



AGENDA

State Board of Education

September 13, 2024

STATE BOARD OF EDUCATION

(updated February 2023, January 2024 , August 2024)

(State Board for Career and Technology Education)

AARON KINSEY, Midland
Chair of the State Board of Education
District 15

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

PAT HARDY, Fort Worth
Secretary of the State Board of Education
District 11

Board Members

MELISSA ORTEGA, El Paso
District 1

JULIE PICKREN, Pearland
District 7

LJ FRANCIS, Corpus Christi
District 2

AUDREY YOUNG, Trinity
District 8

MARISA PEREZ-DIAZ, San Antonio
District 3

KEVEN ELLIS, Lufkin
District 9

STACI CHILDS, Houston
District 4

TOM MAYNARD, Florence
District 10

REBECCA BELL-METEREAU
San Marcos, District 5

VACANT
District 13

WILL HICKMAN, Houston
District 6

EVELYN BROOKS, Frisco
District 14

Committees of the State Board of Education
(Updated August 2024)

INSTRUCTION

Audrey Young- Chair
Evelyn Brooks-Vice Chair
Pam Little
Melissa N. Ortega
Vacant-District 13

SCHOOL FINANCE/PERMANENT SCHOOL FUND

Tom Maynard-Chair
Marisa Perez-Diaz-Vice Chair
Keven Ellis
Patricia Hardy
Aaron Kinsey

SCHOOL INITIATIVES

Will Hickman-Chair
LJ Francis-Vice Chair
Rebecca Bell-Metereau
Staci Childs
Julie Pickren

September 13, 2024

State Board of Education
Austin, Texas

I certify that this is the official agenda of the State Board of Education for its meeting on September 10-13, 2024. 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 'M. 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 78701**

SCHEDULE AND AGENDAS

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

Meeting Times September 10-13, 2024	
<u>Tuesday, September 10, 2024</u>	
8:00 a.m.	Committee of the Full Board (Room 1-104)
<u>Wednesday, September 11, 2024</u>	
8:00 a.m.	Committee of the Full Board (Room 1-104)
<u>Thursday, September 12, 2024</u>	
9:00 a.m.	Committee on Instruction (Room 1-100)
9:00 a.m.	Committee on School Finance/Permanent School Fund (Room 1-104) PSF Corporation meeting starts upon adjournment of the SF/PSF meeting but no earlier than 10:00 a.m.
9:00 a.m.	Committee on School Initiatives (Room 1-111)
<u>Friday, September 13, 2024</u>	
9:00 a.m.	General Meeting (Room 1-104)

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://sboe.texas.gov/sboe/agenda/> on the State Board of Education 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
September 10, 2024

8:00 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 public testimony at State Board of Education committee meetings and general board meetings are provided in SBOE [Operating Rules](#) or in the information section of the agenda.

- 1. Public Hearing Regarding Instructional Materials Submitted for Approval by the State Board of Education Under Instructional Materials Review and Approval Cycle 2024**
(Board agenda page I-1)

COMMITTEE - DISCUSSION
SBOE – NO ACTION

A public hearing before the State Board of Education (SBOE) is scheduled for Tuesday, September 10, 2024, in the William B. Travis Building, Room 1-104. Testimony will be presented regarding instructional materials submitted for adoption under Instructional Materials Review and Approval (IMRA) Cycle 2024. The IMRA Cycle 2024 calls for instructional materials includes K–5 English language arts and reading and Spanish language arts and reading, K–3 English and Spanish phonics, and K–12 mathematics. Products submitted in response to IMRA Cycle 2024 began review in May and continues to be reviewed through the summer of 2024. Statutory authority is the Texas Education Code (TEC), §7.110 and §31.023, as amended by HB 1605, 88th Legislature, Regular Session, 2023.

COMMITTEE OF THE FULL BOARD (continued)

2. **Update on the Review of the Instructional Materials Submitted for Approval by the State Board of Education Under Instructional Materials Review and Approval Cycle 2024**
(Board agenda page I-2)

**COMMITTEE - DISCUSSION
SBOE – NO ACTION**

The State Board of Education (SBOE) issued the Request for Instructional Materials (RFIM) in February 2024, calling for instructional materials for full-subject, tier-one instructional materials for K–5 English and Spanish language arts and reading and K–12 mathematics and partial-subject, tier-one instructional materials for K–3 English and Spanish phonics. All materials submitted in response to RFIM 2024 were reviewed for standards alignment, quality and suitability in summer 2024. Instructional materials are scheduled for approval by the SBOE in November 2024. This item provides an opportunity for staff to update the board on the status of the Instructional Materials Review and Approval (IMRA) Cycle 2024 instructional materials review. Additionally, staff will present to the board an after-action review on the current year’s cycle, including IMRA rubrics, instructional materials selection for this cycle and IMRA reviewer selection. Statutory authority for is the Texas Education Code (TEC), §31.022, and §31.023, as amended by HB 1605, 88th Texas Legislature, Regular Session, 2023.

3. **Proposed New 19 TAC Chapter 67, State Review and Approval of Instructional Materials, Subchapter B, State Review and Approval, §67.43, Lists of Approved and Rejected Instructional Materials**
(Second Reading and Final Adoption)
(Board agenda page I-4)

**COMMITTEE - ACTION
SBOE - ACTION**

This item presents for second reading and final adoption proposed new 19 Texas Administrative Code (TAC) Chapter 67, State Review and Approval of Instructional Materials, Subchapter B, State Review and Approval, §67.43, Lists of Approved and Rejected Instructional Materials. The new section would address the removal of a set of instructional materials from the lists of approved and rejected instructional materials outlined in Texas Education Code (TEC), §31.022. No changes are recommended since approved for first reading. Statutory authority is the TEC, §31.003(a) and §31.022, as amended by House Bill (HB) 1605, 88th Texas Legislature, Regular Session, 2023.

COMMITTEE OF THE FULL BOARD (continued)

4. **Discussion of the Schedule for Future Instructional Materials Review and Approval Cycles and Future Texas Essential Knowledge and Skills Review and Revision**
(Board agenda page I-9)

**COMMITTEE - DISCUSSION
SBOE – NO ACTION**

This item provides an opportunity for the board to discuss the schedule for future Instructional Materials Review and Approval (IMRA) cycles, including the development timeline for quality rubrics, as well as the future review and revision of the Texas Essential Knowledge and Skills (TEKS). Statutory authority is the Texas Education Code (TEC), Texas Education Code (TEC), §§7.102(c)(4); 28.002(a) and (c); 28.025(a); 31.022 and 31.023, as amended by HB 1605, 88th Texas Legislature, Regular Session, 2023.

5. **Discussion of the Texas Essential Knowledge and Skills Certification Process: The Certification of Provision of Instructional Materials**
(Board agenda page I-12)

**COMMITTEE - DISCUSSION
SBOE – NO ACTION**

This item provides an opportunity for the committee to discuss the annual certification of provision of instructional materials process, commonly referred to as the annual Texas Essential Knowledge and Skills (TEKS) certification process, by school districts and open-enrollment charter schools. Statutory authority is the Texas Education Code (TEC), §31.1011 as amended by HB 1605, 88th Texas Legislature, Regular Session, 2023.

6. **Discussion of Draft Quality Rubrics for Instructional Materials Review and Approval Cycle 2025**
(Board agenda page I-13)

**COMMITTEE - DISCUSSION
SBOE - NO ACTION**

This item provides an opportunity for the State Board of Education (SBOE) to discuss draft rubrics for the Instructional Materials Review and Approval (IMRA) Cycle 2025. Statutory authority is the Texas Education Code (TEC), §§31.003(a), 31.022, and 31.023, as amended by HB 1605, 88th Texas Legislature, Regular Session, 2023.

COMMITTEE OF THE FULL BOARD (continued)

7. **Approval of Updates to and Ratification of Standards-Alignment Percentages of Instructional Materials Adopted Under *Proclamation 2024***
(Board agenda page I-15)

**COMMITTEE - ACTION
SBOE - CONSENT**

This item provides an opportunity for the committee to approve the updated Texas Essential Knowledge and Skills (TEKS) coverage percentages on materials submitted for the TEKS update review for materials adopted under *Proclamation 2024*. Publishers supplied new content and/or new correlations to demonstrate alignment to TEKS not addressed during the initial review. Materials submitted for the TEKS update review were reviewed by the *Proclamation 2024* state review panel (SRP) in the summer of 2024. This item presents the final report from the commissioner of education regarding the updated coverage of the TEKS along with any SRP-reported errors and feedback. Statutory authority is the Texas Education Code (TEC), §31.003(a), and §31.022(b).

8. **Proposed Amendments to 19 TAC Chapter 67, State Review and Approval of Instructional Materials, Subchapter B, State Review and Approval, §67.25, Consideration and Approval of Instructional Materials by the State Board of Education**
(First Reading and Filing Authorization)
(Board agenda page I-18)

**COMMITTEE - ACTION
SBOE - ACTION**

This item presents for first reading and filing authorization a proposed amendment to 19 Texas Administrative Code (TAC) Chapter 67, State Review and Approval of Instructional Materials, Subchapter B, State Review and Approval, §67.25, Consideration and Approval of Instructional Materials by the State Board of Education. The proposed amendment would establish a minimum threshold for standards alignment for instructional materials for enrichment subjects and courses by defining the criteria to be used in the review and approval of instructional materials by the State Board of Education (SBOE) and the Texas Education Agency (TEA). Statutory authority is the Texas Education Code (TEC), §§28.002(a), and 31.003(a), 31.022, and 31.023, as amended by House Bill (HB) 1605, 88th Texas Legislature, Regular Session, 2023.

COMMITTEE OF THE FULL BOARD (continued)

9. **Discussion of Proposed New 19 TAC Chapter 67, State Review and Approval of Instructional Materials, Subchapter B, State Review and Approval, §67.27, IMRA Reviewers: Eligibility and Appointment; §67.29, IMRA Reviewers: Training, Duties, and Conduct; §67.31, Procedures for Public Access to and Handling of IMRA Samples; §67.33, Public Comment on Instructional Materials; §67.39, Updates to Approved Instructional Materials; and §67.41, New Editions of Approved Instructional Materials; and Subchapter C, Local Operations, §67.61, Sample Copies of Instructional Materials for School Districts; §67.63, Selection and Local Adoption of Instructional Materials by School Districts; and §67.69, Local Review of Classroom Instructional Materials**
(Board agenda page I-22)

**COMMITTEE - DISCUSSION
SBOE - NO ACTION**

This item provides an opportunity for the board to discuss proposed new 19 TAC Chapter 67, State Review and Approval of Instructional Materials, Subchapter B, State Review and Approval, §67.27, IMRA Reviewers: Eligibility and Appointment; §67.29, IMRA Reviewers: Training, Duties, and Conduct; §67.31, Procedures for Public Access to and Handling of IMRA Samples; §67.33, Public Comment on Instructional Materials; §67.39, Updates to Approved Instructional Materials; and §67.41, New Editions of Approved Instructional Materials; and Subchapter C, Local Operations, §67.61, Sample Copies of Instructional Materials for School Districts; §67.63, Selection and Local Adoption of Instructional Materials by School Districts; and §67.69, Local Review of Classroom Instructional Materials. The proposed new sections would define the procedures and policies for the selection, appointment, training, and duties of IMRA reviewers; outlining the procedures for IMRA public access and public comment; and specifying procedures for materials to be updated or revised following approval by the board. The proposed new sections would also outline the procedures for local districts to adopt instructional materials and clarify procedures for the local review of classroom materials as required by statute. Statutory authority is the Texas Education Code Texas Education Code (TEC), §§31.003(a); 31.022 and 31.023, as amended by HB 1605, 88th Texas Legislature, Regular Session, 2023; and §31.0252, as added by HB 1605, 88th Texas Legislature, Regular Session, 2023.

**WEDNESDAY
September 11, 2024**

8:00 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 public testimony at State Board of Education committee meetings and general board meetings are provided in SBOE [Operating Rules](#) or in the information section of the agenda.

**1. Commissioner's Comments
([Board agenda page I-24](#))**

**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. 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)
([Board agenda page I-25](#))**

**COMMITTEE - ACTION
SBOE - ACTION**

This item presents for first reading and filing authorization a proposed amendment to 19 Texas Administrative Code (TAC) Chapter 61, School Districts, Subchapter A, Board of Trustees Relationship, §61.1, Continuing Education for School Board Members. The proposed amendment would amend the requirements for school board member training. Statutory authority is the Texas Education Code (TEC), §11.159.

COMMITTEE OF THE FULL BOARD (continued)

3. **Proposed New 19 TAC Chapter 120, Other Texas Essential Knowledge and Skills, Subchapter B, English Language Proficiency Standards (Second Reading and Final Adoption) (Board agenda page I-34)**

**COMMITTEE - ACTION
SBOE - ACTION**

This item presents for second reading and final adoption proposed new 19 Texas Administrative Code (TAC) Chapter 120, Other Texas Essential Knowledge and Skills, Subchapter B, English Language Proficiency Standards, §120.20, English Language Proficiency Standards, Kindergarten-Grade 3, Adopted 2024, and §120.21, English Language Proficiency Standards, Grades 4-12, Adopted 2024. The proposed new sections would relocate the English Language Proficiency Standards (ELPS) from 19 TAC §74.4 and update the standards to ensure they remain current and comply with federal requirements. Technical changes to the figures are recommended since approved for first reading. Statutory authority is the Texas Education Code (TEC), §§7.102(c)(4), 28.002(a), and 29.051.

4. **Direction to Work Group for Middle School Advanced Mathematics Texas Essential Knowledge and Skills (Board agenda page I-93)**

**COMMITTEE - ACTION
SBOE - CONSENT**

This item provides an opportunity for the board to provide direction to the work group for the establishment of Texas Essential Knowledge and Skills (TEKS) for middle school advanced mathematics. Statutory authority is the Texas Education Code (TEC), §§7.102(c)(4), 28.002(a) and (c).

5. **Discussion of Mathematics Instruction (Board agenda page I-95)**

**COMMITTEE - DISCUSSION
SBOE – NO ACTION**

This item provides an opportunity for the board to discuss matters to be studied related to strengthening student performance in mathematics. Statutory authority is the Texas Education Code (TEC), §§7.102(c)(4), 28.002(a) and (c), 31.022 and 31.023.

COMMITTEE OF THE FULL BOARD (continued)

6. **Discussion of Proposed New Texas Essential Knowledge and Skills for Certain Career and Technical Education State-Approved Innovative Courses**
(Board agenda page I-96)

**COMMITTEE - DISCUSSION
SBOE - NO ACTION**

This item provides an opportunity for the board to discuss proposed new Texas Essential Knowledge and Skills (TEKS) for certain career and technical education (CTE) courses that are currently approved innovative courses. The proposed rule action would add new TEKS for 21 state-approved innovative courses in the following CTE career clusters: agriculture, food, and natural resources; business, marketing, and finance; engineering; health science; hospitality and tourism; information technology; and law and public service. Statutory authority is the Texas Education Code (TEC), §§7.102(c)(4); 28.002(a), (c), (n), and (o); and 28.025(a), (b-2), and (b-17).

7. **Discussion of Proposed Amendments to 19 TAC Chapter 74, Curriculum Requirements, Subchapter A, Required Curriculum, §74.3 Description of a Required Secondary Curriculum**
(Board agenda page I-163)

**COMMITTEE - DISCUSSION
SBOE - NO ACTION**

This item provides an opportunity for the board to discuss 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 science that are required to be offered to students. Statutory authority is the Texas Education Code (TEC), §§7.102(c)(4), 28.002(a), and 28.025(b-1).

COMMITTEE OF THE FULL BOARD (continued)

- 8. Consideration and Adoption of Proposed Ranges of Distributions for Fiscal Year 2026 and Fiscal Year 2027**
(Board agenda page I-167)

COMMITTEE - ACTION
SBOE - ACTION

This item provides an opportunity for the committee and board to review the requirements in Article VII, §5(a)(1) and (2), Texas Constitution, that states, the total amount distributed from the Permanent School Fund (PSF) to the Available School Fund (ASF) is not more than six percent of the average market value of the PSF on the last day of each of the sixteen state fiscal quarters preceding the regular session of the legislature that begins before that state biennium; and over the 10-year period the distributions may not exceed the total return on all investment assets of the PSF over the same 10-year period. Statutory authority is the Texas Constitution, Article VII, §2 and §5; and 19 Texas Administrative Code (TAC) Chapter 33.

- 9. Update from the Texas Permanent School Fund Corporation's Chief Executive Officer**
(Board agenda page I-169)

COMMITTEE - DISCUSSION
SBOE - NO ACTION

This item provides an opportunity for the committee to receive updates on the Texas Permanent School Fund activities and follow-up discussion with the Texas Permanent School Fund Corporation's Chief Executive Officer. Statutory authority is the Texas Constitution, Article VII, §2 and §5.

- 10. Texas Education Agency Administrative and Program Budget by Major Component for the 2024-2025 Biennium and Legislative Appropriations Request for the 2026-2027 Biennium**
(Board agenda page I-170)

COMMITTEE - ACTION
SBOE - ACTION

Texas Education Agency (TEA) staff will provide an overview of the agency's Administrative and Program budget by major component for fiscal years and the biennium totals for 2024-2025, as well as the agency's Legislative Appropriations Request (LAR) for the 2026-2027 biennium for comment. Statutory authority is the Texas Education Code (TEC), §7.055(b) and (c).

COMMITTEE OF THE FULL BOARD (continued)

- 11. Discussion of Legislative Recommendations for the 89th Texas Legislature**
(Board agenda page I-171)

COMMITTEE - DISCUSSION
SBOE - NO ACTION

This item provides an opportunity for the committee to discuss legislative recommendations for the 89th Texas Legislature. Statutory authority is the Texas Education Code (TEC), §7.102.

- 12. Discussion of Pending Litigation**
(Board agenda page I-172)

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

**THURSDAY
September 12, 2024**

9:00 a.m.

COMMITTEE ON INSTRUCTION – Room 1-100

Members: Audrey Young, chair; Evelyn Brooks, vice chair; Pam Little; and Melissa Ortega. 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 public testimony at State Board of Education committee meetings and general board meetings are provided in SBOE [Operating Rules](#) or in the information section of the agenda.

- 1. Procedural Action Related to 19 TAC Chapter 74, Curriculum Requirements, Subchapter C, Other Provisions, §74.27(a)(9), Innovative Courses and Programs
(Second Reading and Final Adoption)
([Board agenda page II-1](#))**

**COMMITTEE - ACTION
SBOE - CONSENT**

In order to correct an error made by the Texas Education Agency (TEA), this item presents for second reading and final adoption a proposed amendment to 19 TAC Chapter 74, Curriculum Requirements, Subchapter C, Other Provisions, §74.27(a)(9), Innovative Courses and Programs. This action would authorize TEA to re-file the proposal adopted by the State Board of Education (SBOE) in November 2023 and correct the criteria for innovative courses to be considered for sunset to align with the language approved by the SBOE. No changes are recommended since approved for first reading. Statutory authority is the Texas Education Code (TEC), §28.002(f).

- 2. Consideration of Proposed New Innovative Courses and Renewal of Currently Approved Innovative Courses
([Board agenda page II-7](#))**

**COMMITTEE - ACTION
SBOE - CONSENT**

This item presents for consideration applications for proposed new innovative courses and renewal of currently approved courses that are scheduled to expire. Statutory authority is the Texas Education Code (TEC), §28.002(f).

COMMITTEE ON INSTRUCTION (continued)

3. **Proposed Amendments 19 TAC Chapter 127, Texas Essential Knowledge and Skills for Career Development and Career and Technical Education, Subchapter J, Hospitality and Tourism, and Chapter 130, Texas Essential Knowledge and Skills for Career and Technical Education, Subchapter A, Agriculture, Food, and Natural Resources, Subchapter D, Business Management and Administration, and Subchapter P, Transportation, Distribution, and Logistics**
(Second Reading and Final Adoption)
(Board agenda page II-11)

COMMITTEE – ACTION
SBOE – CONSENT

This item presents for second reading and final adoption proposed amendments to 19 Texas Administrative Code (TAC) Chapter 127, Texas Essential Knowledge and Skills for Career Development and Career and Technical Education, Subchapter J, Hospitality and Tourism, §127.482, Food Science (One Credit), Adopted 2021; and Chapter 130, Texas Essential Knowledge and Skills for Career and Technical Education; Subchapter A, Agriculture, Food, and Natural Resources, §130.30, Agricultural Laboratory and Field Experience (One Credit), Adopted 2015; Subchapter D, Business Management and Administration, §130.136, Business Information Management I (One Credit), Adopted 2015; §130.137, Business Information Management II (One Credit), Adopted 2015; §130.138, Business Lab (One Credit), Adopted 2015; §130.143, Practicum in Business Management (Two Credits), Adopted 2015; §130.144, Extended Practicum in Business Management (One Credit), Adopted 2015; and Subchapter P, Transportation, Distribution, and Logistics, §130.445, Small Engine Technology I (One Credit), Adopted 2015, and §130.446, Small Engine Technology II (Two Credits), Adopted 2015. The proposed amendments would make technical adjustments to course titles, prerequisites, and corequisites to align with the recently revised career and technical education (CTE) programs of study. 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-19)

**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 Proposed Repeal of 19 TAC Chapter 130, Texas Essential Knowledge and Skills for Career and Technical Education, and Proposed Revisions to 19 TAC Chapter 127, Texas Essential Knowledge and Skills for Career Development and Career and Technical Education**
(Board agenda page II-22)

**COMMITTEE - DISCUSSION
SBOE - NO ACTION**

This item provides an opportunity for the board to discuss the proposed repeal of 19 Texas Administrative Code (TAC) Chapter 130, Texas Essential Knowledge and Skills for Career and Technical Education, and proposed revisions to 19 TAC Chapter 127, Texas Essential Knowledge and Skills for Career Development and Career and Technical Education. The proposed rule actions would repeal career and technical education (CTE) Texas Essential Knowledge and Skills (TEKS) in 19 TAC Chapter 130 and would move the TEKS to 19 TAC Chapter 127 in order to ensure that all CTE TEKS are in the same chapter in administrative rule. The proposed rule action would also move some existing courses within 19 TAC Chapter 127 in order to avoid confusion and make the TEKS easier to locate. Statutory authority is the Texas Education Code (TEC), §7.102(c)(4) and §28.002(a) and (c).

6. **Discussion of Proposed Amendment to the *Texas State Plan for the Education of Gifted/Talented Students***
(Board agenda page II-24)

**COMMITTEE – ACTION
SBOE – ACTION**

This item provides an opportunity for the board to review and approve the proposed amendments to the *Texas State Plan for the Education of Gifted/Talented Students*. The proposed amendments would clarify terminology and requirements related to gifted/talented education that are necessary to align with updates to the rule requirements of House Bill (HB) 1525, 87th Texas Legislature, 2021. Statutory authority is the Texas Education Code (TEC), §7.102 and §29.123.

**THURSDAY
September 12, 2024**

9:00 a.m.

**PSF Corporation meeting starts upon adjournment of the
SF/PSF meeting but no earlier than 10:00 a.m.**

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

Members: Tom Maynard, chair; Marisa Perez-Diaz, vice chair; Keven Ellis; Patricia Hardy; Aaron Kinsey. 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 public testimony at State Board of Education committee meetings and general board meetings are provided in SBOE [Operating Rules](#) or in the information section of the agenda.

- 1. Per Capita Apportionment Rate for the 2024-2025
School Year**
(Board agenda page III-1)

**COMMITTEE – DISCUSSION
SBOE – NO ACTION**

A per capita apportionment rate for each school year is set by the commissioner of education based on an estimate of the amount available for expenditure from the Available School Fund (ASF). This item provides an opportunity for staff to present the preliminary rate for the 2024-2025 school year. Statutory authority is the Texas Education Code (TEC), §§48.004, 48.251(c), and 43.001(b).

- 2. Determination as to Whether Transfers May be Made
from the Permanent School Fund to the Available
School Fund**
(Board agenda page III-2)

**COMMITTEE – ACTION
SBOE – ACTION**

This item provides an opportunity for the committee and board to review the requirements in Article VII, §5(a)(1) and (2), Texas Constitution, that states, the total amount distributed from the Permanent School Fund (PSF) to the Available School Fund (ASF) is not more than six percent of the average market value of the PSF on the last day of each of the sixteen state fiscal quarters preceding the regular session of the legislature that begins before that state biennium; and over the 10-year period the distributions may not exceed the total return on all investment assets of the PSF over the same 10-year period. The board will determine whether transfers may be made from the PSF to the ASF in fiscal year 2025. Statutory authority is Texas Constitution, Article VII, §2 and §5; 19 Texas Administrative Code (TAC), Chapter 33.

**THURSDAY
September 12, 2024**

9:00 a.m.

COMMITTEE ON SCHOOL INITIATIVES – Room 1-111

Members: Will Hickman, chair; LJ Francis, vice chair; Rebecca Bell-Metereau; Staci Childs; Julie Pickren. 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 public testimony at State Board of Education committee meetings and general board meetings are provided in SBOE [Operating Rules](#) or in the information section of the agenda.

- 1. Open-Enrollment Charter School Generation 30 Application Updates** **COMMITTEE - DISCUSSION**
(Board agenda page IV-1) **SBOE – NO ACTION**

This item provides an opportunity for the committee to receive updates regarding the Generation 30 Open-Enrollment Charter Application cycle. Statutory authority is the Texas Education Code (TEC), §12.101.

- 2. Recommendation for One Reappointment to the Boys Ranch Independent School District Board of Trustees** **COMMITTEE - ACTION**
(Board agenda page IV-2) **SBOE - CONSENT**

This item provides an opportunity for the board to consider one reappointment to the board of trustees of Boys Ranch Independent School District (ISD). The reappointment is necessary due to the expiration of the term of office of one board member. Statutory authority is the Texas Education Code (TEC), §11.352.

- 3. Discussion of Ongoing State Board for Educator Certification Activities** **COMMITTEE - DISCUSSION**
(Board agenda page IV-6) **SBOE – NO ACTION**

This item provides an opportunity for the committee to receive updates on current and upcoming State Board for Educator Certification (SBEC) activities and proposed SBEC rules and amendments. Statutory authority is the Texas Education Code (TEC), §§21.031, 21.035, 21.041, and 21.042.

Information Materials

- 1. State Board of Education Operating Rules (amended February 2, 2023)**
Public testimony information begins on page V-10.
(Board agenda page V-1)

- 2. 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.

**CONSENT AGENDA
STATE BOARD OF EDUCATION
September 13, 2024**

(1) Approval of Updates to and Ratification of Standards-Alignment Percentages of Instructional Materials Adopted Under *Proclamation 2024*

This item provides an opportunity for the committee to approve the updated Texas Essential Knowledge and Skills (TEKS) coverage percentages on materials submitted for the TEKS update review for materials adopted under *Proclamation 2024*. Publishers supplied new content and/or new correlations to demonstrate alignment to TEKS not addressed during the initial review. Materials submitted for the TEKS update review were reviewed by the *Proclamation 2024* state review panel (SRP) in the summer of 2024. This item presents the final report from the commissioner of education regarding the updated coverage of the TEKS along with any SRP-reported errors and feedback. Statutory authority is the Texas Education Code (TEC), §31.003(a), and §31.022(b).

(Agenda Exhibit) I-15

(2) Direction to Work Group for Middle School Advanced Mathematics Texas Essential Knowledge and Skills

This item provides an opportunity for the board to provide direction to the work group for the establishment of Texas Essential Knowledge and Skills (TEKS) for middle school advanced mathematics. Statutory authority is the Texas Education Code (TEC), §§7.102(c)(4), 28.002(a) and (c).

(Agenda Exhibit) I-93

(3) Procedural Action Related to 19 TAC Chapter 74, Curriculum Requirements, Subchapter C, Other Provisions, §74.27(a)(9), Innovative Courses and Programs (Second Reading and Final Adoption)

In order to correct an error made by the Texas Education Agency (TEA), this item presents for second reading and final adoption a proposed amendment to 19 TAC Chapter 74, Curriculum Requirements, Subchapter C, Other Provisions, §74.27(a)(9), Innovative Courses and Programs. This action would authorize TEA to re-file the proposal adopted by the State Board of Education (SBOE) in November 2023 and correct the criteria for innovative courses to be considered for sunset to align with the language approved by the SBOE. No changes are recommended since approved for first reading. Statutory authority is the Texas Education Code (TEC), §28.002(f).

(Agenda Exhibit) II-1

(4) Consideration of Proposed New Innovative Courses and Renewal of Currently Approved Innovative Courses

This item presents for consideration applications for proposed new innovative courses and renewal of currently approved courses that are scheduled to expire. Statutory authority is the Texas Education Code (TEC), §28.002(f).

(Agenda Exhibit) II-7

(5) Proposed Amendments 19 TAC Chapter 127, Texas Essential Knowledge and Skills for Career Development and Career and Technical Education, Subchapter J, Hospitality and Tourism, and Chapter 130, Texas Essential Knowledge and Skills for Career and Technical Education, Subchapter A, Agriculture, Food, and Natural Resources, Subchapter D, Business Management and Administration, and Subchapter P, Transportation, Distribution, and Logistics (Second Reading and Final Adoption)

This item presents for second reading and final adoption proposed amendments to 19 Texas Administrative Code (TAC) Chapter 127, Texas Essential Knowledge and Skills for Career Development and Career and Technical Education, Subchapter J, Hospitality and Tourism, §127.482, Food Science (One Credit), Adopted 2021; and Chapter 130, Texas Essential Knowledge and Skills for Career and Technical Education; Subchapter A, Agriculture, Food, and Natural Resources, §130.30, Agricultural Laboratory and Field Experience (One Credit), Adopted 2015; Subchapter D, Business Management and Administration, §130.136, Business Information Management I (One Credit), Adopted 2015; §130.137, Business Information Management II (One Credit), Adopted 2015; §130.138, Business Lab (One Credit), Adopted 2015; §130.143, Practicum in Business Management (Two Credits), Adopted 2015; §130.144, Extended Practicum in Business Management (One Credit), Adopted 2015; and Subchapter P, Transportation, Distribution, and Logistics, §130.445, Small Engine Technology I (One Credit), Adopted 2015, and §130.446, Small Engine Technology II (Two Credits), Adopted 2015. The proposed amendments would make technical adjustments to course titles, prerequisites, and corequisites to align with the recently revised career and technical education (CTE) programs of study. 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-11

(6) 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-19

(7) Recommendation for One Reappointment to the Boys Ranch Independent School District Board of Trustees

This item provides an opportunity for the board to consider one reappointment to the board of trustees of Boys Ranch Independent School District (ISD). The reappointment is necessary due to the expiration of the term of office of one board member. Statutory authority is the Texas Education Code (TEC), §11.352.

[\(Agenda Exhibit\)](#) IV-2

OFFICIAL AGENDA

**STATE BOARD OF EDUCATION
AUSTIN, TEXAS**

**September 13, 2024
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, June 28, 2024

1. Resolutions

Resolution honoring the 2024 Heroes for Children Award Recipients

Public testimony – Individual testimony will be taken at the time the related item comes up for Committee discussion or action. The procedures for public testimony at State Board of Education committee meetings and general board meetings are provided in 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.

[\(Agenda Exhibit\)](#) 18

COMMITTEE OF THE FULL BOARD

3. **Proposed New 19 TAC Chapter 67, State Review and Approval of Instructional Materials, Subchapter B, State Review and Approval, §67.43, Lists of Approved and Rejected Instructional Materials**
(Second Reading and Final Adoption)

This item presents for second reading and final adoption proposed new 19 Texas Administrative Code (TAC) Chapter 67, State Review and Approval of Instructional Materials, Subchapter B, State Review and Approval, §67.43, Lists of Approved and Rejected Instructional Materials. The new section would address the removal of a set of instructional materials from the lists of approved and rejected instructional materials outlined in Texas Education Code (TEC), §31.022. No changes are recommended since approved for first reading. Statutory authority is the TEC, §31.003(a) and §31.022, as amended by House Bill (HB) 1605, 88th Texas Legislature, Regular Session, 2023.

(Agenda Exhibit) I-4

4. **Proposed Amendments to 19 TAC Chapter 67, State Review and Approval of Instructional Materials, Subchapter B, State Review and Approval, §67.25, Consideration and Approval of Instructional Materials by the State Board of Education**
(First Reading and Filing Authorization)

This item presents for first reading and filing authorization a proposed amendment to 19 Texas Administrative Code (TAC) Chapter 67, State Review and Approval of Instructional Materials, Subchapter B, State Review and Approval, §67.25, Consideration and Approval of Instructional Materials by the State Board of Education. The proposed amendment would establish a minimum threshold for standards alignment for instructional materials for enrichment subjects and courses by defining the criteria to be used in the review and approval of instructional materials by the State Board of Education (SBOE) and the Texas Education Agency (TEA). Statutory authority is the Texas Education Code (TEC), §§28.002(a), and 31.003(a), 31.022, and 31.023, as amended by House Bill (HB) 1605, 88th Texas Legislature, Regular Session, 2023.

(Agenda Exhibit) I-18

5. **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)

This item presents for first reading and filing authorization a proposed amendment to 19 Texas Administrative Code (TAC) Chapter 61, School Districts, Subchapter A, Board of Trustees Relationship, §61.1, Continuing Education for School Board Members. The proposed amendment would amend the requirements for school board member training. Statutory authority is the Texas Education Code (TEC), §11.159.

(Agenda Exhibit) I-25

6. Proposed New 19 TAC Chapter 120, Other Texas Essential Knowledge and Skills, Subchapter B, English Language Proficiency Standards (Second Reading and Final Adoption)

This item presents for second reading and final adoption proposed new 19 Texas Administrative Code (TAC) Chapter 120, Other Texas Essential Knowledge and Skills, Subchapter B, English Language Proficiency Standards, §120.20, English Language Proficiency Standards, Kindergarten-Grade 3, Adopted 2024, and §120.21, English Language Proficiency Standards, Grades 4-12, Adopted 2024. The proposed new sections would relocate the English Language Proficiency Standards (ELPS) from 19 TAC §74.4 and update the standards to ensure they remain current and comply with federal requirements. Technical changes to the figures are recommended since approved for first reading. Statutory authority is the Texas Education Code (TEC), §§7.102(c)(4), 28.002(a), and 29.051.

(Agenda Exhibit) I-34

7. Consideration and Adoption of Proposed Ranges of Distributions for Fiscal Year 2026 and Fiscal Year 2027

This item provides an opportunity for the committee and board to review the requirements in Article VII, §5(a)(1) and (2), Texas Constitution, that states, the total amount distributed from the Permanent School Fund (PSF) to the Available School Fund (ASF) is not more than six percent of the average market value of the PSF on the last day of each of the sixteen state fiscal quarters preceding the regular session of the legislature that begins before that state biennium; and over the 10-year period the distributions may not exceed the total return on all investment assets of the PSF over the same 10-year period. Statutory authority is the Texas Constitution, Article VII, §2 and §5; and 19 Texas Administrative Code (TAC) Chapter 33.

(Agenda Exhibit) I-167

8. Texas Education Agency Administrative and Program Budget by Major Component for the 2024-2025 Biennium and Legislative Appropriations Request for the 2026-2027 Biennium

Texas Education Agency (TEA) staff will provide an overview of the agency’s Administrative and Program budget by major component for fiscal years and the biennium totals for 2024-2025, as well as the agency’s Legislative Appropriations Request (LAR) for the 2026-2027 biennium for comment. Statutory authority is the Texas Education Code (TEC), §7.055(b) and (c).

(Agenda Exhibit) I-170

COMMITTEE ON INSTRUCTION

9. Discussion of Proposed Amendment to the *Texas State Plan for the Education of Gifted/Talented Students*

This item provides an opportunity for the board to review and approve the proposed amendments to the *Texas State Plan for the Education of Gifted/Talented Students*. The proposed amendments would clarify terminology and requirements related to gifted/talented education that are necessary to align with updates to the rule requirements of House Bill (HB) 1525, 87th Texas Legislature, 2021. Statutory authority is the Texas Education Code (TEC), §7.102 and §29.123.

(Agenda Exhibit) II-24

COMMITTEE ON SCHOOL FINANCE/PERMANENT SCHOOL FUND

10. Determination as to Whether Transfers May be Made from the Permanent School Fund to the Available School Fund

This item provides an opportunity for the committee and board to review the requirements in Article VII, §5(a)(1) and (2), Texas Constitution, that states, the total amount distributed from the Permanent School Fund (PSF) to the Available School Fund (ASF) is not more than six percent of the average market value of the PSF on the last day of each of the sixteen state fiscal quarters preceding the regular session of the legislature that begins before that state biennium; and over the 10-year period the distributions may not exceed the total return on all investment assets of the PSF over the same 10-year period. The board will determine whether transfers may be made from the PSF to the ASF in fiscal year 2025. Statutory authority is the Texas Constitution, Article VII, §2 and §5; and 19 Texas Administrative Code (TAC) Chapter 33.

(Agenda Exhibit) III-2

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 February 2, 2023)**
Public testimony information begins on page V-10.
(Board agenda page V-1)

- 2. 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.

COMMITTEE OF THE FULL BOARD

**Public Hearing Regarding Instructional Materials Submitted for Approval by the
State Board of Education Under Instructional Materials Review and Approval Cycle 2024**

September 10, 2024

**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, September 10, 2024, in the William B. Travis Building, Room 1-104. Testimony will be presented regarding instructional materials submitted for adoption under Instructional Materials Review and Approval (IMRA) Cycle 2024. The IMRA Cycle 2024 calls for instructional materials includes K–5 English language arts and reading and Spanish language arts and reading, K–3 English and Spanish phonics, and K–12 mathematics. Products submitted in response to IMRA Cycle 2024 began review in May and continues to be reviewed through the summer of 2024.

STATUTORY AUTHORITY: Texas Education Code (TEC), §7.110 and §31.023, as amended by HB 1605, 88th Texas Legislature, Regular Session, 2023.

TEC, §7.110, requires the SBOE to create and implement policies that allow the public an opportunity to appear before and speak to the board.

TEC, §31.023, as amended by HB 1605, 88th Texas Legislature, Regular Session, 2023, requires the commissioner of education to establish, in consultation with and with the approval of the SBOE, a process for the annual review of instructional materials by Texas Education Agency (TEA). In conducting a review under this section, TEA must use a rubric developed by TEA in consultation with and approved by the SBOE.

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

BACKGROUND INFORMATION AND JUSTIFICATION: The IMRA Cycle 2024 was issued by the SBOE in February 2024.

The review of IMRA Cycle 2024 instructional materials took place in the summer 2024.

A public hearing is included in the [IMRA Process approved by the board in February 2024](#).

Staff Member Responsible:

Colin Dempsey, Director, District Operations, Technology, and Sustainability Supports

Update on the Review of the Instructional Materials Submitted for Approval by the State Board of Education Under Instructional Materials Review and Approval Cycle 2024

September 10, 2024

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

SUMMARY: The State Board of Education (SBOE) issued the Request for Instructional Materials (RFIM) in February 2024, calling for instructional materials for full-subject, tier-one instructional materials for K–5 English and Spanish language arts and reading and K–12 mathematics and partial-subject, tier-one instructional materials for K–3 English and Spanish phonics. All materials submitted in response to RFIM 2024 were reviewed for standards alignment, quality and suitability in summer 2024. Instructional materials are scheduled for approval by the SBOE in November 2024. This item provides an opportunity for staff to update the board on the status of the Instructional Materials Review and Approval (IMRA) Cycle 2024 instructional materials review. Additionally, staff will present to the board an after-action review on the current year’s cycle, including IMRA rubrics, instructional materials selection for this cycle and IMRA reviewer selection.

STATUTORY AUTHORITY: Texas Education Code (TEC), §31.022 and §31.023, as amended by HB 1605, 88th Texas Legislature, Regular Session, 2023.

TEC, §31.022, as amended by HB 1605, 88th Texas Legislature, Regular Session, 2023, requires the SBOE to review instructional materials that have been provided to the board by the Texas Education Agency (TEA) under TEC, §31.023.

TEC, §31.023, as amended by HB 1605, 88th Texas Legislature, Regular Session, 2023, requires the commissioner of education to establish, in consultation with and with the approval of the SBOE, a process for the annual review of instructional materials by TEA. In conducting a review under this section, TEA must use a rubric developed by TEA in consultation with and approved 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 August-September 2023 meeting, the Committee of the Full Board discussed the IMRA process and discussed the approach to developing the quality rubric criteria and process.

At the November 2023 and December 2023 meetings, the board discussed the proposed IMRA process and provided feedback to TEA staff. The board also approved a selection process for IMRA reviewers.

At the November 2023 meeting, the board discussed criteria for the suitability and appropriateness of instructional materials for the subject and grade level for which the materials are designed to be used in the instructional materials review and approval process outlined in HB 1605, 88th Texas Legislature, Regular Session, 2023.

At the December 2023 meeting, the board approved the criteria. At the January-February 2024 meeting, the board approved adjustments to the suitability rubric to further clarify the manner in which suitability criteria will be applied as part of the IMRA process.

At the January-February 2024 meeting, the board approved a final set of quality rubrics for the inaugural IMRA review, approved a process document, and adopted administrative rules related to the new IMRA process.

BACKGROUND INFORMATION AND JUSTIFICATION: The review of IMRA Cycle 2024 instructional materials concluded in the summer 2024. This item provides an opportunity for staff to update the board on the status of the IMRA Cycle 2024 instructional materials review.

Staff will also present an after-action review on the current year's cycle, including IMRA rubrics, instructional materials selection for this cycle and IMRA reviewer selection.

A public hearing regarding instructional materials submitted for adoption by the SBOE under IMRA Cycle 2024 is presented as a separate item in this agenda.

Staff Member Responsible:

Colin Dempsey, Director, District Operations, Technology, and Sustainability Supports

**Proposed New 19 TAC Chapter 67, State Review and Approval of Instructional Materials,
Subchapter B, State Review and Approval, §67.43, Lists of Approved and Rejected Instructional
Materials
(Second Reading and Final Adoption)**

September 13, 2024

**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 67, State Review and Approval of Instructional Materials, Subchapter B, State Review and Approval, §67.43, Lists of Approved and Rejected Instructional Materials. The new section would address the removal of a set of instructional materials from the lists of approved and rejected instructional materials outlined in Texas Education Code (TEC), §31.022. No changes are recommended since approved for first reading.

STATUTORY AUTHORITY: TEC, §31.003(a) and §31.022, as amended by House Bill (HB) 1605, 88th Texas Legislature, Regular Session, 2023.

TEC, §31.003(a), 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, as amended by HB 1605, 88th Texas Legislature, Regular Session, 2023, requires the SBOE to review instructional materials that have been provided to the board by the Texas Education Agency (TEA) under TEC, §31.023.

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 amendments 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 2025-2026 school year. The earlier effective date will allow for clarification to districts and publishers regarding the conditions under which the SBOE could remove instructional materials from the list of approved instructional materials and the use of the entitlements outlined in TEC, §48.307 or §48.308, related to materials removed from the approved instructional materials list.

PREVIOUS BOARD ACTION: A discussion item regarding §67.43 was presented to the Committee of the Full Board during the April 2024 SBOE meeting. At the June 2024 meeting, the SBOE approved proposed new §67.43 for first reading and filing authorization.

BACKGROUND INFORMATION AND JUSTIFICATION: TEC, Chapter 31, addresses instructional materials in public education and permits the SBOE to adopt rules for the adoption, requisition, distribution, care, use, and disposal of instructional materials. HB 1605, 88th Texas Legislature, Regular Session, 2023, significantly revised TEC, Chapter 31, including several provisions under SBOE authority. HB 1605 also added a new provision to TEC, Chapter 48, to provide additional funding to school districts and charter schools that adopt and implement SBOE-approved materials. In addition, the bill added requirements related to adoption of essential knowledge and skills in TEC, Chapter 28.

At the January-February meeting, the SBOE approved 19 TAC Chapter 67, State Review and Approval of Instructional Materials, Subchapter B, State Review and Approval, §67.21, Proclamations, Public Notice, and Requests for Instructional Materials for Review; §67.23, Requirements for Publisher Participation in Instructional Materials Review and Approval (IMRA); and §67.25, Consideration and Approval of Instructional Materials by the State Board of Education, and Subchapter D, Duties of Publishers and Manufacturers, §67.81, Instructional Materials Contracts, and §67.83, Publisher Parent Portal, for second reading and final adoption. At that time, the board expressed a desire to clarify the rules related to the list of approved instructional materials outlined in TEC, §31.022.

Proposed new §67.43 would clarify the conditions under which the SBOE could remove instructional materials from the list of approved instructional materials as well as the list of rejected instructional materials. The proposed new section would also outline the timeline for these decisions and their impact on school district procurement.

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 create a new regulation regarding the removal of a set of instructional materials from the lists of approved and rejected instructional materials outlined in TEC, §31.022.

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 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 provide clarification to districts and publishers regarding the conditions under which the SBOE could remove instructional materials from the list of approved instructional materials and the use of the entitlements outlined in TEC, §48.307 or §48.308, related to materials removed from the approved instructional materials list. 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 June 2024 SBOE meeting, notice of proposed new §67.43 was filed with the Texas Register, initiating the public comment period. The public comment period on the proposal began August 2, 2024, and ended at 5:00 p.m. on September 3, 2024. 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 September 2024 meeting. The SBOE will take registered oral and written comments on the proposal at the appropriate committee meeting in September 2024 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 67, State Review and Approval of Instructional Materials, Subchapter B, State Review and Approval, §67.43, List of Approved and Rejected Instructional Materials; and

Make an affirmative finding that immediate adoption of proposed new 19 TAC Chapter 111, Texas Essential Knowledge and Skills for Mathematics, Subchapter D, Other High School Mathematics Courses, §111.56, Advanced Placement (AP) Precalculus (One Credit), is necessary and shall have an effective date of August 1, 2023. *(Per TEC, §7.102(f), a vote of two-thirds of the members of the board is necessary for an earlier effective date.)*

Staff Member Responsible:

Colin Dempsey, Director, District Operations, Technology, and Sustainability Supports

Attachment:

Text of Proposed New 19 TAC Chapter 67, State Review and Approval of Instructional Materials, Subchapter B, State Review and Approval, §67.43, Lists of Approved and Rejected Instructional Materials

ATTACHMENT
Text of Proposed New 19 TAC

Chapter 67. State Review and Approval of Instructional Materials

Subchapter B. State Review and Approval

§67.43. Lists of Approved and Rejected Instructional Materials.

- (a) The list of approved instructional materials shall be maintained by the State Board of Education (SBOE).
- (b) The SBOE may remove instructional materials from the list of approved instructional materials if:
 - (1) the Texas Essential Knowledge and Skills (TEKS), Texas Prekindergarten Guidelines (TPG), or applicable English Language Proficiency Standards (ELPS) intended to be covered by the material are revised or a publisher revises the material without the approval of the SBOE in accordance with Texas Education Code (TEC), §31.022(c);
 - (2) the instructional materials, through a finding of the SBOE, are not compliant with the parent portal standards in §67.83 of this title (relating to Publisher Parent Portal); or
 - (3) the instructional materials violate any provisions of TEC, Chapter 31.
- (c) A publisher of the specific instructional material shall be provided a minimum of 30 days' notice of the proposed removal. A representative of the publisher of the specific instructional material shall be given the opportunity to address the SBOE at the meeting where the SBOE is considering removing that publisher's product from the list of approved materials.
- (d) If instructional materials are removed from the list of approved instructional materials, school districts and open-enrollment charter schools may not apply the entitlements outlined in TEC, §48.307 or §48.308, to future purchases or subscriptions of the removed instructional materials.
- (e) A school district or an open-enrollment charter school that selects subscription-based instructional materials from the list of approved instructional materials approved under TEC, §31.022 and §31.023, may cancel the subscription and subscribe to a new instructional material on the list of approved instructional materials before the end of the state contract period under TEC, §31.026, if:
 - (1) the district or charter school has used the instructional material for at least one school year and the Texas Education Agency (TEA) approves the change based on a written request to TEA by the district or charter school that specifies the reasons for changing the instructional material used by the district or charter school; or
 - (2) the instructional material to which the district or charter school is subscribed is removed from the list of approved instructional materials by the SBOE.
- (f) The list of rejected instructional materials shall be maintained by the SBOE.
- (g) Instructional materials shall be removed from the list of rejected instructional materials if a publisher submits a revised set of instructional materials for review through the process required by TEC, §31.022 and §31.023, and the SBOE places the revised instructional materials on the list of approved instructional materials.
- (h) The SBOE may remove instructional materials from the list of rejected instructional materials if a publisher submits a revised set of instructional materials for review through the process required by TEC, §31.023 and §31.022, and the SBOE takes no action before the end of the calendar year.
- (i) This section applies to instructional materials approved by the SBOE after January 1, 2024.

**Discussion of the Schedule for Future Instructional Materials Review and Approval Cycles
and Future Texas Essential Knowledge and Skills Review and Revision**

September 10, 2024

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

SUMMARY: This item provides the opportunity for the committee to discuss the schedule for future Instructional Materials Review and Approval (IMRA) cycles, including the development timeline for quality rubrics, as well as the future review and revision of the Texas Essential Knowledge and Skills (TEKS).

STATUTORY AUTHORITY: Texas Education Code (TEC), §§7.102(c)(4); 28.002(a) and (c); 28.025(a); 31.022 and 31.023, as amended by HB 1605, 88th Texas Legislature, Regular Session, 2023.

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.

TEC, §31.022, as amended by HB 1605, 88th Texas Legislature, Regular Session, 2023, requires the SBOE to review instructional materials that have been provided to the board by the Texas Education Agency (TEA) under TEC, §31.023.

TEC, §31.023, as amended by HB 1605, 88th Texas Legislature, Regular Session, 2023, requires the commissioner of education to establish, in consultation with and with the approval of the SBOE, a process for the annual review of instructional materials by TEA. In conducting a review under this section, TEA must use a rubric developed by TEA in consultation with and approved by the SBOE.

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

PREVIOUS BOARD ACTION: At its January-February 2024 meeting, the board adopted the IMRA process and procedures, as amended. An update on the IMRA process was provided at the April 2024 SBOE meeting. At the June 2024 SBOE meeting, staff were asked by the board to draft a long-term plan to be presented at the September 2024 meeting for SBOE approval. This draft would map out a proposal for TEKS revisions and include quality rubrics for future IMRA cycles.

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.

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 CTE programs of study and a skills gap analysis to inform the review and revision of the CTE TEKS. The board discussed potential adjustments to the TEKS and Instructional Materials Review and Adoption Schedule. At the April 2021 meeting, the SBOE approved revisions to the TEKS and Instructional Materials Review and Adoption Schedule. In early 2019, the SBOE began the review of the ELPS in accordance with the SBOE's approved TEKS and instructional materials review schedule. In September 2019, the U.S. Department of Education (USDE) indicated that Texas only partially met the requirements of the Elementary and Secondary Education Act of 1965, as amended by the Every Student Succeeds Act. In response to feedback from the work group members and feedback from the USDE, TEA staff convened a panel of experts in second language acquisition from Texas institutions of higher education to complete an analysis of the work group recommendations and current research on English language acquisition. Based on the panel's findings and direction from the SBOE, TEA executed personal services contracts with the panel members and a representative of an education service center to prepare a draft of revisions to the ELPS. Text of the draft ELPS completed by the expert panel was presented to the SBOE at the June 2023 meeting. The SBOE is scheduled to adopt revised EPLS as a separate item in this agenda.

At the November 2022 SBOE meeting, the board approved a CTE TEKS review process that mirrors the process for other subjects, but accounts for factors unique to CTE.

At the April 2023 SBOE meeting, the board discussed and approved changes to the TEKS review process, including approving a process for selecting work group members. The changes are being implemented beginning with the engineering TEKS review process.

At the November 2023 meeting, the SBOE indicated that it would begin work on new TEKS for the new engineering CTE career cluster. At the January-February 2024 meeting, the board asked staff to provide an example of what a potential timeline would look like for review of the K-12 mathematics TEKS at the April meeting. This item provides the opportunity for staff to present an update on the review of the TEKS and for the committee to discuss the schedule for future review and revision of the TEKS including mathematics and future IMRA.

TEC, Chapter 31, addresses instructional materials in public education and permits the SBOE to adopt rules for the adoption, requisition, distribution, care, use, and disposal of instructional materials. HB 1605, 88th Texas Legislature, Regular Session, 2023, significantly revised Chapter 31, including several provisions under SBOE authority.

At the June 2023 meeting, the Committee of the Full Board held a work session to receive an overview presentation on HB 1605 from the commissioner of education and to begin discussing preliminary decisions and next steps. The June 2023 SBOE HB 1605 Work Session Presentation shared during the work session is available on the TEA website at June 2023 SBOE HB 1605 Work Session Slides. At the August-September 2023 meeting, the Committee of the Full Board discussed the IMRA process and discussed the approach to developing the quality rubric criteria and process.

At the November 2023 and December 2023 meetings, the board discussed the proposed IMRA process and provided feedback to TEA staff.

At the November 2023 meeting, the board discussed criteria for the suitability and appropriateness of instructional materials for the subject and grade level for which the materials are designed to be used in the instructional materials review and approval process outlined in HB 1605, 88th Texas Legislature, Regular Session, 2023. At the December 2023 meeting, the board approved the criteria. At the January-February 2024 meeting, the board approved adjustments to the suitability rubric to further clarify the manner in which suitability criteria will be applied as part of the IMRA process.

At the January-February 2024 meeting, the board approved a final set of quality rubrics for the inaugural IMRA review, approved a process document, and adopted administrative rules related to the new IMRA process.

At the June 2024 SBOE meeting, staff were asked by the board to draft a long-term plan to be presented at the September 2024 meeting for SBOE approval. This draft would map out a proposal for TEKS revisions and include quality rubrics for future IMRA cycles.

This item provides the opportunity for the committee to discuss the schedule for future IMRA cycles, including the development timeline for quality rubrics.

Staff Members Responsible:

Todd Davis, Associate Commissioner, Instructional Strategy

Monica Martinez, Associate Commissioner, Standards and Programs

Colin Dempsey, Director, District Operations, Technology, and Sustainability Supports Division

Discussion of the Texas Essential Knowledge and Skills Certification Process: The Certification of Provision of Instructional Materials

September 10, 2024

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

SUMMARY: This item provides an opportunity for the committee to discuss the annual certification of provision of instructional materials process, commonly referred to as the annual Texas Essential Knowledge and Skills (TEKS) certification process, by school districts and open-enrollment charter schools. Statutory authority is the Texas Education Code (TEC), §31.1011 as amended by HB 1605, 88th Texas Legislature, Regular Session, 2023.

STATUTORY AUTHORITY: Texas Education Code (TEC), §31.1011 as amended by HB 1605, 88th Texas Legislature, Regular Session, 2023.

TEC, §31.1011 requires school district and open-enrollment charter schools to annually certify to the State Board of Education (SBOE) and the commissioner that for each subject in the required curriculum under TEC, §28.002, other than physical education, and each grade level, the district or school 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; and in the provision of instructional materials, protects students from obscene or harmful content as necessary for compliance with: the Children's Internet Protection Act (Pub. L. No. 106-554); TEC §28.0022; Section 43.22, Penal Code; and any other law or regulation that protects students from obscene or harmful content.

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

BACKGROUND INFORMATION AND JUSTIFICATION: In accordance with TEC, §31.1011 local educational agencies (LEAs) are required to certify annually to the State Board of Education (SBOE) and the commissioner that students have access to instructional materials covering all Texas Essential Knowledge and Skills (TEKS) for all required subjects, except physical education.

Additionally, LEAs are required to certify that they protect against access to obscene or harmful content in compliance with the requirements for certification under the (i) the Children's Internet Protection Act (Pub. L. No. 106-554); (ii) TEC, §28.0022; (iii) Section 43.22, Penal Code; and (iv) any other law or regulation that protects students from obscene or harmful content. The TEKS Certification 2024–25 Survey includes a section for LEAs to certify they meet this requirement.

The Certification of Provision of Instructional Materials Process for 2024-25 was announced on [February 29, 2024 in a To the Administrator Addressed correspondence](#).

Staff Member Responsible:

Colin Dempsey, Director, District Operations, Technology, and Sustainability Supports

Separate Exhibit:

Background presentation on the Annual Certification of Provision of Instructional Materials (to be provided at the September 2024 SBOE meeting)

Discussion of Draft Quality Rubrics for Instructional Materials Review and Approval Cycle 2025

September 10, 2024

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

SUMMARY: This item provides an opportunity for the State Board of Education (SBOE) to discuss draft rubrics for the Instructional Materials Review and Approval (IMRA) Cycle 2025.

STATUTORY AUTHORITY: Texas Education Code (TEC), §§31.003(a), 31.022, and 31.023 as amended by HB 1605, 88th Texas Legislature, Regular Session, 2023.

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

TEC, §31.022, as amended by HB 1605, 88th Texas Legislature, Regular Session, 2023, requires the SBOE to review instructional materials that have been provided to the board by the Texas Education Agency (TEA) under TEC, §31.023.

TEC, §31.023, as amended by HB 1605, 88th Texas Legislature, Regular Session, 2023, requires the commissioner of education to establish, in consultation with and with the approval of the SBOE, a process for the annual review of instructional materials by TEA. In conducting a review under this section, TEA must use a rubric developed by TEA in consultation with and approved 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 August-September 2023 meeting, the Committee of the Full Board discussed the IMRA process and discussed the approach to developing the quality rubric criteria and process.

At the February 2024 meeting, the board approved IMRA Quality Rubrics aligned to K–3 and 4–8 English language arts and reading, K–3 and 4–6 Spanish language arts and reading, and K–12 mathematics.

At the June 2024 meeting, the Committee of the Full Board discussed a multi-year timeline for IMRA cycles including the development of quality rubrics.

BACKGROUND INFORMATION AND JUSTIFICATION: TEC, Chapter 31, addresses instructional materials in public education and permits the SBOE to adopt rules for the adoption, requisition, distribution, care, use, and disposal of instructional materials. HB 1605, 88th Texas Legislature, Regular Session, 2023, significantly revises TEC, Chapter 31, including several provisions under SBOE authority. HB 1605 also added a new provision to TEC, Chapter 48, to provide additional funding to school districts and charter schools that adopt and implement SBOE approved materials.

TEC, 31.002 as amended by HB 1605, 88 th Texas Legislature Regular Session, 2023, expanded the definition of instructional materials to include full-subject, tier-one; partial-subject, tier-one; and supplemental instructional materials.

PUBLIC BENEFIT AND COST TO PERSONS: The proposal would benefit the public through adding clarity to the instructional materials quality review and approval process resulting from the implementation of House Bill (HB) 1605, 88th Texas Legislature, Regular Session, 2023. There is no anticipated economic cost to persons who are required to comply with the proposal.

PUBLIC COMMENTS: A summary of public feedback will be presented to the board at the November 2024 meeting.

Staff Members Responsible:

Todd Davis, Associate Commissioner of Instructional Strategy

Monica Martinez, Associate Commissioner, Standards and Programs

Colin Dempsey, Director, District Operations, Technology, and Sustainability Supports

Separate Exhibit:

Draft IMRA Quality Rubrics for Cycle 2025

(to be provided at the September 2024 SBOE meeting)

Approval of Updates to and Ratification of Standards-Alignment Percentages for Instructional Materials Adopted Under *Proclamation 2024*

September 13, 2024

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

SUMMARY: This item provides an opportunity for the committee to approve the updated Texas Essential Knowledge and Skills (TEKS) coverage percentages on materials submitted for the TEKS update review for materials adopted under *Proclamation 2024*. Publishers supplied new content and/or new correlations to demonstrate alignment to TEKS not addressed during the initial review. Materials submitted for the TEKS update review were reviewed by the *Proclamation 2024* state review panel (SRP) in the summer of 2024. This item presents the final report from the commissioner of education regarding the updated coverage of the TEKS along with any SRP-reported errors and feedback.

STATUTORY AUTHORITY: Texas Education Code (TEC), §31.003(a) and §31.022(b).

TEC, §31.003(a), 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: *Proclamation 2024* instructional materials on the board’s *Currently Adopted Instructional Materials* were adopted at the November 2023 meeting.

BACKGROUND INFORMATION AND JUSTIFICATION: In November 2019, the board adopted revisions to 19 TAC Chapter 66, to provide an opportunity for publishers to submit updated content and new correlations to the content to update the product’s official TEKS or TPG coverage percentage.

Materials eligible for the TEKS update include instructional materials for science, technology applications, several career and technical education courses, and personal financial literacy and economics instructional materials that were adopted under *Proclamation 2024*.

MOTION TO BE CONSIDERED: The State Board of Education:

Approve the request from CEV Multimedia, Ltd. to update content in its *iCEV Computer Science I (Individual Course)*; from Coder Kids, Inc. DBA Ellipsis Education to update content in its *Texas Technology Applications – 5*; from Pasco Scientific to update content in its *Essential Physics 3rd Edition*; from The Curriculum Center for Family and Consumer Sciences to update content in its *Personal Financial Literacy and Economics, Child Development Associate Foundations, and Instructional Practices*; and from Typing.com to update content in its *Typing.com, Kindergarten–Grade 6*.

Require that all publishers make changes listed in the *Proclamation 2024* TEKS Update Report of Editorial Changes;

Approve changes and corrections submitted in response to written comments and public testimony; and

Update the official TEKS percentage for instructional materials reviewed for TEKS Updates on the Instructional Materials Current Adoption Bulletin.

Staff Member Responsible:

Amie Phillips, Director, Instructional Materials Review and Approval, District Operations, Technology & Sustainability Supports

Attachment I:

[Proclamation 2024 TEKS Update: Preliminary Report](#)

Attachment II:

[CEV Multimedia Ltd., Computer Science I \(Student\)](#)

Attachment III:

[CEV Multimedia Ltd., Computer Science I \(Teacher\)](#)

Attachment IV:

[The Curriculum Center for Family and Consumer Sciences, Child Development Associate Foundations](#)

Attachment V:

[The Curriculum Center for Family and Consumer Sciences, Instructional Practices](#)

Attachment VI:

[The Curriculum Center for Family and Consumer Sciences, Personal Financial Literacy and Economics](#)

Attachment VII:

[Ellipsis Education \(Coder Kids, Inc.\), Technology Applications, Grade 3](#)

Attachment VIII:

[Ellipsis Education \(Coder Kids, Inc.\), Technology Applications, Grade 5](#)

Attachment IX:

[PASCO SCIENTIFIC, Physics](#)

Attachment X:

[Typing.com, Technology Applications, Grade K](#)

Attachment XI:

[Typing.com, Technology Applications, Grade 1](#)

Attachment XII:

[Typing.com, Technology Applications, Grade 2](#)

Attachment XIII:

[Typing.com, Technology Applications, Grade 3](#)

Attachment XIX:

[Typing.com, Technology Applications, Grade 4](#)

Attachment XX:

[Typing.com, Technology Applications, Grade 5](#)

Attachment XXI:

[Typing.com, Technology Applications, Grade 6](#)

Proposed Amendment to 19 TAC Chapter 67, State Review and Approval of Instructional Materials, Subchapter B, State Review and Approval, §67.25, Consideration and Approval of Instructional Materials by the State Board of Education
(First Reading and Filing Authorization)

September 13, 2024

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

SUMMARY: This item presents for first reading and filing authorization a proposed amendment to 19 Texas Administrative Code (TAC) Chapter 67, State Review and Approval of Instructional Materials, Subchapter B, State Review and Approval, §67.25, Consideration and Approval of Instructional Materials by the State Board of Education. The proposed amendment would establish a minimum threshold for standards alignment for instructional materials for enrichment subjects and courses by defining the criteria to be used in the review and approval of instructional materials by the State Board of Education (SBOE) and the Texas Education Agency (TEA).

STATUTORY AUTHORITY: Texas Education Code (TEC), §§28.002(a), and 31.003(a), 31.022, and 31.023, as amended by House Bill (HB) 1605, 88th Texas Legislature, Regular Session, 2023.

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

TEC, §31.003(a), as amended by HB 1605, 88th Texas Legislature, Regular Session, 2023, permits the SBOE to adopt rules for the adoption, requisition, distribution, care, use, and disposal of instructional materials.

TEC, §31.022, as amended by HB 1605, 88th Texas Legislature, Regular Session, 2023, requires the SBOE to review instructional materials that have been provided to the board by TEA under TEC, §31.023.

TEC, §31.023, as amended by HB 1605, 88th Texas Legislature, Regular Session, 2023, requires the commissioner of education to establish, in consultation with and with the approval of the SBOE, a process for the annual review of instructional materials by TEA. In conducting a review under this section, TEA must use a rubric developed by TEA in consultation with and approved by the SBOE.

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 2025-2026 school year. The earlier effective date would allow for the board to consider and review instructional materials for career and technical education (CTE) courses and instructional materials for supplemental products in Instructional Materials Review and Approval (IMRA) Cycle 2025.

PREVIOUS BOARD ACTION: At the April 2024 meeting, the SBOE approved the proposed new §67.25 for second reading and final adoption.

BACKGROUND INFORMATION AND JUSTIFICATION: TEC, Chapter 31, addresses instructional materials in public education and permits the SBOE to adopt rules for the adoption, requisition, distribution, care, use, and disposal of instructional materials. HB 1605, 88th Texas Legislature, Regular Session, 2023, significantly revised TEC, Chapter 31, including several provisions under SBOE authority. The proposed amendment would establish a minimum threshold for standards alignment for instructional materials for enrichment subjects and courses by defining the criteria to be used in the review and approval of instructional materials.

The proposed amendment was not presented as a discussion item. The SBOE, however, may wish to consider this item for first reading and filing authorization as authorized under its operating procedures. Therefore, this item is presented for first reading and filing authorization consideration at this meeting. It is recommended that the SBOE consider this item for first reading and filing authorization to ensure that the board can consider and review instructional materials for CTE courses and instructional materials for supplemental products in IMRA Cycle 2025.

FISCAL IMPACT: 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 establishing a minimum threshold for standards alignment for instructional materials for enrichment subjects and courses by defining the criteria to be used in the review and approval of instructional materials by the SBOE and TEA in order to implement HB 1605, 88th Texas Legislature, Regular Session, 2023.

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 adopted instructional materials continue to appropriately meet statutory and SBOE requirements prior to use by Texas teachers and students. 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 October 11, 2024, and ends at 5:00 p.m. on November 12, 2024. The SBOE will take registered oral and written comments on the proposal at the appropriate committee meeting in November 2024 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 October 11, 2024.

MOTION TO BE CONSIDERED: 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 proposed amendment to 19 TAC Chapter 67, State Review and Approval of Instructional Materials, Subchapter B, State Review and Approval, §67.25, Consideration and Approval of Instructional Materials by the State Board of Education.

Staff Member Responsible:

Colin Dempsey, Director, District Operations, Technology, and Sustainability Supports

Attachment:

Text of Proposed Amendment to 19 TAC Chapter 67, State Review and Approval of Instructional Materials, Subchapter B, State Review and Approval, §67.25, Consideration and Approval of Instructional Materials by the State Board of Education.

ATTACHMENT
Text of Proposed Amendment to 19 TAC

Chapter 67. State Review and Approval of Instructional Materials

Subchapter B. State Review and Approval

§67.25. Consideration and Approval of Instructional Materials by the State Board of Education.

The State Board of Education (SBOE) shall review the results of the instructional materials reviews completed by a review panel and submitted by the commissioner of education in accordance with Texas Education Code (TEC), §31.022 and §31.023. Instructional materials may be placed on the list of approved instructional materials only if they meet the following criteria:

- (1) for full-subject and partial-subject tier one instructional materials for foundation subjects as defined by TEC, §28.002(a)(1), the product components cover 100% of the Texas Essential Knowledge and Skills (TEKS) and applicable English Language Proficiency Standards (ELPS) for the specific grade level and subject area when the proclamation or request for instructional materials was issued. In determining the percentage of the TEKS and ELPS covered by instructional materials, each student expectation shall count as an independent element of the standards;
- ~~(2)~~ for full-subject and partial-subject tier one instructional materials for enrichment subjects as defined by TEC, §28.002(a)(2), the product components cover 100% of the applicable TEKS for the specific grade level and subject area when the proclamation or request for instructional materials was issued. In determining the percentage of the TEKS covered by instructional materials, each applicable student expectation shall count as an independent element of the standards;
- ~~(3)~~ for supplemental instructional materials as defined by TEC, §31.002(3), the product and its components cover one or more applicable student expectations in the TEKS for the specific subject or course for which the materials are designed;
- ~~(4)~~ ~~(2)~~ materials have been reviewed through the process required by TEC, §31.023;
- ~~(5)~~ ~~(3)~~ materials are free from factual error, defined as a verified error of fact or any error that would interfere with student learning, including significant grammatical or punctuation errors;
- ~~(6)~~ ~~(4)~~ materials meet the Web Content Accessibility Guidelines (WCAG) and meet the technical specifications of the Federal Rehabilitation Act, Section 508, as specified when a request for instructional materials or proclamation was issued;
- ~~(7)~~ ~~(5)~~ materials conform to or exceed in every instance the latest edition of the Manufacturing Standards and Specifications for Textbooks (MSST), developed by the State Instructional Materials Review Association, when the proclamation or request for instructional materials was issued;
- ~~(8)~~ ~~(6)~~ materials are compliant with the suitability standards adopted by the SBOE and are compliant with all applicable state laws; and
- ~~(9)~~ ~~(7)~~ materials provide access to a parent portal as required by TEC, §31.154.

Discussion of Proposed New 19 TAC Chapter 67, State Review and Approval of Instructional Materials, Subchapter B, State Review and Approval, §67.27, IMRA Reviewers: Eligibility and Appointment; §67.29, IMRA Reviewers: Training, Duties, and Conduct; §67.31, Procedures for Public Access to and Handling of IMRA Samples; §67.33, Public Comment on Instructional Materials; §67.39, Updates to Approved Instructional Materials; and §67.41, New Editions of Approved Instructional Materials; and Subchapter C, Local Operations, §67.61, Sample Copies of Instructional Materials for School Districts; §67.63, Selection and Local Adoption of Instructional Materials by School Districts; and §67.69, Local Review of Classroom Instructional Materials

September 10, 2024

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

SUMMARY: This item provides an opportunity for the board to discuss proposed new 19 TAC Chapter 67, State Review and Approval of Instructional Materials, Subchapter B, State Review and Approval, §67.27, IMRA Reviewers: Eligibility and Appointment; §67.29, IMRA Reviewers: Training, Duties, and Conduct; §67.31, Procedures for Public Access to and Handling of IMRA Samples; §67.33, Public Comment on Instructional Materials; §67.39, Updates to Approved Instructional Materials; and §67.41, New Editions of Approved Instructional Materials; and Subchapter C, Local Operations, §67.61, Sample Copies of Instructional Materials for School Districts; §67.63, Selection and Local Adoption of Instructional Materials by School Districts; and §67.69, Local Review of Classroom Instructional Materials. The proposed new sections would define the procedures and policies for the selection, appointment, training, and duties of IMRA reviewers; outlining the procedures for IMRA public access and public comment; and specifying procedures for materials to be updated or revised following approval by the board. The proposed new sections would also outline the procedures for local districts to adopt instructional materials and clarify procedures for the local review of classroom materials as required by statute.

STATUTORY AUTHORITY: Texas Education Code (TEC), §§31.003(a); 31.022 and 31.023, as amended by HB 1605, 88th Texas Legislature, Regular Session, 2023; and §31.0252, as added by HB 1605, 88th Texas Legislature, Regular Session, 2023.

TEC, §31.003(a), 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, as amended by HB 1605, 88th Texas Legislature, Regular Session, 2023, requires the SBOE to review instructional materials that have been provided to the board by the Texas Education Agency (TEA) under TEC, §31.023.

TEC, §31.023, as amended by HB 1605, 88th Texas Legislature, Regular Session, 2023, requires the commissioner of education to establish, in consultation with and with the approval of the SBOE, a process for the annual review of instructional materials by TEA. In conducting a review under this section, TEA must use a rubric developed by TEA in consultation with and approved by the SBOE.

TEC, §31.0252, as added by HB 1605, 88th Texas Legislature, Regular Session, 2023, requires TEA to develop a rubric, approved by the SBOE, to determine if reviewed instructional material complies with the rigor requirements described by TEC, §31.0252(a)(2).

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

FUTURE ACTION EXPECTED: Proposed new 19 TAC §§67.27, 67.29, 67.31, 67.33, 67.39, 67.41, 67.61, 67.63, and 67.69 will be presented for first reading and filing authorization at the November 2024 SBOE meeting.

BACKGROUND INFORMATION AND JUSTIFICATION: TEC, Chapter 31, addresses instructional materials in public education and permits the SBOE to adopt rules for the adoption, requisition, distribution, care, use, and disposal of instructional materials. HB 1605, 88th Texas Legislature, Regular Session, 2023, significantly revised TEC, Chapter 31, including several provisions under SBOE authority. HB 1605 also added a new provision to TEC, Chapter 48, to provide additional funding to school districts and charter schools that adopt and implement SBOE-approved materials. In addition, the bill added requirements related to adoption of essential knowledge and skills in TEC, Chapter 28.

At the January-February 2024 meeting, the SBOE approved 19 TAC Chapter 67, State Review and Approval of Instructional Materials, Subchapter B, State Review and Approval, §67.21, Proclamations, Public Notice, and Requests for Instructional Materials for Review; §67.23, Requirements for Publisher Participation in Instructional Materials Review and Approval (IMRA); and §67.25, Consideration and Approval of Instructional Materials by the State Board of Education, and Subchapter D, Duties of Publishers and Manufacturers, §67.81, Instructional Materials Contracts, and §67.83, Publisher Parent Portal, for second reading and final adoption. At that time, the board expressed a desire to clarify the rules related to the list of approved instructional materials outlined in TEC, §31.022.

At the June 2024 meeting, the SBOE approved 19 TAC Chapter, State Review and Approval of Instructional Materials, Subchapter B, State Review and Approval, §67.43, Lists of Approved and Rejected Instructional Materials, for second reading and final adoption.

The proposed new sections in Subchapter B would define the procedures and policies for the selection, appointment, training, and duties of IMRA reviewers; outline the procedures for IMRA public access and public comment; and specify procedures for materials to be updated or revised following approval by the board. The proposed new sections in Subchapter C would outline the procedures for local districts to adopt instructional materials and clarify procedures for the local review of classroom materials as required by statute.

Staff Member Responsible:

Colin Dempsey, Director, District Operations, Technology, and Sustainability Supports

Separate Exhibit:

Decision Points and Considerations for Proposed New Rules
(to be provided at the September 2024 SBOE meeting)

Commissioner's Comments

September 11, 2024

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:
Ashley Merz, SBOE Policy Support Director

**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)**

September 13, 2024

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

SUMMARY: This item presents for first reading and filing authorization a proposed amendment to 19 Texas Administrative Code (TAC) Chapter 61, School Districts, Subchapter A, Board of Trustees Relationship, §61.1, Continuing Education for School Board Members. The proposed amendment would amend the requirements for school board member training.

STATUTORY AUTHORITY: Texas Education Code (TEC), §11.159.

TEC, §11.159, requires the State Board of Education (SBOE) to provide a training course for school board trustees.

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 2025-2026 school year. The earlier effective date would protect the health, safety, and welfare of the residents of this state by updating the application requirements for school board member training providers as soon as possible.

PREVIOUS BOARD ACTION: Discussion items regarding possible amendments were presented at the January and November 2023 and June 2024 SBOE meetings.

BACKGROUND INFORMATION AND JUSTIFICATION: TEC, §11.159, Member Training and Orientation, requires the SBOE to provide a training course for school board trustees. Section 61.1 addresses this statutory requirement. School board trustee training under current SBOE rule includes a local school district orientation session; a basic orientation to the TEC; an annual team-building session with the local school board and the superintendent; specified hours of continuing education based on identified needs; training on evaluating student academic performance; training on identifying and reporting potential victims of sexual abuse, human trafficking, and other maltreatment of children; and training on school safety. In addition to establishing the conditions for the training courses required for school district trustees, §61.1 establishes the criteria for both registered providers of school board training and authorized providers of school board training.

