

AGENDA

State Board of Education

November 18, 2022

STATE BOARD OF EDUCATION
(State Board for Career and Technology Education)

KEVEN ELLIS, Lufkin
Chair of the State Board of Education
District 9

PAM LITTLE, Fairview
Vice Chair of the State Board of Education
District 12

GEORGINA PÉREZ, El Paso
Secretary of the State Board of Education
District 1

Board Members

RUBEN CORTEZ, Jr., Brownsville
District 2

AUDREY YOUNG, Trinity
District 8

MARISA PEREZ-DIAZ, Converse
District 3

TOM MAYNARD, Florence
District 10

LAWRENCE ALLEN, Jr., Houston
District 4

PATRICIA HARDY, Fort Worth
District 11

REBECCA BELL-METEREAU
San Marcos, District 5

AICHA DAVIS, Dallas
District 13

WILL HICKMAN, Houston
District 6

SUE MELTON-MALONE
Robinson, District 14

MATT ROBINSON, Friendswood
District 7

JAY JOHNSON, Pampa
District 15

Committees of the State Board of Education
(updated January 26, 2021)

INSTRUCTION

Sue Melton-Malone, chair
Audrey Young, vice chair
Rebecca Bell-Metereau
Pam Little
Georgina Pérez

SCHOOL FINANCE/PERMANENT SCHOOL FUND

Tom Maynard, chair
Lawrence Allen, Jr., vice chair
Keven Ellis
Pat Hardy
Marisa Perez-Diaz

SCHOOL INITIATIVES

Matt Robinson, chair
Aicha Davis, vice chair
Ruben Cortez, Jr.
Will Hickman
Jay Johnson

November 16, 2022

State Board of Education
Austin, Texas

I certify that this is the official agenda of the State Board of Education for its meeting on November 16-18, 2022. Agenda items have been prepared and reviewed by Texas Education Agency staff and are presented for the board's discussion and consideration. Where appropriate, I have proposed an action.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Mike Morath', with a long horizontal flourish extending to the right.

Mike Morath
Commissioner of Education

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**William B. Travis Building
1701 N. Congress Avenue, Austin, Texas**

SCHEDULE AND AGENDAS

**Committees and Board
State Board of Education, Austin, Texas**

Meeting Times November 16-18, 2022	
<u>Wednesday, November 16, 2022</u>	
9:00 a.m.	Committee of the Full Board (Room 1-104)
<u>Thursday, November 17, 2022</u>	
9:00 a.m.	Committee on Instruction (Room 1-100)
	Committee on School Finance/Permanent School Fund (Room 1-104)
	The meeting will start at 10:00 a.m. or upon adjournment of the PSF Corporation Meeting.
9:00 a.m.	Committee on School Initiatives (Room 1-111)
<u>Friday, November 18, 2022</u>	
9:00 a.m.	General Meeting (Room 1-104)

If the Committee of the Full Board does not complete its agenda Wednesday, it will resume its meeting on Thursday or Friday. If the Committee on Instruction does not complete its meeting on Thursday, it will resume its meeting on Friday. If the Committee on School Finance/Permanent School Fund does not complete its agenda Thursday, it will resume its meeting on Friday. If the Committee on School Initiatives does not complete its agenda Thursday, it will resume its meeting on Friday.

NOTE: The chair may permit the board to take up and discuss any of the discussion items on a committee agenda, including hearing any invited presentations to a committee, based upon a recommendation from the committee or inability of the committee to complete its agenda on a preceding day.

The SBOE or a committee of the SBOE may conduct a closed meeting on any agenda item in accordance with Texas Open Meetings Act, Chapter 551, Subchapters D and E. Before any closed meeting is convened, the presiding officer will publicly identify the section or sections of the Act authorizing the closed meeting. All final votes, actions, or decisions will be taken in open meeting.

The agenda is online at <https://tea.texas.gov/sboe/agenda/> on the Texas Education Agency website. The posted information contains links to board action items including rule items and rule text, and selected discussion items. Public comments on proposed rules may be submitted electronically. All agenda items and rule text are subject to change at any time prior to each board meeting. To the extent possible, copies of changes made after the agenda and the schedule are published will be available at the board meeting.

**WEDNESDAY
November 16, 2022**

9:00 a.m.

COMMITTEE OF THE FULL BOARD – Room 1-104

Public testimony – Individual testimony will be taken 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 <https://tea.texas.gov/about-tea/leadership/state-board-of-education/sboe-meetings/sboe-operating-rules> or in the information section of the agenda.

**1. Decision on the Percentage Distribution of the Permanent School Fund for Fiscal Years 2024 and 2025
(Board agenda page I-1)**

**COMMITTEE - ACTION
SBOE - CONSENT**

This item provides an opportunity for the board to evaluate and approve the Permanent School Fund (PSF) percentage distribution rate for fiscal years 2024 and 2025. The board will consider various factors associated with the distribution rate such as expected returns, inflation, student growth, and current economic conditions. Statutory authority is the Texas Constitution, Article VII, §2 and §5, and 19 Texas Administrative Code (TAC) Chapter 33.

**2. Legislative Recommendations for the 88th Texas Legislature
(Board agenda page I-3)**

**COMMITTEE - ACTION
SBOE - ACTION**

This item provides an opportunity for the board to make decisions on legislative recommendations to the 88th Texas Legislature. Statutory authority is the Texas Education Code (TEC), §7.102.

COMMITTEE OF THE FULL BOARD (continued)

3. **Proposed Amendment to 19 TAC Chapter 112, Texas Essential Knowledge and Skills for Science, Subchapter C, High School, §112.41, Implementation of Texas Essential Knowledge and Skills for Science, High School, Adopted 2020**
(Second Reading and Final Adoption)
(Board agenda page I-4)

COMMITTEE - ACTION
SBOE - CONSENT

This item presents for second reading and final adoption a proposed amendment to 19 Texas Administrative Code (TAC) Chapter 112, Texas Essential Knowledge and Skills for Science, Subchapter C, High School, §112.41, Implementation of Texas Essential Knowledge and Skills for Science, High School, Adopted 2020. The proposed amendment would update the rule to move the implementation year for the Texas Essential Knowledge and Skills (TEKS) for Biology, Chemistry, Integrated Physics and Chemistry, and Physics to the beginning of the 2024-2025 school year to align with the instructional materials timeline. The proposed amendment would also align with the implementation timeline for the Kindergarten-Grade 8 science TEKS and the TEKS for all other high school science courses. No changes are recommended since approved for first reading. Statutory authority is the Texas Education Code (TEC), §§7.102(c)(4); 28.002(a) and (c); and 28.025(a).

4. **Proposed Revisions to 19 TAC Chapter 113, Texas Essential Knowledge and Skills for Social Studies, Subchapter A, Elementary, Subchapter B, Middle School, and Subchapter C, High School**
(Second Reading and Final Adoption)
(Board agenda page I-9)

COMMITTEE - ACTION
SBOE - ACTION

This item presents for second reading and final adoption proposed revisions to 19 Texas Administrative Code (TAC) Chapter 113, Texas Essential Knowledge and Skills for Social Studies, Subchapter A, Elementary, Subchapter B, Middle School, and Subchapter C, High School. The proposed revisions would align with recent legislative requirements by updating the standards for Kindergarten-Grade 8 and five high school courses: Economics with Emphasis on the Free Enterprise System and its Benefits, United States History Studies Since 1877, World History Studies, World Geography Studies, and United States Government. No changes are recommended since approved for first reading. Statutory authority is the Texas Education Code (TEC), §§7.102(c)(4); 28.002(a), (c), (h), (h-1), and (h-2); and 28.025(a) and (b-1)(4).

COMMITTEE OF THE FULL BOARD (continued)

- 5. Update on Texas Essential Knowledge and Skills (TEKS) Review**
(Board agenda page I-98)

COMMITTEE - ACTION
SBOE - ACTION

This item provides the opportunity for staff to present an update on the review of the Texas Essential Knowledge and Skills (TEKS) and the English Language Proficiency Standards (ELPS). Statutory authority for this action is the Texas Education Code (TEC), §§7.102(c)(4); 28.002(a) and (c); and 28.025(a).

- 6. Discussion of Pending Litigation**
(Board agenda page I-100)

COMMITTEE - DISCUSSION
SBOE - NO ACTION

The State Board of Education (SBOE) may enter into executive session in accordance with the Texas Government Code, §551.071(1)(A), to discuss pending and contemplated litigation with the general counsel, legal staff, and, if necessary, attorney(s) from the Attorney General's Office. The Committee of the Full Board will meet in Room 1-103 to discuss this item.

Cases to be discussed may include:

Student v. Conroe ISD, Texas Education Agency and State Board of Education, Civil Cause No. 1:21-CV-01048-LY (U.S. District Court – Western District of Texas (Austin)); and

any other litigation arising after the date of posting or reasonably contemplated as of the date of the board meeting.

**THURSDAY
November 17, 2022**

9:00 a.m.

COMMITTEE ON INSTRUCTION – Room 1-100

Members: Sue Melton-Malone, chair; Audrey Young, vice chair; Rebecca Bell-Metereau; Pam Little; and Georgina C. Pérez. A quorum of the State Board of Education may attend the committee meeting and discuss items on the committee agenda.

Public testimony – Individual testimony will be taken 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 <https://tea.texas.gov/about-tea/leadership/state-board-of-education/sboe-meetings/sboe-operating-rules> or in the information section of the agenda.

- 1. Proposed Amendment to 19 TAC Chapter 74, Curriculum Requirements, Subchapter C, Other Provisions, §74.27, Innovative Courses and Programs (Second Reading and Final Adoption)
[\(Board agenda page II-1\)](#)**

**COMMITTEE - ACTION
SBOE - ACTION**

This item presents for second reading and final adoption a proposed amendment to 19 Texas Administrative Code (TAC) Chapter 74, Curriculum Requirements, Subchapter C, Other Provisions, §74.27, Innovative Courses and Programs. The amendment would update the rule to require that applicants for innovative courses must have piloted the proposed course in a Texas school prior to seeking approval. No changes are recommended since approved for first reading. Statutory authority is the Texas Education Code (TEC), §28.002(f).

- 2. Proposed New 19 TAC Chapter 111, Texas Essential Knowledge and Skills for Mathematics, Subchapter D, Other High School Mathematics Courses, §111.56, Advanced Placement (AP) Precalculus (One Credit) (First Reading and Filing Authorization)
[\(Board agenda page II-5\)](#)**

**COMMITTEE - ACTION
SBOE - ACTION**

This item presents for first reading and filing authorization proposed new 19 Texas Administrative Code (TAC) Chapter 111, Texas Essential Knowledge and Skills for Mathematics, Subchapter D, Other High School Mathematics Courses, §111.56, Advanced Placement (AP) Precalculus (One Credit). The proposal would add a new Advanced Placement (AP) mathematics course to align with current offerings from the College Board. Statutory authority is the Texas Education Code (TEC), §§7.102(c)(4); 28.002(a) and (c); and 28.025(a).

COMMITTEE ON INSTRUCTION (continued)

- 3. Proposed Revisions to 19 TAC Chapter 127, Texas Essential Knowledge and Skills for Career Development and Career and Technical Education, Subchapter A, Middle School (First Reading and Filing Authorization) (Board agenda page II-9)**

**COMMITTEE - ACTION
SBOE - ACTION**

This item presents for first reading and filing authorization proposed revisions to 19 Texas Administrative Code (TAC) Chapter 127, Texas Essential Knowledge and Skills for Career Development and Career and Technical Education, Subchapter A, Middle School. The proposed revisions would repeal two existing middle school courses, add a new middle school course, and repeal implementation language that will no longer be relevant. Statutory authority is the Texas Education Code (TEC), §§7.102(c)(4), 28.002(a) and (c), and 28.016.

- 4. Approval of Updates and Substitutions to Adopted Instructional Materials (Board agenda page II-18)**

**COMMITTEE - ACTION
SBOE – CONSENT**

This item provides the opportunity for the committee and board to approve update and/or substitution requests received since the last board meeting. The updated content has been reviewed by subject-area specialists and determined to address the pertinent student expectations in a manner equal to the content initially reviewed and approved by the state review panel. Statutory authority is the Texas Education Code (TEC), §31.003 and §31.022.

- 5. Approval of Agricultural Education Programs List (Board agenda page II-20)**

**COMMITTEE - ACTION
SBOE - ACTION**

This item presents the opportunity for the board to review and approve the list of elementary agriculture education programs available for use by school districts and charter schools as required by Senate Bill 801, 87th Texas Legislature, Regular Session, 2021. Statutory authority is the Texas Education Code (TEC), §7.102(c)(4) and §29.926.

COMMITTEE ON INSTRUCTION (continued)

6. **Consideration of Petition for Amendment of Rule Concerning 19 TAC Chapter 74, Curriculum Requirements, Subchapter B, Graduation Requirements, §74.12, Foundation High School Program**
(Board agenda page II-21)

COMMITTEE - ACTION
SBOE - ACTION

A petition to amend 19 Texas Administrative Code (TAC) Chapter 74, Curriculum Requirements, Subchapter B, Graduation Requirements, §74.12, Foundation High School Program, has been received from the Texas Speech Communication Association. The petition requests that the rule be amended to allow Oral Interpretation I-III to satisfy a fine arts graduation requirement. This item provides an opportunity for the State Board of Education (SBOE) to consider the petition. Statutory authority is the Texas Government Code (TGC), §2001.021; Texas Education Code (TEC), §28.002 and §28.025; and 19 TAC §30.1.

THURSDAY
November 17, 2022
10:00 a.m. or upon adjournment of the PSF Corporation Meeting

COMMITTEE ON SCHOOL FINANCE/PERMANENT SCHOOL FUND – Room 1-104

Members: Tom Maynard, chair; Lawrence A. Allen, Jr., vice chair; Keven Ellis; Patricia Hardy; Marisa Perez-Diaz. A quorum of the State Board of Education may attend the committee meeting and discuss items on the committee agenda. A quorum of the Committee of Investment Advisors to the Permanent School Fund may attend the committee meeting and discuss items on the committee agenda.

Public testimony – Individual testimony will be taken 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 <https://tea.texas.gov/about-tea/leadership/state-board-of-education/sboe-meetings/sboe-operating-rules> or in the information section of the agenda.

1. Approval of Costs to Administer the 2022–2023 State-Developed Assessments to Private School Students
(Board agenda page III-1)

COMMITTEE - ACTION
SBOE - CONSENT

Texas Education Code, §39.033, allows a private school to voluntarily assess its students with the State of Texas Assessments of Academic Readiness (STAAR®) and the Texas English Language Proficiency Assessment System (TELPAS) assessments. The State Board of Education (SBOE) must approve the per-student cost to private schools, which may not exceed the cost of administering the same assessment to a student enrolled in a public-school district. This item requests approval of these costs for the 2022–2023 school year. Statutory authority is the Texas Education Code (TEC), §39.033.

2. Proposed Repeal of 19 TAC Chapter 129, Student Attendance, Subchapter A, Student Attendance Allowed, and Subchapter B, Student Attendance Accounting
(First Reading and Filing Authorization)
(Board agenda page III-5)

COMMITTEE - ACTION
SBOE - CONSENT

This item presents for first reading and filing authorization the proposed repeal of 19 Texas Administrative Code (TAC) Chapter 129, Student Attendance, Subchapter A, Student Attendance Allowed, and Subchapter B, Student Attendance Accounting. The proposed repeal would implement House Bill (HB) 3, 86th Texas Legislature, 2019, which removed the State Board of Education's (SBOE's) rulemaking authority related to student attendance. Statutory authority is the Texas Education Code (TEC), §48.004, as transferred, redesignated, and amended by HB 3, 86th Texas Legislature, 2019.

COMMITTEE ON SCHOOL FINANCE/PERMANENT SCHOOL FUND (continued)

- 3. Report on Permanent School Fund Securities Transactions and the Investment Portfolio and Ratification of Purchases and Sales for the Months of July and August 2022**
(Board agenda page III-10)

**COMMITTEE - ACTION
SBOE - CONSENT**

This item provides an opportunity for the committee and board to receive a report on Permanent School Fund (PSF) Securities Transactions and the Investment Portfolio and consider ratification of purchases and sales of investments executed in the portfolio of the PSF for the months of May and June 2022. Statutory authority is the Texas Constitution, Article VII, §2 and §5, and 19 Texas Administrative Code (TAC) Chapter 33.

- 4. Report on Permanent School Fund Liquid Account and Ratification of Purchases and Sales for the Months of July and August 2022**
(Board agenda page III-11)

**COMMITTEE - ACTION
SBOE - CONSENT**

This item provides an opportunity for the committee and board to receive a status update report on the liquid account and consider approval of the purchases and sales of investments executed in the liquid account for the months of July and August 2022. Statutory authority is the Texas Constitution, Article VII, §2 and §5; Texas Natural Resources Code (NRC), §51.414, as repealed by SB 1232, 87th Legislature, Regular Session, 2021; and 19 Texas Administrative Code (TAC) Chapter 33.

COMMITTEE ON SCHOOL FINANCE/PERMANENT SCHOOL FUND (continued)

- 5. Proposed Revisions to 19 TAC Chapter 33, Statement of Investment Objectives, Policies, and Guidelines of the Texas Permanent School Fund (First Reading and Filing Authorization) (Board agenda page III-12)**

**COMMITTEE - ACTION
SBOE - CONSENT**

This item presents for first reading and filing authorization proposed revisions to 19 Texas Administrative Code (TAC) Chapter 33, Statement of Investment Objectives, Policies, and Guidelines of the Texas Permanent School Fund. The proposed revisions would implement Senate Bill (SB) 1232, 87th Texas Legislature, Regular Session, 2021, which authorized the creation of the Texas Permanent School Fund (PSF) Corporation. The proposed revisions would repeal 19 TAC §§33.1, 33.5, 33.10, 33.15, 33.20, 33.25, 33.30, 33.35, 33.40, 33.45, 33.50, 33.55, 33.60, 33.65, and 33.67 and propose new §§33.3, 33.4, 33.6, 33.7, and 33.8. The proposed new rules would include changes to the existing rules relating to the Bond Guarantee Program, including changes to the reserve. The proposed revisions would also organize the rules in Chapter 33 by creating new Subchapter B, Texas Permanent School Fund Corporation Rules, which would contain §33.21. Statutory authority is the Texas Constitution, Article VII, §5(a) and (f); Texas Education Code (TEC), §43.001; SB 1232, 87th Texas Legislature, Regular Session, 2021.

- 6. Approval of the Date to Transfer Management of the Permanent School Fund to the Texas Permanent School Fund Corporation as Contemplated in Senate Bill 1232 (Board agenda page III-16)**

**COMMITTEE - ACTION
SBOE - CONSENT**

This item provides an opportunity for the committee and board to approve the date to transfer management of the Permanent School Fund (PSF) to the Texas PSF Corporation as contemplated in Senate Bill (SB) 1232, 87th Legislature, Regular Session, 2021. Statutory authority is the Texas Education Code §43.052(a) and §43.052(b), Texas Constitution, Article VII, §2 and §5, and 19 Texas Administrative Code (TAC) Chapter 33, SB 1232, 87th Legislature, Regular Session, 2021.

COMMITTEE ON SCHOOL FINANCE/PERMANENT SCHOOL FUND (continued)

**7. Report of the Permanent School Fund Executive Administrator and Chief Investment Officer
(Board agenda page III-17)**

**COMMITTEE - DISCUSSION
SBOE – NO ACTION**

The Permanent School Fund (PSF) executive administrator will report to the committee on matters relating to the management of the PSF and the Charter District Reserve Fund. The report may present information on historical and current status of Fund holdings, current and proposed investment policies and procedures, and historical and current fund performance and compliance. The administrator may update the board on the bond guarantee program, the status of requests for proposal, or for qualifications and current contracts for services and other administrative activities undertaken on behalf of the board. The administrator may provide an update on the PSF distribution or on the effect of legislation impacting the PSF. The administrator may provide an analysis of current and future investment market conditions, focusing upon the impact on the holdings of the PSF. Statutory authority is the Texas Constitution, Article VII, §2 and §5; and 19 Texas Administrative Code (TAC), Chapter 33.

**THURSDAY
November 17, 2022**

9:00 a.m.

COMMITTEE ON SCHOOL INITIATIVES – Room 1-111

Members: Matt Robinson, chair; Aicha Davis, vice chair; Ruben Cortez, Jr; Will Hickman; Jay Johnson. A quorum of the State Board of Education may attend the committee meeting and discuss items on the committee agenda.

Public testimony – Individual testimony will be taken 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 <https://tea.texas.gov/about-tea/leadership/state-board-of-education/sboe-meetings/sboe-operating-rules> or in the information section of the agenda.

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|---|--|
| 1. Open-Enrollment Charter School Generation 28
Application Updates
(Board agenda page IV-1) | COMMITTEE - DISCUSSION
SBOE - NO ACTION |
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This item provides an opportunity for the committee to receive updates regarding the Generation 28 Open-Enrollment Charter Application cycle. Statutory authority is the Texas Education Code (TEC), §12.101.

COMMITTEE ON SCHOOL INITIATIVES (continued)

2. **Review of Proposed Amendments to 19 TAC Chapter 229, Accountability System for Educator Preparation Programs**
(Board agenda page IV-2)

COMMITTEE - ACTION
SBOE - ACTION

This item provides the State Board of Education (SBOE) an opportunity to review the State Board for Educator Certification (SBEC) rule actions that would propose amendments to 19 Texas Administrative Code (TAC) Chapter 229, Accountability System for Educator Preparation Programs. Chapter 229 establishes the performance standards and procedures for educator preparation program (EPP) accountability. The proposed amendments would provide for adjustments to the 2021–2022 *Accountability System for Educator Preparation (ASEP) Manual*; would implement Senate Bill (SB) 2066, 87th Texas Legislature, Regular Session, 2021; would clarify assessments used for accountability; would update procedures for EPP commendations; would provide the SBEC additional flexibility when sanctioning programs; and would clarify what data is used for the determination of accreditation statuses. The statutory authority for 19 TAC Chapter 229 is the Texas Education Code (TEC), §§21.041(a), (b)(1), and (d); 21.043(b) and (c); 21.0441(c) and (d); 21.0443, as amended by House Bill (HB) 159, 87th Texas Legislature, Regular Session, 2021; 21.045, as amended by HB 159, 87th Texas Legislature, Regular Session, 2021; 21.0451; and 21.0452, as amended by Senate Bill 2066, 87th Texas Legislature, Regular Session, 2021.

COMMITTEE ON SCHOOL INITIATIVES (continued)

**3. Review of Proposed Revisions to 19 TAC Chapter 241, Certification as Principal
(Board agenda page IV-67)**

**COMMITTEE - ACTION
SBOE - ACTION**

This item provides the State Board of Education (SBOE) an opportunity to review the State Board for Educator Certification (SBEC) rule actions that would propose revisions to 19 Texas Administrative Code (TAC) Chapter 241, Certification as Principal. The proposed revisions would implement House Bill (HB) 159, 87th Texas Legislature, Regular Session, 2021, to update the educator standards for the Principal as Instructional Leader certificate to reflect the qualifications of certification as a principal. The proposed revisions would also repeal outdated Subchapter B, Principal Certificate, and would provide technical edits where needed. The statutory authority for 19 TAC Chapter 241 is the Texas Education Code (TEC), §§21.003(a); 21.040(2); 21.041(b)(1)–(4); 21.046(b), as amended by HB 159, 87th Texas Legislature, Regular Session, 2021, (c), and (d); and 21.054(a) and (e).

**4. Discussion of Ongoing State Board for Educator Certification Activities
(Board agenda page IV-82)**

**COMMITTEE - DISCUSSION
SBOE - NO ACTION**

This item provides an opportunity for the committee to receive updates on current and upcoming State Board for Educator Certification (SBEC) activities and proposed SBEC rules and amendments. Statutory authority is the Texas Education Code (TEC), §§21.031, 21.035, 21.041, and 21.042.

Information Materials

1. **State Board of Education Operating Rules (amended January 26, 2021)**
Public testimony information begins on page V-8.
(Board agenda page V-1)

2. **Current Status of the Permanent School Fund**
(Board agenda page V-26)

3. **2021-2025 Rule Review Plan for State Board of Education Rules**
(Board agenda page V-27)

This item outlines the rule review plan for State Board of Education (SBOE) rules during the period of September 2021 through August 2025. Texas Government Code (TGC), §2001.039, requires an ongoing four-year rule review of existing state agency rules, including SBOE rules. The rule review requirement in TGC, §2001.039, is designed to ensure that the reason for initially adopting or readopting a rule continues to exist.

**CONSENT AGENDA
STATE BOARD OF EDUCATION
November 18, 2022**

(1) Decision on the Percentage Distribution of the Permanent School Fund for Fiscal Years 2024 and 2025

This item provides an opportunity for the board to evaluate and approve the Permanent School Fund (PSF) percentage distribution rate for fiscal years 2024 and 2025. The board will consider various factors associated with the distribution rate such as expected returns, inflation, student growth, and current economic conditions. Statutory authority is the Texas Constitution, Article VII, §2 and §5, and 19 Texas Administrative Code (TAC) Chapter 33.

(Agenda Exhibit) I-1

(2) Proposed Amendment to 19 TAC Chapter 112, Texas Essential Knowledge and Skills for Science, Subchapter C, High School, §112.41, Implementation of Texas Essential Knowledge and Skills for Science, High School, Adopted 2020 (Second Reading and Final Adoption)

This item presents for second reading and final adoption a proposed amendment to 19 Texas Administrative Code (TAC) Chapter 112, Texas Essential Knowledge and Skills for Science, Subchapter C, High School, §112.41, Implementation of Texas Essential Knowledge and Skills for Science, High School, Adopted 2020. The proposed amendment would update the rule to move the implementation year for the Texas Essential Knowledge and Skills (TEKS) for Biology, Chemistry, Integrated Physics and Chemistry, and Physics to the beginning of the 2024-2025 school year to align with the instructional materials timeline. The proposed amendment would also align with the implementation timeline for the Kindergarten-Grade 8 science TEKS and the TEKS for all other high school science courses. No changes are recommended since approved for first reading. Statutory authority is the Texas Education Code (TEC), §§7.102(c)(4); 28.002(a) and (c); and 28.025(a).

(Agenda Exhibit) I-4

(3) Approval of Updates and Substitutions to Adopted Instructional Materials

This item provides the opportunity for the committee and board to approve update and/or substitution requests received since the last board meeting. The updated content has been reviewed by subject-area specialists and determined to address the pertinent student expectations in a manner equal to the content initially reviewed and approved by the state review panel. Statutory authority is the Texas Education Code (TEC), §31.003 and §31.022.

(Agenda Exhibit) II-18

(4) Approval of Costs to Administer the 2022–2023 State-Developed Assessments to Private School Students

Texas Education Code, §39.033, allows a private school to voluntarily assess its students with the State of Texas Assessments of Academic Readiness (STAAR®) and the Texas English Language Proficiency Assessment System (TELPAS) assessments. The State Board of Education (SBOE) must approve the per-student cost to private schools, which may not exceed the cost of administering the same assessment to a student enrolled in a public-school district. This item requests approval of these costs for the 2022–2023 school year. Statutory authority is the Texas Education Code (TEC), §39.033.

(Agenda Exhibit) III-1

(5) Proposed Repeal of 19 TAC Chapter 129, Student Attendance, Subchapter A, Student Attendance Allowed, and Subchapter B, Student Attendance Accounting (First Reading and Filing Authorization)

This item presents for first reading and filing authorization the proposed repeal of 19 Texas Administrative Code (TAC) Chapter 129, Student Attendance, Subchapter A, Student Attendance Allowed, and Subchapter B, Student Attendance Accounting. The proposed repeal would implement House Bill (HB) 3, 86th Texas Legislature, 2019, which removed the State Board of Education's (SBOE's) rulemaking authority related to student attendance. Statutory authority is the Texas Education Code (TEC), §48.004, as transferred, redesignated, and amended by HB 3, 86th Texas Legislature, 2019.

(Agenda Exhibit) III-5

(6) Report on Permanent School Fund Securities Transactions and the Investment Portfolio and Ratification of Purchases and Sales for the Months of July and August 2022

This item provides an opportunity for the committee and board to receive a report on Permanent School Fund (PSF) Securities Transactions and the Investment Portfolio and consider ratification of purchases and sales of investments executed in the portfolio of the PSF for the months of May and June 2022. Statutory authority is the Texas Constitution, Article VII, §2 and §5, and 19 Texas Administrative Code (TAC) Chapter 33.

(Agenda Exhibit) III-10

(7) Report on Permanent School Fund Liquid Account and Ratification of Purchases and Sales for the Months of July and August 2022

This item provides an opportunity for the committee and board to receive a status update report on the liquid account and consider approval of the purchases and sales of investments executed in the liquid account for the months of July and August 2022. Statutory authority is the Texas Constitution, Article VII, §2 and §5; Texas Natural Resources Code (NRC), §51.414, as repealed by SB 1232, 87th Legislature, Regular Session, 2021; and 19 Texas Administrative Code (TAC) Chapter 33.

(Agenda Exhibit) III-11

(8) Proposed Revisions to 19 TAC Chapter 33, Statement of Investment Objectives, Policies, and Guidelines of the Texas Permanent School Fund (First Reading and Filing Authorization)

This item presents for first reading and filing authorization proposed revisions to 19 Texas Administrative Code (TAC) Chapter 33, Statement of Investment Objectives, Policies, and Guidelines of the Texas Permanent School Fund. The proposed revisions would implement Senate Bill (SB) 1232, 87th Texas Legislature, Regular Session, 2021, which authorized the creation of the Texas Permanent School Fund (PSF) Corporation. The proposed revisions would repeal 19 TAC §§33.1, 33.5, 33.10, 33.15, 33.20, 33.25, 33.30, 33.35, 33.40, 33.45, 33.50, 33.55, 33.60, 33.65, and 33.67 and propose new §§33.3, 33.4, 33.6, 33.7, and 33.8. The proposed new rules would include changes to the existing rules relating to the Bond Guarantee Program, including changes to the reserve. The proposed revisions would also organize the rules in Chapter 33 by creating new Subchapter B, Texas Permanent School Fund Corporation Rules, which would contain §33.21. Statutory authority is the Texas Constitution, Article VII, §5(a) and (f); Texas Education Code (TEC), §43.001; SB 1232, 87th Texas Legislature, Regular Session, 2021.

(Agenda Exhibit) III-12

(9) Approval of the Date to Transfer Management of the Permanent School Fund to the Texas Permanent School Fund Corporation as Contemplated in Senate Bill 1232

This item provides an opportunity for the committee and board to approve the date to transfer management of the Permanent School Fund (PSF) to the Texas PSF Corporation as contemplated in Senate Bill (SB) 1232, 87th Legislature, Regular Session, 2021. Statutory authority is the Texas Education Code §43.052(a) and §43.052(b), Texas Constitution, Article VII, §2 and §5, and 19 Texas Administrative Code (TAC) Chapter 33, SB 1232, 87th Legislature, Regular Session, 2021.

(Agenda Exhibit) III-16

OFFICIAL AGENDA

**STATE BOARD OF EDUCATION
AUSTIN, TEXAS**

**November 18, 2022
9:00 a.m.**

**William B. Travis Building, Room 1-104
1701 N. Congress Avenue**

Student Performance

Invocation

Pledge of Allegiance

Roll Call

Approval of Minutes

State Board of Education, September 2, 2022 & September 26, 2022

1. Resolutions and Presentation

Resolution honoring the 2022 Presidential Awards for Excellence in Mathematics and Science Teaching (PAEMST) state finalists

Resolution honoring the 2020 Presidential Awards for Excellence in Mathematics and Science Teaching (PAEMST) national awardees

Resolution honoring outgoing State Board of Education members

Lawrence Allen Jr.
Ruben Cortez Jr.
Jay Johnson
Sue Melton-Malone
Georgina C. Pérez
Matt Robinson

Commissioner's Comments and Presentation

Public testimony – Individual testimony will be taken 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 <https://tea.texas.gov/about-tea/leadership/state-board-of-education/sboe-meetings/sboe-operating-rules> or in the information section of the agenda.

2. Approval of Consent Agenda

Any agenda item may be placed on the Consent Agenda by any State Board of Education committee.

[\(Agenda Exhibit\)](#) 16

COMMITTEE OF THE FULL BOARD

3. Legislative Recommendations for the 88th Texas Legislature

This item provides an opportunity for the board to make decisions on legislative recommendations to the 88th Texas Legislature. Statutory authority is the Texas Education Code (TEC), §7.102.

[\(Agenda Exhibit\)](#) I-3

4. Proposed Revisions to 19 TAC Chapter 113, Texas Essential Knowledge and Skills for Social Studies, Subchapter A, Elementary, Subchapter B, Middle School, and Subchapter C, High School (Second Reading and Final Adoption)

This item presents for second reading and final adoption proposed revisions to 19 Texas Administrative Code (TAC) Chapter 113, Texas Essential Knowledge and Skills for Social Studies, Subchapter A, Elementary, Subchapter B, Middle School, and Subchapter C, High School. The proposed revisions would align with recent legislative requirements by updating the standards for Kindergarten-Grade 8 and five high school courses: Economics with Emphasis on the Free Enterprise System and its Benefits, United States History Studies Since 1877, World History Studies, World Geography Studies, and United States Government. No changes are recommended since approved for first reading. Statutory authority is the Texas Education Code (TEC), §§7.102(c)(4); 28.002(a), (c), (h), (h-1), and (h-2); and 28.025(a) and (b-1)(4).

[\(Agenda Exhibit\)](#) I-9

5. Update on Texas Essential Knowledge and Skills (TEKS) Review

This item provides the opportunity for staff to present an update on the review of the Texas Essential Knowledge and Skills (TEKS) and the English Language Proficiency Standards (ELPS). Statutory authority for this action is the Texas Education Code (TEC), §§7.102(c)(4); 28.002(a) and (c); and 28.025(a).

[\(Agenda Exhibit\)](#) I-98

COMMITTEE ON INSTRUCTION

6. Proposed Amendment to 19 TAC Chapter 74, Curriculum Requirements, Subchapter C, Other Provisions, §74.27, Innovative Courses and Programs (Second Reading and Final Adoption)

This item presents for second reading and final adoption a proposed amendment to 19 Texas Administrative Code (TAC) Chapter 74, Curriculum Requirements, Subchapter C, Other Provisions, §74.27, Innovative Courses and Programs. The amendment would update the rule to require that applicants for innovative courses must have piloted the proposed course in a Texas school prior to seeking approval. No changes are recommended since approved for first reading. Statutory authority is the Texas Education Code (TEC), §28.002(f).

(Agenda Exhibit) II-1

7. Proposed New 19 TAC Chapter 111, Texas Essential Knowledge and Skills for Mathematics, Subchapter D, Other High School Mathematics Courses, §111.56, Advanced Placement (AP) Precalculus (One Credit) (First Reading and Filing Authorization)

This item presents for first reading and filing authorization proposed new 19 Texas Administrative Code (TAC) Chapter 111, Texas Essential Knowledge and Skills for Mathematics, Subchapter D, Other High School Mathematics Courses, §111.56, Advanced Placement (AP) Precalculus (One Credit). The proposal would add a new Advanced Placement (AP) mathematics course to align with current offerings from the College Board. Statutory authority is the Texas Education Code (TEC), §§7.102(c)(4); 28.002(a) and (c); and 28.025(a).

(Agenda Exhibit) II-5

8. Proposed Revisions to 19 TAC Chapter 127, Texas Essential Knowledge and Skills for Career Development and Career and Technical Education, Subchapter A, Middle School (First Reading and Filing Authorization)

This item presents for first reading and filing authorization proposed revisions to 19 Texas Administrative Code (TAC) Chapter 127, Texas Essential Knowledge and Skills for Career Development and Career and Technical Education, Subchapter A, Middle School. The proposed revisions would repeal two existing middle school courses, add a new middle school course, and repeal implementation language that will no longer be relevant. Statutory authority is the Texas Education Code (TEC), §§7.102(c)(4), 28.002(a) and (c), and 28.016.

(Agenda Exhibit) II-9

COMMITTEE ON INSTRUCTION

9. Approval of Agricultural Education Programs List

This item presents the opportunity for the board to review and approve the list of elementary agriculture education programs available for use by school districts and charter schools as required by Senate Bill 801, 87th Texas Legislature, Regular Session, 2021. Statutory authority is the Texas Education Code (TEC), §7.102(c)(4) and §29.926.

(Agenda Exhibit) II-20

10. Consideration of Petition for Amendment of Rule Concerning 19 TAC Chapter 74, Curriculum Requirements, Subchapter B, Graduation Requirements, §74.12, Foundation High School Program

A petition to amend 19 Texas Administrative Code (TAC) Chapter 74, Curriculum Requirements, Subchapter B, Graduation Requirements, §74.12, Foundation High School Program, has been received from the Texas Speech Communication Association. The petition requests that the rule be amended to allow Oral Interpretation I-III to satisfy a fine arts graduation requirement. This item provides an opportunity for the State Board of Education (SBOE) to consider the petition. Statutory authority is the Texas Government Code (TGC), §2001.021; Texas Education Code (TEC), §28.002 and §28.025; and 19 TAC §30.1.

(Agenda Exhibit) II-21

COMMITTEE ON SCHOOL INITIATIVES

11. Review of Proposed Amendments to 19 TAC Chapter 229, Accountability System for Educator Preparation Programs

This item provides the State Board of Education (SBOE) an opportunity to review the State Board for Educator Certification (SBEC) rule actions that would propose amendments to 19 Texas Administrative Code (TAC) Chapter 229, Accountability System for Educator Preparation Programs. Chapter 229 establishes the performance standards and procedures for educator preparation program (EPP) accountability. The proposed amendments would provide for adjustments to the 2021–2022 *Accountability System for Educator Preparation (ASEP) Manual*; would implement Senate Bill (SB) 2066, 87th Texas Legislature, Regular Session, 2021; would clarify assessments used for accountability; would update procedures for EPP commendations; would provide the SBEC additional flexibility when sanctioning programs; and would clarify what data is used for the determination of accreditation statuses. The statutory authority for 19 TAC Chapter 229 is the Texas Education Code (TEC), §§21.041(a), (b)(1), and (d); 21.043(b) and (c); 21.0441(c) and (d); 21.0443, as amended by House Bill (HB) 159, 87th Texas Legislature, Regular Session, 2021; 21.045, as amended by HB 159, 87th Texas Legislature, Regular Session, 2021; 21.0451; and 21.0452, as amended by Senate Bill 2066, 87th Texas Legislature, Regular Session, 2021.

(Agenda Exhibit) IV-2

12. Review of Proposed Revisions to 19 TAC Chapter 241, Certification as Principal

This item provides the State Board of Education (SBOE) an opportunity to review the State Board for Educator Certification (SBEC) rule actions that would propose revisions to 19 Texas Administrative Code (TAC) Chapter 241, Certification as Principal. The proposed revisions would implement House Bill (HB) 159, 87th Texas Legislature, Regular Session, 2021, to update the educator standards for the Principal as Instructional Leader certificate to reflect the qualifications of certification as a principal. The proposed revisions would also repeal outdated Subchapter B, Principal Certificate, and would provide technical edits where needed. The statutory authority for 19 TAC Chapter 241 is the Texas Education Code (TEC), §§21.003(a); 21.040(2); 21.041(b)(1)–(4); 21.046(b), as amended by HB 159, 87th Texas Legislature, Regular Session, 2021, (c), and (d); and 21.054(a) and (e).

(Agenda Exhibit) IV-67

REPORTS OF COMMITTEES REGARDING AGENDA ITEMS POSTED FOR DISCUSSION ON COMMITTEE AGENDAS

Committee chairs may provide an update about discussion items considered during the current meeting by any standing committee or ad hoc committee.

REPORTS OF OTHER STATE BOARD OF EDUCATION MEMBERS REGARDING AGENDA ITEMS AND EDUCATIONAL ACTIVITIES AND CONCERNS IN INDIVIDUAL DISTRICTS

Members of the State Board of Education may present information regarding agenda items or other relevant information about public education.

Information Materials

1. **State Board of Education Operating Rules (amended January 26, 2021)**
Public testimony information begins on page V-8.
(Board agenda page V-1)

2. **Current Status of the Permanent School Fund**
(Board agenda page V-26)

3. **2021-2025 Rule Review Plan for State Board of Education Rules**
(Board agenda page V-27)

This item outlines the rule review plan for State Board of Education (SBOE) rules during the period of September 2021 through August 2025. Texas Government Code (TGC), §2001.039, requires an ongoing four-year rule review of existing state agency rules, including SBOE rules. The rule review requirement in TGC, §2001.039, is designed to ensure that the reason for initially adopting or readopting a rule continues to exist.

STATE BOARD OF EDUCATION

Commissioner's Comments

November 18, 2022

STATE BOARD OF EDUCATION: NO ACTION

SUMMARY: This item provides an opportunity for the board to be briefed on current agenda items, agency operations, policy implementation, and public education-related legislation.

BOARD RESPONSE: Review and comment.

BACKGROUND INFORMATION AND JUSTIFICATION: On an as needed basis, the board will be briefed on significant public education issues and events.

Staff Member Responsible:

Yolanda M. Walker, Executive Director, State Board of Education Support Division

COMMITTEE OF THE FULL BOARD

**Decision on the Percentage Distribution of the Permanent School Fund
for Fiscal Years 2024 and 2025**

November 18, 2022

**COMMITTEE OF THE FULL BOARD: ACTION
STATE BOARD OF EDUCATION: CONSENT**

SUMMARY: This item provides an opportunity for the board to evaluate and approve the Permanent School Fund (PSF) percentage distribution rate for fiscal years 2024 and 2025. The board will consider various factors associated with the distribution rate such as expected returns, inflation, student growth, and current economic conditions.

STATUTORY AUTHORITY: Texas Constitution, [Article VII, §2](#) and [§5](#); and 19 Texas Administrative Code (TAC) Chapter 33.

The Texas Constitution, Article VII, §2 and §5 establish the permanent school fund, the assets that comprise the permanent school fund, the bond guarantee program, the available school fund, and authorize the State Board of Education (SBOE) to manage and invest the permanent school fund in accordance with the prudent person standard.

19 TAC Chapter 33 codifies administrative rules that provide a statement of investment objectives, policies, and guidelines of the Texas Permanent School Fund and Bond Guarantee Program as adopted by the SBOE.

The full text of statutory citations can be found in the statutory authority section of this agenda.

PREVIOUS BOARD ACTION: At the September 2022 meeting, the board approved a recommended distribution rate to the Available School Fund (ASF) from the PSF of 3.32% for fiscal years 2024 and 2025.

BACKGROUND INFORMATION AND JUSTIFICATION: The amendment to Article 7 of the Constitution changed the PSF distribution from an income-based policy to a total return policy. This distribution rate is to be determined by a vote of two-thirds of the total membership of the SBOE taken before the regular session of the legislature convenes. If the SBOE does not adopt a rate, then the legislature will adopt a rate by general law or appropriation. The current rate is 4.18% of the average market value for the trailing 16 state fiscal quarters ending November 30, 2020.

According to the General Appropriations Act (SB 1): Permanent School Fund Distribution Rate, at least 45 days prior to the adoption of the distribution rate from the PSF to the ASF by the SBOE, the Texas Education Agency shall report to the Legislative Budget Board and the Governor on the following:

1. The distribution rate or rates under consideration
2. The assumptions and methodology used in determining the rate or rates under consideration
3. The annual amount the distribution rate or rates under consideration are estimated to provide, and the difference between them and the annual distribution amounts for the preceding three biennia
4. The optimal distribution amount for the preceding biennium, based on an analysis of intergenerational equity, and the difference between it and the actual distribution amount

Staff Member Responsible:

Holland Timmins, Executive Administrator and Chief Investment Officer of the Texas Permanent School Fund

Legislative Recommendations for the 88th Texas Legislature

November 18, 2022

COMMITTEE OF THE FULL BOARD: ACTION **STATE BOARD OF EDUCATION: ACTION**

SUMMARY: This item provides an opportunity for the board to make decisions on legislative recommendations to the 88th Texas Legislature.

STATUTORY AUTHORITY: Texas Education Code (TEC), §7.102.

BACKGROUND INFORMATION AND JUSTIFICATION: In preparation for each legislative session, the board adopts recommendations for legislative action which are designed to improve the public education system of Texas. A handout compiling the board members' priority issues will be provided at the meeting.

TEC, §7.102 permits the State Board of Education to perform those duties relating to school districts or regional education service centers assigned to the board by the Texas constitution or by provision of the education code. This section outlines the powers and duties provided to the board, which must be carried out with the advice and assistance of the commissioner of education.

The full text of statutory citations can be found in the statutory authority section of this agenda.

MOTION TO BE CONSIDERED: The State Board of Education:

Approve the board's legislative recommendations to the 88th Texas Legislature.

Staff Member Responsible:

Hunter Thompson, Director of Governmental Relations

Proposed Amendment to 19 TAC Chapter 112, Texas Essential Knowledge and Skills for Science, Subchapter C, High School, §112.41, Implementation of Texas Essential Knowledge and Skills for Science, High School, Adopted 2020
(Second Reading and Final Adoption)

November 18, 2022

COMMITTEE OF THE FULL BOARD: ACTION
STATE BOARD OF EDUCATION: CONSENT

SUMMARY: This item presents for second reading and final adoption a proposed amendment to 19 Texas Administrative Code (TAC) Chapter 112, Texas Essential Knowledge and Skills for Science, Subchapter C, High School, §112.41, Implementation of Texas Essential Knowledge and Skills for Science, High School, Adopted 2020. The proposed amendment would update the rule to move the implementation year for the Texas Essential Knowledge and Skills (TEKS) for Biology, Chemistry, Integrated Physics and Chemistry, and Physics to the beginning of the 2024-2025 school year to align with the instructional materials timeline. The proposed amendment would also align with the implementation timeline for the Kindergarten-Grade 8 science TEKS and the TEKS for all other high school science courses. No changes are recommended since approved for first reading.

STATUTORY AUTHORITY: Texas Education Code (TEC), §§7.102(c)(4); 28.002(a) and (c); and 28.025(a).

TEC, §7.102(c)(4), requires the State Board of Education (SBOE) to establish curriculum and graduation requirements.

TEC, §28.002(a), identifies the subjects of the required curriculum.

TEC, §28.002(c), requires the SBOE to identify by rule 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.

TEC, §28.025(a), requires the SBOE to determine by rule the curriculum requirements for the foundation high school graduation program that are consistent with the required curriculum under TEC, §28.002.

The full text of statutory citations can be found in the statutory authority section of this agenda.

EFFECTIVE DATE: The proposed effective date of the proposed amendment is 20 days after filing as adopted with the Texas Register. Under TEC, §7.102(f), the SBOE must approve the rule action at second reading and final adoption by a vote of two-thirds of its members to specify an effective date earlier than the beginning of the 2023-2024 school year. The earlier effective date will clarify that the Kindergarten-Grade 12 science TEKS will be implemented at the same time and prevent confusion.

PREVIOUS BOARD ACTION: The SBOE originally adopted the TEKS for science effective September 1, 1998. The SBOE adopted revisions to the science TEKS for high school effective August 4, 2009; August 27, 2018; and April 28, 2021.

The proposed amendment to §112.41 was approved for first reading and filing authorization at the August-September 2022 SBOE meeting.

BACKGROUND INFORMATION AND 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 TEKS for Kindergarten-Grade 12 science. At the recommendation of Work Group A, the SBOE directed the work groups to follow a backwards-by-design approach to the revisions to the Kindergarten-Grade 12 science TEKS. Consequently, work groups started first with recommendations for revisions to the high school science TEKS. In June and July 2020, Work Group B was convened virtually to develop recommendations for four high school science courses: Biology, Chemistry, Physics, and Integrated Physics and Chemistry. At the November 2020 SBOE meeting, the SBOE approved for second reading and final adoption proposed new 19 TAC §§112.41-112.45. The proposed new sections revised standards for Biology, Chemistry, Physics, and Integrated Physics and Chemistry as well as related implementation language. The new rules included an implementation date of the 2023-2024 school year.

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. At that time, the SBOE discussed the timeline for future instructional materials adoptions and made the determination to move the implementation of the new Kindergarten-Grade 12 science TEKS to the 2024-2025 school year. The board indicated that it would change the implementation date for the high school science courses that were adopted in 2020 at a future meeting.

At the November 2021 SBOE meeting, the board approved for second reading and final adoption new science TEKS for Kindergarten-Grade 8 with an implementation date of the 2024-2025 school year.

At the August-September 2022 SBOE meeting, the board approved for first reading and filing authorization the proposed amendment to §112.41 to ensure implementation language for all science courses is consistent.

The attachment to this item reflects the text of the proposed amendment to §112.41 for consideration by the SBOE for second reading and final adoption. The proposed amendment would update §112.41(a), (b), and (c) to reflect the revised implementation date of the 2024-2025 school year for the high school science courses.

No changes are recommended since approved for first reading.

FISCAL IMPACT: No changes have been made to this section since published as proposed.

The Texas Education Agency (TEA) has determined that there are no additional costs to state or local government required to comply with the proposal.

LOCAL EMPLOYMENT IMPACT: No changes have been made to this section since published as proposed.

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: No changes have been made to this section since published as proposed.

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: No changes have been made to this section since published as proposed.

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: No changes have been made to this section since published as proposed.

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: No changes have been made to this section since published as proposed.

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 limit an existing regulation by delaying implementation of new TEKS.

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 create a new regulation; would not expand 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: No changes have been made to this section since published as proposed.

The proposal would align the implementation of the TEKS for science so that the science TEKS for Kindergarten through high school would be implemented at the same time. There is no anticipated economic cost to persons who are required to comply with the proposal.

DATA AND REPORTING IMPACT: No changes have been made to this section since published as proposed.

The proposal would have no data and reporting impact.

PRINCIPAL AND CLASSROOM TEACHER PAPERWORK REQUIREMENTS: No changes have been made to this section since published as proposed.

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: Following the August-September 2022 SBOE meeting, notice of proposed amendment to 19 TAC §112.41 was filed with the Texas Register, initiating the public comment period. The public comment period on the proposal began October 7, 2022, and ended at 5:00 p.m. on November

14, 2022. A summary of public comments received will be provided to the SBOE prior to and during the November 2022 meeting. The SBOE will take registered oral and written comments on the proposal at the appropriate committee meeting in November 2022 in accordance with the SBOE board operating policies and procedures.

MOTION TO BE CONSIDERED: The State Board of Education:

Approve for second reading and final adoption the proposed amendment to 19 TAC Chapter 112, Texas Essential Knowledge and Skills for Science, Subchapter C, High School, §112.41, Implementation of Texas Essential Knowledge and Skills for Science, High School, Adopted 2020; and

Make an affirmative finding that immediate adoption of the proposed amendment to 19 TAC Chapter 112, Texas Essential Knowledge and Skills for Science, Subchapter C, High School, §112.41, Implementation of Texas Essential Knowledge and Skills for Science, High School, Adopted 2020, is necessary and shall have an effective date of 20 days after filing with the Texas Register. *(Per TEC, §7.102(f), a vote of two-thirds of the members of the board is necessary for an earlier effective date.)*

Staff Members Responsible:

Monica Martinez, Associate Commissioner, Standards and Programs

Shelly Ramos, Senior Director, Curriculum Standards and Student Support

Attachment:

Text of Proposed Amendment to 19 TAC Chapter 112, Texas Essential Knowledge and Skills for Science, Subchapter C, High School, §112.41, Implementation of Texas Essential Knowledge and Skills for Science, High School, Adopted 2020

ATTACHMENT
Text of Proposed Amendment to 19 TAC

Chapter 112. Texas Essential Knowledge and Skills for Science

Subchapter C. High School

§112.41. Implementation of Texas Essential Knowledge and Skills for Science, High School, Adopted 2020.

- (a) The provisions of §§112.42-112.45 of this subchapter shall be implemented by school districts beginning with the 2024-2025 school year .
- (b) No later than July 31, 2023 [~~2022~~] , the commissioner of education shall determine whether instructional materials funding has been made available to Texas public schools for materials that cover the essential knowledge and skills for science as adopted in §§112.42-112.45 of this subchapter.
- (c) If the commissioner makes the determination that instructional materials funding has been made available under subsection (b) of this section, §§112.42-112.45 of this subchapter shall be implemented beginning with the 2024-2025 [~~2023-2024~~] school year and apply to the 2024-2025 [~~2023-2024~~] and subsequent school years.
- (d) If the commissioner does not make the determination that instructional materials funding has been made available under subsection (b) of this section, the commissioner shall determine no later than July 31 of each subsequent school year whether instructional materials funding has been made available. If the commissioner determines that instructional materials funding has been made available, the commissioner shall notify the State Board of Education and school districts that §§112.42-112.45 of this subchapter shall be implemented for the following school year.
- (e) Sections 112.34, 112.35, 112.38, and 112.39 of this subchapter shall be superseded by the implementation of §§112.42-112.45 of this subchapter.

**Proposed Revisions to 19 TAC Chapter 113, Texas Essential Knowledge and Skills for Social Studies, Subchapter A, Elementary, Subchapter B, Middle School, and Subchapter C, High School
(Second Reading and Final Adoption)**

November 18, 2022

COMMITTEE OF THE FULL BOARD: ACTION
STATE BOARD OF EDUCATION: ACTION

SUMMARY: This item presents for second reading and final adoption proposed revisions to 19 Texas Administrative Code (TAC) Chapter 113, Texas Essential Knowledge and Skills for Social Studies, Subchapter A, Elementary, Subchapter B, Middle School, and Subchapter C, High School. The proposed revisions would align with recent legislative requirements by updating the standards for Kindergarten-Grade 8 and five high school courses: Economics with Emphasis on the Free Enterprise System and its Benefits, United States History Studies Since 1877, World History Studies, World Geography Studies, and United States Government. No changes are recommended since approved for first reading.

STATUTORY AUTHORITY: Texas Education Code (TEC), §§7.102(c)(4); 28.002(a), (c), (h), (h-1), and (h-2); and 28.025(a) and (b-1)(4).

TEC, §7.102(c)(4), requires the State Board of Education (SBOE) to establish curriculum and graduation requirements.

TEC, §28.002(a), identifies the subjects of the required curriculum.

TEC, §28.002(c), requires the SBOE to identify by rule 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.

TEC, §28.002(h), requires the SBOE and each school district to require the teaching of informed patriotism, Texas history, and the free enterprise system in the adoption of instructional materials for Kindergarten-Grade 12, including the founding documents of the United States.

TEC, §28.002(h-1), requires the SBOE to adopt essential knowledge and skills that develop each student's civic knowledge, including an understanding of the fundamental moral, political, and intellectual foundations of the American experiment in self-government; the history, qualities, traditions, and features of civic engagement in the United States; the structure, function, and processes of local, state, and federal government institutions; and the founding documents of the United States.

TEC, §28.002(h-2), requires the SBOE to adopt essential knowledge and skills that develop each student's civic knowledge, including an understanding of the fundamental moral, political, entrepreneurial, and intellectual foundations of the American experiment in self-government; the history, qualities, traditions, and features of civic government in the United States; the structure, function, and processes of local, state, and federal government institutions; and the founding documents of the United States; the ability to analyze and determine the reliability of information sources, formulate and articulate reasoned positions, understand the manner in which local, state, and federal governments work and operate through the use of simulations and models of governmental and democratic processes, actively listen and engage in civic discourse, and participate as a citizen in a constitutional democracy by voting; and an appreciation of the

importance and responsibility of participating in civic life, a commitment to the United States and its form of government, and a commitment to free speech and civil discourse.

TEC, §28.025(a), requires the SBOE to determine by rule the curriculum requirements for the foundation high school graduation program that are consistent with the required curriculum under TEC, §28.002.

TEC, §28.025(b-1)(4), requires the SBOE to require by rule that students successfully complete three credits in social studies, including one credit in United States history, at least one-half credit in government and at least one-half credit in economics or personal financial literacy and economics, and one credit in world geography or world history.

The full text of statutory citations can be found in the statutory authority section of this agenda.

EFFECTIVE DATE: The proposed effective date of the proposed revisions is August 1, 2025.

PREVIOUS BOARD ACTION: The SBOE adopted the Texas Essential Knowledge and Skills (TEKS) for social studies effective September 1, 1998. Amendments to the social studies TEKS were last adopted effective August 23, 2010. At the June 2017 meeting, the SBOE approved the proposed TEKS and instructional materials review and adoption schedule and the revised TEKS review process to be used beginning with the streamlining of the social studies TEKS. At the November 2018 meeting, the SBOE adopted amendments to the streamlining of the social studies TEKS effective August 1, 2019, for Subchapters B and C and effective August 1, 2020, for Subchapter A. At the June 2021 SBOE meeting, the SBOE adopted new §113.76 to be effective 20 days after filing with the Texas Register, and the rule became effective August 1, 2022. At a special called meeting held August 1, 2022, the SBOE discussed the proposed new social studies TEKS and held a public hearing regarding the new standards.

At the August-September SBOE meeting, the board determined that it would not move forward with proposed new social studies standards. Instead, the board asked Texas Education Agency (TEA) staff to bring to the next SBOE meeting a draft of the current standards with proposed revisions only to address requirements of Senate Bill (SB) 3, 87th Texas Legislature, Second Called Session, 2021, that are not currently addressed in the TEKS.

At a special called meeting on September 26, 2022, the SBOE held a public hearing regarding the proposed revisions to the Kindergarten-Grade 12 social studies TEKS and approved for first reading and filing authorization proposed revisions to 19 TAC Chapter 113, Subchapters A-C.

BACKGROUND INFORMATION AND JUSTIFICATION: The TEKS for social studies and economics were originally adopted effective September 1, 1998. The Kindergarten-Grade 12 social studies TEKS and the TEKS for economics were revised effective August 23, 2010. In 2018, the SBOE approved streamlining revisions to the social studies TEKS for Kindergarten-Grade 8 and four high school social studies courses: U.S. History Studies, World History Studies, World Geography, and United States Government. The SBOE also streamlined the TEKS for Economics with Emphasis on the Free Enterprise System and its Benefits and consolidated the TEKS for economics into Chapter 113.

In 2015, the SBOE adopted revisions to the TEKS for certain Advanced Placement (AP) and International Baccalaureate (IB) social studies courses to require that students demonstrate proficiency in the TEKS for the corresponding AP and IB courses in addition to the AP or IB course requirements.

In 2021, the 87th Texas Legislature passed SB 1063, amending TEC, §28.025, to add a one-half credit course in personal financial literacy and economics as an option to meet the one-half credit graduation

requirement for economics under the Foundation High School Program. SB 1063 requires that the SBOE adopt TEKS for the personal financial literacy and economics course and that the required curriculum for the course allocate two-thirds of the instructional time to personal financial literacy and one-third of instructional time to economics. At the June 2021 SBOE meeting, the SBOE adopted new §113.76 to be effective 20 days after filing with the Texas Register, and the rule became effective August 1, 2022.

Additionally, the 87th Texas Legislature passed House Bill 4509, Regular Session, 2021, and SB 3, Second Called Session, 2021, to require the teaching of informed patriotism and the founding documents of the United States and require the SBOE to adopt essential knowledge and skills for social studies that develop each student's civic knowledge, including an understanding of the fundamental moral, political, and intellectual foundations of the U.S. government.

At the June and November 2021 SBOE meetings, the board discussed the review of the social studies TEKS. Board members designated content advisors for the social studies TEKS review in August 2021. An application to serve on work groups was posted on the TEA website in September 2021. Additionally, in September 2021, a survey was posted on the TEA website to ask for feedback on the current TEKS for social studies. TEA staff provided SBOE members applications for approval to serve on the social studies work groups in September, October, and November 2021 and January and April 2022. The content advisors convened to discuss consensus recommendations in December 2021 and January 2022. In April 2022, the SBOE asked TEA to convene work groups to develop TEKS for two additional ethnic studies courses: Native American studies and Asian American studies. The SBOE directed future work groups to develop TEKS for Kindergarten-Grade 8 as follows: the TEKS for Kindergarten-Grade 2 would address topics in Texas, U.S., and world history thematically and work groups should look to see if there are other organizational options for organizing the Kindergarten-Grade 2 content; and the TEKS for Grades 3-8 would address history chronologically with Grades 3-5 focusing on world history and Grades 6-8 focusing on Texas and U.S. history. In May 2022, the SBOE convened a special meeting to hear public feedback on the proposed new framework for the Kindergarten-Grade 8 TEKS. Work groups were convened to develop recommendations for the social studies TEKS in January, February, March, April, May, June, and July 2022. At a special called meeting held August 1, 2022, the SBOE discussed the proposed new social studies TEKS and held a public hearing regarding the new standards. Following the discussion, a final work group was convened in August to develop final recommendations.

At the August-September SBOE meeting, the board determined that it would not move forward with proposed new social studies standards. Instead, the board asked TEA staff to bring to the next SBOE meeting a draft of the current standards with proposed revisions only to address requirements of SB 3, 87th Texas Legislature, Second Called Session, 2021, that are not currently addressed in the TEKS.

The proposed revisions to 19 TAC Chapter 113, Subchapters A-C, were approved by the SBOE at a special called meeting on September 26, 2022. The attachment to this item reflects the text of the proposed revisions to 19 TAC Chapter 113, Subchapters A-C, for consideration by the SBOE for second reading and final adoption.

No changes are recommended since approved for first reading.

FISCAL IMPACT: No changes have been made to this section since published as proposed.

The Texas Education Agency (TEA) has determined that for the first five years the proposal is in effect (2022-2026), there are fiscal implications to the state. The estimated cost to the TEA related to revision of the social studies TEKS is \$15,000. As part of the SBOE's TEKS review process, TEA executes personal services contracts with SBOE-appointed content advisors to provide written feedback on the TEKS. The

content advisors may also be invited to testify before the board at an SBOE meeting. Expenses for travel to attend a meeting are reimbursed.

There will be fiscal implications for school districts and charter schools to implement the proposed amendments to the TEKS, which is expected to include the need for professional development and revisions to district-developed databases, curriculum, and scope and sequence documents. Since curriculum and instruction decisions are made at the local district level, it is difficult to estimate the fiscal impact on any given district.

LOCAL EMPLOYMENT IMPACT: No changes have been made to this section since published as proposed.

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: No changes have been made to this section since published as proposed.

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: No changes have been made to this section since published as proposed.

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: No changes have been made to this section since published as proposed.

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: No changes have been made to this section since published as proposed.

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 expand existing regulations by amending existing social studies standards required to be taught by school districts and charter schools to align with the requirements of SB 3.

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 create a new regulation; would not 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: No changes have been made to this section since published as proposed.

The proposed amendments would update the standards to align with recent legislative requirements and ensure the standards remain current. There is no anticipated economic cost to persons who are required to comply with the proposal.

DATA AND REPORTING IMPACT: No changes have been made to this section since published as proposed.

The proposal would have no data and reporting impact.

PRINCIPAL AND CLASSROOM TEACHER PAPERWORK REQUIREMENTS: No changes have been made to this section since published as proposed.

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: Following the September 26, 2022 special SBOE meeting, notice of the proposed revisions to Chapter 113, Subchapters A-C, was filed with the Texas Register, initiating the public comment period. The public comment period on the proposal began October 7, 2022, and ended at 5:00 p.m. on November 14, 2022. A summary of public comments received will be provided to the SBOE prior to and during the November 2022 meeting. The SBOE will take registered oral and written comments on the proposal at the appropriate committee meeting in November 2022 in accordance with the SBOE board operating policies and procedures.

MOTION TO BE CONSIDERED: The State Board of Education:

Approve for second reading and final adoption proposed revisions to 19 TAC Chapter 113, Texas Essential Knowledge and Skills for Social Studies, Subchapter A, Elementary, Subchapter B, Middle School, and Subchapter C, High School.

Staff Members Responsible:

Monica Martinez, Associate Commissioner, Standards and Programs
Shelly Ramos, Senior Director, Curriculum Standards and Student Support

Attachment:

Text of Proposed Revisions to 19 TAC Chapter 113, Texas Essential Knowledge and Skills for Social Studies, Subchapter A, Elementary, Subchapter B, Middle School, and Subchapter C, High School

ATTACHMENT
Proposed Revisions to 19 TAC

Chapter 113. Texas Essential Knowledge and Skills for Social Studies

Subchapter A. Elementary

~~§113.10. Implementation of Texas Essential Knowledge and Skills for Social Studies, Elementary, Adopted 2018.~~

~~[The provisions of §§113.11-113.16 of this subchapter shall be implemented by school districts beginning with the 2020-2021 school year.]~~

§113.11. Social Studies, Kindergarten, Adopted 2022 ~~[2018]~~ .

(a) Implementation. The provisions of this section shall be implemented by school districts beginning with the 2025-2026 school year.

- (1) No later than July 31, 2024, the commissioner of education shall determine whether instructional materials funding has been made available to Texas public schools for materials that cover the essential knowledge and skills identified in this section.
- (2) If the commissioner makes the determination that instructional materials funding has been made available, this section shall be implemented beginning with the 2025-2026 school year and apply to the 2025-2026 and subsequent school years.
- (3) If the commissioner does not make the determination that instructional materials funding has been made available under this subsection, the commissioner shall determine no later than August 31 of each subsequent school year whether instructional materials funding has been made available. If the commissioner determines that instructional materials funding has been made available, the commissioner shall notify the State Board of Education and school districts that this section shall be implemented for the following school year.

(b) ~~(a)~~ Introduction.

- (1) In Kindergarten, the study of the self, home, family, and classroom establishes the foundation for responsible citizenship in society. Students explore state and national heritage by examining the celebration of patriotic holidays and the contributions of individuals. The concept of chronology is introduced. Students apply geographic concepts of location and physical and human characteristics of place. Students identify basic human needs and ways people meet these needs. Students learn the purpose of rules and the role of authority figures in the home and school. Students learn customs, symbols, and celebrations that represent American beliefs and principles and contribute to our national identity. Students compare family customs and traditions and describe examples of technology in the home and school. Students acquire information from a variety of oral and visual sources. Students practice problem-solving, decision-making, and independent-thinking skills.
- (2) To support the teaching of the essential knowledge and skills, the use of a variety of rich material is encouraged. Motivating resources are available from museums, historical sites, presidential libraries, and local and state preservation societies.
- (3) The eight strands of the essential knowledge and skills for social studies are intended to be integrated for instructional purposes. Skills listed in the social studies skills strand in subsection (c) ~~(b)~~ of this section should be incorporated into the teaching of all essential knowledge and skills for social studies. A greater depth of understanding of complex content material can be attained when integrated social studies content from the various disciplines and critical-thinking skills are taught together. 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.

- (4) Students identify the role of the U.S. free enterprise system within the parameters of this course and understand that this system may also be referenced as capitalism or the free market system.
- (5) Throughout social studies in Kindergarten-Grade 12, students build a foundation in history; geography; economics; government; citizenship; culture; science, technology, and society; and social studies skills. The content, as appropriate for the grade level or course, enables students to understand the importance of patriotism, function in a free enterprise society, and appreciate the basic democratic values of our state and nation as referenced in the Texas Education Code (TEC), §28.002(h).
- (6) Students understand that a constitutional republic is a representative form of government whose representatives derive their authority from the consent of the governed, serve for an established tenure, and are sworn to uphold the constitution.
- (7) Students must demonstrate learning performance related to any federal and state mandates regarding classroom instruction. Although Kindergarten is not required to participate in Celebrate Freedom Week, according to the TEC, §29.907, primary grades lay the foundation for subsequent learning. As a result, Kindergarten Texas essential knowledge and skills include standards related to this patriotic observance.
- (8) Students discuss how and whether the actions of U.S. citizens and the local, state, and federal governments have achieved the ideals espoused in the founding documents.

(c) ~~(b)~~ Knowledge and skills.

- (1) History. The student understands that holidays are celebrations of special events. The student is expected to:
 - (A) identify national patriotic holidays such as Constitution Day, Presidents' Day, Veterans Day, and Independence Day; and
 - (B) identify customs associated with national patriotic holidays such as parades and fireworks on Independence Day.
- (2) History. The student understands how historical figures helped shape the state and nation. The student is expected to identify contributions of historical figures, including Stephen F. Austin, George Washington, Christopher Columbus, and José Antonio Navarro, who helped to shape the state and nation.
- (3) Geography. The student understands the concept of location. The student is expected to:
 - (A) use spatial terms, including over, under, near, far, left, and right, to describe relative location;
 - (B) locate places on the school campus and describe their relative locations; and
 - (C) identify and use geographic tools that aid in determining location, including maps and globes.
- (4) Geography. The student understands physical and human characteristics of place to better understand self, home, family, classroom, and the world around them. The student is expected to:
 - (A) identify the physical characteristics of place such as landforms, bodies of water, Earth's resources, and weather; and
 - (B) identify how geographic location influences human characteristics of place such as shelter, clothing, food, and activities.
- (5) Economics. The student understands the difference between human needs and wants and how they are met. The student is expected to:
 - (A) identify basic human needs of food, clothing, and shelter;
 - (B) explain the difference between needs and wants; and

- (C) explain how basic human needs and wants can be met.
- (6) Economics. The student understands the value of jobs. The student is expected to:
- (A) identify jobs in the home, school, and community; and
- (B) explain why people have jobs.
- (7) Government. The student understands the purpose of rules. The student is expected to:
- (A) identify purposes for having rules; and
- (B) identify rules that provide order, security, and safety in the home and school.
- (8) Government. The student understands the role of authority figures. The student is expected to:
- (A) identify authority figures in the home, school, and community; and
- (B) explain how authority figures enforce rules.
- (9) Citizenship. The student understands important symbols, customs, and responsibilities that represent American beliefs and principles and contribute to our national identity. The student is expected to:
- (A) identify the United States flag and the Texas state flag;
- (B) recite the Pledge of Allegiance to the United States Flag and the Pledge to the Texas Flag; and
- (C) use voting as a method for group decision making.
- (10) Culture. The student understands similarities and differences among individuals. The student is expected to identify similarities and differences among individuals such as kinship and religion.
- (11) Culture. The student understands the importance of family traditions. The student is expected to:
- (A) describe and explain the importance of family traditions; and
- (B) compare traditions among families.
- (12) Science, technology, and society. The student understands ways technology is used in the home and school and how technology affects people's lives. The student is expected to:
- (A) identify examples of technology used in the home and school;
- (B) describe how technology helps accomplish specific tasks and meet people's needs; and
- (C) describe how his or her life might be different without modern technology.
- (13) Social studies skills. The student applies critical-thinking skills to organize and use information acquired from a variety of valid sources, including technology. The student is expected to:
- (A) identify and state facts based on relevant evidence;
- (B) identify different kinds of historical sources and artifacts and explain how they can be used to study the past;
- (C) ~~(A)~~ gather information about a topic using a variety of valid oral and visual sources such as interviews, music, pictures, symbols, and artifacts with adult assistance; and
- (D) ~~(B)~~ sequence and categorize information.
- (14) Social studies skills. The student communicates in oral and visual forms. The student is expected to:
- (A) place events in chronological order;
- (B) use social studies terminology related to time and chronology correctly, including before, after, next, first, last, yesterday, today, and tomorrow;

- (C) communicate information visually, orally, or in writing based on knowledge and experiences in social studies;
 - ~~[(C) — express ideas orally based on knowledge and experiences; and]~~
 - (D) create and interpret visuals, including pictures and maps ; and []
 - (E) apply and practice classroom rules and procedures for listening and responding respectfully.
- (15) Social studies skills. The student uses problem-solving and decision-making skills, working independently and with others. The student is expected to :
- (A) use democratic procedures to collaborate with others when making decisions on issues in the classroom, school, or community; and
 - (B) use problem-solving and decision-making processes to identify a problem, gather information, list and consider options, consider advantages and disadvantages, choose and implement a solution, and evaluate the effectiveness of the solution.

§113.12. Social Studies, Grade 1, Adopted 2022 [~~2018~~] .

(a) Implementation. The provisions of this section shall be implemented by school districts beginning with the 2025-2026 school year.

- (1) No later than July 31, 2024, the commissioner of education shall determine whether instructional materials funding has been made available to Texas public schools for materials that cover the essential knowledge and skills identified in this section.
- (2) If the commissioner makes the determination that instructional materials funding has been made available, this section shall be implemented beginning with the 2025-2026 school year and apply to the 2025-2026 and subsequent school years.
- (3) If the commissioner does not make the determination that instructional materials funding has been made available under this subsection, the commissioner shall determine no later than August 31 of each subsequent school year whether instructional materials funding has been made available. If the commissioner determines that instructional materials funding has been made available, the commissioner shall notify the State Board of Education and school districts that this section shall be implemented for the following school year.

(b) [~~(a)~~] Introduction.

- (1) In Grade 1, students study their relationship to the classroom, school, and community to establish the foundation for responsible citizenship in society. Students develop concepts of time and chronology by distinguishing among past, present, and future events. Students identify anthems and mottoes of the United States and Texas. Students create simple maps to identify the location of places in the classroom, school, and community. Students explore the concepts of goods and services and the value of work. Students identify individuals who exhibit good citizenship. Students describe the importance of family customs and traditions and identify how technology has changed family life. Students sequence and categorize information. Students practice problem-solving, decision-making, and independent-thinking skills.
- (2) To support the teaching of the essential knowledge and skills, the use of a variety of rich material is encouraged. Motivating resources are available from museums, historical sites, presidential libraries, and local and state preservation societies.
- (3) The eight strands of the essential knowledge and skills for social studies are intended to be integrated for instructional purposes. Skills listed in the social studies skills strand in subsection (c) [~~(b)~~] of this section should be incorporated into the teaching of all essential knowledge and skills for social studies. A greater depth of understanding of complex content material can be attained when integrated social studies content from the various disciplines and critical-thinking skills are taught together. 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.

- (4) Students identify the role of the U.S. free enterprise system within the parameters of this course and understand that this system may also be referenced as capitalism or the free market system.
- (5) Throughout social studies in Kindergarten-Grade 12, students build a foundation in history; geography; economics; government; citizenship; culture; science, technology, and society; and social studies skills. The content, as appropriate for the grade level or course, enables students to understand the importance of patriotism, function in a free enterprise society, and appreciate the basic democratic values of our state and nation as referenced in the Texas Education Code (TEC), §28.002(h).
- (6) Students understand that a constitutional republic is a representative form of government whose representatives derive their authority from the consent of the governed, serve for an established tenure, and are sworn to uphold the constitution.
- (7) Students must demonstrate learning performance related to any federal and state mandates regarding classroom instruction. Although Grade 1 is not required to participate in Celebrate Freedom Week, according to the TEC, §29.907, primary grades lay the foundation for subsequent learning. As a result, Grade 1 Texas essential knowledge and skills include standards related to this patriotic observance.
- (8) Students discuss how and whether the actions of U.S. citizens and the local, state, and federal governments have achieved the ideals espoused in the founding documents.

(c) ~~(b)~~ Knowledge and skills.

- (1) History. The student understands the origins of customs, holidays, and celebrations. The student is expected to:
 - (A) describe the origins of customs, holidays, and celebrations of the community, state, and nation such as Constitution Day, Independence Day, and Veterans Day; and
 - (B) compare the observance of holidays and celebrations.
- (2) History. The student understands how historical figures helped shape the state and nation. The student is expected to:
 - (A) identify contributions of historical figures, including Sam Houston, George Washington, Abraham Lincoln, and Martin Luther King Jr., who have influenced the state and nation; and
 - (B) compare the lives of historical figures who have influenced the state and nation.
- (3) Geography. The student understands the relative location of places. The student is expected to:
 - (A) describe the location of self and objects relative to other locations in the classroom and school using spatial terms; and
 - (B) locate places using the four cardinal directions.
- (4) Geography. The student understands the purpose of geographic tools, including maps and globes. The student is expected to:
 - (A) create and use simple maps such as maps of the home, classroom, school, and community; and
 - (B) locate and explore the community, Texas, and the United States on maps and globes.
- (5) Geography. The student understands physical and human characteristics of place to better understand their community and the world around them. The student is expected to:
 - (A) identify and describe the physical characteristics of place such as landforms, bodies of water, Earth's resources, and weather; and

- (B) identify and describe how geographic location influences the human characteristics of place such as shelter, clothing, food, and activities.
- (6) Economics. The student understands how families meet basic human needs. The student is expected to:
- (A) describe ways that families meet basic human needs; and
 - (B) describe similarities and differences in ways families meet basic human needs.
- (7) Economics. The student understands the concepts of goods and services. The student is expected to:
- (A) identify examples of goods and services in the home, school, and community;
 - (B) identify ways people exchange goods and services; and
 - (C) identify the role of markets in the exchange of goods and services.
- (8) Economics. The student understands the condition of not being able to have all the goods and services one wants. The student is expected to:
- (A) identify examples of people wanting more than they can have;
 - (B) explain why wanting more than they can have requires that people make choices; and
 - (C) identify examples of choices families make when buying goods and services.
- (9) Economics. The student understands the value of work. The student is expected to:
- (A) describe the tools of various jobs and the characteristics of a job well performed; and
 - (B) describe how various jobs contribute to the production of goods and services.
- (10) Government. The student understands the purpose of rules and laws. The student is expected to:
- (A) explain the purpose for rules and laws in the home, school, and community; and
 - (B) identify rules and laws that establish order, provide security, and manage conflict.
- (11) Government. The student understands the role of authority figures and public officials. The student is expected to:
- (A) identify the responsibilities of authority figures in the home, school, and community; and
 - (B) identify and describe the roles of public officials in the community, state, and nation.
- (12) Citizenship. The student understands characteristics of good citizenship as exemplified by historical figures and other individuals. The student is expected to:
- (A) identify characteristics of good citizenship, including truthfulness, justice, equality, respect for oneself and others, responsibility in daily life, and participation in government by educating oneself about the issues, respectfully holding public officials to their word, and voting; and
 - (B) identify historical figures and other individuals who have exemplified good citizenship such as Benjamin Franklin and Eleanor Roosevelt.
- (13) Citizenship. The student understands important symbols, customs, and celebrations that represent American beliefs and principles that contribute to our national identity. The student is expected to:
- (A) explain state and national patriotic symbols, including the United States and Texas flags, the Liberty Bell, the Statue of Liberty, and the Alamo;
 - (B) recite the Pledge of Allegiance to the United States Flag and the Pledge to the Texas Flag;
 - (C) identify anthems and mottoes of Texas and the United States;

- (D) explain and practice voting as a way of making choices and decisions; and
 - (E) explain how patriotic customs and celebrations reflect American individualism and freedom.
- (14) Culture. The student understands the importance of family and community beliefs, language, and traditions. The student is expected to:
- (A) describe and explain the importance of beliefs, language, and traditions of families and communities; and
 - (B) explain the way folktales and legends reflect beliefs, language, and traditions of communities.
- (15) Science, technology, and society. The student identifies individuals who created or invented new technology and understands how technology affects daily life, past and present. The student is expected to:
- (A) describe how technology has affected the ways families live;
 - (B) describe how technology has affected communication, transportation, and recreation; and
 - (C) identify the contributions of scientists and inventors such as Alexander Graham Bell, Thomas Edison, and Garrett Morgan.
- (16) Social studies skills. The student applies critical-thinking skills to organize and use information acquired from a variety of valid sources, including technology. The student is expected to:
- (A) identify and state facts based on relevant evidence;
 - (B) identify different kinds of historical sources and artifacts and explain how they can be used to study the past;
 - (C) ~~(A)~~ gather information about a topic using a variety of valid oral and visual sources such as interviews, music, pictures, symbols, and artifacts with adult assistance; and
 - (D) ~~(B)~~ sequence and categorize information.
- (17) Social studies skills. The student communicates in oral, visual, and written forms. The student is expected to:
- (A) use a simple timeline to distinguish among past, present, and future;
 - (B) use a calendar to describe and measure time in days, weeks, months, and years;
 - (C) communicate information visually, orally, or in writing based on knowledge and experiences in social studies;
 - ~~(C) express ideas orally based on knowledge and experiences;~~
 - (D) create and interpret visual and written material; ~~and~~
 - (E) use social studies terminology correctly ; and [;]
 - (F) apply and practice classroom rules and procedures for listening and responding respectfully.
- (18) Social studies skills. The student uses problem-solving and decision-making skills, working independently and with others. The student is expected to :
- (A) use democratic procedures to collaborate with others when making decisions on issues in the classroom, school, or community; and
 - (B) use problem-solving and decision-making processes to identify a problem, gather information, list and consider options, consider advantages and disadvantages, choose and implement a solution, and evaluate the effectiveness of the solution.

§113.13. Social Studies, Grade 2, Adopted 2022 [2018] .

(a) Implementation. The provisions of this section shall be implemented by school districts beginning with the 2025-2026 school year.

- (1) No later than July 31, 2024, the commissioner of education shall determine whether instructional materials funding has been made available to Texas public schools for materials that cover the essential knowledge and skills identified in this section.
- (2) If the commissioner makes the determination that instructional materials funding has been made available, this section shall be implemented beginning with the 2025-2026 school year and apply to the 2025-2026 and subsequent school years.
- (3) If the commissioner does not make the determination that instructional materials funding has been made available under this subsection, the commissioner shall determine no later than August 31 of each subsequent school year whether instructional materials funding has been made available. If the commissioner determines that instructional materials funding has been made available, the commissioner shall notify the State Board of Education and school districts that this section shall be implemented for the following school year.

(b) ~~(a)~~ Introduction.

- (1) In Grade 2, students focus on a study of their local community by examining the impact of significant individuals and events on the history of the community as well as on the state and nation. Students begin to develop the concepts of time and chronology. The relationship between the physical environment and human activities is introduced as are the concepts of consumers and producers. Students identify functions of government as well as services provided by the local government. Students continue to acquire knowledge of customs, symbols, and celebrations that represent American beliefs and principles. Students identify the significance of works of art in the local community and explain how technological innovations have changed transportation and communication. Students communicate what they have learned in written, oral, and visual forms.
- (2) To support the teaching of the essential knowledge and skills, the use of a variety of rich material such as nonfiction texts, primary sources, biographies, folklore, poetry, songs, and artworks is encouraged. Motivating resources are available from museums, historical sites, presidential libraries, online tours, and local and state preservation societies.
- (3) The eight strands of the essential knowledge and skills for social studies are intended to be integrated for instructional purposes. Skills listed in the social studies skills strand in subsection (c) ~~(b)~~ of this section should be incorporated into the teaching of all essential knowledge and skills for social studies. A greater depth of understanding of complex content material can be attained when integrated social studies content from the various disciplines and critical-thinking skills are taught together. 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.
- (4) Students identify the role of the U.S. free enterprise system within the parameters of this course and understand that this system may also be referenced as capitalism or the free market system.
- (5) Throughout social studies in Kindergarten-Grade 12, students build a foundation in history; geography; economics; government; citizenship; culture; science, technology, and society; and social studies skills. The content, as appropriate for the grade level or course, enables students to understand the importance of patriotism, function in a free enterprise society, and appreciate the basic democratic values of our state and nation as referenced in the Texas Education Code (TEC), §28.002(h).
- (6) Students understand that a constitutional republic is a representative form of government whose representatives derive their authority from the consent of the governed, serve for an established tenure, and are sworn to uphold the constitution.
- (7) Students must demonstrate learning performance related to any federal and state mandates regarding classroom instruction. Although Grade 2 is not required to participate in Celebrate

Freedom Week, according to the TEC, §29.907, primary grades lay the foundation for subsequent learning. As a result, Grade 2 Texas essential knowledge and skills include standards related to this patriotic observance.

- (8) Students discuss how and whether the actions of U.S. citizens and the local, state, and federal governments have achieved the ideals espoused in the founding documents.

(c) [(b)] Knowledge and skills.

- (1) History. The student understands the historical significance of landmarks and celebrations in the community, state, and nation. The student is expected to:
 - (A) explain the significance of various community, state, and national celebrations such as Veterans Day, Memorial Day, Independence Day, and Thanksgiving; and
 - (B) identify and explain the significance of various community, state, and national landmarks such as monuments and government buildings.
- (2) History. The student understands how historical figures helped shape the community, state, and nation. The student is expected to:
 - (A) identify contributions of historical figures, including Thurgood Marshall, Irma Rangel, and Theodore Roosevelt, who have influenced the state and nation; and
 - (B) describe how people and events have influenced local community history.
- (3) Geography. The student uses simple geographic tools, including maps and globes. The student is expected to:
 - (A) identify and use information on maps and globes using basic map elements such as title, cardinal directions, and legend; and
 - (B) create maps to show places and routes within the home, school, and community.
- (4) Geography. The student understands the location of places in their community, state, country, and the world. The student is expected to:
 - (A) identify major landforms and bodies of water, including each of the seven continents and each of the oceans, on maps and globes; and
 - (B) locate places, including the local community, Texas, the United States, the state capital, the U.S. capital, and the bordering countries of Canada and Mexico on maps and globes.
- (5) Geography. The student understands how humans use and modify the physical environment. The student is expected to:
 - (A) identify ways in which people have modified the physical environment such as clearing land, building roads, using land for agriculture, and drilling for oil;
 - (B) identify consequences of human modification of the physical environment; and
 - (C) identify ways people can conserve and replenish Earth's resources.
- (6) Economics. The student understands the value of work. The student is expected to:
 - (A) explain how work provides income to purchase goods and services; and
 - (B) explain the choices people can make about earning, spending, and saving money.
- (7) Economics. The student understands the roles of producers and consumers in the production of goods and services. The student is expected to:
 - (A) distinguish between producing and consuming;
 - (B) identify ways in which people are both producers and consumers; and
 - (C) trace the development of a product from a natural resource to a finished product.

