

**Report of the State Board of Education
Committee of the Full Board
January 29&30, 2014**

The State Board of Education Committee of the Full Board met at 9:12 a.m. on Wednesday, January 29, 2014, in the State Board of Education Room, #1-104, of the William B. Travis Building, 1701 N. Congress Avenue, Austin, Texas. All members of the committee were present, as follows:

Presiding: Barbara Cargill, chair; Lawrence A. Allen, Jr.; Donna Bahorich; David Bradley; Ruben Cortez, Jr.; Martha M. Dominguez; Pat Hardy; Mavis B. Knight; Tom Maynard; Sue Melton-Malone; Ken Mercer; Geraldine “Tincy” Miller; Marisa B. Perez; Thomas Ratliff; Marty Rowley

Public Testimony

This item provides an opportunity for the public to present testimony at the time the related item comes up for committee discussion or action. The procedures for registering and taking public testimony at State Board of Education committee meetings and general board meetings are provided at <http://www.tea.state.tx.us/index4.aspx?id=25769804094> or in the information section (yellow pages) of the agenda.

The Committee of the Full Board received one presentation of public testimony on Item #7. Information regarding the individual who presented public testimony is included in the discussion of that item.

DISCUSSION ITEM

1. Commissioner’s Comments Regarding the SBOE Agenda and Legislative Activities
(Board agenda page I-187)

Michael L. Williams, commissioner of education, answered questions from State Board of Education members dealing with the Texas Education Agency’s organizational chart, public education funding approved by the 2013 Texas Legislature, and the commissioner’s visit to the Windham schools.

ACTION ITEMS

2. Proposed Revisions to 19 TAC Chapter 74, Curriculum Requirements, Subchapter B, Graduation Requirements
(Second Reading and Final Adoption)
(Board agenda page I-1)
[Official agenda item #3]

Monica Martinez, associate commissioner for standards and programs, explained that this item provided the opportunity to align the new graduation requirements with the requirements of House Bill 5.

MOTION: *It was moved by Mr. Mercer and seconded by Ms. Hardy to recommend that the State Board of Education by an affirmative vote of two-thirds of the members of the board, approve for second reading and final adoption proposed revisions to 19 TAC Chapter 74, Curriculum Requirements, Subchapter B, Graduation Requirements, with an effective date of 20 days after filing as adopted with the Texas Register.*

MOTION AND VOTE: *It was moved by Mr. Rowley, seconded by Mr. Mercer, and carried unanimously to recommend that the State Board of Education amend §74.12(b)(1) to add Advanced Journalism: Newspaper III and Advanced Journalism: Yearbook III.*

MOTION AND VOTE: *It was moved by Mr. Ratliff, seconded by Ms. Hardy, and carried unanimously to recommend that the State Board of Education amend §74.12(b)(1) to add Independent Study in Speech.*

MOTION AND VOTE: *It was moved by Ms. Hardy and seconded by Dr. Dominguez to recommend that the State Board of Education strike §74.12(b)(4)(C). The motion failed.*

MOTION AND VOTE: *It was moved by Mr. Ratliff, seconded by Mr. Allen, and carried unanimously to recommend that the State Board of Education amend §74.12(b)(5)(B)(ii) to read as follows:*

“another credit selected from Chapter 110 of this title (relating to Texas Essential Knowledge and Skills for English Language Arts and Reading); Chapter 111 of this title (relating to Texas Essential Knowledge and Skills for Mathematics); Chapter 112 of this title (relating to Texas Essential Knowledge and Skills for Science); Chapter 113 of this title (relating to Texas Essential Knowledge and Skills for Social Studies); ~~or~~ Chapter 114 of this title (relating to Texas Essential Knowledge and Skills for Languages Other Than English); or and computer programming.”

MOTION: *It was moved by Ms. Hardy, seconded by Dr. Dominguez, and carried to recommend that the State Board of Education amend §74.12(b)(5)(B) to read as follows:*

- “(ii) World History or World Geography for a student who is not required to complete both by the local district; or
- “(iii) another credit selected from Chapter 114 of this title (relating to Texas Essential Knowledge and Skills for Languages Other Than English); or
- “(iv) computer programming languages.”

MOTION AND VOTE: *It was moved by Mrs. Bahorich, seconded by Ms. Hardy, and carried unanimously to recommend that the State Board of Education amend §74.12(b)(5)(A)(ii) to read as follows:*

“two credits in computer programming languages selected from Computer Science I, Computer Science II, or Computer Science III.”

MOTION AND VOTE: *It was moved by Mrs. Bahorich, seconded by Ms. Hardy, and carried to recommend that the State Board of Education add new §74.12(b)(5)(A)(iii) to read as follows:*

“Subsection (5)(A)(ii) applies to credits earned before September 1, 2016. Credits earned on or after September 1, 2016 may not be used to comply with subsection (b)(5)(A). This subsection and subsections (b)(5)(A)(ii) expires on September 1, 2017.”