The proposed amendment would update the application requirements to be a provider of school board member training. Specifically, new subsection (c)(2) would be added to require that the registration application include a notarized affidavit stating that the prospective provider has not been convicted of a felony or a crime of moral turpitude within the preceding ten years and has never been convicted of a crime that involved harming children.

In addition, obsolete language related to implementation of the section would be removed.

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 would impose a cost on regulated persons. A prospective provider of school board trustee training would be required to submit a notarized affidavit stating that he or she has not been convicted of a felony or a crime of moral turpitude within the preceding ten years. According to the American Association of Notaries, the cost of such a notarization is \$10. A provider of school board trustee training would be required to submit a new application (and new notarized affidavit) every three years.

The rule is necessary to protect the health, safety, and welfare of the residents of this state.

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 requiring that a prospective provider of school board trustee training would be required to submit a notarized affidavit stating that he or she has not been convicted of a felony or a crime of moral turpitude within the preceding ten years.

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 update the application requirements to be a provider of school board member training to protect the health, safety, and welfare of the residents of this state.

There is an anticipated economic cost to persons who are required to comply with the proposal. A prospective provider of school board trustee training would be required to submit a notarized affidavit stating that he or she has not been convicted of a felony or a crime of moral turpitude within the preceding ten years. According to the American Association of Notaries, the cost of such a notarization is \$10. A provider of school board trustee training would be required to submit a new application (and new notarized affidavit) every three years.

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 October 11, 2024, and ends at 5:00 p.m. on November 12, 2024. The SBOE will take registered oral and written comments on the proposal at the appropriate committee meeting in November 2024 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 October 11, 2024.

MOTION TO BE CONSIDERED: The State Board of Education:

Approve for first reading and filing authorization the proposed amendment to 19 TAC Chapter 61, School Districts, Subchapter A, Board of Trustees Relationship, §61.1, Board of Trustees Relationship.

Staff Members Responsible:

Steve Lecholop, Deputy Commissioner, Governance

Christopher Lucas, Director, Policy, Planning, and Operations, Governance

Attachment:

Text of Proposed Amendment to 19 TAC Chapter 61, School Districts, Subchapter A, Board of Trustees Relationship, §61.1, Continuing Education for School Board Members

ATTACHMENT
Text of Proposed Amendment to 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. A registration application that does not demonstrate the requisite expertise shall be rejected.
 - (2) The registration application shall include a notarized affidavit stating that the registered provider has not been convicted of a felony or a crime of moral turpitude within the preceding 10 years and has never been convicted of a crime that involved harming children. TEA shall not approve the application of any prospective registered provider who has been convicted of a felony or a crime of moral turpitude within the preceding 10 years or who has ever been convicted of a crime that involved harming children. TEA shall revoke a registered provider's status upon notification and confirmation that a registered provider has been convicted after the submission of the registration application of a felony or a crime of moral turpitude or a crime that involved harming children or upon notification that a registered provider's previously submitted affidavit contains a falsehood. A registered provider will be given an opportunity to promptly contest a claim that the registered provider was convicted or included a falsehood in the provider's registration. A registration application that does not contain the required affidavit shall be rejected.
 - (3) ~~(2)~~ An updated registration shall be required of a provider of continuing education every three years.
 - (4) ~~(3)~~ A school district that provides continuing education exclusively for its own board members is not required to register.
 - (5) ~~(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.]~~

**Proposed New 19 TAC Chapter 120, Other Texas Essential Knowledge and Skills,
Subchapter B, English Language Proficiency Standards
(Second Reading and Final Adoption)**

September 13, 2024

**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 120, Other Texas Essential Knowledge and Skills, Subchapter B, English Language Proficiency Standards, §120.20, English Language Proficiency Standards, Kindergarten-Grade 3, Adopted 2024, and §120.21, English Language Proficiency Standards, Grades 4-12, Adopted 2024. The proposed new sections would relocate the English Language Proficiency Standards (ELPS) from 19 TAC §74.4 and update the standards to ensure they remain current and comply with federal requirements. Technical changes to the figures are recommended since approved for first reading.

STATUTORY AUTHORITY: Texas Education Code (TEC), §§7.102(c)(4), 28.002(a), and 29.051.

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, §29.051, establishes bilingual education and special language programs in public schools and provides supplemental financial assistance to help school districts meet the extra costs of the programs.

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 2025-2026 school year. The earlier effective date will enable districts to begin preparing for implementation of the new ELPS.

PREVIOUS BOARD ACTION: The SBOE adopted the ELPS in 2007 for implementation in the 2007-2008 school year. At the June 2023 and April 2024 SBOE meetings, the board discussed and conducted a public hearing on the proposed revisions to the ELPS. The SBOE approved for first reading and filing authorization proposed new §120.20 and §120.21 at the June 2024 meeting.

BACKGROUND INFORMATION AND JUSTIFICATION: In 1998, standards for English as a second language (ESL) for students in Kindergarten-Grade 12 were adopted as part of 19 TAC Chapter 128, Texas Essential Knowledge and Skills for Spanish Language Arts and Reading and English as a Second Language. In a subsequent Title III monitoring visit, the U.S. Department of Education (USDE) indicated that there was insufficient evidence demonstrating that the ESL standards outlined in 19 TAC Chapter 128 were aligned to state academic content and achievement standards in mathematics, as required by the No Child Left Behind Act (NCLB), §2113(b)(2). In November 2007, the SBOE adopted the ELPS as part of 19 TAC Chapter 74, Curriculum Requirements, to comply with NCLB requirements. The adopted ELPS in 19 TAC §74.4 clarified that state standards in English language

acquisition must be implemented as an integral part of the instruction in each foundation and enrichment subject. Additionally, English language proficiency levels of beginning, intermediate, advanced, and advanced high in the domains of listening, speaking, reading, and writing were established as part of the ELPS, as required by NCLB. The superseded second language acquisition standards in 19 TAC Chapter 128 were also repealed in September 2008 during the process of revising the Texas Essential Knowledge and Skills (TEKS) in 19 TAC Chapters 110 and 128.

The SBOE began review and revision of the ELPS in 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 Texas Education Agency (TEA) website in December 2018, and TEA distributed a survey to collect information from educators regarding the current ELPS. Work groups were convened in March, May, August, September, and October 2019. In September 2019, the USDE indicated that Texas only partially met the requirements of the Elementary and Secondary Education Act of 1965, as amended by the Every Student Succeeds Act, and requested additional evidence that the ELPS are aligned to the state's academic content standards and contain language proficiency expectations needed for emergent bilingual students to demonstrate achievement of the state academic standards appropriate to each grade level/grade band in at least reading language arts, mathematics, and science.

In response to feedback from work group members and the USDE, TEA staff convened a panel of experts in second language acquisition from Texas institutions of higher education to complete an analysis of the work group recommendations and current research on English language acquisition. Based on the panel's findings and direction from the SBOE, TEA executed personal services contracts with the panel members and a representative of an education service center to prepare a draft of revisions to the ELPS. Text of the draft ELPS completed by the expert panel was presented to the SBOE at the June 2023 SBOE meeting.

Applications to serve on the 2023-2024 ELPS review work groups were collected by TEA from June 2023 through January 2024. TEA staff provided SBOE members with applications for approval to serve on ELPS work groups in July, September, and December 2023 and January 2024. ELPS review work groups were convened in August, September, and November 2023 and March 2024 with the charge of reviewing and revising the expert panel's draft. In April 2024, the SBOE held a discussion item on the proposed new ELPS, and in May and June 2024, TEA convened a final work group to complete the recommendations for the new ELPS.

This item presents for second reading and final adoption proposed new ELPS for implementation in the 2026-2027 school year to better align the ELPS for second language acquisition to ensure the standards are current and comply with federal requirements. To make the ELPS easier for the public to locate and improve organization of the standards, it is recommended that the standards be moved from 19 TAC §74.4 to Chapter 120, Subchapter B.

At adoption, non-substantive technical edits are recommended to Figure: 19 TAC §120.20(e)(2) and Figure: 19 TAC §120.21(e)(2). Several of the section headers for English language arts and reading inadvertently omitted the phrase "and reading." The technical edits would update those section headers for consistency throughout the document.

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 (2024-2028), there will be fiscal implications to state government. For fiscal year 2024, the estimated cost to TEA to reimburse committee members for travel to review and revise the ELPS is \$50,000. There will be implications for TEA if the state develops professional development to help teachers and administrators understand the revised ELPS.

There may be fiscal implications for school districts and charter schools to implement the proposed new ELPS, 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 requiring new, more specific, ELPS to be taught 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 ELPS for second language acquisition to ensure the standards are current and comply with federal requirements. 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 or 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 June 2024 SBOE meeting, notice of proposed new §120.20 and §120.21 was filed with the Texas Register, initiating the public comment period. The public comment period began August 2, 2024, and ended at 5:00 p.m. on September 3, 2024. 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 September 2024 meeting. The SBOE will take registered oral and written comments on the proposal at the appropriate committee meeting in September 2024 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 120, Other Texas Essential Knowledge and Skills, Subchapter B, English Language Proficiency Standards, §120.20, English Language Proficiency Standards, Kindergarten-Grade 3, Adopted 2024, and §120.21, English Language Proficiency Standards, Grades 4-12, Adopted 2024; and

Make an affirmative finding that immediate adoption of proposed new 19 TAC Chapter 120, Other Texas Essential Knowledge and Skills, Subchapter B, English Language Proficiency Standards, §120.20, English Language Proficiency Standards, Kindergarten-Grade 3, Adopted 2024, and §120.21, English Language Proficiency Standards, Grades 4-12, Adopted 2024, is necessary and shall have an effective date of 20 days after filing 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 Member Responsible:

Monica Martinez, Associate Commissioner, Standards and Programs

Attachment I:

Text of Proposed New 19 TAC Chapter 120, Other Texas Essential Knowledge and Skills, Subchapter B, English Language Proficiency Standards, §120.20, English Language Proficiency Standards, Kindergarten-Grade 3, Adopted 2024, and §120.21, English Language Proficiency Standards, Grades 4-12, Adopted 2024

Attachment II:

Figure: 19 TAC §120.20(e)(2)

Attachment III:

Figure: 19 TAC §120.21(e)(2)

ATTACHMENT I
Text of Proposed New 19 TAC

Chapter 120. Other Texas Essential Knowledge and Skills

Subchapter B. English Language Proficiency Standards

§120.20. English Language Proficiency Standards, Kindergarten-Grade 3, Adopted 2024.

- (a) Implementation. The provisions of this section shall be implemented by school districts beginning with the 2026-2027 school year.
- (b) General requirements. In fulfilling the requirements of this section, school districts and charter schools shall:
- (1) identify the student's English language proficiency levels in the domains of listening, speaking, reading, and writing in accordance with the proficiency level descriptors for the pre-production, beginning, intermediate, high intermediate, and advanced levels delineated in subsection (e) of this section;
 - (2) provide instruction in the knowledge and skills of the foundation and enrichment curriculum in a manner that is linguistically accommodated (communicated, sequenced, and scaffolded) commensurate with the student's levels of English language proficiency to ensure that the student learns the knowledge and skills in the required curriculum;
 - (3) provide content-based instruction including the cross-curricular second language acquisition essential knowledge and skills in subsection (d) of this section in a manner that is linguistically accommodated to help the student acquire English language proficiency; and
 - (4) provide intensive and ongoing foundational second language acquisition instruction to emergent bilingual (EB) students in Kindergarten-Grade 12 who are at the pre-production, beginning, or intermediate level of English language proficiency in listening, speaking, reading, or writing as determined by the state's English language proficiency assessment system. These EB students require focused, targeted, and systematic second language acquisition instruction to provide them with the foundation of English language necessary to support content-based instruction and accelerated learning of English.
- (c) Introduction.
- (1) The English language proficiency standards (ELPS) outline student expectations and proficiency level descriptors for EB students in English. The ELPS are organized across four language domains: listening, speaking, reading, and writing.
 - (2) Language acquisition is a complex process that consists of several interrelated components, including phonetics, phonology, semantics, syntax, morphology, and pragmatics. As students develop proficiency in these language structures, they are able to make connections between their primary language and English.
 - (3) Classroom contexts foster social and academic registers, which are types of language appropriate for a situation or setting, to support language proficiency. Informal (social) language consists of English needed for students to effectively interact, exchange ideas, and engage in various settings and contexts. Formal (academic) language consists of oral and written language used to build knowledge, participate in content-specific discourse, and process complex academic material found in formal school settings and interactions.
 - (4) The progression of skills in the four language domains are developed simultaneously and can be divided into two categories: receptive skills and expressive skills. Listening and reading are the receptive (input) skills. Students' development in receptive skills is necessary for comprehension and attainment of the English language and content. Speaking and writing are the expressive (output) skills. Students' ability to express and share their personal ideas and content knowledge allow teachers the opportunity to check for understanding and adjust instruction. Effective

content-based language instruction involves engaging EB students in scaffolded opportunities to listen, speak, read, and write at their current levels of proficiency while gradually increasing linguistic complexity.

- (5) In order for EB students to be successful, educators must create an environment that welcomes and encourages students to leverage their unique cultural and linguistic experiences as they develop English language skills and learn academic content. Educators must cultivate an approach that integrates students' and their families' funds of knowledge into the classroom instructional practices. Culturally and linguistically sustaining practices leverage and celebrate students' cultural heritage and backgrounds while elevating their cultural and linguistic identities. Teaching and learning cognates that connect both (or multiple) languages can also construct bridges between languages and increase confidence as English language acquisition progresses.
 - (6) The ELPS student expectations are the knowledge and skills students must demonstrate. They indicate what students should know and be able to do in order to meet academic content standards. Proficiency level descriptors describe behaviors EB students exhibit across five proficiency levels as they acquire English. EB students may exhibit different proficiency levels within and across the domains of listening, speaking, reading, and writing.
 - (7) The ELPS demonstrate an asset-based approach to address the affective, linguistic, and cognitive needs of EB students in accordance with §89.1210(b) of this title (relating to Program Content and Design) as follows:
 - (A) acknowledge and leverage the existing funds of knowledge students possess, including linguistic repertoire, cultural heritage, and background knowledge;
 - (B) demonstrate targeted and intentional academic language skills to ensure content-area teachers are able to accurately evaluate the abilities of EB students and scaffold toward increasingly complex English students hear, speak, and are expected to read and write; and
 - (C) provide an exact and incremental measure of the stages of English language acquisition with attention to the fact that EB students at all levels of proficiency can engage in cognitively demanding tasks and master the required essential knowledge and skills with appropriate language support.
 - (8) The proficiency level descriptors are organized into general proficiency level descriptors and content-area proficiency level descriptors. General proficiency level descriptors are descriptions of a broad scope of student behaviors that can be observed in a variety of educational settings and across content areas. Content-area proficiency level descriptors describe student behaviors and language associated with discipline-specific learning in English language arts and reading, mathematics, science, and social studies.
- (d) Cross-curricular English language acquisition student expectations.
- (1) Student expectations--listening. The EB student listens to a variety of speakers, including teachers, peers, and multimedia, to gain an increasing level of comprehension in all content areas. The EB student may be at the pre-production, beginning, intermediate, high intermediate, or advanced proficiency levels in listening. The student is expected to:
 - (A) distinguish sounds and intonation patterns by responding orally, in writing, or with gestures;
 - (B) demonstrate an understanding of content-area vocabulary when heard during formal and informal classroom interactions by responding with gestures or images, orally, or in writing;
 - (C) follow oral directions with accuracy;
 - (D) use context to construct the meaning of descriptive language, words with multiple meanings, register, or figurative language such as idiomatic expressions heard during formal and informal classroom interactions;

- (E) demonstrate listening comprehension from information presented orally during formal and informal classroom interactions by recalling, retelling, responding, or asking for clarification or additional details; and
 - (F) derive meaning from a variety of auditory multimedia sources to build and reinforce concepts and language acquisition.
- (2) Student expectations--speaking. The EB student speaks using a variety of language structures for a variety of purposes with an awareness of different language registers (formal/informal) using vocabulary with increasing accuracy and fluency in all content areas. The EB student may be at the pre-production, beginning, intermediate, high intermediate, or advanced proficiency level of English language acquisition in speaking. The student is expected to:
- (A) produce sounds of newly acquired vocabulary such as long and short vowels, silent letters, and consonant clusters to pronounce words with accuracy;
 - (B) speak using content-area vocabulary during formal and informal classroom interactions to demonstrate acquisition of new words and high-frequency words;
 - (C) speak using a variety of language and grammatical structures, sentence lengths and types, and connecting words;
 - (D) speak using appropriate register to convey a message during formal and informal classroom interactions with accuracy and fluency;
 - (E) narrate, describe, or explain information or persuade orally with increasing specificity and detail during formal and informal classroom interactions; and
 - (F) restate, ask questions about, or respond to information during formal and informal classroom interactions.
- (3) Student expectations--reading. The EB student reads a variety of texts for different purposes with an increasing level of comprehension in all content areas. The EB student may be at the pre-production, beginning, intermediate, high intermediate, or advanced proficiency levels of English language acquisition in reading. For Kindergarten and Grade 1, certain student expectations apply to text read aloud for students not yet at the stage of decoding written text. The student is expected to:
- (A) demonstrate awareness of print concepts and directionality of reading as left to right and top to bottom;
 - (B) decode words using relationships between sounds and letters;
 - (C) use high-frequency words, cognates, and content-area vocabulary to comprehend written classroom materials;
 - (D) use context to construct the meaning of figurative language such as idiomatic expressions, descriptive language, and words with multiple meanings to comprehend classroom materials;
 - (E) use pre-reading strategies, including previewing text features, connecting to prior knowledge, organizing ideas, and making predictions, to develop comprehension;
 - (F) derive meaning from and demonstrate comprehension of content-area texts using visual, contextual, and linguistic supports;
 - (G) demonstrate reading comprehension of content-area texts by making connections, retelling, or responding to questions; and
 - (H) read with fluency and demonstrate comprehension of content-area text.
- (4) Student expectations--writing. The EB student writes using a variety of language structures with increasing accuracy to effectively address a variety of purposes (formal and informal) and audiences in all content areas. The EB student may be at the pre-production, beginning,

intermediate, high intermediate, or advanced proficiency levels of English language acquisition in writing. For Kindergarten and Grade 1, certain student expectations do not apply until the student has reached the proficiency level of generating original written text using a standard writing system. The student is expected to:

- (A) apply relationships between sounds and letters of the English language to represent sounds when writing;
- (B) spell words following conventional spelling patterns and rules;
- (C) write using high-frequency words and content-area vocabulary;
- (D) write using a variety of grade-appropriate sentence lengths and types and connecting words;
- (E) write formal or informal text using conventions such as capitalization and punctuation and grammatical structures such as subject-verb agreement and verb tense; and
- (F) write to narrate, describe, explain, respond, or persuade with detail in the content areas.

(e) Proficiency level descriptors.

(1) The following five proficiency levels describe students' progress in English language acquisition.

- (A) Pre-production. The pre-production level, also known as the silent period, is the early stage of English language acquisition when receptive language is developing. Students develop comprehension when highly scaffolded instruction and linguistic support are provided. Student responses are mostly non-verbal.
- (B) Beginning. The beginning level is characterized by speech emergence (expressive language) using one word or two-to-three-word phrases. Students at this level require highly scaffolded instruction and linguistic support. Students at this level begin to consistently use present tense verbs and repeat keywords and familiar phrases when engaging in formal and informal interactions.
- (C) Intermediate. The intermediate level is characterized by the ability to use receptive and expressive language with demonstrated literal comprehension. Students at this level need moderately scaffolded instruction and linguistic support. Additional visual and linguistic support is needed to understand unfamiliar or abstract concepts such as figurative language, humor, and cultural or societal references. Students at this level begin to consistently use short phrases and simple sentences or ask short questions to demonstrate comprehension during formal and informal interactions.
- (D) High intermediate. Students at the high intermediate level begin to consistently use a variety of sentence types, express opinions, share thoughts, and ask for clarification. Students at this level have an increased level of literal and abstract comprehension. Students may need minimal scaffolded instruction and linguistic support to engage in formal and informal classroom interactions.
- (E) Advanced. The advanced level is characterized by the ability of students to engage in formal and informal classroom interactions with little to no linguistic support. Students at this level engage in discourse using content-area vocabulary and a variety of grammatical structures with increasing accuracy.

(2) The Kindergarten-Grade 3 proficiency level descriptors are described in the figure provided in this paragraph.

Figure: 19 TAC §120.20(e)(2) [Figure: 19 TAC §120.20(e)(2)]

§120.21. English Language Proficiency Standards, Grades 4-12, Adopted 2024.

(a) Implementation. The provisions of this section shall be implemented by school districts beginning with the 2026-2027 school year.

(b) General requirements. In fulfilling the requirements of this section, school districts and charter schools shall:

- (1) identify the student's English language proficiency levels in the domains of listening, speaking, reading, and writing in accordance with the proficiency level descriptors for the pre-production, beginning, intermediate, high intermediate, and advanced levels delineated in subsection (e) of this section;
- (2) provide instruction in the knowledge and skills of the foundation and enrichment curriculum in a manner that is linguistically accommodated (communicated, sequenced, and scaffolded) commensurate with the student's levels of English language proficiency to ensure that the student learns the knowledge and skills in the required curriculum;
- (3) provide content-based instruction including the cross-curricular second language acquisition essential knowledge and skills in subsection (d) of this section in a manner that is linguistically accommodated to help the student acquire English language proficiency; and
- (4) provide intensive and ongoing foundational second language acquisition instruction to emergent bilingual (EB) students in Kindergarten-Grade 12 who are at the pre-production, beginning, or intermediate level of English language proficiency in listening, speaking, reading, or writing as determined by the state's English language proficiency assessment system. These EB students require focused, targeted, and systematic second language acquisition instruction to provide them with the foundation of English language necessary to support content-based instruction and accelerated learning of English.

(c) Introduction.

- (1) The English language proficiency standards (ELPS) outline student expectations and proficiency level descriptors for EB students in English. The ELPS are organized across four language domains: listening, speaking, reading, and writing.
- (2) Language acquisition is a complex process that consists of several interrelated components, including phonetics, phonology, semantics, syntax, morphology, and pragmatics. As students develop proficiency in these language structures, they are able to make connections between their primary language and English.
- (3) Classroom contexts foster social and academic registers, which are types of language appropriate for a situation or setting, to support language proficiency. Informal (social) language consists of English needed for students to effectively interact, exchange ideas, and engage in various settings and contexts. Formal (academic) language consists of oral and written language used to build knowledge, participate in content-specific discourse, and process complex academic material found in formal school settings and interactions.
- (4) The progression of skills in the four language domains are developed simultaneously and can be divided into two categories: receptive skills and expressive skills. Listening and reading are the receptive (input) skills. Students' development in receptive skills is necessary for comprehension and attainment of the English language and content. Speaking and writing are the expressive (output) skills. Students' ability to express and share their personal ideas and content knowledge allow teachers the opportunity to check for understanding and adjust instruction. Effective content-based language instruction involves engaging EB students in scaffolded opportunities to listen, speak, read, and write at their current levels of proficiency while gradually increasing linguistic complexity.
- (5) In order for EB students to be successful, educators must create an environment that welcomes and encourages students to leverage their unique cultural and linguistic experiences as they develop English language skills and learn academic content. Educators must cultivate an approach that integrates students' and their families' funds of knowledge into the classroom instructional practices. Culturally and linguistically sustaining practices leverage and celebrate students' cultural heritage and backgrounds while elevating their cultural and linguistic identities. Teaching and learning cognates that connect both (or multiple) languages can also construct bridges between languages and increase confidence as English language acquisition progresses.

- (6) The ELPS student expectations are the knowledge and skills students must demonstrate. They indicate what students should know and be able to do in order to meet academic content standards. Proficiency level descriptors describe behaviors EB students exhibit across five proficiency levels as they acquire English. EB students may exhibit different proficiency levels within and across the domains of listening, speaking, reading, and writing.
- (7) The ELPS demonstrate an asset-based approach to address the affective, linguistic, and cognitive needs of EB students in accordance with §89.1210(b) of this title (relating to Program Content and Design) as follows:
- (A) acknowledge and leverage the existing funds of knowledge students possess, including linguistic repertoire, cultural heritage, and background knowledge;
 - (B) demonstrate targeted and intentional academic language skills to ensure content-area teachers are able to accurately evaluate the abilities of EB students and scaffold toward increasingly complex English students hear, speak, and are expected to read and write; and
 - (C) provide an exact and incremental measure of the stages of English language acquisition with attention to the fact that EB students at all levels of proficiency can engage in cognitively demanding tasks and master the required essential knowledge and skills with appropriate language support.
- (8) The proficiency level descriptors are organized into general proficiency level descriptors and content-area proficiency level descriptors. General proficiency level descriptors are descriptions of a broad scope of student behaviors that can be observed in a variety of educational settings and across content areas. Content-area proficiency level descriptors describe student behaviors and language associated with discipline-specific learning in English language arts and reading, mathematics, science, and social studies.
- (d) Cross-curricular English language acquisition student expectations.
- (1) Student expectations--listening. The EB student listens to a variety of speakers, including teachers, peers, and multimedia, to gain an increasing level of comprehension in all content areas. The EB student may be at the pre-production, beginning, intermediate, high intermediate, or advanced proficiency levels in listening. The student is expected to:
 - (A) distinguish sounds and intonation patterns by responding with gestures or images, orally, or in writing;
 - (B) use contextual factors or word analysis such as cognates, Greek and Latin prefixes, suffixes, and roots to comprehend content-specific vocabulary when heard during formal and informal classroom interactions by responding with gestures or images, orally, or in writing;
 - (C) respond with accuracy to oral directions, instructions, and requests;
 - (D) use context to construct the meaning of descriptive language, words with multiple meanings, register, and figurative language such as idiomatic expressions heard during formal and informal classroom interactions;
 - (E) demonstrate listening comprehension from information presented orally during formal and informal classroom interactions by restating, responding, paraphrasing, summarizing, or asking for clarification or additional details; and
 - (F) derive meaning from a variety of auditory multimedia sources to build and reinforce concepts and language acquisition.
 - (2) Student expectations--speaking. The EB student speaks using a variety of language structures for a variety of purposes with an awareness of different language registers (formal/informal) using vocabulary with increasing accuracy and fluency in all content areas. The EB student may be at the pre-production, beginning, intermediate, high intermediate, or advanced proficiency level of English language acquisition in speaking. The student is expected to:

- (A) pronounce words, including high-frequency words, cognates, and increasingly complex syllable types, with accuracy;
 - (B) speak using content-area vocabulary during formal and informal classroom interactions to demonstrate acquisition of new words and high-frequency words;
 - (C) speak using a variety of language and grammatical structures, sentence lengths and types, and transition words;
 - (D) speak using appropriate register to convey a message during formal and informal classroom interactions with accuracy and fluency;
 - (E) narrate, describe, explain, justify, discuss, elaborate, or evaluate orally with increasing specificity and detail in academic context or discourse; and
 - (F) restate, ask questions about, or respond to information during formal and informal classroom interactions.
- (3) Student expectations--reading. The EB student reads a variety of texts for different purposes with an increasing level of comprehension in all content areas. The EB student may be at the pre-production, beginning, intermediate, high intermediate, or advanced proficiency levels of English language acquisition in reading. The student is expected to:
- (A) demonstrate awareness of print concepts and directionality of reading as left to right and top to bottom;
 - (B) decode words using the relationships between sounds and letters and identify syllable patterns, cognates, affixes, roots, or base words;
 - (C) use high-frequency words, contextual factors, and word analysis such as Greek and Latin prefixes, suffixes, and roots and cognates to comprehend content-area vocabulary in text;
 - (D) use context to construct the meaning of figurative language such as idiomatic expressions, descriptive language, and words with multiple meanings to comprehend a variety of text;
 - (E) use pre-reading strategies, including previewing the text features, connecting to prior knowledge, organizing ideas, and making predictions to develop comprehension;
 - (F) derive meaning from and demonstrate comprehension of content-area texts using visual, contextual, and linguistic supports;
 - (G) demonstrate reading comprehension of content-area texts by retelling, paraphrasing, summarizing, and responding to questions; and
 - (H) read with fluency and prosody and demonstrate comprehension of content-area text.
- (4) Student expectations--writing. The EB student writes using a variety of language structures with increasing accuracy to effectively address a variety of purposes (formal and informal) and audiences in all content areas. The EB student may be at the pre-production, beginning, intermediate, high intermediate, or advanced proficiency levels of English language acquisition in writing. The student is expected to:
- (A) apply relationships between sounds and letters of the English language to represent sounds when writing;
 - (B) write text following conventional spelling patterns and rules;
 - (C) write using a combination of high-frequency words and content-area vocabulary;
 - (D) write content-area texts using a variety of sentence lengths and types and transition words;

- (E) write content-area specific text using conventions such as capitalization, punctuation, and abbreviations and grammatical structures such as subject-verb agreement, verb tense, possessive case, and contractions; and
- (F) write to narrate, describe, explain, respond, or justify with supporting details and evidence using appropriate content, style, register, and conventions for specific purpose and audience.

(e) Proficiency level descriptors.

(1) The following five proficiency levels describe students' progress in English language acquisition.

- (A) Pre-production. The pre-production level, also known as the silent period, is the early stage of English language acquisition when receptive language is developing. Students develop comprehension when highly scaffolded instruction and linguistic support are provided. Student responses are mostly non-verbal.
- (B) Beginning. The beginning level is characterized by speech emergence (expressive language) using one word or two-to-three-word phrases. Students at this level require highly scaffolded instruction and linguistic support. Students at this level begin to consistently use present tense verbs and repeat keywords and familiar phrases when engaging in formal and informal interactions.
- (C) Intermediate. The intermediate level is characterized by the ability to use receptive and expressive language with demonstrated literal comprehension. Students at this level need moderately scaffolded instruction and linguistic support. Additional visual and linguistic support is needed to understand unfamiliar or abstract concepts such as figurative language, humor, and cultural or societal references. Students at this level begin to consistently use short phrases and simple sentences or ask short questions to demonstrate comprehension during formal and informal interactions.
- (D) High intermediate. Students at the high intermediate level begin to consistently use a variety of sentence types, express opinions, share thoughts, and ask for clarification. Students at this level have an increased level of literal and abstract comprehension. Students may need minimal scaffolded instruction and linguistic support to engage in formal and informal classroom interactions.
- (E) Advanced. The advanced level is characterized by the ability of students to engage in formal and informal classroom interactions with little to no linguistic support. Students at this level engage in discourse using content-area vocabulary and a variety of grammatical structures with increasing accuracy.

(2) The Grades 4-12 proficiency level descriptors are described in the figure provided in this paragraph.

Figure: 19 TAC §120.21(e)(2) [Figure: 19 TAC §120.21(e)(2)]

Figure: 19 TAC §120.20(e)(2)

ELPS Listening: General

Emergent bilingual (EB) students may be at the pre-production, beginning, intermediate, high intermediate, or advanced level of English language development in listening. The following proficiency level descriptors describe observable student behaviors in the listening domain when provided linguistically accommodated instruction in each content area.

Kindergarten–Grade 3 Proficiency Level Descriptors:

Proficiency level descriptors describe the continuum of language acquisition as a student moves from the silent period to discourse.

Language Patterns	<u>1 PRE-PRODUCTION</u> With highly scaffolded instruction and linguistic support, the EB student can:	<u>2 BEGINNING</u> With highly scaffolded instruction and linguistic support, the EB student can:	<u>3 INTERMEDIATE</u> With moderately scaffolded instruction and linguistic support, the EB student can:	<u>4 HIGH INTERMEDIATE</u> With minimally scaffolded instruction and linguistic support, the EB student can:	<u>5 ADVANCED</u> With little or no scaffolded instruction and linguistic support, the EB student can:
<u>Phonology</u>	<u>recognize and mimic differences in sounds and sound patterns</u>	<u>recognize and mimic differences in sounds and intonation</u>	<u>identify when sounds or intonation are changed within spoken words</u>	<u>recognize sounds or intonation in familiar multisyllabic words</u>	<u>recognize sounds or intonation in familiar and unfamiliar, newly acquired multisyllabic words within complex discourse</u>
<u>Vocabulary</u>	<u>match pre-taught content-area vocabulary presented orally with images or print</u>	<u>use pictorial models to understand spoken content-area vocabulary</u>	<u>use explicitly taught content-area vocabulary to comprehend oral classroom instruction and interactions</u>	<u>demonstrate comprehension of familiar content-area vocabulary heard in the classroom by responding orally or in writing with increasing accuracy</u>	<u>demonstrate comprehension of familiar and unfamiliar content-area vocabulary heard in the classroom by responding orally or in writing with accuracy</u>
<u>Following Directions</u>	<u>follow simple oral directions by observing and imitating others</u>	<u>follow simple oral directions with the support of repeated instructions or visual supports</u>	<u>follow multi-step oral directions with repetition or instructions in familiar contexts</u>	<u>follow multi-step oral directions in familiar and unfamiliar contexts with increasing accuracy</u>	<u>follow or restate multi-step oral directions in unfamiliar contexts with accuracy</u>
<u>Language Structures</u>	<u>demonstrate an understanding of single words or simple language structures with repetition</u>	<u>demonstrate an understanding of patterned oral language structures with repetitive words, phrases, or simple sentences</u>	<u>demonstrate an understanding of high-frequency and familiar language structures heard in classroom interactions</u>	<u>demonstrate an understanding of informal language structures heard in familiar and unfamiliar contexts</u>	<u>demonstrate an understanding of formal and informal language structures heard in a variety of listening contexts</u>
<u>Comprehension</u>	<u>demonstrate an understanding of spoken words or simple sentences by responding with gestures or using pictures or images</u>	<u>demonstrate an understanding of spoken words or sentences or simple conversations from a variety of sources by responding in simple words or phrases</u>	<u>demonstrate an understanding of short conversations or multiple, related sentences from a variety of sources by restating, retelling, asking clarifying questions, or asking to restate</u>	<u>demonstrate an understanding of a series of extended sentences or oral discourse from a variety of sources by restating, retelling, or asking clarifying questions with increasing accuracy</u>	<u>demonstrate an understanding of a series of extended sentences or oral discourse from a variety of sources by restating, retelling, or asking clarifying questions with accuracy</u>

ELPS Listening: English Language Arts and Reading

Emergent bilingual (EB) students may be at the pre-production, beginning, intermediate, high intermediate, or advanced level of English language development in listening. The following proficiency level descriptors describe observable student behaviors in the listening domain when provided linguistically accommodated instruction in English language arts and reading.

Kindergarten–Grade 3 Proficiency Level Descriptors: Proficiency level descriptors describe the continuum of language acquisition as a student moves from the silent period to discourse.					
Language Patterns	1 PRE-PRODUCTION With highly scaffolded instruction and linguistic support, the EB student can:	2 BEGINNING With highly scaffolded instruction and linguistic support, the EB student can:	3 INTERMEDIATE With moderately scaffolded instruction and linguistic support, the EB student can:	4 HIGH INTERMEDIATE With minimally scaffolded instruction and linguistic support, the EB student can:	5 ADVANCED With little or no scaffolded instruction and linguistic support, the EB student can:
<u>Phonology</u>	<u>listen to and repeat letter-sound associations (phonemes)</u>	<u>repeat vowel sounds and consonant sounds, including consonant clusters, when heard</u>	<u>identify and differentiate between short vowels, long vowel sounds, and consonant sounds, including consonant clusters, when heard</u>	<u>identify and differentiate between short vowel sounds, long vowel sounds, and consonant sounds, including consonant clusters, in familiar spoken words</u>	<u>identify short vowel sounds, long vowel sounds, and consonant sounds, including consonant clusters, in spoken multi-syllabic words</u>
<u>Comprehension</u>	<u>use non-verbal responses to engage with aural information or text read aloud</u>	<u>use one- to two-word responses or short phrases to respond to oral prompts and questions about aural information or text read aloud</u>	<u>organize or categorize information presented orally using graphic supports to identify general meaning, key ideas, or important details</u>	<u>recall general meaning, key ideas, and important details about aural information or text read aloud</u>	<u>retell and seek clarification about aural information or text read aloud using key and expanded details</u>

ELPS Listening: Mathematics

Emergent bilingual (EB) students may be at the pre-production, beginning, intermediate, high intermediate, or advanced level of English language development in listening. The following proficiency level descriptors describe observable student behaviors in the listening domain when provided linguistically accommodated instruction in mathematics.

Kindergarten–Grade 3 Proficiency Level Descriptors:

Proficiency level descriptors describe the continuum of language acquisition as a student moves from the silent period to discourse.

<u>Language Patterns</u>	<u>1 PRE-PRODUCTION</u> With highly scaffolded instruction and linguistic support, the EB student can:	<u>2 BEGINNING</u> With highly scaffolded instruction and linguistic support, the EB student can:	<u>3 INTERMEDIATE</u> With moderately scaffolded instruction and linguistic support, the EB student can:	<u>4 HIGH INTERMEDIATE</u> With minimally scaffolded instruction and linguistic support, the EB student can:	<u>5 ADVANCED</u> With little or no scaffolded instruction and linguistic support, the EB student can:
<u>Vocabulary</u>	<u>match pre-taught mathematical vocabulary presented orally with images and concepts such as numbers, mathematical operations, symbols, and shapes</u>	<u>use pictorial models to understand spoken vocabulary for mathematical processes and concepts such as numbers, mathematical operations, symbols, and shapes</u>	<u>use pre-taught and highly practiced mathematical vocabulary, including numbers, operations, symbols, and shapes, to comprehend mathematical information, processes, and concepts presented orally</u>	<u>demonstrate comprehension of familiar mathematical concepts presented orally by incorporating key vocabulary, including numbers, mathematical operations, symbols, and shapes, in responses with increasing accuracy</u>	<u>demonstrate comprehension of familiar and unfamiliar mathematical concepts presented orally by incorporating key vocabulary, including numbers, mathematical operations, symbols, and shapes, in responses with accuracy</u>
<u>Following Directions</u>	<u>participate in a simple, mathematical process provided orally by observing and imitating others</u>	<u>follow a simple step-by-step process provided orally to complete a mathematical investigation or solve a problem with the support of repeated instructions or visual supports such as pictorial models or manipulatives</u>	<u>follow a simple step-by-step process provided orally with visual support and repeated instruction to complete a mathematical investigation or solve a problem</u>	<u>follow a multi-step process provided orally to complete a mathematical investigation or solve a problem with increasing accuracy</u>	<u>follow or restate a multi-step process provided orally to complete a mathematical investigation or solve a problem with accuracy</u>
<u>Language Structures/ Pragmatics</u>	<u>respond to new mathematical ideas or reasoning heard during math lessons by gesturing, pointing, matching, or choosing objects</u>	<u>use concrete or pictorial representations to support listening comprehension of common mathematical language structures used for comparisons (less than, greater than, equal to); descriptions: (attributes); and operations (plus, minus, equal)</u>	<u>repeat key words or common mathematical language structures modeled orally in the classroom to compare or describe objects, attributes, and operations</u>	<u>participate in mathematical discussions using common language structures modeled orally to compare or describe objects, attributes, and operations</u>	<u>participate in mathematical discussions using familiar and unfamiliar language structures modeled orally in the classroom to compare or describe objects, attributes, and operations</u>

<u>Language Patterns</u>	<u>1 PRE-PRODUCTION</u> With highly scaffolded instruction and linguistic support, the EB student can:	<u>2 BEGINNING</u> With highly scaffolded instruction and linguistic support, the EB student can:	<u>3 INTERMEDIATE</u> With moderately scaffolded instruction and linguistic support, the EB student can:	<u>4 HIGH INTERMEDIATE</u> With minimally scaffolded instruction and linguistic support, the EB student can:	<u>5 ADVANCED</u> With little or no scaffolded instruction and linguistic support, the EB student can:
Comprehension	use gestures, concrete objects, visuals, or primary language support to respond to mathematical information or ideas presented orally	represent, model, or label key mathematical information, concepts, or relationships presented orally	recall and represent key mathematical information, ideas, concepts, or relationships presented orally	retell and ask clarifying questions about mathematical information, ideas, concepts, or relationships presented orally	explain or justify and ask clarifying questions about mathematical ideas or reasoning presented orally

ELPS Listening: Science

Emergent bilingual (EB) students may be at the pre-production, beginning, intermediate, high intermediate, or advanced level of English language development in listening. The following proficiency level descriptors describe observable student behaviors in the listening domain when provided linguistically accommodated instruction in science.

Kindergarten–Grade 3 Proficiency Level Descriptors:

Proficiency level descriptors describe the continuum of language acquisition as a student moves from the silent period to discourse.

<u>Language Patterns</u>	<u>1 PRE-PRODUCTION</u> With highly scaffolded instruction and linguistic support, the EB student can:	<u>2 BEGINNING</u> With highly scaffolded instruction and linguistic support, the EB student can:	<u>3 INTERMEDIATE</u> With moderately scaffolded instruction and linguistic support, the EB student can:	<u>4 HIGH INTERMEDIATE</u> With minimally scaffolded instruction and linguistic support, the EB student can:	<u>5 ADVANCED</u> With little or no scaffolded instruction and linguistic support, the EB student can:
<u>Vocabulary</u>	<u>match pre-taught academic scientific vocabulary with images and concepts when prompted orally</u>	<u>use pictorial models to understand spoken scientific vocabulary, including ordinal words</u>	<u>use cognates, prefixes, suffixes, or roots, and explicitly taught vocabulary, including ordinal words, to comprehend scientific vocabulary heard in the classroom</u>	<u>demonstrate comprehension of scientific vocabulary heard in the classroom by responding orally or in writing with increasing accuracy</u>	<u>demonstrate comprehension of scientific vocabulary heard in the classroom by responding orally or in writing with accuracy</u>
<u>Following Directions</u>	<u>participate in a simple step-by-step process provided orally to complete a scientific procedure or investigation by observing and imitating others</u>	<u>follow a simple step-by-step process provided orally to complete a scientific procedure or investigation with the support of repeated instructions or visual supports such as drawings, charts, graphs, or diagrams</u>	<u>follow a simple step-by-step process provided orally with visual support and repeated instructions to complete a scientific procedure or investigation</u>	<u>follow a multi-step process provided orally to complete a scientific procedure or investigation with increasing accuracy</u>	<u>follow or restate a multi-step process provided orally to complete a scientific procedure or investigation with accuracy</u>
<u>Language Structures</u>	<u>respond to new vocabulary and concepts presented orally during science lessons by gesturing, pointing, matching, or choosing objects</u>	<u>use visual supports and manipulatives to comprehend orally presented scientific concepts that signal common language structures such as sequential, compare/contrast, and cause/effect</u>	<u>use key words presented orally that signal common language structures such as sequential, compare/contrast, and cause/effect to participate in scientific discussions</u>	<u>participate in scientific discussions of familiar science content by using common language structures heard such as sequential, compare/contrast, and cause/effect</u>	<u>participate in scientific discussions of familiar and unfamiliar science content by using language structures heard such as sequential, compare/contrast, and cause/effect</u>

ELPS Listening: Social Studies

Emergent bilingual (EB) students may be at the pre-production, beginning, intermediate, high intermediate, or advanced level of English language development in listening. The following proficiency level descriptors describe observable student behaviors in the listening domain when provided linguistically accommodated instruction in social studies.

Kindergarten–Grade 3 Proficiency Level Descriptors:

Proficiency level descriptors describe the continuum of language acquisition as a student moves from the silent period to discourse.

<u>Language Patterns</u>	<u>1 PRE-PRODUCTION</u> With highly scaffolded instruction and linguistic support, the EB student can:	<u>2 BEGINNING</u> With highly scaffolded instruction and linguistic support, the EB student can:	<u>3 INTERMEDIATE</u> With moderately scaffolded instruction and linguistic support, the EB student can:	<u>4 HIGH INTERMEDIATE</u> With minimally scaffolded instruction and linguistic support, the EB student can:	<u>5 ADVANCED</u> With little or no scaffolded instruction and linguistic support, the EB student can:
<u>Vocabulary</u>	<u>match pre-taught social studies vocabulary with images and concepts when prompted orally</u>	<u>use pictorial models to understand spoken social studies vocabulary, including directional and chronological words</u>	<u>use explicitly taught vocabulary, including directional and chronological words and cognates, to comprehend social studies vocabulary heard in the classroom</u>	<u>demonstrate comprehension of familiar social studies concepts presented orally by responding orally or in writing using key vocabulary, including directional and chronological words, with increasing accuracy</u>	<u>demonstrate comprehension of familiar and unfamiliar social studies concepts presented orally by responding orally or in writing using key vocabulary, including directional and chronological words, with accuracy</u>
<u>Language Structures</u>	<u>respond to new vocabulary and concepts heard during social studies lessons by gesturing, pointing, matching, or choosing objects</u>	<u>use visual supports to comprehend orally presented language structures commonly used in social studies to convey information such as chronological order, cause/effect, and fact/opinion or to compare/contrast</u>	<u>use key words from orally presented language structures commonly used in social studies to convey information such as chronological order, cause/effect, and fact/opinion or to compare/contrast in classroom discussions</u>	<u>participate in discussions of familiar social studies content by using common language structures heard such as structures for chronological order, compare/contrast, cause/effect, fact/opinion, and prepositions of place</u>	<u>participate in discussions of familiar and unfamiliar social studies content by using language structures heard such as structures for chronological order, compare/contrast, cause/effect, fact/opinion, and prepositions of place</u>

ELPS Speaking: General

Emergent bilingual (EB) students may be at the pre-production, beginning, intermediate, high intermediate, or advanced level of English language development in speaking. The following proficiency level descriptors describe observable student behaviors in the speaking domain when provided linguistically accommodated instruction in each content area.

Kindergarten–Grade 3 Proficiency Level Descriptors:

Proficiency level descriptors describe the continuum of language acquisition as a student moves from the silent period to discourse.

<u>Language Patterns</u>	<u>1 PRE-PRODUCTION</u> With highly scaffolded instruction and linguistic support, the EB student can:	<u>2 BEGINNING</u> With highly scaffolded instruction and linguistic support, the EB student can:	<u>3 INTERMEDIATE</u> With moderately scaffolded instruction and linguistic support, the EB student can:	<u>4 HIGH INTERMEDIATE</u> With minimally scaffolded instruction and linguistic support, the EB student can:	<u>5 ADVANCED</u> With little or no scaffolded instruction and linguistic support, the EB student can:
<u>Phonology</u>	<u>imitate English pronunciation, sounds, and words</u>	<u>produce some sounds and words with accuracy</u>	<u>produce some sounds, words, and phrases with accuracy and fluency</u>	<u>produce sounds, words, and phrases with increasing accuracy and fluency</u>	<u>produce sounds, words, phrases, and sentences with accuracy and fluency</u>
<u>Vocabulary</u>	<u>mimic classmates or teachers with sounds and actions</u>	<u>name familiar objects used in everyday routines and activities</u>	<u>participate in conversations and classroom interactions using phrases to express simple, original messages</u>	<u>participate in conversations and classroom interactions using simple sentences and content-area vocabulary to describe familiar academic topics</u>	<u>engage in elaborate discussions on familiar and unfamiliar topics using content-area vocabulary</u>
<u>Vocabulary</u>	<u>repeat academic vocabulary</u>	<u>speak using some high-frequency vocabulary, including keywords and expressions needed for basic communication in academic and social contexts during formal and informal classroom interactions</u>	<u>speak in phrases using some high-frequency vocabulary, including keywords and expressions needed for basic communication during formal and informal classroom interactions</u>	<u>speak in sentences using some high-frequency vocabulary, including keywords and expressions needed for basic communication during formal and informal classroom interactions</u>	<u>share information and ask content-relevant questions using concrete and abstract words during formal and informal classroom interactions</u>
<u>Vocabulary</u>	<u>recite modeled content-area words, including cognates</u>	<u>recite high-frequency content area words, including cognates</u>	<u>speak using high-frequency content-area words in simple phrases with support from cognates</u>	<u>speak using content-area vocabulary in simple sentences with support from cognates and Greek and Latin prefixes, suffixes, and roots</u>	<u>speak using content-area vocabulary with increasingly complex sentences with support from cognates</u>
<u>Language Structures/ Syntax</u>	<u>use nonverbal responses or gestures to communicate</u>	<u>speak using isolated words with some visuals or gestures</u>	<u>speak in short phrases using high-frequency social language structures encountered in classroom interactions</u>	<u>speak using high-frequency social and academic language structures encountered in classroom interactions</u>	<u>speak with academic language structures frequently used in content-area discourse</u>

<u>Language Patterns</u>	<u>1 PRE-PRODUCTION</u> With highly scaffolded instruction and linguistic support, the EB student can:	<u>2 BEGINNING</u> With highly scaffolded instruction and linguistic support, the EB student can:	<u>3 INTERMEDIATE</u> With moderately scaffolded instruction and linguistic support, the EB student can:	<u>4 HIGH INTERMEDIATE</u> With minimally scaffolded instruction and linguistic support, the EB student can:	<u>5 ADVANCED</u> With little or no scaffolded instruction and linguistic support, the EB student can:
<u>Register</u>	<u>use nonverbal responses or gestures to communicate</u>	<u>adjust speech structure, form, vocabulary, and register to specific audiences and purposes occasionally</u>	<u>adjust speech structure, form, vocabulary, and register to specific audiences and purposes to increase frequency</u>	<u>adjust speech structure, form, vocabulary, and register to specific audiences and purposes often</u>	<u>adjust speech structure, form, vocabulary, and register to specific audiences and purposes</u>
<u>Discourse</u>	<u>communicate ideas, feelings, or opinions through gestures or visuals</u>	<u>communicate ideas, feelings, or opinions using single words consisting of recently practiced, memorized, repeated, or high-frequency vocabulary</u>	<u>convey ideas, feelings, or opinions using high-frequency words, including expressions and phrases</u>	<u>participate in conversations and discussions on a variety of sources in which the student may restate, self-correct, repeat, or search for words and phrases to clarify meaning using connecting words to link ideas, feelings, or opinions in sentences</u>	<u>engage in elaborate conversations and discussions on a variety of sources using connecting words to extend ideas, feelings, or opinions in a variety of sentence types</u>
<u>Discourse</u>	<u>communicate ideas through gestures and a few isolated words</u>	<u>describe ideas and reasoning orally using isolated words and vocabulary</u>	<u>describe and justify ideas and reasoning orally using high-frequency terms and phrases with language supports</u>	<u>describe and justify ideas, reasoning, and arguments orally using sentences</u>	<u>explain and justify ideas, reasoning, and arguments orally using a variety of sentence types</u>
<u>Respond to Information</u>	<u>respond with gestures or mimic simple modeled responses</u>	<u>repeat orally some key word or details about a topic</u>	<u>answer questions orally about a topic with short response, including some detail</u>	<u>retell or describe information about a topic orally with some key words and details in sentences</u>	<u>articulate key words and details when retelling information about a topic using in a variety of sentence types</u>
<u>Respond to Information</u>	<u>respond with gestures</u>	<u>respond appropriately to the comments of others orally using single words</u>	<u>respond orally with newly acquired vocabulary</u>	<u>respond orally with newly acquired vocabulary in sentences</u>	<u>respond orally with newly acquired vocabulary appropriate for grade level using a variety of sentence types</u>
<u>Respond to Information</u>	<u>repeat high-frequency question words orally</u>	<u>ask a question orally using high-frequency words or use gestures</u>	<u>use question words in phrases orally when asking a question about a content-area topic</u>	<u>use question words in simple sentences orally when asking a question about a content-area topic</u>	<u>ask simple and complex questions orally about content-area topics</u>

ELPS Speaking: English Language Arts and Reading

Emergent bilingual (EB) students may be at the pre-production, beginning, intermediate, high intermediate, or advanced level of English language development in speaking. The following proficiency level descriptors describe observable student behaviors in the speaking domain when provided linguistically accommodated instruction in English language arts and reading.

Kindergarten–Grade 3 Proficiency Level Descriptors:

Proficiency level descriptors describe the continuum of language acquisition as a student moves from the silent period to discourse.

Language Patterns	<u>1 PRE-PRODUCTION</u> With highly scaffolded instruction and linguistic support, the EB student can:	<u>2 BEGINNING</u> With highly scaffolded instruction and linguistic support, the EB student can:	<u>3 INTERMEDIATE</u> With moderately scaffolded instruction and linguistic support, the EB student can:	<u>4 HIGH INTERMEDIATE</u> With minimally scaffolded instruction and linguistic support, the EB student can:	<u>5 ADVANCED</u> With little or no scaffolded instruction and linguistic support, the EB student can:
<u>Register</u>	<u>use nonverbal responses or gestures to communicate</u>	<u>speak using single words consisting of recently practiced, memorized, repeated, or high-frequency literary or informational elements</u>	<u>speak in phrases using high-frequency, content-specific vocabulary or figurative language occasionally</u>	<u>participate in discussions using sentences and literary or informational elements or figurative language</u>	<u>engage in longer discussions using sentences with literary or informational elements or figurative language</u>
<u>Response to Information</u>	<u>respond by repeating or mimicking high-frequency vocabulary</u>	<u>speak using high-frequency vocabulary to describe a literary or informational text with language support</u>	<u>speak using high-frequency vocabulary and routinely modeled language structures to describe or respond to a literary or informational text with language support</u>	<u>speak using modeled language structures to describe or respond to a literary or informational text</u>	<u>speak using language structures to narrate, describe, or respond to a literary or informational text</u>

ELPS Speaking: Mathematics

Emergent bilingual (EB) students may be at the pre-production, beginning, intermediate, high intermediate, or advanced level of English language development in speaking. The following proficiency level descriptors describe observable student behaviors in the speaking domain when provided linguistically accommodated instruction in mathematics.

Kindergarten–Grade 3 Proficiency Level Descriptors:

Proficiency level descriptors describe the continuum of language acquisition as a student moves from the silent period to discourse.

<u>Language Patterns</u>	<u>1 PRE-PRODUCTION</u> With highly scaffolded instruction and linguistic support, the EB student can:	<u>2 BEGINNING</u> With highly scaffolded instruction and linguistic support, the EB student can:	<u>3 INTERMEDIATE</u> With moderately scaffolded instruction and linguistic support, the EB student can:	<u>4 HIGH INTERMEDIATE</u> With minimally scaffolded instruction and linguistic support, the EB student can:	<u>5 ADVANCED</u> With little or no scaffolded instruction and linguistic support, the EB student can:
<u>Register</u>	<u>use nonverbal responses or gestures to communicate mathematical terms</u>	<u>speak using single words consisting of recently practiced, memorized, repeated, or high-frequency mathematical terms</u>	<u>speak using high-frequency, concrete vocabulary, including key words, expressions, and phrases needed for basic communication in mathematical context</u>	<u>participate in conversations during formal and informal classroom interactions on mathematical concepts using sentences and mathematical terms</u>	<u>engage in longer conversations and discussions during formal and informal classroom interactions using sentences with mathematical terms</u>
<u>Language Structures/ Syntax</u>	<u>use nonverbal responses or gestures to communicate mathematical terms</u>	<u>speak using isolated mathematical words with some visuals or gestures</u>	<u>speak using mathematical words or phrases about mathematical relationships, processes, problem-solving or mathematical models</u>	<u>speak using connecting words and mathematical language to link ideas in simple sentences about mathematical relationships, processes, problem-solving, or mathematical models</u>	<u>speak using precise mathematical language and connecting words about mathematical relationships, problem-solving, or mathematical models to extend ideas, opinions, or information</u>
<u>Discourse</u>	<u>communicate mathematical ideas through gestures and a few isolated words</u>	<u>describe mathematical ideas and reasoning orally through isolated words and mathematical terms with support</u>	<u>describe and justify mathematical ideas and reasoning orally using high-frequency mathematical terms and phrases</u>	<u>use sentences to orally to describe and justify mathematical ideas, reasoning, and arguments and application of multiple representations, including symbols, diagrams, or graphs</u>	<u>use sentences and precise mathematical language to explain and justify mathematical ideas, reasoning, and arguments and application of multiple representations, including symbols, diagrams, or graphs</u>

ELPS Speaking: Science

Emergent bilingual (EB) students may be at the pre-production, beginning, intermediate, high intermediate, or advanced level of English language development in speaking. The following proficiency level descriptors describe observable student behaviors in the speaking domain when provided linguistically accommodated instruction in science.

Kindergarten–Grade 3 Proficiency Level Descriptors:

Proficiency level descriptors describe the continuum of language acquisition as a student moves from the silent period to discourse.

<u>Language Patterns</u>	<u>1 PRE-PRODUCTION</u> With highly scaffolded instruction and linguistic support, the EB student can:	<u>2 BEGINNING</u> With highly scaffolded instruction and linguistic support, the EB student can:	<u>3 INTERMEDIATE</u> With moderately scaffolded instruction and linguistic support, the EB student can:	<u>4 HIGH INTERMEDIATE</u> With minimally scaffolded instruction and linguistic support, the EB student can:	<u>5 ADVANCED</u> With little or no scaffolded instruction and linguistic support, the EB student can:
<u>Register</u>	<u>use nonverbal responses or gestures to communicate scientific terms</u>	<u>speak using single words or short phrases consisting of recently practiced, memorized, repeated, or high-frequency science vocabulary</u>	<u>speak using high-frequency, concrete vocabulary, including key words, expressions, and phrases needed for basic communication in scientific context</u>	<u>participate in conversations during formal and informal classroom interactions about scientific processes or investigations using sentences and scientific terms</u>	<u>engage in longer conversations and discussions during formal and informal classroom interactions about scientific processes or investigations using complex sentences with scientific terms</u>
<u>Discourse</u>	<u>communicate scientific ideas through gestures and a few isolated words</u>	<u>repeat brief step-by-step laboratory procedures or directions orally</u>	<u>use phrases to orally explain a scientific investigation sequentially, including some evidence and reasoning for claims</u>	<u>use sentences to orally explain a scientific investigation sequentially, including some evidence and reasoning for claims</u>	<u>use a variety of sentence types to orally explain a scientific investigation sequentially, including detailed evidence and reasoning for claims</u>
<u>Discourse</u>	<u>communicate scientific observations, processes, ideas, or opinions based on scientific data through gestures or isolated words</u>	<u>use isolated words to orally communicate ideas or opinions based on scientific data</u>	<u>use phrases to orally justify or convey a proposed solution or hypothesis, including some ideas or opinions based on scientific data</u>	<u>justify or convey orally a proposed solution or hypothesis based on scientific data using sentences to link some ideas or opinions</u>	<u>justify or convey orally a proposed solution or hypothesis based on scientific data using sentences to extend ideas or opinions</u>

ELPS Speaking: Social Studies

Emergent bilingual (EB) students may be at the pre-production, beginning, intermediate, high intermediate, or advanced level of English language development in speaking. The following proficiency level descriptors describe observable student behaviors in the speaking domain when provided linguistically accommodated instruction in social studies.

Kindergarten–Grade 3 Proficiency Level Descriptors:

Proficiency level descriptors describe the continuum of language acquisition as a student moves from the silent period to discourse.

<u>Language Patterns</u>	<u>1 PRE-PRODUCTION</u> <u>With highly scaffolded instruction and linguistic support, the EB student can:</u>	<u>2 BEGINNING</u> <u>With highly scaffolded instruction and linguistic support, the EB student can:</u>	<u>3 INTERMEDIATE</u> <u>With moderately scaffolded instruction and linguistic support, the EB student can:</u>	<u>4 HIGH INTERMEDIATE</u> <u>With minimally scaffolded instruction and linguistic support, the EB student can:</u>	<u>5 ADVANCED</u> <u>With little or no scaffolded instruction and linguistic support, the EB student can:</u>
<u>Discourse</u>	<u>communicate social studies ideas through gestures and a few isolated words</u>	<u>describe social studies concepts or current or historical events orally using isolated words with language support</u>	<u>describe social studies concepts or current or historical events orally using some detail and phrases</u>	<u>describe social studies concepts or current or historical events orally using sentences</u>	<u>engage in longer discussions about social studies concepts or current or historical events using a variety of sentence types</u>
<u>Discourse</u>	<u>communicate ideas, feelings, or opinions through gestures or visuals</u>	<u>use isolated words to orally communicate ideas or opinions about a decision-making process</u>	<u>use phrases to orally convey a decision-making process, including ideas or opinions</u>	<u>participate in conversations during formal and informal interactions about a decision-making process using sentences to link ideas or opinions</u>	<u>engage in longer conversations and discussions during formal and informal interactions using sentences to extend ideas, opinions, or information to evaluate and justify a decision-making process</u>

ELPS Reading: General

Emergent bilingual (EB) students may be at the pre-production, beginning, intermediate, high intermediate, or advanced level of English language development in reading. The following proficiency level descriptors describe observable student behaviors in the reading domain when provided linguistically accommodated instruction in each content area.

Kindergarten–Grade 3 Proficiency Level Descriptors:

Proficiency level descriptors describe the continuum of language acquisition as a student moves from the silent period to discourse.

Language Patterns	1 PRE-PRODUCTION With highly scaffolded instruction and linguistic support, the EB student can:	2 BEGINNING With highly scaffolded instruction and linguistic support, the EB student can:	3 INTERMEDIATE With moderately scaffolded instruction and linguistic support, the EB student can:	4 HIGH INTERMEDIATE With minimally scaffolded instruction and linguistic support, the EB student can:	5 ADVANCED With little or no scaffolded instruction and linguistic support, the EB student can:
<u>Vocabulary</u>	<u>match pre-taught content-area vocabulary with images and concepts found in text</u>	<u>use pictorial models or cognates to understand content-area vocabulary found in text</u>	<u>use explicitly taught content-area vocabulary or cognates to comprehend text</u>	<u>demonstrate comprehension of familiar content-area concepts found in text by responding orally or in writing using key vocabulary with increasing accuracy</u>	<u>demonstrate comprehension of familiar and unfamiliar content-area concepts found in text by responding orally or in writing using key vocabulary, with accuracy</u>
<u>Print Concepts</u>	<u>imitate others reading a book from top to bottom and turning pages from left to right</u>	<u>attempt to read a book top to bottom and turn pages from left to right independently</u>	<u>read a book top to bottom and turn pages from left to right independently</u>	<u>read a book top to bottom and turn pages from left to right independently</u>	<u>read a book top to bottom and turn pages from left to right independently</u>
<u>Purpose for Reading</u>	<u>imitate pre-reading strategies to preview text such as noticing text features, asking simple questions, or making predictions using primary language or nonverbal responses when prompted</u>	<u>preview the text using pre-reading strategies such as noticing text features, asking simple questions, or making predictions about the text using a combination of English and primary language when prompted</u>	<u>preview the text using pre-reading strategies such as noticing text features, asking simple questions, or making predictions about the text when prompted</u>	<u>preview the text using pre-reading strategies such as noticing text features, asking questions, or making predictions about the text with increasing independence</u>	<u>preview the text using pre-reading strategies such as noticing text features, asking questions, or making predictions about the text independently</u>
<u>Comprehension: Monitor and Adjust</u>	<u>use text features such as illustrations, graphs, charts, examples, and bold/italicized print in content-area text to identify some familiar words</u>	<u>use context or text features such as illustrations, graphs, charts, examples, and bold/italicized print in content-area text to clarify word meanings or identify some relevant key information</u>	<u>use context and text features such as illustrations, graphs, charts, examples, and bold/italicized print in content-area text to clarify unfamiliar word meanings or identify some relevant key information</u>	<u>use context and text features such as illustrations, graphs, charts, examples, and bold/italicized print in content-area text to clarify unfamiliar word meanings or distinguish relevant key information</u>	<u>use context and text features such as illustrations, graphs, charts, examples, and bold/italicized print in content-area text to clarify unfamiliar word meanings and evaluate relevant key information</u>

<u>Language Patterns</u>	<u>1 PRE-PRODUCTION</u> With highly scaffolded instruction and linguistic support, the EB student can:	<u>2 BEGINNING</u> With highly scaffolded instruction and linguistic support, the EB student can:	<u>3 INTERMEDIATE</u> With moderately scaffolded instruction and linguistic support, the EB student can:	<u>4 HIGH INTERMEDIATE</u> With minimally scaffolded instruction and linguistic support, the EB student can:	<u>5 ADVANCED</u> With little or no scaffolded instruction and linguistic support, the EB student can:
<u>Comprehension: Responding to Text</u>	<u>respond to questions about text with gestures, drawings, yes/no, or one-word answers</u>	<u>respond to questions about text with short answers or simple sentences</u>	<u>respond to questions or recall details about a text using some information from the text</u>	<u>respond to questions or retell details about text using some relevant information from the text</u>	<u>respond to questions about or retell a text using relevant information from the text</u>
<u>Fluency</u>	<u>mimic word-by-word during shared or choral reading of familiar grade-level content-area text</u>	<u>read word-by-word when reading familiar grade-level content-area text</u>	<u>read in two-word phrases with some three- or four-word groupings when reading familiar grade-level content-area text</u>	<u>read in three- or four-word phrase groups up to simple sentences when reading familiar grade-level content-area text</u>	<u>read in larger, meaningful phrase groups or sentences when reading familiar grade-level content-area text</u>

ELPS Reading: English Language Arts and Reading

Emergent bilingual (EB) students may be at the pre-production, beginning, intermediate, high intermediate, or advanced level of English language development in reading. The following proficiency level descriptors describe observable student behaviors in the reading domain when provided linguistically accommodated instruction in English language arts and reading.

Kindergarten–Grade 3 Proficiency Level Descriptors:

Proficiency level descriptors describe the continuum of language acquisition as a student moves from the silent period to discourse.

Language Patterns	1 PRE-PRODUCTION With highly scaffolded instruction and linguistic support, the EB student can:	2 BEGINNING With highly scaffolded instruction and linguistic support, the EB student can:	3 INTERMEDIATE With moderately scaffolded instruction and linguistic support, the EB student can:	4 HIGH INTERMEDIATE With minimally scaffolded instruction and linguistic support, the EB student can:	5 ADVANCED With little or no scaffolded instruction and linguistic support, the EB student can:
<u>Phonology: Vowels</u>	repeat words with short and long vowels sounds during choral reading	repeat words and distinguish between short and long vowel sounds during choral or shared reading	segment and blend multisyllabic words that include short and long vowels when reading words from text	segment and blend multisyllabic words that include short and long vowels and different vowel teams/phonemes such as <i>ai, au, ea, ee, ie, oo, and ou</i> when reading words from text	decode multisyllabic words that include short and long vowels and different vowel teams/phonemes such as <i>ai, au, ea, ee, ie, oo, and ou</i> when reading text
<u>Phonology: Consonant clusters</u>	repeat consonant clusters during choral reading	repeat words and distinguish between single consonants and consonant clusters or digraphs during choral or shared reading	segment and blend multisyllabic words that include two-letter consonant clusters or digraphs at the beginning of words such as <i>bl-</i> and <i>cr-</i> when reading text	segment and blend multisyllabic words with two-letter consonant clusters or digraphs at the beginning or end of words such as <i>th, bl-, cr-, st, and -nd</i> when reading text	decode multisyllabic words that include two- and three-letter consonant clusters or digraphs at the beginning or end of words such as <i>spl-</i> and <i>-tch</i> when reading text
<u>Language Structures: Semantics/ Pragmatics</u>	use pictures, manipulatives, or primary language to demonstrate an understanding of descriptive language found in shared text	use pictures, manipulatives, or primary language to demonstrate an understanding of descriptive language found in familiar or shared text	use context to construct meaning and demonstrate understanding of descriptive language or words with multiple meanings found in familiar or shared text	use context to construct meaning and demonstrate understanding of descriptive language, words with multiple meanings, or figurative language found in text	use context to construct meaning and demonstrate understanding of descriptive language, words with multiple meanings, figurative language, or idiomatic expressions found in text

ELPS Reading: Mathematics

Emergent bilingual (EB) students may be at the pre-production, beginning, intermediate, high intermediate, or advanced level of English language development in reading. The following proficiency level descriptors describe observable student behaviors in the reading domain when provided linguistically accommodated instruction in mathematics.

Kindergarten–Grade 3 Proficiency Level Descriptors:

Proficiency level descriptors describe the continuum of language acquisition as a student moves from the silent period to discourse.

<u>Language Patterns</u>	<u>1 PRE-PRODUCTION</u> With highly scaffolded instruction and linguistic support, the EB student can:	<u>2 BEGINNING</u> With highly scaffolded instruction and linguistic support, the EB student can:	<u>3 INTERMEDIATE</u> With moderately scaffolded instruction and linguistic support, the EB student can:	<u>4 HIGH INTERMEDIATE</u> With minimally scaffolded instruction and linguistic support, the EB student can:	<u>5 ADVANCED</u> With little or no scaffolded instruction and linguistic support, the EB student can:
<u>Language Structures: Semantics/ Pragmatics</u>	use pictures, manipulatives, or primary language to demonstrate an understanding of mathematical language structures and symbols read such as <i>sum, equal, =, greater than, >, less than, and <</i> in mathematical problems	use pictures, manipulatives, or primary language to demonstrate an understanding of mathematical structures and symbols read such as <i>sum, equal, =, greater than, >, less than, and <</i> in mathematical problems	identify keywords or phrases that correspond to mathematical symbols such as <i>sum, equal, =, greater than, >, less than, and <</i> read in mathematical problems	identify language structures that correspond to mathematical symbols such as <i>sum, equal, =, greater than, >, less than, and <</i> read in mathematical problems	distinguish between language structures that correspond to mathematical symbols such as <i>sum, equal, =, greater than, >, less than, and <</i> read in mathematical problems
<u>Comprehension: Monitor and Adjust</u>	identify key information to make connections to construct meaning from word problems	use pictures, manipulatives, or primary language to identify information to solve a problem	identify relevant information, including mathematical symbols, that signals the actions needed to solve a problem	distinguish between relevant information and extraneous information to solve a problem with increasing accuracy	distinguish between relevant information and extraneous information to solve a problem with accuracy

ELPS Reading: Science

Emergent bilingual (EB) students may be at the pre-production, beginning, intermediate, high intermediate, or advanced level of English language development in reading. The following proficiency level descriptors describe observable student behaviors in the reading domain when provided linguistically accommodated instruction in science.

Kindergarten–Grade 3 Proficiency Level Descriptors:

Proficiency level descriptors describe the continuum of language acquisition as a student moves from the silent period to discourse.

<u>Language Patterns</u>	<u>1 PRE-PRODUCTION</u>	<u>2 BEGINNING</u>	<u>3 INTERMEDIATE</u>	<u>4 HIGH INTERMEDIATE</u>	<u>5 ADVANCED</u>
	<u>With highly scaffolded instruction and linguistic support, the EB student can:</u>	<u>With highly scaffolded instruction and linguistic support, the EB student can:</u>	<u>With moderately scaffolded instruction and linguistic support, the EB student can:</u>	<u>With minimally scaffolded instruction and linguistic support, the EB student can:</u>	<u>With little or no scaffolded instruction and linguistic support, the EB student can:</u>
<u>Language Structures: Semantics/ Pragmatics</u>	<u>use pictures, manipulatives, or primary language to demonstrate an understanding of scientific and engineering language structures and science safety protocols</u>	<u>use pictures, manipulatives, or primary language to comprehend language structures that signal sequential, compare/contrast, or cause/effect analysis when reading scientific and engineering text</u>	<u>identify language structures that signal sequential, compare/contrast, or cause/effect analysis to comprehend scientific and engineering text read</u>	<u>identify or distinguish relevant information in science and engineering text that signals problem/solution, compare/contrast, and cause/effect analysis</u>	<u>read science and engineering text and distinguish relevant information in science and engineering text that signals problem/solution, compare/contrast, and cause/effect analysis</u>
<u>Comprehension: Monitor and Adjust</u>	<u>demonstrate the use of inferential skills such as making a connection to construct meaning from procedural or informational texts read</u>	<u>predict or make connections to construct meaning from procedural or informational texts read</u>	<u>predict or make connections using text features to construct meaning from procedural texts or informational texts about phenomena read</u>	<u>predict, make connections, or draw a conclusion using text features to construct meaning from procedural texts or informational texts about phenomena read, with some accuracy</u>	<u>predict, make connections, and draw a conclusion using text features to construct meaning from procedural texts or informational texts about phenomena read, with accuracy</u>

ELPS Reading: Social Studies

Emergent bilingual (EB) students may be at the pre-production, beginning, intermediate, high intermediate, or advanced level of English language development in reading. The following proficiency level descriptors describe observable student behaviors in the reading domain when provided linguistically accommodated instruction in social studies.

Kindergarten–Grade 3 Proficiency Level Descriptors:

Proficiency level descriptors describe the continuum of language acquisition as a student moves from the silent period to discourse.

<u>Language Patterns</u>	<u>1 PRE-PRODUCTION</u> With highly scaffolded instruction and linguistic support, the EB student can:	<u>2 BEGINNING</u> With highly scaffolded instruction and linguistic support, the EB student can:	<u>3 INTERMEDIATE</u> With moderately scaffolded instruction and linguistic support, the EB student can:	<u>4 HIGH INTERMEDIATE</u> With minimally scaffolded instruction and linguistic support, the EB student can:	<u>5 ADVANCED</u> With little or no scaffolded instruction and linguistic support, the EB student can:
<u>Language Structures: Semantics/ Pragmatics</u>	<u>use pictures, manipulatives, or primary language to demonstrate an understanding of the language structure used in social studies text</u>	<u>use pictures, manipulatives, or primary language to demonstrate an understanding of the language structure used in scaffolded social studies text</u>	<u>identify or read keywords or phrases in social studies text that describe people, places, and events</u>	<u>read, identify, or distinguish relevant information from social studies texts that describe people, places, and events</u>	<u>read and distinguish relevant information from social studies texts that describe people, places, and events</u>
<u>Comprehension: Monitor and Adjust</u>	<u>demonstrate the use of inferential skills such as making a connection to construct meaning using text features such as maps, data charts, and images from historical narratives or informational texts in shared reading</u>	<u>predict or make connections using text features such as maps, data charts, and images to construct meaning from historical narratives or informational texts in shared reading</u>	<u>predict or make connections using text features such as maps, data charts, and images to construct meaning from historical narratives or informational texts read</u>	<u>predict, make connections, or draw a conclusion using text features such as maps, data charts, and images to construct meaning from historical narratives or informational texts read with increasing accuracy</u>	<u>predict, make connections, and draw a conclusion using text features such as maps, data charts, and images to construct meaning from historical narratives or informational texts read, with some accuracy</u>

ELPS Writing: General

Emergent bilingual (EB) students may be at the pre-production, beginning, intermediate, high intermediate, or advanced level of English language development in writing. The following proficiency level descriptors describe observable student behaviors in the writing domain when provided linguistically accommodated instruction in each content area.