- (8) Government. The student understands the purpose of governments. The student is expected to:
- (A) identify functions of governments such as establishing order, providing security, and managing conflict; and
 - (B) identify governmental services in the community such as police and fire protection, libraries, schools, and parks and explain their value to the community.
- (9) Government. The student understands the role of public officials. The student is expected to:
- (A) name current public officials, including mayor, governor, and president;
 - (B) compare the roles of public officials, including mayor, governor, and president;
 - (C) identify ways that public officials are selected, including election and appointment to office; and
 - (D) identify how citizens participate in their own governance through staying informed of what public officials are doing, providing input to them, and volunteering to participate in government functions.
- (10) Citizenship. The student understands characteristics of good citizenship as exemplified by historical figures and other individuals. The student is expected to:
- (A) identify characteristics of good citizenship, including truthfulness, justice, equality, respect for oneself and others, responsibility in daily life, and participation in government by educating oneself about the issues, respectfully holding public officials to their word, and voting;
 - (B) identify historical figures and other individuals who have exemplified good citizenship such as Paul Revere, Abigail Adams, World War II Women Airforce Service Pilots (WASPs), Navajo Code Talkers, and Sojourner Truth; and
 - (C) identify ways to actively practice good citizenship, including involvement in community service.
- (11) Citizenship. The student understands important symbols, customs, and celebrations that represent American beliefs and principles that contribute to our national identity. The student is expected to:
- (A) recite the Pledge of Allegiance to the United States Flag and the Pledge to the Texas Flag;
 - (B) sing, recite, or identify selected patriotic songs, including "The Star-Spangled Banner" and "America the Beautiful";
 - (C) use voting as a method for group decision making;
 - (D) ~~(C)~~ identify symbols such as state and national birds and flowers and Uncle Sam; and
 - (E) ~~(D)~~ identify how selected symbols, customs, and celebrations reflect an American love of individualism, inventiveness, and freedom.
- (12) Culture. The student understands ethnic and/or cultural celebrations. The student is expected to:
- (A) identify the significance of various ethnic and/or cultural celebrations; and
 - (B) compare ethnic and/or cultural celebrations.
- (13) Science, technology, and society. The student understands how science and technology have affected life, past and present. The student is expected to:
- (A) describe how science and technology have affected communication, transportation, and recreation; and
 - (B) explain how science and technology have affected the ways in which people meet basic needs.

- (14) Science, technology, and society. The student identifies individuals who exhibited individualism and inventiveness. The student is expected to identify individuals who have exhibited individualism and inventiveness such as Amelia Earhart and George Washington Carver.
- (15) Social studies skills. The student applies critical-thinking skills to organize and use information acquired from a variety of valid sources, including technology. The student is expected to:
- (A) identify and state facts based on relevant evidence;
 - (B) identify different kinds of historical sources and artifacts and explain how they can be used to study the past;
 - (C) ~~[(A)]~~ gather information about a topic using a variety of valid oral and visual sources such as interviews, music, pictures, maps, and artifacts; and
 - (D) ~~[(B)]~~ interpret oral, visual, and print material by sequencing, categorizing, identifying the main idea, predicting, comparing, and contrasting.
- (16) Social studies skills. The student communicates in written, oral, and visual forms. The student is expected to:
- (A) describe the order of events by using designations of time periods such as historical and present times;
 - (B) apply vocabulary related to chronology, including past, present, and future;
 - (C) create and interpret timelines for events in the past and present;
 - (D) use social studies terminology correctly;
 - (E) communicate information visually, orally, or in writing based on knowledge and experiences in social studies;
 - ~~[(E) — express ideas orally based on knowledge and experiences; and]~~
 - (F) create written and visual material such as stories, maps, and graphic organizers to express ideas ; and []
 - (G) apply and practice classroom rules and procedures for listening and responding respectfully.
- (17) Social studies skills. The student uses problem-solving and decision-making skills, working independently and with others. The student is expected to :
- (A) use democratic procedures to collaborate with others when making decisions on issues in the classroom, school, or community; and
 - (B) use problem-solving and decision-making processes to identify a problem, gather information, list and consider options, consider advantages and disadvantages, choose and implement a solution, and evaluate the effectiveness of the solution.

§113.14. Social Studies, Grade 3, Adopted 2022 [2018] .

- (a) Implementation. The provisions of this section shall be implemented by school districts beginning with the 2025-2026 school year.
 - (1) No later than July 31, 2024, the commissioner of education shall determine whether instructional materials funding has been made available to Texas public schools for materials that cover the essential knowledge and skills identified in this section.
 - (2) If the commissioner makes the determination that instructional materials funding has been made available, this section shall be implemented beginning with the 2025-2026 school year and apply to the 2025-2026 and subsequent school years.
 - (3) If the commissioner does not make the determination that instructional materials funding has been made available under this subsection, the commissioner shall determine no later than August 31 of

each subsequent school year whether instructional materials funding has been made available. If the commissioner determines that instructional materials funding has been made available, the commissioner shall notify the State Board of Education and school districts that this section shall be implemented for the following school year.

(b) ~~(a)~~ Introduction.

- (1) In Grade 3, students learn how diverse individuals have changed their communities and world. Students study the effects inspiring heroes have had on communities, past and present. Students learn about the lives of heroic men and women who made important choices, overcame obstacles, sacrificed for the betterment of others, and embarked on journeys that resulted in new ideas, new inventions, new technologies, and new communities. Students expand their knowledge through the identification and study of people who made a difference, influenced public policy and decision making, and participated in resolving issues that are important to all people. Throughout Grade 3, students develop an understanding of the economic, cultural, and scientific contributions made by individuals.
- (2) To support the teaching of the essential knowledge and skills, the use of a variety of rich material such as biographies, founding documents, poetry, songs, and artworks is encouraged. Motivating resources are available from museums, historical sites, presidential libraries, and local and state preservation societies.
- (3) The eight strands of the essential knowledge and skills for social studies are intended to be integrated for instructional purposes. Skills listed in the social studies skills strand in subsection (c) ~~(b)~~ of this section should be incorporated into the teaching of all essential knowledge and skills for social studies. A greater depth of understanding of complex content material can be attained when integrated social studies content from the various disciplines and critical-thinking skills are taught together. 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.
- (4) Students identify the role of the U.S. free enterprise system within the parameters of this course and understand that this system may also be referenced as capitalism or the free market system.
- (5) Throughout social studies in Kindergarten-Grade 12, students build a foundation in history; geography; economics; government; citizenship; culture; science, technology, and society; and social studies skills. The content, as appropriate for the grade level or course, enables students to understand the importance of patriotism, function in a free enterprise society, and appreciate the basic democratic values of our state and nation as referenced in the Texas Education Code (TEC), §28.002(h).
- (6) Students understand that a constitutional republic is a representative form of government whose representatives derive their authority from the consent of the governed, serve for an established tenure, and are sworn to uphold the constitution.
- (7) State and federal laws mandate a variety of celebrations and observances, including Celebrate Freedom Week.
 - (A) Each social studies class shall include, during Celebrate Freedom Week as provided under the TEC, §29.907, or during another full school week as determined by the board of trustees of a school district, appropriate instruction concerning the intent, meaning, and importance of the Declaration of Independence and the U.S. Constitution, including the Bill of Rights, in their historical contexts. The study of the Declaration of Independence must include the study of the relationship of the ideas expressed in that document to subsequent American history, including the relationship of its ideas to the rich diversity of our people as a nation of immigrants, the American Revolution, the formulation of the U.S. Constitution, and the abolitionist movement, which led to the Emancipation Proclamation and the women's suffrage movement.
 - (B) Each school district shall require that, during Celebrate Freedom Week or other week of instruction prescribed under subparagraph (A) of this paragraph, students in Grades 3-12

study and recite the following text from the Declaration of Independence: "We hold these Truths to be self-evident, that all Men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the Pursuit of Happiness--That to secure these Rights, Governments are instituted among Men, deriving their just Powers from the Consent of the Governed."

- (8) Students discuss how and whether the actions of U.S. citizens and the local, state, and federal governments have achieved the ideals espoused in the founding documents.

(c) ~~(b)~~ Knowledge and skills.

- (1) History. The student understands how individuals, events, and ideas have influenced the history of various communities. The student is expected to:
- (A) describe how individuals, events, and ideas have changed communities, past and present;
 - (B) identify individuals, including Pierre-Charles L'Enfant, Benjamin Banneker, and Benjamin Franklin, who have helped to shape communities; and
 - (C) describe how individuals, including Daniel Boone and the Founding Fathers have contributed to the expansion of existing communities or to the creation of new communities.
- (2) History. The student understands common characteristics of communities, past and present. The student is expected to:
- (A) identify reasons people have formed communities, including a need for security and laws, religious freedom, and material well-being; and
 - (B) compare ways in which people in the local community and other communities meet their needs for government, education, communication, transportation, and recreation.
- (3) Geography. The student understands how humans adapt to and/or modify the physical environment. The student is expected to:
- (A) describe similarities and differences in the physical environment, including climate, landforms, natural resources, and natural hazards;
 - (B) identify and compare how people in different communities adapt to or modify the physical environment in which they live such as deserts, mountains, wetlands, and plains; and
 - (C) describe the effects of human processes such as building new homes, conservation, and pollution in shaping the landscape.
- (4) Geography. The student understands the concepts of location, distance, and direction on maps and globes. The student is expected to:
- (A) use cardinal and intermediate directions to locate places on maps and globes in relation to the local community;
 - (B) use a scale to determine the distance between places on maps and globes; and
 - (C) identify, create, and interpret maps of places that contain map elements, including a title, compass rose, legend, scale, and grid system.
- (5) Economics. The student understands the purposes of earning, spending, saving, and donating money. The student is expected to:
- (A) identify ways of earning, spending, saving, and donating money; and
 - (B) create a simple budget that allocates money for spending and saving.
- (6) Economics. The student understands the concept of the free enterprise system and how businesses operate in the U.S. free enterprise system. The student is expected to:

- (A) explain how supply and demand affect the price of a good or service;
 - (B) define and identify examples of scarcity;
 - (C) explain how the cost of production and selling price affect profits; and
 - (D) identify individuals, past and present, such as Henry Ford and Sam Walton who have started new businesses.
- (7) Government. The student understands the basic structure and functions of various levels of government. The student is expected to:
- (A) describe the basic structure of government in the local community, state, and nation;
 - (B) identify local, state, and national government officials and explain how they are chosen; and
 - (C) identify services commonly provided by local, state, and national governments.
- (8) Government. The student understands important ideas in historical documents at various levels of government. The student is expected to:
- (A) identify the purposes of the Declaration of Independence and the U.S. Constitution, including the Bill of Rights; and
 - (B) describe the concept of "consent of the governed. "
- (9) Citizenship. The student understands characteristics of good citizenship as exemplified by historical and contemporary figures and organizations. The student is expected to:
- (A) identify characteristics of good citizenship, including truthfulness, justice, equality, respect for oneself and others, responsibility in daily life, and participation in government by educating oneself about the issues, respectfully holding public officials to their word, and voting;
 - (B) identify figures such as Helen Keller, Clara Barton, and Ruby Bridges who exemplify good citizenship;
 - (C) identify and describe individual acts of civic responsibility, including obeying laws, serving and improving the community, serving on a jury, and voting; ~~and~~
 - (D) identify examples of nonprofit and/or civic organizations such as the Red Cross and explain how they serve the common good ; ~~and~~ []
 - (E) use voting as a method for group decision making.
- (10) Culture. The student understands ethnic and/or cultural celebrations of the local community and other communities. The student is expected to:
- (A) explain the significance of various ethnic and/or cultural celebrations in the local community and other communities; and
 - (B) compare ethnic and/or cultural celebrations in the local community with other communities.
- (11) Culture. The student understands the role of heroes in shaping the culture of communities, the state, and the nation. The student is expected to:
- (A) identify and describe the heroic deeds of state and national heroes and military and first responders such as Hector P. Garcia, James A. Lovell, and the Four Chaplains; and
 - (B) identify and describe the heroic deeds of individuals such as Harriet Tubman, Todd Beamer, and other contemporary heroes.
- (12) Culture. The student understands the importance of writers and artists to the cultural heritage of communities. The student is expected to identify how various writers and artists such as Kadir

Nelson, Tomie dePaola, Carmen Lomas Garza, and Laura Ingalls Wilder and their stories, poems, statues, and paintings contribute to the cultural heritage of communities.

- (13) Science, technology, and society. The student understands how individuals have created or invented new technology and affected life in various communities, past and present. The student is expected to:
- (A) identify individuals who have discovered scientific breakthroughs or created or invented new technology such as Jonas Salk, Cyrus McCormick, Bill Gates, Louis Pasteur, and others; and
 - (B) describe the impact of scientific breakthroughs and new technology in computers, pasteurization, and medical vaccines on various communities.
- (14) Social studies skills. The student applies critical-thinking skills to organize and use information acquired from a variety of valid sources, including technology. The student is expected to:
- (A) gather information, including historical and current events and geographic data, about the community using a variety of resources;
 - (B) differentiate and compare the information about a specific issue or event provided in primary and secondary sources;
 - (C) ~~(B)~~ interpret oral, visual, and print material by sequencing, categorizing, identifying the main idea, distinguishing between fact and opinion, identifying cause and effect, comparing, and contrasting; ~~and~~
 - (D) ~~(C)~~ interpret and create visuals, including graphs, charts, tables, timelines, illustrations, and maps ; ~~;~~
 - (E) identify the central claim in a primary or secondary source; and
 - (F) develop and communicate a claim and supporting evidence visually, orally, or in writing related to a social studies topic.
- (15) Social studies skills. The student communicates in written, oral, and visual forms. The student is expected to:
- (A) use social studies terminology correctly;
 - (B) create and interpret timelines;
 - (C) apply the terms year, decade, and century to describe historical times;
 - (D) express ideas orally based on knowledge and experiences; ~~and~~
 - (E) create written and visual material such as stories, pictures, maps, and graphic organizers to express ideas ; ~~and~~ ~~;~~
 - (F) apply foundational language skills to engage in civil discourse about social studies topics, including those with multiple perspectives.
- (16) Social studies skills. The student uses problem-solving and decision-making skills, working independently and with others. The student is expected to :
- (A) use democratic procedures to simulate making decisions on school, local, or state issues; and
 - (B) use problem-solving and decision-making processes to identify a problem, gather information, list and consider options, consider advantages and disadvantages, choose and implement a solution, and evaluate the effectiveness of the solution.

§113.15. Social Studies, Grade 4, Adopted 2022 [~~2018~~] .

- (a) Implementation. The provisions of this section shall be implemented by school districts beginning with the 2025-2026 school year.

- (1) No later than July 31, 2024, the commissioner of education shall determine whether instructional materials funding has been made available to Texas public schools for materials that cover the essential knowledge and skills identified in this section.
- (2) If the commissioner makes the determination that instructional materials funding has been made available, this section shall be implemented beginning with the 2025-2026 school year and apply to the 2025-2026 and subsequent school years.
- (3) If the commissioner does not make the determination that instructional materials funding has been made available under this subsection, the commissioner shall determine no later than August 31 of each subsequent school year whether instructional materials funding has been made available. If the commissioner determines that instructional materials funding has been made available, the commissioner shall notify the State Board of Education and school districts that this section shall be implemented for the following school year.

(b) ~~(a)~~ Introduction.

- (1) In Grade 4, students examine the history of Texas from the early beginnings to the present within the context of influences of North America. Historical content focuses on Texas history, including the Texas Revolution, establishment of the Republic of Texas, and subsequent annexation to the United States. Students discuss important issues, events, and individuals of the 19th, 20th, and 21st centuries. Students conduct a thorough study of regions in Texas and North America resulting from human activity and from physical features. The location, distribution, and patterns of economic activities and settlement in Texas further enhance the concept of regions. Students describe how early American Indians in Texas and North America met their basic economic needs. Students identify motivations for European exploration and colonization and reasons for the establishment of Spanish settlements and missions. Students explain how American Indians governed themselves and identify characteristics of Spanish colonial and Mexican governments in Texas. Students recite and explain the meaning of the Pledge to the Texas Flag. Students identify the contributions of people of various racial, ethnic, and religious groups to Texas and describe the impact of science and technology on life in the state. Students use critical-thinking skills to identify cause-and-effect relationships, compare and contrast, and make generalizations and predictions.
- (2) To support the teaching of the essential knowledge and skills, the use of a variety of rich primary and secondary source material such as documents, biographies, novels, speeches, letters, poetry, songs, and artworks is encouraged. Where appropriate, local topics should be included. Motivating resources are available from museums, historical sites, presidential libraries, and local and state preservation societies.
- (3) The eight strands of the essential knowledge and skills for social studies are intended to be integrated for instructional purposes. Skills listed in the social studies skills strand in subsection (c) ~~(b)~~ of this section should be incorporated into the teaching of all essential knowledge and skills for social studies. A greater depth of understanding of complex content material can be attained when integrated social studies content from the various disciplines and critical-thinking skills are taught together. 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.
- (4) Students identify the role of the U.S. free enterprise system within the parameters of this course and understand that this system may also be referenced as capitalism or the free market system.
- (5) Throughout social studies in Kindergarten-Grade 12, students build a foundation in history; geography; economics; government; citizenship; culture; science, technology, and society; and social studies skills. The content, as appropriate for the grade level or course, enables students to understand the importance of patriotism, function in a free enterprise society, and appreciate the basic democratic values of our state and nation as referenced in the Texas Education Code (TEC), §28.002(h).

- (6) Students understand that a constitutional republic is a representative form of government whose representatives derive their authority from the consent of the governed, serve for an established tenure, and are sworn to uphold the constitution.
- (7) State and federal laws mandate a variety of celebrations and observances, including Celebrate Freedom Week.
 - (A) Each social studies class shall include, during Celebrate Freedom Week as provided under the TEC, §29.907, or during another full school week as determined by the board of trustees of a school district, appropriate instruction concerning the intent, meaning, and importance of the Declaration of Independence and the U.S. Constitution, including the Bill of Rights, in their historical contexts. The study of the Declaration of Independence must include the study of the relationship of the ideas expressed in that document to subsequent American history, including the relationship of its ideas to the rich diversity of our people as a nation of immigrants, the American Revolution, the formulation of the U.S. Constitution, and the abolitionist movement, which led to the Emancipation Proclamation and the women's suffrage movement.
 - (B) Each school district shall require that, during Celebrate Freedom Week or other week of instruction prescribed under subparagraph (A) of this paragraph, students in Grades 3-12 study and recite the following text from the Declaration of Independence: "We hold these Truths to be self-evident, that all Men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the Pursuit of Happiness--That to secure these Rights, Governments are instituted among Men, deriving their just Powers from the Consent of the Governed."
- (8) Students discuss how and whether the actions of U.S. citizens and the local, state, and federal governments have achieved the ideals espoused in the founding documents.

(c) ~~(b)~~ Knowledge and skills.

- (1) History. The student understands the origins, similarities, and differences of American Indian groups in Texas before European exploration. The student is expected to:
 - (A) explain the possible origins of American Indian groups in Texas;
 - (B) identify and compare the ways of life of American Indian groups in Texas before European exploration such as the Lipan Apache, Karankawa, Caddo, and Jumano;
 - (C) describe the cultural regions in which American Indians lived such as Gulf, Plains, Puebloan, and Southeastern; and
 - (D) locate American Indian groups remaining in Texas such as the Ysleta Del Sur Pueblo, Alabama-Coushatta, and Kickapoo.
- (2) History. The student understands the causes and effects of European exploration and colonization of Texas. The student is expected to:
 - (A) summarize motivations for European exploration and settlement of Texas, including economic opportunity, competition, and the desire for expansion;
 - (B) identify the accomplishments and explain the impact of significant explorers, including Cabeza de Vaca; Francisco Coronado; and René Robert Cavelier, Sieur de la Salle, on the settlement of Texas;
 - (C) explain when, where, and why the Spanish established settlements and Catholic missions in Texas as well as important individuals;
 - (D) identify Texas' role in the Mexican War of Independence and the war's impact on the development of Texas; and
 - (E) identify the accomplishments and explain the economic motivations and impact of significant empresarios, including Stephen F. Austin and Martín de León, on the settlement of Texas.

- (3) History. The student understands the importance of the Texas Revolution, the Republic of Texas, and the annexation of Texas to the United States. The student is expected to:
- (A) analyze the causes, major events, and effects of the Texas Revolution, including the Battle of the Alamo, the Texas Declaration of Independence, the Runaway Scrape, and the Battle of San Jacinto;
 - (B) summarize the significant contributions of individuals such as William B. Travis, James Bowie, David Crockett, Juan N. Seguín, Plácido Benavides, José Francisco Ruiz, Antonio López de Santa Anna, Susanna Dickinson, and Enrique Esparza;
 - (C) identify leaders important to the founding of Texas as a republic and state, including José Antonio Navarro, Sam Houston, Mirabeau Lamar, and Anson Jones;
 - (D) describe the successes, problems, and organizations of the Republic of Texas such as the establishment of a constitution, economic struggles, relations with American Indians, and the Texas Rangers; and
 - (E) explain the events that led to the annexation of Texas to the United States and the impact of the U.S.-Mexican War.
- (4) History. The student understands the political, economic, and social changes in Texas during the last half of the 19th century. The student is expected to:
- (A) describe the impact of the Civil War and Reconstruction on Texas;
 - (B) explain the growth, development, and impact of the cattle industry such as contributions made by Charles Goodnight, Richard King, and Lizzie Johnson;
 - (C) explain the effects of the railroad industry on life in Texas, including changes to cities and major industries; and
 - (D) explain the effects on American Indian life brought about by the Red River War, building of U.S. forts and railroads, and loss of buffalo.
- (5) History. The student understands important issues, events, and individuals of the 20th century in Texas. The student is expected to:
- (A) explain the impact of various events on life in Texas such as the Great Depression, the Dust Bowl, and World War II and notable individuals such as Audie Murphy, Cleto Rodríguez, and Bessie Coleman and other local individuals; and
 - (B) explain the development and impact of the oil and gas industry on industrialization and urbanization in Texas, including Spindletop and important people such as Pattillo Higgins.
- (6) Geography. The student understands the concept of regions. The student is expected to:
- (A) identify, locate, and describe the physical regions of Texas (Mountains and Basins, Great Plains, North Central Plains, Coastal Plains), including their characteristics such as landforms, climate, vegetation, and economic activities; and
 - (B) compare the physical regions of Texas (Mountains and Basins, Great Plains, North Central Plains, Coastal Plains).
- (7) Geography. The student understands the location and patterns of settlement and the geographic factors that influence where people live. The student is expected to:
- (A) explain the geographic factors such as landforms and climate that influence patterns of settlement and the distribution of population in Texas, past and present; and
 - (B) identify and explain patterns of settlement such as the location of towns and cities in Texas at different time periods.

- (8) Geography. The student understands how people adapt to and modify their environment. The student is expected to:
- (A) describe ways people have adapted to and modified their environment in Texas, past and present, such as timber clearing, agricultural production, wetlands drainage, energy production, and construction of dams;
 - (B) explain reasons why people have adapted to and modified their environment in Texas, past and present, such as the use of natural resources to meet basic needs, facilitate transportation, and enhance recreational activities; and
 - (C) compare the positive and negative consequences of human modification of the environment in Texas, past and present.
- (9) Economics. The student understands the basic economic activities of early societies in Texas. The student is expected to:
- (A) explain the economic activities various early American Indian groups in Texas used to meet their needs and wants such as farming, trading, and hunting; and
 - (B) explain the economic activities early settlers to Texas used to meet their needs and wants.
- (10) Economics. The student understands the characteristics and benefits of the free enterprise system in Texas. The student is expected to:
- (A) describe how the free enterprise system works, including supply and demand;
 - (B) identify examples of the benefits of the free enterprise system such as choice and opportunity; and
 - (C) describe the development of the free enterprise system in Texas such as the growth of cash crops by early colonists and the railroad boom.
- (11) Economics. The student understands patterns of work and economic activities in Texas. The student is expected to:
- (A) identify how people in different regions of Texas earn their living, past and present;
 - (B) explain how physical geographic factors such as climate and natural resources have influenced the location of economic activities in Texas;
 - (C) identify the effects of exploration, immigration, migration, and limited resources on the economic development and growth of Texas; and
 - (D) explain how developments in transportation and communication have influenced economic activities in Texas.
- (12) Government. The student understands how people organized governments in different ways during the early development of Texas. The student is expected to:
- (A) compare how various American Indian groups such as the Caddo and the Comanche governed themselves; and
 - (B) compare characteristics of the Spanish colonial government and the early Mexican governments in Texas.
- (13) Government. The student understands important ideas in historical documents of Texas and the United States. The student is expected to:
- (A) identify the purposes and explain the importance of the Texas Declaration of Independence and the Texas Constitution;
 - (B) identify and explain the basic functions of the three branches of government according to the Texas Constitution; and

- (C) identify the intent, meaning, and importance of the Declaration of Independence, the U.S. Constitution, and the Bill of Rights (Celebrate Freedom Week).
- (14) Citizenship. The student understands important customs, symbols, and celebrations of Texas. The student is expected to:
- (A) explain the meaning of various patriotic symbols and landmarks of Texas, including the six flags that flew over Texas, the Alamo, and the San Jacinto Monument;
 - (B) sing or recite "Texas, Our Texas";
 - (C) recite and explain the meaning of the Pledge to the Texas Flag; and
 - (D) describe the origins and significance of state celebrations such as Texas Independence Day and Juneteenth.
- (15) Citizenship. The student understands the importance of active individual participation in the democratic process. The student is expected to:
- (A) identify important individuals who have participated voluntarily in civic affairs at state and local levels such as Adina de Zavala and Clara Driscoll;
 - (B) explain how individuals can participate voluntarily in civic affairs at state and local levels through activities such as respectfully holding public officials to their word, writing letters, and participating in historic preservation and service projects;
 - (C) explain the duty of the individual in state and local elections such as being informed and voting;
 - (D) identify the importance of historical figures and important individuals who modeled active participation in the democratic process such as Sam Houston, Barbara Jordan, Lorenzo de Zavala, Ann Richards, Henry B. González, Wallace Jefferson, and other local individuals; and
 - (E) explain how to contact elected and appointed leaders in state and local governments ; and [-]
 - (F) use voting as a method for group decision making.
- (16) Citizenship. The student understands the importance of effective leadership in a constitutional republic. The student is expected to:
- (A) identify leaders in state, local, and national governments, including the governor, local members of the Texas Legislature, the local mayor, U.S. senators, local U.S. representatives, and Texans who have been president of the United States; and
 - (B) identify leadership qualities of state and local leaders, past and present.
- (17) Culture. The student understands the contributions of people of various racial, ethnic, and religious groups to Texas culture. The student is expected to:
- (A) identify customs, celebrations, and traditions of various cultural, regional, and local groups in Texas such as Cinco de Mayo, Oktoberfest, and Fiesta San Antonio; and
 - (B) summarize the contributions of artists of various racial, ethnic, and religious groups in the development of Texas culture such as Lydia Mendoza, Chelo Silva, and Julius Lorenzo Cobb Bledsoe.
- (18) Science, technology, and society. The student understands the impact of science and technology on life in Texas. The student is expected to:
- (A) identify famous inventors and scientists such as Gail Borden, Joseph Glidden, Michael DeBakey, and Millie Hughes-Fulford and their contributions; and
 - (B) describe how scientific discoveries and innovations such as in aerospace, agriculture, energy, and technology have benefited individuals, businesses, and society in Texas.

- (19) Social studies skills. The student applies critical-thinking skills to organize and use information acquired from a variety of valid sources, including technology. The student is expected to:
- (A) differentiate between, locate, and use valid primary and secondary sources such as technology; interviews; biographies; oral, print, and visual material; documents; and artifacts to acquire information about Texas;
 - (B) differentiate and compare the information about a specific issue or event provided in primary and secondary sources;
 - (C) ~~(B)~~ analyze information by applying absolute and relative chronology through sequencing, categorizing, identifying cause-and-effect relationships, comparing, contrasting, finding the main idea, summarizing, making generalizations and predictions, and drawing inferences and conclusions;
 - (D) ~~(C)~~ organize and interpret information in outlines, reports, databases, and visuals, including graphs, charts, timelines, and maps; ~~and~~
 - (E) ~~(D)~~ identify different points of view about an issue, topic, historical event, or current event ;
[]
 - (F) identify the central claim in a primary or secondary source; and
 - (G) develop and communicate a claim and supporting evidence visually, orally, or in writing related to a social studies topic.
- (20) Social studies skills. The student uses geographic tools to collect, analyze, and interpret data. The student is expected to:
- (A) apply mapping elements, including grid systems, legends, symbols, scales, and compass roses, to create and interpret maps; and
 - (B) interpret geographic data, population distribution, and natural resources into a variety of formats such as graphs and maps.
- (21) Social studies skills. The student communicates in written, oral, and visual forms. The student is expected to:
- (A) use social studies terminology correctly;
 - (B) incorporate main and supporting ideas in verbal and written communication;
 - (C) express ideas orally based on research and experiences; ~~and~~
 - (D) create written and visual material such as journal entries, reports, graphic organizers, outlines, and bibliographies ; ~~and~~ []
 - (E) apply foundational language skills to engage in civil discourse about social studies topics, including those with multiple perspectives.
- (22) Social studies skills. The student uses problem-solving and decision-making skills, working independently and with others. The student is expected to :
- (A) use democratic procedures to simulate making decisions on school, local, or state issues; and
 - (B) use problem-solving and decision-making processes to identify a problem, gather information, list and consider options, consider advantages and disadvantages, choose and implement a solution, and evaluate the effectiveness of the solution.

§113.16. Social Studies, Grade 5, Adopted 2022 [~~2018~~] .

- (a) Implementation. The provisions of this section shall be implemented by school districts beginning with the 2025-2026 school year.

- (1) No later than July 31, 2024, the commissioner of education shall determine whether instructional materials funding has been made available to Texas public schools for materials that cover the essential knowledge and skills identified in this section.
- (2) If the commissioner makes the determination that instructional materials funding has been made available, this section shall be implemented beginning with the 2025-2026 school year and apply to the 2025-2026 and subsequent school years.
- (3) If the commissioner does not make the determination that instructional materials funding has been made available under this subsection, the commissioner shall determine no later than August 31 of each subsequent school year whether instructional materials funding has been made available. If the commissioner determines that instructional materials funding has been made available, the commissioner shall notify the State Board of Education and school districts that this section shall be implemented for the following school year.

(b) ~~(a)~~ Introduction.

- (1) In Grade 5, students survey the history of the United States from 1565 to the present. Historical content includes the colonial period, the American Revolution, the establishment of the U.S. Constitution and American identity, westward expansion, the Civil War and Reconstruction, immigration and industrialization, and the 20th and 21st centuries. Students study a variety of regions in the United States that result from physical features and human activity and identify how people adapt to and modify the environment. Students explain the characteristics and benefits of the free enterprise system and describe economic activities in the United States. Students identify the roots of representative government in this nation as well as the important ideas in the Declaration of Independence and the U.S. Constitution. Students study the fundamental rights guaranteed in the Bill of Rights. Students examine the importance of effective leadership in a constitutional republic and identify important leaders in the national government. Students recite and explain the meaning of the Pledge of Allegiance to the United States Flag. Students describe the cultural impact of various racial, ethnic, and religious groups in the nation and identify the accomplishments of notable individuals in the fields of science and technology. Students explain symbols, traditions, and landmarks that represent American beliefs and principles. Students use critical-thinking skills to sequence, categorize, and summarize information and to draw inferences and conclusions.
- (2) To support the teaching of the essential knowledge and skills, the use of a variety of rich primary and secondary source material such as documents, biographies, novels, speeches, letters, poetry, songs, and artworks is encouraged. Motivating resources are available from museums, historical sites, presidential libraries, and local and state preservation societies.
- (3) The eight strands of the essential knowledge and skills for social studies are intended to be integrated for instructional purposes. Skills listed in the social studies skills strand in subsection (c) ~~(b)~~ of this section should be incorporated into the teaching of all essential knowledge and skills for social studies. A greater depth of understanding of complex content material can be attained when integrated social studies content from the various disciplines and critical-thinking skills are taught together. 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.
- (4) Students identify the role of the U.S. free enterprise system within the parameters of this course and understand that this system may also be referenced as capitalism or the free market system.
- (5) Throughout social studies in Kindergarten-Grade 12, students build a foundation in history; geography; economics; government; citizenship; culture; science, technology, and society; and social studies skills. The content, as appropriate for the grade level or course, enables students to understand the importance of patriotism, function in a free enterprise society, and appreciate the basic democratic values of our state and nation as referenced in the Texas Education Code (TEC), §28.002(h).

- (6) Students understand that a constitutional republic is a representative form of government whose representatives derive their authority from the consent of the governed, serve for an established tenure, and are sworn to uphold the constitution.
- (7) State and federal laws mandate a variety of celebrations and observances, including Celebrate Freedom Week.
 - (A) Each social studies class shall include, during Celebrate Freedom Week as provided under the TEC, §29.907, or during another full school week as determined by the board of trustees of a school district, appropriate instruction concerning the intent, meaning, and importance of the Declaration of Independence and the U.S. Constitution, including the Bill of Rights, in their historical contexts. The study of the Declaration of Independence must include the study of the relationship of the ideas expressed in that document to subsequent American history, including the relationship of its ideas to the rich diversity of our people as a nation of immigrants, the American Revolution, the formulation of the U.S. Constitution, and the abolitionist movement, which led to the Emancipation Proclamation and the women's suffrage movement.
 - (B) Each school district shall require that, during Celebrate Freedom Week or other week of instruction prescribed under subparagraph (A) of this paragraph, students in Grades 3-12 study and recite the following text from the Declaration of Independence: "We hold these Truths to be self-evident, that all Men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the Pursuit of Happiness--That to secure these Rights, Governments are instituted among Men, deriving their just Powers from the Consent of the Governed."
- (8) Students discuss how and whether the actions of U.S. citizens and the local, state, and federal governments have achieved the ideals espoused in the founding documents.

(c) ~~(b)~~ Knowledge and skills.

- (1) History. The student understands the reasons for and the role of key people in the European colonization of North America beginning in 1565, the founding of St. Augustine. The student is expected to:
 - (A) explain when, where, and why groups of people explored, colonized, and settled in the United States, including the search for religious freedom and economic gain; and
 - (B) describe the accomplishments of significant individuals who settled for religious freedom and economic gain during the colonial period, including William Bradford, Anne Hutchinson, William Penn, John Smith, and Roger Williams.
- (2) History. The student understands how conflict between the American colonies and Great Britain led to American independence and the formation of the United States. The student is expected to:
 - (A) analyze the causes and effects of events prior to and during the American Revolution, including the taxation resulting from the French and Indian War and the colonist response to taxation such as the Boston Tea Party;
 - (B) identify the Founding Fathers and Patriot heroes, including John Adams, Benjamin Franklin, Thomas Jefferson, the Sons of Liberty, and George Washington, and their motivations and contributions during the revolutionary period; and
 - (C) summarize the results of the American Revolution, including the establishment of the United States.
- (3) History. The student understands the significant individuals who contributed to the creation of the U.S. Constitution and the government it established. The student is expected to identify the contributions of Founding Fathers James Madison and George Mason who helped create the U.S. Constitution.
- (4) History. The student understands political, economic, and social changes that occurred in the United States during the 19th century. The student is expected to:

- (A) describe the causes and effects of the War of 1812 such as impressment of sailors, territorial conflicts with Great Britain, and the increase in U.S. manufacturing;
 - (B) identify and explain how changes resulting from the Industrial Revolution led to conflict among sections of the United States;
 - (C) identify significant events and concepts associated with U.S. territorial expansion, including the Louisiana Purchase, the expedition of Lewis and Clark, and Manifest Destiny;
 - (D) explain the central role of the expansion of slavery in causing sectionalism, disagreement over states' rights, and the Civil War;
 - (E) explain the effects of the Civil War, including Reconstruction and the 13th, 14th, and 15th amendments to the U.S. Constitution; and
 - (F) identify the challenges, opportunities, and contributions of people from various American Indian and immigrant groups such as the settlement of the frontier and building of the Transcontinental Railroad.
- (5) History. The student understands important issues, events, and individuals in the United States during the 20th and 21st centuries. The student is expected to:
- (A) explain the significance of issues and events of the 20th century such as industrialization, urbanization, the Great Depression, the world wars, the civil rights movement, and military actions;
 - (B) analyze various issues and events of the 21st century such as the War on Terror and the 2008 presidential election; and
 - (C) identify the accomplishments and contributions of individuals and groups such as Susan B. Anthony, Martin Luther King Jr., Rosa Parks, Cesar Chavez, Franklin D. Roosevelt, Ronald Reagan, the Tuskegee Airmen, and the 442nd Regimental Combat Team in the areas of civil rights, women's rights, military actions, and politics.
- (6) Geography. The student understands places and regions in the United States. The student is expected to:
- (A) describe political and economic regions in the United States that result from patterns of human activity;
 - (B) describe regions in the United States based on physical characteristics such as landform, climate, and vegetation;
 - (C) locate on a map important political features such as the five largest cities by population in the United States and the 50 states; and
 - (D) create a map of important physical features such as the Appalachian Mountains, Great Lakes, Mississippi River, Great Plains, and Rocky Mountains.
- (7) Geography. The student understands the location and patterns of settlement and the geographic factors that influence where people live. The student is expected to:
- (A) identify and describe the patterns of settlement such as rural, urban, and suburban;
 - (B) explain the geographic factors that influence patterns of settlement and the distribution of population in the United States; and
 - (C) analyze the geographic factors that influence the location of the five largest urban areas in the United States and explain their distribution.
- (8) Geography. The student understands how people adapt to and modify their environment. The student is expected to:

- (A) describe how and why people have adapted to and modified their environment in the United States such as the use of human resources to meet basic needs; and
 - (B) analyze the positive and negative consequences of human modification of the environment in the United States.
- (9) Economics. The student understands the basic economic patterns of early societies in the United States. The student is expected to:
- (A) explain the economic patterns of early European colonies; and
 - (B) identify major industries of colonial America such as shipbuilding and growing of cash crops.
- (10) Economics. The student understands the development, characteristics, and benefits of the free enterprise system in the United States. The student is expected to:
- (A) identify the development of the free enterprise system in colonial America and the United States;
 - (B) describe how the free enterprise system works in the United States; and
 - (C) give examples of the benefits of the free enterprise system in the United States.
- (11) Economics. The student understands the impact of supply and demand on consumers and producers in a free enterprise system. The student is expected to:
- (A) explain how supply and demand affects consumers in the United States; and
 - (B) evaluate the effects of supply and demand on industry and agriculture, including the plantation system, in the United States.
- (12) Economics. The student understands patterns of work and economic activities in the United States. The student is expected to:
- (A) compare how people in different regions of the United States earn a living, past and present;
 - (B) identify and explain how geographic factors have influenced the location of economic activities in the United States;
 - (C) analyze the effects of immigration and migration on the economic development and growth of the United States; and
 - (D) describe the impact of mass production, specialization, and division of labor on the economic growth of the United States.
- (13) Government. The student understands the organization of governments in colonial America. The student is expected to:
- (A) compare the systems of government of early European colonists, including representative government and monarchy; and
 - (B) identify examples of representative government in the American colonies, including the Mayflower Compact and the Virginia House of Burgesses.
- (14) Government. The student understands important ideas in the Declaration of Independence, the U.S. Constitution, and the Bill of Rights. The student is expected to:
- (A) explain the purposes, key elements, and the importance of the Declaration of Independence;
 - (B) explain the purposes of the U.S. Constitution as identified in the Preamble; and
 - (C) explain the reasons for the creation of the Bill of Rights and its importance.

- (15) Government. The student understands the framework of government created by the U.S. Constitution of 1787. The student is expected to:
- (A) identify and explain the basic functions of the three branches of government;
 - (B) identify the reasons for and describe the system of checks and balances outlined in the U.S. Constitution; and
 - (C) distinguish between national and state governments and compare their responsibilities in the U.S. federal system.
- (16) Citizenship. The student understands important symbols, customs, celebrations, and landmarks that represent American beliefs and principles that contribute to our national identity. The student is expected to:
- (A) explain various patriotic symbols, including Uncle Sam; national celebrations such as Labor Day; and political symbols such as the donkey and elephant;
 - (B) sing or recite "The Star-Spangled Banner" and explain its history;
 - (C) recite and explain the meaning of the Pledge of Allegiance to the United States Flag; and
 - (D) explain the significance of important landmarks, including the White House, the Statue of Liberty, and Mount Rushmore.
- (17) Citizenship. The student understands the importance of individual participation in the democratic process at the local, state, and national levels. The student is expected to:
- (A) explain why individuals have a duty to participate in civic affairs at the local, state, and national levels; and
 - (B) explain how to contact elected and appointed leaders in local, state, and national governments ; and []
 - (C) use voting as a method for group decision making.
- (18) Citizenship. The student understands the importance of effective leadership in a constitutional republic. The student is expected to:
- (A) identify past and present leaders in the national government, including the president and various members of Congress, and their political parties; and
 - (B) identify leadership qualities of national leaders, past and present.
- (19) Citizenship. The student understands the fundamental rights of American citizens guaranteed in the Bill of Rights. The student is expected to describe the fundamental rights guaranteed in the Bill of Rights, including freedom of religion, speech, and press; the right to assemble and petition the government; the right to keep and bear arms; the right to trial by jury; and the right to an attorney.
- (20) Culture. The student understands the relationship between the arts and the times during which they were created. The student is expected to:
- (A) identify significant examples of art, music, and literature from various periods in U.S. history such as the painting *American Progress*, "Yankee Doodle," and "Paul Revere's Ride"; and
 - (B) explain how examples of art, music, and literature reflect the times during which they were created.
- (21) Culture. The student understands the contributions of people of various racial, ethnic, and religious groups to the United States culture. The student is expected to:
- (A) describe customs and traditions of various racial, ethnic, and religious groups in the United States; and

- (B) summarize the contributions of people of various racial, ethnic, and religious groups to our national identity.
- (22) Science, technology, and society. The student understands the impact of science and technology on society in the United States. The student is expected to:
- (A) identify the accomplishments of notable individuals in the fields of science and technology such as Benjamin Franklin, Eli Whitney, John Deere, Thomas Edison, Alexander Graham Bell, George Washington Carver, the Wright Brothers, and Neil Armstrong;
- (B) identify how scientific discoveries, technological innovations, and the rapid growth of technology industries have advanced the economic development of the United States, including the transcontinental railroad and the space program; and
- (C) explain how scientific discoveries and technological innovations in the fields of medicine, communication, and transportation have benefited individuals and society in the United States.
- (23) Social studies skills. The student applies critical-thinking skills to organize and use information acquired from a variety of valid sources, including technology. The student is expected to:
- (A) differentiate between, locate, and use valid primary and secondary sources such as technology; interviews; biographies; oral, print, and visual material; documents; and artifacts to acquire information about the United States;
- (B) identify and ask questions about the credibility of different kinds of primary and secondary sources;
- (C) [~~B~~] analyze information by applying absolute and relative chronology through sequencing, categorizing, identifying cause-and-effect relationships, comparing, contrasting, finding the main idea, summarizing, making generalizations and predictions, and drawing inferences and conclusions;
- (D) [~~C~~] organize and interpret information in outlines, reports, databases, and visuals, including graphs, charts, timelines, and maps;
- (E) [~~D~~] identify different points of view about an issue, topic, historical event, or current event; [~~and~~]
- (F) [~~E~~] identify the historical context of an event ; [~~]~~
- (G) identify the central claim in a primary or secondary source; and
- (H) develop and communicate a claim and supporting evidence visually, orally, or in writing related to a social studies topic.
- (24) Social studies skills. The student uses geographic tools to collect, analyze, and interpret data. The student is expected to:
- (A) apply mapping elements, including grid systems, legends, symbols, scales, and compass roses, to create and interpret maps; and
- (B) interpret geographic data, population distribution, and natural resources into a variety of formats such as graphs and maps.
- (25) Social studies skills. The student communicates in written, oral, and visual forms. The student is expected to:
- (A) use social studies terminology correctly;
- (B) incorporate main and supporting ideas in verbal and written communication;
- (C) express ideas orally based on research and experiences; [~~and~~]

- (D) create written and visual material such as journal entries, reports, graphic organizers, outlines, and bibliographies ; and []
 - (E) apply foundational language skills to engage in civil discourse about social studies topics, including those with multiple perspectives.
- (26) Social studies skills. The student uses problem-solving and decision-making skills, working independently and with others. The student is expected to :
- (A) use democratic procedures to simulate making decisions on school, local, or state issues;
and
 - (B) use problem-solving and decision-making processes to identify a problem, gather information, list and consider options, consider advantages and disadvantages, choose and implement a solution, and evaluate the effectiveness of the solution.

Chapter 113. Texas Essential Knowledge and Skills for Social Studies

Subchapter B. Middle School

~~§113.17. Implementation of Texas Essential Knowledge and Skills for Social Studies, Middle School, Adopted 2018.~~

~~[The provisions of §§113.18-113.20 of this subchapter shall be implemented by school districts beginning with the 2019-2020 school year.]~~

§113.18. Social Studies, Grade 6, Adopted 2022 [2018].

(a) Implementation. The provisions of this section shall be implemented by school districts beginning with the 2025-2026 school year.

- (1) No later than July 31, 2024, the commissioner of education shall determine whether instructional materials funding has been made available to Texas public schools for materials that cover the essential knowledge and skills identified in this section.
- (2) If the commissioner makes the determination that instructional materials funding has been made available, this section shall be implemented beginning with the 2025-2026 school year and apply to the 2025-2026 and subsequent school years.
- (3) If the commissioner does not make the determination that instructional materials funding has been made available under this subsection, the commissioner shall determine no later than August 31 of each subsequent school year whether instructional materials funding has been made available. If the commissioner determines that instructional materials funding has been made available, the commissioner shall notify the State Board of Education and school districts that this section shall be implemented for the following school year.

(b) ~~(a)~~ Introduction.

- (1) In Grade 6, students study people, places, and societies of the contemporary world. Societies for study are from the following regions of the world: Europe, Russia and the Eurasian republics, North America, Central America and the Caribbean, South America, Southwest Asia-North Africa, Sub-Saharan Africa, South Asia, East Asia, Southeast Asia, Australia, and the Pacific realm. Students describe the influence of individuals and groups on historical and contemporary events in those societies and identify the locations and geographic characteristics of various societies. Students identify different ways of organizing economic and governmental systems. The concepts of limited and unlimited government are introduced, and students describe the nature of citizenship in various societies. Students compare institutions common to all societies such as government, education, and religious institutions. Students explain how the level of technology affects the development of the various societies and identify different points of view about events. The concept of frame of reference is introduced as an influence on an individual's point of view.
- (2) To support the teaching of the essential knowledge and skills, the use of a variety of rich primary and secondary source material such as biographies, autobiographies, novels, speeches, letters, poetry, songs, and artworks is encouraged. Motivating resources are available from museums, art galleries, and historical sites.
- (3) The eight strands of the essential knowledge and skills for social studies are intended to be integrated for instructional purposes. Skills listed in the social studies skills strand in subsection (c) ~~(b)~~ of this section should be incorporated into the teaching of all essential knowledge and skills for social studies. A greater depth of understanding of complex content material can be attained when integrated social studies content from the various disciplines and critical-thinking skills are taught together. 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.

- (4) Students identify the role of the U.S. free enterprise system within the parameters of this course and understand that this system may also be referenced as capitalism or the free market system.
- (5) Throughout social studies in Kindergarten-Grade 12, students build a foundation in history; geography; economics; government; citizenship; culture; science, technology, and society; and social studies skills. The content, as appropriate for the grade level or course, enables students to understand the importance of patriotism, function in a free enterprise society, and appreciate the basic democratic values of our state and nation as referenced in the Texas Education Code (TEC), §28.002(h).
- (6) Students understand that a constitutional republic is a representative form of government whose representatives derive their authority from the consent of the governed, serve for an established tenure, and are sworn to uphold the constitution.
- (7) State and federal laws mandate a variety of celebrations and observances, including Celebrate Freedom Week.
 - (A) Each social studies class shall include, during Celebrate Freedom Week as provided under the TEC, §29.907, or during another full school week as determined by the board of trustees of a school district, appropriate instruction concerning the intent, meaning, and importance of the Declaration of Independence and the U.S. Constitution, including the Bill of Rights, in their historical contexts. The study of the Declaration of Independence must include the study of the relationship of the ideas expressed in that document to subsequent American history, including the relationship of its ideas to the rich diversity of our people as a nation of immigrants, the American Revolution, the formulation of the U.S. Constitution, and the abolitionist movement, which led to the Emancipation Proclamation and the women's suffrage movement.
 - (B) Each school district shall require that, during Celebrate Freedom Week or other week of instruction prescribed under subparagraph (A) of this paragraph, students in Grades 3-12 study and recite the following text from the Declaration of Independence: "We hold these Truths to be self-evident, that all Men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the Pursuit of Happiness--That to secure these Rights, Governments are instituted among Men, deriving their just Powers from the Consent of the Governed."
- (8) Students discuss how and whether the actions of U.S. citizens and the local, state, and federal governments have achieved the ideals espoused in the founding documents.

(c) ~~(b)~~ Knowledge and skills.

- (1) History. The student understands that historical events influence contemporary events. The student is expected to:
 - (A) trace characteristics of various contemporary societies in regions that resulted from historical events or factors such as colonization, immigration, and trade; and
 - (B) analyze the historical background of various contemporary societies to evaluate relationships between past conflicts and current conditions.
- (2) History. The student understands the influences of individuals and groups from various cultures on various historical and contemporary societies. The student is expected to:
 - (A) identify and describe the historical influence of individuals or groups on various contemporary societies; and
 - (B) describe the social, political, economic, and cultural contributions of individuals and groups from various societies, past and present.
- (3) Geography. The student understands the factors that influence the locations and characteristics of locations of various contemporary societies on maps and/or globes. The student is expected to:

- (A) identify and explain the geographic factors responsible for patterns of population in places and regions;
 - (B) explain ways in which human migration influences the character of places and regions;
 - (C) identify and locate major physical and human geographic features such as landforms, water bodies, and urban centers of various places and regions; and
 - (D) identify the location of major world countries for each of the world regions.
- (4) Geography. The student understands how geographic factors influence the economic development and political relationships of societies. The student is expected to:
- (A) explain the geographic factors responsible for the location of economic activities in places and regions; and
 - (B) identify geographic factors such as location, physical features, transportation corridors and barriers, and distribution of natural resources that influence a society's political relationships.
- (5) Geography. The student understands the impact of interactions between people and the physical environment on the development and conditions of places and regions. The student is expected to:
- (A) describe ways people have been impacted by physical processes such as earthquakes and climate;
 - (B) identify and analyze ways people have adapted to the physical environment in various places and regions; and
 - (C) identify and analyze ways people have modified the physical environment such as mining, irrigation, and transportation infrastructure.
- (6) Economics. The student understands the factors of production in a society's economy. The student is expected to:
- (A) describe ways in which the factors of production (natural resources, labor, capital, and entrepreneurs) influence the economies of various contemporary societies;
 - (B) identify problems that may arise when one or more of the factors of production is in relatively short supply; and
 - (C) explain the impact of the distribution of resources on international trade and economic interdependence among and within societies.
- (7) Economics. The student understands the various ways in which people organize economic systems. The student is expected to:
- (A) compare ways in which various societies organize the production and distribution of goods and services;
 - (B) compare and contrast free enterprise, socialist, and communist economies in various contemporary societies, including the benefits of the U.S. free enterprise system; and
 - (C) understand the importance of ethics in maintaining a functional free enterprise system.
- (8) Economics. The student understands categories of economic activities and the data used to measure a society's economic level. The student is expected to:
- (A) define and give examples of agricultural, retail, manufacturing (goods), and service industries; and
 - (B) describe levels of economic development of various societies using indicators such as life expectancy, gross domestic product (GDP), GDP per capita, and literacy.
- (9) Government. The student understands the concepts of limited and unlimited governments. The student is expected to:

- (A) describe and compare examples of limited and unlimited governments such as constitutional (limited) and totalitarian (unlimited);
 - (B) identify reasons for limiting the power of government; and
 - (C) identify and describe examples of human rights abuses by limited or unlimited governments such as the oppression of religious, ethnic, and political groups.
- (10) Government. The student understands various ways in which people organize governments. The student is expected to:
- (A) identify and give examples of governments with rule by one, few, or many;
 - (B) compare ways in which various societies such as China, Germany, India, and Russia organize government and how they function; and
 - (C) identify historical origins of democratic forms of government such as Ancient Greece.
- (11) Citizenship. The student understands that the nature of citizenship varies among societies. The student is expected to:
- (A) describe and compare roles and responsibilities of citizens in various contemporary societies, including the United States; and
 - (B) explain how opportunities for citizens to participate in and influence the political process vary among various contemporary societies.
- (12) Citizenship. The student understands the relationship among individual rights, responsibilities, duties, and freedoms in societies with representative governments. The student is expected to:
- (A) identify and explain the duty of civic participation in societies with representative governments; and
 - (B) explain relationships among rights, responsibilities, and duties in societies with representative governments.
- (13) Culture. The student understands the similarities and differences within and among cultures in various world societies. The student is expected to:
- (A) identify and describe common traits that define cultures and culture regions;
 - (B) define a multicultural society;
 - (C) analyze the experiences and contributions of diverse groups to multicultural societies; and
 - (D) identify and explain examples of conflict and cooperation between and among cultures.
- (14) Culture. The student understands that all societies have basic institutions in common even though the characteristics of these institutions may differ. The student is expected to:
- (A) identify institutions basic to all societies, including government, economic, educational, and religious institutions;
 - (B) compare characteristics of institutions in various contemporary societies; and
 - (C) analyze the efforts and activities institutions use to sustain themselves over time.
- (15) Culture. The student understands relationships that exist among world cultures. The student is expected to:
- (A) identify and describe means of cultural diffusion such as trade, travel, and war;
 - (B) identify and describe factors that influence cultural change such as improvements in communication, transportation, and economic development;
 - (C) analyze the impact of improved communication technology among cultures; and

- (D) identify the impact of cultural diffusion on individuals and world societies.
- (16) Culture. The student understands the relationship that exists between the arts and the societies in which they are produced. The student is expected to:
- (A) explain the relationships that exist between societies and their architecture, art, music, and literature;
 - (B) describe ways in which contemporary issues influence creative expressions; and
 - (C) identify examples of art, music, and literature that convey universal themes such as religion, justice, and the passage of time.
- (17) Culture. The student understands the relationships among religion, philosophy, and culture. The student is expected to:
- (A) explain the relationship among religious ideas, philosophical ideas, and cultures; and
 - (B) explain the significance of religious holidays and observances such as Christmas, Easter, Ramadan, the annual hajj, Yom Kippur, Rosh Hashanah, Diwali, and Vaisakhi in various contemporary societies.
- (18) Science, technology, and society. The student understands the influences of science and technology on contemporary societies. The student is expected to:
- (A) identify examples of scientific discoveries, technological innovations, and scientists and inventors that have shaped the world;
 - (B) explain how resources, economic factors, and political decisions affect the use of technology; and
 - (C) make predictions about future social, political, economic, cultural, and environmental impacts that may result from future scientific discoveries and technological innovations.
- (19) Social studies skills. The student applies critical-thinking skills to organize and use information acquired through established research methodologies from a variety of valid sources, including technology. The student is expected to:
- (A) differentiate between, locate, and use valid primary and secondary sources such as oral, print, and visual material and artifacts to acquire information about various world cultures;
 - (B) analyze information by sequencing, categorizing, identifying cause-and-effect relationships, comparing, contrasting, finding the main idea, summarizing, making generalizations and predictions, and drawing inferences and conclusions;
 - (C) organize and interpret information from outlines, reports, databases, and visuals, including graphs, charts, timelines, and maps; ~~and~~
 - (D) identify different points of view about an issue or current topic ; []
 - (E) formulate and communicate visually, orally, or in writing a claim supported by evidence and reasoning related to a social studies topic; and
 - (F) evaluate a variety of historical and contemporary sources for validity, credibility, bias, and accuracy.
- (20) Social studies skills. The student uses geographic tools to collect, analyze, and interpret data. The student is expected to:
- (A) answer geographic questions, including: Where is it located? Why is it there? What is significant about its location? How is its location related to the location of other people, places, and environments? Using latitude and longitude, where is it located?;
 - (B) pose and answer questions about geographic distributions and patterns for various world regions and countries shown on maps, graphs, and charts;

- (C) compare various world regions and countries using data from maps, graphs, and charts; and
 - (D) create and interpret regional sketch maps, thematic maps, graphs, and charts depicting aspects such as population, disease, and economic activities of various world regions and countries.
- (21) Social studies skills. The student communicates in written, oral, and visual forms. The student is expected to:
- (A) use social studies terminology correctly;
 - (B) incorporate main and supporting ideas in verbal and written communication based on research;
 - (C) express ideas orally based on research and experiences;
 - (D) create written and visual material such as journal entries, reports, graphic organizers, outlines, and bibliographies based on research; ~~and~~
 - (E) use effective written communication skills, including proper citations to avoid plagiarism; ~~and~~ ~~;~~
 - (F) ~~apply foundational language skills to engage in civil discourse about social studies topics, including those with multiple perspectives.~~
- (22) Social studies skills. The student uses problem-solving and decision-making skills, working independently and with others. The student is expected to :
- (A) ~~describe governmental and democratic processes such as voting, due process, and caucuses using simulations and models; and~~
 - (B) use problem-solving and decision-making processes to identify a problem, gather information, list and consider options, consider advantages and disadvantages, choose and implement a solution, and evaluate the effectiveness of the solution.

§113.19. Social Studies, Grade 7, Adopted 2022 [~~2018~~].

(a) Implementation. The provisions of this section shall be implemented by school districts beginning with the 2025-2026 school year.

- (1) No later than July 31, 2024, the commissioner of education shall determine whether instructional materials funding has been made available to Texas public schools for materials that cover the essential knowledge and skills identified in this section.
- (2) If the commissioner makes the determination that instructional materials funding has been made available, this section shall be implemented beginning with the 2025-2026 school year and apply to the 2025-2026 and subsequent school years.
- (3) If the commissioner does not make the determination that instructional materials funding has been made available under this subsection, the commissioner shall determine no later than August 31 of each subsequent school year whether instructional materials funding has been made available. If the commissioner determines that instructional materials funding has been made available, the commissioner shall notify the State Board of Education and school districts that this section shall be implemented for the following school year.

~~(b)~~ (a) Introduction.

- (1) In Grade 7, students study the history of Texas from early times to the present. Content is presented with more depth and breadth than in Grade 4. Students examine the full scope of Texas history, including Natural Texas and its People; Age of Contact; Spanish Colonial; Mexican National; Revolution and Republic; Early Statehood; Texas in the Civil War and Reconstruction; Cotton, Cattle, and Railroads; Age of Oil; Texas in the Great Depression and World War II; Civil Rights and Conservatism; and Contemporary Texas eras. The focus in each era is on key

individuals, events, and issues and their impact. Students identify regions of Texas and the distribution of population within and among the regions and explain the factors that caused Texas to change from an agrarian to an urban society. Students describe the structure and functions of municipal, county, and state governments, explain the influence of the U.S. Constitution on the Texas Constitution, and examine the rights and responsibilities of Texas citizens. Students use primary and secondary sources to examine the rich and diverse cultural background of Texas as they identify the different racial and ethnic groups that settled in Texas to build a republic and then a state. Students analyze the impact of scientific discoveries and technological innovations on the development of Texas in various industries such as agricultural, energy, medical, computer, and aerospace. Students use primary and secondary sources to acquire information about Texas.

- (2) To support the teaching of the essential knowledge and skills, the use of a variety of rich primary and secondary source material such as biographies, autobiographies, novels, speeches, letters, diaries, poetry, songs, and images is encouraged. Motivating resources are available from museums, historical sites, presidential libraries, and local and state preservation societies.
- (3) The eight strands of the essential knowledge and skills for social studies are intended to be integrated for instructional purposes. Skills listed in the social studies skills strand in subsection (c) ~~(b)~~ of this section should be incorporated into the teaching of all essential knowledge and skills for social studies. A greater depth of understanding of complex content material can be attained when integrated social studies content from the various disciplines and critical-thinking skills are taught together. 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.
- (4) Students identify the role of the U.S. free enterprise system within the parameters of this course and understand that this system may also be referenced as capitalism or the free market system.
- (5) Throughout social studies in Kindergarten-Grade 12, students build a foundation in history; geography; economics; government; citizenship; culture; science, technology, and society; and social studies skills. The content, as appropriate for the grade level or course, enables students to understand the importance of patriotism, function in a free enterprise society, and appreciate the basic democratic values of our state and nation as referenced in the Texas Education Code (TEC), §28.002(h).
- (6) Students understand that a constitutional republic is a representative form of government whose representatives derive their authority from the consent of the governed, serve for an established tenure, and are sworn to uphold the constitution.
- (7) State and federal laws mandate a variety of celebrations and observances, including Celebrate Freedom Week.
 - (A) Each social studies class shall include, during Celebrate Freedom Week as provided under the TEC, §29.907, or during another full school week as determined by the board of trustees of a school district, appropriate instruction concerning the intent, meaning, and importance of the Declaration of Independence and the U.S. Constitution, including the Bill of Rights, in their historical contexts. The study of the Declaration of Independence must include the study of the relationship of the ideas expressed in that document to subsequent American history, including the relationship of its ideas to the rich diversity of our people as a nation of immigrants, the American Revolution, the formulation of the U.S. Constitution, and the abolitionist movement, which led to the Emancipation Proclamation and the women's suffrage movement.
 - (B) Each school district shall require that, during Celebrate Freedom Week or other week of instruction prescribed under subparagraph (A) of this paragraph, students in Grades 3-12 study and recite the following text from the Declaration of Independence: "We hold these Truths to be self-evident, that all Men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the Pursuit of Happiness--That to secure these Rights, Governments are instituted among Men, deriving their just Powers from the Consent of the Governed."

- (8) Students discuss how and whether the actions of U.S. citizens and the local, state, and federal governments have achieved the ideals espoused in the founding documents.

(c) ~~(b)~~ Knowledge and skills.

- (1) History. The student understands traditional historical points of reference in Texas history. The student is expected to:
- (A) identify the major eras in Texas history, describe their defining characteristics, and explain the purpose of dividing the past into eras, including Natural Texas and its People; Age of Contact; Spanish Colonial; Mexican National; Revolution and Republic; Early Statehood; Texas in the Civil War and Reconstruction; Cotton, Cattle, and Railroads; Age of Oil; Texas in the Great Depression and World War II; Civil Rights; and Contemporary Texas; and
 - (B) explain the significance of the following dates: 1519, mapping of the Texas coast and first mainland Spanish settlement; 1718, founding of San Antonio; 1821, independence from Spain; 1836, Texas independence; 1845, annexation; 1861, Civil War begins; 1876, adoption of current state constitution; and 1901, discovery of oil at Spindletop.
- (2) History. The student understands how individuals, events, and issues through the Mexican National Era shaped the history of Texas. The student is expected to:
- (A) compare the cultures of American Indians in Texas prior to European colonization such as Gulf, Plains, Puebloan, and Southeastern;
 - (B) identify important individuals, events, and issues related to European exploration of Texas such as Alonso Álvarez de Pineda, Álvar Núñez Cabeza de Vaca, the search for gold, and the conflicting territorial claims between France and Spain;
 - (C) identify important individuals, events, and issues related to European colonization of Texas, including the establishment of Catholic missions, towns, and ranches, and the contributions of individuals such as Fray Damián Massanet, Antonio Margil de Jesús, and Francisco Hidalgo;
 - (D) identify the individuals, issues, and events related to Mexico becoming an independent nation and its impact on Texas, including Father Miguel Hidalgo, Texas involvement in the fight for independence, José Gutiérrez de Lara, the Battle of Medina, the Mexican federal Constitution of 1824, the merger of Texas and Coahuila as a state, the State Colonization Law of 1825, and slavery;
 - (E) identify the contributions of significant individuals, including Moses Austin, Stephen F. Austin, Erasmo Seguín, Martín De León, and Green DeWitt, during the Mexican settlement of Texas; and
 - (F) contrast Spanish, Mexican, and Anglo purposes for and methods of settlement in Texas.
- (3) History. The student understands how individuals, events, and issues related to the Texas Revolution shaped the history of Texas. The student is expected to:
- (A) describe the chain of events that led to the Texas Revolution, including the Fredonian Rebellion, the Mier y Terán Report, the Law of April 6, 1830, the Turtle Bayou Resolutions, and the arrest of Stephen F. Austin;
 - (B) explain the roles played by significant individuals during the Texas Revolution, including George Childress, Lorenzo de Zavala, James Fannin, Sam Houston, Antonio López de Santa Anna, Juan N. Seguín, and William B. Travis; and
 - (C) explain the issues surrounding significant events of the Texas Revolution, including the Battle of Gonzales; the siege of the Alamo, William B. Travis's letter "To the People of Texas and All Americans in the World," and the heroism of the diverse defenders who gave their lives there; the Constitutional Convention of 1836; Fannin's surrender at Goliad; and the Battle of San Jacinto.

- (4) History. The student understands how individuals, events, and issues shaped the history of the Republic of Texas and early Texas statehood. The student is expected to:
- (A) identify individuals, events, and issues during the administrations of Republic of Texas Presidents Houston, Lamar, and Jones such as the Texas Navy, the Texas Rangers, Jack Coffee Hays, Chief Bowles, William Goyens, Mary Maverick, José Antonio Navarro, the Córdoba Rebellion, the Council House Fight, the Santa Fe Expedition, slavery, and the roles of racial and ethnic groups;
 - (B) analyze the causes of and events leading to Texas annexation such as security and public debt; and
 - (C) identify individuals, events, and issues during early Texas statehood, including the U.S.-Mexican War, the Treaty of Guadalupe-Hidalgo, slavery, and the Compromise of 1850.
- (5) History. The student understands how events and issues shaped the history of Texas during the Civil War and Reconstruction. The student is expected to:
- (A) explain the central role the expansion of slavery played in the involvement of Texas in the Civil War;
 - (B) identify significant events concerning Texas and the Civil War such as the Battle of Galveston, the Battle of Sabine Pass, and the Battle of Palmito Ranch; and
 - (C) explain the political, economic, and social effects of the Civil War and Reconstruction in Texas.
- (6) History. The student understands how individuals, events, and issues shaped the history of Texas from Reconstruction through the beginning of the 20th century. The student is expected to:
- (A) identify significant individuals, events, and issues, including the factors leading to the expansion of the Texas frontier, the effects of westward expansion on American Indians, the buffalo soldiers, and Quanah Parker;
 - (B) identify significant individuals, events, and issues, including the development of the cattle industry from its Spanish beginnings and the cowboy way of life;
 - (C) identify significant individuals, events, and issues, including the effects of the growth of railroads and the contributions of James Hogg; and
 - (D) explain the political, economic, and social impact of the agricultural industry and the development of West Texas resulting from the close of the frontier.
- (7) History. The student understands how individuals, events, and issues shaped the history of Texas during the late 19th, 20th, and early 21st centuries. The student is expected to:
- (A) explain how the oil industry led to the industrialization of Texas;
 - (B) define and trace the impact of "boom-and-bust" cycles of leading Texas industries throughout the 20th and early 21st centuries such as farming, oil and gas production, cotton, ranching, real estate, banking, and computer technology;
 - (C) describe and compare the impact of reform movements in Texas in the 19th and 20th centuries such as progressivism, populism, women's suffrage, agrarianism, labor reform, and the conservative movement of the late 20th century;
 - (D) describe and compare the civil rights and equal rights movements of various groups in Texas in the 20th century and identify key leaders in these movements such as James L. Farmer Jr., Hector P. Garcia, Oveta Culp Hobby, Lyndon B. Johnson, the League of United Latin American Citizens (LULAC), Jane McCallum, and Lulu Belle Madison White; and
 - (E) analyze the political, economic, and social impact of World War I, the Great Depression, World War II, and significant issues in the latter half of the 20th and early 21st centuries

such as political and economic controversies, immigration, and migration on the history of Texas.

- (8) Geography. The student understands the location and characteristics of places and regions of Texas. The student is expected to:
- (A) locate and compare the Mountains and Basins, Great Plains, North Central Plains, and Coastal Plains regions;
 - (B) locate and compare places of importance in Texas in terms of physical and human characteristics such as major cities, waterways, natural and historic landmarks, political and cultural regions, and local points of interest; and
 - (C) analyze the effects of physical and human factors such as climate, weather, landforms, irrigation, transportation, and communication on major events in Texas.
- (9) Geography. The student understands the effects of the interaction between humans and the environment in Texas. The student is expected to:
- (A) identify ways in which Texans have adapted to and modified the environment and explain the positive and negative consequences of the modifications; and
 - (B) explain ways in which geographic factors such as the Galveston Hurricane of 1900, the Dust Bowl, limited water resources, and alternative energy sources have affected the political, economic, and social development of Texas.
- (10) Geography. The student understands the characteristics, distribution, and migration of population in Texas in the 19th, 20th, and 21st centuries. The student is expected to:
- (A) identify why immigrant groups came to Texas and where they settled;
 - (B) describe how immigration and migration to Texas have influenced Texas;
 - (C) describe the structure of the population of Texas using demographic concepts such as growth rate and age distribution; and
 - (D) analyze the effects of the changing population distribution and growth in Texas and the additional need for education, health care, and transportation.
- (11) Economics. The student understands the factors that caused Texas to change from an agrarian to an urban society. The student is expected to:
- (A) explain economic factors and the development of major industries that led to the urbanization of Texas such as transportation, oil and gas, and manufacturing; and
 - (B) explain the changes in the types of jobs and occupations that have resulted from the urbanization of Texas.
- (12) Economics. The student understands the interdependence of the Texas economy with the United States and the world. The student is expected to:
- (A) explain the impact of national and international markets on the production of goods and services in Texas, including agriculture and oil and gas;
 - (B) explain the impact of economic concepts within the free enterprise system such as supply and demand, profit, and world competition on the economy of Texas; and
 - (C) analyze the impact of significant industries in Texas such as aerospace, medical, and computer technologies on local, national, and international markets.
- (13) Government. The student understands the basic principles reflected in the Texas Constitution. The student is expected to:
- (A) identify how the Texas Constitution reflects the principles of limited government, republicanism, checks and balances, federalism, separation of powers, popular sovereignty, and individual rights; and

- (B) compare the principles and concepts of the Texas Constitution to the U.S. Constitution, including the Texas and U.S. Bill of Rights.
- (14) Government. The student understands the structure and functions of government created by the Texas Constitution. The student is expected to:
- (A) describe the structure and functions of government at municipal, county, and state levels; and
 - (B) identify major sources of revenue for state and local governments such as property taxes, sales taxes, bonds, and fees.
- (15) Citizenship. The student understands the rights and responsibilities of Texas citizens in a democratic society. The student is expected to:
- (A) explain rights of Texas citizens; and
 - (B) explain civic responsibilities of Texas citizens and the importance of civic participation.
- (16) Citizenship. The student understands the importance of the expression of different points of view in a democratic society. The student is expected to:
- (A) identify different points of view of political parties and interest groups on important Texas issues, past and present; and
 - (B) describe the importance of free speech and press in a democratic society.
- (17) Citizenship. The student understands the importance of effective leadership in a democratic society. The student is expected to:
- (A) identify the leadership qualities of elected and appointed leaders of Texas, past and present, including Texans who have been president of the United States; and
 - (B) identify the contributions of Texas leaders such as Lawrence Sullivan "Sul" Ross, John Nance Garner ("Cactus Jack"), James A. Baker III, Henry B. González, Kay Bailey Hutchison, Barbara Jordan, Raymond L. Telles, Sam Rayburn, and Raul A. Gonzalez Jr.
- (18) Culture. The student understands the concept of diversity within unity in Texas. The student is expected to:
- (A) explain how the diversity of Texas is reflected in a variety of cultural activities and celebrations;
 - (B) describe how people from various racial, ethnic, and religious groups attempt to maintain their cultural heritage while adapting to the larger Texas culture;
 - (C) identify examples of Spanish influence and the influence of other cultures on Texas such as place names, vocabulary, religion, architecture, food, and the arts; and
 - (D) identify contributions to the arts by Texans such as Roy Bedichek, Diane Gonzales Bertrand, J. Frank Dobie, Scott Joplin, Elisabet Ney, Amado Peña Jr., Walter Prescott Webb, and Horton Foote.
- (19) Science, technology, and society. The student understands the impact of scientific discoveries and technological innovations on the political, economic, and social development of Texas. The student is expected to:
- (A) compare types and uses of technology, past and present;
 - (B) identify Texas leaders in science and technology such as Walter Cunningham, Michael DeBakey, Denton Cooley, Benjy Brooks, Michael Dell, and Howard Hughes Sr.;
 - (C) analyze the effects of various scientific discoveries and technological innovations on the development of Texas such as advancements in the agricultural, energy, medical, computer, and aerospace industries;

- (D) evaluate the effects of scientific discoveries and technological innovations on the use of resources such as fossil fuels, water, and land; and
 - (E) analyze how scientific discoveries and technological innovations have resulted in an interdependence among Texas, the United States, and the world.
- (20) Social studies skills. The student applies critical-thinking skills to organize and use information acquired through established research methodologies from a variety of valid sources, including technology. The student is expected to:
- (A) differentiate between, locate, and use valid primary and secondary sources such as media and news services, biographies, interviews, and artifacts to acquire information about Texas;
 - (B) analyze information by applying absolute and relative chronology through sequencing, categorizing, identifying cause-and-effect relationships, comparing, contrasting, finding the main idea, summarizing, making generalizations and predictions, and drawing inferences and conclusions;
 - (C) organize and interpret information from outlines, reports, databases, and visuals, including graphs, charts, timelines, and maps;
 - (D) identify bias and points of view from the historical context surrounding an event that influenced the participants;
 - ~~(E) formulate and communicate visually, orally, or in writing a claim supported by evidence and reasoning related to a social studies topic; and~~
 - ~~(F) evaluate a variety of historical and contemporary sources for validity, credibility, bias, and accuracy.~~
 - ~~[(E) support a point of view on a social studies issue or event; and]~~
 - ~~[(F) evaluate the validity of a source based on corroboration with other sources and information about the author.]~~
- (21) Social studies skills. The student uses geographic tools to collect, analyze, and interpret data. The student is expected to:
- (A) create and interpret thematic maps, graphs, and charts representing various aspects of Texas during the 19th, 20th, and 21st centuries; and
 - (B) analyze and interpret geographic distributions and patterns in Texas during the 19th, 20th, and 21st centuries.
- (22) Social studies skills. The student communicates in written, oral, and visual forms. The student is expected to:
- (A) use social studies terminology correctly;
 - (B) use effective written communication skills, including proper citations and avoiding plagiarism; ~~and~~
 - (C) create written, oral, and visual presentations of social studies information ; ~~and~~ []
 - ~~(D) apply foundational language skills to engage in civil discourse about social studies topics, including those with multiple perspectives.~~
- (23) Social studies skills. The student uses problem-solving and decision-making skills, working independently and with others. The student is expected to :
- ~~(A) describe governmental and democratic processes such as voting, due process, and caucuses using simulations and models; and~~

- (B) use problem-solving and decision-making processes to identify a problem, gather information, list and consider options, consider advantages and disadvantages, choose and implement a solution, and evaluate the effectiveness of the solution.

§113.20. Social Studies, Grade 8, Adopted 2022 [~~2018~~].

(a) Implementation. The provisions of this section shall be implemented by school districts beginning with the 2025-2026 school year.

- (1) No later than July 31, 2024, the commissioner of education shall determine whether instructional materials funding has been made available to Texas public schools for materials that cover the essential knowledge and skills identified in this section.
- (2) If the commissioner makes the determination that instructional materials funding has been made available, this section shall be implemented beginning with the 2025-2026 school year and apply to the 2025-2026 and subsequent school years.
- (3) If the commissioner does not make the determination that instructional materials funding has been made available under this subsection, the commissioner shall determine no later than August 31 of each subsequent school year whether instructional materials funding has been made available. If the commissioner determines that instructional materials funding has been made available, the commissioner shall notify the State Board of Education and school districts that this section shall be implemented for the following school year.

(b) [~~(a)~~] Introduction.

- (1) In Grade 8, students study the history of the United States from the early colonial period through Reconstruction. The knowledge and skills in subsection (c) [~~(b)~~] of this section comprise the first part of a two-year study of U.S. history. The second part, comprising U.S. history from Reconstruction to the present, is provided in §113.41 of this title (relating to United States History Studies Since 1877 (One Credit), Beginning with School Year 2011-2012). The content in Grade 8 builds upon that from Grade 5 but provides more depth and breadth. Historical content focuses on the political, economic, religious, and social events and issues related to the colonial and revolutionary eras, the creation and ratification of the U.S. Constitution, challenges of the early republic, the Age of Jackson, westward expansion, sectionalism, Civil War, and Reconstruction. Students describe the physical characteristics of the United States and their impact on population distribution and settlement patterns in the past and present. Students analyze the various economic factors that influenced the development of colonial America and the early years of the republic and identify the origins of the free enterprise system. Students examine the American beliefs and principles, including limited government, checks and balances, federalism, separation of powers, and individual rights, reflected in the U.S. Constitution and other historical documents. Students evaluate the impact of Supreme Court cases and major reform movements of the 19th century and examine the rights and responsibilities of citizens of the United States as well as the importance of effective leadership in a constitutional republic. Students evaluate the impact of scientific discoveries and technological innovations on the development of the United States. Students use critical-thinking skills, including the identification of bias in written, oral, and visual material.
- (2) To support the teaching of the essential knowledge and skills, the use of a variety of rich primary and secondary source material such as the complete text of the U.S. Constitution and the Declaration of Independence, landmark cases of the U.S. Supreme Court, biographies, autobiographies, novels, speeches, letters, diaries, poetry, songs, and artworks is encouraged. Motivating resources are available from museums, historical sites, presidential libraries, and local and state preservation societies.
- (3) The eight strands of the essential knowledge and skills for social studies are intended to be integrated for instructional purposes. Skills listed in the social studies skills strand in subsection (c) [~~(b)~~] of this section should be incorporated into the teaching of all essential knowledge and skills for social studies. A greater depth of understanding of complex content material can be attained when integrated social studies content from the various disciplines and critical-thinking skills are taught together. 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.

- (4) Students identify the role of the U.S. free enterprise system within the parameters of this course and understand that this system may also be referenced as capitalism or the free market system.
- (5) Throughout social studies in Kindergarten-Grade 12, students build a foundation in history; geography; economics; government; citizenship; culture; science, technology, and society; and social studies skills. The content, as appropriate for the grade level or course, enables students to understand the importance of patriotism, function in a free enterprise society, and appreciate the basic democratic values of our state and nation as referenced in the Texas Education Code (TEC), §28.002(h).
- (6) Students understand that a constitutional republic is a representative form of government whose representatives derive their authority from the consent of the governed, serve for an established tenure, and are sworn to uphold the constitution.
- (7) State and federal laws mandate a variety of celebrations and observances, including Celebrate Freedom Week.
 - (A) Each social studies class shall include, during Celebrate Freedom Week as provided under the TEC, §29.907, or during another full school week as determined by the board of trustees of a school district, appropriate instruction concerning the intent, meaning, and importance of the Declaration of Independence and the U.S. Constitution, including the Bill of Rights, in their historical contexts. The study of the Declaration of Independence must include the study of the relationship of the ideas expressed in that document to subsequent American history, including the relationship of its ideas to the rich diversity of our people as a nation of immigrants, the American Revolution, the formulation of the U.S. Constitution, and the abolitionist movement, which led to the Emancipation Proclamation and the women's suffrage movement.
 - (B) Each school district shall require that, during Celebrate Freedom Week or other week of instruction prescribed under subparagraph (A) of this paragraph, students in Grades 3-12 study and recite the following text from the Declaration of Independence: "We hold these Truths to be self-evident, that all Men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the Pursuit of Happiness--That to secure these Rights, Governments are instituted among Men, deriving their just Powers from the Consent of the Governed."
- (8) Students discuss how and whether the actions of U.S. citizens and the local, state, and federal governments have achieved the ideals espoused in the founding documents.

(c) ~~(b)~~ Knowledge and skills.