MOTION AND VOTE: *It was moved by Ms. Hardy, seconded by Mr. Ratliff, and carried unanimously to recommend that the State Board of Education amend §74.12(b)(7)(A) to read as follows:*

“The credit may be selected from the following courses subject to prerequisite requirements.”

MOTION AND VOTE: *It was moved by Ms. Hardy, seconded by Mrs. Bahorich, and carried unanimously to recommend that the State Board of Education amend §74.12(c) to read as follows:*

“Elective courses--five credits. The credits must be selected from the list of courses specified in §74.11(g) of this title (relating to High School Graduation Requirements) or from a locally developed course or activity developed pursuant to the TEC, §28.002(g-1), for which a student may receive credit and which ~~is not counted toward another graduation requirement~~ does not satisfy a specific course requirement.”

MOTION AND VOTE: *It was moved by Mr. Ratliff, seconded by Mr. Allen, and carried unanimously to recommend that the State Board of Education amend §74.12(c) to read as follows:*

“Elective courses--five credits. The credits must be selected from the list of courses specified in §74.11(g), (h), or (i) of this title (relating to High School Graduation Requirements) or from a locally developed course or activity developed pursuant to the TEC, §28.002 (g-1), for which a student may receive credit and which does not satisfy a specific course requirement.”

MOTION AND VOTE: *It was moved by Mr. Ratliff, seconded by Ms. Hardy, and carried unanimously to recommend that the State Board of Education amend §74.13(d) to read as follows:*

“A school district may define advanced courses and determine a coherent sequence of courses for an endorsement area, provided that prerequisites in Chapters 110-118, 126, 127, and 130 of this title are followed.”

MOTION AND VOTE: *It was moved by Mr. Ratliff, seconded by Dr. Dominguez, and carried unanimously to recommend that the State Board of Education amend §74.13(e)(5) to read as follows:*

“Two additional elective credits that may be selected from the list of courses specified in §74.11(g), (h), or (i) of this title (relating to High School Graduation Requirements).”

MOTION AND VOTE: *It was moved by Mr. Rowley, seconded by Mr. Mercer, and carried unanimously to recommend that the State Board of Education strike §74.13(f)(1)(A)(i) and add new §74.13(f)(3)(A)(iii) to read as follows:*

“Chapter 130, Subchapter H, of this title (relating to Health Science); or”

MOTION AND VOTE: *It was moved by Mr. Maynard, seconded by Mr. Ratliff, and carried unanimously to recommend that the State Board of Education amend §74.13(f)(1)(A) to read as follows:*

“a coherent sequence of ~~three or more~~ courses for four or more credits in CTE that consists of ~~includes at least two~~ courses in the same career cluster including and at least one advanced CTE course, which may include any course that is the third or higher course in a sequence. The courses may be selected from Chapter 130 of this title, Chapter 127 of this title, or CTE innovative courses approved by the commissioner. The final course in the sequence must be obtained from one of the CTE career clusters listed in the following:”

The committee directed staff to make conforming changes to §74.13(f)(2)(A) and (3)(B).

MOTION AND VOTE: *It was moved by Mrs. Bahorich, seconded by Mr. Mercer, and carried unanimously to recommend that the State Board of Education amend §74.13(f)(1)(B) to read as follows:*

“a coherent sequence of four credits in computer science selected from the following: ~~courses from Chapter 126 of this title (relating to Texas Essential Knowledge and Skills for Technology Applications) and Computer Programming and Advanced Computer Programming courses from Chapter 130 of this title (relating to Texas Essential Knowledge and Skills for Career and Technical Education); or~~

- (i) Fundamentals of Computer Science;
- (ii) Computer Science I;
- (iii) Computer Science II;
- (iv) Computer Science III;
- (v) AP Computer Science;
- (vi) IB Computer Science, Standard Level;
- (vii) IB Computer Science, Higher Level;
- (viii) Discrete Mathematics for Computer Science;
- (ix) Digital Forensics;
- (x) Game Programming and Design;
- (xi) Mobile Application Development;
- (xii) Robotics Programming and Design; and
- (xiii) Independent Studies of Technology Applications.”

MOTION AND VOTE: *It was moved by Mr. Ratliff, seconded by Ms. Perez, and carried unanimously to recommend that the State Board of Education amend §74.13(f)(1)(C) to read as follows:*

“~~three four~~ credits in mathematics by successfully completing Algebra II and ~~two three~~ additional mathematics courses for which Algebra II is a prerequisite by selecting courses from subsection (e)”

MOTION AND VOTE: *It was moved by Mr. Mercer, seconded by Ms. Perez, and carried unanimously to recommend that the State Board of Education amend §74.13(f)(1)(D) to read as follows:*

“four credits in science by successfully completing chemistry, physics and ~~two three~~ additional science courses by selecting courses from subsection (e)(4) of this section.”

