

The State Board of Education (SBOE) adopts an amendment to §74.3, concerning the required secondary curriculum. The amendment is adopted with changes to the proposed text as published in the December 20, 2024 issue of the *Texas Register* (49 TexReg 10181) and will be republished. The amendment updates the list of high school courses for science that are required to be offered to students.

**REASONED 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. 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 (IPC). 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 were implemented beginning with the 2024-2025 school year.

Career and technical education (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.

Additional CTE TEKS review work groups were convened from May-December 2024 to develop recommendations for a set of CTE courses in engineering. At the January 2025 SBOE meeting, the SBOE approved two CTE engineering courses to satisfy a high school science graduation requirement for first reading and filing authorization: Fluid Mechanics and Mechanics of Materials. At the January 2025 meeting, the SBOE postponed action on this item for second reading to provide an opportunity to consider adding Fluid Mechanics and Mechanics of Materials to the updated list of high school courses for science that are required to be offered to students.

The adopted amendment aligns the required secondary curriculum in §74.3(b)(2)(C) with updates to the secondary science course offerings made during recent TEKS revisions and adds advanced level biology, chemistry, physics, and environmental science courses offered as dual credit and courses selected from 19 TAC §74.12(b)(3)(A) or (B) to the list of options from which districts must select two courses to offer in addition to Biology, Chemistry, Physics, and IPC. The adopted amendment also replaces the secondary curriculum requirement in computer science to offer a specific course, Advanced Placement Computer Science Principles, with a general option to offer an advanced computer science course to meet the requirement.

The following changes were made to the rule since published as proposed.

Section 74.3(b)(2) was amended by replacing "The" with "A," striking "the" after "offer," adding the phrase "subparagraphs (A)-(J) of" before "this paragraph," and inserting the phrase "unless selection from a list of courses is specified" after "paragraph."

Section 74.3(b)(2)(C) was amended by reorganizing required science courses into clauses (i) and (ii) with science courses required for a school district to offer appearing in clause (i) and science course options from which a school district must select at least two additional courses to offer appearing in clause (ii).

Section 74.3(b)(2)(C)(ii) was further amended by adding the following course options: Fluid Mechanics, Mechanics of Materials, and advanced level biology, chemistry, physics, and environmental science courses offered as dual credit as referenced in §74.11(i) of this title (relating to High School Graduation Requirements) or a course selected from §74.12(b)(3)(A) or (B) of this title (relating to Foundation High School Program). The course options included at proposal, including Advanced Placement (AP) Biology; AP Chemistry; AP Physics 1: Algebra Based; AP Physics 2: Algebra Based; AP Environmental Science; AP Physics C: Electricity and Magnetism; and AP Physics C: Mechanics, were removed, as well as language stating that science courses shall include at least 40% hands-on laboratory investigations and field work using appropriate scientific inquiry. Language stating that 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 was moved to new subsection (b)(3).

Section 74.3(b)(2)(D) was amended by striking the last sentence of the paragraph, which read, "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."

Section 74.3(b)(2)(I) was amended by adding the phrase "another advanced computer science course" and striking "AP Computer Science Principles."

New §74.3(b)(3) was added and contains language struck due to reorganizing curriculum requirements in §74.3(b)(2)(C) and (D).

Section 74.3(b)(5) was amended by replacing the word "The" with the word "A" and replacing the phrase "all courses listed" with the phrase "each course the district is required to offer or selects to offer as specified." Additionally, the following sentence was deleted: 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.

The SBOE approved the amendment for first reading and filing authorization at its November 22, 2024 meeting and for second reading and final adoption at its April 11, 2025 meeting.

In accordance with Texas Education Code, §7.102(f), the SBOE approved the amendment for 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 revised curriculum requirements. The effective date is August 1, 2025.

**SUMMARY OF COMMENTS AND RESPONSES:** The public comment period on the proposal began December 20, 2024, and ended at 5:00 p.m. on January 21, 2025. The SBOE also provided opportunities for registered oral and written comments at its January and April 2025 meetings in accordance with the SBOE board operating policies and procedures. Following is a summary of the public comments received and the corresponding responses.

**Comment.** Two teachers expressed concern that the proposal to require districts to offer a specified number of Advanced Placement (AP) courses would put an undue burden on smaller districts.

**Response.** The SBOE agrees that smaller school districts may experience more challenges than larger districts in the number of advanced science courses, including AP courses, they can offer; however, the SBOE also provides the following clarification. School districts are not required to offer all courses listed in the required secondary curriculum for science in 19 TAC §74.3(b)(2)(C). In response to this and other comments, the SBOE took action to replace AP courses in the list of options for course offerings with a reference to advanced level biology, chemistry, physics, and environmental science courses in order to provide greater flexibility to districts.

**Comment.** One teacher stated that many districts offer a dual credit option that has a higher success rate than AP courses and is more cost effective for the district and students.

**Response.** The SBOE agrees that dual credit courses are good options for districts and students. In response to this and other comments, the SBOE took action to replace AP courses in the list of options for course offerings with a reference to advanced level biology, chemistry, physics, and environmental science courses in order to provide greater flexibility to districts.

**Comment.** One teacher questioned the addition of AP courses to the required curriculum in science without increasing the rigor of core classes.

**Response.** The SBOE disagrees that adding AP courses to the list of courses in the description of a required secondary curriculum should be connected to a change in rigor for other courses. However, in response to other comments, the SBOE took action to replace specific references to AP courses in the list of options for courses

offerings with a reference to advanced level biology, chemistry, physics, and environmental science courses to provide greater flexibility for districts.

