

**State Board of Education
Summary of Action Items
Feb. 2, 2018**

Student Performance

The Smithson Valley Middle School Honor Orchestra from the Comal Independent School District performed for the State Board of Education and the audience.

1. Resolutions & Presentations

The State Board of Education approved a resolution designating February as Career and Technical Education Month. The resolution recognized the following student organization: the Texas chapter of the Business Professionals of America; Texas DECA; Future Business Leaders of America; Family, Career and Community Leaders of America; Health Occupations Students of America, SkillsUSA Texas, Texas Association of Future Educators, Texas FFA Association and the Texas Technology Students Association.

The board also approved a resolution honoring Texas finalists for the 2017 Presidential Awards for Excellence in Mathematics and Science Teaching. The mathematics finalists are Nichole Bennett of the Amarillo Independent School District (ISD); Megan Gabriel of Denton ISD; Lauren Hawkins of Richardson ISD; Mark Rogers of the Meridian School, a charter school located in Round Rock; and Jean Hand Streepey of Highland Park ISD. The science finalists are Kay Fincher of Amarillo ISD; Laura Frost of Fort Worth ISD; Lollie Garay of the Redd School in Houston; Terry Snow of Aledo ISD; and Kara Swindell of Lubbock ISD.

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

2. Approval of Consent Agenda

The board approved items on the consent agenda, with the exception of item 6 which was postponed.

- (1) **Adoption of Review of 19 TAC Chapter 105, Foundation School Program, Subchapter A, Definitions, and Subchapter B, Use of State Funds (Adoption of Review) (Committee on School Finance/Permanent School Fund)**

The board approved the adoption of the review of 19 TAC Chapter 105, Foundation School Program, Subchapter A, Definitions, and Subchapter B, Use of State Funds. These rules provide for the use of Foundation School Program (FSP) funds.

Staff Contact: Questions about this item should be directed to the School Finance Division at (512) 463-9179.

**(2) Ratification of the Purchases and Sales of the Investment Portfolio of the Permanent School Fund for the Months of October and November 2017
(Committee on School Finance/Permanent School Fund)**

The board approved the purchases and sales executed in the portfolio of the Permanent School Fund for the months of October and November 2017 in the amount of \$994,491,789 and \$1,045,014,658, respectively.

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

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

The board approved two real estate investments. Board member Geraldine Miller recused herself on this item. The board agreed to execute an agreement with AGR Europe II, L.L.C, necessary to make an investment of up to \$75 million in AG Europe Realty Fund II, L.P., subject to continued due diligence and negotiation of fund terms, and authorized the commissioner of education to execute the contract.

Members also agreed to execute an agreement with Invesco Strategic Opportunities III G.P., L.L.C., necessary to make an investment commitment of up to \$75 million in Invesco Strategic Opportunities III, L.P., subject to continued due diligence and negotiation of fund terms, and authorized the commissioner of education to execute the contract.

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

**(4) Presentation on the Commodities Asset Class for the Permanent School Fund
(Committee on School Finance/Permanent School Fund)**

The board approved a \$175 million allocation to commodities to be managed by internal Permanent School Fund staff.

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

**(5) 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, §33.5, Code of Ethics
(First Reading and Filing Authorization)
(Committee on School Finance/Permanent School Fund)**

The board approved for first reading and filing authorization a 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, §33.5, Code of Ethics. The proposed amendment would improve and clarify how the rule applies to investments of the Permanent School Fund (PSF) in investment funds.

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

**(6) Review of Permanent School Fund Benchmarks
(Committee on School Finance/Permanent School Fund)**

This agenda item was postponed until the board's April meeting.

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

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

The board approved the re-appointment of George Owen and Mark Strother to serve a term of office on the Boys Ranch Independent School District Board of Trustees from Feb. 2, 2018 through Feb. 1, 2020. Board member Marty Rowley recused himself from the vote.

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

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

The board approved the re-appointment of William Morrison II and Vanessa Bowden to serve on the board of trustees of the Randolph Field Independent School District from Feb. 2, 2018 through Feb. 1, 2020.

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

**(9) Recommendation for Appointment to the Fort Sam Houston Independent School District Board of Trustees
(Committee on School Initiatives)**

The board approved the appointment of Aaron Braxton II to serve on the board of trustees of the Fort Sam Houston Independent School District from Feb. 2, 2018 through Feb. 1, 2020.