Kindergarten–Grade 3 Proficiency Level Descriptors: Proficiency level descriptors describe the continuum of language acquisition as a student moves from the silent period to discourse.					
Language Patterns	1 PRE-PRODUCTION With highly scaffolded instruction and linguistic support, the EB student can:	2 BEGINNING With highly scaffolded instruction and linguistic support, the EB student can:	3 INTERMEDIATE With moderately scaffolded instruction and linguistic support, the EB student can:	4 HIGH INTERMEDIATE With minimally scaffolded instruction and linguistic support, the EB student can:	5 ADVANCED With little or no scaffolded instruction and linguistic support, the EB student can:
<u>Encoding</u>	<u>scribble, draw pictures, and copy words to connect oral language to print</u>	<u>match sounds in words to write phonetically spelled words</u>	<u>match sounds to letters or combinations of letters to spell with increasing accuracy</u> <u>write phrases that may include invented spelling</u>	<u>write words by sounding out phonemes or letter clusters</u>	
<u>Phonology</u>	<u>copy or trace information</u>	<u>connect sounds to letters by relying on phonetic patterns</u>	<u>connect sounds to letters with increasing consistency, including letter clusters and different syllable patterns</u>	<u>spell content-area and high-frequency words with increasing accuracy</u>	<u>spell content-area and high-frequency words using linguistic spelling patterns accurately</u>
<u>Vocabulary</u>	<u>illustrate or copy print to show understanding of content-area vocabulary in either primary language or English</u>	<u>write using a combination of primary language and English high-frequency words to show understanding of content-area vocabulary</u>	<u>write phrases by using high-frequency words, cognates, or content-area vocabulary</u>	<u>write sentences by using high-frequency words, cognates, and content-area vocabulary with increasing accuracy</u>	<u>write sentences using content-area vocabulary with accuracy</u> <u>write sentences using content-compatible academic terms such as <i>observe, infer,</i> and <i>predict</i></u>
<u>Grammar</u>	<u>copy words following capitalization and punctuation conventions</u>	<u>write words that use uppercase and lowercase letters, including personal information such as first and last names</u>	<u>write phrases using standard English conventions</u>	<u>write sentences using standard English conventions with increasing accuracy</u>	<u>write a variety of sentence types using standard English conventions with increasing accuracy</u>

<u>Language Patterns</u>	<u>1 PRE-PRODUCTION</u> With highly scaffolded instruction and linguistic support, the EB student can:	<u>2 BEGINNING</u> With highly scaffolded instruction and linguistic support, the EB student can:	<u>3 INTERMEDIATE</u> With moderately scaffolded instruction and linguistic support, the EB student can:	<u>4 HIGH INTERMEDIATE</u> With minimally scaffolded instruction and linguistic support, the EB student can:	<u>5 ADVANCED</u> With little or no scaffolded instruction and linguistic support, the EB student can:
<u>Discourse</u>	<u>illustrate or copy text to show understanding of academic content</u>	<u>write using a combination of illustrations and text to narrate, describe, explain, or persuade using acquired information or personal experiences</u>	<u>write using frequently modeled content-area language to narrate, describe, explain, or persuade using acquired information or personal experiences</u>	<u>write using common to content-area language to narrate, describe, explain, or persuade using acquired information or personal experiences</u>	<u>write using precise content-area language to narrate, describe, explain, or persuade using acquired information or personal experiences</u>
<u>Discourse</u>	<u>illustrate or copy descriptive language</u>	<u>write descriptive words to add details to written texts or pictures</u>	<u>write an idea with specific and relevant details using descriptive phrases</u>	<u>write to explain an idea with specific and relevant details using simple sentences with increasing accuracy</u>	<u>write to explain an idea with specific and relevant details using a variety of sentence types</u> <u>write using descriptive, literal, or figurative language to compose text</u>

ELPS Writing: English Language Arts and Reading

Emergent bilingual (EB) students may be at the pre-production, beginning, intermediate, high intermediate, or advanced level of English language development in writing. The following proficiency level descriptors describe observable student behaviors in the writing domain when provided linguistically accommodated instruction in English language arts and reading.

Kindergarten–Grade 3 Proficiency Level Descriptors: Proficiency level descriptors describe the continuum of language acquisition as a student moves from the silent period to discourse.					
Language Patterns	1 PRE-PRODUCTION With highly scaffolded instruction and linguistic support, the EB student can:	2 BEGINNING With highly scaffolded instruction and linguistic support, the EB student can:	3 INTERMEDIATE With moderately scaffolded instruction and linguistic support, the EB student can:	4 HIGH INTERMEDIATE With minimally scaffolded instruction and linguistic support, the EB student can:	5 ADVANCED With little or no scaffolded instruction and linguistic support, the EB student can:
<u>Phonology</u>	<u>copy letters that represent the initial sounds of words</u>	<u>write letters that represent the initial sounds of words</u>	<u>encode words while writing phrases and sounding out the phonemes</u>	<u>write pattern phrases and short sentences while sounding out the words (some words are written phonologically)</u>	<u>write multisyllabic words in a variety of sentences by sounding out the letters of the words with increasing accuracy</u>
<u>Spelling</u>	<u>copy sight words and consonant vowel consonant (CVC) words</u>	<u>identify and spell sight words and CVC words</u>	<u>identify and spell words following a pattern such as diagraphs or consonant clusters</u>	<u>spell words that follow specific rules such as double vowel teams ee and oo, ending in -e, and compound words with increasing accuracy</u>	<u>spell multisyllabic words following patterns and rules with increasing accuracy</u>
<u>Language structures/ Syntax</u>	<u>copy sentences with appropriate structure</u>	<u>separate words in a phrase</u> <u>write words in a phrase</u>	<u>write simple high-frequency phrase patterns such as subject-verb (S-V)</u>	<u>write simple high-frequency sentence patterns such as subject-verb-object (S-V-O)</u>	<u>write a variety of sentences using combining words with increasing accuracy</u>
<u>Grammar</u>	<u>label or draw nouns, adjectives, or verbs</u>	<u>write nouns and adjectives</u>	<u>write phrases with familiar parts of speech</u>	<u>write simple sentences using common parts of speech with increasing accuracy</u>	<u>write sentences using a variety of parts of speech with increasing accuracy</u>
<u>Grammar</u>	<u>copy sentences with appropriate capitalization and punctuation conventions</u>	<u>write simple present tense verbs</u>	<u>write simple phrases using present tense verbs with subject-verb agreement</u>	<u>write sentences using past or present verbs with subject-verb agreement with increasing accuracy</u>	<u>write sentences using past, present, or future tense verbs with subject-verb agreement with accuracy</u>

ELPS Writing: Mathematics

Emergent bilingual (EB) students may be at the pre-production, beginning, intermediate, high intermediate, or advanced level of English language development in writing. The following proficiency level descriptors describe observable student behaviors in the writing domain when provided linguistically accommodated instruction in mathematics.

Kindergarten–Grade 3 Proficiency Level Descriptors:

Proficiency level descriptors describe the continuum of language acquisition as a student moves from the silent period to discourse.

<u>Language Patterns</u>	<u>1 PRE-PRODUCTION</u>	<u>2 BEGINNING</u>	<u>3 INTERMEDIATE</u>	<u>4 HIGH INTERMEDIATE</u>	<u>5 ADVANCED</u>
	<u>With highly scaffolded instruction and linguistic support, the EB student can:</u>	<u>With highly scaffolded instruction and linguistic support, the EB student can:</u>	<u>With moderately scaffolded instruction and linguistic support, the EB student can:</u>	<u>With minimally scaffolded instruction and linguistic support, the EB student can:</u>	<u>With little or no scaffolded instruction and linguistic support, the EB student can:</u>
<u>Vocabulary</u>	<u>identify common mathematical symbols such as (=), (+), (-), and (.)</u>	<u>copy common mathematical words and symbols such as equal, (=), plus, (+), minus, (-), (&), (.), and (.) in modeled word problems</u>	<u>write common mathematical phrases and symbols such as equal to, divided by, (=), (&), (.), and (.) in dictated word problems</u>	<u>write common mathematical phrases and symbols such as equal to, divided by, (=), (&), (.), and (.) in student generated word problems with increasing accuracy</u>	<u>write common mathematical phrases and symbols such as equal to, divided by, (=), (&), (.), and (.) in student generated word problems with accuracy</u>
<u>Discourse</u>	<u>illustrate or copy text to show an emerging understanding of mathematics content</u>	<u>copy simple word problems using frequently modeled mathematical language</u>	<u>write simple word problems and explain mathematical thinking and solutions using high-frequency mathematical language</u>	<u>write simple word problems and explain mathematical thinking and solutions using high-frequency mathematical language with relevant details</u>	<u>write word problems and explain mathematical thinking and solutions using precise mathematical language with relevant and accurate details</u>

ELPS Writing: Science

Emergent bilingual (EB) students may be at the pre-production, beginning, intermediate, high intermediate, or advanced level of English language development in writing. The following proficiency level descriptors describe observable student behaviors in the writing domain when provided linguistically accommodated instruction in science.

Kindergarten–Grade 3 Proficiency Level Descriptors:

Proficiency level descriptors describe the continuum of language acquisition as a student moves from the silent period to discourse.

Language Patterns	<u>1 PRE-PRODUCTION</u> With highly scaffolded instruction and linguistic support, the EB student can:	<u>2 BEGINNING</u> With highly scaffolded instruction and linguistic support, the EB student can:	<u>3 INTERMEDIATE</u> With moderately scaffolded instruction and linguistic support, the EB student can:	<u>4 HIGH INTERMEDIATE</u> With minimally scaffolded instruction and linguistic support, the EB student can:	<u>5 ADVANCED</u> With little or no scaffolded instruction and linguistic support, the EB student can:
<u>Vocabulary</u>	<u>illustrate or copy frequently used academic terms or cognates</u>	<u>copy academic terms that are frequently used such as <i>procedures</i> and lab safety or cognates such as <i>cycle</i> and <i>ciclo</i> or <i>organism</i> and <i>organismo</i></u>	<u>write phrases with academic terms that are frequently used or cognates such as <i>cycle</i> and <i>ciclo</i> or <i>organism</i> and <i>organismo</i></u>	<u>write sentences from frequently used terms or cognates with support</u>	<u>write sentences that include content-compatible academic terms</u>
<u>Discourse</u>	<u>illustrate or copy text to show understanding of science and engineering content</u>	<u>copy information using frequently modeled science and engineering language</u>	<u>record information using high-frequency scientific and engineering language with details</u>	<u>illustrate or copy text to show understanding of science and engineering content</u>	<u>copy information using frequently modeled science and engineering language</u>

ELPS Writing: Social Studies

Emergent bilingual (EB) students may be at the pre-production, beginning, intermediate, high intermediate, or advanced level of English language development in writing. The following proficiency level descriptors describe observable student behaviors in the writing domain when provided linguistically accommodated instruction in social studies.

Kindergarten–Grade 3 Proficiency Level Descriptors:

Proficiency level descriptors describe the continuum of language acquisition as a student moves from the silent period to discourse.

Language Patterns	<u>1 PRE-PRODUCTION</u> With highly scaffolded instruction and linguistic support, the EB student can:	<u>2 BEGINNING</u> With highly scaffolded instruction and linguistic support, the EB student can:	<u>3 INTERMEDIATE</u> With moderately scaffolded instruction and linguistic support, the EB student can:	<u>4 HIGH INTERMEDIATE</u> With minimally scaffolded instruction and linguistic support, the EB student can:	<u>5 ADVANCED</u> With little or no scaffolded instruction and linguistic support, the EB student can:
<u>Vocabulary</u>	<u>identify academic terms that are cognates</u>	<u>copy frequently used academic terms such as <i>timeline, place, or date</i> or cognates such as <i>community</i> and <i>comunidad</i> or <i>history</i> and <i>historia</i></u>	<u>write phrases with high-frequency academic terms or cognates such as <i>community</i> and <i>comunidad</i> or <i>history</i> and <i>historia</i></u>	<u>write sentences with high-frequency academic terms or cognates such as <i>community</i> and <i>comunidad</i> or <i>history</i> and <i>historia</i></u>	<u>write sentences that include content-compatible academic terms</u>
<u>Discourse</u>	<u>illustrate or copy text to show understanding of social studies content</u>	<u>copy high-frequency vocabulary related to cause and effect and chronology</u>	<u>write phrases using high-frequency social studies language related to cause and effect, chronology, or comparison</u>	<u>illustrate or copy text to show understanding of social studies content</u>	<u>copy high-frequency vocabulary related to cause and effect and chronology</u>

Figure: 19 TAC §120.21(e)(2)

ELPS Listening: General

Emergent bilingual (EB) students may be at the pre-production, beginning, intermediate, high intermediate, or advanced level of English language development in listening. The following proficiency level descriptors describe observable student behaviors in the listening domain when provided linguistically accommodated instruction in each content area.

Grades 4–12 Proficiency Level Descriptors:

Proficiency level descriptors describe the continuum of language acquisition as a student moves from the silent period to discourse.

<u>Language Patterns</u>	<u>1 PRE-PRODUCTION</u> With highly scaffolded instruction and linguistic support, the EB student can:	<u>2 BEGINNING</u> With highly scaffolded instruction and linguistic support, the EB student can:	<u>3 INTERMEDIATE</u> With moderately scaffolded instruction and linguistic support, the EB student can:	<u>4 HIGH INTERMEDIATE</u> With minimally scaffolded instruction and linguistic support, the EB student can:	<u>5 ADVANCED</u> With little or no scaffolded instruction and linguistic support, the EB student can:
<u>Phonology</u>	<u>recognize and mimic differences in sounds and sound patterns</u>	<u>recognize and mimic differences in sounds and intonation</u>	<u>identify when sounds or intonation are changed within spoken words</u>	<u>recognize sounds or intonation in familiar multisyllabic words</u>	<u>recognize sounds or intonation in familiar and unfamiliar newly acquired multisyllabic words within complex discourse</u>
<u>Vocabulary</u>	<u>match pre-taught content-area vocabulary presented orally with concepts, images, and print</u>	<u>use pictorial models, cognates, or Greek and Latin prefixes, suffixes, or roots to understand spoken content-area vocabulary</u>	<u>use explicitly taught content-area vocabulary, cognates, or Greek and Latin prefixes, suffixes, or roots to comprehend oral classroom instruction and interactions</u>	<u>demonstrate comprehension of familiar content-area vocabulary heard in the classroom by responding orally or in writing with increasing accuracy</u>	<u>demonstrate comprehension of familiar and unfamiliar content-area vocabulary heard in the classroom by responding orally or in writing with accuracy</u>
<u>Following Directions</u>	<u>follow simple oral directions by observing and imitating others</u>	<u>follow simple oral directions with the support of repeated instructions or visual supports</u>	<u>follow multi-step oral directions with repetition or instructions in familiar contexts</u>	<u>follow multi-step oral directions by identifying key details, deadlines, requirements, or expectations in familiar and unfamiliar contexts with increasing accuracy</u>	<u>follow or restate multi-step oral directions by identifying key details, deadlines, requirements, or expectations in unfamiliar contexts with accuracy</u>
<u>Language Structures</u>	<u>demonstrate an understanding of single words or simple language structures with repetition</u>	<u>demonstrate an understanding of patterned oral language structures with repetitive words, phrases, or simple sentences</u>	<u>demonstrate an understanding of high-frequency and familiar language structures heard in classroom interactions</u>	<u>demonstrate an understanding of informal language structures heard in familiar and unfamiliar listening contexts</u>	<u>demonstrate an understanding of formal and informal language structures heard in a variety of listening contexts</u>
<u>Comprehension</u>	<u>demonstrate an understanding of spoken words or simple sentences by responding with gestures or using pictures or images</u>	<u>demonstrate an understanding of spoken words or sentences or simple conversations from a variety of sources by responding in simple words or phrases</u>	<u>demonstrate an understanding of short conversations or multiple, related sentences from a variety of sources by restating, retelling, asking clarifying questions, or asking to restate</u>	<u>demonstrate an understanding of a series of extended sentences or oral discourse from a variety of sources by restating, retelling, or asking clarifying questions with increasing accuracy</u>	<u>demonstrate an understanding of a series of extended sentences or oral discourse from a variety of sources by restating, retelling, or asking clarifying questions with accuracy</u>

ELPS Listening: English Language Arts and Reading

Emergent bilingual (EB) students may be at the pre-production, beginning, intermediate, high intermediate, or advanced level of English language development in listening. The following proficiency level descriptors describe observable student behaviors in the listening domain when provided linguistically accommodated instruction in English language arts and reading.

Grades 4–12 Proficiency Level Descriptors:

Proficiency level descriptors describe the continuum of language acquisition as a student moves from the silent period to discourse.

<u>Language Patterns</u>	<u>1 PRE-PRODUCTION</u> With highly scaffolded instruction and linguistic support, the EB student can:	<u>2 BEGINNING</u> With highly scaffolded instruction and linguistic support, the EB student can:	<u>3 INTERMEDIATE</u> With moderately scaffolded instruction and linguistic support, the EB student can:	<u>4 HIGH INTERMEDIATE</u> With minimally scaffolded instruction and linguistic support, the EB student can:	<u>5 ADVANCED</u> With little or no scaffolded instruction and linguistic support, the EB student can:
<u>Phonology</u>	<u>repeat letter-sound associations, vowel sounds and consonant sounds, including consonant clusters, when heard</u>	<u>segment and blend multisyllabic words that include short and long vowels when heard</u>	<u>identify and differentiate between short vowel sounds, long vowel sounds, and consonant sounds, including consonant clusters, when heard</u>	<u>identify and differentiate between short vowel sounds, long vowel sounds, and consonant sounds, including consonant clusters, in familiar spoken words</u>	<u>identify short vowel sounds, long vowel sounds, and consonant sounds, including consonant clusters, in multi-syllabic spoken words</u>
<u>Comprehension</u>	<u>use non-verbal responses to engage with aural information or text read aloud</u>	<u>use 1- to 2-word responses or short phrases to respond to oral prompts and questions about aural information or text read aloud</u>	<u>organize or categorize information presented orally using graphic supports to identify general meaning, key ideas, or important details</u>	<u>recall general meaning, key ideas, and important details about aural information or text read aloud</u>	<u>paraphrase and seek clarification about aural information or text read aloud using key and expanded details</u>

ELPS Listening: Mathematics

Emergent bilingual (EB) students may be at the pre-production, beginning, intermediate, high intermediate, or advanced level of English language development in listening. The following proficiency level descriptors describe observable student behaviors in the listening domain when provided linguistically accommodated instruction in mathematics.

Grades 4–12 Proficiency Level Descriptors:

Proficiency level descriptors describe the continuum of language acquisition as a student moves from the silent period to discourse.

Language Patterns	<u>1 PRE-PRODUCTION</u> With highly scaffolded instruction and linguistic support, the EB student can:	<u>2 BEGINNING</u> With highly scaffolded instruction and linguistic support, the EB student can:	<u>3 INTERMEDIATE</u> With moderately scaffolded instruction and linguistic support, the EB student can:	<u>4 HIGH INTERMEDIATE</u> With minimally scaffolded instruction and linguistic support, the EB student can:	<u>5 ADVANCED</u> With little or no scaffolded instruction and linguistic support, the EB student can:
<u>Vocabulary</u>	<u>match pre-taught mathematical vocabulary presented orally with images and concepts such as numbers, mathematical operations, symbols, and shapes</u>	<u>use pictorial models to understand spoken vocabulary for mathematical processes and concepts such as numbers, mathematical operations, symbols, and shapes</u>	<u>use pre-taught and highly practiced mathematical vocabulary, cognates, or Greek and Latin roots to comprehend mathematical information, processes, and concepts presented orally</u>	<u>demonstrate comprehension of familiar mathematical concepts presented orally by incorporating key vocabulary in responses with increasing accuracy</u>	<u>demonstrate comprehension of familiar and unfamiliar mathematical concepts presented orally by incorporating key vocabulary in responses with accuracy</u>
<u>Following Directions</u>	<u>participate in a simple, mathematical process provided orally by observing and imitating others</u>	<u>follow a simple step-by-step process provided orally to complete a mathematical investigation or solve a problem with the support of repeated instructions or visual supports such as pictorial models or manipulatives</u>	<u>follow a simple step-by-step process provided orally with visual support and repeated instruction to complete a mathematical investigation or solve a problem</u>	<u>follow a multi-step process provided orally to complete a mathematical investigation or solve a problem with increasing accuracy</u>	<u>follow or restate a multi-step process provided orally to complete a mathematical investigation or solve a problem with accuracy</u>
<u>Language Structures/ Pragmatics</u>	<u>respond to new mathematical ideas or reasoning heard during math lessons by gesturing, pointing, matching, or choosing objects</u>	<u>use concrete or pictorial representations to comprehend common language structures such as compare/contrast (less than, greater than, equal to); descriptions; (attributes); sequence (order of operations); and operations (plus and minus) presented orally</u>	<u>respond to questions with or repeat common mathematical language structures modeled orally in the classroom to compare or describe objects, attributes, and operations and represent mathematical ideas</u>	<u>participate in and summarize mathematical discussions using familiar language structures heard such as comparative, descriptive, sequential, and operational structures</u>	<u>participate in mathematical discussions using unfamiliar language and familiar language structures such as comparative, descriptive, sequential, and operational structures modeled orally in the classroom</u>
<u>Comprehension</u>	<u>use gestures, concrete objects, visuals, or primary language support to respond to mathematical information or ideas presented orally</u>	<u>represent, model, or label key mathematical information, concepts, or relationships presented orally</u>	<u>recall and represent key mathematical information, ideas, concepts, or relationships presented orally</u>	<u>retell and ask clarifying questions about mathematical information, ideas, concepts, or relationships presented orally</u>	<u>explain or justify and ask clarifying questions about mathematical ideas or reasoning presented orally</u>

ELPS Listening: Science

Emergent bilingual (EB) students may be at the pre-production, beginning, intermediate, high intermediate, or advanced level of English language development in listening. The following proficiency level descriptors describe observable student behaviors in the listening domain when provided linguistically accommodated instruction in science.

Grades 4–12 Proficiency Level Descriptors: Proficiency level descriptors describe the continuum of language acquisition as a student moves from the silent period to discourse.					
Language Patterns	1 PRE-PRODUCTION <u>With highly scaffolded instruction and linguistic support, the EB student can:</u>	2 BEGINNING <u>With highly scaffolded instruction and linguistic support, the EB student can:</u>	3 INTERMEDIATE <u>With moderately scaffolded instruction and linguistic support, the EB student can:</u>	4 HIGH INTERMEDIATE <u>With minimally scaffolded instruction and linguistic support, the EB student can:</u>	5 ADVANCED <u>With little or no scaffolded instruction and linguistic support, the EB student can:</u>
<u>Vocabulary</u>	<u>match pre-taught scientific vocabulary with images and concepts when prompted orally</u>	<u>use pictorial models, cognates, or Greek and Latin prefixes, suffixes, and roots to understand spoken scientific vocabulary, including ordinal words</u>	<u>use cognates, Greek and Latin prefixes, suffixes, or roots, and explicitly taught vocabulary, including ordinal words, to comprehend scientific vocabulary heard in the classroom</u>	<u>demonstrate comprehension of scientific vocabulary heard in the classroom by responding orally or in writing with increasing accuracy</u>	<u>demonstrate comprehension of scientific vocabulary heard in the classroom by responding orally or in writing with accuracy</u>
<u>Following Directions</u>	<u>participate in a simple step-by-step process provided orally to complete a scientific procedure or investigation by observing and imitating others</u>	<u>follow a simple step-by-step process provided orally to complete a scientific procedure or investigation with the support of repeated instructions or visual supports such as drawings, charts, graphs, or diagrams</u>	<u>follow a simple step-by-step process provided orally with visual support and repeated instructions to complete a scientific procedure or investigation</u>	<u>follow a multi-step process provided orally to complete a scientific procedure or investigation with increasing accuracy</u>	<u>follow or restate a multi-step process provided orally to complete a scientific procedure or investigation with accuracy</u>
<u>Language Structures</u>	<u>respond to new vocabulary and concepts presented orally during science lessons by gesturing, pointing, matching, or choosing objects</u>	<u>use visual supports and manipulatives to comprehend orally presented scientific concepts that signal common language structures such as sequential, compare/contrast, and cause/effect structures</u>	<u>use key words presented orally that signal common language structures such as sequential, compare/contrast, and cause/effect structures to participate in scientific discussions</u>	<u>participate in scientific discussions of familiar science content by using common language structures heard such as sequential, compare/contrast, and cause/effect structures</u>	<u>participate in scientific discussions of familiar and unfamiliar science content by using language structures heard such as sequential, compare/contrast, and cause/effect structures</u>

ELPS Listening: Social Studies

Emergent bilingual (EB) students may be at the pre-production, beginning, intermediate, high intermediate, or advanced level of English language development in listening. The following proficiency level descriptors describe observable student behaviors in the listening domain when provided linguistically accommodated instruction in social studies.

Grades 4–12 Proficiency Level Descriptors: Proficiency level descriptors describe the continuum of language acquisition as a student moves from the silent period to discourse.					
Language Patterns	1 PRE-PRODUCTION With highly scaffolded instruction and linguistic support, the EB student can:	2 BEGINNING With highly scaffolded instruction and linguistic support, the EB student can:	3 INTERMEDIATE With moderately scaffolded instruction and linguistic support, the EB student can:	4 HIGH INTERMEDIATE With minimally scaffolded instruction and linguistic support, the EB student can:	5 ADVANCED With little or no scaffolded instruction and linguistic support, the EB student can:
<u>Vocabulary</u>	<u>match pre-taught social studies vocabulary with images and concepts when prompted orally</u>	<u>use pictorial models to understand spoken social studies vocabulary, including directional and chronological words</u>	<u>use explicitly taught vocabulary, including directional and chronological words and cognates, to comprehend social studies vocabulary heard in the classroom</u>	<u>demonstrate comprehension of familiar social studies concepts presented orally by responding orally or in writing using key vocabulary, including directional and chronological words, with increasing accuracy</u>	<u>demonstrate comprehension of familiar and unfamiliar social studies concepts presented orally by responding orally or in writing using key vocabulary, including directional and chronological words, with accuracy</u>
<u>Language Structures</u>	<u>respond to new vocabulary and concepts heard during social studies lessons by gesturing, pointing, matching, or choosing objects</u>	<u>use visual supports to comprehend orally presented language structures commonly used in social studies to convey information such as chronological order, cause/effect, and fact/opinion or to compare/contrast</u>	<u>use key words from orally presented language structures commonly used in social studies to convey information such as chronological order, cause/effect, and fact/opinion or to compare/contrast in classroom discussions</u>	<u>participate in discussions of familiar social studies content using common language structures heard such as chronological order, compare/contrast, cause/effect, fact/opinion, and prepositions of place</u>	<u>participate in discussions of familiar and unfamiliar social studies content using language structures heard such as chronological order, compare/contrast, cause/effect, fact/opinion, and prepositions of place</u>

ELPS Speaking: General

Emergent bilingual (EB) students may be at the pre-production, beginning, intermediate, high intermediate, or advanced level of English language development in speaking. The following proficiency level descriptors describe observable student behaviors in the speaking domain when provided linguistically accommodated instruction in each content area.

Grades 4–12 Proficiency Level Descriptors: Proficiency level descriptors describe the continuum of language acquisition as a student moves from the silent period to discourse.					
Language Patterns	<u>1 PRE-PRODUCTION</u>	<u>2 BEGINNING</u>	<u>3 INTERMEDIATE</u>	<u>4 HIGH INTERMEDIATE</u>	<u>5 ADVANCED</u>
<u>Phonology</u>	<u>With highly scaffolded instruction and linguistic support, the EB student can:</u>	<u>With highly scaffolded instruction and linguistic support, the EB student can:</u>	<u>With moderately scaffolded instruction and linguistic support, the EB student can:</u>	<u>With minimally scaffolded instruction and linguistic support, the EB student can:</u>	<u>With little or no scaffolded instruction and linguistic support, the EB student can:</u>
	<u>imitate English pronunciation, sounds, and words</u>	<u>produce some sounds and words with accuracy</u>	<u>produce some sounds, words, and phrases with accuracy and fluency</u>	<u>produce sounds, words, and phrases with increasing accuracy and fluency</u>	<u>produce sounds, words, phrases, and sentences with accuracy and fluency</u>
<u>Vocabulary</u>	<u>repeat academic vocabulary</u>	<u>name familiar objects used in everyday routines and activities</u>	<u>speak using high-frequency and general content-specific words and phrases, including vocabulary terms and cognates</u>	<u>speak using terms and collocations that can have multiple meanings across general academic content areas</u>	<u>speak using academic language and collocations with occasional re-phrasing to express intended meaning</u>
<u>Vocabulary</u>	<u>repeat high-frequency question words</u>	<u>speak in single word and short phrases of practiced or memorized words for basic communication during formal and informal classroom interactions</u>	<u>speak in phrases using some high-frequency vocabulary, including key words and expressions needed for basic communication during formal and informal classroom interactions</u>	<u>speak in sentences using some high-frequency vocabulary, including key words and expressions needed for communication during formal and informal classroom interactions</u>	<u>share information and ask content-relevant questions using concrete and abstract words during formal and informal classroom interactions</u>
<u>Vocabulary</u>	<u>recite modeled content-area words, including cognates</u>	<u>recite high-frequency content-area words, including cognates and Greek and Latin prefixes, suffixes, and roots</u>	<u>speak in simple phrases using high-frequency content-area words with support from cognates and Greek and Latin prefixes, suffixes, and roots</u>	<u>speak in simple sentences using content-area vocabulary with support from cognates and Greek and Latin prefixes, suffixes, and roots</u>	<u>speak in increasingly complex sentences using content-area vocabulary with support from cognates and Greek and Latin prefixes, suffixes, and roots</u>
<u>Language Structures/ Syntax</u>	<u>use nonverbal responses or gestures to communicate</u>	<u>speak using isolated words with some visuals or gestures</u>	<u>speak in short phrases using high-frequency social language structures encountered in classroom interactions</u>	<u>speak using high-frequency social and academic language structures encountered in classroom interactions</u>	<u>speak with academic language structures frequently used in content-area discourse</u>
<u>Register</u>	<u>use nonverbal responses or gestures to communicate</u>	<u>adjust speech structure, form, vocabulary, and register to specific audiences and purposes occasionally</u>	<u>adjust speech structure, form, vocabulary, and register to specific audiences and purposes to increase frequency</u>	<u>adjust speech structure, form, vocabulary, and register to specific audiences and purposes often</u>	<u>adjust speech structure, form, vocabulary, and register to specific audiences and purposes</u>

<u>Language Patterns</u>	<u>1 PRE-PRODUCTION</u> With highly scaffolded instruction and linguistic support, the EB student can:	<u>2 BEGINNING</u> With highly scaffolded instruction and linguistic support, the EB student can:	<u>3 INTERMEDIATE</u> With moderately scaffolded instruction and linguistic support, the EB student can:	<u>4 HIGH INTERMEDIATE</u> With minimally scaffolded instruction and linguistic support, the EB student can:	<u>5 ADVANCED</u> With little or no scaffolded instruction and linguistic support, the EB student can:
<u>Discourse</u>	<u>communicate ideas, feelings, or opinions through gestures or visuals</u>	<u>communicate ideas, feelings, or opinions orally using single words consisting of recently practiced, memorized, repeated, or highly familiar vocabulary</u>	<u>convey ideas, feelings, or opinions orally using high-frequency words, including expressions and phrases</u>	<u>participate in conversations and discussions on a variety of sources in which the student may restate, self-correct, repeat, or search for words and phrases to clarify meaning using connecting words to link ideas, feelings, or opinions in sentences</u>	<u>engage in elaborate conversations and discussions on a variety of sources using connecting words to extend ideas, feelings, or opinions in a variety of sentence types</u>
<u>Discourse</u>	<u>communicate ideas through gestures and a few isolated words</u>	<u>describe ideas and reasoning orally using isolated words and vocabulary</u>	<u>express an opinion with evidence orally using phrases with language support</u>	<u>express an opinion with evidence orally using sentences</u>	<u>speak using complex sentences to evaluate or analyze ideas, reasoning, and arguments</u>
<u>Respond to Information</u>	<u>respond with gestures or mimic simple modeled responses</u>	<u>repeat orally some key word or details about an academic topic</u>	<u>answer questions orally about an academic topic with short response, including some detail</u>	<u>retell or describe information about an academic topic orally with some key words and details in sentences</u>	<u>describe an academic topic orally with elaboration using abstract vocabulary and in a variety of sentence types</u>
<u>Respond to Information</u>	<u>respond with gestures</u>	<u>respond appropriately to the comments of others orally using single words</u>	<u>respond orally with newly acquired vocabulary</u>	<u>respond orally with newly acquired vocabulary in sentences</u>	<u>respond orally with newly acquired vocabulary appropriate for grade level using a variety of sentence types</u>
<u>Respond to Information</u>	<u>repeat high-frequency question words orally</u>	<u>ask a question orally using high-frequency words or use gestures</u>	<u>use question words in simple sentences orally when asking a question about a content-area topic</u>	<u>use question words in simple sentences orally when asking a question about a content-area topic</u>	<u>ask simple and complex questions orally about content- area topics</u>

ELPS Speaking: English Language Arts and Reading

Emergent bilingual (EB) students may be at the pre-production, beginning, intermediate, high intermediate, or advanced level of English language development in speaking. The following proficiency level descriptors describe observable student behaviors in the speaking domain when provided linguistically accommodated instruction in English language arts and reading.

Grades 4–12 Proficiency Level Descriptors: Proficiency level descriptors describe the continuum of language acquisition as a student moves from the silent period to discourse.					
<u>Language Patterns</u>	<u>1 PRE-PRODUCTION</u> With highly scaffolded instruction and linguistic support, the EB student can:	<u>2 BEGINNING</u> With highly scaffolded instruction and linguistic support, the EB student can:	<u>3 INTERMEDIATE</u> With moderately scaffolded instruction and linguistic support, the EB student can:	<u>4 HIGH INTERMEDIATE</u> With minimally scaffolded instruction and linguistic support, the EB student can:	<u>5 ADVANCED</u> With little or no scaffolded instruction and linguistic support, the EB student can:
<u>Register</u>	<u>use nonverbal responses or gestures to communicate</u>	<u>speak using single words consisting of recently practiced, memorized, repeated, or high-frequency literary or informational elements</u>	<u>speak in phrases using high-frequency, content-area vocabulary, or figurative language occasionally</u>	<u>participate in discussions using sentences and literary or informational elements or figurative language</u>	<u>engage in longer discussions using sentences with literary or informational elements or figurative language</u>
<u>Response to Information</u>	<u>respond by repeating or mimicking high-frequency vocabulary</u>	<u>speak using high-frequency vocabulary to describe or respond to a literary or informational text with language support</u>	<u>speak using high-frequency vocabulary and routinely modeled language structures to describe or respond to a literary or informational text with language support</u>	<u>speak using modeled language structures to describe or respond to a literary or informational text</u>	<u>speak using language structures to narrate, describe, or respond to a literary or informational text</u>

ELPS Speaking: Mathematics

Emergent bilingual (EB) students may be at the pre-production, beginning, intermediate, high intermediate, or advanced level of English language development in speaking. The following proficiency level descriptors describe observable student behaviors in the speaking domain when provided linguistically accommodated instruction in mathematics.

Grades 4–12 Proficiency Level Descriptors: Proficiency level descriptors describe the continuum of language acquisition as a student moves from the silent period to discourse.					
Language Patterns	1 PRE-PRODUCTION <u>With highly scaffolded instruction and linguistic support, the EB student can:</u>	2 BEGINNING <u>With highly scaffolded instruction and linguistic support, the EB student can:</u>	3 INTERMEDIATE <u>With moderately scaffolded instruction and linguistic support, the EB student can:</u>	4 HIGH INTERMEDIATE <u>With minimally scaffolded instruction and linguistic support, the EB student can:</u>	5 ADVANCED <u>With little or no scaffolded instruction and linguistic support, the EB student can:</u>
<u>Register</u>	<u>use nonverbal responses or gestures to communicate mathematical terms</u>	<u>speak using single words consisting of recently practiced, memorized, repeated, or high-frequency mathematical terms</u>	<u>speak using high-frequency, concrete vocabulary, including key words, expressions, and phrases needed for basic communication in mathematical context</u>	<u>participate in conversations during formal and informal classroom interactions on mathematical concepts using sentences and mathematical terms</u>	<u>engage in longer conversations and discussions during formal and informal classroom interactions using sentences with mathematical terms</u>
<u>Language Structures/ Syntax</u>	<u>use nonverbal responses or gestures to communicate mathematical terms</u>	<u>speak using isolated mathematical words with some visuals or gestures</u>	<u>speak in short phrases using mathematical language to describe a mathematical process sequentially</u>	<u>speak in sentences using mathematical language to describe a mathematical process sequentially</u>	<u>speak using a variety of sentence types using mathematical language to describe a mathematical process sequentially</u>
<u>Discourse</u>	<u>communicate mathematical ideas through gestures and a few isolated words</u>	<u>describe mathematical ideas and reasoning orally through isolated words and mathematical terms with support</u>	<u>describe and justify mathematical ideas and reasoning orally using high-frequency mathematical terms and phrases</u>	<u>use sentences often to describe and justify mathematical ideas, reasoning, and arguments and application of multiple representations, including symbols, diagrams, and graphs</u>	<u>use sentences and precise mathematical language to explain and justify mathematical ideas, reasoning, and arguments and application of multiple representations, including symbols, diagrams, and graphs</u>

ELPS Speaking: Science

Emergent bilingual (EB) students may be at the pre-production, beginning, intermediate, high intermediate, or advanced level of English language development in speaking. The following proficiency level descriptors describe observable student behaviors in the speaking domain when provided linguistically accommodated instruction in science.

Grades 4–12 Proficiency Level Descriptors: Proficiency level descriptors describe the continuum of language acquisition as a student moves from the silent period to discourse.					
Language Patterns	<u>1 PRE-PRODUCTION</u> With highly scaffolded instruction and linguistic support, the EB student can:	<u>2 BEGINNING</u> With highly scaffolded instruction and linguistic support, the EB student can:	<u>3 INTERMEDIATE</u> With moderately scaffolded instruction and linguistic support, the EB student can:	<u>4 HIGH INTERMEDIATE</u> With minimally scaffolded instruction and linguistic support, the EB student can:	<u>5 ADVANCED</u> With little or no scaffolded instruction and linguistic support, the EB student can:
<u>Register</u>	<u>use nonverbal responses or gestures to communicate scientific terms</u>	<u>speak using single words or short phrases consisting of recently practiced, memorized, repeated, or high-frequency science vocabulary</u>	<u>speak using high-frequency, concrete vocabulary, including key words, expressions, and phrases needed for basic communication in scientific context</u>	<u>participate in conversations during formal and informal classroom interactions about scientific processes or investigations using sentences and scientific terms</u>	<u>engage in longer conversations and discussions during formal and informal classroom interactions about scientific processes or investigations using complex sentences with scientific terms</u>
<u>Discourse</u>	<u>communicate scientific ideas through gestures and a few isolated words</u>	<u>repeat brief step-by-step laboratory procedures or directions orally</u>	<u>use phrases to orally explain a scientific investigation sequentially, including some evidence and reasoning for claims</u>	<u>use sentences to orally explain a scientific investigation sequentially, including some evidence and reasoning for claims</u>	<u>use a variety of sentence types to orally explain a scientific investigation sequentially, including detailed evidence and reasoning for claims</u>
<u>Discourse</u>	<u>communicate scientific observations, processes, ideas, or opinions based on scientific data through gestures or isolated words</u>	<u>use isolated words to orally communicate ideas or opinions based on scientific data</u>	<u>use phrases to orally justify or convey a proposed solution or hypothesis, including some ideas or opinions based on scientific data</u>	<u>justify or convey orally a proposed solution or hypothesis based on scientific data using sentences to link some ideas or opinions</u>	<u>justify or convey orally a proposed solution or hypothesis based on scientific data using sentences to extend ideas or opinions</u>

ELPS Speaking: Social Studies

Emergent bilingual (EB) students may be at the pre-production, beginning, intermediate, high intermediate, or advanced level of English language development in speaking. The following proficiency level descriptors describe observable student behaviors in the speaking domain when provided linguistically accommodated instruction in social studies.

Grades 4–12 Proficiency Level Descriptors: Proficiency level descriptors describe the continuum of language acquisition as a student moves from the silent period to discourse.					
Language Patterns	<u>1 PRE-PRODUCTION</u> With highly scaffolded instruction and linguistic support, the EB student can:	<u>2 BEGINNING</u> With highly scaffolded instruction and linguistic support, the EB student can:	<u>3 INTERMEDIATE</u> With moderately scaffolded instruction and linguistic support, the EB student can:	<u>4 HIGH INTERMEDIATE</u> With minimally scaffolded instruction and linguistic support, the EB student can:	<u>5 ADVANCED</u> With little or no scaffolded instruction and linguistic support, the EB student can:
<u>Discourse</u>	<u>communicate social studies ideas through gestures and a few isolated words</u>	<u>describe social studies concepts or current or historical events orally using isolated words with language support</u>	<u>describe social studies concepts or current or historical events orally using some detail and phrases</u>	<u>describe social studies concepts or current or historical events orally using sentences</u>	<u>engage in longer discussions about social studies concepts or current or historical events using a variety of sentence types</u>
<u>Discourse</u>	<u>communicate ideas, feelings, or opinions through gestures or visuals</u>	<u>use isolated words to orally communicate ideas or opinions about a decision-making process</u>	<u>use phrases to orally convey a decision-making process, including ideas or opinions</u>	<u>participate in conversations during formal and informal interactions about a decision-making process using sentences to link ideas or opinions</u>	<u>engage in longer conversations and discussions during formal and informal interactions using sentences to extend ideas, opinions, or information to evaluate and justify a decision-making process</u>

ELPS Reading: General

Emergent bilingual (EB) students may be at the pre-production, beginning, intermediate, high intermediate, or advanced level of English language development in reading. The following proficiency level descriptors describe observable student behaviors in the reading domain when provided linguistically accommodated instruction in each content area.

Grades 4–12 Proficiency Level Descriptors:

Proficiency level descriptors describe the continuum of language acquisition as a student moves from the silent period to discourse.

<u>Language Patterns</u>	<u>1 PRE-PRODUCTION</u> With highly scaffolded instruction and linguistic support, the EB student can:	<u>2 BEGINNING</u> With highly scaffolded instruction and linguistic support, the EB student can:	<u>3 INTERMEDIATE</u> With moderately scaffolded instruction and linguistic support, the EB student can:	<u>4 HIGH INTERMEDIATE</u> With minimally scaffolded instruction and linguistic support, the EB student can:	<u>5 ADVANCED</u> With little or no scaffolded instruction and linguistic support, the EB student can:
<u>Vocabulary</u>	<u>match pre-taught content-area vocabulary with images and concepts found in text</u>	<u>use pictorial models; cognates or Greek and Latin prefixes, suffices, affixes, or roots to understand content-area vocabulary found in text</u>	<u>use explicitly taught content-area vocabulary; cognates, Greek and Latin prefixes, suffices, or roots to comprehend text</u>	<u>demonstrate comprehension of familiar content-area concepts found in text by responding orally or in writing using key vocabulary with increasing accuracy</u>	<u>demonstrate comprehension of familiar and unfamiliar content-area concepts found in text by responding orally or in writing using key vocabulary, with accuracy</u>
<u>Print Concepts</u>	<u>imitate others reading a book from top to bottom and turning pages from left to right</u>	<u>attempt to read a book top to bottom and turn pages from left to right independently</u>	<u>read a book top to bottom and turn pages from left to right independently</u>	<u>read a book top to bottom and turn pages from left to right independently</u>	<u>read a book top to bottom and turn pages from left to right independently</u>
<u>Purpose for Reading</u>	<u>imitate pre-reading strategies to preview text such as noticing text features, asking simple questions, or making predictions using primary language or nonverbal responses when prompted</u>	<u>preview the text using pre-reading strategies, including asking simple questions and making predictions about the text with a combination of primary language and English when prompted</u>	<u>preview the text using pre-reading strategies, including asking simple questions and making predictions about the text when prompted</u>	<u>preview the text using pre-reading strategies, including asking questions and making predictions about the text with increasing independence</u>	<u>preview the text using pre-reading strategies, including asking questions and making predictions about the text independently</u>
<u>Comprehension: Monitor and Adjust</u>	<u>use text features such as illustrations, graphs, charts, examples, and bold/italicized print in content-area text to identify some familiar words</u>	<u>use context or text features such as illustrations, graphs, charts, examples, and bold/italicized print in content-area text to clarify word meanings or identify some relevant key information</u>	<u>use context and text features such as illustrations, graphs, charts, examples, and bold/italicized print in content-area text to clarify unfamiliar word meanings or identify some relevant key information</u>	<u>use context and text features such as illustrations, graphs, charts, examples, and bold/italicized print in content-area text to clarify unfamiliar word meanings or distinguish relevant key information</u>	<u>use context and text features such as illustrations, graphs, charts, examples, and bold/italicized print in content-area text to clarify unfamiliar word meanings and evaluate relevant key information</u>
<u>Comprehension: Responding to Text</u>	<u>respond to questions about text with gestures, drawings, yes/no, or one-word answers</u>	<u>respond to questions about text with short answers or simple sentences</u>	<u>respond to questions or retell content-area texts using some information from the text</u>	<u>respond to questions or paraphrase content-area texts using some relevant information from the text</u>	<u>respond to questions or summarize content-area texts using relevant information from the text</u>

<u>Language Patterns</u>	<u>1 PRE-PRODUCTION</u> <u>With highly scaffolded instruction and linguistic support, the EB student can:</u>	<u>2 BEGINNING</u> <u>With highly scaffolded instruction and linguistic support, the EB student can:</u>	<u>3 INTERMEDIATE</u> <u>With moderately scaffolded instruction and linguistic support, the EB student can:</u>	<u>4 HIGH INTERMEDIATE</u> <u>With minimally scaffolded instruction and linguistic support, the EB student can:</u>	<u>5 ADVANCED</u> <u>With little or no scaffolded instruction and linguistic support, the EB student can:</u>
Fluency	<u>mimic word-by-word during shared or choral reading of familiar grade-level content-area text</u>	<u>read word-by-word when reading familiar grade-level content area text</u>	<u>read in two-word phrases with some three- or four-word groupings when reading familiar grade-level content-area text</u>	<u>reads in three- or four-word phrase groups up to simple sentences when reading familiar grade-level content area text</u>	<u>reads in larger, meaningful phrase groups or sentences when reading familiar grade-level content-area text with expressive interpretation</u>

ELPS Reading: English Language Arts and Reading

Emergent bilingual (EB) students may be at the pre-production, beginning, intermediate, high intermediate, or advanced level of English language development in reading. The following proficiency level descriptors describe observable student behaviors in the reading domain when provided linguistically accommodated instruction in English language arts and reading.

Grades 4–12 Proficiency Level Descriptors:

Proficiency level descriptors describe the continuum of language acquisition as a student moves from the silent period to discourse.

	<u>1 PRE-PRODUCTION</u>	<u>2 BEGINNING</u>	<u>3 INTERMEDIATE</u>	<u>4 HIGH INTERMEDIATE</u>	<u>5 ADVANCED</u>
<u>Language Patterns</u>	With highly scaffolded instruction and linguistic support, the EB student can:	With highly scaffolded instruction and linguistic support, the EB student can:	With moderately scaffolded instruction and linguistic support, the EB student can:	With minimally scaffolded instruction and linguistic support, the EB student can:	With little or no scaffolded instruction and linguistic support, the EB student can:
<u>Phonology: Vowels</u>	<u>repeat words and distinguish between short and long vowel sounds during choral or shared reading</u>	<u>segment and blend multisyllabic words that include short and long vowels when reading words from text</u>	<u>segment and blend multisyllabic words that include short and long vowels and the different vowel teams/phonemes such as <i>ai, au, ea, ee, ie, oo,</i> and <i>ou</i> when reading words from text</u>	<u>decode multisyllabic words that include short and long vowels and the different vowel teams/phonemes such as <i>ai, au, ea, ee, ie, oo,</i> and <i>ou</i> when reading text</u>	<u>read multisyllabic words that include short and long vowels and the different vowel teams/phonemes such as <i>ai, au, ea, ee, ie, oo,</i> and <i>ou</i> with accuracy when reading text</u>
<u>Phonology: Consonant Clusters</u>	<u>repeat words and distinguish between single consonants and consonant clusters during choral or shared reading</u>	<u>segment and blend multisyllabic words that include two-letter consonant clusters or digraphs at the beginning of words such as <i>th-, bl-,</i> and <i>cr-</i> when reading words in text</u>	<u>segment and blend multisyllabic words with two-letter consonant clusters or digraphs at the beginning or end of words such as <i>th, bl-, cr-, st,</i> and <i>-nd</i> when reading words in text</u>	<u>decode multisyllabic words that include two- and three-letter consonant clusters or digraphs at the beginning or end of a word such <i>spl-</i> and <i>-tch</i> when reading text</u>	<u>read multisyllabic words that include two- and three-letter consonant clusters or digraphs at the beginning or end of a word such <i>spl-</i> and <i>-tch</i> with accuracy when reading text</u>
<u>Language Structures: Semantics/ Pragmatics</u>	<u>use pictures, manipulatives, or primary language to demonstrate an understanding of descriptive language found in shared or familiar text</u>	<u>use pictures, manipulatives, or primary language to demonstrate an understanding of descriptive language found text</u>	<u>use context to construct meaning and demonstrate understanding of descriptive language or words with multiple meanings found in familiar or shared text</u>	<u>use context to construct meaning and demonstrate understanding of descriptive language, words with multiple meanings, or figurative language found in text</u>	<u>use context to construct meaning and demonstrate understanding of descriptive language, words with multiple meanings, figurative language, idiomatic expressions, or colloquialisms found in text</u>

ELPS Reading: Mathematics

Emergent bilingual (EB) students may be at the pre-production, beginning, intermediate, high intermediate, or advanced level of English language development in reading. The following proficiency level descriptors describe observable student behaviors in the reading domain when provided linguistically accommodated instruction in mathematics.

Grades 4–12 Proficiency Level Descriptors:

Proficiency level descriptors describe the continuum of language acquisition as a student moves from the silent period to discourse.

	<u>1 PRE-PRODUCTION</u>	<u>2 BEGINNING</u>	<u>3 INTERMEDIATE</u>	<u>4 HIGH INTERMEDIATE</u>	<u>5 ADVANCED</u>
<u>Language Patterns</u>	<u>With highly scaffolded instruction and linguistic support, the EB student can:</u>	<u>With highly scaffolded instruction and linguistic support, the EB student can:</u>	<u>With moderately scaffolded instruction and linguistic support, the EB student can:</u>	<u>With minimally scaffolded instruction and linguistic support, the EB student can:</u>	<u>With little or no scaffolded instruction and linguistic support, the EB student can:</u>
<u>Language Structures: Semantics/ Pragmatics</u>	<u>use pictures, manipulatives, or primary language to demonstrate an understanding of mathematical language structures and symbols read in mathematical problems</u>	<u>use pictures, manipulatives, or primary language to demonstrate an understanding of mathematical language structures read in simple mathematical problems</u>	<u>identify keywords or phrases that correspond to mathematical processes read in mathematical problems</u>	<u>identify language structures that correspond to mathematical processes and relationships read in mathematical problems</u>	<u>distinguish between language structures that correspond to mathematical processes and relationships read in mathematical problems</u>
<u>Comprehension: Monitor and Adjust</u>	<u>identify key information to make connections to construct meaning from word problems</u>	<u>use pictures, manipulatives, or primary language to identify information to solve a problem</u>	<u>identify relevant information, including mathematical symbols, that signals the actions needed to solve a problem</u>	<u>distinguish between relevant information and extraneous information to solve a problem with increasing accuracy</u>	<u>distinguish between relevant information and extraneous information to solve a problem with accuracy</u>

ELPS Reading: Science

Emergent bilingual (EB) students may be at the pre-production, beginning, intermediate, high intermediate, or advanced level of English language development in reading. The following proficiency level descriptors describe observable student behaviors in the reading domain when provided linguistically accommodated instruction in science.

Grades 4–12 Proficiency Level Descriptors: Proficiency level descriptors describe the continuum of language acquisition as a student moves from the silent period to discourse.					
Language Patterns	<u>1 PRE-PRODUCTION</u> With highly scaffolded instruction and linguistic support, the EB student can:	<u>2 BEGINNING</u> With highly scaffolded instruction and linguistic support, the EB student can:	<u>3 INTERMEDIATE</u> With moderately scaffolded instruction and linguistic support, the EB student can:	<u>4 HIGH INTERMEDIATE</u> With minimally scaffolded instruction and linguistic support, the EB student can:	<u>5 ADVANCED</u> With little or no scaffolded instruction and linguistic support, the EB student can:
<u>Language Structures: Semantics/ Pragmatics</u>	<u>use pictures, manipulatives, or primary language to demonstrate an understanding of scientific and engineering language structures and science safety protocols</u>	<u>use pictures, manipulatives, or primary language to comprehend language structures that signal sequential, compare/contrast, or cause/effect analysis when reading scientific and engineering text</u>	<u>identify language structures that signal sequential, compare/contrast, or cause/effect analysis to comprehend scientific and engineering text read</u>	<u>read, identify, or distinguish relevant information in science and engineering text that signals problem/solution, compare/contrast, and cause/effect analysis</u>	<u>read science and engineering text and distinguish relevant information in science and engineering text that signals problem/solution, compare/contrast, and cause/effect analysis</u>
<u>Comprehension: Monitor and Adjust</u>	<u>demonstrate the use of inferential skills such as making a connection to construct meaning from procedural or informational texts read</u>	<u>predict or make connections to construct meaning from procedural or informational texts read</u>	<u>predict or make connections using text features to construct meaning from procedural texts or informational texts about phenomena read</u>	<u>predict, make connections, or draw a conclusion using text features to construct meaning from procedural texts or informational texts about phenomena read, with some accuracy</u>	<u>predict, make connections, and draw a conclusion using text features to construct meaning from procedural texts or informational texts about phenomena read, with accuracy</u>

ELPS Reading: Social Studies

Emergent bilingual (EB) students may be at the pre-production, beginning, intermediate, high intermediate, or advanced level of English language development in reading. The following proficiency level descriptors describe observable student behaviors in the reading domain when provided linguistically accommodated instruction in social studies.

Grades 4–12 Proficiency Level Descriptors: Proficiency level descriptors describe the continuum of language acquisition as a student moves from the silent period to discourse.					
	<u>1 PRE-PRODUCTION</u>	<u>2 BEGINNING</u>	<u>3 INTERMEDIATE</u>	<u>4 HIGH INTERMEDIATE</u>	<u>5 ADVANCED</u>
<u>Language Patterns</u>	<u>With highly scaffolded instruction and linguistic support, the EB student can:</u>	<u>With highly scaffolded instruction and linguistic support, the EB student can:</u>	<u>With moderately scaffolded instruction and linguistic support, the EB student can:</u>	<u>With minimally scaffolded instruction and linguistic support, the EB student can:</u>	<u>With little or no scaffolded instruction and linguistic support, the EB student can:</u>
<u>Language Structures: Semantics/ Pragmatics</u>	<u>use pictures, manipulatives, or primary language to demonstrate an understanding of social studies language structures and symbols</u>	<u>use pictures, manipulatives, or primary language to demonstrate an understanding of social studies language structures, symbols, and scaffolded text</u>	<u>read social studies text and identify keywords or phrases that signal chronological order, location, and cause/effect</u>	<u>read, identify, or distinguish relevant information from social studies text that signals chronological order, location, and cause/effect</u>	<u>read the text and distinguish relevant information from social studies text that signals chronological order, location, and cause/effect</u>
<u>Comprehension: Monitor and Adjust</u>	<u>demonstrate the use of inferential skills such as making a connection to construct meaning using text features such as maps, data charts, and images from historical narratives or informational texts in shared reading</u>	<u>predict or make connections using text features such as maps, data charts, and images to construct meaning from historical narratives or informational texts in shared reading</u>	<u>predict or make connections using text features such as maps, data charts, and images to construct meaning from historical narratives or informational texts read</u>	<u>predict, make connections, or draw a conclusion using text features such as maps, data charts, and images to construct meaning from historical narratives or informational texts read with increasing accuracy</u>	<u>predict, make connections, and draw a conclusion using text features such as maps, data charts, and images to construct meaning from historical narratives or informational texts read, with some accuracy</u>

ELPS Writing: General

Emergent bilingual (EB) students may be at the pre-production, beginning, intermediate, high intermediate, or advanced level of English language development in writing. The following proficiency level descriptors describe observable student behaviors in the writing domain when provided linguistically accommodated instruction in each content area.

Grades 4–12 Proficiency Level Descriptors:

Proficiency level descriptors describe the continuum of language acquisition as a student moves from the silent period to discourse.

Language Patterns	<u>1 PRE-PRODUCTION</u> With highly scaffolded instruction and linguistic support, the EB student can:	<u>2 BEGINNING</u> With highly scaffolded instruction and linguistic support, the EB student can:	<u>3 INTERMEDIATE</u> With moderately scaffolded instruction and linguistic support, the EB student can:	<u>4 HIGH INTERMEDIATE</u> With minimally scaffolded instruction and linguistic support, the EB student can:	<u>5 ADVANCED</u> With little or no scaffolded instruction and linguistic support, the EB student can:
<u>Encoding</u>	<u>draw pictures and copy words to connect oral language to print</u>	<u>copy to write phonetically spelled words</u>	<u>match sounds to letters or combinations of letters to spell with increasing accuracy</u> <u>write phrases that may include invented spelling</u>	<u>encode words while writing and sounding out phonemes or letter clusters</u>	<u>write unfamiliar words applying syllable patterns</u>
<u>Phonology</u>	<u>copy or trace information</u>	<u>connect sounds to letters by relying on phonetic patterns</u>	<u>connect sounds to letters with increasing consistency, including letter clusters and different syllable patterns</u>	<u>spell content-area words with increasing accuracy</u>	<u>spell content-area words accurately</u>
<u>Vocabulary</u>	<u>illustrate or copy print to show understanding of content-area vocabulary in either primary language or English</u>	<u>write using a combination of primary language and English high-frequency words to show understanding of content-area vocabulary</u>	<u>write phrases by using high-frequency words, cognates, or content-area vocabulary</u>	<u>write sentences using content-area vocabulary, including cognates, with increasing accuracy</u>	<u>write sentences using content-area vocabulary with accuracy</u> <u>write sentences using content-compatible academic terms such as <i>estimate</i>, <i>value</i>, and <i>speculate</i></u>
<u>Language structures/ Syntax</u>	<u>draw pictures, label, list, and copy words</u>	<u>write using simple phrases or patterns that may convey ideas or information</u>	<u>write phrases that convey ideas or information</u>	<u>write sentences using transition words that convey ideas or information with increasing accuracy</u> <u>write questions using the words <i>who</i>, <i>what</i>, <i>when</i>, <i>where</i>, <i>why</i>, or <i>how</i> with increasing accuracy</u>	<u>write sentences using transition words that convey ideas or information with accuracy</u> <u>write questions using the words <i>who</i>, <i>what</i>, <i>when</i>, <i>where</i>, <i>why</i>, or <i>how</i> accurately</u>

<u>Language Patterns</u>	<u>1 PRE-PRODUCTION</u> <u>With highly scaffolded instruction and linguistic support, the EB student can:</u>	<u>2 BEGINNING</u> <u>With highly scaffolded instruction and linguistic support, the EB student can:</u>	<u>3 INTERMEDIATE</u> <u>With moderately scaffolded instruction and linguistic support, the EB student can:</u>	<u>4 HIGH INTERMEDIATE</u> <u>With minimally scaffolded instruction and linguistic support, the EB student can:</u>	<u>5 ADVANCED</u> <u>With little or no scaffolded instruction and linguistic support, the EB student can:</u>
<u>Grammar</u>	<u>copy words following capitalization and punctuation conventions</u>	<u>write words that use uppercase and lowercase letters, including personal information such as first and last names</u>	<u>write phrases using standard English conventions</u>	<u>write sentences using standard English conventions with increasing accuracy</u>	<u>write a variety of sentence types using standard English conventions with increasing accuracy</u>
<u>Discourse</u>	<u>copy English print to show understanding of academic content</u>	<u>write using a combination of primary language, illustrations, and English text to narrate, describe, explain, or justify</u>	<u>write using frequently modeled content-area language to narrate, describe, explain, or justify understanding of ideas</u>	<u>write using language common to content-area to narrate, describe, explain, or justify</u>	<u>write using precise content-area language to narrate, describe, explain, or justify</u>
<u>Discourse</u>	<u>copy English print to show descriptive language</u>	<u>write descriptive words to add details and evidence to written texts or pictures</u>	<u>write an idea with specific and relevant details and evidence using descriptive phrases</u>	<u>write to explain an idea with specific and relevant details and evidence using simple sentences with increasing accuracy</u>	<u>write to explain an idea with specific and relevant details and evidence using a variety of sentence types</u> <u>write using descriptive, literal, or figurative language to compose text</u>

ELPS Writing: English Language Arts and Reading

Emergent bilingual (EB) students may be at the pre-production, beginning, intermediate, high intermediate, or advanced level of English language development in writing. The following proficiency level descriptors describe observable student behaviors in the writing domain when provided linguistically accommodated instruction in English language arts and reading.

Grades 4–12 Proficiency Level Descriptors: Proficiency level descriptors describe the continuum of language acquisition as a student moves from the silent period to discourse.					
<u>Language Patterns</u>	<u>1 PRE-PRODUCTION</u> With highly scaffolded instruction and linguistic support, the EB student can:	<u>2 BEGINNING</u> With highly scaffolded instruction and linguistic support, the EB student can:	<u>3 INTERMEDIATE</u> With moderately scaffolded instruction and linguistic support, the EB student can:	<u>4 HIGH INTERMEDIATE</u> With minimally scaffolded instruction and linguistic support, the EB student can:	<u>5 ADVANCED</u> With little or no scaffolded instruction and linguistic support, the EB student can:
<u>Phonology</u>	<u>copy letters that represent the initial sounds of words</u>	<u>write letters that represent the initial sounds of words</u>	<u>encode words while writing phrases and sounding out the phonemes</u>	<u>write pattern phrases and short sentences while sounding out the words (some words may be written phonologically)</u>	<u>write multisyllabic words in a variety of sentences by sounding out the letters of the words with increasing accuracy</u>
<u>Spelling</u>	<u>copy sight words and consonant vowel consonant (CVC) words</u>	<u>identify and spell sight words and CVC words</u>	<u>identify and spell words following a pattern such as diagraphs or consonant clusters</u>	<u>spell words that follow specific rules such as double vowel teams ee and oo, ending in -e, and compound words with increasing accuracy</u>	<u>spell multisyllabic words following patterns and rules with increasing accuracy</u>
<u>Language Structures/ Syntax</u>	<u>copy sentences with appropriate structure</u>	<u>write words in a phrase</u>	<u>write simple phrases using high-frequency words</u>	<u>write text using simple sentences and transition words to combine phrases and sentences with increasing accuracy</u>	<u>write text using a variety of sentence lengths and types of transition words to combine phrases, clauses, and sentences with increasing accuracy</u>
<u>Grammar</u>	<u>label or draw nouns, adjectives, or verbs</u>	<u>write nouns and adjectives</u>	<u>write phrases with familiar parts of speech</u>	<u>write simple sentences using common parts of speech with increasing accuracy</u>	<u>write sentences using a variety of parts of speech with increasing accuracy</u>
<u>Grammar</u>	<u>copy sentences with appropriate capitalization and punctuation conventions</u>	<u>write simple present tense verbs</u>	<u>write simple phrases using present tense or present progressive tense verbs with subject-verb agreement</u>	<u>write sentences using past, present, perfect, or progressive tense verbs with subject-verb agreement with increasing accuracy</u>	<u>write sentences using past, present, perfect, progressive, or future tense verbs with subject-verb agreement with accuracy</u>

ELPS Writing: Mathematics

Emergent bilingual (EB) students may be at the pre-production, beginning, intermediate, high intermediate, or advanced level of English language development in writing. The following proficiency level descriptors describe observable student behaviors in the writing domain when provided linguistically accommodated instruction in mathematics.

Grades 4–12 Proficiency Level Descriptors:

Proficiency level descriptors describe the continuum of language acquisition as a student moves from the silent period to discourse.

Language Patterns	<u>1 PRE-PRODUCTION</u> With highly scaffolded instruction and linguistic support, the EB student can:	<u>2 BEGINNING</u> With highly scaffolded instruction and linguistic support, the EB student can:	<u>3 INTERMEDIATE</u> With moderately scaffolded instruction and linguistic support, the EB student can:	<u>4 HIGH INTERMEDIATE</u> With minimally scaffolded instruction and linguistic support, the EB student can:	<u>5 ADVANCED</u> With little or no scaffolded instruction and linguistic support, the EB student can:
<u>Vocabulary</u>	<u>identify common mathematical symbols such as (=), (+), (-), and (.)</u>	<u>copy common mathematical words and symbols such as equal, (=), plus, (+), minus, (-), greater than, (>), (&), (.), and (.) in modeled word problems and their meaning</u>	<u>write common mathematical phrases and symbols such as equal to, divided by, (=), greater than, (>), (&), (.), and (.) in dictated word problems</u>	<u>write common mathematical phrases and symbols such as equal to, divided by, (=), greater than, (>), (&), (.), and (.) in student generated word problems with increasing accuracy</u> <u>write common science and engineering abbreviations such as units of measurement and formulas with increasing accuracy</u>	<u>Write common mathematical phrases and symbols such as equal to, divided by, (=), greater than, (>), (&), (.), and (.) in student generated word problems with accuracy</u> <u>write common science and engineering abbreviations such as units of measurement and formulas with accuracy</u>
<u>Discourse</u>	<u>illustrate or copy text to show an emerging understanding of mathematics content</u>	<u>copy simple word problems using frequently modeled mathematical language</u>	<u>write simple word problems and explain mathematical thinking and solutions using high-frequency mathematical language</u>	<u>write simple word problems and explain or justify mathematical thinking and solutions using high-frequency mathematical language with relevant details</u>	<u>write word problems and explain or justify mathematical thinking and solutions using precise mathematical language with relevant and accurate details</u>

ELPS Writing: Science

Emergent bilingual (EB) students may be at the pre-production, beginning, intermediate, high intermediate, or advanced level of English language development in writing. The following proficiency level descriptors describe observable student behaviors in the writing domain when provided linguistically accommodated instruction in science.

Grades 4–12 Proficiency Level Descriptors: Proficiency level descriptors describe the continuum of language acquisition as a student moves from the silent period to discourse.					
<u>Language Patterns</u>	<u>1 PRE-PRODUCTION</u>	<u>2 BEGINNING</u>	<u>3 INTERMEDIATE</u>	<u>4 HIGH INTERMEDIATE</u>	<u>5 ADVANCED</u>
<u>Vocabulary</u>	<u>With highly scaffolded instruction and linguistic support, the EB student can:</u>	<u>With highly scaffolded instruction and linguistic support, the EB student can:</u>	<u>With moderately scaffolded instruction and linguistic support, the EB student can:</u>	<u>With minimally scaffolded instruction and linguistic support, the EB student can:</u>	<u>With little or no scaffolded instruction and linguistic support, the EB student can:</u>
	<u>illustrate or copy frequently used academic terms or cognates</u>	<u>copy academic terms that are frequently used such as <i>procedures, lab safety,</i> or cognates such as <i>cycle</i> and <i>ciclo</i> or <i>organism</i> and <i>organismo</i></u>	<u>write using high frequency science and engineering terms and simple phrases with support from cognates and Greek and Latin prefixes, suffixes, and roots</u>	<u>write using science and engineering terms in simple sentences with support from cognates and Greek and Latin prefixes, suffixes, and roots with increasing accuracy</u> <u>write common science and engineering abbreviations such as units of measurement and formulas with increasing accuracy</u>	<u>write using science and engineering terms in sentences with support from cognates and Greek and Latin prefixes, suffixes, and roots with accuracy</u> <u>write common science and engineering abbreviations such as units of measurement and formulas with accuracy</u>
<u>Discourse</u>	<u>illustrate or copy text to show understanding of science and engineering content</u>	<u>copy information using frequently modeled science and engineering language</u>	<u>record and explain information using high-frequency scientific and engineering language with evidence</u>	<u>record, explain, and justify information using general scientific and engineering language with relevant evidence</u>	<u>record, explain, and justify information using precise science and engineering language with relevant and accurate evidence</u>

ELPS Writing: Social Studies

Emergent bilingual (EB) students may be at the pre-production, beginning, intermediate, high intermediate, or advanced level of English language development in writing. The following proficiency level descriptors describe observable student behaviors in the writing domain when provided linguistically accommodated instruction in social studies.

Grades 4–12 Proficiency Level Descriptors: Proficiency level descriptors describe the continuum of language acquisition as a student moves from the silent period to discourse.					
Language Patterns	1 PRE-PRODUCTION With highly scaffolded instruction and linguistic support, the EB student can:	2 BEGINNING With highly scaffolded instruction and linguistic support, the EB student can:	3 INTERMEDIATE With moderately scaffolded instruction and linguistic support, the EB student can:	4 HIGH INTERMEDIATE With minimally scaffolded instruction and linguistic support, the EB student can:	5 ADVANCED With little or no scaffolded instruction and linguistic support, the EB student can:
<u>Vocabulary</u>	<u>identify academic terms that are cognates</u>	<u>copy frequently used academic terms such as <i>timeline, place, or date</i> or cognates such as <i>community</i> and <i>comunidad</i> or <i>history</i> and <i>historia</i></u>	<u>write using high-frequency social studies terms or simple phrases with support from cognates and Greek and Latin prefixes, suffixes, and roots</u>	<u>write using social studies terms in simple sentences with support from cognates and Greek and Latin prefixes, suffixes, and roots with increasing accuracy</u>	<u>write using social studies terms in sentences with support from cognates and Greek and Latin prefixes, suffixes, and roots with accuracy</u>
<u>Discourse</u>	<u>illustrate or copy text to show understanding of social studies content</u>	<u>copy high-frequency social studies language</u>	<u>write phrases to describe and explain information using high-frequency social studies language</u>	<u>write sentences to explain and justify information using high-frequency social studies language with relevant details</u>	<u>write sentences to explain and justify information using precise social studies language with relevant and accurate details</u>

**Direction to Work Group for Middle School Advanced Mathematics
Texas Essential Knowledge and Skills**

September 13, 2024

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

SUMMARY: This item provides an opportunity for the board to provide direction to the work group for the establishment of Texas Essential Knowledge and Skills (TEKS) for middle school advanced mathematics.

STATUTORY AUTHORITY: Texas Education Code (TEC), §7.102(c)(4), §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 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.

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 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.

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. At the April 2023 SBOE meeting, the board approved changes to the TEKS review process, including the addition of a process for selecting work group members. At the June 2024 SBOE meeting, the board approved moving forward with the establishment of TEKS for middle school advanced mathematics.

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. 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.

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. The board discussed potential adjustments to the TEKS and Instructional Materials Review and Adoption Schedule. At the April 2021 meeting, the SBOE approved revisions to the TEKS and Instructional Materials Review and Adoption Schedule.

At the April 2023 SBOE meeting, the board discussed and approved changes to the TEKS review process, including approving a process for selecting work group members.

At the April 2024 meeting TEA staff shared an overview of upcoming interrelated needs for TEKS review and revision and IMRA and identified two needs related to mathematics including options for instructional materials for accelerated learning and establishing TEKS to support middle school advanced mathematics pathways. At the June 2024 meeting, the board approved moving forward with the establishment of TEKS for middle school advanced mathematics and inclusion.

This item provides an opportunity for the board to provide direction to the work group for the establishment of TEKS for middle school advanced mathematics.

Staff Member Responsible:

Monica Martinez, Associate Commissioner, Standards and Programs

Discussion of Mathematics Instruction

September 11, 2024

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

SUMMARY: This item provides an opportunity for the board to discuss matters to be studied related to strengthening student performance in mathematics.

STATUTORY AUTHORITY: Texas Education Code (TEC), §§7.102(c)(4); 28.002(a) and (c); 31.022, and 31.023.

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, §31.022, requires the SBOE to review instructional materials that have been provided to the board by the Texas Education Agency (TEA) under TEC, §31.023.

TEC, §31.023, requires the commissioner of education to establish, in consultation with and with the approval of the SBOE, a process for the annual review of instructional materials by TEA. In conducting a review under this section, TEA must use a rubric developed by TEA in consultation with and approved by the SBOE.

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 mathematics effective September 1, 1998. 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. At its January-February 2024 meeting, the board adopted the IMRA process and procedures, as amended.

At the January-February 2024 meeting, the board approved a final set of quality rubrics including a rubric for K-12 mathematics for the inaugural IMRA review, approved a process document, and adopted administrative rules related to the new IMRA process.

BACKGROUND INFORMATION AND JUSTIFICATION: This item provides the opportunity for board members to identify matters they wish to study further related to strengthening student performance in mathematics.

Staff Members Responsible:

Todd Davis, Associate Commissioner, Instructional Strategy

Monica Martinez, Associate Commissioner, Standards and Programs

Discussion of Proposed New Texas Essential Knowledge and Skills for Certain Career and Technical Education State-Approved Innovative Courses

September 11, 2024

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

SUMMARY: This item provides an opportunity for the board to discuss proposed new Texas Essential Knowledge and Skills (TEKS) for certain career and technical education (CTE) courses that are currently approved innovative courses. The proposed rule action would add new TEKS for 21 state-approved innovative courses in the following CTE career clusters: agriculture, food, and natural resources; business, marketing, and finance; engineering; health science; hospitality and tourism; information technology; and law and public service.

STATUTORY AUTHORITY: Texas Education Code (TEC), §§7.102(c)(4); 28.002(a), (c), (n), and (o); and 28.025(a), (b-2), and (b-17).

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(n), allows the SBOE to develop by rule and implement a plan designed to incorporate foundation curriculum requirements into the CTE curriculum required in TEC, §28.002.

TEC, §28.002(o), requires the SBOE to determine that at least 50% of the approved CTE courses are cost effective for a school district to implement.

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.

TEC, §28.025(b-2), requires the SBOE to allow a student by rule to comply with the curriculum requirements for the third and fourth mathematics credits under TEC, §28.025(b-1)(2), or the third and fourth science credits under TEC, §28.025(b-1)(3), by successfully completing a CTE course designated by the SBOE as containing substantially similar and rigorous content.

TEC, §28.025(b-17), requires the SBOE to ensure by rule that a student may comply with curriculum requirements under TEC, §28.025(b-1)(6), by successfully completing an advanced CTE course, including a course that may lead to an industry-recognized credential or certificate or an associate degree.

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, effective September 1, 1996, with amendments effective September 1, 1998, and December 25, 2007. In November 2019, the SBOE adopted additional amendments to 19 TAC §74.27 effective December 25,

2019. In November 2022, the SBOE again adopted amendments to 19 TAC §74.27 effective February 26, 2023. In November 2023, the SBOE adopted amendments effective February 18, 2024.

The SBOE adopted the TEKS for all subjects effective September 1, 1998. The CTE TEKS were amended effective August 23, 2010. The CTE TEKS were again amended effective August 28, 2017. CTE TEKS for courses in education and training; health science; and science, technology, and mathematics (STEM) were amended effective April 26, 2022; June 14, 2022; and August 7, 2022. In November 2023, the SBOE adopted new TEKS for CTE career preparation and entrepreneurship courses to be implemented in the 2024-2025 school year.

BACKGROUND INFORMATION AND JUSTIFICATION: After the board adopted new rules concerning graduation requirements, the previously approved experimental courses were phased out as of August 31, 1998. Since the adoption of the TEKS, school districts and other entities have submitted requests for approval of innovative courses that do not have TEKS and meet a demonstrated student need. The process originally outlined in §74.27 provided authority for the commissioner of education to approve discipline-based courses but reserved for SBOE review and approval those courses that did not fall within any of the subject areas of the foundation or enrichment curriculum. In November 2023, the SBOE amended §74.27 to shift from the commissioner to the SBOE the authority to approve all innovative courses that fall under the foundation or enrichment curriculum.

In 2023, CTE advisory committees were convened to make recommendations for the review and refresh of programs of study as required by the Texas Perkins State Plan. Finalized programs of study were published in the fall of 2023 with an implementation date beginning in the 2024-2025 school year. CTE courses to be developed or revised to complete or update programs of study were determined.

At the April 2024 meeting, the SBOE approved new TEKS for 23 courses in the agribusiness, animal science, plant science, and aviation maintenance programs of study as well as two STEM courses that may satisfy science graduation requirements: Physics for Engineers and Scientific Research and Design. Additionally, TEA staff shared an overview of upcoming interrelated needs for TEKS review and revision and instructional materials review and approval (IMRA). Staff explained upcoming needs related to development and amendment of CTE courses, made recommendations for completing the work in batches, and recommended including CTE in the next three cycles of IMRA. In 2024, the SBOE began the review of current CTE TEKS, the development of new CTE TEKS, and the review of innovative courses to be approved as TEKS for courses in the new engineering program of study.

At the June 2024 meeting, the SBOE approved recommendations that TEA present 21 innovative courses with minor edits for consideration for adoption as TEKS-based courses.

