. Travis Building, 1701 N. Congress Avenue, Austin, Texas. Attendance was noted as follows:

Present: Matt Robinson, chair; Aicha Davis, vice chair; Ruben Cortez, Jr; Will Hickman; Jay Johnson

**Public Testimony**

The Committee on School Initiatives heard public testimony on agenda items #5 and #6. Information regarding the individuals who presented public testimony is included in the discussion of that item.

**ACTION ITEMS**

**1. Recommendation for One Reappointment to the Boys Ranch Independent School District Board of Trustees**

(Board agenda page IV-1)  
[Consent agenda item #(6)]

Christopher Lucas, director, policy, planning, and operations, explained that the term of one member of the board of trustees of Boys Ranch Independent School District (ISD) is expiring. Mark Strother, president and chief executive officer (CEO) of Boys Ranch ISD, has recommended that Mr. George Owen be reappointed for a two-year term.

**MOTION AND VOTE:** *It was moved by Mr. Cortez, seconded by Dr. Johnson, and carried unanimously to recommend that the State Board of Education, based on Mr. Mark Strother's recommendation, approve the reappointment of Mr. George Owen to serve a two-year term of office from April 8, 2022, to April 7, 2024, on the Boys Ranch ISD Board of Trustees.*

**2. Recommendation for One Reappointment and One Appointment to the Fort Sam Houston Independent School District Board of Trustees**

(Board agenda page IV-7)  
[Consent agenda item #(7)]

Mr. Lucas explained that the term of one member of the board of trustees of Fort Sam Houston ISD is expiring and one member of the board of trustees is retiring. Colonel Shane R. Cuéllar, the base commander of Fort Sam Houston, has recommended that Mr. Richard G. Kling III be reappointed and Ms. LaToya E. Sizer be appointed for two-year terms.

**MOTION AND VOTE:** *It was moved by Mr. Cortez, seconded by Dr. Johnson, and carried unanimously to recommend that the State Board of Education, based on Colonel Shane R. Cuéllar's recommendation, approve the reappointment of Mr. Richard G. Kling III and the appointment of Ms. LaToya E. Sizer to serve two-year terms of office from April 8, 2022, to April 7, 2024, on the Fort Sam Houston ISD Board of Trustees.*

## **DISCUSSION ITEM**

- 3. Rule Review of 19 TAC Chapter 61, School Districts, Subchapter A, Board of Trustees Relationship, and Subchapter B, Special Purpose School Districts**  
(Board agenda page IV-22)

Mr. Lucas informed the committee that Texas Government Code, §2001.039, requires that state agency rules, including State Board of Education rules, be reviewed every four years, adding that the rule review requirement in state law is designed to ensure that the reason for initially adopting or readopting a rule continues to exist. He explained that the adoption of the rule review is scheduled for the upcoming June 2022 meeting and that the agency is not recommending any changes.

## **ACTION ITEM**

- 4. Proposed New 19 TAC Chapter 61, School Districts, Subchapter A, Board of Trustees Relationship, §61.3, School Safety Training for School Board Members**  
(Second Reading and Final Adoption)  
(Board agenda page IV-35)  
[Consent agenda item #(8)]

Mr. Lucas explained that the agency had received no public comments on the proposed rule and that no changes are recommended since first reading.

**MOTION AND VOTE:** *It was moved by Mr. Cortez, seconded by Dr. Robinson, and carried unanimously to recommend that the State Board of Education approve for second reading and final adoption proposed new 19 TAC Chapter 61, School Districts, Subchapter A, Board of Trustees Relationship, §61.3, School Safety Training for School Board Members; and*

*Make an affirmative finding that immediate adoption of proposed new 19 TAC Chapter 61, School Districts, Subchapter A, Board of Trustees Relationship, §61.3, School Safety Training for School Board Members, is necessary and shall have an effective date of 20 days after filing as adopted with the Texas Register.*

## **DISCUSSION ITEMS**

- 5. Open-Enrollment Charter School Generation 27 Application Updates**  
(Board agenda page IV-39)

Public testimony was provided by the following individual:

NAME: Kara Belew  
AFFILIATION: Texas Public Charter School Association

Marian Schutte, director, charter school authorizing and administration division, presented information on the Generation 27 Open-Enrollment Charter Application cycle, content, improvements, and timeline. Ms. Schutte answered questions regarding the application process.

**6. Open-Enrollment Charter School Generation 28 Application Updates**  
(Board agenda page IV-40)

Public testimony was provided by the following individual:

NAME: Kara Belew  
AFFILIATION: Texas Public Charter School Association

Ms. Schutte presented information on the Generation 28 Open-Enrollment Charter Application cycle, content, improvements, and timeline. She answered questions regarding the application process.