MOTION AND VOTE: *It was moved by Mr. Ratliff, seconded by Ms. Hardy, and carried unanimously to recommend that the State Board of Education add new §74.13(f)(1)(E) to read as follows:*

“in addition to Algebra II, physics, and chemistry, a coherent sequence of three additional credits from no more than two of the categories or disciplines represented by subdivisions (A), (B), (C), and (D).”

MOTION AND VOTE: *It was moved by Mr. Rowley, seconded by Mr. Mercer, and carried unanimously to recommend that the State Board of Education amend §74.13(f)(2)(B) to read as follows:*

- “(i) advanced broadcast journalism; or
- “(ii) advanced journalism: newspaper;
- “(iii) public speaking;
- “(iv) debate; or
- “(v) advanced journalism: yearbook.”

MOTION AND VOTE: *It was moved by Mrs. Bahorich, seconded by Mr. Ratliff, and carried unanimously to recommend that the State Board of Education add new §74.13(f)(2)(C) to read as follows:*

“four technology application credits by selecting from the following:

- “(i) Digital Design and Media Production;
- “(ii) Digital Art and Animation;
- “(iii) 3-D Modeling and Animation;
- “(iv) Digital Communications in the 21st Century;
- “(v) Digital Video and Audio Design;
- “(vi) Web Communications;
- “(vii) Web Design;
- “(viii) Web Game Development; or
- “(ix) Independent Study in Evolving/Emerging Technologies.”

MOTION AND VOTE: *It was moved by Ms. Perez, seconded by Dr. Dominguez, and carried unanimously to recommend that the State Board of Education add new §74.13(f)(2)(D) to read as follows:*

“a locally defined set of four credits from Subdivision (2)(A), (B), or (C) of this Subsection in a coherent sequence that corresponds to the student’s academic or career goals, as documented in the student’s personal graduation plan.”

MOTION AND VOTE: *It was moved by Mr. Maynard, seconded by Mr. Mercer, and carried unanimously to recommend that the State Board of Education amend §74.13(f)(4)(E) to read as follows:*

“a coherent sequence of four credits by selecting courses from one or two categories or disciplines in fine arts from Chapter 117 of this title or innovative courses approved by the commissioner.”

MOTION AND VOTE: *It was moved by Mr. Ratliff, seconded by Mr. Rowley, and carried unanimously to recommend that the State Board of Education amend §74.13(f)(5)(C) to read as follows:*

“four advanced placement, International Baccalaureate, or dual credit courses selected from English, mathematics, science, social studies, economics, languages other than English, or fine arts. ~~to include one credit in each of the four foundation subjects~~”

MOTION AND VOTE: *It was moved by Ms. Perez, seconded by Mr. Ratliff, and carried unanimously to recommend that the State Board of Education amend §74.14(b)(1)(B)(iv)(III) to read as follows:*

“performance on a national assessment of language proficiency in a language other than English of at least Intermediate High or its equivalent.”

MOTION AND VOTE: *It was moved by Ms. Hardy, seconded by Mr. Ratliff, and carried unanimously to recommend that the State Board of Education amend §74.14(c) to read as follows:*

- “(1) a score of ~~3 or above, 4 or 5~~ on a College Board advanced placement examination; or
- (2) a score of ~~4 5~~ or above on an International Baccalaureate examination for a higher level course.”

MOTION AND VOTE: *It was moved by Mrs. Miller, seconded by Mr. Ratliff, and carried unanimously to recommend that the State Board of Education add new §74.12(b)(1)(R) to read as follows:*

“Communication Applications, which must be combined with another half credit from this list;”

The committee postponed action on the motion until Thursday.

The motion on Subchapter B was taken up.

MOTION AND VOTE: *It was moved by Mr. Ratliff, seconded by Ms. Hardy, and carried unanimously to recommend that the State Board of Education add new §74.11(a)(3) to read as follows:*

“demonstrate proficiency, as determined by the district in which the student is enrolled, at delivering clear verbal messages, choosing effective nonverbal behaviors, listening for desired results, applying valid critical-thinking and problem-solving processes, identifying, analyzing, developing, and evaluating communication skills needed for professional and social success in interpersonal situations, group interactions, and personal and professional presentations.”

MOTION: *It was moved by Mrs. Melton-Malone and seconded by Ms. Hardy to recommend that the State Board of Education amend §74.12(b)(2) to read as follows:*

“(A) The additional credit may be selected from one full credit or a combination of two half credits from two different courses, subject to prerequisite requirements, from the following courses or a credit selected from the courses listed in subsection (b)(2)(B):

- (i) Mathematical Models with Applications;
- (ii) Mathematical Applications in Agriculture, Food, and Natural Resources;
- (iii) Digital Electronics; and
- (iv) Robotics Programming and Design.