Staff Member Responsible:

Monica Martinez, Associate Commissioner, Standards and Programs

Attachment I:

Text of Proposed New 19 TAC Chapter 127, Texas Essential Knowledge and Skills for Career Development and Career and Technical Education, Subchapter C, Agriculture, Food, and Natural Resources, §127.59 and §127.61

Attachment II:

Text of Proposed New 19 TAC Chapter 127, Texas Essential Knowledge and Skills for Career Development and Career and Technical Education, Subchapter F, Business, Marketing, and Finance, §127.262 and §127.263

Attachment III:

Text of Proposed New 19 TAC Chapter 127, Texas Essential Knowledge and Skills for Career Development and Career and Technical Education, Subchapter J, Health Science, §127.510 and §127.511

Attachment IV:

Text of Proposed New 19 TAC Chapter 127, Texas Essential Knowledge and Skills for Career Development and Career and Technical Education, Subchapter K, Hospitality and Tourism, §§127.569, 127.571, and 127.604

Attachment V:

Text of Proposed New 19 TAC Chapter 127, Texas Essential Knowledge and Skills for Career Development and Career and Technical Education, Subchapter M, Information Technology, §§127.689-127.699

Attachment VI:

Text of Proposed New 19 TAC Chapter 127, Texas Essential Knowledge and Skills for Career Development and Career and Technical Education, Subchapter N, Law and Public Service, §127.773

ATTACHMENT I
Text of Proposed New 19 TAC

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

Subchapter C. Agriculture, Food, and Natural Resources

§127.59. Geographic Information Systems for Agriculture (One Credit), Adopted 2025.

- (a) General requirements. This course is recommended for students in 10-12 grade. Recommended prerequisites: Principles of Agriculture, Food, and Natural Resources. Students shall be awarded 1 credit for successful completion of this course.
- (b) Introduction.
 - (1) Career and technical education instruction provide 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 Agriculture, Food, and Natural Resources Career Cluster focuses on the production, processing, marketing, distribution, financing, and development of agricultural commodities and resources, including food, fiber, wood products, natural resources, horticulture, and other plant and animal products/resources.
 - (3) The Geographic Information System for Agriculture is a course designed to provide students with the academic and technical knowledge and skills that are required to pursue a career as a Precision Agriculture Specialist, Crop Specialist, Independent Crop Consultant, Nutrient Management Specialist, Physical Scientist, Precision Agronomist, Precision Farming Coordinator, Research Agricultural Engineering and Soil Fertility Specialist. Students will learn to use computers to develop or analyze maps of remote sensing to compare physical topography with data on soils, fertilizer, pests, or weather.
 - (4) Students are encouraged to participate in extended learning experiences such as career and technical student organizations and other leadership or extracurricular organizations.
- (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 competencies related to resources, information, interpersonal skills, and systems associated with geographic information systems; and
 - (B) identify employers' expectations, including appropriate work habits.
 - (2) The student develops a supervised agriculture experience program. The student is expected to:
 - (A) plan, propose, conduct, document, and evaluate a supervised agriculture experience program as an experiential learning activity;
 - (B) apply proper record-keeping skills as they relate to the supervised agriculture experience;
 - (C) participate in youth leadership opportunities to create a well-rounded experience program; and
 - (D) produce and participate in a local program of activities using a strategic planning process.
 - (3) The student explains the current applications of GIS in agriculture food and natural resources and identifies the future need for GIS in precision agriculture. The student is expected to:
 - (A) identify career development and entrepreneurship opportunities in the field of geographic information systems (GIS) for agriculture;

- (B) research current and emerging careers related to GIS in agriculture and natural resource fields;
 - (C) identify and analyze applications of GIS technologies in agriculture, food, and natural resources;
 - (D) interprets GIS data as it pertains to agriculture; and
 - (E) research h licensing, certification, and credentialing requirements.
- (4) The student analyzes geographic information and spatial data types in Agriculture, Food and Natural Resources. The student is expected to:
- (A) demonstrate a knowledge of the history of GIS and basic terminology used in agriculture;
 - (B) identify GIS models and representations in precision agriculture;
 - (C) apply GIS representations of geographic phenomena in soil types, topography, and farming management;
 - (D) organize and manage spatial data in yield monitoring for crop planning; and
 - (E) analyze GIS data sources and ethics in agriculture.
- (5) The student utilizes GIS tools used in Agriculture, Food and Natural Resources. The student is expected to:
- (A) identify hardware and software for agriculture data management and processing;
 - (B) exhibit competencies related to spatial data capture and preparation, spatial data storage and maintenance, spatial query, and analysis, and spatial data presentation for agriculture; and
 - (C) demonstrate understanding of remote sensing tools and technologies used in precision farming including Unmanned Aerial Support (UAS), Unmanned Aerial Vehicles (UAV), and Global Positioning Satellite (GPS).
- (6) The student integrates spatial referencing and global positioning techniques in Agriculture, Food and Natural Resources. The student is expected to:
- (A) demonstrate knowledge of spatial referencing systems and projections for capturing and displaying agricultural data; and
 - (B) demonstrate knowledge of using satellite-based positioning for agriculture uses.
- (7) The student evaluates the applications for spatial data entry and preparation for agricultural analysis. The student is expected to:
- (A) input agricultural spatial data for GIS analysis; and
 - (B) apply concepts related to agriculture data accuracy and precision.
- (8) The student performs agricultural spatial data analysis. The student is expected to:
- (A) classify analytical GIS capabilities for maximum crop yields;
 - (B) compare vector and raster-based data for agricultural analysis; and
 - (C) explore concepts related to GIS analysis function and natural resource management.
- (9) The student creates spatial data visualizations and cartographic models. The student is expected to:
- (A) identify types of GIS maps used in agriculture;
 - (B) develop GIS maps for various types of agricultural data;
 - (C) demonstrate proficiency of Cartographic symbol used in precision farming; and
 - (D) creates visual data for use in agricultural decision making.

§127.61. Beekeeping and Honey Processing (1 Credit), Adopted 2025.

- (a) General requirements. This course is recommended for students in grades 10-12. Recommended prerequisites: Principles of Agriculture, Food and Natural Resources. Students shall be awarded one credit for successful completion of this course.
- (b) Introduction.
- (1) Career and technical 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 Agriculture, Food, and Natural Resources Career Cluster focuses on the production, processing, marketing, distribution, financing, and development of agricultural commodities and resources, including food, wood products, natural resources, horticulture, and other plant and animal products/resources.
 - (3) Beekeeping and Honey Processing is a course designed to provide students with the academic and technical knowledge and skills that are required to pursue a career related to beekeeping, apiary operations, honey harvesting, and related industries. Beekeeping and Honey Processing is a vital part of our U.S. agricultural economy. To prepare for success, students need opportunities to learn, reinforce, experience, apply, and transfer their knowledge and skills in a variety of settings.
 - (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 “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) describe career development and entrepreneurship opportunities in beekeeping, apiary operations, honey harvesting, and related industries;
 - (B) apply competencies related to resources, information, interpersonal skills, and systems of operation in the viticulture industry;
 - (C) demonstrate knowledge of personal, occupational safety practices, and environmental regulations and first-aid procedures associated with apiary operations;
 - (D) identify training, education, and certification requirements for occupational choice; and
 - (E) identify employers' expectations, including appropriate work habits, ethical conduct, legal responsibilities, and good citizenship skills.
 - (2) The student develops a supervised agriculture experience program. The student is expected to:
 - (A) plan, propose, conduct, document, and evaluate a supervised agriculture experience as an experiential learning activity;
 - (B) apply proper record-keeping skills as they relate to the supervised agriculture experience;
 - (C) participate in youth leadership opportunities to create a well-rounded experience program; and
 - (D) produce and participate in a local program of activities using a strategic planning process.
 - (3) The student explains the biology and bee behavior. The student is expected to:
 - (A) identify different types of bees and their life spans;
 - (B) explain the different roles played by the different types of honey bees; and

- (C) demonstrate knowledge of honey bee development, castes, bee behavior, division of labor, and the life cycle.
- (4) The student analyzes beehive design and development. The student is expected to:
- (A) identify the site characteristics required for successful beehive production;
- (B) evaluate the factors such as climatic characteristics and food sources for a potential beehive to determine if it is suitable for honey harvesting and pollination;
- (C) research and compare successful beehives in other parts of the world with similar local conditions; and
- (D) develop a beehive design and installation plan including shelter concerns, solar, topographical, human and animal habitation, and good neighbor policy.
- (5) The student evaluates technology and practices for weatherizing the hive. The student is expected to:
- (A) demonstrate knowledge of the environmental conditions that lead to bee colonies adapting to extremes in climate conditions- summer, autumn, and winter management; and
- (B) identify and practice winterizing hives and an effective course of action.
- (6) The student demonstrates beehive management techniques. The student is expected to:
- (A) identify the tools of an apiarist and demonstrate safe usage of tools;
- (B) demonstrate inspection of a beehive with an emphasis on using protective; equipment, how to light a smoker, comb replacement or inspection; and
- (C) apply beehive-training techniques including diagnosing the brood pattern, adding brood comb to the nest, switching colonies, feeding bees, providing water, removing old combs, extracting honey, and caging queens;
- (D) identify safety precautions in the field and handling of live bees, caring for the colonies in the hives, extracting of honey and honeycomb;
- (E) explain the proper methods of bee handling to prevent harm to themselves and others; and
- (F) describe personal protective equipment used to reduce the risk of accidents.
- (7) The student develops an integrated pest management plan for beehives. The student is expected to:
- (A) identify the major insect pests and diseases of honeybees;
- (B) evaluate the components of integrated pest management related to honeybees; and
- (C) describe the safe usage of pesticides in honeybee hives.
- (8) The student produces honey using the proper equipment and tools. The student is expected to:
- (A) describe the tools and equipment used in honey production, including but not limited to, bee brush, fume board, honey drip tray, nectar detector, escape board, and extractor;
- (B) demonstrate the safe usage of honey harvesting tools;
- (C) explain the use of technology in modern honey production systems; and
- (D) apply training and extract honey using appropriate procedures.
- (9) The student identifies procedures and regulations for sanitation and safety in the food industry. The student is expected to:
- (A) identify food industry inspection standards, including hazard analysis and critical control points;

- (B) identify the appropriate chemicals used in food industry; specifically in honey processing;
 - (C) identify safety and governmental regulations involved in the processing and labeling of foods;
 - (D) demonstrate knowledge of procedures relating to the safe manufacture of foods through hygienic food handling and processing;
 - (E) develop and maintain sanitation schedules; and
 - (F) research food safety laws.
- (10) The student demonstrates an in-depth understanding of entrepreneurship and how to grow a business. The student is expected to:
- (A) develop concepts based on terms entrepreneurship and entrepreneur;
 - (B) define small, medium, and large-sized businesses;
 - (C) visualize and communicate a business model; and
 - (D) collaborate with a team on the development of a project.
- (11) The student completes the process for development, implementation, and evaluation of a marketing plan and a financial forecast. The student is expected to:
- (A) identify and explain the target market for honey related products;
 - (B) create and conduct a customer survey;
 - (C) analyze the survey results;
 - (D) structure modification recommendations based on survey results; complete a detailed market analysis;
 - (E) analyze and explain different types of market strategies;
 - (F) direct a social media marketing campaign for honey processed products; and
 - (G) develop and explain a projected income statement, cash budget, projected, balance sheet, projected sources and uses of funds statement.
- (12) The student explains the scope and nature of distribution of the honey-related products. The student is expected to:
- (A) define effective channels of distribution strategies, including activities associated with transportation, storage, product handling, and inventory control;
 - (B) explain how distribution can add value to goods, services, and intellectual property; and
 - (C) determine costs associated with distribution.

ATTACHMENT II
Text of Proposed New 19 TAC

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

Subchapter F. Business, Marketing and Finance

§127.262 Marketing (One Credit), Adopted 2025.

- (a) General requirements. This course is recommended for students in grades 10-12. Recommended prerequisite: Principles of Business, Marketing and Finance. 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 Business, Marketing, and Finance Career Cluster focuses on careers in planning, organizing, directing, and evaluating business functions essential to efficient and productive business operations.
- (3) Marketing explores the seven core functions of marketing which include: marketing planning – why target market and industry affect businesses; marketing-information management – why market research is important; pricing – how prices maximize profit and affect the perceived value; product/service management – why products live and die; promotion – how to inform customers about products; channel management – how products reach the final user; and selling – how to convince a customer that a product is the best choice. Students will demonstrate knowledge in hands-on projects which may include conducting research, creating a promotional plan, pitching a sales presentation, and introducing an idea for a new product/service.
- (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 defines marketing and identifies the seven core functions. The student is expected to:
- (A) define marketing;
- (B) identify the seven core functions, including channel management, marketing-information management, marketing planning, pricing, product-service management, promotion, and selling; and
- (C) explain the marketing concept.
- (2) The student knows the interrelationship and purpose of the marketing mix or 4P's of marketing: product, price, promotion, and place. The student is expected to:
- (A) identify the four elements of the marketing mix, including product, price, place, and promotion;
- (B) explain how each component of the marketing mix contributes to successful marketing;
- (C) analyze the interdependence of each element of the marketing mix;
- (D) introduce an idea for a new product/service including the marketing mix; and
- (E) determine the feasibility of a new product/service proposal.

- (3) The student knows how a company considers internal and external factors to understand the current market. The student is expected to:
- (A) explain the internal and external influences of marketing planning;
 - (B) define a marketing plan;
 - (C) identify and explain market position and market share;
 - (D) explain how a business can use a SWOT (strengths, weaknesses, opportunities, threats) analysis to plan for opportunities in the market;
 - (E) conduct a SWOT analysis; and
 - (F) use a SWOT analysis to make informed business decisions.
- (4) The student applies the concepts of market and market identification. The student is expected to:
- (A) define the term market;
 - (B) identify the target market;
 - (C) identify examples of niche marketing;
 - (D) analyze an appropriate target market within a specific industry;
 - (E) compare and contrast types of markets including business to business (B2B) and business to consumer (B2C); and
 - (F) evaluate effective markets for various real-life scenarios.
- (5) The student knows and applies the concept of market segmentation. The student is expected to:
- (A) define the term market segmentation;
 - (B) explain the commonly used types of market segmentation, including demographic segmentation, geographic segmentation, psychographic segmentation, and behavioral segmentation;
 - (C) analyze the impact of culture on buying decisions; and
 - (D) apply market segmentation concepts to a real-world situation.
- (6) The student applies the concepts needed to gather and evaluate information for use in making business decisions. The student is expected to:
- (A) describe marketing information and how it influences marketing decisions;
 - (B) use marketing-research tools to gather primary and secondary data;
 - (C) compare primary and secondary research;
 - (D) define analytics;
 - (E) identify sources of data and information that can be analyzed in a business;
 - (F) identify key metrics; and
 - (G) analyze data and make recommendations.
- (7) The student explains concepts and strategies used in determining and adjusting prices to maximize return and meet customers' perceptions of value. The student is expected to:
- (A) investigate how businesses make pricing decisions;
 - (B) identify goals for pricing, including profit, market share, and competition;
 - (C) analyze factors affecting price, including supply and demand, perceived value, costs, expenses (profit margin), and competition;
 - (D) explain the economic principle of break-even point;

- (E) explain key pricing terms, including odd/even pricing, loss leaders, prestige pricing, penetration pricing, price bundling, price lining, and everyday low pricing; and
 - (F) explain the role of supply and demand on price.
- (8) The student explains the role of product/service management as a marketing function. The student is expected to:
- (A) explain the concept of product mix including product lines, product width and product depth;
 - (B) explain the importance of generating new product ideas;
 - (C) analyze the product mix for a current business;
 - (D) identify and discuss the components of the product life cycle, including introduction, growth, maturity, and decline; and
 - (E) identify marketing decisions that should be best made in each stage of the product life cycle.
- (9) The student knows the process and methods to communicate information about products to achieve a desired outcome. The student is expected to:
- (A) explain the role of promotion as a marketing function;
 - (B) identify elements of the promotional mix, including advertising, public relations, personal selling, and sales promotion;
 - (C) communicate features and benefits of a product to a potential client; and
 - (D) analyze websites for effectiveness in achieving a desired outcome.
- (10) The student identifies promotional channels used to communicate with the targeted audiences. The student is expected to:
- (A) create examples of advertising for various media used to communicate with target audiences, including print media such as outdoor, newspapers, magazines, and direct mail; digital media such as e-mail, apps, and social media; and broadcast media such as television and radio;
 - (B) describe various public-relations activities such as a press release and publicity management;
 - (C) evaluate examples of sales promotions such as coupons, loyalty programs, rebates, samples, premiums, sponsorship, and product placement; and
 - (D) explain the role of marketing ethics in relationship to promotional strategies.
- (11) The student explains the role of channel members and methods of product transportation. The student is expected to:
- (A) define channel of distribution;
 - (B) justify the roles of intermediaries, including manufacturer, agent, wholesaler/industrial distributor, retailer, and consumer/industrial user;
 - (C) identify the methods of transportation for products, including road, air, maritime, rail, and intermodal; and
 - (D) analyze the impact of the distribution channel on price.
- (12) The student demonstrates how to determine client needs and wants and responds through planned and personalized communication. The student is expected to:
- (A) explain the role of personal selling as a marketing function;
 - (B) explain the role of customer service as a component of selling relationships;

- (C) explain the importance of preparing for the sale, including gaining knowledge of product features and benefits, identifying the target market and their needs, and overcoming common objections; and
 - (D) identify and explain ways to determine needs of customers and their buying behaviors, including emotional, rational, or patronage.
- (13) The student demonstrates effective sales techniques. The student is expected to:
- (A) examine the steps of the selling process, such as approach the customer, determine needs, present the product, overcome objections, close the sale, and suggestive selling;
 - (B) explain effective strategies and techniques for various sales situations; and
 - (C) pitch a sales presentation for a product or service using the steps of the sales process, such as addressing customers' needs, wants and objections, and negotiating the sale.
- (14) The student implements a marketing plan. The student is expected to:
- (A) identify a key target audience;
 - (B) determine an appropriate message and medium to attract customers;
 - (C) create a promotional plan that includes the following components: target market, promotional objective, advertising media selection, promotional schedule, and budget;
 - (D) present a marketing plan to an audience; and
 - (E) analyze various marketing plans for effectiveness.
- (15) The student knows the nature and scope of project management. The student is expected to:
- (A) explore the various tools available to manage a project such as a Gantt Chart; and
 - (B) define the components of a project plan, including project goals schedule, timeline, budget, human resources, quality management, risk management, monitoring, and controlling a project.
- (16) The student knows the nature and scope of ethics in marketing. The student is expected to:
- (A) analyze the role and use of ethics in marketing;
 - (B) research how ethics has affected a company's profitability; and
 - (C) apply marketing ethics to the decision-making process.

§127.263 Retail Management (One Credit), Adopted 2025.

- (a) General requirements. This course is recommended for students in Grades 10- 12. Recommended prerequisite: Principles of Business, Marketing, and Finance. Students shall be awarded one credit for the 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 professions.
 - (2) The Marketing Career Cluster focuses on planning, managing, and performing marketing activities to reach organizational objectives.
 - (3) Retail Management is designed as a comprehensive introduction to the principles and practices of retail management. The course explores the process of promoting greater sales and customer satisfaction by gaining a better understanding of the consumers of the goods and services provided by a company. The course provides an overview of the strategies involved in the retail process, such as distributing finished products created by the business to consumers and determining what buyers want and require from the retail market.

- (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 uses self-development techniques and interpersonal skills to accomplish retail management objectives. The student is expected to:
- (A) demonstrate effective interpersonal and team-building skills involving situations with coworkers, managers, and customers;
 - (B) develop leadership and career development activities; and
 - (C) develop employability skills needed to be successful in the retail marketing industry.
- (2) The student applies and evaluates the features of excellent customer service. The student is expected to:
- (A) apply effective communication skills such as active listening, evaluating nonverbal signals, use of appropriate grammar, vocabulary, and tone;
 - (B) effectively communicate verbally and in writing, including e-mail, traditional letter writing, phone conversation, and face-to-face;
 - (C) discuss how company policy impacts a consumer's interaction with the retail establishment; and
 - (D) evaluate how one's attitude impacts a consumer's experience with the retailer.
- (3) The student creates professional documents required for employment. The student is expected to:
- (A) develop a résumé;
 - (B) write appropriate business correspondence such as a letter of intent and a thank you letter;
 - (C) Complete sample job applications; and
 - (D) explain protocol for use of references.
- (4) The student analyzes non-store retailing modalities including direct selling, telemarketing, online retailing, automatic vending, direct marketing, and e-tailing. The student is expected to:
- (A) evaluate the effectiveness of marketing and selling through online platforms such as mobile apps and through the use of software applications and the effectiveness of the mobile app and software application;
 - (B) analyze the disadvantages of non-store retailing such as security concerns, inability to interact with the customer, delay in receiving the product, returning unwanted items, and the lack of social interaction with retailers; and
 - (C) analyze the advantages of non-store retailing such as unlimited access to view the inventory, the ability to purchase 24 hours per day/7 days a week, lower overhead cost, and a larger inventory of items than is housed in a brick-and-mortar facility.
- (5) The student analyzes marketing research to make changes to business strategies or operations. The student is expected to:
- (A) analyze data collected through surveys, interviews, group discussions, and analysis of internal records to create data reports;
 - (B) evaluate actionable research used to improve a retailer's practices to improve overall operations;

- (C) analyze and evaluate the use of surveys to gather effective data needed by the retailer to make effective operational decisions;
 - (D) analyze and disaggregate internal data such as sales data, shipping data, finance reports, inventory reports, customer and personnel feedback collected by the retailer to make effective operational decisions;
 - (E) analyze and disaggregate marketing data based on indicators such as age, gender, education, employment, income, family status, and ethnicity to identify and evaluate products based on the retailers' target market;
 - (F) identify and analyze how the product, price, promotion, and placement of the product impacts the retail market; and
 - (G) evaluate data to determine what sector of the market to target such as the mass market, a target market, or market segmentation.
- (6) The student demonstrates an understanding of the role and responsibilities of a buyer in retail management and can analyze the target market to evaluate consumer needs and wants based on data. The student is expected to:
- (A) define and describe various merchandising categories such as staple, fashion, seasonal, convenience;
 - (B) evaluate merchandise plans and their components including planned sales, planned stock, planned stocked reductions, and planned retail purchases;
 - (C) analyze each stage of a product's life cycle including introduction, growth, maturity, and decline and how this relates to the target market; and
 - (D) develop a budget based on financial goals.
- (7) The student applies inventory management strategies to effectively create and manage reliable tracking systems to schedule purchases, calculate turnover rate, and plan merchandise and marketing decisions. The student is expected to:
- (A) evaluates the process of purchasing inventory and executing a purchase order, transporting orders, and receiving orders;
 - (B) evaluates inventory management practices and the process of ordering merchandise, receiving it into stock, and allocating funds for the vendor;
 - (C) differentiate between perpetual and periodic inventory tracking methods and describe how point of sale software, universal product codes (UPCs), radio frequency identification (RFID), stock shrinkage, and loss prevention impact a retailer's inventory management; and
 - (D) analyze how stock turnover rates impact inventory.
- (8) The student evaluates retailer pricing strategies based on factors such as competition, the economy, and supply and demand to maximize sales and profit. The student is expected to:
- (A) evaluate how uncontrollable factors such as competition, the economy, and supply and demand impact pricing;
 - (B) evaluate how controllable factors such as company goals, operating expenses, and product life cycles impact pricing;
 - (C) describe and evaluate how demand-based pricing, competition-based pricing, and cost-based pricing determine the base price for a product;
 - (D) identify how market share impacts pricing of products; and
 - (E) create price points using Keystone pricing, industry benchmarks, and industry surveys.

- (9) The student evaluates effective promotional activities retail managers use to inform, persuade, and remind customers of products that will meet consumer needs through the use of advertising, sales promotion, public relations, and personal selling. The student is expected to:
- (A) apply the six elements of effective communication including sender, message, channel, receiver, translation, and feedback;
 - (B) demonstrate an understanding of effective written, verbal, and nonverbal communication;
 - (C) evaluate effective promotional communication techniques used to inform or motivate consumers to invest in products or services;
 - (D) evaluate advertising, public relations, personal selling, and sales promotion techniques; and
 - (E) evaluate and employ technology applications to promote items using online advertising, web presence, social media, email campaigns, and other modes of electronic promotional modes.
- (10) The student analyzes and applies personal selling elements needed in retail management to determine how to generate sales. The student is expected to:
- (A) apply sales generating techniques including prospecting, solution development, buyer qualification, opportunity qualification and control, negotiation, and account management and follow-up;
 - (B) describe how ethical behaviors on the part of the sales associate impacts the retail market;
 - (C) apply selling techniques such as.... needed in the retail market;
 - (D) evaluate best practices of product training for sales associates;
 - (E) assess how determining the needs, presenting the product, handling objections, closing the sale, and following up with customers increases sales for the retailer; and
 - (F) determine what types of questions a sales associate should ask a consumer.
- (11) The student evaluates and applies visual merchandising. The student is expected to:
- (A) evaluate how a retailer's storefront, store layout, store interior, centralized visual merchandising, and interior displays impact sales and a consumer's experience with the business; and
 - (B) apply the proper use of design elements such as mannequins, props, lighting, color, signage, and graphics.
- (12) The student demonstrates an understanding of the role of the retail manager for recruiting, hiring, training, supervising, and terminating employees as well as maintaining the everyday operation of a business to ensure that it functions efficiently and meets established goals. The student is expected to:
- (A) evaluate methods of recruiting externally;
 - (B) explain the proper methods of recruiting internally;
 - (C) consider how to develop a diverse pool of talent for employment consideration;
 - (D) explain the application of Equal Employment Opportunity Commission guidelines on the recruitment process;
 - (E) explain why employees often need additional training such as learning new skills and technologies and complying with new laws and regulations;
 - (F) construct an employee appraisal program;
 - (G) explain who should evaluate employees, including supervisors and managers, peers, customers or clients, and subordinates; and

- (H) identify leadership and career development activities such as involvement with appropriate student and local management associations.
- (13) The student demonstrates an understanding of the importance of effective teams and analyzes how effective leaders implement group development strategies. The student is expected to:
- (A) understand the process of forming, storming, norming, performing, and adjourning;
 - (B) discuss effective interpersonal and team-building skills involving situations with coworkers, supervisors, and subordinates;
 - (C) evaluate personal integrity and its effects on relationships in the workplace;
 - (D) evaluate characteristics of successful working relationships such as teamwork, conflict resolution, self-control, and the ability to accept criticism;
 - (E) evaluate the importance of diversity in the workplace;
 - (F) analyze employer expectations; and
 - (G) exhibit productive work habits and attitudes.
- (14) The student analyzes and evaluates the practice of risk management including identifying, assessing, and reducing the risk through proper planning. The student is expected to:
- (A) differentiate between natural, human, market, economic and market risks;
 - (B) differentiate between controllable and uncontrollable risks;
 - (C) evaluate strategies to minimize risks by identifying, assessing, and reducing risks; and
 - (D) analyze how financial losses from human, physical, and natural type risk factors can be minimized through the use of insurance.

ATTACHMENT III
Text of Proposed New 19 TAC

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

Subchapter J. Health Science

§127.510. Speech and Language Development (One Credit), Adopted 2025.

- (a) General requirements. This course is recommended for students in Grades 11-12. Recommended prerequisites: Principles of Health Science, Principles of Health Science, Anatomy and Physiology, and Introduction to Speech Pathology and Audiology. 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, diagnostics services, health informatics, support services, and biotechnology research and development.
 - (3) The Speech and Language Development course is designed to provide for the development of advanced knowledge and skills related to speech and language acquisition and growth of developing children. Understanding of healthy development and the speech, language, and communication developmental milestones is a prerequisite for studying communication disorders. The course will provide students with the knowledge and skills necessary to pursue further education, possibly culminating in a bachelor's degree and subsequent master's degree in communication sciences and disorders.
 - (4) To pursue a career in communication sciences and disorders, students should learn the biological, neurological, acoustic, psychological, and developmental and cultural bases of human communication expressed both nonverbally and verbally through speech production. Students are expected to demonstrate knowledge and understanding of the how these physiological systems work together to allow for effective communication between people.
 - (5) Interpersonal communication is influenced by the individual's cultural and linguistic heritage. Cultural and linguistic awareness and sensitivity are necessary when studying healthy development. Students should recognize how culture and heritage language shape and influence the acquisition of listening, speaking, reading, and writing skills.
 - (6) Success in high school and the next steps beyond high school require effective communication and language skills in the areas of listening, speaking, reading, and writing in order to understand academic language and express meaning for academic purposes. Students are expected to demonstrate knowledge and understanding of the academic language skills needed in order to be successful in school.
 - (7) To pursue a career in the healthcare industry, students should learn to reason, think critically, make decisions, solve problems, research topics of interest, and communicate effectively. Students should recognize that quality service delivery for individuals with communication disorders depends on the ability to work well with others.
 - (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.

(c) Knowledge and skills.

- (1) The student demonstrates professional standards/employability skills as required by business and industry. The student is expected to:
 - (A) express ideas in a clear manner, and
 - (B) exhibit the ability to cooperate, contribute, and collaborate as a member of a team.
- (2) The student demonstrates knowledge of basic human communication processes, including the biological, neurological, psychological, developmental, and linguistic and cultural bases for communication. The student is expected to:
 - (A) differentiate between communication, speech, language, and hearing;
 - (B) summarize the structural bases of speech production and hearing;
 - (C) compare and contrast anatomy and physiology of the speech mechanism;
 - (D) examine anatomy and physiology of the auditory system;
 - (E) identify healthy verbal and nonverbal communication development;
 - (F) describe the developmental building blocks and prerequisites for healthy speech and language development;
 - (G) analyze and apply the terminology related to human communication, such as speech sound production, fluency (stuttering), voice, language, hearing, hearing loss, pragmatics, swallowing, and cognition; and
 - (H) interpret the social-interactive and psychological bases of communication and the linguistic and cultural influences on interpersonal communication.
- (3) The student demonstrates knowledge and understanding of various theoretical perspectives of healthy speech and language acquisition. The student is expected to:
 - (A) explain and investigate the major theories of language acquisition;
 - (B) compare and contrast the major theories of speech sound production; and
 - (C) research the connections between language development and speech development, as they relate to phonological awareness in learning to read.
- (4) The student analyzes and evaluates the healthy development of speech sound production in children. The student is expected to:
 - (A) examine the fundamentals of articulatory phonetics in relation to the respiratory system including the larynx, the vocal tract, and articulators (velopharynx, tongue, lips, and jaw), and air flow;
 - (B) analyze the foundation for speech acquisition in relation to auditory perception before birth and in infants;
 - (C) describe early vocal development in infants as a prerequisite for speech;
 - (D) evaluate the importance of the use of vowels in infants and young children for the development of speech and ways to categorize or describe vowel and diphthong production;
 - (E) research the development of consonant inventories in young English-speaking children;
 - (F) differentiate and evaluate the models for describing consonant production;
 - (G) summarize progression in speech development for combining sounds into syllable shapes and words; and
 - (H) analyze the linguistic and cultural influences of the heritage/native language on the development of speech sound production in English.

- (5) The student analyzes and evaluates the development of language skills in children. The student is expected to:
- (A) explain the components of a developing language system in terms of vocabulary, grammar, and social/interpersonal communication;
 - (B) examine the components of language and discuss the prerequisite skills for developing language;
 - (C) distinguish between language delay, language disorders, and language difference;
 - (D) contrast healthy language development in terms of comprehension and expression from birth through age five years;
 - (E) summarize healthy language development in the areas of syntax, morphology, semantics, metalinguistics, phonology and phonological awareness, and pragmatics from kindergarten (age 5) through grade 5 (age 10 or 11);
 - (F) summarize healthy continuing language development in adolescence in the areas of syntax, morphology, semantics, metalinguistics, phonology, and pragmatics; and
 - (G) summarize cultural and ethnic differences in language development.
- (6) The student analyzes and evaluates the healthy development of verbal fluency skills in children. The student is expected to:
- (A) define and distinguish between verbal fluency, disfluencies, and stuttering;
 - (B) identify common disfluencies;
 - (C) explain the development of speech and language skills and periods of expected disfluencies;
 - (D) distinguish between and discuss variables that may affect a child's verbal fluency; and
 - (E) compare and contrast verbal fluency for English language learners.
- (7) The student analyzes and evaluates the parameters of voice production in children and adults. The student is expected to:
- (A) examine the physical and physiological parameters of voice production;
 - (B) compare and contrast the components of healthy voice production including voice quality, pitch, loudness, resonance, and duration;
 - (C) evaluate causes or etiologies of variations in voice production;
 - (D) differentiate changes in the parameters of voice production across the life span;
 - (E) analyze environmental variables that may affect voice production; and
 - (F) analyze the practice of speech-language pathology, allowable services, and the ethical considerations for the speech-language pathologist in dealing with individuals with a possible voice disorder and the requirement for ongoing work with a physician.
- (8) The student analyzes and evaluates the development of effective language and communication skills needed to demonstrate high levels of achievement in elementary and secondary school. The student is expected to:
- (A) describe the milestones of communication development for pragmatics, semantics, syntax, phonology and metalinguistics and compare them to the milestones of literacy development in literacy socialization, phonological awareness, print knowledge, reading, and writing;
 - (B) differentiate between interpersonal language used for conversational interaction and more formal, literate language used for learning academic content;

- (C) define and give examples of tier 1, tier 2, and tier 3 vocabulary as it relates to language development and meeting grade level expectations across subject areas in the areas of academic vocabulary;
 - (D) explain the development of language used for oral and written narratives and how story grammar can be used as a bridge between conversational language and academic language;
 - (E) analyze the development of pragmatic-language skills and the types of verbal, nonverbal, and written communication skills needed to do well in school; and
 - (F) define emergent literacy and discuss the language base necessary for the development of reading skills.
- (9) The student explores the knowledge and skills necessary to discriminate between healthy versus unhealthy speech and language development. The student is expected to:
- (A) describe the role of the speech-language pathologist in discriminating between healthy speech and language development and speech sound disorders and language disorders;
 - (B) research techniques for and the purpose of screening speech and language skills in children;
 - (C) analyze techniques for and the purpose of the evaluation of speech and language skills in children;
 - (D) evaluate Response to Intervention (RTI) as it relates to accurate identification of a speech or language disorder in school-age children; and
 - (E) analyze the role of the speech-language pathologist in referral, counseling, and providing basic information when there are concerns about a child's speech or language development.
- (10) The student demonstrates verbal and nonverbal communication skills. The student is expected to:
- (A) describe and demonstrate in simulations the communication skills appropriate to the situation when interacting with elementary age students, classroom teachers, speech-language pathologists, principals, and parents regarding healthy communication skills;
 - (B) identify verbal and nonverbal communication techniques that should be used when communicating with children that have sensory loss, language barriers, cognitive impairment, and other learning disabilities;
 - (C) demonstrate use of electronic communication and technology devices that may be used when interacting with children with communication disorders; and
 - (D) distinguish between oral interpretation and translation skills from English to a second language or from a heritage language into English.
- (11) The student analyzes and evaluates the influence of dialects of Standard American English or native language on the development of speech and language skills in English, and on the production of English. The student is expected to:
- (A) provide examples of how a common phrase may be expressed across Standard American English and three different dialects;
 - (B) interpret terms such as pidgin and creole that may influence the development of speech and language development;
 - (C) describe and analyze how speech and language patterns vary as a function of language, age, socioeconomic status, and geography;
 - (D) analyze the characteristics of American English dialects in terms of speech sound production and language use;

- (E) summarize the influence of heritage language on the speech sound production and grammar development of English in English language learners; and
- (F) analyze considerations for English language learners in terms of expected speech and language development.

§127.511. Speech Communication Disorders (One Credit), Adopted 2025.

- (a) General requirements. This course is recommended for students in Grade 11-12. Recommended Prerequisite: Principles of Health Science, Anatomy and Physiology, Introduction to Speech-Language Pathology and Audiology, Speech and Language Development, and Human Growth and Development. 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, diagnostics services, health informatics, support services, and biotechnology research and development.
 - (3) The Communication Disorders course is designed to provide for the development of advanced knowledge and skills related to an overview of communication disorders that occur in children and adults in the areas of speech sound production, stuttering, voice disorders, and the language areas of semantics, syntax, pragmatics, phonology, and metalinguistics. An overview of treatment for hearing loss and deafness will also be provided.
 - (4) The professionals that specialize in communication sciences and disorders have credentialing and ethical practice standards that regulate the delivery of services across the lifespan for individuals with communication disorders, and across a variety of practice settings. Emphasis in this course will be on communication disorders in preschool and school-age, children, youth, and adults. Students are expected to demonstrate understanding of and differentiate among communication disorders of speech sound production, stuttering, voice disorders and language comprehension and verbal and written expression.
 - (5) To pursue a career in communication sciences and disorders, students should learn to reason, think critically, make decisions, solve problems, research topics of interest, and communicate effectively. Students should recognize that quality service delivery for individuals with communication disorders depends on the ability to work well with others, with sensitivity and understanding of cultural and linguistic influences on the individual's communication patterns.
 - (6) Speech-language pathologists and audiologists are engaged in the assessment, diagnosis, and plan of care or treatment, provision of services, counseling, and referral to other professionals for individuals with communication disorders. In addition, prevention of hearing loss and prevention of speech, language and communication disorders are important professional responsibilities. Students are expected to identify activities, skills, and expertise needed for each of these professional responsibilities.
 - (7) To pursue a career in the health care industry, students should learn to reason, think critically, make decisions, solve problems, research topics of interest, and communicate effectively. Students should recognize that quality service delivery for individuals with communication disorders depends on the ability to work well with others.
 - (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.

(c) Knowledge and skills.

- (1) The student demonstrates professional standards/employability skills as required by business and industry. The student is expected to:
 - (A) express ideas in a clear, concise, and effective manner; and
 - (B) exhibit the ability to cooperate, contribute, and collaborate as a member of a team.
- (2) The student demonstrates knowledge of the nature of speech, language, hearing, and communication disorders and differences. The student is expected to:
 - (A) identify the anatomy and function of the peripheral and central auditory pathways;
 - (B) describe the physical and psychological attributes of sound;
 - (C) identify the different types of hearing loss;
 - (D) describe the impact of hearing loss on speech and language development;
 - (E) compare and contrast the processes of speech, language, and hearing in people of various cultures;
 - (F) identify and relate disorder differences in relationship to communication skills; and
 - (G) explain the concepts of speech, language, hearing, and communication disorders across the human lifespan.
- (3) The student demonstrates knowledge of the etiologies, characteristics, anatomical/physical, acoustic, psychological, developmental, and linguistic and cultural correlates of communication disorders across the human lifespan. The student is expected to:
 - (A) compare and contrast common causes of hearing impairment in children and adults;
 - (B) analyze the causes of speech, language, and hearing disorders across the lifespan;
 - (C) identify common communication and hearing disorders, their typical symptoms, etiologies, characteristics and associated correlates; and
 - (D) evaluate the impact of communication disorders on the individual; and
 - (E) evaluate cultural variations in how communication disorders are perceived.
- (4) The student describes the types of communication disorders most commonly seen in children and services provided by professionals in communication sciences and disorders to provide habilitation or rehabilitation services for these communication disorders. The student is expected to:
 - (A) analyze speech sound disorders in terms of the child's phonological system and in terms of a description of the production of the speech sounds such as place, manner, voicing; and distinctive feature analysis;
 - (B) describe and organize evidence-based treatment approaches for speech sound disorders;
 - (C) summarize fluency disorders including secondary characteristics;
 - (D) analyze evidence-based treatment approaches for stuttering;
 - (E) identify voice disorders in terms of vocal quality, pitch, loudness, resonance, and duration;
 - (F) develop an evidence-based treatment for voice disorders and the required interface with a physician;
 - (G) explain language disorders in terms of the child's use of syntax, morphology, semantics, pragmatics, phonology, and metalinguistics; and

- (H) compare and contrast evidence-based treatment approaches for language disorders in preschool and elementary-age children.
- (5) The student demonstrates effective verbal and nonverbal communication skills. The student is expected to:
- (A) demonstrate communication skills appropriate to the situation when interacting with elementary age students, classroom teachers, speech-language pathologists, principals, and parents with communication disorders;
 - (B) demonstrate knowledge of verbal and nonverbal communication techniques that should be used when communicating with children that have sensory loss, language barriers, cognitive impairment, and other learning disabilities;
 - (C) employ electronic communication and technology devices when interacting with children with communication disorders with appropriate supervision in a school setting; and
 - (E) demonstrate translation skills from English to a second language or from a heritage language into English with appropriate supervision.
- (6) The student demonstrates sensitivity and understanding of cultural and linguistic influences on an individual's communication patterns and describes how cultural and linguistic influences must be considered when working with children with communication disorders and their families. The student is expected to:
- (A) analyze how speech and language patterns vary as a function of language, age, socioeconomic status, and geography;
 - (B) prepare a simulated ethnographic interview with the parent or family member of a child referred for a hearing or communication evaluation;
 - (C) identify patterns of communication that are common for individuals from different cultural and linguistic backgrounds such use of eye contact, personal space, and gestures;
 - (D) explain the issues to be considered when working with an interpreter or translator to communicate with a child with a communication disorder, or the child's family;
 - (E) apply design strategies for culturally sensitive family-centered practices for children with communication disorders; and
 - (F) explain the terms language disorder, language delay, language difference, Spanish-influenced English, and dialect for describing the communication patterns of a young child.
- (7) The student identifies screening, evaluation, and diagnosis procedures that are used to identify hearing loss/deafness, speech sound production disorders, stuttering, voice impairment, and language disorders in children. The student is expected to:
- (A) explain principles related to different audiometric test procedures;
 - (B) participate in a basic audiometric test (screening procedure) and interpret a variety of test results regarding whether the individual passed or failed the screening;
 - (C) interpret principles related to screening speech sound production, fluency, voice, and language skills in young children;
 - (D) evaluate developmental screening activities that include screening speech and language development; and
 - (E) synthesize the components of a comprehensive diagnostic report of findings inclusive of speech sound production, fluency (stuttering), voice production, reception, expressive, and social language skills.
- (8) The student identifies research-based and evidence-based practices in speech-language pathology and audiological service delivery. The student is expected to:

- (A) define evidence-based practice (EBP) and differentiate EBP from scientifically-based research in the fields of speech-language pathology and audiology;
 - (B) define the set of Evidence Levels used by the American Speech-Language-Hearing Association as a protocol to evaluate research evidence;
 - (C) correlate research studies to the Evidence Levels used by the American Speech-Language-Hearing Association;
 - (D) analyze the role of expert opinion and clinical experience in evidence-based practice; and
 - (E) design an action research project in the field of communication disorders.
- (9) The student demonstrates knowledge and understanding of a variety of treatment approaches used with children with communication disorders. The student is expected to:
- (A) compare and contrast two treatment approaches for speech sound disorders;
 - (B) compare and contrast two treatment approaches for fluency disorders;
 - (C) practice treatment approaches for voice disorders in the areas of vocal quality, pitch, loudness, resonance, and duration;
 - (D) compare and contrast two treatment approaches for language disorders in preschool children;
 - (E) compare and contrast two treatment approaches for language disorders in elementary school-age children; and
 - (F) identify treatment for language disorders with children with other disabilities such as autism, intellectual disability, cleft palate, or cerebral palsy.

ATTACHMENT IV
Text of Proposed New 19 TAC

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

Subchapter K. Hospitality and Tourism

§127.569. Foundations of Restaurant Management (One Credit), Adopted 2025.

- (a) General requirements. This course is recommended for students in Grades 10-12. Recommended prerequisite: Principles of Hospitality and Tourism. 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 Hospitality and Tourism Career Cluster focuses on the management, marketing, and operations of restaurants and other food/beverage services, lodging, attractions, recreation events, and travel-related services.
 - (3) Foundations of Restaurant Management provides students with a foundation to understand basic culinary skills and food service-restaurant management, along with current food service-restaurant industry topics and standards. Building on prior instruction, this course provides introductory insight into critical thinking, financial analysis, industry technology, social media, customer awareness and leadership in the food service-restaurant industry. Students will gain an understanding of restaurant operations and the importance of communicating effectively to diverse audiences, purposes and situations in food service-restaurant operations and management. Students will learn how the front of the house and the back of the house of restaurant management operate and collaborate and obtain value-added certifications in the industry to help launch themselves into restaurant/foodservice careers.
 - (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.
- (a) Knowledge and skills.
 - (1) The student demonstrates professional standards as required by the food service-restaurant business and industry. The student is expected to:
 - (A) demonstrate effective oral and written communication;
 - (B) apply professional grooming, hygiene and appropriate uniform standards;
 - (C) exercise punctuality and time-management skills;
 - (D) demonstrate self-respect and respect for others;
 - (E) demonstrate effective teamwork and leadership; and
 - (F) employ initiative, adaptability, and problem-solving techniques in practical applications.
 - (2) The student gains academic knowledge and skills required to pursue the full range of career and postsecondary education opportunities within the food service-restaurant industry. The student is expected to:
 - (A) organize oral and written information;

- (B) compose a variety of written documents such as job descriptions, menus, presentations, and advertisements;
 - (C) calculate numerical concepts such as weights, measurements, pricing, and percentages;
 - (D) identify how scientific principles used in the food service-restaurant industry affect customer service and profitability; and
 - (E) use mathematics and science knowledge and skills to explain how to operate a profitable restaurant.
- (3) The student uses verbal and nonverbal communication skills to create, express, and interpret information to establish a positive work environment. The student is expected to:
- (A) develop and deliver business presentations;
 - (B) identify and create various marketing strategies used by the food service-restaurant industry to increase customer traffic and profitability;
 - (C) plan and facilitate new staff member training;
 - (D) explain how interpersonal communications such as verbal and nonverbal cues enhance communication with coworkers, employers, customers, and clients; and
 - (E) explain how active listening skills can affect employee morale and customer service.
- (4) The student solves problems using critical thinking, innovation, and creativity independently and in teams. The student is expected to:
- (A) generate creative ideas to increase customer service, employee morale, and profitability; and
 - (B) employ critical-thinking and interpersonal skills to resolve conflicts with individuals such as coworkers, customers, clients, and employers.
- (5) The student uses information technology tools specific to restaurant management to access, manage, integrate, and interpret information. The student is expected to:
- (A) use information technology tools and applications to perform workplace responsibilities;
 - (B) evaluate business financial statements to increase profitability;
 - (C) evaluate customer service and make recommendations for improvements;
 - (D) demonstrate knowledge and use of point-of-sale systems to evaluate business outcomes and provide customer service; and
 - (E) design Internet resources for business profitability.
- (6) The student understands roles within teams, work units, departments, organizations, and the larger environment of the food service-restaurant industry. The student is expected to:
- (A) relate the different types and functions of back-of-the-house, front-of-the-house, and support roles to profitable food service-restaurant operations;
 - (B) create a work schedule to provide exceptional customer service while maintaining profitability;
 - (C) investigate quality-control standards and practices that affect restaurant profitability;
 - (D) evaluate various styles of restaurant services such as table, buffet, fast food, fast casual, and quick service for cost and level of profitability;
 - (E) connect various place settings to the customer service experience and profitability; and
 - (F) explain how proper service techniques in food service-restaurant operations contribute to the customer experience.

- (7) The student understands the importance of health, safety, and environmental management systems in organizations and their importance to organizational performance, profitability, and regulatory compliance. The student is expected to:
- (A) assess workplace conditions with regard to safety and health;
 - (B) analyze potential effects caused by common chemicals and hazardous materials;
 - (C) apply safety and sanitation standards common to the workplace;
 - (D) research sources of food-borne illness and determine ways to prevent them;
 - (E) determine professional attire and personal hygiene for restaurant employees;
 - (F) describe the impact of unacceptable workplace conditions, improper storage of chemicals, and food-borne illness on profitability and reputation of the food service-restaurant business; and
 - (G) prepare for a state or national food sanitation certification or other appropriate certifications.
- (8) The student uses leadership and teamwork skills in collaborating with others to accomplish organizational goals and objectives. The student is expected to:
- (A) apply team-building skills;
 - (B) apply decision-making and problem-solving skills;
 - (C) describe and apply effective communication strategies in interactions with supervisors and business owners;
 - (D) determine leadership and teamwork qualities to aid in creating a pleasant working atmosphere; and
 - (E) participate in community leadership and teamwork opportunities to enhance professional skills.
- (9) The student knows and understands the importance of professional ethics and legal responsibilities within the food service-restaurant industry. The student is expected to:
- (A) demonstrate knowledge of laws and guidelines affecting operations in the restaurant industry; and
 - (B) explain the reasons for liability insurance in the restaurant industry.
- (10) The student demonstrates an understanding that personal success depends on personal effort. The student is expected to:
- (A) demonstrate a proactive understanding of self-responsibility and self-management;
 - (B) identify behaviors needed to be employable and maintain employment such as positive work ethics and positive personal qualities;
 - (C) identify and evaluate the effects of exercise, nutritional dietary habits, and emotional factors such as stress, fatigue, or anxiety on job performance;
 - (D) implement stress-management techniques; and
 - (E) follow directions and procedures independently.
- (11) The student develops principles in time management, decision making, and prioritization. The student is expected to:
- (A) apply effective practices for delegating tasks related to the operation of an effective food service-restaurant establishment;
 - (B) describe the relationships between scheduling, payroll costs, and sales forecasting;

- (C) analyze various steps in determining the priority of daily tasks to be completed in a food service-restaurant business; and
 - (D) discuss the importance of creating a work life balance.
- (12) The student knows and understands the importance of employability skills. The student is expected to:
- (A) demonstrate skills related to seeking employment in the food service-restaurant industry;
 - (B) identify the required training and educational requirements that lead toward a career in the food service-restaurant industry;
 - (C) select educational and work history highlights to include in a career portfolio;
 - (D) create and update a personal career portfolio;
 - (E) summarize effective selection and interviewing approaches used in the restaurant industry;
 - (F) recognize training required for a food service-restaurant occupation such as TABC training and Food Safety and Sanitation training;
 - (G) research the local and regional labor workforce market to determine opportunities for advancement in the food service-restaurant industry;
 - (H) investigate professional development training opportunities to keep current on relevant trends and information within the food service-restaurant industry; and
 - (I) recognize entrepreneurship opportunities within the food service-restaurant industry.
- (13) The student understands the use of technical knowledge and skills required to pursue careers in the restaurant food service-restaurant industry, including knowledge of design, operation, and maintenance of technological systems. The student is expected to:
- (A) define job-specific technical vocabulary;
 - (B) formulate improvements in services and products and training of staff to address customer comments;
 - (C) detail ways to achieve high rates of customer satisfaction;
 - (D) explain processing of different types of payment options to facilitate customer payments for services; and
 - (E) demonstrate technical skills used in identifying quality food service-restaurant.
- (14) The student understands factors that have shaped the food service-restaurant industry. The student is expected to:
- (A) outline the history and growth of the food service-restaurant industry;
 - (B) explain cultural globalization and its influence on the food service-restaurant industry; and
 - (C) evaluate current trends affecting the food service-restaurant industry.
- (15) The student understands factors that affect the profitability of a food service-restaurant business. The student is expected to:
- (A) evaluate inventory results in order to maintain profitability of the food service-restaurant business;
 - (B) describe and demonstrate effective stewarding processes and procedures;
 - (C) relate proper food storage techniques to the profitability of the establishment;

- (D) explain how controlling costs such as labor and supplies affect the profitability of the food service-restaurant business;
- (E) describe how pricing affects the profitability of the food service-restaurant business;
- (F) analyze how customer service affects the profitability of the food service-restaurant business; and
- (G) investigate how customer loyalty affects profitability.

§127.571 Introduction to Event and Meeting Planning (One Credit), Adopted 2025.

(a) General requirements. This course is recommended for students in Grades 10-12. Recommended prerequisite: Principles of Hospitality and Tourism, Hotel management and/or Travel and Tourism Management. 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 Hospitality and Tourism Career Cluster focuses on the management, marketing, and operations of restaurants and other food/beverage services, lodging, attractions, recreation events, and travel-related services.
- (3) Introduction to event and Meeting Planning introduces students to the concepts and topics necessary for the comprehensive understanding of the fundamentals of the meetings, conventions, events, and exposition industries. The course will review the roles of the organizations and people involved in the businesses that comprise the Meetings, Events, Expositions and Convention (MEEC) industry.
- (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 professional standards and personal qualities such as punctuality, initiative, leadership, appreciation for diversity, conflict management, work ethic, and adaptability;
 - (B) demonstrate critical thinking, innovation, and creativity in the problem-solving process;
 - (C) evaluate and demonstrate appropriate grooming and appearance for the workplace;
 - (D) combine teamwork and conflict-management skills to achieve collective goals;
 - (E) use planning and time-management skills and tools to enhance results and complete work tasks;
 - (F) explain the essential workplace skills in the career acquisition process;
 - (G) prepare and complete employment-related documents such as job applications (written and electronic formats) and I-9 and W-4 forms;
 - (H) develop and implement stress-management techniques;
 - (I) create and analyze the various steps in the decision-making process; and
 - (J) demonstrate proper interview techniques in various situations.

- (2) The student uses oral and written communication skills in creating, expressing, and interpreting information and ideas, including technical terminology and information. The student is expected to:
- (A) apply verbal and non-verbal communication skills effectively with clients and in the workplace;
 - (B) summarize information formally and informally;
 - (C) appraise, formulate, and convey information;
 - (D) apply active listening skills to obtain and clarify information;
 - (E) compose and deliver different types of presentations such as informative, instructional, persuasive, and decision making;
 - (F) display interpersonal skills to maintain internal and external customer/client satisfaction; and
 - (G) apply technical vocabulary related to the meeting and event planning industry.
- (3) The student applies academics with career-readiness skills. The student is expected to:
- (A) apply mathematical skills to business transactions such as sales forecasting, service pricing and planning for profitability;
 - (B) calculate and interpret key ratios, financial statements, and budgets related to the hospitality event and meeting planning industry;
 - (C) apply advanced reading, writing, and math skills to business skills needed in the hospitality industry;
 - (D) summarize data from tables, charts, and graphs to estimate and find solutions to problems and identify opportunities for increased profitability;
 - (E) compose workplace business documents; and
 - (G) evaluate and use industry standards for budgeting and forecasting to maximize profit and growth.
- (4) The student can discuss the career opportunities available within the meeting/event planning segment of the hospitality industry. The student is expected to:
- (A) compile a list of professional organizations that support the professionals in the convention, meeting, and event planning industry;
 - (B) develop personal training plans to keep current on relevant trends and information within the meeting and event planning industry; and
 - (C) classify the occupational opportunities related to meeting and event planning within a hospitality businesses and corporate businesses.
- (5) The student can discuss the history of and current trends and career opportunities in the meeting and event planning industry. The student is expected to:
- (A) describe how the meeting and event planning industry has evolved;
 - (B) apply current trends in the industry to a meeting or event plan;
 - (C) describe the varied occupations related to event planning such as, meeting planning and management, conference planning and management, trade show planning and management, social event planning and management, association and non-profit meeting planning and management, corporation meeting planning and management, convention and visitor bureau planning and management, and destination management planning and organization;
 - (D) identify potential mentors in the meeting and event planning industry; and

- (E) create a career plan to achieve the desired career position in the meeting and event planning industry.
- (6) The student assesses how diversity impacts the event planning industry. The student is expected to:
 - (A) evaluate diversity from both the employer and customer perspective;
 - (B) modify business plans and activities to meet the needs of diverse populations; and
 - (C) formulate an awareness of cultural diversity such as differences in social etiquette, dress, and behaviors to enhance event and meeting planning.
- (7) The student uses information technology tools in event and meeting planning to access, manage, integrate, and create information. The student is expected to:
 - (A) Apply information technology tools to evaluate work responsibilities;
 - (B) use event planning software and technology tools such as Amadeus, CVENT and, Meeting Matrix to perform workplace tasks;
 - (C) create and present complex multimedia publications to clients and within the business;
 - (D) demonstrate knowledge and use of point-of-sale systems;
 - (E) develop Internet resources for industry growth;
 - (F) evaluate current and emerging technologies to improve guest services; and
 - (G) produce and properly use appropriate electronic communication tools for planning and selling meetings and events.
- (8) The student summarizes the professional, ethical, and legal responsibilities in event and meeting planning services. The student is expected to:
 - (A) explain ethical conduct such as maintaining client confidentiality and maintaining privacy of sensitive content when interacting with others;
 - (B) distinguish between different aspects of a meeting or event contract;
 - (C) describe applicable rules, laws, and regulations related to event and meeting planning;
 - (D) discuss the reasons for providing event security;
 - (E) describe the differences in event insurance options; and
 - (F) explain the reasons for event insurance.
- (9) The student explains the importance of health, safety, and environmental management systems and their importance to organizational performance and regulatory compliance. The student is expected to:
 - (A) evaluate workplace conditions with regard to safety and health of employees and guests;
 - (B) explain and integrate safety and sanitation standards common to the workplace;
 - (C) appraise potential effects caused by common chemical and hazardous materials;
 - (D) summarize sources of food-borne illness and determine ways to prevent them;
 - (E) explain procedures for reporting and handling accidents and safety incidents with employees and guests;
 - (F) apply proper safety techniques in the workplace;
 - (G) discuss how guests and property are protected to minimize losses or liabilities;
 - (H) predict safety and security issues and analyze solutions for individuals or groups in multiple environments to minimize risks;

- (I) estimate potential, real, or perceived emergency situations such as a natural disaster or terrorist threat in order to respond appropriately; and
 - (J) evaluate equipment for elements such as safety, functionality, and durability.
- (10) The student applies marketing strategies independently and in teams. The student is expected to:
- (A) formulate effective marketing strategies for meetings and events;
 - (B) create promotional packages for meetings and events;
 - (C) create effective comprehensive menu design and development;
 - (D) estimate how to use the state of the economy to plan effective products and services; and
 - (e) produce a meeting and/or event business plan.
- (11) The student can demonstrate appropriate professional customer service skills as required by the meeting and event planning industry. The student is expected to:
- (A) create a detailed customer service plan or process to provide maximum customer service;
 - (B) integrate critical-thinking and interpersonal skills to resolve conflicts with individuals such as coworkers, employers, guests, and clients; and
 - (C) analyze customer comments to formulate improvements in services and products.
- (12) The student can identify and describe different segments within the event and meeting planning industry. The student is expected to:
- (A) compare duties and responsibilities of each department to the larger lodging environment, including food and beverage services;
 - (B) distinguish the differences in meetings and events for different clients such as business, leisure, professional organizations, and students; and
 - (C) discuss the different aspects of the Meetings, Events, Expositions, and Convention (MEEC) industry.
- (13) The student identifies roles within teams, work units, departments, organizations, and the larger environment of the meeting and event planning industry. The student is expected to:
- (A) differentiate the functions of meeting and event planning and how they may correlate to a lodging property;
 - (B) identify the responsibilities of an event manager or planner;
 - (C) compose a set of operating procedures that result in profitable operations; and
 - (D) evaluate inventory management systems used in the meeting and event planning industry that result in profitable operations.
- (14) The student creates a functional and aesthetic meeting/event plan to meet the customer requirements. The student is expected to:
- (A) conduct a pre-meeting/pre-event meeting with potential clients to identify the meeting/event requirements;
 - (B) discuss the importance of a meeting venue floorplan specification chart and appropriate meeting room set-up;
 - (C) describe the various meeting room set-up options and benefits of each option;
 - (D) identify various meeting room set-up options available at various venues;
 - (E) illustrate meeting room set-up for a planned event;
 - (F) relate the necessary square footage required for an event to the number of anticipated attendees for the event;

- (F) identify and implement effective traffic patterns in planning an event;
 - (G) demonstrate proper table rotations; and
 - (H) compose a staffing guide to schedule various staff positions for a meeting/event.
- (15) The student demonstrates knowledge of collaboration required with various companies in order to provide an all-inclusive successful meeting or event. The student is expected to:
- (A) distinguish the roles of the various entities involved in the meeting and event planning industry such as convention and visitors' bureaus, group travel companies, entertainers, recreations, amusements, attractions, florists, caterers and venues;
 - (B) differentiate among the types of event sponsors/organizers/producers and their events;
 - (C) demonstrate successful planning and negotiation with various entities to deliver a successful meeting or event;
 - (D) compare and contrast products and services from related industries; and
 - (E) analyze differences in various venues such as hotels and resorts, convention and visitors' centers, event centers, and destination venues, citing pros and cons of each

§127.604 Practicum in Event and Meeting Planning (Two Credits), Adopted 2025.

- (a) General requirements. This course is recommended for students in Grades 11 and 12. Recommended prerequisite: Introduction to Event Meeting and Planning and Hospitality Services. 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 Hospitality and Tourism Career Cluster focuses on the management, marketing, and operations of restaurants and other food/beverage services, lodging, attractions, recreation events, and travel-related services.
 - (3) The Practicum in Event and Meeting Planning course will reinforce the concepts and topics necessary for the comprehensive understanding of the meetings, events, expositions, and conventions (MEEC) industry. The central focus of this course is to integrate academic education with local meeting, event, exposition, and convention businesses to prepare students for success in the work force and/or postsecondary education. Students will benefit from a combination of classroom instruction and a work- based learning experience. Students will learn employability skills, communication skills, customer service skills and other job acquisition related activities. The course is recommended for students who have completed the required prerequisites.
 - (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 proficiency in professional standards/employability skills as required by the meeting and event planning industry. The student is expected to:
 - (A) participate in a paid or unpaid, laboratory or work-based application of previously studied knowledge and skills related to event meeting and planning;
 - (B) demonstrate proper interview techniques for event and meeting planning occupations;

- (C) complete employment-related documents such as job applications (written and electronic formats), resume, I-9, and W-4 forms;
 - (D) exhibit suitable grooming and appearance standards appropriate for the workplace and planned events;
 - (E) incorporate productive work habits and a positive attitude; and
 - (F) model knowledge of personal and occupational safety practices in the workplace; and
 - (G) integrate verbal, nonverbal, and written communication skills in a variety of settings.
- (2) The student applies professional advancement skill and strategies in the meeting and event planning industry. The student is expected to:
- (A) develop strategies to enhance career advancement and promote lifelong industry learning;
 - (B) describe historical events that have affected the event and meeting planning industry;
 - (C) formulate plans to address current events that have an effect on the event and meeting planning industry;
 - (D) document in manual and electronic format acquired technical knowledge and skills needed for success in the meeting planning industry;
 - (E) produce and present a professional portfolio including a current resume, documentation of skill attainment or technical competencies, recognitions, awards, scholarships, community service activities, student organization participation, evaluations, letters of recommendation, and cover letters;
 - (F) evaluate employment options by comparing salaries and benefits of different companies and occupations within the industry; and
 - (G) develop a personal budget based on career choice using effective money management and financial planning techniques.
- (3) The student demonstrates the ethics and etiquette necessary for the meeting and event planning workplace. The student is expected to:
- (A) practice appropriate business and personal etiquette in the workplace;
 - (B) display appropriate electronic communication techniques and etiquette;
 - (C) exhibit the behaviors typical of the hospitality code of ethics and ethical standards; and
 - (D) determine ethical behavior or ethical course of action in situations related to the meeting and event planning industry.
- (4) The student develops and demonstrates the interpersonal and customer service skills needed for success in the meeting and event planning environment. The student is expected to:
- (A) exhibit essential workplace characteristics such as organization, perseverance, motivation, dependability, punctuality, initiative, self-control, and the ability to accept and act on criticism;
 - (B) demonstrate effective team-building skills such as collaboration, planning skills, conflict resolution, rapport-building, decision-making, problem-solving, and persuasion and influencing techniques;
 - (C) identify and respond to customer needs, including resolving customer dissatisfaction;
 - (D) exercise leadership by anticipating and proactively diffusing potential event issues; and
 - (E) negotiate to resolve conflicts in the workplace and with customers by using strategies such as active listening, “I” messages, negotiation, and offering win- win solutions.

- (5) The student demonstrates the industry-based knowledge and skills required for a successful career in the event and meeting planning industry. The student is expected to:
- (A) employ job-specific technical vocabulary with accuracy and fluency;
 - (B) explain event planning procedures designed to ensure client needs are met, such as Banquet Event Orders (BEOs), rate assignment, event organization, client relations, and determination of payment methods;
 - (C) assess meeting/event company structures and traits that lead to profitability and business success;
 - (D) determine the correct procedures for the execution of client events and contracts;
 - (E) identify and organize tasks for daily operation;
 - (F) analyze historical trends related to the event and meeting planning industry and their impact on the industry;
 - (G) describe societal events that have shaped the event and meeting planning industry both in the past and present; and
 - (H) interpret the role of the convention and visitors' bureau in the event and meeting planning industry.
- (6) The student develops and practices awareness of cultural diversity and understands the impact of cultural diversity on the industry. The student is expected to:
- (A) assesses how diversity impacts the event planning industry both from a planning and profitability aspect;
 - (B) demonstrate respect for individual differences such as cultural, religious, ethnic, and personal characteristics;
 - (C) describe cultural diversity from the perspective of the employee as well as the client;
 - (D) develop business plans and activities to meet the needs of diverse populations; and
 - (E) describe differences in social etiquette, dress, and behaviors related to cultural diversity and explain how the differences affect the event planning process.
- (7) The student uses information technology tools in event and meeting planning to access, manage, integrate, and create information. The student is expected to:
- (A) evaluate current and emerging technologies that improve client services;
 - (B) apply information technology tools to evaluate work responsibilities;
 - (C) evaluate and incorporate event planning software and technology tools to perform workplace tasks;
 - (D) create and present multi-level (complex) multimedia presentations to clients and within the business;
 - (E) use and problem-solve issues with point-of-sale (POS) systems;
 - (F) design a plan for using Internet resources to maximize company profitability; and
 - (G) produce and use appropriate electronic communication tools for planning and selling meetings and events.
- (8) The student differentiates and adapts between various roles, types of events, and functions. The student is expected to:
- (A) differentiate among the types of event sponsors/organizers/producers and their events such as trade shows, conferences, social events, and corporate;
 - (B) explain who the suppliers to the event planning industry are and how they service events

- (C) describe the importance of sales coordinators to all events and meetings regardless of organization or type of event;
 - (D) evaluate and modify the different types of catering options and menus based on the needs of the event or organization;
 - (E) evaluate and modify the different types of meeting room set-ups (banquet, classroom, theater, and reception) based on the needs of the event or organization; and
 - (F) determine and organize staff and resources according to the specific needs of the organization and event.
- (9) The student collaborates within departments, organizations, and the larger environment of the meeting and event planning industry. The student is expected to:
- (A) analyze the roles and responsibilities of each level of the management structure of a venue;
 - (B) identify the advantages and disadvantages of event destinations and facilities and their effects on profitability and customer satisfaction;
 - (C) analyze the roles and responsibilities of an in-house event manager or planner as compared to independent professionals; and
 - (D) define specific roles and responsibilities when interfacing with destination venues.
- (10) The student understands and can articulate the factors that contribute to a successful and profitable event. The student is expected to:
- (A) analyze the expenses associated with the planning and production of a meeting or event;
 - (B) analyze and evaluate how marketing techniques impact an event operation and profitability;
 - (C) calculate costs of supplies and how the costs affect profitability;
 - (D) evaluate the impact of payroll expenses on profitability;
 - (E) analyze and modify operating procedures to result in more profitable or cost- effective operations;
 - (F) research and create a marketing plan for various markets such as weddings, government groups, professional and educational organizations, family or social gatherings, military, and geographic;
 - (G) identify profit margins associated with various markets; and
 - (H) evaluate the importance of conducting pre-and post-evaluations of events for continuous improvement.
- (11) The student demonstrates knowledge of potential liability situations that can affect business reputation and profitability. The student is expected to:
- (A) compare and contrast different levels of insurance and liability limits for events;
 - (B) analyze customer provided insurance options for events;
 - (C) formulate legal, health, and safety obligations related to event planning;
 - (D) assess the implications and responsibilities associated with providing or allowing alcohol at an event; and
 - (E) research law enforcement requirements for events and meetings.

ATTACHMENT V
Text of Proposed New 19 TAC

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

Subchapter M. Information Technology

§127.689. Advanced Cloud Computing (One Credit), Adopted 2025.

- (a) General requirements. Students shall be awarded one credit for successful completion of this course. This course is recommended for students in grades 10-12. Recommended Prerequisites: At least one credit in a Level 2 or higher course in computer science, programming, software development, or networking systems.
- (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 Information Technology (IT) Career Cluster focuses on building linkages in IT occupations for entry level, technical, and professional careers related to the design, development, support, and management of hardware, software, multimedia, and systems integration services.
- (3) The Advanced Cloud Computing course is an exploration of cloud computing. Upon completion of the course, students are prepared to sit for cloud computing professional certifications. In this course, students explore cloud computing services, applications, and use cases. Students dive deeply into cloud computing best practices and learn how cloud computing helps users develop a global infrastructure to support use case at scale while also developing and inventing innovative technologies.
- (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 the necessary skills for career development, maintenance of employability, and successful completion of course outcomes. The student is expected to:
- (A) demonstrate and explain the importance of positive workplace behaviors that enhance employability and job advancement such as regular attendance, promptness, attention to proper attire, maintenance of a clean and safe work environment, appropriate voice, and pride in work;
- (B) demonstrate and explain the importance of positive personal qualities such as flexibility, open-mindedness, initiative, listening attentively to speakers, and willingness to learn new knowledge and skills;
- (C) employ and describe effective reading and writing skills;
- (D) solve problems and think critically; and
- (E) demonstrate and explain the importance of leadership skills and function effectively as a team member.
- (2) The student defines cloud computing and its impacts and benefits and compares the major services offered by cloud computing providers. The student is expected to:
- (A) describe the benefits of cloud computing and the reasons companies have started to switch from on-premise computing to cloud computing;

- (B) demonstrate knowledge of and explain the three major types of cloud computing;
 - (C) generate sample cloud usage plans for a business case study, describing how each of the four services can be used to improve the business; and
 - (D) explain the purpose of a region, availability zone, and edge location.
- (3) The student demonstrates how to store and share content in the cloud. The student is expected to:
- (A) identify features and functions of commonly used cloud services;
 - (B) access and navigate to commonly used services in cloud computing consoles;
 - (C) analyze how cloud services are used in real-world industries;
 - (D) explain the functions of a domain name system (DNS);
 - (E) create an object storage bucket;
 - (F) explain benefits and uses of a content delivery network;
 - (G) configure web content distribution via edge locations and attach it to a website;
 - (H) identify the benefits, features, and use cases of different types of block storage;
 - (I) analyze a use case and recommend the best type of virtual storage for the particular situation;
 - (J) create a block storage volume or physical record;
 - (K) attach a block storage volume to a virtual computing instance; and
 - (L) create a virtual computing instance that hosts a simple website.
- (4) The student applies cloud security best practices in relation to identity and access management (IAM) and knows how to use the top cloud monitoring services. The student is expected to:
- (A) identify best practices for IAM;
 - (B) analyze the cultural and societal impacts of cloud security;
 - (C) differentiate among a role, user, and policy in cloud security;
 - (D) use a process to resolve vulnerabilities in a web server;
 - (E) determine whether security best practices are being followed and recommend steps to fix any security lapses;
 - (F) identify the best cloud security service for a given scenario;
 - (G) use an IAM system to set up a text alert event; and
 - (H) compare monitoring and logging services.
- (5) The student describes when to use various databases, the benefits of caching data, and how to build a virtual private cloud (VPC). The student is expected to:
- (A) compare online transactional processing and online analytical processing;
 - (B) describe the benefits of caching data;
 - (C) attach a load balancer to a webpage;
 - (D) evaluate the performance of a load balancer;
 - (E) describe features and benefits of load balancing;
 - (F) create an application using a Platform as a Service (PaaS); and
 - (G) use a template infrastructure as code (IaC) tool to build a virtual private cloud (VPC).

- (6) The student describes the landscape of emerging technologies in the cloud. The student is expected to:
- (A) define machine learning and discuss its impacts on society, business, and technology;
 - (B) identify potential use cases for emerging technology in the cloud;
 - (C) assess value propositions of using cloud technology using calculator tools;
 - (D) identify cloud services that can analyze and protect data and manage networks;
 - (E) define blockchain technology and explain its benefits; and
 - (F) explain the infrastructure of cloud development kits or services and use a software development framework to model and provision a cloud application.
- (7) The student resolves common security alerts, diagrams instance states and transitions, and explains how to choose the most cost-efficient instance type. The student is expected to:
- (A) describe the shared responsibility security model;
 - (B) determine security responsibility for cloud resources;
 - (C) analyze how the shared security model accounts for common threats to the cloud computing model;
 - (D) list the steps required to resolve an automated security alert;
 - (E) describe the six instance states, including pending, running, stopping, stopped, shutting down, and terminated;
 - (F) diagram the transitions between instance states from launch to termination;
 - (G) explain instance usage billing for each instance state; and
 - (H) determine the most appropriate instance state for a given situation.
- (8) The student differentiates between dynamic and static websites. The student is expected to:
- (A) recall the process for setting up a static website;
 - (B) compare static and dynamic websites;
 - (C) create a content delivery network distribution to increase the speed of a website;
 - (D) use a process to launch a dynamic web server;
 - (E) create a serverless compute function using a serverless compute console;
 - (F) describe the main functions of auto scaling;
 - (G) create a launch template and an auto scaling group; and
 - (H) develop a plan for monitoring an auto scaling instance or group.
- (9) The student demonstrates the benefits and risks of using big data. The student is expected to:
- (A) define big data and identify use cases for it within various industries;
 - (B) evaluate the pros and cons of big data;
 - (C) explain how blockchain ensures the validity and immutability of transactions, particularly in the cloud; and
 - (D) evaluate the pros and cons of blockchain business applications.

§127.690. Foundations of User Experience (One Credit), Adopted 2025.

