

The State Board of Education (SBOE) proposes new §§120.1, 120.3, 120.5, 120.7, and 120.9, concerning other Texas Essential Knowledge and Skills (TEKS). The proposed new sections would add new TEKS for positive character traits for Kindergarten-Grade 12 in accordance with House Bill (HB) 1026, 86th Texas Legislature, 2019.

BACKGROUND INFORMATION AND JUSTIFICATION: In 2019, the 86th Texas Legislature passed HB 1026, requiring the SBOE to integrate positive character traits into the essential knowledge and skills adopted for Kindergarten-Grade 12, as appropriate. The legislation requires the SBOE to include the following positive character education traits in the standards: courage; trustworthiness, including honesty, reliability, punctuality, and loyalty; integrity; respect and courtesy; responsibility, including accountability, diligence, perseverance, and self-control; fairness, including justice and freedom from prejudice; caring, including kindness, empathy, compassion, consideration, patience, generosity, and charity; good citizenship, including patriotism, concern for the common good and the community, and respect for authority and the law; school pride; and gratitude. The legislation also requires school districts and open-enrollment charter schools to adopt a character education program that includes the required positive character traits.

At the January 2020 SBOE meeting, a discussion item on character traits instruction was presented to the Committee of the Full Board. The committee requested that staff prepare a proposal to add essential knowledge and skills for positive character traits as a new chapter in the Texas Administrative Code.

Proposed new 19 TAC Chapter 120, Subchapter A, would implement HB 1026, 86th Texas Legislature, 2019, by establishing TEKS for positive character traits for Kindergarten-Grade 12. The standards would address requirements by grade bands, including Kindergarten-Grade 2, Grades 3-5, Grades 6-8, and Grades 9-12. A proposed new section on implementation would also be added to specify the required frequency of the instruction and how the instruction may be provided. The proposed new sections would be implemented beginning with the 2021-2022 school year.

The SBOE approved the proposed new sections for first reading and filing authorization at its July 2, 2020 meeting.

FISCAL IMPACT: Monica Martinez, associate commissioner for standards and support services, has determined that for the first five-year period the proposal is in effect there are no additional costs to state or local government 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: Texas Education Agency (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 by adding essential knowledge and skills for positive character traits as a new chapter in the Texas Administrative Code.

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: Ms. Martinez has determined that for each year of the first five years the proposal is in effect, the public benefit anticipated as a result of enforcing the proposal would be identifying essential knowledge and skills in positive character traits for Kindergarten-Grade 12 in accordance with HB 1026, 86th Texas Legislature, 2019. 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 new 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 July 31, 2020, and ends September 4, 2020. A form for submitting public comments is available on the TEA website at [https://tea.texas.gov/About_TEA/Laws_and_Rules/SBOE_Rules_\(TAC\)/Proposed_State_Board_of_Education_Rules/](https://tea.texas.gov/About_TEA/Laws_and_Rules/SBOE_Rules_(TAC)/Proposed_State_Board_of_Education_Rules/). The SBOE will take registered oral and written comments on the proposal at the appropriate committee meeting in September 2020 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 July 31, 2020.

STATUTORY AUTHORITY. The new sections are proposed 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; TEC, §28.002(c), which 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; and TEC, §29.906, as amended by House Bill 1026, 86th Texas Legislature, 2019, which requires the SBOE to integrate positive character traits into the essential knowledge and skills adopted for Kindergarten-Grade 12, as appropriate.

CROSS REFERENCE TO STATUTE. The new sections implement Texas Education Code, §§7.102(c)(4), 28.002(a) and (c), and 29.906.

<rule>

§120.1. Implementation of Texas Essential Knowledge and Skills for Positive Character Traits.

- (a) The provisions of this subchapter shall be implemented by school districts beginning with the 2021-2022 school year.
- (b) School districts and open-enrollment charter schools are required to provide instruction in the essential knowledge and skills for positive character traits outlined in this subchapter at least once in the following grade bands: Kindergarten-Grade 2, Grades 3-5, Grades 6-8, and Grades 9-12.
- (c) School districts may provide the required instruction in a variety of arrangements, including through a stand-alone course or by integrating the positive character traits standards in the essential knowledge and skills for one or more courses or subject areas at the appropriate grade levels.

§120.3. Texas Essential Knowledge and Skills for Positive Character Traits, Kindergarten-Grade 2, Adopted 2020.

- (a) Introduction.
 - (1) Character education introduces students to character traits that empower them to be good citizens who are trustworthy, responsible, and caring. The character traits reflect positive beliefs, attitudes, and mindsets; provide opportunities for self-reflection; and permit students to apply effective strategies to make decisions, solve problems, and behave responsibly.

