

**State Board of Education
Summary of Action Items
November 21, 2014**

1. Resolutions and Presentations

The board approved a resolution honoring Mavis B. Knight, the retiring board member from Dallas.

The board approved a resolution honoring winners of the National History Day contest. Students recognized were Matthew Broussard of Impact Early College High School in Goose Creek ISD; Jake Brien, Hannah Edwards, Jessie Loehr, Max Mitchell and Keith Teague of One Day Academy in Austin; Paige Dupuy and Brigitte Eichenberg of Atlas Academy in Waco ISD.

Student Performance

The McCowan Middle School of the DeSoto Independent School District performed a one-act play for the board and audience.

Staff Contact: Questions about these items should be directed to the Division of Communications and State Board of Education Support at (512) 463-9000.

2. Approval of Consent Agenda

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

- (1) Approval of Costs of Administering the 2014-2015 State of Texas Assessments of Academic Readiness (STAAR) and the Texas English Language Proficiency Assessment System (TELPAS) Assessments to Private School Students
(Committee on School Finance/Permanent School Fund)**

The board approved the per-student cost for the voluntary assessment of Texas private school students with the State of Texas Assessments of Academic Readiness (STAAR™) and the Texas English Language Proficiency Assessment System (TELPAS) assessments for the 2014-2015 school year. The SBOE is charged with determining the per-student cost to private schools, which may not exceed the cost of

administering the same assessment to a student enrolled in a public school district. During the Spring 2014 administration, 25 private schools participated in the state assessment program.

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

**(2) Ratification of the Purchases and Sales of the Investment Portfolio of the Permanent School Fund for the Months of August and September 2014
(Committee on School Finance/Permanent School Fund)**

The board approved the purchases and sales of securities in the Permanent School Fund portfolio that are valued at \$1,352,935,918 and \$1,395,842,030, respectively, for the months of August and September 2014.

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

**(3) Approval of an Extension of the Investment Management Services Agreement with BlackRock Investment Management, LLC and Authorization for Contract Execution by the Commissioner of Education
(Committee on School Finance/Permanent School Fund)**

The board approved a two-year extension for the investment management services for international index fund agreement with BlackRock Investment Management, LLC and authorization for contract execution by the commissioner of education. The extension period is from Sept. 1, 2015 to Aug. 31, 2017.

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

**(4) Approval of an Extension of the Real Estate Consultant Services Agreement with Courtland Partners and Authorization for Contract Execution by the Commissioner of Education
(Committee on School Finance/Permanent School Fund)**

The board approved a four-year extension of the contract with Courtland Partners, Ltd., for real estate counsel services for the Permanent School Fund. The extension period is authorized from Sept. 1, 2015 to Aug. 31, 2019.

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

**(5) Decision on Real Estate Investments
(Committee on School Finance/Permanent School Fund)**

The board approved an agreement with CLSA Capital Partners, Ltd., necessary to make an investment commitment of up to \$50 million in Fudo Capital III L.P., and approved the relationship between CLSA Capital Partners and Greenhill & Co., LLC, after determining it meets the standards of 19 TAC Chapter 33, Section (j)(5), and also to approve a waiver of the PSF Real Estate Investment Policy Statement requirement for the investment manager (CLSA Capital Partners) to be a registered investment advisor with the Securities Exchange Commission.

The board also recommended agreements with Angelo Gordon & Co., Company for an investment commitment of up to \$100 million in AG Core Plus Realty Fund IV, L.P.

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

**(6) Recommendation for Appointment to the Boys Ranch Independent School District Board of Trustees
(Committee on School Initiatives)**

The board approved the appointment of Robert W. Marshall for a two-year term of office on the Boys Ranch ISD Board of Trustees from Nov. 21, 2014 to Nov. 20, 2016.

Staff Contact: Questions about this item should be directed to the Division of School Governance at (512) 463-9623.

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

The board approved the appointment of Patrick Lane to serve a two-year term on the board of trustees of the Randolph Field ISD. The term if for Nov. 21, 2014 to Nov. 20, 2016.

Staff Contact: Questions about this item should be directed to the Division of School Governance at (512) 463-9623.

**(8) Recommendation for Appointments to the Lackland Independent School District Board of Trustees
(Committee on School Initiatives)**

The board approved the reappointment of Dr. Laura J. Munro and Dr. Kevin Odom to the board of trustees of the Lackland ISD for two-year terms from Nov. 21, 2014 to Nov. 20, 2016.

Staff Contact: Questions about this item should be directed to the Division of School Governance at (512) 463-9623.