- (1) History. The student understands traditional historical points of reference in U.S. history through 1877. The student is expected to:
 - (A) identify the major eras in U.S. history through 1877, including colonization, revolution, creation and ratification of the Constitution, early republic, the Age of Jackson, westward expansion, reform movements, sectionalism, Civil War, and Reconstruction, and describe their causes and effects; and
 - (B) explain the significance of the following dates: 1607, founding of Jamestown; 1620, arrival of the Pilgrims and signing of the Mayflower Compact; 1776, adoption of the Declaration of Independence; 1787, writing of the U.S. Constitution; 1803, Louisiana Purchase; and 1861-1865, Civil War.
- (2) History. The student understands the causes of exploration and colonization eras. The student is expected to:
 - (A) identify reasons for English, Spanish, and French exploration and colonization of North America; and

- (B) compare political, economic, religious, and social reasons for the establishment of the 13 English colonies.
- (3) History. The student understands the foundations of representative government in the United States. The student is expected to:
- (A) explain the reasons for the growth of representative government and institutions during the colonial period;
- (B) analyze the importance of the Mayflower Compact, the Fundamental Orders of Connecticut, and the Virginia House of Burgesses to the growth of representative government; and
- (C) describe how religion and virtue contributed to the growth of representative government in the American colonies.
- (4) History. The student understands significant political and economic issues of the revolutionary and Constitutional eras. The student is expected to:
- (A) analyze causes of the American Revolution, including the Proclamation of 1763, the Intolerable Acts, the Stamp Act, mercantilism, lack of representation in Parliament, and British economic policies following the French and Indian War;
- (B) explain the roles played by significant individuals during the American Revolution, including Abigail Adams, John Adams, Wentworth Cheswell, Samuel Adams, Mercy Otis Warren, James Armistead, Benjamin Franklin, Crispus Attucks, King George III, Patrick Henry, Thomas Jefferson, the Marquis de Lafayette, Thomas Paine, and George Washington;
- (C) explain the issues surrounding important events of the American Revolution, including declaring independence; fighting the battles of Lexington and Concord, Saratoga, and Yorktown; enduring the winter at Valley Forge; and signing the Treaty of Paris of 1783; and
- (D) analyze the issues of the Constitutional Convention of 1787, including the Great Compromise and the Three-Fifths Compromise.
- (5) History. The student understands the challenges confronted by the government and its leaders in the early years of the republic and the Age of Jackson. The student is expected to:
- (A) describe major domestic problems faced by the leaders of the new republic, including maintaining national security, creating a stable economic system, and setting up the court system;
- (B) explain the effects of the Fugitive Slave Act of 1793;
- (C) [~~B~~] summarize arguments regarding protective tariffs, taxation, and the banking system;
- (D) [~~C~~] explain the origin and development of American political parties;
- (E) [~~D~~] explain the causes, important events, and effects of the War of 1812;
- (F) [~~E~~] identify the foreign policies of presidents Washington through Monroe and explain the impact of Washington's Farewell Address and the Monroe Doctrine;
- (G) [~~F~~] explain the impact of the election of Andrew Jackson, including expanded suffrage; and
- (H) [~~G~~] analyze the reasons for the removal and resettlement of Cherokee Indians during the Jacksonian era, including the Indian Removal Act, Worcester v. Georgia, and the Trail of Tears.
- (6) History. The student understands westward expansion and its effects on the political, economic, and social development of the nation. The student is expected to:

- (A) explain how the Northwest Ordinance established principles and procedures for orderly expansion of the United States;
 - (B) analyze the westward growth of the nation, including the Louisiana Purchase and Manifest Destiny; and
 - (C) explain the causes and effects of the U.S.-Mexican War and their impact on the United States.
- (7) History. The student understands how political, economic, and social factors led to the growth of sectionalism and the Civil War. The student is expected to:
- (A) analyze the impact of tariff policies on sections of the United States before the Civil War;
 - (B) compare the effects of political, economic, and social factors on slaves and free Blacks [~~blacks~~];
 - (C) analyze the impact of the Fugitive Slave Act of 1850 on slavery, free Blacks, and abolitionists;
 - (D) [~~C~~] analyze the impact of slavery on different sections of the United States; and
 - (E) [~~D~~] identify the provisions and compare the effects of congressional conflicts and compromises prior to the Civil War, including the role of John Quincy Adams.
- (8) History. The student understands individuals, issues, and events of the Civil War. The student is expected to:
- (A) explain the roles played by significant individuals during the Civil War, including Jefferson Davis, Ulysses S. Grant, Robert E. Lee, and Abraham Lincoln, and heroes such as congressional Medal of Honor recipients William Carney and Philip Bazaar;
 - (B) explain the central role of the expansion of slavery in causing sectionalism, disagreement over states' rights, and the Civil War;
 - (C) explain significant events of the Civil War, including the firing on Fort Sumter; the battles of Antietam, Gettysburg, and Vicksburg; the Emancipation Proclamation; Lee's surrender at Appomattox Court House; and the assassination of Abraham Lincoln; and
 - (D) analyze Abraham Lincoln's ideas about liberty, equality, union, and government as contained in his first and second inaugural addresses and the Gettysburg Address and contrast them with the ideas contained in Jefferson Davis's inaugural address.
- (9) History. The student understands the effects of Reconstruction on the political, economic, and social life of the nation. The student is expected to:
- (A) evaluate legislative reform programs of the Radical Reconstruction Congress and reconstructed state governments;
 - (B) explain the impact of the election of African Americans from the South such as Hiram Rhodes Revels; and
 - (C) explain the economic, political, and social problems during Reconstruction and evaluate their impact on different groups.
- (10) Geography. The student understands the location and characteristics of places and regions of the United States, past and present. The student is expected to:
- (A) locate places and regions directly related to major eras and turning points in the United States during the 17th, 18th, and 19th centuries;
 - (B) compare places and regions of the United States in terms of physical and human characteristics; and

- (C) analyze the effects of physical and human geographic factors such as weather, landforms, waterways, transportation, and communication on major historical events in the United States.
- (11) Geography. The student understands the physical characteristics of North America and how humans adapted to and modified the environment through the mid-19th century. The student is expected to:
- (A) analyze how physical characteristics of the environment influenced population distribution, settlement patterns, and economic activities in the United States; and
 - (B) describe the positive and negative consequences of human modification of the physical environment of the United States.
- (12) Economics. The student understands why various sections of the United States developed different patterns of economic activity through 1877. The student is expected to:
- (A) identify economic differences among different regions of the United States;
 - (B) explain reasons for the development of the plantation system, the transatlantic slave trade, and the spread of slavery; and
 - (C) analyze the causes and effects of economic differences among different regions of the United States at selected times.
- (13) Economics. The student understands how various economic forces resulted in the Industrial Revolution in the 19th century. The student is expected to:
- (A) analyze the economic effects of the War of 1812; and
 - (B) identify the economic factors that brought about rapid industrialization and urbanization.
- (14) Economics. The student understands the origins and development of the free enterprise system in the United States. The student is expected to:
- (A) explain why a free enterprise system of economics developed in the new nation, including minimal government regulation, taxation, and property rights; and
 - (B) describe the characteristics and the benefits of the U.S. free enterprise system through 1877.
- (15) Government. The student understands the American beliefs and principles reflected in the Declaration of Independence, the U.S. Constitution, and other important historic documents. The student is expected to:
- (A) identify the influence of ideas from historic documents, including the Magna Carta, the English Bill of Rights, the Mayflower Compact, and the Federalist Papers, on the U.S. system of government;
 - (B) summarize the strengths and weaknesses of the Articles of Confederation;
 - (C) identify colonial grievances listed in the Declaration of Independence and explain how those grievances were addressed in the U.S. Constitution and the Bill of Rights;
 - (D) analyze how the U.S. Constitution reflects the principles of limited government, republicanism, checks and balances, federalism, separation of powers, popular sovereignty, and individual rights; and
 - (E) explain the role of significant individuals such as Thomas Hooker, Charles de Montesquieu, and John Locke in the development of self-government in colonial America.
- (16) Government. The student understands the purpose of changing the U.S. Constitution and the impact of amendments on American society. The student is expected to:
- (A) summarize the purposes for amending the U.S. Constitution; and

- (B) describe the impact of the 13th, 14th, and 15th amendments.
- (17) Government. The student understands the dynamic nature of the powers of the national government and state governments in a federal system. The student is expected to:
- (A) analyze the arguments of the Federalists and Anti-Federalists, including those of Alexander Hamilton, Patrick Henry, James Madison, and George Mason, and explain how their debates exemplify civil discourse; and
- (B) explain constitutional issues arising over the issue of states' rights, including the Nullification Crisis and the Civil War.
- (18) Government. The student understands the impact of landmark Supreme Court cases. The student is expected to:
- (A) identify the origin of judicial review;
- (B) summarize the issues, decisions, and significance of landmark Supreme Court cases, including *Marbury v. Madison*, *McCulloch v. Maryland*, and *Gibbons v. Ogden*; and
- (C) evaluate the impact of the landmark Supreme Court decision *Dred Scott v. Sandford* on life in the United States.
- (19) Citizenship. The student understands the rights and responsibilities of citizens of the United States. The student is expected to:
- (A) define and give examples of unalienable rights;
- (B) summarize rights guaranteed in the Bill of Rights; and
- (C) identify examples of responsible citizenship, including obeying rules and laws, staying informed on public issues, voting, and serving on juries.
- (20) Citizenship. The student understands the importance of voluntary individual participation in the democratic process. The student is expected to:
- (A) evaluate the contributions of the Founding Fathers as models of civic virtue; and
- (B) analyze reasons for and the impact of selected examples of civil disobedience in U.S. history such as the Boston Tea Party and Henry David Thoreau's refusal to pay a tax.
- (21) Citizenship. The student understands the importance of the expression of different points of view in a constitutional republic. The student is expected to:
- (A) identify different points of view of political parties and interest groups on important historical issues;
- (B) describe the importance of free speech and press in a constitutional republic; and
- (C) summarize historical events in which compromise resulted in a resolution such as the Missouri Compromise, Compromise of 1850, and Kansas-Nebraska Act.
- (22) Citizenship. The student understands the importance of effective leadership in a constitutional republic. The student is expected to:
- (A) analyze the leadership qualities of elected and appointed leaders of the United States such as George Washington, John Marshall, and Abraham Lincoln; and
- (B) describe the contributions of significant political, social, and military leaders of the United States such as Frederick Douglass, John Paul Jones, Susan B. Anthony, and Elizabeth Cady Stanton.
- (23) Culture. The student understands the relationships between and among people from various groups, including racial, ethnic, and religious groups, during the 17th, 18th, and 19th centuries. The student is expected to:

- (A) identify racial, ethnic, and religious groups that settled in the United States and explain their reasons for immigration;
 - (B) explain how urbanization contributed to conflicts resulting from differences in religion, social class, and political beliefs;
 - (C) identify ways conflicts between people from various racial, ethnic, and religious groups were addressed;
 - (D) analyze the contributions of people of various racial, ethnic, and religious groups to our national identity; and
 - (E) identify the political, social, and economic contributions of women to American society.
- (24) Culture. The student understands the major reform movements of the 19th century. The student is expected to:
- (A) describe and evaluate the historical development of the abolition [abolitionist] movement including activities that focused attention on the moral ills of slavery ; and
 - (B) evaluate the impact of reform movements, including educational reform, temperance, the women's rights movement, prison reform, the labor reform movement, and care of the disabled.
- (25) Culture. The student understands the impact of religion on the American way of life. The student is expected to:
- (A) trace the development of religious freedom in the United States;
 - (B) describe religious influences on social movements, including the impact of the first and second Great Awakenings; and
 - (C) analyze the impact of the First Amendment guarantees of religious freedom on the American way of life.
- (26) Culture. The student understands the relationship between the arts and the times during which they were created. The student is expected to:
- (A) identify examples of American art, music, and literature that reflect society in different eras such as the Hudson River School artists, the "Battle Hymn of the Republic," and transcendental literature; and
 - (B) analyze the relationship between the arts and continuity and change in the American way of life.
- (27) Science, technology, and society. The student understands the impact of science and technology on the economic development of the United States. The student is expected to:
- (A) explain the effects of technological and scientific innovations such as the steamboat, the cotton gin, the telegraph, and interchangeable parts;
 - (B) analyze how technological innovations changed the way goods were manufactured and distributed, nationally and internationally; and
 - (C) analyze how technological innovations brought about economic growth such as the development of the factory system and the construction of the Transcontinental Railroad.
- (28) Science, technology, and society. The student understands the impact of scientific discoveries and technological innovations on daily life in the United States. The student is expected to:
- (A) compare the effects of scientific discoveries and technological innovations that have influenced daily life in different periods in U.S. history; and
 - (B) identify examples of how industrialization changed life in the United States.

- (29) Social studies skills. The student applies critical-thinking skills to organize and use information acquired through established research methodologies from a variety of valid sources, including technology. The student is expected to:
- (A) differentiate between, locate, and use valid primary and secondary sources such as media and news services, biographies, interviews, and artifacts to acquire information about the United States;
 - (B) analyze information by applying absolute and relative chronology through sequencing, categorizing, identifying cause-and-effect relationships, comparing, contrasting, finding the main idea, summarizing, making generalizations and predictions, and drawing inferences and conclusions;
 - (C) organize and interpret information from outlines, reports, databases, and visuals, including graphs, charts, timelines, and maps;
 - (D) identify bias and points of view created by the historical context surrounding an event;
 - ~~(E) formulate and communicate visually, orally, or in writing a claim supported by evidence and reasoning related to a social studies topic;~~
 - ~~(F) evaluate a variety of historical and contemporary sources for validity, credibility, bias, and accuracy;~~
 - ~~[(E) support a point of view on a social studies issue or event;]~~
 - ~~[(F) evaluate the validity of a source based on corroboration with other sources and information about the author;]~~
 - (G) create a visual representation of historical information such as thematic maps, graphs, and charts representing various aspects of the United States; and
 - (H) pose and answer questions about geographic distributions and patterns shown on maps, graphs, and charts.
- (30) Social studies skills. The student communicates in written, oral, and visual forms. The student is expected to:
- (A) use social studies terminology correctly;
 - (B) use effective written communication skills, including proper citations and avoiding plagiarism; ~~and~~
 - (C) create written, oral, and visual presentations of social studies information ; ~~and~~ []
 - ~~(D) apply foundational language skills to engage in civil discourse about social studies topics, including those with multiple perspectives.~~
- (31) Social studies skills. The student uses problem-solving and decision-making skills, working independently and with others. The student is expected to :
- ~~(A) describe governmental and democratic processes such as voting, due process, and caucuses using simulations and models; and~~
 - ~~(B) use problem-solving and decision-making processes to identify a problem, gather information, list and consider options, consider advantages and disadvantages, choose and implement a solution, and evaluate the effectiveness of the solution.~~

Chapter 113. Texas Essential Knowledge and Skills for Social Studies

Subchapter C. High School

§113.31. Economics with Emphasis on the Free Enterprise System and Its Benefits, High School (One-Half Credit), Adopted 2022 [~~2018~~].

- (a) Implementation. The provisions of this section shall be implemented by school districts beginning with the 2025-2026 school year.
- (1) No later than July 31, 2024, the commissioner of education shall determine whether instructional materials funding has been made available to Texas public schools for materials that cover the essential knowledge and skills identified in this section.
 - (2) If the commissioner makes the determination that instructional materials funding has been made available, this section shall be implemented beginning with the 2025-2026 school year and apply to the 2025-2026 and subsequent school years.
 - (3) If the commissioner does not make the determination that instructional materials funding has been made available under this subsection, the commissioner shall determine no later than August 31 of each subsequent school year whether instructional materials funding has been made available. If the commissioner determines that instructional materials funding has been made available, the commissioner shall notify the State Board of Education and school districts that this section shall be implemented for the following school year.
- (b) [~~(a)~~] General requirements. This course will be taught in the social studies department and is recommended to be taught in Grade 12.
- (c) [~~(b)~~] Introduction.
- (1) Economics with Emphasis on the Free Enterprise System and Its Benefits is the culmination of the economic content and concepts studied from Kindergarten through required secondary courses. The focus is on the basic principles concerning production, consumption, and distribution of goods and services (the problem of scarcity) in the United States and a comparison with those in other countries around the world. Students analyze the interaction of supply, demand, and price. Students will investigate the concepts of specialization and international trade, economic growth, key economic measurements, and monetary and fiscal policy. Students will study the roles of the Federal Reserve System and other financial institutions, government, and businesses in a free enterprise system. Types of business ownership and market structures are discussed. The course also incorporates instruction in personal financial literacy. Students apply critical-thinking skills using economic concepts to evaluate the costs and benefits of economic issues.
 - (2) Students identify the role of the U.S. free enterprise system within the parameters of this course and understand that this system may also be referenced as capitalism or the free market system.
 - (3) Economics with Emphasis on the Free Enterprise System and Its Benefits builds upon the foundation in economics and social studies laid by the social studies essential knowledge and skills in Kindergarten-Grade 12. The course will apply these skills to current economic situations. The content enables students to understand the importance of patriotism, function in a free enterprise society, and appreciate the basic democratic values of our state and nation as referenced in the Texas Education Code (TEC), §28.002(h).
 - (4) Students understand that a constitutional republic is a representative form of government whose representatives derive their authority from the consent of the governed, serve for an established tenure, and are sworn to uphold the constitution.
 - (5) As referenced in House Bill 492, an act of the Texas Legislature signed into law in 2005, the concepts of personal financial literacy are to be mastered by students in order that they may become self-supporting adults who can make informed decisions relating to personal financial matters. These concepts are incorporated into the student expectations of Economics with

Emphasis on the Free Enterprise System and Its Benefits: understanding interest, avoiding and eliminating credit card debt; understanding the rights and responsibilities of renting or buying a home; managing money to make the transition from renting a home to home ownership; starting a small business; being a prudent investor in the stock market and using other investment options; beginning a savings program and planning for retirement; bankruptcy; types of bank accounts available to consumers and benefits of maintaining a bank account; balancing a checkbook; types of loans available to consumers and becoming a low-risk borrower; understanding insurance; and charitable giving.

- (6) State and federal laws mandate a variety of celebrations and observances, including Celebrate Freedom Week.
- (A) Each social studies class shall include, during Celebrate Freedom Week as provided under the TEC, §29.907, or during another full school week as determined by the board of trustees of a school district, appropriate instruction concerning the intent, meaning, and importance of the Declaration of Independence and the U.S. Constitution, including the Bill of Rights, in their historical contexts. The study of the Declaration of Independence must include the study of the relationship of the ideas expressed in that document to subsequent American history, including the relationship of its ideas to the rich diversity of our people as a nation of immigrants, the American Revolution, the formulation of the U.S. Constitution, and the abolitionist movement, which led to the Emancipation Proclamation and the women's suffrage movement.
- (B) Each school district shall require that, during Celebrate Freedom Week or other week of instruction prescribed under subparagraph (A) of this paragraph, students in Grades 3-12 study and recite the following text from the Declaration of Independence: "We hold these Truths to be self-evident, that all Men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the Pursuit of Happiness--That to secure these Rights, Governments are instituted among Men, deriving their just Powers from the Consent of the Governed."
- (7) Students discuss how and whether the actions of U.S. citizens and the local, state, and federal governments have achieved the ideals espoused in the founding documents.

(d) [(e)] Knowledge and skills.

- (1) Economics. The student understands the concepts of scarcity and opportunity costs. The student is expected to:
- (A) explain why scarcity and choice are basic economic problems faced by every society;
- (B) describe how societies answer the basic economic questions: what to produce, how to produce, and for whom to produce;
- (C) describe the economic factors of production: land, labor, capital, and entrepreneurship; and
- (D) interpret a production-possibilities curve and apply the concepts of opportunity costs and scarcity.
- (2) Economics. The student understands the interaction of supply, demand, and price. The student is expected to:
- (A) understand the effect of changes in price on the quantity demanded and quantity supplied;
- (B) identify the non-price determinants that create changes in supply and demand, which result in a new equilibrium price; and
- (C) interpret a supply-and-demand graph using supply-and-demand schedules.
- (3) Economics. The student understands the reasons for international trade and its importance to the United States and the global economy. The student is expected to:
- (A) apply the concepts of absolute and comparative advantages;

- (B) compare the effects of free trade and trade barriers on economic activities, including the benefits and costs of participating in international trade; and
 - (C) analyze the effects of changes in exchange rates on imports and exports.
- (4) Economics. The student understands free enterprise, socialist, and communist economic systems. The student is expected to:
- (A) explain the basic characteristics of economic systems, including property rights, incentives, economic freedom, competition, and the role of government;
 - (B) contrast current and historic examples of the free enterprise system, socialism, and communism using the basic characteristics of economic systems; and
 - (C) analyze the contributions of various economic philosophers, including Friedrich Hayek, Milton Friedman, John Maynard Keynes, and Adam Smith, and their impact on the U.S. free enterprise system.
- (5) Economics. The student understands the basic characteristics and benefits of the U.S. free enterprise system. The student is expected to:
- (A) explain the benefits of the U.S. free enterprise system, including individual freedom of consumers and producers, variety of goods, responsive prices, investment opportunities, and the creation of wealth; and
 - (B) analyze recent changes in the basic characteristics, including private property, incentives, economic freedom, competition, and the limited role of government, of the U.S. economy.
- (6) Economics. The student understands the right to own, use, and dispose of private property. The student is expected to:
- (A) analyze the costs and benefits of the purchase, use, or disposal of personal and business property; and
 - (B) identify and evaluate examples of restrictions that the government places on the use of business and individual property.
- (7) Economics. The student understands the circular-flow model of the economy. The student is expected to:
- (A) interpret the roles of resource owners and firms in a circular-flow model of the economy and provide real-world examples to illustrate elements of the model; and
 - (B) explain how government actions affect the circular-flow model.
- (8) Economics. The student understands types of market structures. The student is expected to:
- (A) describe characteristics and give examples of pure competition, monopolistic competition, oligopoly, and monopoly; and
 - (B) identify regulations that apply to the establishment and operation of various types of market structures.
- (9) Economics. The student understands key economic measurements. The student is expected to:
- (A) interpret economic data, including unemployment rate, gross domestic product, gross domestic product per capita as a measure of national wealth, and rate of inflation; and
 - (B) analyze business cycles using key economic indicators.
- (10) Economics. The student understands key components of economic growth. The student is expected to:
- (A) analyze how productivity relates to growth;
 - (B) analyze how technology relates to growth; and

- (C) analyze how trade relates to growth.
- (11) Economics. The student understands the role of money in an economy. The student is expected to:
- (A) describe the functions of money;
 - (B) describe the characteristics of money, including commodity money, fiat money, and representative money; and
 - (C) analyze the positive and negative aspects of barter, currency, and debit cards.
- (12) Economics. The student understands the role of the Federal Reserve System in establishing monetary policy. The student is expected to:
- (A) explain the structure of the Federal Reserve System;
 - (B) analyze the three basic tools used to implement U.S. monetary policy, including reserve requirements, the discount rate and the federal funds rate target, and open-market operations;
 - (C) explain how the actions of the Federal Reserve System affect the nation's money supply; and
 - (D) describe the current role of the U.S. dollar in trade in the world market and analyze how that has changed over time, in particular since departing from the gold standard in 1971.
- (13) Economics. The student understands the role that the government plays in the U.S. free enterprise system. The student is expected to:
- (A) describe the role of government in the U.S. free enterprise system and the changes in that role over time; and
 - (B) analyze the costs and benefits of U.S. economic policies, rules, and regulations related to the economic goals of economic growth, stability, full employment, freedom, security, equity (equal opportunity versus equal outcome), and efficiency.
- (14) Economics. The student understands the economic impact of fiscal policy decisions at the local, state, and national levels. The student is expected to:
- (A) identify types of taxes at the local, state, and national levels and the economic importance of each;
 - (B) explain the categories of revenues and expenditures in the U.S. federal budget; and
 - (C) analyze the impact of fiscal policy decisions on the economy.
- (15) Personal financial literacy. The student understands types of business ownership. The student is expected to:
- (A) explain the characteristics of sole proprietorships, partnerships, and corporations; and
 - (B) analyze the advantages and disadvantages of sole proprietorships, partnerships, and corporations.
- (16) Personal financial literacy. The student understands the role of financial markets/institutions in saving, borrowing, and capital formation. The student is expected to:
- (A) explain the functions of financial institutions and how they affect households and businesses;
 - (B) explain how the amount of savings in an economy is the basis of capital formation;
 - (C) analyze the role of interest and risk in allocating savings to its most productive use; and
 - (D) examine the types of accounts available to consumers from financial institutions and the risks, monetary costs, and benefits of maintaining these accounts.

- (17) Personal financial literacy. The student understands the role of individuals in financial markets. The student is expected to:
- (A) assess ways to be a wise investor in the stock market and in other personal investment options such as developing a personal retirement plan;
 - (B) explain how to begin a savings program;
 - (C) demonstrate how to maintain a checking account, including reconciling a bank statement;
 - (D) identify the types of loans available to consumers;
 - (E) explain the responsibilities and obligations of borrowing money; and
 - (F) develop strategies to become a low-risk borrower by improving and understanding one's personal credit score.
- (18) Personal financial literacy. The student applies critical-thinking skills to analyze the costs and benefits of personal financial decisions. The student is expected to:
- (A) examine ways to avoid and eliminate credit card debt;
 - (B) evaluate the costs and benefits of declaring personal bankruptcy;
 - (C) evaluate the costs and benefits of buying insurance; and
 - (D) evaluate the costs and benefits of charitable giving.
- (19) Personal financial literacy. The student understands how to provide for basic needs while living within a budget. The student is expected to:
- (A) evaluate the costs and benefits of renting a home versus buying a home; and
 - (B) assess the financial aspects of making the transition from renting to home ownership.
- (20) Personal financial literacy. The student understands the various methods available to pay for college and other postsecondary education and training. The student is expected to:
- (A) understand how to complete the Free Application for Federal Student Aid (FAFSA) provided by the United States Department of Education;
 - (B) research and evaluate various scholarship opportunities such as those from state governments, schools, employers, individuals, private companies, nonprofits, and professional organizations;
 - (C) analyze and compare student grant options;
 - (D) analyze and compare student loan options, including private and federal loans; and
 - (E) research and evaluate various work-study program opportunities.
- (21) Social studies skills. The student applies critical-thinking skills to organize and use information acquired through established research methodologies from a variety of valid sources, including technology. The student is expected to:
- (A) analyze economic information by sequencing, categorizing, identifying cause-and-effect relationships, comparing, contrasting, finding the main idea, summarizing, making generalizations and predictions, and drawing inferences and conclusions;
 - (B) create economic models, including production-possibilities curves, circular-flow charts, and supply-and-demand graphs, to analyze economic concepts or issues;
 - (C) explain a point of view on an economic issue;
 - (D) analyze and evaluate a variety ~~[the validity]~~ of economic information from primary and secondary sources for validity, credibility, accuracy, bias, propaganda, point of view, and frame of reference; ~~[and]~~

- (E) evaluate economic data using charts, tables, graphs, and maps ; ~~and~~ []
 - (F) formulate and communicate visually, orally, or in writing a claim supported by evidence and reasoning for an intended audience and purpose.
- (22) Social studies skills. The student communicates in written, oral, and visual forms. The student is expected to:
- (A) use social studies terminology correctly; ~~and~~
 - (B) create written, oral, and visual presentations of economic information using effective communication skills, including proper citations and avoiding plagiarism ; ~~and~~ []
 - (C) apply foundational language skills to engage in civil discourse about economics topics, including those with multiple perspectives.
- (23) Social studies skills. The student uses problem-solving and decision-making skills, working independently and with others. The student is expected to use problem-solving and decision-making processes to identify a problem, gather information, list and consider options, consider advantages and disadvantages, choose and implement a solution, and evaluate the effectiveness of the solution.

§113.41. United States History Studies Since 1877 (One Credit), Adopted 2022 [~~2018~~] .

(a) Implementation. The provisions of this section shall be implemented by school districts beginning with the 2025-2026 school year.

- (1) No later than July 31, 2024, the commissioner of education shall determine whether instructional materials funding has been made available to Texas public schools for materials that cover the essential knowledge and skills identified in this section.
- (2) If the commissioner makes the determination that instructional materials funding has been made available, this section shall be implemented beginning with the 2025-2026 school year and apply to the 2025-2026 and subsequent school years.
- (3) If the commissioner does not make the determination that instructional materials funding has been made available under this subsection, the commissioner shall determine no later than August 31 of each subsequent school year whether instructional materials funding has been made available. If the commissioner determines that instructional materials funding has been made available, the commissioner shall notify the State Board of Education and school districts that this section shall be implemented for the following school year.

(b) ~~(a)~~ General requirements. Students shall be awarded one unit of credit for successful completion of this course.

(c) ~~(b)~~ Introduction.

- (1) In United States History Studies Since 1877, which is the second part of a two-year study that begins in Grade 8, students study the history of the United States from 1877 to the present. The course content is based on the founding documents of the U.S. government, which provide a framework for its heritage. Historical content focuses on the political, economic, and social events and issues related to industrialization and urbanization, major wars, domestic and foreign policies, and reform movements, including civil rights. Students examine the impact of geographic factors on major events and eras and analyze their causes and effects. Students examine the impact of constitutional issues on American society, evaluate the dynamic relationship of the three branches of the federal government, and analyze efforts to expand the democratic process. Students describe the relationship between the arts and popular culture and the times during which they were created. Students analyze the impact of technological innovations on American life. Students use critical-thinking skills and a variety of primary and secondary source material to explain and apply different methods that historians use to understand and interpret the past, including multiple points of view and historical context.
- (2) To support the teaching of the essential knowledge and skills, the use of a variety of rich primary and secondary source material such as biographies, autobiographies, landmark cases of the U.S.

Supreme Court, novels, speeches, letters, diaries, poetry, songs, and artworks is encouraged. Motivating resources are available from museums, historical sites, presidential libraries, and local and state preservation societies.

- (3) The eight strands of the essential knowledge and skills for social studies are intended to be integrated for instructional purposes. Skills listed in the social studies skills strand in subsection (d) [~~(e)~~] of this section should be incorporated into the teaching of all essential knowledge and skills for social studies. A greater depth of understanding of complex content material can be attained when integrated social studies content from the various disciplines and critical-thinking skills are taught together. 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.
- (4) Students identify the role of the U.S. free enterprise system within the parameters of this course and understand that this system may also be referenced as capitalism or the free market system.
- (5) Throughout social studies in Kindergarten-Grade 12, students build a foundation in history; geography; economics; government; citizenship; culture; science, technology, and society; and social studies skills. The content, as appropriate for the grade level or course, enables students to understand the importance of patriotism, function in a free enterprise society, and appreciate the basic democratic values of our state and nation as referenced in the Texas Education Code (TEC), §28.002(h).
- (6) Students understand that a constitutional republic is a representative form of government whose representatives derive their authority from the consent of the governed, serve for an established tenure, and are sworn to uphold the constitution.
- (7) State and federal laws mandate a variety of celebrations and observances, including Celebrate Freedom Week.
 - (A) Each social studies class shall include, during Celebrate Freedom Week as provided under the TEC, §29.907, or during another full school week as determined by the board of trustees of a school district, appropriate instruction concerning the intent, meaning, and importance of the Declaration of Independence and the U.S. Constitution, including the Bill of Rights, in their historical contexts. The study of the Declaration of Independence must include the study of the relationship of the ideas expressed in that document to subsequent American history, including the relationship of its ideas to the rich diversity of our people as a nation of immigrants, the American Revolution, the formulation of the U.S. Constitution, and the abolitionist movement, which led to the Emancipation Proclamation and the women's suffrage movement.
 - (B) Each school district shall require that, during Celebrate Freedom Week or other week of instruction prescribed under subparagraph (A) of this paragraph, students in Grades 3-12 study and recite the following text from the Declaration of Independence: "We hold these Truths to be self-evident, that all Men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the Pursuit of Happiness--That to secure these Rights, Governments are instituted among Men, deriving their just Powers from the Consent of the Governed."
- (8) Students discuss how and whether the actions of U.S. citizens and the local, state, and federal governments have achieved the ideals espoused in the founding documents.

(d) [~~(e)~~] Knowledge and skills.

- (1) History. The student understands the principles included in the Celebrate Freedom Week program. The student is expected to:
 - (A) analyze and evaluate the text, intent, meaning, and importance of the Declaration of Independence and the U.S. Constitution, including the Bill of Rights;
 - (B) analyze and evaluate the application of these founding principles to historical events in U.S. history; and

- (C) explain the meaning and historical significance of the mottos "E Pluribus Unum" and "In God We Trust."
- (2) History. The student understands traditional historical points of reference in U.S. history from 1877 to the present. The student is expected to:
- (A) identify the major eras in U.S. history from 1877 to the present and describe their defining characteristics; and
 - (B) explain the significance of the following years as turning points: 1898 (Spanish-American War), 1914-1918 (World War I), 1929 (the Great Depression begins), 1939-1945 (World War II), 1957 (Sputnik launch ignites U.S.-Soviet space race), 1968 (Martin Luther King Jr. assassination), 1969 (U.S. lands on the moon), 1991 (Cold War ends), 2001 (terrorist attacks on World Trade Center and the Pentagon), and 2008 (election of first black president, Barack Obama).
- (3) History. The student understands the political, economic, and social changes in the United States from 1877 to 1898. The student is expected to:
- (A) analyze political issues such as Indian policies, the growth of political machines, and civil service reform;
 - (B) analyze economic issues such as industrialization, the growth of railroads, the growth of labor unions, farm issues, the cattle industry boom, the growth of entrepreneurship, and the pros and cons of big business; and
 - (C) analyze social issues affecting women, minorities, children, immigrants, and urbanization.
- (4) History. The student understands the emergence of the United States as a world power between 1898 and 1920. The student is expected to:
- (A) explain why significant events, policies, and individuals, including the Spanish-American War, U.S. expansionism, Alfred Thayer Mahan, Theodore Roosevelt, and Sanford B. Dole moved the United States into the position of a world power;
 - (B) evaluate American expansionism, including acquisitions such as Guam, Hawaii, the Philippines, and Puerto Rico;
 - (C) identify the causes of World War I and reasons for U.S. entry;
 - (D) understand the contributions of the American Expeditionary Forces (AEF) led by General John J. Pershing, including the Battle of Argonne Forest;
 - (E) analyze the impact of machine guns, airplanes, tanks, poison gas, and trench warfare as significant technological innovations in World War I on the Western Front; and
 - (F) analyze major issues raised by U.S. involvement in World War I, including isolationism, neutrality, Woodrow Wilson's Fourteen Points, and the Treaty of Versailles.
- (5) History. The student understands the effects of reform and third-party movements in the early 20th century. The student is expected to:
- (A) analyze the impact of Progressive Era reforms, including initiative, referendum, recall, and the passage of the 16th, 17th, 18th, and 19th amendments;
 - (B) evaluate the impact of muckrakers and reform leaders such as Upton Sinclair, Susan B. Anthony, Jane Addams, Ida B. Wells, and W. E. B. DuBois on American society; and
 - (C) analyze the impact of third parties, including the Populist and Progressive parties.
- (6) History. The student understands significant events, social issues, and individuals of the 1920s. The student is expected to:

- (A) analyze causes and effects of events and social issues such as immigration, Social Darwinism, the Scopes Trial, eugenics, race relations, nativism, the Red Scare, Prohibition, and the changing role of women; and
 - (B) analyze the impact of significant individuals such as Henry Ford, Marcus Garvey, and Charles A. Lindbergh.
- (7) History. The student understands the domestic and international impact of U.S. participation in World War II. The student is expected to:
- (A) identify reasons for U.S. involvement in World War II, including the aggression of Italian, German, and Japanese dictatorships, especially the attack on Pearl Harbor;
 - (B) evaluate the domestic and international leadership of Franklin D. Roosevelt and Harry Truman during World War II, including the U.S. relationship with its allies;
 - (C) analyze major issues of World War II, including the Holocaust, the internment of Japanese Americans as a result of Executive Order 9066, and the development of atomic weapons;
 - (D) analyze major military events of World War II, including fighting the war on multiple fronts, the Bataan Death March, the U.S. military advancement through the Pacific Islands, the Battle of Midway, the invasion of Normandy, and the liberation of concentration camps;
 - (E) describe the military contributions of leaders during World War II, including Dwight Eisenhower, Douglas MacArthur, and Chester W. Nimitz;
 - (F) explain issues affecting the home front, including volunteerism, the purchase of war bonds, and Victory Gardens and opportunities and obstacles for women and ethnic minorities; and
 - (G) explain how American patriotism inspired high levels of military enlistment and the bravery and contributions of the Tuskegee Airmen, the Flying Tigers, and the Navajo Code Talkers.
- (8) History. The student understands the impact of significant national and international decisions and conflicts in the Cold War on the United States. The student is expected to:
- (A) describe U.S. responses to Soviet aggression after World War II, including the Truman Doctrine, the Marshall Plan, the Berlin Airlift, the North Atlantic Treaty Organization, and John F. Kennedy's role in the Cuban Missile Crisis;
 - (B) describe how Cold War tensions were intensified by the House Un-American Activities Committee (HUAC), McCarthyism, the arms race, and the space race;
 - (C) explain reasons and outcomes for U.S. involvement in the Korean War and its relationship to the containment policy;
 - (D) explain reasons and outcomes for U.S. involvement in foreign countries and their relationship to the Domino Theory, including the Vietnam War;
 - (E) analyze the major events of the Vietnam War, including the escalation of forces, the Tet Offensive, Vietnamization, and the fall of Saigon; and
 - (F) describe the responses to the Vietnam War, including [such as] the draft, the 26th Amendment, the role of the media, the credibility gap, the silent majority, and the anti-war movement.
- (9) History. The student understands the impact of the American civil rights movement. The student is expected to:
- (A) trace the historical development of the civil rights movement from the late 1800s through the 21st century, including the 13th, 14th, 15th, and 19th amendments;

- (B) explain how Jim Crow laws and the Ku Klux Klan created obstacles to civil rights for minorities such as the suppression of voting;
 - (C) describe the roles of political organizations that promoted African American, Chicano, American Indian, and women's civil rights;
 - (D) identify the roles of significant leaders who supported various rights movements, including Martin Luther King Jr., Cesar Chavez, Dolores Huerta, Rosa Parks, and Betty Friedan;
 - (E) compare and contrast the approach taken by the Black Panthers with the nonviolent approach of Martin Luther King Jr.;
 - (F) discuss the impact of the writings of Martin Luther King Jr. ,including ~~such as~~ his "I Have a Dream" speech and "Letter from Birmingham Jail" on the civil rights movement;
 - (G) describe presidential actions and congressional votes to address minority rights in the United States, including desegregation of the armed forces, the Civil Rights Act of 1964, and the Voting Rights Act of 1965;
 - (H) explain how George Wallace, Orval Faubus, and the Congressional bloc of southern Democrats sought to maintain the status quo;
 - (I) evaluate changes in the United States that have resulted from the civil rights movement, including increased participation of minorities in the political process; and
 - (J) describe how Sweatt v. Painter and Brown v. Board of Education played a role in protecting the rights of the minority during the civil rights movement.
- (10) History. The student understands the impact of political, economic, and social factors in the U.S. from the 1970s through 1990. The student is expected to:
- (A) describe Richard M. Nixon's leadership in the normalization of relations with China and the policy of détente;
 - (B) describe Ronald Reagan's leadership in domestic and international policies, including Reagan's economic policies and Peace Through Strength;
 - (C) describe U.S. involvement in the Middle East such as support for Israel, the Camp David Accords, the Iran Hostage Crisis, Marines in Lebanon, and the Iran-Contra Affair;
 - (D) describe the causes and key organizations of the conservative resurgence of the 1980s such as the Heritage Foundation and the Moral Majority; and
 - (E) describe significant societal issues of this time period such as the War on Drugs and the AIDS epidemic.
- (11) History. The student understands the emerging political, economic, and social issues of the United States from the 1990s into the 21st century. The student is expected to:
- (A) describe U.S. involvement in world affairs, including the end of the Cold War, the Persian Gulf War, the events surrounding September 11, 2001, and the global War on Terror;
 - (B) identify significant social and political issues such as health care, immigration, and education from different viewpoints across the political spectrum;
 - (C) analyze the impact of third parties on the 1992 and 2000 presidential elections; and
 - (D) identify the impact of international events, multinational corporations, government policies, and individuals on the 21st century economy.
- (12) Geography. The student understands the impact of geographic factors on major events. The student is expected to analyze the impact of physical and human geographic factors on the

Klondike Gold Rush, the Panama Canal, the Dust Bowl, and the levee failure in New Orleans after Hurricane Katrina.

- (13) Geography. The student understands the causes and effects of migration and immigration on American society. The student is expected to:
- (A) analyze the causes and effects of changing demographic patterns resulting from migration within the United States, including western expansion, rural to urban, the Great Migration, and the Rust Belt to the Sun Belt; and
 - (B) analyze the causes and effects of changing demographic patterns resulting from immigration to the United States.
- (14) Geography. The student understands the relationship between population growth and the physical environment. The student is expected to:
- (A) identify the effects of population growth and distribution on the physical environment; and
 - (B) identify the roles of governmental entities and private citizens in managing the environment such as the establishment of the National Park System, the Environmental Protection Agency (EPA), and the Endangered Species Act.
- (15) Economics. The student understands domestic and foreign issues related to U.S. economic growth from the 1870s to 1920. The student is expected to:
- (A) describe how the economic impact of the Transcontinental Railroad and the Homestead Act contributed to the close of the frontier in the late 19th century;
 - (B) describe the changing relationship between the federal government and private business, including the growth of free enterprise, costs and benefits of laissez-faire, Sherman Antitrust Act, Interstate Commerce Act, and Pure Food and Drug Act;
 - (C) explain how foreign policies affected economic issues such as the Chinese Exclusion Act of 1882, the Open Door Policy, Dollar Diplomacy, and immigration quotas; and
 - (D) describe the economic effects of international military conflicts, including the Spanish-American War and World War I, on the United States.
- (16) Economics. The student understands significant economic developments between World War I and World War II. The student is expected to:
- (A) analyze causes of economic growth and prosperity in the 1920s, including Warren Harding's Return to Normalcy, reduced taxes, and increased production efficiencies;
 - (B) identify the causes of the Great Depression, including the impact of tariffs on world trade, stock market speculation, bank failures, and the monetary policy of the Federal Reserve System;
 - (C) analyze the effects of the Great Depression on the U.S. economy and society such as widespread unemployment and deportation and repatriation of people of Mexican heritage;
 - (D) compare the New Deal policies and its opponents' approaches to resolving the economic effects of the Great Depression; and
 - (E) describe how various New Deal agencies and programs, including the Federal Deposit Insurance Corporation, the Securities and Exchange Commission, and the Social Security Administration, continue to affect the lives of U.S. citizens.
- (17) Economics. The student understands the economic effects of government policies from World War II through the present. The student is expected to:

- (A) describe the economic effects of World War II on the home front such as mobilization, the end of the Great Depression, rationing, and increased opportunity for women and minority employment;
 - (B) identify the causes of prosperity in the 1950s, including the Baby Boom and the impact of the GI Bill (Servicemen's Readjustment Act of 1944), and the effects of prosperity in the 1950s such as increased consumption and the growth of agriculture and business;
 - (C) describe the economic impact of defense spending on the business cycle and education priorities from 1945 to the 1990s;
 - (D) identify the actions and outcomes of government policies intended to create economic opportunities for citizens such as the Great Society, affirmative action, and Title IX; and
 - (E) describe the dynamic relationship between U.S. international trade policies and the U.S. free enterprise system such as the Organization of Petroleum Exporting Countries (OPEC) oil embargo, the General Agreement on Tariffs and Trade (GATT), and the North American Free Trade Agreement (NAFTA).
- (18) Government. The student understands changes over time in the role of government. The student is expected to:
- (A) evaluate the impact of New Deal legislation on the historical roles of state and federal government;
 - (B) explain constitutional issues raised by federal government policy changes during times of significant events, including World War I, the Great Depression, World War II, the 1960s, and September 11, 2001;
 - (C) describe the effects of political scandals, including Teapot Dome, Watergate, and Bill Clinton's impeachment, on the views of U.S. citizens concerning trust in the federal government and its leaders; and
 - (D) describe the role of contemporary government legislation in the private and public sectors such as the Community Reinvestment Act of 1977, USA PATRIOT Act of 2001, and the American Recovery and Reinvestment Act of 2009.
- (19) Government. The student understands the changing relationships among the three branches of the federal government. The student is expected to:
- (A) describe the impact of events such as the Gulf of Tonkin Resolution and the War Powers Act on the relationship between the legislative and executive branches of government; and
 - (B) evaluate the impact of relationships among the legislative, executive, and judicial branches of government, including Franklin D. Roosevelt's attempt to increase the number of U.S. Supreme Court justices and the presidential election of 2000.
- (20) Government. The student understands the impact of constitutional issues on American society. The student is expected to:
- (A) analyze the effects of landmark U.S. Supreme Court decisions, including Plessy v. Ferguson, Brown v. Board of Education, Hernandez v. Texas, Tinker v. Des Moines, and Wisconsin v. Yoder; and
 - (B) explain why landmark constitutional amendments have been proposed and ratified from 1877 to the present.
- (21) Citizenship. The student understands the concept of American exceptionalism as identified by Alexis de Tocqueville. The student is expected to:
- (A) discuss values crucial to America's success as a constitutional republic, including liberty, egalitarianism, individualism, populism, and laissez-faire; and

- (B) describe how American values are different and unique from those of other nations.
- (22) Citizenship. The student understands the promises of the Declaration of Independence and the protections of the U.S. Constitution and the Bill of Rights. The student is expected to:
- (A) identify and analyze methods of expanding the right to participate in the democratic process, including lobbying, non-violent protesting, litigation, and amendments to the U.S. Constitution;
 - (B) evaluate various means of achieving equality of political rights, including the 19th, 24th, and 26th amendments and congressional acts such as the American Indian Citizenship Act of 1924;
 - (C) explain how participation in the democratic process reflects our national identity, patriotism, and civic responsibility; and
 - (D) summarize the criteria and explain the process for becoming a naturalized citizen of the United States.
- (23) Citizenship. The student understands the importance of effective leadership in a constitutional republic. The student is expected to:
- (A) evaluate the contributions of significant political and social leaders in the United States such as Andrew Carnegie, Thurgood Marshall, Billy Graham, Sandra Day O'Connor, and Hillary Clinton; and
 - (B) explain the importance of Congressional Medal of Honor recipients such as Army First Lieutenant Vernon J. Baker, Army Corporal Alvin York, and Army Master Sergeant Raul "Roy" Perez Benavidez.
- (24) Culture. The student understands the relationship between the arts and the times during which they were created. The student is expected to:
- (A) describe how the characteristics of and issues in U.S. history have been reflected in various genres of art, music, film, and literature;
 - (B) describe the impacts of cultural movements in art, music, and literature such as Tin Pan Alley, the Harlem Renaissance, the Beat Generation, rock and roll, the Chicano Mural Movement, and country and western music on American society; and
 - (C) identify and analyze the global diffusion of American culture through various media.
- (25) Culture. The student understands how people from various groups contribute to our national identity. The student is expected to:
- (A) explain actions taken by people to expand economic opportunities and political rights for racial, ethnic, gender, and religious groups in American society;
 - (B) describe the Americanization movement to assimilate immigrants and American Indians into American culture;
 - (C) explain how the contributions of people of various racial, ethnic, gender, and religious groups shape American culture; and
 - (D) identify the contributions of women such as Rosa Parks, Eleanor Roosevelt, and Sonia Sotomayor to American society.
- (26) Science, technology, and society. The student understands the impact of science, technology, and the free enterprise system on the economic development of the United States. The student is expected to:
- (A) explain the effects of scientific discoveries and technological innovations such as electric power, telephone and satellite communications, petroleum-based products, steel production, and computers on the economic development of the United States;

- (B) explain how specific needs result in scientific discoveries and technological innovations in agriculture, the military, and medicine; and
 - (C) describe the effect of technological innovations in the workplace such as assembly line manufacturing and robotics.
- (27) Science, technology, and society. The student understands the influence of scientific discoveries, technological innovations, and the free enterprise system on the standard of living in the United States. The student is expected to:
- (A) analyze how scientific discoveries, technological innovations, space exploration, and the application of these by the free enterprise system improve the standard of living in the United States, including changes in transportation and communication; and
 - (B) describe how the free enterprise system drives technological innovation and its application in the marketplace such as cell phones, inexpensive personal computers, and global positioning products.
- (28) Social studies skills. The student understands how historians use historiography to interpret the past and applies critical-thinking skills to organize and use information acquired from a variety of valid sources, including technology. The student is expected to:
- (A) analyze primary and secondary sources such as maps, graphs, speeches, political cartoons, and artifacts to acquire information to answer historical questions;
 - (B) analyze information by applying absolute and relative chronology through sequencing, categorizing, identifying cause-and-effect relationships, comparing and contrasting, finding the main idea, summarizing, making generalizations, making predictions, drawing inferences, and drawing conclusions;
 - (C) apply the process of historical inquiry to research, interpret, and use multiple types of sources of evidence;
 - (D) evaluate a variety of historical and contemporary sources for validity, credibility, bias, and accuracy;
 - ~~[(D) — evaluate the validity of a source based on corroboration with other sources and information about the author, including points of view, frames of reference, and historical context; and]~~
 - (E) identify bias and support with historical evidence a point of view on a social studies issue or event ; and []
 - (F) formulate and communicate visually, orally, or in writing a claim supported by evidence and reasoning for an intended audience and purpose.
- (29) Social studies skills. The student communicates in written, oral, and visual forms. The student is expected to:
- (A) create written, oral, and visual presentations of social studies information using effective communication skills, including proper citations and avoiding plagiarism; and
 - (B) use social studies terminology correctly ; and []
 - (C) apply foundational language skills to engage in civil discourse about social studies topics, including those with multiple perspectives.
- (30) Social studies skills. The student uses geographic tools to collect, analyze, and interpret data. The student is expected to:
- (A) create a visual representation of historical information such as thematic maps, graphs, and charts; and
 - (B) pose and answer questions about geographic distributions and patterns shown on maps, graphs, charts, and available databases.

- (31) Social studies skills. The student uses problem-solving and decision-making skills, working independently and with others. The student is expected to :
- (A) explain governmental and democratic processes such as voting, due process, and caucuses using simulations and models; and
 - (B) use problem-solving and decision-making processes to identify a problem, gather information, list and consider options, consider advantages and disadvantages, choose and implement a solution, and evaluate the effectiveness of the solution.

§113.42. World History Studies (One Credit), Adopted 2022 [~~2018~~].

(a) Implementation. The provisions of this section shall be implemented by school districts beginning with the 2025-2026 school year.

- (1) No later than July 31, 2024, the commissioner of education shall determine whether instructional materials funding has been made available to Texas public schools for materials that cover the essential knowledge and skills identified in this section.
- (2) If the commissioner makes the determination that instructional materials funding has been made available, this section shall be implemented beginning with the 2025-2026 school year and apply to the 2025-2026 and subsequent school years.
- (3) If the commissioner does not make the determination that instructional materials funding has been made available under this subsection, the commissioner shall determine no later than August 31 of each subsequent school year whether instructional materials funding has been made available. If the commissioner determines that instructional materials funding has been made available, the commissioner shall notify the State Board of Education and school districts that this section shall be implemented for the following school year.

(b) [~~(a)~~] General requirements. Students shall be awarded one unit of credit for successful completion of this course.

(c) [~~(b)~~] Introduction.

- (1) World History Studies is a survey of the history of humankind. Due to the expanse of world history and the time limitations of the school year, the scope of this course should focus on "essential" concepts and skills that can be applied to various eras, events, and people within the standards in subsection (d) [~~(e)~~] of this section. The major emphasis is on the study of significant people, events, and issues from the earliest times to the present. Traditional historical points of reference in world history are identified as students analyze important events and issues in western civilization as well as in civilizations in other parts of the world. Students evaluate the causes and effects of political and economic imperialism and of major political revolutions since the 17th century. Students examine the impact of geographic factors on major historic events and identify the historic origins of contemporary economic systems. Students analyze the process by which constitutional governments evolved as well as the ideas from historic documents that influenced that process. Students trace the historical development of important legal and political concepts. Students examine the history and impact of major religious and philosophical traditions. Students analyze the connections between major developments in science and technology and the growth of industrial economies, and they use the process of historical inquiry to research, interpret, and use multiple sources of evidence.
- (2) The following periodization should serve as the framework for the organization of this course: 8000 BC-500 BC (Development of River Valley Civilizations); 500 BC-AD 600 (Classical Era); 600-1450 (Post-classical Era); 1450-1750 (Connecting Hemispheres); 1750-1914 (Age of Revolutions); and 1914-present (20th Century to the Present). Specific events and processes may transcend these chronological boundaries.
- (3) To support the teaching of the essential knowledge and skills, the use of a variety of rich primary and secondary source material such as state papers, legal documents, charters, constitutions, biographies, autobiographies, speeches, letters, literature, music, art, and architecture is encouraged. Motivating resources are available from museums, art galleries, and historical sites.

- (4) The eight strands of the essential knowledge and skills for social studies are intended to be integrated for instructional purposes. Skills listed in the social studies skills strand in subsection (d) ~~[(e)]~~ of this section should be incorporated into the teaching of all essential knowledge and skills for social studies.
- (5) A greater depth of understanding of complex content material can be attained by integrating social studies content and skills and by analyzing connections between and among historical periods and events. The list of events and people in this course curriculum should not be considered exhaustive. Additional examples can and should be incorporated. 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.
- (6) Students identify the role of the U.S. free enterprise system within the parameters of this course and understand that this system may also be referenced as capitalism or the free market system.
- (7) Throughout social studies in Kindergarten-Grade 12, students build a foundation in history; geography; economics; government; citizenship; culture; science, technology, and society; and social studies skills. The content, as appropriate for the grade level or course, enables students to understand the importance of patriotism, function in a free enterprise society, and appreciate the basic democratic values of our state and nation, as referenced in the Texas Education Code (TEC), §28.002(h).
- (8) Students understand that a constitutional republic is a representative form of government whose representatives derive their authority from the consent of the governed, serve for an established tenure, and are sworn to uphold the constitution.
- (9) State and federal laws mandate a variety of celebrations and observances, including Celebrate Freedom Week.
 - (A) Each social studies class shall include, during Celebrate Freedom Week as provided under the TEC, §29.907, or during another full school week as determined by the board of trustees of a school district, appropriate instruction concerning the intent, meaning, and importance of the Declaration of Independence and the U.S. Constitution, including the Bill of Rights, in their historical contexts. The study of the Declaration of Independence must include the study of the relationship of the ideas expressed in that document to subsequent American history, including the relationship of its ideas to the rich diversity of our people as a nation of immigrants, the American Revolution, the formulation of the U.S. Constitution, and the abolitionist movement, which led to the Emancipation Proclamation and the women's suffrage movement.
 - (B) Each school district shall require that, during Celebrate Freedom Week or other week of instruction prescribed under subparagraph (A) of this paragraph, students in Grades 3-12 study and recite the following text from the Declaration of Independence: "We hold these Truths to be self-evident, that all Men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the Pursuit of Happiness--That to secure these Rights, Governments are instituted among Men, deriving their just Powers from the Consent of the Governed."
- (10) Students discuss how and whether the actions of U.S. citizens and the local, state, and federal governments have achieved the ideals espoused in the founding documents.

(d) ~~[(e)]~~ Knowledge and skills.

- (1) History. The student understands traditional historical points of reference in world history. The student is expected to:
 - (A) identify major causes and describe the major effects of the following events from 8000 BC to 500 BC: the development of agriculture and the development of the river valley civilizations;
 - (B) identify major causes and describe the major effects of the following events from 500 BC to AD 600: the development of the classical civilizations of Greece, Rome, Persia, India

- (Maurya and Gupta), China (Zhou, Qin, and Han), and the development of major world religions;
- (C) identify major causes and describe the major effects of the following important turning points in world history from 600 to 1450: the spread of major world religions and their impact on Asia, Africa, and Europe and the Mongol invasions and their impact on Europe, China, India, and Southwest Asia;
 - (D) identify major causes and describe the major effects of the following important turning points in world history from 1450 to 1750: the rise of the Ottoman Empire, the influence of the Ming dynasty on world trade, European exploration and the Columbian Exchange, European expansion, and the Renaissance and the Reformation;
 - (E) identify major causes and describe the major effects of the following important turning points in world history from 1750 to 1914: the Scientific Revolution, the Industrial Revolution and its impact on the development of modern economic systems, European imperialism, and the Enlightenment's impact on political revolutions; and
 - (F) identify major causes and describe the major effects of the following important turning points in world history from 1914 to the present: the world wars and their impact on political, economic, and social systems; communist revolutions and their impact on the Cold War; independence movements; and globalization.
- (2) History. The student understands how early civilizations developed from 8000 BC to 500 BC. The student is expected to:
- (A) summarize the impact of the development of farming (Neolithic Revolution) on the creation of river valley civilizations;
 - (B) identify the characteristics of civilization; and
 - (C) explain how major river valley civilizations influenced the development of the classical civilizations.
- (3) History. The student understands the contributions and influence of classical civilizations from 500 BC to AD 600 on subsequent civilizations. The student is expected to:
- (A) describe the major political, religious/philosophical, and cultural influences of Persia, India, China, Israel, Greece, and Rome;
 - (B) explain the impact of the fall of Rome on Western Europe; and
 - (C) compare the factors that led to the collapse of Rome and Han China.
- (4) History. The student understands how, after the collapse of classical empires, new political, economic, and social systems evolved and expanded from 600 to 1450. The student is expected to:
- (A) explain the development of Roman Catholicism and Eastern Orthodoxy as social and political factors in medieval Europe and the Byzantine Empire;
 - (B) describe the major characteristics of and the factors contributing to the development of the political/social system of feudalism and the economic system of manorialism;
 - (C) explain the political, economic, and social impact of Islam on Europe, Asia, and Africa;
 - (D) describe the interactions among Muslim, Christian, and Jewish societies in Europe, Asia, and North Africa;
 - (E) describe the interactions between Muslim and Hindu societies in South Asia;
 - (F) explain how the Crusades, the Black Death, and the Hundred Years' War contributed to the end of medieval Europe;
 - (G) summarize the major political, economic, and cultural developments in Tang and Song China and their impact on Eastern Asia;

- (H) explain the evolution and expansion of the slave trade;
 - (I) analyze how the Silk Road and the African gold-salt trade facilitated the spread of ideas and trade; and
 - (J) summarize the changes resulting from the Mongol invasions of Russia, China, and the Islamic world.
- (5) History. The student understands the causes, characteristics, and impact of the European Renaissance and the Reformation from 1450 to 1750. The student is expected to:
- (A) explain the political, intellectual, artistic, economic, and religious impact of the Renaissance; and
 - (B) explain the political, intellectual, artistic, economic, and religious impact of the Reformation.
- (6) History. The student understands the characteristics and impact of the Maya, Inca, and Aztec civilizations. The student is expected to:
- (A) compare the major political, economic, social, and cultural developments of the Maya, Inca, and Aztec civilizations and explain how prior civilizations influenced their development; and
 - (B) explain how the Inca and Aztec empires were impacted by European exploration/colonization.
- (7) History. The student understands the causes and impact of increased global interaction from 1450 to 1750. The student is expected to:
- (A) analyze the causes of European expansion from 1450 to 1750;
 - (B) explain the impact of the Columbian Exchange;
 - (C) explain the impact of the Atlantic slave trade on West Africa and the Americas;
 - (D) explain the impact of the Ottoman Empire on Eastern Europe and global trade;
 - (E) explain Ming China's impact on global trade; and
 - (F) explain new economic factors and principles of Europe's Commercial Revolution.
- (8) History. The student understands the causes and the global impact of the Industrial Revolution and European imperialism from 1750 to 1914. The student is expected to:
- (A) explain how the Industrial Revolution led to political, economic, and social changes;
 - (B) identify the major political, economic, and social motivations that influenced European imperialism;
 - (C) explain the major characteristics and impact of European imperialism; and
 - (D) explain the effects of free enterprise in the Industrial Revolution.
- (9) History. The student understands the causes and effects of major political revolutions between 1750 and 1914. The student is expected to:
- (A) compare the causes, characteristics, and consequences of the American and French revolutions, emphasizing the role of the Enlightenment;
 - (B) explain the impact of Napoleon Bonaparte and the Napoleonic Wars on Europe and Latin America;
 - (C) trace the influence of the American and French revolutions on Latin America, including the role of Simón Bolívar; and

- (D) identify the influence of ideas such as separation of powers, checks and balances, liberty, equality, democracy, popular sovereignty, human rights, constitutionalism, and nationalism on political revolutions.
- (10) History. The student understands the causes and impact of World War I. The student is expected to:
- (A) identify the importance of imperialism, nationalism, militarism, and the alliance system in causing World War I;
 - (B) identify major characteristics of World War I, including total war, trench warfare, modern military technology, and high casualty rates;
 - (C) explain the political and economic impact of the Treaty of Versailles, including changes in boundaries and the mandate system; and
 - (D) identify the causes of the February (March) and October (November) revolutions of 1917 in Russia, their effects on the outcome of World War I, and the Bolshevik establishment of the Union of Soviet Socialist Republics.
- (11) History. The student understands the causes and impact of the global economic depression immediately following World War I. The student is expected to:
- (A) summarize the international, political, and economic causes of the global depression; and
 - (B) explain the responses of governments to the global depression such as in the United States, Germany, Great Britain, and France.
- (12) History. The student understands the causes and impact of World War II. The student is expected to:
- (A) describe the emergence and characteristics of totalitarianism;
 - (B) explain the roles of various world leaders, including Benito Mussolini, Adolf Hitler, Hideki Tojo, Joseph Stalin, Franklin D. Roosevelt, and Winston Churchill, prior to and during World War II; and
 - (C) explain the major causes and events of World War II, including the German invasions of Poland and the Soviet Union, the Holocaust, the attack on Pearl Harbor, the Normandy landings, and the dropping of the atomic bombs.
- (13) History. The student understands the impact of major events associated with the Cold War and independence movements. The student is expected to:
- (A) summarize how the outcome of World War II contributed to the development of the Cold War;
 - (B) summarize the factors that contributed to communism in China, including Mao Zedong's role in its rise;
 - (C) identify major events of the Cold War, including the Korean War, the Vietnam War, and the arms race;
 - (D) explain the roles of modern world leaders, including Ronald Reagan, Mikhail Gorbachev, Lech Walesa, and Pope John Paul II, in the collapse of communism in Eastern Europe and the Soviet Union;
 - (E) summarize the rise of independence movements in Africa, the Middle East, and South Asia and reasons for ongoing conflicts; and
 - (F) discuss factors contributing to the Arab-Israeli conflict, including the rejection of the existence of the state of Israel by the Arab League and a majority of Arab nations.
- (14) History. The student understands the development and use of radical Islamic terrorism in the second half of the 20th century and the early 21st century. The student is expected to:

- (A) explain the impact of geopolitical influences on the development of radical Islamic terrorism;
 - (B) explain the impact of radical Islamic terrorism on global events; and
 - (C) explain the U.S. response to the events surrounding September 11, 2001, and other acts of radical Islamic terrorism.
- (15) Geography. The student understands the impact of geographic factors on major historic events and processes. The student is expected to:
- (A) locate places and regions of historical significance directly related to major eras and turning points in world history;
 - (B) analyze the influence of human and physical geographic factors on major events in world history such as the development of river valley civilizations, trade in the Indian Ocean, and the opening of the Panama and Suez canals; and
 - (C) interpret maps, charts, and graphs to explain how geography has influenced people and events in the past.
- (16) Economics. The student understands the impact of the Neolithic and Industrial revolutions and globalization on humanity. The student is expected to:
- (A) identify important changes in human life caused by the Neolithic Revolution;
 - (B) summarize the role of economics in driving political changes as related to the Industrial Revolution; and
 - (C) describe the economic impact of globalization.
- (17) Economics. The student understands the historical origins of contemporary economic systems and the benefits of free enterprise in world history. The student is expected to:
- (A) identify the historical origins and characteristics of the free enterprise system, including the influence of Adam Smith;
 - (B) identify the historical origins and characteristics of communism, including the influence of Karl Marx;
 - (C) identify the historical origins and characteristics of socialism;
 - (D) identify the historical origins and characteristics of fascism; and
 - (E) explain why communist command economies collapsed in competition with free market economies at the end of the 20th century.
- (18) Government. The student understands the characteristics of major political systems throughout history. The student is expected to:
- (A) identify the characteristics of monarchies and theocracies as forms of government in early civilizations; and
 - (B) identify the characteristics of the following political systems: theocracy, absolute monarchy, democracy, republic, oligarchy, limited monarchy, and totalitarianism.
- (19) Government. The student understands how contemporary political systems have developed from earlier systems of government. The student is expected to:
- (A) explain the development of democratic-republican government from its beginnings in Judeo-Christian legal tradition and classical Greece and Rome through the French Revolution;
 - (B) identify the impact of political and legal ideas contained in the following documents: Hammurabi's Code, the Jewish Ten Commandments, Justinian's Code of Laws, Magna

- Carta, the English Bill of Rights, the Declaration of Independence, the U.S. Constitution, and the Declaration of the Rights of Man and of the Citizen;
- (C) explain the political philosophies of individuals such as John Locke, Thomas Hobbes, Voltaire, Charles de Montesquieu, Jean Jacques Rousseau, Thomas Aquinas, John Calvin, and William Blackstone; and
- (D) explain the significance of the League of Nations and the United Nations.
- (20) Citizenship. The student understands the significance of political choices and decisions made by individuals, groups, and nations throughout history. The student is expected to:
- (A) describe how people have participated in supporting or changing their governments;
- (B) describe the rights and responsibilities of citizens and noncitizens in civic participation throughout history; and
- (C) identify examples of key persons who were successful in shifting political thought, including William Wilberforce.
- (21) Citizenship. The student understands the historical development of significant legal and political concepts related to the rights and responsibilities of citizenship. The student is expected to:
- (A) summarize the development of the rule of law from ancient to modern times;
- (B) identify the origins of ideas regarding the right to a "trial by a jury of your peers" and the concepts of "innocent until proven guilty" and "equality before the law" from sources including the Judeo-Christian legal tradition and in Greece and Rome;
- (C) identify examples of politically motivated mass murders such as in Cambodia, China, Latin America, and the Soviet Union;
- (D) identify examples of genocide, including the Holocaust and genocide in Armenia, the Balkans, Rwanda, and Darfur;
- (E) identify examples of individuals who led resistance to political oppression such as Nelson Mandela, Mohandas Gandhi, Las Madres de la Plaza de Mayo, and Chinese student protestors in Tiananmen Square; and
- (F) identify examples of American ideals that have advanced human rights and democratic ideas throughout the world.
- (22) Culture. The student understands the history and relevance of major religious and philosophical traditions. The student is expected to:
- (A) describe the historical origins and central ideas in the development of monotheism;
- (B) describe the historical origins, central ideas, and spread of major religious and philosophical traditions, including Buddhism, Christianity, Confucianism, Hinduism, Islam, Judaism, and Sikhism; and
- (C) identify examples of religious influence on various events referenced in the major eras of world history.
- (23) Culture. The student understands the roles of women, children, and families in different historical cultures. The student is expected to:
- (A) describe the changing roles of women, children, and families during major eras of world history; and
- (B) describe the major influences of women during major eras of world history such as Elizabeth I, Queen Victoria, Mother Teresa, Indira Gandhi, Margaret Thatcher, and Golda Meir.
- (24) Culture. The student understands how the development of ideas has influenced institutions and societies. The student is expected to:

- (A) summarize the fundamental ideas and institutions of Eastern civilizations that originated in China and India;
 - (B) summarize the fundamental ideas and institutions of Western civilizations that originated in Greece and Rome;
 - (C) explain how the relationship between Christianity and Humanism that began with the Renaissance influenced subsequent political developments; and
 - (D) explain how geopolitical and religious influences have impacted law and government in the Muslim world.
- (25) Culture. The student understands the relationship between the arts and the times during which they were created. The student is expected to:
- (A) analyze examples of how art, architecture, literature, music, and drama reflect the history of the cultures in which they are produced; and
 - (B) describe examples of art, music, and literature that transcend the cultures in which they were created and convey universal themes.
- (26) Science, technology, and society. The student understands how major scientific and mathematical discoveries and technological innovations affected societies prior to 1750. The student is expected to:
- (A) identify the origin and diffusion of major ideas in mathematics, science, and technology that occurred in river valley civilizations, classical Greece and Rome, classical India, the Islamic caliphates between 700 and 1200, and China from the Tang to Ming dynasties;
 - (B) summarize the major ideas in astronomy, mathematics, and architectural engineering that developed in the Maya, Inca, and Aztec civilizations;
 - (C) explain the impact of the printing press on the Renaissance and the Reformation in Europe;
 - (D) describe the origins of the Scientific Revolution in 16th century Europe and explain its impact on scientific thinking worldwide; and
 - (E) identify the contributions of significant scientists such as Archimedes, Copernicus, Eratosthenes, Galileo, Pythagoras, Isaac Newton, and Robert Boyle.
- (27) Science, technology, and society. The student understands how major scientific and mathematical discoveries and technological innovations have affected societies from 1750 to the present. The student is expected to:
- (A) explain the role of textile manufacturing, steam technology, development of the factory system, and transportation technology in the Industrial Revolution;
 - (B) explain the roles of military technology, transportation technology, communication technology, and medical advancements in initiating and advancing 19th century imperialism;
 - (C) explain the effects of major new military technologies on World War I, World War II, and the Cold War;
 - (D) explain the role of telecommunication technology, computer technology, transportation technology, and medical advancements in developing the modern global economy and society; and
 - (E) identify the contributions of significant scientists and inventors such as Marie Curie, Thomas Edison, Albert Einstein, Louis Pasteur, and James Watt.
- (28) Social studies skills. The student understands how historians use historiography to interpret the past and applies critical-thinking skills to organize and use information acquired from a variety of valid sources, including technology. The student is expected to:

- (A) identify methods used by archaeologists, anthropologists, historians, and geographers to analyze evidence;
 - (B) explain how historians analyze sources for frame of reference, historical context, and point of view to interpret historical events;
 - (C) analyze primary and secondary sources to determine frame of reference, historical context, and point of view;
 - ~~(D) evaluate a variety of historical and contemporary sources for validity, credibility, bias, and accuracy;~~
 - ~~[(D) evaluate the validity of a source based on bias, corroboration with other sources, and information about the author.]~~
 - (E) analyze information by sequencing, categorizing, identifying cause-and-effect relationships, comparing, contrasting, finding the main idea, summarizing, making generalizations and predictions, drawing inferences and conclusions, and developing connections between historical events over time; and
 - ~~(F) formulate and communicate visually, orally, or in writing a claim supported by evidence and reasoning for an intended audience and purpose.~~
 - ~~[(F) construct a thesis on a social studies issue or event supported by evidence.]~~
- (29) Social studies skills. The student uses geographic skills and tools to collect, analyze, and interpret data. The student is expected to:
- (A) create and interpret thematic maps, graphs, and charts to demonstrate the relationship between geography and the historical development of a region or nation; and
 - (B) analyze and compare geographic distributions and patterns in world history shown on maps, graphs, charts, and models.
- (30) Social studies skills. The student communicates in written, oral, and visual forms. The student is expected to:
- (A) use social studies terminology correctly;
 - (B) use effective written communication skills, including proper citations and avoiding plagiarism; ~~and~~
 - (C) interpret and create written, oral, and visual presentations of social studies information ; ~~and~~ [;]
 - ~~(D) apply foundational language skills to engage in civil discourse about social studies topics, including those with multiple perspectives.~~
- (31) Social studies skills. The student uses problem-solving and decision-making skills, working independently and with others. The student is expected to :
- ~~(A) explain governmental and democratic processes such as voting, due process, and caucuses using simulations and models; and~~
 - ~~(B) use problem-solving and decision-making processes to identify a problem, gather information, list and consider options, consider advantages and disadvantages, choose and implement a solution, and evaluate the effectiveness of the solution.~~

§113.43. World Geography Studies (One Credit), Adopted 2022 [~~2018~~].

- (a) Implementation. The provisions of this section shall be implemented by school districts beginning with the 2025-2026 school year.

- (1) No later than July 31, 2024, the commissioner of education shall determine whether instructional materials funding has been made available to Texas public schools for materials that cover the essential knowledge and skills identified in this section.
- (2) If the commissioner makes the determination that instructional materials funding has been made available, this section shall be implemented beginning with the 2025-2026 school year and apply to the 2025-2026 and subsequent school years.
- (3) If the commissioner does not make the determination that instructional materials funding has been made available under this subsection, the commissioner shall determine no later than August 31 of each subsequent school year whether instructional materials funding has been made available. If the commissioner determines that instructional materials funding has been made available, the commissioner shall notify the State Board of Education and school districts that this section shall be implemented for the following school year.

(b) ~~(a)~~ General requirements. Students shall be awarded one unit of credit for successful completion of this course.

(c) ~~(b)~~ Introduction.

- (1) In World Geography Studies, students examine people, places, and environments at local, regional, national, and international scales from the spatial and ecological perspectives of geography. Students describe the influence of geography on events of the past and present with emphasis on contemporary issues. A significant portion of the course centers around the physical processes that shape patterns in the physical environment; the characteristics of major landforms, climates, and ecosystems and their interrelationships; the political, economic, and social processes that shape cultural patterns of regions; types and patterns of settlement; the distribution and movement of the world population; relationships among people, places, and environments; and the concept of region. Students analyze how location affects economic activities in different economic systems. Students identify the processes that influence political divisions of the planet and analyze how different points of view affect the development of public policies. Students compare how components of culture shape the characteristics of regions and analyze the impact of technology and human modifications on the physical environment. Students use problem-solving and decision-making skills to ask and answer geographic questions.
- (2) To support the teaching of the essential knowledge and skills, the use of a variety of rich primary and secondary source material such as contemporary and historic maps of various types, satellite-produced images, photographs, graphs, map sketches, and diagrams is encouraged.
- (3) The eight strands of the essential knowledge and skills for social studies are intended to be integrated for instructional purposes. Skills listed in the social studies skills strand in subsection ~~(d)~~ ~~(e)~~ of this section should be incorporated into the teaching of all essential knowledge and skills for social studies. A greater depth of understanding of complex content material can be attained when integrated social studies content from the various disciplines and critical-thinking skills are taught together. 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.
- (4) Students identify the role of the U.S. free enterprise system within the parameters of this course and understand that this system may also be referenced as capitalism or the free market system.
- (5) Throughout social studies in Kindergarten-Grade 12, students build a foundation in history; geography; economics; government; citizenship; culture; science, technology, and society; and social studies skills. The content, as appropriate for the grade level or course, enables students to understand the importance of patriotism, function in a free enterprise society, and appreciate the basic democratic values of our state and nation as referenced in the Texas Education Code (TEC), §28.002(h).
- (6) Students understand that a constitutional republic is a representative form of government whose representatives derive their authority from the consent of the governed, serve for an established tenure, and are sworn to uphold the constitution.

- (7) State and federal laws mandate a variety of celebrations and observances, including Celebrate Freedom Week.
- (A) Each social studies class shall include, during Celebrate Freedom Week as provided under the TEC, §29.907, or during another full school week as determined by the board of trustees of a school district, appropriate instruction concerning the intent, meaning, and importance of the Declaration of Independence and the U.S. Constitution, including the Bill of Rights, in their historical contexts. The study of the Declaration of Independence must include the study of the relationship of the ideas expressed in that document to subsequent American history, including the relationship of its ideas to the rich diversity of our people as a nation of immigrants, the American Revolution, the formulation of the U.S. Constitution, and the abolitionist movement, which led to the Emancipation Proclamation and the women's suffrage movement.
- (B) Each school district shall require that, during Celebrate Freedom Week or other week of instruction prescribed under subparagraph (A) of this paragraph, students in Grades 3-12 study and recite the following text from the Declaration of Independence: "We hold these Truths to be self-evident, that all Men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the Pursuit of Happiness--That to secure these Rights, Governments are instituted among Men, deriving their just Powers from the Consent of the Governed."
- (8) Students discuss how and whether the actions of U.S. citizens and the local, state, and federal governments have achieved the ideals espoused in the founding documents.

(d) ~~(e)~~ Knowledge and skills.

- (1) History. The student understands how geography and processes of spatial exchange (diffusion) influenced events in the past and helped to shape the present. The student is expected to:
- (A) analyze significant physical features and environmental conditions that have influenced the past and migration patterns and have shaped the distribution of culture groups today; and
- (B) trace the spatial diffusion of phenomena such as the Columbian Exchange or the diffusion of American popular culture and describe the effects on regions of contact.
- (2) History. The student understands how people, places, and environments have changed over time and the effects of these changes. The student is expected to:
- (A) describe the human and physical characteristics of the same regions at different periods of time to analyze relationships between past events and current conditions; and
- (B) explain how changes in societies such as population shifts, technological advancements, and environmental policies have led to diverse uses of physical features over time such as terrace farming, dams, and polders.
- (3) Geography. The student understands how physical processes shape patterns in the physical environment. The student is expected to:
- (A) explain weather conditions and climate in relation to annual changes in Earth-Sun relationships;
- (B) describe the physical processes that affect the environments of regions, including weather, tectonic forces, erosion, and soil-building processes; and
- (C) describe how physical processes such as hurricanes, El Niño, earthquakes, and volcanoes affect the lithosphere, atmosphere, hydrosphere, and biosphere.
- (4) Geography. The student understands the patterns and characteristics of major landforms, climates, and ecosystems of Earth and the interrelated processes that produce them. The student is expected to:

- (A) explain how elevation, latitude, wind systems, ocean currents, position on a continent, and mountain barriers influence temperature, precipitation, and distribution of climate regions;
 - (B) describe different landforms such as plains, mountains, and islands and the physical processes that cause their development; and
 - (C) explain the influence of climate on the distribution of biomes in different regions.
- (5) Geography. The student understands how political, economic, and social processes shape cultural patterns and characteristics in various places and regions. The student is expected to:
- (A) analyze how the character of a place is related to its political, economic, social, and cultural elements; and
 - (B) interpret political, economic, social, and demographic indicators (gross domestic product per capita, life expectancy, literacy, and infant mortality) to determine the level of development and standard of living in nations using the levels as defined by the Human Development Index.
- (6) Geography. The student understands the types, patterns, and processes of settlement. The student is expected to:
- (A) locate and describe human and physical features that influence the size and distribution of settlements; and
 - (B) explain the processes that have caused changes in settlement patterns, including urbanization, transportation, access to and availability of resources, and economic activities.
- (7) Geography. The student understands the growth, distribution, movement, and characteristics of world population. The student is expected to:
- (A) analyze population pyramids and use other data, graphics, and maps to describe the population characteristics of different societies and to predict future population trends;
 - (B) explain how physical geography and push and pull forces, including political, economic, social, and environmental conditions, affect the routes and flows of human migration;
 - (C) describe trends in world population growth and distribution; and
 - (D) analyze how globalization affects connectivity, standard of living, pandemics, and loss of local culture.
- (8) Geography. The student understands how people, places, and environments are connected and interdependent. The student is expected to:
- (A) compare ways that humans depend on, adapt to, and modify the physical environment, including the influences of culture and technology;
 - (B) analyze the consequences of extreme weather and other natural disasters such as El Niño, floods, tsunamis, and volcanoes on people and their environment; and
 - (C) evaluate the economic and political relationships between settlements and the environment, including sustainable development and renewable/non-renewable resources.
- (9) Geography. The student understands the concept of region as an area of Earth's surface with related geographic characteristics. The student is expected to:
- (A) identify physical and/or human factors such as climate, vegetation, language, trade networks, political units, river systems, and religion that constitute a region; and
 - (B) describe different types of regions, including formal, functional, and perceptual regions.
- (10) Economics. The student understands the distribution, characteristics, and interactions of the economic systems in the world. The student is expected to:

- (A) describe the forces that determine the distribution of goods and services in traditional, free enterprise, socialist, and communist economic systems;
 - (B) classify countries along the economic spectrum between free enterprise and communism;
 - (C) compare the ways people satisfy their basic needs through the production of goods and services such as subsistence agriculture versus commercial agriculture or cottage industries versus commercial industries; and
 - (D) compare global trade patterns over time and analyze the implications of globalization, including outsourcing and free trade zones.
- (11) Economics. The student understands how geography influences economic activities. The student is expected to:
- (A) understand the connections between levels of development and economic activities (primary, secondary, tertiary, and quaternary);
 - (B) identify the factors affecting the location of different types of economic activities, including subsistence and commercial agriculture, manufacturing, and service industries; and
 - (C) assess how changes in climate, resources, and infrastructure (technology, transportation, and communication) affect the location and patterns of economic activities.
- (12) Economics. The student understands the economic importance of, and issues related to, the location and management of resources. The student is expected to:
- (A) analyze how the creation, distribution, and management of key natural resources affects the location and patterns of movement of products, money, and people; and
 - (B) evaluate the geographic and economic impact of policies related to the development, use, and scarcity of natural resources such as regulations of water.
- (13) Government. The student understands the spatial characteristics of a variety of global political units. The student is expected to:
- (A) interpret maps to explain the division of land, including man-made and natural borders, into separate political units such as cities, states, or countries; and
 - (B) compare maps of voting patterns and political boundaries to make inferences about the distribution of political power.
- (14) Government. The student understands the processes that influence political divisions, relationships, and policies. The student is expected to:
- (A) analyze current events to infer the physical and human processes that lead to the formation of boundaries and other political divisions;
 - (B) compare how democracy, dictatorship, monarchy, republic, theocracy, and totalitarian systems operate in specific countries; and
 - (C) analyze the human and physical factors that influence control of territories and resources, conflict/war, and international relations of sovereign nations such as China, the United States, Japan, and Russia and international organizations such as the United Nations (UN) and the European Union (EU).
- (15) Citizenship. The student understands how different points of view influence the development of public policies and decision-making processes at national and international levels. The student is expected to:
- (A) identify and give examples of different points of view that influence the development of public policies and decision-making processes at national and international levels; and

- (B) explain how citizenship practices, public policies, and decision making may be influenced by cultural beliefs, including nationalism and patriotism.
- (16) Culture. The student understands how the components of culture affect the way people live and shape the characteristics of regions. The student is expected to:
- (A) describe distinctive cultural patterns and landscapes associated with different places in Texas, the United States, and other regions of the world and how these patterns influenced the processes of innovation and diffusion;
 - (B) describe elements of culture, including language, religion, beliefs, institutions, and technologies; and
 - (C) describe life in a variety of urban and rural areas in the world to compare political, economic, social, and environmental changes.
- (17) Culture. The student understands the distribution, patterns, and characteristics of different cultures. The student is expected to:
- (A) describe and compare patterns of culture such as language, religion, land use, education, and customs that make specific regions of the world distinctive;
 - (B) describe central ideas and spatial distribution of major religious traditions, including Buddhism, Christianity, Hinduism, Islam, Judaism, and Sikhism;
 - (C) compare economic, political, or social opportunities in different cultures for underrepresented populations such as women and ethnic and religious minorities; and
 - (D) evaluate the experiences and contributions of diverse groups to multicultural societies.
- (18) Culture. The student understands the ways in which cultures change and maintain continuity. The student is expected to:
- (A) analyze cultural changes in specific regions caused by migration, war, trade, innovations, and diffusion;
 - (B) assess causes and effects of conflicts between groups of people, including modern genocides and terrorism;
 - (C) identify examples of cultures that maintain traditional ways, including traditional economies; and
 - (D) evaluate the spread of cultural traits to find examples of cultural convergence and divergence such as the spread of democratic ideas, language, foods, technology, or global sports.
- (19) Science, technology, and society. The student understands the impact of technology and human modifications on the physical environment. The student is expected to:
- (A) evaluate the significance of major technological innovations in the areas of transportation and energy that have been used to modify the physical environment;
 - (B) analyze ways technological innovations such as air conditioning and desalinization have allowed humans to adapt to places; and
 - (C) analyze the environmental, economic, and social impacts of advances in technology on agriculture and natural resources.
- (20) Science, technology, and society. The student understands how current technology affects human interaction. The student is expected to:
- (A) describe the impact of new information technologies such as the Internet, Global Positioning System (GPS), or Geographic Information Systems (GIS); and
 - (B) examine the economic, environmental, and social effects of technology such as medical advancements or changing trade patterns on societies at different levels of development.

- (21) Social studies skills. The student applies critical-thinking skills to organize and use information acquired through established research methodologies from a variety of valid sources, including technology. The student is expected to:
- (A) analyze and evaluate a variety of ~~[the validity and utility of multiple]~~ sources of geographic information such as primary and secondary sources, aerial photographs, and maps for validity, utility, credibility, bias, and accuracy ;
 - (B) identify places of contemporary geopolitical significance on a map;
 - (C) create and interpret different types of maps to answer geographic questions, infer relationships, and analyze change;
 - (D) analyze information by sequencing, categorizing, identifying cause-and-effect relationships, comparing, contrasting, finding the main idea, summarizing, making generalizations and predictions, drawing inferences and conclusions, and developing connections over time; ~~[and]~~
 - (E) identify different points of view about an issue or current topic ; ~~and~~ [;]
 - (F) formulate and communicate visually, orally, or in writing a claim supported by evidence and reasoning for an intended audience and purpose.
- (22) Social studies skills. The student communicates in written, oral, and visual forms. The student is expected to:
- (A) create appropriate graphics such as maps, diagrams, tables, and graphs to communicate geographic features, distributions, and relationships;
 - (B) generate summaries, generalizations, and thesis statements supported by evidence;
 - (C) use social studies terminology correctly; ~~[and]~~
 - (D) create original work using effective written communication skills, including proper citations and understanding and avoiding plagiarism ; ~~and~~ [;]
 - (E) apply foundational language skills to engage in civil discourse about social studies topics, including those with multiple perspectives.
- (23) Social studies skills. The student uses problem-solving and decision-making skills, working independently and with others. The student is expected to:
- (A) explain governmental and democratic processes such as voting, due process, and caucuses using simulations and models;
 - (B) ~~[(A)]~~ plan, organize, and complete a research project that involves asking geographic questions; acquiring, organizing, and analyzing information; answering questions; and communicating results;
 - (C) ~~[(B)]~~ use case studies and GIS to identify contemporary challenges and to answer real-world questions; and
 - (D) ~~[(C)]~~ use problem-solving and decision-making processes to identify a problem, gather information, list and consider options, consider advantages and disadvantages, choose and implement a solution, and evaluate the effectiveness of the solution.

§113.44. United States Government (One-Half Credit), Adopted 2022 ~~[2018]~~ .

- (a) Implementation. The provisions of this section shall be implemented by school districts beginning with the 2025-2026 school year.
 - (1) No later than July 31, 2024, the commissioner of education shall determine whether instructional materials funding has been made available to Texas public schools for materials that cover the essential knowledge and skills identified in this section.

- (2) If the commissioner makes the determination that instructional materials funding has been made available, this section shall be implemented beginning with the 2025-2026 school year and apply to the 2025-2026 and subsequent school years.
- (3) If the commissioner does not make the determination that instructional materials funding has been made available under this subsection, the commissioner shall determine no later than August 31 of each subsequent school year whether instructional materials funding has been made available. If the commissioner determines that instructional materials funding has been made available, the commissioner shall notify the State Board of Education and school districts that this section shall be implemented for the following school year.

(b) ~~(a)~~ General requirements. Students shall be awarded one-half unit of credit for successful completion of this course.

(c) ~~(b)~~ Introduction.

- (1) In United States Government, the focus is on the principles and beliefs upon which the United States was founded and on the structure, functions, and powers of government at the national, state, and local levels. This course is the culmination of the civic and governmental content and concepts studied from Kindergarten through required secondary courses. Students learn major political ideas and forms of government in history. A significant focus of the course is on the U.S. Constitution, its underlying principles and ideas, and the form of government it created. Students analyze major concepts of republicanism, federalism, checks and balances, separation of powers, popular sovereignty, and individual rights and compare the U.S. system of government with other political systems. Students identify the role of government in the U.S. free enterprise system and examine the strategic importance of places to the United States. Students analyze the impact of individuals, political parties, interest groups, and the media on the American political system, evaluate the importance of voluntary individual participation in a constitutional republic, and analyze the rights guaranteed by the U.S. Constitution. Students examine the relationship between governmental policies and the culture of the United States. Students identify examples of government policies that encourage scientific research and use critical-thinking skills to create a product on a contemporary government issue.
- (2) To support the teaching of the essential knowledge and skills, the use of a variety of rich primary and secondary source material such as the complete text of the U.S. Constitution, selected Federalist Papers, landmark cases of the U.S. Supreme Court (such as those studied in Grade 8 and U.S. History Since 1877), biographies, autobiographies, memoirs, speeches, letters, and periodicals that feature analyses of political issues and events is encouraged.
- (3) The eight strands of the essential knowledge and skills for social studies are intended to be integrated for instructional purposes. Skills listed in the social studies skills strand in subsection (d) ~~(c)~~ of this section should be incorporated into the teaching of all essential knowledge and skills for social studies. A greater depth of understanding of complex content material can be attained when integrated social studies content from the various disciplines and critical-thinking skills are taught together. 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.
- (4) Students identify the role of the U.S. free enterprise system within the parameters of this course and understand that this system may also be referenced as capitalism or the free market system.
- (5) Throughout social studies in Kindergarten-Grade 12, students build a foundation in history; geography; economics; government; citizenship; culture; science, technology, and society; and social studies skills. The content, as appropriate for the grade level or course, enables students to understand the importance of patriotism, function in a free enterprise society, and appreciate the basic democratic values of our state and nation as referenced in the Texas Education Code (TEC), §28.002(h).

- (6) Students understand that a constitutional republic is a representative form of government whose representatives derive their authority from the consent of the governed, serve for an established tenure, and are sworn to uphold the constitution.
- (7) State and federal laws mandate a variety of celebrations and observances, including Celebrate Freedom Week.
 - (A) Each social studies class shall include, during Celebrate Freedom Week as provided under the TEC, §29.907, or during another full school week as determined by the board of trustees of a school district, appropriate instruction concerning the intent, meaning, and importance of the Declaration of Independence and the U.S. Constitution, including the Bill of Rights, in their historical contexts. The study of the Declaration of Independence must include the study of the relationship of the ideas expressed in that document to subsequent American history, including the relationship of its ideas to the rich diversity of our people as a nation of immigrants, the American Revolution, the formulation of the U.S. Constitution, and the abolitionist movement, which led to the Emancipation Proclamation and the women's suffrage movement.
 - (B) Each school district shall require that, during Celebrate Freedom Week or other week of instruction prescribed under subparagraph (A) of this paragraph, students in Grades 3-12 study and recite the following text from the Declaration of Independence: "We hold these Truths to be self-evident, that all Men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the Pursuit of Happiness--That to secure these Rights, Governments are instituted among Men, deriving their just Powers from the Consent of the Governed."
- (8) Students discuss how and whether the actions of U.S. citizens and the local, state, and federal governments have achieved the ideals espoused in the founding documents.

(d) ~~(e)~~ Knowledge and skills.