Comment. One teacher asked whether AP courses in math, English, and history would be added to the rules for the required curriculum in the future.

Response. The SBOE offers the following clarification. At this time, there are no plans to make additional amendments to 19 TAC §74.3(b).

Comment. One counselor expressed support for the proposal to include AP courses in the required secondary curriculum and stated that it should be implemented to increase advanced coursework opportunities in urban districts with marginalized student populations.

Response. The SBOE agrees that the required secondary curriculum should provide advanced coursework opportunities for students. In response to other comments, the SBOE took action to replace specific references to AP courses in the list of options for courses offerings with a reference to advanced level biology, chemistry, physics, and environmental science courses to provide greater flexibility for districts.

Comment. One counselor stated that the proposed amendment should not require school districts to offer AP courses without a specified plan for how to fund them.

Response. The SBOE agrees that school districts should not be required to offer AP courses and provides the following clarification. School districts are not required to offer all science courses listed in the required secondary curriculum in §74.3(b)(2)(C). In response to other comments, the SBOE took action to replace specific references to AP courses in the list of options for courses offerings with a reference to advanced level biology, chemistry, physics, and environmental science courses to provide greater flexibility for districts.

Comment. One teacher asked whether the SBOE would be requiring students to take AP tests and if student performance would be a way to grade schools.

Response. This comment is outside the scope of the proposed rulemaking.

Comment. One teacher stated that colleges do not grant credit for AP exams on a consistent basis or scale and some schools may not offer credit at all for courses in a student's major.

Response. This comment is outside the scope of the proposed rulemaking.

Comment. One teacher stated that all students should have equal curriculum and opportunity to be taught by trained dyslexia specialists and dyslexia trained teachers should receive stipends.

Response. This comment is outside the scope of the proposed rulemaking.

Comment. One administrator stated that the proposed requirement is vague; therefore, it is difficult to determine whether to support the amendment.

Response. The SBOE agrees that rules for the required secondary curriculum could be clarified. The SBOE took action to amend §74.3(b)(2)(C) by creating one clause, new §74.3(b)(2)(C)(i), with the science courses all districts must offer listed and a separate clause, §74.3(b)(2)(C)(i)(ii), that provides the list of science courses from which districts must select two to offer. The SBOE also approved additional technical edits to further clarify the rule.

STATUTORY AUTHORITY. The amendment is adopted under Texas Education Code (TEC), §7.102(c)(4), which requires the State Board of Education (SBOE) to establish curriculum and graduation requirements; TEC, §28.002(a), which identifies the subjects of the required curriculum; and TEC, §28.025(b-1), which requires the SBOE to determine by rule specific courses for graduation under the foundation high school program.

CROSS REFERENCE TO STATUTE. The amendment implements Texas Education Code, §§7.102(c)(4), 28.002(a), and 28.025(b-1).

<rule>

#### **§74.3. Description of a Required Secondary Curriculum.**

(a) Middle Grades 6-8.

- (1) A school district that offers Grades 6-8 must provide instruction in the required curriculum as specified in §74.1 of this title (relating to Essential Knowledge and Skills). The district must ensure that sufficient time is provided for teachers to teach and for students to learn English language arts, mathematics, science, social studies, at least one of the four disciplines in fine arts (art, dance, music, theatre), health, physical education, technology applications, and to the extent possible, languages other than English. 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 ensure that, beginning with students who enter Grade 6 in the 2010-2011 school year, each student completes one Texas essential knowledge and skills-based fine arts course in Grade 6, Grade 7, or Grade 8.
- (3) A district shall offer and maintain evidence that students have the opportunity to take courses in at least three of the four disciplines in fine arts. The requirement to offer three of the four disciplines in fine arts may be reduced to two by the commissioner of education upon application of a school district with a total middle school enrollment of less than 250 students.

(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) A school district must offer courses listed in subparagraphs (A)-(J) of this paragraph, unless selection from a list of courses is specified, 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--
    - (i) Integrated Physics and Chemistry, Biology, Chemistry, Physics; and
    - (ii) at least two additional science courses selected from Aquatic Science, Astronomy, Earth Systems Science, Environmental Systems, Advanced Animal Science, Advanced Plant and Soil Science, Anatomy and Physiology, Physics for Engineering, Biotechnology I, Biotechnology II, Engineering Design and Problem Solving, Food Science, Forensic Science, Medical Microbiology, Pathophysiology, Scientific Research and Design, Engineering Science, Fluid Mechanics, Mechanics of Materials, and advanced level biology, chemistry, physics, and environmental science courses offered as dual credit as referenced in §74.11(i) of this title (relating to High School Graduation Requirements) or a

course selected from §74.12(b)(3)(A) or (B) of this title (relating to Foundation High School Program);

- (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;
  - (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 another advanced computer science course; and
  - (J) speech--Communication Applications.
- (3) The following requirements 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:
- (A) the requirement to offer two additional science courses; and
  - (B) the requirement to offer both Economics with Emphasis on the Free Enterprise System and Its Benefits and Personal Financial Literacy and Economics.
- (4) 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.
- (5) A school district must provide each student the opportunity to participate in each course the district is required to offer or selects to offer as specified 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.

- (c) Courses in the foundation and enrichment curriculum in Grades 6-12 must be provided in a manner that allows all grade promotion and high school graduation requirements to be met in a timely manner. Nothing in this chapter shall be construed to require a district to offer a specific course in the foundation and enrichment curriculum except as required by this subsection.