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

3. Report and Recommendations from the Commissioner of Education Regarding Instructional Materials Offered for Adoption under Proclamation 2015

Proclamation 2015 of the State Board of Education (SBOE) calls for new instructional materials to be used by school districts and open-enrollment charter schools beginning in school year 2015-2016. The board approved 316 new instructional products for social studies, grades K-12; mathematics, grades 9-12; fine arts, grades K-12; and Principles and Elements of Floral Design.

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

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

The board reaffirmed its decision to provide a 3.5 percent payout for the fiscal years 2016-2017. This is estimated to make distributions of \$1.057 billion available annually to Texas schools.

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

5. Legislative Recommendations for the 84th Texas Legislature

The board adopted the following five legislative recommendations:

1. “As part of the General Appropriations Act, set aside an amount equal to 100 percent of the annual distribution made by the Permanent School Fund to the Available School Fund and place it in the instructional materials fund and (request that lawmakers) not reduce the funding from the other components of the school finance formulas in a similar amount.
2. Appropriate funds to assist local school districts in increasing the number of school guidance personnel especially at the secondary level (middle and high school) where preparation for graduation under House Bill 5 (83rd Texas Legislature, Regular Session) is necessary.
3. Ensure sufficient legislative appropriations to increase staffing at the Texas Education Agency, particularly in the curriculum division, to provide adequate personnel to oversee and support the Texas Essential Knowledge and Skills review and implementation process and the textbook adoption process.
4. Return functions of the State Board for Educator Certification to the State Board of Education so the public is represented by elected officials, not appointed officials.
5. Allocate funds to the State Board of Education to support the creation and implementation of a long-range plan as required by Texas Education code §7.102(c)(1).”

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

6. Proposed Amendments to 19 TAC Chapter 114, Texas Essential Knowledge and Skills for Languages Other Than English, Subchapter A, Elementary, Subchapter B, Middle School, and Subchapter D, Other Languages Other Than English Courses (Second Reading and Final Adoption)

The board approved for second reading and final adoption proposed amendments to 19 TAC Chapter 114, Texas Essential Knowledge and Skills for Languages Other Than English, Subchapter A, Elementary, §114.3, Implementation of Texas Essential Knowledge and Skills for Languages Other Than English, Elementary, Adopted 2014, Subchapter B, Middle School, §114.13, Implementation of Texas Essential Knowledge and Skills for Languages Other Than English, Middle School, Adopted 2014, and Subchapter D, Other Languages Other Than English Courses, §114.61, Implementation of Texas Essential Knowledge and Skills for Languages Other Than English Courses. The amendments change the implementation of the recently revised Texas Essential Knowledge and Skills (TEKS) for languages other than English (LOTE) to the 2017-2018 school year to align implementation with the expected availability of new instructional materials.

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

7. Proposed Amendments to 19 TAC Chapter 113, Texas Essential Knowledge and Skills for Social Studies, Subchapter D, Other Social Studies Courses (Second Reading and Final Adoption)

The board approved for second reading and final adoption proposed amendments to 19 TAC Chapter 113, Texas Essential Knowledge and Skills for Social Studies, Subchapter D, Other Social Studies Courses. The rule action amends existing rules to require that Advanced Placement (AP) and International Baccalaureate (IB) courses address the Texas Essential Knowledge and Skills (TEKS) for the corresponding course, as applicable.

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

8. Proposed New 19 TAC Chapter 111, Texas Essential Knowledge and Skills for Mathematics, Subchapter C, High School, §111.47, Statistics, Adopted 2015 (One Credit) (First Reading and Filing Authorization)

The board approved for first reading and filing authorization proposed new

19 TAC Chapter 111, Texas Essential Knowledge and Skills for Mathematics, Subchapter C, High School, §111.47, Statistics, Adopted 2015 (One Credit). The proposal would add Texas Essential Knowledge and Skills (TEKS) for a new high school advanced mathematics course for implementation in the 2015-2016 school year.