(B) The additional credit may be selected from one full credit or a combination of two half credits, subject to prerequisite requirements, from the following courses:

- (i) Algebra II;
- (ii) Precalculus;
- (iii) Advanced Quantitative Reasoning;
- (iv) Independent Study in Mathematics;
- (v) Discrete Mathematics for Problem Solving;
- (vi) Algebraic Reasoning;
- (vii) Statistics;
- (viii) AP Statistics;
- (ix) AP Calculus AB;
- (x) AP Calculus BC;
- (xi) AP Computer Science;
- (xii) IB Mathematical Studies Standard Level;
- (xiii) IB Mathematics Standard Level;
- (xiv) IB Mathematics Higher Level;
- (xv) IB Further Mathematics Higher Level;

- (xvi) Engineering Mathematics;
- (xvii) Statistics and Risk Management;
- (xviii) Discrete Mathematics for Computer Science;
- (xix) pursuant to the TEC, §28.025(b-5), after the successful completion of Algebra II, a mathematics course endorsed by an institution of higher education as a course for which the institution would award course credit or as a prerequisite for a course for which the institution would award course credit. The Texas Education Agency (TEA) shall maintain a current list of courses offered under this subparagraph; and
- (xviii) after the successful completion of Algebra I and Geometry, a locally developed mathematics course or other activity, including an apprenticeship or training hours needed to obtain an industry-recognized credential or certificate that is developed pursuant to the TEC, §28.002(g-1).”

VOTE: *The motion carried with 13 members voting Aye, and 2 members voting No as follows:*

<u>Aye:</u>	<i>Mr. Allen Mrs. Bahorich Mr. Bradley Mrs. Cargill Ms. Hardy Mrs. Knight Mr. Maynard</i>	<i>Mrs. Melton-Malone Mr. Mercer Mrs. Miller Ms. Perez Mr. Ratcliffe Mr. Rowley</i>
-------------	---	---

<u>No:</u>	<i>Mr. Cortez</i>	<i>Dr. Dominguez</i>
------------	-------------------	----------------------

MOTION: *It was moved by Mrs. Melton-Malone and seconded by Mr. Ratliff to recommend that the State Board of Education amend §74.13(e) to read as follows:*

“(2) A fourth credit in mathematics that may be selected from one full credit or a combination of two half credits from two different courses, subject to prerequisite requirements, from the following courses:

- (A) Algebra II;
- (B) Precalculus;
- (C) Advanced Quantitative Reasoning;
- (D) Independent Study in Mathematics;
- (E) Discrete Mathematics for Problem Solving;
- (F) Algebraic Reasoning;
- (G) Statistics;
- (H) Advanced Placement (AP) Statistics;
- (I) AP Calculus AB;
- (J) AP Calculus BC;
- (K) AP Computer Science;

- (L) International Baccalaureate (IB) Mathematical Studies Standard Level;
 - (M) IB Mathematics Standard Level;
 - (N) IB Mathematics Higher Level;
 - (O) IB Further Mathematics Higher Level;
 - (P) Engineering Mathematics;
 - (Q) Statistics and Risk Management;
 - (R) Discrete Mathematics for Computer Science;
 - (S) pursuant to the Texas Education Code (TEC), §28.025(b-5), after the successful completion of Algebra II, a mathematics course endorsed by an institution of higher education as a course for which the institution would award course credit or as a prerequisite for a course for which the institution would award course credit. The Texas Education Agency (TEA) shall maintain a current list of courses offered under this subparagraph;
 - (T) after the successful completion of Algebra I and Geometry, a locally developed mathematics course or other activity, including an apprenticeship or training hours needed to obtain an industry-recognized credential or certificate that is developed pursuant to the TEC, §28.002(g-1); and
 - (U) Mathematical Models with Applications, if credit is earned prior to September 1, 2015; a student may not meet the requirement of the course by completing it on or after September 1, 2015; this subsection expires September 1, 2016.
- (3) A student may complete a course from subsection (e)(2) before or after completing a course from subsection 74.12(b)(2)(A)."
- (4) The fourth mathematics credit may be a college preparatory mathematics course that is developed and offered pursuant to the TEC, §28.014."

MOTION AND VOTE: *It was moved by Mr. Ratliff, seconded, and carried unanimously to recommend that the State Board of Education amend §74.13(e)(2)(U) to read as follows:*

"Mathematical Models with Applications, if credit is earned prior to September 1, 2015; a student may not meet the requirement of the course by completing it on or after September 1, 2015; this subsection expires September 1, 2016 or until such time as the course listed in (F) or (G) has been developed and approved by the State Board of Education, whichever is later."

