

Minutes  
State Board of Education  
January 31, 2014

The State Board of Education met at 9:05 a.m. on Friday, January 31, 2014, in the State Board of Education Room, #1-104, of the William B. Travis Building, 1701 N. Congress Avenue, Austin, Texas. All members of the board were present, as follows:

Presiding: Barbara Cargill, Chair; Lawrence A. Allen, Jr.; Donna Bahorich; David Bradley; Ruben Cortez, Jr.; Martha M. Dominguez; Pat Hardy; Mavis B. Knight, Secretary; Tom Maynard; Sue Melton-Melone; Ken Mercer; Geraldine “Tincy” Miller; Marisa B. Perez; Thomas Ratliff, Vice-Chair; Marty Rowley

**Student Performance**

Jacob Savage, Van High School Speech and Debate, Van Independent School District; and Aubrey Schumacher, Chapel Hill High School, Chapel Hill ISD - Mount Pleasant, provided the student performance.

**Invocation**

**Pledge of Allegiance**

**Approval of Minutes**

State Board of Education, November 21, 2013

State Board of Education, November 22, 2013

**MOTION AND VOTE:** *The State Board of Education unanimously approved the Minutes of the November 21 and November 22, 2013, meetings of the State Board of Education, as printed.*

**Public Testimony** - Individual testimony will be taken to address items other than those on the board agenda. The procedures for registering and taking public testimony at State Board of Education committee meetings and general board meetings are provided at <http://www.tea.state.tx.us/index4.aspx?id=25769804094> or in the information section (yellow pages) of the printed agenda.

The State Board of Education received a presentation of public testimony, as follows:

NAME:	Michelle Metzger
AFFILIATION:	Chair, Honors Academy
TOPIC:	Legislative Intent of TEC Chapter 12.115, Effective June 30, 2014, in Closing Honors Academy Charter School

**1. Resolutions and Presentations**

**Presidential Awards for Excellence in Mathematics and Science Teaching**

*The State Board of Education, by unanimous consent, adopted a resolution recognizing the Texas finalists for the 2013 Presidential Awards for Excellence in Mathematics and Science Teaching.*

(ATTACHMENT 1, page 11)

**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.

In addition to the items on the original consent agenda, the following item received unanimous approval in committee and was brought forward for board approval:

- Official Agenda Item #8—Amendments to Proclamation 2015 of the State Board of Education Advertising for Bids on Instructional Materials

*By unanimous consent, the State Board of Education approved the following items on the consent agenda, including the item that was brought forward.*

**(1) Review of 19 TAC Chapter 105, Foundation School Program, Subchapter A, Definitions, and Subchapter B, Use of State Funds**

(Adoption of Review)

(Board agenda page III-69)

(COMMITTEE ON SCHOOL FINANCE/PERMANENT SCHOOL FUND)

The State Board of Education adopted the review of 19 TAC Chapter 105, Foundation School Program, Subchapter A, Definitions, and Subchapter B, Use of State Funds, as recommended by the Committee on School Finance/Permanent School Fund.

**(2) Ratification of the Purchases and Sales of the Investment Portfolio of the Permanent School Fund for the Months of October and November 2013**

(Board agenda page III-77)

(COMMITTEE ON SCHOOL FINANCE/PERMANENT SCHOOL FUND)

The State Board of Education ratified the purchases and sales for the months of October and November 2013 in the amount of \$606,514,190 and \$1,086,675,145, respectively, as recommended by the Committee on School Finance/Permanent School Fund.

- (3) **Recommendation for Appointments to the Boys Ranch Independent School District Board of Trustees**  
(Board agenda page IV-1)  
(COMMITTEE ON SCHOOL INITIATIVES)

The State Board of Education approved the reappointments of Ms. Sharon Miner and Mr. Mark Strother, each to serve a two-year term of office, from January 31, 2014 through January 30, 2016, on the Boys Ranch Independent School District Board of Trustees, as recommended by the Committee on School Initiatives.

(ATTACHMENT 2, page 13)

- (4) **Recommendation for Appointments to the Randolph Field Independent School District Board of Trustees**  
(Board agenda page IV-9)  
(COMMITTEE ON SCHOOL INITIATIVES)

The State Board of Education approved the reappointment of Ms. Sharon Holland, and the appointments of Dr. Jennifer Stangle and Ms. Helen King, each to serve a two-year term of office, from January 31, 2014 through January 30, 2016, on the Randolph Field Independent School District Board of Trustees, as recommended by the Committee on School Initiatives.

(ATTACHMENT 3, page 17)

8. **Amendments to Proclamation 2015 of the State Board of Education Advertising for Bids on Instructional Materials**  
(Board agenda page I-129)  
(COMMITTEE OF THE FULL BOARD)

The State Board of Education approved Proclamation 2015 with no amendments, as recommended by the Committee of the Full Board.