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

COMMITTEE ON INSTRUCTION

9. **Proposed Repeal of 19 TAC Chapter 111, Texas Essential Knowledge and Skills for Mathematics, Subchapter A, Elementary, §§111.11-111.17, and Subchapter B, Middle School, §§111.21-111.24, and Proposed Amendments to 19 TAC Chapter 111, Texas Essential Knowledge and Skills for Mathematics, Subchapter A, Elementary, §111.1, and Subchapter B, Middle School, §111.25**
(Second Reading and Final Adoption)

The committee approved for second reading and final adoption the proposed repeal of 19 TAC Chapter 111, Texas Essential Knowledge and Skills for Mathematics, Subchapter A, Elementary, §§111.11-111.17, and Subchapter B, Middle School, §§111.21-111.24. The proposed repeal would remove the Texas Essential Knowledge and Skills (TEKS) for Kindergarten-Grade 8 mathematics, and related implementation language, that were superseded by 19 TAC §§111.1-111.7 and 111.25-111.28 of this chapter beginning with the 2014-2015 school year. The committee also approved amendments to 19 TAC Chapter 111, Texas Essential Knowledge and Skills for Mathematics, Subchapter A, Elementary, §111.1, and Subchapter B, Middle School, §111.25, to remove references to rules that would be repealed.

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

10. **Proposed Amendment to 19 TAC Chapter 89, Adaptations for Special Populations, Subchapter D, Special Education Services and Settings, §89.63, Instructional Arrangements and Settings**
(Second Reading and Final Adoption)

The committee approved for second reading and final adoption a proposed amendment to 19 TAC Chapter 89, Adaptations for Special Populations, Subchapter D, Special Education Services and Settings, §89.63, Instruc-

tional Arrangements and Settings. The proposed amendment addresses the mainstream, off-home campus, and vocational adjustment class/program instructional arrangements. This rule action as amended goes into effect 20 days after filing as adopted with the Texas Register.

Staff Contact: Questions about this item should be directed to the Federal and State Education Policy Division at (512) 936-6060.

COMMITTEE ON SCHOOL FINANCE/PERMANENT SCHOOL FUND

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

The board approved amendments to the rules pertaining to student attendance accounting that update statutory references in the rule text to reflect changes from the 83rd Texas Legislature, Regular Session, 2013 concerning state funding purposes.

Staff Contact: Questions about this item should be directed to the State Funding Division at (512) 463-9238.

12. **Proposed Amendment to 19 TAC Chapter 33, Statement of Investment Objectives, Policies, and Guidelines of the Texas Permanent School Fund, Subchapter A, State Board of Education Rules, §33.65, Bond Guarantee Program for School Districts (Second Reading and Final Adoption)**

The board approved amending 19 TAC Chapter 33, Statement of Investment Objectives, Policies, and Guidelines of the Texas Permanent School Fund, Subchapter A, State Board of Education Rules, §33.65, Bond Guarantee Program for School Districts. The amendment adds a definition of a bond to define more precisely the types of debt that are eligible for guarantee and also modifies the rule to require that each issuance of bonds approved for the guarantee be approved by the attorney general. In addition, the proposal adds a definition of nationally recognized investment rating firm to provide consistency with the charter school bond guarantee rules and adds an expiration date of Sept. 1, 2015.

Staff Contact: Questions about this item should be directed to the State Funding Division at (512) 463-9238.

13. Proposed Amendment to 19 TAC Chapter 33, Statement of Investment Objectives, Policies, and Guidelines of the Texas Permanent School Fund, Subchapter A, State Board of Education Rules, §33.67, Bond Guarantee Program for Charter Schools (Second Reading and Final Adoption)

The board approved amending 19 TAC Chapter 33, Statement of Investment Objectives, Policies, and Guidelines of the Texas Permanent School Fund, Subchapter A, State Board of Education Rules, §33.67, Bond Guarantee Program for Charter Schools. The amendment adds a definition of a bond to define more precisely the types of debt that are eligible for guarantee and also modifies the rule to require that each issuance of bonds approved for the guarantee be approved by the attorney general. In addition, the proposal adds a definition of nationally recognized investment rating firm to provide consistency with the school district bond guarantee rules and adds an expiration date of Sept. 1, 2015. The amendment also clarifies the language regarding the treatment of charter schools that apply for the guarantee within 12 months of the date that their charter is due to expire.

Staff Contact: Questions about this item should be directed to the State Funding Division at (512) 463-9238.

14. Proposed Amendment to 19 TAC Chapter 109, Budgeting, Accounting, and Auditing, Subchapter B, Texas Education Agency Audit Functions, §109.23, School District Independent Audits and Agreed-Upon Procedures (First Reading and Filing Authorization)

The board approved amendments to 19 TAC Chapter 109, Budgeting, Accounting, and Auditing, Subchapter B, Texas Education Agency Audit Functions, §109.23, School District Independent Audits and Agreed-Upon Procedures. The amendment pertains to a school district or other educational entity hiring an independent auditor. The board agreed with additional proposed changes to the amendment that removes a five-year rotation requirement, but keeps the provision that allows the TEA to require a district to change auditors if deficiencies are found.

