

Minutes
State Board of Education
January 29, 2016

The State Board of Education met at 9:06 a.m. on Friday, January 29, 2016, in the State Board of Education Room, #1-104, of the William B. Travis Building, 1701 N. Congress Avenue, Austin, Texas. The following members of the board were present:

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

Absent: Lawrence A. Allen, Jr.

Student Performance

The student performance was provided by West High School Junior Historians, West Independent School District.

Invocation

Pledge of Allegiance

Invited Guest: Texas Superintendent of the Year, Mary Ann Whiteker

**Invited Guest: Texas Teacher of the Year, Revathi Balakrishnan
Secondary Texas Teacher of the Year, Martha Saucedo**

It was requested that the remarks of the Texas Superintendent of the Year and the Texas Teachers of the Year be attached to the minutes of this meeting. There was no objection by the board members.

(ATTACHMENT 1, page 11)

Approval of Minutes

State Board of Education, November 20, 2015

MOTION AND VOTE: *The State Board of Education unanimously approved the Minutes of the November 20, 2015, meeting 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://tea.texas.gov/About_TEA/Leadership/State Board of Education/SBOE Meetings/SBOE Operating Rules Amended 4-17-15/](http://tea.texas.gov/About_TEA/Leadership/State_Board_of_Education/SBOE_Meetings/SBOE_Operating_Rules_Amended_4-17-15/) or in the information section (yellow pages) of the agenda. The State Board of Education received no presentations of public testimony

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 2015 Presidential Awards for Excellence in Mathematics and Science Teaching finalists.

(ATTACHMENT 2, page 21)

Career and Technical Education Month

Ms. Kenn dall Stone, the State Family, Career and Community Leaders of America (FCCLA) President from Silsbee, Texas, read the resolution.

MOTION AND VOTE: *It was moved by Mr. Maynard and carried unanimously to adopt a resolution proclaiming February 1-29, 2016, as Career and Technical Education Month in Texas.*

(ATTACHMENT 3, page 23)

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.

The State Board of Education approved the following items on the consent agenda.

(1) **Proposed Amendment to 19 TAC Chapter 74, Curriculum Requirements, Subchapter A, Required Curriculum, §74.5, Academic Achievement Record (Transcript) and High School Diploma**

(First Reading and Filing Authorization)

(Board agenda page II-1)

(COMMITTEE ON INSTRUCTION)

The State Board of Education 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) and High School Diploma, as recommended by the Committee on Instruction.

- (2) **Proposed New 19 TAC Chapter 126, Texas Essential Knowledge and Skills for Technology Applications, Subchapter D, Other Technology Applications Courses, §126.65, Advanced Placement (AP) Computer Science Principles (One Credit), Adopted 2016**
(First Reading and Filing Authorization)
(Board agenda page II-7)
(COMMITTEE ON INSTRUCTION)

The State Board of Education approved for first reading and filing authorization proposed new 19 TAC Chapter 126, Texas Essential Knowledge and Skills for Technology Applications, Subchapter D, Other Technology Applications Courses, §126.65, Advanced Placement (AP) Computer Science Principles (One Credit), Adopted 2016, as recommended by the Committee on Instruction.

- (3) **Recommendations Regarding Renewal of Instructional Materials Contracts**
(Board agenda page II-25)
(COMMITTEE ON INSTRUCTION)

The State Board of Education approved the recommendation of the Committee on Instruction to renew contracts for instructional materials adopted under Proclamation 2010 in the subject areas and for the periods indicated in Attachment II of the board agenda, II-28.

(ATTACHMENT 4, page 25)

- (4) **Ratification of the Purchases and Sales of the Investment Portfolio of the Permanent School Fund for the Months of October and November 2015**
(Board agenda page III-1)
(COMMITTEE ON SCHOOL FINANCE/PERMANENT SCHOOL FUND)

The State Board of Education ratified the purchases and sales for the months of October and November 2015 in the amount of \$633,343,381 and \$654,804,698, respectively, as recommended by the Committee on School Finance/Permanent School Fund.

- (5) **Decision on Real Estate Investments**
(Board agenda page III-3)
(COMMITTEE ON SCHOOL FINANCE/PERMANENT SCHOOL FUND)

No real estate investments were presented.