### **COMMITTEE OF THE FULL BOARD**

3. **Proposed Revisions to 19 TAC Chapter 74, Curriculum Requirements, Subchapter B, Graduation Requirements**  
(Second Reading and Final Adoption)  
(Board agenda page I-1)

**MOTION:** *It was moved by Mr. Ratliff that the State Board of Education, by an affirmative vote of two-thirds of the members of the board, approve for second reading and final adoption proposed revisions to 19 TAC Chapter 74, Curriculum Requirements, Subchapter B, Graduation Requirements, with an effective date of 20 days after filing as adopted with the Texas Register, as recommended by the Committee of the Full Board.*

**MOTION AND VOTE:** *It was moved by Mr. Ratliff, seconded by Mr. Cortez, and carried to amend §74.13(e)(2)(U), as follows:*

(U) Mathematical Models with Applications, if credit is earned prior to September 1, 2015, or September 1 of a subsequent year in which either of the courses listed in subparagraph (F) or (G) of this paragraph has been developed and approved by the State Board of Education, whichever is later.

~~[(U) Mathematical Models with Applications, if credit is earned prior to September 1, 2015. A student may not meet the requirement of the course by completing it on or after September 1, 2015. This subparagraph expires September 1, 2016, or until such time as the course listed in subparagraph (F) or (G) of this paragraph has been developed and approved by the State Board of Education.]~~

**MOTION AND VOTE:** *It was moved by Mr. Maynard, seconded by Mr. Cortez, and carried to amend §74.14(e) by creating new paragraphs (3) and (4), as follows:*

(3) Nationally or internationally recognized business or industry certification shall be defined as an industry validated credential that complies with knowledge and skills standards promulgated by a nationally or internationally recognized business, industry, professional or government entity representing a particular profession or occupation that is issued or endorsed by:

(A) a national or international business, industry or professional organization;

(B) a state agency or other government entity; or

(C) a state-based industry association.

(4) Certifications or licensures for performance acknowledgements shall:

(A) be age appropriate for high school students;

(B) represent a student's substantial course of study and/or end-of-program knowledge and skills;

(C) include an industry recognized exam or series of exams, an industry validated skill test, or demonstrated proficiency through documented, supervised field experience; and

(D) represent substantial knowledge and multiple skills needed for successful entry into a high-skill profession or occupation.

There was no objection by the board in allowing staff to make technical edits or adjustments as necessary.

**MOTION AND VOTE:** *It was moved by Ms. Hardy, seconded by Mrs. Bahorich, and carried to amend §74.13(f)(4)(A), as follows:*

- (A) five [~~four~~] social studies courses by selecting courses from Chapter 113 of this title or Chapter 118 of this title (relating to Texas Essential Knowledge and Skills for Economics with Emphasis on the Free Enterprise System and Its Benefits); or

**MOTION AND VOTE:** *It was moved by Ms. Hardy, seconded by Mrs. Bahorich, and carried to amend §74.13(f)(4) by adding a new subparagraph (F), as follows:*

(F) four English elective credits by selecting from the following:

- (i) English IV; or
- (ii) Independent Study in English; or
- (iii) Literary Genre; or
- (iv) Creative Writing; or
- (v) Research and Technical Writing; or
- (vi) Humanities; or
- (vii) AP English Literature and Composition; or
- (viii) IB Language Studies AI Higher Level; or
- (ix) Communication Applications.

**MOTION:** *It was moved by Mrs. Knight and seconded by Ms. Hardy to amend §74.13(e)(6), by inserting Integrated Physics and Chemistry as a new subparagraph (A).*

Mrs. Knight withdrew her amendment, without objection from the board.

**VOTE:** *A vote was taken on the motion that the State Board of Education, by an affirmative vote of two-thirds of the members of the board, approve for second reading and final adoption proposed revisions to 19 TAC Chapter 74, Curriculum Requirements, Subchapter B, Graduation Requirements, with an effective date of 20 days after filing as adopted with the Texas Register, as amended. The motion carried, with 14 members voting Aye and 1 member voting No, as follows:*

<u>Aye:</u>	Mr. Allen	Mr. Maynard
	Mrs. Bahorich	Mrs. Melton-Malone
	Mr. Bradley	Mr. Mercer
	Mrs. Cargill	Mrs. Miller
	Mr. Cortez	Ms. Perez
	Ms. Hardy	Mr. Ratliff
	Mrs. Knight	Mr. Rowley

<u>No:</u>	Dr. Dominguez
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(ATTACHMENT 4, page 27)

4. **Proposed Revisions to 19 TAC Chapter 74, Curriculum Requirements, Subchapter A, Required Curriculum**

(First Reading and Filing Authorization)

(Board agenda page I-35)