- (a) General requirements. This course is recommended for students in grades 9-12. There are no recommended prerequisites. 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 Information Technology (IT) Career Cluster focuses on building linkages in IT occupations for entry level, technical, and professional careers related to the design, development, support, and management of hardware, software, multimedia, and systems integration services.
 - (3) In Foundations of User Experience (UX), students will analyze and assess current trends in a career field that creates meaningful, approachable, and compelling experiences for users of an array of products, services, and or initiatives of companies, governments, and organizations. Students will gain knowledge of introductory observation and research skills; basic design thinking and applied empathy methodologies; collaborative problem-solving and ideation; and interaction design and solution development. The knowledge and skills acquired from this course enable students to identify real-world problems through research and data-driven investigation to design solutions while participating in collaborative problem-solving. Students will be introduced to agile practices and methodologies to develop skills to take solutions from conceptual sketch to digital designs using professional software tools. Students will explore how to improve the quality of user interactions and perceptions of products, experiences, and any related services.
 - (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 in the information technology (IT) field with a focus in the area of user experience (UX). The student is expected to:
 - (A) identify job opportunities in UX and accompanying job duties and tasks;
 - (B) employ effective verbal and nonverbal communication skills;
 - (C) create resumes and portfolios for UX professions;
 - (D) use critical thinking skills and creativity to present a solution to a user problem; and
 - (E) work collaboratively in a team to devise and present an efficiency or enhancement solution to a user issue within a given timeline, while incorporating empathy methodology, agile, and design principles.
 - (2) The student applies professional communications strategies. The student is expected to:
 - (A) adapt presentations for audience, purpose, situation, and intent;
 - (B) interpret and communicate information, data, and observations;
 - (C) apply active listening skills to obtain and clarify information;
 - (D) collect multiple viewpoints of potential diverse users; and
 - (E) define and exhibit public relations skills that are used by UX designers.
 - (3) The student describes the field of UX along with the common elements in user-centered design. The student is expected to:
 - (A) analyze and articulate the current trends and challenges of the UX field;

- (B) analyze and document the diversity of roles and career opportunities across the UX field;
 - (C) identify terminology associated with UX, including user, user experience, empathy, human-centered design, design thinking, persona, user journey, empathy map, mind maps, roadmaps, wireframes, prototypes, and portfolios;
 - (D) identify and explain the differences between relevant, friendly, and useful experience design;
 - (E) identify and explain the connection between psychology and behavior with regard to usability;
 - (F) explain the components of the design thinking methodology for ideation, iteration, co-creation, development, and execution; and
 - (G) explain how UX design affects everyday lives.
- (4) The student discusses and applies the legal and ethical practices that UX designers follow when working with technology, designs, and clients. The student is expected to:
- (A) explain and identify ethical use of technology;
 - (B) explain intellectual property laws, including copyright, trademarks, and patents, and consequences of violating each type of law;
 - (C) identify violations of intellectual property laws;
 - (D) explain the consequences of plagiarism; and
 - (E) demonstrate ethical use of online resources, including citation of sources.
- (5) The student identifies and demonstrates introductory observation and research methods. The student is expected to:
- (A) describe the difference between qualitative and quantitative data;
 - (B) conduct user interviews to gather insights into what users think about a site, an application, a product, or a process;
 - (C) organize ideas and data using software tools;
 - (D) analyze and make conclusions from qualitative data collection;
 - (E) observe and document how users perform tasks through task analysis observations;
 - (F) define affinity and explain the benefits of affinity and customer journey maps;
 - (G) use data summaries from user interviews to create personas; and
 - (H) create a report or presentation, including user interview and observation data summaries, data analysis, and additional findings, for a target audience.
- (6) The student applies an understanding of psychological principles used in user-centered design. The student is expected to:
- (A) identify and define design principles;
 - (B) describe how visceral reactions inform the creation of a positive user experience;
 - (C) select colors to influence human behavior, mind, and reaction toward an intended outcome;
 - (D) explain recognition and scanning patterns and their importance in user-centered design;
 - (E) define Hick's Law and Weber's Law and explain their impact on UX design decisions;
 - (F) describe sensory adaptation phenomenon and perceptual set; and

- (G) explain the stages of human information processing, including sensing, perceiving, decision-making, and acting.
- (7) The student creates effective, accessible, usable, and meaningful solutions for the end user by using UX design principles. The student is expected to:
 - (A) identify end-user problems and needs in real-world environments;
 - (B) identify principles of accessibility, such as perceivable, operable, understandable, and robust (POUR);
 - (C) identify and discuss the differences and connections between UX Design, Visual Design, and UI User Interaction in regard to usability;
 - (D) communicate solution ideas with a storytelling approach;
 - (E) sketch and refine designs within wire-framing and prototypes; and
 - (F) implement iterations for a design solution using structured testing protocols.
- (8) The student collaborates with others to apply UX project management methods. The student is expected to:
 - (A) identify the relationship between UX research and design-thinking methods; and
 - (B) explain three different stages and roles of UX project management methods, such as agile.
- (9) The student applies UX design practices and uses technology to create digital assets. The student is expected to:
 - (A) use design elements such as typeface, color, shape, texture, space, and form to create a visual narrative;
 - (B) implement design principles such as unity, harmony, balance, scale, novelty, hierarchy, alignment, and contrast to create visual narratives;
 - (C) identify and explain common elements of HyperText Markup Language (HTML), such as tags, style sheets, and hyperlinks;
 - (D) apply UX design techniques in order to:
 - (i) create effective user interfaces for browser-based, native, and hybrid mobile applications;
 - (ii) demonstrate proper use of vector and raster-based design software;
 - (iii) explain the difference between back-end and front-end development in UX; and
 - (iv) create a web page containing links, graphics, and text using appropriate design principles;
 - (E) demonstrate basic sketching skills;
 - (F) create wireframes using design software;
 - (G) explain how design fidelity, from sketch to wireframe to prototype to visuals, aligns with and supports agile methodology; and
 - (H) produce digital assets.

§127.691. Advanced User Experience Design (One Credit), Adopted 2025.

- (a) General requirements. Students shall be awarded one credit for successful completion of this course. This course is recommended for students in grades 10-12. Required prerequisite course: Foundations of User Experience.
- (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 Information Technology (IT) Career Cluster focuses on building linkages in IT occupations for entry level, technical, and professional careers related to the design, development, support, and management of hardware, software, digital interactions, multimedia, and systems integration services.
 - (3) The Advanced User Experience (UX) Design course allows students to apply skills in science and art to integrate technology as a useful, meaningful, memorable, and accessible source for all users. Students will use knowledge from the Foundations of User Experience Design course to expand the research, design process, testing, and communication skills essential for success in this user-focused career field.
 - (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 in the information technology (IT) field with a focus in the area of user experience (UX). The student is expected to:
 - (A) identify job opportunities in UX and individual skills and abilities to apply;
 - (B) employ effective interpersonal and communication skills to work collaboratively;
 - (C) achieve at least one UX professional certification as well as build resumes and portfolios for UX positions; and
 - (D) demonstrate adaptability and flexibility for teamwork by adjusting project outcomes from peer-review and critique.
 - (2) The student understands and demonstrates legal and ethical procedures for UX designers as they apply to the use of information technology. The student is expected to:
 - (A) identify intellectual property violations within given scenarios; and
 - (B) write a summary of the ramifications and consequences of plagiarism and copyright infringement within a business context.
 - (3) The student connects and applies UX Design conceptual foundations with real-world scenarios. The student is expected to:
 - (A) present arguments to support findings, potential ideas, and peer-review interventions; and
 - (B) use proper terms and professional language for UX Design context, both orally and in written form.
 - (4) The student uses different options of project management to produce a successful UX design. The student is expected to:
 - (A) identify and apply different stages of the UX design process, including research, identification of problem, ideation, prototyping, and testing, to refine or create products;
 - (B) analyze and test partial products during the process to inform the refinement phase;
 - (C) explain the conceptual design, content strategy, and ways to get feedback from various users and stakeholders in the project; and
 - (D) demonstrate time-management awareness and planning ability to achieve tasks.
 - (5) The student collects and interprets data to UX tools and protocols. The student is expected to:

- (A) create templates for questionnaires, data collection, summary reports, as well as project conclusions to include insights into affordances and constraints for the design;
 - (B) distinguish differences in various qualitative research methods such as user interviews, ethnography, field studies, focus groups, and usability testing; and
 - (C) identify quantitative methods such as A/B testing, card sorting, heat maps, analytics, and user surveys.
- (6) The student creates and analyzes prototypes for UX design products. The student is expected to:
- (A) identify pain-points and come up with potential solutions;
 - (B) determine requirements and desirable features in order to create an action plan;
 - (C) create a presentable content strategy;
 - (D) develop conceptual designs and symbolic messages;
 - (E) generate possible solutions with ideation methods such as unstructured discussion, storyboards, brainstorming, role playing, game storming, mind mapping, teamwork games, sketching, and written ideation;
 - (F) refine and select ideas for prototyping with a people-centered rationale for the decision;
 - (G) create low-fidelity prototypes, including sketches, paper models, and click-through prototypes; and
 - (H) create mockups and high-fidelity prototypes, including digital and physical versions.
- (7) The student structures solutions while applying UX design principles. The student is expected to:
- (A) explain how the connected layouts, blocks of content, visual designs, and navigation requirements enhance user experience;
 - (B) distinguish channels and formats to develop website usability across different devices;
 - (C) develop and implement design activities for co-creation, peer-review, and collaborative work;
 - (D) evaluate and test navigation experiences contrasting with current competitors; and
 - (E) incorporate best practices from references, adding designer's voice and signature.
- (8) The student describes best practices and plans for a usability test. The student is expected to:
- (A) create a usability test plan, including cognitive, perceptual, emotional, cultural information about users, data collection requirements, and user testing methods;
 - (B) execute testing methodologies and collect data for analysis purposes; and
 - (C) present conclusions and recommendations that apply design principles, communication, and creative skills.

§127.692 Internetworking Technologies I (One Credit), Adopted 2025.

- (a) General requirements. This course is recommended for students in Grades 9-12. Students shall receive 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) This course is suitable for the Information Technology (IT) career cluster, which focuses on building linkages in IT occupations for entry level, technical, and professional careers related to

the design, development, support, and management of hardware, software, multimedia, and systems integration services.

- (3) In Internetworking Technologies I, students obtain necessary skills to compete in the global economy. Students learn hands-on technical skills to help them prepare for IT careers as well as postsecondary IT-related degrees. This course provides students with practical skills in networking.
- (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) identify and demonstrate positive work behaviors that enhance employability and job advancement such as regular attendance, promptness, attention to proper attire, maintenance of a clean and safe work environment, appropriate voice, and pride in work;
 - (B) identify and demonstrate positive personal qualities such as flexibility, open-mindedness, initiative, listening attentively to speakers, and willingness to learn new knowledge and skills;
 - (C) use effective reading and writing skills;
 - (D) solve problems and think critically;
 - (E) demonstrate leadership skills and function effectively as a team member;
 - (F) identify and implement proper safety procedures for the workplace; and
 - (G) identify and demonstrate planning and time-management skills.
- (2) The student identifies various employment opportunities in the information technology field. The student is expected to:
 - (A) develop a personal career plan that includes education, job skills, and experience necessary to achieve career goals; and
 - (B) develop a resume and portfolio appropriate to chosen career plan; describe and practice interview skills for successful job placement.
- (3) The student understands the operation of data networks. The student is expected to:
 - (A) describe the purpose and functions of various network devices;
 - (B) describe the components required for network and Internet communications;
 - (C) select the correct components required to meet a given network specification;
 - (D) describe the purpose and basic operation of the protocols in the Open Systems Interconnection (OSI) and Transmission Control Protocol (TCP) models and their associated protocols;
 - (E) describe the impact of multiple personal wireless devices on a wireless network;
 - (F) interpret network diagrams;
 - (G) predict the path between two hosts across a network; and
 - (H) differentiate between local area networks (LAN) and wide area networks (WAN) operation and features.

- (4) The student configures, verifies, and troubleshoots switches in the network. The student is expected to:
- (A) select the appropriate media, cables, ports, and connectors to connect switches to other network devices and hosts;
 - (B) explain the technology and media access control method for Ethernet technologies;
 - (C) explain network segmentation and basic traffic management concepts;
 - (D) explain the operation and concepts of basic switching;
 - (E) perform, save, and verify initial switch configuration, including switched virtual interfaces (SVI) and default gateway;
 - (F) verify network status and switch operation using basic utilities;
 - (G) implement and verify basic security for a switch; and
 - (H) identify, prescribe, and resolve common switched network media issues, configuration issues, auto negotiation, and switch hardware failures.
- (5) The student implements Internet Protocol version 4 (IPv4) and Internet Protocol version 6 (IPv6), addressing services to meet network requirements. The student is expected to:
- (A) describe the need and role of IP addressing in a network;
 - (B) compare Internet Protocol version 4 (IPv4) and Internet Protocol version 6 (IPv6);
 - (C) create and apply appropriate IP addressing schemes to a network;
 - (D) assign and verify valid IP addresses to hosts, servers, and networking devices in a LAN environment;
 - (E) describe the operation and benefits of using private and public IPv4 addressing;
 - (F) implement static services for hosts in a LAN environment; and
 - (H) identify and correct IP addressing issues.
- (6) The student configures, verifies, and troubleshoots routing. The student is expected to:
- (A) identify and describe basic routing concepts;
 - (B) describe the operation of routers;
 - (C) compare methods of routing and routing protocols;
 - (D) configure, verify, and troubleshoot static routing;
 - (E) connect, configure, and verify operation status of a device interface;
 - (F) verify device configuration and network connectivity using ping, traceroute, telnet, Secure Shell (SSH), or other utilities;
 - (G) perform and verify routing configuration tasks for a static or default route given specific routing requirements;
 - (H) manage internetwork operating system (IOS) and configuration files, including saving and editing;
 - (I) implement password protection and physical network security; and
 - (J) troubleshoot and correct network and configuration issues.

§127.693 Internetworking Technologies II (One Credit), Adopted 2025.

- (a) General requirements. Students shall receive one credit for the successful completion of this course. This course is recommended for students in Grades 10-12. Prerequisite: Internetworking Technologies I.
- (b) Introduction.
- (1) Career and Technical education 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) This course is suitable for the Information Technology (IT) career cluster, which focuses on building linkages in IT occupations for entry level, technical, and professional careers related to the design, development, support, and management of hardware, software, multimedia, and systems integration services.
 - (3) In Internetworking Technologies II, students obtain necessary skills to compete in the global economy. As in the first Internetworking Technologies course, students learn hands-on technical skills to help them prepare for IT careers as well as postsecondary IT-related degrees. This course delves much deeper into networking and troubleshooting skills, such as switch security, wireless configurations, and routing technologies.
 - (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) identify and demonstrate positive work behaviors that enhance employability and advancement such as regular attendance, promptness, attention to proper attire, maintenance of a clean and safe work environment, appropriate voice, and pride in work;
 - (B) identify and demonstrate positive personal qualities such as flexibility, open-mindedness, initiative, listening attentively to speakers, and willingness to learn new knowledge and skills;
 - (C) use effective reading and writing skills;
 - (D) solve problems and think critically;
 - (E) demonstrate leadership skills and function effectively as a team member;
 - (F) identify and implement proper safety procedures for the workplace; and
 - (G) demonstrate planning and time-management skills.
 - (2) The student identifies various employment opportunities in the information technology field. The student is expected to:
 - (A) add student identifies various employment opportunities in the information technology field. The student is expected certifications;
 - (B) edit the resume or portfolio created in the first course to reflect the new skills learned, and;
 - (C) expand interview skills for successful job placement.
 - (3) The student configures, verifies, and troubleshoots advanced switching. The student is expected to:
 - (A) describe enhanced switching technologies;

- (B) configure a switch port to be assigned to a Virtual Local Area Network (VLAN) based on requirements;
 - (C) configure a trunk port on a Local Area Network (LAN) switch;
 - (D) configure Dynamic Trunking Protocol (DTP);
 - (E) configure, verify, and troubleshoot spanning tree versions;
 - (F) configure, verify, and troubleshoot EtherChannel technologies;
 - (G) interpret the output of various show commands to verify the operational status of a Cisco switched network;
 - (H) implement switch security to mitigate LAN attacks; and
 - (I) implement port security to mitigate media access control (MAC) address table attacks.
- (4) The student configures, verifies, and troubleshoots advanced routing. The student is expected to:
- (A) configure basic settings on a router using command line interface (CLI) to route between two directly connected networks;
 - (B) verify connectivity between two networks that are directly connected to a router;
 - (C) implement dynamic host configuration protocol version 4 (DHCPv4) to operate across multiple LANs;
 - (D) configure a router as a DHCPv4 server and client;
 - (E) configure dynamic address allocation in Internet Protocol version 6 (IPv6) networks;
 - (F) configure a stateful and stateless dynamic host configuration protocol version 6 (DHCPv6) server;
 - (G) configure inter-VLAN routing;
 - (H) configure IPv4 and IPv6 static, floating static, and default routing;
 - (I) compare static and dynamic routing concepts;
 - (J) troubleshoot routing implementation issues; and
 - (K) verify router hardware and software operation using show commands;
- (5) The student implements and verifies Wireless LANs (WLANs). The student is expected to:
- (A) explain how WLANs enable network connectivity and configure and verify a basic WAN serial connection;
 - (B) describe WLAN technology and standards;
 - (C) describe the components of a WLAN infrastructure;
 - (D) distinguish between and discuss variables that may affect a child's verbal fluency; and
 - (E) configure a wireless LAN controller (WLC) wireless local area network (WLAN) to use the management interface and Wi-Fi Protected Access 2 – Pre-Shared-Key (WPA2 PSK) authentication;
 - (F) configure a WLC WLAN to use a VLAN interface, a DHCP server, and WPA2 Enterprise authentication; and
 - (G) troubleshoot common wireless configuration issues.
- (6) The student troubleshoots switching and routing networks. The student is expected to:
- (A) analyze and implement proper troubleshooting methods;
 - (B) identify and correct switching and routing network problems; and

(C) identify and select software troubleshooting tools.

§127.694 Introduction to C# Programming Applications (One Credit), Adopted 2025.

- (a) General requirements. This course is recommended for students in Grades 11-12. Recommended Prerequisites: At least one credit in a Level 2 or higher course in programming or software development. Students shall be awarded one credit for successful completion of this course.
- (b) Introduction.
- (1) Career and technical education instruction provide 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 Information Technology (IT) Career Cluster focuses on building linkages in IT occupations for entry-level, technical, and professional careers related to design, development, support, and management of hardware, software, multimedia, and systems integration services.
 - (3) In Introduction to C# Programming, students will acquire knowledge of C# syntax including data types, control structures, functions, syntax, and semantics of language, classes, class relations, and exception handling. Students will analyze the social responsibility of business and industry regarding the significant issues relating to the environment, ethics, health, safety, and diversity in society and in the workplace as related to computer programming. Students will apply technical skills to address business applications of emerging technologies.
 - (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 and employability skills as required by the computer programming industry. The student is expected to:
 - (A) express ideas in a clear, concise, and effective manner;
 - (B) explain the importance of cooperating, contributing and collaborating as a team member of a team;
 - (C) describe effective reading and writing skills;
 - (D) describe effective verbal and nonverbal communication skills;
 - (E) solve problems and think critically;
 - (F) explain the importance of leadership skills and function effectively as a team member;
 - (G) identify and implement proper safety procedures;
 - (H) describe environmental issues related to the field of information technology (IT);
 - (I) explain and discuss the relevance of diversity in society and the workplace;
 - (J) explain legal and ethical responsibilities in relation to the field of IT; and
 - (K) describe planning and time-management skills such as project management.
 - (2) The student identifies various employment opportunities in the information technology field. The student is expected to:
 - (A) identify job opportunities and accompanying job duties and tasks;
 - (B) investigate emerging and innovative technologies that are potential career opportunities;

- (C) identify careers of personal interest along with the education, job skills, and experience required to achieve personal career goals; and
- (D) outline the functions of resumes and portfolios.
- (3) The student identifies basic concepts and defines terminology associated with computer systems and program development. The student is expected to:
 - (A) identify and describe appropriate terminologies, such as C# terms, syntax, data types, objects, concepts, purposes, control structures, exceptions, classes, and arrays;
 - (B) identify and describe various software applications;
 - (C) compare the various ways that computers and programming languages are used for personal, workgroup, and enterprise computing;
 - (D) identify and describe multiple logic structures used in software design;
 - (E) explain the hardware and software aspects of computer systems that support application software development; and
 - (F) identify the fundamental principles of programming, including those of algorithm analysis, software design, operating systems, and database.
- (4) The student demonstrates the use of software development tools and applies problem-solving skills to implement software design. The student is expected to:
 - (A) explain the general problem-solving concepts and steps used in software design;
 - (B) apply C# terms, syntax, data types, objects, concepts, purposes, control structures, exceptions, classes, and arrays to software design;
 - (C) explain the use of procedural programming structure;
 - (D) describe the use of arrays in solving problems;
 - (E) apply sequential logic structure in software design; and
 - (F) apply data structures and algorithms in software design.
- (5) The student develops and writes documented C# programs, including designing, debugging and analyzing code. The student is expected to:
 - (A) explain the use of C# development tools;
 - (B) choose appropriate data and control structures based on assigned criteria;
 - (C) explain the use of loops and case logic structures;
 - (D) apply file and database concepts;
 - (E) design and develop correct executable projects;
 - (F) develop C# desktop graphical user interface (GUI) programs;
 - (G) create appropriate documentation; and
 - (H) describe and demonstrate debugging and exceptions handling.

§127.695 Information Technology Troubleshooting (One Credit), Adopted 2025.

- (a) General requirements. This course is recommended for students in grades 10-12. Recommended prerequisites: Principles of Information Technology and Computer Maintenance/Lab. 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 Information Technology (IT) Career Cluster focuses on building linkages in IT occupations for entry-level, technical, and professional careers related to the design, development, support, and management of hardware, software, multimedia, and systems integration services.
 - (3) The IT Troubleshooting course is about applying logic over technical components to identify and resolve problems. The course focuses on developing a methodical approach in IT troubleshooting and leveraging those skills in a workplace environment. In this course, students will learn and use proven troubleshooting methods and apply those in a collaborative workplace setting. Students will develop personal success skills, including time management and personal accountability measures, strategies for collaboration and teamwork, and effective written and verbal communication skills. The knowledge and skills acquired in the course will allow students to use information technology (IT) resources, information, and data safely, ethically, and following legal guidelines. Students will work within a service level model that helps them to interpret, clarify, and diagnose issues with hardware, software, and networking.
 - (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 personal success factors and professional employability skills. The student is expected to:
 - (A) describe the benefits of effective time management and explain how to manage the use of one's time efficiently;
 - (B) identify and employ the behaviors of an effective team member;
 - (C) explain the importance of emotional intelligence to the role of an IT Support Specialist;
 - (D) describe a protocol for handling an emotional hijack, or variance in reasoning skills, either of oneself or another;
 - (E) describe and apply strategies to resolve conflicts when they arise;
 - (F) employ active listening skills, including paraphrasing and asking questions for clarification;
 - (G) communicate effectively when writing to and speaking with team members, clients/customers, and others;
 - (H) follow best practices for email communications;
 - (I) interpret technical language, documents, and diagrams and translate them into lay terminology when needed;
 - (J) demonstrate the use of proper grammar, spelling, and capture complete thoughts in communications and documentation; and
 - (K) investigate potential IT career pathways to becoming IT Support Specialist.
 - (2) The student develops and models customer-service skills. The student is expected to:
 - (A) identify and model the characteristics of excellent customer service;
 - (B) list and demonstrate the steps for opening and greeting a contact;
 - (C) explain the benefits of using a client's name;

- (D) identify habits and situations to avoid when interacting with a client;
 - (E) explain the importance of keeping clients informed of status changes and list the steps for putting a client on hold or transferring a call;
 - (F) identify techniques and strategies for diffusing difficult calls and customers; and
 - (G) document all communications and process outcomes clearly and appropriately.
- (3) The student applies procedures for various support interaction types. The student is expected to:
- (A) describe the primary responsibilities and top skills of an IT Support Specialist and identify how a professional can deliver consistent, quality service;
 - (B) explain and demonstrate safety procedures for unpacking, handling, and repacking replacement parts;
 - (C) demonstrate fluency with methods and technologies such as in-person, email, phone, web, or remote access used for delivering support and describe which support delivery methods for different types of support;
 - (D) demonstrate the use of remote access technologies to troubleshoot an issue; and
 - (E) describe the purpose and value of the security management process and the IT Support Specialist's role in that process.
- (4) The student implements proven troubleshooting methods and strategies within the context of a service level model. The student is expected to:
- (A) apply a troubleshooting process for diagnosing issues with hardware, software, and the network;
 - (B) explain the importance of clearly documenting progress through the troubleshooting process;
 - (C) describe activities common to a Help Desk Service Level Model (Incident Management) process;
 - (D) interpret and clarify different types of incidents, problems, and events submitted in the Help Desk Service Model or trouble ticketing system;
 - (E) describe an operational level agreement (OLA) and the role of the IT Support Specialist related to an OLA;
 - (F) describe what is meant by escalation and the reasons an incident may be escalated;
 - (G) access and apply relevant system updates for supported devices; and
 - (H) describe service and support center metrics, including a service level target, and the IT Support Specialist's role in monitoring and reviewing data related to these metrics.
- (5) The student describes and applies best practices for the safe, ethical, and legal use of resources and information. The student is expected to:
- (A) demonstrate and promote positive digital citizenship and acceptable use in all interactions when using digital resources;
 - (B) describe best practices for creating passwords such as increasing password length, password complexity, password blacklists, password resets, limiting attempts, or multi-factor authentication;
 - (C) examine and adhere to guidelines for using media, information, and applications protected by copyright;
 - (D) compare copyright, Fair Use, Public Domain, and Creative Commons licensing;
 - (E) apply and enforce licensing guidelines for software, media, and other resources;

- (F) explain the importance and uses of encryption;
 - (G) describe and follow principles for handling confidential information;
 - (H) analyze cyber threats and social engineering vulnerabilities and ways to prevent them;
 - (I) describe various types of security policies and summarize the importance of physical security measures and logical security concepts;
 - (J) explain the importance of reporting security compromises such as addressing prohibited content and activity; and
 - (K) determine and implement appropriate data destruction and disposal methods relevant to a given scenario.
- (6) The student applies foundational knowledge and skills for the installation, configuration, operation, and maintenance of desktops and workstations. The student is expected to:
- (A) explain the procedure used to install and configure motherboards, central processing units (CPUs), and add-on cards relevant to a given scenario, such as a custom PC configuration to meet customer specifications;
 - (B) describe how to implement security best practices to secure a workstation, including software-based computer protection tools such as software firewalls, antivirus software, and anti-spyware;
 - (C) demonstrate how to identify symptoms or error codes, including no power, no POST, no BOOT, and no video that indicate device issues and explain how to troubleshoot them;
 - (D) describe the process used to install, troubleshoot, or replace RAM types and data storage;
 - (E) describe how to troubleshoot, clean, repair, or replace internal components, including heat sink units and thermal paste; exhaust vents and fans; power supply units, power adapters, and batteries; and wireless and wireless wide area network (WWAN) antenna routing;
 - (F) explain the importance of conducting periodic system maintenance, including both physical and electronic cleaning, disk checks, routine reboots, data dumps, and testing; and
 - (G) describe and demonstrate how to prevent, detect, and remove malware using appropriate tools and methods.
- (7) The student applies foundational knowledge and skills about the installation, configuration, operation, and maintenance of operating systems (OS) and software. The student is expected to:
- (A) demonstrate the use of OS features and tools relevant to given scenarios;
 - (B) demonstrate the use of OS utilities relevant to given scenarios;
 - (C) execute OS command-line tools such as, ipconfig, netstat, dir, nbtstat;
 - (D) troubleshoot OS problems relevant to a given scenario;
 - (E) demonstrate how to use features and tools of the Mac OS, Linux, and Chrome client/desktop operating systems;
 - (F) explain troubleshoot problems in the Mac OS, Linux, and Chrome Client/desktop operating systems; and
 - (G) explain database concepts and the purpose of a database.
- (8) The student installs, configures, operates, maintains, and troubleshoots issues related to peripheral devices relevant to a given scenario. The student is expected to:
- (A) explain and demonstrate how to install, configure, maintain, and troubleshoot storage devices;

- (B) explain and demonstrate how to install, configure, maintain, and troubleshoot printers, copiers, and scanners, including Small Office Home Office (SOHO) multifunction devices and printers;
 - (C) explain and demonstrate how to install, configure, maintain, and troubleshoot video, projector, and displays; and
 - (D) explain and demonstrate how to install, configure, maintain, and troubleshoot multimedia devices, such as sound cards, speakers, microphones, and webcams.
- (10) The student monitors current issues related to the installation, configuration, operation, and maintenance of laptops, tablets, and other mobile devices, including Internet of Things (IoT) devices. The student is expected to:
- (A) explain and demonstrate how to install and configure laptop and netbook hardware and components as well as a custom configuration to meet customer specifications;
 - (B) explain and demonstrate how to install components within the display of a laptop;
 - (C) explain and demonstrate how to connect and configure accessories and ports of mobile devices;
 - (D) analyze and apply methods used to secure mobile devices;
 - (E) configure mobile device network connectivity and application support;
 - (F) demonstrate, apply, and implement methods to perform mobile device synchronization, such as to a laptop or desktop computer; and
 - (G) explain and demonstrate how to troubleshoot mobile device, OS, and application issues relevant to a given device.
- (11) The student troubleshoots issues with wired and wireless networks and cloud computing resources. The student is expected to:
- (A) explain and demonstrate how to install, configure, and secure a wired network;
 - (B) explain and demonstrate how to install, configure, and secure a basic wired network;
 - (C) compare and describe wireless security protocols and authentication methods;
 - (D) analyze and describe troubleshoot wired and wireless network problems;
 - (E) demonstrate the use of appropriate networking tools safely to fix network issues;
 - (F) explain how computing devices such as laptops and cell phones connect and share data; and
 - (G) describe the components of cloud-computing architectures and features of cloud-computing platforms.

§127.696. Engineering Applications of Computer Science Principles (1 Credit), Adopted 2025.

- (a) General requirements. This course is recommended for students in grades 9-12. Prerequisite: Algebra 1. 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 Applications of Computer Science Principles teaches rigorous engineering design practices, engineering habits of mind, and the foundational tools of computer science. Students apply core computer science principles to solve engineering design challenges that cannot be solved without such knowledge and skills. Students use a variety of computer software and hardware applications to complete projects.
 - (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) cooperate, contribute, and collaborate as a member of a group in an effort to achieve a positive collective outcome;
 - (B) present written and oral communication in a clear, concise, and effective manner;
 - (C) demonstrate time-management skills in prioritizing tasks, following schedules, and performing goal-relevant activities in a way that produces efficient results;
 - (D) identify and complete tasks with the highest standards to ensure quality products and services; and
 - (E) analyze cost savings by using a simulation to run experiments before committing more resources.
 - (2) The student applies concepts of critical thinking and problem solving. The student is expected to:
 - (A) analyze elements of an engineering problem to develop creative and innovative solutions;
 - (B) analyze the elements and structure of a programming problem to develop creative and innovative solutions;
 - (C) examine information from a customer and existing program to identify pertinent information for the problem-solving task;
 - (D) compare alternatives using a variety of problem-solving and critical-thinking skills; and
 - (E) conduct technical research to gather information necessary for decision making.
 - (3) The student conducts computer science and engineering laboratory activities using safe and environmentally appropriate practices. The student is expected to:
 - (A) identify and demonstrate safe practices during hands-on cutting and building activities;
 - (B) identify and demonstrate safe use and storage of electrical components; and
 - (C) identify and demonstrate and apply appropriate use and conservation of resources, including disposal, reuse, or recycling of materials.
 - (4) The student applies ethical considerations in designing solutions. The student is expected to:
 - (A) define and evaluate constraints pertaining to a problem;
 - (B) incorporate safety considerations with respect to the system, engineer, and user; and
 - (C) investigate and explain the importance of relevant legal and ethical concepts in computer science such as intellectual property, use of open-source software, attribution, patents, and trademarks.
 - (5) The student demonstrates an understanding of the structured methods used to collect and analyze information about customer needs. The student is expected to:

- (A) analyze all information provided by the customer;
 - (B) describe joint angle conventions;
 - (C) create a process flow diagram based on customer needs to generate ideas for potential user actions, product functions, and design opportunities;
 - (D) develop a flowchart for a program using the results of a process flow diagram;
 - (E) create a target specifications table;
 - (F) describe similar existing solutions; and
 - (G) construct a functional model based on customer needs to generate ideas for potential user actions, product functions, and design opportunities.
- (6) The student develops a user interface and thorough but concise supplemental instructions. The student is expected to:
- (A) identify the essential tasks to be done by the user;
 - (B) identify points of potential confusion or unexpected input by the user;
 - (C) design a software or user interface that clearly communicates to the user how to achieve desired tasks;
 - (D) develop supplemental user instructions to inform the user of items that cannot be incorporated into the interface, such as how to start the program or frequently asked questions;
 - (E) test the instructions and program with a student who is not familiar with the project;
 - (F) evaluate the feedback and results from new user testing;
 - (G) improve and refine the instructions and program based on feedback and results of testing; and
 - (H) re-test the instructions and program as necessary.
- (7) The student systematically reverse engineers a product, examines ways to improve it, and identifies the type of redesign required to make that improvement. The student is expected to:
- (A) test and try to “break” an existing program to determine functionality;
 - (B) describe unexpected findings from deconstructing existing code;
 - (C) examine relevant software libraries to determine their uses and functionality;
 - (D) construct a flowchart for an existing program;
 - (E) compare the program’s current functionality to the customer’s needs;
 - (F) add to the flowchart to meet customer needs;
 - (G) develop new code to achieve all desired outcomes; and
 - (H) compare the predicted versus actual functionality of the product to generate ideas for redesign.
- (8) The student applies concept generation and selection skills. The student is expected to:
- (A) create a black box and functional model of the system;
 - (B) implement brainstorming, mind mapping, concept sketching, and gallery walk activities to produce new ideas; and
 - (C) apply concept selection techniques such as a Pugh chart or a weighted decision matrix.
- (9) The student develops and applies other engineering skills. The student is expected to:

- (A) select and use appropriate tools and techniques to support design activities;
 - (B) report information about software design solutions in an engineering notebook;
 - (C) develop, test, and refine programming concepts throughout the development process;
 - (D) interpret an electrical diagram and use it to build a circuit;
 - (E) create a circuit using a microcontroller, a breadboard, and multiple components;
 - (F) apply the design process from different starting points by beginning with a baseline design;
 - (G) use a model or simulation which represents phenomena and mimics real-world events to develop and test hardware;
 - (H) evaluate the simulator's strengths and weaknesses for use in improving rocket performance;
 - (I) critique the usefulness and limitations of certain models;
 - (J) develop a prototype solution, test the prototype solution against requirements, constraints, and specifications, and refine the prototype solution; and
 - (K) report and describe the finalized design.
- (10) The student applies mathematics and algorithms in programs. The student is expected to:
- (A) apply mathematical concepts from algebra, geometry, trigonometry, and calculus to calculate the angle of a joint;
 - (B) apply mathematical calculations cyclically in a program using algorithms; and
 - (C) evaluate and verify algorithms for appropriateness and efficiency.
- (11) The student develops computer programs to support design solutions. The student is expected to:
- (A) design software interfaces that communicate with hardware;
 - (B) identify and apply relevant concepts from computer science, science, and mathematics such as functions, electricity, and mechanics; and
 - (C) employ abstraction in a program by representing numerical sensor readouts distance and brightness ranges in more intuitive variables and functions.
- (12) The student develops and applies other computer science skills. The student is expected to:
- (A) apply systems-thinking skills, emphasizing the integration of small discrete programs into a larger complete program solution;
 - (B) use intuitive variable names and add comments to code to improve readability;
 - (C) employ abstraction in a program by representing images as data arrays and representing numerical tone frequencies as variables;
 - (D) convert image information into the correct data type necessary for given library functions;
 - (E) develop an algorithm that includes logic, such as "while" and "if", to accept user trackbar input and display image changes in real time;
 - (F) document software design solutions through developing flowcharts, pseudocode, and commented code;
 - (G) design software interfaces that communicate with users and hardware;
 - (H) employ abstraction to program to an interface, treating imported code as a "black box;"
 - (I) employ abstraction by representing a joint as four points in a plane; and

- (J) apply a well-defined programming vocabulary and skill set.
- (13) The student develops and uses computer programs to process data and information to gain insight and discover connections to support design solutions. The student is expected to:
 - (A) organize complex image and video data appropriately for processing;
 - (B) analyze complex data to make decisions and instruct users; and
 - (C) develop programs that use incoming data and algorithms to create output data, information, and commands.

§127.697. Geographic Information Systems (One Credit), Adopted 2025.

- (a) General requirements. This course is recommended for students in Grades 10-12. Recommended prerequisites: Principles of Art, Audio/Video Technology, Principles of Information Technology, or Principles of Technology. 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) The Geographic Information Systems (GIS) course employs an analytic process using industry standard software to find trends and patterns in collected data. Whether collecting data first-hand or from reputable websites, GIS aims to use scientific methods to find solutions to various problems and issues. students
 - (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) employ effective reading and writing skills;
 - (B) employ effective verbal and nonverbal communication skills;
 - (C) identify career development and opportunities in the GIS industry and related industries;
 - (D) apply competencies related to resources, information, and systems of operation in the geographical information technology industry;
 - (E) demonstrate knowledge of personal and occupational safety practices in the workplace; and
 - (F) identify employers' expectations, appropriate work habits, and good citizenship skills.
 - (2) The student demonstrates knowledge and appropriate use of computer hardware components, software programs, and their connections. The student is expected to:
 - (A) use operating systems, software applications, and communication and networking components appropriately;
 - (B) compare, contrast, and appropriately use the various input, processing, output, and primary/secondary storage devices;

- (C) make decisions regarding the selection, acquisition, and use of software taking into consideration its quality, appropriateness, effectiveness, and efficiency; and
 - (D) delineate and make necessary adjustments regarding compatibility issues, including digital file formats and cross platform connectivity.
- (3) The student uses data input skills appropriate to the task. The student is expected to:
- (A) use a variety of input devices such as keyboard, scanner, or mouse by appropriately incorporating such components into the product; and
 - (B) use digital keyboarding standards for the input of data.
- (4) The student demonstrates knowledge and understanding of what GIS is and the use of GIS technology in different career fields. The student is expected to:
- (A) identify the historical and contemporary developments in GIS;
 - (B) identify the basic components of GIS; and
 - (C) identify appropriate application of GIS technologies in different career fields.
- (5) The student demonstrates knowledge and appropriate use of database software. The student is expected to:
- (A) use database software to design and construct a relational database using a geographic data model;
 - (B) use joins, hyperlinks, and relational linking within the database;
 - (C) demonstrate proficiency in data depiction and classification;
 - (D) transfer data from different sources into a database for storage and retrieval;
 - (E) identify characteristics of maps and spatial data; and
 - (F) identify and use geographical scales, coordinates, and specific map projections.
- (6) The student demonstrates knowledge and appropriate use of spatial databases and sources. The student is expected to:
- (A) identify and utilize digital terrain models, digital orthophoto quadrangles, geographic databases, land use and land cover data, digital imagery, hydrographic spatial data, and demographic data; and
 - (B) demonstrate appropriate use of spatial analysis.
- (7) The student demonstrates knowledge and appropriate use of GIS software. The student is expected to:
- (A) log in to and launch GIS software;
 - (B) determine the appropriate software tool from GIS to use for a given task or project; and
 - (C) create queries and spatial queries for finding features, borders, centroids, and networks, as well as determining distance, length and surface measurements and shapes.
- (8) The student demonstrates knowledge and appropriate use of GIS data collection devices. The student is expected to:
- (A) plan and conduct supervised GIS and Global Positioning System (GPS) experiences.
 - (B) use a GPS receiver by initializing and preparing it for data collection;
 - (C) use a GPS receiver to collect geographical coordinates; and
 - (D) transfer data from a GPS device to a personal computer.

- (9) The student acquires electronic information in a variety of formats with appropriate supervision. The student is expected to:
 - (A) acquire information in various electronic formats used for text, audio, video, graphics, and other digital content; and
 - (B) use a variety of resources, including the Internet, foundation and enrichment curricula, and various productivity tools, to gather authentic data as a basis for individual and group GIS projects.
- (10) The student uses appropriate computer-based productivity tools to create and modify solutions to problems. The student is expected to:
 - (A) identify project management guidelines for designing and developing GIS projects; and
 - (B) use visual organizers to design solutions such as flowcharts or schematic drawings.
- (11) The student delivers a product in a variety of media with appropriate supervision. The student is expected to:
 - (A) publish information in a variety of formats, including hard copies and digital formats; and
 - (B) present GIS information in oral presentations using graphs, charts, maps and presentation software.
- (12) The student will define and describe maps, reports, and graphs. The student is expected to:
 - (A) create map displays with industry-standard legends;
 - (B) use symbols, scaling, and other map elements; and
 - (C) generate reports and graphs.

§127.698 Raster-Based Geographic Information Systems (One Credit), Adopted 2025.

- (a) General requirements. This course is recommended for students in Grades 10-12. Recommended prerequisites: Geographic Information Systems. 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) In Raster-Based GIS students will study local problems, acquire information, including images or aerial photographs, process the acquired data, and merge the acquired data with vector data. Students will plan, conduct, and present solutions for locally-based problems.
 - (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) employ effective reading and writing skills;
 - (B) employ effective verbal and nonverbal communication skills;

- (C) demonstrate knowledge of how to dress appropriately, speak politely, and conduct oneself in a manner appropriate for the profession and worksite;
 - (D) use time-management skills in prioritizing tasks, following schedules, and tending to goal-relevant activities;
 - (E) demonstrate punctuality, dependability, reliability, and responsibility in reporting for duty and performing assigned tasks as directed; and
 - (F) demonstrate respect for diversity in the workplace.
- (2) The student demonstrates knowledge of the GIS field and related careers. The student is expected to:
- (A) identify employment and career opportunities in GIS-related fields;
 - (B) explore career preparation learning experiences, including job shadowing, mentoring, apprenticeship training, and preparation programs;
 - (C) identify industry certifications for GIS related careers, including careers related to raster-based GIS; and
 - (D) discuss ethical issues related to GIS and technology and incorporate proper ethics in submitted projects;
- (3) The student participates in team projects in various roles. The student is expected to:
- (A) explain the importance of teamwork in the field of GIS;
 - (B) apply principles of effective teamwork and problem solving, including collaboration and conflict resolution; and
 - (C) cooperate, contribute, and collaborate as a member of a group to attain agreement and achieve a collective outcome;
 - (D) demonstrate proper attitudes as a team leader and team member.
- (4) The student investigates the history and use of photography in aerial photography. The student is expected to:
- (A) explain the fundamental principles of cameras and lenses as they pertain to GIS and aerial photography;
 - (B) conduct and present research on the history of photography, particularly in regard to aerial platforms;
 - (C) compare and contrast vertical and oblique aerial photography; and
 - (D) identify cities, bridges, shorelines, roads and other important features in aerial photos.
- (5) The student develops an understanding of electromagnetic and thermal radiation. The student is expected to:
- (A) explain how forms of radiation propagate through space and interact with matter;
 - (B) investigate the behavior of waves, including refraction, scattering, absorption, and reflection, in relation to radiation;
 - (C) describe the properties and laws of thermal radiation;
 - (D) compare and contrast the particle and wave models of electromagnetic energy;
 - (E) differentiate maps based on electromagnetic versus thermal radiation imagery; and
 - (F) evaluate whether electromagnetic or thermal radiation imagery is appropriate based on the conditions.
- (6) The student explores active and passive microwave remote sensing. The student is expected to:

- (A) compare and contrast active and passive microwave remote sensing;
 - (B) explain geographic characteristics, including surface roughness, moisture content, vegetation, backscatter and biomass, and urban structures, detected by remote sensing images; and
 - (C) give detailed analysis of radar images.
- (7) The student learns the functions and applications of the tools, equipment, and materials used in GIS and raster-based analysis. The student is expected to:
- (A) demonstrate the use of raster-based software;
 - (B) download spatial data and raster images and re-project them to match the Digital Orthophoto Quadrangle (DOQ) or Digital Orthophoto Quarter Quadrangle (DOQQ);
 - (C) identify remote sensing equipment and the difference between the Global Positioning System (GPS) and the Global Navigation Satellite System (GLONASS);
 - (D) describe and perform measurements with handheld GPS devices using GPS or GLONASS systems; and
 - (E) compare the advantages, disadvantages, and limitations of remote or unmanned sensing.
- (8) The student uses scientific methods in imagery analysis. The student is expected to:
- (A) plan and implement investigative procedures, including asking questions, formulating testable hypotheses, and selecting, handling, and maintaining appropriate equipment and technology;
 - (B) collect data individually or collaboratively;
 - (C) organize, analyze, evaluate, make inferences, and predict trends from data; and
 - (D) communicate valid conclusions using essential vocabulary and supportive maps, summaries, oral reports, and technology-based reports.
- (9) The student uses project management skills to research and analyze locally-based problems. The student is expected to:
- (A) identify and collect data necessary to evaluate a local problem, including defining the problem and identifying locations of the concern;
 - (B) develop a plan and project schedule for completion of a project;
 - (C) Create a GIS map to illustrate a problem using remote sensing images gathered from sites such as the National Aeronautics and Space Administration (NASA), National Oceanic and Atmospheric Administrations (NOAA), and United

§127.699 Spatial Technology and Remote Sensing (One Credit), Adopted 2025.

- (a) General requirements. This course is recommended for students in Grades 10-12. Recommended prerequisites: Geographic Information Systems and Raster-Based GIS. 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) In Spatial Technology and Remote Sensing, students will receive instruction in industry standard geospatial extension software and geospatial tools, including global positioning systems (GPS), and continued training in GIS project management and problem solving.
 - (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.
- (2) The student demonstrates professional standards/employability skills as required by business and industry. The student is expected:
 - (A) employ advanced reading and writing skills;
 - (B) employ advanced verbal and nonverbal communication skills;
 - (C) demonstrate knowledge of how to dress appropriately, speak politely, and conduct oneself in a manner appropriate for the profession and work site;
 - (D) cooperate, contribute, and collaborate as a member of a group to attain agreement and achieve a collective outcome;
 - (E) demonstrate effective use of time-management skills in prioritizing tasks, following schedules, and tending to goal relevant activities in a way that optimizes efficiency and results;
 - (F) consistently demonstrate punctuality, dependability, reliability, and responsibility in reporting for duty and performing assigned tasks with little or no direction; and
 - (G) identify and demonstrate appropriate actions and identify consequences related to discrimination, harassment, and inequality in the workplace.
 - (3) The student demonstrates knowledge of the GIS field and GIS-related careers. The student is expected to:
 - (A) identify employment and career opportunities in GIS-related fields, including spatial technology;
 - (B) explore or participate in career preparation learning experiences, including job shadowing, mentoring, apprenticeship training; and preparation programs;
 - (C) identify industry certifications for GIS related careers, including careers that use or benefit from spatial technology; and;
 - (D) evaluate ethical issues related to spatial technology and remote sensing and technology and incorporate proper ethics in submitted projects.
 - (4) The student applies basic GIS software knowledge and skills to explore the use of various geographic projections in GIS software. The student is expected to:
 - (A) use and identify Mercator map projection;
 - (B) use and identify Albers conic map projection; and
 - (C) evaluate the evolution of and need for different map projections.
 - (5) The student applies the application of global positioning system (GPS) technology. The student is expected to:
 - (A) identify and use data terminology related to GPS;
 - (B) identify and use appropriately GPS receiver components;

- (C) propose potential applications of GPS coordinates such as locating fire hydrants, extinguishers, lighting, and parking lots; and
 - (D) appraise the accuracy of GPS coordinates from different receivers such as smartphones, tablets, and GPS handheld devices.
- (6) The student demonstrates knowledge and understanding of the types and components of unmanned remote sensing platforms. The student is expected to:
- (A) identify major components of aerial, terrestrial, and submersible remote sensing platforms;
 - (B) evaluate conditions for using one type of platform over another;
 - (C) differentiate the types of sensing systems used by each type of platform, including active, passive, spectrometer, radar, LiDAR, scatter meter, and laser altimeter, and
 - (D) compare and contrast situations in which different platforms and sensing systems might be used.
- (7) The student demonstrates skills related to GIS data analysis. The student is expected to:
- (A) apply critical thinking skills to evaluate findings and potential problems using GIS data;
 - (B) create models that represent collected data
 - (C) create, query, map, and analyze cell-based raster data; and
 - (D) analyze density, distance, and proximity of various data points using spatial analyst tools.
- (8) The student analyzes geospatial socioeconomic data to create three-dimensional maps to demonstrate findings. The student is expected to:
- (A) identify key sources of and gather and organize geospatial socioeconomic data;
 - (B) plan, organize, and create two-dimensional themes;
 - (C) convert two- dimensional themes to a three- dimensional map to demonstrate features, distributions, and themes; and
 - (D) generate summaries, generalizations, or thesis statements to interpret, draw conclusions about, and justify findings.
- (9) The student uses spatial technology to develop and analyze a location map. The student is expected to:
- (A) identify and collect data using GPS and/or unmanned systems and identify the boundaries and topography of the location;
 - (B) analyze how the location of a community impacts the resources and hardships such as jobs or traffic in the community;
 - (C) create a map of a location that includes buildings and facilities, adjacent streets, and transportation sites, using GIS software; and
 - (D) develop and include categories for a facility’s features such as restrooms, spaces allocated for core activities, emergency equipment, and excavation routes.
- (10) The student documents technical knowledge and skills. The student is expected to:
- (A) create a portfolio to include information such as:
 - (i) attainment of technical skill competencies related to spatial technology and remote sensing; and
 - (ii) samples of work such as location maps and spatial technology and remote sensing-based reports; and

(B) present a portfolio to peers or interested stakeholders.

ATTACHMENT VI
Text of Proposed New 19 TAC

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

Subchapter N. Law and Public Service

§127.773 Legal Research and Writing (1 Credit), Adopted 2025.

- (a) General requirements. This course is recommended for students in Grades 10-12. Recommended prerequisite: Court Systems and Practices.
- (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 Law, Public Safety, Corrections, and Security Career Cluster focuses on planning, managing, and providing legal services, public safety, protective services, and homeland security, including professional and technical support services.
 - (3) Legal Research and Writing provides an introduction to the study and practice of legal writing and research. This course is designed to introduce students to the methods and tools used to conduct legal research, develop and frame legal arguments, produce legal writings such as briefs, memorandums, and other legal documents, study U.S. Constitutional law, and prepare for appellate argument(s).
 - (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 achieve business and industry employability skills standards such as attendance, on-time arrival, meeting deadlines, working toward personal/team goals every day, and ethical use of technology.
 - (2) The student conducts legal research. The student is expected to:
 - (A) plan a legal research strategy;
 - (B) access print and online research materials to find and analyze case law;
 - (C) research mandatory and persuasive case history using online databases such as Lexis-Nexis;
 - (D) critique other's legal writing(s) to determine whether cited case law and other legal sources were correctly referenced and relied upon for precedential holdings;
 - (E) evaluate and apply concepts found in Bluebook citation rules to one's writing.
 - (3) The student prepares legal arguments. The student is expected to:
 - (A) read and analyze case law;
 - (B) read and analyze case history;
 - (C) apply legal precedent to current legal issues; and

(D) develop arguments supported by case law research.

(4) The student prepares legal documents. The student is expected to:

(A) interpret the Bluebook requirements for legal writing;

(B) prepare legal briefs;

(C) prepare memorandums; and

(D) prepare other legal documents such as demand letters and pleadings.

(5) The student studies and analyzes U.S. Constitutional law. The student is expected to:

(A) analyze the relationship between the U.S. Constitution, Common Law, state and local law(s);

(B) analyze the legal, social, and historical implications of court decisions affecting the interpretation of the U.S. Constitution;

(C) predict possible outcomes of future cases and frame arguments in ways that are likely to garner the support of the judiciary; and

(D) critique cases related to U.S. Constitutional law and other current legal issues such free exercise clause, establishment clause, due process, and equal protection; and

(E) critique cases related to current legal issues.

(6) The student participates in a class moot court simulation. The student is expected to:

(A) research case law on an assigned current legal issue;

(B) read appellant, respondent, and amici briefs associated with the chosen case;

(C) write an appellate brief; and

(D) prepare an oral argument and respond to questions during the presentation of the argument.

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

September 11, 2024

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

SUMMARY: This item provides an opportunity for the board to discuss 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 science that are required to be offered to students.

STATUTORY AUTHORITY: Texas Education Code (TEC), §§7.102(c)(4), 28.002(a), and 28.025(b-1).

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, §28.025(b-1), requires the SBOE to determine by rule specific courses for graduation under the foundation high school program.

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 Chapter 74, Subchapter A, effective September 1, 1996. Section 74.3 was last amended effective August 1, 2022.

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. In late 2019, the SBOE began the process to review and revise the Texas Essential Knowledge and Skills (TEKS) for Kindergarten-Grade 12 science. At the recommendation of Work Group A, the SBOE directed the work groups to follow a backwards-by-design approach to the revisions to the Kindergarten-Grade 12 science TEKS. Consequently, work groups started first with recommendations for revisions to the high school science TEKS. In November 2020, the SBOE approved for second reading and final adoption revised TEKS for four high school science courses: Biology, Chemistry, Physics, and Integrated Physics and Chemistry. At the June 2021 SBOE meeting, the board approved for second reading and final adoption new TEKS for Specialized Topics in Science and revised standards for Aquatic Science, Astronomy, Earth Science Systems (formerly titled Earth and Space Science), and Environmental Systems. The updated TEKS for high school science will be implemented beginning with the 2024-2025 school year.

Additionally, CTE TEKS Review work groups were convened from March-July 2021 to develop recommendations for certain CTE courses that satisfy a science graduation requirement. Proposed new TEKS for certain CTE courses that may satisfy science graduation requirements were approved for second reading and final adoption by the SBOE at the April 2024 SBOE meeting.

The attachment to this item reflects the text of the proposed amendment to §74.3 for discussion. The proposed amendment would align the required secondary curriculum in §74.3(b)(2)(C) with the updates to the secondary science course offerings made during recent TEKS revisions.

Staff Member Responsible:

Monica Martinez, Associate Commissioner, Standards and Programs

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 Systems Science [~~Earth and Space Science~~], Environmental Systems, Advanced Animal Science, [~~Advanced Biotechnology~~], Advanced Plant and Soil Science, Anatomy and Physiology, Applied Physics and Engineering, Biotechnology I, Biotechnology II, 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, 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;
 - (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.)

**Consideration and Adoption of Proposed Ranges of Distributions
for Fiscal Year 2026 and Fiscal Year 2027**

September 13, 2024

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

SUMMARY: This item provides an opportunity for the committee and board to review the requirements in Article VII, §5(a)(1) and (2), Texas Constitution, that states, the total amount distributed from the Permanent School Fund (PSF) to the Available School Fund (ASF) is not more than six percent of the average market value of the PSF on the last day of each of the sixteen state fiscal quarters preceding the regular session of the legislature that begins before that state biennium; and over the 10-year period the distributions may not exceed the total return on all investment assets of the PSF over the same 10-year period.

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 September 2023 meeting, the board determined that a distribution for fiscal year 2024 is permitted under Texas Constitution, Article VII, Subsection 5(a)(1) and (2).

At the June 2024 meeting, the board received a report on the 5a distribution rate to the Available School Fund from the Permanent School Fund. The board took no action at the meeting.

BACKGROUND INFORMATION AND JUSTIFICATION: On November 4, 2008, the chair of the SBOE sought an opinion from the Attorney General (AG) regarding the implementation of Texas Constitution, Article VII, §5(a)(2) in limiting transfers from the PSF to the ASF. A supplementary request was made on January 14, 2009. On April 13, 2009, the AG responded to the requests, noting that Article VII, §5(a)(1) and §5(a)(2) require distinct calculations using different methodologies and covering different time periods.

The 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 3.32% of the average market value for the trailing 16 state fiscal quarters ending November 30, 2022.

According to the FY 2024-25 General Appropriations Act (HB 1), in Rider 38 of the Texas Education Agency bill pattern, at least 45 days prior to the adoption of the distribution rate from the PSF to the ASF by the SBOE a report on the following shall be sent to the Legislative Budget Board (LBB) and the Governor:

- 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; and
- 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:

Robert L. Borden, Chief Executive Officer, Texas PSF Corporation

**Update from the Texas Permanent School Fund Corporation's
Chief Executive Officer**

September 11, 2024

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

SUMMARY: This item provides an opportunity for the committee to receive updates on the Texas Permanent School Fund activities and follow-up discussion with the Texas Permanent School Fund Corporation's Chief Executive Officer.

STATUTORY AUTHORITY: Texas Constitution, [Article VII, §2](#) and [§5](#).

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 the permanent school fund.

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

Staff Member Responsible:

Robert L. Borden, Chief Executive Officer, Texas Permanent School Fund Corporation

Texas Education Agency Administrative and Program Budget by Major Component for the 2024-2025 Biennium and Legislative Appropriations Request for the 2026-2027 Biennium

September 13, 2024

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

SUMMARY: Texas Education Agency (TEA) staff will provide an overview of the agency's Administrative and Program budget by major component for fiscal years and the biennium totals for 2024-2025, as well as the agency's Legislative Appropriations Request (LAR) for the 2026-2027 biennium for comment.

STATUTORY AUTHORITY: Texas Education Code (TEC), §7.055(b) and (c).

BACKGROUND INFORMATION AND JUSTIFICATION: This item presents the TEA's administrative and program budget by major component for both the fiscal years and the biennium totals for 2024-2025 and the agency's LAR for the 2026-2027 biennium.

Staff Members Responsible:

Carla Steffen, Associate Commissioner of Finance and Chief Financial Officer

Hunter Thompson, Executive Director, Governmental Relations

Separate Exhibit I:

Administrative and Program Budget by Major Component for fiscal years 2024 and 2025, and the 2024-2025 biennium

Separate Exhibit II:

Legislative Appropriations Request (LAR) for the 2026-2027 biennium
(to be provided at the September 2024 SBOE meeting)

Discussion of Legislative Recommendations for the 89th Texas Legislature

September 11, 2024

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

SUMMARY: This item provides an opportunity for the committee to discuss legislative recommendations for the 89th Texas Legislature.

STATUTORY AUTHORITY: Texas Education Code (TEC), §7.102.

TEC, §7.102 permits the State Board of Education to perform those duties relating to school districts or regional education service centers assigned to the board by the Texas constitution or by provision of the education code. This section outlines the powers and duties provided to the board, which must be carried out with the advice and assistance of the commissioner of education.

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

BACKGROUND INFORMATION AND JUSTIFICATION: In preparation for each legislative session, the board adopts recommendations for legislative action which are designed to improve the public education system of Texas.

Staff Member Responsible:

Hunter Thompson, Executive Director of Governmental Relations

Discussion of Pending Litigation

September 11, 2024

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:

Book People, INC. VBK, INC d/b/a Blue Willow Bookshop, American Booksellers Association, Association of American Publishers, Authors Guild, INC., Comic Book Legal Defense Fund v. Martha Wong in her official capacity as chair of the Texas State Library and Archives Commission, Keven Ellis in his official capacity as chair of the Texas Board of Education, Mike Morath in his official capacity as Commissioner of Education; in the United States District Court for the Western District of Texas, Austin Division, Case No. 1:23-cv-858; and

any 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

Procedural Action Related to 19 TAC Chapter 74, Curriculum Requirements, Subchapter C, Other Provisions, §74.27(a)(9), Innovative Courses and Programs
(Second Reading and Final Adoption)

September 13, 2024

COMMITTEE ON INSTRUCTION: ACTION
STATE BOARD OF EDUCATION: CONSENT

SUMMARY: In order to correct an error made by the Texas Education Agency (TEA), this item presents for second reading and final adoption a proposed amendment to 19 TAC Chapter 74, Curriculum Requirements, Subchapter C, Other Provisions, §74.27(a)(9), Innovative Courses and Programs. This action would authorize TEA to re-file the proposal adopted by the State Board of Education (SBOE) in November 2023 and correct the criteria for innovative courses to be considered for sunset to align with the language approved by the SBOE. No changes are recommended since approved for first reading.

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 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.

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 2025-2026 school year. The earlier effective date would correct an error prior to the 2025-2026 school year.

PREVIOUS BOARD ACTION: The SBOE adopted §74.27 effective September 1, 1996, with amendments effective September 1, 1998; September 1, 2001; December 25, 2007; December 25, 2019; and February 26, 2023. A discussion item on §74.27 was presented to the Committee on Instruction at the June 2023 SBOE meeting. In September 2023, the SBOE approved for first reading and filing authorization the proposed amendment to §74.27. At the November 2023 SBOE meeting, the board approved the proposed amendment for second reading and final adoption.

At the June 2024 SBOE meeting, the board approved for first reading and filing authorization an amendment to correct an error in §74.27(a)(9).

BACKGROUND INFORMATION AND JUSTIFICATION: After the SBOE adopted new rules concerning graduation requirements, the previously approved experimental courses were phased out as of August 31, 1998. Following the adoption of the Texas Essential Knowledge and Skills (TEKS), school districts now submit requests for innovative course approval for courses that do not have TEKS. The process outlined in §74.27 provides authority for the SBOE to approve innovative courses. Each year, TEA provides the opportunity for school districts and other entities to submit applications for proposed innovative courses. TEA staff works with applicants to fine tune their applications, which are then submitted to the Committee on Instruction for consideration.

At the June 2023 meeting, the Committee on Instruction discussed an amendment to §74.27 to add a provision for the sunset of innovative courses that meet certain criteria. The board approved for first reading and filing authorization the proposed amendment to §74.27 at its August-September 2023 meeting. At the November 2023 SBOE meeting, the board approved for second reading and final adoption the proposed amendment to §74.27, which included as a criterion for consideration for sunset a provision that a course must have been approved for at least three years and meet at least one additional criterion. When TEA staff filed the rule as adopted with the Texas Register, the filing did not include the provision that a course must have been approved for at least three years and meet at least one additional criterion to be considered for sunset. The amendment became effective February 18, 2024.

In June 2024, the SBOE approved the proposed amendment to §74.27(a)(9) for first reading and filing authorization.

In order to correct the error made by TEA, this item presents for second reading and final adoption a proposed amendment to §74.27(a)(9). This action would authorize TEA to re-file the proposal adopted by the SBOE in November 2023 and correct the criteria for innovative courses to be considered for sunset to align with the language approved by the SBOE.

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, including school districts and open-enrollment charter schools, 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 limit an existing regulation by limiting the scope of innovative courses considered by criteria listed in §74.27(a)(9) to those that have been approved for at least three years.

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, 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 correct the criteria for innovative courses to be considered for sunset to align with the language approved by the SBOE to avoid confusion. 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 or 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 June 2024 SBOE meeting, notice of the proposed amendment to §74.27(a)(9) was filed with the Texas Register, initiating the public comment period. The public comment period began August 2, 2024, and ended at 5:00 p.m. on September 3, 2024. 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 September 2024 meeting. The SBOE will take registered oral and written comments on the proposal at the appropriate committee meeting in September 2024 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 authorization the proposed amendment to 19 TAC Chapter 74, Curriculum Requirements, Subchapter C, Other Provisions, §74.27(a)(9), Innovative Courses and Programs; and

Make an affirmative finding that immediate adoption of the proposed amendment to 19 TAC Chapter 74, Curriculum Requirements, Subchapter C, Other Provisions, §74.27(a)(9), Innovative Courses and Programs, is necessary and shall have an effective date of 20 days after filing 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 Member Responsible:

Monica Martinez, Associate Commissioner, Standards and Programs

Attachment:

Text of Proposed Amendment to 19 TAC Chapter 74, Curriculum Requirements, Subchapter C, Other Provisions, §74.27(a)(9), Innovative Courses and Programs

ATTACHMENT
Text of Proposed Amendment to 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 discipline-based courses in the foundation or enrichment curriculum and courses that do 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) 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.
 - (3) To request approval from the SBOE, 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 piloting of the course in Texas;
 - (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;
 - (H) the amount of credit requested; and
 - (I) a copy of or electronic access to any recommended instructional resources for the course.
 - (4) To request approval 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.
 - (5) To request approval of a new innovative course, the applying school district or organization must submit with its request for approval evidence that the course has been successfully piloted in its entirety in at least one school in the state of Texas.
 - (6) The requirements of paragraphs (3)(C) and (5) of this subsection do not apply to the consideration of a course developed to support a program of study in career and technical education.
 - (7) Newly approved innovative courses shall be approved for a period of three years, and courses approved for renewal shall be approved for a period of five years.
 - (8) With the approval of the local board of trustees, a school district may offer, without changes or deletions to content, any state-approved innovative course.
 - (9) Texas Education Agency shall review all approved innovative courses once every two years and provide for consideration for sunset a list of innovative courses that have been approved as an innovative course for at least three years and meet the following criteria:
 - (A) zero enrollment for the previous two years;

- (B) average enrollment of less than 100 students statewide for the previous three years;
 - (C) student enrollment at an average of fewer than 20 districts or charter schools statewide for the previous three years;
 - (D) duplicative of another innovative or TEKS-based course; or
 - (E) approved for implementation as a TEKS-based course.
- (b) An ethnic studies course that has been approved by the SBOE as an innovative course shall be considered by the SBOE at a subsequent meeting 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 considered by the SBOE.
 - (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 SBOE approval of the innovative course.

**Consideration of Proposed New Innovative Courses and Renewal of Currently Approved
Innovative Courses**

September 13, 2024

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

SUMMARY: This item presents for consideration applications for proposed new innovative courses and renewal of currently approved courses that are scheduled to expire.

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. In November 2022, the SBOE again adopted amendments to 19 TAC §74.27 to be effective February 26, 2023. In November 2023, the SBOE adopted amendments effective February 18, 2024.

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. At the June 2023 meeting, the SBOE approved one new innovative course for a period of two years. At the June 2024 meeting, the SBOE extended the of approvals for 24 innovative courses that were part of career and technical education (CTE) programs of study.

BACKGROUND INFORMATION AND JUSTIFICATION: After the board adopted new rules concerning graduation requirements, the previously approved experimental courses were phased out as of August 31, 1998. Since the adoption of the Texas Essential Knowledge and Skills (TEKS), school districts and other entities have submitted new requests for approval of innovative courses that do not have TEKS and meet a demonstrated student need. The process originally outlined in §74.27 provided authority for the commissioner of education to approve discipline-based courses but reserved for SBOE review and approval those courses that did not fall within any of the subject areas of the foundation or enrichment curriculum. In November 2023, the SBOE amended §74.27 to shift from the commissioner of education to the SBOE the authority to approve all innovative courses that fall under the foundation or enrichment curriculum. The amendments also specified the number of years for initial approval and renewal of innovative courses and provided an exemption from the pilot requirement for career and technical education courses that support an approved program of study.

A brief description of the courses submitted for SBOE review and consideration will be provided to SBOE members prior to the September 2024 meeting. If approved, the recommended effective date for the courses would be August 1, 2025. With the approval of the local board of trustees, the courses would be available for school districts' use beginning with the 2025-2026 school year.

PUBLIC BENEFIT AND COST TO PERSONS: Students would have access to a new innovative course that meets local district needs and continue to have access to courses that are included as part of CTE programs of study.

Staff Member Responsible:

Monica Martinez, Associate Commissioner, Standards and Programs

Attachment:

Text of 19 TAC §74.27, Innovative Courses and Programs

Separate Exhibit:

Innovative Courses Submitted for Approval
(to be provided at the September 2024 SBOE meeting)

ATTACHMENT

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 discipline-based courses in the foundation or enrichment curriculum and courses that do 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) 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.
 - (3) To request approval from the SBOE, 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 piloting of the course in Texas;
 - (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;
 - (H) the amount of credit requested; and
 - (I) a copy of or electronic access to any recommended instructional resources for the course.
 - (4) To request approval 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.
 - (5) To request approval of a new innovative course, the applying school district or organization must submit with its request for approval evidence that the course has been successfully piloted in its entirety in at least one school in the state of Texas.
 - (6) The requirements of paragraphs (3)(C) and (5) of this subsection do not apply to the consideration of a course developed to support a program of study in career and technical education.
 - (7) Newly approved innovative courses shall be approved for a period of three years, and courses approved for renewal shall be approved for a period of five years.
 - (8) With the approval of the local board of trustees, a school district may offer, without changes or deletions to content, any state-approved innovative course.
 - (9) Texas Education Agency shall review all approved innovative courses once every two years and provide for consideration for sunset a list of innovative courses that meet the following criteria:
 - (A) zero enrollment for the previous two years;
 - (B) average enrollment of less than 100 students statewide for the previous three years;
 - (C) student enrollment at an average of fewer than 20 districts or charter schools statewide for the previous three years;

- (D) duplicative of another innovative or TEKS-based course; or
 - (E) approved for implementation as a TEKS-based course.
- (b) An ethnic studies course that has been approved by the SBOE as an innovative course shall be considered by the SBOE at a subsequent meeting 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 considered by the SBOE.
 - (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 SBOE approval of the innovative course.

Proposed Amendments 19 TAC Chapter 127, Texas Essential Knowledge and Skills for Career Development and Career and Technical Education, Subchapter J, Hospitality and Tourism, and Chapter 130, Texas Essential Knowledge and Skills for Career and Technical Education, Subchapter A, Agriculture, Food, and Natural Resources, Subchapter D, Business Management and Administration, and Subchapter P, Transportation, Distribution, and Logistics
(Second Reading and Final Adoption)

September 13, 2024

COMMITTEE ON INSTRUCTION: ACTION
STATE BOARD OF EDUCATION: CONSENT

SUMMARY: This item presents for second reading and final adoption proposed amendments to 19 Texas Administrative Code (TAC) Chapter 127, Texas Essential Knowledge and Skills for Career Development and Career and Technical Education, Subchapter J, Hospitality and Tourism, §127.482, Food Science (One Credit), Adopted 2021; and Chapter 130, Texas Essential Knowledge and Skills for Career and Technical Education; Subchapter A, Agriculture, Food, and Natural Resources, §130.30, Agricultural Laboratory and Field Experience (One Credit), Adopted 2015; Subchapter D, Business Management and Administration, §130.136, Business Information Management I (One Credit), Adopted 2015; §130.137, Business Information Management II (One Credit), Adopted 2015; §130.138, Business Lab (One Credit), Adopted 2015; §130.143, Practicum in Business Management (Two Credits), Adopted 2015; §130.144, Extended Practicum in Business Management (One Credit), Adopted 2015; and Subchapter P, Transportation, Distribution, and Logistics, §130.445, Small Engine Technology I (One Credit), Adopted 2015, and §130.446, Small Engine Technology II (Two Credits), Adopted 2015. The proposed amendments would make technical adjustments to course titles, prerequisites, and corequisites to align with the recently revised career and technical education (CTE) programs of study. 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 amendments 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 2025-2026 school year. The earlier effective date will allow for technical adjustments to be made to course titles, prerequisites, and corequisites at the earliest possible date to avoid confusion and ensure students have access to appropriate corequisite courses.

PREVIOUS BOARD ACTION: The SBOE adopted §§130.30, 130.136-130.138, 130.143, 130.144, 130.445, and 130.446 to be effective August 28, 2017. The SBOE adopted [§127.482](#) to be effective April

26, 2022. At the June 2024 meeting, the SBOE approved for first reading and filing authorization the proposed amendments to Chapter 127, Subchapter J, and Chapter 130, Subchapter A, D, and P.

BACKGROUND INFORMATION AND JUSTIFICATION: The federal *Strengthening Career and Technical Education for the 21st Century Act*, commonly referred to as Perkins V, requires states that receive federal CTE funds to align CTE programs of study to high-wage, in-demand, and high-skill occupations. In fall 2023, the Texas Education Agency (TEA) engaged members of the workforce, secondary education, and higher education to advise on the development and refresh of programs of study, which include coherent course sequences, industry-based certifications, and work-based learning opportunities to ensure students are prepared for high-wage, in-demand, and high-skill careers in Texas.

The proposed amendments would align existing CTE course titles and language related to prerequisites and corequisites to ensure alignment with the refreshed programs of study.

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, including school districts and open-enrollment charter schools, 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 existing regulations by adjusting the options for prerequisites and corequisites for some 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 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 better align existing course titles and language related to prerequisites and corequisites with the refreshed CTE programs of study. It would also ensure students have access to appropriate corequisite courses, update titles to be accurate and consistent with courses in other programs of study, and eliminate confusion. 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 or 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 June 2024 SBOE meeting, notice of the proposed amendments was filed with the Texas Register, initiating the public comment period. The public comment period on the proposal began August 2, 2024, and ended at 5:00 p.m. on September 3, 2024. 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 September 2024 meeting. The SBOE will take registered oral and written comments on the proposal at the appropriate committee meeting in September 2024 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 amendments to 19 TAC Chapter 127, Texas Essential Knowledge and Skills for Career Development and Career and Technical Education, Subchapter J, Hospitality and Tourism, §127.482; and Chapter 130, Texas Essential Knowledge and Skills for Career and Technical Education; Subchapter A, Agriculture, Food, and Natural Resources, §130.30; Subchapter D, Business Management and Administration, §§130.136-130.138, 130.143, and 130.144; and Subchapter P, Transportation, Distribution, and Logistics, §130.445 and §130.446; and

Make an affirmative finding that immediate adoption of proposed amendments to 19 TAC Chapter 127, Texas Essential Knowledge and Skills for Career Development and Career and Technical Education, Subchapter J, Hospitality and Tourism, §127.482; and Chapter 130, Texas Essential Knowledge and Skills for Career and Technical Education; Subchapter A, Agriculture, Food, and Natural Resources, §130.30; Subchapter D, Business Management and Administration, §§130.136-130.138, 130.143, and 130.144; and Subchapter P, Transportation, Distribution, and

Logistics, §130.445 and §130.446, 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 Member Responsible:

Monica Martinez, Associate Commissioner, Standards and Programs

Attachment:

Text of Proposed Amendments to 19 TAC Chapter 127, Texas Essential Knowledge and Skills for Career Development and Career and Technical Education, Subchapter J, Hospitality and Tourism, and Chapter 130, Texas Essential Knowledge and Skills for Career and Technical Education, Subchapter A, Agriculture, Food, and Natural Resources, Subchapter D, Business Management and Administration, and Subchapter P, Transportation, Distribution, and Logistics

ATTACHMENT
Text of Proposed Amendments to 19 TAC

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

Subchapter J. Hospitality and Tourism

§127.482. Food Science (One Credit), Adopted 2021.

- (a) (No change.)
- (b) General requirements. This course is recommended for students in Grades 11 and 12. Prerequisites: one credit in biology, one credit in chemistry, and at least one credit in a Level 2 or higher course from the hospitality and tourism or agriculture, food, and natural resources career clusters ~~[cluster]~~. Recommended prerequisite: Principles of Hospitality and Tourism. This course satisfies a high school science graduation requirement. Students shall be awarded one credit for successful completion of this course.
- (c)-(d) (No change.)

Chapter 130. Texas Essential Knowledge and Skills for Career and Technical Education

Subchapter A. Agriculture, Food, and Natural Resources

§130.30. Agricultural Laboratory and Field Experience (One Credit), Adopted 2015.

- (a) General requirements. This course is recommended for students in Grades 11 and 12 as a corequisite course for students participating in a coherent sequence of career and technical education courses in the Agriculture, Food, and Natural Resources or Energy career clusters ~~[Career Cluster]~~. This course provides an enhancement opportunity for students to develop the additional skills necessary to pursue industry certification.
 - (1) Recommended prerequisite: a minimum of one credit from a course ~~[the courses]~~ in the Agriculture, Food, and Natural Resources or Energy career clusters ~~[Career Cluster]~~.
 - (2) Corequisite: this ~~[any course in the Agriculture, Food, and Natural Resources Career Cluster, excluding Principles of Agriculture, Food, and Natural Resources. This]~~ course must be taken concurrently with a corequisite course from the Agriculture, Food, and Natural Resources or Energy career clusters ~~[Career Cluster]~~ and may not be taken as a stand-alone course. The following courses are permitted as corequisites:
 - (A) Agribusiness Management and Marketing;
 - (B) Livestock Production;
 - (C) Veterinary Medical Applications;
 - (D) Food Technology and Safety;
 - (E) Food Processing;
 - (F) Wildlife, Fisheries, and Ecology Management;
 - (G) Forestry and Woodland Ecosystems;
 - (H) Range Ecology and Management;
 - (I) Floral Design;
 - (J) Horticultural Science;

- (K) Greenhouse Operation and Production;
- (L) Agricultural Mechanics and Metal Technologies;
- (M) Agricultural Structures Design and Fabrication;
- (N) Agricultural Equipment Design and Fabrication;
- (O) Agricultural Power Systems;
- (P) Oil and Gas Production I;
- (Q) Oil and Gas Production II;
- (R) Energy and Natural Resource Technology; and
- (S) Advanced Energy and Natural Resource Technology.

(3) Districts are encouraged to offer this lab in a consecutive block with the corequisite course to allow students sufficient time to master the content of both courses. Students shall be awarded one credit for successful completion of this course.

(b)-(c) (No change.)

Subchapter D. Business Management and Administration

§130.136. Foundations of Business Communication and Technologies [~~Business Information Management I~~] (One Credit), Adopted 2015.

- (a) (No change.)
- (b) Introduction.
 - (1)-(2) (No change.)
 - (3) In Foundations of Business Communication and Technologies [~~Business Information Management I~~], students implement personal and interpersonal skills to strengthen individual performance in the workplace and in society and make a successful transition to the workforce and postsecondary education. Students apply technical skills to address business applications of emerging technologies, create word-processing documents, develop a spreadsheet, formulate a database, and make an electronic presentation using appropriate software.
 - (4) (No change.)
 - (5) (No change.)
- (c) (No change.)

§130.137. Business Communication and Technologies [~~Business Information Management II~~] (One Credit), Adopted 2015.

