

The State Board of Education (SBOE) adopts the review of 19 TAC Chapter 89, Adaptations for Special Populations, Subchapter A, Gifted/Talented Education, and Subchapter C, Texas Certificate of High School Equivalency, pursuant to Texas Government Code, §2001.039. The State Board of Education (SBOE) proposed the review of Chapter 89, Subchapters A and C, in the February 27, 2026 issue of the *Texas Register* (51 TexReg 1312).

The SBOE finds the reasons for adopting Chapter 89, Subchapters A and C, continue to exist and readopts the rules.

The SBOE received comments related to the review of Subchapters A and C. Following are the comments received and the corresponding responses.

Subchapter A. Gifted/Talented Education

Comment: One parent expressed support for reviewing and adopting Chapter 89, Subchapter A, stating that it provides clear and necessary guidance supporting statutory alignment, gifted/talented program compliance, and transparency for educators and parents.

Response: The SBOE agrees.

Comment: One Texas administrator commented seeking clarification of §89.1 regarding the relevance of gifted/talented identification at the secondary level, stating that identification in grades 9–12 may be unnecessary given expanded access to advanced coursework and suggesting identification is more appropriate at the elementary or K–8 level.

Response: The SBOE disagrees with limiting identification to earlier grades. Maintaining identification through grade 12 under 19 TAC §89.1 ensures continued access to gifted and talented services for students whose advanced abilities emerge during secondary coursework and supports appropriate placement and access to advanced learning opportunities across Texas.

Comment: Two Texas administrators commented that while the 30-hour foundational professional learning requirement is important, the requirement to complete the training within one semester is not sustainable given current workforce realities, citing challenges for alternative certification teachers, limited relevance for already certified G/T educators, and insufficient applicability at the high school level.

Response: The SBOE disagrees with eliminating the professional learning requirements in 19 TAC §89.2, which provides a statewide framework for educators serving gifted and talented students. Concerns raised relate to implementation rather than the rule itself. Targeted updates may address these concerns while preserving required professional learning. The SBOE encourages collaboration with local districts and may provide technical assistance as appropriate.

Comment: Two Texas parents commented that inconsistent gifted/talented services and insufficient enforcement of Chapter 89, Subchapter A, have resulted in reduced instructional time and negative impacts on students.

Response: The SBOE clarifies that Chapter 89 establishes minimum requirements for identification and services, while districts are responsible for local implementation in accordance with statute, rule, and the Texas State Plan, and emphasizes the importance of consistent, high-quality services for identified students.

Comment: Four parents and the Gifted Education Family Network of Texas requested amendments to §89.5 to increase transparency and clarify reporting requirements by requiring districts to maintain records of annual compliance certifications and make those records accessible to parents and stakeholders to verify compliance with the Texas State Plan for the Education of Gifted/Talented Students, noting that the changes would not create additional costs or reporting burdens.

Response: The SBOE appreciates the recommendation related to transparency and accountability. Current provisions in 19 TAC §89.5 require districts to implement and monitor gifted/talented programs in alignment with the Texas State Plan for the Education of Gifted/Talented Students and applicable accountability requirements, including maintaining documentation to demonstrate compliance. The SBOE will consider this feedback in future guidance and rule reviews.

Comment: One Texas administrator commented that while current provisions are necessary to support gifted/talented services, Chapter 89, Subchapter A, lacks sufficient measurable accountability and recommended strengthening accountability to require districts to demonstrate outcomes aligned with program requirements and state funding.

Response: The SBOE clarifies that Chapter 89, Subchapter A, establishes requirements aligned with the Texas State Plan, while accountability is addressed through existing state systems.

Subchapter C. Texas Certificate of High School Equivalency

Comment: One Texas Administrator commented seeking clarification regarding the continued need for a general education development (GED), citing expanded access to charter schools, alternative accountability campuses, and dropout recovery programs, and expressing concern that the GED is not realistically attainable for students with individualized education programs that include instructional modifications.

Response: The SBOE disagrees that the Texas Certificate of High School Equivalency (GED) is no longer needed. Texas Education Code (TEC) §7.111 requires the State Board of Education to adopt rules governing the development and delivery of high school equivalency examinations.