**MOTION AND VOTE:** *The State Board of Education approved for first reading and filing authorization proposed revisions to 19 TAC Chapter 74, Curriculum Requirements, Subchapter A, Required Curriculum, as recommended by the Committee of the Full Board.*

5. **Proposed Revisions to 19 TAC Chapter 114, Texas Essential Knowledge and Skills for Languages Other Than English, Subchapter A, Elementary, Subchapter B, Middle School, Subchapter C, High School, and Subchapter D, Other Languages Other Than English Courses**

(First Reading and Filing Authorization)

(Board agenda page I-51)

**MOTION AND VOTE:** *The State Board of Education approved for first reading and filing authorization proposed revisions to 19 TAC Chapter 114, Texas Essential Knowledge and Skills for Languages Other Than English, Subchapter A, Elementary, Subchapter B, Middle School, Subchapter C, High School, and Subchapter D, Other Languages Other Than English Courses, as recommended by the Committee of the Full Board.*

6. **Proposed Revisions to 19 TAC Chapter 66, State Adoption and Distribution of Instructional Materials, Subchapter B, State Adoption of Instructional Materials**

(Second Reading and Final Adoption)

(Board agenda page I-103)

**MOTION:** *It was moved by Mr. Ratliff that the State Board of Education, by an affirmative vote of two-thirds of the members of the board, approve for second reading and final adoption proposed revisions to 19 TAC Chapter 66, State Adoption and Distribution of Instructional Materials, Subchapter B, State Adoption of Instructional Materials, with an effective date of 20 days after filing as adopted with the Texas Register, as recommended by the Committee of the Full Board.*

**MOTION AND VOTE:** *It was moved by Mr. Ratliff, seconded by Ms. Hardy, and carried to amend §66.33(c), as follows:*

- (c) *The SBOE shall be notified of proposed appointments made by the commissioner of education to state review panels.*

**MOTION AND VOTE:** *It was moved by Mr. Ratliff, seconded by Dr. Dominguez, and carried to amend §66.45(a), as follows:*

(a) *State review panel members shall observe a no-contact period that shall begin with the initial communication regarding possible appointment to a state review panel and end after recommendations have been made to the commissioner of education that each submission assigned to be evaluated by the state review panel be placed on the adopted list or rejected. During this period, state review panel members shall not have direct or indirect communication with any person having an interest in the adoption process regarding content of instructional materials under evaluation by the panel. This restriction is not intended to prohibit members of the state review panels from seeking advice regarding materials under consideration from educators, experts, parents, or students [~~the State Board of Education~~].*

*(Mr. Allen was absent for the vote.)*

**VOTE:** *A vote was taken on the motion that the State Board of Education approve for second reading and final adoption proposed revisions to 19 TAC Chapter 66, State Adoption and Distribution of Instructional Materials, Subchapter B, State Adoption of Instructional Materials, as amended, with an effective date of 20 days after filing as adopted with the Texas Register. The motion carried by an affirmative vote of two-thirds of the members of the board.*

*(Mr. Allen was absent for the vote.)*

(ATTACHMENT 5, page 45)

**7. Proposed Amendments to 19 TAC Chapter 66, State Adoption and Distribution of Instructional Materials, Subchapter B, State Adoption of Instructional Materials**

(First Reading and Filing Authorization)

(Board agenda page I-115)

**MOTION AND VOTE:** *The State Board of Education approved for first reading and filing authorization proposed amendments to 19 TAC Chapter 66, State Adoption and Distribution of Instructional Materials, Subchapter B, State Adoption of Instructional Materials, as recommended by the Committee of the Full Board. (Mr. Allen was absent for the vote.)*

**8. Amendments to Proclamation 2015 of the State Board of Education Advertising for Bids on Instructional Materials**

(Board agenda page I-129)

Action taken by the State Board of Education is addressed under item #2—Approval of Consent Agenda.

## COMMITTEE ON INSTRUCTION

9. **Proposed Amendment to 19 TAC Chapter 74, Curriculum Requirements, Subchapter C, Other Provisions, §74.24, Credit by Examination**  
(Second Reading and Final Adoption)  
(Board agenda page II-1)

**MOTION AND VOTE:** *The State Board of Education, by an affirmative vote of two-thirds of the members of the board, approved for second reading and final adoption proposed amendment to 19 TAC Chapter 74, Curriculum Requirements, Subchapter C, Other Provisions, §74.24, Credit by Examination, with an effective date of 20 days after filing as adopted with the Texas Register, as recommended by the Committee on Instruction.*

(ATTACHMENT 6, page 53)

10. **Proposed New 19 TAC Chapter 74, Curriculum Requirements, Subchapter C, Other Provisions, §74.38, Requirements for Instruction in Cardiopulmonary Resuscitation (CPR)**  
(First Reading and Filing Authorization)  
(Board agenda page II-9)