- (a) General requirements. This course is recommended for students in Grades 10-12. Prerequisite: Foundations of Business Communication and Technologies [~~Business Information Management I~~]. Recommended Prerequisite: Touch System Data Entry. Recommended corequisite: Business Lab. Students shall be awarded one credit for successful completion of this course.
- (b) Introduction.
 - (1)-(2) (No change.)
 - (3) In Business Communication and Technologies [~~Business Information Management II~~], students implement personal and interpersonal skills to strengthen individual performance in the workplace and in society and make a successful transition to the workforce or postsecondary education. Students apply technical skills to address business applications of emerging technologies, create

complex word-processing documents, develop sophisticated spreadsheets using charts and graphs, and make an electronic presentation using appropriate multimedia software.

(4)-(5) (No change.)

(c) (No change.)

§130.138. Business Lab (One Credit), Adopted 2015.

(a) General requirements. This course is recommended for students in Grades 9-12 as a corequisite course for students participating in a coherent sequence of career and technical education courses in the Business Management and Administration Career Cluster. This course provides an enhancement opportunity for students to develop the additional skills necessary to pursue industry certification. Corequisite: any course in the Business Management and Administration Career Cluster. Recommended corequisite: Foundations of Business Communication and Technologies or Business Communication and Technologies [~~Business Information Management I or Business Information Management II~~]. This course must be taken concurrently with a corequisite course from the Business Management and Administration Career Cluster and may not be taken as a stand-alone course. Districts are encouraged to offer this lab in a consecutive block with the corequisite course to allow students sufficient time to master the content of both courses. Students shall be awarded one credit for successful completion of this course.

(b) Introduction.

(1)-(2) (No change.)

(3) Business Lab is designed to provide students an opportunity to further enhance skills of previously studied knowledge and skills and may be used as an extension of Foundations of Business Communication and Technologies or Business Communication and Technologies [~~Business Information Management I or Business Information Management II~~]; it is a recommended corequisite course [] and may not be offered as a stand-alone course. Students implement personal and interpersonal skills to strengthen individual performance in the workplace and in society and to make a successful transition to the workforce or postsecondary education. Students apply technical skills to address business applications of emerging technologies. Students develop a foundation in the economic [~~economical~~], financial, technological, international, social, and ethical aspects of business to become competent consumers, employees, and entrepreneurs. Students enhance reading, writing, computing, communication, and reasoning skills and apply them to the business environment. Students incorporate a broad base of knowledge that includes the legal, managerial, marketing, financial, ethical, and international dimensions of business to make appropriate business decisions.

(4)-(5) (No change.)

(c) (No change.)

§130.143. Practicum in Business Management (Two Credits), Adopted 2015.

(a) General requirements. This course is recommended for students in Grades 11 and 12. Recommended prerequisites: Touch System Data Entry and Business Management or Business Communication and Technologies [~~Business Information Management II~~]. 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)-(c) (No change.)

§130.144. Extended Practicum in Business Management (One Credit), Adopted 2015.

(a) General requirements. This course is recommended for students in Grades 11 and 12. The practicum course is a paid or unpaid capstone experience for students participating in a coherent sequence of career and technical education courses in the Business Management and Administration Career Cluster. Recommended prerequisites: Touch System Data Entry and Business Management or Business

Communication and Technologies [~~Business Information Management II~~]. Corequisite: Practicum in Business Management. This course must be taken concurrently with Practicum in Business Management and may not be taken as a stand-alone course. Students shall be awarded one credit 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)-(c) (No change.)

Subchapter P. Transportation, Distribution, and Logistics

§130.445. Introduction to Small Engine Technology [F] (One Credit), Adopted 2015.

(a) (No change.)

(b) Introduction.

(1)-(2) (No change.)

(3) Introduction to Small Engine Technology [F] includes knowledge of the function and maintenance of the systems and components of all types of small engines such as outdoor power equipment, motorcycles, generators, and irrigation engines. This course is designed to provide training for employment in the small engine technology industry. Instruction includes the repair and service of cooling, air, fuel, lubricating, electrical, ignition, and mechanical systems. In addition, the student will receive instruction in safety, academic, and leadership skills as well as career opportunities.

(4)-(5) (No change.)

(c) (No change.)

§130.446. Small Engine Technology [H] (Two Credits), Adopted 2015.

(a) General requirements. This course is recommended for students in Grades 10-12. Prerequisite: Introduction to Small Engine Technology [F]. Students shall be awarded two credits for successful completion of this course.

(b) Introduction.

(1)-(2) (No change.)

(3) Small Engine Technology [H] includes advanced knowledge of the function, diagnosis, and service of the systems and components of all types of small engines such as outdoor power equipment, motorcycles, generators, and irrigation engines. This course is designed to provide hands-on and practical application for employment in the small engine technology industry. Instruction includes the repair and service of cooling, air, fuel, lubricating, electrical, ignition, and mechanical systems and small engine overhauls. In addition, students will receive instruction in safety, academic, and leadership skills as well as career opportunities.

(4)-(5) (No change.)

(c) (No change.)

Approval of Updates and Substitutions to Adopted Instructional Materials

September 13, 2024

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\(b\)](#).

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 approved 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. In June 2022, the SBOE

approved an update request from Learning A–Z for English language arts and reading, grades 2–5. In September 2022, the SBOE approved update requests from Learning A–Z for English language arts and reading, grades 2–5 and from Goodheart-Wilcox Publisher for health, grades 6–8 and high school. In November 2022, the SBOE approved update requests from Learning A–Z for English language arts and reading, grades K–5. In February 2023, the SBOE postponed action on the approval of update requests from Learning A–Z for English language arts and reading, grades K–5 until the April 2023 SBOE meeting. In April 2023, no action was taken due to Learning A–Z withdrawing their English language arts and reading, grades K–5 update requests. In June 2023, the SBOE approved update requests from Children's Learning Institute at The University of Texas Health Science Center at Houston for prekindergarten and Savvas Learning for English language arts and reading, grades K–2 and Spanish language arts and reading, grades K–2. In November 2023, the SBOE approved update requests from EDUSPARK to update content in its EDUSPARK English and Spanish PreK System, and from Children's Learning Institute at The University of Texas Health Science Center at Houston to update content in CIRCLE Pre-K Curriculum: Spanish Edition, adopted under *Proclamation 2021*. In February 2024, the SBOE approved update requests to update Science, grade 6 from Savvas Learning Company, Houghton Mifflin Harcourt Depository, McGraw-Hill School, and Summit K12 Holdings, Inc. In April 2024, the SBOE approved a request from Ramsey Education (Dave Ramsey/Lampo), to update their Personal Financial Literacy instructional materials adopted under *Proclamation 2024*. In June 2024, the SBOE approved an update request to update Social Studies, grade 6 from Cengage Learning to update their instructional materials adopted under *Proclamation 2024*.

BACKGROUND INFORMATION AND JUSTIFICATION: Rules in 19 TAC §66.75 permit a publisher to submit a request for approval to update content in state-adopted instructional materials. The rule also requires that all requests for updates involving content in state-adopted instructional materials be [posted](#) for public comment and 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 requests from Frogstreet Press to update content in its English and Spanish prekindergarten materials and from Mc-Graw Hill to update content in its *Texas World Cultures and Geography*, *Texas History*, *Texas United States History to 1877*, *Texas Economics*, *Texas United States Government*, *Texas United States History Since 1877*, *Texas World Geography*, and *Texas World History*.

Staff Member Responsible:

Amie Phillips, Director, Instructional Materials Review and Approval, District Operations, Technology & Sustainability Supports

Attachment I:

[Frogstreet Prekindergarten English](#)

Attachment II:

[Frogstreet Prekindergarten Spanish](#)

Attachment III:

[McGraw-Hill, Texas World Cultures and Geography](#)

Attachment IV:

[McGraw-Hill, *Texas History*](#)

Attachment V:

[McGraw-Hill, *Texas United States History to 1877*](#)

Attachment VI:

[McGraw-Hill, *Texas Economics*](#)

Attachment VII:

[McGraw-Hill, *Texas United States Government*](#)

Attachment VIII:

[McGraw-Hill, *Texas United States History Since 1877*](#)

Attachment IX:

[McGraw-Hill, *Texas World Geography*](#)

Attachment X:

[McGraw-Hill, *Texas World History*](#)

Discussion of Proposed Repeal of 19 TAC Chapter 130, Texas Essential Knowledge and Skills for Career and Technical Education, and Proposed Revisions to 19 TAC Chapter 127, Texas Essential Knowledge and Skills for Career Development and Career and Technical Education

September 11, 2024

**COMMITTEE ON INSTRUCTION: DISCUSSION
STATE BOARD OF EDUCATION: NO ACTION**

SUMMARY: This item provides an opportunity for the board to discuss the proposed repeal of 19 Texas Administrative Code (TAC) Chapter 130, Texas Essential Knowledge and Skills for Career and Technical Education, and proposed revisions to 19 TAC Chapter 127, Texas Essential Knowledge and Skills for Career Development and Career and Technical Education. The proposed rule actions would repeal career and technical education (CTE) Texas Essential Knowledge and Skills (TEKS) in 19 TAC Chapter 130 and would move the TEKS to 19 TAC Chapter 127 in order to ensure that all CTE TEKS are in the same chapter in administrative rule. The proposed rule action would also move some existing courses within 19 TAC Chapter 127 in order to avoid confusion and make the TEKS easier to locate.

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.

PREVIOUS BOARD ACTION: The SBOE adopted the TEKS for CTE 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. In 2020, the SBOE approved revisions to the CTE TEKS in 19 TAC Chapter 130, Subchapters A, C, K, O, and Q, effective August 1, 2020.

At the November 2021 meeting, the board approved new CTE TEKS in 19 TAC Chapter 127, Subchapters G, I, J, M, and O, effective April 26, 2022. At the January 2022 SBOE meeting, the board approved the repeal of CTE TEKS in 19 TAC Chapter 130, Subchapters E, G, H, I, L, and O, and new CTE TEKS in 19 TAC Chapter 127, Subchapters G, I, J, M, and O, effective April 7, 2022. The board approved new CTE TEKS in 19 TAC Chapter 127, Subchapters G and O, at the April 2022 meeting, effective June 14, 2022. At the June 2022 meeting, the board approved the repeal of CTE TEKS in 19 TAC Chapter 127, Subchapters G, I, and O, and Chapter 130, Subchapter J, effective August 1, 2022, and approved new CTE TEKS in 19 TAC Chapter 127, Subchapter O, effective August 7, 2022. At the June 2023 meeting, the board approved the repeal of CTE TEKS in 19 TAC Chapter 127, Subchapters I, M, and O, effective August 1, 2023. The board approved new CTE TEKS in 19 TAC Chapter 127, Subchapters B and F, at the November 2023 meeting, effective February 13, 2024. At the April 2024 meeting, the board approved for second reading and final adoption new CTE TEKS in 19 TAC Chapter

127, Subchapters C, O, and P. The board approved the repeal of CTE TEKS in 19 TAC Chapter 127, Subchapter B, G, I, J, and O, and Chapter 130, Subchapter J and N, at the June 2024 meeting, effective August 1, 2024.

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.

The TEKS for courses associated with 14 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. The board approved for second reading and final adoption new TEKS for these courses in November 2021 and January, April, and June 2022.

At the November 2023 SBOE meeting, the board approved new CTE TEKS in 19 TAC Chapter 127 for courses in career preparation and entrepreneurship, which became effective February 13, 2024, and will be implemented beginning in the 2024-2025 school year. At the April 2024 meeting, the board approved new CTE TEKS in 19 TAC Chapter 127 for courses in agribusiness, animal science, plant science, aviation maintenance, and engineering that will be implemented beginning in the 2025-2026 school year.

Due to the current structure of Chapter 130, there are not enough sections to add new CTE courses under consideration in their assigned subchapters. To accommodate the addition of new and future courses, the board began the process of moving the CTE TEKS from Chapter 130 to Chapter 127 in order to keep all the TEKS together in administrative rule and avoid confusion. Current subchapters in 19 TAC Chapter 127 will be assigned new subchapters in 19 TAC Chapter 127. The related implementation sections will be repealed and will not be moved to 19 TAC Chapter 127 or to new subchapters in 19 TAC Chapter 127. Related implementation information will instead be added to an implementation section in the TEKS. No other changes are being proposed to the existing CTE courses as part of the move to Chapter 127.

Staff Member Responsible:

Monica Martinez, Associate Commissioner, Standards and Programs

**Discussion of Proposed Amendment to the
*Texas State Plan for the Education of Gifted/Talented Students***

September 13, 2024

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

SUMMARY: This item provides an opportunity for the board to review and approve the proposed amendments to the *Texas State Plan for the Education of Gifted/Talented Students*. The proposed amendments would clarify terminology and requirements related to gifted/talented education that are necessary to align with updates to the rule requirements of House Bill (HB) 1525, 87th Texas Legislature, 2021.

STATUTORY AUTHORITY: Texas Education Code (TEC), §7.102 and §29.123.

TEC §7.102, requires the State Board of Education (SBOE) to adopt criteria for identifying gifted and talented students and develop and update a state plan for the education of gifted and talented students.

TEC, §29.123, requires the SBOE to develop and periodically update a state plan for the education of gifted and talented students to guide school districts in establishing and improving programs for identified students.

PREVIOUS BOARD ACTION: The Committee on Instruction discussed the review of the State Plan at the June 27, 2024 meeting. The SBOE previously approved updates to the State Plan in July 2019.

BACKGROUND INFORMATION AND JUSTIFICATION: The State Plan was first approved and adopted by the SBOE in 1975 with the goal of assisting school districts in their efforts to meet the needs of gifted/talented students. The State Plan was then revised in 1980-81 to include a comprehensive outline of school district responsibilities and activities, and to provide guidance for planning, implementing, and providing appropriate educational services for gifted/talented students. In 1990-91, the State Plan was again revised to reflect the changes that had occurred during the previous ten years, including a 1990 statewide mandate for the education of gifted/talented students. The 1990-91 revision included guidelines for school districts to follow that assisted with TAC rule compliance and in implementing exemplary programs to assure quality services to gifted/talented students.

In 1996, the SBOE adopted a revision of the State Plan that reorganized the guidance to school districts into a three-column format. The first column, labeled ‘Acceptable,’ established the basis of program accountability. The second and third columns, established a recognized and exemplary level, providing school districts with a guide for program improvement. The three-column format was continued in the 2000, and 2006 versions of the adopted State Plan. In 2009, the SBOE approved a revision of the State Plan that included updated language to the three-columns, establishing the ‘In Compliance’ column as the basis of accountability for gifted/talented services and programming. In addition, the second and third columns provided guidance to school districts on ‘Recommended’ and ‘Exemplary’ targets of service.

Pursuant to TEC §29.123, the State Plan provides the basis for G/T services, accountability, and assistance to school districts, charging the SBOE to periodically update the State Plan guidance. At the April 12, 2018 Committee on Instruction meeting, the committee held a discussion item on gifted/talented rule and the State Plan, and at that time charged the Texas Education Agency (TEA) staff with reviewing

the plan and exploring potential updates to be discussed at the June 2018 meeting. A summary of feedback received on the current State Plan was received by the committee at the June 2018 meeting. At the April 2019 Committee on Instruction meeting, the State Plan was presented for discussion and approved as an action item at the June 2019 meeting. At the June 27, 2024 Committee on Instruction meeting, the committee held a second reading and final authorization of amendments to the gifted/talented rules and a discussion item to amendments on the State Plan.

Staff Members Responsible:

Kristin McGuire, Associate Deputy Commissioner, Special Populations Policy, Integration, and Technical Assistance

Laura Briones, Director, Special Populations Policy, Technical Assistance, and Systemwide Integration

Monica Brewer, Coordinator, Gifted and Talented, Policy, Technical Assistance, and Systemwide Integration

Attachment:

Proposed Amendment to the *Texas State Plan for the Education of Gifted/Talented Students*

Texas State Plan
for the Education of
**GIFTED/TALENTED
STUDENTS**

TEXAS STATE PLAN FOR THE EDUCATION OF GIFTED/TALENTED STUDENTS

Revised September 2024 [~~April 2019~~]

Texas Education Agency
1701 North Congress Avenue
Austin, Texas 78701

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September 2024 [~~July 2019~~]

I am pleased to support the State Board of Education's (SBOE's) recent approval of a revised Texas State Plan for the Education of Gifted/Talented Students (State Plan). The 2024 [~~2019~~] version of this document provides accountability standards and guidance to districts as they meet the unique needs of an important special population in Texas.

The Texas Education Code (TEC) requires that the SBOE periodically update a state plan for the education of gifted/talented (G/T) students to guide school districts in establishing and improving services for identified students (TEC §29.123). The SBOE approved the updated language in September 2024 [~~June 2019~~]. The [~~2019~~] State Plan is formatted to accomplishable standards for accountability while recognizing exemplary actions. The accountability standards clarify requirements so that districts may more easily understand and meet them. It also makes use of language and recommendations which closely correspond to current research regarding best practices for G/T services.

The State Plan references and recommends the Texas Performance Standards Project (TPSP). First established through the General Appropriations Act of the 76th Texas Legislature, the TPSP is now established by TEC §39.236 (added by House Bill 3, 81st Texas Legislature) as the primary tool for assessing the effectiveness of gifted services. I am pleased to support the TPSP, the first assessment program of its kind in the nation for evaluation of G/T services.

Finally, the [~~2019~~] State Plan is fully aligned with the TEC requiring the responsibility for compliance monitoring of educational programs (TEC §7.028).

Through implementing the SBOE's [~~newly approved~~] State Plan [~~beginning in school year 2019-2020~~], Texas districts will be better equipped to impact the education experience for their G/T students.

Mike Morath

Commissioner of Education

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ACKNOWLEDGMENTS

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FOREWORD

In 1977, the Texas Legislature passed its first legislation concerning the education of gifted/talented (G/T) students. **In 1979, state funds for providing services to G/T children were made available, but providing such services was optional for school districts.** In 1987, the Texas Legislature mandated that all school districts must identify and serve G/T students at all grade levels. In 1990, the *Texas State Plan for the Education of Gifted/Talented Students (State Plan)* was adopted by the Texas State Board of Education (SBOE) that included a commitment to high-level learning opportunities for G/T learners expressed in the following goal:

STATE GOAL FOR SERVICES FOR GIFTED/TALENTED STUDENTS

Students who participate in services designed for gifted/talented students will demonstrate skills in self-directed learning, thinking, research, and communication as evidenced by the development of innovative products and performances that reflect individuality and creativity and are advanced in relation to students of similar age, experience, or environment. High school graduates who have participated in services for gifted/talented students will have produced products and performances of professional quality as part of their program services.

In 1999, the 76th Texas Legislature introduced Rider 69, which spurred the initial development and ongoing refinement of the Texas Performance Standards Project for Gifted/Talented Students (TPSP) as a vehicle through which districts might address the stated goal. With the TPSP and ongoing research to inform and improve practice, Texas educators are committed to meeting the unique needs of G/T students and to expanding the ways to do so. To learn more about programs and resources for G/T education in Texas, visit the Texas Education Agency (TEA) G/T website at

https://tea.texas.gov/Academics/Special_Student_Populations/Gifted_and_Talented_Education/Gifted_Talented_Education, contact a local Texas public school district or regional education service center (ESC), or email TEA at gted@tea.texas.gov.

Pursuant to Section 29.123 of the Texas Education Code (TEC), the State Plan forms the basis of G/T standards of services and divides them into the categories of accountability and exemplary. The plan offers an outline for services without prohibitive regulation. Districts are accountable for services as described in the State Plan where **performance measures are included for six aspects of G/T service design.** The accountability standards reflect actions required in state law and/or SBOE rule. **Many districts, in collaboration with their communities, will provide more comprehensive services incorporating research-based best practices for G/T learners.**

To offer some guidance to those districts and campuses, standards for “exemplary” performance are included in the plan and provide viable targets that local district educators seeking excellence, both for their district and for their students, may strive to attain.

The TEA assists districts in providing comprehensive services to G/T learners in the following ways:

- Provides information on best practices, developments, and achievements in the field of G/T education to all interested parties
- Develops materials designed to assist districts in the development and implementation of model assessment procedures and services
- Facilitates partnerships among parents, institutions of higher education, communities, and school districts to design comprehensive G/T services
- Sponsors demonstration projects and develops materials that support the implementation of Advanced Placement and International Baccalaureate programs that are differentiated for the G/T students
- Collaborates with business and industry to provide additional opportunities for G/T students
- Monitors and implements any state and/or federal legislation designed to provide educational opportunities for G/T students

Through the combined efforts of the TEA, the Education Service Centers, local district personnel, colleges and universities, and the communities they serve, *all* children will experience an academically challenging education that enables them to maximize their potential.

FIDELITY OF SERVICES

School districts comply with gifted/talented accountability standards and monitor the effectiveness of assessment and services for gifted/talented students.

Accountability	Exemplary
1.1 Student assessment and services are in compliance with the Texas State Plan for the Education of Gifted/Talented Students (19 TAC §89.5).	
1.2 Gifted/talented education policies and procedures are reviewed and recommendations for improvement are made by an advisory group of community members, parents of gifted/talented students, school staff, and gifted/talented education staff, who meet regularly for that purpose.	
<p><u>1.3 100% of the funds allocated to gifted/talented education is spent on identification and services for gifted/talented students. (TEC §48.109). [To the extent that state funding is provided for gifted/talented student education, no more allocated to gifted/talented education is spent on assessment and services for gifted students (19 TAC §105.11).]</u></p>	<p><u>1.3.1 To the extent that state funding is provided for gifted/talented student education, from the basic allotment or additional funding from business partnerships, scholarships, parent group fundraisers, etc. is used to supplement the state and local funding.</u></p>
<p><u>1.4 Gifted/talented funding is used to meet the needs of gifted/talented students. [To the extent that state funding is provided for gifted/talented student education, local funding for gifted/talented education programs is used to supplement the state funding.]</u></p>	
1.5 Annual evaluation activities are conducted for the purpose of continued service development. <u>The summary of the evaluation with program highlights is provided to school board upon completion.</u>	1.5.1 Ongoing formative and summative evaluation strategies, based on quantitative and qualitative data, are reviewed by the school board and used for substantive program improvement and development.
1.6 Long-range evaluation of services is based on evidence obtained through gifted/ talented-appropriate performance measures such as those provided through the Texas Performance Standards Project (TPSP).	
1.7 The development and delivery of curriculum for gifted/talented students is monitored regularly by trained administrators.	
1.8 District guidelines for evaluation of resources used to serve gifted/talented students are established and used in selecting materials that are appropriate for differentiated learning.	
1.9 Curriculum for gifted/talented students is modified based on annual evaluations.	1.9.1 Gifted/talented curriculum is designed and evaluated through collaboration by specialists in content areas, special populations, instructional techniques, and gifted/talented education.

Accountability	Exemplary
<p>1.10 Develop a comprehensive manual or program guide describing all gifted/ talented programs, services, assessments, and communication, which is accessible to parents, community and students and includes district G/T contact information.</p>	<p>1.10.1 Develop a comprehensive manual or program guide describing all gifted/talented programs, services, assessments, and communication which is accessible to parents, community and students including district G/T contact information that is reported to the state.</p>
<p>1.11 For any standard of service for which the district is out of compliance, develop a written plan specifying actions and timelines for achieving compliance.</p>	
<p>1.12 Funds used for programs and services must be determined effective and consistent with the standards set forth in this document.</p>	
	<p>1.13.1 Release time and/or extended contracts are provided to enable teachers at all levels to form horizontal and vertical teams that coordinate gifted/talented services in the district.</p>

STUDENT IDENTIFICATION [ASSESSMENT]

Gifted/talented identification procedures and progress monitoring allow students to demonstrate and develop their diverse talents and abilities.

Accountability	Exemplary
2.1 Written policies on student identification for gifted/talented services are approved by the district board of trustees and disseminated to all parents (19 TAC §89.1).	2.1.1 Board-approved policies are reviewed at least once every three years and modified as needed.
2.2 Referral procedures for <u>identification of students for [assessment of] gifted/talented services [students]</u> are communicated to families in a language and form that the families understand or a translator or interpreter is provided to the extent possible.	
2.3 Referral forms for <u>identification of students for [assessment of] gifted/ talented services [students]</u> are provided to families in a language and form that the families understand, or a translator or interpreter is provided to the extent possible.	2.3.1 Referral forms for <u>identification of students [assessment of] for gifted/talented services [students]</u> are provided to families in a language and form that the families understand, or a translator or interpreter is provided.
2.4 Families and staff are informed of individual student assessment results and placement decisions as well as given opportunities to schedule conferences to discuss assessment data.	
2.5 An awareness session providing an overview of the <u>identification [assessment]</u> procedures and services for gifted/talented students is offered for families by the district and/or campus prior to the referral period.	
2.6 All family meetings are offered in a language families can understand or a translator or interpreter is provided to the extent possible.	
2.7 Provisions regarding transfer students, furloughs, reassessment, exiting of students from program services, and appeals of district decisions regarding program placement are included in board-approved policy (19 TAC §89.1(5)).	
2.8 Policy ensuring that transfer students are properly assessed and appropriately placed following notification of enrollment in the district is included in board-approved policy. Transfers from campus to campus within the district are also addressed in board-approved policy.	2.8.1 Equitable access to gifted/talented services for transfer students is provided through board-approved policy that is developed in consideration of current best-practice recommendations.
2.9 When a gifted/talented student transfers to another district either in or out of Texas, that district is provided with the student’s assessment data by the sending district.	

Accountability	Exemplary
<p>2.10 Policy is adopted allowing student furlough [the opportunity for students to have a leave of absence from gifted/talented program services] for specified reasons and for a certain period of time without being exited.</p>	
<p>2.11 Policy related to reassessment of gifted/ talented students is based on performance in response to gifted/talented services and if reassessment occurs at all, it is no more than once in elementary grades, once in middle school grades, and once in high school.</p>	
<p>2.12 Policy related to exiting of students from gifted/talented services is based on multiple criteria including student performance in response to services. Exiting of a student is finalized by committee decision after consultation with parents and student regarding the student’s educational needs.</p>	<p>2.12.1 Policy related to exiting of students from gifted/talented services is based on multiple criteria including student performance in response to services. Interventions are provided prior to committee decision. Exiting of a student is finalized by committee decision after consultation with parents and student regarding the student’s educational needs.</p>
<p>2.13 Policy related to appeals allows parents, students, and educators to appeal placement decisions in a timely manner and to present new data, if appropriate.</p>	
<p>2.14 Provisions for ongoing identification of students who perform or show potential for performing at remarkably high levels of accomplishment in each area of giftedness served by the district are included in board- approved policy (19 TAC §89.1(1)).</p>	<p>2.14.1 The identification process for gifted/ talented services is ongoing, and assessment of students occurs at any time the need arises.</p>
<p>2.15 Assessment opportunities for gifted/talented identification are made available to students at least once per school year.</p>	<p>2.15.1 Assessment opportunities for gifted/ talented identification are made available to students at least once a year at the elementary grades and once a semester at the secondary level.</p>
<p>2.16 Students in grades K–12 shall be assessed and, if identified, provided gifted/talented services (TEC §29.122 and 19 TAC §89.1(3)).</p>	<p>2.16.1 Students in grades K–12 are assessed and, if identified, served in all areas of giftedness included in TEC §29.121.</p>
<p>2.17 Data collected from multiple sources for each area of giftedness served by the district are included in the assessment process for gifted/talented services (19 TAC §89.1(2)). The assessment process allows for student exceptionalities to the extent possible.</p>	
<p>2.18 Based on a review of information gathered during the identification [assessment] process, students whose data reflect that gifted/talented services will be the most effective way to meet their identified educational needs are recommended by the placement [selection] committee for gifted/talented services.</p>	
<p>2.19 Students are assessed in languages they understand or with nonverbal assessments.</p>	
<p>2.20 All kindergarten students are automatically considered for gifted/talented <u>identification</u> and other advanced level services.</p>	

Accountability	Exemplary
<p>2.21 At the kindergarten level, as many criteria as possible, and at least three (3), are used to assess students who perform at or show the potential of accomplishment relative to age peers.</p>	
<p>2.22 In grades 1–12, qualitative and quantitative data are collected through three (3) or more measures and used to determine whether a student needs gifted/talented services.</p>	
<p>2.23 If services are available in leadership, artistic, or and creativity areas, a minimum of three (3) criteria are aligned with the areas assessed used for— assessment.</p>	
<p>2.24 Access to assessment <u>for identification</u> and, if needed, gifted/talented services is available to all populations of the district (19 TAC §89.1(3)).</p>	
<p>2.25 The population of the gifted/talented services program is closely reflective of the population of the total district and/or campus.</p>	
<p>2.26 Final determination of students’ need for gifted/talented services is made by a <u>placement</u> committee of at least three (3) local district or campus educators who have received training in the nature and needs of gifted/ talented students and who have met and reviewed the individual student data (19 TAC §89.1(4)).</p>	
<p>2.27 The <u>placement</u> [selection] committee is formed of members who have completed training as required by 19 TAC §89.2.</p>	<p>2.27.1 The <u>placement</u> [selection] committee is formed of a majority of members who have completed thirty (30) hours of training and are current with the six-hour training update as required by 19 TAC §89.2(2-3).</p>
<p>2.28 A balanced examination of all assessment data collected through the district’s gifted/ talented assessment process is conducted and used by the <u>placement</u> [selection] committee in making identification decisions. <u>The placement committee will consult with other committees or representatives to address student exceptionalities, language, and other circumstances.</u></p>	<p>2.28.1 Additional data beyond that collected through the district’s standard gifted/talented assessment process are considered, as needed, by the <u>placement</u> [selection] committee in making identification decisions in order to make the most appropriate placement.</p>
<p>2.29 Student progress/performance in response to gifted/talented services is periodically assessed using standards in the areas served and identified in the written plan. Results are communicated to parents or guardians.</p>	

SERVICE DESIGN

A flexible system of viable service options provides a research-based learning continuum that is developed and consistently implemented throughout the district to meet the needs and reinforce the strengths and interests of gifted/talented students.

Accountability	Exemplary
<p>3.1 Identified gifted/talented students are assured an array of learning opportunities that are commensurate with their abilities and that emphasize content in the four (4) foundation curricular areas. Services are available during the school day as well as the entire school year. Parents are informed of these options (19 TAC §89.3(3)).</p>	<p>3.1.1 Specialists and advocates for gifted/talented students are consulted in the development of program policies and options.</p>
<p>3.2 Information concerning special opportunities (i.e. contests, academic recognition, summer camps, community programs, volunteer opportunities, etc.) is available and disseminated to parents and community members.</p>	
<p>3.3 Services for gifted/talented students are comprehensive, structured, sequenced, and appropriately challenging, including options in the four (4) foundation curricular areas.</p>	<p>3.3.1 Services for gifted/talented students are comprehensive, structured, sequenced, and appropriately challenging, including options in the four (4) foundation curricular <u>areas</u>: <u>as well as</u> areas arts, leadership, creativity, and career & technical education.</p>
<p>3.4 Gifted/talented students are ensured opportunities to work together as a group, work with other students, and work independently during the school day as well as the entire school year as a direct result of gifted/talented service options (19 TAC §89.3(1)).</p>	
<p>3.5 Flexible grouping patterns and independent investigations are provided throughout the program design/services.</p>	
<p>3.6 Out-of-school options relevant to the students' areas of strength are provided by school districts whenever possible (19 TAC §89.3(3)).</p>	<p>3.6.1 Options that meet the needs of gifted/ talented students are available on a continuous basis outside the regular school day.</p>
<p>3.7 Local board policies are developed that are consistent with State Board of Education rules on credit by examination (19 TAC §74.24) and early high school graduation opportunities (TEC §56.203).</p>	
<p>3.8 Acceleration and flexible pacing are employed, allowing students to learn at the pace and level appropriate for their abilities and skills, and are actively facilitated by district administrators, counselors, and teachers.</p>	
<p>3.9 Local board policies are developed that enable students to participate in dual/concurrent enrollment, distance learning opportunities, and accelerated summer programs if available.</p>	

Accountability	Exemplary
<p>3.10 A person who has thirty (30) hours of professional learning in gifted/talented education and annual six (6) hour professional learning updates as required in 19 TAC §89.2(1) is assigned to coordinate district level services for gifted/talented students in grades K–12.</p>	<p>3.10.1.A person or persons with a gifted/ talented endorsement, supplementary certification, or advanced degree in gifted/talented education is assigned to coordinate the district’s K–12 gifted/ talented education services.</p>
<p>3.11 Develop and implement services to address the social and emotional needs of gifted/ talented students and their impact on student learning.</p>	
	<p>3.12.1 Gifted/Talented Education Plans for identified students detail the individual gifted/talented needs and services.</p>

CURRICULUM AND INSTRUCTION

Districts meet the needs of gifted/talented students by modifying the depth, complexity, and pacing of the curriculum and instruction ordinarily provided by the school.

Accountability	Exemplary
4.1 An array of appropriately challenging learning experiences in each of the four (4) foundation curricular areas is provided for gifted/talented students in grades K–12, and parents are informed of the opportunities (19 TAC §89.3).	4.1.1 Curriculum options in intellectual, creative and/or artistic areas; leadership; and specific academic fields are provided for gifted/talented students.
4.2 Opportunities are provided for students to pursue areas of interest in selected disciplines through guided and independent research.	
4.3 A continuum of learning experiences is provided that leads to the development of advanced-level products and/or performances such as those provided through the Texas Performance Standards Project (TPSP) (19 TAC §89.3(2)).	4.3.1 Students who have been served in a gifted program for one or more years are provided the opportunity, through gifted/talented curricula, to develop sophisticated products and/or performances assessed by external evaluators who are knowledgeable in the field that is the focus of the product.
4.4 Participation in the Texas Performance Standards Project (TPSP), or other experiences that result in the development of sophisticated products and/or performances that are targeted to an audience outside the classroom, is available through gifted/talented curricula.	
4.5 Opportunities are provided to accelerate in areas of student strengths (19 TAC §89.3(4)).	
4.6 Flexible pacing is employed, allowing students to learn at the pace and level appropriate to their abilities and skills.	
4.7 Scheduling modifications are implemented in order to meet the identified needs of individual students.	
4.8 Provisions to improve services to gifted/ talented students are included in district and campus improvement plans (TEC §§11.251- 11.253).	4.8.1 Resources and release time for staff are provided for curriculum development for gifted/talented services.
4.9 Educators adapt and/or modify the core or standard curriculum to meet the needs of gifted/talented students and those with <u>exceptionalities</u> [special needs] such as twice-exceptional, highly gifted, and <u>emergent bilingual</u> [English language learners].	
	4.10.1 Release time and/or extended contracts are provided to enable teachers at all levels to form vertical teams that coordinate gifted/talented services in the district.

PROFESSIONAL LEARNING

All personnel involved in the planning, creation, delivery and administration of services to gifted/talented students possess the knowledge required to develop and provide differentiated programs and services.

Accountability	Exemplary
<p>5.1 A minimum of thirty (30) clock hours of professional learning that includes nature and needs of gifted/talented students, identification and assessment of gifted/ talented students, and curriculum and instruction for gifted/talented students is required for teachers who provide instruction and services that are a part of the district’s defined gifted/talented services. Teachers are required to have completed the thirty (30) hours of professional learning prior to their assignment to the district’s gifted/talented services (19 TAC §89.2(1)).</p>	
<p>5.2 Teachers without required training who are assigned to provide instruction and services that are part of the district’s defined gifted/ talented services are required to complete the thirty (30) hour training within one semester (19 TAC §89.2(1){(2)}).</p>	
<p>5.3 Teachers are encouraged to obtain additional professional learning in their teaching discipline and/or in gifted/talented education.</p>	<p>5.3.1 District support in the form of release time or tuition assistance is available for graduate studies in gifted/talented education for teachers who provide services to gifted/talented students.</p> <p>5.3.2 Teachers are encouraged to pursue advanced degrees in their teaching discipline and/or in gifted/talented education.</p> <p>5.3.3 Release time is provided for teachers and administrators to visit campuses or districts that have model services for gifted/talented students.</p>
<p>5.4 A written plan for professional learning in the area of gifted/talented education that is based on identified needs is implemented and updated annually.</p>	
<p>5.5 Opportunities for professional learning in the area of gifted/talented education are provided on a regular basis, and information on them is disseminated to professionals in the district.</p>	<p>5.5.1 Mentors and others who offer specialized instruction for gifted/talented students are provided training or resources to increase their understanding of the nature and needs of these students and the district goals for the students, including the state goal for gifted/talented students.</p>

Accountability	Exemplary
<p>5.6 Teachers who provide instruction and services that are a part of the district’s defined gifted/talented services receive a minimum of six (6) hours annually of professional <u>learning [development]</u> in gifted/talented education that is related to state teacher gifted/talented education standards (19 TAC §89.2(3) and TAC §233.1).</p>	<p>5.6.1 Teachers who provide instruction and services that are a part of the district’s defined gifted/talented services receive a minimum of six (6) hours annually of professional <u>learning [development]</u> in gifted/talented education based on evaluation of G/T services.</p> <p>5.6.2 All staff receive an orientation to the district’s gifted/talented identification processes and gifted/talented services provided by the district or campus, along with training on the nature and needs of the gifted/talented.</p>
<p>5.7 Annually, each teacher new to the district receives an orientation to the district’s gifted/ talented identification processes and the district’s services for gifted/talented students.</p>	
<p>5.8 Administrators [Teachers as well as administrators] who have <u>authority [supervisory duties]</u> for <u>program [service]</u> decisions are required to complete a minimum of six (6) hours of professional <u>learning [development]</u> that includes nature and needs of gifted/talented students and <u>program [service]</u> options for gifted/talented students <u>with an update after each legislative session</u> (19 TAC §89.2(3)).</p>	<p>5.8.1 All administrators aswellasteacherswho have authority for <u>[gifted/talented]</u> <u>program [service]</u> decisions receive a minimum of six (6) hours <u>[annually]</u> of professional <u>learning [development]</u> in gifted/talented education <u>with an update after each legislative session</u> (19 TAC §89.2(3)).</p>
<p>5.9 Counselors who work with gifted/talented students are required to complete a minimum of six (6) hours of professional <u>learning [development]</u> that includes nature and needs of gifted/talented students, <u>program [service]</u> options for gifted/talented students, and social emotional learning <u>with an update after each legislative session</u> (19 TAC §89.2(3)).</p>	<p>5.9.1 Counselors who work with gifted/talented students receive a minimum of six (6) hours annually of professional <u>learning [development]</u> in gifted/talented education.</p>
<p>5.10 Local district boards of trustees are trained <u>on the Texas State Plan for the Education of Gifted/Talented Students</u> to ensure program accountability <u>[based on the Texas State Plan for the Education of Gifted/Talented Students]</u>. (19 TAC §89.5).</p>	<p>5.10.1 Local district boards of trustees are encouraged to pursue professional <u>learning [development]</u> on the Texas State Plan for the Education of Gifted/Talented Students.</p>
<p>5.11 <u>Evaluation of professional learning implementation for [activities for] gifted/talented education</u> is ongoing and related to state teacher gifted/talented education standards, and the results of the evaluation are used in making decisions regarding future staff development plans (19 TAC§89.5 and TAC §233.1).</p>	<p>5.11.1 A long-range plan for professional <u>learning [development]</u> that culminates in graduate studies in gifted/talented education, supplemental gifted/ talented certification, advanced degrees in gifted/talented education, and/or their teaching discipline is pursued by a majority of the teachers who provide advanced-level and/or gifted/talented services.</p>
<p>5.12 Gifted/talented services staff are involved in planning, reviewing, and/or conducting the district’s gifted/talented professional learning.</p>	
<p><u>5.13 After each legislative session, an update is provided to administrators, counselors and board of trustees.</u></p>	

FAMILY/COMMUNITY INVOLVEMENT

The district involves family and community members in services designed for gifted/talented students throughout the school year.

Accountability	Exemplary
6.1 Written policies are developed on gifted/ talented student identification, approved by the local board of trustees and disseminated to parents (19 TAC §89.1).	
6.2 Input from family and community representatives on gifted/talented identification and assessment procedures is <u>collected</u> invited annually.	
6.3 Information is shared or meetings are held annually requesting parent and community recommendations regarding students who may need gifted/talented services.	
6.4 The opportunity to participate in a parent association and/or gifted/talented advocacy groups is provided to parents and community members.	6.4.1 Support and assistance is provided to the district in gifted/talented service planning and improvement by a parent/community advisory committee.
6.5 An array of learning opportunities is provided for gifted/talented students in grades K–12, and parents are informed of all gifted/talented services and opportunities (19 TAC §89.3).	
6.6 Products, <u>performances</u> , and achievements of gifted/talented students are shared with the community.	
6.7 Orientation and periodic updates <u>pertaining to the district’s gifted/talented services</u> are provided for parents of students who are identified as gifted/talented and provided gifted/talented services.	
6.8 The effectiveness of gifted/talented services is evaluated annually, shared with the board of trustees, and the data is used to modify and update district and campus improvement plans. Parents are included in the evaluation process, and the outcomes and findings of the evaluation are shared with parents (TEC§11.251–11.253).	
	6.9.1 Community volunteers are organized and provided an orientation about working with gifted/talented students.
	6.10.1 Liaisons with business and community organizations are established, and the use of community resources (retired community members, foundations, universities, etc.) is evident in the service options available for gifted/ talented students.

Accountability	Exemplary
	<p>6.11.1 Professional learning [development] opportunities are offered by the gifted/talented coordinator in collaboration with the parent advisory committee to staff, parents, and community members.</p>
	<p>6.12.1 Presentations are given to community groups and organizations to solicit their involvement in services for gifted/talented students.</p>
	<p>6.13.1 A data bank of resources is compiled for use by gifted/talented students, their teachers, and their parents.</p>
	<p>6.14.1 Support for mentorship and independent study programs in the district is solicited by the parent/ community advisory committee.</p>

TEXAS EDUCATION CODE

CHAPTER 29. EDUCATIONAL PROGRAMS

Subchapter D. Educational Programs for Gifted and Talented Students

§29.121. Definition.

In this subchapter, “gifted and talented students” means a child or youth who performs at or shows the potential for performing at a remarkably high level of accomplishment when compared to others of the same age, experience, or environment and who:

- (1) exhibits high performance capability in an intellectual, creative, or artistic area;
- (2) possesses an unusual capacity for leadership; or
- (3) excels in a specific academic field.

§29.122. Establishment.

- (a) Using criteria established by the State Board of Education, each school district shall adopt a process for identifying and serving gifted and talented students in the district and shall establish a program for those students in each grade level. A district may establish a shared services arrangement program with one or more other districts.
- (b) Each school district shall adopt a policy regarding the use of funds to support the district’s program for gifted and talented students.

§29.123. State Plan; Assistance.

The State Board of Education shall develop and periodically update a state plan for the education of gifted and talented students to guide school districts in establishing and improving programs for identified students. The regional education service centers may assist districts in implementing the state plan. In addition to obtaining assistance from a regional education service center, a district may obtain other assistance in implementing the plan. The plan shall be used for accountability purposes to measure the performance of districts in providing services to students identified as gifted and talented.

~~§29.124. Certification and Reporting Required.~~

- ~~(a) Each school district shall annually certify to the commissioner that the district has established a program for gifted and talented students as required by this subchapter and that the program is consistent with the state plan developed under Section 29.123.~~
- ~~(b) If the commissioner determines that a school district has failed to comply with Subsection (a) for a school year, the commissioner shall reduce the total amount of funding to which the district is entitled under Chapter 48 for that school year by an amount equal to the basic allotment multiplied by the product of:

 - ~~(1) 0.12; and~~
 - ~~(2) an amount equal to five percent of the students in average daily attendance in the district.~~~~
- ~~(c) The commissioner may restore to a school district all or part of the funding withheld from the district’s entitlement under Subsection (b) if during the school year the district complies with Subsection (a).~~
- ~~(d) At the same time that a school district makes the certification required under Subsection (a), the district shall report to the commissioner regarding the use of funds on the district’s program for gifted and talented students as provided by State Board of Education rule.~~
- ~~(e) Nothing in this section may be construed as limiting the number of students that a school district may identify as gifted and talented or serve under the district’s program for gifted and talented students.~~

TEXAS EDUCATION CODE

CHAPTER 39. PUBLIC SCHOOL SYSTEM ACCOUNTABILITY

Subchapter H. Additional Awards

§39.236. GIFTED AND TALENTED STANDARDS.

The commissioner shall adopt standards to evaluate school district programs for gifted and talented students to determine whether a district operates a program for gifted and talented students in accordance with:

- (1) the Texas Performance Standards Project; or
- (2) another program approved by the commissioner that meets the requirements of the state plan for the education of gifted and talented students under Section [29.123](#).

Source: Amended by: Acts 2009, 81st Leg., R.S., Ch. 895 (H.B. 3), Sec. 59, eff. June 19, 2009.

TEXAS EDUCATION CODE

CHAPTER 48~~[2]~~. FOUNDATION SCHOOL PROGRAMSubchapter C. Student-Based ~~[Special]~~ Allotments**§48.109. GIFTED AND TALENTED STUDENT ALLOTMENT.**

- (a) For each identified student a school district serves in a program for gifted and talented students that the district certifies to the commissioner as complying with Subchapter D, Chapter 29, a district is entitled to an annual allotment equal to the basic allotment multiplied by 0.07 for each school year or a greater amount provided by appropriation.
- (b) Funds allocated under this section, other than the amount that represents the program's share of general administrative costs, must be used in providing programs for gifted and talented students under Subchapter D, Chapter 29, including programs sanctioned by International Baccalaureate and Advanced Placement, or in developing programs for gifted and talented students. Each district must account for the expenditure of state funds as provided by rule of the State Board of Education. If by the end of the 12th month after receiving an allotment for developing a program a district has failed to implement a program, the district must refund the amount of the allotment to the agency within 30 days.
- (c) Not more than five percent of a district's students in average daily attendance are eligible for funding under this section.
- (d) If the amount of state funds for which school districts are eligible under this section exceeds the amount of state funds appropriated in any year for the programs, the commissioner shall reduce each district's tier one allotments in the same manner described for a reduction in allotments under Section 48.266.
- (e) If the total amount of funds allotted under this section before a date set by rule of the State Board of Education is less than the total amount appropriated for a school year, the commissioner shall transfer the remainder to any program for which an allotment under Section 48.104 may be used.
- (f) After each district has received allotted funds for this program, the State Board of Education may use up to \$500,000 of the funds allocated under this section for programs such as MATHCOUNTS, Future Problem Solving, Odyssey of the Mind, and Academic Decathlon, as long as these funds are used to train personnel and provide program services. To be eligible for funding under this subsection, a program must be determined by the State Board of Education to provide services that are effective and consistent with the state plan for gifted and talented education.

Source: Added by Acts 2021, 87th Leg., R.S., Ch. 806 (H.B. 1525), Sec. 27, eff. September 1, 2021.

~~§42.156. Gifted and Talented Student Allotment.~~

- ~~(a) For each identified student a school district serves in a program for gifted and talented students that the district certifies to the commissioner as complying with Subchapter D, Chapter 29, a district is entitled to an annual allotment equal to the district's adjusted basic allotment as determined under Section 42.102 or Section 42.103, as applicable, multiplied by .12 for each school year or a greater amount provided by appropriation.~~
- ~~(b) Funds allocated under this section, other than the amount that represents the program's share of general administrative costs, must be used in providing programs for gifted and talented students under Subchapter D, Chapter 29, including programs sanctioned by International Baccalaureate and Advanced Placement, or in developing programs for gifted and talented students. Each district must account for the expenditure of state funds as provided by rule of the State Board of Education. If by the end of the 12th month after receiving an allotment for developing a program a district has failed to implement a program, the district must refund the amount of the allotment to the agency within 30 days.~~
- ~~(c) Not more than five percent of a district's students in average daily attendance are eligible for funding under this section.~~
- ~~(d) If the amount of state funds for which school districts are eligible under this section exceeds the amount of state funds appropriated in any year for the programs, the commissioner shall reduce each district's tier one allotments in the same manner described for a reduction in allotments under Section 42.253.~~
- ~~(e) If the total amount of funds allotted under this section before a date set by rule of the State Board of Education is less than~~

~~the total amount appropriated for a school year, the commissioner shall transfer the remainder to any program for which an allotment under Section 42.152 may be used.~~

~~(f) After each district has received allotted funds for this program, the State Board of Education may use up to \$500,000 of the funds allocated under this section for programs such as MATHCOUNTS, Future Problem Solving, Odyssey of the Mind, and Academic Decathlon, as long as these funds are used to train personnel and provide program services. To be eligible for funding under this subsection, a program must be determined by the State Board of Education to provide services that are effective and consistent with the state plan for gifted and talented education. [Sections 42.157-42.200 reserved for expansion]~~

Texas Education Code as repealed by the 86th Legislature of the State of Texas. Effective September 1, 1995.

TEXAS ADMINISTRATIVE CODE

Title 19, Part II

Chapter 89. Adaptations for Special Populations

Subchapter A. Gifted/Talented Education

§89.1. Student Identification ~~[Assessment]~~.

School districts shall develop written policies on student identification that are approved by the local board of trustees and disseminated to parents. The policies must:

- (1) include provisions for ongoing screening and selection of students who perform or show potential for performing at remarkably high levels of accomplishment in the areas defined in the Texas Education Code, §29.121;
- (2) include assessment measures collected from multiple sources according to each area defined in the Texas State Plan for the Education of Gifted/Talented Students;
- (3) include data and procedures designed to ensure that students from all populations in the district have access to assessment and, if identified, services for the gifted/talented program;
- (4) provide for final selection of students to be made by a committee of at least three local district educators who have received training in the nature and needs of gifted students; ~~and~~
- (5) include provisions regarding furloughs, reassessment, exiting of students from program services, transfer students, and appeals of district decisions regarding program placement; ~~and~~ [;]
- (6) not limit the number of students the district may identify as gifted/talented or served under the district's program for gifted/talented students.

Source: The provisions of this §89.1 adopted to be effective September 1, 1996, 21 TexReg 5690.

§89.2 Professional Learning ~~[Development]~~.

School districts shall ensure that:

- (1) prior to assignment in the program or within one semester of assignment, teachers who provide instruction and services that are a part of the program for gifted/talented students have a minimum of 30 hours of professional learning [staff development] that includes nature and needs of gifted/talented students, assessing student needs, and curriculum and instruction for gifted/talented [gifted] students;
- ~~[(2) teachers without training required in paragraph (1) of this section who provide instruction and services that are part of the gifted/talented program must complete the 30-hour training requirement within one semester;]~~
- (2) ~~[(3)]~~ teachers who provide instruction and services that are a part of the program for gifted/talented students receive a minimum of six hours annually of professional learning [development] in gifted/talented education; and
- (3) ~~[(4)]~~ administrators and counselors who have authority for program decisions have a minimum of six hours of professional learning [development every four years] that includes nature and needs of gifted/talented students and program options with an update after legislative sessions.

Source: The provisions of this §89.2 adopted to be effective September 1, 1996, 21 TexReg 5690; amended to be effective February 13, 2000, 25 TexReg 776.

§89.3. Student Services.

School districts shall provide an array of learning opportunities for gifted/talented students in kindergarten through Grade 12 and shall inform parents of the opportunities. Options must include:

- (1) instructional and organizational patterns that enable identified students to work together as a group, to work with other students, and to work independently;
- (2) a continuum of learning experiences that leads to the development of advanced-level products and performances;
- (3) in-school and, when possible, out-of-school options relevant to the student's area of strength that are available during the entire school year; and
- (4) opportunities to accelerate in areas of strength.

Source: The provisions of this §89.3 adopted to be effective September 1, 1996, 21 TexReg

§89.4. Fiscal Responsibility.

School districts shall adopt a policy regarding the use of funds to support the district's program for gifted and talented students, as required by Texas Education Code, §29.022(b). The policy must:

- (1) ensure that 100% of state funds allocated for gifted/talented education are spent on providing gifted/talented services or enhancing the district's gifted and talented program; and
- (2) establish a method to account for the expenditure of the gifted and talented allotment in alignment with the Texas Education Agency's financial compliance guidance.

[Source: The provisions of this §89.5 adopted to be effective September 1, 1996, 21 TexReg 5690.]

[Repealed. Please see §105.11 below. Source: The provisions of this §89.4 repealed to be effective May

23, 2011, 36 TexReg 3187.]

§89.5 Program Accountability.

A school district ~~[School districts]~~ shall ensure that:

- (1) student assessment and services for gifted/talented students comply with accountability standards defined in the *Texas State Plan for the Education of the Gifted/Talented* (State Plan); ~~[.]~~
- (2) it annually certifies to the commissioner of education that the district's program for gifted/talented students is consistent with the State Plan and that the district's use of funds ~~complies~~ ~~[comply]~~ with §89.4 of this title (relating to Fiscal Responsibility); and
- (3) the board of trustees annually measures the performance of the district in providing gifted/talented services in alignment with the State Plan.

Source: The provisions of this §89.5 adopted to be effective September 1, 1996, 21 TexReg 5690.

~~§105.11. Maximum Allowable Indirect Cost.~~

~~No more than 48% of each school district's Foundation School Program (FSP) special allotments under the Texas Education Code, Chapter 42, Subchapter C, may be expended for indirect costs related to the following programs: compensatory education, bilingual education and special language programs, and special education. No more than 45% of each school district's FSP special allotments under the Texas Education Code, Chapter 42, Subchapter C, may be expended for indirect costs related to gifted and talented education programs. No more than 42% of each school district's FSP special allotments under the Texas Education Code, Chapter 42, Subchapter C, may be expended for indirect costs related to career and technical education programs. Indirect costs may be attributed to the following expenditure function codes: 34—Student Transportation; 41—General Administration; 81—Facilities Acquisition and Construction; and the Function 90-series of the general fund, as defined in the Texas Education Agency publication, Financial Accountability System Resource Guide.~~

~~(b) For the 2012–2013 school year and each year thereafter, a school district may choose to use a greater indirect cost allotment under the Texas Education Code, §§ 42.151, 42.153, 42.154, and 42.156, to the extent the school district receives less funding per weighted student in state and local maintenance and operations revenue than in the 2011–2012 school year. The commissioner of education shall develop a methodology for a school district to make a determination under this section and may require any information necessary to implement this subsection. The commissioner's methodology must limit the percentage increase in allowable indirect cost to no more than the percentage decrease in state and local maintenance and operations revenue from the 2011–2012 school year.~~

~~Source: The provisions of this §105.11 adopted to be effective September 1, 1996, 21 TexReg 5710; amended to be effective December 5, 2004, 29 TexReg 11347; amended to be effective December 31, 2009, 34 TexReg 9439; amended to be effective December 26, 2011, 36 TexReg 8825.]~~

GLOSSARY

Term	Definition
<p>Acceleration</p>	<p>Acceleration is an academic intervention that matches the level, complexity, and pace of the curriculum with the readiness and motivation of the student. It involves mastering knowledge and skills at a rate faster or at an age earlier than the norm.</p> <p>From <i>A Nation Deceived</i>—Colangelo, N., Assouline, S., & Gross, M. U. M. (2004). <i>A nation deceived: How schools hold back America's brightest students</i> (Vol. 1). Iowa City: University of Iowa, Connie Belin & Jacqueline N. Blank International Center for Gifted Education and Talent Development</p>
<p>Area of Giftedness</p>	<p>The specific set of abilities in which a student performs or shows potential to perform at a remarkably high level of accomplishment</p>
<p><u>Areas of Student Strengths</u></p>	<p><u>Specific levels of achievement in the foundation curricular areas to include single subject acceleration in grades K-12</u></p>
<p>Array of Learning Experiences</p>	<p>A menu of challenging activities or opportunities that fit the unique interests and abilities of advanced-level students</p>
<p>Artistically Gifted</p>	<p>Possessing outstanding ability in the visual and/or performing arts</p>
<p><u>Cluster Group</u></p>	<p><u>To ensure successful delivery of differentiated instruction, modification of curricula (State Plan 4.9), access to the opportunities required in State Plan 3.1 and 3.4, and gifted programming consistent with the State Plan, the Commissioner's Advisory Council on the Education of Gifted Students provided input on guidelines for defining a group when G/T students are provided services in the regular classroom.</u></p> <ul style="list-style-type: none"> • <u>A group is defined as a minimum of four.</u> • <u>To be consistent with the State Plan, a group is composed of gifted students assigned to a classroom where a minimum of 33% or more of the classroom roster is made up of their G/T peers.</u> • <u>Alternatively, if fewer students than 33% of a classroom roster are G/T identified in the campus grade level*, to be consistent with the State Plan:</u> <ul style="list-style-type: none"> • <u>The G/T-identified students in a campus grade level* are placed in one group during core subject instruction.</u> • <u>An LEA may make alternative grouping assignments with parent permission or when necessary to meet a G/T student's documented instructional needs. G/T services must be delivered in the alternative grouping assignment unless the furlough or exit process has been completed for the student. The rationale for alternative grouping assignments should be described in LEA certification submitted under TEC §29.124</u>
<p>Complexity</p>	<p>Extension of content in, between, and across disciplines through the study of themes, problems, and issues; seeing relationships between and among ideas in/within the topic, discipline, and disciplines; examining relationships in, between, and across disciplines over time and from multiple points of view</p>

Term	Definition
Concurrent Enrollment	The practice of enrolling in a college or university to earn college or university credit while in high school
Continuum of Learning Experiences	Articulated intellectual, artistic, creative, and/or leadership activities and opportunities that build upon one another each year a student is in school
Creatively Gifted	Possessing outstanding imagination, thinking ability, innovative or creative reasoning ability, ability in problem solving, and/or high attainment in original or creative thinking
Credit by Exam (CBE)	Method in which a student may receive credit for a subject/ course or accelerate through a grade by taking one or more exams
Depth	Exploration of content within a discipline to include analyzing from the concrete to the abstract, the familiar to the unfamiliar, the known to the unknown; exploring the discipline by going beyond facts and concepts into generalizations, principles, theories, laws; investigating the layers of experience within a discipline through details, patterns, trends, unanswered questions, and/or ethical considerations
Differentiation	Modification of curriculum and instruction according to content, pacing, process, and/or product to meet unique student needs in the classroom
Diversity	The presence of difference between individuals and among groups including but not limited to age, socioeconomics, education, race and ethnicity, gender, sexual orientation, culture, and religious beliefs
Dual Credit	An opportunity for a student to earn high school credit for successful completion of a college course
<u>Exit</u>	<u>The cessation of gifted/talented services. The identification committee will make the final decision. A parent, student or gifted/talented educator may submit the request.</u>
Flexible Pacing	Flexible pacing is defined as placing students at an appropriate instructional level and allowing them to move forward in the curriculum as they master content and skills. Flexible pacing is achieved by such methods as continuous progress, compacted course, advanced level courses, grade skipping, early entrance, concurrent or dual enrollment, and credit by examination.
Foundation Curricular Areas	English language arts/reading, mathematics, science, and social studies
Furlough	A leave of absence from program services
Gifted in Leadership	Possessing the natural ability to influence others; possessing skills in interpersonal relationships demonstrated, for example, by outstanding ability in such activities as student government
Gifted in Specific Academic Fields	Possessing superior ability or potential in a specific course of study such as English language arts/reading, mathematics, science, or social studies
Gifted/Talented Services	Services and activities not ordinarily provided by the school that are specifically designed to fully develop the capabilities of students who give evidence of high achievement or capability in areas such as intellectual, creative, artistic, or leadership capacity

Term	Definition
Grouping	<p>To ensure successful delivery of differentiated instruction, modification of curricula (State Plan 4.9), access to the opportunities required in State Plan 3.1 and 3.4, and gifted programming consistent with the State Plan, the Commissioner's Advisory Council on the Education of Gifted Students provided input on guidelines for defining a group when G/T students are provided services in the regular classroom.</p> <ul style="list-style-type: none"> • <u>A group is defined as a minimum of four.</u> • <u>To be consistent with the State Plan, a group is composed of gifted students assigned to a classroom where a minimum of 33% or more of the classroom roster is made up of their G/T peers.</u> • <u>Alternatively, if fewer students than 33% of a classroom roster are G/T identified in the campus grade level*, to be consistent with the State Plan:</u> <ul style="list-style-type: none"> • <u>The G/T-identified students in a campus grade level* are placed in one group during core subject instruction.</u> • <u>An LEA may make alternative grouping assignments with parent permission or when necessary to meet a G/T student's documented instructional needs. G/T services must be delivered in the alternative grouping assignment unless the furlough or exit process has been completed for the student. The rationale for alternative grouping assignments should be described in LEA certification submitted under TEC §29.124</u>
Highly Gifted	<p>A "highly gifted" student is defined as a student who has:</p> <ol style="list-style-type: none"> (1) <u>scores at or above the 99th percentile in either the overall score or in a verbal (reading) or quantitative (math) subscore of a nationally normed aptitude or ability test, or</u> (2) <u>academic achievement scores at or above the 99th percentile in one or more subject areas as measured using a nationally normed test.</u>
Independent Study	<p>Self-directed learning strategy where the teacher acts as guide or facilitator, and the student plays a more active role in designing and managing his or her own learning</p>
Intellectually Gifted	<p>Possessing superior intelligence, with potential or demonstrated accomplishments in several fields of study; ability to perform complex mental tasks</p>
Mentor	<p>An individual who shares his or her expertise with a student of similar career or field-of-study aspirations</p>
Qualitative Measures	<p>Performance indicators that cannot be recorded numerically and that include observations, anecdotal records, checklists, interviews, student products, performances, etc.</p>

Term	Definition
Quantitative Measures	Performance indicators that can be expressed in terms of definite numbers or amounts such as scores on achievement tests
Texas Performance Standards Project (TPSP)	Statewide standards and assessment system which includes instructional materials designed to provide assistance as districts achieve the state goal for gifted/talented students (complete information at http://www.texaspsp.org/)
Twice-Exceptional	<p>A “twice-exceptional learner” is a child or youth who performs at—<u>or shows the potential</u> for performing at—a remarkably high level of accomplishment when compared to others of the same age, experience, or environment and who:</p> <ol style="list-style-type: none"> 1. exhibits high performance capability in an intellectual, creative, or artistic area; 2. possesses an unusual capacity for leadership; or 3. excels in a specific academic field (TEC §29.121) <p>and who also gives evidence of one or more disabilities as defined by federal or state eligibility criteria.</p>

COMPLIANCE STATEMENT

TITLE VI, CIVIL RIGHTS ACT OF 1964; THE MODIFIED COURT ORDER, CIVIL ACTION 5281, FEDERAL DISTRICT COURT, EASTERN DISTRICT OF TEXAS, TYLER DIVISION

Reviews of local education agencies pertaining to compliance with the Title VI Civil Rights Act of 1964 and with specific requirements of the Modified Court Order, Civil Action No. 5281, Federal District Court, Eastern District of Texas, Tyler Division are conducted periodically by staff representatives of the Texas Education Agency. These reviews cover at least the following policies and practices:

- (1) acceptance policies on student transfers from other school districts;
- (2) operation of school bus routes or runs on a nonsegregated basis;
- (3) nondiscrimination in extracurricular activities and the use of school facilities;
- (4) nondiscriminatory practices in the hiring, assigning, promoting, paying, demoting, reassigning, or dismissing of faculty and staff members who work with children;
- (5) enrollment and assignment of students without discrimination on the basis of race, color, or national origin;
- (6) nondiscriminatory practices relating to the use of a student's first language; and
- (7) evidence of published procedures for hearing complaints and grievances.

In addition to conducting reviews, the Texas Education Agency staff representatives check complaints of discrimination made by a citizen or citizens residing in a school district where it is alleged discriminatory practices have occurred or are occurring.

Where a violation of Title VI of the Civil Rights Act is found, the findings are reported to the Office for Civil Rights, U.S. Department of Education.

If there is a direct violation of the Court Order in Civil Action No. 5281 that cannot be cleared through negotiation, the sanctions required by the Court Order are applied.

TITLE VII, CIVIL RIGHTS ACT OF 1964 AS AMENDED BY THE EQUAL EMPLOYMENT OPPORTUNITY ACT OF 1972; EXECUTIVE ORDERS 11246 AND 11375; EQUAL PAY ACT OF 1964; TITLE IX, EDUCATION AMENDMENTS; REHABILITATION ACT OF 1973 AS AMENDED; 1974 AMENDMENTS TO THE WAGE-HOUR LAW EXPANDING THE AGE DISCRIMINATION IN EMPLOYMENT ACT OF 1967; VIETNAM ERA VETERANS READJUSTMENT ASSISTANCE ACT OF 1972 AS AMENDED; IMMIGRATION REFORM AND CONTROL ACT OF 1986; AMERICANS WITH DISABILITIES ACT OF 1990; AND THE CIVIL RIGHTS ACT OF 1991.

The Texas Education Agency shall comply fully with the nondiscrimination provisions of all federal and state laws, rules, and regulations by assuring that no person shall be excluded from consideration for recruitment, selection, appointment, training, promotion, retention, or any other personnel action, or be denied any benefits or participation in any educational programs or activities which it operates on the grounds of race, religion, color, national origin, sex, disability, age, or veteran status (except where age, sex, or disability constitutes a bona fide occupational qualification necessary to proper and efficient administration). The Texas Education Agency is an Equal Employment Opportunity/ Affirmative Action employer.

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

Per Capita Apportionment Rate for the 2024-2025 School Year

September 12, 2024

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 by the commissioner of education based on an estimate of the amount available for expenditure from the Available School Fund (ASF). This item provides an opportunity for staff to present the preliminary rate for the 2024-2025 school year.

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.

BACKGROUND INFORMATION AND JUSTIFICATION: House Bill 1, the General Appropriations Bill enacted by the 88th Texas Legislature, 2023, contains an estimate of the amount that will be available for expenditures from the ASF for the 2024-2025 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.

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:

Amy Copeland, Associate Commissioner for School Finance
Sara Kohn, Director of State Funding, Forecasting, and Fiscal Analysis

Separate Exhibit:

Preliminary Per Capita Apportionment Rate for School Year 2024-2025
(to be provided at the September 2024 SBOE meeting)

**Determination as to Whether Transfers May be Made from the
Permanent School Fund to the Available School Fund**

September 13, 2024

**COMMITTEE ON SCHOOL FINANCE/PERMANENT SCHOOL FUND: ACTION
STATE BOARD OF EDUCATION: ACTION**

SUMMARY: This item provides an opportunity for the committee and board to review the requirements in Article VII, §5(a)(1) and (2), Texas Constitution, that states, the total amount distributed from the Permanent School Fund (PSF) to the Available School Fund (ASF) is not more than six percent of the average market value of the PSF on the last day of each of the sixteen state fiscal quarters preceding the regular session of the legislature that begins before that state biennium; and over the 10-year period the distributions may not exceed the total return on all investment assets of the PSF over the same 10-year period. The board will determine whether transfers may be made from the PSF to the ASF in fiscal year 2025.

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.

PREVIOUS BOARD ACTION: At the September 2023 meeting, the board determined that a distribution for fiscal year 2024 is permitted under Texas Constitution, Article VII, Subsection 5(a)(1) and (2).

BACKGROUND INFORMATION AND JUSTIFICATION: On November 4, 2008, the chair of the SBOE sought an opinion from the Attorney General regarding the implementation of Texas Constitution, Article VII, §5(a)(2) in limiting transfers from the PSF to the ASF. A supplementary request was made on January 14, 2009. On April 13, 2009, the Attorney General responded to the requests, noting that Article VII, §5(a)(1) and §5(a)(2) require distinct calculations using different methodologies and covering different time periods.

Staff Member Responsible:

Robert L. Borden, Chief Executive Officer, Texas PSF Corporation

COMMITTEE ON SCHOOL INITIATIVES

Open-Enrollment Charter School Generation 30 Application Updates

September 12, 2024

COMMITTEE ON SCHOOL INITIATIVES: DISCUSSION STATE BOARD OF EDUCATION: NO ACTION

SUMMARY: This item provides an opportunity for the committee to receive updates regarding the Generation 30 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.

FUTURE ACTION EXPECTED: Following the conclusion of the application cycle, the board will have an opportunity to review and take action or no action on the commissioner's list of proposed Generation 30 Subchapter D Open-Enrollment Charter Schools.

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 within its jurisdiction. To that end, this item is for discussion of updates pertaining to the Generation 30 application.

Public information concerning open-enrollment charter schools is available at the division of Charter Schools – Applications page found on the Texas Education Agency's website (<https://tea.texas.gov/texas-schools/texas-schools-charter-schools/charter-school-applicants>). The Generation 30 applications and required attachments will also be linked on that page upon publication.

Staff Members Responsible:

Kelvey Oeser, Deputy Commissioner, Educator and System Support

Marian Schutte, Deputy Associate Commissioner, Authorizing and Policy

**Recommendation for One Reappointment to the
Boys Ranch Independent School District Board of Trustees**

September 13, 2024

**COMMITTEE ON SCHOOL INITIATIVES: ACTION
STATE BOARD OF EDUCATION: CONSENT**

SUMMARY: This item provides an opportunity for the board to consider one reappointment to the board of trustees of Boys Ranch Independent School District (ISD). The reappointment is necessary due to the expiration of the term of office of one board member.

STATUTORY AUTHORITY: Texas Education Code ([TEC](#)), [§11.352](#).

TEC, §11.352 authorizes the State Board of Education (SBOE) to appoint school board members in special purpose school districts.

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

BACKGROUND INFORMATION AND JUSTIFICATION: The SBOE is statutorily authorized to appoint board members for ISDs created under its authority to establish special purpose school districts. Trustees so appointed hold office until their successors are appointed and qualified. When a vacancy occurs, the chief executive officer (CEO) of Cal Farley’s Boys Ranch notifies the commissioner of education of the vacancy in compliance with TEC, §11.352. The CEO submits resumes and other documents verifying that individuals are qualified to hold the position as well as a statement that the individual would accept the position if appointed. The CEO is required by 19 TAC §61.2 to provide one nomination to the SBOE. The nominee must be qualified under the general school laws of Texas.

Mr. Richard Nedelkoff, president and CEO of Cal Farley’s Boys Ranch, has notified the commissioner that the term of one trustee is expiring. The president and CEO has requested that Mr. Mark Strother be reappointed for a two-year term.

MOTION TO BE CONSIDERED: The State Board of Education:

Based on Mr. Richard Nedelkoff’s recommendation, approve the reappointment of Mr. Mark Strother to serve a two-year term of office from September 13, 2024, to September 12, 2026, on the Boys Ranch ISD Board of Trustees.

Staff Members Responsible:

Steve Lechelop, Deputy Commissioner, Office of Governance
Christopher Lucas, Director, Policy, Planning, and Operations, Office of Governance

[Attachment:](#)

Correspondence from Mr. Richard Nedelkoff, president and CEO of Cal Farley’s Boys Ranch that includes supporting documentation for the nominee



BOYS RANCH
FOUNDED BY CAL FARLEY

June 10, 2024

Mr. Mike Morath
Commissioner
Texas Education Agency
1701 North Congress Avenue
Austin, Texas 78701-1494

Dear Commissioner Morath,

In my capacity as President and Chief Executive Officer of Cal Farley's Boys Ranch, I request that the State Board of Education, at its September meeting, reappoint Mark Strother to the Boys Ranch Independent School District (BRISD) Board of Trustees. Mr. Strother is qualified under Texas Law and meets all requirements.

The following documents are provided: resume, signed statement expressing willingness to accept appointment and serve in full adherence to the state-established standards for school board members and certifying that the biographical information is true and correct, and background check information.

I understand that the BRISD Board of Trustees has the power to govern and oversee management of the district, and my power as President and Chief Executive Officer of Cal Farley's Boys Ranch is limited to duty as defined by statutes relating to the process of appointing members to the BRISD Board of Trustees. I also certify that the membership composition of the BRISD Board of Trustees is in full compliance with the provisions of the Texas Education Code, section 11.352. I further certify that the role of the BRISD superintendent is in full compliance with the provisions of the Texas Education Code, section 11.201.

Should you have any questions, please contact me at 806-322-2609 or via email at richardnedelkoff@calfarley.org.

I appreciate your consideration and look forward to confirmation of this appointment.

Sincerely,

Richard Nedelkoff
President and Chief Executive Officer

RN:ss

MARK STROTHER

EXPERIENCE **Cal Farley's – Amarillo, Texas – April 2002 to present**

Executive Vice President and Chief Operating Officer (2009 – present)

- Responsible for all aspects of residential childcare operations at Cal Farley's including youth program design, implementation and evaluation, provision of training and related activities.
- Responsible for all aspects of the physical campus of Cal Farley's Boys Ranch.
- Responsible for all aspects of the physical ranch and various program and revenue generating aspects.
- Responsible for off-ranch revenue generating aspects – oil and gas, wind and solar generation, land management.

Director of Program Development, Training, and Program Evaluation (2002 – 2009)

- Facilitate in the development of new programs and services and in the redesign of existing ones.
- Train and supervise the training of youth workers, social workers, and support staff for the entire agency.
- Facilitate the evaluation of program and service outcomes.
- Facilitate Continuous Quality Improvement initiatives.

Lee & Beulah Moor Children's Home – El Paso, Texas – March 1992 to April 2002

- Responsible for residential youth programs.

EDUCATION MASTER OF ARTS IN EDUCATION - UNIVERSITY OF PHOENIX – SANTA TERESA, NEW MEXICO
BACHELORS DEGREE IN BUSINESS - UNIVERSITY OF PHOENIX – SANTA TERESA, NEW MEXICO

LEADERSHIP Currently serving on the Board of Directors for CYC-Net.

An international association serving Child and Youth Care Workers.

Currently serving on the Board of Directors (Advisor) for Association of Children's Residential and Community Services (ACRC).

Currently Serving as BRISD School Board President

2011-2013 President of the Board for the American Re-ED Association

STATEMENT TO ACCOMPANY
BOYS RANCH INDEPENDENT SCHOOL DISTRICT
SCHOOL BOARD TRUSTEE APPOINTMENT REQUEST
FOR
MARK STROTHER

I, **Mark Strother**, verify that I am qualified under the general school laws of Texas to be a BRISD School Board Trustee. I certify that the attached biographical information is true and correct. I am willing to accept the appointment as BRISD School Board Trustee and serve in such capacity with full adherence to the state-established standards for the duties and responsibilities of school board members.



Mark Strother (signature)

04.02.2024

Date

Discussion of Ongoing State Board for Educator Certification Activities

September 12, 2024

COMMITTEE ON SCHOOL INITIATIVES: DISCUSSION STATE BOARD OF EDUCATION: NO ACTION

SUMMARY: This item provides an opportunity for the committee to receive updates on current and upcoming State Board for Educator Certification (SBEC) activities and proposed SBEC rules and amendments. Statutory authority is the Texas Education Code (TEC), §§21.031, 21.035, 21.041, and 21.042.

STATUTORY AUTHORITY: Texas Education Code (TEC), §§21.031, 21.035, 21.041, and 21.042.

TEC, §21.031, charges the SBEC with regulating and overseeing all aspects of the certification, continuing education, and standards of conduct of public school educators and ensuring that all candidates for certification demonstrate the knowledge and skills necessary to improve the performance of the diverse student population of the state.

TEC, §21.035, requires Texas Education Agency (TEA) staff to provide administrative functions and services to the SBEC.

TEC, §21.041(a), authorizes the SBEC to adopt rules necessary to implement its own procedures.

TEC, §21.041(b)(1)–(4), 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; and requires the SBEC to propose rules that specify the classes of educator certificates to be issued, including emergency certificates; the period for which each class of educator certificate is valid; and the requirements for the issuance and renewal of an educator certificate.

TEC, §21.041(c) and (d), authorizes the Board to adopt fees for the issuance and maintenance of an educator certificate and for the approval or renewal of an educator preparation program.

TEC, §21.042, requires the SBEC to submit a written copy of each rule it proposes to adopt to the State Board of Education for review.