- (1) History. The student understands how constitutional government, as developed in America and expressed in the Declaration of Independence, the Articles of Confederation, and the U.S. Constitution, has been influenced by ideas, people, and historical documents. The student is expected to:
 - (A) explain major political ideas in history, including the laws of nature and nature's God, unalienable rights, divine right of kings, social contract theory, and the rights of resistance to illegitimate government;
 - (B) identify major intellectual, philosophical, political, and religious traditions that informed the American founding, including Judeo-Christian (especially biblical law), English common law and constitutionalism, Enlightenment, and republicanism, as they address issues of liberty, rights, and responsibilities of individuals;
 - (C) identify the individuals whose principles of laws and government institutions informed the American founding documents, including those of Moses, William Blackstone, John Locke, and Charles de Montesquieu;
 - (D) identify the contributions of the political philosophies of the Founding Fathers, including John Adams, Alexander Hamilton, Thomas Jefferson, James Madison, John Jay, George Mason, Roger Sherman, and James Wilson, on the development of the U.S. government;
 - (E) analyze debates and compromises that impacted the creation of the founding documents; and
 - (F) identify significant individuals in the field of government and politics, including George Washington, Thomas Jefferson, John Marshall, Andrew Jackson, Abraham Lincoln, Theodore Roosevelt, Franklin D. Roosevelt, and Ronald Reagan.
- (2) History. The student understands the roles played by individuals, political parties, interest groups, and the media in the U.S. political system, past and present. The student is expected to:

- (A) describe the processes used by individuals, political parties, interest groups, or the media to affect public policy; and
 - (B) analyze the impact of political changes brought about by individuals, political parties, interest groups, or the media, past and present.
- (3) Geography. The student understands how geography can influence U.S. political districts and policies. The student is expected to:
- (A) explain how population shifts affect voting patterns;
 - (B) examine political boundaries to make inferences regarding the distribution of political power; and
 - (C) explain how political districts are crafted and how they are affected by Supreme Court decisions such as *Baker v. Carr*.
- (4) Economics. The student understands the roles played by local, state, and national governments in both the public and private sectors of the U.S. free enterprise system. The student is expected to:
- (A) explain how government fiscal, and regulatory policies influence the economy at the local, state, and national levels;
 - (B) compare the role of government in the U.S. free enterprise system and other economic systems; and
 - (C) explain how government taxation, expenditures, and regulation can influence the U.S. economy and impact private enterprise.
- (5) Economics. The student understands the relationship between U.S. government policies and the economy. The student is expected to:
- (A) analyze how economic and natural resources influence U.S. foreign policy; and
 - (B) describe the roles of the executive and legislative branches in setting international trade and fiscal policies.
- (6) Government. The student understands the American beliefs and principles reflected in the U.S. Constitution and why these are significant. The student is expected to:
- (A) explain the importance of a written constitution;
 - (B) explain how the federal government serves the purposes set forth in the Preamble to the U.S. Constitution;
 - (C) analyze how the Federalist Papers such as Number 10 and Number 51 explain the principles of the American constitutional system of government;
 - (D) evaluate constitutional provisions for limiting the role of government, including republicanism, checks and balances, federalism, separation of powers, popular sovereignty, and individual rights;
 - (E) describe the constitutionally prescribed procedures by which the U.S. Constitution can be changed and analyze the role of the amendment process in a constitutional government; and
 - (F) identify how the Declaration of Independence and the U.S. Constitution continue to shape American beliefs and principles in the United States today.
- (7) Government. The student understands the structure and functions of the government created by the U.S. Constitution. The student is expected to:
- (A) analyze the structure and functions of the legislative branch of government, including the bicameral structure of Congress, the role of committees, and the procedure for enacting laws;

- (B) analyze the structure and functions of the executive branch of government, including the constitutional powers of the president, the growth of presidential power, and the role of the Cabinet and executive departments;
 - (C) analyze the structure and functions of the judicial branch of government, including the federal court system, types of jurisdiction, and judicial review;
 - (D) identify the purpose of selected independent executive agencies, including the National Aeronautics and Space Administration (NASA), and regulatory commissions, including the Environmental Protection Agency (EPA), Occupational Safety and Health Administration (OSHA), Food and Drug Administration (FDA), and Federal Communications Commission (FCC);
 - (E) explain how provisions of the U.S. Constitution provide for checks and balances among the three branches of government;
 - (F) analyze selected issues raised by judicial activism and judicial restraint;
 - (G) explain the major responsibilities of the federal government for domestic and foreign policy such as national defense; and
 - (H) compare the structures, functions, and processes of national, state, and local governments in the U.S. federal system.
- (8) Government. The student understands the concept of federalism. The student is expected to:
- (A) explain why the Founding Fathers created a distinctly new form of federalism and adopted a federal system of government instead of a unitary system;
 - (B) categorize government powers as national, state, or shared;
 - (C) analyze historical and contemporary conflicts over the respective roles of national and state governments; and
 - (D) explain how the U.S. Constitution limits the power of national and state governments.
- (9) Government. The student understands the processes for filling public offices in the U.S. system of government. The student is expected to:
- (A) identify different methods of filling public offices, including elected and appointed offices at the local, state, and national levels;
 - (B) explain the process of electing the president of the United States and analyze the Electoral College; and
 - (C) analyze the impact of the passage of the 17th Amendment.
- (10) Government. The student understands the role of political parties in the U.S. system of government. The student is expected to:
- (A) analyze the functions of political parties and their role in the electoral process at local, state, and national levels; and
 - (B) explain the two-party system and evaluate the role of third parties in the United States.
- (11) Government. The student understands the similarities and differences that exist among the U.S. system of government and other political systems. The student is expected to:
- (A) compare the U.S. constitutional republic to historical and contemporary forms of government such as monarchy, a classical republic, authoritarian, socialist, direct democracy, theocracy, tribal, and other republics; and
 - (B) analyze advantages and disadvantages of presidential and parliamentary systems of government.

- (12) Citizenship. The student understands the rights that are protected and secured by the U.S. Constitution and Bill of Rights. The student is expected to:
- (A) explain the roles of limited government and the rule of law in the protection of individual rights;
 - (B) identify and define the unalienable rights;
 - (C) identify the freedoms and rights protected and secured by each amendment in the Bill of Rights;
 - (D) analyze the reasons the Founding Fathers protected religious freedom in America and guaranteed its free exercise by saying that "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof," and compare this to the concept of separation of church and state;
 - (E) analyze U.S. Supreme Court interpretations of rights guaranteed by the U.S. Constitution in selected cases, including *Engel v. Vitale*, *Schenck v. United States*, *Texas v. Johnson*, *Miranda v. Arizona*, *Gideon v. Wainwright*, *Mapp v. Ohio*, and *Roe v. Wade*;
 - (F) explain the importance of due process rights to the protection of individual rights and in limiting the powers of government; and
 - (G) recall the conditions that produced the 14th Amendment and describe subsequent efforts to selectively extend some of the Bill of Rights to the states through U.S. Supreme Court rulings and analyze the impact on the scope of fundamental rights and federalism.
- (13) Citizenship. The student understands the difference between personal and civic responsibilities. The student is expected to:
- (A) describe scenarios where good citizenship may require the subordination of personal desire for the sake of the public good;
 - (B) explain the responsibilities, duties, and obligations of citizenship such as being well informed about civic affairs, serving in the military, voting, serving on a jury, observing the laws, paying taxes, and serving the public good; and
 - (C) describe the voter registration process and the criteria for voting in elections.
- (14) Citizenship. The student understands the importance of voluntary individual participation in the U.S. constitutional republic. The student is expected to:
- (A) analyze the effectiveness of various methods of participation in the political process at local, state, and national levels;
 - (B) analyze historical and contemporary examples of citizen movements to bring about political change or to maintain continuity; and
 - (C) describe the factors that influence an individual's political attitudes and actions.
- (15) Citizenship. The student understands the importance of the expression of different points of view in a constitutional republic. The student is expected to:
- (A) analyze different points of view of political parties and interest groups such as the League of United Latin American Citizens (LULAC), the National Rifle Association (NRA), and the National Association for the Advancement of Colored People (NAACP) on important contemporary issues; and
 - (B) analyze the importance of the First Amendment rights of petition, assembly, speech, and press and the Second Amendment right to keep and bear arms.
- (16) Culture. The student understands the relationship between government policies and the culture of the United States. The student is expected to:

- (A) evaluate a U.S. government policy or court decision that has affected a particular racial, ethnic, or religious group, including [such as] the Civil Rights Act of 1964 and the U.S. Supreme Court cases of *Hernandez v. Texas* and *Grutter v. Bollinger*; and
 - (B) explain changes in American culture brought about by government policies such as voting rights, the Servicemen's Readjustment Act of 1944 (GI Bill of Rights), the Immigration and Nationality Act of 1965, the Immigration Reform and Control Act of 1986, affirmative action, and racial integration.
- (17) Science, technology, and society. The student understands the role the government plays in developing policies and establishing conditions that influence scientific discoveries and technological innovations. The student is expected to:
- (A) explain how U.S. constitutional protections such as patents have fostered competition and entrepreneurship; and
 - (B) identify examples of government-assisted research that, when shared with the private sector, have resulted in improved consumer products such as computer and communication technologies.
- (18) Science, technology, and society. The student understands the impact of advances in science and technology on government. The student is expected to:
- (A) describe the potential impact of recent scientific discoveries and technological innovations on government policy; and
 - (B) evaluate the impact of the Internet and other electronic information on the political process.
- (19) Social studies skills. The student applies critical-thinking skills to organize and use information acquired through established research methodologies from a variety of valid sources, including technology. The student is expected to:
- (A) analyze information by sequencing, categorizing, identifying cause-and-effect relationships, comparing, contrasting, finding the main idea, summarizing, making generalizations and predictions, and drawing inferences and conclusions;
 - (B) create a product on a contemporary government issue or topic using critical methods of inquiry;
 - (C) analyze and defend a point of view on a current political issue;
 - (D) analyze and evaluate a variety of historical and contemporary sources for [the] validity of information, arguments, [and] counterarguments, credibility, accuracy, [from primary and secondary sources for] bias, propaganda, point of view, and frame of reference; [and]
 - (E) evaluate government data using charts, tables, graphs, and maps ; and []
 - (F) formulate and communicate visually, orally, or in writing a claim supported by evidence and reasoning for an intended audience and purpose.
- (20) Social studies skills. The student communicates in written, oral, and visual forms. The student is expected to:
- (A) use social studies terminology correctly; [and]
 - (B) create written, oral, and visual presentations of social studies information using effective communication skills, including proper citations and avoiding plagiarism ; and []
 - (C) apply foundational language skills to engage in civil discourse about social studies topics, including those with multiple perspectives.
- (21) Social studies skills. The student uses problem-solving and decision-making skills, working independently and with others. The student is expected to :

- (A) explain governmental and democratic processes such as voting, due process, and caucuses using simulations and models; and
- (B) use problem-solving and decision-making processes to identify a problem, gather information, list and consider options, consider advantages and disadvantages, choose and implement a solution, and evaluate the effectiveness of the solution.

Update on Texas Essential Knowledge and Skills (TEKS) Review

November 18, 2022

COMMITTEE OF THE FULL BOARD: ACTION STATE BOARD OF EDUCATION: ACTION

SUMMARY: This item provides the opportunity for staff to present an update on the review of the Texas Essential Knowledge and Skills (TEKS) and the English Language Proficiency Standards (ELPS).

STATUTORY AUTHORITY: Texas Education Code (TEC), §§7.102(c)(4); 28.002(a) and (c); and 28.025(a).

TEC, §7.102(c)(4), requires the State Board of Education (SBOE) to establish curriculum and graduation requirements.

TEC, §28.002(a), identifies the subjects of the required curriculum.

TEC, §28.002(c), 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.

TEC, §28.025(a), requires the SBOE to by rule determine the curriculum requirements for the foundation high school graduation program that are consistent with the required curriculum under the TEC, §28.002.

The full text of statutory citations can be found in the statutory authority section of this agenda.

PREVIOUS BOARD ACTION: The SBOE adopted the TEKS for all subjects effective September 1, 1998. The English language arts and reading TEKS were amended effective September 4, 2008. The Spanish language arts and reading TEKS were amended effective November 26, 2008. The TEKS for high school English elective courses were amended effective August 23, 2010. The English and Spanish language arts and reading TEKS for Kindergarten-Grade 8 were amended effective September 25, 2017, and the English language arts and reading and English as a second language (ESL) TEKS for high school were amended effective November 12, 2017. The K-12 TEKS for English and Spanish language arts and reading were again amended effective August 1, 2019, to make technical adjustments to the standards. The mathematics TEKS were amended effective August 1, 2006. The secondary mathematics TEKS were amended effective February 22, 2009. The mathematics TEKS were again amended effective September 12, 2012. The science TEKS were amended effective August 4, 2009 and were amended again to streamline the science TEKS effective August 27, 2018. The social studies TEKS were amended effective August 23, 2010 and were amended again to streamline the social studies TEKS in 2018. The career and technical education (CTE) TEKS were amended effective August 23, 2010. The CTE TEKS were again amended effective August 28, 2017. The fine arts TEKS were amended effective August 24, 2015. The TEKS for languages other than English (LOTE) were amended effective July 15, 2014, and December 31, 2014. The technology applications TEKS were amended effective September 26, 2011. At the November 2020 meeting, the board gave final approval to the health education TEKS and the physical education TEKS, which are scheduled to be effective August 1, 2022. The board also gave final approval in November 2020 to TEKS for four high school science courses to be implemented beginning with the 2023-2024 school year. At the June 2021 meeting, the SBOE gave final approval to TEKS for five additional high school science courses. At the December 2021 SBOE meeting, the board gave final approval to the TEKS for Kindergarten-Grade 8 science.

At the June 2019 SBOE meeting, the board held a work session to discuss updating the TEKS and instructional materials review and adoption schedule. At the September 2019 meeting, the board approved the schedule through the 2030-2031 school year. The board held another work session to discuss updates to the TEKS and instructional materials review and adoption schedule at the January 2021 meeting. The board approved updates to the TEKS and instructional materials review and adoption schedule at the April 2021 meeting.

Proposed amendments to 19 TAC Chapter 113, Texas Essential Knowledge and Skills for Social Studies, Subchapter A, Elementary, Subchapter B, Middle School, and Subchapter C, High School, is presented as a separate item in this agenda.

BACKGROUND INFORMATION AND JUSTIFICATION: The board received training from a standards writing advisor at the July 2014 meeting. The standards writing advisor provided additional training to Texas Education Agency (TEA) staff in October 2014 to support future facilitation of the TEKS review committees.

In 2017, the SBOE significantly revised the process for the review and revision of the TEKS. The 2017 TEKS review process was used for the streamlining of the social studies TEKS. At the November 2018 meeting, the SBOE approved updates to the 2017 TEKS review and revision process to better clarify the process. The updated process was used for the review of the physical education, health education, and science TEKS.

In early 2019, SBOE began the review of the English Language Proficiency Standards (ELPS) in accordance with the SBOE's approved TEKS and instructional materials review schedule. At the January 2021 meeting, the board held a work session to discuss the timeline for the TEKS review and revision process and associated activities, including updates to State Board for Educator Certification teacher assignment rules and certification exams, adoption of instructional materials, and the completion of the Texas Resource Review. TEA provided an overview of career and technical education (CTE) programs of study and a skills gap analysis to inform the review and revision of the CTE TEKS. The board discussed potential adjustments to the TEKS and Instructional Materials Review and Adoption Schedule. At the April 2021 meeting, the SBOE approved revisions to the TEKS and Instructional Materials Review and Adoption Schedule.

At the June and November 2021 SBOE meetings, the board discussed the review of the social studies TEKS. Work groups were convened to develop recommendations for the social studies TEKS in January, February, March, April, May, June, July, and August 2022. At a special called meeting held August 1, 2022, the SBOE discussed the proposed new social studies TEKS and held a public hearing regarding the new standards. The board determined that it would not move forward with new social studies TEKS at its August/September 2022 meeting. Instead, the board asked TEA staff to bring to the next meeting a draft of the current standards that only adds content to address requirements from Senate Bill (SB) 3, 87th Texas Legislature, Second Called Session, 2021. Proposed revisions to 19 TAC Chapter 113, Subchapters A-C, are presented for first reading and filing authorization as a separate item in this agenda.

Staff Members Responsible:

Monica Martinez, Associate Commissioner, Standards and Programs
Shelly Ramos, Senior Director, Curriculum Standards and Student Support

Discussion of Pending Litigation

November 16, 2022

COMMITTEE OF THE FULL BOARD: DISCUSSION STATE BOARD OF EDUCATION: NO ACTION

SUMMARY: The State Board of Education (SBOE) may enter into executive session in accordance with the Texas Government Code, §551.071(1)(A), to discuss pending and contemplated litigation with the general counsel, legal staff, and, if necessary, attorney(s) from the Attorney General's Office. The Committee of the Full Board will meet in Room 1-103 to discuss this item.

Cases to be discussed may include:

Student v. Conroe ISD, Texas Education Agency and State Board of Education, Civil Cause No. 1:21-CV-01048-LY (U.S. District Court – Western District of Texas (Austin)); and

any other litigation arising after the date of posting or reasonably contemplated as of the date of the board meeting.

BOARD RESPONSE: Board may advise and comment.

BACKGROUND INFORMATION AND JUSTIFICATION: At every regularly scheduled meeting, the SBOE has the opportunity to be apprised of pending litigation as the need arises. The SBOE may also receive continued briefing on procedural developments.

Staff Member Responsible:

Von Byer, General Counsel, Legal Services

COMMITTEE ON INSTRUCTION

**Proposed Amendment to 19 TAC Chapter 74, Curriculum Requirements, Subchapter C, Other Provisions, §74.27, Innovative Courses and Programs
(Second Reading and Final Adoption)**

November 18, 2022

COMMITTEE ON INSTRUCTION: ACTION
STATE BOARD OF EDUCATION: ACTION

SUMMARY: This item presents for second reading and final adoption a proposed amendment to 19 Texas Administrative Code (TAC) Chapter 74, Curriculum Requirements, Subchapter C, Other Provisions, §74.27, Innovative Courses and Programs. The amendment would update the rule to require that applicants for innovative courses must have piloted the proposed course in a Texas school prior to seeking approval. No changes are recommended since approved for first reading.

STATUTORY AUTHORITY: Texas Education Code (TEC), §28.002(f).

TEC, §28.002(f), authorizes local school districts to offer courses in addition to those in the required curriculum for local credit and requires the State Board of Education (SBOE) to be flexible in approving a course for credit for high school graduation.

The full text of statutory citations can be found in the statutory authority section of this agenda.

EFFECTIVE DATE: The proposed effective date of the proposed amendment is 20 days after filing as adopted with the Texas Register. Under TEC, §7.102(f), the SBOE must approve the rule action at second reading and final adoption by a vote of two-thirds of its members to specify an effective date earlier than the beginning of the 2023-2024 school year. The earlier effective date would update the requirements for the submission of innovative course applications for the 2022-2023 application cycle.

PREVIOUS BOARD ACTION: The SBOE adopted §74.27 effective September 1, 1996, with amendments effective September 1, 1998, and September 1, 2001. In November 2007, the SBOE adopted an additional amendment to §74.27 effective December 25, 2007. In November 2019, the SBOE adopted an additional amendment to §74.27 effective December 25, 2019.

The proposed amendment to §74.27 was approved for first reading and filing authorization at the August-September 2022 SBOE meeting.

BACKGROUND INFORMATION AND JUSTIFICATION: After the SBOE adopted new rules concerning graduation requirements, the experimental courses previously approved were phased out as of August 31, 1998. As a result of the adoption of the Texas Essential Knowledge and Skills (TEKS), school districts now submit requests for innovative course approval for courses that do not have TEKS. The process outlined in §74.27 provides authority for the commissioner of education to approve discipline-based courses but reserves for SBOE review and approval those courses that do not fall within any of the subject areas of the foundation or enrichment curriculum.

Each year, the Texas Education Agency (TEA) provides the opportunity for school districts and other entities to submit applications for proposed innovative courses. At the June 2022 SBOE meeting, the Committee on Instruction requested that an item be placed on the August-September 2022 agenda for the board to consider requiring that an applicant for an innovative course pilot the proposed course in a Texas

school prior to seeking approval from the SBOE. The proposed amendment to §74.27 was approved for first reading and filing authorization at the August-September 2022 SBOE meeting.

The attachment to this item reflects the text of the proposed amendment to §74.27 for consideration by the SBOE. The proposed amendment would specify that innovative courses cannot be approved unless they have been piloted in their entirety in a Texas school prior to seeking approval and that data demonstrating successful piloting of the course in Texas be submitted with the application for an innovative course.

No changes are recommended since approved for first reading.

FISCAL IMPACT: No changes have been made to this section since published as proposed.

TEA has determined that there are no additional costs to state or local government required to comply with the proposal.

LOCAL EMPLOYMENT IMPACT: No changes have been made to this section since published as proposed.

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: No changes have been made to this section since published as proposed.

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: No changes have been made to this section since published as proposed.

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: No changes have been made to this section since published as proposed.

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: No changes have been made to this section since published as proposed.

TEA staff prepared a Government Growth Impact Statement assessment for this proposed rulemaking. The proposed rulemaking would expand an existing regulation by modifying the requirements for approval of innovative courses to require that an applicant for an innovative course pilot the proposed course in a Texas school prior to seeking approval from the SBOE.

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 create a new regulation; would not 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: No changes have been made to this section since published as proposed.

The proposal would provide districts and entities that submit applications for innovative courses clearer guidance regarding requirements for approval. There is no anticipated economic cost to persons who are required to comply with the proposal.

DATA AND REPORTING IMPACT: No changes have been made to this section since published as proposed.

The proposal would have no new data and reporting impact.

PRINCIPAL AND CLASSROOM TEACHER PAPERWORK REQUIREMENTS: No changes have been made to this section since published as proposed.

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: Following the August-September 2022 SBOE meeting, notice of the proposed amendment to §74.27 was filed with the Texas Register, initiating the public comment period. The public comment period on the proposal began October 7, 2022, and ended at 5:00 p.m. on November 14, 2022. A summary of public comments received will be provided to the SBOE prior to and during the November 2022 meeting. The SBOE will take registered oral and written comments on the proposal at the appropriate committee meeting in November 2022 in accordance with the SBOE board operating policies and procedures.

MOTION TO BE CONSIDERED: The State Board of Education:

Approve for second reading and final adoption the proposed amendment to 19 TAC Chapter 74, Curriculum Requirements, Subchapter C, Other Provisions, §74.27, Innovative Courses and Programs; and

Make an affirmative finding that immediate adoption of the proposed amendment to 19 TAC Chapter 74, Curriculum Requirements, Subchapter C, Other Provisions, §74.27, Innovative Courses and Programs, is necessary and shall have an effective date of 20 days after filing with the Texas Register. *(Per TEC, §7.102(f), a vote of two-thirds of the members of the board is necessary for an earlier effective date.)*

Staff Members Responsible:

Monica Martinez, Associate Commissioner, Standards and Programs
Shelly Ramos, Senior Director, Curriculum Standards and Student Support

Attachment:

Text of Proposed Amendment to 19 TAC Chapter 74, Curriculum Requirements, Subchapter C, Other Provisions, §74.27, Innovative Courses and Programs

ATTACHMENT
Text of Proposed Amendment to 19 TAC

Chapter 74. Curriculum Requirements

Subchapter C. Other Provisions

§74.27. Innovative Courses and Programs.

- (a) A school district may offer innovative courses to enable students to master knowledge, skills, and competencies not included in the essential knowledge and skills of the required curriculum.
- (1) The State Board of Education (SBOE) may approve any course that does not fall within any of the subject areas listed in the foundation and enrichment curricula when the applying school district or organization demonstrates that the proposed course is academically rigorous and addresses documented student needs.
 - (2) The commissioner of education may approve a discipline-based course in the foundation or enrichment curriculum when the applying school district or organization demonstrates that the proposed course is academically challenging and addresses documented student needs.
 - (3) Applications shall not be approved if the proposed course significantly duplicates the content of a Texas Essential Knowledge and Skills (TEKS)-based course or can reasonably be taught within an existing TEKS-based course.
 - (4) To request approval from the SBOE or the commissioner, the applying school district or organization must submit a request for approval at least six months before planned implementation that includes:
 - (A) a description of the course and its essential knowledge and skills;
 - (B) the rationale and justification for the request in terms of student need;
 - (C) data that demonstrates successful ~~implementation or~~ piloting of the course in Texas ;
 - (D) a description of activities, major resources, and materials to be used;
 - (E) the methods of evaluating student outcomes;
 - (F) the qualifications of the teacher;
 - (G) any training required in order to teach the course and any associated costs; and
 - (H) the amount of credit requested.
 - (5) To request approval from the commissioner for a career and technical education innovative course, the applying school district or organization must submit with its request for approval evidence that the course is aligned with state and/or regional labor market data.
 - ~~(6)~~ To request approval of a new innovative course, the applying school district or organization must submit with its request for approval evidence that the course has been successfully piloted in its entirety in at least one school in the state of Texas.
 - ~~(7)~~ ~~(6)~~ With the approval of the local board of trustees, a school district may offer, without modifications, any state-approved innovative course.
- (b) (No change.)

**Proposed New 19 TAC Chapter 111, Texas Essential Knowledge and Skills for Mathematics,
Subchapter D, Other High School Mathematics Courses, §111.56, Advanced Placement (AP)
Precalculus (One Credit)
(First Reading and Filing Authorization)**

November 18, 2022

COMMITTEE ON INSTRUCTION: ACTION
STATE BOARD OF EDUCATION: ACTION

SUMMARY: This item presents for first reading and filing authorization proposed new 19 Texas Administrative Code (TAC) Chapter 111, Texas Essential Knowledge and Skills for Mathematics, Subchapter D, Other High School Mathematics Courses, §111.56, Advanced Placement (AP) Precalculus (One Credit). The proposal would add a new Advanced Placement (AP) mathematics course to align with current offerings from the College Board.

STATUTORY AUTHORITY: Texas Education Code (TEC), §§7.102(c)(4); 28.002(a) and (c); and 28.025(a).

TEC, §7.102(c)(4), requires the State Board of Education (SBOE) to establish curriculum and graduation requirements.

TEC, §28.002(a), identifies the subjects of the required curriculum.

TEC, §28.002(c), requires the SBOE to identify by rule 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.

TEC, §28.025(a), requires the SBOE to determine by rule the curriculum requirements for the foundation high school graduation program that are consistent with the required curriculum under TEC, §28.002.

The full text of statutory citations can be found in the statutory authority section of this agenda.

EFFECTIVE DATE: The proposed effective date of the proposed new section is August 1, 2023. Under TEC, §7.102(f), the SBOE must approve the rule action at second reading and final adoption by a vote of two-thirds of its members to specify an effective date earlier than the beginning of the 2023-2024 school year. The earlier effective date will allow students in Texas to earn state credit toward graduation in the first school year the course is made available by College Board.

PREVIOUS BOARD ACTION: The SBOE adopted the Texas Essential Knowledge and Skills (TEKS) for mathematics effective September 1, 1998. The mathematics TEKS were amended effective August 1, 2006. The secondary mathematics TEKS were amended effective February 22, 2009. The mathematics TEKS were again amended effective September 12, 2012. At the August-September 2022 meeting, the SBOE discussed the addition of a new AP Precalculus course that has been created by the College Board.

BACKGROUND INFORMATION AND JUSTIFICATION: For students to earn state credit toward specific graduation requirements, a course must be approved by the SBOE and included in SBOE administrative rule. In September 2023, the College Board will add a new mathematics course to its AP course catalog. The proposed new rule would add a new AP course to the mathematics TEKS so that

school districts and charter schools may offer the new AP Precalculus course for state credit toward mathematics graduation requirements.

FISCAL IMPACT: Texas Education Agency (TEA) has determined that 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: 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 TEKS for a new AP mathematics course.

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: The proposal would add flexibility in course options for students to meet high school graduation requirements. 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 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 December 23, 2022, and ends at 5:00 p.m. on January 27, 2023. The SBOE will take registered oral and written comments on the proposal at the appropriate committee meeting in January 2023 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 December 23, 2022.

MOTION TO BE CONSIDERED: The State Board of Education:

Approve for first reading and filing authorization proposed new 19 TAC Chapter 111, Texas Essential Knowledge and Skills for Mathematics, Subchapter D, Other High School Mathematics Courses, §111.56, Advanced Placement (AP) Precalculus (One Credit).

Staff Members Responsible:

Monica Martinez, Associate Commissioner, Standards and Programs

Shelly Ramos, Senior Director, Curriculum Standards and Student Support

Attachment:

Text of Proposed New 19 TAC Chapter 111, Texas Essential Knowledge and Skills for Mathematics, Subchapter D, Other High School Mathematics Courses, §111.56, Advanced Placement (AP) Precalculus (One Credit)

ATTACHMENT
Text of Proposed New 19 TAC

Chapter 111. Texas Essential Knowledge and Skills for Mathematics

Subchapter D. Other High School Mathematics Courses

§111.56. Advanced Placement (AP) Precalculus (One Credit).

- (a) General requirements. Students shall be awarded one credit for successful completion of this course. Recommended prerequisites: Algebra II and Geometry.
- (b) Content requirements. Content requirements for Advanced Placement (AP) Precalculus are prescribed in the College Board Publication Advanced Placement Course Description Mathematics: Precalculus, published by The College Board. This publication may be obtained from the College Board Advanced Placement Program.

**Proposed Revisions to 19 TAC Chapter 127, Texas Essential Knowledge and Skills for Career Development and Career and Technical Education, Subchapter A, Middle School
(First Reading and Filing Authorization)**

November 18, 2022

**COMMITTEE ON INSTRUCTION: ACTION
STATE BOARD OF EDUCATION: ACTION**

SUMMARY: This item presents for first reading and filing authorization proposed revisions to 19 Texas Administrative Code (TAC) Chapter 127, Texas Essential Knowledge and Skills for Career Development and Career and Technical Education, Subchapter A, Middle School. The proposed revisions would repeal two existing middle school courses, add a new middle school course, and repeal implementation language that will no longer be relevant.

STATUTORY AUTHORITY: Texas Education Code (TEC), §§7.102(c)(4), 28.002(a) and (c), and 28.016.

TEC, §7.102(c)(4), requires the State Board of Education (SBOE) to establish curriculum and graduation requirements.

TEC, §28.002(a), identifies the subjects of the required curriculum.

TEC, §28.002(c), requires the SBOE to identify by rule 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.

TEC, §28.016, requires each school district to ensure that at least once in Grade 7 or 8 each student receives instruction in high school, college, and career preparation. TEC, §28.016(c)(2), permits school districts to provide the instruction as part of an existing career and technical education course designated by the SBOE as appropriate for that purpose.

The full text of statutory citations can be found in the statutory authority section of this agenda.

EFFECTIVE DATE: The proposed effective date of the proposed revisions is August 1, 2023. Under TEC, §7.102(f), the SBOE must approve the rule action at second reading and final adoption by a vote of two-thirds of its members to specify an effective date earlier than the beginning of the 2023-2024 school year. The earlier effective date will allow all school districts including districts of innovation to implement the new course at the beginning of their school year.

PREVIOUS BOARD ACTION: The SBOE adopted §127.2, Investigating Careers, Adopted 2015, and §127.3, College and Career Readiness, Adopted 2015, effective August 28, 2017. At the August-September 2022 meeting, the SBOE discussed a proposed new Flight Plans course that would replace the two existing middle school college and career exploration courses.

BACKGROUND INFORMATION AND JUSTIFICATION: TEC, §28.016, requires each school district to ensure that at least once in Grade 7 or 8 each student receives instruction in high school, college, and career preparation. The instruction must include information regarding the creation of a high school personal graduation plan, the distinguished level of achievement, each endorsement, college readiness standards, and potential career choices and the education needed to enter those careers. School

districts are permitted to provide the instruction as part of an existing career and technical education course designated by the SBOE as appropriate for that purpose.

At the request of a board member, the board will consider replacing two existing courses with a single updated course in college and career investigation and preparation. Proposed new §127.2, Flight Plans, Adopted 2022, would be available for districts to use in meeting the requirements of TEC, §28.016.

The implementation section for the subchapter would be repealed and new implementation language added to proposed new §127.2 to align with the changes.

FISCAL IMPACT: Texas Education Agency (TEA) has determined that there are no additional costs to the state. During the first five years the proposal is in effect, there may be fiscal implications for school districts and open-enrollment charter schools to implement the proposed new course, which may include the need for professional development and revisions to district-developed databases, curriculum, and scope and sequence documents. Since curriculum and instruction decisions are made at the local district level, it is difficult to estimate the fiscal impact on any given district.

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: TEA staff prepared a Government Growth Impact Statement assessment for this proposed rulemaking. The proposed rulemaking would create a new regulation and repeal existing regulations by adding Texas Essential Knowledge and Skills for a new college and career exploration course and removing existing courses and related implementation language.

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 or limit 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: The proposed revisions would update and streamline the standards for college and career exploration to ensure the standards remain current. 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 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 December 23, 2022, and ends at 5:00 p.m. on January 27, 2023. The SBOE will take registered oral and written comments on the proposal at the appropriate committee meeting in January 2023 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 December 23, 2022.

MOTION TO BE CONSIDERED: The State Board of Education:

Approve for first reading and filing authorization proposed revisions to 19 TAC Chapter 127, Texas Essential Knowledge and Skills for Career Development and Career and Technical Education, Subchapter A, Middle School.

Staff Members Responsible:

Monica Martinez, Associate Commissioner, Standards and Programs

Shelly Ramos, Senior Director, Curriculum Standards and Student Support

Attachment:

Text of Proposed Revisions to 19 TAC Chapter 127, Texas Essential Knowledge and Skills for Career Development and Career and Technical Education, Subchapter A, Middle School

ATTACHMENT
Text of Proposed Revisions to 19 TAC

Chapter 127. Texas Essential Knowledge and Skills for Career Development and Career and Technical Education

Subchapter A. Middle School

§127.1. Implementation of Texas Essential Knowledge and Skills for Career Development, Middle School, Adopted 2015.

- ~~(a) The provisions of this subchapter shall be implemented by school districts beginning with the 2017-2018 school year.~~
- ~~(b) No later than August 31, 2016, the commissioner of education shall determine whether instructional materials funding has been made available to Texas public schools for materials that cover the essential knowledge and skills for career development as adopted in §127.2 and §127.3 of this subchapter.~~
- ~~(c) If the commissioner makes the determination that instructional materials funding has been made available under subsection (b) of this section, §127.2 and §127.3 of this subchapter shall be implemented beginning with the 2017-2018 school year and apply to the 2017-2018 and subsequent school years.~~
- ~~(d) If the commissioner does not make the determination that instructional materials funding has been made available under subsection (b) of this section, the commissioner shall determine no later than August 31 of each subsequent school year whether instructional materials funding has been made available. If the commissioner determines that instructional materials funding has been made available, the commissioner shall notify the State Board of Education and school districts that §127.2 and §127.3 of this subchapter shall be implemented for the following school year.~~

§127.2. Investigating Careers, Adopted 2015.

- ~~(a) General requirements. This course is recommended for students in Grades 7 and 8.~~
- ~~(b) Introduction.
 - ~~(1) Career and technical education instruction provides content aligned with challenging academic standards and relevant technical knowledge and skills for students to further their education and succeed in current or emerging professions.~~
 - ~~(2) Career development is a lifelong pursuit of answers to the questions: Who am I? Why am I here? What am I meant to do with my life? It is vital that students have a clear sense of direction for their career choice. Career planning is a critical step and is essential to success.~~
 - ~~(3) The goal of this course is to create a foundation for success in high school, future studies, and careers such as Science, Technology, Engineering, and Mathematics; Business and Industry; Public Service; Arts and Humanities; and Multidisciplinary Studies. The students research labor-market information, learn job seeking skills, and create documents required for employment.~~
 - ~~(4) Students are encouraged to participate in extended learning experiences such as career and technical student organizations and other leadership or extracurricular organizations.~~
 - ~~(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.~~~~
- ~~(c) Knowledge and skills.
 - ~~(1) The student investigates one or more careers within the 16 career clusters. The student is expected to:
 - ~~(A) identify the various career opportunities within one or more career clusters; and~~
 - ~~(B) identify the pathways within one or more career clusters.~~~~~~

- ~~(2) — The student investigates career pathways in one or more of the 16 career clusters. The student is expected to:~~
- ~~(A) — research the academic requirements for one or more of the careers in an identified cluster;~~
 - ~~(B) — research the certification or educational requirements for careers; and~~
 - ~~(C) — describe the technical skill requirements for careers.~~
- ~~(3) — The student investigates the professional skills needed for college and career success. The student is expected to:~~
- ~~(A) — apply core academic skills to meet personal, academic, and career goals;~~
 - ~~(B) — investigate the importance of co-curricular, extracurricular, career preparation, and extended learning experiences;~~
 - ~~(C) — investigate the steps required to participate in a variety of career and educational opportunities, including, but not limited to, entry level employment, military service, apprenticeships, community and technical colleges, and universities;~~
 - ~~(D) — identify professional associations affiliated with a career pathway;~~
 - ~~(E) — recognize the value of community service and volunteerism; and~~
 - ~~(F) — demonstrate characteristics required for personal and professional success such as work ethics, integrity, dedication, perseverance, and interacting with diverse populations.~~
- ~~(4) — The student investigates labor market information. The student is expected to:~~
- ~~(A) — analyze national, state, regional, and local labor market information;~~
 - ~~(B) — classify evidence of high skill, high wage, or high demand occupations based on analysis of labor market information; and~~
 - ~~(C) — analyze the effects of changing employment trends, societal needs, and economic conditions on career planning.~~
- ~~(5) — The student investigates job seeking skills. The student is expected to:~~
- ~~(A) — identify the steps for an effective job search;~~
 - ~~(B) — describe appropriate appearance for an interview; and~~
 - ~~(C) — participate in a mock interview.~~
- ~~(6) — The student creates professional documents required for employment. The student is expected to:~~
- ~~(A) — develop a resume;~~
 - ~~(B) — write appropriate business correspondence such as a letter of intent and a thank you letter;~~
 - ~~(C) — complete sample job applications; and~~
 - ~~(D) — explain protocol for selecting and using references.]~~

[§127.3. College and Career Readiness, Adopted 2015.]

- ~~(a) — General requirements. This course is recommended for students in Grades 7 and 8.~~
- ~~(b) — Introduction.~~

- ~~(1) — Career and technical education instruction provides content aligned with challenging academic standards and relevant technical knowledge and skills for students to further their education and succeed in current or emerging professions.~~

- ~~(2) Career development is a lifelong pursuit of answers to the questions: Who am I? Why am I here? What am I meant to do with my life? It is vital that students have a clear sense of direction for their career choice. Career planning is a critical step and is essential to success.~~
- ~~(3) The career development process is unique to every person and evolves throughout one's life. Students will use decision-making and problem-solving skills for college and career planning. Students will explore valid, reliable educational and career information to learn more about themselves and their interests and abilities. Students integrate skills from academic subjects, information technology, and interpersonal communication to make informed decisions. This course is designed to guide students through the process of investigation and in the development of a college and career readiness achievement plan. Students will use interest inventory software or other tools available to explore college and career areas of personal interest. Students will use this information to explore educational requirements for various colleges and a variety of chosen career paths.~~
- ~~(4) Students are encouraged to participate in extended learning experiences such as career and technical student organizations and other leadership or extracurricular organizations.~~
- ~~(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.~~
- ~~(c) Knowledge and skills:~~
- ~~(1) The student explores career assessments as related to college and career planning. The student is expected to:~~
- ~~(A) analyze and discuss the initial results of career assessments;~~
 - ~~(B) explore the 16 career clusters;~~
 - ~~(C) research trending fields related to career interest areas;~~
 - ~~(D) determine academic requirements in related career fields; and~~
 - ~~(E) research educational options and requirements using available resources.~~
- ~~(2) The student analyzes college and career opportunities. The student is expected to:~~
- ~~(A) determine academic requirements for transitioning to high school;~~
 - ~~(B) explore opportunities for earning college credit in high school such as advanced placement courses, International Baccalaureate courses, dual credit, and local and statewide articulated credit;~~
 - ~~(C) develop an awareness of financial aid, scholarships, and other sources of income as well as college savings to support college and career advancement;~~
 - ~~(D) discuss the impact of effective college and career planning;~~
 - ~~(E) demonstrate decision-making skills related to school and community issues, programs of study, and college and career planning; and~~
 - ~~(F) identify how performance on assessments such as the PSAT/NMSQT®, SAT®, ACT®, ASVAB®, and Texas Success Initiative (TSI®) impact personal academic and career goals.~~
- ~~(3) The student evaluates skills for personal success. The student is expected to:~~
- ~~(A) use interpersonal skills to facilitate effective teamwork;~~
 - ~~(B) use problem-solving models and critical thinking skills to make informed decisions;~~
 - ~~(C) use effective time management and goal-setting strategies;~~
 - ~~(D) identify skills that can be transferable among a variety of careers;~~
 - ~~(E) create a personal career portfolio;~~

- ~~(F) — make oral presentations that fulfill specific purposes using appropriate technology; and~~
- ~~(G) — identify entrepreneurial opportunities within a field of personal interest.~~
- ~~(4) — The student recognizes the impact of college and career choices on personal lifestyle. The student is expected to:~~
 - ~~(A) — prepare a personal budget reflecting the student's desired lifestyle; and~~
 - ~~(B) — use resources to compare and contrast salaries of at least three careers in the student's interest area.~~
- ~~(5) — The student demonstrates an understanding of financial management. The student is expected to:~~
 - ~~(A) — compare the advantages and disadvantages of different types of money management services;~~
 - ~~(B) — simulate opening and maintaining different types of financial accounts;~~
 - ~~(C) — simulate different methods of withdrawals and deposits;~~
 - ~~(D) — reconcile financial statements, including fees and services;~~
 - ~~(E) — compare and contrast forms of credit, including credit cards and debit cards;~~
 - ~~(F) — discuss the importance of credit scores;~~
 - ~~(G) — discuss the impact of identity theft on credit; and~~
 - ~~(H) — examine the effects of poor credit scores as they relate to personal finance and career opportunities.~~
- ~~(6) — The student develops skills for professional success. The student is expected to:~~
 - ~~(A) — demonstrate effective verbal, nonverbal, written, and electronic communication skills;~~
 - ~~(B) — evaluate the impact of positive and negative personal choices, including use of electronic communications such as social networking sites;~~
 - ~~(C) — model characteristics of effective leadership, teamwork, and conflict management;~~
 - ~~(D) — recognize the importance of a healthy lifestyle, including the ability to manage stress; and~~
 - ~~(E) — explore characteristics necessary for professional success such as work ethics, integrity, dedication, perseverance, and interactions with diverse populations.]~~

§127.2. Flight Plans, Adopted 2022.

- ~~(a) Implementation. The provisions of this section shall be implemented by school districts beginning with the 2023-2024 school year.~~
- ~~(b) General requirements. This course is recommended for students in Grades 7 and 8.~~
- ~~(c) Introduction.~~
 - ~~(1) Career and technical education (CTE) instruction provides content aligned with challenging academic standards and relevant technical knowledge and skills for students to further their education and succeed in current or emerging professions.~~
 - ~~(2) Career development is a lifelong pursuit of answers to the questions: Who am I? Why am I here? What am I meant to do with my life? Will my desired career path provide a self-sufficient wage? What occupations are in the highest demand that align to my values and interests? It is vital that students have a clear sense of direction for their career choice. Education and career planning is a critical step and is essential to success.~~
 - ~~(3) The career development process is unique to every person and evolves throughout one's life. In Flight Plans, students use decision-making and problem-solving skills for individual career and~~

academic planning. Students explore valid, reliable educational and career information to learn more about themselves and their interests and abilities. Students integrate skills from academic subjects, information technology, and interpersonal communication to make informed decisions. This course is designed to guide students through the process of investigating and developing a college and career readiness flight plan. Students use aptitude and interest inventory assessments, software, or other tools available to explore college and career areas of personal interest. Students use this information to explore a variety of career paths, especially those in demand, and begin mapping their anticipated secondary coursework and potential postsecondary experiences that are in alignment with their goals.

- (4) The goal of this course is to help students build career awareness and engage in deep exploration and study of the Texas CTE career clusters to create a foundation for success in high school, possible postsecondary studies, and careers. Students research labor market information, learn job-seeking skills, and create documents required for employment.
 - (5) Students are encouraged to explore and participate in extended learning experiences such as career and technical student organizations and other leadership or extracurricular organizations.
 - (6) 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.
- (d) Knowledge and skills.
- (1) The student takes one or more career interest surveys, aptitude tests, or career assessments and explores various college and career options. The student is expected to:
 - (A) analyze and discuss the initial results of the assessments;
 - (B) explore and describe the CTE career clusters;
 - (C) identify various career opportunities within one or more career clusters; and
 - (D) research and evaluate emerging occupations related to career interest areas.
 - (2) The student investigates educational and training requirements for career and education pathways in one or more of the career clusters. The student is expected to:
 - (A) research and describe applicable academic, technical, certification, and training requirements for one or more of the careers in an identified career cluster; and
 - (B) use available resources to research and evaluate educational and training options for one or more of the careers in an identified career cluster.
 - (3) The student analyzes educational and career opportunities. The student is expected to:
 - (A) describe academic requirements for transitioning from middle school to high school and from high school to career or postsecondary education;
 - (B) explore and list opportunities for earning college credit in high school such as Advanced Placement examinations, International Baccalaureate examinations, dual credit courses, and local and statewide articulated credit courses;
 - (C) investigate and describe various methods available to pay for college and other postsecondary training, including financial aid, scholarships, college savings, employee benefits, and other sources of income;
 - (D) discuss the impact of effective college and career planning;
 - (E) identify how performance on assessments such as the PSAT/NMSQT®, SAT®, ACT®, ASVAB®, and Texas Success Initiative (TSI®) impact personal academic and career goals;
 - (F) investigate and describe the importance of co-curricular, extracurricular, career preparation, and extended learning experiences in developing college applications or resumes;

- (G) investigate and report on the steps required to participate or enroll in a variety of career and educational opportunities, including entry-level employment, military service, apprenticeships, community and technical colleges, and universities, as applicable to the career;
 - (H) identify professional associations affiliated with a particular career pathway; and
 - (I) define entrepreneurship and identify entrepreneurial opportunities within a field of personal interest.
- (4) The student develops skills for personal success. The student is expected to:
- (A) demonstrate effective time-management and goal-setting strategies;
 - (B) identify skills that can be transferable among a variety of careers;
 - (C) give oral professional presentations on a topic related to career and college exploration using appropriate technology;
 - (D) apply core academic skills to meet personal, academic, and career goals;
 - (E) explain the value of community service and volunteerism; and
 - (F) define and identify examples in the workplace of characteristics required for personal and professional success such as work ethic, integrity, dedication, and perseverance.
- (5) The student investigates labor market information and recognizes the impact of college and career choices on personal lifestyle. The student is expected to:
- (A) analyze labor market trends related to a career of interest;
 - (B) classify evidence of high-skill, high-wage, or high-demand occupations based on analysis of labor market information;
 - (C) analyze the effects of changing employment trends, societal needs, and economic conditions on career choices;
 - (D) prepare a personal budget reflecting the student's desired lifestyle; and
 - (E) use resources to compare salaries of at least three careers in the student's interest area.
- (6) The student investigates job-seeking skills. The student is expected to:
- (A) identify the steps of an effective job search;
 - (B) describe appropriate appearance for an interview; and
 - (C) participate in a mock interview.
- (7) The student creates professional documents required for employment. The student is expected to:
- (A) write a resume;
 - (B) write appropriate business correspondence such as a cover letter and a thank you letter;
 - (C) complete sample job applications; and
 - (D) explain protocol for selecting and using references.
- (8) The student creates an individual career and academic plan. The student is expected to:
- (A) select a career pathway in a desired field, such as military service, entrepreneurship, or industry;
 - (B) document high school courses and postsecondary educational requirements for that career pathway; and
 - (C) write a plan for starting one's career after the completion of high school and any post-secondary education.

Approval of Updates and Substitutions to Adopted Instructional Materials

November 18, 2022

COMMITTEE ON INSTRUCTION: ACTION STATE BOARD OF EDUCATION: CONSENT

SUMMARY: This item provides the opportunity for the committee and board to approve update and/or substitution requests received since the last board meeting. The updated content has been reviewed by subject-area specialists and determined to address the pertinent student expectations in a manner equal to the content initially reviewed and approved by the state review panel.

STATUTORY AUTHORITY: Texas Education Code (TEC), §31.003 and §31.022.

TEC, §31.003, permits the State Board of Education (SBOE) to adopt rules for the adoption, requisition, distribution, care, use, and disposal of instructional materials.

TEC, §31.022(b), requires the SBOE to adopt rules to provide for a full and complete investigation of instructional materials for each subject in the foundation curriculum and for each subject in the enrichment curriculum.

The full text of statutory citations can be found in the statutory authority section of this agenda.

PREVIOUS BOARD ACTION: In February 2015, the SBOE approved a substitution request for three science products, kindergarten–grade 2, from Discovery Education. In April 2016, the SBOE approved an update request for two math products, grades 6–8, from Texas State University. In April 2019, the Committee on Instruction (COI) postponed a vote on an update request for three English language arts and reading products, grades 6–8, from ThinkCERCA. The board approved the update request from ThinkCERCA at the June 2019 meeting. At the September 2019 meeting, the SBOE postponed a vote on an update request from EDUSPARK, Inc. for four Spanish language arts and reading products, kindergarten, and grades 1, 4, and 5. The request from EDUSPARK, Inc. was approved by the SBOE at the November 2019 meeting. In January 2020, a substitution request from Origo Education for English and Spanish math, kindergarten–grade 5, was submitted to the COI but no action was taken. In April 2020, the SBOE approved the substitution request from Origo Education for English and Spanish math, kindergarten–grade 5. In September 2020, the SBOE approved an update request from Learning A–Z for six English language arts and reading products, kindergarten–grade 2. In November 2020, the SBOE approved an update request from Learning A–Z for three English language arts and reading products, grades 2–4. In January 2021, the SBOE approved an update request from Learning A–Z for English language arts and reading, grade 5 and a substitution request from QuaverEd for their prekindergarten product. In April 2021, the SBOE approved an update request from EDUSPARK, Inc. for English and Spanish prekindergarten products and a substitution request from Cheng & Tsui Co. Inc. for their Chinese Level I languages other than English product. In June 2021, the SBOE approved an update request from Learning A–Z for English language arts and reading, grades 2–4. In September 2021, the SBOE approved update requests from The Children’s Learning Institute at UT Health Science Center for prekindergarten English and Spanish. In November 2021, the SBOE approved a substitution request from Cheng & Tsui and an update request from Learning A–Z, grades 1–5. In January 2022, the SBOE approved update requests from Learning A–Z, English language arts and reading, grades 2 and 3. In April 2022, the SBOE approved a substitution request from Learning Without Tears for kindergarten handwriting, and an update request from Learning A–Z for English language arts and reading, grades K–4. In June 2022, the SBOE approved an update request from Learning A–Z for English language arts and reading, grades 2–5. In

September 2022, the SBOE approved update requests from Learning A–Z for English language arts and reading, grades 2–5 and from Goodheart-Wilcox Publisher for health, grades 6–8 and high school.

BACKGROUND INFORMATION AND JUSTIFICATION: Rules in 19 TAC §66.75 permit a publisher to submit a request for approval to substitute an updated edition of state-adopted instructional materials. The rule also requires that all requests for updates involving content in state-adopted instructional materials be approved by the SBOE prior to their introduction into state-adopted instructional materials.

Rules in 19 TAC §66.76 permit a publisher to submit a request for approval to substitute a new edition of state-adopted instructional materials. The rule also requires that all requests for updates involving content used in determining the product's eligibility for adoption must be approved by the SBOE prior to their introduction into state-adopted instructional materials.

MOTION TO BE CONSIDERED: The State Board of Education:

Approve the request from Learning A–Z to update content in its product *Raz Plus ELL Texas Edition*, grades K–5, adopted under *Proclamation 2019*.

Staff Members Responsible:

Amie Phillips, Director, Instructional Materials Review

Attachment I:

[Learning A–Z English language arts and reading, grade K](#)

Attachment II:

[Learning A–Z English language arts and reading, grade 1](#)

Attachment III:

[Learning A–Z English language arts and reading, grade 2](#)

Attachment IV:

[Learning A–Z English language arts and reading, grade 3](#)

Attachment V:

[Learning A–Z English language arts and reading, grade 4](#)

Attachment VI:

[Learning A–Z English language arts and reading, grade 5](#)

Separate Exhibit:

Additional Updates and/or Substitutions Submitted for Approval
(to be provided at the November 2022 SBOE meeting)

Approval of Agriculture Education Programs List

November 18, 2022

COMMITTEE ON INSTRUCTION: ACTION

STATE BOARD OF EDUCATION: ACTION

SUMMARY: This item presents the opportunity for the board to review and approve the list of elementary agriculture education programs available for use by school districts and charter schools as required by Senate Bill 801, 87th Texas Legislature, Regular Session, 2021.

STATUTORY AUTHORITY: Texas Education Code (TEC), §7.102(c)(4) and §29.926.

TEC, §7.102(c)(4), requires the State Board of Education (SBOE) to establish curriculum and graduation requirements.

TEC, §29.926, requires the Texas Education Agency (TEA) to develop a list of agriculture education programs approved by the agency and the SBOE that may be used as part of the curriculum for elementary school students at no cost to the school district or open-enrollment charter school.

The full text of statutory citations can be found in the statutory authority section of this agenda.

BACKGROUND INFORMATION AND JUSTIFICATION: In 2021, the 87th Texas Legislature, Regular Session, passed Senate Bill 801, adding TEC §29.926, to require TEA to develop an agriculture education program for elementary school students to encourage appreciation for and improve students' understanding of agriculture. The legislation requires TEA to develop the program in coordination with the Texas Department of Agriculture (TDA) and nonprofit organizations. Additionally, the legislation requires that the agency develop a list of agriculture education programs to be approved by the agency and the SBOE that may be used as part of the curriculum for elementary school students. Programs included on the list must be available at no cost to school districts and open-enrollment charter schools.

The proposed list of free elementary agriculture programs for consideration by the SBOE is included as an attachment to this item. If approved, the list will be posted on the TEA website after the November 2022 meeting.

MOTION TO BE CONSIDERED: The State Board of Education:

Approve the list of elementary agriculture education programs available for use by school districts and charter schools.

Staff Members Responsible:

Monica Martinez, Associate Commissioner, Standards and Programs

Shelly Ramos, Senior Director, Curriculum Standards and Student Support

Separate Exhibit:

Proposed List of Elementary Agriculture Education Programs
(to be provided at the November 2022 SBOE meeting)

Consideration of Petition for Amendment of Rule Concerning 19 TAC Chapter 74, Curriculum Requirements, Subchapter B, Graduation Requirements, §74.12, Foundation High School Program

November 18, 2022

**COMMITTEE ON INSTRUCTION: ACTION
STATE BOARD OF EDUCATION: ACTION**

SUMMARY: A petition to amend 19 Texas Administrative Code (TAC) Chapter 74, Curriculum Requirements, Subchapter B, Graduation Requirements, §74.12, Foundation High School Program, has been received from the Texas Speech Communication Association. The petition requests that the rule be amended to allow Oral Interpretation I-III to satisfy a fine arts graduation requirement. This item provides an opportunity for the State Board of Education (SBOE) to consider the petition.

STATUTORY AUTHORITY: Texas Government Code (TGC), §2001.021; Texas Education Code (TEC), §28.002 and §28.025; and 19 TAC §30.1.

Texas Government Code, §2001.021, provides that any interested person may petition a state agency adopt a rule change. It also requires a state agency to either deny the petition in writing or initiate rulemaking proceedings.

TEC, §28.002, identifies the subjects of the required curriculum and requires the SBOE to identify by rule 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.

TEC, §28.025, requires the SBOE to determine by rule the curriculum requirements for the foundation high school graduation program that are consistent with the required curriculum under the TEC, §28.002.

19 TAC §30.1 allows any interested person to petition the SBOE for the adoption, amendment, or repeal of an SBOE rule and establishes the procedures for the review of a petition for a rule change.

The full text of statutory citations can be found in the statutory authority section of this agenda.

BACKGROUND INFORMATION AND JUSTIFICATION: Ms. Lacy Cannon of the Texas Speech Communication Association submitted to the SBOE a petition requesting that Oral Interpretation I, II, and III satisfy the one-credit fine arts graduation requirement. Specifically, the petitioner has requested the SBOE amend 19 TAC §74.12(b)(7) by adding new §74.12(b)(7)(C) to read, "In accordance with local district policy, credit may be earned through participation in Oral Interpretation I, II, or III." The petitioner also recommended adding new §74.12(b)(7)(D) to specify that no more than four credits may be earned through any combination of Oral Interpretation I-III. The petitioner stated that the Texas Essential Knowledge and Skills (TEKS) for Oral Interpretation I-III are performative in nature and are, therefore, aligned with the spirit of the fine arts. The petitioner stated that, "Oral Interpretation is also a quintessential example of a subject that embraces the fine arts. Through the study, analysis, and verbal performance of literature, students develop an appreciation for and more thorough grasp of the fine arts." The petition, which provides the petitioner's rationale and justification, is presented in the attachment of this item.

State law requires the SBOE to determine by rule the curriculum requirements for the Foundation High School Program for graduation. In accordance with TEC, §28.025(b-1)(7), the SBOE must include a

requirement that students successfully complete one credit in fine arts. The SBOE rule for the Foundation High School Program is outlined in 19 TAC §74.12.

Fine arts courses in art, dance, music, music studies, theatre, floral design, digital art and animation, and 3-D modeling and animation that may satisfy the fine arts graduation requirement are specified in 19 TAC §74.12(b)(7). A district may also allow a student to earn credit through participation in a community-based fine arts program not provided by the school district in which the student is enrolled. In order for participation in a community-based fine arts program to satisfy the state graduation credit in fine arts, instruction in the TEKS identified for a fine arts course as defined by 19 TAC Chapter 117, Texas Essential Knowledge and Skills for Fine Arts, Subchapter C, High School, must be provided through the program. The district must also apply to the commissioner of education for approval of such programs.

Revisions to high school English elective courses in 19 TAC Chapter 110, Texas Essential Knowledge and Skills for English Language Arts and Reading, Subchapter C, High School, including Oral Interpretation I-III, were adopted in 2010. At that time, the TEKS review committees did not recommend any English elective courses to satisfy the fine arts requirement.

The TEKS for Oral Interpretation I-III are not aligned with the standards for fine arts nor do they include all of the components included in fine arts and career and technical education courses that may currently satisfy a fine arts graduation credit. The petitioner requests that participation in Oral Interpretation I-III, rather than successful completion of one of the courses, be used to satisfy a fine arts credit requirement. Additionally, in their justification for the rule change the petitioner asks that students have the option of earning both elective credit and credit toward the fine arts graduation requirement for participation in Oral Interpretation I-III. Such a change would award two credits toward high school graduation for Oral Interpretation I-III, which are identified in rule as one-credit courses. Therefore, TEA staff recommends that the SBOE deny the petition.

MOTION TO BE CONSIDERED: The State Board of Education:

Deny the petition to amend the rule concerning fine arts courses eligible for graduation requirements because Oral Interpretation I, II, and III are not aligned with fine arts courses.

Staff Members Responsible:

Monica Martinez, Associate Commissioner, Standards and Programs
Shelly Ramos, Senior Director, Curriculum Standards and Student Support

Attachment I:

Petition to Amend Rule Concerning Fine Arts Graduation Requirements

Attachment II:

Text of 19 TAC Chapter 74, Curriculum Requirements, Subchapter B, Graduation Requirements, §74.12, Foundation High School Program

ATTACHMENT I

Figure: 19 TAC §30.1(a)

STATE BOARD OF EDUCATION
Petition for Adoption of a Rule

The Texas Government Code, §2001.021, provides that any interested person may petition an agency requesting the adoption of a rule.

Petitions should be signed and submitted to:

Commissioner of Education
Texas Education Agency, 1701 North Congress Avenue, Austin, Texas 78701-1494

Name: Lacy Cannon

Affiliation/Organization (if applicable): Texas Speech Communication Association

Address: 6716 Terryville Dr., Amarillo, TX 79109

Telephone: 806-683-6011

Date: 8-8-2022

Texas Government Code, §2001.021, specifies that an interested person must meet one of the following criteria. Please check all of the following that apply to you.

- resident of Texas
- business entity located in Texas
- governmental subdivision located in Texas
- public or private organization located in Texas that is not a state agency

Proposed rule text (indicate words to be added or deleted from the current text):

in 19 TAC§74.12(7) add

"(C) In accordance with local district policy, credit may be earned through participation in Oral Interpretation I, II, or III.

(D) No more than four substitution credits may be earned through any combination of substitutions allowed in subparagraph (C) of this paragraph."

Statutory authority for the proposed rule action:

Texas Education Code, §§7.102(c)(4); 28.002; and 28.025

Why is this rule action necessary or desirable?

The State of Texas foundation graduation plan requires that students earn at least one credit in the fine arts (19 TAC§74.12(b)(7)). The position of the Texas Speech Communication Association (TSCA) is that fine arts education is essential to producing well-rounded citizens, and TSCA embraces research showing the ability of the arts to promote prosocial behavior, social connectedness, and overall mental health and well-being (Tymozuk et al., 2021). TSCA encourages growth of and participation in the fine arts.

(If more space is required, attach additional sheets.)


Petitioner's Signature

**Texas Speech Communication Association Position Paper:
Enhancing Student Choice by Allowing Oral Interpretation to Fulfill ELA Elective Credit
and Fine Arts Credit**

It is the position of TSCA that the goal of increasing student participation in the arts and the goal of increasing student choice would be well served by allowing students to earn up to one credit in the fine arts through participation in Oral Interpretation. To this end, TSCA proposes that 19 TAC§74.12(7) (Foundation High School Program, Fine Arts) be amended to add:

“(C) In accordance with local district policy, credit may be earned through participation in Oral Interpretation I, II, or III.”

Such a change would not be without precedent. The Texas Education Agency recognizes that students participating in marching band and dance engage in both physical activity and in the fine arts. As such, students in marching band and dance may earn both fine arts credit as well as up to one credit of physical education for participation in those activities (19

TAC§74.12(b)(6)(D)(ii)). Oral Interpretation represents another class in which students engage in two disciplines. In Oral Interpretation, students are simultaneously immersed in English Language Arts and in the Fine Arts. TSCA notes that mastery of the Oral Interpretation TEKS is by its very nature a performative endeavor. The Oral Interpretation TEKS mention “perform” or “performance” 20 different times (19 TAC§110.59). Indeed, through Oral Interpretation, students “embrace literature and give life to its performance” (Guerra & Powell, 2019).

It is not the position of TSCA that Oral Interpretation ought to be moved from 19 TAC§110 to 19 TAC§117. Oral Interpretation exemplifies the purposes of the English Language Arts (ELA) because it embodies “the interconnected nature of listening, speaking, reading, writing, and thinking” (19 TAC§110.36(b)(1)). As such, the placement of Oral Interpretation in the ELA TEKS is entirely appropriate. However, Oral Interpretation is also a quintessential example of a subject that embraces the fine arts. Through the study, analysis, and verbal performance of literature, students develop an appreciation for and more thorough grasp of the fine arts. In Oral Interpretation students gain “unique experiences” that empower them to “explore realities, relationships, and ideas” thus fulfilling a foundational description of fine arts education in the state of Texas (see 19 TAC§117). Indeed, Oral Interpretation is “a communication art” (19 TAC§110.59(b)(1)). Thus, TSCA contends that students engaged in Oral Interpretation should have the option of earning up to one hour of fine arts credit in addition to the ELA elective credit they currently receive.

(I) recognize literal and symbolic meanings, universal themes, or unique aspects of the text.

b. Creative Expression: Performance

(6) Interpretation. The student applies research and analysis to make appropriate performance choices. The student is expected to:

- (A) justify the use or nonuse of manuscript or other aids;
- (B) justify strategies for the use of focus, gesture, and movement;
- (C) justify the use of vocal strategies such as rate, pitch, inflection, volume, and pause;
- (D) justify the use of dialect, pronunciation, enunciation, or articulation; and
- (E) use research, analysis, personal experiences, and responses to the literature to justify performance choices.

(7) Rehearsal and performance. The student uses insights gained from research and analysis to rehearse and perform literature for a variety of audiences and occasions. The student is expected to:

- (A) use effective rehearsal strategies to promote internalization and visualization of the text;
- (B) use appropriate rehearsal strategies to develop confidence and enhance effective communication of the text to an audience in individual and group performance;
- (C) participate in effective group decision-making processes to prepare and present group performances; and
- (D) present individual and group performances.

c. Creative Expression: Production

(2) Selection. The student selects literature for performance. The student is expected to:

- (A) select literature appropriate for the reader, the audience, and the occasion;
 - (B) apply standards of literary merit when selecting literature for individual or group performance;
- (C) choose literature that can be appropriately adapted; and
- (D) select performance materials from a variety of literary genre.

- (G) identify descriptive phrases, figures of speech, stylistic devices, and word choices to analyze the imagery in the text;
- (H) trace the emotional progression of the text; and
- (I) recognize literal and symbolic meanings, universal themes, or unique aspects of the text.

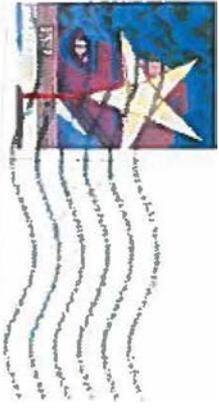
(8) Evaluation. The student uses critical and appreciative listening to evaluate individual and group performances. The student is expected to:

- (A) listen critically and appreciatively and respond appropriately to the performances of others;
- (B) analyze and evaluate various performance styles;
- (C) use a variety of techniques to evaluate and critique one's own and others' performances; and
- (D) set goals for future performances based on evaluation.

Lacy Cannon
6716 Tenyville Dr.
Amarillo, TX 79109

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Commissioner of Education
Texas Education Agency
1701 North Congress Ave.
Austin, TX 78701-1494

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ATTACHMENT II
Text of 19 TAC

Chapter 74. Curriculum Requirements

Subchapter B. Graduation Requirements

§74.12. Foundation High School Program.

- (a) Credits. A student must earn at least 22 credits to complete the Foundation High School Program.
- (b) Core courses. A student must demonstrate proficiency in the following.
 - (1) English language arts--four credits. Two of the credits must consist of English I and II. (Students with limited English proficiency who are at the beginning or intermediate level of English language proficiency, as defined by §74.4(d) of this title (relating to English Language Proficiency Standards), may satisfy the English I and English II graduation requirements by successfully completing English I for Speakers of Other Languages and English II for Speakers of Other Languages.) A third credit must consist of English III, a comparable Advanced Placement (AP) English language arts course that does not count toward another credit required for graduation, or a comparable International Baccalaureate (IB) English language arts course that meets all the requirements in §110.33 of this title (relating to English Language Arts and Reading, English III (One Credit), Beginning with School Year 2009-2010). A fourth 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:
 - (A) English IV;
 - (B) Independent Study in English;
 - (C) Literary Genres;
 - (D) Creative Writing;
 - (E) Research and Technical Writing;
 - (F) Humanities;
 - (G) Public Speaking III;
 - (H) Communication Applications, which must be combined with another half credit from the other courses listed in subparagraphs (A)-(G) and (I)-(S) of this paragraph;
 - (I) Oral Interpretation III;
 - (J) Debate III;
 - (K) Independent Study in Speech;
 - (L) Independent Study in Journalism;
 - (M) Advanced Broadcast Journalism III;
 - (N) Advanced Journalism: Newspaper III;
 - (O) Advanced Journalism: Yearbook III;
 - (P) a comparable Advanced Placement (AP) English language arts course that does not count toward another credit required for graduation;
 - (Q) a comparable International Baccalaureate (IB) English language arts course that meets all the requirements in §110.34 of this title (relating to English Language Arts and Reading, English IV (One Credit), Beginning with School Year 2009-2010);

- (R) after the successful completion of English I, II, and III, a locally developed English language arts 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 Texas Education Code (TEC), §28.002(g-1);
 - (S) Business English; and
 - (T) a college preparatory English language arts course that is developed pursuant to the TEC, §28.014.
- (2) Mathematics--three credits. Two of the credits must consist of Algebra I and Geometry.
- (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 subparagraph (B) of this paragraph:
 - (i) Mathematical Models with Applications;
 - (ii) Mathematical Applications in Agriculture, Food, and Natural Resources;
 - (iii) Digital Electronics;
 - (iv) Financial Mathematics;
 - (v) Applied Mathematics for Technical Professionals;
 - (vi) Accounting II;
 - (vii) Manufacturing Engineering Technology II; and
 - (viii) Robotics II.
 - (B) 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:
 - (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) a comparable AP mathematics course that does not count toward another credit required for graduation;
 - (ix) AP Computer Science A;
 - (x) IB Computer Science Higher Level;
 - (xi) Engineering Mathematics;
 - (xii) Statistics and Business Decision Making;
 - (xiii) Mathematics for Medical Professionals;
 - (xiv) Discrete Mathematics for Computer Science;
 - (xv) 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 clause; and

- (xvi) 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).
- (C) One credit of a two-credit IB mathematics course selected from Chapter 111 of this title (relating to Texas Essential Knowledge and Skills for Mathematics) may satisfy the additional mathematics credit.
- (3) Science--three credits. One credit must consist of Biology or a comparable AP or IB biology course.
 - (A) One credit must be selected from the following laboratory-based courses:
 - (i) Integrated Physics and Chemistry;
 - (ii) Chemistry;
 - (iii) Physics;
 - (iv) Principles of Technology; and
 - (v) a comparable AP or IB chemistry or physics course that does not count toward another credit required for graduation.
 - (B) 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 laboratory-based courses:
 - (i) Chemistry;
 - (ii) Physics;
 - (iii) Aquatic Science;
 - (iv) Astronomy;
 - (v) Earth Systems Science;
 - (vi) Environmental Systems;
 - (vii) Specialized Topics in Science;
 - (viii) a comparable AP science course that does not count toward another credit required for graduation;
 - (ix) Advanced Animal Science;
 - (x) Advanced Plant and Soil Science;
 - (xi) Anatomy and Physiology;
 - (xii) Medical Microbiology;
 - (xiii) Pathophysiology;
 - (xiv) Food Science;
 - (xv) Forensic Science;
 - (xvi) Biotechnology I;
 - (xvii) Biotechnology II;
 - (xviii) Principles of Technology;

- (xix) Scientific Research and Design;
 - (xx) Engineering Design and Problem Solving;
 - (xxi) Engineering Science;
 - (xxii) pursuant to the TEC, §28.025(b-5), after the successful completion of physics, a science 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 TEA shall maintain a current list of courses offered under this clause;
 - (xxiii) a locally developed science 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
 - (xxiv) one credit of a two-credit IB science course selected from Chapter 112 of this title (relating to Texas Essential Knowledge and Skills for Science).
- (C) Credit may not be earned for both physics and Principles of Technology to satisfy science credit requirements.
- (4) Social studies--three credits.
- (A) One credit must consist of United States History Studies Since 1877.
 - (B) One-half credit must consist of United States Government.
 - (C) One-half credit must be selected from the following:
 - (i) Economics with Emphasis on the Free Enterprise System and Its Benefits; or
 - (ii) Personal Financial Literacy/Economics.
 - (D) One credit must be selected from the following:
 - (i) World History Studies;
 - (ii) World Geography Studies; or
 - (iii) a comparable AP or IB world history or world geography course that does not count toward another credit required for graduation.
- (5) Languages other than English (LOTE)--two credits.
- (A) The credits may be selected from the following:
 - (i) any two levels in the same language, including comparable AP or IB language courses that do not count toward another credit required for graduation; or
 - (ii) two credits in computer programming languages, including computer coding, to be selected from Computer Science I, II, and III, AP Computer Science Principles, AP Computer Science A, IB Computer Science Standard Level, and IB Computer Science Higher Level.
 - (B) A single two-credit IB LOTE course may only satisfy one LOTE requirement.
 - (C) If a student, in completing the first credit of LOTE, demonstrates that the student is unlikely to be able to complete the second credit, the student may substitute another appropriate course as follows:
 - (i) Special Topics in Language and Culture;
 - (ii) World History Studies or World Geography Studies for a student who is not required to complete both by the local district;
 - (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, including computer coding.
- (D) The determination regarding a student's ability to complete the second credit of LOTE must be agreed to by:
- (i) the teacher of the first LOTE credit course or another LOTE teacher designated by the school district, the principal or designee, and the student's parent or person standing in parental relation;
 - (ii) the student's admission, review, and dismissal (ARD) committee if the student receives special education services under the TEC, Chapter 29, Subchapter A; or
 - (iii) the committee established for the student under Section 504, Rehabilitation Act of 1973 (29 United States Code, Section 794) if the student does not receive special education services under the TEC, Chapter 29, Subchapter A, but is covered by the Rehabilitation Act of 1973.
- (E) A student, who due to a disability, is unable to complete two credits in the same language in a language other than English, may substitute a combination of two credits that are not being used to satisfy another specific graduation requirement selected from English language arts, mathematics, science, or social studies or two credits in career and technical education for the LOTE credit requirements. The determination regarding a student's ability to complete the LOTE credit requirements will be made by:
- (i) the student's ARD committee if the student receives special education services under the TEC, Chapter 29, Subchapter A; or
 - (ii) the committee established for the student under Section 504, Rehabilitation Act of 1973 (29 United States Code, Section 794) if the student does not receive special education services under the TEC, Chapter 29, Subchapter A, but is covered by the Rehabilitation Act of 1973.
- (F) A student who successfully completes a dual language immersion/two-way or dual language immersion/one-way program in accordance with §89.1210(d)(3) and (4) of this title (relating to Program Content and Design), §89.1227 of this title (relating to Minimum Requirements for Dual Language Immersion Program Model), and §89.1228 of this title (relating to Two-Way Dual Language Immersion Program Model Implementation) at an elementary school may satisfy one credit of the two credits required in a language other than English.
- (i) To successfully complete a dual language immersion program, a student must:
 - (I) have participated in a dual language immersion program for at least five consecutive school years;
 - (II) achieve high levels of academic competence as demonstrated by performance of meets or masters grade level on both the mathematics and reading State of Texas Assessments of Academic Readiness (STAAR®) in English or Spanish, as applicable, in at least one grade level; and
 - (III) achieve proficiency in both English and a language other than English as demonstrated by scores of proficient or higher in the reading and speaking domains on language proficiency or achievement tests in both languages.
 - (ii) The second credit of a language other than English must be in the same language as the successfully completed dual language immersion program.
- (G) A student who successfully completes a course in American Sign Language while in elementary school may satisfy one credit of the two credits required in a language other than English.

- (6) Physical education--one credit.
- (A) The required credit may be selected from any combination of the following one-half to one credit courses:
- (i) Lifetime Fitness and Wellness Pursuits;
 - (ii) Lifetime Recreation and Outdoor Pursuits; and
 - (iii) Skill-Based Lifetime Activities.
- (B) In accordance with local district policy, the required credit may be earned through completion of any Texas essential knowledge and skills-based course that meets the requirement in subparagraph (E) of this paragraph for 100 minutes of moderate to vigorous physical activity per five-day school week and that is not being used to satisfy another specific graduation requirement.
- (C) In accordance with local district policy, credit for any of the courses listed in subparagraph (A) of this paragraph may be earned through participation in the following activities:
- (i) Athletics;
 - (ii) Junior Reserve Officer Training Corps (JROTC); and
 - (iii) appropriate private or commercially sponsored physical activity programs conducted on or off campus. The district must apply to the commissioner of education for approval of such programs, which may be substituted for state graduation credit in physical education. Such approval may be granted under the following conditions.
 - (I) Olympic-level participation and/or competition includes a minimum of 15 hours per week of highly intensive, professional, supervised training. The training facility, instructors, and the activities involved in the program must be certified by the superintendent to be of exceptional quality. Students qualifying and participating at this level may be dismissed from school one hour per day. Students dismissed may not miss any class other than physical education.
 - (II) Private or commercially sponsored physical activities include those certified by the superintendent to be of high quality and well supervised by appropriately trained instructors. Student participation of at least five hours per week must be required. Students certified to participate at this level may not be dismissed from any part of the regular school day.
- (D) In accordance with local district policy, up to one credit for any one of the courses listed in subparagraph (A) of this paragraph may be earned through participation in any of the following activities:
- (i) Drill Team;
 - (ii) Marching Band; and
 - (iii) Cheerleading.
- (E) All substitution activities allowed in subparagraphs (B)-(D) of this paragraph must include at least 100 minutes per five-day school week of moderate to vigorous physical activity.
- (F) Credit may not be earned more than once for any course identified in subparagraph (A) of this paragraph. No more than four substitution credits may be earned through any combination of substitutions allowed in subparagraphs (B)-(D) of this paragraph.

- (G) A student who is unable to participate in physical activity due to disability or illness may substitute an academic elective credit (English language arts, mathematics, science, or social studies) or a course that is offered for credit as provided by the TEC, §28.002(g-1), for the physical education credit requirement. The determination regarding a student's ability to participate in physical activity will be made by:
 - (i) the student's ARD committee if the student receives special education services under the TEC, Chapter 29, Subchapter A;
 - (ii) the committee established for the student under Section 504, Rehabilitation Act of 1973 (29 United States Code, Section 794) if the student does not receive special education services under the TEC, Chapter 29, Subchapter A, but is covered by the Rehabilitation Act of 1973; or
 - (iii) a committee established by the school district of persons with appropriate knowledge regarding the student if each of the committees described by clauses (i) and (ii) of this subparagraph is inapplicable. This committee shall follow the same procedures required of an ARD or a Section 504 committee.
- (7) Fine arts--one credit.
 - (A) The credit may be selected from the following courses subject to prerequisite requirements:
 - (i) Art, Level I, II, III, or IV;
 - (ii) Dance, Level I, II, III, or IV;
 - (iii) Music, Level I, II, III, or IV;
 - (iv) Music Studies;
 - (v) Theatre, Level I, II, III, or IV;
 - (vi) Musical Theatre, Level I, II, III, or IV;
 - (vii) Technical Theatre, Level I, II, III, or IV;
 - (viii) IB Film Standard or Higher Level;
 - (ix) Floral Design;
 - (x) Digital Art and Animation; and
 - (xi) 3-D Modeling and Animation.
 - (B) In accordance with local district policy, credit may be earned through participation in a community-based fine arts program not provided by the school district in which the student is enrolled. The district must apply to the commissioner of education for approval of such programs, which may be substituted for state graduation credit in fine arts. Approval may be granted if the fine arts program provides instruction in the essential knowledge and skills identified for a fine arts course as defined by Chapter 117, Subchapter C, of this title (relating to High School, Adopted 2013).
- (c) Elective courses--five credits. The credits must be selected from the list of courses specified in §74.11(g) or (h) 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 that does not satisfy a specific course requirement.
- (d) Substitutions. No substitutions are allowed in the Foundation High School Program, except as specified in this chapter.

**COMMITTEE ON SCHOOL FINANCE/
PERMANENT SCHOOL FUND**

**Approval of Costs to Administer the 2022–2023 State-Developed Assessments
to Private School Students**

November 18, 2022

**COMMITTEE ON SCHOOL FINANCE/PERMANENT SCHOOL FUND: ACTION
STATE BOARD OF EDUCATION: CONSENT**

SUMMARY: Texas Education Code, §39.033, allows a private school to voluntarily assess its students with the State of Texas Assessments of Academic Readiness (STAAR[®]) and the Texas English Language Proficiency Assessment System (TELPAS) assessments. The State Board of Education (SBOE) must approve the per-student cost to private schools, which may not exceed the cost of administering the same assessment to a student enrolled in a public-school district. This item requests approval of these costs for the 2022–2023 school year.

STATUTORY AUTHORITY: Texas Education Code ([TEC](#)), [§39.033](#).

TEC, §39.033 permits through an agreement with the Texas Education Agency (TEA), private schools to administer adopted assessment instruments if private schools reimburse TEA the cost for administering the assessment. The per-student cost of administering adopted assessments is determined by the SBOE.

The full text of statutory citations can be found in the statutory authority section of this agenda.

PREVIOUS BOARD ACTION: In November 2021, the SBOE approved the costs of administering the STAAR and TELPAS assessments to private school students for the 2021–2022 school year.

BACKGROUND INFORMATION AND JUSTIFICATION: Since the spring 1996 test administration, private schools, including home schools, have been eligible to participate on a voluntary basis in the Texas assessment program. During the 2021–2022 school year, participation in these voluntary assessments for grades 3 through 12 involved 17 private schools and 4,696 students. Attachment I shows the list of participating private schools from the spring 2022 administrations.

Under TEC, §39.033, private schools that administer the tests must enter into an agreement with TEA. As determined appropriate by the commissioner of education, the agreement requires private schools to provide the commissioner with information listed in TEC, §39.053(c) and §39.301(c) including indicators of academic performance and confidentiality safeguards under TEC, §39.030. Private schools that participate in the assessments must provide reimbursement for the cost of administering the assessments, which may not exceed the per-student cost of administering the same assessment to a student enrolled in a public school district. In addition, participating private schools must agree to test all eligible students and to administer the primary form of all subject-area tests available for a particular grade.

A critical component of the contract with private schools is the per-student cost for each instrument, which must be determined by the SBOE. Attachment II displays the recommended per-student cost for each test that will be available to private schools in the 2022–2023 school year. These figures were calculated by taking the actual costs from the agency’s contracts for development and estimated costs of administering and scoring tests then dividing the sum by the estimated number of tests that will be administered during the 2022–2023 school year. Using this method for determining the per-student cost ensures that the cost for assessing a private school student will not exceed the per-student cost for administering the same test to a public-school student. Costs cover developing tests and ancillary materials; administration of tests online; scoring tests; and reporting results.

MOTION TO BE CONSIDERED: The State Board of Education:

Approve the recommended per-student costs for administering the state assessments to private school students in the 2022–2023 school year as listed in Attachment II.

Staff Members Responsible:

Julie Cole, Director of Policy and Publications, Student Assessment

Greg Reck, Policy Analyst, Student Assessment

Attachment I:

Private School Participation List for Spring 2022 Administrations

Attachment II:

Recommended Private School Costs for the 2022–2023 School Year

**Private School Participation List
Spring 2022 Administrations**

CDC	Campus Name	STAAR Grades 3-8	STAAR End-of-Course	TELPAS	Grand Total
084603041	Academy Of Captivating Enrichment	4	0	0	4
245602111	Community Montessori School	0	7	0	7
101604101	Darul Argam North (Islamic Institute of Texas)	265	56	0	321
079150001	Everest Academy	457	5	0	462
043602101	Good Tree Academy	300	46	0	346
101614001	Houston Quran Academy	358	58	0	416
057607101	Iant Quranic Academy	180	14	0	194
101607001	Iman Academy Southeast	398	43	0	441
101299001	Iman Academy Southwest	201	77	0	278
057606101	Islamic School of Irving	779	203	0	982
000101610	Madrassat Al Nur	39	0	0	39
057199041	Momentous School	194	0	0	194
0576161001	Qalam Collegiate Academy	92	72	0	164
057614101	Radiant Stem Academy	285	69	0	354
001227602	Renaissance Academy	281	57	0	338
166601001	St Paul Lutheran School - Thorndale	14	0	0	14
003130101	St. Cyprian's Episcopal School	122	20	0	142
Totals	17	3,969	727	0	4,696

Recommended Private School Costs for the 2022–2023 School Year

State of Texas Assessments of Academic Readiness (STAAR®) and Texas English Language Proficiency Assessment System (TELPAS)

Program	Test	Number of Tests Based on Eligible Testers	Total Cost	Cost per Student per Test	Recommended Cost per Private School Student per Test
STAAR	Grades RLA*	3,739,020	\$42,778,492.12	\$11.44	\$11.44
	Mathematics*	2,937,444	\$14,453,783.57	\$4.92	\$4.92
	Science*	1,377,284	\$9,335,406.27	\$6.78	\$6.78
	Social Studies	878,620	\$6,140,304.95	\$6.99	\$6.99
TELPAS	Kindergarten–Grade 12	1,063,533	\$14,759,557.65	\$13.88	\$13.88

*Includes English and Spanish versions for grades 3–5.

**Proposed Repeal of 19 TAC Chapter 129, Student Attendance, Subchapter A, Student Attendance Allowed, and Subchapter B, Student Attendance Accounting
(First Reading and Filing Authorization)**

November 18, 2022

**COMMITTEE ON SCHOOL FINANCE/PERMANENT SCHOOL FUND: ACTION
STATE BOARD OF EDUCATION: CONSENT**

SUMMARY: This item presents for first reading and filing authorization the proposed repeal of 19 Texas Administrative Code (TAC) Chapter 129, Student Attendance, Subchapter A, Student Attendance Allowed, and Subchapter B, Student Attendance Accounting. The proposed repeal would implement House Bill (HB) 3, 86th Texas Legislature, 2019, which removed the State Board of Education's (SBOE's) rulemaking authority related to student attendance.

STATUTORY AUTHORITY: Texas Education Code (TEC), §48.004, as transferred, redesignated, and amended by HB 3, 86th Texas Legislature, 2019.

TEC, §48.004, as transferred, redesignated, and amended by HB 3, 86th Texas Legislature, 2019, requires the commissioner to adopt rules, take actions, and require reports necessary to implement and administer student attendance.

The full text of statutory citations can be found in the statutory authority section of this agenda.