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

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

The board approved the re-appointment of Brian Miller to serve on the Lackland Independent School District Board of Trustees for a term office from Feb. 2, 2018 through Feb. 1, 2020.

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

COMMITTEE OF THE FULL BOARD

**3. Proposed Amendments to 19 TAC Chapter 66, State Adoption and Distribution of Instructional Materials, Subchapter B, State Adoption of Instructional Materials, and Subchapter C, Local Operations
(Second Reading and Final Adoption)**

The board approved for second reading and final adoption proposed amendments to 19 TAC Chapter 66, State Adoption and Distribution of Instructional Materials, Subchapter B, State Adoption of Instructional Materials, and Subchapter C, Local Operations, as amended. The rule will have an effective date of 20 days after filing as adopted with the *Texas Register*. The amendments update rules related to state review and adoption of instructional materials as well as ordering and distribution of instructional materials to align with recent legislative changes.

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

**4. Proposed Revisions to 19 TAC Chapter 130, Texas Essential Knowledge and Skills for Career and Technical Education, Subchapters B, H, J, M, and O
(Second Reading and Final Adoption)**

The board, by more than a two-third vote, approved for second reading and final adoption proposed revisions to 19 TAC Chapter 130, Texas Essential Knowledge and Skills for Career and Technical Education, Subchapter B, Architecture and Construction, §130.64 and §130.69; Subchapter H, Health Science, §§130.226, 130.230, 130.231, 130.232, 130.233, and 130.234; Subchapter M, Manufacturing, §§130.363, 130.364, and 130.365; and Subchapter O, Science, Technology, Engineering, and Mathematics, §130.415 and §130.417, with an effective date of 20 days after filing as adopted with the *Texas Register*. The board also approved for second reading and final adoption proposed revisions to 19 TAC Chapter 130, Texas Essential Knowledge and Skills for Career and Technical Education, Subchapter J, Human Services, §§130.283, 130.284, 130.286, and 130.287, and Subchapter O, Science, Technology, Engineering, and Mathematics, §130.404, with an effective date of Aug. 27, 2018.

The updates to these rules correct inconsistencies that have been identified in certain courses and add new lab courses for Cosmetology.

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

5. Proposed Amendments to 19 TAC Chapter 74, Curriculum Requirements, Subchapter B, Graduation Requirements (Second Reading and Final Adoption)

The board postponed final action on this item to its April meeting.

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

6. Proposed Revisions to 19 TAC Chapter 110, Texas Essential Knowledge and Skills for English Language Arts and Reading, Chapter 111, Texas Essential Knowledge and Skills for Mathematics, Chapter 112, Texas Essential Knowledge and Skills for Science, and Chapter 114, Texas Essential Knowledge and Skills for Languages Other Than English, Concerning International Baccalaureate Courses (Second Reading and Final Adoption)

The board approved for second reading and final adoption proposed revisions, as amended, to 19 TAC Chapter 110, Texas Essential Knowledge and Skills for English Language Arts and Reading, Subchapter D, Other High School English Language Arts and Reading Courses, Chapter 111, Texas Essential Knowledge and Skills for Mathematics, Subchapter D, Other High School Mathematics Courses, Chapter 112, Texas Essential Knowledge and Skills for Science, Subchapter D, Other Science Courses, and Chapter 114, Texas Essential Knowledge and Skills for Languages Other Than English, Subchapter D, Other Languages Other Than English Courses, with an effective date of Aug. 27, 2018. The changes include awarding two credits for each IB course in English Language Arts and Reading, Mathematics, Science, and Languages Other Than English.

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

7. Proposed Revisions to 19 TAC Chapter 110, Texas Essential Knowledge and Skills for English Language Arts and Reading, and Chapter 111, Texas Essential Knowledge and Skills for Mathematics (First Reading and Filing Authorization)

The board suspended its operating rules to allow for consideration at first reading and approved for first reading and filing authorization proposed revisions to 19 TAC Chapter 110, Texas Essential Knowledge and Skills for English Language Arts and Reading, and Chapter 111, Texas Essential Knowledge and Skills for Mathematics. The proposed revisions would eliminate the credit range for Advanced Placement English language arts and reading and mathematics courses and award one credit for each course.