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

BACKGROUND INFORMATION AND JUSTIFICATION: On May 30, 1995, the 74th Texas Legislature enacted Senate Bill 1, a revision of the TEC. The TEC, §21.031 and §21.041, establish and authorize the SBEC to adopt rules to regulate and oversee all aspects of the certification, continuing education, and standards of conduct of public school educators. In addition, the 79th Texas Legislature enacted House Bill 1116, continuing the SBEC following sunset review. This legislation amended TEC, §21.035 to require the TEA to provide all administrative services and functions required by the SBEC. Most of these functions have been assigned to TEA's Department of Educator Preparation, Certification, and Enforcement.

Under 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 proposal by a vote of at least two-thirds of the members of the

SBOE present and voting. If the SBOE fails to reject the rules contained in the proposal before the 90th day after the date on which it receives the rules, the rules take effect as rules of the SBEC as provided by Chapter 2001, Government Code. The SBOE may not modify a rule proposed by the SBEC. Since 1996, the SBEC has submitted a number of rules it proposed to the SBOE for review.

Staff Member Responsible:

Jessica McLoughlin, Associate Commissioner, Educator Preparation, Certification, and Enforcement

INFORMATION MATERIALS

STATE BOARD OF EDUCATION OPERATING RULES
(amended February 2, 2023)

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. Establishment of essential knowledge and skills (TEKS)
2. Instructional materials proclamations and adoption of instructional materials
3. 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 including coordination with the TEA and the Texas Permanent School Fund Corporation (Texas PSF)
7. Oversight of the Texas PSF, including receipt of required reports
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. Updates regarding open-enrollment application cycles and processes
4. School safety and items pertaining to the Texas school safety center and recommendations from the chief of school safety and security
5. State Board for Educator Certification rules review
6. School board member training policy
7. Hearing examiners
8. Military reservation and special purpose school districts
9. Extracurricular activities
10. 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 consider relevant qualifications specific to a committee assignment in making committee assignments.
- (f) 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. Should the committee chair be unable or unwilling to continue to serve as chair, the chairman of the board shall declare a vacancy and a new election shall be held by the committee.
- (g) 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.
- (h) 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.
- (i) The members appointed to the Committee on School Finance/Permanent School Fund will serve as the members of the board of directors of the Texas PSF that are appointed by the SBOE as provided under Texas Education Code §43.053(a)(1) and will cease to serve as a director upon the expiration of his or her term of service or other separation from such committee in accordance with these rules as provided under 19 TAC Chapter 33, Texas Permanent School Fund Corporation, §33.21.

§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, at least 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 as attachments.
- (f) Official agendas and agenda attachments will be available one week before the board meeting. Any items submitted after this deadline may be considered at the next 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) A board member who wishes to participate in a meeting virtually shall notify the board chair and the State Board of Education Support office at least five business days prior to the start of the full board meeting during which the member will need to participate virtually. In the event of an emergency, every effort will be made to accommodate the board member. 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.
- (f) The presiding chair shall designate the area inside the velvet ropes as the bar of the meeting (the only place where discussion and votes may take place). Members of the public shall not enter areas of the bar of the meeting space designated for SBOE members only and shall not impede or interfere with the movement of SBOE members to or from designated areas. At the start of each meeting, the presiding chair shall inform members of the public that the bar has been established, that they are not permitted inside the bar, and that they may not limit members' movements to or from the bar.
- (g) For the sake of expediency, each board member shall be limited to 10 minutes of questions and discussion on each agenda item.

§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 by informing all individuals in attendance of the rules of decorum and providing notice that written rules are posted at the entrance to the room and in the room. The presiding chair shall also provide notice that an individual who does not comply with the rules of decorum may be removed from the meeting. 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) Members in the audience shall not distract or disrupt SBOE members or others in the audience during a meeting. Anyone needing to engage in a conversation should quietly exit the meeting room to a public space. If, after at least one warning from the presiding officer, any individual continues to disrupt the meeting by his or her words or actions, the presiding officer may request assistance from law enforcement officials to have the individual removed from the meeting.
- (d) No signs, placards, flags, noisemakers, or other objects of a similar nature shall be permitted in the audience gallery area.
- (e) No applause, outburst, other demonstration, or disruption by any spectator shall be permitted during any 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. If, after at least one warning from the presiding officer, any individual continues to disrupt a meeting by his or her words or actions, the presiding officer may direct that the individual be removed as necessary to preserve decorum during meetings.
- (f) 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. Materials should focus on scientific processes and recognize the ongoing process of scientific discovery and change over time in the natural world.
 - (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 Texas and its heritage and abundant natural resources.
 - (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 Texas 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.
 - (vii) Instructional materials shall present factual information, avoid bias, and encourage discussion.

- (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.
- (7) At the start of public testimony or a public hearing, the presiding chair shall announce that testimony will be heard for a maximum of two consecutive hours at which time a recess of at least 15 minutes will be observed. Testimony will continue in this manner until such time as all registered testifiers have been permitted to speak. The presiding chair shall also announce that reasonable lunch and dinner breaks will be observed.

(b) Registration Procedures.

- (1) Individuals may register between the hours of 8 a.m. (Central Time) on the Monday preceding the board meeting and 5 p.m. on the Friday preceding the board meeting on the agency website at [Operating Rules](#) 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) Those registering online will receive an email confirming the registration during the next business day.
- (4) Registrations will be listed based upon registration date and time or alternating points of view in order of registration date and time.
- (5) 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.
- (6) Speakers will be informed if it appears that time constraints will not permit all speakers to make their presentation within the allotted time.
- (7) All speakers may provide an electronic copy of their testimony. Registered speakers who are unable to make their presentations due to time constraints are encouraged to provide an electronic copy 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.
- (4) 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.
- (5) 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. Two-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, an electronic copy may be provided for distribution to board members and agency executive staff. Written testimony will not be attached to the board minutes.
- (c) Persons who are unable to attend or to testify at a committee or board meeting due to time constraints may provide an electronic copy 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 (TEKS) and 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 an electronic copy of their testimony for distribution to board members and agency executive staff.
- (e) Persons who are unable to testify at a public hearing due to time constraints may provide an electronic copy of their testimony to agency staff for distribution to board 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 will be noted in the *Texas Register* posting for each item. A minimum of 30 days will be allotted for public comment on a rule item. 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 charter schools 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 private or personal interest including 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 (See Texas Government Code §572.058 for further information.).
- (b) The ethical standards that govern the conduct of State Board of Education members with respect to their duties as to the Permanent School Fund are as provided under 19 TAC Chapter 33, §33.4 *Ethical Standards for Members of the State Board of Education*.

§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 and distributed to board members 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 direct contractual relationship with or otherwise receive funding from the State Board of Education, including without limitation 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 at least one week before the board meeting.
- (c) The board may 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 may 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 may 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 may 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 may 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 may 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 may 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.

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 ensure that proper criteria are 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 to:
 - (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.

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.

Review Period: September 2021–August 2022			
Chapter Title	Subchapter Title	Topic	Begin Review
Chapter 74. Curriculum Requirements	<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>		
Chapter 89. Adaptations for Special Populations	<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>		
Chapter 61. School Districts	<i>Subchapter A. Board of Trustees Relationship</i>	Administration	April 2022
	<i>Subchapter B. Special Purpose School Districts</i>		

Review Period: September 2022–August 2023			
Chapter Title	Subchapter Title	Topic	Begin Review
Chapter 129. Student Attendance	<i>Subchapter A. Student Attendance Allowed</i>	Finance	January 2023
	<i>Subchapter B. Student Attendance Accounting</i>		
Chapter 157. Hearings and Appeals	<i>Subchapter A. General Provisions for Hearings Before the State Board of Education</i>	Personnel	January 2023
	<i>Subchapter D. Independent Hearing Examiners</i>		

Review Period: September 2023–August 2024			
Chapter Title	Subchapter Title	Topic	Begin Review
Chapter 33. Statement of Investment Objectives, Policies, and Guidelines of the Texas Permanent School Fund	<i>Subchapter A. State Board of Education Rules</i>	Finance	September 2023
Chapter 66. State Adoption and Distribution of Instructional Materials	<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>		
Chapter 100. Charters	<i>Subchapter A. Open-Enrollment Charter Schools</i>	Charter Schools	January 2024
	<i>Subchapter B. Home-Rule School District Charters</i>		

Review Period: September 2024–August 2025			
Chapter Title	Subchapter Title	Topic	Begin Review
Chapter 30. Administration	<i>Subchapter A. State Board of Education: General Provisions</i>	Administration	November 2024
	<i>Subchapter B. State Board of Education: Purchasing and Contracts</i>		
Chapter 101. Assessment	<i>Subchapter A. General Provisions</i>	Assessment	January 2025
	<i>Subchapter B. Implementation of Assessments</i>		
	<i>Subchapter C. Local Option</i>		
Chapter 109. Budgeting, Accounting, and Auditing	<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.

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.

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.)

TEXAS EDUCATION CODE
CHAPTER 7. STATE ORGANIZATION
SUBCHAPTER C. COMMISSIONER OF EDUCATION

TEC, §7.055. COMMISSIONER OF EDUCATION POWERS AND DUTIES.

- (a) The commissioner has the powers and duties provided by Subsection (b).
- (b)(1) The commissioner shall serve as the educational leader of the state.
 - (2) The commissioner shall serve as executive officer of the agency and as executive secretary of the board.
 - (3) The commissioner shall carry out the duties imposed on the commissioner by the board or the legislature.
 - (4) The commissioner shall prescribe a uniform system of forms, reports, and records necessary to fulfill the reporting and recordkeeping requirements of this title.
 - (5) The commissioner may delegate ministerial and executive functions to agency staff and may employ division heads and any other employees and clerks to perform the duties of the agency.
 - (6) The commissioner shall adopt an annual budget for operating the Foundation School Program as prescribed by Subsection (c).
 - (7) The commissioner may issue vouchers for the expenditures of the agency and shall examine and must approve any account to be paid out of the school funds before the comptroller may issue a warrant.
 - (8) Repealed by Acts 2011, 82nd Leg., R.S., Ch. 1083, Sec. 25(7), eff. June 17, 2011.
 - (9) The commissioner shall have a manual published at least once every two years that contains Title 1 and this title, any other provisions of this code relating specifically to public primary or secondary education, and an appendix of all other state laws relating to public primary or secondary education and shall provide for the distribution of the manual as determined by the board.
 - (10) The commissioner may visit different areas of this state, address teachers' associations and educational gatherings, instruct teachers, and promote all aspects of education and may be reimbursed for necessary travel expenses incurred under this subdivision to the extent authorized by the General Appropriations Act.
 - (11) The commissioner may appoint advisory committees, in accordance with Chapter [2110](#), Government Code, as necessary to advise the commissioner in carrying out the duties and mission of the agency.
 - (12) The commissioner shall appoint an agency auditor.
 - (13) The commissioner may provide for reductions in the number of agency employees.
 - (14) The commissioner shall carry out duties relating to the investment capital fund under Section [7.024](#).
 - (15) The commissioner shall review and act, if necessary, on applications for waivers under Section [7.056](#).
 - (16) The commissioner shall carry out duties relating to regional education service centers as specified under Chapter [8](#).
 - (17) The commissioner shall distribute funds to open-enrollment charter schools as required under Subchapter [D](#), Chapter [12](#).

- (18) The commissioner shall adopt a recommended appraisal process and criteria on which to appraise the performance of teachers, a recommended appraisal process and criteria on which to appraise the performance of administrators, and a job description and evaluation form for use in evaluating school counselors, as provided by Subchapter [H](#), Chapter [21](#).
- (19) The commissioner shall coordinate and implement teacher recruitment programs under Section [21.004](#).
- (20) The commissioner shall perform duties in connection with the certification and assignment of hearing examiners as provided by Subchapter [E](#), Chapter [21](#).
- (21) The commissioner shall carry out duties under the Texas Advanced Placement Incentive Program under Subchapter [C](#), Chapter [28](#).
- (22) The commissioner may adopt rules for optional extended year programs under Section [29.082](#).
- (23) The commissioner shall monitor and evaluate prekindergarten programs and other child-care programs as required under Section [29.154](#).
- (24) The commissioner, with the approval of the board, shall develop and implement a plan for the coordination of services to children with disabilities as required under Section [30.001](#).
- (25) The commissioner shall develop a system to distribute to school districts or regional education service centers a special supplemental allowance for students with visual impairments as required under Section [30.002](#).
- (26) The commissioner, with the assistance of the comptroller, shall determine amounts to be distributed to the Texas School for the Blind and Visually Impaired and the Texas School for the Deaf as provided by Section [30.003](#) and to the Texas Juvenile Justice Department as provided by Section [30.102](#).
- (27) The commissioner shall establish a procedure for resolution of disputes between a school district and the Texas School for the Blind and Visually Impaired under Section [30.021](#).
- (28) The commissioner shall perform duties relating to the funding, adoption, and purchase of instructional materials under Chapter [31](#).
- (29) The commissioner may enter into contracts concerning technology in the public school system as authorized under Chapter [32](#).
- (30) The commissioner shall adopt a recommended contract form for the use, acquisition, or lease with option to purchase of school buses under Section [34.009](#).
- (31) The commissioner shall ensure that the cost of using school buses for a purpose other than the transportation of students to or from school is properly identified in the Public Education Information Management System (PEIMS) under Section [34.010](#).
- (32) The commissioner shall perform duties in connection with the public school accountability system as prescribed by Chapters [39](#) and [39A](#).
- (33) Repealed by Acts 1999, 76th Leg., ch. 397, Sec. 8, eff. Sept. 1, 1999.
- (34) The commissioner shall perform duties in connection with the options for local revenue levels in excess of entitlement under Chapter [49](#).
- (35) The commissioner shall perform duties in connection with the Foundation School Program as prescribed by Chapter [48](#).

- (36) The commissioner shall establish advisory guidelines relating to the fiscal management of a school district and report annually to the board on the status of school district fiscal management as required under Section [44.001](#).
 - (37) The commissioner shall review school district audit reports as required under Section [44.008](#).
 - (38) The commissioner shall perform duties in connection with the guaranteed bond program as prescribed by Subchapter [C](#), Chapter [45](#).
 - (39) The commissioner shall cooperate with the Texas Higher Education Coordinating Board in connection with the Texas partnership and scholarship program under Subchapter [Q](#), Chapter [61](#).
 - (40) The commissioner shall suspend the certificate of an educator or permit of a teacher who violates Chapter [617](#), Government Code.
 - (41) The commissioner shall adopt rules relating to extracurricular activities under Section [33.081](#) and approve or disapprove University Interscholastic League rules and procedures under Section [33.083](#).
- (c) The budget the commissioner adopts under Subsection (b) for operating the Foundation School Program must be in accordance with legislative appropriations and provide funds for the administration and operation of the agency and any other necessary expense. The budget must designate any expense of operating the agency or operating a program for which the board has responsibility that is paid from the Foundation School Program. The budget must designate program expenses that may be paid out of the foundation school fund, other state funds, fees, federal funds, or funds earned under interagency contract. Before adopting the budget, the commissioner must submit the budget to the board for review and, after receiving any comments of the board, present the operating budget to the governor and the Legislative Budget Board. The commissioner shall provide appropriate information on proposed budget expenditures to the comptroller to assure that all payments are paid from the appropriate funds in a timely and efficient manner.
- (d) Notwithstanding any other law, the commissioner's power to delegate ministerial and executive functions under Subsection (b)(5) is a valid delegation of authority.

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) Repealed by Acts 2019, 86th Leg., R.S., Ch. 943 (H.B. [3](#)), Sec. 4.001(a)(1), eff. September 1, 2019.
 - (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) Repealed by Acts 2019, 86th Leg., R.S., Ch. 439 (S.B. [1376](#)), Sec. 4.01(a)(1), eff. June 4, 2019.
 - (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](#). The program may not include a distinction between standard protocol dyslexia instruction, as defined by the Dyslexia Handbook: Procedures Concerning Dyslexia and Related Disorders, as updated in 2021 and adopted by the State Board of Education, and its subsequent amendments, and other types of direct dyslexia instruction, including specially designed instruction.
- (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](#).
- (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.

Added by Acts 1995, 74th Leg., ch. 260, Sec. 1, eff. May 30, 1995. Amended by Acts 1997, 75th Leg., ch. 165, Sec. 6.01, eff. Sept. 1, 1997; Acts 1997, 75th Leg., ch. 268, Sec. 2, eff. May 26, 1997; Acts 1999, 76th Leg., ch. 1482, Sec. 1, eff. June 19, 1999; Acts 2001, 77th Leg., ch. 1420, Sec. 4.001(b), eff. Sept. 1, 2001.

Amended by:

Acts 2011, 82nd Leg., 1st C.S., Ch. 6 (S.B. [6](#)), Sec. 4, eff. July 19, 2011.

Acts 2013, 83rd Leg., R.S., Ch. 73 (S.B. [307](#)), Sec. 2.06(a)(1), eff. September 1, 2013.

Acts 2017, 85th Leg., R.S., Ch. 324 (S.B. [1488](#)), Sec. 21.003(4), eff. September 1, 2017.

Acts 2019, 86th Leg., R.S., Ch. 439 (S.B. [1376](#)), Sec. 4.01(a)(1), eff. June 4, 2019.

Acts 2019, 86th Leg., R.S., Ch. 943 (H.B. [3](#)), Sec. 3.003, eff. September 1, 2019.

Acts 2019, 86th Leg., R.S., Ch. 943 (H.B. [3](#)), Sec. 4.001(a)(1), eff. September 1, 2019.

Acts 2023, 88th Leg., R.S., Ch. 542 (H.B. [3928](#)), Sec. 2, eff. June 10, 2023.

TEXAS EDUCATION CODE
TITLE 2. PUBLIC EDUCATION
SUBTITLE B. STATE AND REGIONAL ORGANIZATION AND GOVERNANCE
CHAPTER 7. STATE ORGANIZATION
SUBCHAPTER D. STATE BOARD OF EDUCATION

TEC, §7.110. PUBLIC TESTIMONY.

The board shall develop and implement policies that provide the public with a reasonable opportunity to appear before the board and to speak on any issue under the jurisdiction of the board.

TEXAS EDUCATION CODE
TITLE 2: PUBLIC EDUCATION
SUBTITLE B. STATE AND REGIONAL ORGANIZATION AND GOVERNANCE
CHAPTER 8. REGIONAL EDUCATION SERVICE CENTERS
SUBCHAPTER B. POWERS AND DUTIES

TEC, §8.0531. INSTRUCTIONAL MATERIALS DEVELOPED BY A COLLABORATION OF REGIONAL EDUCATION SERVICE CENTERS.

Notwithstanding any other provision of this subchapter or Section [8.001\(c\)](#), instructional lessons developed as part of a curriculum management system by a regional education service center, acting alone or in collaboration with one or more other regional education service centers, shall be subject to the same review and adoption process as outlined in Section [31.022](#).

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.

TEXAS EDUCATION CODE
TITLE 2. PUBLIC EDUCATION
SUBTITLE C. LOCAL ORGANIZATION AND GOVERNANCE
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 on or are employed on the military reservation. A person who retires from active duty or civilian service while serving a term as a member of the board of trustees may continue to serve for the remainder of that person's term. 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 shall 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.

Added by Acts 1995, 74th Leg., ch. 260, Sec. 1, eff. May 30, 1995. Amended by Acts 2001, 77th Leg., ch. 982, Sec. 3, eff. Sept. 1, 2001.

Amended by:

Acts 2005, 79th Leg., Ch. 676 (S.B. [144](#)), Sec. 1, eff. June 17, 2005.

Acts 2023, 88th Leg., R.S., Ch. 759 (H.B. [4210](#)), Sec. 1, eff. September 1, 2023.

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 campus under Subsection (b-4)(2) up to 36 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.

Added by Acts 1995, 74th Leg., ch. 260, Sec. 1, eff. May 30, 1995. Amended by Acts 2001, 77th Leg., ch. 1504, Sec. 2, eff. Sept. 1, 2001; Acts 2003, 78th Leg., ch. 193, Sec. 1, eff. June 2, 2003.

Amended by:

Acts 2013, 83rd Leg., R.S., Ch. 1140 (S.B. [2](#)), Sec. 9, eff. September 1, 2013.

Acts 2015, 84th Leg., R.S., Ch. 1046 (H.B. [1842](#)), Sec. 3(a), eff. June 19, 2015.

Acts 2019, 86th Leg., R.S., Ch. 597 (S.B. [668](#)), Sec. 2.01, eff. June 10, 2019.

Acts 2023, 88th Leg., R.S., Ch. 706 (H.B. [2102](#)), Sec. 1, eff. September 1, 2023.

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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.

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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.

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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.

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TEC, §21.042. APPROVAL OF RULES.

The State Board for Educator Certification must submit a written copy of each rule it proposes to adopt to the State Board of Education for review. The State Board of Education may reject a proposed rule by a vote of at least two-thirds of the members of the board present and voting. If the State Board of Education fails to reject a proposal before the 90th day after the date on which it receives the proposal, the proposal takes effect as a rule of the State Board for Educator Certification as provided by Chapter 2001, Government Code. The State Board of Education may not modify a rule proposed by the State Board for Educator Certification.

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.
- (c-4) In adopting essential knowledge and skills for English language arts under Subsection (a)(1)(A), the State Board of Education shall specify a list of required vocabulary and at least one literary work to be taught in each grade level. The vocabulary specified by the board must support the essential knowledge and skills adopted for other courses offered under the foundation curriculum under Subsection (a)(1).
- (c-5) The State Board of Education shall initiate the process of specifying an initial list of vocabulary and literary works as required by Subsection (c-4) not later than February 1, 2024. The State Board of Education shall request from the agency recommendations regarding the list, and that request for recommendations may be considered an initiation of the process. This subsection expires September 1, 2025.
- (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."
- (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.
- (h-3) Repealed by Acts 2021, 87th Leg., 2nd C.S., Ch. 9 (S.B. 3), Sec. 6, eff. December 2, 2021.
- (h-4) Repealed by Acts 2021, 87th Leg., 2nd C.S., Ch. 9 (S.B. [3](#)), Sec. 6, eff. December 2, 2021.
- (h-5) Repealed by Acts 2021, 87th Leg., 2nd C.S., Ch. 9 (S.B. [3](#)), Sec. 6, eff. December 2, 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.
- (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).
- (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.

Added by Acts 1995, 74th Leg., ch. 260, Sec. 1, eff. May 30, 1995. Amended by Acts 1997, 75th Leg., ch. 1285, Sec. 4.02, eff. Sept. 1, 1997; Acts 2001, 77th Leg., ch. 907, Sec. 1, eff. June 14, 2001; Acts 2001, 77th Leg., ch. 925, Sec. 3, eff. June 14, 2001; Acts 2003, 78th Leg., ch. 61, Sec. 2, eff. Sept. 1, 2003; Acts 2003, 78th Leg., ch. 1264, Sec. 1, eff. Sept. 1, 2003; Acts 2003, 78th Leg., ch. 1275, Sec. 2(14), eff. Sept. 1, 2003.

Amended by:

- Acts 2005, 79th Leg., Ch. 784 (S.B. [42](#)), Sec. 1, eff. June 17, 2005.
- Acts 2007, 80th Leg., R.S., Ch. 254 (H.B. [2176](#)), Sec. 1, eff. September 1, 2007.
- Acts 2007, 80th Leg., R.S., Ch. 856 (H.B. [1287](#)), Sec. 3, eff. June 15, 2007.
- Acts 2007, 80th Leg., R.S., Ch. 1377 (S.B. [530](#)), Sec. 1, eff. June 15, 2007.
- Acts 2009, 81st Leg., R.S., Ch. 529 (S.B. [1344](#)), Sec. 2, eff. June 19, 2009.
- Acts 2009, 81st Leg., R.S., Ch. 773 (S.B. [891](#)), Sec. 1, eff. June 19, 2009.
- Acts 2009, 81st Leg., R.S., Ch. 895 (H.B. [3](#)), Sec. 25, eff. June 19, 2009.
- Acts 2009, 81st Leg., R.S., Ch. 1419 (H.B. [3076](#)), Sec. 1, eff. June 19, 2009.
- Acts 2009, 81st Leg., R.S., Ch. 1421 (S.B. [1219](#)), Sec. 1, eff. June 19, 2009.
- Acts 2011, 82nd Leg., R.S., Ch. 91 (S.B. [1303](#)), Sec. 27.001(5), eff. September 1, 2011.
- Acts 2011, 82nd Leg., R.S., Ch. 776 (H.B. [1942](#)), Sec. 4, eff. June 17, 2011.
- Acts 2011, 82nd Leg., 1st C.S., Ch. 6 (S.B. [6](#)), Sec. 13, eff. July 19, 2011.
- Acts 2013, 83rd Leg., R.S., Ch. 211 (H.B. [5](#)), Sec. 8(a), eff. June 10, 2013.
- Acts 2013, 83rd Leg., R.S., Ch. 211 (H.B. [5](#)), Sec. 78(b)(1), eff. September 1, 2014.
- Acts 2013, 83rd Leg., R.S., Ch. 796 (S.B. [1474](#)), Sec. 1, eff. June 14, 2013.
- Acts 2013, 83rd Leg., R.S., Ch. 861 (H.B. [462](#)), Sec. 1, eff. June 14, 2013.
- Acts 2013, 83rd Leg., R.S., Ch. 1026 (H.B. [2662](#)), Sec. 1, eff. June 14, 2013.
- Acts 2015, 84th Leg., R.S., Ch. 89 (H.B. [440](#)), Sec. 1, eff. May 23, 2015.
- Acts 2015, 84th Leg., R.S., Ch. 729 (H.B. [1431](#)), Sec. 1, eff. June 17, 2015.
- Acts 2015, 84th Leg., R.S., Ch. 1175 (S.B. [968](#)), Sec. 1, eff. June 19, 2015.

Acts 2017, 85th Leg., R.S., Ch. 1088 (H.B. [3593](#)), Sec. 1, eff. June 15, 2017.

Acts 2019, 86th Leg., R.S., Ch. 352 (H.B. [18](#)), Sec. 1.07, eff. December 1, 2019.

Acts 2019, 86th Leg., R.S., Ch. 352 (H.B. [18](#)), Sec. 4.01(2), eff. December 1, 2019.

Acts 2019, 86th Leg., R.S., Ch. 464 (S.B. [11](#)), Sec. 7, eff. June 6, 2019.

Acts 2019, 86th Leg., R.S., Ch. 1149 (H.B. [2984](#)), Sec. 1, eff. June 14, 2019.

Acts 2021, 87th Leg., R.S., Ch. 772 (H.B. [3979](#)), Sec. 1, eff. September 1, 2021.

Acts 2021, 87th Leg., R.S., Ch. 1005 (H.B. [4509](#)), Sec. 3, eff. June 18, 2021.

Acts 2021, 87th Leg., 2nd C.S., Ch. 9 (S.B. [3](#)), Sec. 3, eff. December 2, 2021.

Acts 2021, 87th Leg., 2nd C.S., Ch. 9 (S.B. [3](#)), Sec. 4, eff. December 2, 2021.

Acts 2021, 87th Leg., 2nd C.S., Ch. 9 (S.B. [3](#)), Sec. 6, eff. December 2, 2021.

Acts 2023, 88th Leg., R.S., Ch. 818 (H.B. [1605](#)), Sec. 7, eff. June 13, 2023.

TEXAS EDUCATION CODE
CHAPTER 28. COURSES OF STUDY; ADVANCEMENT
SUBCHAPTER B. ADVANCEMENT, PLACEMENT, CREDIT, AND
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.

TEXAS EDUCATION CODE
TITLE 2. PUBLIC EDUCATION
SUBTITLE F. CURRICULUM, PROGRAMS, AND SERVICES
CHAPTER 29. EDUCATIONAL PROGRAMS
SUBCHAPTER B. BILINGUAL EDUCATION AND SPECIAL LANGUAGE PROGRAMS

TEC, §29.051. STATE POLICY.

English is the basic language of this state. Public schools are responsible for providing a full opportunity for all students to become competent in speaking, reading, writing, and comprehending the English language. Large numbers of students in the state come from environments in which the primary language is other than English. Experience has shown that public school classes in which instruction is given only in English are often inadequate for the education of those students. The mastery of basic English language skills is a prerequisite for effective participation in the state's educational program. Bilingual education and special language programs can meet the needs of those students and facilitate their integration into the regular school curriculum. Therefore, in accordance with the policy of the state to ensure equal educational opportunity to every student, and in recognition of the educational needs of emergent bilingual students, this subchapter provides for the establishment of bilingual education and special language programs in the public schools and provides supplemental financial assistance to help school districts meet the extra costs of the programs.

Added by Acts 1995, 74th Leg., ch. 260, Sec. 1, eff. May 30, 1995.

Amended by:

Acts 2021, 87th Leg., R.S., Ch. 973 (S.B. [2066](#)), Sec. 5, eff. September 1, 2021.

TEXAS EDUCATION CODE
TITLE 2. PUBLIC EDUCATION
SUBTITLE F. CURRICULUM, PROGRAMS, AND SERVICES
CHAPTER 29. EDUCATIONAL PROGRAMS
SUBCHAPTER D. EDUCATIONAL PROGRAMS FOR GIFTED AND TALENTED STUDENTS

TEC, §29.123. STATE PLAN; ASSISTANCE.

The State Board of Education shall develop and periodically update a state plan for the education of gifted and talented students to guide school districts in establishing and improving programs for identified students. The regional education service centers may assist districts in implementing the state plan. In addition to obtaining assistance from a regional education service center, a district may obtain other assistance in implementing the plan. The plan shall be used for accountability purposes to measure the performance of districts in providing services to students identified as gifted and talented.

TEXAS EDUCATION CODE
TITLE 2. PUBLIC EDUCATION
SUBTITLE F. CURRICULUM, PROGRAMS, AND SERVICES
CHAPTER 31. INSTRUCTIONAL MATERIALS AND TECHNOLOGY
SUBCHAPTER A. GENERAL PROVISIONS

TEC, §31.003. RULES.

- (a) The State Board of Education may adopt rules, consistent with this chapter, for the adoption, requisition, distribution, care, use, and disposal of instructional materials.
- (b) The commissioner may adopt rules, consistent with this chapter, as necessary to implement a provision of this chapter that the commissioner or agency is responsible for implementing.

Added by Acts 1995, 74th Leg., ch. 260, Sec. 1, eff. May 30, 1995.

Amended by:

Acts 2011, 82nd Leg., 1st C.S., Ch. 6 (S.B. [6](#)), Sec. 20, eff. July 19, 2011.

Acts 2023, 88th Leg., R.S., Ch. 818 (H.B. [1605](#)), Sec. 13, eff. June 13, 2023.

TEXAS EDUCATION CODE
CHAPTER 31. INSTRUCTIONAL MATERIALS
SUBCHAPTER B. STATE REVIEW AND ADOPTION

TEC, §31.022. STATE BOARD OF EDUCATION INSTRUCTIONAL MATERIALS REVIEW AND APPROVAL.

- (a) The State Board of Education shall review instructional materials provided to the board by the agency under Section 31.023. Before approving instructional material, the board may review the material and must determine that the material is free from factual error and suitable for the subject and grade level for which the material is designed, and, if the material is intended to cover the foundational skills reading curriculum in kindergarten through third grade, does not include three-cueing, as defined by Section 28.0062(a-1). The board shall add each material approved under this section to a list of approved instructional materials and may add a material not approved under this section to a list of rejected instructional materials.
- (b) The State Board of Education may adopt criteria necessary for approval of instructional material under Subsection (a) and may require:
 - (1) all instructional material submitted as full subject tier one instructional material to cover a minimum percentage, as determined by the board, of the essential knowledge and skills adopted for the subject and grade level for which the material is designed;
 - (2) electronic samples of the material;
 - (3) certain physical specifications;
 - (4) the instructional material to not contain obscene or harmful content and otherwise be compatible with certification requirements under Section 31.1011(a)(1)(B); and
 - (5) the instructional material to be made publicly available for review.
- (c) The State Board of Education may remove instructional material from the list of approved instructional materials under this section if the essential knowledge and skills intended to be covered by the material are revised or the material is revised without the approval of the board.
- (c-1) If the State Board of Education intends to remove an instructional material from the list of approved instructional materials under Subsection (c) because the board plans to revise the essential knowledge and skills intended to be covered by the material, the board shall issue a proclamation requesting the revision of the applicable instructional materials and shall, not later than December 1 of the year preceding the school year for which the revision will take effect, provide to each school district the updated list of approved instructional materials for the relevant subject or grade level.
- (d) The State Board of Education shall indicate whether each instructional material reviewed under Subsection (a) is capable of being made available through an instructional materials parent portal established under Section 31.154.
- (d-1) Repealed by Acts 2023, 88th Leg., R.S., Ch. 818 (H.B. 1605), Sec. 51(2), eff. June 13, 2023.
- (e) Repealed by Acts 2023, 88th Leg., R.S., Ch. 818 (H.B. 1605), Sec. 51(2), eff. June 13, 2023.
- (f) Repealed by Acts 2023, 88th Leg., R.S., Ch. 818 (H.B. 1605), Sec. 51(2), eff. June 13, 2023.
- (g) Repealed by Acts 2023, 88th Leg., R.S., Ch. 818 (H.B. 1605), Sec. 51(2), eff. June 13, 2023.
- (h) Repealed by Acts 2023, 88th Leg., R.S., Ch. 818 (H.B. 1605), Sec. 51(2), eff. June 13, 2023.
- (i) Repealed by Acts 2023, 88th Leg., R.S., Ch. 818 (H.B. 1605), Sec. 51(2), eff. June 13, 2023.

TEXAS EDUCATION CODE
TITLE 2. PUBLIC EDUCATION
SUBTITLE F. CURRICULUM, PROGRAMS, AND SERVICES
CHAPTER 31. INSTRUCTIONAL MATERIALS
SUBCHAPTER B. STATE REVIEW AND ADOPTION

TEC, §31.023. INSTRUCTIONAL MATERIAL REVIEW.

- (a) The commissioner shall establish, in consultation with and with the approval of the State Board of Education, a process for the annual review of instructional materials by the agency. The process established under this subsection must:
- (1) establish a process for the agency to select instructional materials for review that includes:
 - (A) evaluating requests for review of instructional materials submitted to the agency by:
 - (i) a school district;
 - (ii) a majority of the members of the State Board of Education; or
 - (iii) a publisher of instructional material, which may only be submitted for material published by the requesting publisher;
 - (B) requiring the agency to review materials if the State Board of Education requests by a majority vote that the material be reviewed by the agency;
 - (C) reviewing instructional materials requisitioned or purchased under Section [31.0212](#); and
 - (D) reviewing instructional materials using a time frame appropriate for the proclamation requesting the revision of the instructional materials under Section [31.022\(c-1\)](#) to address revisions made by the State Board of Education to the essential knowledge and skills for a particular subject or grade level;
 - (2) describe the types of instructional materials the agency may review, including:
 - (A) partial subject tier one instructional material, including those designed for use in the phonics curriculum required under Section [28.0062\(a\)\(1\)](#);
 - (B) open education resource instructional material;
 - (C) instructional materials developed by a school district and submitted to the agency by the district for review; and
 - (D) commercially available full subject tier one instructional material;

- (3) establish procedures for the agency to conduct reviews of instructional materials, including:
 - (A) the use of a rubric approved under Subsection (b); and
 - (B) consultation with classroom teachers and other curriculum experts for the appropriate subject and grade level; and
 - (4) ensure the procedures for review allow the agency to review at least 200 individual instructional materials each year.
- (b) In conducting a review under this section, the agency must use a rubric developed by the agency in consultation with and approved by the State Board of Education that includes, with respect to the instructional material being reviewed, a determination of:
- (1) whether the material is free from factual error and satisfies the criteria adopted by the board under Section [31.022](#);
 - (2) the quality of the material;
 - (3) the essential knowledge and skills for the subject and grade level for which the material was developed that are covered by the material, including identification of:
 - (A) each essential knowledge and skill covered by the material;
 - (B) for a full subject tier one instructional material, the percentage of the essential knowledge and skills adopted for the subject and grade level covered by the material; and
 - (C) for a partial subject tier one instructional material, the percentage of the essential knowledge and skills for the relevant portion of the subject and grade level covered by the material; and
 - (4) whether the material contains obscene or harmful content or is otherwise incompatible with certification requirements under Section [31.1011\(a\)\(1\)\(B\)](#).
- (c) After completing a review under this section, the agency shall provide the results of the review and any related recommendations to the State Board of Education for approval or rejection of the instructional material and the inclusion of the instructional material on a list maintained by the State Board of Education under Section [31.022](#).
- (d) The agency shall use funds appropriated to the agency for the purposes of reviewing instructional material or available in the state instructional materials and technology fund for purposes of implementing this section.

- (e) A process established under Subsection (a) or a rubric developed under Subsection (b) is automatically approved by the State Board of Education if not rejected by the board before the 91st day after the date the agency submits the item to the board.

Added by Acts 1995, 74th Leg., ch. 260, Sec. 1, eff. May 30, 1995.

Amended by:

Acts 2007, 80th Leg., R.S., Ch. 445 (H.B. [188](#)), Sec. 4, eff. June 16, 2007.

Acts 2011, 82nd Leg., 1st C.S., Ch. 6 (S.B. [6](#)), Sec. 26, eff. July 19, 2011.

Acts 2017, 85th Leg., R.S., Ch. 578 (S.B. [801](#)), Sec. 1, eff. September 1, 2017.

Acts 2023, 88th Leg., R.S., Ch. 818 (H.B. [1605](#)), Sec. 23, eff. June 13, 2023.

TEXAS EDUCATION CODE
TITLE 2. PUBLIC EDUCATION
SUBTITLE F. CURRICULUM, PROGRAMS, AND SERVICES
CHAPTER 31. INSTRUCTIONAL MATERIALS
SUBCHAPTER B. STATE REVIEW AND ADOPTION

TEC, §31.0252. LOCAL REVIEW OF CLASSROOM INSTRUCTIONAL MATERIAL.

- (a) The agency shall develop standards in consultation with stakeholders, including educators, by which a school district may conduct a review of instructional materials used by a classroom teacher in a foundation curriculum course under Section 28.002(a)(1) to determine the degree to which the material:
 - (1) corresponds with the instructional materials adopted by the school district or district campus; and
 - (2) meets the level of rigor of the essential knowledge and skills adopted under Section 28.002 for the grade level in which it is being used.
- (b) The agency shall develop a rubric, approved by the State Board of Education, to determine if reviewed instructional material complies with the rigor requirements described by Subsection (a)(2).
- (c) The agency, in developing standards under Subsection (a):
 - (1) shall minimize, to the extent possible, the time a classroom teacher is required to spend complying with a review conducted under this section;
 - (2) may not, unless unavoidable, require a teacher to spend more than 30 minutes on a single review conducted under this section; and
 - (3) may not authorize the review of instructional materials used by a classroom teacher for a specific subject or grade level at a specific school district campus more than once per school year.
- (d) The agency shall permit a regional education service center or a curriculum review service provider approved by the agency to conduct the review for a school district under this section and provide to approved centers and providers training relating to appropriately conducting the review.
- (e) The agency shall award grants to assist school districts in conducting reviews under this section.

Added by Acts 2023, 88th Leg., R.S., Ch. 818 (H.B. 1605), Sec. 24, eff. June 13, 2023.

TEXAS EDUCATION CODE
TITLE 2. PUBLIC EDUCATION
SUBTITLE F. CURRICULUM, PROGRAMS, AND SERVICES
CHAPTER 31. INSTRUCTIONAL MATERIALS
SUBCHAPTER C. LOCAL OPERATIONS

TEC, §31.1011. 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:
 - (1) for each subject in the required curriculum under Section [28.002](#), other than physical education, and each grade level, the district or school:
 - (A) 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; and
 - (B) in the provision of instructional materials, protects students from obscene or harmful content as necessary for compliance with:
 - (i) the Children's Internet Protection Act (Pub. L. No. 106-554);
 - (ii) Section [28.0022](#);
 - (iii) Section [43.22](#), Penal Code; and
 - (iv) any other law or regulation that protects students from obscene or harmful content; and
 - (2) the district or school used money allocated to the district or school under the instructional materials and technology allotment only for purposes allowed under Section [31.0211](#).
- (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) instructional materials developed, purchased, or otherwise acquired by the school district or open-enrollment charter school; and
 - (3) open education resource instructional materials and other electronic instructional materials included in the repository under Section [31.0722](#).

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.

Transferred, redesignated and amended from Education Code, Section 31.004 by Acts 2023, 88th Leg., R.S., Ch. 818 (H.B. [1605](#)), Sec. 40, eff. June 13, 2023.

TEXAS EDUCATION CODE
TITLE 2. PUBLIC EDUCATION
SUBTITLE I. SCHOOL FINANCE AND FISCAL MANAGEMENT
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.

TEXAS EDUCATION CODE
TITLE 2: PUBLIC EDUCATION
SUBTITLE I. SCHOOL FINANCE AND FISCAL MANAGEMENT
CHAPTER 48 [42]. FOUNDATION SCHOOL PROGRAM
SUBCHAPTER A. GENERAL PROVISIONS

TEC, §48.004 ADMINISTRATION OF THE PROGRAM.

The commissioner shall adopt rules and take action and require reports consistent with this chapter as necessary to implement and administer the Foundation School Program.

Added by Acts 1995, 74th Leg., ch. 260, Sec. 1, eff. May 30, 1995.

Transferred, redesignated and amended from Education Code, Section 42.004 by Acts 2019, 86th Leg., R.S., Ch. 943 (H.B. [3](#)), Sec. 1.013, eff. September 1, 2019.

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.

MINUTES

STATE BOARD OF EDUCATION

JUNE 2024

STATE BOARD OF EDUCATION

(updated February 2023, January 2024 , August 2024)

(State Board for Career and Technology Education)

AARON KINSEY, Midland
Chair of the State Board of Education
District 15

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

PAT HARDY, Fort Worth
Secretary of the State Board of Education
District 11

Board Members

MELISSA ORTEGA, El Paso
District 1

JULIE PICKREN, Pearland
District 7

LJ FRANCIS, Corpus Christi
District 2

AUDREY YOUNG, Trinity
District 8

MARISA PEREZ-DIAZ, San Antonio
District 3

KEVEN ELLIS, Lufkin
District 9

STACI CHILDS, Houston
District 4

TOM MAYNARD, Florence
District 10

REBECCA BELL-METEREAU
San Marcos, District 5

VACANT
District 13

WILL HICKMAN, Houston
District 6

EVELYN BROOKS, Frisco
District 14

Committees of the State Board of Education
(Updated August 2023)

INSTRUCTION

Audrey Young- Chair
Evelyn Brooks-Vice Chair
Pam Little
Melissa N. Ortega
Vacant-District 13

SCHOOL FINANCE/PERMANENT SCHOOL FUND

Tom Maynard-Chair
Marisa Perez-Diaz-Vice Chair
Keven Ellis
Patricia Hardy
Aaron Kinsey

SCHOOL INITIATIVES

Will Hickman-Chair
LJ Francis-Vice Chair
Rebecca Bell-Metereau
Staci Childs
Julie Pickren

Minutes

State Board of Education

June 28, 2024

**Minutes
State Board of Education
Friday, June 28, 2024**

The State Board of Education Committee of the Full Board met at 9:03 a.m. on Friday, June 28, 2024, 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: Aaron Kinsey, chair; Rebecca Bell-Metereau; Evelyn Brooks; Staci Childs (virtual); Patricia Hardy; Will Hickman; Keven Ellis; Pam Little; Tom Maynard; Melissa Ortega; Marisa B. Perez-Diaz; Julie Pickren; Audrey Young; Aicha Davis

Invocation

Pledge of Allegiance

Roll Call

Approval of Minutes

State Board of Education, April 12, 2024

MOTION AND VOTE: *The State Board of Education approved, without objection, the minutes of the April 12, 2024, meeting of the State Board of Education.*

1. Resolutions

Resolution honoring the 2024 Student Heros Award Recipients

The State Board of Education, by unanimous consent, adopted a resolution commending each of the following students for their selfless acts of kindness and service: Rian Forestier, Alexis Grace Gibbons, Erin Martin, Johnny Dixon, Devan Kuppusamy, Trace Bauer, Khai Pham, Colton Wallek, Andrew Grogan, Arjun Sharda, Emily Nelson, Piyush Chintalwar, Vanshika Prasad, Tomas Faulkner, and Austin Ellis.

(ATTACHMENT 1, page 11)

Resolution honoring the 2024 Presidential Awards Excellence in Mathematics and Science Teaching (PAEMST) State Finalists

The State Board of Education, by unanimous consent, adopted a resolution commending the Texas finalists for the Presidential Awards for Excellence in Mathematics and Science Teaching. The Texas finalists were as follows: Tracy Fumo from Caldwell Performing Arts Academy in Tyler ISD; Lauren Palos from Stuchbery Elementary School in Pasadena ISD; and Mark Rogers from Austin Achieve Middle School in Austin Achieves Public Schools.

(ATTACHMENT 2, page 13)

Milken Educator Award

The State Board of Education recognized Dr. Johnny Walker from Winona ISD and Juan Dominguez from Somerset ISD as Milken National Educator Award recipients.

Texas Teacher of the Year

The State Board of Education recognized Taniece Thompson-Smith from XX in the Abilene Independent School District as the 2024 Texas Teacher of the Year.

Texas Secondary Teacher of the Year

The State Board of Education recognized Naveen Cunha from XX in the Bryan Independent School District as the 2024 Texas Secondary Teacher of the Year.

Public Testimony

Public Testimony was provided by the following individuals:

NAME: Orlando Laura
AFFILIATION: Ethnic Studies Network of Texas

NAME: Jackie Besinger
AFFILIATION: National Alliance for Educational Freedom

NAME: Eliza Epstein
AFFILIATION: Ethnic Studies for Texas Schools Coalition

NAME: Ramon Vasquez
AFFILIATION: American Indians in Texas at the Spanish Colonial Missions

NAME: Nathan Brown
AFFILIATION: American Indians in Texas at the Spanish Colonial Missions

NAME: Kenneth Roemer
AFFILIATION: University of Texas at Arlington

NAME: Julia Brookins
AFFILIATION: American Historical Association

NAME: Bonnie Wallace
AFFILIATION: Self

NAME: Deborah Simmons
AFFILIATION: Self

NAME: Deborah Leimbach
AFFILIATION: Moms for Liberty

NAME: Michele Allen
AFFILIATION: Self

NAME: Alma Thompson
AFFILIATION: Self

NAME: Brady Gray
AFFILIATION: Texas Family Project

NAME: Richard Vega
AFFILIATION: Self

NAME: Luis Cabrera
AFFILIATION: Citizens Defending Freedom

NAME: Taylor Trevino
AFFILIATION: Indigenous Peoples Caucus of the Democratic Party

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) **Permanent School Fund Percentage Distribution Rates Under Consideration for Fiscal Years 2026 and 2027**
(Board agenda page 1-20)

The State Board of Education removed this item from the consent agenda.

- (2) **Proposed Amendments to 19 TAC Chapter 74, Curriculum Requirements, Subchapter B, Graduation Requirements (Second Reading and Final Adoption)**
(Board agenda page I-29)

The State Board of Education approved for second reading and final adoption the proposed amendment to 19 TAC Chapter 74, Curriculum Requirements, Subchapter B, Graduation Requirements; and

Made an affirmative finding that the immediate adoption of the proposed amendment 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.

(ATTACHMENT 3, page 16)

- (3) **Proposed Repeal of 19 TAC Chapter 112, Texas Essential Knowledge and Skills for Science, Subchapter A, Elementary, §§112.10-112.16; Subchapter B, Middle School, §§112.17- 112.20; and Subchapter C, High School, §§112.31-112.39 (Second Reading and Final Adoption)**
(Board agenda page II-1)

The State Board of Education approved for second reading and final adoption the proposed amendment to Proposed Repeal of 19 TAC Chapter 112, Texas Essential Knowledge and Skills for Science, Subchapter A, Elementary, §§112.10-112.16; Subchapter B, Middle School, §§112.17- 112.20; and

Subchapter C, High School, §§112.31-112.39); and

Made an affirmative finding that the immediate adoption of the proposed amendment to Proposed Repeal of 19 TAC Chapter 112, Texas Essential Knowledge and Skills for Science, Subchapter A, Elementary, §§112.10-112.16; Subchapter B, Middle School, §§112.17- 112.20; and Subchapter C, High School, §§112.31-112.39, is necessary and shall have an effective date of 20 days after filing as adopted with the Texas Register.

(ATTACHMENT 4, page 23)

- (4) **Proposed Repeal of 19 TAC Chapter 126, Texas Essential Knowledge and Skills for Technology Applications, Subchapter A, Elementary, §§126.5-126.7; and Subchapter B, Middle School, §§126.13-126.16**
(Second Reading and Final Adoption)
(Board agenda page II-5)

The State Board of Education approved for second reading and final adoption the proposed amendment to Proposed Repeal of 19 TAC Chapter 126, Texas Essential Knowledge and Skills for Technology Applications, Subchapter A, Elementary, §§126.5-126.7; and Subchapter B, Middle School, §§126.13-126.16); and

Made an affirmative finding that the immediate adoption of the proposed amendment to Proposed Repeal of 19 TAC Chapter 126, Texas Essential Knowledge and Skills for Technology Applications, Subchapter A, Elementary, §§126.5-126.7; and Subchapter B, Middle School, §§126.13-126.16, is necessary and shall have an effective date of 20 days after filing as adopted with the Texas Register.

- (5) **Proposed Repeal of 19 TAC Chapter 127, Texas Essential Knowledge and Skills for Career Development and Career and Technical Education, Subchapter B, High School, §§127.11, 127.12, and 127.14-127.16; Subchapter G, Education and Training, §127.309 and §127.311; Subchapter I, Health Science, §§127.402, 127.404-127.408, and 127.412; Subchapter J, Hospitality and Tourism, §127.468 and §127.473; Subchapter O, Science, Technology, Engineering, and Mathematics, §§127.742, 127.743, 127.751, 127.752, 127.762, and 127.763; and Chapter 130, Texas Essential Knowledge and Skills for Career and Technical Education, Subchapter J, Human Services, §130.278; and Subchapter N, Marketing, §130.384**
(Second Reading and Final Adoption)
(Board agenda page II-9)

The State Board of Education approved for second reading and final adoption the proposed amendment to Proposed Repeal of 19 TAC Chapter 127, Texas Essential Knowledge and Skills for Career Development and Career and Technical Education, Subchapter B, High School, §§127.11, 127.12, and 127.14-127.16; Subchapter G, Education and Training, §127.309 and §127.311; Subchapter I, Health Science, §§127.402, 127.404-127.408, and 127.412; Subchapter J, Hospitality and Tourism, §127.468 and §127.473; Subchapter O, Science, Technology, Engineering, and Mathematics, §§127.742, 127.743, 127.751, 127.752, 127.762, and 127.763; and Chapter 130, Texas Essential Knowledge and Skills for Career and Technical Education, Subchapter J, Human Services, §130.278; and Subchapter N, Marketing, §130.384; and

Made an affirmative finding that the immediate adoption of the proposed amendment to Proposed Repeal of 19 TAC Chapter 127, Texas Essential Knowledge and Skills for Career Development and Career and Technical Education, Subchapter B, High School, §§127.11, 127.12, and 127.14-127.16; Subchapter G, Education and Training, §127.309 and §127.311; Subchapter I, Health Science, §§127.402, 127.404-127.408, and 127.412; Subchapter J, Hospitality and Tourism, §127.468 and §127.473; Subchapter O, Science, Technology, Engineering, and Mathematics, §§127.742, 127.743, 127.751, 127.752, 127.762, and 127.763; and Chapter 130, Texas Essential Knowledge and Skills for Career and Technical Education, Subchapter J, Human Services, §130.278; and Subchapter N, Marketing, §130.384, is necessary and shall have an effective date of 20 days after filing as adopted with the Texas Register.

- (6) **Procedural Action Related to 19 TAC Chapter 74, Curriculum Requirements, Subchapter C, Other Provisions, §74.27(a)(9), Innovative Courses and Programs (First Reading and Filing Authorization)**
(Board agenda page II-13)

The State Board of Education approved for first reading and filing authorization the Procedural Action Related to 19 TAC Chapter 74, Curriculum Requirements, Subchapter C, Other Provisions, §74.27(a)(9), Innovative Courses and Programs, as recommended by the Committee on Instruction.

- (7) **Consideration of Proposed New Innovative Course**
(Board agenda page II -20)

The State Board of Education removed this item from the consent agenda.

- (8) **Proposed Amendments 19 TAC Chapter 127, Texas Essential Knowledge and Skills for Career Development and Career and Technical Education, Subchapter J, Hospitality and Tourism, and Chapter 130, Texas Essential Knowledge and Skills for Career and Technical Education, Subchapter A, Agriculture, Food, and Natural Resources, Subchapter D, Business Management and Administration, and Subchapter P, Transportation, Distribution, and Logistics (First Reading and Filing Authorization)**
(Board agenda page II-44)

The State Board of Education approved for first reading and filing authorization proposed amendments to 19 TAC Chapter 127, Texas Essential Knowledge and Skills for Career Development and Career and Technical Education, Subchapter J, Hospitality and Tourism, §127.482; and Chapter 130, Texas Essential Knowledge and Skills for Career and Technical Education; Subchapter A, Agriculture, Food, and Natural Resources, §130.30; Subchapter D, Business Management and Administration, §§130.136-130.138, 130.143, and 130.144; and Subchapter P, Transportation, Distribution, and Logistics, §130.445 and §130.446.

- (9) **Approval of Updates and Substitutions to Adopted Instructional Materials**
(Board agenda page II-52)

The State Board of Education removed this item from the consent agenda.

- (10) **Recommendation for One Reappointment and One Appointment to the Fort Sam Houston Independent School District Board of Trustees**
(Board agenda page IV-3)

The State Board of Education removed this item from the consent agenda.

- (11) **Proposed Amendment to 19 TAC Chapter 61, School Districts, Subchapter A, Board of Trustees Relationship, §61.2, Nomination of Trustees for Military Reservation School Districts and Boys Ranch Independent School District**
(Second Reading and Final Adoption)
(Board agenda page IV-12)

The State Board of Education approved for second reading and final adoption the proposed amendment to 19 TAC Chapter 61, School Districts, Subchapter A, Board of Trustees Relationship, §61.2, Nomination of Trustees for Military Reservation School Districts and Boys Ranch Independent School District;

and make an affirmative finding that immediate adoption of the proposed amendment to 19 TAC Chapter 61, School Districts, Subchapter A, Board of Trustees Relationship, §61.2, Nomination of Trustees for Military Reservation School Districts and Boys Ranch Independent School District, is necessary and shall have an effective date of 20 days after filing with the Texas Register, as recommended by the Committee on School Initiatives.

(ATTACHMENT 5, page 25)

COMMITTEE OF THE FULL BOARD

3. **Proposed New 19 TAC Chapter 67, State Review and Approval of Instructional Materials, Subchapter B, State Review and Approval, §67.43, Lists of Approved and Rejected Instructional Material**
(First Reading and Filing Authorization)
(Board agenda page I-2)
[Official agenda item #3]

MOTION: *It was moved by Mrs. Little that the State Board of Education approve for first reading and filing authorization 19 TAC Chapter 67, State Review and Approval of Instructional Materials, Subchapter B, State Review and Approval, §67.43, Lists of Approved and Rejected Instructional Material, as amended.*

MOTION AND VOTE: *It was moved by Mr. Hickman that the State Board of Education to strike “SBOE’s meeting” from paragraph c. The motion carried unanimously.*

VOTE: *A vote was taken by the State Board of Education to approve for first reading and filing authorization 19 TAC Chapter 67, State Review and Approval of Instructional Materials, Subchapter B, State Review and Approval, §67.43, Lists of Approved and Rejected Instructional Material, as amended. The motion carried without objection.*

4. **Consideration of Mathematics Texas Essential Knowledge and Skills for Middle School Advanced Mathematics**
(Board agenda page I-8)
[Official agenda item #4]

MOTION AND VOTE: *It was moved by Mrs. Little that the State Board of Education proceed with the establishment of Texas Essential Knowledge and Skills for middle school mathematics. The motion carried unanimously.*

5. **Consideration of Next Steps for Review, Revision, and Development of Career and Technical Education Texas Essential Knowledge and Skills**
(Board agenda page I-10)
[Official agenda item #5]

MOTION AND VOTE: *It was moved by Mrs. Little that the State Board of Education authorize TEA to enter into interagency contracts with Collin College, Texas State Technical College, and Education Service Center Region 4 to develop initial drafts of TEKS for the CTE courses listed in the attachment. The motion carried.*

MOTION AND VOTE: *It was moved by Mrs. Little that the State Board of Education authorize TEA to present the 21 innovative courses with minor edits for discussion at the September meeting. The motion carried.*

- (6) **Consideration of the Commissioner of Education's Generation 29 Open-Enrollment Charter School Proposals**
(Board agenda page I-21)
[Official agenda item #6]

MOTION AND VOTE: *It was moved by Mrs. Little that the State Board of Education veto the proposed Generation 29 Subchapter D Open-Enrollment Charter School Infinite Minds (Arlington) scheduled to open in the 2025-2026 school year. The motion failed.*

MOTION AND VOTE: *It was moved by Mrs. Little, seconded by Ms. Childs, that the State Board of Education take no action on the proposed Generation 29 Subchapter D Open-Enrollment Charter School Infinite Minds (Arlington) scheduled to open in the 2025-2026 school year. The motion failed.*

MOTION AND VOTE: *It was moved by Mrs. Little that the State Board of Education to take no action on the proposed Generation 29 Subchapter D Open-Enrollment Charter School Pathway Academy (Big Spring) scheduled to open in the 2025-2026 school year. The motion carried.*

MOTION AND VOTE: *It was moved by Mrs. Little that the State Board of Education to take no action on the proposed Generation 29 Subchapter D Open-Enrollment Charter School The Texas Girls School (Austin) scheduled to open in the 2025-2026 school year. The motion carried.*

MOTION AND VOTE: *It was moved by Mrs. Little that the State Board of Education to take no action on the proposed Generation 29 Subchapter D Open-Enrollment Charter School Unparalleled Preparatory Academy (Manor) scheduled to open in the 2025-2026 school year. The motion carried.*

MOTION AND VOTE: *It was moved by Mrs. Little that the State Board of Education to veto the proposed Generation 29 Subchapter D Open Enrollment Charter School Visionary STEM Academy (Terrell) scheduled to open in the 2025-2026 school year. The motion carried.*

- (7) **Proposed New 19 TAC Chapter 120, Other Texas Essential Knowledge and Skills, Subchapter B, English Language Proficiency Standards**
(First Reading and Filing Authorization)
(Board agenda page I-25)
[Official agenda item #7]

MOTION: *It was moved by Mrs. Little that the State Board of Education approve for first reading and filing authorization proposed new 19 TAC Chapter 120, Other Texas Essential Knowledge and Skills, Subchapter B, English Language Proficiency Standards, §120.20, English Language Proficiency Standards, Kindergarten-Grade 3, Adopted 2024, and §120.21, English Language Proficiency Standards, Grades 4-12, Adopted 2024, as amended.*

MOTION AND VOTE: *It was moved by Mrs. Brooks, seconded by Mrs. Pickren to amend page 17 by adding “including mathematical symbols”. The motion carried without objection.*

MOTION AND VOTE: *It was moved by Mr. Hickman, seconded by Mrs. Perez-Diaz, to adopt the TEA staff technical edits. The motion carried without objection.*

MOTION AND VOTE: *It was moved by Mr. Hickman, seconded by Mrs. Little, to strike the word “more” and add “increasing” on page 7 and to strike the word “ and” and add the phrase “and sentences” to page 7. The motion carried without objection.*

VOOTE: *A vote was taken by the State Board of Education to approve for first reading and filing authorization proposed new 19 TAC Chapter 120, Other Texas Essential Knowledge and Skills, Subchapter B, English Language Proficiency Standards, §120.20, English Language Proficiency Standards, Kindergarten-Grade 3, Adopted 2024, and §120.21, English Language Proficiency Standards, Grades 4-12, Adopted 2024, as amended. The motion carried unanimously.*

COMMITTEE ON INSTRUCTION

8. **Approval of Sunset of Innovative Courses**
(Board agenda page II -18)
[Official agenda item #8]

MOTION AND VOTE: *It was moved by Dr. Young that the State Board of Education approve the sunset of innovative courses as indicated on the Final Spring 2024 Innovative Course Sunset Report as amended. The motion carried unanimously.*

9. **Proposed Revisions to 19 TAC Chapter 89, Adaptations for Special Populations, Subchapter A, Gifted/Talented Education**
(Second Reading and Final Adoption)
(Board agenda page II – 54)
[Official agenda item #9]

MOTION AND VOTE: *It was moved by Dr. Young that the State Board of Education to approve for second reading and final adoption the proposed revisions to 19 TAC Chapter 89, Adaptations for Special Populations, Subchapter A, Gifted/Talented Education; and*

Make an affirmative finding that immediate adoption of the proposed revisions to 19 TAC Chapter 89, Adaptations for Special Populations, Subchapter A, Gifted/Talented Education, is necessary and shall have an effective date of 20 days after filing as adopted with the Texas Register. The motion carried unanimously.

(ATTACHMENT 6, page 27)

- (7) Consideration of Proposed New Innovative Course and Extensions of Currently Approved Innovative Courses**
(Board agenda page II -20)

MOTION AND VOTE: *It was moved by Ms. Childs, seconded by Dr. Ortega for the State Board of Education to reconsider approving the innovative course, Gaming Concepts: Fundamentals. The motion failed.*

MOTION AND VOTE: *It was moved by Dr. Young that the State Board of Education approve for a period of five years the extension of the courses included in the Innovative Course Descriptions for Courses Seeking Extensions list and Texas Prefreshman Engineering Program, II, III, and IV. The motion carried without objection.*

- (9) Approval of Updates and Substitutions to Adopted Instructional Materials**
(Board agenda page II -52)

MOTION AND VOTE: *It was moved by Dr. Young that the State Board of Education approve the request from Cengage Learning to update citations for its Grade 6 Social Studies product. The motion carried without objection.*

COMMITTEE ON SCHOOL INITIATIVES

- 10. Review of Adoption of Proposed Amendments to 19 TAC Chapter 227, Provisions for Educator Preparation Candidates**
(Board agenda page IV-20)
[Official agenda item #10]

MOTION: *It was moved by Mr. Hickman that the State Board of Education take no action on the proposed amendments to 19 TAC Chapter 227, Provisions for Educator Preparation Candidates. The motion carried without objection.*

- (10) Recommendation for One Reappointment and One Appointment to the Fort Sam Houston Independent School District Board of Trustees**
(Board agenda page IV - 3).

MOTION AND VOTE: *It was moved by Mr. Hickman that the State Board of Education, based on Brigadier General Driggers's recommendation, approve the appointment of Col. Rebecca A. Zinnante to serve terms of office from June 28, 2024, to June 27, 2026, on the Fort Sam Houston Independent School District Board of Trustees. The motion carried without objection.*

MOTION AND VOTE: *It was moved by Mr. Hickman that the State Board of Education, based on Brigadier General Driggers's recommendation, approve the reappointment of Dr. LaToya E. Sizer to serve terms of office from June 28, 2024, to June 27, 2026, on the Fort Sam Houston Independent School District Board of Trustees. The motion carried.*

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 BOARDS 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.

Chairman Kinsey adjourned the meeting at 2:10 p.m.

Patricia Hardy, Secretary

RESOLUTION

WHEREAS the State Board of Education's Student Heroes Award, established in 2015, recognizes Texas public school students who perform selfless acts of kindness and volunteer service, thereby benefiting their fellow students and communities; and

WHEREAS members of the State Board of Education reviewed nominations and selected 15 outstanding students from across the state to receive the 2024 Student Heroes Award; and

WHEREAS Rian Forestier, a senior at Louis Brandeis High School in Northside ISD, inspires young athletes through her non-profit organization 4WARD, which has provided over 200 pairs of athletic shoes to students at Title 1 schools in the San Antonio area; and

WHEREAS Alexis Grace Gibbens, a senior at Van Vleck High School at Van Vleck ISD, initiated "SR's to Seniors," connecting senior students with senior citizens, and has been actively involved in various community service activities including coaching swim lessons, participating in Wreaths Across America, and organizing blood drives; and

WHEREAS Erin Martin, an eighth-grade student at Terrell Wells Middle School at Harlandale ISD, has led impactful campaigns such as raising awareness for childhood cancer and anti-bullying, and has accumulated over 1,196 verified volunteer service hours, earning numerous accolades for her dedication; and

WHEREAS Johnny Dixon, a senior at North Shore Senior High School at Galena Park ISD, dedicates his time to helping others through various volunteer activities, including assisting students with disabilities, and supporting local organizations like Kids Meals and the East Harris County Empowerment Council; and

WHEREAS Devan Kuppasamy, a junior at Westlake High School at Eanes ISD, created the non-profit organization NexTech Projects to address disparities in technology access, securing \$56,000 in donations for tech supplies in its first year; and

WHEREAS Trace Bauer, a sophomore at Magnolia High School at Magnolia ISD, has volunteered close to 200 hours, supporting various causes including emergency services, disaster relief, and therapeutic riding programs for children and adults with disabilities; and

WHEREAS Khai Pham, a junior at William P. Clements High School at Fort Bend ISD, uses recycled goods to create soap for those in need, having donated over 2,020 bars of soap to local shelters and demonstrating a strong commitment to environmentalism and humanitarianism; and

WHEREAS Colton Wallek, a senior at Waller High School at Waller ISD, is actively involved in numerous statewide programs, supporting the elderly with digital literacy and communication skills, and exemplifying civic leadership and community engagement; and

WHEREAS Andrew Grogan, a junior at Avinger High School at Avinger ISD, shows dedication through his work with the Avinger Volunteer Fire Department, serving over 16,000 minutes and demonstrating great calmness and control in emergency situations; and

WHEREAS Arjun Sharda, a seventh-grade student at eSchool Prep Academy, Texas Virtual Schools, founded TLEEM, a nonprofit advancing education in Technology, Leadership, Entrepreneurship, Engineering, and Mathematics, and has established nine chapters in five countries to help others develop professional skills; and

WHEREAS Emily Nelson, a senior at Clebume High School at Clebume ISD, has continued her late brother's legacy through Legos for Little Warriors, providing Lego sets to children in hospitals and bringing moments of happiness to pediatric cancer patients; and

WHEREAS Piyush Chintalwar, a junior at Allen High School at Allen ISD, leads the nonprofit organization Toys for Texans, collecting and distributing toys to underprivileged families, and has raised over \$500,000 in donations, impacting thousands of individuals in need; and

WHEREAS Vanshika Prasad, a junior at the School for the Talented and Gifted at Dallas ISD, founded 'Mighty Little Us,' engaging in diverse community service activities, including fundraising for animal shelters, and conducting free coding classes for underprivileged kids, and introducing them to digital literacy; and

WHEREAS Thomas Faulkner, a senior at Edward S. Marcus High School at Lewisville ISD, started "Thomas Gives Back," providing supplies and support to teachers, first responders, and essential workers, and plans to continue his service at the University of Texas; and

WHEREAS Austin Ellis, a senior at Levelland Academic Beginnings Center at Levelland ISD, has dedicated years to volunteering, notably with Bill's Backpacks, and as president of Young Emerging Leaders of Levelland, leading community cleanups and supporting various local causes; and

WHEREAS these remarkable students have modeled compassion in their schools and communities; now, therefore be it

RESOLVED, that the State Board of Education extends its heartfelt thanks to each of these kindhearted students and commends them for their selfless volunteerism, good character, and integrity; and be it further

RESOLVED, that this resolution be presented to each of them and that a copy be included in the permanent records of the State Board of Education.

WITNESS our signatures this 28th day of June, two thousand and twenty-four, in Austin, Texas.

Aaron Kinsey, Chair

Pat Hardy, Secretary

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R E S O L U T I O N

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

WHEREAS through state selection committees, three mathematics finalists and three science finalists were selected as Texas finalists; and

WHEREAS these teachers have 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 Tracy Fumo, Caldwell Performing Arts Academy, Tyler Independent School District, Tyler, Texas; Lauren Palos, Stuchbery Elementary School, Pasadena Independent School District, Houston, Texas; Mark Rogers, Austin Achieve Middle School, Austin Achieve Public Schools, Austin, Texas; for being named State Finalists in the elementary mathematics category for the 2024 Presidential Award; and be it further

RESOLVED, that the State Board of Education does hereby extend its congratulations to Amber Chalmers, Houston Elementary School, Lancaster Independent School District, Lancaster, Texas; Kaya Jones, Christie Elementary School, Plano Independent School District, Plano, Texas; Lindsey Leiker, Carolyn and Vernon Madden Elementary School, Fort Bend Independent School District, Richmond, Texas; for being named State Finalists in the elementary science category for the 2024 Presidential Award; and be it further

RESOLVED, that this resolution be presented to the aforementioned teachers for being identified as State Finalists for the 2024 *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-eighth day of June, two thousand and twenty-four, in Austin, Texas.

Aaron Kinsey, Chair

Pat Hardy, Secretary

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ATTACHMENT
Text of Proposed Amendments to 19 TAC
Chapter 74. Curriculum Requirements
Subchapter B. Graduation Requirements

§74.12. Foundation High School Program.

- (a) (No change.)
- (b) Core courses. A student must demonstrate proficiency in the following.
 - (1)-(5) (No change.)
 - (6) Physical education--one credit.
 - (A) The required credit may be selected from one full credit or a combination of two half credits from two different courses from ~~any combination of~~ the following ~~one half to one credit~~ courses:
 - (i) Lifetime Fitness and Wellness Pursuits;
 - (ii) Lifetime Recreation and Outdoor Pursuits; and
 - (iii) Skill-Based Lifetime Activities.
 - (B) In accordance with local district policy, the required credit may be earned through completion of any Texas essential knowledge and skills-based course that meets the requirement in subparagraph (E) of this paragraph for 100 minutes of moderate to vigorous physical activity per five-day school week and that is not being used to satisfy another specific graduation requirement.
 - (C) In accordance with local district policy, credit for any of the courses listed in subparagraph (A) of this paragraph may be earned through participation in the following activities:
 - (i) Athletics;
 - (ii) Junior Reserve Officer Training Corps (JROTC); and
 - (iii) appropriate private or commercially sponsored physical activity programs conducted on or off campus. The district must apply to the commissioner of education for approval of such programs, which may be substituted for state graduation credit in physical education. Such approval may be granted under the following conditions.
 - (I) Olympic-level participation and/or competition includes a minimum of 15 hours per week of highly intensive, professional, supervised training. The training facility, instructors, and the activities involved in the program must be certified by the superintendent to be of exceptional quality. Students qualifying and participating at this level may be dismissed from school one hour per day. Students dismissed may not miss any class other than physical education.
 - (II) Private or commercially sponsored physical activities include those certified by the superintendent to be of high quality and well supervised by appropriately trained instructors. Student participation of at least five hours per week must be required. Students certified to participate at this level may not be dismissed from any part of the regular school day.

- (D) In accordance with local district policy, up to one credit for any one of the courses listed in subparagraph (A) of this paragraph may be earned through participation in any of the following activities:
 - (i) Drill Team;
 - (ii) Marching Band; and
 - (iii) Cheerleading.
- (E) All substitution activities allowed in subparagraphs (B)-(D) of this paragraph must include at least 100 minutes per five-day school week of moderate to vigorous physical activity.
- (F) Credit may not be earned more than once for the courses [any course] identified in subparagraph (A)(i) and (iii) [(A)] of this paragraph. Credit may not be earned more than twice for the course identified in subparagraph (A)(ii) of this paragraph. No more than four substitution credits may be earned through any combination of substitutions allowed in subparagraphs (B)-(D) of this paragraph.
- (G) A student who is unable to participate in physical activity due to disability or illness may substitute an academic elective credit (English language arts, mathematics, science, or social studies) or a course that is offered for credit as provided by the TEC, §28.002(g-1), for the physical education credit requirement. The determination regarding a student's ability to participate in physical activity will be made by:
 - (i) the student's ARD committee if the student receives special education services under the TEC, Chapter 29, Subchapter A;
 - (ii) the committee established for the student under Section 504, Rehabilitation Act of 1973 (29 United States Code, Section 794) if the student does not receive special education services under the TEC, Chapter 29, Subchapter A, but is covered by the Rehabilitation Act of 1973; or
 - (iii) a committee established by the school district of persons with appropriate knowledge regarding the student if each of the committees described by clauses (i) and (ii) of this subparagraph is inapplicable. This committee shall follow the same procedures required of an ARD or a Section 504 committee.

(7) (No change.)

(c)-(d) (No change.)

§74.13. Endorsements.

(a)-(e) (No change.)

(f) A student may earn any of the following endorsements.

- (1) Science, technology, engineering, and mathematics (STEM). Students who entered high school prior to the 2022-2023 school year [A student] may earn a STEM endorsement by completing the requirements specified in subsection (e) of this section, including Algebra II, chemistry, and physics or Principles of Technology and:
 - (A) a coherent sequence of courses for four or more credits in career and technical education (CTE) that consists of at least two courses in the same career cluster and at least one advanced CTE course. The courses may be selected from Chapter 130 of this title (relating to Texas Essential Knowledge and Skills for Career and Technical Education), Chapter 127 of this title (relating to Texas Essential Knowledge and Skills for Career Development and Career and Technical Education), or CTE innovative courses [approved by the commissioner of education] .