VOTE: *A vote was taken on the motion by Mrs. Melton-Malone. The motion carried with 15 members voting Aye, and 0 members voting No as follows:*

<u>Aye:</u>	<i>Mr. Allen Mrs. Bahorich Mr. Bradley Mrs. Cargill Mr. Cortez Dr. Dominguez Ms. Hardy Mrs. Knight</i>	<i>Mr. Maynard Mrs. Melton-Malone Mr. Mercer Mrs. Miller Ms. Perez Mr. Ratliff Mr. Rowley</i>
-------------	--	---

VOTE: *A vote was taken on the main motion to recommend that the State Board of Education by an affirmative vote of two-thirds of the members of the board, approve for second reading and final adoption proposed revisions to 19 TAC Chapter 74, Curriculum Requirements, Subchapter B, Graduation Requirements, with an effective date of 20 days after filing as adopted with the Texas Register, as amended. The motion carried.*

3. Proposed Revisions to 19 TAC Chapter 74, Curriculum Requirements, Subchapter A, Required Curriculum

(First Reading and Filing Authorization)

(Board agenda page I-35)

[Official agenda item #4]

Ms. Martinez explained that this item had been postponed from the November meeting.

MOTION: *It was moved by Mr. Cortez and seconded by Mr. Ratliff to recommend that the State Board of Education approve for first reading and filing authorization proposed revisions to 19 TAC Chapter 74, Curriculum Requirements, Subchapter A, Required Curriculum.*

MOTION AND VOTE: *It was moved by Mrs. Miller, seconded by Mr. Cortez, and carried unanimously to recommend that the State Board of Education reinsert §74.3(b)(2)(J), Speech – Communication Applications.*

MOTION AND VOTE: *It was moved by Mrs. Bahorich, seconded by Mr. Rowley, and carried unanimously to recommend that the State Board of Education amend §74.3(b)(2)(I) to read as follows:*

“technology applications—Computer Science I, Computer Science II, and at least ~~two~~ ~~four~~ courses selected from ~~Computer Science I, Computer Science II~~, Computer Science III, Digital Art and Animation, Digital Communications in the 21st Century, Digital Design and Media Production, Digital Forensics, Digital Video and Audio Design, Discrete Mathematics for Computer Science, Fundamentals of Computer Science, Game Programming and Design, Independent Study in Evolving/Emerging Technologies, Independent Study in Technology Applications, Mobile Application Development, Robotics Programming and Design, 3-D Modeling and Animation, Web Communications, Web Design, and Web Game Development.”

The committee directed staff to ensure all the career and technical education courses that may currently satisfy math or science credit requirements are included in §74.3(b)(2)(C).

VOTE: *A vote was taken on the motion to recommend that the State Board of Education approve for first reading and filing authorization proposed revisions to 19 TAC Chapter 74, Curriculum Requirements, Subchapter A, Required Curriculum, as amended. The motion carried unanimously.*

4. **Proposed Revisions to 19 TAC Chapter 114, Texas Essential Knowledge and Skills for Languages Other Than English, Subchapter A, Elementary, Subchapter B, Middle School, Subchapter C, High School, and Subchapter D, Other Languages Other Than English Courses**
(First Reading and Filing Authorization)
(Board agenda page I-51)
[Official agenda item #5]

Shelly Ramos, director of academic standards and services, curriculum division, identified sections in the proposed Texas Essential Knowledge and Skills (TEKS) for Languages Other than English where the board members might consider amendments for consistency.

MOTION: *It was moved by Ms. Hardy and seconded to approve for first reading and filing authorization the proposed revisions to 19 TAC Chapter 114, Texas Essential Knowledge and Skills for Languages Other Than English, Subchapter A, Elementary, Subchapter B, Middle School, Subchapter C, High School, and Subchapter D, Other Languages Other Than English Courses.*

The committee directed staff to make the language in the introductions consistent across all levels in Subchapter C.

MOTION AND VOTE: *It was moved by Mr. Rowley and carried unanimously to recommend that the State Board of Education strike (a)(1) and (a)(2) in Languages Other than English, levels V-VII.*

MOTION AND VOTE: *It was moved by Mrs. Miller and carried unanimously to recommend that the State Board of Education amend §114.46(b)(5) to read as follows:*

“The student's portfolio must be presented ~~before a panel approved by the student's seminar mentor.~~”

MOTION AND VOTE: *It was moved by Mr. Maynard, seconded by Dr. Dominguez, and carried unanimously to recommend that the State Board of Education strike §114.46(b)(5) and add new §114.46(c)(2)(G) to read as follows:*

“present a portfolio.”

The committee directed staff to form two committees, one to make recommendations regarding the need for unique TEKS for classical languages and one to make recommendations regarding unique TEKS for logographic languages.