- (2) The standards for positive character traits are comprised of four strands: trustworthiness, responsibility, caring, and citizenship. Each strand consists of the following character traits.
- (A) Trustworthiness: loyalty, integrity, reliability, and punctuality.
- (B) Responsibility: accountability, perseverance, diligence, and self-control.
- (C) Caring: kindness, empathy, charity, generosity, patience, consideration, and compassion.
- (D) Citizenship: respect, courtesy, concern for the common good and the community, fairness, freedom from prejudice, justice, patriotism, school pride, respect for authority and law, and gratitude.
- (3) Students are expected to develop an awareness of self-identity as well as recognize multiple perspectives, difference and diversity, biases, and the social and cultural context in which they live.
- (4) The knowledge and skills for positive character traits are organized in the following grade bands: Kindergarten-Grade 2, Grades 3-5, Grades 6-8, and Grades 9-12. However, due to the complexity of the concepts, student expectations and knowledge and skills statements cannot be taught, discussed, or viewed in isolation.
- (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.
- (b) Knowledge and skills.
- (1) Trustworthiness. The student understands how personal choices and actions relate to character building. The student is expected to:
- (A) describe how personal choices lead to personal actions;
- (B) explain what it means to be trustworthy; and
- (C) identify personal actions that build trustworthiness, including being honest and punctual.
- (2) Responsibility. The student understands the concept of responsibility and how personal actions demonstrate responsibility. The student is expected to:
- (A) describe and give examples of how feelings and beliefs influence personal actions;
- (B) describe how to make personal choices before speaking and acting; and
- (C) define self-control and identify instances in which self-control is important.
- (3) Caring. The student understands how personal actions demonstrate characteristics of caring. The student is expected to:
- (A) define patience and identify actions that demonstrate patience; and
- (B) explain and identify examples of how actions can demonstrate kindness to others.
- (4) Citizenship. The student understands how personal actions can demonstrate good citizenship. The student is expected to:
- (A) define fairness and identify examples of fairness in a variety of situations;
- (B) define and identify examples of patriotism;
- (C) explain what it means to demonstrate respect and courtesy and why it is important to demonstrate respect and courtesy to others; and
- (D) define good citizenship.

§120.5. Texas Essential Knowledge and Skills for Positive Character Traits, Grades 3-5, Adopted 2020.

- (a) Introduction.

- (1) Character education introduces students to character traits that empower them to be good citizens who are trustworthy, responsible, and caring. The character traits reflect positive beliefs, attitudes, and mindsets; provide opportunities for self-reflection; and permit students to apply effective strategies to make decisions, solve problems, and behave responsibly.
 - (2) The standards for positive character traits are comprised of four strands: trustworthiness, responsibility, caring, and citizenship. Each strand consists of the following character traits.
 - (A) Trustworthiness: loyalty, integrity, reliability, and punctuality.
 - (B) Responsibility: accountability, perseverance, diligence, and self-control.
 - (C) Caring: kindness, empathy, charity, generosity, patience, consideration, and compassion.
 - (D) Citizenship: respect, courtesy, concern for the common good and the community, fairness, freedom from prejudice, justice, patriotism, school pride, respect for authority and law, and gratitude.
 - (3) Students are expected to develop an awareness of self-identity as well as recognize multiple perspectives, difference and diversity, biases, and the social and cultural context in which they live.
 - (4) The knowledge and skills for positive character traits are organized in the following grade bands: Kindergarten-Grade 2, Grades 3-5, Grades 6-8, and Grades 9-12. However, due to the complexity of the concepts, student expectations and knowledge and skills statements cannot be taught, discussed, or viewed in isolation.
 - (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.
- (b) Knowledge and skills.
- (1) Trustworthiness. The student understands how personal responsibility relates to being trustworthy. The student is expected to:
 - (A) identify and define traits of trustworthiness, including reliability and loyalty;
 - (B) identify and practice strategies for being honest and punctual; and
 - (C) define and identify examples of unethical behavior.
 - (2) Responsibility. The student understands how personal choices are associated with responsibility. The student is expected to:
 - (A) explain what it means to be responsible for personal decisions and actions;
 - (B) describe positive and negative consequences of personal decisions and actions;
 - (C) identify and demonstrate ways to practice self-control; and
 - (D) describe the relationship between being responsible and being accountable.
 - (3) Caring. The student understands how personal actions demonstrate characteristics of caring. The student is expected to:
 - (A) describe how feelings impact decision making and behaviors;
 - (B) explain how one can show patience, consideration, and compassion; and
 - (C) define empathy and discuss the connection between empathy and charity.
 - (4) Citizenship. The student understands that personal responsibility is associated with citizenship. The student is expected to:
 - (A) describe the differences and similarities among gratitude, respect, and courtesy;
 - (B) compare fairness and justice; and

(C) discuss the importance of obeying laws and rules.

§120.7. Texas Essential Knowledge and Skills for Positive Character Traits, Grades 6-8, Adopted 2020.

(a) Introduction.