(6) Decision on Absolute Return Investments

(Board agenda page III-5)

(COMMITTEE ON SCHOOL FINANCE/PERMANENT SCHOOL FUND)

The State Board of Education approved the recommendation of the Committee on School Finance/Permanent School Fund, to direct PSF staff to allow the agreement with Mesirov Advanced Strategies, Inc., for its services as manager of the Raven 2 LLC to expire on its current expiration date of February 29, 2016; to direct PSF staff to negotiate an acceptable agreement with Grosvenor Capital Management to become the Raven 2 liquidator; to authorize PSF staff to create a new Raven 8, funded with assets from Raven 2, structured so that PSF staff will act as a fully discretionary hedge fund investment manager and, subject to negotiation of an acceptable agreement. Grosvenor will be responsible for managing Raven 8 operations. All contract execution is hereby delegated to the Commissioner of Education.

(7) 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 Mr. George Owen and Mr. Mark Strother to each serve a two-year term of office, from January 29, 2016 through January 28, 2018, on the Boys Ranch Independent School District Board of Trustees, as recommended by the Committee on School Initiatives.

(ATTACHMENT 5, page 33)

(8) Recommendation for Appointment 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 Lt. Col. Jennifer Stangle and the appointment of Ms. Vanessa Bowden to each serve a two-year term of office, from January 29, 2016 through January 28, 2018, on the Randolph Field Independent School District Board of Trustees, as recommended by the Committee on School Initiatives.

(ATTACHMENT 6, page 39)

COMMITTEE OF THE FULL BOARD

3. **Adoption of Review of 19 TAC Chapter 66, State Adoption and Distribution of Instructional Materials, Subchapter A, General Provisions, Subchapter B, State Adoption of Instructional Materials, and Subchapter C, Local Operations**
(Adoption of Review)
(Board agenda page I-1)

MOTION AND VOTE: *The State Board of Education adopted the review of 19 TAC Chapter 66, State Adoption and Distribution of Instructional Materials, Subchapter A, General Provisions, Subchapter B, State Adoption on Instructional Materials, and Subchapter C, Local Operations, as recommended by the Committee of the Full Board.*

4. **Proposed Revisions to 19 TAC Chapter 66, State Adoption and Distribution of Instructional Materials, Subchapter A, General Provisions, Subchapter B, State Adoption of Instructional Materials, and Subchapter C, Local Operations**
(Second Reading and Final Adoption)
(Board agenda page I-27)

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 A, General Provisions, Subchapter B, State Adoption of Instructional Materials, and Subchapter C, Local Operations, 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. Maynard, and carried to amend §66.28, Requirements for Publisher Participation, as follows:*

- (a) A publisher who intends to offer instructional materials for review shall comply with product standards and specifications.
- (1) Hard copy instructional materials adopted by the State Board of Education (SBOE) shall comply with the standards in the latest edition of Manufacturing Standards and Specifications for Textbooks approved by the National Advisory Commission on Textbook Specifications, as applicable. If the commissioner of education determines that good cause exists, the commissioner may approve an exception for a specific portion or portions of this requirement.
- (2) A publisher who offers electronic instructional materials must provide a report for each electronic component that verifies that the components follow Web Content Accessibility (WCAG) 2.0 AA standards and technical standards required by the Federal Rehabilitation Act, Section 508. The report must be prepared by an independent third party and be based on an audit testing the accessibility of a random sampling of pages as outlined in each proclamation. The number of pages to be audited to meet the requirements in the proclamation shall be determined by the publisher.

- (3) A publisher who provides access to materials to students with disabilities through an alternate format shall include a link to that material on the entrance page of the main product.

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 66, State Adoption and Distribution of Instructional Materials, Subchapter A, General Provisions, Subchapter B, State Adoption of Instructional Materials, and Subchapter C, Local Operations, as amended, with an effective date of 20 days after filing as adopted with the Texas Register. The motion carried with an affirmative vote of two-thirds of the members of the board.*

(ATTACHMENT 7, page 47)

There being no objection by the board, Mrs. Bahorich requested staff file with the *Texas Register* the Local Instructional Materials Adoption Processes resolution that was adopted by the State Board of Education on July 17, 2015.

5. **Proposed Amendments to 19 TAC Chapter 74, Curriculum Requirements, Subchapter B, Graduation Requirements**

(Second Reading and Final Adoption)

(Board agenda page I-75)

MOTION: *It was moved by Mr. Ratliff 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 recommended by the Committee of the Full Board.*

MOTION AND VOTE: *It was moved by Mr. Ratliff, seconded by Mr. Rowley, and carried unanimously that the State Board of Education postpone second reading and final adoption of proposed amendments to 19 TAC Chapter 74, Curriculum Requirements, Subchapter B, Graduation Requirements. (Mr. Bradley and Mrs. Cargill were absent for the vote.)*