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

8. Proposed Revisions to 19 TAC Chapter 112, Texas Essential Knowledge and Skills for Science, Chapter 113, Texas Essential Knowledge and Skills for Social Studies, Chapter 118, Texas Essential Knowledge and Skills for Economics with Emphasis on the Free Enterprise System and Its Benefits, and Chapter 126, Texas Essential Knowledge and Skills for Technology Applications, Concerning Advanced Placement and International Baccalaureate Courses (First Reading and Filing Authorization)

The board approved for first reading and filing authorization proposed revisions to 19 TAC Chapter 112, Texas Essential Knowledge and Skills for Science, Subchapter D, Other Science Courses, Chapter 113, Texas Essential Knowledge and Skills for Social Studies, Subchapter D, Other Social Studies Courses, Chapter 118, Texas Essential Knowledge and Skills for Economics with Emphasis on the Free Enterprise System and Its Benefits, Subchapter B, Other Economics Courses, and Chapter 126, Texas Essential Knowledge and Skills for Technology Applications, Subchapter D, Other Technology Applications Courses. The proposed revisions would align the rules with current course offerings by the International Baccalaureate (IB) Organization and update the amount of credit available for IB and Advanced Placement (AP) courses.

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

COMMITTEE ON INSTRUCTION

9. Proposed Amendment to 19 TAC Chapter 74, Curriculum Requirements, Subchapter A, Required Curriculum, §74.5, Academic Achievement Record (Transcript) (First Reading and Filing Authorization)

The board suspended its operating rules to allow for consideration at first reading and approved for first reading and filing authorization proposed amendment to 19 TAC Chapter 74, Curriculum Requirements, Subchapter A, Required Curriculum, §74.5, Academic Achievement Record (Transcript), to update the rule to align with recent changes to graduation and instructional requirements. The changes would include addition of requirements for notation on the academic achievement record when a languages other than English graduation credit is earned through a dual language program at elementary school, when a student successfully completes the speech requirement, when a student successfully completes required instruction in CPR, and when a student successfully completes required instruction on proper interaction with peace officers.

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

COMMITTEE ON SCHOOL FINANCE/PERMANENT SCHOOL FUND

10. Proposed Amendment to 19 TAC Chapter 109, Budgeting, Accounting, and Auditing, Subchapter D, Uniform Bank Bid or Request for Proposal and Depository Contract, §109.52, Uniform Depository Bank Contract and Surety Bond Forms (Second Reading and Final Adoption)

The board approved for second reading and final adoption a proposed amendment to 19 TAC Chapter 109, Budgeting, Accounting, and Auditing, Subchapter D, Uniform Bank Bid or Request for Proposal and Depository Contract, §109.52, Uniform Depository Bank Contract and Surety Bond Forms. The proposed amendment would update the depository contract adopted in rule to reflect changes made by Senate Bill (SB) 754, 85th Texas Legislature, Regular Session, 2017.

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

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 for second reading and final adoption a 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. The proposed amendment would update the rule to reflect changes made to state law that allows a student who is pursuing enlistment in the military or the Texas National Guard to be counted as present for funding purposes if the district verifies the student's activities related to the potential enlistment. The rule will be effective 20 days after filed as adopted with the *Texas Register*.

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

12. Proposed Amendments to 19 TAC Chapter 33, Statement of Investment Objectives, Policies, and Guidelines of the Texas Permanent School Fund, Subchapter A, State Board of Education Rules, §33.65, Bond Guarantee Program for School Districts, and §33.67, Bond Guarantee Program for Charter Schools (Second Reading and Final Adoption)

The board approved for second reading and final adoption proposed amendments to 19 TAC Chapter 33, Statement of Investment Objectives, Policies, and Guidelines of the Texas Permanent School Fund, Subchapter A, State Board of Education Rules, §33.65, Bond Guarantee Program for School Districts, and §33.67, Bond Guarantee Program for Charter Schools. The proposed amendments would adjust the bond guarantee multiplier, specify the charter district bond guarantee capacity authorized by Senate Bill (SB) 1480, and address Charter District Bond Guarantee Reserve Fund management.