Staff Contact: Questions about this item should be directed to the Division of Financial Compliance at (512) 463-9095.

COMMITTEE ON SCHOOL INITIATIVES

15. **Review of Proposed Amendments to 19 TAC Chapter 231, Requirements for Public School Personnel Assignments, Subchapter B, Prekindergarten-Grade 6 Assignments, and Subchapter C, Grades 6-8 Assignments**

The SBOE took no action on the review of the State Board for Educator Certification (SBEC) rule actions that amend 19 TAC Chapter 231, Requirements for Public School Personnel Assignments, Subchapter B, Prekindergarten-Grade 6 Assignments, and Subchapter C, Grades 6-8 Assignments. The amendments to 19 TAC Chapter 231, Subchapters B and C, add the new Core Subjects: Early Childhood-Grade 6 and Core Subjects: Grades 4-8 certificates to every assignment that currently includes the Generalist: Early Childhood-Grade 6 and/or Generalist: Grades 4-8 certificates as an appropriate credential for placement in a particular teaching assignment.

The SBOE, under Texas law, may only veto proposed SBEC rules or take no action, which effectively endorses the SBEC proposal.

Staff Contact: Questions about this item should be directed to the Department of Educator Leadership and Quality at (512) 936-8400.

16. **Review of Proposed Amendments to 19 TAC Chapter 233, Categories of Classroom Teaching Certificates, §§233.1, 233.2, 233.6, 233.7, and 233.13**

The SBOE took no action on the SBEC rule actions that amend 19 TAC Chapter 233, Categories of Classroom Teaching Certificates, §§233.1, General Authority; 233.2, Generalist; 233.6, Bilingual Education; 233.7, English as a Second Language, and 233.13, Career and Technical Education (Certificates not requiring experience and preparation in a skill area). The amendment to 19 TAC §233.2 adds new certificates for Core Subjects: Early Childhood-Grade 6 and Core Subjects: Grades 4-8 to be issued no earlier than January 1, 2015. The amendments to 19 TAC §§233.2, 233.6, and 233.7 add deadlines for completion and submission requirements for the last group of Generalist certificates the SBEC will issue. And, the amendment to 19 TAC §233.13 removes language relating to expiration of certain sections of the rule and, instead, provides deadlines for completion and submission requirements for the last group of Agricultural Science and Technology: Grades 6-12 and Business Education: Grades 6-12 certificates the SBEC will issue. The amendments to 19 TAC §233.1 and §233.13 update the administrative rule references.

The SBOE, under Texas law, may only veto proposed SBEC rules or take

no action, which effectively endorses the SBEC proposal.

Staff Contact: Questions about this item should be directed to the Department of Educator Leadership and Quality at (512) 936-8400.

17. Review of Proposed Amendments to 19 TAC Chapter 249, Disciplinary Proceedings, Sanctions, and Contested Cases, Subchapter B, Enforcement Actions and Guidelines, §249.15, Disciplinary Action by State Board for Educator Certification, and §249.16, Eligibility of Persons with Criminal Convictions for a Certificate under Texas Occupations Code, Chapter 53

The SBOE took no action on the review of the SBEC rule actions that amend 19 TAC Chapter 249, Disciplinary Proceedings, Sanctions, and Contested Cases, Subchapter B, Enforcement Actions and Guidelines, §249.15, Disciplinary Action by State Board for Educator Certification, and §249.16, Eligibility of Persons with Criminal Convictions for a Certificate under Texas Occupations Code, Chapter 53. The amendment to 19 TAC §249.15 conforms this section to the amendments approved by the SBEC to 19 TAC Chapter 229, Accountability System for Educator Preparation Programs. The amendment to 19 TAC §249.16 clarifies that multiple statutory provisions provide the basis for certification actions based on criminal history.

The SBOE, under Texas law, may only veto proposed SBEC rules or take no action, which effectively endorses the SBEC proposal.

Staff Contact: Questions about this item should be directed to the Department of Educator Leadership and Quality at (512) 936-8400.

**AD HOC COMMITTEE ON THE LONG-RANGE PLAN
FOR PUBLIC EDUCATION**

18. Long-Range Plan on Public Education

The board took no action on this item but Marty Rowley, chair of the Ad Hoc Committee, reported that the committee recommends that the board create a long-range plan that sets internal, external and global goals for the Texas education system. The committee will meet at 10 a.m. Jan. 27 at a location to be determined to continue developing the process that will be followed in developing the new plan.

Staff Contact: Questions about these items should be directed to the Division of Communications and State Board of Education Support at (512) 463-9000.