6. **Proposed New 19 TAC Chapter 113, Texas Essential Knowledge and Skills for Social Studies, Subchapter C, High School, §113.49, Personal Financial Literacy (One-Half Credit), Adopted 2016**

(Second Reading and Final Adoption)

(Board agenda page I-101)

MOTION AND VOTE: *It was moved by Mr. Ratliff and carried unanimously that 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, §113.49, Personal Financial Literacy (One-Half Credit), Adopted 2016, as recommended by the Committee of the Full Board. (Mr. Bradley and Mrs. Cargill were absent for the vote.)*

(ATTACHMENT 8, page 83)

7. **Proposed New 19 TAC Chapter 74, Curriculum Requirements, Subchapter A, Required Curriculum, §74.6, College and Career Readiness and Texas Essential Knowledge and Skills Alignment**
(Second Reading and Final Adoption)
(Board agenda page I-113)

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 74, Curriculum Requirements, Subchapter A, Required Curriculum, §74.6, College and Career Readiness and Texas Essential Knowledge and Skills Alignment, with an effective date of 20 days after filing as adopted with the Texas Register, as recommended by the Committee of the Full Board. (Mr. Bradley and Mrs. Cargill were absent for the vote.)*

(ATTACHMENT 9, page 89)

8. **Discussion of Texas Certificate of High School Equivalency**
(Board agenda page I-163)

Ms. Perez reported that she was recusing herself from any discussion, and would not cast a vote, on this item.

MOTION: *It was moved by Mr. Ratliff that the State Board of Education approve three vendors—GED Testing Service; Educational Testing Service; and Data Recognition Corporation, as test providers for the Texas Certificate of High School Equivalency, as recommended by the Committee of the Full Board.*

MOTION: *It was moved by Mr. Ratliff that the State Board of Education approve all three vendors as test providers for the Texas Certificate of High School Equivalency and that the vendors provide a percentage of TEKS coverage for each of the five courses specified in the RFP.*

MOTION AND VOTE: *It was moved by Mr. Cortez and seconded by Dr. Dominguez that the State Board of Education approve all three vendors as test providers for the Texas Certificate of High School Equivalency and that all three vendors meet the minimum of 85% of TEKS alignment for each of the five courses specified in the RFP. The motion failed.*

MOTION: *It was moved by Mr. Bradley and seconded by Ms. Hardy to amend the motion by adding to the end of the original motion the words, “and authorize the commissioner of education to negotiate acceptable contracts”.*

Mr. Ratliff withdrew his motion without board objection.

Mr. Bradley withdrew his motion without board objection.

VOTE: *A vote was taken on the motion that the State Board of Education approve three vendors—GED Testing Service; Educational Testing Service; and Data Recognition Corporation, as test providers for the Texas Certificate of High School Equivalency, as recommended by the Committee of the Full Board. The motion carried.*

9. Proposed Approval of Process for Streamlining Texas Essential Knowledge and Skills (TEKS)

(Board agenda page I-167)

MOTION AND VOTE: *It was moved by Mr. Ratliff that the State Board of Education approve the recommendation of the Committee of the Full Board to approve the process for streamlining of the Texas Knowledge and Skills (TEKS), as recommended by the Committee of the Full Board. The motion carried unanimously. (Mr. Bradley and Mrs. Cargill were absent for the vote.)*

COMMITTEE ON INSTRUCTION

10. Proposed New 19 TAC Chapter 127, Texas Essential Knowledge and Skills for Career Development, Subchapter B, High School, §127.16, Extended Career Preparation (One Credit), Adopted 2016

(First Reading and Filing Authorization)

(Board agenda page II-13)

MOTION AND VOTE: *The State Board of Education unanimously approved for first reading and filing authorization proposed new 19 TAC Chapter 127, Texas Essential Knowledge and Skills for Career Development, Subchapter B, High School, §127.16, Extended Career Preparation (One Credit), Adopted 2016, as recommended by the Committee on Instruction. (Mr. Bradley and Mrs. Cargill were absent for the vote.)*

11. Proposed Approval of Innovative Courses

(Board agenda page II-21)

This item was withdrawn because no applications for innovative courses that require board approval were received.

COMMITTEE ON SCHOOL FINANCE/PERMANENT SCHOOL FUND

There were no action items for the Committee on School Finance/Permanent School Fund beyond those considered on the consent agenda.