The final course in the sequence must be selected from Chapter 127, Subchapter O, of this title (relating to Science, Technology, Engineering, and Mathematics) or Career Preparation I or II (Career Preparation General or Career Preparation for Programs of Study) and Project-Based Research (Career and Technical Education Project-Based Capstone) in Chapter 127, Subchapter B, of this title (relating to High School), if the course addresses a STEM-related field; ~~[☒]~~

- (B) courses required to complete a TEA-designated program of study related to STEM; ~~[☒]~~
 - (C) three credits in mathematics by successfully completing Algebra II and two additional mathematics courses for which Algebra II is a prerequisite by selecting courses from subsection (e)(2) of this section; ~~[☒]~~
 - (D) four credits in science by successfully completing chemistry, physics, and two additional science courses by selecting courses from subsection (e)(6) of this section; or
 - (E) in addition to Algebra II, chemistry, and physics, a coherent sequence of three additional credits from no more than two of the categories or disciplines represented by subparagraphs (A), (B), (C), and (D) of this paragraph.
- (2) Business and industry. Students who entered high school prior to the 2022-2023 school year [A student] may earn a business and industry endorsement by completing the requirements specified in subsection (e) of this section and:
- (A) a coherent sequence of courses for four or more credits in CTE that consists of at least two courses in the same career cluster and at least one advanced CTE course. The courses may be selected from Chapter 130 of this title, Chapter 127 of this title, or CTE innovative courses ~~[approved by the commissioner]~~ . The final course in the sequence must be selected from one of the following:
 - (i) Chapter 127, Subchapter C, of this title (relating to Agriculture, Food, and Natural Resources);
 - (ii) ~~(i)~~ Chapter 130, Subchapter A, of this title (relating to Agriculture, Food, and Natural Resources); ~~[☒]~~
 - (iii) ~~(ii)~~ Chapter 130, Subchapter B, of this title (relating to Architecture and Construction); ~~[☒]~~
 - (iv) ~~(iii)~~ Chapter 130, Subchapter C, of this title (relating to Arts, Audio/Video Technology, and Communications); ~~[☒]~~
 - (v) Chapter 127, Subchapter F, of this title (relating to Business, Marketing, and Finance);
 - (vi) ~~(iv)~~ Chapter 130, Subchapter D, of this title (relating to Business Management and Administration); ~~[☒]~~
 - (vii) ~~(v)~~ Chapter 130, Subchapter F, of this title (relating to Finance); ~~[☒]~~
 - (viii) ~~(vi)~~ Chapter 127, Subchapter J, of this title (relating to Hospitality and Tourism); ~~[☒]~~
 - (ix) ~~(vii)~~ Chapter 130, Subchapter K, of this title (relating to Information Technology); ~~[☒]~~
 - (x) ~~(viii)~~ Chapter 130, Subchapter M, of this title (relating to Manufacturing); ~~[☒]~~
 - (xi) ~~(ix)~~ Chapter 130, Subchapter N, of this title (relating to Marketing); ~~[☒]~~
 - (xii) Chapter 127, Subchapter P, of this title (relating to Transportation, Distribution, and Logistics);

- (xiii) ~~(x)~~ Chapter 130, Subchapter P, of this title (relating to Transportation, Distribution, and Logistics); ~~[☒]~~
 - (xiv) ~~(xi)~~ Chapter 130, Subchapter Q, of this title (relating to Energy); or
 - (xv) ~~(xii)~~ Career Preparation I or II (Career Preparation General or Career Preparation for Programs of Study) and Project-Based Research (Career and Technical Education Project-Based Capstone) in Chapter 127, Subchapter B, of this title if the course addresses a career from a field listed in clauses (i)-(xiv) ~~(i)-(xi)~~ of this subparagraph; ~~[☒]~~
- (B) courses required to complete a TEA-designated program of study related to business and industry; ~~[☒]~~
- (C) four English credits by selecting courses from Chapter 110 of this title to include three levels in one of the following areas:
- (i) public speaking; ~~[☒]~~
 - (ii) debate; ~~[☒]~~
 - (iii) advanced broadcast journalism; ~~[☒]~~
 - (iv) advanced journalism: newspaper; ~~[☒]~~
 - (v) advanced journalism: yearbook; or
 - (vi) advanced journalism: literary magazine; or
- (D) a coherent sequence of four credits from subparagraph (A), (B), or (C) of this paragraph.
- (3) Public services. Students who entered high school prior to the 2022-2023 school year ~~[A student]~~ may earn a public services endorsement by completing the requirements specified in subsection (e) of this section and:
- (A) a coherent sequence of courses for four or more credits in CTE that consists of at least two courses in the same career cluster and at least one advanced CTE course. The courses may be selected from Chapter 130 of this title, Chapter 127 of this title, or CTE innovative courses ~~[approved by the commissioner]~~. The final course in the sequence must be selected from one of the following:
- (i) Chapter 127, Subchapter G, of this title (relating to Education and Training); ~~[☒]~~
 - (ii) Chapter 127, Subchapter I, of this title (relating to Health Science); ~~[☒]~~
 - (iii) Chapter 130, Subchapter J, of this title (relating to Human Services); ~~[☒]~~
 - (iv) Chapter 127, Subchapter M, of this title (relating to Law and Public Service); or
 - (v) Career Preparation I or II (Career Preparation General or Career Preparation for Programs of Study) and Project-Based Research (Career and Technical Education Project-Based Capstone) in Chapter 127, Subchapter B, of this title if the course addresses a field from a cluster listed in clauses (i)-(v) of this subparagraph; ~~[☒]~~
- (B) courses required to complete a TEA-designated program of study related to public services; or
- (C) four courses in Junior Reserve Officer Training Corps (JROTC).
- (4)-(5) (No change.)
- (6) STEM. Students who entered high school in the 2022-2023 school year or later may earn a STEM endorsement by completing the requirements specified in subsection (e) of this section, including Algebra II, chemistry, and physics or Principles of Technology and:

- (A) courses required to be designated a CTE completer in one of the following TEA-approved programs of study related to STEM:
- (i) biomedical sciences;
 - (ii) civil engineering;
 - (iii) cybersecurity;
 - (iv) electrical engineering;
 - (v) engineering foundations;
 - (vi) geospatial engineering and land surveying;
 - (vii) mechanical and aerospace engineering;
 - (viii) networking systems;
 - (ix) nursing science;
 - (x) programming and software development;
 - (xi) renewable energy;
 - (xii) robotics and automation technology; or
 - (xiii) web development;
- (B) three credits in mathematics by successfully completing Algebra II and two additional mathematics courses for which Algebra II is a prerequisite by selecting courses from subsection (e)(2) of this section;
- (C) four credits in science by successfully completing chemistry, physics, and two additional science courses by selecting courses from subsection (e)(6) of this section; or
- (D) in addition to [Algebra II], chemistry, [and] physics, and Algebra II, one additional mathematics course listed in subsection (e)(2) of this section for which Algebra II is a prerequisite and one additional science course listed in subsection (e)(6) of this section [a coherent sequence of three additional credits from no more than two of the categories or disciplines represented by subparagraphs (A), (B), and (C) of this paragraph] .
- (7) Business and industry. Students who entered high school in the 2022-2023 school year or later may earn a business and industry endorsement by completing the requirements specified in subsection (e) of this section and:
- (A) courses required to be designated a CTE completer in one of the following TEA-approved programs of study related to business and industry:
- (i) accounting and financial services;
 - (ii) agriculture business, leadership, and communications;
 - (iii) agricultural technology and mechanical systems;
 - (iv) animal science;
 - (v) architectural drafting and design;
 - (vi) automotive and collision repair;
 - (vii) aviation maintenance;
 - (viii) aviation pilots;
 - (ix) business management;
 - (x) carpentry;
 - (xi) construction management and inspection;

- (xii) cosmetology;
- (xiii) culinary arts;
- (xiv) diesel and heavy equipment maintenance and commercial drivers;
- (xv) digital communications;
- (xvi) distribution, logistics, and warehousing;
- (xvii) drone (unmanned vehicle);
- (xviii) electrical;
- (xix) entrepreneurship;
- (xx) environmental and natural resources;
- (xxi) food science and technology;
- (xxii) graphic design and interactive media;
- (xxiii) HVAC and sheet metal;
- (xxiv) industrial maintenance;
- (xxv) information technology support and services;
- (xxvi) lodging and resort management;
- (xxvii) manufacturing technology;
- (xxviii) maritime;
- (xxix) marketing and sales;
- (xxx) masonry;
- (xxxi) oil and gas exploration and production;
- (xxxii) plant science;
- (xxxiii) plumbing and pipefitting;
- (xxxiv) printing and imaging;
- (xxxv) real estate;
- (xxxvi) refining and chemical processes;
- (xxxvii) retail management;
- (xxxviii) travel, tourism, and attractions; or
- (xxxix) welding;

(B) courses required to be designated a CTE completer in one of the following TEA-approved programs of study related to business and industry, if the mathematics and science requirements for the STEM endorsement are not met:

- (i) civil engineering;
- (ii) cybersecurity;
- (iii) electrical engineering;
- (iv) engineering foundations;
- (v) geospatial engineering and land surveying;
- (vi) mechanical and aerospace engineering;

- (vii) networking systems;
- (viii) programming and software development;
- (ix) renewable energy;
- (x) robotics and automation technology; or
- (xi) web development; or

(C) four English credits by selecting courses from Chapter 110 of this title to include three levels in one of the following areas:

- (i) public speaking;
- (ii) debate;
- (iii) advanced broadcast journalism;
- (iv) advanced journalism: newspaper;
- (v) advanced journalism: yearbook; or
- (vi) advanced journalism: literary magazine; ~~or~~

~~[(D) a coherent sequence of four credits from subparagraph (A), (B), or (C) of this paragraph.]~~

(8) Public services. Students who entered high school in the 2022-2023 school year or later may earn a public services endorsement by completing the requirements specified in subsection (e) of this section and:

(A) courses required to be designated a CTE completer in one of the following TEA-approved programs of study related to public services:

- (i) biomedical science, if the mathematics and science requirements for the STEM are not met;
- (ii) diagnostic and therapeutic services;
- (iii) early learning;
- (iv) exercise science, wellness, and restoration;
- (v) family and community services;
- (vi) fire science;
- (vii) government and public administration;
- (viii) health and wellness;
- (ix) health informatics;
- (x) law enforcement;
- (xi) legal studies;
- (xii) nursing science, if the mathematics and science requirements for the STEM are not met; or
- (xiii) teaching and training; or

(B) four courses in Junior Reserve Officer Training Corps (JROTC).

(g) (No change.)

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ATTACHMENT
Text of Proposed Amendment to 19 TAC

Chapter 61. School Districts

Subchapter A. Board of Trustees Relationship

§61.2. Nomination of Trustees for Military Reservation School Districts and Boys Ranch Independent School District.

- (a) For purposes of this section, commanding officer is defined as the officer who is assigned to serve physically on the installation or military reservation on which the military reservation school district is located and who provides leadership for the functional support of and contingency or emergency coordination for the military reservation school district.
- (b) ~~(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.
- (c) ~~(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.
- (d) ~~(e)~~ 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.
- (e) Notwithstanding subsection (d) of this section, a trustee of a military reservation school district appointed under this section who retires from active duty or civilian service while serving as a member of the board of trustees may continue to serve for the remainder of his or her term.

ATTACHMENT
Text Proposed Revisions to 19 TAC

Chapter 89. Adaptations for Special Populations

Subchapter A. Gifted/Talented Education

§89.1. Student Identification ~~[Assessment]~~ .

School districts shall develop written policies on student identification that are approved by the local board of trustees and disseminated to parents. The policies must:

- (1) include provisions for ongoing screening and selection of students who perform or show potential for performing at remarkably high levels of accomplishment in the areas defined in the Texas Education Code, §29.121;
- (2) include assessment measures collected from multiple sources according to each area defined in the Texas State Plan for the Education of Gifted/Talented Students;
- (3) include data and procedures designed to ensure that students from all populations in the district have access to assessment and, if identified, services for the gifted/talented program;
- (4) provide for final selection of students to be made by a committee of at least three local district educators who have received training in the nature and needs of gifted students; ~~[and]~~
- (5) include provisions regarding furloughs, reassessment, exiting of students from program services, transfer students, and appeals of district decisions regarding program placement ; ~~and~~ ~~[]~~
- (6) not limit the number of students the district may identify as gifted/talented or served under the district's program for gifted/talented students.

§89.2. Professional Learning ~~[Development]~~ .

School districts shall ensure that:

- (1) prior to assignment in the program or within one semester of assignment , teachers who provide instruction and services that are a part of the program for gifted/talented ~~[gifted]~~ students have a minimum of 30 hours of professional learning ~~[staff development]~~ that includes nature and needs of gifted/talented students, assessing student needs, and curriculum and instruction for gifted/talented ~~[gifted]~~ students;
- ~~[(2) — teachers without training required in paragraph (1) of this section who provide instruction and services that are part of the gifted/talented program must complete the 30 hour training requirement within one semester.]~~
- (2) ~~[(3)]~~ teachers who provide instruction and services that are a part of the program for gifted/talented ~~[gifted]~~ students receive a minimum of six hours annually of professional learning ~~[development]~~ in gifted/talented ~~[gifted]~~ education; and
- (3) ~~[(4)]~~ administrators and counselors who have authority for program decisions have a minimum of six hours of professional learning ~~[development]~~ that includes nature and needs of gifted/talented students and program options with an update after legislative sessions .

§89.4. Fiscal Responsibility.

School districts shall adopt a policy regarding the use of funds to support the district's program for gifted and talented students, as required by Texas Education Code, §29.022(b). The policy must:

- (1) ensure that 100% of state funds allocated for gifted/talented education are spent on providing gifted/talented services or enhancing the district's gifted and talented program; and

- (2) establish a method to account for the expenditure of the gifted and talented allotment in alignment with the Texas Education Agency's financial compliance guidance.

§89.5. Program Accountability.

A school district [~~School districts~~] shall ensure that :

- (1) student assessment and services for gifted/talented students comply with accountability standards defined in the Texas State Plan for the Education of the Gifted/Talented (State Plan); []
- (2) it annually certifies to the commissioner of education that the district's program for gifted/talented students is consistent with the State Plan and that the district's use of funds ~~complies~~ [empty] with §89.4 of this title (relating to Fiscal Responsibility); and
- (3) the board of trustees annually measures the performance of the district in providing gifted/talented services in alignment with the State Plan.

ATTACHMENT
Text Proposed Revisions to 19 TAC

Chapter 89. Adaptations for Special Populations

Subchapter A. Gifted/Talented Education

§89.1. Student Identification [Assessment] .

School districts shall develop written policies on student identification that are approved by the local board of trustees and disseminated to parents. The policies must:

- (1) include provisions for ongoing screening and selection of students who perform or show potential for performing at remarkably high levels of accomplishment in the areas defined in the Texas Education Code, §29.121;
- (2) include assessment measures collected from multiple sources according to each area defined in the Texas State Plan for the Education of Gifted/Talented Students;
- (3) include data and procedures designed to ensure that students from all populations in the district have access to assessment and, if identified, services for the gifted/talented program;
- (4) provide for final selection of students to be made by a committee of at least three local district educators who have received training in the nature and needs of gifted students; ~~[and]~~
- (5) include provisions regarding furloughs, reassessment, exiting of students from program services, transfer students, and appeals of district decisions regarding program placement ; ~~and~~ []
- (6) not limit the number of students the district may identify as gifted/talented or served under the district's program for gifted/talented students.

§89.2. Professional Learning [Development] .

School districts shall ensure that:

- (1) prior to assignment in the program or within one semester of assignment , teachers who provide instruction and services that are a part of the program for gifted/talented ~~[gifted]~~ students have a minimum of 30 hours of professional learning ~~[staff development]~~ that includes nature and needs of gifted/talented students, assessing student needs, and curriculum and instruction for gifted/talented ~~[gifted]~~ students;
- ~~[(2) teachers without training required in paragraph (1) of this section who provide instruction and services that are part of the gifted/talented program must complete the 30-hour training requirement within one semester.]~~
- (2) ~~[(3)]~~ teachers who provide instruction and services that are a part of the program for gifted/talented ~~[gifted]~~ students receive a minimum of six hours annually of professional learning ~~[development]~~ in gifted/talented ~~[gifted]~~ education; and
- (3) ~~[(4)]~~ administrators and counselors who have authority for program decisions have a minimum of six hours of professional learning ~~[development]~~ that includes nature and needs of gifted/talented students and program options with an update after legislative sessions .

§89.4. Fiscal Responsibility.

School districts shall adopt a policy regarding the use of funds to support the district's program for gifted and talented students, as required by Texas Education Code, §29.022(b). The policy must:

- (1) ensure that 100% of state funds allocated for gifted/talented education are spent on providing gifted/talented services or enhancing the district's gifted and talented program; and

- (2) establish a method to account for the expenditure of the gifted and talented allotment in alignment with the Texas Education Agency's financial compliance guidance.

§89.5. Program Accountability.

A school district [~~School districts~~] shall ensure that :

- (1) student assessment and services for gifted/talented students comply with accountability standards defined in the Texas State Plan for the Education of the Gifted/Talented (State Plan); []
- (2) it annually certifies to the commissioner of education that the district's program for gifted/talented students is consistent with the State Plan and that the district's use of funds ~~complies~~ [empty] with §89.4 of this title (relating to Fiscal Responsibility); and
- (3) the board of trustees annually measures the performance of the district in providing gifted/talented services in alignment with the State Plan.

Minutes

State Board of Education Committees

June 25-27, 2024

**Report of the State Board of Education
Committee of the Full Board
Tuesday, June 25, 2024**

The State Board of Education Committee of the Full Board met at 8:37 a.m. on Tuesday, June 25, 2024, 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: Aaron Kinsey, chair; Rebecca Bell-Metereau; Evelyn Brooks; Staci Childs; LJ Francis; Patricia Hardy; Will Hickman; Keven Ellis; Pam Little; Tom Maynard; Melissa Ortega; Marisa B. Perez-Diaz; Julie Pickren; Audrey Young; Aicha Davis

Public Testimony

The Committee of the Full Board heard public testimony on agenda item #6. Information regarding the individuals who presented public testimony is included in the discussion of that item.

DISCUSSION ITEM

- 1. Introduction of and Discussion with the Texas Permanent School Fund Corporation Chief Executive Officer**
(Board agenda page I-1)

Robert L. Borden, chief executive officer, of the Texas Permanent School Fund Corporation was introduced by Chair Kinsey and Tom Maynard to the committee of the full board. Mr. Borden began his remarks with a video on the Permanent School Fund and then presented an overview of the Texas Permanent School Fund Corporation covering the corporate structure, asset allocation, mission, vision, values, and strategic goals.

ACTION ITEMS

- 2. Proposed New 19 TAC Chapter 67, State Review and Approval of Instructional Materials, Subchapter B, State Review and Approval, §67.43, Lists of Approved and Rejected Instructional Materials (First Reading and Filing Authorization)**
(Board agenda page I-2)
[Official agenda item #3]

Colin Dempsey, director, district operations, technology & sustainability supports, explained this item presents for first reading and filing authorization proposed new 19 Texas Administrative Code (TAC) Chapter 67, State Review and Approval of Instructional Materials, Subchapter B, State Review and Approval, §67.43, Lists of Approved and Rejected Instructional Materials. The new section would address the removal of a set of instructional materials from the lists of approved and rejected instructional materials outlined in Texas Education Code (TEC), §31.022.

MOTION: *It was moved by Little, seconded by Ms. Hardy, and carried to recommend that the State Board of Education approve for first reading and filing authorization the proposed new 19 Texas Administrative Code (TAC) Chapter 67, State Review and Approval of Instructional Materials,*

Subchapter B, State Review and Approval, §67.43, Lists of Approved and Rejected Instructional Materials.

MOTION AND VOTE: *It was moved by Mr. Hickman, seconded by Ms. Hardy, and carried to recommend that §67.43(c) be amended to read:*

“A representative of the publisher of the specific instructional material shall be given the opportunity to address the board at the SBOE’s meeting where the SBOE is considering removing prior to action by the board to remove that publisher’s product from the list of approved materials.”

MOTION AND VOTE: *It was moved by Mr. Maynard, seconded by Ms. Hardy, and carried to recommend that §67.43(c) be amended to read:*

“A publisher of the specific instructional material shall be provided a minimum of 30-days notice of the proposed removal. A representative of the publisher of the specific instructional material shall be given the opportunity to address the board at the SBOE’s meeting where the SBOE is considering removing that publisher’s product from the list of approved materials.”

MOTION AND VOTE: *It was moved by Dr. Ellis, seconded by Mrs. Little, and carried to recommend that §67.43(b)(1) be amended to read:*

“the Texas Essential Knowledge and Skills (TEKS), Texas Prekindergarten Guidelines (TPG), or applicable English Language Proficiency Standards (ELPS) intended to be covered by the material are revised or a publisher revises the material ~~is revised~~ without the approval of the SBOE in accordance with Texas Education Code (TEC), §31.022(c);”

MOTION AND VOTE: *It was moved by Mrs. Pickren, seconded by Ms. Childs, and carried to recommend that §67.43(d) be amended to read:*

“If instructional materials are removed from the list of approved instructional materials, then districts may not apply the entitlements outlined in TEC, §48.307, or TEC, §48.308, to future purchases or subscriptions of the instructional materials that are removed.”

MOTION AND VOTE: *It was moved by Mr. Hickman, seconded by Ms. Hardy, and carried to recommend that §67.43(g) be amended to read:*

“Instructional materials shall be removed from the list of rejected instructional materials if a publisher submits a revised set of instructional materials for review through the process required by TEC, §31.023 and §31.022, and the SBOE places the revised instructional materials ~~are then placed~~ on the list of approved instructional materials.”

MOTION AND VOTE: *It was moved by Mr. Hickman, seconded by Ms. Hardy, and carried to recommend that §67.43(h) be amended to read:*

“~~The SBOE may remove instructional materials~~ Instructional materials may be removed from the list of rejected instructional materials if a publisher submits a revised set of instructional materials for review through the process required by TEC, §31.023 and §31.022, and the SBOE takes no action before the end of the calendar year.”

MOTION AND VOTE: *It was moved by Mr. Hickman, seconded by Dr. Ellis, and carried to recommend that §67.43(i) be added to read as follows:*

“This section applies to instructional materials approved by the SBOE after January 1, 2024.”

VOTE: *A vote was taken on the main motion as amended to recommend that the State Board of Education approve for first reading and filing authorization proposed new 19 TAC Chapter 67 State Review and Approval of Instructional Materials, Subchapter B, State Review and Approval, §67.43, Lists of Approved and Rejected Instructional Materials. The motion carried.*

DISCUSSION ITEM

3. Discussion of the Schedule for Future Instructional Materials Review and Approval Cycles

(Board agenda page I-6)

Public testimony was provided by the following individual:

Monica Martinez, associate commissioner, standards & programs, explained this item provides the opportunity for the committee to discuss the schedule for future Instructional Materials Review and Approval (IMRA) cycles, including the development timeline for quality rubrics. The COFB directed staff to bring a proposed review cycle, including revisions to the Texas Essential Knowledge and Skills (TEKS), to the September meeting.

ACTION ITEMS

4. Consideration of Mathematics Texas Essential Knowledge and Skills for Middle School Advanced Mathematics

(Board agenda page I-8)

[Official agenda item #4]

Monica Martinez, associate commissioner for standards and programs, explained that this item provides an opportunity for the board to take action to proceed with the establishment of Texas Essential Knowledge and Skills (TEKS) for middle school advanced mathematics. Ms. Martinez reviewed the statutory requirement that school districts implement an advanced mathematics program to increase the number of students who are prepared to enroll in Algebra I in 8th grade. She explained that with SBOE approval, TEA staff will post an application for prospective work group members, begin preparing for work group meetings, and ask the board to provide direction to the work group at the September meeting.

MOTION AND VOTE: *It was moved by Mr. Maynard, seconded by Ms. Hardy, and carried unanimously to recommend that the State Board of Education proceed with the establishment of TEKS for middle school advanced mathematics.*

5. Consideration of Next Steps for Review, Revision, and Development of Career and Technical Education Texas Essential Knowledge and Skills

(Board agenda page I-10)

[Official agenda item #5]

Ms. Martinez explained that this item provides an opportunity for the board to take action on next steps related to adoption of TEKS for career and technical education (CTE) courses that are needed for completion of programs of study. She reviewed the courses that would be developed in partnership

with Collin College, Texas State Technical College, and Education Service Center Region 4 for the board's consideration.

MOTION AND VOTE: *It was moved by Mr. Maynard, seconded by Mrs. Little, and carried to recommend that the State Board of Education authorize TEA to enter into interagency contracts with Collin College, Texas State Technical College, and Education Service Center Region 4 to develop initial drafts of TEKS for the CTE courses listed in the attachment (Attachment A).*

MOTION AND VOTE: *It was moved by Mr. Maynard, seconded by Dr. Ortega, and carried to recommend that the State Board of Education ask TEA to present 21 innovative courses (Attachment B) with minor edits for discussion at the September meeting.*

DISCUSSION ITEM

6. **Discussion of Proposed Amendment to 19 TAC Chapter 61, School Districts, Subchapter A, Board of Trustees Relationship, §61.1, Continuing Education for School Board Members**
(Board agenda page I-7)

Public testimony was provided by the following individuals:

NAME: Bonnie Wallace
AFFILIATION: Individual

Steve Lecholop, deputy commissioner, governance, introduced the item and reviewed for the committee the required school board trainings and who is eligible to provide each training. Mr. Lecholop also described the eligibility requirements for registered providers and authorized providers. The State Board of Education may consider the rule for first reading and filing authorization at a future meeting.

Chairman Kinsey adjourned the meeting at 6:13 p.m.

CTE Course Development

Attachment A

Collin College			
Career Cluster	Program of Study	Course	Course type
Law and Public Service	Fire Science	Fundamentals of Fire Protection	New Course
Law and Public Service	Fire Science	Fire Prevention and Protection Systems	New Course
Law and Public Service	Fire Science	Fire Prevention Codes and Inspections	New Course
Law and Public Service	Fire Science Law Enforcement	Crisis Care	New Course
Law and Public Service	Diagnostic & Therapeutic Services Fire Science	Disaster Response	Innovative Course
Law and Public Service	Diagnostic & Therapeutic Services Fire Science	Emergency Medical Technician—Basic	Innovative Course
ESC Region IV			
Career Cluster	Program of Study	Course	Course type
Health Science	Health Informatics	Public Health	New Course
Health Science	Diagnostic and Therapeutic Services	Sterile Processing	New Course
Health Science	Health Informatics	Principles of Health Informatics	Innovative Course
Health Science	Health Informatics	Medical Intervention Evaluation and Research	Innovative Course
Health Science	Diagnostic and Therapeutic Services	Allied Health Therapeutic Services	Innovative Course
Health Science	Diagnostic and Therapeutic Services	Principles of Allied Health	Innovative Course
AAVTC	Digital Communications	AI Video Editing	New Course
AAVTC	Graphic Design and Interactive Media	Virtual Production	New Course
BMF	Real Estate	Commercial Lending and Real Estate	New Course
LPS	Legal Studies	Civil Law and Procedures	New Course
Health Science	Nursing Science	Principles of Nursing Science	Innovative Course
Health Science	Nursing Science	Science of Nursing	Innovative Course
Health Science	Nursing Science; Diagnostic and Therapeutic Services; Biomedical Science	Clinical Ethics	Innovative Course
Health Science	Diagnostic and Therapeutic Services	Introduction to Pharmacy Science	Innovative Course

CTE Course Development

Attachment A

Texas State Technical College

Career Cluster	Program of Study	Course	Course type
Manufacturing	Industrial Maintenance	Industrial Maintenance	New Course
Manufacturing	Industrial Maintenance	Mechanical Maintenance	New Course
Transportation, Distribution, and Logistics	Pilot and Aviation Operations	Instructor Ground School	New Course
Transportation, Distribution, and Logistics	Aviation Maintenance	Aircraft Avionics Technology	New Course
Transportation, Distribution, and Logistics	Aviation Maintenance	Nondestructive Testing/Nondestructive Inspection Technology	New Course
Transportation, Distribution, and Logistics	Diesel, Heavy Equipment Maintenance, and Commercial Drivers Distribution, Logistics, and Warehousing	Advanced Transportation Systems	New Course
Manufacturing	Manufacturing Technology	Preprint reading for manufacturing	Innovative Course
Manufacturing	Manufacturing Technology	Occupational Safety and Environmental Technology I	Innovative Course
Manufacturing	Manufacturing Technology	Occupational Safety and Environmental Technology II	Innovative Course
Manufacturing	Manufacturing Technology	Occupational Safety & Environmental Technology III	Innovative Course
Manufacturing	Industrial Maintenance	Basic Fluid Power	Innovative Course

Currently Approved CTE Innovative Courses Requiring Only Minor Adjustments

Beekeeping and Honey Processing
Geographic Information Systems (GIS) for Agriculture

Foundations of User Experience (UX)
Advanced User Experience (UX) Design
Marketing
Retail Management

Internetworking Technologies I
Internetworking Technologies II
Geographic Information Systems
Raster Based Geographic Information Systems
Spatial Technology and Remote Sensing
Advanced Cloud Computing
IT Troubleshooting
Introduction to C# Programming Applications
Engineering Applications of Computer Science
Principles

Foundations of Restaurant Management
Introduction to Event and Meeting
Planning Practicum in Event and Meeting
Planning

Speech Communication Disorders
Speech and Language Development

Legal Research and Writing

**Report of the State Board of Education
Committee of the Full Board
Wednesday, June 26, 2024**

The State Board of Education Committee of the Full Board met at 8:31 a.m. on Wednesday, June 26, 2024, 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: Aaron Kinsey, chair; Rebecca Bell-Metereau; Evelyn Brooks; Staci Childs; LJ Francis; Patricia Hardy; Will Hickman; Keven Ellis; Pam Little; Tom Maynard; Melissa Ortega; Marisa B. Perez-Diaz; Julie Pickren; Audrey Young; Aicha Davis

Public Testimony

The Committee of the Full Board heard public testimony on agenda items 3 and 6. 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-19)

Mike Morath, the commissioner of education, discussed with the board the most recent STAAR testing results. He also explained current requirements and the application process for new charter schools. Commissioner Morath also provided a summary of each of the Generation 29 charter applicants to be considered by the State Board of Education as part of a separate item in this agenda.

ACTION ITEMS

2. Permanent School Fund Percentage Distribution Rates Under Consideration for Fiscal Years 2026 and 2027

(Board agenda page I-20)

[Consent agenda item #1]

Mr. Borden summarized the constitutional provisions for distributions from the Permanent School Fund to the Available School Fund with a focus on the process and limits for the spending rate set by the State Board of Education. He discussed the factors impacting the distribution: expected total return, inflation, student growth, expenses, and any contributions including how they influence a sustainable spending rate to meet the needs of current and future students. He also mentioned that the Texas PSF Corporation is preparing its own distribution policy, which is constitutionally limited to \$600 million per year, and should have more information about it to share with the Board as it considers the spending rate at future meetings.

Chair Kinsey asked Rhett Humphreys, partner with NEPC, general investment consultant, to provide input on the topic. Mr. Humphreys explained how they collaborate with Texas PSF Corporation staff to produce and assess the factors leading to a sustainable spending rate.

The Committee took no action but reviewed this item and plans to address it again at the September meeting.

3. Consideration of the Commissioner of Education's Generation 29 Open-Enrollment Charter School Proposals

(Board agenda page I-21)

[Official agenda item #6]

Invited testimony was provided by the following individuals:

NAME: Rachel King
AFFILIATION: Infinite Minds

NAME: Norie Pride-Womack
AFFILIATION: Infinite Minds

NAME: Joel De La Garza
AFFILIATION: Pathway Academy

NAME: Dr. Thaddeus McCallister
AFFILIATION: Pathway Academy

NAME: Kimberly Cameron
AFFILIATION: Texas Girls Schools

NAME: Dana Browning
AFFILIATION: Texas Girls School

NAME: Dr. Larry Wallace Jr.
AFFILIATION: Unparalleled Preparatory Academy

NAME: Shonqualla West
AFFILIATION: Unparalleled Preparatory Academy

NAME: Dr. Sharon Lee
AFFILIATION: Visionary STEM

NAME: Dr. Vashunda Warren
AFFILIATION: Visionary STEM

Public testimony was provided by the following individuals:

NAME: Amy Horton
AFFILIATION: Visionary STEM Academy

NAME: Chris Brady
AFFILIATION: Visionary STEM Academy

NAME: Kristi Brown-Griffin
AFFILIATION: Pathway Academy

NAME: Alana Carrasco

AFFILIATION: Individual

NAME: Chadwick Caraway
AFFILIATION: Visionary STEM Academy

NAME: Danny Beesley
AFFILIATION: IB Labs

NAME: Nicole Seltman
AFFILIATION: Unparalleled Preparatory Academy

NAME: Madison Warren
AFFILIATION: Visionary STEM Academy

NAME: Makayla Warren
AFFILIATION: Visionary STEM Academy

NAME: Bobby Densmore
AFFILIATION: Visionary STEM Academy

NAME: Georgeanne Warnock
AFFILIATION: Terrell Independent School District

NAME: Crystal Rios
AFFILIATION: Texas Public Charter Schools Association

NAME: Erica Hill
AFFILIATION: Manor Independent School District

NAME: Andreia Reese
AFFILIATION: Terrell Independent School District

NAME: Damaris Diaz
AFFILIATION: Visionary STEM Academy

NAME: Tammi Perez-Rice
AFFILIATION: The Texas Girls School

NAME: Bobby Garcia
AFFILIATION: Manor Independent School District

NAME: Aide Carrasco
AFFILIATION: Infinite Minds

NAME: Meca Hill
AFFILIATION: Infinite Minds

NAME: Audrey Patterson
AFFILIATION: Individual

NAME: Shandra Johnson

AFFILIATION: Infinite Minds

NAME: Tonya Derrick
AFFILIATION: Terrell Independent School District

NAME: Tori Lucas
AFFILIATION: Individual

NAME: Shams Alkamil
AFFILIATION: The Texas Girls School

NAME: Gabriel Nila
AFFILIATION: Individual

NAME: Yolanda Parker
AFFILIATION: Infinite Minds

NAME: Steven Wurtz
AFFILIATION: Arlington Independent School District

NAME: Justin Chapa
AFFILIATION: Arlington Independent School District

NAME: Jayla King
AFFILIATION: Infinite Minds

NAME: Braxton Grant
AFFILIATION: Infinite Minds

NAME: Alice Brady
AFFILIATION: Visionary STEM Academy

NAME: Paris Marie Franklin
AFFILIATION: Visionary STEM Academy

NAME: Scott Emerson
AFFILIATION: Pathway Academy

NAME: Ruben Baltazar
AFFILIATION: Pathway Academy

NAME: Starlee Coleman
AFFILIATION: Texas Public Charter Schools Association

NAME: Adriana Gamez
AFFILIATION: Unparalleled Preparatory Academy

NAME: Jessica Rolon
AFFILIATION: Infinite Minds

NAME: Tracy Fisher

AFFILIATION: Individual & Grandparents for Public Schools

NAME: Justin Scott
AFFILIATION: The Texas Girls School

NAME: Mary Lowe
AFFILIATION: Families Engaged for Effective Education

NAME: Danny Booth
AFFILIATION: Terrell Independent School District

NAME: Ana Cortez
AFFILIATION: Manor Independent School District

NAME: Leslie Winters
AFFILIATION: Individual

NAME: Hal Richards
AFFILIATION: Individual

NAME: Rick Camona
AFFILIATION: Individual

NAME: Sheila Henry
AFFILIATION: Individual

NAME: Ronnie Snow
AFFILIATION: Individual

NAME: Abel Clark
AFFILIATION: Pathway Academy

NAME: Keva Roundtree-Williams
AFFILIATION: Unparalleled Preparatory Academy

NAME: Suzie Ruel
AFFILIATION: Visionary STEM

MOTION: It was moved by Member Little to recommend that the State Board of Education take no action on the proposed Generation 29 Subchapter D Open-Enrollment Charter School Infinite Minds scheduled to open in the 2025-2026 school year.

VOTE: A vote was taken on the motion to review and take no action on Infinite Minds. The motion was not carried with 5 members voting Aye and 7 members voting No.

MOTION: It was moved by Member Little to recommend that the State Board of Education veto the proposed Generation 29 Subchapter D Open-Enrollment Charter School Infinite Minds scheduled to open in the 2025-2026 school year.

VOTE: A vote was taken on the motion to recommend that the State Board of Education veto Infinite Minds. The motion was carried with 7 members voting Aye and 5 members voting No.

MOTION: It was moved by Member Little to recommend that the State Board of Education take no action on the proposed Generation 29 Subchapter D Open-Enrollment Charter School Pathway Academy scheduled to open in the 2025-2026 school year.

VOTE: A vote was taken on the motion to review and take no action on Pathway Academy. The motion was carried with 13 members voting Aye and 0 members voting No.

MOTION: It was moved by Member Francis to recommend that the State Board of Education take no action on the proposed Generation 29 Subchapter D Open-Enrollment Charter Schools The Texas Girls School scheduled to open in the 2025-2026 school year.

VOTE: A vote was taken on the motion to review and take no action on The Texas Girls School. The motion was carried with 11 members voting Aye and 1 member voting No.

MOTION: It was moved by Member Maynard to recommend that the State Board of Education take no action on the proposed Generation 29 Subchapter D Open-Enrollment Charter School Unparalleled Preparatory Academy scheduled to open in the 2025-2026 school year.

VOTE: A vote was taken on the motion to review and take no action on Unparalleled Preparatory Academy. The motion was carried with 8 members voting Aye and 4 members voting No.

MOTION: It was moved by Member Hickman to recommend that the State Board of Education veto the proposed Generation 29 Subchapter D Open-Enrollment Charter School Visionary STEM scheduled to open in the 2025-2026 school year.

VOTE: A vote was taken on the motion to recommend that the State Board of Education veto Visionary STEM Academy. The motion was carried with 9 members voting Aye and 3 members voting No.

DISCUSSION ITEM

- 4. Public Hearing on Proposed New 19 TAC Chapter 120, Other Texas Essential Knowledge and Skills, Subchapter B, English Language Proficiency Standards**
(Board agenda page I-23)

The committee did not receive any public testimony on this item.

ACTION ITEMS

- 5. Proposed New 19 TAC Chapter 120, Other Texas Essential Knowledge and Skills, Subchapter B, English Language Proficiency Standards**
(First Reading and Filing Authorization)
(Board agenda page I-25)

[Official agenda item #7]

Shelly Ramos, senior director, curriculum standards and student support division, stated that the final English Language Proficiency Standards (ELPS) work group had completed the final recommendations for the revisions to the ELPS. She also gave an overview of TEA's efforts to collect feedback regarding the draft recommendations.

Ms. Ramos explained that the proposed new ELPS would be moved to a new subchapter in Chapter 120 to be more visible and easier to find. She explained that the ELPS rule text for both grade bands, Kindergarten-Grade 3 and Grades 4-12, reference figures that address the proficiency level descriptors. She also stated that this item recommends implementation of the revised ELPS beginning in the 2026-2027 school year.

MOTION: *It was moved by Mr. Maynard and seconded by Ms. Perez-Diaz to recommend that the State Board of Education approve for first reading and filing authorization proposed new 19 TAC Chapter 120, Other Texas Essential Knowledge and Skills, Subchapter B, English Language Proficiency Standards, §120.20, English Language Proficiency Standards, Kindergarten-Grade 3, Adopted 2024, and §120.21, English Language Proficiency Standards, Grades 4-12, Adopted 2024.*

MOTION AND VOTE: *It was moved by Mr. Maynard, seconded by Mr. Hickman, and carried without objection to recommend that the State Board of Education amend §120.20 and §120.21 to reflect staff recommendations as follows:*

§120.20(c)(1) and §120.21(c)(1)

~~“The English language proficiency standards (ELPS) outline student expectations and proficiency level descriptors for EB students in English. Student expectations are the knowledge and skills students must demonstrate. Proficiency level descriptors describe behaviors EB students exhibit at different proficiency levels as they acquire English. The ELPS student expectations and proficiency level descriptors are organized across four language domains: listening, speaking, reading, and writing.”~~

§120.20(c)(6) and §120.21(c)(6)

~~“The ELPS student expectations are the knowledge and skills students must demonstrate. They indicate what students should know and be able to do in order to meet academic content standards. Proficiency level descriptors describe behaviors EB students exhibit across five proficiency levels as they acquire English. The English language proficiency levels of pre production, beginning, intermediate, high intermediate, and advanced show the progression of language acquisition regardless of a student's grade level. EB students may exhibit different proficiency levels within and across the domains of listening, speaking, reading, and writing.”~~

§120.20(c)(7) and §120.21(c)(7)

~~“(7) The ELPS proficiency level descriptors demonstrate an asset-based approach to address the affective, linguistic, and cognitive needs of EB students in accordance with according to 19 Texas Administrative Code §89.1210(b) of this title (relating to Program Content and Design) as follows:~~

~~(A) acknowledge and leverage the exiting funds of knowledge students possess including linguistic repertoire, cultural heritage, and background knowledge;~~

(B) demonstrate ~~targeted and intentional academic language student-focused~~ skills to ensure content-area teachers are able to accurately evaluate the abilities of EB students and scaffold toward increasingly complex English ~~students~~ they hear, speak, and are expected to read and write; and

(C) provide an exact and incremental measure of the stages of English language acquisition development and proficiency with attention to the fact that EB students at all levels of proficiency can engage in cognitively demanding tasks and with appropriate language support to master the required essential knowledge and skills with appropriate language support.”

§120.20(c)(8) and §120.21(c)(8)

“The proficiency level descriptors are organized into general proficiency level descriptors and content-area proficiency level descriptors ~~for English language arts and reading, science, mathematics, and social studies.~~ General proficiency level descriptors are descriptions of a broad scope of student behaviors that can be observed in a variety of educational settings and across content areas. Content-area proficiency level descriptors describe student behaviors and language associated with discipline-specific learning in English language arts and reading, mathematics, science, and social studies.”

§120.20(e)(1) and §120.21(e)(1)

“~~The proficiency level descriptors show the progression of English language acquisition from one proficiency level to the next and serve as a road map to help content area teachers instruct EB students commensurate with students' linguistic needs.~~ The following five proficiency levels describe students' progress in English language acquisition.”

New §120.20(e)(2)

“(2) The Kindergarten-Grade 3 proficiency level descriptors are described in the figure provided in this subsection.”

“Figure 19 TAC §120.20(e) Attached Graphic: Kindergarten-Grade 3 Proficiency Level Descriptors”

New §120.21(e)(2)

“(2) The Grades 4-12 proficiency level descriptors are described in the figure provided in this subsection.”

“Figure 19 TAC §120.21(e) Attached Graphic: Grades 4-12 Proficiency Level Descriptors”

MOTION: *It was moved by Mrs. Brooks and seconded by Dr. Young to recommend that the State Board of Education amend the proposed ELPS as follows:*

Page 7 of the Kindergarten-Grade 3 (K-3) Figure, Speaking – General, Vocabulary, Pre-Production proficiency level and page 8 of the Grades 4-12 Figure, Speaking – General, Vocabulary, Pre-Production proficiency level

“~~repeat or~~ recite modeled content-area words, including cognates”

Page 7 of the K-3 Figure, Speaking – General, Language Structures/Syntax, High Intermediate proficiency level and page 8 of the Grades 4-12 Figure, Speaking – General, Language Structures/Syntax, High Intermediate proficiency level

“speak using high-frequency social and academic language structures encountered in classroom interactions”

Page 8 of the K-3 Figure, Speaking – General, Respond to Information, Pre-Production proficiency level and page 9 of the Grades 4-12 Figure, Speaking – General, Respond to Information, Pre-Production proficiency level

“respond with gestures or mimic simple modeled responses”

Page 10 of the K-3 Figure, Speaking – English Language Arts, Response to Information, Pre-Production proficiency level and page 11 of the Grades 4-12 Figure, Speaking – English Language Arts, Response to Information, Pre-Production proficiency level

“respond by repeating or mimicking high-frequency vocabulary”

Page 11 of the K-3 Figure, Speaking – Mathematics, Register, Pre-Production proficiency level and page 12 of the Grades 4-12 Figure, Speaking – Mathematics, Register, Pre-Production proficiency level

“use nonverbal responses or gestures to communicate mathematical terms”

Page 11 of the K-3 Figure, Speaking – Mathematics, Language Structures/Syntax, Pre-Production proficiency level and page 12 of the Grades 4-12 Figure, Speaking – Mathematics, Language Structures/Syntax, Pre-Production proficiency level

“use nonverbal responses or gestures to communicate mathematical terms”

Page 11 of the K-3 Figure, Speaking – Mathematics, Language Structures/Syntax, Beginning proficiency level and page 12 of the Grades 4-12 Figure, Speaking – Mathematics, Language Structures/Syntax, Beginning proficiency level

“speak using isolated mathematical words with some visuals or gestures”

Page 12 of the K-3 Figure, Speaking – Science, Register, Pre-Production proficiency level and page 13 of the Grades 4-12 Figure, Speaking – Science, Register, Pre-Production proficiency level

“use nonverbal responses or gestures to communicate scientific terms”

Page 12 of the K-3 Figure, Speaking – Science, Discourse, Pre-Production proficiency level and page 13 of the Grades 4-12 Figure, Speaking – Science, Discourse, Pre-Production proficiency level

“communicate scientific ideas through gestures and a few isolated words”

Page 13 of the K-3 Figure, Speaking – Social Studies, Discourse, Pre-Production proficiency level and page 14 of the Grades 4-12 Figure, Speaking – Social Studies, Discourse, Pre-Production proficiency level

“communicate social studies ideas through gestures and a few isolated words”

Page 13 of the K-3 Figure, Speaking – Social Studies, Discourse, Pre-Production proficiency level and page 14 of the Grades 4-12 Figure, Speaking – Social Studies, Discourse, Pre-Production proficiency level

“communicate ideas, feelings, or opinions through gestures or visuals”

Page 14 of the K-3 Figure, Reading – General, Print Concepts, Intermediate, Intermediate High, and Advanced proficiency levels and page 15 of the Grades 4-12 Figure, Reading – General, Print Concepts, Intermediate, Intermediate High, and Advanced proficiency levels

“read a book top to bottom and turn pages left to right independently”

Page 19 of the K-3 Figure, Reading – Social Studies, Comprehension: Monitor and Adjust, Beginning proficiency level and page 20 of the Grades 4-12 Figure, Reading - Social Studies, Comprehension: Monitor and Adjust, Beginning proficiency level

“predict or make connections using text features such as maps, data charts, and images to construct meaning from historical narratives or informational text in shared reading read”

Page 19 of the K-3 Figure, Reading – Social Studies, Comprehension: Monitor and Adjust, High Intermediate proficiency level and page 20 of the Grades 4-12 Figure, Reading - Social Studies, Comprehension: Monitor and Adjust, High Intermediate proficiency level

“predict, make connections, or draw a conclusion using text features such as maps, data charts, and images to construct meaning from historical narratives or informational text texts read or informational text read with increasing accuracy”

Page 20 of the K-3 Figure, Writing – General, Vocabulary, Pre-Production proficiency level and page 21 of the Grades 4-12 Figure, Writing – General, Vocabulary, Pre-Production proficiency level

“illustrate or copy print to show understanding of content-area vocabulary in either primary language or English”

Page 22 of the Grades 4-12 Figure, Writing – General, Discourse, Pre-Production proficiency level

“~~write in primary language or~~ copy English print to show understanding of academic content”

Page 22 of the Grades 4-12 Figure, Writing – General, Discourse, Pre-Production proficiency level

“~~write in primary language or~~ copy English print to show descriptive language”

Page 22 of the K-3 Figure, Writing – English Language Arts, Grammar, Pre-Production proficiency level and page 23 of the Grades 4-12 Figure, Writing – English Language Arts, Grammar, Pre-Production proficiency level

“copy sentences with appropriate capitalization and punctuation conventions”

Page 24 of the Grades 4-12 Figure, Writing – Mathematics, Vocabulary, Beginning proficiency level

“copy common mathematical words and symbols such as *equal*, (=), *plus*, (+), *minus*, (-), *greater than*, (>), (&), (.), and (,) in modeled word problems and their meaning”

Page 23 of the K-3 Figure, Writing – Mathematics, Discourse, and page 24 of the Grades 4-12 Figure, Writing – Mathematics, Discourse

Pre-Production—“illustrate or copy text to show an emerging understanding of mathematics content”

Intermediate—“write simple word problems and explain mathematical thinking and solutions using high frequency mathematical language”

High Intermediate—“write simple word problems and explain or justify mathematical thinking and solutions using high frequency mathematical language with relevant details”

Advanced—“write word problems and explain or justify mathematical thinking and solutions using precise mathematical language with relevant and accurate details”

MOTION AND VOTE: *It was moved by Mr. Hickman, seconded by Dr. Young, and carried without objection to recommend that the State Board of Education amend page 19 of the K-3 Figure, Reading – Social Studies, Comprehension: Monitor and Adjust, High Intermediate proficiency level and page*

20 of the Grades 4-12 Figure, Reading - Social Studies, Comprehension: Monitor and Adjust, High Intermediate proficiency level as follows:

“predict, make connections, or draw a conclusion using text features such as maps, data charts, and images to construct meaning from historical narratives or informational texts ~~text~~ read with increasing accuracy”

VOTE: A vote was taken on Mrs. Brooks’s original motion to recommend that the State Board of Education amend the proposed ELPS as amended. The motion carried.

MOTION AND VOTE: It was moved by Mr. Hickman, seconded by Ms. Hardy, and carried without objection to recommend that the State Board of Education amend page 8 of the K-3 Figure, Speaking – General, Discourse, and page 9 of the Grades 4-12 Figure, Speaking – General, Discourse, to strike duplicate proficiency level descriptors.

MOTION AND VOTE: It was moved by Mrs. Brooks, seconded by Mr. Maynard, and carried without objection to permit Texas Education Agency staff to make technical edits to the proposed ELPS and to present the technical edits to the State Board of Education at the general meeting on Friday, June 28, 2024 for approval.

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 120, Other Texas Essential Knowledge and Skills, Subchapter B, English Language Proficiency Standards, §120.20, English Language Proficiency Standards, Kindergarten-Grade 3, Adopted 2024, and §120.21, English Language Proficiency Standards, Grades 4-12, Adopted 2024, as amended. The motion carried unanimously.

(Ms. Childs, Dr. Ortega, and Ms. Pickren were absent for the vote.)

6. Proposed Amendments to 19 TAC Chapter 74, Curriculum Requirements, Subchapter B, Graduation Requirements (Second Reading and Final Adoption)
(Board agenda page I-29)
[Consent agenda item #2]

Public testimony was provided by the following individual:

NAME: Mark Bosher
AFFILIATION: Career and Technical Association of Texas

Monica Martinez, associate commissioner, standards and programs, explained that the proposed amendments would update titles of courses and career and technical education (CTE) career clusters, align all CTE programs of study with endorsements, and make technical edits.

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, §74.12, Foundation High School Program, and §74.13, Endorsements; and

Make an affirmative finding that immediate adoption of proposed amendments to 19 TAC Chapter 74, Curriculum Requirements, Subchapter B, Graduation Requirements, §74.12, Foundation High School Program, and §74.13, Endorsements, is necessary and shall have an effective date of August 1, 2024.

MOTION: *It was moved by Mr. Maynard and seconded by Ms. Perez-Diaz, to recommend that the State Board of Education amend §74.13(f)(6)(D) to read:*

“in addition to Algebra II, chemistry, and physics, one additional mathematics course listed in subsection (e)(2) of this section for which Algebra II is a prerequisite and one additional science course listed in subsection (e)(6) of this section ~~a coherent sequence of three additional credits from no more than two of the categories or disciplines represented by subparagraphs (A), (B), and (C) of this paragraph.~~”

MOTION AND VOTE: *It was moved by Mr. Hickman and carried to amend the motion to list Algebra II after chemistry and physics as follows:*

“in addition to chemistry, physics, and Algebra II, one additional mathematics course listed in subsection (e)(2) of this section for which Algebra II is a prerequisite and one additional science course listed in subsection (e)(6) of this section”

VOTE: *A vote was taken on the motion to recommend that the State Board of Education amend §74.13(f)(6)(D), as amended to read:*

“in addition to chemistry, physics, and Algebra II, one additional mathematics course listed in subsection (e)(2) of this section for which Algebra II is a prerequisite and one additional science course listed in subsection (e)(6) of this section”

The motion carried.

MOTION AND VOTE: *It was moved by Mr. Maynard, seconded by Dr. Young, and carried without objection to recommend that the State Board of Education strike §74.13(f)(7)(D).*

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, §74.12, Foundation High School Program, and §74.13, Endorsements, as amended; and*

Make an affirmative finding that immediate adoption of proposed amendments to 19 TAC Chapter 74, Curriculum Requirements, Subchapter B, Graduation Requirements, §74.12, Foundation High School Program, and §74.13, Endorsements, is necessary and shall have an effective date of August 1, 2024.

The motion carried unanimously.

(Mrs. Brooks, Ms. Childs, Dr. Ortega, and Ms. Pickren were absent for the vote.)

DISCUSSION ITEM

7. Discussion of Pending Litigation (Board agenda page I-40)

The committee did not discuss pending litigation; therefore, no executive session was held.

Chairman Kinsey adjourned the meeting at 10:14 p.m.

**Report of the State Board of Education
Committee on Instruction
Thursday, June 27, 2024**

The State Board of Education Committee on Instruction met at 9:01 a.m. on Thursday, June 27, 2024, in Room, #1-100, of the William B. Travis Building, 1701 N. Congress Avenue, Austin, Texas. Attendance was noted as follows:

Present: Audrey Young, chair; Evelyn Brooks; Aicha Davis; Pam Little; and Melissa Ortega

Non-committee members present: Marisa Perez-Diaz; Aaron Kinsey; and Keven Ellis

Public Testimony

The Committee on Instruction heard public testimony on agenda items #5, 6, and 12. Information regarding the individuals who presented public testimony is included in the discussion of that item.

The Committee on Instruction considered items in the following order: Item number 12, 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11.

ACTION ITEMS

1. **Proposed Repeal of 19 TAC Chapter 112, Texas Essential Knowledge and Skills for Science, Subchapter A, Elementary, §§112.10-112.16; Subchapter B, Middle School, §§112.17-112.20; and Subchapter C, High School, §§112.31-112.39**
(Second Reading and Final Adoption)
(Board agenda page II-1)
[Consent agenda item #(3)]

Jessica Snyder, special projects director, curriculum standards and support division, explained that this item would repeal Texas Essential Knowledge and Skills (TEKS) for Kindergarten-Grade 12 science and related implementation language that will be replaced by revised science TEKS beginning with the 2024-2025 school year.

MOTION AND VOTE: *It was moved by Ms. Davis, seconded by Dr. Ortega, and carried unanimously to recommend that the State Board of Education approve for second reading and final adoption the proposed repeal of 19 TAC Chapter 112, Texas Essential Knowledge and Skills for Science, Subchapter A, Elementary, §§112.10-112.16; Subchapter B, Middle School, §§112.17-112.20; and Subchapter C, High School, §§112.31-112.39; and*

Make an affirmative finding that immediate adoption of the proposed repeal of 19 TAC Chapter 112, Texas Essential Knowledge and Skills for Science, Subchapter A, Elementary, §§112.10-112.16; Subchapter B, Middle School, §§112.17-112.20; and Subchapter C, High School, §§112.31-112.39, is necessary and shall have an effective date of August 1, 2024.

2. Proposed Repeal of 19 TAC Chapter 126, Texas Essential Knowledge and Skills for Technology Applications, Subchapter A, Elementary, §§126.5-126.7; and Subchapter B, Middle School, §§126.13-126.16 (Second Reading and Final Adoption)

(Board agenda page II-5)

[Consent agenda item #(4)]

Ms. Snyder explained that this item would repeal TEKS for Kindergarten-Grade 8 technology applications and related implementation language that will be replaced by revised technology applications TEKS beginning with the 2024-2025 school year.

MOTION AND VOTE: *It was moved by Dr. Ortega, seconded by Mrs. Little, and carried unanimously to recommend that the State Board of Education approve for second reading and final adoption the proposed repeal of 19 TAC Chapter 126, Texas Essential Knowledge and Skills for Technology Applications, Subchapter A, Elementary, §§126.5-126.7; and Subchapter B, Middle School, §§126.13-126.16; and*

Make an affirmative finding that immediate adoption of the proposed repeal of 19 TAC Chapter 126, Texas Essential Knowledge and Skills for Technology Applications, Subchapter A, Elementary, §§126.5-126.7; and Subchapter B, Middle School, §§126.13-126.16, is necessary and shall have an effective date of August 1, 2024.

3. Proposed Repeal of 19 TAC Chapter 127, Texas Essential Knowledge and Skills for Career Development and Career and Technical Education, Subchapter B, High School, §§127.11, 127.12, and 127.14-127.16; Subchapter G, Education and Training, §127.309 and §127.311; Subchapter I, Health Science, §§127.402, 127.404-127.408, and 127.412; Subchapter J, Hospitality and Tourism, §127.468 and §127.473; Subchapter O, Science, Technology, Engineering, and Mathematics, §§127.742, 127.743, 127.751, 127.752, 127.762, and 127.763; and Chapter 130, Texas Essential Knowledge and Skills for Career and Technical Education, Subchapter J, Human Services, §130.278; and Subchapter N, Marketing, §130.384 (Second Reading and Final Adoption)

(Board agenda page II-9)

[Consent agenda item #(5)]

Ms. Snyder explained that this item would repeal TEKS for certain career and technical education (CTE) courses in career development; education and training; health science; science, technology, engineering and mathematics (STEM); human services; and marketing and related implementation language that will be replaced by revised TEKS beginning with the 2024-2025 school year.

MOTION AND VOTE: *It was moved by Dr. Ortega, seconded by Mrs. Little, and carried unanimously to recommend that 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 B, High School, §§127.11, 127.12, and 127.14-127.16; Subchapter G, Education and Training, §127.309 and §127.311; Subchapter I, Health Science, §§127.402, 127.404-127.408, and 127.412; Subchapter J, Hospitality and Tourism, §127.468 and §127.473; Subchapter O, Science, Technology, Engineering, and Mathematics, §§127.742, 127.743, 127.751, 127.752, 127.762, and 127.763; and Chapter 130, Texas Essential Knowledge and Skills for Career and Technical Education, Subchapter J, Human Services, §130.278; and Subchapter N, Marketing, §130.384; 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 B, High School, §§127.11, 127.12, and 127.14-127.16; Subchapter G, Education and Training, §127.309 and §127.311; Subchapter I, Health Science, §§127.402, 127.404-127.408, and 127.412; Subchapter J, Hospitality and Tourism, §127.468 and §127.473; Subchapter O, Science, Technology, Engineering, and Mathematics, §§127.742, 127.743, 127.751, 127.752, 127.762, and 127.763; and Chapter 130, Texas Essential Knowledge and Skills for Career and Technical Education, Subchapter J, Human Services, §130.278; and Subchapter N, Marketing, §130.384, is necessary and shall have an effective date of August 1, 2024.

4. Procedural Action Related to 19 TAC Chapter 74, Curriculum Requirements, Subchapter C, Other Provisions, §74.27(a)(9), Innovative Courses and Programs (First Reading and Filing Authorization)

(Board agenda page II-13)
[Consent agenda item #(6)]

Shelly Ramos, senior director, curriculum standards and student support division, explained that this action would authorize TEA to re-file the proposal adopted by the State Board of Education in November 2023 and correct the criteria for innovative courses to be considered for sunset to align with the language approved by the SBOE.

MOTION AND VOTE: *It was moved by Mrs. Little, seconded by Mrs. Brooks, 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 amendment to 19 TAC Chapter 74, Curriculum Requirements, Subchapter C, Other Provisions, §74.27(a)(9), Innovative Courses and Programs.

5. Approval of Sunset Innovative Courses

(Board agenda page II-18)
[Official agenda item #8]

Public testimony was provided by the following individual:

NAME: Araceli Ortiz
AFFILIATION: University of Texas at Austin/Texas Prefreshman Engineering Program

Ms. Ramos explained changes that were made to the list of proposed innovative courses for sunset since the Committee on Instruction's discussion of the list at the April 2024 SBOE meeting. She explained that, based on the committee's direction to include only innovative courses meeting three or more of the SBOE's criteria for consideration, the original list had been reduced from 30 to 12 innovative courses. Ms. Ramos added that since the April 2024 meeting, staff contacted all the applicants with innovative courses under consideration for possible sunset as requested by the committee. Only one applicant responded and provided the additional information staff requested, which had been shared with the members of the committee.

MOTION: *It was moved by Mrs. Little and seconded by Mrs. Brooks to recommend that the State Board of Education approve the sunset of courses as indicated on the Final Spring 2024 Innovative Course Sunset Report.*

MOTION AND VOTE: *It was moved by Dr. Ortega, seconded by Mrs. Little, and carried unanimously to remove Texas Prefreshman Engineering Program II, III, and IV from the Final Spring 2024 Innovative Course Sunset Report.*

VOTE: *A vote was taken on the original motion by Mrs. Little to recommend that the State Board of Education approve the sunset of courses as indicated on the Final Spring 2024 Innovative Course Sunset Report, as amended (Attachment A). The motion carried unanimously.*

6. Consideration of Proposed New Innovative Course and Extensions of Currently Approved Innovative Courses

(Board agenda page II-20)

[Consent agenda item #(7)]

Public testimony was provided by the following individual:

NAME: Jackie Besinger
AFFILIATION: National Alliance for Education Freedom

Ms. Ramos explained that this item presents for consideration an application for a proposed new innovative course, Gaming Concepts: Fundamentals, as well as the extension of approvals for 24 currently approved innovative courses. Ms. Ramos explained that the Gaming Concepts: Fundamentals course was first presented to the committee at the April 2024 meeting but postponed until this meeting. In the interim, Committee on Instruction members were provided with access to instructional materials for the course, including a login to the learning management system. She explained that recent changes to SBOE rules for innovative courses stipulate that, if approved, the new course would be approved for a period of three years.

Ms. Ramos explained that the second part of this item pertains to the consideration of extensions for a group of currently approved innovative courses that are scheduled to expire. She indicated that because most of these courses support CTE programs of study, staff recommends a five-year extension period to ensure that the courses remain available while the board considers them for adoption as TEKS-based courses.

MOTION AND VOTE: *It was moved by Dr. Ortega and seconded by Ms. Davis to recommend that the State Board of Education approve the innovative course, Gaming Concepts: Fundamentals. The motion failed.*

MOTION AND VOTE: *It was moved by Mrs. Little, seconded by Ms. Davis, and carried to recommend that the State Board of Education approve for a period of five years the extension of the courses included in the Innovative Course Descriptions for Courses Seeking Extensions list and Texas Prefreshman Engineering Program II, III, and IV (Attachment B).*

DISCUSSION ITEM

7. Discussion of Annual Audit Reports for Credit by Examination from Texas Tech University and The University of Texas at Austin

(Board agenda page II-39)

Ms. Snyder explained that 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.

ACTION ITEMS

8. Proposed Amendments 19 TAC Chapter 127, Texas Essential Knowledge and Skills for Career Development and Career and Technical Education, Subchapter J, Hospitality and Tourism, and Chapter 130, Texas Essential Knowledge and Skills for Career and Technical Education, Subchapter A, Agriculture, Food, and Natural Resources, Subchapter D, Business Management and Administration, and Subchapter P, Transportation, Distribution, and Logistics (First Reading and Filing Authorization)

(Board agenda page II-44)

[Consent agenda item #(8)]

Ms. Snyder explained that the proposed amendments would make technical adjustments to course titles, prerequisites, and corequisites to align with the recently refreshed CTE programs of study. She explained that the Texas Perkins State Plan requires a review of the programs of study every four years.

MOTION AND VOTE: *It was moved by Mrs. Little, seconded by Mrs. Brooks, 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 proposed amendments to 19 TAC Chapter 127, Texas Essential Knowledge and Skills for Career Development and Career and Technical Education, Subchapter J, Hospitality and Tourism, §127.482; and Chapter 130, Texas Essential Knowledge and Skills for Career and Technical Education; Subchapter A, Agriculture, Food, and Natural Resources, §130.30; Subchapter D, Business Management and Administration, §§130.136-130.138, 130.143, and 130.144; and Subchapter P, Transportation, Distribution, and Logistics, §130.445 and §130.446.

9. Approval of Updates and Substitutions to Adopted Instructional Materials

(Board agenda page II-52)

[Consent agenda item #(9)]

Amie Phillips, director, instructional materials review and approval, district operations, technology, and sustainability supports division, explained that this standing item is for publishers to present requests for updates or substitutions in their materials. However, at this time Cengage Learning was not requesting to change anything in its Grade 6 Social Studies product. They made changes to citations to show where in their existing materials they cover social studies standards that were recently added.

MOTION AND VOTE: *It was moved by Mrs. Brooks, seconded by Mrs. Little and carried unanimously to recommend that the State Board of Education approve the request from Cengage Learning to update citations for its Grade 6 Social Studies product.*

- 10. Proposed Revisions to 19 TAC Chapter 89, Adaptations for Special Populations, Subchapter A, Gifted/Talented Education (Second Reading and Final Adoption)**
(Board agenda page II-54)
[Official agenda item #9]

Monica Brewer explained that this item presents for second reading and final adoption proposed amendments to the rules related to gifted and talented education. She provided a summary of public comments that were received during the public comment period, updated rule text based on public comment, and a draft of the *Texas State Plan for the Education of Gifted/Talented Students*. She explained that one revision was made to 19 TAC, §89.5(2) to change “comply” to “complies.”

MOTION AND VOTE: *It was moved by Dr. Ortega, seconded by Mrs. Brooks, and carried unanimously to recommend that the State Board of Education approve for second reading and final adoption the proposed revisions to 19 TAC Chapter 89, Adaptations for Special Populations, Subchapter A, Gifted/Talented Education; and*

Make an affirmative finding that immediate adoption of the proposed revisions to 19 TAC Chapter 89, Adaptations for Special Populations, Subchapter A, Gifted/Talented Education, is necessary and shall have an effective date of 20 days after filing as adopted with the Texas Register.

DISCUSSION ITEMS

- 11. Discussion of Proposed Amendment to the *Texas State Plan for the Education of Gifted/Talented Students***
(Board agenda page II-60)

Monica Brewer presented a discussion on *the Texas State Plan for the Education of Gifted/Talented Students*. She provided an updated draft to the committee and indicated that the item will be presented for action at the September SBOE meeting.

- 12. Public Hearing Regarding Instructional Materials Submitted for Approval by the State Board of Education Under Instructional Materials Review and Approvals Cycle 2024**
(Board agenda page II-95)

Public testimony was provided by the following individuals:

NAME: Gabe Grantham
AFFILIATION: Texas 2036

NAME: Terry Kosobud
AFFILIATION: Grandparents for Public Education

NAME: Robert Norris
AFFILIATION: Grandparents for Public Education

NAME: Francine Erickson
AFFILIATION: Self

NAME: Lynn Davenport
AFFILIATION: Families Engaged

NAME: Mary Lowe
AFFILIATION: Families Engaged

NAME: Clair McCoy
AFFILIATION: Self

NAME: Jackie Besinger
AFFILIATION: National Alliance for Education Freedom

NAME: Chris Byrd
AFFILIATION: Self

NAME: Jonathan Covey
AFFILIATION: Texas Values

NAME: Courtnie Bagley
AFFILIATION: Texas Public Policy Foundation

The meeting of the Committee on Instruction adjourned at 11:19 a.m.



Final Spring 2024 Innovative Course Sunset Report

Updated June 27, 2025

Course Title	Category	Year of First Approval	Approval Source	Expiration Year	2023-2024 Enrollment	Two Years of Zero Enrollment (2021-2022 and 2022-2023)	Avg. <100 Students Past Three Years	Avg. <20 Districts Past Three Years	Duplicative of Existing Courses	Approved for TEKS-Based Course	# of Criteria Checked	Notes
Fiber Optic Technician	CTE - Manufacturing Cluster	2017-2018	COE	2024-2025	0	X	0	0			3	Not part of a CTE program of study
Introduction to Industrial Maintenance	CTE - Manufacturing Cluster	2020-2021	COE	2024-2025	0	X	0	0			3	Not part of a CTE program of study
Acting Styles: Improvisation/Monologue	Fine Arts	2015-2016	COE	2026-2027	51		51	3.7	Theatre I		3	
Dramaturgy	Fine Arts	2020-2021	COE	2026-2027	0	X	0	0			3	
Movement for the Actor	Fine Arts	2015-2016	COE	2026-2027	32		19	2.7	Theatre I		3	
Theatre Management	Fine Arts	2017-2018	COE	2026-2027	0	X	0	0	Technical Theatre, Level II		4	
Modern Geometry	Foundation - Math	2009-2010	COE	2025-2026	0	X	0	0			3	
Number Theory	Foundation - Math	2009-2010	COE	2025-2026	15	X	0	0			3	
Civic Discourse	Foundation - Social Studies	2020-2021	SBOE	2024-2025	0	X	0.3	0.7			3	



List of CTE Innovative Courses for Potential Extension – Updated June 27, 2024

The following list indicates CTE innovative courses that are part of a CTE program of study and are scheduled to expire at the end of the 2024-2025 school year.

Course Title	Year of First Approval	Year of Latest Approval	Program(s) of Study
<u>Basic Fluid Power</u>	2017-2018	2017-2018	Industrial Maintenance
<u>Beekeeping and Honey Processing</u>	2022-2023	2022-2023	Environmental and Natural Resources
<u>Blueprint Reading for Manufacturing Applications</u>	2017-2018	2017-2018	Manufacturing Technology
<u>Computer Aided Drafting for Architecture</u>	2020-2021	2020-2021	Architectural Design
<u>Computer Integrated Manufacturing</u>	2017-2018	2017-2018	Electrical Engineering Engineering Manufacturing Technology
<u>Dental Equipment and Procedures</u>	2022-2023	2022-2023	Diagnostic and Therapeutic Services
<u>Imaging Technology II</u>	2022-2023	2022-2023	Diagnostic and Therapeutic Services

Course Title	Year of First Approval	Year of Latest Approval	Program(s) of Study
<u>Introduction to Film Interpretation of Weldments</u>	2020-2021	2020-2021	Welding
<u>IT Troubleshooting</u>	2022-2023	2022-2023	Information Technology Support and Services
<u>Occupational Safety & Environmental Technology I</u>	2015-2016	2017-2018	Oil and Gas Exploration and Production Manufacturing Technology Robotics and Automation Technology Welding Automotive and Collision Repair Aviation Maintenance Diesel and Heavy Equipment Maintenance and Commercial Drivers Distribution. Logistics, and Warehousing Maritime
<u>Occupational Safety & Environmental Technology II</u>	2015-2016	2017-2018	Oil and Gas Exploration and Production Robotics and Automations Technology Manufacturing Technology

Course Title	Year of First Approval	Year of Latest Approval	Program(s) of Study
<u>Occupational Safety & Environmental Technology III</u>	2015-2016	2017-2018	Manufacturing Technology
<u>Occupational Therapy I</u>	2022-2023	2022-2023	Exercise Science, Wellness, and Restoration
<u>Occupational Therapy II</u>	2022-2023	2022-2023	Exercise Science, Wellness, and Restoration
<u>Physical Therapy II</u>	2022-2023	2022-2023	Exercise Science, Wellness, and Restoration
<u>Pipefitting Technology I</u>	2017-2018	2017-2018	Plumbing and Pipefitting
<u>Pipefitting Technology I Lab</u>	2019-2020	2019-2020	Plumbing and Pipefitting
<u>Pipefitting Technology II</u>	2017-2018	2017-2018	Plumbing and Pipefitting
<u>Pipefitting Technology II Lab</u>	2019-2020	2019-2020	Plumbing and Pipefitting
<u>Programmable Logic Controller I</u>	2020-2021	2020-2021	Electrical Engineering Robotics and Automation Technology
<u>Programmable Logic Controller II</u>	2021-2022	2021-2022	Electrical Engineering Robotics and Automation Technology
<u>Quality Assurance for Biosciences</u>	2017-2018	2023-2024	Biomedical Science
<u>Sheet Metal Technology</u>	2020-2021	2020-2021	HVAC and Sheet Metal

Course Title	Year of First Approval	Year of Latest Approval	Program(s) of Study
<u>Topographical Drafting</u>	2017-2018	2017-2018	Civil Engineering

The following list indicates CTE innovative courses that are scheduled to expire at the end of the 2023-2024 school year.

Course Title	Year of First Approval	Year of Latest Approval	Notes
<u>Texas Prefreshman Engineering Program II</u>	2017-2018	2022-2023	Not part of a CTE program of study
<u>Texas Prefreshman Engineering Program III</u>	2017-2018	2022-2023	Not part of a CTE program of study
<u>Texas Prefreshman Engineering Program IV</u>	2017-2018	2022-2023	Not part of a CTE program of study

**Report of the State Board of Education
Committee on School Initiatives
Thursday, June 27, 2024**

The State Board of Education Committee on Instruction met at 9:01 a.m. on Thursday, June 27, 2024, in Room, #1-111, of the William B. Travis Building, 1701 N. Congress Avenue, Austin, Texas. Attendance was noted as follows:

Present: Will Hickman, chair; LJ Francis, vice chair; Rebecca Bell-Metereau; Staci Childs; and Julie Pickren

Public Testimony

The Committee on School Initiatives heard public testimony on agenda items #10 and #11. Information regarding the individuals who presented public testimony is included in the discussion of that item.

DISCUSSION ITEM

1. Open-Enrollment Charter School Generation 30 Application Updates
(Board agenda page IV-1)

Marian Schutte, Deputy Associate Commissioner of the Department of Authorizing and Policy presented information on the Generation 30 Open-Enrollment Charter application process including goals, timeline, summary, and application updates. Ms. Schutte answered questions regarding the application process. Member Hickman requested additional information regarding charter schools for discussion at a future meeting.

2. Discussion of the State Board of Education’s Oversight of Special-Purpose School Districts
(Board agenda page IV-2)

Christopher Lucas, director of policy, planning, and operations, introduced the item and explained its background. Chris Maska, deputy general counsel, discussed the State Board of Education’s authority over special-purpose districts.

ACTION ITEMS

3. Recommendation for One Reappointment and One Appointment to the Fort Sam Houston Independent School District Board of Trustees
(Board agenda page IV-3)
[Consent agenda item #10]

Invited testimony was provided by the following individuals:

NAME: Dr. LaToya E. Sizer
AFFILIATION: Fort Sam Houston ISD Board of Trustees

Mr. Lucas explained that the terms of two members of the board of trustees of Fort Sam Houston Independent School District (ISD) have expired. Brigadier General Driggers recommends the

reappointment of Dr. LaToya E. Sizer and the appointment of Col. Rebecca A. Zinnante to the Fort Sam Houston ISD Board of Trustees.

MOTION: *It was moved by Ms. Childs and seconded by Dr. Bell-Metereau, to recommend that the State Board of Education, based on Brigadier General Driggers's recommendation, approve the reappointment of Dr. LaToya E. Sizer and the appointment of Col. Rebecca A. Zinnante to serve terms of office from June 28, 2024, to June 27, 2026, on the Fort Sam Houston Independent School District Board of Trustees.*

MOTION AND VOTE: *It was moved by Ms. Pickren and seconded by Mr. Francis to divide the question. The motion failed.*

VOTE: *A vote was taken on the original motion. The motion carried.*

4. **Proposed Amendment to 19 TAC Chapter 61, School Districts, Subchapter A, Board of Trustees Relationship, §61.2, Nomination of Trustees for Military Reservation School Districts and Boys Ranch Independent School District**
(Second Reading and Final Adoption)
(Board agenda page IV-12)
[Consent agenda item #11]

Mr. Lucas introduced the item, discussed its history, and explained that the agency did not receive any public comments during the May 17 through June 17, 2024, public comment period.

MOTION AND VOTE: *It was moved by Mr. Francis, seconded by Ms. Childs, and carried unanimously to recommend that the State Board of Education, approve for second reading and final adoption the proposed amendment to 19 TAC Chapter 61, School Districts, Subchapter A, Board of Trustees Relationship, §61.2, Nomination of Trustees for Military Reservation School Districts and Boys Ranch Independent School District; and make an affirmative finding that immediate adoption of the proposed amendment to 19 TAC Chapter 61, School Districts, Subchapter A, Board of Trustees Relationship, §61.2, Nomination of Trustees for Military Reservation School Districts and Boys Ranch Independent School District, is necessary and shall have an effective date of 20 days after filing with the Texas Register.*

DISCUSSION ITEM

5. **Discussion of Ongoing State Board for Educator Certification Activities**
(Board agenda page IV-18)

Jessica McLoughlin, Associate Commissioner, shared updates on current and upcoming State Board for Educator Certification (SBEC) activities and proposed SBEC rules and amendments, including details on SBEC discussion items related to 19 TAC Chapters 249, 229, 235, 230, and discussion regarding options of the development of a Texas TPA.

6. **Review of Adoption of Proposed Amendments to 19 TAC Chapter 227, Provisions for Educator Preparation Candidates**
(Board agenda page IV-20)

Jessica McLoughlin, Associate Commissioner, presented this item and explained that the proposed amendments to 19 TAC Chapter 227, Provisions for Educator Preparation Candidates would make changes to the rules that would align to the updates recently adopted in Chapters 228 and 230 and would update the pre-admission content tests to better align with certifications.

The meeting of the Committee on School Initiatives adjourned at 10:46 a.m.

**Report of the State Board of Education
Committee on School Finance/Permanent School Fund
Thursday, June 27, 2024**

The State Board of Education Committee on Instruction met at 9:02 a.m. on Thursday, June 27, 2024, in Room, #1-104, of the William B. Travis Building, 1701 N. Congress Avenue, Austin, Texas. Attendance was noted as follows:

Present: Tom Maynard, chair; Marisa Perez-Diaz, vice chair; Kevin Ellis; Patricia Hardy; and Aaron Kinsey

Public Testimony

The Committee on School Finance/Permanent School Fund received no presentations of public testimony.

DISCUSSION ITEM

1. Per Capita Apportionment Rate for the 2023-2024 School Year
(Board agenda page III-1)

Amy Copeland, chief school finance officer, and associate commissioner, Department of School Finance, presented this discussion item. She explained the background of the per capita apportionment rate and provided information about how the final rate is calculated. Mrs. Copeland stated that the final 2023–2024 per capita apportionment rate is set at \$423.747. Mr. Maynard and Ms. Hardy asked about the item. Mr. Maynard made a comment about the item.

The meeting of the Committee on School Finance/Permanent School Fund adjourned at 9:12 a.m.