VOTE: *A vote was taken on the motion to approve for first reading and filing authorization the proposed revisions to 19 TAC Chapter 114, Texas Essential Knowledge and Skills for Languages Other Than English, Subchapter A, Elementary, Subchapter B, Middle School, Subchapter C, High School, and Subchapter D, Other Languages Other Than English Courses, as amended. The motion carried unanimously.*

5. Proposed Revisions to 19 TAC Chapter 66, State Adoption and Distribution of Instructional Materials, Subchapter B, State Adoption of Instructional Materials

(Second Reading and Final Adoption)

(Board agenda page I-103)

[Official agenda item #6]

John Lopez, managing director, instructional materials and educational technology division, explained that there are two separate items related to Chapter 66 because the board postponed action on some sections of Chapter 66 from November to January.

MOTION: *It was moved by Dr. Dominguez and seconded by Mr. Bradley to recommend that the State Board of Education by an affirmative vote of two-thirds of the members of the board, approve for second reading and final adoption proposed revisions to 19 TAC Chapter 66, State Adoption and Distribution of Instructional Materials, Subchapter B, State Adoption of Instructional Materials, with an effective date of 20 days after filing as adopted with the Texas Register.*

MOTION AND VOTE: *It was moved by Mr. Rowley, seconded by Mr. Ratliff, and carried to recommend that the State Board of Education amend the second and third sentences of §66.33(a) to read as follows:*

“Each appointment to a state review panel shall be made by the commissioner of education with priority given to qualified individuals that are nominated by State Board of Education (SBOE) members. Any SBOE member may veto the placement of a review panel member from his or her district upon the written objection of said SBOE member the advice and consent of the State Board of Education (SBOE) member whose district is to be represented.”

MOTION AND VOTE: *It was moved by Mr. Ratliff and seconded by Ms. Hardy to recommend that the State Board of Education amend the last sentence of §66.33(a) to read as follows:*

“The role of each appointee shall be designated by the commissioner and disclosed to all appointees on each panel.”

The motion carried, with 8 members voting Aye and 7 members voting No, as follows:

<u>Aye:</u>	<i>Mr. Allen</i>	<i>Mr. Maynard</i>
	<i>Mr. Cortez</i>	<i>Ms. Perez</i>
	<i>Dr. Dominguez</i>	<i>Mr. Ratliff</i>
	<i>Mrs. Knight</i>	<i>Mr. Rowley</i>
<u>No:</u>	<i>Mrs. Bahorich</i>	<i>Mrs. Melton-Malone</i>
	<i>Mr. Bradley</i>	<i>Mr. Mercer</i>
	<i>Mrs. Cargill</i>	<i>Mrs. Miller</i>
	<i>Ms. Hardy</i>	

MOTION AND VOTE: *It was moved by Mr. Rowley, seconded by Mr. Ratliff, and carried to recommend that the State Board of Education amend the second sentence of §66.33(a) to read as follows:*

“Each appointment to a state review panel shall be made by the commissioner of education with priority given to qualified individuals that are nominated by State Board of Education (SBOE) members and with the advice and consent of the State Board of Education (SBOE) member whose district is to be represented.”

MOTION AND VOTE: *It was moved by Mr. Ratliff, seconded by Dr. Dominguez, and carried to recommend that the State Board of Education add a new second sentence to §66.36(a)(1) to read as follows:*

“All portions of instructional materials must be reviewed by at least two panel members for the purpose of this review.”

MOTION AND VOTE: *It was moved by Mr. Maynard, seconded by Ms. Hardy, and carried to recommend that the State Board of Education strike §66.36(a)(1)(C).*

MOTION AND VOTE: *It was moved by Mr. Ratliff, seconded by Ms. Perez, and carried to recommend that the State Board of Education amend §66.36(a)(2) to read as follows:*

“make recommendations, through the submission of a consensus report, or, if necessary, majority and minority reports, that reflect the opinions of all panel members listed by team role, to the commissioner of education that each submission assigned to be evaluated by the state review panel be placed on the adopted list or rejected”

MOTION AND VOTE: *It was moved by Mr. Ratliff, seconded by Mr. Cortez, and carried to recommend that the State Board of Education amend §66.36(a)(3) to read as follows:*

“submit to the commissioner of education a list of any factual errors in instructional materials discovered during the review conducted by the state review panel through the submission of a consensus report, or, if necessary, majority and minority reports that reflect the opinions of all panel members listed by team role, to determine what factual errors have been discovered”

MOTION AND VOTE: *It was moved by Mr. Ratliff and seconded by Mr. Cortez to recommend that the State Board of Education amend §66.36(b) to read as follows:*

“State review panel members shall not accept meals, entertainment, gifts, or gratuities in any form from SBOE members, publishers, authors, or depositories; agents for publishers, authors, or depositories; any person who holds any official position with publishers, authors, depositories, or agents; or any person or organization interested in influencing the selection of instructional materials.”