EFFECTIVE DATE: The proposed effective date of the proposed repeal is 20 days after filing as adopted with the Texas Register. Under TEC, §7.102(f), the SBOE must approve the rule action at second reading and final adoption by a vote of two-thirds of its members to specify an effective date earlier than the beginning of the 2023-2024 school year. The earlier effective date will implement legislation in a timely manner by removing provisions for which statutory authority no longer exists.

PREVIOUS BOARD ACTION: At the August-September 2022 SBOE meeting, the committee discussed the proposed repeal of 19 TAC Chapter 129, Subchapters A and B.

BACKGROUND INFORMATION AND JUSTIFICATION: Chapter 129, Subchapter A, defines the student attendance allowed in Texas schools. The subchapter was adopted effective September 1, 1996. Chapter 129, Subchapter B, defines the requirements for student attendance accounting for state funding purposes. The subchapter was adopted effective September 1, 1996, and was last amended effective December 25, 2019.

HB 3, 86th Texas Legislature, 2019, renumbered TEC, §42.004, to §48.004. The renumbered statute was amended to transfer rulemaking authority related to the implementation and administration of student attendance from the SBOE to the commissioner of education. The repeal of the rules is necessary since statutory authority no longer exists.

FISCAL IMPACT: Texas Education Agency (TEA) has determined that 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: 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 repeal existing regulations to implement HB 3, 86th Texas Legislature, 2019, which removed the SBOE's rulemaking authority related to student attendance.

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 create a new regulation; would not expand or limit 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: The proposal would implement legislation by removing rules for which statutory authority no longer exists. 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 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 December 23, 2022, and ends at 5:00 p.m. on January 27, 2023. The SBOE will take registered oral and written comments on the proposal at the appropriate committee meeting in January 2023 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 December 23, 2022.

MOTION TO BE CONSIDERED: The State Board of Education:

Approve for first reading and filing authorization the proposed repeal of 19 TAC Chapter 129, Student Attendance, Subchapter A, Student Attendance Allowed, and Subchapter B, Student Attendance Accounting.

Staff Member Responsible:

David Marx, Senior Director, Financial Compliance

Attachment:

Text of Proposed Repeal of 19 TAC Chapter 129, Student Attendance, Subchapter A, Student Attendance Allowed, and Subchapter B, Student Attendance Accounting

ATTACHMENT
Text of 19 TAC

Chapter 129. Student Attendance

Subchapter A. Student Attendance Allowed

§129.1. Free Attendance in General.

- ~~(a) — Definitions. Identification is required within 30 days of a child's enrollment in a Texas school, in accordance with the Texas Education Code, §25.002. For the purposes of identification, the following words and terms, when used in this subchapter, shall have the following meanings, unless the context clearly indicates otherwise:~~
- ~~(1) — Documents that are suitable for identification — Shall be defined by the commissioner of education.~~
- ~~(2) — The child's records — Include a minimum set of data and documentation established by the commissioner of education. The minimum set of data will include the child's social security number or a state approved alternative identification number as assigned by the Public Education Information Management System (PEIMS).~~
- ~~(b) — Children shall not be denied enrollment or be removed solely because they fail to meet the requirements of subsection (a) of this section.~~
- ~~(c) — Students in this country under a bona fide exchange program are eligible to attend school in the designated district of residence.]~~

Subchapter B. Student Attendance Accounting

§129.21. Requirements for Student Attendance Accounting for State Funding Purposes.

- ~~(a) — All public schools in Texas must maintain records to reflect the average daily attendance (ADA) for the allocation of Foundation School Program (FSP) funds and other funds allocated by the Texas Education Agency (TEA). Superintendents, principals, and teachers are responsible to their school boards and to the state to maintain accurate, current attendance records.~~
- ~~(b) — The commissioner of education is responsible for providing guidelines and procedures for attendance accounting in accordance with state law.~~
- ~~(c) — The commissioner must provide for special circumstances regarding attendance accounting in accordance with the provisions of law.~~
- ~~(d) — The superintendent of schools is responsible for the safekeeping of all attendance records and reports. The superintendent of schools may determine whether the properly certified attendance records or reports for the school year are to be stored in the central office, on the respective school campuses of the district, or at another secure location. Regardless of where such records are stored, they must be readily available for audit by the TEA division responsible for performing school financial audits.~~
- ~~(e) — Districts must maintain records and make reports concerning student attendance and participation in special programs as required by the commissioner.~~
- ~~(f) — If a school district chooses to use a locally developed record or automated system, the record or automated system must contain the minimum information required by the commissioner.~~
- ~~(g) — A student must be enrolled for at least two hours of instruction to be considered in membership for one half day, and for at least four hours of instruction to be considered in membership for one full day.~~
- ~~(h) — Attendance for all grades must be determined by the absences recorded at the official attendance taking time during the campus's instructional day, unless the local school board adopts a district policy, or delegates to the superintendent the authority to establish procedures, for recording absences in an~~

~~alternative hour, or unless the students for which attendance is being taken are enrolled in and participating in an alternative attendance accounting program approved by the commissioner.~~

- ~~(1) — Students enrolled on a half-day basis may earn only one half-day of attendance each school day. Attendance is determined for these pupils by recording absences in a period during the half-day that they are scheduled to be present. Students enrolled on a full-day basis may earn one full-day of attendance each school day.~~
 - ~~(2) — Students who are enrolled in and participating in an alternative attendance accounting program approved by the commissioner will earn attendance according to the statutory and rule provisions applicable to that program.~~
 - ~~(3) — The established period in which absences are recorded may not be changed during the school year.~~
 - ~~(4) — Students absent at the time the attendance roll is taken, during the daily period selected, are counted absent for the entire day, unless the students are enrolled in and participating in an alternative attendance accounting program approved by the commissioner. Students present at the time the attendance roll is taken, during the daily period selected, are counted present for the entire day, unless the students are enrolled in and participating in an alternative attendance accounting program approved by the commissioner.~~
- ~~(i) — A student who is not actually in school at the time attendance is taken must not be counted in attendance for FSP funding purposes, unless the student is participating in an activity that meets the conditions set out in subsection (j) of this section, or unless the student is enrolled in and participating in an alternative attendance accounting program approved by the commissioner.~~
- ~~(j) — A student not actually on campus at the time attendance is taken may be considered in attendance for FSP funding purposes under the following conditions:~~
- ~~(1) — The student is participating in an activity that is approved by the local board of school trustees and is under the direction of a member of the professional or paraprofessional staff of the school district, or an adjunct staff member who:
 - ~~(A) — has a minimum of a bachelor's degree; and~~
 - ~~(B) — is eligible for participation in the Teacher Retirement System of Texas.~~~~
 - ~~(2) — The student is participating in a mentorship approved by district personnel to serve as one or more of the advanced measures needed to complete the Distinguished Achievement Program outlined in Chapter 74 of this title (relating to Curriculum Requirements).~~
 - ~~(3) — The student is absent for one of the purposes specified in the Texas Education Code (TEC), §25.087(b), (b-1), (b-2), (b-4), (b-5), or (c). Excused days for travel under the TEC, §25.087(b)(1), are limited to not more than one day for travel to and one day for travel from the applicable site. A temporary absence excused under the TEC, §25.087(b)(2), must be supported by a document such as a note from the health care professional.~~
- ~~(k) — A student not actually on campus at the time attendance is taken also may be considered in attendance for FSP funding purposes under other conditions described in the handbook adopted under §129.1025 of this title (relating to Adoption by Reference: Student Attendance Accounting Handbook) related to off-campus instruction.~~
- ~~(l) — Before a district or charter school may count a student in attendance under this section or in attendance when the student was allowed to leave campus during any part of the school day, the local school board or governing body must adopt a policy, or delegate to the superintendent the authority to establish procedures, addressing parental consent for a student to leave campus, and the district or charter school must distribute the policy or procedures to staff and to all parents of students in the district or charter school.~~

Report on Permanent School Fund Securities Transactions and the Investment Portfolio and Ratification of Purchases and Sales for the Months of July and August 2022

November 18, 2022

**COMMITTEE ON SCHOOL FINANCE/PERMANENT SCHOOL FUND: ACTION
STATE BOARD OF EDUCATION: CONSENT**

SUMMARY: This item provides an opportunity for the committee and board to receive a report on Permanent School Fund (PSF) Securities Transactions and the Investment Portfolio and consider ratification of purchases and sales of investments executed in the portfolio of the PSF for the months of May and June 2022.

STATUTORY AUTHORITY: Texas Constitution, [Article VII, §2](#) and [§5](#), and 19 Texas Administrative Code (TAC) Chapter 33.

The Texas Constitution, Article VII, §2 and §5 establish the permanent school fund, the assets that comprise the permanent school fund, the bond guarantee program, the available school fund, and authorize the State Board of Education (SBOE) to manage and invest the permanent school fund in accordance with the prudent person standard.

19 TAC Chapter 33 codifies administrative rules that provide a statement of investment objectives, policies, and guidelines of the Texas Permanent School Fund and Bond Guarantee Program as adopted by the SBOE.

The full text of statutory citations can be found in the statutory authority section of this agenda.

PREVIOUS BOARD ACTION: At the September 2022 meeting, the board approved purchases in the amount of \$1,242,364,268 and sales in the amount of \$1,640,216,450 conducted in the investment portfolio of the PSF for the months of May through June 2022.

BACKGROUND INFORMATION AND JUSTIFICATION: The purchases and sales of the investment portfolio are reviewed by the staff to ensure compliance with the Investment Guidelines, Policies, and Objectives of the PSF. The specific amounts of the purchases and sales for the reporting period will be recommended to the board for ratification upon approval by the Committee on School Finance/Permanent School Fund.

Staff Member Responsible:

Holland Timmins, Executive Administrator and Chief Investment Officer, Texas Permanent School Fund

**Report on Permanent School Fund Liquid Account and Ratification of
Purchases and Sales for the Months of July and August 2022**

November 18, 2022

**COMMITTEE ON SCHOOL FINANCE/PERMANENT SCHOOL FUND: ACTION
STATE BOARD OF EDUCATION: CONSENT**

SUMMARY: This item provides an opportunity for the committee and board to receive a status update report on the liquid account and consider approval of the purchases and sales of investments executed in the liquid account for the months of July and August 2022.

STATUTORY AUTHORITY: Texas Constitution, [Article VII, §2](#) and [§5](#); Texas Natural Resources Code ([NRC](#)), [§51.414](#), as repealed by SB 1232, 87th Legislature, Regular Session, 2021; and 19 Texas Administrative Code (TAC) Chapter 33.

The Texas Constitution, Article VII, §2 and §5 establish the permanent school fund, the assets that comprise the permanent school fund, the bond guarantee program, the available school fund, and authorize the State Board of Education (SBOE) to manage and invest the permanent school fund in accordance with the prudent person standard.

NRC, §51.414, created the Liquid Account within the Permanent School Fund (PSF) to be managed by the SBOE.

19 TAC Chapter 33 codifies administrative rules that provide a statement of investment objectives, policies, and guidelines of the Texas PSF and Bond Guarantee Program as adopted by the SBOE.

The full text of statutory citations can be found in the statutory authority section of this agenda.

PREVIOUS BOARD ACTION: At the September 2022 meeting, the board approved purchases in the amount of \$340,056,233 and sales in the amount of \$25,032,133 for the PSF Liquid Account for the period May 1, 2022, through June 30, 2022.

Staff Member Responsible:

Holland Timmins, Executive Administrator and Chief Investment Officer, Texas Permanent School Fund

Proposed Revisions to 19 TAC Chapter 33, Statement of Investment Objectives, Policies, and Guidelines of the Texas Permanent School Fund
(First Reading and Filing Authorization)

November 18, 2022

COMMITTEE ON SCHOOL FINANCE/PERMANENT SCHOOL FUND: ACTION
STATE BOARD OF EDUCATION: CONSENT

SUMMARY: This item presents for first reading and filing authorization proposed revisions to 19 Texas Administrative Code (TAC) Chapter 33, Statement of Investment Objectives, Policies, and Guidelines of the Texas Permanent School Fund. The proposed revisions would implement Senate Bill (SB) 1232, 87th Texas Legislature, Regular Session, 2021, which authorized the creation of the Texas Permanent School Fund (PSF) Corporation. The proposed revisions would repeal 19 TAC §§33.1, 33.5, 33.10, 33.15, 33.20, 33.25, 33.30, 33.35, 33.40, 33.45, 33.50, 33.55, 33.60, 33.65, and 33.67 and propose new §§33.3, 33.4, 33.6, 33.7, and 33.8. The proposed new rules would include changes to the existing rules relating to the Bond Guarantee Program, including changes to the reserve. The proposed revisions would also organize the rules in Chapter 33 by creating new Subchapter B, Texas Permanent School Fund Corporation Rules, which would contain §33.21.

STATUTORY AUTHORITY: Texas Constitution, [Article VII, §5\(a\) and \(f\)](#); Texas Education Code ([TEC](#)), [§43.001](#); SB 1232, 87th Texas Legislature, Regular Session, 2021.

Texas Constitution, Article VII, §5(a), authorizes the State Board of Education (SBOE) to make distributions from the PSF to the available school fund with certain limits.

Texas Constitution, Article VII, §5(f), authorizes the SBOE to manage and invest the PSF according to the prudent investor standard and make investments it deems appropriate.

TEC, §43.001, describes the PSF as a perpetual endowment.

SB 1232, 87th Texas Legislature, Regular Session, 2021, allows the SBOE to create the Texas PSF Corporation and delegate its authority to manage the PSF to the Texas PSF Corporation.

The full text of statutory citations can be found in the statutory authority section of this agenda.

EFFECTIVE DATE: The proposed effective date of the proposed revisions is 20 days after filing as adopted with the Texas Register. Under TEC, §7.102(f), the SBOE must approve the rule action at second reading and final adoption by a vote of two-thirds of its members to specify an effective date earlier than the beginning of the 2023-2024 school year. The earlier effective date would allow the rules to align with statute as soon as possible.

PREVIOUS BOARD ACTION: The SBOE adopted rules in Chapter 33 effective September 1, 1996. The rules were last revised by the SBOE as follows. Sections 33.1, 33.40, and 33.55 were amended effective June 4, 2012. Sections 33.5, 33.25, 33.35, and 33.60 were amended effective April 8, 2021. Sections 33.10, 33.15, 33.20, and 33.30 were amended effective March 15, 2020. Section 33.45 was amended effective March 31, 2004. Section 33.21 was adopted effective March 22, 2022. Section 33.50 was adopted effective September 1, 1996. Sections 33.65 and 33.67 were amended March 29, 2018.

BACKGROUND INFORMATION AND JUSTIFICATION: In accordance with statute, the rules in Chapter 33 establish investment objectives, policies, and guidelines for the Texas Permanent School Fund.

SB 1232, 87th Texas Legislature, Regular Session, 2021, allows the State Board of Education to create the Texas PSF Corporation and delegate its authority to manage the PSF to the Texas PSF Corporation.

Existing §§33.5, 33.20, 33.65, and 33.67 would be repealed. The sections would be renumbered and amended as follows.

Proposed new §33.3, Duties and Responsibilities of the State Board of Education Related to the Texas Permanent School Fund Corporation, would replace existing §33.20. The following significant changes would be made from the existing rule. The proposed new rule would update the duties and responsibilities of the SBOE to align with SB 1232, including the repeal of provisions that are no longer applicable. The remaining provisions would specify the role of the SBOE as fiduciary of the PSF and the duties and responsibilities of the SBOE with respect to the Texas PSF Corporation, as set forth in SB 1232 and the Texas PSF Corporation's governing documents.

Proposed new §33.4, Ethical Standards for Members of the State Board of Education, would replace existing §33.5. The following significant changes would be made from the existing rule. The proposed new rule would remove most of the ethical provisions related to the investment and management of the PSF to align with the ethics policy to be adopted by the Texas PSF Corporation in accordance with SB 1232. The provisions that remain would provide ethical standards for SBOE members, the commissioner of education, and Texas Education Agency (TEA) staff as related to the PSF.

Proposed new §33.6, Bond Guarantee Program for School Districts, would replace existing §33.65. The following significant changes would be made from the existing rule. The commissioner would have the authority to increase or decrease the multiplier, and changes would be made to the fund's reserve to (1) allow the SBOE to establish an amount of capacity held in reserve of up to 5.0% of the fund's capacity; (2) remove the limitations on the use of the reserve capacity; and (3) provide the commissioner or SBOE the ability to increase or decrease the amount held in reserve. Additionally, the changes would allow applications for districts that experience unforeseen catastrophes or emergencies to be prioritized.

Proposed new §33.7, Bond Guarantee Program for Charter Schools, would replace existing §33.67. The only significant change that would be made from the existing rule would be to allow the commissioner to hold up to 5.0% of the charter school available capacity in reserve each month.

New §33.8, Compliance with Securities and Exchange Commission (SEC) Rule 15c2-12 Pertaining to Disclosure of Information Relating to the Bond Guarantee Program, would be proposed. The proposed new rule would codify the SEC Rule 15c2-12 undertaking in Chapter 33. Additionally, the new rule would add a definition of Texas PSF Corporation and specify that the annual report is prepared by the Texas PSF Corporation.

Existing §§33.1, 33.10, 33.15, 33.25, 33.30, 33.35, 33.40, 33.45, 33.50, 33.55, and 33.60 are proposed for repeal because they are no longer applicable to the SBOE due to the implementation of SB 1232 and the delegation of the authority to manage and invest the PSF to the Texas PSF Corporation.

The text of §§33.1, 33.5, 33.10, 33.15, 33.20, 33.25, 33.30, 33.35, 33.40, 33.45, 33.50, 33.55, 33.60, 33.65, and 33.67 proposed for repeal is not included as an attachment to this item due to the volume of rules; however, the rules are viewable on the TEA website at <https://tea.texas.gov/about-tea/laws-and-rules/texas-administrative-code/19-tac-chapter-33>.

FISCAL IMPACT: TEA has determined that 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: 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 new regulations and repeal existing regulations to align with SB 1232, 87th Texas Legislature, Regular Session, 2021. The new provisions would address the SBOE's responsibilities in relation to the PSF.

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 or limit 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: The proposal would update and clarify provisions supporting the management and investment of the PSF. 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 December 23, 2022, and ends at 5:00 p.m. on January 27, 2023. The SBOE will take registered oral and written comments on the proposal at the appropriate committee meeting in January 2023 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 December 23, 2022.

MOTION TO BE CONSIDERED: The State Board of Education:

Approve for first reading and filing authorization proposed revisions to 19 TAC Chapter 33, Statement of Investment Objectives, Policies, and Guidelines of the Texas Permanent School Fund.

Staff Member Responsible:

Holland Timmins, Executive Administrator and Chief Investment Officer, Texas Permanent School Fund

Separate Exhibit:

Text of Proposed Revisions to 19 TAC Chapter 33, Statement of Investment Objectives, Policies, and Guidelines of the Texas Permanent School Fund

(to be provided in advance of the November 2022 meeting)

**Approval of the Date to Transfer Management of the Permanent School Fund to the Texas
Permanent School Fund Corporation as Contemplated in Senate Bill 1232**

November 18, 2022

**COMMITTEE ON SCHOOL FINANCE/PERMANENT SCHOOL FUND: ACTION
STATE BOARD OF EDUCATION: CONSENT**

SUMMARY: This item provides an opportunity for the committee and board to approve the date to transfer management of the Permanent School Fund (PSF) to the Texas PSF Corporation as contemplated in Senate Bill (SB) 1232, 87th Legislature, Regular Session, 2021.

STATUTORY AUTHORITY: Texas Constitution, [Article VII, §2](#) and [§5](#), and 19 Texas Administrative Code (TAC) Chapter 33. [SB 1232, 87th Legislature, Regular Session, 2021](#), including [Texas Education Code, Chapter 43, Subchapter B](#).

The Texas Constitution, Article VII, §2 and §5 establish the permanent school fund, the assets that comprise the permanent school fund, the bond guarantee program, and the available school fund, and authorize the State Board of Education (SBOE) to manage and invest the permanent school fund in accordance with the prudent person standard.

SB 1232 authorized the creation of the Texas PSF Corporation (Corporation) and authorized delegation of the ongoing management and investment of the permanent school fund to the Corporation.

19 TAC Chapter 33 codifies administrative rules that provide a statement of investment objectives, policies, and guidelines of the Texas Permanent School Fund and Bond Guarantee Program as adopted by the SBOE.

The full text of statutory citations can be found in the statutory authority section of this agenda.

BACKGROUND INFORMATION AND JUSTIFICATION: SB 1232 was passed during the 87th Legislature, Regular Session, 2021. The bill authorized the SBOE to create the Texas PSF Corporation and delegate its authority to manage and invest the PSF to the Corporation.

Staff Member Responsible:

Holland Timmins, Executive Administrator and Chief Investment Officer, Texas Permanent School Fund

**Report of the Permanent School Fund Executive Administrator and
Chief Investment Officer**

November 17, 2022

**COMMITTEE ON SCHOOL FINANCE/PERMANENT SCHOOL FUND: DISCUSSION
STATE BOARD OF EDUCATION: NO ACTION**

SUMMARY: The Permanent School Fund (PSF) executive administrator will report to the committee on matters relating to the management of the PSF and the Charter District Reserve Fund. The report may present information on historical and current status of Fund holdings, current and proposed investment policies and procedures, and historical and current Fund performance and compliance. The administrator may update the board on the bond guarantee program, the status of requests for proposal or for qualifications and current contracts for services and other administrative activities undertaken on behalf of the board. The administrator may provide an update on the PSF distribution or on the effect of legislation impacting the PSF. The administrator may provide an analysis of current and future investment market conditions, focusing upon the impact on the holdings of the PSF.

STATUTORY AUTHORITY: Texas Constitution, [Article VII, §2](#) and [§5](#), and 19 Texas Administrative Code (TAC) Chapter 33.

The Texas Constitution, Article VII, §2 and §5 establish the permanent school fund, the assets that comprise the permanent school fund, the bond guarantee program, the available school fund, and authorize the State Board of Education (SBOE) to manage and invest the permanent school fund in accordance with the prudent person standard.

19 TAC Chapter 33 codifies administrative rules that provide a statement of investment objectives, policies, and guidelines of the Texas Permanent School Fund and Bond Guarantee Program as adopted by the SBOE.

The full text of statutory citations can be found in the statutory authority section of this agenda.

Staff Member Responsible:

Holland Timmins, Executive Administrator and Chief Investment Officer, Texas Permanent School Fund

COMMITTEE ON SCHOOL INITIATIVES

Open-Enrollment Charter School Generation 28 Application Updates

November 17, 2022

COMMITTEE ON SCHOOL INITIATIVES: DISCUSSION STATE BOARD OF EDUCATION: NO ACTION

SUMMARY: This item provides an opportunity for the committee to receive updates regarding the Generation 28 Open-Enrollment Charter Application cycle.

STATUTORY AUTHORITY: Texas Education Code ([TEC](#)), [§12.101](#).

TEC, §12.101 requires the commissioner to notify the State Board of Education (SBOE) of each charter the commissioner proposes to grant. Unless, before the 90th day after the date on which the board receives the notice from the commissioner, a majority of the members of the board present and voting, vote against the grant of that charter, the commissioner's proposal to grant the charter takes effect.

The full text of statutory citations can be found in the statutory authority section of this agenda.

FUTURE ACTION EXPECTED: Following the conclusion of the application cycle, the board will have an opportunity to review and take action or no action on the commissioner's list of proposed Generation 28 Subchapter D Open-Enrollment Charter Schools.

BACKGROUND INFORMATION AND JUSTIFICATION: The SBOE is engaged in an ongoing effort to remain abreast of the evolving state-educational landscape and prepare to address areas that are within its jurisdiction. To that end, this item is for discussion of updates pertaining to the Generation 28 application.

Public information concerning open-enrollment charter schools is available at the division of Charter Schools – Subchapter D Charters page found on the Texas Education Agency's website (<https://tea.texas.gov/charterapp.aspx>). When complete, the Generation 28 application and required attachments will be accessible on that page.

Staff Members Responsible:

Kelvey Oeser, Deputy Commissioner, Educator Support

Marian Schutte, Director, Charter School Authorizing and Administration

**Review of Proposed Amendments to 19 TAC Chapter 229, Accountability System for
Educator Preparation Programs**

November 18, 2022

**COMMITTEE ON SCHOOL INITIATIVES: ACTION
STATE BOARD OF EDUCATION: ACTION**

SUMMARY: This item provides the State Board of Education (SBOE) an opportunity to review the State Board for Educator Certification (SBEC) rule actions that would propose amendments to 19 Texas Administrative Code (TAC) Chapter 229, Accountability System for Educator Preparation Programs. Chapter 229 establishes the performance standards and procedures for educator preparation program (EPP) accountability. The proposed amendments would provide for adjustments to the 2021–2022 *Accountability System for Educator Preparation (ASEP) Manual*; would implement Senate Bill (SB) 2066, 87th Texas Legislature, Regular Session, 2021; would clarify assessments used for accountability; would update procedures for EPP commendations; would provide the SBEC additional flexibility when sanctioning programs; and would clarify what data is used for the determination of accreditation statuses.

STATUTORY AUTHORITY: The statutory authority for 19 TAC Chapter 229 is the Texas Education Code (TEC), §§21.041(a), (b)(1), and (d); 21.043(b) and (c); 21.0441(c) and (d); 21.0443, as amended by House Bill (HB) 159, 87th Texas Legislature, Regular Session, 2021; 21.045, as amended by HB 159, 87th Texas Legislature, Regular Session, 2021; 21.0451; and 21.0452, as amended by SB 2066, 87th Texas Legislature, Regular Session, 2021.

TEC, §21.041(a), allows the SBEC to adopt rules as necessary for its own procedures.

TEC, §21.041(b)(1), requires the SBEC to propose rules that provide for the regulation of educators and the general administration of the TEC, Chapter 21, Subchapter B, in a manner consistent with the TEC, Chapter 21, Subchapter B.

TEC, §21.041(d), states that the SBEC may adopt a fee for the approval and renewal of approval of an EPP, for the addition of a certificate or field of certification, and to provide for the administrative cost of appropriately ensuring the accountability of EPPs.

TEC, §21.043(b) and (c), require SBEC to provide EPPs with data, as determined in coordination with stakeholders, based on information reported through Public Education Information Management System (PEIMS) that enables an EPP to assess the impact of the program and revise the program as needed to improve.

TEC, §21.0441(c) and (d), requires the SBEC to adopt rules setting certain admission requirements for EPPs.

TEC, §21.0443, as amended by HB 159, 87th Texas Legislature, Regular Session, 2021, states that the SBEC shall propose rules to establish standards to govern the approval or renewal of approval of EPPs and certification fields authorized to be offered by an EPP. To be eligible for approval or renewal of approval, an EPP must incorporate proactive instructional planning techniques throughout coursework and across content areas to provide flexibility in the ways information is presented and students respond and are engaged, to reduce barriers in instruction, to provide appropriate accommodations, and to maintain high achievement expectations for all students; must integrate inclusive practices for all students

and evidence-based instruction and intervention strategies throughout course work, clinical experience, and student teaching; must adequately prepare candidates for educator certification; and must meet the standards and requirements of the SBEC. The SBEC shall require that each EPP be reviewed for renewal of approval at least every five years. The SBEC shall adopt an evaluation process to be used in reviewing an EPP for renewal of approval.

TEC, §21.045, as amended by HB 159, 87th Texas Legislature, Regular Session, 2021, states that the board shall propose rules establishing standards to govern the continuing accountability of all EPPs.

TEC, §21.0451, states that the SBEC shall propose rules for the sanction of EPPs that do not meet accountability standards and shall annually review the accreditation status of each EPP. It further states that the SBEC has authority to make rules to take any necessary action in sanctioning EPPs, including but not limited to requiring the program to obtain technical assistance or professional services, appointing a monitor to participate in and report to the SBEC on the activities of the EPP. The costs of technical assistance required under TEC, §21.0451(a)(2)(A), or the costs associated with the appointment of a monitor under TEC, §21.0451(a)(2)(C), shall be paid by the sponsor of the EPP.

TEC, §21.0452, as amended by SB 2066, 87th Texas Legislature, Regular Session, 2021, states that to assist persons interested in obtaining teaching certification in selecting an EPP and to assist school districts in making staffing decisions, the SBEC shall make certain specified information regarding EPPs in this state available to the public through the SBEC's Internet website.

The full text of statutory citations can be found in the statutory authority section of this agenda.

BACKGROUND INFORMATION AND JUSTIFICATION: EPPs are entrusted to prepare educators for success in the classroom. TEC, §21.0443, requires EPPs to adequately prepare candidates for certification. Similarly, TEC, §21.031, requires the SBEC to ensure candidates for certification demonstrate the knowledge and skills necessary to improve the performance of the diverse student population of this state. TEC, §21.045, also requires SBEC to establish standards to govern the continuing accountability of all EPPs. The SBEC rules in 19 TAC Chapter 229 establish the process used for issuing annual accreditation ratings for all EPPs to comply with these provisions of the TEC and to ensure the highest level of educator preparation, which is codified in the SBEC Mission Statement.

Following is a description of the topics for the proposed amendments to 19 TAC Chapter 229. The relevant proposed rule text from 19 TAC Chapter 229 is presented in Attachment I. The proposed Figure: 19 TAC §229.1(c), which is the *ASEP Manual*, is presented in Attachment II, and the proposed Figure: 19 TAC §229.3(f)(1) is presented in Attachment III. A detailed description is included below.

§229.1. General Provisions and Purpose of Accountability System for Educator Preparation Programs.

Update of ASEP Manual

The proposed amendment to Figure: 19 TAC §229.1(c) would provide the following changes to portions of the *ASEP Manual*.

Updates to the table of contents would simplify technical processes related to rulemaking.

Updates to Chapter 1 would simplify and streamline language. These updates would also update the description of Indicators 1a and 1b to align with proposed updates to 19 TAC §229.4(a)(1)(C) and (D), which use the defined terms *pedagogy test* and *content pedagogy test*.

Updates to Chapter 3 would align the description of Indicators 1a and 1b with proposed updates to 19 TAC §229.4(a)(1)(C) and (D). Updates would also clarify the exclusion procedures related to the Performance Assessment for School Leaders (PASL) per 19 TAC §229.4(a)(1)(B). Proposed updates would strike the reference to the Core Subjects Adjustment as it is no longer needed, due to the reset of the years of data used for the small group aggregation, in proposed 19 TAC §229.4(c)(6). For the same reason, proposed updates would strike a reference to the earliest available year of data for use in the small group aggregation procedure. Proposed updates to Chapter 3 would also add clarification about the procedure to identify how tests 291 Core Subjects EC-6 and 391 Core Subjects EC-6 are counted in combination to ensure that candidates with results for both are not double counted in the pass rate. This is in response to request for clarification from the field. Finally, the proposed updates would modify the worked examples to provide demonstration of the PASL inclusion and the tests 291 Core Subjects EC-6 and 391 Core Subjects EC-6 procedure. This would provide transparency to the field.

Updates to Chapter 4 would update the term "English language learners" with the term "emergent bilingual students" to implement SB 2066, 87th Texas Legislature, Regular Session, 2021. Proposed updates would also note the procedure for EPPs to complete a review of the roster of included candidates. This would provide transparency of processes to the field. Additionally, updates to the worked example would provide an example of how the rounding rule operates. This would provide clarity to the field.

Updates to Chapter 5 would clarify the teachers included in the calculation. These updates would note that teachers who exit the teacher workforce prior to being employed for three years and then return to the workforce are not included in the calculation for the EPP following their workforce re-entry. This additional clarification was requested by EPP stakeholders. These updates would also create a threshold of 10 or more students for a teacher's subject area to be included. This is based on recommendations from the working group that provided input to Texas Education Agency (TEA) during the original construction of the Indicator 3 methodology.

Updates to Chapter 6 would remove the term "field experience" and use the terminology "internship or clinical teaching." This would provide better clarity for EPPs, because "field experience" has a separate meaning in 19 TAC Chapter 228. Updates would also clarify the exception procedure to provide transparency to the field. Updates would modify the worked example for Indicator 4a to simplify the figure. Finally, updates to the worked example for Indicator 4b would update the question number references to align with the survey currently in use. This would provide clarity for the field.

Updates to Chapter 7 would replace the term "English language learners" with the term "emergent bilingual students" to implement SB 2066, 87th Texas Legislature, Regular Session, 2021. Proposed updates would also note the procedure for EPPs to complete a review of the roster of included candidates. This would provide transparency of processes to the field.

Updates to Chapter 8 would shift the performance standard for retention as a teacher and for retention in any public-school role from 95% to 85%. Over the past two years no EPPs have met the 95% retention standard, and this change would allow for this commendation to be achievable while still requiring excellence in preparing educators who are retained in the field. Updates to the description of the rigorous and robust preparation section would align language with proposed updates to 19 TAC §229.4(a)(1)(C) and (D) and align the procedure with proposed 19 TAC §229.4(a)(1)(A). Updates to this section would also clarify that the calculations are done based on the number of candidates with certificates, rather than the number of certificates. This provides clarity for the field and simplifies the standard to address the percent of teachers with a certain type of certificate. This approach allows for clearer recognition of programs who prepare candidates who earn multiple certificates through their EPP. Additional updates to this section would clarify that the percentage of candidates in teacher shortage areas are calculated

separately by shortage area, that the percentage of teachers who identify as African American or Hispanic are calculated separately, and that the commendation is awarded separately for these separate results. This provides clarity to the field and addresses questions surfaced by the SBEC in prior meetings. Proposed updates to the preparing educators for long-term success section would clarify that educators are identified as retained when they are continuously employed. This provides clarity for the field and aligns with the reporting specified in TEC, §21.0452. Updates to the Innovative Educator Preparation section would remove the prior year recognition area and would add the new area of commendation recommended by the EPP Commendation Committee at its meeting on April 28, 2022. The new area of commendation will recognize EPPs that engage in innovative development of EPP faculty and staff, field supervisors, and/or cooperating and mentor teachers, in alignment with current research and best practices.

Proposed updates to Chapter 9 would align language with proposed updates to 19 TAC §229.4(a)(1)(C) and (D) and would align the procedure with proposed 19 TAC §229.4(a)(1)(A). Additional updates would modify existing references to prior year performance to specify the most recent prior year for which the EPP has data. This would ensure that only data from actionable years will be included in the ASEP index system calculations.

Updates throughout the *ASEP Manual* would correct date references and minor technical errors, remove footnotes, and provide transparency to the field as to the calculations used to determine accreditation statuses.

§229.2. Definitions.

The updates to the definitions section would add definitions for *content pedagogy test* and *pedagogy test* and would renumber the terms in this section. This allows for alignment of ASEP Indicators 1a and 1b and the *ASEP Manual* with Figure: 19 TAC §230.21(e). This alignment would provide transparency and clarity to the field concerning which exams are used in each calculation.

§229.3. Required Submissions of Information, Surveys, and Other Data.

The proposed updates to Figure: 19 TAC §229.3(f) would update the required collections to add the systematic collection of data related to clinical teaching, internship, and practicum experiences, renumbering the Accountability System Data column. EPPs are already required to create and to retain this data locally; allowing EPPs to report this data to TEA using the Educator Certification Online System would ensure proper record retention, simplifying the continuing review process for EPPs. Additionally, collecting this information would allow TEA to connect this data with campus- and district-level data and to provide summaries and visualizations back to EPPs for their use in program monitoring and continuous improvement of their programs. This collection would allow the TEA staff to address SBEC questions related to clinical teaching and internships to inform policy decisions. Finally, this collection is necessary under TEC, §21.045(b)(2), to allow the SBEC more efficiency in monitoring compliance with the SBEC's requirements for field supervision of candidates during their clinical teaching and internship experiences under 19 TAC §228.35(g). With the addition of data related to clinical teaching, internship, and practicum experiences, the subsequent rows under the Accountability System Data column would be renumbered accordingly.

§229.4. Determination of Accreditation Status.

Update to ASEP Indicator 1

The proposed amendment to §229.4(a)(1) would introduce the terms *content pedagogy tests* and *pedagogy tests* into the indicator description. This aligns with the updates to 19 TAC §229.2 and would provide a clear connection to Figure: 19 TAC §230.21(e) and to this ASEP indicator.

The proposed amendment would strike current §229.4(a)(1)(A) and would reletter current §229.4(a)(1)(B) as §229.4(a)(1)(A).

Updates to new §229.4(a)(1)(A) would introduce the terms *content pedagogy tests* and *pedagogy tests* into the indicator description. Additional updates would strike the outdated language related to completers issued a probationary certificate under a waiver that was in place for the 2020–2021 academic year (AY).

Updates to §229.4(a)(1)(C) and §229.4(a)(1)(D) would introduce the terms *content pedagogy tests* and *pedagogy tests* into the indicator description.

Proposed new §229.4(a)(1)(B) would specify that the PASL would continue to be treated as a content pedagogy test through academic year 2022–2023. This is necessary because the PASL has historically been calculated as a content pedagogy test but is in the pedagogy test column in Figure: 19 TAC §230.21(e). The eventual inclusion of PASL into the pedagogy test calculation brings together all pedagogy tests into the same indicator. This timeline would allow for EPPs to be informed of this change and plan for any necessary adjustments.

Update to Not Accredited-Revoked status

Proposed new §229.4(b)(3)(D) would align with TEC, §21.0451(a)(4), to allow the SBEC to revoke an EPP's accreditation and approval to recommend candidates if the EPP violated SBEC rules, Board orders, or Chapter 21 of the TEC. The rules currently allow the SBEC to change an EPP's accreditation status to "Accredited—Warned" or "Accredited—Probation," but requires that the program remain in "Accredited—Probation" for a year before it can be revoked. The proposed addition would allow the SBEC to seek revocation immediately if an EPP violates an SBEC rule, Board order or statute, so that the SBEC can quickly address severe problems with EPPs and thereby, limit the number of candidates, school districts, and students impacted by the EPP's continuing misconduct. Any EPP recommended for revocation will receive due process through an informal review by TEA staff and a contested case proceeding at the State Office of Administrative Hearings under the existing procedures set out in 19 TAC §§229.5-229.8.

Update to small group exception

Proposed amendments to §229.4(c)(3) and (c)(4) would specify that for the purposes of the small group aggregation procedure, only data from years beginning in 2021–2022 would be used. This reset is aligned with prior approaches to the small group aggregation when indicators are reactivated after being report only. During the 2019–2020 and 2020–2021 AY, all indicators were report only. This update would allow for EPPs that have 10 or fewer candidates in the aggregated or disaggregated groups in 2021–2022 AYs to have that data added to future years of data.

§229.5. Accreditation Sanctions and Procedures.

Update to available sanctions

Proposed new §229.5(b)(3) would renumber this section and would allow the SBEC to order EPPs to provide TEA staff with verification that the EPP is in continued compliance with SBEC rules and the TEC. This will allow the SBEC to tailor EPP sanction orders specifically to the particular program's shortcomings or violations to determine whether an EPP has improved its program to comport with the requirements of SBEC rules and the TEC and will put the program in violation of an SBEC order if it is unable to produce proof of compliance. This will allow the SBEC more options to create sanction orders for EPPs that effectively and enforceably address an EPP's violations, without resorting to the blunt instrument of revocation.

Proposed new §229.5(b)(4) would allow the SBEC to require EPPs with an accreditation status of "Accredited—Warned" or "Accredited—Probation" and EPPs with conditions for continuing approval to post information on their websites to inform the public about the EPP's accreditation status or conditions for continuing approval and to post the documents that support and explain the SBEC's decision to order a particular accreditation status or conditions for continuing approval. This will give current candidates in the program and potential candidates considering whether to enter the program more information and insight regarding the quality of teacher preparation and training the EPP provides and the areas where the program has opportunities for improvement.

Update to certification class or category evaluation

The proposed update to §229.5(c) would introduce the terms "content pedagogy tests" and "pedagogy tests" into the indicator description. This would align with the updates above to 19 TAC §229.2 and would provide a clear connection to Figure: 19 TAC §230.21(e).

§229.9. Fees for Educator Preparation Program Approval and Accountability.

The proposed amendment would remove "internships" from the types of applications for out-of-state and out-of-country sites. This update would provide clarity about the out-of-state and out-of-country school sites for field-based experiences, clinical teaching, and practicums fee because out-of-state internships are not allowed under 19 TAC §228.35(e)(9).

SBOE Review of Proposed SBEC Rules

Under the TEC, §21.042, the SBEC must submit a written copy of each rule it proposes to adopt to the SBOE for review. The SBOE may reject the proposed rule by a vote of at least two-thirds of the members of the SBOE present and voting but may not modify a rule.

FISCAL IMPACT: No changes have been made to this section since published as proposed. The TEA staff has determined that there is no additional fiscal impact on state or local governments and that there are no additional costs to entities required to comply with the proposal.

LOCAL EMPLOYMENT IMPACT: No changes have been made to this section since published as proposed. The proposal has no effect on local economy; therefore, no local employment impact statement is required under Texas Government Code (TGC), §2001.022.

SMALL BUSINESS, MICROBUSINESS, AND RURAL COMMUNITY IMPACT: No changes have been made to this section since published as proposed. The proposal has no direct adverse economic impact for small businesses, microbusinesses, or rural communities; therefore, no regulatory flexibility analysis, specified in TGC, §2006.002, is required.

COST INCREASE TO REGULATED PERSONS: No changes have been made to this section since published as proposed. 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 TGC, §2001.0045.

TAKINGS IMPACT ASSESSMENT: No changes have been made to this section since published as proposed. The proposal does not impose a burden on private real property and, therefore, does not constitute a taking under TGC, §2007.043.

GOVERNMENT GROWTH IMPACT: No changes have been made to this section since published as proposed. The 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, the proposed rule in new §229.2(12) would create a new regulation by adding new definitions for *content pedagogy test* as those exams listed in the column labeled "Required Content Pedagogy Test(s)" in Figure 19 TAC §230.21(e).

The proposed rule in new §229.2(27) would create a new regulation by defining *pedagogy test* as those exams listed in the column labeled "Required Pedagogy Test(s)" in Figure 19 TAC §230.21(e).

The proposed rule in §229.3(f) would create a new regulation for EPPs by requiring new data reporting collections of data related to clinical teaching, internship, and practicum placements.

The proposed rule in new §229.4(b)(3)(D) would create a new regulation for EPPs by allowing the SBEC to assign a status of Accredited-Revoked if the SBEC determines that the EPP has violated SBEC rules, orders, and/or TEC, Chapter 21.

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 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: No changes have been made to this section since published as proposed. The public benefit anticipated as a result of the proposal would be an accountability system that informs the public of the quality of educator preparation provided by each SBEC-approved EPP. There is no anticipated cost to persons who are required to comply with the proposal.

DATA AND REPORTING IMPACT: No changes have been made to this section since published as proposed. The proposal would have a data and reporting impact proposed in §229.3(f)(1). New reporting requirements in 19 TAC §229.3(f)(1) include annual collection of data related to clinical teaching, internship, and practicum placements. This collection is necessary under TEC, §21.045(b)(2), to allow the SBEC more efficiency in monitoring compliance with the SBEC's requirements for field supervision of candidates during their clinical teaching and internship experiences under 19 TAC §228.35(g). EPPs are already required to create and retain this data locally; allowing EPPs to report this data to TEA using the Educator Certification Online System would ensure proper record retention, simplifying the continuing

review process for EPPs. Additionally, by collecting this information centrally, TEA would be able to connect this data with campus- and district-level data and provide summaries and visualizations back to EPPs for their use in monitoring and continuous improvement of their programs. Finally, this collection would allow the TEA staff to address Board questions related to clinical teaching and internships to inform policy decisions.

PRINCIPAL AND CLASSROOM TEACHER PAPERWORK REQUIREMENTS: No changes have been made to this section since published as proposed. The TEA staff 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: In accordance with the SBEC rulemaking process, a summary of comments received by the SBEC on its proposed rules is shared with the SBOE under separate cover prior to this SBOE meeting.

MOTION TO BE CONSIDERED: The State Board of Education:

Take no action on Proposed Amendments to 19 TAC Chapter 229, Accountability System for Educator Preparation Programs.

Staff Members Responsible:

Emily Garcia, Associate Commissioner, Educator Preparation, Certification, and Enforcement
Mark Olofson, Director, Educator Data, Research, and Strategy

Attachment I:

Text of Proposed Amendments to 19 TAC Chapter 229, Accountability System for Educator Preparation Programs

Attachment II:

Text of Proposed Figure: 19 TAC §229.1(c)

Attachment III:

Text of Proposed Figure: 19 TAC §229.3(f)(1)

ATTACHMENT I
Text of Proposed Amendments to 19 TAC

Chapter 229. Accountability System for Educator Preparation Programs

§229.1. General Provisions and Purpose of Accountability System for Educator Preparation Programs.

- (a) The State Board for Educator Certification (SBEC) is responsible for establishing standards to govern the continuing accountability of all educator preparation programs (EPPs). The rules adopted by the SBEC in this chapter govern the accreditation of each EPP that prepares individuals for educator certification. No candidate shall be recommended for any Texas educator certification class or category except by an EPP that has been approved by the SBEC pursuant to Chapter 228 of this title (relating to Requirements for Educator Preparation Programs) and is accredited as required by this chapter.
- (b) The purpose of the accountability system for educator preparation is to assure that each EPP is held accountable for the readiness for certification of candidates completing the programs.
- (c) The relevant criteria, formulas, calculations, and performance standards relevant to subsection (d) of this section and §229.4 of this title (relating to Determination of Accreditation Status) are prescribed in the *Texas Accountability System for Educator Preparation (ASEP) Manual* provided as a figure in this subsection.

Figure: 19 TAC §229.1(c) [~~Figure: 19 TAC §229.1(e)~~]

- (d) An accredited EPP that is not under an active SBEC order or otherwise sanctioned by the SBEC may receive commendations for success in the following four dimensions identified by the SBEC and prescribed in the figure in subsection (c) of this section:
 - (1) Rigorous and Robust Preparation;
 - (2) Preparing the Educators Texas Needs;
 - (3) Preparing Educators for Long-Term Success; and
 - (4) Innovative Educator Preparation.

§229.2. Definitions.

The following words and terms, when used in this chapter, shall have the following meanings, unless the context clearly indicates otherwise.

- (1) Academic year--If not referring to the academic year of a particular public, private, or charter school or institution of higher education, September 1 through August 31.
- (2) Accredited institution of higher education--An institution of higher education that, at the time it conferred the degree, was accredited or otherwise approved by an accrediting organization recognized by the Texas Higher Education Coordinating Board.
- (3) ACT®--The college entrance examination from ACT®.
- (4) Administrator--For purposes of the surveys and information required by this chapter, an educator whose certification would entitle him or her to be assigned as a principal or assistant principal in Texas, whether or not he or she is currently working in such an assignment.
- (5) Beginning teacher--For purposes of the Texas Education Code, §21.045(a)(3), and its implementation in this chapter, a classroom teacher with fewer than three years of experience as a classroom teacher.
- (6) Candidate--An individual who has been formally or contingently admitted into an educator preparation program; also referred to as a participant.
- (7) Certification category--A certificate type within a certification class, as described in Chapter 233 of this title (relating to Categories of Classroom Teaching Certificates).

- (8) Certification class--A certificate, as described in §230.33 of this title (relating to Classes of Certificates), that has defined characteristics; may contain one or more certification categories, as described in Chapter 233 of this title.
- (9) Clinical teaching--An assignment, as described in §228.35 of this title (relating to Preparation Program Coursework and/or Training).
- (10) Completer--A person who has met all the requirements of an approved educator preparation program. In applying this definition, the fact that a person has or has not been recommended for a standard certificate or passed a certification examination shall not be used as criteria for determining who is a completer.
- (11) Consecutively measured years--Consecutive years for which a group's performance is measured, excluding years in which the small group exception applies, in accordance with §229.4(c) of this title (relating to Determination of Accreditation Status).
- (12) Content Pedagogy Test--Examination listed in the column labeled "Required Content Pedagogy Test(s)" in Figure 19 TAC §230.21(e).
- (13) [~~(12)~~] Cooperating teacher--An individual, as described in §228.2 of this title (relating to Definitions), who guides, assists, and supports a candidate during a candidate's clinical teaching assignment.
- (14) [~~(13)~~] Demographic group--Male and female, as to gender; and African American, Hispanic, White, and Other, as to race and ethnicity.
- (15) [~~(14)~~] Educator preparation program--An entity approved by the State Board for Educator Certification to recommend candidates in one or more educator certification classes or categories.
- (16) [~~(15)~~] Educator preparation program data--Data reported to meet requirements under the Texas Education Code, §21.045(b) and §21.0452.
- (17) [~~(16)~~] Examination--An examination or other test required by statute or any other State Board for Educator Certification rule codified in the Texas Administrative Code, Title 19, Part 7, that governs an individual's admission to an educator preparation program, certification as an educator, continuation as an educator, or advancement as an educator.
- (18) [~~(17)~~] Field supervisor--An individual, as described in §228.2 of this title (relating to Definitions), who is hired by an educator preparation program to observe candidates, monitor their performance, and provide constructive feedback to improve their effectiveness as educators.
- (19) [~~(18)~~] First-year teacher--For purposes of the Texas Education Code, §21.045(a) (2), and its implementation in this chapter, an individual in his or her first year of employment as a classroom teacher.
- (20) [~~(19)~~] GPA--Grade point average.
- (21) [~~(20)~~] GRE®--Graduate Record Examinations®.
- (22) [~~(21)~~] Higher Education Act--Federal legislation consisting of the Higher Education Act of 1965 (20 United States Code, §1070 et seq.) and its subsequent amendments, which requires reports of educator preparation program performance data.
- (23) [~~(22)~~] Incoming class--Individuals contingently or formally admitted between September 1 and August 31 of each year by an educator preparation program.
- (24) [~~(23)~~] Internship--An assignment, as described in §228.35 of this title (relating to Preparation Program Coursework and/or Training).
- (25) [~~(24)~~] Mentor--An individual, as described in §228.2 of this title (relating to Definitions), who guides, assists, and supports a candidate during a candidate's internship assignment.

- (26) [(25)] New teacher--For purposes of the Texas Education Code, §21.045(a)(5), and its implementation in this chapter, an individual in his or her first year of employment as a classroom teacher under a standard certificate.
- (27) Pedagogy Test--Examination listed in the column labeled "Pedagogical Requirement(s)" in Figure: 19 TAC §230.21(e).
- (28) [(26)] Practicum--An assignment, as described in §228.35 of this title (relating to Preparation Program Coursework and/or Training).
- (29) [(27)] SAT®--The college entrance examination from the College Board.
- (30) [(28)] Site supervisor--An individual, as described in §228.2 of this title (relating to Definitions), who guides, assists, and supports a candidate during a candidate's practicum assignment.
- (31) [(29)] Texas Education Agency staff--Staff of the Texas Education Agency assigned by the commissioner of education to perform the State Board for Educator Certification's administrative functions and services.

§229.3. Required Submissions of Information, Surveys, and Other Data.

- (a) Educator preparation programs (EPPs), EPP candidates, first-year teachers, new teachers, beginning teachers, field supervisors, administrators, mentors, site supervisors, and cooperating teachers shall provide to the Texas Education Agency (TEA) staff all data and information required by this chapter, as set forth in subsections (e) and (f) of this section.
- (b) Any individual holding a Texas-issued educator certificate who fails to provide information required by this chapter and the Texas Education Code (TEC), §21.045 and §21.0452, as set forth in subsection (e) of this section, may be subject to sanction of his or her certificate, including the placement of restrictions, inscribed or non-inscribed reprimand, suspension, or revocation.
- (c) Any Texas public school that fails to provide information required by this chapter and the TEC, §21.045 and §21.0452, as set forth in subsection (e) of this section, may be referred to the commissioner of education with a recommendation that sanctions upon its accreditation status be imposed for failure to comply with this section and the TEC, §21.0452.
- (d) Any open-enrollment charter school that fails to provide information required by this chapter and the TEC, §21.045 and §21.0452, as set forth in subsection (e) of this section, may be referred to the commissioner of education with a recommendation that sanctions be imposed for failure to comply with this section and the TEC, §21.0452.
- (e) All required EPP data for an academic year shall be submitted to the TEA staff annually by September 15 following the end of that academic year. All surveys and information required to be submitted pursuant to this chapter by principals shall be submitted by June 15 of any academic year in which an administrator has had experience with a first-year teacher who was a participant in an EPP. All surveys and information required to be submitted pursuant to this chapter by new teachers shall be submitted by June 15 of the first full academic year after the teacher completed the requirements of an EPP. All surveys and information required to be submitted pursuant to this chapter by EPP candidates shall be submitted by August 31 of the academic year in which the candidate completed the requirements of an EPP.
- (f) The following apply to data submissions required by this chapter.
- (1) EPPs shall provide data for all candidates as specified in the figure provided in this paragraph.
Figure: 19 TAC §229.3(f)(1) ~~Figure: 19 TAC §229.3(f)(1)~~
 - (2) Candidates in an EPP shall complete a survey, in a form approved by the State Board for Educator Certification (SBEC), evaluating the preparation he or she received in the EPP. Completion and submission to the TEA of the survey is a requirement for completion of an EPP.

- (3) Administrators in Texas public schools and open-enrollment charter schools shall complete individual teacher performance surveys, in a form to be approved by the SBEC, for each beginning teacher.
- (4) Administrators in Texas public schools and open-enrollment charter schools shall complete surveys, in a form to be approved by the SBEC, evaluating the effectiveness of preparation for classroom success based on experience with first-year teachers who were participants in an EPP.
- (5) New teachers in a Texas public school, including an open-enrollment charter school, shall complete surveys, in a form to be approved by the SBEC, evaluating the effectiveness of preparation for classroom success.

§229.4. Determination of Accreditation Status.

- (a) Accountability performance indicators. The State Board for Educator Certification (SBEC) shall determine the accreditation status of an educator preparation program (EPP) at least annually, based on the following accountability performance indicators, disaggregated by demographic group and other requirements of this chapter and determined with the formulas and calculations included in the figure provided in §229.1(c) of this title (relating to General Provisions and Purpose of Accountability System for Educator Preparation Programs). Data will be used only if the following indicators were included in the accountability system for that academic year. Except for the 2019-2020 and 2020-2021 academic years, when the data described in paragraphs (1)-(5) of this subsection will be reported to EPPs and will not be used to determine accreditation statuses, EPP accreditation statuses shall be based on:
 - (1) the EPP candidates' performance on pedagogy tests [examinations of pedagogy and professional responsibilities (PPR)] and content pedagogy tests [non-PPR standard certification examinations]. The EPP candidates' performance on pedagogy tests [PPR] and content pedagogy tests [non-PPR examinations] shall provide separate accountability performance indicators for EPPs;

~~[(A) — For both PPR and non-PPR examinations, the performance standard shall be calculated based on the percentage of individuals admitted after December 26, 2016, who passed an examination within the first two attempts. For purposes of determining the pass rate, an individual shall not be excluded because the individual has not been recommended for a standard certificate. The pass rate is based solely on the examinations approved by the EPP and required to obtain initial certification in the class or category for which the individual serves his or her internship, clinical teaching, or practicum. Examinations not required for certification in that class or category, whether taken before or after admission to an EPP, are not included in the rate. The formula for calculation of pass rate is the number of individuals who have passed an examination on their first or second attempt, including any attempts after the candidate completed the EPP, divided by the number of individuals who passed an examination on their first attempt plus those who passed or failed on their second attempt.]~~

 - (A) ~~[(B)]~~ For both pedagogy tests and content pedagogy tests, [the 2020-2021 academic year and following,] the performance standard shall be the percent of individuals admitted after December 26, 2016, who passed an examination within the first two attempts, including those examinations attempted after the individual has completed the EPP or when the EPP has not recommended the individual for a standard certificate. The pass rate is based solely on the examinations approved by the EPP. Examinations taken before admission to the EPP or specific examinations taken for pilot purposes are not included in the pass rate. [Completers who have been issued a probationary certificate under a waiver issued by the governor pursuant to the declaration of disaster on March 13, 2020, are not included in the pass rate for the 2020-2021 academic year.]
 - (B) For the 2021-2022 and 2022-2023 academic years, the Performance Assessment for School Leaders (PASL) shall be treated as a content pedagogy test.
 - (C) For pedagogy tests [examinations of PPR], the [pass rate will be calculated as described in subparagraph (A) of this paragraph for the 2018-2019 and 2019-2020 academic years]

~~and subparagraph (B) of this paragraph beginning with the 2020-2021 academic year. The~~ performance standard shall be a pass rate of 85%.

- (D) For ~~content pedagogy tests~~ ~~[non-PPR examinations]~~, the ~~[pass rate will be calculated as described in subparagraph (A) of this paragraph for the 2018-2019 and 2019-2020 academic years and subparagraph (B) of this paragraph beginning with the 2020-2021 academic year. The]~~ performance standard shall be a pass rate of 75%.
- (2) the results of appraisals of first-year teachers by administrators, based on a survey in a form to be approved by the SBEC. The performance standard shall be 70% of first-year teachers from the EPP who are appraised as "sufficiently prepared" or "well prepared";
- (3) the growth of students taught by beginning teachers as indicated by the STAAR Progress Measure, determined at the student level as described in Figure: 19 TAC §97.1001(b) of Part 2 [H] of this title (relating to Accountability Rating System), and aggregated at the teacher level as described in Figure: 19 TAC §229.1(c) of this title. The performance standard shall be 70% of beginning teachers from the EPP reaching the individual performance threshold. The first two academic years for which the Texas Education Agency (TEA) has data necessary to calculate this performance standard following the 2019-2020 academic year will be reporting years only and will not be used to determine accreditation status;
- (4) the results of data collections establishing EPP compliance with SBEC requirements specified in §228.35(g) of this title (relating to Preparation Program Coursework and/or Training), regarding the frequency, duration, and quality of field supervision to candidates completing clinical teaching or an internship. The frequency and duration of field supervision shall provide one accountability performance indicator, and the quality of field supervision shall provide a separate accountability performance indicator;
- (A) The performance standard as to the frequency, duration, and required documentation of field supervision shall be that the EPP meets the requirements of documentation of §228.35(g) of this title for 95% of the EPP's candidates.
- (B) The performance standard for quality shall be 90% of candidates rating the field supervision as "frequently" or "always or almost always" providing the components of structural guidance and ongoing support; and
- (5) the results from a teacher satisfaction survey, in a form approved by the SBEC, of new teachers administered at the end of the first year of teaching under a standard certificate. The performance standard shall be 70% of teachers responding that they were "sufficiently prepared" or "well prepared" by their EPP.
- (b) Accreditation status assignment. For the 2021-2022 academic year, the assigned accreditation status shall be the better result for the EPP from the system described in paragraph (1) of this subsection and paragraph (2) of this subsection.
- (1) Beginning in the 2021-2022 academic year, all approved EPPs may be assigned an accreditation status based on their performance in the Accountability System for Educator Preparation Programs (ASEP) Index system, as described in Figure: 19 TAC §229.1(c) of this title.
- (A) Accredited status. An EPP shall be assigned an Accredited status if the EPP has met the standard of 85% of the possible points in the ASEP Index system as described in Figure: 19 TAC §229.1(c) of this title and has been approved by the SBEC to prepare, train, and recommend candidates for certification.
- (B) Accredited-Not Rated status. An EPP shall be assigned Accredited-Not Rated status upon initial approval to offer educator preparation, until the EPP can be assigned a status based on the ASEP Index system as described in Figure: 19 TAC §229.1(c) of this title. An EPP is fully accredited and may recommend candidates for certification while it is in Accredited-Not Rated status.
- (C) Accredited-Warning status.

- (i) An EPP shall be assigned Accredited-Warned status if the EPP accumulates 80% or greater but less than 85% of the possible points in the ASEP Index system as described in Figure: 19 TAC §229.1(c) of this title.
 - (ii) An EPP may be assigned Accredited-Warned status if the SBEC determines that the EPP has violated SBEC rules, orders, and/or Texas Education Code (TEC), Chapter 21.
- (D) Accredited-Probation status.
 - (i) An EPP shall be assigned Accredited-Probation status if the EPP accumulates less than 80% of the possible points in the ASEP Index system as described in Figure: 19 TAC §229.1(c) of this title.
 - (ii) An EPP may be assigned Accredited-Probation status if the SBEC determines that the EPP has violated SBEC rules, orders, and/or TEC, Chapter 21.
- (2) Through the 2021-2022 academic year, all approved EPPs may be assigned an accreditation status as follows.
 - (A) Accredited status. An EPP shall be assigned an Accredited status if the EPP has met the accountability performance standards described in subsection (a) of this section and has been approved by the SBEC to prepare, train, and recommend candidates for certification.
 - (B) Accredited-Not Rated status. An EPP shall be assigned Accredited-Not Rated status upon initial approval to offer educator preparation, until the EPP can be assigned a status based on the performance standards described in subsection (a) of this section. An EPP is fully accredited and may recommend candidates for certification while it is in Accredited-Not Rated status.
 - (C) Accredited-Warned Status.
 - (i) An EPP shall be assigned Accredited-Warned status if the EPP:
 - (I) fails to meet the performance standards set by the SBEC for the overall performance of all its candidates on any of the indicators set forth in subsection (a) of this section in any one year;
 - (II) fails to meet the performance standards in two demographic groups on an indicator set forth in subsection (a) of this section in any one year; or
 - (III) fails to meet the performance standards for a demographic group on any of the indicators set forth in subsection (a) of this section for two consecutively measured years, regardless of whether the deficiency is in the same demographic group or standard.
 - (ii) An EPP may be assigned Accredited-Warned status if the SBEC determines that the EPP has violated SBEC rules, orders, and/or TEC, Chapter 21.
 - (D) Accredited-Probation status.
 - (i) An EPP shall be assigned Accredited-Probation status if the EPP:
 - (I) fails to meet the performance standards set by the SBEC for the overall performance of all its candidates on any of the indicators set forth in subsection (a) of this section for two consecutively measured years;
 - (II) fails to meet the performance standards in three demographic groups on an indicator set forth in subsection (a) of this section in any one year; or
 - (III) fails to meet the performance standards for a demographic group on any of the indicators set forth in subsection (a) of this section for three

consecutively measured years, regardless of whether the deficiency is in the same demographic group or standard.

- (ii) An EPP may be assigned Accredited-Probation status if the SBEC determines that the EPP has violated SBEC rules, orders, and/or TEC, Chapter 21.

(3) Not Accredited-Revoked status.

- (A) An EPP shall be assigned Not Accredited-Revoked status and its approval to recommend candidates for educator certification revoked if it is assigned Accredited-Probation status for three consecutively measured years.
- (B) An EPP may be assigned Not Accredited-Revoked status if the EPP has been on Accredited-Probation status for one year, and the SBEC determines that revoking the EPP's approval is reasonably necessary to achieve the purposes of the TEC, §21.045 and §21.0451.
- (C) An EPP may be assigned Not Accredited-Revoked status if the EPP fails to pay the required ASEP technology fee by the deadline set by TEA as prescribed in §229.9(7) of this title (relating to Fees for Educator Preparation Program Approval and Accountability).
- (D) An EPP may be assigned Not Accredited-Revoked status if the SBEC determines that the EPP has violated SBEC rules, orders, and/or TEC, Chapter 21.
- (E) ~~(D)~~ An assignment of Not Accredited-Revoked status and revocation of EPP approval to recommend candidates for educator certification is subject to the requirements of notice, record review, and appeal as described in this chapter.
- (F) ~~(E)~~ A revocation of an EPP approval shall be effective for a period of two years, after which a program may reapply for approval as a new EPP pursuant to Chapter 228 of this title (relating to Requirements for Educator Preparation Programs).
- (G) ~~(F)~~ Upon revocation of EPP approval, the EPP may not admit new candidates for educator certification but may complete the training of candidates already admitted by the EPP and recommend them for certification. If necessary, TEA staff and other EPPs shall cooperate to assist the previously admitted candidates of the revoked EPP to complete their training.

(4) Not Rated: Declared State of Disaster status.

- (A) Due to the governor's declaration of disaster on March 13, 2020 in accordance with Texas Government Code, §418.014, all EPPs shall be assigned a status of Not Rated: Declared State of Disaster for the 2019-2020 and 2020-2021 academic years.
- (B) The assignment of Not Rated: Declared State of Disaster shall not interrupt consecutively measured years or next most recent prior years as prescribed in this chapter. The assignment of Not Rated: Declared State of Disaster shall not be included in any count of years prescribed in this chapter.
- (C) For the purposes of §228.10 of this title (relating to Approval Process), §228.17(c) of this title (relating to Change of Ownership and Name Change), and §228.20 of this title (relating to Governance of Educator Preparation Programs), the status the SBEC assigned an EPP for the 2018-2019 academic year shall be the operative accreditation status.
- (D) For EPPs with an assigned status other than Accredited for the 2018-2019 academic year that meet the requirements for a status of Accredited as described in subsection (b)(1)(A) or (b)(2)(A) of this section based on their 2020-2021 data:
 - (i) the 2020-2021 academic year shall represent a break in consecutively measured years or next most recent prior years as prescribed in subsection (b)(1)-(3) of this section; and
 - (ii) the EPP shall be eligible for commendations as described in §229.1(d) of this title for the 2020-2021 academic year.

- (c) Small group exception.
- (1) For purposes of accreditation status determination, the performance of an EPP candidate group, aggregated or disaggregated by demographic group, shall be measured against performance standards described in this chapter in any one year in which the number of individuals in the group exceeds 10. The small group exception does not apply to compliance with the frequency and duration of field supervisor observations.
 - (2) For an EPP candidate group, aggregated or disaggregated by demographic group, where the group contains 10 or fewer individuals, the group's performance shall not be counted for purposes of accreditation status determination for that academic year based on only that year's group performance.
 - (3) If the current year's EPP candidate group, aggregated or disaggregated by demographic group, contained between one and 10 individuals, that group performance shall be combined with the [next most recent prior year's] group performance from the next most recent prior year subsequent to the 2020-2021 academic year for which there was at least one individual, and if the two-year cumulated group contains more than 10 individuals, then the two-year cumulated group performance must be measured against the standards in the current year. The two-year cumulated group shall not include group performance from years prior to the 2021-2022 academic year.
 - (4) If the two-year cumulated EPP candidate group described in subsection (c)(3) of this section, aggregated or disaggregated by demographic group, contains between one and 10 individuals, then the two-year cumulated group performance shall be combined with the next most recent group performance subsequent to the 2020-2021 academic year for which there was at least one individual. The three-year cumulated group performance must be measured against the standards in the current year, regardless of how small the cumulated number of group members may be. The three-year cumulated group performance shall not include group performance from years prior to the 2021-2022 academic year.
 - (5) In any reporting year in which the EPP candidate group, aggregated or disaggregated by demographic group, does not meet the necessary number of individuals needed to measure against performance standards for that year, for all indicators, the accreditation status will continue from the prior year. Any sanction assigned as a result of an accredited-warned or accredited-probation status in a prior year will continue if that candidate group has not met performance standards since being assigned accredited-warned or accredited-probation status. The SBEC may modify the sanction as the SBEC deems necessary based on subsequent performance, even though that performance is not measured against performance standards for a rating.

§229.5. Accreditation Sanctions and Procedures.

- (a) The State Board for Educator Certification (SBEC) may assign an educator preparation program (EPP) Accredited-Warned or Accredited-Probation status if the SBEC determines that the EPP has violated SBEC rules and/or Texas Education Code (TEC), Chapter 21.
- (b) If an EPP has been assigned Accredited-Warned or Accredited-Probation status, or if the SBEC determines that additional action is a necessary condition for the continuing approval of an EPP to recommend candidates for educator certification, the SBEC may take any one or more of the following actions, which shall be reviewed by the SBEC at least annually:
 - (1) require the EPP to obtain technical assistance approved by the Texas Education Agency (TEA) or SBEC;
 - (2) require the EPP to obtain professional services approved by the TEA or SBEC;
 - (3) require the EPP to provide TEA staff with verification of the EPP's compliance with SBEC rules and/or the TEC;
 - (4) require the EPP to post on its website:
 - (A) accreditation status;

(B) notice that the SBEC has instated conditions on the EPP's continuing approval;

(C) TEA's continuing approval review report; and/or

(D) official notification of recommended status;

- (5) ~~(3)~~ appoint a monitor to participate in the activities of the EPP and report the activities to the TEA or SBEC; and/or
- (6) ~~(4)~~ require the EPP to develop an action plan addressing the deficiencies and describing the steps the program will take to improve the performance of its candidates. TEA staff may prescribe the information that must be included in the action plan. The action plan must be sent to TEA staff no later than 45 calendar days following notification to the EPP that SBEC has ordered the action plan.
- (c) Notwithstanding the accreditation status of an EPP, if the performance of candidates on an examination required for certification (as listed in Figure: 19 TAC §230.21(e) of this title (relating to Educator Assessment)) in an individual certification class or category offered by an EPP fails to meet the performance standard on the content pedagogy tests ~~[non-PPR examinations]~~ as described in §229.4(a)(1)(D) of this title (relating to Determination of Accreditation Status) for three consecutive years, the approval to offer that certification class or category shall be revoked. Any candidates already admitted for preparation in that class or category may continue in the EPP and be recommended for certification after program completion, but no new candidates shall be admitted for preparation in that class or category unless and until the SBEC reinstates approval for the EPP to offer that certification class or category.
- (1) For purposes of determining compliance with subsection (c) of this section, candidate performance in individual certification classes or categories in only the 2016-2017 academic year and subsequent academic years will be considered.
- (2) Performance indicators by demographic group shall not be counted for purposes of subsection (c) of this section pertaining to performance standards for individual certification classes or categories. If the aggregated number of individuals counted for a certification class or category is 10 or fewer, the performance on the standard shall be cumulated and counted in the same manner as provided in §229.4(c) of this title.
- (3) For EPPs that failed to meet the standard described in subsection (c) of this section for a certification class or category in the 2018-2019 academic year that meet the requirements based on their 2020-2021 data, the 2020-2021 academic year shall represent a break in consecutively measured years for the purpose of subsection (c) of this section.
- (d) An EPP shall be notified in writing regarding any action proposed to be taken pursuant to this section, or proposed assignment of an accreditation status of Accredited-Warning, Accredited-Probation, or Not Accredited-Revoked. The notice shall state the basis on which the proposed action is to be taken or the proposed assignment of the accreditation status is to be made.
- (e) All costs associated with providing or requiring technical assistance, professional services, or the appointment of a monitor pursuant to this section shall be paid by the EPP to which the services are provided or required, or its sponsor.

§229.9. Fees for Educator Preparation Program Approval and Accountability.

An educator preparation program requesting approval and continuation of accreditation status shall pay the applicable fee from the following list.

- (1) New educator preparation program application and approval (nonrefundable)--\$9,000.
- (2) Five-year continuing approval review visit pursuant to §228.10(b) of this title (relating to Approval Process)--\$4,500.
- (3) Discretionary continuing approval review visit pursuant to §228.10(b) of this title--\$4,500.
- (4) Addition of new certification category or addition of clinical teaching--\$500.

- (5) Addition of each new class of certificate--\$1,000.
- (6) Applications for out-of-state and out-of-country school sites for field-based experiences, clinical teaching, ~~internships,~~ and practicums--\$500.
- (7) Accountability System for Educator Preparation Programs technology fee--\$35 per admitted candidate.

ATTACHMENT II
Text of Proposed Amendments to 19 TAC

Figure: 19 TAC §229.1(c) [Figure: 19 TAC §229.1(e)]

Texas Accountability System for Educator Preparation (ASEP) Manual 2021-2022 [2020–2021]

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Chapter 1 – Accountability Overview

The Accountability System for Educator Preparation Programs (ASEP) ~~is contained in Texas Education Code (TEC) §21.045. [was the result of state legislation¹ that implemented]~~ It is an accountability framework for educator preparation programs (EPPs) and ~~provides [provided]~~ information for EPPs, policymakers, and the public. ~~[ASEP provides information about the performance of EPPs and establishes accountability measures related to EPP processes and outcomes.]~~ Within this ~~statute, legislation~~ the State Board for Educator Certification (SBEC) is ~~[was]~~ charged with establishing rules^[2] governing ASEP. Key provisions of the governing legislation and rules include:

- Establishing minimum standards for initial and continuing approval of EPPs
- Establishing sanctions for EPPs that do not meet standards
- Requiring annual reporting of performance data for each EPP
- Providing publicly available consumer information to support individuals in selection of EPPs and school districts in making recruitment and staffing decisions

About This Manual

This manual provides descriptions and examples of the analyses and calculations used in calculating the values for the ASEP indicators for accreditation. These analytical approaches will be used to compute ASEP values based on 2021-2022 ~~[2020–2021]~~ data. This manual is designed to be adopted into rule by the SBEC. ~~[To this end, it has been condensed from prior iterations to focus solely on these indicators and calculations for the ASEP accreditation indicators.]~~

This manual begins with an overview of ASEP and accreditation, followed by methodological considerations that apply across the system (Chapter 2). Chapters 3–7 elaborate on each individual ASEP indicator and include an explanation of the analysis along with an example. Chapter 8 presents information about the recognition of high-performing EPPs. Chapter 9 describes the determination of accreditation statuses using the ASEP Index.

ASEP Accountability Indicators

ASEP accountability indicators are used to determine accreditation status of EPPs. These indicators are described in Texas Education Code (TEC) §21.045 and enacted in rule in Texas Administrative Code (TAC) Chapter 229. TEC statute identifies five measures, which TAC rule further delineates into seven separate indicators:

- ASEP Accountability Indicator 1a: Certification examination results for pedagogy tests ~~[and professional responsibilities (PPR) exams]~~
- ASEP Accountability Indicator 1b: Certification examination results for content pedagogy tests ~~[non-PPR exams]~~
- ASEP Accountability Indicator 2: Principal appraisal of the preparation of first-year teachers
- ASEP Accountability Indicator 3: Improvement in student achievement of students taught by beginning teachers

^[1] ~~Texas Education Code (TEC) §§21.045, 21.0451, and 20.0452.]~~

^[2] ~~Texas Administrative Code (TAC) Chapter 229]~~

- ASEP Accountability Indicator 4a: Frequency and duration of field observations
- ASEP Accountability Indicator 4b: Quality of field supervision
- ASEP Accountability Indicator 5: Satisfaction of new teachers

These indicators are further explained in the following chapters, including the performance standards and methods for calculations.

Chapter 2 – Methodological Considerations

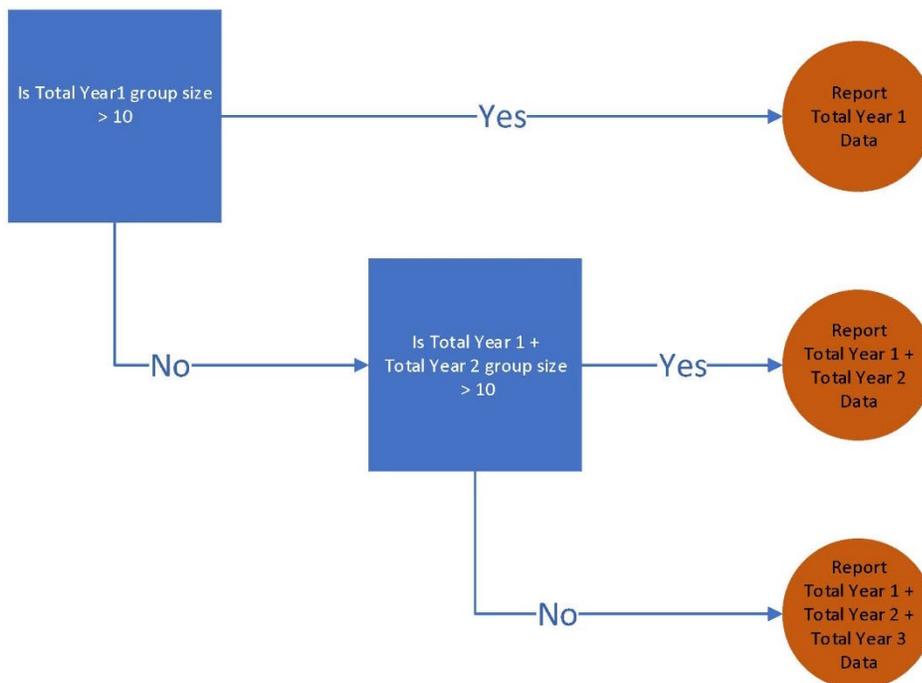
This ASEP chapter discusses methodological and reporting considerations that are relevant to ASEP accountability indicators.

Small Group Aggregation

Per 19 TAC §229.4(c), selected ASEP accountability indicators are subject to a small group consideration and aggregation. These indicators are used for accountability if groups include more than 10 individuals in an individual year or contain 10 individuals when combined with the next-most prior year for which there are data, or when combined with the two next-most prior years for which there are data.

Illustration 1 summarizes the procedure for the small group aggregation. If 10 or fewer individuals are present in a reporting group in a year, data are combined with data for the next most prior year for which there are data. If the combined (Year 1 and Year 2) group size is more than 10, then the combined group data are reported. If the combined group size is 10 or fewer, then data from the next most prior year for which there are data are combined (Year 1, Year 2, and Year 3) and the performance for the combined group is reported regardless of sample size.

Illustration 1: Overview of Small Group Aggregation Procedure



As illustrated above, use of the small group exception may result in nonreported data for ASEP for some years. Because determination of accreditation status may be based on performance across multiple years, the small group procedure allows for accreditation determinations to be based on data from nonconsecutive years, including only those years in which enough data are available.

Demographic Group Conventions

As prescribed by 19 TAC §229.4(a), ASEP accountability indicators are to be reported with disaggregation in respect to gender, race, and ethnicity. For these categories, TEA uses the race, ethnicity, and gender designations defined in 19 TAC §229.2(14)(13).

As of this publication, Educator Certification Online System (ECOS) allows for self-identified gender designations of male and female, which are the disaggregated gender categories reported for ASEP. If no selection is made, the individual is excluded from the disaggregated performance metric calculations. However, the individual is still included in the aggregated performance metric calculations.

Per 19 TAC §229.2(14)(13) ASEP uses these four categories for the race and ethnicity demographic group: African American, Hispanic, White, and Other. If no selection for race and ethnicity is made, the individual is excluded from the disaggregated performance metric calculations. However, the individual is still included in the aggregated performance metric calculations.

Rounding Conventions

Unless otherwise noted, to compute ASEP accountability indicators, conventional rounding rules are applied. For example, when rounding to a whole number, numbers that end with a decimal value of .4999 or less are rounded down; those that end with a decimal value of .5000 or more are rounded up. When rounding to a one-place decimal, numbers that end with .9499 round to .9, and those that end with .9500 round to 1.0.

Chapter 3 – Certification Exam Pass Rate

Overview

ASEP Indicator 1 is the pass rate on certification exams approved by the EPP. The SBEC has separated this indicator into two measures: the pass rate on pedagogy tests [PPR exams] (1a) and the pass rate on content pedagogy tests [non-PPR exams] (1b). This chapter presents the individuals included, the assessments included, special methodological considerations, and a worked example of computing these two similar indicators.

Individuals Included

For the 2021-2022 [2020–2021] academic year (AY), all individuals who are enrolled in an EPP and complete an examination required for licensure are eligible for inclusion. Individuals admitted to the EPP prior to December 27, 2016, who have not exited the program and subsequently re-entered the EPP following December 26, 2016, are excluded from this calculation. Individuals who were issued a probationary certificate under a waiver issued by the governor pursuant to the declaration of disaster on March 13, 2020, are not included. For the purposes of determining the pass rate, individuals shall not be excluded because the individual has not been recommended for a standard certificate.

Assessments Included

For the 2021-2022 [2020–2021] AY, all certification examinations approved by the EPP are eligible for inclusion.

The examination must be the first or second attempt for the particular examination^[3] approved by the EPP for the individual. Examinations approved by the EPP and completed prior to the reporting year are used in determining the attempt-count for an individual. Results from examinations taken during the reporting year are used in the calculation of the pass rate. Examinations approved by the EPP but completed after the individual has finished the EPP are included. Examinations that are part of an exam pilot program as of the date they are approved by the EPP are excluded, both from the pass rate and from the determination of which examinations are the first two attempts.

PASL

As specified in 19 TAC §229.4(a)(1)(B), for 2021-2022, the Performance Assessment for School Leaders is included in the pass rate calculation for content pedagogy tests.

[³Examinations are uniquely identified by test number and test type]

Calculation

ASEP Accountability Indicator 1a:

Divide the number of passed pedagogy tests [PPR certification examinations] on the first or second attempt by the total number of passed pedagogy tests [PPR certification examinations] on the first attempt plus the number of pedagogy tests [PPR certification examinations] passed or failed on their second attempt. Multiply by 100. Round to the nearest whole number.

ASEP Accountability Indicator 1b:

Divide the number of passed content pedagogy tests [non-PPR certification examinations] on the first or second attempt by the total number of passed content pedagogy tests [non-PPR certification examinations] on the first attempt plus the number of content pedagogy tests [non-PPR certification examinations] passed or failed on their second attempt. Multiply by 100. Round to the nearest whole number.

Special Methodological Considerations

[Core Subjects Adjustment]

Due to an update in how data is reported to TEA from the test vendor, the Core Subjects adjustment is no longer needed for scores reported January 2020 and following. As the adjustment is still used in years which may be included as part of a small group aggregation, the procedure is described below.

The Core Subjects examinations (i.e., 291 Core Subjects EC–6 TExES and 211 Core Subjects 4–8 TExES) allow for candidates to re take individual subject areas if they fail the examination on their first attempt. The way in which the test vendor reports this data back to TEA necessitates a post hoc adjustment to the pass rates related to these exams. The core subjects adjustment treats individual subject retakes as second attempts only once a) all subject areas have been passed or b) a particular subject area has been failed the second time. If all subject areas are passed without a subject area being failed the second time, TEA identifies this as a second attempt pass. If the candidate fails an individual subject area a second time, TEA identifies this as a second attempt fail.

It should be noted that if individuals take the individual subject matter exams, each attempt counts towards their 5-time test limit for the overall (i.e., 291 Core Subjects EC–6 TExES and 211 Core Subjects 4–8 TExES) exam.

Disaggregation at the Certification Class or Category Level

As described in 19 TAC §229.5(c) the performance of candidates in individual certification classes and categories are also calculated following the same procedure used for Indicator 1b. TEA uses the small group aggregation procedure described in Chapter 2 for the individual exam level. Per 19 TAC §229.5(e), results within individual certification areas are not disaggregated by race, gender, or ethnicity.

The Science of Teaching Reading examination (STR, TExES 293) and the Bilingual Supplemental exam (BIL, TExES 164) are used for certification in multiple certification categories (see Figure: 19 TAC §230.21(e)). As guided by 19 TAC §229.5(c), the following approach is used to identify candidates with results for these exams with the applicable certification category.

For candidates who have attempted 293 or 164, identify the category the candidate is pursuing certification that requires 293 or 164. TEA associates candidates with categories by reviewing the certification category being pursued, specified by the EPP on the finisher records list in ECOS and with the category(ies) of the certificate associated with the internship, should such an internship exist. In cases of discrepancies between the finisher records list and the internship, the certification category associated with the internship is used. If the candidate with a result for 293 or 164 cannot be associated with a certification category that requires the 293 or 164, the results for the candidate are not used in the calculation of pass rates for the purposes of 19 TAC §229.5(c).

For certification categories with multiple content pedagogy tests [~~non-PPR exams~~], the pass rates are calculated independently using the procedure described in the Calculation section of this chapter. Both pass rates are evaluated against the standard in 19 TAC §229.4(a)(2). As noted in 19 TAC §229.5(c), failure to meet the performance standard for an exam required for a certification class or category results in the EPP being identified as not meeting the standard for the certification class or category. If an EPP fails to meet the standard for a certification class or category for three consecutive years, the approval to offer that certification class or category is revoked.

Small Group Aggregation and Enrollment Date

As described in Chapter 2, if individual demographic groups contain ten or fewer test individuals, the TEA adds results from the prior year for which there is data. For use in ASEP Accountability Indicators 1a and 1b, these prior-year groups continue to exclude individuals who were admitted prior to December 27, 2016. [This means that the earliest available year for aggregation is AY 2016–2017.]

Tests 291 and 391

Test 291 Core Subjects EC-6 had its last operational date 12/31/2021. Test 391 Core Subjects EC-6 was available beginning 1/1/2021 and has now replaced 291. During the overlapping time period, candidates could attempt either 291 or 391 to fulfill the testing requirement. Since 391 was the replacement for 291, the tests are combined at the candidate level for the purpose of determining which tests are included in pass rate calculations. The first and second attempt for the combination of all 291 or 391 attempts by a candidate approved by the EPP are the attempts used for the calculation.

Worked Examples

Example Calculation: Percent of Individuals Passing Pedagogy Tests [PPR Certification]

Step 1: Using the test approval list in ECOS, identify all individuals admitted to the EPP after December 26, 2016.

Step 2: Identify which tests to include in calculations. Pedagogy tests [~~PPR examinations~~] recommended by the EPP are included. Tests which were part of a pilot program when they were approved by the EPP and completed by the candidate are excluded. For 2021-2022, PASL exams are excluded.

Step 3: Retrieve pedagogy test [~~PPR exam~~] results for candidates identified in Step 1 for the examinations identified in Step 2.

Step 4: Counting chronologically, identify the attempt number associated with each exam for each candidate in each category at each EPP.

Step 5: Identify which test scores to include in calculations. For the purpose of calculating pass rate, only passes on first attempts, passes on second attempts, or failures on second attempts are included. Only first attempt passes, second attempt passes, and second attempt fails completed in the academic year are included.

ASEP Indicator 1a Example

All results that are not shaded in gray are excluded from calculations because the individual has not yet made a second attempt, or already attempted the exam twice, or the test was not eligible for inclusion.