COMMITTEE ON SCHOOL INITIATIVES

12. Review of Proposed Amendment to 19 TAC Chapter 242, Superintendent Certificate, §242.20, Requirements for the Issuance of the Standard Superintendent Certificate

(Board agenda page IV-45)

The State Board of Education took no action on the proposed amendment to 19 TAC Chapter 242, Superintendent Certificate, §242.20, Requirements for the Issuance of the Standard Superintendent Certificate, as recommended by the Committee on School Initiatives.

13. Review of Proposed Revisions to 19 TAC Chapter 227, Provisions for Educator Preparation Candidates

(Board agenda page IV-51)

The State Board of Education took no action on the proposed revisions to 19 TAC Chapter 227, Provisions for Educator Preparation Candidates, as recommended by the Committee on School Initiatives.

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

Committee on Instruction

Mrs. Melton-Malone did not report on the Committee on Instruction discussion item.

Committee on School Finance/Permanent School Fund

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

Committee on School Initiatives

Mr. Rowley did not report on Committee on School Initiatives discussion items.

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

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

The meeting adjourned at 12:03 p.m.

Ruben Cortez, Jr., Secretary

RESOLUTION

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, five mathematics finalists and five 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 Jonathan Claydon, Northbrook Senior High School, Spring Branch Independent School District, Houston, Texas; Darla Emerson, Lovejoy High School, Lovejoy Independent School District, Lucas, Texas; Rebecca Grant, Haggard Middle School, Plano Independent School District, Plano, Texas; Patty Hill, Kealing Middle School, Austin Independent School District, Austin, Texas; and Penny Smeltzer, Westwood High School, Round Rock Independent School District, Austin, Texas, for being named state finalists in the mathematics category for the 2015 Presidential Award; and be it further

RESOLVED, That the State Board of Education does hereby extend its congratulations to Carol Brown, Saint Mary's Hall, San Antonio, Texas; Sheri Cole, Seabrook Intermediate School, Clear Creek Independent School District, Seabrook, Texas; Cara Johnson, Allen High School, Allen Independent School District, Allen, Texas; Mark Misage, Westlake High School, Eanes Independent School District, Austin, Texas; and Ferleshare Starks, Phillis Wheatley High School, Houston Independent School District, Houston, Texas; for being named state finalists in the science category for the 2015 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 2015 *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 twenty-ninth day of January, two thousand and sixteen, in Austin, Texas.

Donna Bahorich, Chair

Ruben Cortez, Jr., Secretary

RESOLUTION

WHEREAS February 1-29, 2016, has been designated National Career and Technical Education Month; and

WHEREAS more than 1.2 million Texas secondary students are enrolled in one or more career and technical education (CTE) courses in 1,219 school districts and charter schools throughout the State; and

WHEREAS career and technical education offers students the opportunity to gain the academic, technical and employability skills necessary for true career readiness; and

WHEREAS students in career and technical education programs participate in authentic, meaningful experiences which improve the quality of their education by offering opportunities to apply academic knowledge and skills from across the curriculum; and

WHEREAS career and technical education is a vital and integral part of the Foundation High School Program, offering students pathways to earn recognized endorsements, performance acknowledgements and industry validated credentials; and

WHEREAS the state's nine career and technical student organizations, BPA, DECA, Educators Rising (Texas Association of Future Educators), FBLA, FCCLA, FFA, HOSA, SkillsUSA, and TSA instill in their members the values, knowledge and skills to be patriotic citizens prepared to fully engage as effective leaders in the formidable and noble task of self-government in our constitutional republic; and

WHEREAS career and technical education provides students with career exploration opportunities early in their educational experience, which enables them to make informed and beneficial decisions about their academic coursework as well as pursuit of established programs of study and career pathways; and

WHEREAS leaders from business and industry nationwide report increasing challenges related to the skills gap and connecting qualified professionals with available careers in critical and growing CTE-related fields; and

WHEREAS career and technical education prepares students fulfilling careers by offering integrated programs of study that link secondary and postsecondary education and significantly contributes to college readiness; and

WHEREAS ensuring that employers have access to a qualified workforce is a crucial step in ensuring productivity among the business and industry communities as well as continued American economic growth and global competitiveness; now, therefore, be it

RESOLVED, That the State Board of Education, which has been designated by the Texas Legislature as the State Board for Career and Technical Education, does hereby proclaim February 1-29, 2016, as **Career and Technical Education Month** in Texas, and does hereby urge all Texans to become familiar with the outstanding curriculum delivered by exceptional career and technical education teachers in communities across the state, and to support and participate in these programs to enhance their individual skills and productivity.

WITNESS our signatures this twenty-ninth day of January, two thousand and sixteen, in Austin, Texas.

Donna Bahorich, Chair

Ruben Cortez, Jr., Secretary