MOTION: *It was moved by Mr. Ratliff and seconded by Mrs. Knight to recommend that the State Board of Education amend the last sentence of §66.36(d) to read as follows:*

“State review panel members shall not discuss instructional materials being evaluated with a member of the SBOE or with any party having a ~~direct or indirect~~ financial interest in the adoption of instructional materials.”

MOTION AND VOTE: *It was moved by Mr. Bradley, seconded by Mr. Ratliff, and carried to recommend that the State Board of Education amend the previous motion to add the words “prior to the conclusion of the review” to the end of the last sentence.*

VOTE: *A vote was taken on Mr. Ratliff’s motion as amended. The motion carried.*

MOTION AND VOTE: *It was moved by Mr. Ratliff and seconded by Ms. Hardy to recommend that the State Board of Education amend §66.33(d) to read as follows:*

“Members of a state review panel may be removed at the discretion of the commissioner of education or by a majority vote of the SBOE in response to concerns regarding alleged violations of statutes, rules, or procedural irregularities.”

The motion failed with 6 members voting Aye and 9 members voting No as follows:

<u>Aye:</u>	<i>Mr. Allen</i>	<i>Mrs. Knight</i>
	<i>Mr. Cortez</i>	<i>Ms. Perez</i>
	<i>Dr. Dominguez</i>	<i>Mr. Ratliff</i>
<u>No:</u>	<i>Mrs. Bahorich</i>	<i>Mrs. Melton-Malone</i>
	<i>Mr. Bradley</i>	<i>Mr. Mercer</i>
	<i>Mrs. Cargill</i>	<i>Mrs. Miller</i>
	<i>Ms. Hardy</i>	<i>Mr. Rowley</i>
	<i>Mr. Maynard</i>	

The committee agreed without objection to postpone further consideration of this item until 8:30 a.m. on Thursday, January 30, 2014.

MOTION AND VOTE: *It was moved by Mr. Ratliff, seconded by Mr. Cortez, and carried to recommend that the State Board of Education amend §66.66(b)(3) to read as follows:*

“are free from factual errors, including significant grammatical or punctuation errors that have been determined to impede student learning, or the publisher has agreed to correct any identified factual errors, or grammatical or punctuation errors that have been determined to impede student learning, prior to execution of a contract pursuant to §66.72 of this title (relating to Preparing and Completing Contracts)”

MOTION AND VOTE: *It was moved by Mr. Ratliff, seconded by Ms. Hardy, and carried to recommend that the State Board of Education amend §66.79(a) to read as follows:*

“A publisher may add or edit content to instructional materials during the review and adoption process only to allow the materials to:

- (1) meet the Texas essential knowledge and skills (TEKS) coverage percentage the publisher had specified on the complete program description form submitted for that instructional product; ~~and~~
- (2) meet 100% of the English language proficiency standards (ELPS) designated for the subject and grade for which the instructional product is intended; and
- (3) address concerns raised during public testimony at a public hearing of the SBOE and requested by a majority vote of the SBOE, as allowed by law.”

VOTE: *A vote was taken on the motion to recommend that the State Board of Education by an affirmative vote of two-thirds of the members of the board, approve for second reading and final adoption proposed revisions to 19 TAC Chapter 66, State Adoption and Distribution of Instructional Materials, Subchapter B, State Adoption of Instructional Materials, with an effective date of 20 days after filing as adopted with the Texas Register, as amended. The motion carried unanimously.*

6. **Proposed Amendments to 19 TAC Chapter 66, State Adoption and Distribution of Instructional Materials, Subchapter B, State Adoption of Instructional Materials**
(First Reading and Filing Authorization)
(Board agenda page I-115)
[Official agenda item #7]

Mr. Lopez presented the item for amendments.

MOTION: *It was moved by Dr. Dominguez and seconded by Ms. Perez to recommend that the State Board of Education approve for first reading and filing authorization proposed amendments to 19 TAC Chapter 66, State Adoption and Distribution of Instructional Materials, Subchapter B, State Adoption of Instructional Materials.*

MOTION AND VOTE: *It was moved by Mr. Ratliff, seconded by Ms. Hardy, and carried to recommend that the State Board of Education amend the last sentence of §66.21(c) to read as follows:*

“Estimated expenditures and historical or expected legislative appropriations shall also be considered when determining placement of subjects in the cycle.”

(Mr. Bradley was absent for the vote.)

MOTION AND VOTE: *It was moved by Mr. Ratliff, seconded by Ms. Perez and carried to recommend that the State Board of Education strike existing §66.30(a) and (b) and replace with a new (a) to read as follows:*

“A person nominated to serve on a state review panel shall disclose in any nomination or application, in a manner prescribed by the commissioner, whether during the three years preceding the appointment the person:

- (1) was employed by or received funds from any individual or entity affiliated with a publishing company related to the adoption of instructional materials, or participated in an adoption under which the state or a state review panel has or will evaluate instructional materials;
- (2) owned or controlled any interest valued at more than \$5,000 in a privately owned publishing company or an entity receiving funds from a publishing company related to the adoption of instructional materials, or direct ownership of stock of a publicly traded company, or
- (3) was employed by an institution of higher education that has submitted open-source instructional materials or is a publisher of instructional materials.”