Name	Test Attempt	Test Number/ Name	Test Result
Andrea	1	160: PPR EC-12	F
Andrea	2	160: PPR EC-12	P
Betty	1	160: PPR EC-12	F
Betty	2	160: PPR EC-12	F
Betty	3	160: PPR EC-12	F
Betty	4	160: PPR EC-12	P
Carlos	1	160: PPR EC-12	P
Dana	1	160: PPR EC-12	F
Eduardo	1	160: PPR EC-12	P
Faye	1	160: PPR EC-12	F
Faye	2	160: PPR EC-12	F
Faye	3	160: PPR EC-12	F
Faye	4	160: PPR EC-12	F
George	1	160 PPR EC-12	F
Imogen	1	2110 edTPA: Elementary Education: Literacy with Mathematics Task 4	P
Jermaine	1	160: PPR EC-12	P
Lawrence	1	160 PPR EC-12	F
Mel	1	160 PPR EC-12	F
Nancy	1	160 PPR EC-12	F
Oscar	1	160 PPR EC-12	F
Oscar	2	160 PPR EC-12	P
Patrice	1	160 PPR EC-12	P

Name	Test Attempt	Test Number/ Name	Test Result
Quinn	1	160 PPR EC-12	F
Quinn	2	160 PPR EC-12	P
Roberto	1	160 PPR EC-12	F
Roberto	2	160 PPR EC-12	P
Sally	1	160 PPR EC-12	P
<u>Tomas</u>	<u>1</u>	<u>368 Performance Assessment for Schools Leaders (PASL)</u>	<u>P</u>

Inclusion Notes:

The results for Dana, George, Lawrence, Mel, and Nancy are not included because they failed their first attempt and have not yet completed a second attempt.

The result for Imogen is not included because edTPA is a pilot exam in the 2021-2022 [~~2020-2021~~] reporting year.

The result for Tomas is not included because PASL is not included in indicator 1a for 2021-2022.

Step 6: As necessary, perform the small group aggregation. If the aggregated group or any of the disaggregated groups contain ten or fewer individuals, perform steps 1-5 for the prior year and add those individuals to the list. See Chapter 2 of this manual for further explanation of the small group aggregation.

Step 7: Calculate the pass rate by dividing the number of eligible passed examinations on the first or second attempt (9) by the total number of eligible examinations passed on the first added to the total number of eligible examinations that were passed or failed on the second attempt (11). Multiply this value by 100. Round to the nearest whole number.

Example Pass Rate Calculation

$$= \frac{\text{Number of tests passed on first or second attempt}}{\text{Number of tests passed on first or second attempt or failed on second attempt}} \times 100$$

$$=$$

$$\frac{9}{11} \times 100 =$$

$$0.81818 \times 100 =$$

$$82\%$$

Example Calculation: Percent of Individuals Passing Non-PPR Certification Examinations

Step 1: Using the test approval list in ECOS, identify all individuals admitted to the EPP after December 26, 2016.

Step 2: Identify which tests to include in calculations. Content pedagogy tests [~~Non-PPR exams~~] recommended by the EPP are included. Tests which were part of a pilot program when they were approved by the EPP and completed by the candidate are excluded. PASL exams are included.

Step 3: Retrieve content pedagogy tests [~~non-PPR exams~~] results for candidates identified in Step 1 for the examinations identified in Step 2.

Step 4: Counting chronologically, identify the attempt number associated with each exam for each candidate in each field at each EPP.

Step 5: Identify which test scores to include in calculations. For the purpose of calculating pass rate, only passes on first attempts, passes on second attempts, or failures on second attempts are included. Only first attempt passes, second attempt passes, and second attempt fails completed in the academic year are included.

ASEP Indicator 1b Example

All results that are not shaded in gray are excluded from calculations because the individual has not yet made a second attempt or already attempted the exam twice.

<u>Name</u>	<u>Test Attempt</u>	<u>Test Number/ Name</u>	<u>Test Result</u>
<u>Andrea</u>	<u>1</u>	<u>291 Core Subjects EC-6</u>	<u>F</u>
<u>Andrea</u>	<u>2</u>	<u>391 Core Subjects EC-6</u>	<u>F</u>
<u>Andrea</u>	<u>3</u>	<u>391 Core Subjects EC-6</u>	<u>F</u>
<u>Andrea</u>	<u>4</u>	<u>391 Core Subjects EC-6</u>	<u>P</u>
<u>Betty</u>	<u>1</u>	<u>211 Core Subjects 4-8</u>	<u>P</u>
<u>Carlos</u>	<u>1</u>	<u>613 LOTE Spanish EC-12</u>	<u>P</u>
<u>Dana</u>	<u>1</u>	<u>158 Physical Education EC-12</u>	<u>F</u>
<u>Dana</u>	<u>2</u>	<u>158 Physical Education EC-12</u>	<u>P</u>
<u>Eduardo</u>	<u>1</u>	<u>232 Social Studies 7-12</u>	<u>P</u>
<u>Eduardo</u>	<u>1</u>	<u>154 English as a Second Language Supplemental</u>	<u>P</u>
<u>Faye</u>	<u>1</u>	<u>391 Core Subjects EC-6</u>	<u>F</u>
<u>Faye</u>	<u>2</u>	<u>391 Core Subjects EC-6</u>	<u>F</u>
<u>Faye</u>	<u>3</u>	<u>391 Core Subjects EC-6</u>	<u>P</u>
<u>George</u>	<u>1</u>	<u>391 Core Subjects EC-6</u>	<u>P</u>

<u>Name</u>	<u>Test Attempt</u>	<u>Test Number/ Name</u>	<u>Test Result</u>
<u>Hector</u>	<u>1</u>	<u>211 Core Subjects 4-8</u>	<u>P</u>
<u>Imogen</u>	<u>1</u>	<u>232 Social Studies 7-12</u>	<u>F</u>
<u>Imogen</u>	<u>2</u>	<u>232 Social Studies 7-12</u>	<u>F</u>
<u>Imogen</u>	<u>3</u>	<u>232 Social Studies 7-12</u>	<u>F</u>
<u>Imogen</u>	<u>1</u>	<u>233 History 7-12</u>	<u>P</u>
<u>Jermaine</u>	<u>1</u>	<u>211 Core Subjects 4-8</u>	<u>P</u>
<u>Ken</u>	<u>1</u>	<u>235 Math 7-12</u>	<u>P</u>
<u>Lawrence</u>	<u>1</u>	<u>164 Bilingual Education Supplemental</u>	<u>P</u>
<u>Lawrence</u>	<u>1</u>	<u>211 Core Subjects 4-8</u>	<u>P</u>
<u>Mel</u>	<u>1</u>	<u>232 Social Studies 7-12</u>	<u>F</u>
<u>Nancy</u>	<u>1</u>	<u>158: Physical Ed EC-12</u>	<u>F</u>
<u>Oscar</u>	<u>1</u>	<u>613: LOTE Spanish EC-12</u>	<u>P</u>
<u>Patrice</u>	<u>1</u>	<u>164 Bilingual Education Supplemental</u>	<u>P</u>
<u>Patrice</u>	<u>1</u>	<u>291 Core Subjects EC-6</u>	<u>F</u>
<u>Patrice</u>	<u>2</u>	<u>291 Core Subjects EC-6</u>	<u>F</u>
<u>Patrice</u>	<u>3</u>	<u>391 Core Subjects EC-6</u>	<u>P</u>
<u>Quinn</u>	<u>1</u>	<u>164 Bilingual Education Supplemental</u>	<u>F</u>
<u>Quinn</u>	<u>1</u>	<u>391 Core Subjects EC-6</u>	<u>F</u>
<u>Roberto</u>	<u>1</u>	<u>291 Core Subjects EC-6</u>	<u>F</u>
<u>Roberto</u>	<u>2</u>	<u>291 Core Subjects EC-6</u>	<u>F</u>
<u>Roberto</u>	<u>3</u>	<u>391 Core Subjects EC-6</u>	<u>F</u>
<u>Roberto</u>	<u>4</u>	<u>391 Core Subjects EC-6</u>	<u>F</u>
<u>Sally</u>	<u>1</u>	<u>613 LOTE Spanish EC-12</u>	<u>F</u>

<u>Name</u>	<u>Test Attempt</u>	<u>Test Number/ Name</u>	<u>Test Result</u>
<u>Andrea</u>	<u>1</u>	<u>291 Core Subjects EC-6</u>	<u>F</u>
<u>Andrea</u>	<u>2</u>	<u>391 Core Subjects EC-6</u>	<u>F</u>
<u>Andrea</u>	<u>3</u>	<u>391 Core Subjects EC-6</u>	<u>F</u>
<u>Andrea</u>	<u>4</u>	<u>391 Core Subjects EC-6</u>	<u>P</u>
<u>Betty</u>	<u>1</u>	<u>211 Core Subjects 4-8</u>	<u>P</u>
<u>Carlos</u>	<u>1</u>	<u>613 LOTE Spanish EC-12</u>	<u>P</u>

<u>Name</u>	<u>Test Attempt</u>	<u>Test Number/ Name</u>	<u>Test Result</u>
<u>Dana</u>	<u>1</u>	<u>158 Physical Education EC-12</u>	F
<u>Dana</u>	<u>2</u>	<u>158 Physical Education EC-12</u>	P
<u>Eduardo</u>	<u>1</u>	<u>232 Social Studies 7-12</u>	P
<u>Eduardo</u>	<u>1</u>	<u>154 English as a Second Language Supplemental</u>	P
<u>Faye</u>	<u>1</u>	<u>391 Core Subjects EC-6</u>	F
<u>Faye</u>	<u>2</u>	<u>391 Core Subjects EC-6</u>	F
<u>Faye</u>	<u>3</u>	<u>391 Core Subjects EC-6</u>	P
<u>George</u>	<u>1</u>	<u>391 Core Subjects EC-6</u>	P
<u>Hector</u>	<u>1</u>	<u>368 Performance Assessment for School Leaders (PASL)</u>	P
<u>Imogen</u>	<u>1</u>	<u>232 Social Studies 7-12</u>	F
<u>Imogen</u>	<u>2</u>	<u>232 Social Studies 7-12</u>	F
<u>Imogen</u>	<u>3</u>	<u>232 Social Studies 7-12</u>	F
<u>Imogen</u>	<u>1</u>	<u>233 History 7-12</u>	P
<u>Jermaine</u>	<u>1</u>	<u>211 Core Subjects 4-8</u>	P
<u>Ken</u>	<u>1</u>	<u>235 Math 7-12</u>	P
<u>Lawrence</u>	<u>1</u>	<u>164 Bilingual Education Supplemental</u>	P
<u>Lawrence</u>	<u>1</u>	<u>211 Core Subjects 4-8</u>	P
<u>Mel</u>	<u>1</u>	<u>232 Social Studies 7-12</u>	F
<u>Nancy</u>	<u>1</u>	<u>158: Physical Ed EC-12</u>	F
<u>Oscar</u>	<u>1</u>	<u>613: LOTE Spanish EC-12</u>	P
<u>Patrice</u>	<u>1</u>	<u>164 Bilingual Education Supplemental</u>	P
<u>Patrice</u>	<u>1</u>	<u>291 Core Subjects EC-6</u>	F
<u>Patrice</u>	<u>2</u>	<u>291 Core Subjects EC-6</u>	F
<u>Patrice</u>	<u>3</u>	<u>391 Core Subjects EC-6</u>	P
<u>Quinn</u>	<u>1</u>	<u>164 Bilingual Education Supplemental</u>	F
<u>Quinn</u>	<u>1</u>	<u>391 Core Subjects EC-6</u>	F
<u>Roberto</u>	<u>1</u>	<u>291 Core Subjects EC-6</u>	F
<u>Roberto</u>	<u>2</u>	<u>291 Core Subjects EC-6</u>	F
<u>Roberto</u>	<u>3</u>	<u>391 Core Subjects EC-6</u>	F

Name	Test Attempt	Test Number/ Name	Test Result
Roberto	4	391 Core Subjects EC-6	F
Sally	1	613 LOTE Spanish EC-12	F

Inclusion Notes:

The results for Mel, Nancy, Quinn, and Sally are not included because they failed their first attempt and have not yet completed a second attempt.

Results for Andrea, Patrice, and Roberto are combined across 291 and 391. For Andrea, the first 391 attempt was counted because it was the second attempt overall for the combination of 291 and 391. For Patrice, the second attempt fail for 291 was counted, and the result for 391 was not counted, because the 391 attempt was his third attempt overall for the combination of 291 and 391. Finally, for Roberto, the second attempt fail for 291 was counted, but the second attempt for 391 was not counted, because it was the fourth attempt overall for the combination of 291 and 391.

Results for Hector are included because PASL is included in Indicator 1b for 2021-2022.

Step 6: As necessary, perform the small group aggregation. If the aggregated group or any of the disaggregated groups contain ten or fewer individuals, perform steps 1–5 for the prior year and add those individuals to the list. See Chapter 2 for further explanation of the small group aggregation.

Step 7: Calculate the pass rate by dividing the number of examinations passed on their first or second attempt (14) by the total number examinations passed on the first and second attempt plus the number of failed examinations on the second attempt (19). Multiply this value by 100. Round to the nearest whole number.

Example Pass Rate Calculation

$$\begin{aligned}
 &= \frac{\text{Number of tests passed}}{\text{Number of tests completed}} \times 100 \\
 &= \\
 &\quad \frac{14}{19} \times 100 = \\
 &\quad 0.736 \times 100 = \\
 &\quad 73.6\%, \text{ which rounds to } 74\%
 \end{aligned}$$

Example Calculation: Percent of Individuals Passing Content Pedagogy Tests [Non-PPR]

Step 1: Using the test approval list in ECOS, identify all individuals admitted to the EPP after December 26, 2016.

Step 2: Identify which tests to include in calculations. For certificate categories that do not require the Science of Teaching Reading exam (STR) or the Bilingual Supplemental exam (BIL), content pedagogy tests [Non-PPR exams] recommended by the EPP are included. For certificate categories that require STR or BIL, exams are associated with candidates and categories as described in the Disaggregation at the Certification Class or Category Level section of this chapter.

Step 3: Retrieve content pedagogy tests [non-PPR exam] results for candidates identified in Step 1 for their category(ies) and examinations identified in Step 2.

Step 4: Counting chronologically, identify the attempt number associated with each exam for each candidate in each field at each EPP.

Step 5: Identify which test scores to include in calculations. For the purpose of calculating pass rate, only passes on first attempts, passes on second attempts, or failures on second attempts are included. Only first attempt passes, second attempt passes, and second attempt fails completed in the academic year are included.

STR Certificate Category (Core Subjects with STR: EC-6) Example

All results that are not shaded in gray are excluded from calculations because the individual has not yet made a second attempt or already attempted the exam twice.

Name	Test Attempt	Test Number / Name	Cert Category Pursued by Candidate	Test Result
Andrea	1	291 Core Subjects EC-6	Core Subjects with STR: EC-6	F
Andrea	2	291 Core Subjects EC-6	Core Subjects with STR: EC-6	F
Andrea	1	293 Science of Teaching Reading	Core Subjects with STR: EC-6	P
Betty	1	291 Core Subjects EC-6	Core Subjects with STR: EC-6	P
Carlos	1	291 Core Subjects EC-6	Core Subjects with STR: EC-6	P
Dana	1	291 Core Subjects EC-6	Core Subjects with STR: EC-6	F
Dana	1	293 Science of Teaching Reading	Core Subjects with STR: EC-6	P
Eduardo	1	291 Core Subjects EC-6	Core Subjects with STR: EC-6	P
Eduardo	1	293 Science of Teaching Reading	Core Subjects with STR: EC-6	P
Faye	1	291 Core Subjects EC-6	Core Subjects with STR: EC-6	F
Faye	2	291 Core Subjects EC-6	Core Subjects with STR: EC-6	F
Faye	1	293 Science of Teaching Reading	Core Subjects with STR: EC-6	P
George	1	291 Core Subjects EC-6	Core Subjects with STR: EC-6	P
Hector	1	291 Core Subjects EC-6	Core Subjects with STR: EC-6	P
Imogen	1	291 Core Subjects EC-6	Core Subjects with STR: EC-6	F
Imogen	2	291 Core Subjects EC-6	Core Subjects with STR: EC-6	P
Imogen	1	293 Science of Teaching Reading	Core Subjects with STR: EC-6	F
Josefina	1	291 Core Subjects EC-6	Core Subjects with STR: EC-6	F
Josefina	2	291 Core Subjects EC-6	Core Subjects with STR: EC-6	F
Josefina	1	293 Science of Teaching Reading	Core Subjects with STR: EC-6	P
Kim	1	291 Core Subjects EC-6	Core Subjects with STR: EC-6	P
Lance	1	291 Core Subjects EC-6	Core Subjects with STR: EC-6	P

Name	Test Attempt	Test Number / Name	Cert Category Pursued by Candidate	Test Result
Manuel	1	291 Core Subjects EC-6	Core Subjects with STR: EC-6	F
Manuel	1	293 Science of Teaching Reading	Core Subjects with STR: EC-6	P
Nadia	1	291 Core Subjects EC-6	Core Subjects with STR: EC-6	P
Naida	1	293 Science of Teaching Reading	Core Subjects with STR: EC-6	P
Olga	1	291 Core Subjects EC-6	Core Subjects with STR: EC-6	F
Olga	2	291 Core Subjects EC-6	Core Subjects with STR: EC-6	F
Olga	1	293 Science of Teaching Reading	Core Subjects with STR: EC-6	P
Pent	1	291 Core Subjects EC-6	Core Subjects with STR: EC-6	P
Quentin	1	291 Core Subjects EC-6	Core Subjects with STR: EC-6	P
Ramon	1	291 Core Subjects EC-6	Core Subjects with STR: EC-6	F
Ramon	2	291 Core Subjects EC-6	Core Subjects with STR: EC-6	P
Ramon	1	293 Science of Teaching Reading	Core Subjects with STR: EC-6	P
Sienna	1	293 Science of Teaching Reading	Core Subjects with STR: EC-6	P
Todd	1	293 Science of Teaching Reading	Early Childhood: EC-3	P
Uma	1	293 Science of Teaching Reading	Core Subjects with STR: EC-6	P

Inclusion Notes:

The 291 results for Dana and Olga and the 293 results for Imogen are not included because they failed their first attempt and have not yet completed a second attempt.

The 293 result for Todd is not included because he is not pursuing a different certificate category. His result would be used in the calculation for the Early Childhood: EC-3 category pass rate.

Step 6: As necessary, perform the small group aggregation. If the aggregated group or any of the disaggregated groups contain ten or fewer individuals, perform steps 1–5 for the prior year and add those individuals to the list. See Chapter 2 for further explanation of the small group aggregation.

Step 7: Calculate the pass rate for each exam by dividing the number of examinations passed on their first or second attempt (291: 16; 293: 11) by the total number examinations passed on the first and second attempt plus the number of failed examinations on the second attempt (291: 12; 293: 11). Multiply this value by 100. Round to the nearest whole number.

Example Pass Rate Calculation

$$= \frac{\text{Number of tests passed}}{\text{Number of tests completed}} \times 100$$

$$\frac{12}{16} \times 100 =$$

$$0.75 \times 100 =$$

75% for 291

$$\frac{11}{11} \times 100 =$$

$$1 \times 100 =$$

100% for 293

Chapter 4 – Appraisal of First-Year Teachers by Administrators

Overview

ASEP Accountability Indicator 2 is the percent of first-year teachers who are designated as *sufficiently prepared* or *well-prepared* based on survey ratings by their principals.

The principal survey is administered between early April and mid-June at the end of the relevant academic year. The survey is delivered through the ECOS. The roster of first-year teachers is determined using certification data and Public Education Information Management System (PEIMS) data. This roster is loaded into ECOS and district-level human resources staff perform roster verification, certifying that the individual is employed in the district, was employed for at least five months in the reporting period, and works at the school designated in the system.

Principals log in to ECOS to complete the survey. Within the survey, the principal verifies that the individual is teaching in the area(s) for which he or she was prepared by the EPP and that the individual was employed for at least five months in the reporting period. If the principal does not verify these two statements, the survey is not collected.

The survey application requires the completion of all questions in the four required sections of the survey. These sections are Planning, Instruction, Learning Environment, and Professional Practices & Responsibilities. Additionally, if the principal indicates that the individual worked with students with disabilities or emergent bilingual students [~~students who are English language learners~~], these additional survey sections are displayed and required to be completed.

Following the end of the principal survey data collection period, the data is retrieved from ECOS, cleaned, processed, de-identified, and posted online. Additionally, EPP-specific reports are generated and delivered to EPPs and the public. The aggregated and disaggregated results are used as ASEP Accountability Indicator 2.

Individuals Included

All first-year teachers of record currently enrolled in an EPP or who finished an EPP program within the five years prior to the reporting period and taught in the Texas public school system for a minimum of five months during the reporting period are included.^[4] See 19 TAC §229.2(18) for the definition of a first-year teacher. Teachers on standard, intern, and probationary certificates are included. Teachers who are teaching under an emergency permit are excluded. Individuals who were incorrectly in the principal survey roster as identified by the EPP are not included. EPPs communicate these exceptions to TEA via a provided form during a review period specified by TEA. These exceptions are subject to TEA approval.

Assessments Included

All complete surveys with valid data for teachers who meet the conditions above are included. Surveys that lack valid data on any of the four required survey sections are excluded. Data from optional sections (i.e.,

^[4] See TAC §229.2(18) for the definition of a first-year teacher.

Students with Disabilities, Emergent Bilingual Students (English Language Learners) are included when available.

Calculation

Count the number of principal surveys for the EPP that met standard. Divide this number by the total number of completed principal surveys for the EPP. Multiply by 100. Round to the nearest whole number.

Scoring Approach

The scoring approach weights all individual categories equally. Each item is weighted by the inverse of the number of items in the subscale. Operationally, this means that the average for each subscale is calculated, and then the average of these subscale values is calculated for the final individual-level score. The individual must average a score of 2 or better, corresponding with *sufficiently prepared*.

The individual subscales and their constituent items are presented in the table below.

Individual Subscales and Constituent Items

Subscale	Number of Items	Items in ECOS Survey
Planning	12	Q4 – Q15
Instruction	13	Q16 – Q28
Learning Environment	7	Q29 – Q35
Professional Practices & Responsibilities	6	Q36 – Q41
Students with Disabilities	6	Q43 – Q48
<u>Emergent Bilingual Students</u> (<u>English Language Learners</u>)	4	Q50 – Q53

Special Methodological Considerations

Optional Sections and Missing Data

As noted above, the Students with Disabilities section and the Emergent Bilingual Students (English Language Learners) section are only displayed if the principal indicates that the teacher worked with either or both of these populations. If the survey sections are not displayed on the survey, no data are recorded for these sections. The determination of whether or not the individual survey met standard is based only on the sections of the survey with complete data.

The survey tool does not allow for individuals completing the survey to leave questions blank. Consequentially, each individual survey will have either four, five, or six complete survey sections.

Small Group Aggregation

Per 19 TAC §229.4(c), the small group aggregation procedure as described in ASEP Manual Chapter 2 is conducted for ASEP Accountability Indicator 2. Only data from years in which ASEP Accountability Indicator 2 has been a consequential indicator are used in this aggregation. The small group aggregation procedure uses

results calculated using the survey and scoring approach effective for the particular administration of the survey.

Worked Example

Example Calculation: Principal Appraisal of First-Year Teachers (ASEP Accountability Indicator)

Step 1: Retrieve principal survey data in ECOS.

Step 2: Average the item scores in each subsection.

Step 3: Average the subsection values.

Step 4: Identify which surveys have the minimum acceptable score or higher.

Example Survey Data and Calculation

Name ^[5]	Points by Survey Section ^[6]						Average by Survey Section						Overall Average	Met Standard
	PL	INS	LE	PPR	SWD	EBS [ELL]	PL	INS	LE	PPR	SWD	EBS [ELL]		
<i>Number of Questions</i>	12	13	7	6	6	4	12	13	7	6	6	4		
Kurt	27	28	16	16		12	2.25	2.15	2.29	2.67		3.00	2.47	Y
Salvador	26	28	18	15	14		2.17	2.15	2.57	2.50	2.33		2.35	Y
Regina	25	31	19	17	18	9	2.08	2.38	2.71	2.83	3.00	2.25	2.54	Y
Silvia	22	26	16	15	13	12	1.83	2.00	2.29	2.50	2.17	3.00	2.30	Y
Rachael	30	36	20	17	18	7	2.50	2.77	2.86	2.83	3.00	1.75	2.62	Y
Myra	29	32	19	16			2.42	2.46	2.71	2.67			2.56	Y
Darla	26	29	18	14	15	8	2.17	2.23	2.57	2.33	2.50	2.00	2.30	Y
Guadalupe	32	33	19	14	16	11	2.67	2.54	2.71	2.33	2.67	2.75	2.61	Y
George	21	24	16	13	12	6	1.75	1.85	2.29	2.17	2.00	1.50	1.92	N
Jessie	<u>22</u> [31]	<u>25</u> [35]	<u>17</u> [21]	<u>13</u> [17]	<u>12</u> [16]	<u>6</u> [9]	<u>1.83</u> [2.58]	<u>1.92</u> [2.69]	<u>2.43</u> [3.00]	<u>2.17</u> [2.83]	<u>2.00</u> [2.67]	<u>1.50</u> [2.25]	<u>1.98</u> [2.67]	Y
Lewis	24	25	12	7	11	8	2.00	1.92	1.71	1.17	1.83	2.00	1.77	N
Ruby	26	25	16	15	16	5	2.17	1.92	2.29	2.50	2.67	1.25	2.13	Y
Josefina	33	35	20	16	17		2.75	2.69	2.86	2.67	2.83		2.76	Y
Susan	34	33	20	15	15	11	2.83	2.54	2.86	2.50	2.50	2.75	2.66	Y
Molly	28	29	18	14	15	5	2.33	2.23	2.57	2.33	2.50	1.25	2.20	Y
Sam	20	25	16	15	17	11	1.67	1.92	2.29	2.50	2.83	2.75	2.33	Y
Lucy	26	29	19	17	15	8	2.17	2.23	2.71	2.83	2.50	2.00	2.41	Y

[5] Public data sets do not include names.

[6] PL = Planning; INS = Instruction; LE = Learning Environment; PPR = Professional Practices & Responsibilities; SWD = students with disabilities; ELL = English language learners. Empty cells denote missing data.

Name ^[5]	Points by Survey Section ^[6]						Average by Survey Section						Overall Average	Met Standard
	PL	INS	LE	PPR	SWD	EBS [ELL]	PL	INS	LE	PPR	SWD	EBS [ELL]		
Kevin	28	33	20	13	14		2.33	2.54	2.86	2.17	2.33		2.45	Y
Robin	29	35	19	11	13	5	2.42	2.69	2.71	1.83	2.17	1.25	2.18	Y
Mercedes	33	37	20	15	16	5	2.75	2.85	2.86	2.50	2.67	1.25	2.48	Y

Notes:

Public data sets do not include names.

PL = Planning; INS = Instruction; LE = Learning Environment; PPR = Professional Practices & Responsibilities; SWD = students with disabilities; EBS: Emergent Bilingual Students. Empty cells denote missing data.

The score for Jessie is considered meeting standard because 1.97 rounds to 2 (see Chapter 2).

Step 5: As necessary, perform the small group aggregation. If the aggregated group or any of the disaggregated groups contain ten or fewer individuals, perform Steps 1–5 for the prior year and add those individuals to the list. See Chapter 2 of the ASEP Manual for further explanation of the small group aggregation.

Step 6: Count the number of first-year teachers who met the criteria for being designated as *sufficiently-prepared* or *well-prepared* (18).

Step 7: Divide the number of surveys which met the criteria for being designated as *sufficiently-prepared* or *well-prepared* (18) by the total number of surveys with valid scores (20). Multiply this value by 100. Round to the nearest whole number.

$$\frac{\text{Number of surveys meeting standard}}{\text{Total number of valid surveys}} \times 100 =$$

$$\frac{18}{20} \times 100 =$$

$$90\%$$

Chapter 5 – Improvement in Student Achievement of Students Taught by Beginning Teachers

Overview

ASEP Accountability Indicator 3 is the improvement of student achievement of students in the classrooms of beginning teachers. This indicator uses student data from the STAAR progress measure generated as part of the Accountability Rating System of districts, campuses, and charter schools and aggregates it to the EPP by linking the students to the beginning teachers whom have completed the EPP. Once values are determined for the beginning teachers, the value for the EPP is calculated and compared to the performance standard.

Individuals

All beginner teachers of record currently employed within a Texas public school. Beginner teachers are defined as teachers of record with three (3) or fewer consecutive years of teaching. These teachers are verified through the Public Education Information Management System (PEIMS) ~~[and through validation by local education agencies]~~. Teachers on standard, intern, and probationary certificates are included. Teachers who are teaching under an emergency permit are excluded. Teachers who received initial teacher certification through a route other than preparation by a Texas EPP are excluded. Teachers who left the teacher work force prior to three consecutive years of teaching and subsequently re-entered the teacher work force are excluded. Teachers of students with STAAR progress measures are included. Students' STAAR progress measures are associated with the corresponding teacher as contained in the assessment data. Teachers must have 10 or greater student progress measure values associated with them within a subject area for that subject area data to be included for the teacher.

Assessments Included

The model utilizes the STAAR progress measure for individual students, calculated as described in 19 TAC Figure: §97.1001(b). The STAAR progress measure indicates the amount of improvement or growth a student has made from year to year. For STAAR assessments (with or without accommodations), progress is measured as a student's gain score—the difference between the scaled score a student achieved in the prior year and the scaled score a student achieved in the current year. Individual student progress is then categorized as Limited, Expected, or Accelerated. If a student's STAAR progress measure is Expected, he or she met growth expectations. If the student's STAAR progress measure is Accelerated, he or she exceeded growth expectations. Currently, STAAR results for grades 4–8, English II, and Algebra I end-of-course (EOC), are utilized. Available data from all students, including students with disabilities, are used in the calculation of this measure.

Scoring Approach

The scoring approach first determines a value associated with the teacher based on the associated student STAAR progress measures. TEA then compares the teacher score to the individual standard. The individual teacher performances are then aggregated at the EPP level, and the EPP performance is determined. This EPP value is then compared with the performance standard.

Teacher level aggregation

The value for the individual teacher is generated by first taking the average of the students' progress measures for each STAAR subject area taught by that teacher and multiplied by 100. Next, we find the average of all the subject-level progress measures associated with the teacher. This value is compared to a value of 50, which

corresponds with neutral student growth. If the value is 50 or greater, the individual teacher is considered to have met the individual standard.

EPP Score Determination

Following the determination of the performance standard for the individual teachers, the value for the EPP is determined. The number of teachers associated with the EPP who met the individual standard is then divided by the total number of teachers associated with the EPP in the sample and multiplied by 100 to get a percent. This is the EPP value for Indicator 3, which is compared with the performance standard.

Special Methodological Considerations

Small Group Aggregation

Per 19 TAC §229.4(c), the small group aggregation procedure as described in ASEP Manual Chapter 2 is conducted for ASEP Accountability Indicator 3. Only data from years in which ASEP Accountability Indicator 3 has been a consequential indicator are used in this aggregation. The small group aggregation procedure uses results calculated using the scoring approach effective for the year in which the values were calculated.

Worked Example

Example Calculation: Student growth of Beginning Teachers (ASEP Accountability Indicator 3)

Step 1: Identify teachers in their first three years serving as a teacher of record who were prepared for initial certification by a Texas EPP.

Step 2: Retrieve student data from Performance Reporting for students associated with the beginning teacher roster.

Step 3: Average the student progress measures for each unique combination of teacher and STAAR area. Only include those combinations of teacher and STAAR area where the teacher has 10 or more associated student scores.

EPP Code (E)	Teacher (T)	Average Student Growth Scores (GSs)	Course (C)
123456	111	75	Math
123456	112	65	Math
123456	112	70	ELAR
123456	113	50	ELAR

Step 4: Average the values by individual teacher.

Step 5: Compare individual teacher values to the individual standard score.

Teacher	Teacher Growth Score	Individual Standard	Met Standard?
111	75	50	Yes
112	67.5	50	Yes
113	40 [50]	50	No
778	60	50	Yes
892	35	50	No
952	69	50	Yes
1155	73.5	50	Yes
1357	82	50	Yes
1544	58	50	Yes
1656	90	50	Yes
1959	88	50	Yes
2083	100	50	Yes
2257	51	50	Yes
2492	60	50	Yes
2926	84	50	Yes
3011	42.5	50	No
3271	69	50	Yes
3461	40	50	No
3753	71.5	50	Yes
4045	82	50	Yes
4214	64	50	Yes
4226	55	50	Yes
4267	91	50	Yes
4358	67	50	Yes
4464	26	50	No
4779	70	50	Yes
5421	58.5	50	Yes
5973	88.5	50	Yes
6404	64	50	Yes
6542	51	50	Yes
6772	50	50	No
7279	87.5	50	Yes
7849	41	50	No
7881	41	50	No
7925	81	50	Yes
8106	75	50	Yes

8341	90	50	Yes
9297	44	50	No

Step 6: Count the total number of beginning teachers with growth scores associated with the EPP (38).

Step 7: Count the total number of beginning teachers associated with the EPP who met the standard (29).

Step 8: Divide the number in Step 7 by the number in Step 6 and multiply by 100. This is the value for the EPP.

$$\frac{\text{Number of teachers meeting individual standard}}{\text{Total number of teachers with growth scores}} \times 100 =$$

$$\frac{29}{38} \times 100 =$$

76%

Chapter 6 – Frequency, Duration, and Quality of Field Supervision

Overview

ASEP Accountability Indicator 4 is the frequency, duration, and quality of field observations. The SBEC has separated this indicator into two measures: the frequency and duration of field observations (ASEP Accountability Indicator 4a) and the quality of field observations (ASEP Accountability Indicator 4b). ASEP Accountability Indicator 4a is based on data reported by EPPs into ECOS for each individual observation. ASEP Accountability Indicator 4b is based on an exit survey of teacher candidates which is administered at the time the candidates apply for their standard certificate. This section presents the individuals included, the data included, special methodological considerations, and a worked example of computing these two aligned indicators.

Individuals Included

ASEP Accountability Indicator 4a

For ASEP Accountability Indicator 4a, all individuals who completed an internship or clinical teaching appointment during the reporting period are included. In the cases where an internship or clinical teaching appointment overlaps two reporting years, the internship or clinical teaching ~~[field experience]~~ is reported in the reporting year in which it ended. Individuals serving an internship are identified for the data set if they have an intern, probationary, probationary extension, or probationary second extension certificate which expires in the reporting year. Individuals completing a clinical teaching appointment are identified as being marked as a completer by the program without having held an intern, probationary, probationary extension, or probationary second extension certificate.

Individuals who have their internship certificate deactivated prior to the expiration of the certificate are removed from the data set. These deactivations must be communicated to the TEA by the EPP. Additionally, individuals who do not complete their internship or clinical teaching ~~[field experience]~~, due to extenuating circumstances or the issuance of a standard certificate prior to the conclusion of their internship or clinical teaching ~~[field experience]~~, are removed from the data set. EPPs communicate these exceptions to TEA via a provided form during a review period specified by TEA. These exceptions are subject to TEA approval. [EPPs communicate these exceptions via official letters to the TEA during the ASEP reporting period.]

ASEP Accountability Indicator 4b

For ASEP Accountability Indicator 4b, all individuals who apply for an initial standard teaching license during the academic year are asked to submit surveys, which are completed in ECOS.

Data Included

ASEP Accountability Indicator 4a

All observations reported to the TEA through ECOS are used in the calculation for ASEP Accountability Indicator 4a. Observations must be reported in ECOS in the academic year during which they occurred. EPPs report the candidate name, candidate TEA ID, field supervisor name, field supervisor TEA ID, assignment begin date, assignment end date, observation date, observation duration, assignment type, notes, and any other field required by ECOS for each observation.

ASEP Accountability Indicator 4b

All exit surveys with complete data that are submitted in the reporting year are included in the data set.

Calculation

ASEP Accountability Indicator 4a:

Divide the number of individuals who completed an internship or clinical teaching appointment in the reporting year who had the minimum number of required observations (as specified in 19 TAC §228.35(g)) by the number of individuals who completed an internship or clinical teaching appointment in the reporting year. Multiply by 100. Round to the nearest whole number.

ASEP Accountability Indicator 4b:

Count the number of surveys for the EPP that met standard. Divide this number by the total number of completed exit surveys for the EPP. Multiply by 100. Round to the nearest whole number.

Special Methodological Considerations

For ASEP Accountability Indicator 4a, results are disaggregated by race, gender, and ethnicity categories. Per 19 TAC §229.4(c)(1), the small group aggregation procedure does not apply to indicator 4a.

For ASEP Accountability Indicator 4b, the data collection mechanism does not capture race, gender, or ethnicity data. Consequentially, this indicator is reported only at the aggregated level. The small group aggregation procedure does apply to ASEP Indicator 4b.

Worked Examples

Example Calculation: Frequency and Duration of Internship and Clinical Teaching Field

Step 1: Identify all individuals completing an internship between September 1 and August 31 of the reporting year. These individuals are those who have an intern, probationary, probationary extension, or probationary second extension certificate which expired in the reporting year.

Step 2: Identify all individuals completing clinical teaching between September 1 and August 31 of the reporting year. These individuals are those who were marked as a completer by the program without having held an intern, probationary, probationary extension, or probationary second extension certificate.

Step 3: Combine the individuals from Steps 1 and 2. Remove any accepted exceptions reported to the TEA during the annual reporting period using the supplied form.

Step 4: Retrieve all field observations reported to the TEA which occurred during the internships or clinical teaching experiences in the data set resulting from Step 3.

Step 5: Count the number of observations of at least the duration specified in 19 TAC §228.35(g), for each candidate.

Example Observation Data

Name	Certificate / Assignment Type	Observation Duration [Visit Hours ⁷]
Carmen Adams	Intern	0:56
Carmen Adams	Intern	1:02
Carmen Adams	Intern	0:45
Carmen Adams	Intern	1:12
Carmen Adams	Intern	0:46
Christina Boyd	Intern	0:57
Marjorie Brock	Clinical Teaching	0:50
Marjorie Brock	Clinical Teaching	1:14
Marjorie Brock	Clinical Teaching	1:02
Marjorie Brock	Clinical Teaching	1:02
Marjorie Brock	Clinical Teaching	1:09
Dora Cain	Intern	0:47
Dora Cain	Intern	0:51
Dora Cain	Intern	0:40
Dora Cain	Intern	1:00
Dianne Cannon	Clinical Teaching	1:13
Dianne Cannon	Clinical Teaching	0:38
Dianne Cannon	Clinical Teaching	0:53
Dianne Cannon	Clinical Teaching	0:47
Dianne Cannon	Clinical Teaching	1:01
Billie Daniels	Probationary	1:15
Billie Daniels	Probationary	0:58
Billie Daniels	Probationary	0:54
Madeline Doyle	Clinical Teaching	1:10
Madeline Doyle	Clinical Teaching	0:55
Madeline Doyle	Clinical Teaching	0:46

[Exclusion example: The observation of Dora Cain and Dianne Cannon are not counted because these observations were less than the requirement in 19 TAC §228.35(g).]

⁷This column indicates the duration of the observation.

Name	Certificate / Assignment Type	Observation Duration [Visit_Hours?]
Jaime Fowler	Intern	0:59
Jaime Fowler	Intern	1:07
Jaime Fowler	Intern	1:01
Jaime Fowler	Intern	1:00
Jaime Fowler	Intern	0:49
Chad Frazier	Clinical Teaching	0:46
Chad Frazier	Clinical Teaching	0:55
Chad Frazier	Clinical Teaching	1:11
Chad Frazier	Clinical Teaching	1:25
Jean Hawkins	Probationary Ex	0:58
Jean Hawkins	Probationary Ex	0:50
Jean Hawkins	Probationary Ex	1:00
Jean Hawkins	Probationary Ex	0:59
Grace Hoffman	Clinical Teaching	0:52
Grace Hoffman	Clinical Teaching	0:59
Grace Hoffman	Clinical Teaching	0:59
Doris Hunter	Probationary	1:03
Doris Hunter	Probationary	1:19
Doris Hunter	Probationary	0:45
Melba Jensen	Clinical Teaching	0:46
Melba Jensen	Clinical Teaching	0:53
Melba Jensen	Clinical Teaching	1:01
Edmund Kennedy	Intern	1:20
Edmund Kennedy	Intern	0:58
Edmund Kennedy	Intern	0:50
Edmund Kennedy	Intern	0:59
Edmund Kennedy	Intern	0:57
Neil Newton	Clinical Teaching	0:55
Neil Newton	Clinical Teaching	1:47
Neil Newton	Clinical Teaching	0:51
Neil Newton	Clinical Teaching	1:05
Neil Newton	Clinical Teaching	1:02
Elsie Pearson	Probationary	1:15
Elsie Pearson	Probationary	1:01
Elsie Pearson	Probationary	0:55
Christopher Ray	Clinical Teaching	0:58
Christopher Ray	Clinical Teaching	0:52
Christopher Ray	Clinical Teaching	0:47
Christopher Ray	Clinical Teaching	0:59
Christopher Ray	Clinical Teaching	0:46

Name	Certificate / Assignment Type	Observation Duration [Visit_Hours?]
Charlie Schultz	Intern	0:58
Charlie Schultz	Intern	0:45
Charlie Schultz	Intern	0:53
Charlie Schultz	Intern	0:52
Charlie Schultz	Intern	1:23
Duane Soto	Clinical Teaching	1:17
Duane Soto	Clinical Teaching	0:59
Duane Soto	Clinical Teaching	0:53
Duane Soto	Clinical Teaching	0:46
Duane Soto	Clinical Teaching	0:48
Duane Soto	Clinical Teaching	0:55
Penny Sutton	Clinical Teaching	0:59
Marty Wood	Clinical Teaching (28 week)	0:49
Marty Wood	Clinical Teaching (28 week)	0:45
Marty Wood	Clinical Teaching (28 week)	0:57
Marty Wood	Clinical Teaching (28 week)	1:25
Marty Wood	Clinical Teaching (28 week)	1:15
Marty Wood	Clinical Teaching (28 week)	1:25

Notes:

The observations of Dora Cain and Dianne Cannon highlighted above are not counted because these observations were less than the requirement in 19 TAC §228.35(g).

Step 6: Identify candidates and interns who meet the minimum requirement of the number of observations required in 19 TAC §228.35(g).

[Example Data Summary]

[Name]	<u>Pre-Certification Teaching Experience</u>	<u>Number of 45-Minute Field Observations</u>	<u>Meet Minimum Requirement?</u>
<u>Mariorie Brock</u>	<u>Clinical Teaching</u>	<u>5</u>	<u>Y</u>
<u>Dianne Cannon</u>	<u>Clinical Teaching</u>	<u>5</u>	<u>Y</u>
<u>Madeline Doyle</u>	<u>Clinical Teaching</u>	<u>3</u>	<u>N</u>
<u>Chad Frazier</u>	<u>Clinical Teaching</u>	<u>4</u>	<u>N</u>
<u>Grace Hoffman</u>	<u>Clinical Teaching</u>	<u>3</u>	<u>N</u>
<u>Melba Jensen</u>	<u>Clinical Teaching</u>	<u>3</u>	<u>N</u>
<u>Neil Newton</u>	<u>Clinical Teaching</u>	<u>5</u>	<u>Y</u>
<u>Christopher Ray</u>	<u>Clinical Teaching</u>	<u>5</u>	<u>Y</u>
<u>Duane Soto</u>	<u>Clinical Teaching</u>	<u>6</u>	<u>Y</u>
<u>Marty Wood</u>	<u>Clinical Teaching</u>	<u>6</u>	<u>Y</u>
<u>Penny Sutton</u>	<u>Clinical Teaching</u>	<u>1</u>	<u>N</u>

[Calculation Rule: Penny only had one qualifying observation. She is identified as a candidate for whom the minimum requirement was not met.]

<u>Name</u>	<u>Pre-Certification Teaching Experience</u>	<u>Number of 45-Minute Field Observations</u>	<u>Meet Minimum Requirement?</u>
<u>Carmen Adams</u>	<u>Intern</u>	<u>5</u>	<u>Y</u>
<u>Cristina Boyd</u>	<u>Intern</u>	<u>1</u>	<u>N</u>
<u>Dora Cain</u>	<u>Intern</u>	<u>3</u>	<u>N</u>
<u>Billie Daniels</u>	<u>Probationary</u>	<u>3</u>	<u>Y</u>
<u>Jaime Fowler</u>	<u>Intern</u>	<u>5</u>	<u>Y</u>
<u>Jean Hawkins</u>	<u>Probationary Ex</u>	<u>4</u>	<u>Y</u>
<u>Doris Hunter</u>	<u>Probationary</u>	<u>3</u>	<u>Y</u>
<u>Edmund Kennedy</u>	<u>Intern</u>	<u>5</u>	<u>Y</u>
<u>Elsie Pearson</u>	<u>Probationary</u>	<u>3</u>	<u>Y</u>
<u>Charlie Schultz</u>	<u>Intern</u>	<u>5</u>	<u>Y</u>

[Calculation Rule: Cristina had only one qualifying observation. She is identified as a candidate for whom the minimum requirement was not met.]

Example Data Summary

<u>Name</u>	<u>Pre-Certification Teaching Experience</u>	<u>Number of 45-Minute Field Observations</u>	<u>Meet Minimum Requirement?</u>
<u>Marjorie Brock</u>	<u>Clinical Teaching</u>	<u>5</u>	<u>Y</u>
<u>Dianne Cannon</u>	<u>Clinical Teaching</u>	<u>5</u>	<u>Y</u>
<u>Madeline Doyle</u>	<u>Clinical Teaching</u>	<u>3</u>	<u>N</u>
<u>Chad Frazier</u>	<u>Clinical Teaching</u>	<u>4</u>	<u>N</u>
<u>Grace Hoffman</u>	<u>Clinical Teaching</u>	<u>3</u>	<u>N</u>
<u>Melba Jensen</u>	<u>Clinical Teaching</u>	<u>3</u>	<u>N</u>
<u>Neil Newton</u>	<u>Clinical Teaching</u>	<u>5</u>	<u>Y</u>
<u>Christopher Ray</u>	<u>Clinical Teaching</u>	<u>5</u>	<u>Y</u>
<u>Duane Soto</u>	<u>Clinical Teaching</u>	<u>6</u>	<u>Y</u>
<u>Marty Wood</u>	<u>Clinical Teaching</u>	<u>6</u>	<u>Y</u>
<u>Penny Sutton</u>	<u>Clinical Teaching</u>	<u>1</u>	<u>N</u>
<u>Carmen Adams</u>	<u>Intern</u>	<u>5</u>	<u>Y</u>
<u>Cristina Boyd</u>	<u>Intern</u>	<u>1</u>	<u>N</u>
<u>Dora Cain</u>	<u>Intern</u>	<u>3</u>	<u>N</u>
<u>Billie Daniels</u>	<u>Probationary</u>	<u>3</u>	<u>Y</u>
<u>Jaime Fowler</u>	<u>Intern</u>	<u>5</u>	<u>Y</u>
<u>Jean Hawkins</u>	<u>Probationary Ex</u>	<u>4</u>	<u>Y</u>
<u>Doris Hunter</u>	<u>Probationary</u>	<u>3</u>	<u>Y</u>
<u>Edmund Kennedy</u>	<u>Intern</u>	<u>5</u>	<u>Y</u>
<u>Elsie Pearson</u>	<u>Probationary</u>	<u>3</u>	<u>Y</u>
<u>Charlie Schultz</u>	<u>Intern</u>	<u>5</u>	<u>Y</u>

Step 7: Divide the number of candidates who received at least the minimum field observations required by 19 TAC §228.35(g) (14) by the total number of candidates who completed clinical teaching (21).

$$\frac{\text{Number of candidates who met minimum requirement}}{\text{Number of candidates with field experiences}} \times 100 =$$

$$\frac{14}{21} \times 100 = 66.67\%, \text{ which rounds to } 67\%$$

Example Calculation: Quality of Field Supervision (ASEP Indicator 4b)

Step 1: Access the Exit Survey results completed by candidates between September 1 and August 31 of the academic year. These results are recorded without personally identifiable information.

Step 2: Identify which candidate scores were within acceptable values for their field supervision rating. Candidates rate their field experience on 11 survey items (items 3-9, 11-14 [~~39-45, 47-50~~]) on the Exit Survey using a 4-point scale where 4 = *Rarely*; 3 = *Occasionally*; 2 = *Frequently*; and 1 = *Always/Almost Always*. To meet the standard of *frequently* or *always/almost always* providing the components of structural guidance and ongoing support provision of high-quality field supervision (see 19 TAC §229.4(a)(4)(B)), responses to the applicable items must sum to equal or less than 22 points (11*2=22), corresponding with an average score of 2 or less across survey items.

Example Data

Name	Total Points	Within Acceptable Values
Candidate 1	21	Y
Candidate 2	20	Y
Candidate 3	23	N
Candidate 4	19	Y
Candidate 5	18	Y
Candidate 6	18	Y
Candidate 7	17	Y
Candidate 8	14	Y
Candidate 9	19	Y
Candidate 10	25	N
Candidate 11	23	N
Candidate 12	18	Y
Candidate 13	14	Y
Candidate 14	14	Y
Candidate 15	28	N
Candidate 16	19	Y
Candidate 17	26	N

Name	Total Points	Within Acceptable Values
Candidate 18	13	Y
Candidate 19	19	Y
Candidate 20	13	Y
Candidate 21	16	Y
Candidate 22	18	Y
Candidate 23	21	Y
Candidate 24	20	Y
Candidate 25	33	N
Candidate 26	40	N
Candidate 27	26	N
Candidate 28	17	Y
Candidate 29	17	Y
Candidate 30	19	Y

Step 3: Count the number of candidate scores that were within acceptable criteria (22).

Step 4: Divide the number of candidates whose scores were within the acceptable criteria (22) by the total number of candidates with scores (30). Multiply this value by 100. Round to the nearest whole number.

$$\frac{\text{Number of candidates' scores that were within acceptable values}}{\text{Total number of survey responses}} =$$

$$\frac{22}{30} \times 100 =$$

73.33%, which rounds to 73%

Chapter 7 – New Teacher Satisfaction

Overview

ASEP Accountability Indicator 5 is the percent of new teachers who indicate that they were *sufficiently-prepared or well-prepared* by their EPP, as measured on the teacher satisfaction survey.

The teacher survey is administered between the beginning of April and mid-June at the end of the relevant academic year. The survey is delivered using the Qualtrics survey platform. The sample of new teachers is determined using certification data and PEIMS data. This roster is loaded into Qualtrics and an email containing a link to the survey is sent to the teacher. New teachers verify that they are completing their first year of teaching while holding a standard teaching certificate.

Teachers are required to complete all questions in the four required sections of the survey. Additionally, if the teacher indicates that he or she worked with students with disabilities or students who are emergent bilingual students [~~English language learners~~], those additional sections are displayed and are required to be completed by the teacher.

Following the close of the teacher survey data collection period, the data is retrieved from Qualtrics, cleaned, processed, de-identified, and posted online. The aggregated and disaggregated results are used as ASEP Accountability Indicator 5.

Individuals Included

All new teachers who finished an EPP program within the five years prior to the reporting period and are completing their first year of teaching while holding a standard certificate are included.^[8] See 19 TAC §229.2(25) for the definition of a new teacher. Teachers must have taught in the Texas public school system for a minimum of five months during the reporting period as evidenced by their presence in the PEIMS employment data gathered in October of the reporting year. Only teachers with standard certificates as of the October snapshot date are included. Teachers who are teaching under an emergency permit or who were not listed as employed in the PEIMS data in the reporting period are excluded. Individuals who were incorrectly in the teacher survey roster as identified by the EPP are not included. EPPs communicate these exceptions to TEA via a provided form during a review period specified by TEA. These exceptions are subject to TEA approval.

Assessments Included

All complete surveys with valid data for teachers who meet the conditions above are included. Surveys that lack valid data on one or more of the four required survey sections are excluded. Data from additional sections (i.e., Students with Disabilities, Emergent Bilingual Students [~~English Language Learners~~]) are included when available.

^[8] See TAC §229.2(25) for the definition of a new teacher

Calculation

Count the number of teacher surveys for the EPP that met standard. Divide this number by the total number of completed teacher surveys for the EPP. Multiply by 100. Round to the nearest whole number.

Scoring Approach

The scoring approach aligns with the scoring approach for the principal survey. Each item is weighted by the inverse of the number of items in the subscale. Operationally, this means that the average for each subscale is calculated, and then the average of these subscale values is calculated for the final individual-level score. The individual must average a score of 2 or better, corresponding with *sufficiently prepared*.

The individual subscales and their constituent items are presented in the table below.

Individual Subscales and Constituent Items

Subscale	Number of Items	Items in Survey (Question #)
Planning	12	Q4 – Q15
Instruction	13	Q16 – Q28
Learning Environment	7	Q29 – Q35
Professional Practices & Responsibilities	6	Q36 – Q41
Students with Disabilities	6	Q43 – Q48
Emergent Bilingual Students [English Language Learners]	4	Q50 – Q53

Special Methodological Considerations

Optional Sections and Missing Data

As noted above, the Students with Disabilities section and the Emergent Bilingual Students [~~English Language Learners~~] section are only displayed if the teacher indicates that he or she worked with either or both of these populations. If the survey sections are not displayed on the survey, no data are recorded for these sections. The determination of whether or not the individual survey met standard is based only on the sections of the survey with complete data.

The survey tool does not allow for individuals completing the survey to leave questions blank. Consequentially, each individual survey will have either 4, 5, or 6 complete survey sections.

Small Group Aggregation

Per 19 TAC §229.4(c), the small group aggregation procedure as described in ASEP Manual Chapter 2 is conducted for ASEP Accountability Indicator 5. Only data from years in which ASEP Accountability Indicator 5 has been a consequential indicator are used in this aggregation. The small group aggregation procedure uses results calculated using the survey and scoring approach effective for the particular administration of the survey.

Example Calculation: New Teacher Satisfaction (ASEP Accountability Indicator 5)

Step 1: Access teacher satisfaction survey results.

Step 2: Average the item scores in each subsection.

Step 3: Average the subsection values.

Step 4: Identify which surveys have the minimum acceptable score or higher.

Example Survey Data and Calculation

Name ^[9]	Points by Survey Section ^[40]						Average by Survey Section						Overall Average	Met Standard
	PL	INS	LE	PPR [PL]	SWD [INS]	EBS [LE]	PL	INS	LE	PPR [PL]	SWD [INS]	EBS [LE]		
<i>Number of Questions</i>	12	13	7	6	6 [13]	4 [7]	12	13	7	6 [12]	6 [13]	4 [7]		
Kurt	27	28	16	16		12	2.25	2.15	2.29	2.67		3.00	2.47	Y
Salvador	26	28	18	15	14		2.17	2.15	2.57	2.50	2.33		2.35	Y
Regina	25	31	19	17	18	9	2.08	2.38	2.71	2.83	3.00	2.25	2.54	Y
Silvia	22	26	16	15	13	12	1.83	2.00	2.29	2.50	2.17	3.00	2.30	Y
Rachael	30	36	20	17	18	7	2.50	2.77	2.86	2.83	3.00	1.75	2.62	Y
Myra	29	32	19	16			2.42	2.46	2.71	2.67			2.56	Y
Darla	26	29	18	14	15	8	2.17	2.23	2.57	2.33	2.50	2.00	2.30	N
Guadalupe	32	33	19	14	16	11	2.67	2.54	2.71	2.33	2.67	2.75	2.61	Y
George	21	24	16	13	12	6	1.75	1.85	2.29	2.17	2.00	1.50	1.92	Y
Jessie	31	35	21	17	16	9	2.58	2.69	3.00	2.83	2.67	2.25	2.67	N
Lewis	24	25	12	7	11	8	2.00	1.92	1.71	1.17	1.83	2.00	1.77	Y
Ruby	26	25	16	15	16	5	2.17	1.92	2.29	2.50	2.67	1.25	2.13	Y
Josefina	33	35	20	16	17		2.75	2.69	2.86	2.67	2.83		2.76	Y
Susan	34	33	20	15	15	11	2.83	2.54	2.86	2.50	2.50	2.75	2.66	Y
Molly	28	29	18	14	15	5	2.33	2.23	2.57	2.33	2.50	1.25	2.20	Y
Sam	20	25	16	15	17	11	1.67	1.92	2.29	2.50	2.83	2.75	2.33	Y
Lucy	26	29	19	17	15	8	2.17	2.23	2.71	2.83	2.50	2.00	2.41	Y
Kevin	28	33	20	13	14		2.33	2.54	2.86	2.17	2.33		2.45	Y
Robin	29	35	19	11	13	5	2.42	2.69	2.71	1.83	2.17	1.25	2.18	Y
Mercedes	33	37	20	15	16	5	2.75	2.85	2.86	2.50	2.67	1.25	2.48	Y

Notes:

Public data sets do not include names.

^[9] Public data sets do not include names.

^[40] PL = Planning; INS = Instruction; LE = Learning Environment; PPR = Professional Practices & Responsibilities; SWD = students with disabilities; ELL = English language learners. Empty cells denote missing data.

PL = Planning; INS = Instruction; LE = Learning Environment; PPR = Professional Practices & Responsibilities; SWD = students with disabilities; EBS: Emergent Bilingual Students. Empty cells denote missing data.

Step 5: As necessary, perform the small group aggregation. If the aggregated group or any of the disaggregated groups contain ten or fewer individuals, perform Steps 1–5 for the prior year and add those individuals to the list. See ASEP Manual Chapter 2 for further explanation of the small group aggregation.

Step 6: Count the number of surveys that met the criteria for being designated as *sufficiently-prepared* or *well-prepared* (18).

Step 7: Divide the number of surveys which met the criteria for being designated as *sufficiently-prepared* or *well-prepared* (18) by the total number of surveys with valid scores (20). Multiply this value by 100. Round to the nearest whole number.

$$\frac{\text{Number of surveys meeting standard}}{\text{Total number of valid surveys}} \times 100 =$$

$$\frac{18}{20} \times 100 =$$

90%

Chapter 8 – Educator Preparation Program Commendations

Per 19 TAC §229.1(d)~~(e)~~, an accredited EPP not under a board order or otherwise sanctioned by the SBEC may receive commendations for success in areas identified by the SBEC. The TEA worked with the SBEC and the EPP stakeholder advisory groups in 2018 to identify and refine a framework for recognition and issues related to EPP eligibility and calculations. In 2019, the SBEC established a four-part framework for recognizing high-performing EPPs. This ASEP chapter presents that framework, related performance standards or metrics, sources of data, and descriptions of relevant calculations.

High-Performing EPP Framework

The framework consists of four parts. The framework was developed to allow for the recognition of EPPs that are high-achieving in both established and emerging measurements and priorities. Dimensions consist of multiple measures. The dimensions for recognition include:

- Rigorous and Robust Preparation
- Preparing the Educators Texas Needs
- Preparing Educators for Long-Term Success
- Innovative Educator Preparation

The measures within each dimension are presented in the table below. The Rigorous and Robust Preparation measures, the Preparing the Educators Texas Needs measures, and the Preparing Educators for Long-Term Success measures ~~[These measures]~~ are calculated annually to reflect EPP performance in the prior academic year. The Innovative Educator Preparation commendation is awarded at the discretion of the Board. The TEA conducts these calculations in conjunction with the ASEP accountability calculations and presents both sets of the results to the SBEC for approval on similar schedules. In all cases, the small group aggregation procedure as described in ASEP Manual Chapter 2 is applied to these measurements. However, if the small group aggregation is used, only programs with more than 10 individuals over the three years necessary for the calculation are eligible to receive a commendation related to the measure.

High Performing EPP Framework

Dimension	High-Performing EPP Measures	Standard
Rigorous and Robust Preparation	First test pass rate ^[44]	95% or greater
	First Test Pass rate in teacher shortage areas	95% or greater
	Principal Survey % of candidates Met Standard	95% or greater
Preparing the Educators Texas Needs	Preparing teachers in shortage areas	Top 5 EPPs
	Preparing Educators of Color	Top 5 EPPs
	Preparing Teachers for Rural Schools	Top 5 EPPs
Preparing Educators for Long-Term Success	Teacher Retention as a Texas public school teacher for 5 years	85% <u>95%</u> or greater

[44] EPPs are only eligible for this commendation if the differences between pass rates of different demographic groups are less than 10 percentage points]

Dimension	High-Performing EPP Measures	Standard
	Educator Retention as a Texas public school professional for 5 years	85% (95%) or greater
	Principal Employment in Principal or Assistant Principal Role within 3 years	75% or greater
Innovative Educator Preparation	Approved by the SBEC per EPP petition	

Rigorous and Robust Preparation

This dimension of high-performance uses the same data as the ASEP accountability indicators. The first measure is the overall pass rate for a candidate's first attempt on exams. All exams, including pedagogy tests and content pedagogy tests [PPR and non PPR exams], are pooled for this measure. ~~[Following ASEP Indicator Accountability 1, only tests necessary for the certificate(s) under which an individual is serving an internship and tests necessary for the category(ies) identified by the EPP on the finisher records list in ECOS are included.]~~ The standard is set at 95% or greater. Additionally, EPPs are only eligible for this recognition if the differences in the pass rates disaggregated by race and ethnicity are 10 percentage points or smaller for all groups meeting the minimum size criterion, following small group aggregation. Groups are only included in this analysis only if they contain more than 10 candidates following the small group aggregation.

The second measure in this dimension is the first test pass rate in Texas-identified, federally designated teacher shortage subject areas. These shortage areas are identified annually and reported to the United States Department of Education. For this measure, only those content pedagogy tests [subject-area exams] necessary for certification in the specified categories are included. The standard is set at 95% or greater.

The third indicator in this category is EPP performance on the principal survey. Following the procedure in ASEP Manual Chapter 4, results on the principal survey are computed at the EPP level. The standard is set at 95% or more individuals being rated as "met standard."

Preparing the Educators Texas Needs

This dimension of high-performance identifies EPPs that prepare high percentages of educators identified by the SBEC and TEA as targeted for growth. For measures in this category, the top five programs, as a percentage of their completers, are recognized. As with all high-performing recognitions, only EPPs with an accreditation status of "Accredited" are eligible for recognition. This means that fewer than five EPPs may be recognized in any of these categories. Additionally, although the small group aggregation procedure is applied, only those programs which prepare more than 10 educators in any of the specified categories or groups once three years of data are aggregated are eligible for these commendations.

The first measure in this dimension is preparation of educators in teacher shortage subject areas. This indicator identifies EPPs that specialize in the preparation of educators for Texas-identified, federally-recognized teacher shortage areas. The total number of newly standard certified teachers with a certificate in each shortage area is identified, and this is divided by the total number of newly standard certified teachers at the EPP. The top five EPPs in each identified certification category are eligible to be recognized. Each shortage area is calculated separately, and an EPP may receive a commendation for one or multiple shortage areas.

The second measure in this dimension recognizes EPPs that prepare the highest percentage of educators who identify as African American and Hispanic. The total number of newly standard certified educators who identify as African American is identified, and this is divided by the total number of newly standard certified educators

at the EPP. Separately, the total number of newly standard certified educators who identify as Hispanic is identified, and this is divided by the total number of newly standard certified educators at the EPP. The top five EPPs with respect to each demographic group are eligible to be recognized. Each race/ethnicity category is calculated separately, and an EPP may receive a commendation for one or multiple race/ethnicity categories.

The third measure is preparation of teachers for rural schools. Using first-year employment data available in the PEIMS database and the district-level geographic designations, the TEA identifies a) teacher completers who are employed and b) teacher completers who are employed in a rural district as a teacher. The percentage of teachers [educators] working in a rural district is then calculated. The EPPs with the five highest percentages are eligible to be recognized.

Preparing Educators for Long-term Success

This dimension of high-performance identifies EPPs that prepare educators who continue working in Texas public schools for at least five years. The first measure identifies the percentage of teachers who were initially certified during a given academic year and were employed as regular classroom teachers in the next academic year. A teacher is considered retained only if they maintain continuous employment as a teacher in Texas public schools on a half-time or more basis. The number of teachers continuously employed as a teacher for five consecutive years is identified and used in this measure. [are recommended for certification by an EPP who are working as classroom teachers five years after their standard certification becomes effective. To calculate this measure, the TEA first identifies that subset of educators from an EPP who are working as classroom teachers in the year following their completion with the EPP and determines which of those teachers are employed as classroom teachers five years later.] Using the number of educators retained for five years and the original number of employed educators five years prior [these numbers], the TEA computes a percentage. The standard for recognition on this measure is set at 85% [95%] or higher.

The second measure in the dimension is continued employment in any role in the Texas public education system. The calculation for this measure is similar to the prior measure; however, this measure reports the percentage of individuals originally certified as classroom teachers continuously [still] employed in any role for [after] five years. [The eligible population is educators from all certification classes prepared by the EPP.] The standard for recognition on this measure is 85% [95%] or higher.

The third measure in this dimension is the employment of newly prepared principals. The calculation for this standard is the percentage of newly prepared principals working in a public school in Texas in an educational leadership role (principal, assistant principal, instructional leader, etc.) within three years of obtaining principal certification. The standard for recognition on this measure is 75%.

Innovative Educator Preparation

The final dimension of recognition gives the SBEC the opportunity to designate EPPs that have implemented innovative approaches to educator preparation. Specific topic areas for innovation are updated using input from the SBEC. EPPs respond to a call for applications in a format and a timeline determined by TEA and the SBEC. EPPs must submit a complete set of materials to be eligible for recognition. [The] TEA reviews applications for topic alignment and completeness. Appropriate applications are reviewed by an SBEC committee and approved by the full SBEC. Recognition is awarded at the discretion of the committee and the SBEC.

For the current Innovative Educator Preparation commendation, the SBEC seeks to recognize EPPs that engage in innovative development of EPP faculty and staff, field supervisors, and/or cooperating and mentor teachers, in alignment with current research and best practices. Examples include, but are not limited to, co-teaching models, coaching practices, high quality instructional materials implementation, and/or response to intervention (RTI).

[For 2020-2021, the SBEC seeks to recognize EPPs that engage in comprehensive partnerships with LEAs to support district specific needs, in one or more of the following areas: supporting districts and mentor teachers through the pandemic, accelerating learning in response to COVID-related learning loss, addressing staffing challenges, and implementing best practices that emerged from EPP and/or district responses to the COVID pandemic. Such practices must be well above SBEC mandate minimums to be considered.]

Chapter 9 – Determination of ASEP Index Score

Overview

Per 19 TAC §229.4(b), the ASEP Index Score may be used for accreditation status determination. This scoring system uses data from the seven ASEP Indicators along with differential weights to determine the total number of points possible for an EPP based on the data present, and the total number of points achieved. This section presents a description of the calculation, the weighting approach, special longitudinal considerations, and a worked example.

Calculation

The ASEP indicators consist of seven separate performance measures. Per TEC, §21.045(a), disaggregated categories with respect to gender, race, and ethnicity are used in the determination of continuing accountability. For these categories, TEA uses the race, ethnicity, and gender designations defined in 19 TAC §229.2(14)(~~13~~). The table below presents a matrix representation of this model.

ASEP Measure	All	Female	Male	African American	Hispanic / Latino	Other	White
1a: Certification examination results for <u>pedagogy tests [PPR exams]</u>							
1b: Certification examination results for <u>content pedagogy tests [non-PPR exams]</u>							
2: Principal appraisal of the preparation of first-year teachers							
3: Improvement in student achievement of students taught by beginning teachers							
4a: Frequency and duration of field observations							
4b: Quality of field supervision							
5: Satisfaction of new teachers							

As described in the following section, weights are assigned to the individual measure. Additionally, a weight is assigned to the "All" category, separate from the individual demographic categories.

The total number of points achieved is calculated based on the EPP performance in each measure for each group. Values are assigned for each cell in the matrix based on the current [~~and prior~~] year performance and performance in the most recent prior year for which the EPP had actionable data.

Performance	Value
Met Standard	1
Did Not Meet Standard and Met Standard in Prior Year	0
No Data/Small Group Exception	<blank>
Did Not Meet Standard and Did Not Meet Standard in <u>most recent prior year for which the EPP had actionable data</u> [Prior Year]	-1

The total number of points achieved is then calculated by multiplying the individual cell by the measure weight and the demographic weight, and then summing all the cells. Blank cells are omitted from the sum.

The total number of points possible is calculated based on the data available. Cells are assigned a value of 1 if there is data available for the current academic year. Each cell is then multiplied by the measure weight and the demographic weight, and the cells are summed.

The percentage of points achieved is found by dividing the total number of points achieved by the total number of points possible and multiplying by 100. This value is then rounded to the nearest whole number.

Weighting

The table below presents the measure weights.

ASEP Measure	Weight
1a: Certification examination results for <u>pedagogy tests</u> [<u>PPR exams</u>]	4
1b: Certification examination results for <u>content pedagogy tests</u> [<u>non-PPR exams</u>]	2
2: Principal appraisal of the preparation of first-year teachers	1
3: Improvement in student achievement of students taught by beginning teachers	3
4a: Frequency and duration of field observations	3
4b: Quality of field supervision	3
5: Satisfaction of new teachers	2

The table below presents the demographic group weights.

Group	Weight
All	6
Female	1
Male	1
African American	1
Hispanic / Latino	1
Other	1
White	1

Worked Example

Example Calculation: ASEP Index

Step 1: Identify the EPP results for all ASEP Indicators for all groups.

Step 2: Populate the results table.

ASEP Measure	All	Female	Male	African American	Hispanic / Latino	Other	White
1a: Certification examination results for <u>pedagogy tests [PPR exams]</u>	Met (1)	Met (1)	Met (1)	Met (1)	Met (1)	Met (1)	Met (1)
1b: Certification examination results for <u>content pedagogy tests [non-PPR exams]</u>	Met (1)	Met (1)	Did not meet (0)	Met (1)	Met (1)	Met (1)	Met (1)
2: Principal appraisal of the preparation of first-year teachers	Met (1)	Met (1)	Did not meet (0)	Met (1)	Did not meet (0)	Met (1)	Met (1)
3: Improvement in student achievement of students taught by beginning teachers ^[12]	Report Only	Report Only	Report Only	Report Only	Report Only	Report Only	Report Only
4a: Frequency and duration of field observations	Met (1)	Met (1)	Met (1)	Met (1)	Met (1)	Met (1)	Met (1)
4b: Quality of field supervision	Met (1)	No Data	No Data	No Data	No Data	No Data	No Data
5: Satisfaction of new teachers	Met (1)	Met (1)	Met (1)	Small Group	Did not meet (0)	Small Group	Met (1)

Note: Per 19 TAC §229.4(a)(3), Indicator 3 is not consequential for ASEP ratings until TEA has data necessary to calculate this performance standard for two years following the 2019-2020 academic year.

Step 3: Multiply each cell by the corresponding measure weight and demographic weight.

ASEP Measure	All	Female	Male	African American	Hispanic / Latino	Other	White
1a: Certification examination results for <u>pedagogy tests [PPR exams]</u>	24	4	4	4	4	4	4

[¹² Per 19 TAC §229.4(a)(3), Indicator 3 is not consequential for ASEP ratings until TEA has data necessary to calculate this performance standard for two years following the 2019-2020 academic year.]

ASEP Measure	All	Female	Male	African American	Hispanic / Latino	Other	White
1b: Certification examination results for <u>content pedagogy tests</u> [non-PPR exams]	12	2	0	2	2	2	2
2: Principal appraisal of the preparation of first-year teachers	6	1	0	1	0	1	1
3: Improvement in student achievement of students taught by beginning teachers							
4a: Frequency and duration of field observations	18	3	3	3	3	3	3
4b: Quality of field supervision	18						
5: Satisfaction of new teachers	12	2	2		0		2

Step 4: Sum all the cells to find the total points achieved (152).

Step 5: Populate the data available table.

ASEP Measure	All	Female	Male	African American	Hispanic / Latino	Other	White
1a: Certification examination results for <u>pedagogy tests</u> [<u>PPR exams</u>]	Yes (1)	Yes (1)	Yes (1)	Yes (1)	Yes (1)	Yes (1)	Yes (1)
1b: Certification examination results for <u>content pedagogy tests</u> [non-PPR exams]	Yes (1)	Yes (1)	Yes (1)	Yes (1)	Yes (1)	Yes (1)	Yes (1)
2: Principal appraisal of the preparation of first-year teachers	Yes (1)	Yes (1)	Yes (1)	Yes (1)	Yes (1)	Yes (1)	Yes (1)
3: Improvement in student achievement of students taught by beginning teachers	No (0)	No (0)	No (0)	No (0)	No (0)	No (0)	No (0)
4a: Frequency and duration of field observations	Yes (1)	Yes (1)	Yes (1)	Yes (1)	Yes (1)	Yes (1)	Yes (1)
4b: Quality of field supervision	Yes (1)	No (0)	No (0)	No (0)	No (0)	No (0)	No (0)
5: Satisfaction of new teachers	Yes (1)	Yes (1)	Yes (1)	No (0)	Yes (1)	No (0)	Yes (1)

Step 6: Multiply each cell by the corresponding measure weight and demographic weight.

ASEP Measure	All	Female	Male	African American	Hispanic / Latino	Other	White
1a: Certification examination results for <u>pedagogy tests [PPR exams]</u>	24	4	4	4	4	4	4
1b: Certification examination results for <u>content pedagogy tests [non-PPR exams]</u>	12	2	2	2	2	2	2
2: Principal appraisal of the preparation of first-year teachers	6	1	1	1	1	1	1
3: Improvement in student achievement of students taught by beginning teachers							
4a: Frequency and duration of field observations	18	3	3	3	3	3	3
4b: Quality of field supervision	18						
5: Satisfaction of new teachers	12	2	2		2		2

Step 7: Sum all the cells to find the total points possible (158).

Step 8: Divide the points achieved by the points possible. Multiply by 100. Round to the nearest whole number.

$$\frac{\text{Number of ASEP Points Earned}}{\text{Number of ASEP Points Possible}} =$$

$$\frac{152}{158} \times 100 =$$

96.20%, which rounds to 96%

[=]

ATTACHMENT III
Text of Proposed Amendments to

Figure: 19 TAC §229.3(f)(1) [~~Figure: 19 TAC §229.3(f)(1)~~]

Data required to support Texas Education Code (TEC), §21.045(a) and (b); TEC, §21.0452; and 19 TAC §229.4, disaggregated by demographic group			
Accountability System Data		Description of Data	Required Submission Date and Method of Reporting
1	Record of all candidate observations, including candidates in a certification class other than classroom teacher.	Individual records of each field observation that occurred in the academic year.	By September 15 of each year, each Educator Preparation Program (EPP) will document field supervision in a format determined by TEA staff.
<u>2</u>	<u>Record of all candidate clinical teaching, internship, and practicum experiences</u>	<u>Individual records of each clinical teaching, internship, and practicum experiences that were completed in the academic year.</u>	<u>By September 15 of each year, each EPP will submit data in a format designated by TEA staff for the preceding academic year.</u>
<u>3</u> (2)	Record of applicants	Report submitted by the EPP. This is the record of individual candidates who applied to be admitted to the program during the academic year.	By September 15 of each year, each EPP will submit data in a format designated by TEA staff for the preceding academic year. Data will be reported on the TEA website.
<u>4</u> (3)	Record of candidates admitted	Report submitted by the EPP. This is the record of individual candidates who were admitted during the academic year.	By September 15 of each year, each EPP will submit data in a format designated by TEA staff for the preceding academic year. Data will be reported on the TEA website.
<u>5</u> (4)	Record of candidates retained	Report submitted by the EPP. This is the record of individual candidates who have been admitted to the EPP but have not completed the EPP.	By September 15 of each year, each EPP will submit data in a format designated by TEA staff for the preceding academic year. Data will be reported on the TEA website.
<u>6</u> (5)	Record of candidates completing all EPP requirements	Report submitted by the EPP. This is the record of individual candidates who have completed all EPP requirements.	By September 15 of each year, each EPP will submit data in a format designated by TEA staff for the preceding academic year. Data will be reported on the TEA website.
<u>7</u> (6)	All information required by federal law	Reports submitted by the EPPs in accordance with federal law.	EPPs will submit data required by federal law to the U.S. Department of Education or its agents in accordance with deadlines set by those entities. TEA website will include a link to the Title II website to enhance access to the data.

Review of Proposed Revisions to 19 TAC Chapter 241, Certification as Principal

November 18, 2022

COMMITTEE ON SCHOOL INITIATIVES: ACTION STATE BOARD OF EDUCATION: ACTION

SUMMARY: This item provides the State Board of Education (SBOE) an opportunity to review the State Board for Educator Certification (SBEC) rule actions that would propose revisions to 19 Texas Administrative Code (TAC) Chapter 241, Certification as Principal. The proposed revisions would implement House Bill (HB) 159, 87th Texas Legislature, Regular Session, 2021, to update the educator standards for the Principal as Instructional Leader certificate to reflect the qualifications of certification as a principal. The proposed revisions would also repeal outdated Subchapter B, Principal Certificate, and would provide technical edits where needed.

STATUTORY AUTHORITY: The statutory authority for 19 TAC Chapter 241 is the Texas Education Code (TEC), §§21.003(a); 21.040(2); 21.041(b)(1)-(4); 21.046(b), as amended by HB 159, 87th Texas Legislature, Regular Session, 2021, (c), and (d); and 21.054(a) and (e).

TEC, §21.003(a), states a person may not be employed as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, educational diagnostician, or school counselor by a school district unless the person holds an appropriate certificate or permit issued as provided by the TEC, Chapter 21, Subchapter B.

TEC, §21.040(2), requires the SBEC to appoint an advisory committee composed of members of each class of certificate to recommend standards for that class to the Board.

TEC, §21.041(b)(1)–(4), requires the SBEC to propose rules that provide for the regulation of educators and the general administration of the TEC, Chapter 21, Subchapter B, in a manner consistent with the TEC, Chapter 21, Subchapter B; and requires the SBEC to propose rules that specify the classes of educator certificates to be issued, including emergency certificates; the period for which each class of educator certificate is valid; and the requirements for the issuance and renewal of an educator certificate.

TEC, §21.046(b), as amended by HB 159, 87th Texas Legislature, Regular Session, 2021, states the qualifications for certification as a principal requires the SBEC to allow outstanding teachers to substitute approved experience and professional training for part of the educational requirements in lieu of classroom hours, and requires that the qualifications emphasize instructional leadership, including the ability to create an inclusive school environment and to foster parent involvement; administration, supervision, and communication skills; curriculum and instruction management, including curriculum and instruction management for students with disabilities; performance evaluation; organization; and fiscal management.

TEC, §21.046(c), requires the SBEC to ensure that principal candidates are of the highest caliber and that there is a multi-level screening process, along with assessment programs, and flexible internships to determine whether a candidate has the necessary skills for success.

TEC, §21.046(d), states that the SBEC shall consider competencies developed by relevant national organizations and the State Board of Education (SBOE).

TEC, §21.054(a) and (e), require the SBEC to propose rules establishing a process for identifying

continuing education courses and programs that fulfill educators' continuing education requirements, including particular continuing education requirements for principals.

The full text of statutory citations can be found in the statutory authority section of this agenda.

PREVIOUS BOARD ACTION: None.

BACKGROUND INFORMATION AND JUSTIFICATION: The SBEC rules in 19 TAC Chapter 241, Certification as Principal, establish all of the requirements for certification and educator preparation program (EPP) minimum standards for issuance of a principal certificate. The proposed revisions to Chapter 241 would implement HB 159, 87th Texas Legislature, Regular Session, 2021. Additionally, the revisions would update Chapter 241 to repeal the outdated Principal certificate. The following is a description of the proposed revisions included in the attachment.

HB 159 Implementation

To align with statutory requirements in HB 159, the proposed revisions would update the educator standards for the Principal as Instructional Leader certificate to ensure that the qualifications for certification as a principal emphasize the ability to create an inclusive school environment and to foster parental involvement, as well as to include curriculum and instruction management for students with disabilities. The following changes would update the standards as required by HB 159.

School Culture Educator Standard

The proposed amendment to §241.15(b)(12) would implement HB 159's amendment to TEC, §21.046(b)(1), by adding the phrase, "creates an inclusive school environment," to the educator standard regarding the safety of staff and students. Similarly, the proposed amendment to §241.15(b)(13) would implement HB 159's amendment to TEC, §21.046(b)(1), by adding the phrase, "fosters parent involvement," to the educator standard regarding campus culture.

Leading Learning Educator Standard

The proposed amendment to §241.15(c)(4) would implement HB 159's amendment to TEC, §21.046(b)(3), by adding the phrase, "including the needs of students with disabilities," to the educator standard regarding campus curricular, co-curricular, and extracurricular programs. Additionally, the proposed amendment to §241.15(c)(7) would implement HB 159's amendment to TEC, §21.046(b)(3), by adding the phrase, "including curriculum and instruction management for students with disabilities," to the educator standard regarding campus curriculum.

Ethics, Equity, and Diversity Educator Standard

The proposed amendment to §241.15(g)(7) would implement HB 159's amendment to TEC, §21.046(b)(3), by adding the phrase, "including instructional and curricular supports for students with disabilities," to the educator standard regarding special instructional programs and services. The proposed amendment to §241.15(g)(10) would implement HB 159's amendment to TEC, §21.046(b)(1), by adding the phrase, "to create an inclusive school environment," to the educator standard regarding developing strong, positive relationships with all members of the community.

Chapter Reorganization and Technical Edits

The proposed revisions to Chapter 241 would reorganize the chapter as outlined below.

- Subchapter B, Principal Certificate, would be repealed to allow for the removal of the outdated Principal certificate that is no longer issued. This would provide clarity to the field on the current SBEC-issued certification as principal.
- The title and distinction for Subchapter A, Principal as Instructional Leader Certificate and Endorsement, would be deleted since it would no longer be necessary to distinguish it from the defunct Principal certificate requirements, given that all the requirements for the current certificate and endorsement are reflected in the chapter.

The proposed amendment would provide a technical edit to the certificate naming convention in §§241.1, 241.5, 241.20, and 241.30.

The proposed amendment to §241.20 would remove outdated language regarding the piloted Principal as Instructional Leader examination. This will provide clarity to the field that the only examination for the certificate is the one noted in 19 TAC Chapter 230, Professional Educator Preparation and Certification, regarding the assessment of educators. The proposed amendment would also provide a technical edit to fine-tune the cross reference to 19 TAC Chapter 153, Subchapter CC, and to §241.10.

The proposed amendment to §241.30 would update the title and subsection (a) to include the Principal certificate to clarify the provisions for individuals to renew a Principal certificate as prescribed in 19 TAC Chapter 232, Certificate Renewal and Continuing Professional Education Requirements. This will provide clarity to the field with the repeal of Subchapter B, Principal Certificate, to ensure individuals have the proper information regarding renewing their Principal certificate.

The proposed amendment to §241.35(a) would remove outdated language and reorder the section accordingly.

SBOE Review of Proposed SBEC Rules

Under the TEC, §21.042, the SBEC must submit a written copy of each rule it proposes to adopt to the SBOE for review. The SBOE may reject the proposed rule by a vote of at least two-thirds of the members of the SBOE present and voting but may not modify a rule.

FISCAL IMPACT: No changes have been made to this section since published as proposed. Texas Education Agency (TEA) staff has determined that there are potential fiscal implications to state and local governments and small businesses as a result of the proposal. The proposed new requirements for principal candidates to be qualified regarding educating students with disabilities may require EPPs to create new curriculum, leading to increased costs for EPPs run by state or local government entities associated with developing that curriculum for each year of the first five years the proposed rule is in effect, but that impact is created by the statutory requirement from HB 159, 87th Texas Legislature, Regular Session, 2021, and not the agency regulation. There are no additional costs or savings to entities required to comply with the proposal beyond that which the authorizing statute requires.

LOCAL EMPLOYMENT IMPACT: No changes have been made to this section since published as proposed. The proposal has no effect on local economy; therefore, no local employment impact statement is required under Texas Government Code (TGC), §2001.022.

SMALL BUSINESS, MICROBUSINESS, AND RURAL COMMUNITY IMPACT: No changes have been made to this section since published as proposed. The proposed new requirement for EPPs to integrate principal standards on educating students with disabilities is likely to increase costs for programs run by small businesses associated with updating aligned curriculum and training for each year of the first five years the proposed rule is in effect, but that impact is created by the statutory requirement from HB 159, 87th Texas Legislature, Regular Session, 2021, and not the agency regulation. There are no additional costs or savings to entities required to comply with the proposal beyond that which the authorizing statute requires.

COST INCREASE TO REGULATED PERSONS: No changes have been made to this section since published as proposed. The proposed new requirements for EPPs to include curriculum regarding creating an inclusive campus environment and educating students with disabilities are likely to increase costs for EPPs, including those run by state or local government entities, associated with developing that curriculum for each year of the first five years the proposed rule is in effect. However, these costs are necessary to implement legislation, specifically HB 159, 87th Texas Legislature, Regular Session, 2021. The proposal, therefore, is not subject to TGC, §2001.0045.

TAKINGS IMPACT ASSESSMENT: No changes have been made to this section since published as proposed. The proposal does not impose a burden on private real property and, therefore, does not constitute a taking under TGC, §2007.043.

GOVERNMENT GROWTH IMPACT: No changes have been made to this section since published as proposed. The 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, the TEA staff has determined that the proposed amendments would create a new regulation that requires EPPs to include curriculum regarding creating an inclusive campus environment and educating students with disabilities, but that impact is created by the statutory requirements of HB 159, 87th Texas Legislature, Regular Session, 2021.

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: No changes have been made to this section since published as proposed. The public benefit anticipated as a result of the proposal would be that candidates for the Principal as Instructional Leader certificate can demonstrate essential competencies expected of a beginning principal. There is no anticipated cost to persons who are required to comply with the proposal.