- (1) Character education introduces students to character traits that empower them to be good citizens who are trustworthy, responsible, and caring. The character traits reflect positive beliefs, attitudes, and mindsets; provide opportunities for self-reflection; and permit students to apply effective strategies to make decisions, solve problems, and behave responsibly.
- (2) The standards for positive character traits are comprised of four strands: trustworthiness, responsibility, caring, and citizenship. Each strand consists of the following character traits.
 - (A) Trustworthiness: loyalty, integrity, reliability, and punctuality.
 - (B) Responsibility: accountability, perseverance, diligence, and self-control.
 - (C) Caring: kindness, empathy, charity, generosity, patience, consideration, and compassion.
 - (D) Citizenship: respect, courtesy, concern for the common good and the community, fairness, freedom from prejudice, justice, patriotism, school pride, respect for authority and law, and gratitude.
- (3) Students are expected to develop an awareness of self-identity as well as recognize multiple perspectives, difference and diversity, biases, and the social and cultural context in which they live.
- (4) The knowledge and skills for positive character traits are organized in the following grade bands: Kindergarten-Grade 2, Grades 3-5, Grades 6-8, and Grades 9-12. However, due to the complexity of the concepts, student expectations and knowledge and skills statements cannot be taught, discussed, or viewed in isolation.
- (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.

(b) Knowledge and skills.

- (1) Trustworthiness. The student understands how personal choices and actions build trustworthiness. The student is expected to:
 - (A) describe what it means to be reliable and loyal;
 - (B) define and give examples of integrity;
 - (C) examine the benefits of being trustworthy; and
 - (D) describe personal actions that demonstrate trustworthiness at school, home, with peers, and within the community.
- (2) Responsibility. The student understands how personal beliefs and feelings influence our sense of responsibility. The student is expected to:
 - (A) examine how personal beliefs, thoughts, and feelings about self can build responsibility;
 - (B) identify and describe personal role models who demonstrate what it means to be accountable for words and actions;
 - (C) discuss the benefits of practicing self-control; and
 - (D) compare the benefits of responsible behavior with the consequences of irresponsible behavior.
- (3) Caring. The student understands how characteristics of caring impact personal relationships. The student is expected to:
 - (A) evaluate one's personal attitudes and mindsets about self and others;

- (B) discuss how feelings, decision making, and personal behaviors can influence relationships with others; and
- (C) explain and identify examples of how a person can demonstrate empathy through kindness, charity, generosity, and courtesy.
- (4) Citizenship. The student understands how the character trait of citizenship impacts personal relationships. The student is expected to:
 - (A) discuss the roles and responsibilities of citizens;
 - (B) explain how one's personal actions can impact the perception of others;
 - (C) describe how justice, fairness, and freedom are related; and
 - (D) identify and practice a variety of conflict-resolution skills and strategies.

§120.9. Texas Essential Knowledge and Skills for Positive Character Traits, Grades 9-12, Adopted 2020.

(a) Introduction.

- (1) Character education introduces students to character traits that empower them to be good citizens who are trustworthy, responsible, and caring. The character traits reflect positive beliefs, attitudes, and mindsets; provide opportunities for self-reflection; and permit students to apply effective strategies to make decisions, solve problems, and behave responsibly.
- (2) The standards for positive character traits are comprised of four strands: trustworthiness, responsibility, caring, and citizenship. Each strand consists of the following character traits.
 - (A) Trustworthiness: loyalty, integrity, reliability, and punctuality.
 - (B) Responsibility: accountability, perseverance, diligence, and self-control.
 - (C) Caring: kindness, empathy, charity, generosity, patience, consideration, and compassion.
 - (D) Citizenship: respect, courtesy, concern for the common good and the community, fairness, freedom from prejudice, justice, patriotism, school pride, respect for authority and law, and gratitude.
- (3) Students are expected to develop an awareness of self-identity as well as recognize multiple perspectives, difference and diversity, biases, and the social and cultural context in which they live.
- (4) The knowledge and skills for positive character traits are organized in the following grade bands: Kindergarten-Grade 2, Grades 3-5, Grades 6-8, and Grades 9-12. However, due to the complexity of the concepts, student expectations and knowledge and skills statements cannot be taught, discussed, or viewed in isolation.
- (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.

(b) Knowledge and skills.

- (1) Trustworthiness. The student understands how trustworthiness is viewed in society, politics, and the local and global community. The student is expected to:
 - (A) examine how the power to make decisions relates to personal actions;
 - (B) analyze how the decisions and actions of leaders in society, politics, and the local and global community demonstrate integrity; and
 - (C) examine the legal and social consequences of unethical behavior.
- (2) Responsibility. The student understands how leaders demonstrate responsibility in relationships, families, societies, politics, and the global community. The student is expected to:

- (A) identify and describe personal role models who demonstrate what it means to be accountable for words and actions;
 - (B) identify and discuss real-world examples of taking personal responsibility for one's words and actions;
 - (C) identify and evaluate strategies for practicing self-control in a variety of situations; and
 - (D) define perseverance and identify strategies for demonstrating perseverance.
- (3) Caring. The student understands how characteristics of caring influence society and impact the global community. The student is expected to:
- (A) evaluate one's personal attitudes and mindsets about self and others;
 - (B) discuss how feelings, decision making, and personal behaviors impact relationships within society; and
 - (C) identify strategies for how a person can show empathy through one's actions.
- (4) Citizenship. The student understands how character traits of citizenship influence our personal view of society and the local and global community. The student is expected to:
- (A) explain the impact of personal actions on the family, school, and local and global community;
 - (B) practice the roles and responsibilities of citizenship in a variety of settings;
 - (C) apply conflict resolutions skills; and
 - (D) participate in constructive dialogues with those of differing viewpoints.