**MOTION AND VOTE:** *The State Board of Education approved for first reading and filing authorization proposed new 19 TAC Chapter 74, Curriculum Requirements, Subchapter C, Other Provisions, §74.38, Requirements for Instruction in Cardiopulmonary Resuscitation (CPR), as recommended by the Committee on Instruction. (Mr. Ratliff was absent for the vote.)*

## COMMITTEE ON SCHOOL FINANCE/PERMANENT SCHOOL FUND

11. **Proposed New 19 TAC Chapter 33, Statement of Investment Objectives, Policies, and Guidelines of the Texas Permanent School Fund, §33.67, Bond Guarantee Program for Charter Schools**  
(Second Reading and Final Adoption)  
(Board agenda page III-1)

**MOTION AND VOTE:** *The State Board of Education, by an affirmative vote of two-thirds of the members of the board, approved for second reading and final adoption proposed new 19 TAC Chapter 33, Statement of Investment Objectives, Policies, and Guidelines of the Texas Permanent School Fund, §33.67, Bond Guarantee Program for Charter Schools, with an effective date of 20 days after filing as adopted with the Texas Register, as recommended by the Committee on School Finance/Permanent School Fund.*

(ATTACHMENT 7, page 57)



**12. Proposed Amendments to 19 TAC Chapter 109, Budgeting, Accounting, and Auditing, Subchapter D, Uniform Bank Bid or Request for Proposal and Depository Contract**  
(First Reading and Filing Authorization)  
(Board agenda page III-23)

**MOTION AND VOTE:** *The State Board of Education approved for first reading and filing authorization proposed amendments to 19 TAC Chapter 109, Budgeting, Accounting, and Auditing, Subchapter D, Uniform Bank Bid or Request for Proposal and Depository Contract, §109.51, Uniform Depository Bank Bid or Proposal Form, and §109.52, Uniform Depository Bank Contract and Surety Bond Forms, as recommended by the Committee on School Finance/Permanent School Fund.*

**COMMITTEE ON SCHOOL INITIATIVES**

No action items were scheduled for the Committee on School Initiatives.

**REPORTS OF COMMITTEES REGARDING AGENDA ITEMS ON COMMITTEE AGENDAS**

Committee on Instruction

Mr. Maynard reported on the discussion item concerning the Texas Certificate of High School Equivalency.

Committee on School Finance/Permanent School Fund

Ms. Hardy did not report on discussion items of the Committee on School Finance/Permanent School Fund.

Committee on School Initiatives

Mrs. Bahorich reported on Discussion on Information Regarding Open-Enrollment Charter Schools by the Committee on School Initiatives.

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

Mrs. Cargill gave board members an opportunity to provide information regarding agenda items or other relevant information about public education.

The meeting adjourned at 11:45 a.m.

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Mavis B. Knight, Secretary

# ***R E S O L U T I O N***

**WHEREAS** the *Presidential Awards for Excellence in Mathematics and Science Teaching* program identifies outstanding science and mathematics teachers in each state and the four U.S. jurisdictions; and

**WHEREAS** through state selection committees, four mathematics finalists and four science finalists were nominated as Texas finalists; and

**WHEREAS** these teachers become candidates for the *Presidential Awards for Excellence in Mathematics and Science Teaching*; now, therefore, be it

**RESOLVED**, That the State Board of Education does hereby extend its congratulations to Jessica Caviness from Coppell High School, Coppell Independent School District, Coppell, Texas; Amy Ferguson from Winston Churchill High School, North East Independent School District, San Antonio, Texas; Penny Smeltzer from Westwood High School, Round Rock Independent School District, Austin, Texas; and Ruth Westbrook from Carroll McMath Middle School, Denton Independent School District, Denton, Texas, for being named State Finalists in the mathematics category for the 2013 Presidential Award; and be it further

**RESOLVED**, That the State Board of Education does hereby extend its congratulations to James Manley from Coyle Middle School, Garland Independent School District, Garland, Texas; Michalle McCallister from Robert G. Cole Middle/High School, Fort Sam Houston Independent School District, San Antonio, Texas; Mark Misage from Westlake High School, Eanes Independent School District, Austin, Texas; and Kim Wootton from New Tech High at Coppell, Coppell Independent School District, Coppell, Texas, for being named State Finalists in the science category for the 2013 Presidential Award; and be it further

**RESOLVED**, That this resolution be presented to the aforementioned teachers for being identified as state and national finalists for the 2013 *Presidential Awards for Excellence in Mathematics and Science Teaching* program, and that a copy be included in the permanent records of the State Board of Education.

**WITNESS** our signatures this thirty-first day of January, two thousand and fourteen, in Austin, Texas.

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Barbara Cargill, Chair

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Mavis B. Knight, Secretary