DATA AND REPORTING IMPACT: No changes have been made to this section since published as proposed. The proposal would have no new data and reporting impact.

PRINCIPAL AND CLASSROOM TEACHER PAPERWORK REQUIREMENTS: No changes have been made to this section since published as proposed. The TEA staff 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: In accordance with the SBEC rulemaking process, a summary of comments received by the SBEC on its proposed rules is shared with the SBOE under separate cover prior to this SBOE meeting.

MOTION TO BE CONSIDERED: The State Board of Education:

Take no action on proposed revisions to 19 TAC Chapter 241, Certification as Principal.

Staff Members Responsible:

Emily Garcia, Associate Commissioner, Educator Preparation, Certification, and Enforcement

Jessica McLoughlin, Director, Talent Pathways

Attachment:

Text of Proposed Revisions to 19 TAC Chapter 241, Certification as Principal

ATTACHMENT
Text of Proposed Revisions to 19 TAC

Chapter 241. Certification as Principal

~~Subchapter A. Principal as Instructional Leader Certificate and Endorsement~~

§241.1. General Provisions.

- (a) The Principal as Instructional Leader certificate ~~[Certificate]~~ may be issued no earlier than December 1, 2018, and Principal as Instructional Leader Endorsement may be issued no earlier than September 1, 2019.
- (b) The holder of the Principal as Instructional Leader certificate ~~[Certificate]~~ issued under the provisions of this chapter may serve as a principal or assistant principal in a Texas public school.

§241.5. Minimum Requirements for Admission to a Principal Preparation Program.

- (a) Prior to admission to an educator preparation program (EPP) leading to the Principal as Instructional Leader certificate ~~[Certificate]~~, an individual must hold a baccalaureate degree from an accredited institution of higher education that at the time was accredited or otherwise approved by an accrediting organization recognized by the Texas Higher Education Coordinating Board.
- (b) An EPP may adopt requirements for admission in addition to those required in subsection (a) of this section.
- (c) The EPP shall implement procedures that include screening activities to determine the candidate's appropriateness for the Principal as Instructional Leader certificate ~~[Certificate]~~ as identified in Chapter 227 of this title (relating to Provisions for Educator Preparation Candidates).

§241.15. Standards Required for the Principal as Instructional Leader Certificate.

- (a) Principal as Instructional Leader Certificate Standards. The knowledge and skills identified in this section must be used by an educator preparation program (EPP) in the development of curricula and coursework and by the State Board for Educator Certification as the basis for developing the examinations required to obtain the standard Principal as Instructional Leader certificate ~~[Certificate]~~. The standards also serve as the foundation for the individual assessment, professional growth plan, and continuing professional education activities required by §241.30 of this title (relating to Requirements to Renew the Standard Principal as Instructional Leader Certificate).
- (b) School Culture. The principal:
 - (1) ensures that a positive, collaborative, and collegial school culture facilitates and enhances the implementation of campus initiatives and the achievement of campus goals;
 - (2) uses emerging issues, recent research, demographic data, knowledge of systems, campus climate inventories, student learning data, and other information to collaboratively develop a shared campus vision;
 - (3) facilitates the collaborative development of a plan in which objectives and strategies to implement the campus vision are clearly articulated;
 - (4) supports the implementation of the campus vision by aligning financial, human, and material resources;
 - (5) establishes processes to assess and modify the plan of implementation to ensure achievement of the campus vision;
 - (6) acknowledges, recognizes, and celebrates the contributions of students, staff, parents, and community members toward the realization of the campus vision;
 - (7) models and promotes the continuous and appropriate development of all learners, including faculty and staff, in the campus community;

- (8) uses strategies to ensure the development of collegial relationships and effective collaboration of campus staff;
 - (9) develops and uses effective conflict-management and consensus-building skills;
 - (10) establishes and communicates consistent expectations for staff and students, providing supportive feedback to ensure a positive campus environment;
 - (11) implements effective strategies to systematically gather input from all campus stakeholders, supporting innovative thinking and an inclusive culture;
 - (12) creates an atmosphere of safety that encourages the social, emotional, and physical well-being of staff and students and creates an inclusive school environment ; and
 - (13) ensures that parents and other members of the community are an integral part of the campus culture and fosters parent involvement .
- (c) Leading Learning. The principal:
- (1) creates a campus culture that sets high expectations, promotes learning, and provides intellectual stimulation for self, students, and staff;
 - (2) prioritizes instruction and student achievement by understanding, sharing, and promoting a clear definition of high-quality instruction based on best practices from recent research;
 - (3) routinely monitors and improves instruction by visiting classrooms, engaging in formative, evidence-based appraisal processes and conferences with teachers, and attending grade or team meetings;
 - (4) facilitates the use of sound research-based practice in the development and implementation of campus curricular, co-curricular, and extracurricular programs to fulfill academic, developmental, social, and cultural needs , including the needs of students with disabilities ;
 - (5) facilitates campus participation in collaborative school district planning, implementation, monitoring, and curriculum revision to ensure appropriate scope, sequence, content, and alignment;
 - (6) implements a rigorous curriculum aligned with state standards, including college and career readiness standards;
 - (7) analyzes the curriculum to ensure that teachers align content across grades and that curricular scopes and sequences meet the particular needs of their diverse student populations , including curriculum and instruction management for students with disabilities ;
 - (8) monitors and ensures staff uses multiple forms of student data to inform instruction and intervention decisions to maximize instructional effectiveness and student achievement;
 - (9) ensures that effective instruction maximizes growth of individual students and student groups, supports equity, and eliminates the achievement gap;
 - (10) ensures staff have the capacity and time to collaboratively and individually use classroom formative and summative assessment data to inform effective instructional practices and interventions; and
 - (11) facilitates the use and integration of technology, telecommunications, and information systems that enhance learning.
- (d) Human Capital. The principal:
- (1) invests and manages time to prioritize the development, support, and supervision of the staff to enhance student outcomes;
 - (2) ensures all staff have clear expectations that guide them and by which they are assessed, including the use of and familiarity with evidence-based appraisal rubrics, where applicable;

- (3) uses data from multiple points of the year to complete accurate appraisals of all staff, using evidence from regular observations, student data, and other sources to evaluate the effectiveness of teachers and staff;
 - (4) coaches and develops educators by conducting conferences, giving individualized feedback, and supporting individualized professional growth opportunities;
 - (5) facilitates the campus's professional learning community to review data, processes, and policies in order to improve teaching and learning in the school;
 - (6) creates opportunities for effective staff to take on a variety of leadership roles and appropriately delegates responsibilities to staff and administrators on the leadership team;
 - (7) collaboratively develops, implements, and revises a comprehensive and on-going plan for professional development of campus staff that addresses staff needs based on staff appraisal trends, goals, and student information;
 - (8) ensures the effective implementation of a continuum of professional development by the appropriate allocation of time, funding, and other needed resources;
 - (9) implements effective, legal, and appropriate strategies for the recruitment, selection, assignment, and induction of campus staff; and
 - (10) plans for and adopts early hiring practices.
- (e) Executive Leadership. The principal:
- (1) reflects on his or her practice, seeks and acts on feedback, and strives to continually improve, learn, and grow;
 - (2) engages in ongoing and meaningful professional growth activities to further develop knowledge and skills and to model lifelong learning;
 - (3) uses strong communication skills, understands how to communicate a message in different ways to meet the needs of various audiences, and develops and implements strategies for effective internal and external communications;
 - (4) develops and implements a comprehensive program of community relations, which uses strategies that will effectively involve and inform multiple constituencies;
 - (5) establishes partnerships with parents, businesses, and other groups in the community to strengthen programs and support campus goals;
 - (6) demonstrates awareness of social and economic issues that exist within the school and community that could impact campus operations and student learning;
 - (7) gathers and organizes information from a variety of sources for use in creative and effective campus decision making;
 - (8) frames, analyzes, and creatively resolves campus problems using effective problem-solving techniques to make timely, high-quality decisions;
 - (9) develops, implements, and evaluates change processes for organizational effectiveness;
 - (10) uses effective planning, time management, and organization of work to maximize attainment of school district and campus goals; and
 - (11) keeps staff inspired and focused on the campus vision while supporting effective change management.
- (f) Strategic Operations. The principal:
- (1) assesses current campus needs, reviewing a wide set of evidence to determine the campus's priorities, and sets ambitious and measurable school goals, targets, and strategies that form the campus's strategic plan;

- (2) outlines and tracks meaningful goals, targets, and strategies aligned to a school vision that continuously improves teacher effectiveness and student outcomes;
 - (3) allocates resources effectively (e.g., staff time, dollars, and tools), aligning them to the school priorities and goals, and works to access additional resources as needed to support learning;
 - (4) establishes structures to regularly monitor multiple data points with leadership teams to evaluate progress toward goals, adjusting strategies to improve effectiveness;
 - (5) implements appropriate management techniques and group processes to define roles, assign functions, delegate authority, and determine accountability for campus goal attainment;
 - (6) implements strategies that enable the physical plant, equipment, and support systems to operate safely, efficiently, and effectively to maintain a conducive learning environment;
 - (7) applies local, state, and federal laws and policies to support sound decisions while considering implications related to all school operations and programs;
 - (8) collaboratively plans and effectively manages the campus budget;
 - (9) uses technology to enhance school management;
 - (10) facilitates the effective coordination of campus curricular, co-curricular, and extracurricular programs in relation to each other and other school district programs; and
 - (11) collaborates with district staff to implement district policies and advocates for the needs of district students and staff.
- (g) Ethics, Equity, and Diversity. The principal:
- (1) implements policies and procedures that encourage all campus personnel to comply with Chapter 247 of this title (relating to Educators' Code of Ethics);
 - (2) models and promotes the highest standard of conduct, ethical principles, and integrity in decision making, actions, and behaviors;
 - (3) ensures that reports of educator misconduct, including inappropriate relationships between educators and students, are properly reported so appropriate investigations can be conducted;
 - (4) models and promotes the continuous and appropriate development of all learners in the campus community;
 - (5) ensures all students have access to effective educators and continuous learning opportunities;
 - (6) promotes awareness and appreciation of diversity throughout the campus community;
 - (7) implements special campus programs to ensure that all students are provided quality, flexible instructional programs and services to meet individual student needs, including instructional and curricular supports for students with disabilities ;
 - (8) articulates the importance of education in creating engaged citizens in a free democratic society;
 - (9) communicates productively with all audiences through strong communication skills and understands how to communicate a message in different ways to meet the needs of various audiences; and
 - (10) treats all members of the community with respect and develops strong, positive relationships with them to create an inclusive school environment .

§241.20. Requirements for the Issuance of the Standard Principal as Instructional Leader Certificate.

To be eligible to receive the standard Principal as Instructional Leader certificate [~~Certificate~~], a candidate must:

- (1) successfully complete ~~[either]~~ the appropriate examinations required under Chapter 230, Subchapter C, of this title (relating to Assessment of Educators) ~~[-or a piloted examination developed for the Principal as Instructional Leader Certificate]~~ ;
- (2) hold, at a minimum, a master's degree from an accredited institution of higher education that at the time was accredited or otherwise approved by an accrediting organization recognized by the Texas Higher Education Coordinating Board;
- (3) hold a valid classroom teaching certificate;
- (4) have two creditable years of teaching experience as a classroom teacher, as defined in Chapter 153, Subchapter CC, of Part 2 of this title (relating to Commissioner's Rules on Creditable Years of Service) and the Texas Education Code, §5.001(2); and
- (5) successfully complete a principal preparation program that meets the requirements of §241.10 of this title (relating to Preparation Program Requirements for ~~the~~ Principal as Instructional Leader Certificate), §241.15 of this title (relating to Standards Required for the Principal as Instructional Leader Certificate), Chapter 227 of this title (relating to Provisions for Educator Preparation Candidates), and Chapter 228 of this title (relating to Requirements for Educator Preparation Programs).

§241.30. Requirements to Renew the Standard Principal as Instructional Leader Certificate and Principal Certificate .

- (a) An individual who holds a standard Principal as Instructional Leader ~~certificate~~ ~~[Certificate]~~ and Principal certificate is subject to Chapter 232, Subchapter A, of this title (relating to Certificate Renewal and Continuing Professional Education Requirements).
- (b) To satisfy the requirements of this section, an individual must complete 200 clock-hours of continuing professional education every five years directly related to the standards in §241.15 of this title (relating to Standards Required for the Principal as Instructional Leader Certificate).
- (c) An individual who holds a valid Texas professional administrator certificate issued prior to September 1, 1999, may voluntarily comply with the requirements for continuing professional education in this section.

§241.35. Requirements for the Issuance of the Principal as Instructional Leader Endorsement.

~~[(a) The Principal as Instructional Leader Endorsement may be issued no earlier than September 1, 2019.]~~

~~[(b)]~~ To be eligible to receive the Principal as Instructional Leader Endorsement, a candidate must:

- (1) hold a valid certificate to serve in the role of principal; and
- (2) successfully complete the appropriate examinations required under Chapter 230, Subchapter C, of this title (relating to Assessment of Educators).

[Subchapter B. Principal Certificate]

[§241.41. General Provisions.]

~~[(a) Due to the critical role the principal plays in campus effectiveness and student achievement, and consistent with the Texas Education Code (TEC), §21.046(c), the rules adopted by the State Board for Educator Certification ensure that each candidate for the Principal Certificate is of the highest caliber and possesses the knowledge and skills necessary for success.]~~

~~[(b) As required by the TEC, §21.046(b)(1) (6), the standards identified in §241.55 of this title (relating to Standards Required for the Principal Certificate) emphasize instructional leadership; administration; supervision; and communication skills; curriculum and instruction management; performance evaluation; organization; and fiscal management.]~~

- ~~(c) An individual serving as a principal or assistant principal is expected to actively participate in professional development activities to continually update his or her knowledge and skills. Currency in best practices and research as related to both campus leadership and student learning is essential.~~
- ~~(d) The holder of the Principal Certificate issued under the provisions of this chapter may serve as a principal or assistant principal in a Texas public school.~~
- ~~(e) A candidate must meet the requirements for the Principal Certificate by August 31, 2019. All applications must be complete and received by the Texas Education Agency by October 30, 2019.]~~

~~[§241.45. Minimum Requirements for Admission to a Principal Preparation Program.]~~

- ~~(a) Prior to admission to an educator preparation program (EPP) leading to the Principal Certificate, an individual must hold a baccalaureate degree from an accredited institution of higher education that at the time was accredited or otherwise approved by an accrediting organization recognized by the Texas Higher Education Coordinating Board.~~
- ~~(b) An EPP may adopt requirements for admission in addition to those required in subsection (a) of this section.~~
- ~~(c) The EPP shall implement procedures that include screening activities to determine the candidate's appropriateness for the Principal Certificate as identified in Chapter 227 of this title (relating to Provisions for Educator Preparation Candidates).]~~

~~[§241.50. Preparation Program Requirements for Principal Certificate.]~~

- ~~(a) The standards identified in §241.55 of this title (relating to Standards Required for the Principal Certificate) and Chapter 228 of this title (relating to Requirements for Educator Preparation Programs) shall be the curricular basis for an educator preparation program (EPP) preparing candidates to be principals. The educator preparation program shall establish benchmarks and structured assessments of the candidate's progress and needed growth throughout the EPP based on the standards identified in §241.55 of this title.~~
- ~~(b) The principal preparation program shall include a field-based practicum whereby a candidate must demonstrate proficiency in each of the standards identified in §241.15 of this title.~~
- ~~(c) An EPP may develop and implement specific criteria and procedures that allow a candidate to substitute related experience and/or professional training directly related to the standards identified in §241.55 of this title for part of the preparation requirements.]~~

~~[§241.55. Standards Required for the Principal Certificate.]~~

- ~~(a) Principal Certificate Standards. The knowledge and skills identified in this section must be used by an educator preparation program in the development of curricula and coursework and by the State Board for Educator Certification as the basis for developing the examinations required to obtain the standard Principal Certificate. The standards also serve as the foundation for the individual assessment, professional growth plan, and continuing professional education activities required by §241.70 of this title (relating to Requirements to Renew the Standard Principal Certificate).~~
- ~~(b) School Culture. The principal:
 - ~~(1) ensures that a positive, collaborative, and collegial school culture facilitates and enhances the implementation of campus initiatives and the achievement of campus goals;~~
 - ~~(2) uses emerging issues, recent research, demographic data, knowledge of systems, campus climate inventories, student learning data, and other information to collaboratively develop a shared campus vision;~~
 - ~~(3) facilitates the collaborative development of a plan in which objectives and strategies to implement the campus vision are clearly articulated;~~
 - ~~(4) supports the implementation of the campus vision by aligning financial, human, and material resources;~~~~

- ~~(5) — establishes processes to assess and modify the plan of implementation to ensure achievement of the campus vision;~~
- ~~(6) — acknowledges, recognizes, and celebrates the contributions of students, staff, parents, and community members toward the realization of the campus vision;~~
- ~~(7) — models and promotes the continuous and appropriate development of all learners, including faculty and staff, in the campus community;~~
- ~~(8) — uses strategies to ensure the development of collegial relationships and effective collaboration of campus staff;~~
- ~~(9) — develops and uses effective conflict management and consensus building skills;~~
- ~~(10) — establishes and communicates consistent expectations for staff and students, providing supportive feedback to ensure a positive campus environment;~~
- ~~(11) — implements effective strategies to systematically gather input from all campus stakeholders, supporting innovative thinking and an inclusive culture;~~
- ~~(12) — creates an atmosphere of safety that encourages the social, emotional, and physical well being of staff and students; and~~
- ~~(13) — ensures that parents and other members of the community are an integral part of the campus culture.~~

~~(c) — Leading Learning. The principal:~~

- ~~(1) — creates a campus culture that sets high expectations, promotes learning, and provides intellectual stimulation for self, students, and staff;~~
- ~~(2) — prioritizes instruction and student achievement by understanding, sharing, and promoting a clear definition of high quality instruction based on best practices from recent research;~~
- ~~(3) — routinely monitors and improves instruction by visiting classrooms, engaging in formative, evidence based appraisal processes and conferences with teachers, and attending grade or team meetings;~~
- ~~(4) — facilitates the use of sound research based practice in the development and implementation of campus curricular, co-curricular, and extracurricular programs to fulfill academic, developmental, social, and cultural needs;~~
- ~~(5) — facilitates campus participation in collaborative school district planning, implementation, monitoring, and curriculum revision to ensure appropriate scope, sequence, content, and alignment;~~
- ~~(6) — implements a rigorous curriculum aligned with state standards, including college and career readiness standards;~~
- ~~(7) — analyzes the curriculum to ensure that teachers align content across grades and that curricular scopes and sequences meet the particular needs of their diverse student populations;~~
- ~~(8) — monitors and ensures staff uses multiple forms of student data to inform instruction and intervention decisions to maximize instructional effectiveness and student achievement;~~
- ~~(9) — ensures that effective instruction maximizes growth of individual students and student groups, supports equity, and eliminates the achievement gap;~~
- ~~(10) — ensures staff have the capacity and time to collaboratively and individually use classroom formative and summative assessment data to inform effective instructional practices and interventions; and~~
- ~~(11) — facilitates the use and integration of technology, telecommunications, and information systems that enhance learning.~~

~~(d) — Human Capital. The principal:~~

- ~~(1) — invests and manages time to prioritize the development, support, and supervision of the staff to enhance student outcomes;~~
 - ~~(2) — ensures all staff have clear expectations that guide them and by which they are assessed, including the use of and familiarity with evidence based appraisal rubrics, where applicable;~~
 - ~~(3) — uses data from multiple points of the year to complete accurate appraisals of all staff, using evidence from regular observations, student data, and other sources to evaluate the effectiveness of teachers and staff;~~
 - ~~(4) — coaches and develops educators by conducting conferences, giving individualized feedback, and supporting individualized professional growth opportunities;~~
 - ~~(5) — facilitates the campus's professional learning community to review data, processes, and policies in order to improve teaching and learning in the school;~~
 - ~~(6) — creates opportunities for effective staff to take on a variety of leadership roles and appropriately delegates responsibilities to staff and administrators on the leadership team;~~
 - ~~(7) — collaboratively develops, implements, and revises a comprehensive and on-going plan for professional development of campus staff that addresses staff needs based on staff appraisal trends, goals, and student information;~~
 - ~~(8) — ensures the effective implementation of a continuum of professional development by the appropriate allocation of time, funding, and other needed resources;~~
 - ~~(9) — implements effective, legal, and appropriate strategies for the recruitment, selection, assignment, and induction of campus staff; and~~
 - ~~(10) — plans for and adopts early hiring practices.~~
- ~~(e) — Executive Leadership. The principal:~~
- ~~(1) — reflects on his or her practice, seeks and acts on feedback, and strives to continually improve, learn, and grow;~~
 - ~~(2) — engages in ongoing and meaningful professional growth activities to further develop knowledge and skills and to model lifelong learning;~~
 - ~~(3) — uses strong communication skills, understands how to communicate a message in different ways to meet the needs of various audiences, and develops and implements strategies for effective internal and external communications;~~
 - ~~(4) — develops and implements a comprehensive program of community relations, which uses strategies that will effectively involve and inform multiple constituencies;~~
 - ~~(5) — establishes partnerships with parents, businesses, and other groups in the community to strengthen programs and support campus goals;~~
 - ~~(6) — demonstrates awareness of social and economic issues that exist within the school and community that could impact campus operations and student learning;~~
 - ~~(7) — gathers and organizes information from a variety of sources for use in creative and effective campus decision making;~~
 - ~~(8) — frames, analyzes, and creatively resolves campus problems using effective problem solving techniques to make timely, high-quality decisions;~~
 - ~~(9) — develops, implements, and evaluates change processes for organizational effectiveness;~~
 - ~~(10) — uses effective planning, time management, and organization of work to maximize attainment of school district and campus goals; and~~
 - ~~(11) — keeps staff inspired and focused on the campus vision while supporting effective change management.~~

~~(f) Strategic Operations. The principal:~~

- ~~(1) assesses current campus needs, reviewing a wide set of evidence to determine the campus's priorities, and sets ambitious and measurable school goals, targets, and strategies that form the campus's strategic plan;~~
- ~~(2) outlines and tracks meaningful goals, targets, and strategies aligned to a school vision that continuously improves teacher effectiveness and student outcomes;~~
- ~~(3) allocates resources effectively (e.g., staff time, dollars, and tools), aligning them to the school priorities and goals, and works to access additional resources as needed to support learning;~~
- ~~(4) establishes structures to regularly monitor multiple data points with leadership teams to evaluate progress toward goals, adjusting strategies to improve effectiveness;~~
- ~~(5) implements appropriate management techniques and group processes to define roles, assign functions, delegate authority, and determine accountability for campus goal attainment;~~
- ~~(6) implements strategies that enable the physical plant, equipment, and support systems to operate safely, efficiently, and effectively to maintain a conducive learning environment;~~
- ~~(7) applies local, state, and federal laws and policies to support sound decisions while considering implications related to all school operations and programs;~~
- ~~(8) collaboratively plans and effectively manages the campus budget;~~
- ~~(9) uses technology to enhance school management;~~
- ~~(10) facilitates the effective coordination of campus curricular, co-curricular, and extracurricular programs in relation to each other and other school district programs; and~~
- ~~(11) collaborates with district staff to implement district policies and advocates for the needs of district students and staff.~~

~~(g) Ethics, Equity, and Diversity. The principal:~~

- ~~(1) implements policies and procedures that encourage all campus personnel to comply with Chapter 247 of this title (relating to Educators' Code of Ethics);~~
- ~~(2) models and promotes the highest standard of conduct, ethical principles, and integrity in decision making, actions, and behaviors;~~
- ~~(3) ensures that reports of educator misconduct, including inappropriate relationships between educators and students, are properly reported so appropriate investigations can be conducted;~~
- ~~(4) models and promotes the continuous and appropriate development of all learners in the campus community;~~
- ~~(5) ensures all students have access to effective educators and continuous learning opportunities;~~
- ~~(6) promotes awareness and appreciation of diversity throughout the campus community;~~
- ~~(7) implements special campus programs to ensure that all students are provided quality, flexible instructional programs and services to meet individual student needs;~~
- ~~(8) articulates the importance of education in creating engaged citizens in a free democratic society;~~
- ~~(9) communicates productively with all audiences through strong communication skills and understands how to communicate a message in different ways to meet the needs of various audiences; and~~
- ~~(10) treats all members of the community with respect and develops strong, positive relationships with them.]~~

[§241.60. Requirements for the Issuance of the Standard Principal Certificate.]

[To be eligible to receive the standard Principal Certificate, a candidate must:

- ~~(1) — successfully complete the appropriate examinations required under Chapter 230, Subchapter C, of this title (relating to Assessment of Educators);~~
- ~~(2) — hold, at a minimum, a master's degree from an accredited institution of higher education that, at the time, was accredited or otherwise approved by an accrediting organization recognized by the Texas Higher Education Coordinating Board;~~
- ~~(3) — hold a valid classroom teaching certificate;~~
- ~~(4) — have two creditable years of teaching experience as a classroom teacher, as defined in Chapter 153, Subchapter CC, of this title (relating to Commissioner's Rules on Creditable Years of Service) and the Texas Education Code, §5.001(2); and~~
- ~~(5) — successfully complete a principal preparation program that meets the requirements of §241.50 of this title (relating to Preparation Program Requirements), §241.55 of this title (relating to Standards Required for the Principal Certificate), Chapter 227 of this title (relating to Provisions for Educator Preparation Candidates), and Chapter 228 of this title (relating to Requirements for Educator Preparation Programs).]~~

§241.65. Requirements for the First-Time Principal in Texas.]

- ~~(a) — A principal or assistant principal employed for the first time as a campus administrator (including the first time in the state) shall participate in an induction period of at least one year.~~
- ~~(b) — The induction period should be a structured, systemic process for assisting the new principal or assistant principal in further developing skills in guiding the everyday operation of a school, adjusting to the particular culture of a school district, and developing a personal awareness of self in the campus administrator role. Mentoring support must be an integral component of the induction period.]~~

§241.70. Requirements to Renew the Standard Principal Certificate.]

- ~~(a) — An individual who holds a standard principal or mid-management administrator certificate is subject to Chapter 232, Subchapter A, of this title (relating to Certificate Renewal and Continuing Professional Education Requirements).~~
- ~~(b) — To satisfy the requirements of this section, an individual must complete 200 clock hours of continuing professional education every five years directly related to the standards in §241.55 of this title (relating to Standards Required for the Principal Certificate).~~
- ~~(c) — An individual who holds a valid Texas professional administrator certificate issued prior to September 1, 1999, may voluntarily comply with the requirements for continuing professional education in this section.]~~

Discussion of Ongoing State Board for Educator Certification Activities

November 17, 2022

COMMITTEE ON SCHOOL INITIATIVES: DISCUSSION STATE BOARD OF EDUCATION: NO ACTION

SUMMARY: This item provides an opportunity for the committee to receive updates on current and upcoming State Board for Educator Certification (SBEC) activities and proposed SBEC rules and amendments.

STATUTORY AUTHORITY: Texas Education Code (TEC), §§21.031, 21.035, 21.041, and 21.042.

TEC, §21.031, charges the SBEC with regulating and overseeing all aspects of the certification, continuing education, and standards of conduct of public school educators and ensuring that all candidates for certification demonstrate the knowledge and skills necessary to improve the performance of the diverse student population of the state.

TEC, §21.035, requires Texas Education Agency (TEA) staff to provide administrative functions and services to the SBEC.

TEC, §21.041(a), authorizes the SBEC to adopt rules necessary to implement its own procedures.

TEC, §21.041(b)(1)–(4), requires the SBEC to propose rules that provide for the regulation of educators and the general administration of the TEC, Chapter 21, Subchapter B, in a manner consistent with the TEC, Chapter 21, Subchapter B; and requires the SBEC to propose rules that specify the classes of educator certificates to be issued, including emergency certificates; the period for which each class of educator certificate is valid; and the requirements for the issuance and renewal of an educator certificate.

TEC, §21.041(c) and (d), authorizes the SBEC to adopt fees for the issuance and maintenance of an educator certificate and for the approval or renewal of an educator preparation program.

TEC, §21.042, requires the SBEC to submit a written copy of each rule it proposes to adopt to the State Board of Education (SBOE) for review.

The full text of statutory citations can be found in the statutory authority section of this agenda.

BACKGROUND INFORMATION AND JUSTIFICATION: On May 30, 1995, the 74th Texas Legislature enacted Senate Bill 1, a revision of the TEC. The TEC, §21.031 and §21.041, establish and authorize the SBEC to adopt rules to regulate and oversee all aspects of the certification, continuing education, and standards of conduct of public school educators. In addition, the 79th Texas Legislature enacted House Bill 1116, continuing the SBEC following sunset review. This legislation amended TEC, §21.035 to require the TEA to provide all administrative services and functions required by the SBEC. Most of these functions have been assigned to TEA's Department of Educator Preparation, Certification, and Enforcement.

Under TEC, §21.042, the SBEC must submit a written copy of each rule it proposes to adopt to the SBOE for review. The SBOE may reject the proposal by a vote of at least two-thirds of the members of the SBOE present and voting. If the SBOE fails to reject the rules contained in the proposal before the 90th

day after the date on which it receives the rules, the rules take effect as rules of the SBEC as provided by Chapter 2001, Government Code. The SBOE may not modify a rule proposed by the SBEC. Since 1996, the SBEC has submitted a number of rules it proposed to the SBOE for review.

Staff Member Responsible:

Emily Garcia, Associate Commissioner, Educator Preparation, Certification, and Enforcement

INFORMATION MATERIALS

STATE BOARD OF EDUCATION OPERATING RULES
(amended January 26, 2021)

CHAPTER 1. BOARD ORGANIZATION

The statutory citation for this chapter is the Texas Education Code, §7.107.

§1.1. Officers of the Board.

(a) Selection.

- (1) The vice chair and secretary of the board shall be elected by a majority vote in accordance with Texas Education Code, §7.107, to serve for a term of two years and until their successors are elected.
- (2) Either of these officers may be removed from office by a vote of not less than two-thirds of the membership of the board.
- (3) In case of death or resignation of the vice chair or the secretary of the board, the board shall elect by a majority vote a board member to fill the vacancy for the unexpired term of that officer at the next board meeting.

(b) Duties.

- (1) Chair. The chair shall preside at meetings and perform all other duties prescribed by law, by board rule, or by board direction.
- (2) Vice chair. The vice chair shall perform the duties of the chair in case of absence or disability of the chair and other duties as the chair may request. Should the office of the chair become vacant, the vice chair shall serve as chair until a successor has been appointed by the governor.
- (3) Secretary. The secretary shall perform all duties as required by law and such other duties as the chair may request.

§1.2. Committees of the Board.

- (a) The standing committees of the board and their areas of oversight are:

Committee of the Full Board

1. Public testimony
2. Establishment of essential knowledge and skills (TEKS)
3. Instructional materials proclamations and adoption of instructional materials
4. Consideration of the Commissioner of Education's open-enrollment charter school proposals

Committee on Instruction

1. Establishment of curriculum and graduation requirements
2. Curriculum implementation (including credit by examination, Texas Advanced Placement Incentive Program, and procedures concerning dyslexia and related disorders)
3. Student assessment program implementation
4. General education
5. Education of individuals with disabilities
6. Gifted and talented education
7. Adult education
8. Library standards
9. Texas School for the Blind and Visually Impaired/Texas School for the Deaf

Committee on School Finance/Permanent School Fund

1. State and federal funding issues
2. Financial budgeting, reporting, and regulation
3. Contract and grant approval
4. Instructional materials financing and operations
5. Community education funding
6. Oversight of the Bond Guarantee Program
7. Permanent School Fund management oversight, including audit responsibility, investment objectives, and investment decisions
8. Review of nominations for gubernatorial appointments: Teacher Retirement System, School Land Board

Committee on School Initiatives

1. Long-range plans required by statute
 2. Educational technology and telecommunications
 3. Review and evaluation of charter school applications, revisions, and amendments the commissioner of education proposes to grant
 4. State Board for Educator Certification rules review
 5. School board member training policy
 6. Hearing examiners
 7. Military reservation and special purpose school districts
 8. Extracurricular activities
 9. Home-rule school district probation and revocation
- (b) Amendments to the areas of committee oversight reflecting new or changing board responsibilities may be made during the board's periodic operating rules review or by means of resolution addressing the change in responsibilities should such change occur between the operating rules review.
- (c) Committees may receive information, investigate, study and report to the board. The board may from time to time define by resolution the areas of oversight of each committee as may be necessary. Each committee shall review and make recommendations on the board agenda items falling under its areas of oversight; except that the chair of the board, in consultation with the respective committee chair, may designate any board agenda item for review and recommendation by the Committee of the Full Board.

- (d) The Committee of the Full Board shall be composed of all members of the board, and the chair of the board shall be the chair of the Committee of the Full Board.
- (e) The Committees on Instruction, School Finance/Permanent School Fund, and School Initiatives shall be composed of five members selected by the officers of the board. Each member will serve on one committee in addition to the Committee of the Full Board. The officers of the board shall request in writing the committee choices of the members ranked in order of preference and shall make committee assignments in the public view for terms of two years at the organizational meeting after the qualification of new members as the next order of business following election of board officers and adoption of rules. Vacancies shall be filled in a similar fashion. In addition to preference, the officers of the board shall also consider seniority (total years of service), ethnicity balance, gender balance, racial diversity, geographic balance, and relevant qualifications specific to a committee assignment in making committee assignments. Each committee shall elect a chair from among its members and the chair may appoint a vice chair. An officer of the board is not eligible to serve as the chair of a standing committee.
- (f) Ad hoc committees (i.e., task forces) may be constituted from time to time as directed by a vote of the board or by the chair to perform such duties as the board or chair may assign. The personnel and length of service of ad hoc committees shall be designated by the chair unless otherwise directed by a vote of the board. No action taken by any ad hoc committee shall be final or binding upon the board unless otherwise directed by a vote of the board.
- (g) Occasionally, committees may find it necessary to request legal opinions, comprehensive studies, or reports to be prepared by the staff to aid the committees in their deliberations. To ensure clarity and coordination, all such requests shall be directed to State Board of Education Support staff and shall be reflected in the minutes of the committee meeting. The Chair or the Commissioner may request that the Attorney General issue an opinion under Texas Government Code §402.042.

§1.3. Board Member Seating Selection.

With the exception of the chair, vice chair, and secretary, the seating of board members will be by State Board of Education districts. The seating for the remaining 12 members will be rotated annually at the first board meeting of the calendar year. Any member with a special need may exchange seats with another board member who is in agreement with that exchange.

CHAPTER 2. MEETINGS

The statutory citations for this chapter are the Texas Education Code, §§7.055, 7.106, 7.107, 7.110, and 39.030, and the Texas Government Code, Title 5, Open Government; Ethics, Subtitle A, Open Government, Chapter 551, Open Meetings.

§2.1. Regular Meetings of the Board.

In accordance with Texas Education Code, §7.106, four regular meetings of the board a year shall be held in Austin, Texas. If a quorum is not present for a meeting, the meeting shall be recessed or adjourned and all items on the agenda shall be heard at a subsequent meeting.

§2.2. Special Meetings of the Board.

Special meetings of the board may be held at times and places as ordered by the chair during a regular meeting, or special meetings may be called by the chair of the board to be held at a time and place the chair shall designate.

§2.3. Open Meetings.

Regular, special, and committee meetings of the board shall be open to the public; however, the board or board committees may meet in executive session in accordance with law and these rules. Open meetings of the board and standing committees shall be broadcast live over the Internet. The chair may limit in-person attendance at a meeting to ensure health and safety of board members and members of the public. In such instances, governor's orders shall be followed, and members of the public shall be given access to view all portions of the meetings virtually.

§2.4. Executive Sessions.

Executive sessions of the board or of board committees are meetings with only board members and persons authorized by law. Executive sessions shall be held in accordance with Texas Government Code, Chapter 551, Open Meetings.

§2.5. Agendas.

- (a) The chair has the primary responsibility for creating the SBOE meeting agendas. This includes the SBOE agenda, the Committee of the Full Board agenda, and all committee agendas. Other than as provided in this subsection and subsections (b) and (c) of this section, all agenda items are subject to the approval of the chair. If a member wishes an item to be placed on the agenda of the Committee of the Full Board, the member should request in writing that the chair place the item on the agenda. The chair will respond in writing whether or not the item will be placed on the agenda. If the chair declines in writing to place the item on the agenda, the member may make a motion during a board meeting to include the item on the agenda. If the board approves the request, it is placed on the agenda of the Committee of the Full Board for the next meeting.
- (b) The chairs of the Committee on Instruction, Committee on School Finance/Permanent School Fund, Committee on School Initiatives, and ad hoc committees shall collaborate with the board chair regarding items to be placed on their respective committee agendas. Committee agendas shall include statutorily mandated motions, items assigned to the

committee by the board chair, items posted at the discretion of the committee chair and items voted on as set out in subsection (c) below. Committee chairs may post discussion items per their discretion, but action items must be approved by the board chair, subject to the process set out in (c) below.

- (c) Any member of the board may request that a committee chair place an item on the agenda of that chair's committee, other than the Committee of the Full Board, as either a discussion item or an action item. If the committee chair agrees, the item is placed on the agenda of that chair's committee in accordance with the member's request, subject to the approval of the board chair. If the committee chair denies the member's request, the member may appeal the denial to the board chair. If the board chair denies the request, the member may appeal the denial to the board. If the board approves the request, it is placed on the agenda of the committee to which the request was made at the next meeting of that committee.
- (d) A subject on the agenda that is outside the scope of the board's authority may only be considered by the board or the Committee of the Full Board by a vote of a majority of the membership of the board. The chair, in consultation with Agency legal counsel, shall make a determination regarding whether an item is outside the scope of the board's authority when preparing the agenda. Any member may move to place an item determined by the chair to be outside the scope of the board's authority on the agenda for a subsequent meeting.
- (e) The commissioner of education shall prepare and submit to each member of the board, prior to each meeting, a draft agenda schedule listing item titles with short summaries of each item. Materials supplementing the agenda may be included. Official agendas will be available the day of the board meeting.

§2.6. Official Transaction of Business.

- (a) The board shall transact official business only when in session with a quorum present. Unless otherwise provided by law, in order for a board action to be final, it must be approved by a majority of the board members present and voting.
- (b) The chair may authorize the board to meet via remote video or web conference. As required by Government Code §551.127(c), if videoconference calling technology is used, the meeting location where the presiding officer of the meeting is present must be open to the public, except during executive sessions. The chair may limit the number of remote conference locations in the interest of decorum and capacity.
- (c) The chair may modify procedures for conducting meetings of the board if emergency protocols are enacted by the governor related to a pandemic or similar event. In such instances, governor's orders and emergency rules shall be followed.
- (d) If a board member participates in a meeting virtually, the board member must be visible by video and must have capabilities to be heard by other board members and members of the public. A member who is not present on camera during a vote of the board will be noted as absent for the vote.

- (e) No posters, props, or other visual displays are allowed by board members within the meeting rooms or at remote locations without permission from the presiding chair.

§2.7. Rules of Order.

- (a) The board shall observe *Robert's Rules of Order, Newly Revised*, except as otherwise provided by board rules or by statute.
- (b) The presiding chair shall preserve order and decorum during meetings. In case of disturbance or disorderly conduct in the public gallery, the chair may order that any disruptive individuals be cleared from the area.
- (c) No signs, placards, flags, noisemakers, or other objects of a similar nature shall be permitted in the audience gallery area.
- (d) No applause, outburst or other demonstration by any spectator shall be permitted during the public testimony, public hearing or debate portion of any State Board of Education meeting. After warnings to the audience to refrain from such demonstrations, the presiding chair may direct that disruptive individuals in the gallery area be removed as necessary to preserve decorum during meetings.
- (e) Supporters of a testifier may not gather behind the podiums used for testimony. Testifiers are free to use a portion of their testimony time to acknowledge supporters seated in the audience.

§2.8. Minutes.

The official minutes of the board shall be kept by the office of the commissioner of education or the commissioner's designee and shall be available to any citizen desiring to examine them. Official minutes are those which the board has approved, and which carry the original signature of the secretary of the board.

§2.9. Resolutions.

- (a) A member wishing to offer a resolution shall give notice of the resolution by submitting a copy to the chair and the State Board of Education Support staff not less than four weeks prior to the Monday of the week during which the meeting at which the resolution is to be considered. The board shall consider the resolution and any germane amendments at the next meeting following such notice.
- (b) Titles for congratulatory, commendatory or other non-substantive resolutions shall be submitted by the timelines prescribed in this section with resolution text following a date and time consistent with the staff's pre-meeting preparation timeline.
- (c) The board may consider a resolution which expresses an opinion related to specific instructional materials or which expresses concerns as to the appropriateness of specific instructional materials for certain ages or populations. Resolutions considered under this subsection must conform to the following:
 - (1) The resolution shall be submitted in compliance with subsection (a) of this section.

- (2) Board action on a resolution expressing an opinion related to specific instructional materials may only be considered after final action has been taken concerning placement of the specific instructional materials on the list of adopted instructional materials for use in the public schools of Texas. Board action relative to instructional materials resolutions must take place within 90 days of adoption of the specific instructional materials under 19 TAC Chapter 66, State Adoption and Distribution of Instructional Materials, §66.66(b).
- (3) Nothing in the resolution shall be construed to replace or modify any final action taken by the board under 19 TAC Chapter 66.
- (4) The board may adopt a resolution expressing an opinion related to instructional materials based on the following criteria:
 - (A) Instructional materials should present the most current factual information accurately and objectively without editorial opinion or bias by the authors. Theories should be clearly distinguished from fact and presented in an objective educational manner.
 - (B) Instructional materials should promote citizenship, patriotism, democracy, understanding of the essentials and benefits of the free enterprise system, respect for recognized authority, and respect for individual rights. The materials should not include selections or works that encourage or condone civil disorder, social strife, or disregard of the law. Violence, if it appears, should be treated in the context of its cause and consequence. It should not appear for reasons of unwholesome excitement or sensationalism.
 - (i) Instructional materials should present positive aspects of the United States and its heritage.
 - (ii) When significant political or social movements in history generate no clear consensus, instructional materials should present balanced and factual treatment of the positions.
 - (iii) Free enterprise means an economic system characterized by private or corporate ownership of capital goods; investments that are determined by private decision rather than by state control; and prices, production, and the distribution of goods that are determined in a free market.
 - (C) Instructional materials should not include blatantly offensive language or illustrations.
 - (D) Instructional materials should treat divergent groups fairly without stereotyping and reflect the positive contributions of all individuals and groups to the American way of life. Illustrations and written materials should avoid bias toward any particular group or individual and present a wide range of goal choices. Particular care should be taken in the treatment of ethnic groups, issues related to the aging and aged, roles of men and women, the dignity of workers, and respect for the work ethic.

- (i) Instructional materials should not encourage lifestyles deviating from generally accepted standards of society.
 - (ii) Instructional materials should provide an objective view of cultural confluence and include information needed to develop mutual understanding and respect among all elements of our population. Materials should reflect an awareness that culture and language variation does exist and can be used to promote successful learning.
 - (iii) Instructional materials should present examples of men and women participating in a variety of roles and activities and also shall present the economic, political, social, and cultural contributions of men and women, past and present.
 - (iv) Instructional materials that treat aspects of the world of work should reflect the positive contributions of all types of careers to the American economic system and way of life. People presented should reflect varieties of work and be treated without bias toward particular kinds of work.
 - (v) Instructional materials should present traditional and contemporary roles of men, women, boys, and girls.
 - (vi) Instructional materials should present balanced treatment of issues related to aging and the aged.
- (5) A representative of the publisher of the specific instructional material shall be given the opportunity to address the board prior to action by the board on such a resolution.
 - (6) A copy of any resolution passed by the board expressing an opinion related to specific instructional material shall be provided to the board president and superintendent of each school district in Texas.

§2.10. Oral Public Testimony in Connection with Regular Board and Committee Meetings.

- (a) General Provisions.
 - (1) In accordance with Texas Education Code, §7.110, the board shall provide opportunity for oral public testimony at regular committee meetings, special meetings, and at regularly scheduled meetings of the State Board of Education.
 - (2) Work session and ad hoc committee meetings are exempt from this requirement.
 - (3) The presiding chair shall take appropriate action to avoid unduly repetitious testimony.
 - (4) The presiding chair shall assure that members of the public with differing viewpoints have reasonable access to address the board and take steps to ensure that individuals will be given priority over registered lobbyists.

- (5) The presiding chair shall determine which speakers will be heard and the order in which they will be heard if the number exceeds that number which may reasonably be expected to testify in the allotted time for presentations. The presiding chair shall also determine whether speakers who did not register or who registered late will be heard and whether persons asking to testify as a substitute for a registered speaker may do so.
 - (6) The board, without debate, may allow a person to testify for clarification and informational purposes, whether or not he/she has registered or previously testified. The person is not required to honor the request.
- (b) Registration Procedures.
- (1) Individuals may register between the hours of 8 a.m. (Central Time) on the Thursday preceding the board meeting and 5 p.m. on the Friday preceding the board meeting on the agency website at <https://tea.texas.gov/PublicTestimonySBOE/>, or, during normal operating hours, by telephone at (512) 463-9007 or in person at the William B. Travis (WBT) State Office Building, 1701 N. Congress, room 1-109, Austin, Texas 78701.
 - (2) The speaker shall provide his or her name and organizational affiliation, if any, contact telephone number, mailing address, email address, and indicate which item or topic the speaker will address and viewpoint on the topic; and the speaker will disclose if he or she is a lobbyist registered with the Texas Ethics Commission.
 - (3) A person may register himself or herself, and one other person. Organizations may not register more than two persons per item.
 - (4) Those registering online will receive an email confirming the registration during the next business day.
 - (5) Registrations will be listed based upon registration date and time or alternating points of view in order of registration date and time.
 - (6) Late registration will be accepted until 30 minutes before the scheduled start of a meeting, however late registrants are not guaranteed an opportunity to testify due to time constraints.
 - (7) Speakers will be informed if it appears that time constraints will not permit all speakers to make their presentation within the allotted time.
 - (8) All speakers shall provide twenty (20) collated or stapled copies of their testimony. Registered speakers who are unable to make their presentations due to time constraints are encouraged to provide twenty (20) copies of their testimony for distribution to board members and agency executive staff. Written testimony will not be attached to committee minutes.
- (c) Oral Public Testimony to Committees.
- (1) Oral public testimony to committees is limited to the topics posted for action or discussion on committee agendas at that specific committee meeting.

- (2) In order to maximize the total number of testifiers who are able to provide oral testimony, two-minute time limits on individual oral testimony will be imposed unless modified by the presiding chair.
 - (3) The presiding chair shall designate whether oral public testimony shall be taken at the beginning of the meeting or at the time the related item is taken up by the committee.
 - (4) The presiding chair shall take steps to ensure that individuals will be given priority over registered lobbyists. The committee, without debate, may allow a person to testify for clarification and informational purposes, whether or not he/she has registered or previously testified. The person is not required to honor the request.
- (d) Oral Public Testimony to the General Meeting of the Board.
- (1) Oral public testimony at general meetings of the State Board of Education is limited to topics that are *not* posted for action or discussion at the corresponding regular committee meetings or information published in the information section of the agenda.
 - (2) Thirty (30) minutes shall be allotted for oral public testimony, excluding the questions and answers, at the beginning of each board meeting, unless modified by a majority vote of the board. Three-minute time limits on individual oral testimony will be imposed unless modified by the presiding chair. Testimony invited by board members shall not be counted against the time allotted for oral public testimony. Agency staff shall inform the presiding chair and any affected registered speakers prior to the meeting if time constraints may not allow some registered speakers to testify.
 - (3) The presiding chair shall take steps to ensure that individuals will be given priority over registered lobbyists. The board, without debate, may allow a person to testify for clarification and informational purposes, whether or not he/she has registered or previously testified. The person is not required to honor the request.

§2.11. Written Testimony in Connection with Regular Board and Committee Meetings.

- (a) Persons may file written testimony with regard to any committee or board agenda item. Any written testimony or comments shall identify the date of the meeting; the subject of the comments; the name of the author; the name of the author's organizational affiliation, if any; and indicate whether the author is a lobbyist registered with the Texas Ethics Commission.
- (b) If the written testimony is submitted at the regular board or committee meeting, twenty (20) collated or stapled copies shall be provided for distribution to board members and agency executive staff. Written testimony will not be attached to the board minutes.
- (c) Persons who were unable to attend or to testify at a committee or board meeting due to time constraints may provide twenty (20) collated or stapled copies of their testimony to agency staff for distribution to board members and agency executive staff.

§2.12. Public Hearings.

- (a) Types of Public Hearings.
 - (1) Hearings regarding proposed board rules. The board shall conduct a public hearing on a substantive rule if a hearing is requested by at least 25 persons, a governmental subdivision or agency, or an association having at least 25 members. Testimony is restricted to comments regarding the proposed action. The hearing must be set to take place before any action is adopted. The public hearing shall be conducted before the appropriate board committee as determined by the board chair in accordance with the areas of oversight defined in board operating rules.
 - (2) Other types of hearings. The board may also hold public hearings on proposed actions, such as those relating to adoption of Texas essential knowledge and skills and (TEKS) instructional materials issues. The public hearing shall be conducted before the appropriate board committee as determined by the board chair in accordance with the areas of oversight defined in board operating rules. Public hearings regarding the instructional materials adoption process are governed by 19 TAC §66.60. Public hearings regarding revision of the TEKS are governed by the SBOE-approved TEKS review and revision process.
- (b) Speakers shall preregister in accordance with the procedures set out in §2.10(b).
- (c) The presiding chair shall establish the procedures for conducting the public hearing. These procedures shall include, but are not limited to, the following:
 - (1) Providing for presentations from invited persons or an introduction from staff;
 - (2) Providing that preregistered speakers are heard in order of registration times and dates, or requiring alternating points of view in order of registration times and dates;
 - (3) Establishing time limits for speakers, generally two minutes each;
 - (4) Adjourning the hearing at the end of the allotted time period listed in the agenda item or any extension granted by a vote of the majority of the board or appropriate committee.
- (d) Persons who testify at a public hearing may bring twenty (20) collated or stapled copies of their testimony for distribution to board members and agency executive staff.
- (e) Persons who were unable to testify at a public hearing due to time constraints may provide twenty (20) members and agency executive staff.
- (f) Prior to the meeting, agency staff shall inform the presiding chair and shall attempt to inform any affected registered speakers if time constraints may not allow some registered speakers to testify.

§2.13. Public Comments Regarding Proposed Rulemaking.

All interested persons have a reasonable opportunity to submit data, views and arguments, prior to the board adoption of any rule. Public comments regarding proposed board rules may be submitted as provided in the notice of proposed rulemaking published in the *Texas Register*. The deadline for submitting public comments is 5:00 p.m. on Friday the week prior to the start of the board meeting. The board will also take registered oral and written comments on proposed rulemaking at the appropriate committee meeting.

CHAPTER 3. TRAVEL AND EXPENSES

The statutory citations for this chapter are the Texas Education Code, §7.105, Texas Government Code, Chapter 660, and the General Appropriations Act.

§3.1. Reimbursement of Expenses.

- (a) Members of the State Board of Education receive no salary but are reimbursed for all expenses incurred for attending regular and special meetings of the board and of board committees.
- (b) All reimbursements for expenditures shall be in accordance with Texas Education Code, §7.105(b), Texas Government Code, Chapter 660, the General Appropriations Act, and these rules.
- (c) Only expenses of board members may be reimbursed. Expenses for spouses, family, or other persons traveling with board members are not reimbursable.
- (d) Board members must submit receipts for the following expenses:
 - (1) public transportation (excluding receipts for bus, taxi, ride share services or limousine);
 - (2) car rental;
 - (3) lodging; and
 - (4) conference registration fees (which may not include banquets, books, or materials).
- (e) Lodging receipts must show the rate for single occupancy plus tax which will be the maximum reimbursable amount per day for lodging.
- (f) Receipts are not required to claim expenses for meals; however, the General Appropriations Act provides that "none of the funds appropriated under this act for travel expenses may be expended for alcoholic beverages" and no such expenses may be claimed for reimbursement.
- (g) Other official travel expenses which board members may claim include the following when the expenses are required for the conduct of state business:
 - (1) parking fees (including personal vehicles);
 - (3) notary fees for official documents; and
 - (4) wireless connection.

- (h) Board members may not claim reimbursement for expenses such as the following:
 - (1) laundry or other personal items;
 - (2) tips or gratuities of any kind; and
 - (3) alcoholic beverages.
- (i) All claims for reimbursement will be reviewed by agency accounting personnel to ensure compliance with the requirements of the appropriations act, and any appropriate adjustments to claims shall be made by staff.
- (j) A yearly budget shall be established for travel of board members. The budgeted amount would include an allotment of travel funds for board members to attend board meetings and committee meetings, and an allotment for in-district, out-of-district, and out-of-state meetings. An additional allotment shall be budgeted for travel of the chair when representing the State Board of Education at meetings. When there is a change in office during the fiscal year, the travel budget will be reassigned to the new board member.
- (k) A board member may be reimbursed for travel expenses for attending activities other than State Board of Education meetings and committee meetings provided that the board members are in compliance with the following procedures:
 - (1) In-District and Out-of-District Travel. In-district and out-of-district travel is at each member's discretion. Prior approval is not required; however, any travel for which reimbursement is requested must be directly related to the duties and responsibilities of the State Board of Education. Any requests for reimbursement, directly or indirectly related to seeking election to office, will not be allowed.
 - (2) Out-of-State Travel. Prior approval is required by the officers of the board (chair, vice chair, and secretary).
- (l) A board member may be reimbursed for travel expenses incurred while serving on any board, council, or commission or serving in any official board position as an appointee for specific administrative functions when appointed by the State Board of Education or its chair, or subject to approval of the board or its officers of the board.
- (m) None of the funds appropriated in the General Appropriations Act shall be used for influencing the outcome of any election, or the passage or defeat of any legislative measure.

§3.2. Travel Arrangements and Hotel Reservations for State Board of Education Meetings.

- (a) Board members shall be responsible for making their own arrangements for travel to and from board meetings. Agency travel coordinators are available for assistance.
- (b) A State Board of Education Support staff member or his/her designee will make guaranteed hotel reservations for each board member upon request.

- (c) Any change in or cancellation of reservations shall be the responsibility of the individual board member in whose name the reservations were made. Board members who wish to change or cancel their reservations must contact the hotel directly or call the State Board of Education support office. All bills received by the agency for unused or uncanceled reservations will be forwarded for payment to the board member in whose name the reservations were made.

§3.3. Acceptance of Gifts and/or Grants for Charter School Evaluation.

- (a) Purpose. The State Board of Education (SBOE) may accept a gift and/or grant for the limited purpose of expenses associated with evaluating an applicant for an open-enrollment charter school.

- (1) An entity making a gift and/or grant under this section may not:
 - (A) limit the use of the funds to any individual applicant, cycle or class of applicants;
 - (B) be a charter operator in this or any other state, a management company, service provider or vendor of any kind to charter schools in this or any other state;
 - (C) have common board members or corporate members with any entity operating a charter in Texas or applying to operate a charter in Texas;
 - (D) be an individual required to register as a lobbyist under Chapter 305, Government Code; or
 - (E) be an employee, attorney, contractor or other agent of any kind to charter schools in this or any other state.
- (2) An entity making a gift and/or grant under this section may not do so if the source of funds used for the gift and/or grant were received from an entity that could not make a gift and/or grant under this section.
- (3) For purposes of this section, a spouse or dependent child of an individual prohibited from making a gift and/or grant is also prohibited.
- (4) For purposes of this section, an entity includes any legal entity such as corporations, individuals and other business associations. An individual is limited to a natural person.
- (5) An entity making a gift and/or grant shall certify that it has complied with all requirements of this section in a format approved by the board chair.

- (b) Procedure. The SBOE may accept a gift and/or grant under this section only by an affirmative vote of the board.

- (1) A charter may not be evaluated using funds under this section unless the commissioner has:

- (A) proposed to award a charter to that applicant pursuant to Section 12.101(b); or
 - (B) requested the participation of individual board members in the agency's preliminary evaluation of an applicant.
- (2) The commissioner shall receive, disburse and account for funds accepted by the board.
 - (3) Funds accepted under this section may be used solely to pay reasonable travel expenses, including meals and accommodations, for SBOE members and TEA staff as necessary to evaluate applicants for open-enrollment under this section. Unless approved by the board chair and the commissioner, travel expenses are limited to those available for travel by SBOE members or state employees.
 - (4) In making decisions under this section, the board chair will consult with the board member acting as a liaison under Section 12.101(b). The board chair will also consult with the chair of the Committee on School Initiatives, unless doing so would create a quorum of a committee of the board. A decision by the board chair under this section is final.
 - (5) Board members evaluating a charter applicant under this section shall be selected by the board chair. The board chair will, to the extent possible, give preference to board members whose districts include proposed locations at which the charter would operate. Under no circumstances will a quorum of the board or a committee of the board participate in an evaluation under this section.
 - (6) The board chair may request that relevant TEA employees accompany board members in evaluating charter applicants under this section. The commissioner must approve participation of agency employees.
 - (7) Except as provided by this subsection, board members and TEA staff may not accept anything of value from an applicant and shall limit contact with the applicant and its employees and representatives to the actual investigation of the charter. The board chair may authorize acceptance of reasonable local transportation and meals from the applicant as necessary to facilitate the evaluation.
 - (8) In addition to board members and TEA staff, the board chair may authorize other professionals to participate in an evaluation under this section. Such a professional may not be an individual or entity unable to donate funds under subsection (a) and is subject to all conditions and limits imposed by this section on board members.
- (c) Evaluation. Each board member will individually report to the Committee on School Initiatives regarding his/her evaluation of a proposed charter prior to consideration of the charter by the board under §7.102(c)(9). The Committee on School Initiatives will develop a standard form for use by board members in evaluating a charter under this section.
 - (d) Reporting. Expenses reimbursed for each board member, TEA staff or other professionals shall be made publicly available and reported as appropriate on a board member's personal financial statement.

CHAPTER 4. CONDUCT AND PUBLIC RELATIONS

The statutory citations for this chapter are the Texas Education Code, §7.108; the Texas Government Code, §305.006, and Chapter 572, Personal Financial Disclosure, Standards of Conduct, and Conflict of Interest; and the Texas Election Code, Chapter 251, General Provisions.

§4.1. Standards of Conduct and Conflicts of Interest.

- (a) Personal interest in board actions. Whenever a board member has a financial interest in any matter to be voted upon by the board, such a member shall state at an open meeting that he or she has such an interest in the matter and shall abstain from voting and discussion concerning the matter.
- (b) The Permanent School Fund ethics policy governs the conduct of State Board of Education members with respect to the investment and management of the Permanent School Fund.

§4.2. Press and Public Relations.

- (a) Prior to each State Board of Education meeting, the agenda shall be made available by agency staff to the capitol press corps; governor's office; Legislative Budget Board; Legislative Reference Library; School Land Board; Texas Higher Education Coordinating Board; regional education service centers; and state offices of professional education organizations which have requested the agenda.
- (b) A press table shall be provided at meetings of the State Board of Education and press representatives shall be supplied with copies of the official agenda for the meeting and other materials relating to specific agenda items.
- (c) The State Board of Education shall seek to maintain open relations with the press by answering reporters' questions frankly and by providing official statements through press releases and answers to follow-up inquiries.

§4.3. Disclosure of Campaign Contributions and Gifts.

- (a) Any person, corporation, or other legal entity which proposes to enter into a contract with or applies for a grant, contract, or charter which may be granted by the State Board of Education shall disclose whether, at any time in the preceding four years, the person, corporation, or other legal entity has made a campaign contribution to a candidate for or member of the State Board of Education. Disclosure shall be made in writing to the commissioner of education 14 calendar days prior to consideration by the board or any committee of a contract, grant, or charter.

- (b) A person, corporation, or other legal entity which proposes to enter into a contract with or applies for a grant, contract, or charter which may be granted by the State Board of Education shall disclose in the same manner any benefit conferred on a candidate for or member of the State Board of Education during the preceding four years. A benefit need not be disclosed if the aggregate value of benefits conferred on a candidate for or a member of the State Board of Education during the preceding four years does not exceed \$250, or a different limit set by §572.023(b)(7), Texas Government Code. This requirement applies whether or not the person, corporation, or other legal entity is required to report the expenditure to the Texas Ethics Commission. For purposes of this section, a benefit is not conferred if the candidate for or a member of the State Board of Education has paid for the member's own participation, as well as any participation by other persons for the direct benefit of any business in which the member has a substantial interest as defined under Texas Government Code §572.005 (1) - (7).
- (c) In this section:
- (1) "person, corporation, or other legal entity" includes:
 - (A) any individual who would have a "substantial interest" in the person, corporation, or other legal entity as that term is defined in Texas Government Code, §572.005 (1) - (6);
 - (B) an attorney, representative, registered lobbyist, employee, or other agent who receives payment for representing the interests of the person, firm, or corporation before the board or to board members, or whose duties are directly related to the contract, grant, or charter; or
 - (C) an individual related within the first degree by affinity or consanguinity, as determined under Chapter 573, Government Code, to the person covered by (c)(1).
 - (2) "contract, grant, or charter" means any application to enter into a contractual relationship with or otherwise receive funding from the State Board of Education, including without limitation contracts for investment advisors, consultants, or investment managers for the Permanent School Fund and applicants for charters to operate open enrollment charter schools.
 - (3) "campaign contribution" has the meaning defined in Texas Election Code, §251.001.
 - (4) "benefit" has the meaning defined in Texas Penal Code, §36.01.
 - (5) "candidate for or a member of the State Board of Education" includes a person related within the first degree of affinity or consanguinity, as determined under Chapter 573, Government Code, to a candidate for or a member of the State Board of Education.
- (d) A person, corporation, or other legal entity has a continuing duty to report contributions or expenditures made through the term of a contract, grant, or charter and shall within 21 calendar days notify the commissioner of education and the board chair upon making a contribution or expenditure covered by this section.

- (e) Failure to disclose a contribution or expenditure under this section shall be grounds for canceling or revoking the contract, grant, or charter in the discretion of the board. Only those contributions or expenditures made after the effective date of this rule are required to be disclosed.
- (f) This section does not affect the validity of contracts, grants, or charters existing on its effective date but does apply to the renewal or extension of any contract, grant, or charter.
- (g) Before distributing bids or applications for a contract with the board, staff will provide any disclosure made under subsection (a) or (b) to a board member to whom the disclosure applies. A board member shall have 10 calendar days to provide a written statement relating to the disclosure for distribution along with all disclosures.
- (h) An SBOE member shall on April 15 of each year submit a list of businesses that the SBOE member has a substantial interest in as defined in Texas Government Code §572.005 (1) - (7) and all DBAs or assumed names of any such businesses. If any change occurs in the identities of businesses that an SBOE member has a substantial interest in, the SBOE member shall submit an amendment within 30 calendar days of the date of such change. A person, corporation, or other legal entity which proposes to enter into a contract with or applies for a grant, contract, or charter that may be granted by the State Board of Education shall be provided the combined list of all board members and shall disclose any campaign contribution or benefit under subsections (a) or (b) on behalf of any business in which an SBOE member has a substantial interest.

§4.4. Instructional Materials Submitted to the Texas Resource Review.

- (a) An SBOE member shall not nominate instructional materials for submittal to the Texas Resource Review without a majority vote of the board endorsing said nomination.

CHAPTER 5. RULES AND THE RULEMAKING PROCESS

The statutory citation for this chapter is the Texas Government Code, Chapter 2001, Subchapter B; Texas Government Code, Chapter 2002, Subchapter B; Texas Education Code, §7.102(e)-(f).

§5.1. State Board of Education Rules.

- (a) An action of the board to adopt a rule under the Texas Education Code is effective only if the rule's preamble published in the *Texas Register* includes a statement of the specified statutory authority contained in the Texas Education Code to adopt the rule.
- (b) Rules submitted to the Office of the Secretary of State for publication in the *Texas Register* shall conform to requirements promulgated by the Secretary of State.

§5.2. Adoption, Amendment, and Repeal of State Board of Education Rules.

- (a) Proposed new rules, amendments, and repeals must appear on the agenda for discussion at one board meeting and for action at two subsequent board meetings as First Reading and Second Reading, unless a departure from this rulemaking process is approved by the board.
- (b) Each member of the board shall receive copies of the preliminary and official board meeting agendas containing all proposed new rules, amendments, or repeals to be considered.
- (c) The board can take action only if the rule is posted for action in the official notice of the meeting that is published in the *Texas Register*. The commissioner is authorized to file information with the Secretary of State to comply with the requirements of Texas Government Code, Chapter 2001, Subchapter B; and Texas Government Code, Chapter 2002, Subchapter B, regarding adoption of rules.
 - (1) **First Reading and Filing Authorization.** The board can authorize the commissioner to file a proposed new rule, amendment, or repeal with the Secretary of State for publication in the *Texas Register* as it appears in the agenda or with changes to the material presented in the agenda.
 - (2) **Second Reading and Final Adoption.** If the public comment period after filing the proposal with the Secretary of State has elapsed, the board can adopt a new rule, amendment, or repeal. If a board committee determines that a substantial revision of the material presented in the agenda shall be considered, the board shall not take final action before the next board meeting.
 - (3) **Withdrawal.** The board can authorize the commissioner to withdraw a proposed new rule, amendment, or repeal that was previously filed with the Secretary of State.
 - (4) **Refiling.** The board can authorize the commissioner to withdraw and refile a proposed new rule or amendment that was previously filed with the Secretary of State if there are substantive changes from the original filing.

- (d) The board can authorize the commissioner to conduct a public hearing on behalf of the State Board of Education concerning board rules. The public hearing shall be transcribed and the transcript made available for review by board members.
- (e) Except as otherwise provided by law, a rule does not take effect until the beginning of the school year that begins at least 90 days after the date of the rule adoption.
- (f) A rule may take effect earlier than the date set forth in subsection (e) if the rule's preamble specified an earlier date with the reason for the earlier date and:
 - (1) the earlier effective date is a requirement of:
 - (A) a federal law, or
 - (B) a state law that specifically refers to Texas Education Code §7.102 and expressly requires the adoption of an earlier effective date; or
 - (2) on an affirmative vote of two-thirds of the members of the board, the board makes a finding that an earlier effective date is necessary.

§5.3. Emergency Rules.

The board may adopt emergency rules without prior notice or hearing. Conditions under which emergency rules can be adopted and the periods for which they are effective are governed by Texas Government Code §2001.034. The board shall also comply with the requirements of Section 5.2(f) of these rules and the notice of emergency meeting requirements in Texas Government Code, §551.045. Emergency rules will be placed on a board agenda for adoption as a permanent rule.

§5.4. Filing Non-Substantive Rule Corrections with the Secretary of State.

The commissioner may approve and file with the Secretary of State non-substantive corrections to State Board of Education rules. Non-substantive rule corrections may only include typographical, grammatical, referencing, or spelling errors and technical edits to comply with *Texas Register* style and format requirements. The commissioner will provide a mark-up of any such corrections to the board.

§5.5. Rulemaking Authority.

Except for rules adopted under §5.4 of these rules (relating to Filing Non-Substantive Rule Corrections with the Secretary of State), or other exceptions specifically authorized by the board, all rules of the State Board of Education shall be approved by the State Board of Education.

§5.6. Review of the State Board of Education Rules.

In accordance with Texas Government Code, §2001.039, the State Board of Education shall review its rules every four years to assure that statutory authority for the rules continues to exist. If necessary, proposed amendments will be brought to the board following the procedure described in §5.2 of these rules

§5.7. Filing of Amendments.

A member wishing to amend any Texas Essential Knowledge and Skills (TEKS) being considered by the board for second reading and final adoption shall submit the amendment in writing to the staff no later than noon on the day prior to the final vote on the adoption of the TEKS. All amendments shall be made available to the public to the extent possible. This rule may be suspended by a two-thirds vote.

CHAPTER 6. ADVISORY GROUPS

The statutory citations for this chapter are the Texas Education Code, §§7.102(b), 29.254, 32.034, and 61.077.

§6.1. General Provisions.

- (a) The State Board of Education may establish a Committee of Investment Advisors (CIA) to the Permanent School Fund and approve all selected appointments. The CIA shall be composed of not more than 15 members, one appointed by each State Board of Education member, who each have considerable institutional investment expertise and are free from conflicts of interest. The CIA member will closely advise the individual State Board of Education member who appointed the member on all matters relative to the management of the Permanent School Fund as necessary. The CIA may meet in person or via conference call or telephone conference as needed. Duties and responsibilities of the CIA are within the *Texas Permanent School Fund - Investment Procedures Manual*, Section A.2.
- (b) If the board does not establish a CIA, nothing shall prevent a board member from selecting and working with an investment advisor in a manner consistent with federal and state laws and the Investment Procedures Manual.
- (c) Content advisors and work group members will be selected in accordance with the TEKS Review and Revision Process.

CHAPTER 7. NOMINATIONS FOR GUBERNATORIAL APPOINTMENTS

The statutory citations for this chapter are the Texas Government Code, §651.009(a) and §825.003, and Texas Natural Resources Code, §32.012.

§7.1. Gubernatorial Appointments.

Pursuant to statute, the State Board of Education shall submit to the Governor lists of citizens from which appointments are to be made for the boards described in this section: Teacher Retirement System Board of Trustees and School Land Board.

§7.2. Timelines.

The Chair and/or his or her designee shall work collaboratively with staff and the Governor's Appointments Office to establish appropriate timelines for the placement on the agenda to meet appointment timelines and that proper criteria is applied by the State Board of Education.

§7.3. Nominee Selection.

The board shall select nominees in such a manner as to facilitate adherence to diversity of appointments: "In each case in which the governing body of a state board, commission, or other state agency that has statewide jurisdiction is appointed by the governor or another appointing authority, the governor or appointing authority shall ensure that, to the extent possible, the membership of the governing body reflects the racial, ethnic, and geographic diversity of this state." (§651.009(a), Government Code)

§7.4. Teacher Retirement System.

The Governor shall appoint two members of the TRS board of trustees, subject to confirmation by two-thirds of the senate, from lists of nominees submitted by the State Board of Education. These persons must be persons who have demonstrated financial expertise, have worked in private business or industry, and have broad investment experience preferably in investment of pension funds (Government Code §825.003). The board selection process shall be as follows:

- (a) Each member shall be entitled to nominate one person who meets the criteria described in this section.
- (b) The Committee on School Finance/Permanent School Fund shall adopt an evaluation process using the criteria described in this rule, subject to approval of the board, and engage an impartial third party to evaluate candidates submitted by members.
- (c) The Committee shall recommend to the full board a slate of candidates for adoption. The list of nominees is subject to amendment by the board, but the final list must comply with statutory requirements.

§7.5. School Land Board.

The Governor shall appoint two members of the School Land Board, subject to confirmation by the senate, from lists of candidates submitted by the State Board of Education. One of the

members appointed by the governor must be a resident of a county with a population of less than 200,000.

- (a) The School Land Board duties as described in the Texas Natural Resources Code (§§32.061, 51.011, 51.413) are:
 - (1) manage and control any land, mineral or royalty interest, real estate investment, or other interest, including revenue received from those sources, that is set apart to the permanent school fund together with the mineral estate in riverbeds, channels, and the tidelands, including islands;
 - (2) acquire, sell, lease, trade, improve, maintain, protect, or otherwise manage, control, or use land, mineral and royalty interests, real estate investments, or other interests, including revenue received from those sources, that are set apart to the permanent school fund in any manner, at such prices, and under such terms and conditions as the board finds to be in the best interest of the fund;
 - (3) consult with the president, chairman, or other head of the department, board, or agency, as applicable, or with the representative of the head, on each matter before the board that affects land owned or held in trust for the use and benefit of a department, board, or agency of the state; and,
 - (4) make determinations as to the release of any funds to the available school fund or to the State Board of Education for investment in the permanent school fund.
- (b) Each member shall be entitled to nominate one person who meets the criteria described in this section.
- (c) The Committee on School Finance/Permanent School Fund shall adopt an evaluation process using the criteria described in this rule, subject to approval of the board, and engage an impartial third party to evaluate candidates submitted by members.
- (d) The Committee shall recommend to the full board a slate of candidates for adoption. The list of nominees is subject to amendment by the board, but the final list must comply with statutory requirements.

§7.6. Rules and Procedures.

The board may adopt additional rules and procedures related to these selection processes.

**Texas Permanent School Fund
Asset Allocation Mix - SBOE
August 31, 2022**

<u>Asset Class</u>	<u>Portfolio</u>	<u>Book Value</u>	<u>Mix</u>	<u>Fair Value</u>	<u>Mix</u>	
Equity	Domestic Small-Mid Cap	\$ 1,768,981,277	5.87%	\$ 2,358,358,355	6.24%	
	Domestic Large Cap	2,126,422,534	7.03%	4,730,448,986	12.46%	
	Total Domestic Equity	3,895,403,811	12.90%	7,088,807,341	18.70%	
	International Equity - Blackrock	4,099,289,644	13.55%	4,969,840,078	13.09%	
	Emerging Market Equity - Navarro	820,737,541	2.71%	1,001,213,287	2.64%	
	Total Public Market Equity	8,815,430,996	29.16%	13,059,860,706	34.43%	
	Fixed Income	Domestic Fixed Income	5,133,820,258	16.97%	4,563,333,853	12.02%
		Treasuries	1,579,083,563	5.22%	1,140,154,581	3.00%
		Chisos1 High Yield	610,341,942	2.02%	570,135,892	1.50%
		Chisos2 High Yield	614,239,856	2.03%	572,374,921	1.51%
Total High Yield		1,224,581,798	4.05%	1,142,510,813	3.01%	
Investec Emerging Market Debt		681,303,116	2.25%	634,490,266	1.67%	
Ashmore Emerging Market Debt		649,990,103	2.15%	556,431,792	1.47%	
Total Emerging Market Debt		1,331,293,219	4.40%	1,190,922,058	3.14%	
Total Fixed Income		9,268,778,838	30.64%	8,036,921,305	21.17%	
Absolute Return		Raven 1	609,920,655	2.02%	1,023,188,206	2.69%
	Raven 4	166,192,863	0.55%	294,874,238	0.78%	
	Raven 6	281,564,719	0.93%	430,414,088	1.13%	
	Raven 7	131,766,464	0.44%	212,320,365	0.56%	
	Raven 8	827,905,560	2.74%	971,497,656	2.56%	
	Total Absolute Return	2,017,350,261	6.68%	2,932,294,553	7.72%	
	Private Equity	Columbia NB Crossroads Fund L.P.	185,156,107	0.61%	206,160,134	0.54%
Columbia NB Crossroads Fund II L.P.		285,144,360	0.94%	344,245,036	0.91%	
Columbia NB Crossroads Fund II Tranche C		663,905,281	2.19%	1,181,511,521	3.11%	
Columbia NB Crossroads Fund II Tranche D		1,187,523,050	3.92%	1,775,114,739	4.67%	
TPSF NB PE Program		732,876,440	2.42%	1,372,309,444	3.61%	
Private Equity Direct		2,010,408,790	6.64%	2,902,431,740	7.64%	
Columbia CS Fund, L.P.		153,831,763	0.51%	188,507,638	0.50%	
Total Private Equity		5,218,845,791	17.23%	7,970,280,252	20.98%	
Emerging Managers	Private Equity Emerging Manager	13,927,313	0.05%	13,927,313	0.04%	
	Real Estate Emerging Manager	15,597,991	0.05%	15,950,991	0.04%	
	Total Emerging Managers	29,525,304	0.10%	29,878,304	0.08%	
Real Estate	Direct Real Estate Investments	3,267,201,222	10.80%	4,342,450,072	11.43%	
	Total Real Estate	3,267,201,222	10.80%	4,342,450,072	11.43%	
Real Return	Real Return - TIPS	803,932,399	2.66%	762,420,096	2.01%	
	Real Return Commodities - Terlingua 3	641,125,525	2.12%	649,627,099	1.71%	
	Total Real Return	1,445,057,924	4.78%	1,412,047,195	3.72%	
Total Unallocated Cash		196,537,246	0.61%	196,537,246	0.47%	
Fund Total		30,258,727,582	100.00%	37,980,269,633	100.00%	

Notes: The asset classes include cash that has been allocated to the investment portfolios. Exposure includes fair value of funded investments plus unfunded commitments.

Exposure:	Total Private Equity Exposure and Percentage of Fund Total Fair Value	10,607,023,432	27.93%
	Total Real Estate Exposure and Percentage of Fund Total Fair Value	6,653,722,707	17.52%
	Total Emerging Manager Private Equity and Percentage of Fund Total Fair Value	299,077,313	0.79%
	Total Emerging Manager Real Estate and Percentage of Fund Total Fair Value	149,314,029	0.393%

Current State Board of Education approved Strategic Asset Allocation Mix (approved June, 2022)

Large Cap U.S. Equity	14.00%	U.S. Treasuries	3.00%
Small/Mid Cap U.S. Equity	6.00%	Absolute Return	7.00%
Developed and Emerging Market International Large Cap Equit	14.00%	Private Equity	18.00%
Emerging Market Equity	3.00%	Real Estate	11.00%
Core Bonds	12.00%	Emerging Manager Program	1.00%
High Yield Bonds	4.00%	Real Return (Commodities)	2.00%
Emerging Market Debt (Local Currency)	3.00%	Real Return (TIPS)	2.00%
			100.00%

2021-2025 Rule Review Plan for State Board of Education Rules

STATE BOARD OF EDUCATION: INFORMATION

SUMMARY: This item outlines the rule review plan for State Board of Education (SBOE) rules during the period of September 2021 through August 2025. Texas Government Code (TGC), §2001.039, requires an ongoing four-year rule review of existing state agency rules, including SBOE rules. The rule review requirement in TGC, §2001.039, is designed to ensure that the reason for initially adopting or readopting a rule continues to exist.

BACKGROUND INFORMATION AND JUSTIFICATION: Senate Bill 178, 76th Texas Legislature, 1999, amended the TGC by adding §2001.039, which requires the review of existing state agency rules. The rule review requirement in TGC, §2001.039, is designed to ensure that the reason for adopting or readopting the rule continues to exist.

The 2021-2025 SBOE rule review plan reflected in Attachment I repeats the cycle of review that was conducted during the 2017-2021 SBOE rule review period with the addition of new rules that took effect subsequent to the adoption of that plan and the removal of rules that were repealed. The 2021-2025 plan, approved by the SBOE in June 2021, is the seventh rule review cycle of SBOE rules. In accordance with Texas Education Code, §28.002(m), and as was the case with previous rule review plans, the Texas Essential Knowledge and Skills (TEKS) are exempt from the rule review requirement and are not included in the 2021-2025 rule review plan. Although the TEKS will not be reviewed as part of the rule review process, the SBOE conducts a review of the curriculum content on a schedule determined by the SBOE.

The 2021-2025 rule review plan for SBOE rules will appear on an ongoing basis in the information pages of the SBOE agenda. Any necessary modifications to the plan will also appear in the information pages of the SBOE agenda. The rule review plan will also be posted on the agency's website and updated if necessary.

Rule Review Procedures. Secretary of State rules specify the following two-step review process to implement the rule review requirement in TGC, §2001.039:

1. a Notice of Proposed Review (Intention to review) that announces a public comment period for comments on whether the reason for adopting or readopting the rules continues to exist (see example in Attachment II); and
2. a Notice of Adopted Review (Readoption) that summarizes the public comments received, if any, in response to the notice of proposed review and provides a response to each comment (see examples in Attachment II).

The rule review process for SBOE rules is illustrated in this item using three examples that present the following points: (1) if no amendments are recommended to rules under review, the item presenting the adoption of the review will complete the rule review process and no further action will be necessary; and (2) if amendments are recommended to rules under review, the item presenting the adoption of the review will complete the rule review process and the amendments will be presented as a separate item under the standard rulemaking process.

Example 1. Rule Review with No Changes

January SBOE Meeting	SBOE Committee (discussion)	Discussion item that briefly describes the rule and specifies that no changes are being recommended.
	Texas Register	After the SBOE meeting, staff files Notice of Proposed Review (see Attachment II).
April SBOE Meeting	SBOE Committee and Full SBOE	Action item that presents a summary of comments received, if any, from Notice of Proposed Review. The SBOE authorizes filing the Notice of Adopted Review, noting that no changes are being proposed to the rule as a result of the review.
	Texas Register	After the SBOE meeting, staff files Notice of Adopted Review that states the rule will continue to exist without changes (see Attachment II).
END OF REVIEW PROCESS (no item at June SBOE Meeting)		

Example 2. Rule Review with Changes

January SBOE Meeting	SBOE Committee (discussion)	Discussion item that briefly describes the rule, outlines issues to be considered, and specifies anticipated changes to the rule.
	Texas Register	After the SBOE meeting, staff files Notice of Proposed Review (see Attachment II).
April SBOE Meeting	SBOE Committee and Full SBOE (first reading)	Separate action items are included in the agenda: one that presents comments received, if any, from Notice of Proposed Review and one that provides the SBOE the opportunity to propose amendments. The SBOE authorizes filing the Notice of Adopted Review and approves the proposed amendments for first reading and filing authorization.
	Texas Register	After the SBOE meeting, staff files proposed amendments and the Notice of Adopted Review that states the rule will continue to exist and changes are being proposed (see Attachment II).
END OF REVIEW PROCESS		
June SBOE Meeting	SBOE Committee and Full SBOE (second reading)	Action item that presents the proposed amendments for second reading and final adoption. Item includes a summary of comments, if any, on proposed amendments.
	Texas Register	After the SBOE meeting, staff files adopted amendments.
END OF AMENDMENT PROCESS		

Example 3. Repeal of Rule under Review

January SBOE Meeting	SBOE Committee (first reading)	Action item that presents the proposed repeal of rule. SBOE approves proposed repeal for first reading and filing authorization.
	Texas Register	After the SBOE meeting, staff files proposed repeal. No Notice of Proposed Review required for repeals.
April SBOE Meeting	SBOE Committee and Full SBOE (second reading)	Action item that presents the proposed repeal of rule for second reading and final adoption.
	Texas Register	After the SBOE meeting, staff files adopted repeal.
END OF REPEAL PROCESS		

Staff Members Responsible:

Cristina De La Fuente-Valadez, Director, Rulemaking

Lynette Smith, Program Specialist, Rulemaking

Attachment I:

2021-2025 Rule Review Plan for State Board of Education Rules

Attachment II:

Sample Notices of Proposed Review and Adopted Review

ATTACHMENT I

2021-2025 Rule Review Plan for State Board of Education Rules
(Approved June 25, 2021)

Texas Government Code, §2001.039, requires a four-year rule review cycle for all state agency rules, including State Board of Education (SBOE) rules. The rule review is designed to ensure that the reason for adopting or readopting the rule continues to exist. It only includes rules currently in effect at the time the plan is adopted.

Texas Education Code, §28.002(m), exempts the Texas Essential Knowledge and Skills (TEKS) from the rule review requirement; accordingly, this rule review plan does not include the rule chapters for the TEKS. Although the rules will not be reviewed as part of the rule review process, the SBOE conducts a review of the TEKS on a schedule determined by the SBOE.

Review Period: September 2021–August 2022			
Chapter Title	Subchapter Title	Topic	Begin Review
Chapter 74. Curriculum Requirements	<i>Subchapter A. Required Curriculum</i>	Curriculum	September 2021
	<i>Subchapter B. Graduation Requirements</i>		
	<i>Subchapter C. Other Provisions</i>		
	<i>Subchapter D. Graduation Requirements, Beginning with School Year 2001-2002</i>		
	<i>Subchapter E. Graduation Requirements, Beginning with School Year 2004-2005</i>		
	<i>Subchapter F. Graduation Requirements, Beginning with School Year 2007-2008</i>		
	<i>Subchapter G. Graduation Requirements, Beginning with School Year 2012-2013</i>		
Chapter 89. Adaptations for Special Populations	<i>Subchapter A. Gifted/Talented Education</i>	Special Populations	January 2022
	<i>Subchapter C. Texas Certificate of High School Equivalency</i>		
	<i>Subchapter D. Special Education Services and Settings</i>		
Chapter 61. School Districts	<i>Subchapter A. Board of Trustees Relationship</i>	Administration	April 2022
	<i>Subchapter B. Special Purpose School Districts</i>		

Review Period: September 2022–August 2023			
Chapter Title	Subchapter Title	Topic	Begin Review
Chapter 129. Student Attendance	<i>Subchapter A. Student Attendance Allowed</i>	Finance	January 2023
	<i>Subchapter B. Student Attendance Accounting</i>		
Chapter 157. Hearings and Appeals	<i>Subchapter A. General Provisions for Hearings Before the State Board of Education</i>	Personnel	January 2023
	<i>Subchapter D. Independent Hearing Examiners</i>		

Review Period: September 2023–August 2024			
Chapter Title	Subchapter Title	Topic	Begin Review
Chapter 33. Statement of Investment Objectives, Policies, and Guidelines of the Texas Permanent School Fund	<i>Subchapter A. State Board of Education Rules</i>	Finance	September 2023
Chapter 66. State Adoption and Distribution of Instructional Materials	<i>Subchapter A. General Provisions</i>	Instructional Materials	November 2023
	<i>Subchapter B. State Adoption of Instructional Materials</i>		
	<i>Subchapter C. Local Operations</i>		
Chapter 100. Charters	<i>Subchapter A. Open-Enrollment Charter Schools</i>	Charter Schools	January 2024
	<i>Subchapter B. Home-Rule School District Charters</i>		

Review Period: September 2024–August 2025			
Chapter Title	Subchapter Title	Topic	Begin Review
Chapter 30. Administration	<i>Subchapter A. State Board of Education: General Provisions</i>	Administration	November 2024
	<i>Subchapter B. State Board of Education: Purchasing and Contracts</i>		
Chapter 101. Assessment	<i>Subchapter A. General Provisions</i>	Assessment	January 2025
	<i>Subchapter B. Implementation of Assessments</i>		
	<i>Subchapter C. Local Option</i>		
Chapter 109. Budgeting, Accounting, and Auditing	<i>Subchapter A. Budgeting, Accounting, Financial Reporting, and Auditing for School Districts</i>	Finance	January 2025
	<i>Subchapter B. Texas Education Agency Audit Functions</i>		
	<i>Subchapter C. Adoptions by Reference</i>		
	<i>Subchapter D. Uniform Bank Bid or Request for Proposal and Depository Contract</i>		

SAMPLES

Attachment II

Notice of Proposed Review (Intention to review)

The State Board of Education (SBOE) proposes the review of 19 Texas Administrative Code (TAC) Chapter 30, Administration, pursuant to Texas Government Code (TGC), §2001.039. The rules being reviewed by the SBOE in 19 TAC Chapter 30 are organized under the following subchapters: Subchapter A, State Board of Education: General Provisions, and Subchapter B, State Board of Education: Purchasing and Contracts.