(Mr. Bradley was absent for the vote.)

MOTION AND VOTE: *It was moved by Mr. Ratliff, seconded by Mr. Rowley, and carried to recommend that the State Board of Education amend the first sentence of §66.54(i) to read as follows:*

“A publisher shall provide a list of all corrections necessary to comply with applicable laws, rules or the proclamation to each student and teacher component of an instructional materials submission.”

(Mr. Bradley was absent for the vote.)

MOTION AND VOTE: *It was moved by Mr. Ratliff, seconded by Ms. Hardy, and carried to recommend that the State Board of Education amend §66.60(a)(3) to read as follows:*

“Copies of written comments and lists of factual errors shall be posted on the TEA website in summary form and provided to the State Board of Education (SBOE), participating publishers, regional education service centers (ESCs), and persons who have filed written requests.”

(Mr. Bradley was absent for the vote.)

MOTION AND VOTE: *It was moved by Mr. Ratliff, seconded by Dr. Dominguez, and carried to recommend that the State Board of Education amend the second sentence of §66.60(b)(1) to read as follows:*

“Copies of written testimony made at the hearing ~~may~~ shall be distributed to SBOE members.”

MOTION AND VOTE: *It was moved by Mr. Ratliff, seconded by Dr. Dominguez, and carried to recommend that the State Board of Education amend the fifth sentence of §66.60(b)(1) and add a sixth sentence to read as follows:*

“The SBOE may limit the time available for each person to testify in an effort to hear from everyone who has registered to testify. Persons will also be allowed to register to testify at the hearing, but priority will be given to those persons who registered prior to the deadline, in accordance with Section 2.12 of the SBOE Operating Rules.”

(Mr. Bradley was absent for the vote.)

MOTION AND VOTE: *It was moved by Mr. Ratliff, seconded by Mr. Rowley, and carried to recommend that the State Board of Education amend the second sentence of §66.60(b)(3) to read as follows:*

“The recorded hearing or transcript of the hearing shall be provided on the TEA website, to the SBOE, ESCs, participating publishers, and persons who have filed written requests.”

(Mr. Bradley was absent for the vote.)

MOTION AND VOTE: *It was moved by Mr. Ratliff, seconded by Mr. Cortez, and carried to recommend that the State Board of Education strike §66.75(c).*

(Mr. Bradley was absent for the vote.)

VOTE: *A vote was taken on the main to recommend that the State Board of Education approve for first reading and filing authorization proposed amendments to 19 TAC Chapter 66, State Adoption and Distribution of Instructional Materials, Subchapter B, State Adoption of Instructional Materials, as amended. (Mr. Bradley was absent for the vote.)*

7. Amendments to Proclamation 2015 of the State Board of Education Advertising for Bids on Instructional Materials
(Board agenda page I-129)
[Official agenda item #8]

Mr. Lopez presented Proclamation 2015 for amendments.

Public testimony was provided by the following individual:

NAME: Pat Epstein
AFFILIATION: Public Education Initiative of the Jewish Federation of Greater Dallas

MOTION AND VOTE: *It was moved by Dr. Dominguez and carried unanimously to recommend that the State Board of Education approve Proclamation 2015 with no amendments and that this item be moved to the consent agenda to be considered at the State Board of Education meeting on Friday, January 31, 2014.*

DISCUSSION ITEMS

8. Discussion of Proclamation 2016 of the State Board of Education Advertising for Bids on Instructional Materials
(Board agenda page I-189)

Mr. Lopez outlined the draft of Proclamation 2016. The committee directed staff to add language to the proclamation to require a search feature in electronic samples and the use of a common End User License Agreement (EULA) to facilitate public access to web-based samples of instructional materials submitted for adoption.

9. Update on Texas Essential Knowledge and Skills (TEKS) Review
(Board agenda page I-191)

Ms. Martinez explained upcoming steps in the board's TEKS review process for career and technical education (CTE). Ms. Martinez explained the nomination process for identification of CTE TEKS review committee members. Board members were provided with the applications received from prospective TEKS review committee members for the upcoming CTE TEKS review and were asked to submit nominations to the agency.

The board decided not to appoint expert reviewers for the CTE review and revision. The board will follow a similar process for soliciting expert feedback as it followed for the 2009 CTE TEKS revision.

10. Discussion of Pending Litigation
(Board agenda page I-199)

The committee did not discuss pending litigation; therefore, no executive session was held.

Mrs. Cargill adjourned the meeting at 4:22 p.m.