

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. After the State Board of Education (SBOE) approves an application for a new course or a renewal, a district shall obtain local board approval prior to offering the course.
- (1) The SBOE ~~[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 at least one of the following: [that the proposed course is academically rigorous and addresses documented student needs.]
- (A) is academically rigorous and addresses documented student needs;
- (B) applies to a specialized group of students such as students with disabilities or gifted/talented students;
- (C) is content agnostic and supports generalized skills that prepare students for career and/or college; or
- (D) a need is identified in an emerging career and technical education (CTE) field for a course that does not already exist as a Texas Essential Knowledge and Skills (TEKS)-based course.
- (2) The SBOE shall take action related to innovative courses on the following timelines.
- (A) An application window shall be made available every two years for new courses.
- (B) For existing courses, at the appropriate three-year or four-year mark as described by paragraph (8) of this subsection, the SBOE shall:
- (i) invite the applicant to submit updates to be considered as part of a renewal;
- (ii) set the course for expiration; or
- (iii) initiate a process for the course to become a TEKS-based course.
- (C) Notice of an upcoming application opportunity shall be published on the SBOE website at least six months in advance of the start of the application window.
- (D) Applications for new courses and renewals shall be approved not later than the January SBOE meeting for implementation of a course in the subsequent school year.
- (3) ~~(2)~~ Applications shall not be approved if the proposed course significantly duplicates the content of a TEKS-based ~~[Texas Essential Knowledge and Skills (TEKS) based]~~ course or can reasonably be taught within an existing TEKS-based course.
- (4) ~~(3)~~ To request approval from the SBOE, the applying school district or organization must submit a request for approval, including the following information, within the window designated by the SBOE [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;~~

(D) ~~[(E)]~~ the methods of evaluating student outcomes;

(E) ~~[(F)]~~ the qualifications of the teacher;

(F) ~~[(G)]~~ any training required in order to teach the course and any associated costs;

(G) ~~[(H)]~~ the amount of credit requested; and

(H) ~~[(I)]~~ a copy of or electronic access to any teacher resources and student-facing instructional materials required to teach ~~[recommended instructional resources for]~~ the course.

(5) ~~[(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.

(6) ~~[(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.

(7) ~~[(6)]~~ The requirements of paragraphs (4)(C) ~~[(3)(C)]~~ and (6) ~~[(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.

(8) ~~[(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 four ~~[five]~~ years.

(9) ~~[(8)]~~ Following SBOE approval, with ~~[With]~~ the approval of the local board of trustees, a school district may offer, without changes or deletions to the approved standards and instructional materials ~~[content]~~, any state-approved innovative course.

(10) ~~[(9)]~~ Texas Education Agency shall review all approved innovative courses once every year ~~[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 at least one of 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.