**ACTION ITEMS**

**7. Review of Proposed Amendments to 19 TAC Chapter 228, Requirements for Educator Preparation Programs, §228.2, Definitions, §228.10, Approval Process, §228.30, Educator Preparation Curriculum, and §228.35, Preparation Program Coursework and/or Training**  
(Board agenda page IV-41)  
[Official agenda item #17]

Jessica McLoughlin, director, educator standards, testing, and preparation, explained that the proposed amendments to 19 TAC Chapter 228, Requirements for Educator Preparation Programs, §228.2, Definitions, §228.10, Approval Process, §228.30, Educator Preparation Curriculum, and §228.35, Preparation Program Coursework and/or Training, would allow educator preparation programs (EPPs) the flexibility to conduct certain required formal observations virtually; would provide for training requirements for all educators with regard to students with disabilities and virtual instruction and virtual learning; and would allow service members, spouses, and veterans to get credit toward educator certification requirements for clinical and professional experience.

**MOTION AND VOTE:** *It was moved by Dr. Robinson, seconded by Ms. Davis, and carried unanimously to recommend that the State Board of Education take no action on the proposed amendments to 19 TAC Chapter 228, Requirements for Educator Preparation Programs, §228.2, Definitions, §228.10, Approval Process, §228.30, Educator Preparation Curriculum, and §228.35, Preparation Program Coursework and/or Training.*

**8. Review of Proposed Amendments to 19 TAC Chapter 230, Professional Educator Preparation and Certification, Subchapter H, Texas Educator Certificates Based on Certification and College Credentials from Other States or Territories of the United States**  
(Board agenda page IV-80)  
[Official agenda item #18]

Marilyn Cook, director, educator certification, explained that 19 TAC Chapter 230, Professional Educator Preparation and Certification, Subchapter H, Texas Educator Certificates Based on Certification and College Credentials from Other States or Territories of the United States, serves as a foundation for the practices and procedures related to issuance of Texas certification to individuals licensed in other states. She further explained that the proposed amendments would provide clarification and updates to requirements for individuals licensed in other states to obtain a standard Texas educator certificate.

**MOTION AND VOTE:** *It was moved by Mr. Hickman, seconded by Dr. Johnson, and carried unanimously to recommend that the State Board of Education take no action on the proposed amendments to 19 TAC Chapter 230, Professional Educator Preparation and Certification, Subchapter H, Texas Educator Certificates Based on Certification and College Credentials from Other States or Territories of the United States.*

9. **Review of Proposed Amendments to 19 TAC Chapter 245, Certification of Educators from Other Countries**

(Board agenda page IV-86)

[Official agenda item #19]

Ms. Cook explained that the proposed amendments to 19 TAC Chapter 245, Certification of Educators from Other Countries, would update the requirements for certification of educators from other countries.

**MOTION AND VOTE:** *It was moved by Mr. Hickman, seconded by Dr. Robinson, and carried unanimously to recommend that the State Board of Education take no action on the proposed amendments to 19 TAC Chapter 245, Certification of Educators from Other Countries.*

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

10. **Review of Proposed Amendments to 19 TAC Chapter 232, General Certification Provisions, Subchapter A, Certificate Renewal and Continuing Professional Education Requirements**

(Board agenda page IV-93)

[Official agenda item #20]

Christie Pogue, director, State Board for Educator Certification (SBEC) policy development and support, explained that the proposed amendments to 19 TAC Chapter 232, General Certification Provisions, Subchapter A, Certificate Renewal and Continuing Professional Education Requirements, would implement the statutory requirements of Senate Bills (SB) 199, 1267, and 2066, 87th Texas Legislature, Regular Session, 2021. She explained that the proposed amendments would require that all educators receive continuing professional education (CPE) training in educating students with disabilities; would update the CPE training requirements for classroom teachers, principals, and school counselors; and would provide for the SBEC to determine the training guidelines for CPE credit regarding the use of an automated external defibrillator (AED). The proposed amendments would also allow for a school district to request a hardship exemption for an educator who has an invalid certificate due to not having the required CPE hours for certificate renewal; would require educators to receive dyslexia training for certificate renewal; and would add CPE activities to the list of topics for which educators can receive credit for certificate renewal.

**MOTION AND VOTE:** *It was moved by Mr. Hickman, seconded by Dr. Johnson, and carried unanimously to recommend that the State Board of Education take no action on the proposed amendments to 19 TAC Chapter 232, General Certification Provisions, Subchapter A, Certificate Renewal and Continuing Professional Education Requirements.*

The meeting of the Committee on School Initiatives adjourned at 10:02 a.m.