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

13. **Proposed Amendments to 19 TAC Chapter 33, Statement of Investment Objectives, Policies, and Guidelines of the Texas Permanent School Fund, Subchapter A, State Board of Education Rules, §33.15, Objectives, and §33.20, Responsible Parties and Their Duties**
(First Reading and Filing Authorization)

The board waved its operating rules and approved for first reading and filing authorization proposed amendments to 19 TAC Chapter 33, Statement of Investment Objectives, Policies, and Guidelines of the Texas Permanent School Fund, Subchapter A, State Board of Education Rules, §33.15, Objectives, and §33.20, Responsible Parties and Their Duties. The proposed amendments would update the rate of return objective of the Permanent School Fund (PSF) and clarify roles and responsibilities for providing advice to the State Board of Education (SBOE) on benchmark and performance reporting.

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

COMMITTEE ON SCHOOL INITIATIVES

14. **Proposed Amendment to 19 TAC Chapter 61, School Districts, Subchapter A, Board of Trustees Relationship, §61.1, Continuing Education for School Board Members**
(First Reading and Filing Authorization)

The board approved for first reading and filing authorization the proposed amendment to 19 TAC Chapter 61, School Districts, Subchapter A, Board of Trustees Relationship, §61.1, Continuing Education for School Board Members. The proposed amendment would reflect changes made by Senate Bill (SB) 1566, 85th Texas Legislature, Regular Session, 2017, to the State Board of Education's (SBOE's) duty to provide training courses for independent school district trustees.

Staff Contact: Questions about this item should be directed to the Department of Governance at (512) 936-1533.

15. **Review of Proposed New 19 TAC Chapter 235, Classroom Teacher Certification Standards, Subchapter A, General Provisions, Subchapter B, Elementary School Certificate Standards, Subchapter C, Middle School Certificate Standards, and Subchapter D, Secondary School Certificate Standards**

The board reviewed but took no action on State Board for Educator Certification (SBEC) rule actions that would propose new 19 TAC Chapter 235, Classroom Teacher Certification Standards, Subchapter A, General Provisions, Subchapter B, Elementary School Certificate Standards, Subchapter C, Middle School Certificate Standards, and Subchapter D, Secondary School Certificate Standards. The rule implements recent legislation from the 85th Texas Legislative Session, 2017, specifies the pedagogy and professional responsibilities (PPR) educator standards required for classroom teacher

certification, and clarifies the implementation date for the new standards. Under Texas law, the State Board of Education may only reject or take no action on a proposed State Board for Educator Certification rule.

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

16. Review of Proposed Amendments to 19 TAC Chapter 245, Certification of Educators from Other Countries

The board reviewed but took no action on a State Board for Educator Certification (SBEC) rule action that would amend 19 TAC Chapter 245, Certification of Educators from Other Countries. The proposed amendments would update the requirements for certification of educators from other countries following the four-year rule review required by Texas Government Code, §2001.039. Under Texas law, the State Board of Education may only reject or take no action on a proposed State Board for Educator Certification rule.

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

17. Review of Proposed Amendments to 19 TAC Chapter 249, Disciplinary Proceedings, Sanctions, and Contested Cases, Subchapter A, General Provisions, §249.3, Definitions, Subchapter B, Enforcement Actions and Guidelines, §249.12, Administrative Denial; Appeal, §249.14, Complaint, Required Reporting, and Investigation; Investigative Notice; Filing of Petition, §249.15, Disciplinary Action by State Board for Educator Certification, §249.17, Decision-Making Guidelines, and Subchapter D, Hearing Procedures, §249.35, Disposition Prior to Hearing; Default

The board reviewed but took no action on a proposed State Board for Educator Certification (SBEC) rule that would amend 19 TAC Chapter 249, Disciplinary Proceedings, Sanctions, and Contested Cases, Subchapter A, General Provisions, §249.3, Definitions, Subchapter B, Enforcement Actions and Guidelines, §249.12, Administrative Denial; Appeal, §249.14, Complaint, Required Reporting, and Investigation; Investigative Notice; Filing of Petition, §249.15, Disciplinary Action by State Board for Educator Certification, §249.17, Decision-Making Guidelines, and Subchapter D, Hearing Procedures, §249.35, Disposition Prior to Hearing; Default. The proposed amendments would implement the statutory requirements of Senate Bill (SB) 7, 85th Texas Legislature, Regular Session, 2017; set minimum sanctions for administrators who fail to report educator misconduct; clarify the reasons for which the SBEC can deny a certificate to an applicant; require reporting administrators to provide additional factual details in educator misconduct reports; and clarify the law that applies when educators default after failing to answer a petition. Under Texas law, the State Board of Education may only reject or take no action on a proposed State Board for Educator Certification rule.

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