

The State Board of Education (SBOE) adopts new §§120.1, 120.3, 120.5, 120.7, and 120.9, concerning other Texas Essential Knowledge and Skills (TEKS). The new sections are adopted without changes to the proposed text as published in the July 31, 2020 issue of the *Texas Register* (45 TexReg 5293) and will not be republished. The new sections add new TEKS for positive character traits for Kindergarten-Grade 12 in accordance with House Bill (HB) 1026, 86th Texas Legislature, 2019.

REASONED 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.

The new sections implement HB 1026, 86th Texas Legislature, 2019, by establishing TEKS for positive character traits for Kindergarten-Grade 12. The standards address requirements by grade bands, including Kindergarten-Grade 2, Grades 3-5, Grades 6-8, and Grades 9-12. A new section on implementation is included to specify the required frequency of the instruction and how the instruction may be provided. The new sections will 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 and for second reading and final adoption at its September 2, 2020 meeting.

In accordance with TEC, §7.102(f), the SBOE approved the new sections for adoption by a vote of two-thirds of its members to specify an effective date earlier than the beginning of the 2021-2022 school year. The earlier effective date will allow districts of innovation that begin school prior to the statutorily required start date to implement the proposed rulemaking when they begin their school year. The effective date is August 1, 2021.

SUMMARY OF COMMENTS AND RESPONSES: The public comment period on the proposal began July 31, 2020, and ended August 31, 2020. The SBOE also provided an opportunity for registered oral and written comments at its September 2020 meeting in accordance with the SBOE board operating policies and procedures. Following is a summary of the public comments received and corresponding responses.

Comment. An administrator requested a timeline for when the TEKS for positive character traits will be available.

Response. The SBOE provides the following clarification. The rules as adopted will be effective August 1, 2021, and will be implemented by school districts beginning with the 2021-2022 school year. The adopted TEKS will be available on the Texas Education Agency (TEA) website within a few weeks of the September SBOE meeting.

Comment. An administrator requested guidance on the use of consultants for character education and social and emotional learning. The commenter asked whether vendors not listed on the TEA website may be used and expressed support for the National Educators for Restorative Practices (NEDRP).

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

Comment. A counselor expressed disagreement with proposed new subsection (a)(3) for Kindergarten-Grade 12, which expects students to develop an awareness of self-identify and recognize multiple perspectives, difference and diversity, biases, and the social and cultural context in which students live. The commenter stated that, although they

sound good, the proposed new TEKS for positive character traits should be rejected if subsection (a)(3) is not excluded because it is too broad and open for teachers' viewpoints.

Response. The SBOE disagrees and has determined that the language in introductory subsection (a)(3) was appropriate as proposed.

STATUTORY AUTHORITY. The new sections are 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; 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.