As required by TGC, §2001.039, the SBOE will accept comments as to whether the reasons for adopting 19 TAC Chapter 30, Subchapters A and B, continue to exist.

The public comment period on the review begins December 18, 2020, and ends at 5:00 p.m. on January 22, 2021. A form for submitting public comments on the proposed rule review is available on the TEA website at [https://tea.texas.gov/About_TEA/Laws_and_Rules/SBOE_Rules_\(TAC\)/State_Board_of_Education_Rule_Review](https://tea.texas.gov/About_TEA/Laws_and_Rules/SBOE_Rules_(TAC)/State_Board_of_Education_Rule_Review). The SBOE will take registered oral and written comments on the review at the appropriate committee meeting in January 2021 in accordance with the SBOE board operating policies and procedures.

Notice of Adopted Review (with no changes to rule) (Readoption)

The State Board of Education (SBOE) adopts the review of 19 Texas Administrative Code (TAC) Chapter 30, Administration, pursuant to Texas Government Code, §2001.039. The rules in 19 TAC Chapter 30 are organized under the following subchapters: Subchapter A, State Board of Education: General Provisions, and Subchapter B, State Board of Education: Purchasing and Contracts. The SBOE proposed the review of 19 TAC Chapter 30, Subchapters A and B, in the December 18, 2020 issue of the *Texas Register* (45 TexReg 9253).

The SBOE finds that the reasons for adopting 19 TAC Chapter 30, Subchapters A and B, continue to exist and readopts the rules. The SBOE received no comments related to the review.

No changes are necessary as a result of the review.

**Notice of Adopted Review (with changes to rule)
(Readoption with changes)**

The State Board of Education (SBOE) adopts the review of 19 Texas Administrative Code (TAC) Chapter 30, Administration, pursuant to Texas Government Code (TGC), §2001.039. The rules in 19 TAC Chapter 30 are organized under the following subchapters: Subchapter A, State Board of Education: General Provisions, and Subchapter B, State Board of Education: Purchasing and Contracts. The SBOE proposed the review of 19 TAC Chapter 30, Subchapters A and B, in the December 18, 2020 issue of the *Texas Register* (45 TexReg 9253).

Relating to the review of 19 TAC Chapter 30, Subchapter A, the SBOE finds that the reasons for adopting Subchapter A continue to exist and readopts the rule. The SBOE received no comments related to the review of Subchapter A. As a result of the review, the SBOE approved a proposed amendment to 19 TAC §30.1, which can be found in the Proposed Rules section of this issue. The proposed amendment would update the SBOE petition procedures to allow for electronic submission of a petition authorized under TGC, §2001.021.

Relating to the review of 19 TAC Chapter 30, Subchapter B, the SBOE finds that the reasons for adopting Subchapter B continue to exist and readopts the rules. The SBOE received no comments related to the review of Subchapter B. No changes are necessary as a result of the review.

STATUTORY AUTHORITY REFERENCE SECTION:

TEXAS CONSTITUTION ARTICLE VII

TEXAS EDUCATION CODE (TEC)

TEXAS GOVERNMENT CODE (TGC)

TEXAS OCCUPATIONS CODE (TOC)

NATURAL RESOURCES CODE (NRC)

THE TEXAS CONSTITUTION
ARTICLE 7. EDUCATION
SECTION 2

Sec. 2. PERMANENT SCHOOL FUND.

All funds, lands and other property heretofore set apart and appropriated for the support of public schools; all the alternate sections of land reserved by the State out of grants heretofore made or that may hereafter be made to railroads or other corporations of any nature whatsoever; one half of the public domain of the State; and all sums of money that may come to the State from the sale of any portion of the same, shall constitute a permanent school fund.

Sec. 2A. RELEASE OF STATE CLAIM TO CERTAIN LANDS AND MINERALS WITHIN SHELBY, FRAZIER, AND MCCORMICK LEAGUE AND IN BASTROP COUNTY.

- (a) The State of Texas hereby relinquishes and releases any claim of sovereign ownership or title to an undivided one-third interest in and to the lands and minerals within the Shelby, Frazier, and McCormick League (now located in Fort Bend and Austin counties) arising out of the interest in that league originally granted under the Mexican Colonization Law of 1823 to John McCormick on or about July 24, 1824, and subsequently voided by the governing body of Austin's Original Colony on or about December 15, 1830.
- (b) The State of Texas relinquishes and releases any claim of sovereign ownership or title to an interest in and to the lands, excluding the minerals, in Tracts 2-5, 13, 15-17, 19-20, 23-26, 29-32, and 34-37, in the A. P. Nance Survey, Bastrop County, as said tracts are:
 - (1) shown on Bastrop County Rolled Sketch No. 4, recorded in the General Land Office on December 15, 1999; and
 - (2) further described by the field notes prepared by a licensed state land surveyor of Travis County in September through November 1999 and May 2000.
- (c) Title to such interest in the lands and minerals described by Subsection (a) is confirmed to the owners of the remaining interests in such lands and minerals. Title to the lands, excluding the minerals, described by Subsection (b) is confirmed to the holder of record title to each tract. Any outstanding land award or land payment obligation owed to the state for lands described by Subsection (b) is canceled, and any funds previously paid related to an outstanding land award or land payment obligation may not be refunded.
- (d) The General Land Office shall issue a patent to the holder of record title to each tract described by Subsection (b). The patent shall be issued in the same manner as other patents except that no filing fee or patent fee may be required.
- (e) A patent issued under Subsection (d) shall include a provision reserving all mineral interest in the land to the state.
- (f) This section is self-executing.

Sec. 2B. AUTHORITY TO RELEASE STATE'S INTEREST IN CERTAIN PERMANENT SCHOOL FUND LAND HELD BY PERSON UNDER COLOR OF TITLE.

- (a) The legislature by law may provide for the release of all or part of the state's interest in land, excluding mineral rights, if:
 - (1) the land is surveyed, unsold, permanent school fund land according to the records of the General Land Office;
 - (2) the land is not patentable under the law in effect before January 1, 2002; and
 - (3) the person claiming title to the land:

THE TEXAS CONSTITUTION
ARTICLE 7. EDUCATION
SECTION 2

- (A) holds the land under color of title;
 - (B) holds the land under a chain of title that originated on or before January 1, 1952;
 - (C) acquired the land without actual knowledge that title to the land was vested in the State of Texas;
 - (D) has a deed to the land recorded in the appropriate county; and
 - (E) has paid all taxes assessed on the land and any interest and penalties associated with any period of tax delinquency.
- (b) This section does not apply to:
- (1) beach land, submerged or filled land, or islands; or
 - (2) land that has been determined to be state-owned by judicial decree.
- (c) This section may not be used to:
- (1) resolve boundary disputes; or
 - (2) change the mineral reservation in an existing patent.

Sec. 2C. RELEASE OF STATE CLAIM TO CERTAIN LANDS IN UPSHUR AND SMITH COUNTIES.

- (a) Except as provided by Subsection (b) of this section, the State of Texas relinquishes and releases any claim of sovereign ownership or title to an interest in and to the tracts of land, including mineral rights, described as follows:

Tract 1:

The first tract of land is situated in Upshur County, Texas, about 14 miles South 30 degrees east from Gilmer, the county seat, and is bounded as follows: Bound on the North by the J. Manning Survey, A-314 the S.W. Beasley Survey A-66 and the David Meredith Survey A-315 and bound on the East by the M. Mann Survey, A-302 and by the M. Chandler Survey, A-84 and bound on the South by the G. W. Hooper Survey, A-657 and by the D. Ferguson Survey, A-158 and bound on the West by the J. R. Wadkins Survey, A-562 and the H. Alsup Survey, A-20, and by the W. Bratton Survey, A-57 and the G. H. Burroughs Survey, A-30 and the M. Tidwell Survey, A-498 of Upshur County, Texas.

Tract 2:

The second tract of land is situated in Smith County, Texas, north of Tyler and is bounded as follows: on the north and west by the S. Leeper A-559, the Frost Thorn Four League Grant A-3, A-9, A-7, A-19, and the H. Jacobs A-504 and on the south and east by the following surveys: John Carver A-247, A. Loverly A-609, J. Gimble A-408, R. Conner A-239, N.J. Blythe A-88, N.J. Blythe A-89, J. Choate A-195, Daniel Minor A-644, William Keys A-527, James H. Thomas A-971, Seaborn Smith A-899, and Samuel Leeper A-559.

- (b) This section does not apply to:
- (1) any public right-of-way, including a public road right-of-way, or related interest owned by a governmental entity;
 - (2) any navigable waterway or related interest owned by a governmental entity; or
 - (3) any land owned by a governmental entity and reserved for public use, including a park, recreation area, wildlife area, scientific area, or historic site.
- (c) This section is self-executing.

THE TEXAS CONSTITUTION
ARTICLE 7. EDUCATION
SECTION 5

Sec. 5. PERMANENT SCHOOL FUND AND AVAILABLE SCHOOL FUND: COMPOSITION, MANAGEMENT, USE, AND DISTRIBUTION.

- (a) The permanent school fund consists of all land appropriated for public schools by this constitution or the other laws of this state, other properties belonging to the permanent school fund, and all revenue derived from the land or other properties. The available school fund consists of the distributions made to it from the total return on all investment assets of the permanent school fund, the taxes authorized by this constitution or general law to be part of the available school fund, and appropriations made to the available school fund by the legislature. The total amount distributed from the permanent school fund to the available school fund:
- (1) in each year of a state fiscal biennium must be an amount that is not more than six percent of the average of the market value of the permanent school fund, excluding real property belonging to the fund that is managed, sold, or acquired under Section 4 of this article, but including discretionary real assets investments and cash in the state treasury derived from property belonging to the fund, on the last day of each of the 16 state fiscal quarters preceding the regular session of the legislature that begins before that state fiscal biennium, in accordance with the rate adopted by:
- (A) a vote of two-thirds of the total membership of the State Board of Education, taken before the regular session of the legislature convenes; or
- (B) the legislature by general law or appropriation, if the State Board of Education does not adopt a rate as provided by Paragraph (A) of this subdivision; and
- (2) over the 10-year period consisting of the current state fiscal year and the nine preceding state fiscal years may not exceed the total return on all investment assets of the permanent school fund over the same 10-year period.
- (b) The expenses of managing permanent school fund land and investments shall be paid by appropriation from the permanent school fund.
- (c) The available school fund shall be applied annually to the support of the public free schools. Except as provided by this section, the legislature may not enact a law appropriating any part of the permanent school fund or available school fund to any other purpose. The permanent school fund and the available school fund may not be appropriated to or used for the support of any sectarian school. The available school fund shall be distributed to the several counties according to their scholastic population and applied in the manner provided by law.

- (d) The legislature by law may provide for using the permanent school fund to guarantee bonds issued by school districts or by the state for the purpose of making loans to or purchasing the bonds of school districts for the purpose of acquisition, construction, or improvement of instructional facilities including all furnishings thereto. If any payment is required to be made by the permanent school fund as a result of its guarantee of bonds issued by the state, an amount equal to this payment shall be immediately paid by the state from the treasury to the permanent school fund. An amount owed by the state to the permanent school fund under this section shall be a general obligation of the state until paid. The amount of bonds authorized hereunder shall not exceed \$750 million or a higher amount authorized by a two-thirds record vote of both houses of the legislature. If the proceeds of bonds issued by the state are used to provide a loan to a school district and the district becomes delinquent on the loan payments, the amount of the delinquent payments shall be offset against state aid to which the district is otherwise entitled.
- (e) The legislature may appropriate part of the available school fund for administration of a bond guarantee program established under this section.
- (f) Notwithstanding any other provision of this constitution, in managing the assets of the permanent school fund, the State Board of Education may acquire, exchange, sell, supervise, manage, or retain, through procedures and subject to restrictions it establishes and in amounts it considers appropriate, any kind of investment, including investments in the Texas growth fund created by Article XVI, Section [70](#), of this constitution, that persons of ordinary prudence, discretion, and intelligence, exercising the judgment and care under the circumstances then prevailing, acquire or retain for their own account in the management of their affairs, not in regard to speculation but in regard to the permanent disposition of their funds, considering the probable income as well as the probable safety of their capital.
- (g) Notwithstanding any other provision of this constitution or of a statute, the State Board of Education, the General Land Office, or another entity that has responsibility for the management of revenues derived from permanent school fund land or other properties may, in its sole discretion and in addition to other distributions authorized under this constitution or a statute, distribute to the available school fund each year revenue derived during that year from the land or properties, not to exceed \$600 million by each entity each year.

(Amended Aug. 11, 1891, and Nov. 3, 1964; Subsec. (a) amended and (b) and (c) added Nov. 8, 1983; Subsec. (d) added Nov. 8, 1988; Subsec. (b) amended Nov. 7, 1989; Subsec. (a) amended, a new (b) added, a portion of (a) redesignated as (c), former (b) and (c) amended, former (b)-(d) redesignated as (d)-(f), and (g) and (h) added Sept. 13, 2003; former Subsec. (g) and Subsec. (h) expired Dec. 1, 2006; Subsec. (a) amended and current Subsec. (g) added Nov. 8, 2011; Subsec. (g) amended Nov. 5, 2019.)

NATURAL RESOURCES CODE
TITLE 2. PUBLIC DOMAIN
SUBTITLE D. DISPOSITION OF THE PUBLIC DOMAIN
CHAPTER 51. LAND, TIMBER, AND SURFACE RESOURCES
SUBCHAPTER I. ACQUISITION OF PUBLIC SCHOOL LAND

NRC, §51.414. PERMANENT SCHOOL FUND LIQUID ACCOUNT.

- (a) The permanent school fund liquid account is established as an account in the permanent school fund in the State Treasury to be used by the board and the State Board of Education as provided by this section.
- (b) Each quarter, the board shall hold a meeting and adopt a resolution to release from the real estate special fund account funds designated under Section [51.401](#) that are not being used for a purpose listed in Section [51.402\(a\)](#) and are not required for the board's anticipated cash needs for the 90-day period following the date of the meeting, to be deposited to the credit of the permanent school fund liquid account in the State Treasury.
- (c) The State Board of Education may invest funds in the permanent school fund liquid account. The investments may be made only in liquid assets, in the same manner that the permanent school fund is managed by the State Board of Education.
- (d) Investment income and realized capital gains derived from funds in the permanent school fund liquid account shall be deposited in the State Treasury to the credit of the State Board of Education for investment in the permanent school fund. This subsection does not require a deposit if the market value of the assets held in the permanent school fund liquid account is below cost.
- (e) The State Board of Education may use funds in the permanent school fund liquid account to pay for administrative costs associated with implementing this section, including costs associated with contracts for professional investment management, investment advisory services, or custodial services.
- (f) The board shall provide to the State Board of Education in each quarterly report required by Section [32.068](#) the board's anticipated cash needs for the six-month period following the date of the report, to allow the State Board of Education to ensure that the board's cash needs may be met as provided by Subsection (g).
- (g) Not later than the fifth business day after the date of a request of the board, the State Board of Education shall release from the permanent school fund liquid account funds to be deposited to the credit of the real estate special fund account in the State Treasury in an amount requested by the board.

Added by Acts 2019, 86th Leg., R.S., Ch. 493 (H.B. [4388](#)), Sec. 4, eff. September 1, 2019.

Repealed by Acts 2021, 87th Leg., R.S., Ch. 875 (S.B. [1232](#)), Sec. 2.10(4), eff. December 31, 2022.

TEXAS EDUCATION CODE
CHAPTER 7. STATE ORGANIZATION
SUBCHAPTER D. STATE BOARD OF EDUCATION

TEC, §7.102. STATE BOARD OF EDUCATION POWERS AND DUTIES.

- (a) The board may perform only those duties relating to school districts or regional education service centers assigned to the board by the constitution of this state or by this subchapter or another provision of this code.
- (b) The board has the powers and duties provided by Subsection (c), which shall be carried out with the advice and assistance of the commissioner.
- (c)
 - (1) The board shall develop and update a long-range plan for public education.
 - (2) The board may enter into contracts relating to or accept grants for the improvement of educational programs specifically authorized by statute.
 - (3) The board may accept a gift, donation, or other contribution on behalf of the public school system or agency and, unless otherwise specified by the donor, may use the contribution in the manner the board determines.
 - (4) The board shall establish curriculum and graduation requirements.
 - ~~(5) The board shall establish a standard of performance considered satisfactory on student assessment instruments.~~
 - (6) The board may create special-purpose school districts under Chapter [11](#).
 - (7) The board shall provide for a training course for school district trustees under Section [11.159](#).
 - (8) The board shall adopt a procedure to be used for placing on probation or revoking a home-rule school district charter as required by Subchapter B, Chapter [12](#), and may place on probation or revoke a home-rule school district charter as provided by that subchapter.
 - ~~(9) The board may grant an open enrollment charter or approve a charter revision as provided by Subchapter D, Chapter [12](#).~~
 - (10) The board shall adopt rules establishing criteria for certifying hearing examiners as provided by Section [21.252](#).
 - (11) The board shall adopt rules to carry out the curriculum required or authorized under Section [28.002](#).
 - (12) The board shall establish guidelines for credit by examination under Section [28.023](#).
 - (13) The board shall adopt transcript forms and standards for differentiating high school programs for purposes of reporting academic achievement under Section [28.025](#).
 - (14) The board shall adopt guidelines for determining financial need for purposes of the Texas Advanced Placement Incentive Program under Subchapter C, Chapter [28](#), and may approve payments as provided by that subchapter.
 - (15) The board shall adopt criteria for identifying gifted and talented students and shall develop and update a state plan for the education of gifted and talented students as required under Subchapter D, Chapter [29](#).
 - (16) Repealed by Acts 2013, 83rd Leg., R.S., Ch. 73, Sec. 2.06(a)(1), eff. September 1, 2013.
 - (17) The board shall adopt rules relating to community education development projects as required under Section [29.257](#).
 - (18) The board may approve the plan to be developed and implemented by the commissioner for the coordination of services to children with disabilities as required under Section [30.001](#).
 - (19) The board shall establish a date by which each school district and state institution shall provide to the commissioner the necessary information to determine the district's share of the cost of the education of a student enrolled in the Texas School for the Blind and Visually Impaired or the Texas School for the Deaf as required under Section [30.003](#) and may adopt other rules concerning funding of the education of students enrolled in the Texas School for the Blind and Visually Impaired or the Texas School for the Deaf as authorized under Section [30.003](#).
 - (20) The board shall adopt rules prescribing the form and content of information school districts are required to provide concerning programs offered by state institutions as required under Section [30.004](#).
 - (21) The board shall adopt rules concerning admission of students to the Texas School for the Deaf as required under Section [30.057](#).

- (22) The board shall carry out powers and duties related to regional day school programs for the deaf as provided under Subchapter D, Chapter [30](#).
 - (23) The board shall adopt and purchase or license instructional materials as provided by Chapter [31](#) and adopt rules required by that chapter.
 - (24) The board shall develop and update a long-range plan concerning technology in the public school system as required under Section [32.001](#) and shall adopt rules and policies concerning technology in public schools as provided by Chapter [32](#).
 - (25) The board shall conduct feasibility studies related to the telecommunications capabilities of school districts and regional education service centers as provided by Section [32.033](#).
 - (26) The board shall appoint a board of directors of the center for educational technology under Section [32.034](#).
 - (27) Repealed by Acts 2001, 77th Leg., ch. 1420, Sec. 4.001(b), eff. Sept. 1, 2001.
 - (28) The board shall approve a program for testing students for dyslexia and related disorders as provided by Section [38.003](#).
 - (29) The board shall perform duties in connection with the public school accountability system as prescribed by Chapters [39](#) and [39A](#).
 - (30) The board shall perform duties in connection with the Foundation School Program as prescribed by Chapter [48](#) [42].
 - (31) The board may invest the permanent school fund within the limits of the authority granted by Section [5](#), Article VII, Texas Constitution, and Chapter 43.
 - (32) The board shall adopt rules concerning school district budgets and audits of school district fiscal accounts as required under Subchapter A, Chapter [44](#).
 - (33) The board shall adopt an annual report on the status of the guaranteed bond program and may adopt rules as necessary for the administration of the program as provided under Subchapter C, Chapter [45](#).
 - (34) The board shall prescribe uniform bid blanks for school districts to use in selecting a depository bank as required under Section [45.206](#).
- (d) The board may adopt rules relating to school districts or regional education service centers only as required to carry out the specific duties assigned to the board by the constitution or under Subsection (c).
 - (e) An action of the board to adopt a rule under this section is effective only if the board includes in the rule's preamble a statement of the specific authority under Subsection (c) to adopt the rule.
 - (f) Except as otherwise provided by this subsection, a rule adopted by the board under this section does not take effect until the beginning of the school year that begins at least 90 days after the date on which the rule was adopted. The rule takes effect earlier if the rule's preamble specifies an earlier effective date and the reason for that earlier date and:
 - (1) the earlier effective date is a requirement of:
 - (A) a federal law; or
 - (B) a state law that specifically refers to this section and expressly requires the adoption of an earlier effective date; or
 - (2) on the affirmative vote of two-thirds of the members of the board, the board makes a finding that an earlier effective date is necessary.

TEXAS EDUCATION CODE
TITLE 2. PUBLIC EDUCATION
SUBTITLE C. LOCAL ORGANIZATION AND GOVERNANCE
CHAPTER 12. CHARTERS
SUBCHAPTER D. OPEN-ENROLLMENT CHARTER SCHOOL

TEC, §12.101. AUTHORIZATION.

- (a) In accordance with this subchapter, the commissioner may grant a charter on the application of an eligible entity for an open-enrollment charter school to operate in a facility of a commercial or nonprofit entity, an eligible entity, or a school district, including a home-rule school district. In this subsection, "eligible entity" means:
- (1) an institution of higher education as defined under Section [61.003](#);
 - (2) a private or independent institution of higher education as defined under Section [61.003](#);
 - (3) an organization that is exempt from taxation under Section 501(c)(3), Internal Revenue Code of 1986 (26 U.S.C. Section 501(c)(3)); or
 - (4) a governmental entity.
- (b) After thoroughly investigating and evaluating an applicant, the commissioner, in coordination with a member of the State Board of Education designated for the purpose by the chair of the board, may grant a charter for an open-enrollment charter school only to an applicant that meets any financial, governing, educational, and operational standards adopted by the commissioner under this subchapter, that the commissioner determines is capable of carrying out the responsibilities provided by the charter and likely to operate a school of high quality, and that:
- (1) has not within the preceding 10 years had a charter under this chapter or a similar charter issued under the laws of another state surrendered under a settlement agreement, revoked, denied renewal, or returned; or
 - (2) is not, under rules adopted by the commissioner, considered to be a corporate affiliate of or substantially related to an entity that has within the preceding 10 years had a charter under this chapter or a similar charter issued under the laws of another state surrendered under a settlement agreement, revoked, denied renewal, or returned.
- (b-0) The commissioner shall notify the State Board of Education of each charter the commissioner proposes to grant under this subchapter. Unless, before the 90th day after the date on which the board receives the notice from the commissioner, a majority of the members of the board present and voting vote against the grant of that charter, the commissioner's proposal to grant the charter takes effect. The board may not deliberate or vote on any grant of a charter that is not proposed by the commissioner.
- (b-1) In granting charters for open-enrollment charter schools, the commissioner may not grant a total of more than:

- (1) 215 charters through the fiscal year ending August 31, 2014;
 - (2) 225 charters beginning September 1, 2014;
 - (3) 240 charters beginning September 1, 2015;
 - (4) 255 charters beginning September 1, 2016;
 - (5) 270 charters beginning September 1, 2017; and
 - (6) 285 charters beginning September 1, 2018.
- (b-2) Beginning September 1, 2019, the total number of charters for open-enrollment charter schools that may be granted is 305 charters.
- (b-3) The commissioner may not grant more than one charter for an open-enrollment charter school to any charter holder. The commissioner may consolidate charters for an open-enrollment charter school held by multiple charter holders into a single charter held by a single charter holder with the written consent to the terms of consolidation by or at the request of each charter holder affected by the consolidation.
- (b-4) Notwithstanding Section [12.114](#), approval of the commissioner under that section is not required for establishment of a new open-enrollment charter school campus if the requirements of this subsection are satisfied. A charter holder having an accreditation status of accredited and at least 50 percent of its student population in grades assessed under Subchapter B, Chapter [39](#), or at least 50 percent of the students in the grades assessed having been enrolled in the school for at least three school years may establish one or more new campuses under an existing charter held by the charter holder if:
- (1) the charter holder is currently evaluated under the standard accountability procedures for evaluation under Chapter [39](#) and received a district rating in the highest or second highest performance rating category under Subchapter C, Chapter [39](#), for three of the last five years with at least 75 percent of the campuses rated under the charter also receiving a rating in the highest or second highest performance rating category and with no campus with a rating in the lowest performance rating category in the most recent ratings;
 - (2) the charter holder provides written notice to the commissioner of the establishment of any campus under this subsection in the time, manner, and form provided by rule of the commissioner; and
 - (3) not later than the 60th day after the date the charter holder provides written notice under Subdivision (2), the commissioner does not provide written notice to the charter holder that the commissioner has determined that the charter holder does not satisfy the requirements of this section.
- (b-5) The initial term of a charter granted under this section is five years.

- (b-6) The commissioner shall adopt rules to modify criteria for granting a charter for an open-enrollment charter school under this section to the extent necessary to address changes in performance rating categories or in the financial accountability system under Chapter [39](#).
- (b-7) A charter granted under this section for a dropout recovery school is not considered for purposes of the limit on the number of charters for open-enrollment charter schools imposed by this section. For purposes of this subsection, an open-enrollment charter school is considered to be a dropout recovery school if the school meets the criteria for designation as a dropout recovery school under Section [12.1141\(c\)](#).
- (b-8) In adopting any financial standards under this subchapter that an applicant for a charter for an open-enrollment charter school must meet, the commissioner shall not:
 - (1) exclude any loan or line of credit in determining an applicant's available funding; or
 - (2) exclude an applicant from the grant of a charter solely because the applicant fails to demonstrate having a certain amount of current assets in cash.
- (b-10) The commissioner by rule shall allow a charter holder to provide written notice of the establishment of a new open-enrollment charter school under Subsection (b-4)(2) up to 18 months before the date on which the campus is anticipated to open. Notice provided to the commissioner under this section does not obligate the charter holder to open a new campus.
- (c) If the facility to be used for an open-enrollment charter school is a school district facility, the school must be operated in the facility in accordance with the terms established by the board of trustees or other governing body of the district in an agreement governing the relationship between the school and the district.
- (d) An educator employed by a school district before the effective date of a charter for an open-enrollment charter school operated at a school district facility may not be transferred to or employed by the open-enrollment charter school over the educator's objection.

TEXAS EDUCATION CODE
TITLE 2. PUBLIC EDUCATION
SUBTITLE D. EDUCATORS AND SCHOOL DISTRICT EMPLOYEES AND VOLUNTEERS
CHAPTER 21. EDUCATORS
SUBCHAPTER A. GENERAL PROVISIONS

TEC, §21.003. CERTIFICATION REQUIRED.

- (a) A person may not be employed as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, educational diagnostician, or school counselor by a school district unless the person holds an appropriate certificate or permit issued as provided by Subchapter B.
- (b) Except as otherwise provided by this subsection, a person may not be employed by a school district as an audiologist, occupational therapist, physical therapist, physician, nurse, school psychologist, associate school psychologist, licensed professional counselor, marriage and family therapist, social worker, or speech language pathologist unless the person is licensed by the state agency that licenses that profession and may perform specific services within those professions for a school district only if the person holds the appropriate credential from the appropriate state agency. As long as a person employed by a district before September 1, 2011, to perform marriage and family therapy, as defined by Section 502.002, Occupations Code, is employed by the same district, the person is not required to hold a license as a marriage and family therapist to perform marriage and family therapy with that district.
- (c) The commissioner may waive the requirement for certification of a superintendent if requested by a school district as provided by Section 7.056. A person who is not certified as a superintendent may not be employed by a school district as the superintendent before the person has received a waiver of certification from the commissioner. The commissioner may limit the waiver of certification in any manner the commissioner determines is appropriate. A person may be designated to act as a temporary or interim superintendent for a school district, but the district may not employ the person under a contract as superintendent unless the person has been certified or a waiver has been granted.

TEXAS EDUCATION CODE
TITLE 2. PUBLIC EDUCATION
SUBTITLE D. EDUCATORS AND SCHOOL DISTRICT EMPLOYEES AND VOLUNTEERS
CHAPTER 21. EDUCATORS
SUBCHAPTER B. CERTIFICATION OF EDUCATORS

TEC, §21.040. GENERAL POWERS AND DUTIES OF BOARD.

The board shall:

- (1) appoint the members of any advisory committee to the board;
- (2) for each class of educator certificate, appoint an advisory committee composed of members of that class to recommend standards for that class to the board;
- (3) provide to its members and employees, as often as necessary, information regarding their qualifications for office or employment under this chapter and their responsibilities under applicable laws relating to standards of conduct for state officers or employees; and
- (4) develop and implement policies that clearly define the respective responsibilities of the board and the board's staff.

TEXAS EDUCATION CODE
TITLE 2. PUBLIC EDUCATION
SUBTITLE D. EDUCATORS AND SCHOOL DISTRICT EMPLOYEES AND VOLUNTEERS
CHAPTER 21. EDUCATORS
SUBCHAPTER B. CERTIFICATION OF EDUCATORS

TEC, §21.041. RULES; FEES.

- (a) The board may adopt rules as necessary for its own procedures.
- (b) The board shall propose rules that:
 - (1) provide for the regulation of educators and the general administration of this subchapter in a manner consistent with this subchapter;
 - (2) specify the classes of educator certificates to be issued, including emergency certificates;
 - (3) specify the period for which each class of educator certificate is valid;
 - (4) specify the requirements for the issuance and renewal of an educator certificate;
 - (5) provide for the issuance of an educator certificate to a person who holds a similar certificate issued by another state or foreign country, subject to Section 21.052;
 - (6) provide for special or restricted certification of educators, including certification of instructors of American Sign Language;
 - (7) provide for disciplinary proceedings, including the suspension or revocation of an educator certificate, as provided by Chapter 2001, Government Code;
 - (8) provide for the adoption, amendment, and enforcement of an educator's code of ethics;
 - (9) provide for continuing education requirements; and
 - (10) provide for certification of persons performing appraisals under Subchapter H.
- (c) The board shall propose a rule adopting a fee for the issuance and maintenance of an educator certificate that, when combined with any fees imposed under Subsection (d), is adequate to cover the cost of administration of this subchapter.
- (d) The board may propose a rule adopting a fee for the approval or renewal of approval of an educator preparation program, or for the addition of a certificate or field of certification to the scope of a program's approval. A fee imposed under this subsection may not exceed the amount necessary, as determined by the board, to provide for the administrative cost of approving, renewing the approval of, and appropriately ensuring the accountability of educator preparation programs under this subchapter.

TEXAS EDUCATION CODE
TITLE 2. PUBLIC EDUCATION
SUBTITLE D. EDUCATORS AND SCHOOL DISTRICT EMPLOYEES AND VOLUNTEERS
CHAPTER 21. EDUCATORS
SUBCHAPTER B. CERTIFICATION OF EDUCATORS

TEC, §21.043. ACCESS TO PEIMS DATA.

- (a) The agency shall provide the board with access to data obtained under the Public Education Information Management System (PEIMS).
- (b) The agency shall provide educator preparation programs with data based on information reported through the Public Education Information Management System (PEIMS) that enables an educator preparation program to:
 - (1) assess the impact of the program; and
 - (2) revise the program as needed to improve the design and effectiveness of the program.
- (c) The agency in coordination with the board shall solicit input from educator preparation programs to determine the data to be provided to educator preparation programs.

TEXAS EDUCATION CODE
TITLE 2. PUBLIC EDUCATION
SUBTITLE D. EDUCATORS AND SCHOOL DISTRICT EMPLOYEES AND VOLUNTEERS
CHAPTER 21. EDUCATORS
SUBCHAPTER B. CERTIFICATION OF EDUCATORS

TEC, §21.045. ACCOUNTABILITY SYSTEM FOR EDUCATOR PREPARATION PROGRAMS.

- a) The board shall propose rules necessary to establish standards to govern the continuing accountability of all educator preparation programs based on the following information that is disaggregated with respect to race, sex, and ethnicity:
- (1) results of the certification examinations prescribed under Section [21.048\(a\)](#);
 - (2) performance based on the appraisal system for beginning teachers adopted by the board;
 - (3) achievement, including improvement in achievement, of all students, including students with disabilities, taught by beginning teachers for the first three years following certification, to the extent practicable;
 - (4) compliance with board requirements regarding the frequency, duration, and quality of structural guidance and ongoing support provided by field supervisors to candidates completing student teaching, clinical teaching, or an internship; and
 - (5) results from a teacher satisfaction survey, developed by the board with stakeholder input, of new teachers performed at the end of the teacher's first year of teaching.
- (b) Each educator preparation program shall submit data elements as required by the board for an annual performance report to ensure access and equity. At a minimum, the annual report must contain:
- (1) the performance data from Subsection (a), other than the data required for purposes of Subsection (a)(3);
 - (2) data related to the program's compliance with requirements for field supervision of candidates during their clinical teaching and internship experiences;
 - (3) the following information, disaggregated by race, sex, and ethnicity:
 - (A) the number of candidates who apply;
 - (B) the number of candidates admitted;
 - (C) the number of candidates retained;
 - (D) the number of candidates completing the program;

- (E) the number of candidates employed as beginning teachers under standard teaching certificates by not later than the first anniversary of completing the program;
 - (F) the amount of time required by candidates employed as beginning teachers under probationary teaching certificates to be issued standard teaching certificates;
 - (G) the number of candidates retained in the profession; and
 - (H) any other information required by federal law;
- (4) the ratio of field supervisors to candidates completing student teaching, clinical teaching, or an internship; and
 - (5) any other information necessary to enable the board to assess the effectiveness of the program on the basis of teacher retention and success criteria adopted by the board.
- (c) The board shall propose rules necessary to establish performance standards for the Accountability System for Educator Preparation for accrediting educator preparation programs. At a minimum, performance standards must be based on Subsection (a).
 - (d) To assist an educator preparation program in improving the design and effectiveness of the program in preparing educators for the classroom, the agency shall provide to each program data that is compiled and analyzed by the agency based on information reported through the Public Education Information Management System (PEIMS) relating to the program.

Added by Acts 1995, 74th Leg., ch. 260, Sec. 1, eff. May 30, 1995.

Amended by:

Acts 2009, 81st Leg., R.S., Ch. 723 (S.B. [174](#)), Sec. 2, eff. June 19, 2009.

Acts 2015, 84th Leg., R.S., Ch. 931 (H.B. [2205](#)), Sec. 6, eff. September 1, 2015.

Acts 2017, 85th Leg., R.S., Ch. 757 (S.B. [1839](#)), Sec. 4, eff. June 12, 2017.

Acts 2021, 87th Leg., R.S., Ch. 215 (H.B. [159](#)), Sec. 4, eff. September 1, 2021.

TEXAS EDUCATION CODE
TITLE 2. PUBLIC EDUCATION
SUBTITLE D. EDUCATORS AND SCHOOL DISTRICT EMPLOYEES AND VOLUNTEERS
CHAPTER 21. EDUCATORS
SUBCHAPTER B. CERTIFICATION OF EDUCATORS

TEC, §21.046. QUALIFICATIONS FOR CERTIFICATION AS SUPERINTENDENT OR PRINCIPAL.

- (a) The qualifications for superintendent must permit a candidate for certification to substitute management training or experience for part of the educational experience.
- (b) The qualifications for certification as a principal must be sufficiently flexible so that an outstanding teacher may qualify by substituting approved experience and professional training for part of the educational requirements. Supervised and approved on-the-job experience in addition to required internship shall be accepted in lieu of classroom hours. The qualifications must emphasize:
 - (1) instructional leadership, including the ability to create an inclusive school environment and to foster parent involvement;
 - (2) administration, supervision, and communication skills;
 - (3) curriculum and instruction management, including curriculum and instruction management for students with disabilities;
 - (4) performance evaluation;
 - (5) organization; and
 - (6) fiscal management.
- (c) Because an effective principal is essential to school improvement, the board shall ensure that:
 - (1) each candidate for certification as a principal is of the highest caliber; and
 - (2) multi-level screening processes, validated comprehensive assessment programs, and flexible internships with successful mentors exist to determine whether a candidate for certification as a principal possesses the essential knowledge, skills, and leadership capabilities necessary for success.
- (d) In creating the qualifications for certification as a principal, the board shall consider the knowledge, skills, and proficiencies for principals as developed by relevant national organizations and the State Board of Education.
- (e) For purposes of satisfying eligibility requirements for certification as a principal, a teacher who is certified under Section [21.0487](#):
 - (1) is considered to hold a classroom teaching certificate; and
 - (2) may apply as creditable years of teaching experience as a classroom teacher any period during which the teacher was employed by a school district as a Junior Reserve Officer Training Corps instructor before or after the teacher was certified under Section [21.0487](#).

Added by Acts 1995, 74th Leg., ch. 260, Sec. 1, eff. May 30, 1995.

Amended by:

Acts 2015, 84th Leg., R.S., Ch. 1194 (S.B. [1309](#)), Sec. 2, eff. June 19, 2015.

Acts 2021, 87th Leg., R.S., Ch. 215 (H.B. [159](#)), Sec. 6, eff. September 1, 2021.

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CHAPTER 21. EDUCATORS
SUBCHAPTER B. CERTIFICATION OF EDUCATORS

TEC, §21.054. CONTINUING EDUCATION.

- (a) The board shall propose rules establishing a process for identifying continuing education courses and programs that fulfill educators' continuing education requirements, including opportunities for educators to receive micro-credentials in fields of study related to the educator's certification class as provided by Subsection (i).
- (a-1) Continuing education requirements for educators must include training regarding educating students with disabilities.
- (b) Continuing education requirements for an educator who teaches students with dyslexia must include training regarding new research and practices in educating students with dyslexia.
- (c) The training required under Subsection (b) may be offered in an online course.

Text of subsection as amended by Acts 2021, 87th Leg., R.S., Ch. 1045 (S.B. [1267](#)), Sec. 3

- (d) Continuing education requirements for a classroom teacher must provide that not more than 25 percent of the training required every five years include instruction regarding:
 - (1) collecting and analyzing information that will improve effectiveness in the classroom;
 - (2) recognizing early warning indicators that a student may be at risk of dropping out of school;
 - (3) digital learning, digital teaching, and integrating technology into classroom instruction;
 - (4) educating diverse student populations, including:
 - (A) students who are educationally disadvantaged; and
 - (B) students at risk of dropping out of school; and
 - (5) understanding appropriate relationships, boundaries, and communications between educators and students.

Text of subsection as amended by Acts 2021, 87th Leg., R.S., Ch. 973 (S.B. [2066](#)), Sec. 2

- (d) Continuing education requirements for a classroom teacher must provide that at least 25 percent of the training required every five years include instruction regarding:
 - (1) collecting and analyzing information that will improve effectiveness in the classroom;
 - (2) recognizing early warning indicators that a student may be at risk of dropping out of school;
 - (3) digital learning, digital teaching, and integrating technology into classroom instruction;
 - (4) educating diverse student populations, including:
 - (A) students who are eligible to participate in special education programs under Subchapter [A](#), Chapter [29](#);
 - (B) students who are eligible to receive educational services required under Section 504, Rehabilitation Act of 1973 (29 U.S.C. Section 794);
 - (C) students with mental health conditions or who engage in substance abuse;

- (D) students with intellectual or developmental disabilities;
 - (E) students who are educationally disadvantaged;
 - (F) emergent bilingual students; and
 - (G) students at risk of dropping out of school;
- (5) understanding appropriate relationships, boundaries, and communications between educators and students; and
 - (6) how mental health conditions, including grief and trauma, affect student learning and behavior and how evidence-based, grief-informed, and trauma-informed strategies support the academic success of students affected by grief and trauma.
- (d-1) The instruction required under Subsection (d) may include two or more listed topics together.
- (e) Continuing education requirements for a principal must provide that not more than 25 percent of the training required every five years include instruction regarding:
- (1) effective and efficient management, including:
 - (A) collecting and analyzing information;
 - (B) making decisions and managing time; and
 - (C) supervising student discipline and managing behavior;
 - (2) recognizing early warning indicators that a student may be at risk of dropping out of school;
 - (3) digital learning, digital teaching, and integrating technology into campus curriculum and instruction;
 - (4) effective implementation of a comprehensive school counseling program under Section [33.005](#);
 - (5) mental health programs addressing a mental health condition;
 - (6) educating diverse student populations, including:
 - (A) students who are educationally disadvantaged;
 - (B) emergent bilingual students; and
 - (C) students at risk of dropping out of school; and
 - (7) preventing, recognizing, and reporting any sexual conduct between an educator and student that is prohibited under Section [21.12](#), Penal Code, or for which reporting is required under Section [21.006](#) of this code.
- (f) Continuing education requirements for a counselor must provide that not more than 25 percent of training required every five years include instruction regarding:
- (1) assisting students in developing high school graduation plans;
 - (2) implementing dropout prevention strategies;
 - (3) informing students concerning:
 - (A) college admissions, including college financial aid resources and application procedures; and
 - (B) career opportunities;

- (4) counseling students concerning mental health conditions and substance abuse, including through the use of grief-informed and trauma-informed interventions and crisis management and suicide prevention strategies; and
 - (5) effective implementation of a comprehensive school counseling program under Section [33.005](#).
- (g) The board shall adopt rules that allow an educator to fulfill continuing education requirements by participating in an evidence-based mental health first aid training program or an evidence-based grief-informed and trauma-informed care program. The rules adopted under this subsection must allow an educator to complete a program described by this subsection and receive credit toward continuing education requirements for twice the number of hours of instruction provided under that program, not to exceed 16 hours. The program must be offered through a classroom instruction format that requires in-person attendance.
- (h) Continuing education requirements for a superintendent must include at least 2-1/2 hours of training every five years on identifying and reporting potential victims of sexual abuse, human trafficking, and other maltreatment of children. For purposes of this subsection, "other maltreatment" has the meaning assigned by Section [42.002](#), Human Resources Code.
- (i) The board shall propose rules establishing a program to issue micro-credentials in fields of study related to an educator's certification class. The agency shall approve continuing education providers to offer micro-credential courses. A micro-credential received by an educator shall be recorded on the agency's Educator Certification Online System (ECOS) and included as part of the educator's public certification records.

Added by Acts 1995, 74th Leg., ch. 260, Sec. 1, eff. May 30, 1995.

Amended by:

Acts 2005, 79th Leg., Ch. 675 (S.B. [143](#)), Sec. 2, eff. June 17, 2005.

Acts 2009, 81st Leg., R.S., Ch. 596 (H.B. [200](#)), Sec. 1, eff. September 1, 2009.

Acts 2009, 81st Leg., R.S., Ch. 895 (H.B. [3](#)), Sec. 67(a), eff. June 19, 2009.

Acts 2011, 82nd Leg., R.S., Ch. 635 (S.B. [866](#)), Sec. 2, eff. June 17, 2011.

Acts 2013, 83rd Leg., R.S., Ch. 638 (H.B. [642](#)), Sec. 1, eff. September 1, 2013.

Acts 2013, 83rd Leg., R.S., Ch. 1306 (H.B. [3793](#)), Sec. 1, eff. September 1, 2013.

Acts 2015, 84th Leg., R.S., Ch. 1236 (S.B. [1296](#)), Sec. 21.001(9), eff. September 1, 2015.

Acts 2017, 85th Leg., R.S., Ch. 178 (S.B. [7](#)), Sec. 9, eff. September 1, 2017.

Acts 2017, 85th Leg., R.S., Ch. 522 (S.B. [179](#)), Sec. 8, eff. September 1, 2017.

Acts 2017, 85th Leg., R.S., Ch. 757 (S.B. [1839](#)), Sec. 8, eff. June 12, 2017.

Acts 2019, 86th Leg., R.S., Ch. 214 (H.B. [403](#)), Sec. 2, eff. September 1, 2019.

Acts 2019, 86th Leg., R.S., Ch. 352 (H.B. [18](#)), Sec. 1.04, eff. December 1, 2019.

Acts 2019, 86th Leg., R.S., Ch. 464 (S.B. [11](#)), Sec. 4, eff. June 6, 2019.

Acts 2019, 86th Leg., R.S., Ch. 1123 (H.B. [2424](#)), Sec. 1, eff. June 14, 2019.

Acts 2021, 87th Leg., R.S., Ch. 973 (S.B. [2066](#)), Sec. 2, eff. September 1, 2021.

Acts 2021, 87th Leg., R.S., Ch. 1045 (S.B. [1267](#)), Sec. 3, eff. June 18, 2021.

Acts 2021, 87th Leg., R.S., Ch. 1045 (S.B. [1267](#)), Sec. 24(1), eff. June 18, 2021.

Acts 2021, 87th Leg., R.S., Ch. 1045 (S.B. [1267](#)), Sec. 24(2), eff. June 18, 2021.

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SUBCHAPTER B. CERTIFICATION OF EDUCATORS

TEC, §21.0443. EDUCATOR PREPARATION PROGRAM APPROVAL AND RENEWAL.

- (a) The board shall propose rules to establish standards to govern the approval or renewal of approval of:
 - (1) educator preparation programs; and
 - (2) certification fields authorized to be offered by an educator preparation program.
- (b) To be eligible for approval or renewal of approval, an educator preparation program must:
 - (1) incorporate proactive instructional planning techniques throughout course work and across content areas using a framework that:
 - (A) provides flexibility in the ways:
 - (i) information is presented;
 - (ii) students respond or demonstrate knowledge and skills; and
 - (iii) students are engaged;
 - (B) reduces barriers in instruction;
 - (C) provides appropriate accommodations, supports, and challenges; and
 - (D) maintains high achievement expectations for all students, including students with disabilities and students of limited English proficiency;
 - (2) integrate inclusive practices for all students, including students with disabilities, and evidence-based instruction and intervention strategies throughout course work, clinical experience, and student teaching;
 - (3) adequately prepare candidates for educator certification; and
 - (4) meet the standards and requirements of the board.
- (c) The board shall require that each educator preparation program be reviewed for renewal of approval at least every five years. The board shall adopt an evaluation process to be used in reviewing an educator preparation program for renewal of approval.

Added by Acts 2015, 84th Leg., R.S., Ch. 931 (H.B. [2205](#)), Sec. 5, eff. September 1, 2015.

Amended by:

Acts 2021, 87th Leg., R.S., Ch. 215 (H.B. [159](#)), Sec. 3, eff. September 1, 2021.

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TEC, §21.0451. SANCTIONS UNDER ACCOUNTABILITY SYSTEM FOR EDUCATOR PREPARATION PROGRAMS.

- (a) The board shall propose rules necessary for the sanction of educator preparation programs that do not meet accountability standards or comply with state law or rules and shall at least annually review the accreditation status of each educator preparation program. The rules:
- (1) shall provide for the assignment of the following accreditation statuses:
 - (A) not rated;
 - (B) accredited;
 - (C) accredited-warned;
 - (D) accredited-probation; and
 - (E) not accredited-revoked;
 - (2) may provide for the agency to take any necessary action, including one or more of the following actions:
 - (A) requiring the program to obtain technical assistance approved by the agency or board;
 - (B) requiring the program to obtain professional services under contract with another person;
 - (C) appointing a monitor to participate in and report to the board on the activities of the program; and
 - (D) if a program has been rated as accredited-probation under the Accountability System for Educator Preparation for a period of at least one year, revoking the approval of the program and ordering the program to be closed, provided that the board or agency has provided the opportunity for a contested case hearing;
 - (3) shall provide for the agency to revoke the approval of the program and order the program to be closed if the program has been rated as accredited-probation under the Accountability System for Educator Preparation for three consecutive years, provided that the board or agency has provided the opportunity for a contested case hearing; and
 - (4) shall provide the board procedure for changing the accreditation status of a program that:

- (A) does not meet the accreditation standards established under Section [21.045\(a\)](#); or
 - (B) violates a board or agency regulation.
- (b) Any action authorized or required to be taken against an educator preparation program under Subsection (a) may also be taken with regard to a particular field of certification authorized to be offered by an educator preparation program.
 - (c) A revocation must be effective for a period of at least two years. After two years, the program may seek renewed approval to prepare educators for state certification.
 - (d) The costs of technical assistance required under Subsection (a)(2)(A) or the costs associated with the appointment of a monitor under Subsection (a)(2)(C) shall be paid by the educator preparation program.

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TITLE 2. PUBLIC EDUCATION
SUBTITLE F. CURRICULUM, PROGRAMS, AND SERVICES
CHAPTER 28. COURSES OF STUDY; ADVANCEMENT
SUBCHAPTER A. ESSENTIAL KNOWLEDGE AND SKILLS; CURRICULUM

TEC, §28.016. INSTRUCTION IN HIGH SCHOOL, COLLEGE, AND CAREER PREPARATION.

- (a) Each school district shall provide instruction to students in grade seven or eight in preparing for high school, college, and a career.
- (b) The instruction must include information regarding:
 - (1) the creation of a high school personal graduation plan under Section [28.02121](#);
 - (2) the distinguished level of achievement described by Section [28.025](#)(b-15);
 - (3) each endorsement described by Section [28.025](#)(c-1);
 - (4) college readiness standards; and
 - (5) potential career choices and the education needed to enter those careers.
- (c) A school district may:
 - (1) provide the instruction as part of an existing course in the required curriculum;
 - (2) provide the instruction as part of an existing career and technology course designated by the State Board of Education as appropriate for that purpose; or
 - (3) establish a new elective course through which to provide the instruction.
- (d) Each school district shall ensure that at least once in grade seven or eight each student receives the instruction under this section.

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TITLE 2. PUBLIC EDUCATION
SUBTITLE F. CURRICULUM, PROGRAMS, AND SERVICES
CHAPTER 31. INSTRUCTIONAL MATERIALS
SUBCHAPTER A. GENERAL PROVISIONS

TEC, §31.003. RULES.

The State Board of Education may adopt rules, consistent with this chapter, for the adoption, requisition, distribution, care, use, and disposal of instructional materials.

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CHAPTER 31. INSTRUCTIONAL MATERIALS
SUBCHAPTER A. GENERAL PROVISIONS

TEC, §31.022. INSTRUCTIONAL MATERIALS REVIEW AND ADOPTION.

- (a) The State Board of Education shall adopt a review and adoption cycle for instructional materials for elementary grade levels, including prekindergarten, and secondary grade levels, for each subject in the required curriculum under Section 28.002. In adopting the cycle, the board:
 - (1) is not required to review and adopt instructional materials for all grade levels in a single year; and
 - (2) shall give priority to instructional materials in the following subjects:
 - (A) foundation curriculum subjects for which the essential knowledge and skills have been substantially revised and for which assessment instruments are required under Subchapter B, Chapter 39, including career and technology courses that satisfy foundation curriculum requirements as provided by Section 28.002(n);
 - (B) foundation curriculum subjects for which the essential knowledge and skills have been substantially revised, including career and technology courses that satisfy foundation curriculum requirements as provided by Section 28.002(n);
 - (C) foundation curriculum subjects not described by Paragraph (A) or (B), including career and technology courses that satisfy foundation curriculum requirements as provided by Section 28.002(n); and
 - (D) enrichment curriculum subjects.
- (b) The board shall organize the cycle for subjects in the foundation curriculum so that not more than one-fourth of the instructional materials for subjects in the foundation curriculum are reviewed each biennium. The board shall adopt rules to provide for a full and complete investigation of instructional materials for each subject in the foundation curriculum every eight years. The adoption of instructional materials for a subject in the foundation curriculum may be extended beyond the eight-year period only if the content of instructional materials for a subject is sufficiently current.
- (c) The board shall adopt rules to provide for a full and complete investigation of instructional materials for each subject in the enrichment curriculum on a cycle the board considers appropriate.
- (d) At least 12 months before the beginning of the school year for which instructional materials for a particular subject and grade level will be adopted under the review and adoption cycle, the board shall publish notice of the review and adoption cycle for those instructional materials. A request for production must allow submission of open education resource instructional materials that are available for use by the state without charge on the same basis as instructional materials offered for sale.
- (d-1) A notice published under Subsection (d) must state that a publisher of adopted instructional materials for a grade level other than prekindergarten must submit an electronic sample of the instructional materials as required by Sections 31.027(a) and (b) and may not submit a print sample copy.
- (e) The board shall designate a request for production of instructional materials in a subject area and grade level by the school year in which the instructional materials are intended to be made available in classrooms and not by the school year in which the board makes the request for production.
- (f) The board shall amend any request for production issued for the purchase of instructional materials to conform to the instructional materials funding levels provided by the General Appropriations Act for the year of implementation.
- (g) In determining the disbursement of money to the available school fund and the amount of that disbursement that will be used, in accordance with Section 43.001(d), to fund the instructional materials and technology

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CHAPTER 31. INSTRUCTIONAL MATERIALS
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allotment under Section 31.0211, the board must consider the cost of all district technology requirements, as estimated by the commissioner under Section 31.0211(d), and instructional materials for that state fiscal biennium.

- (h) The board shall include information regarding open education resource instructional materials during the adoption cycle, including any cost savings associated with the adoption of open education resource instructional materials.
- (i) During any state fiscal biennium beginning on or after September 1, 2023, the total projected cost of instructional materials under requests for production issued by the board may not exceed 75 percent of the total amount used to fund the instructional materials and technology allotment under Section 31.0211 for that biennium.

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TITLE 2. PUBLIC EDUCATION
SUBTITLE H. PUBLIC SCHOOL SYSTEM ACCOUNTABILITY
CHAPTER 39. PUBLIC SCHOOL SYSTEM ACCOUNTABILITY
SUBCHAPTER B. ASSESSMENT OF ACADEMIC SKILLS

TEC, §39.033. VOLUNTARY ASSESSMENT OF PRIVATE SCHOOL STUDENTS.

- (a) Under an agreement with the agency, a private school may administer an assessment instrument adopted under this subchapter to students at the school.
- (b) An agreement under this section must require the private school to:
 - (1) as determined appropriate by the commissioner, provide to the commissioner the information described by Sections [39.053\(c\)](#) and [39.301\(c\)](#); and
 - (2) maintain confidentiality in compliance with Section [39.030](#).
- (c) A private school must reimburse the agency for the cost of administering an assessment instrument under this section. The State Board of Education shall determine the cost under this section. The per-student cost may not exceed the cost of administering the same assessment to a student enrolled in a public school district.
- (d) In this section, "private school" means a school that:
 - (1) offers a general education to elementary or secondary students; and
 - (2) is not operated by a governmental entity.

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TITLE 2. PUBLIC EDUCATION
SUBTITLE I. SCHOOL FINANCE AND FISCAL MANAGEMENT
CHAPTER 43. PERMANENT SCHOOL FUND AND AVAILABLE SCHOOL FUND
SUBCHAPTER B. TEXAS PERMANENT SCHOOL FUND CORPORATION

TEC, §43.052. CREATION OF CORPORATION.

- (a) The State Board of Education may incorporate the Texas Permanent School Fund Corporation and delegate to the corporation the board's authority to manage and invest:
 - (1) the permanent school fund under Section [43.003](#); and
 - (2) the charter district bond guarantee reserve fund under Section [45.0571](#).
- (b) The State Board of Education shall adopt the initial articles of incorporation for the corporation.
- (c) The corporation is a special-purpose governmental corporation and instrumentality of the state with necessary and implied powers to accomplish its purpose. The corporation is subject to regulation and limitation only as provided by this subchapter.

Added by Acts 2021, 87th Leg., R.S., Ch. 875 (S.B. [1232](#)), Sec. 1.06, eff. September 1, 2021.

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TITLE 2: PUBLIC EDUCATION
SUBTITLE I. SCHOOL FINANCE AND FISCAL MANAGEMENT
CHAPTER ~~48~~ [42]. FOUNDATION SCHOOL PROGRAM
SUBCHAPTER A. GENERAL PROVISIONS

TEC, §48.004 [~~42.004~~]. ADMINISTRATION OF THE PROGRAM.

The commissioner, [~~in accordance with the rules of the State Board of Education,~~] shall adopt rules and take [~~such~~] action and require [~~such~~] reports consistent with this chapter as [~~may be~~] necessary to implement and administer the Foundation School Program.

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SUBTITLE D. EDUCATORS AND SCHOOL DISTRICT EMPLOYEES AND VOLUNTEERS
CHAPTER 21. EDUCATORS
SUBCHAPTER B. CERTIFICATION OF EDUCATORS

TEC, §21.0441. ADMISSION REQUIREMENTS FOR EDUCATOR PREPARATION PROGRAMS .

- (a) Rules of the board proposed under this subchapter must provide that a person, other than a person seeking career and technology education certification, is not eligible for admission to an educator preparation program, including an alternative educator preparation program, unless the person:
 - (1) except as provided by Subsection (b), satisfies the following minimum grade point average requirements:
 - (A) an overall grade point average of at least 2.50 on a four-point scale or the equivalent on any course work previously attempted at a public or private institution of higher education; or
 - (B) a grade point average of at least 2.50 on a four-point scale or the equivalent for the last 60 semester credit hours attempted at a public or private institution of higher education; and
 - (2) if the person is seeking initial certification:
 - (A) has successfully completed at least:
 - (i) 15 semester credit hours in the subject-specific content area in which the person is seeking certification, if the person is seeking certification to teach mathematics or science at or above grade level seven; or
 - (ii) 12 semester credit hours in the subject-specific content area in which the person is seeking certification, if the person is not seeking certification to teach mathematics or science at or above grade level seven; or
 - (B) has achieved a satisfactory level of performance on a content certification examination, which may be a content certification examination administered by a vendor approved by the commissioner for purposes of administering such an examination for the year for which the person is applying for admission to the program.
- (b) The board's rules must permit an educator preparation program to admit in extraordinary circumstances a person who fails to satisfy a grade point average requirement prescribed by Subsection (a)(1)(A) or (B), provided that:

- (1) not more than 10 percent of the total number of persons admitted to the program in a year fail to satisfy the requirement under Subsection (a)(1)(A) or (B);
 - (2) each person admitted as described by this subsection performs, before admission, at a satisfactory level on an appropriate subject matter examination for each subject in which the person seeks certification; and
 - (3) for each person admitted as described by this subsection, the director of the program determines and certifies, based on documentation provided by the person, that the person's work, business, or career experience demonstrates achievement comparable to the academic achievement represented by the grade point average requirement.
- (c) The overall grade point average of each incoming class admitted by an educator preparation program, including an alternative educator preparation program, may not be less than 3.00 on a four-point scale or the equivalent or a higher overall grade point average prescribed by the board. In computing the overall grade point average of an incoming class for purposes of this subsection, a program may:
- (1) include the grade point average of each person in the incoming class based on all course work previously attempted by the person at a public or private institution of higher education; or
 - (2) include the grade point average of each person in the incoming class based only on the last 60 semester credit hours attempted by the person at a public or private institution of higher education.
- (d) A person seeking career and technology education certification is not included in determining the overall grade point average of an incoming class under Subsection (c).

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TEC, §21.0452. CONSUMER INFORMATION REGARDING EDUCATOR PREPARATION PROGRAMS.

- (a) To assist persons interested in obtaining teaching certification in selecting an educator preparation program and assist school districts in making staffing decisions, the board shall make information regarding educator programs in this state available to the public through the board's Internet website.
- (b) The board shall make available at least the following information regarding each educator preparation program:
 - (1) the information specified in Sections [21.045\(a\)](#) and (b);
 - (2) in addition to any other appropriate information indicating the quality of persons admitted to the program, the average academic qualifications possessed by persons admitted to the program, including:
 - (A) average overall grade point average and average grade point average in specific subject areas; and
 - (B) average scores on the Scholastic Assessment Test (SAT), the American College Test (ACT), or the Graduate Record Examination (GRE), as applicable;
 - (3) the degree to which persons who complete the program are successful in obtaining teaching positions;
 - (4) the extent to which the program prepares teachers, including general education teachers and special education teachers, to effectively teach:
 - (A) students with disabilities; and
 - (B) emergent bilingual students, as defined by Section [29.052](#);
 - (5) the activities offered by the program that are designed to prepare teachers to:
 - (A) integrate technology effectively into curricula and instruction, including activities consistent with the principles of universal design for learning; and
 - (B) use technology effectively to collect, manage, and analyze data to improve teaching and learning for the purpose of increasing student academic achievement;
 - (6) for each semester, the average ratio of field supervisors to candidates completing student teaching, clinical teaching, or an internship in an educator preparation program;
 - (7) the perseverance of beginning teachers in the profession, based on information reported through the Public Education Information Management System (PEIMS) providing the

- number of beginning teachers employed as classroom teachers for at least three years after certification in comparison to similar programs;
- (8) the results of exit surveys given to program participants on completion of the program that involve evaluation of the program's effectiveness in preparing participants to succeed in the classroom;
 - (9) the results of surveys given to school principals that involve evaluation of the program's effectiveness in preparing participants to succeed in the classroom, based on experience with employed program participants; and
 - (10) the results of teacher satisfaction surveys developed under Section [21.045](#) and given to program participants at the end of the first year of teaching.
- (c) For purposes of Subsection (b)(9), the board shall require an educator preparation program to distribute an exit survey that a program participant must complete before the participant is eligible to receive a certificate under this subchapter.
 - (d) For purposes of Subsections (b)(9) and (10), the board shall develop surveys for distribution to program participants and school principals.
 - (e) The board may develop procedures under which each educator preparation program receives a designation or ranking based on the information required to be made available under Subsection (b). If the board develops procedures under this subsection, the designation or ranking received by each program must be included in the information made available under this section.
 - (f) In addition to other information required to be made available under this section, the board shall provide information identifying employment opportunities for teachers in the various regions of this state. The board shall specifically identify each region of this state in which a shortage of qualified teachers exists.
 - (g) The board may require any person to provide information to the board for purposes of this section.

Added by Acts 2009, 81st Leg., R.S., Ch. 723 (S.B. [174](#)), Sec. 2, eff. June 19, 2009.

Amended by:

Acts 2015, 84th Leg., R.S., Ch. 931 (H.B. [2205](#)), Sec. 8, eff. September 1, 2015.

Acts 2019, 86th Leg., R.S., Ch. 573 (S.B. [241](#)), Sec. 1.01, eff. September 1, 2019.

Acts 2019, 86th Leg., R.S., Ch. 597 (S.B. [668](#)), Sec. 1.02, eff. June 10, 2019.

Acts 2021, 87th Leg., R.S., Ch. 973 (S.B. [2066](#)), Sec. 1, eff. September 1, 2021.

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CHAPTER 28. COURSES OF STUDY; ADVANCEMENT
SUBCHAPTER A. ESSENTIAL KNOWLEDGE AND SKILLS; CURRICULUM

TEC, §28.002. REQUIRED CURRICULUM.

- (a) Each school district that offers kindergarten through grade 12 shall offer, as a required curriculum:
- (1) a foundation curriculum that includes:
 - (A) English language arts;
 - (B) mathematics;
 - (C) science; and
 - (D) social studies, consisting of Texas, United States, and world history, government, economics, with emphasis on the free enterprise system and its benefits, and geography; and
 - (2) an enrichment curriculum that includes:
 - (A) to the extent possible, languages other than English;
 - (B) health, with emphasis on:
 - (i) physical health, including the importance of proper nutrition and exercise;
 - (ii) mental health, including instruction about mental health conditions, substance abuse, skills to manage emotions, establishing and maintaining positive relationships, and responsible decision-making; and
 - (iii) suicide prevention, including recognizing suicide-related risk factors and warning signs;
 - (C) physical education;
 - (D) fine arts;
 - (E) career and technology education;
 - (F) technology applications;
 - (G) religious literature, including the Hebrew Scriptures (Old Testament) and New Testament, and its impact on history and literature; and
 - (H) personal financial literacy.
- (b) The State Board of Education by rule shall designate subjects constituting a well-balanced curriculum to be offered by a school district that does not offer kindergarten through grade 12.
- (b-1) In this section, "common core state standards" means the national curriculum standards developed by the Common Core State Standards Initiative.
- (b-2) The State Board of Education may not adopt common core state standards to comply with a duty imposed under this chapter.
- (b-3) A school district may not use common core state standards to comply with the requirement to provide instruction in the essential knowledge and skills at appropriate grade levels under Subsection (c).
- (b-4) Notwithstanding any other provision of this code, a school district or open-enrollment charter school may not be required to offer any aspect of a common core state standards curriculum.

- (c) The State Board of Education, with the direct participation of educators, parents, business and industry representatives, and employers shall by rule identify the essential knowledge and skills of each subject of the required curriculum that all students should be able to demonstrate and that will be used in evaluating instructional materials under Chapter [31](#) and addressed on the assessment instruments required under Subchapter [B](#), Chapter [39](#). As a condition of accreditation, the board shall require each district to provide instruction in the essential knowledge and skills at appropriate grade levels and to make available to each high school student in the district an Algebra II course.
- (c-1) The State Board of Education shall adopt rules requiring students enrolled in grade levels six, seven, and eight to complete at least one fine arts course during those grade levels as part of a district's fine arts curriculum.
- (c-2) Each time the Texas Higher Education Coordinating Board revises the Internet database of the coordinating board's official statewide inventory of workforce education courses, the State Board of Education shall by rule revise the essential knowledge and skills of any corresponding career and technology education curriculum as provided by Subsection (c).
- (c-3) In adopting the essential knowledge and skills for the technology applications curriculum for kindergarten through grade eight, the State Board of Education shall adopt essential knowledge and skills that include coding, computer programming, computational thinking, and cybersecurity. The State Board of Education shall review and revise, as needed, the essential knowledge and skills of the technology applications curriculum every five years to ensure the curriculum:
 - (1) is relevant to student education; and
 - (2) aligns with current or emerging professions.
- (d) The physical education curriculum required under Subsection (a)(2)(C) must be sequential, developmentally appropriate, and designed, implemented, and evaluated to enable students to develop the motor, self-management, and other skills, knowledge, attitudes, and confidence necessary to participate in physical activity throughout life. Each school district shall establish specific objectives and goals the district intends to accomplish through the physical education curriculum. In identifying the essential knowledge and skills of physical education, the State Board of Education shall ensure that the curriculum:
 - (1) emphasizes the knowledge and skills capable of being used during a lifetime of regular physical activity;
 - (2) is consistent with national physical education standards for:
 - (A) the information that students should learn about physical activity; and
 - (B) the physical activities that students should be able to perform;
 - (3) requires that, on a weekly basis, at least 50 percent of the physical education class be used for actual student physical activity and that the activity be, to the extent practicable, at a moderate or vigorous level;
 - (4) offers students an opportunity to choose among many types of physical activity in which to participate;
 - (5) offers students both cooperative and competitive games;
 - (6) meets the needs of students of all physical ability levels, including students who have a chronic health problem, disability, including a student who is a person with a disability described under Section [29.003](#)(b) or criteria developed by the agency in accordance with

that section, or other special need that precludes the student from participating in regular physical education instruction but who might be able to participate in physical education that is suitably adapted and, if applicable, included in the student's individualized education program;

- (7) takes into account the effect that gender and cultural differences might have on the degree of student interest in physical activity or on the types of physical activity in which a student is interested;
 - (8) teaches self-management and movement skills;
 - (9) teaches cooperation, fair play, and responsible participation in physical activity;
 - (10) promotes student participation in physical activity outside of school; and
 - (11) allows physical education classes to be an enjoyable experience for students.
- (e) American Sign Language is a language for purposes of Subsection (a)(2)(A). A public school may offer an elective course in the language.
- (f) A school district may offer courses for local credit in addition to those in the required curriculum. The State Board of Education shall:
- (1) be flexible in approving a course for credit for high school graduation under this subsection; and
 - (2) approve courses in cybersecurity for credit for high school graduation under this subsection.
- (g) A local instructional plan may draw on state curriculum frameworks and program standards as appropriate. Each district is encouraged to exceed minimum requirements of law and State Board of Education rule. Each district shall ensure that all children in the district participate actively in a balanced curriculum designed to meet individual needs. Before the adoption of a major curriculum initiative, including the use of a curriculum management system, a district must use a process that:
- (1) includes teacher input;
 - (2) provides district employees with the opportunity to express opinions regarding the initiative; and
 - (3) includes a meeting of the board of trustees of the district at which:
 - (A) information regarding the initiative is presented, including the cost of the initiative and any alternatives that were considered; and
 - (B) members of the public and district employees are given the opportunity to comment regarding the initiative.
- (g-1) A district may also offer a course or other activity, including an apprenticeship or training hours needed to obtain an industry-recognized credential or certificate, that is approved by the board of trustees for credit without obtaining State Board of Education approval if:
- (1) the district develops a program under which the district partners with a public or private institution of higher education and local business, labor, and community leaders to develop and provide the courses; and
 - (2) the course or other activity allows students to enter:
 - (A) a career or technology training program in the district's region of the state;

- (B) an institution of higher education without remediation;
 - (C) an apprenticeship training program; or
 - (D) an internship required as part of accreditation toward an industry-recognized credential or certificate for course credit.
- (g-2) Each school district shall annually report to the agency the names of the courses, programs, institutions of higher education, and internships in which the district's students have enrolled under Subsection (g-1) and the names of the courses and institutions of higher education in which the district's students have enrolled under Subsection (g-3). The agency shall make available information provided under this subsection to other districts.
- (g-3) A district may also offer a course in cybersecurity that is approved by the board of trustees for credit without obtaining State Board of Education approval if the district partners with a public or private institution of higher education that offers an undergraduate degree program in cybersecurity to develop and provide the course.
- (h) The State Board of Education and each school district shall require the teaching of informed American patriotism, Texas history, and the free enterprise system in the adoption of instructional materials for kindergarten through grade 12, including the founding documents of the United States. A primary purpose of the public school curriculum is to prepare thoughtful, informed citizens who understand the importance of patriotism and can function productively in a free enterprise society with appreciation for the fundamental democratic principles of our state and national heritage.
- (h-1) In adopting the essential knowledge and skills for the foundation curriculum under Subsection (a)(1), the State Board of Education shall, as appropriate, adopt essential knowledge and skills that develop each student's civic knowledge, including an understanding of:
- (1) the fundamental moral, political, and intellectual foundations of the American experiment in self-government;
 - (2) the history, qualities, traditions, and features of civic engagement in the United States;
 - (3) the structure, function, and processes of government institutions at the federal, state, and local levels; and
 - (4) the founding documents of the United States, including:
 - (A) the entirety of the Declaration of Independence;
 - (B) the entirety of the United States Constitution;
 - (C) the Federalist Papers, including the entirety of Essays 10 and 51;
 - (D) excerpts from Alexis de Tocqueville's *Democracy in America*;
 - (E) the transcript of the first Lincoln-Douglas debate;
 - (F) the writings of the founding fathers of the United States;
 - (G) the entirety of Frederick Douglass's speeches "The Meaning of July Fourth for the Negro" and "What the Black Man Wants"; and
 - (H) the entirety of Martin Luther King Jr.'s speech "I Have a Dream."

Text of subsection as added by Acts 2021, 87th Leg., R.S., Ch. 1005 (H.B. [4509](#)), Sec. 3

Text of subsection effective until December 02, 2021

- (h-2) In providing instruction regarding the founding documents of the United States as described by Subsection (h-1)(4), a school district or open-enrollment charter school shall use those documents as part of the instructional materials for the instruction.

Text of subsection as added by Acts 2021, 87th Leg., R.S., Ch. 772 (H.B. [3979](#)), Sec. 1

Text of subsection effective until December 02, 2021

- (h-2) In adopting the essential knowledge and skills for the social studies curriculum, the State Board of Education shall adopt essential knowledge and skills that develop each student's civic knowledge, including an understanding of:
- (1) the fundamental moral, political, and intellectual foundations of the American experiment in self-government;
 - (2) the history, qualities, traditions, and features of civic engagement in the United States;
 - (3) the history of Native Americans;
 - (4) the structure, function, and processes of government institutions at the federal, state, and local levels;
 - (5) the founding documents of the United States, including:
 - (A) the Declaration of Independence;
 - (B) the United States Constitution;
 - (C) the Federalist Papers;
 - (D) the transcript of the first Lincoln-Douglas debate;
 - (E) the writings of and about the founding fathers and mothers and other founding persons of the United States, including the writings of:
 - (i) George Washington;
 - (ii) Ona Judge;
 - (iii) Thomas Jefferson;
 - (iv) Sally Hemings; and
 - (v) any other founding persons of the United States;
 - (F) writings from Frederick Douglass's newspaper, the North Star;
 - (G) the Book of Negroes;
 - (H) the Fugitive Slave Acts of 1793 and 1850;
 - (I) the Indian Removal Act;
 - (J) Thomas Jefferson's letter to the Danbury Baptists; and
 - (K) William Still's Underground Railroad Records;
 - (6) historical documents related to the civic accomplishments of marginalized populations, including documents related to:
 - (A) the Chicano movement;

- (B) women's suffrage and equal rights;
 - (C) the civil rights movement;
 - (D) the Snyder Act of 1924; and
 - (E) the American labor movement;
- (7) the history of white supremacy, including but not limited to the institution of slavery, the eugenics movement, and the Ku Klux Klan, and the ways in which it is morally wrong;
- (8) the history and importance of the civil rights movement, including the following documents:
- (A) Martin Luther King Jr.'s "Letter from a Birmingham Jail" and "I Have a Dream" speech;
 - (B) the federal Civil Rights Act of 1964 (42 U.S.C. Section 2000a et seq.);
 - (C) the United States Supreme Court's decision in *Brown v. Board of Education*;
 - (D) the Emancipation Proclamation;
 - (E) the Universal Declaration of Human Rights;
 - (F) the Thirteenth, Fourteenth, and Fifteenth Amendments to the United States Constitution;
 - (G) the United States Court of Appeals for the Ninth Circuit decision in *Mendez v. Westminster*;
 - (H) Frederick Douglass's *Narrative of the Life of Frederick Douglass, an American Slave*;
 - (I) the life and work of Cesar Chavez; and
 - (J) the life and work of Dolores Huerta;
- (9) the history and importance of the women's suffrage movement, including the following documents:
- (A) the federal Voting Rights Act of 1965 (52 U.S.C. Section 10101 et seq.);
 - (B) the Fifteenth, Nineteenth, and Twenty-Sixth Amendments to the United States Constitution;
 - (C) Abigail Adams's letter "Remember the Ladies";
 - (D) the works of Susan B. Anthony; and
 - (E) the Declaration of Sentiments;
- (10) the life and works of Dr. Hector P. Garcia;
- (11) the American GI Forum;
- (12) the League of United Latin American Citizens; and
- (13) *Hernandez v. Texas* (1954).

Text of subsection effective on December 02, 2021

- (h-2) In adopting the essential knowledge and skills for the social studies curriculum for each grade level from kindergarten through grade 12, the State Board of Education shall adopt essential knowledge and skills that develop each student's civic knowledge, including:
- (1) an understanding of:
 - (A) the fundamental moral, political, entrepreneurial, and intellectual foundations of the American experiment in self-government;
 - (B) the history, qualities, traditions, and features of civic engagement in the United States;
 - (C) the structure, function, and processes of government institutions at the federal, state, and local levels; and
 - (D) the founding documents of the United States;
 - (2) the ability to:
 - (A) analyze and determine the reliability of information sources;
 - (B) formulate and articulate reasoned positions;
 - (C) understand the manner in which local, state, and federal government works and operates through the use of simulations and models of governmental and democratic processes;
 - (D) actively listen and engage in civil discourse, including discourse with those with different viewpoints; and
 - (E) participate as a citizen in a constitutional democracy by voting; and
 - (3) an appreciation of:
 - (A) the importance and responsibility of participating in civic life;
 - (B) a commitment to the United States and its form of government; and
 - (C) a commitment to free speech and civil discourse.

Text of subsection effective until December 02, 2021

- (h-3) For any social studies course in the required curriculum:
- (1) a teacher may not be compelled to discuss a particular current event or widely debated and currently controversial issue of public policy or social affairs;
 - (2) a teacher who chooses to discuss a topic described by Subdivision (1) shall, to the best of the teacher's ability, strive to explore the topic from diverse and contending perspectives without giving deference to any one perspective;
 - (3) a school district, open-enrollment charter school, or teacher may not require, make part of a course, or award a grade or course credit, including extra credit, for a student's:
 - (A) political activism, lobbying, or efforts to persuade members of the legislative or executive branch at the federal, state, or local level to take specific actions by direct communication; or
 - (B) participation in any internship, practicum, or similar activity involving social or public policy advocacy; and

- (4) a teacher, administrator, or other employee of a state agency, school district, or open-enrollment charter school may not:
- (A) be required to engage in training, orientation, or therapy that presents any form of race or sex stereotyping or blame on the basis of race or sex;
 - (B) require or make part of a course the concept that:
 - (i) one race or sex is inherently superior to another race or sex;
 - (ii) an individual, by virtue of the individual's race or sex, is inherently racist, sexist, or oppressive, whether consciously or unconsciously;
 - (iii) an individual should be discriminated against or receive adverse treatment solely or partly because of the individual's race;
 - (iv) members of one race or sex cannot and should not attempt to treat others without respect to race or sex;
 - (v) an individual's moral character, standing, or worth is necessarily determined by the individual's race or sex;
 - (vi) an individual, by virtue of the individual's race or sex, bears responsibility for actions committed in the past by other members of the same race or sex;
 - (vii) an individual should feel discomfort, guilt, anguish, or any other form of psychological distress on account of the individual's race or sex;
 - (viii) meritocracy or traits such as a hard work ethic are racist or sexist or were created by members of a particular race to oppress members of another race;
 - (ix) the advent of slavery in the territory that is now the United States constituted the true founding of the United States; or
 - (x) with respect to their relationship to American values, slavery and racism are anything other than deviations from, betrayals of, or failures to live up to, the authentic founding principles of the United States, which include liberty and equality; and
 - (C) require an understanding of The 1619 Project.

Text of subsection effective on December 02, 2021

(h-3) Repealed by Acts 2021, 87th Leg., 2nd C.S., Ch. 9 (S.B. 3), Sec. 6, eff. December 2, 2021.

Text of subsection effective until December 02, 2021

(h-4) A state agency, school district, or open-enrollment charter school may not accept private funding for the purpose of developing a curriculum, purchasing or selecting curriculum materials, or providing teacher training or professional development for a course described by Subsection (h-3)(3).

Text of subsection effective on December 02, 2021

(h-4) Repealed by Acts 2021, 87th Leg., 2nd C.S., Ch. 9 (S.B. [3](#)), Sec. 6, eff. December 2, 2021.

Text of subsection effective until December 02, 2021

(h-5) A school district or open-enrollment charter school may not implement, interpret, or enforce any rules or student code of conduct in a manner that would result in the punishment of a student for discussing, or have a chilling effect on student discussion of, the concepts described by Subsection (h-3)(4).

Text of subsection effective on December 02, 2021

(h-5) Repealed by Acts 2021, 87th Leg., 2nd C.S., Ch. 9 (S.B. [3](#)), Sec. 6, eff. December 2, 2021.

Text of subsection effective on December 02, 2021

(h-6) In providing instruction regarding the founding documents of the United States as described by Subsection (h-1)(4), a school district or open-enrollment charter school shall use those documents as part of the instructional materials for the instruction.

Text of subsection effective on December 02, 2021

(h-7) The agency shall ensure that each school district or open-enrollment charter school teaches civics education as part of the district's social studies curriculum in a manner consistent with the essential knowledge and skills adopted under Subsection (h-2).

Text of subsection effective on December 02, 2021

(h-8) Nothing in Subsection (h-2) or (h-7) may be construed as limiting the teaching of or instruction in the essential knowledge and skills adopted under this subchapter.

(i) The State Board of Education shall adopt rules for the implementation of this subchapter. Except as provided by Subsection (j), the board may not adopt rules that designate the methodology used by a teacher or the time spent by a teacher or a student on a particular task or subject.

(j) The State Board of Education by rule may require laboratory instruction in secondary science courses and may require a specific amount or percentage of time in a secondary science course that must be laboratory instruction.

- (k) The State Board of Education, in consultation with the Department of State Health Services and the Texas Diabetes Council, shall develop a diabetes education program that a school district may use in the health curriculum under Subsection (a)(2)(B).
- (l) A school district shall require a student enrolled in full-day prekindergarten, in kindergarten, or in a grade level below grade six to participate in moderate or vigorous daily physical activity for at least 30 minutes throughout the school year as part of the district's physical education curriculum or through structured activity during a school campus's daily recess. To the extent practicable, a school district shall require a student enrolled in prekindergarten on less than a full-day basis to participate in the same type and amount of physical activity as a student enrolled in full-day prekindergarten. A school district shall require students enrolled in grade levels six, seven, and eight to participate in moderate or vigorous daily physical activity for at least 30 minutes for at least four semesters during those grade levels as part of the district's physical education curriculum. If a school district determines, for any particular grade level below grade six, that requiring moderate or vigorous daily physical activity is impractical due to scheduling concerns or other factors, the district may as an alternative require a student in that grade level to participate in moderate or vigorous physical activity for at least 135 minutes during each school week. Additionally, a school district may as an alternative require a student enrolled in a grade level for which the district uses block scheduling to participate in moderate or vigorous physical activity for at least 225 minutes during each period of two school weeks. A school district must provide for an exemption for:
 - (1) any student who is unable to participate in the required physical activity because of illness or disability; and
 - (2) a middle school or junior high school student who participates in an extracurricular activity with a moderate or vigorous physical activity component that is considered a structured activity under rules adopted by the commissioner.
- (l-1) In adopting rules relating to an activity described by Subsection (l)(2), the commissioner may permit an exemption for a student who participates in a school-related activity or an activity sponsored by a private league or club only if the student provides proof of participation in the activity.
- (l-2) To encourage school districts to promote physical activity for children through classroom curricula for health and physical education, the agency, in consultation with the Department of State Health Services, shall designate nationally recognized health and physical education program guidelines that a school district may use in the health curriculum under Subsection (a)(2)(B) or the physical education curriculum under Subsection (a)(2)(C).
- (l-3)
 - (1) This subsection may be cited as "Lauren's Law."
 - (2) The State Board of Education, the Department of State Health Services, or a school district may not adopt any rule, policy, or program under Subsections (a), (k), (l), (l-1), or (l-2) that would prohibit a parent or grandparent of a student from providing any food product of the parent's or grandparent's choice to:
 - (A) children in the classroom of the child of the parent or grandparent on the occasion of the child's birthday; or
 - (B) children at a school-designated function.
- (m) Section [2001.039](#), Government Code, as added by Chapter 1499, Acts of the 76th Legislature, Regular Session, 1999, does not apply to a rule adopted by the State Board of Education under Subsection (c) or (d).

- (n) The State Board of Education may by rule develop and implement a plan designed to incorporate foundation curriculum requirements into the career and technology education curriculum under Subsection (a)(2)(E).
- (o) In approving career and technology courses, the State Board of Education must determine that at least 50 percent of the approved courses are cost-effective for a school district to implement.
- (p) The State Board of Education, in conjunction with the office of the attorney general, shall develop a parenting and paternity awareness program that a school district shall use in the district's high school health curriculum. A school district may use the program developed under this subsection in the district's middle or junior high school curriculum. At the discretion of the district, a teacher may modify the suggested sequence and pace of the program at any grade level. The program must:
 - (1) address parenting skills and responsibilities, including child support and other legal rights and responsibilities that come with parenthood;
 - (2) address relationship skills, including money management, communication skills, and marriage preparation; and
 - (3) in district middle, junior high, or high schools that do not have a family violence prevention program, address skills relating to the prevention of family violence.
- (p-2) A school district may develop or adopt research-based programs and curriculum materials for use in conjunction with the program developed under Subsection (p). The programs and curriculum materials may provide instruction in:
 - (1) child development;
 - (2) parenting skills, including child abuse and neglect prevention; and
 - (3) assertiveness skills to prevent teenage pregnancy, abusive relationships, and family violence.
- (p-3) The agency shall evaluate programs and curriculum materials developed under Subsection (p-2) and distribute to other school districts information regarding those programs and materials.
- (p-4) A student under 14 years of age may not participate in a program developed under Subsection (p) without the permission of the student's parent or person standing in parental relation to the student.
- (q) Repealed by Acts 2013, 83rd Leg., R.S., Ch. 211, Sec. 78(b)(1), eff. September 1, 2014.
- (r) In adopting the essential knowledge and skills for the health curriculum under Subsection (a)(2)(B), the State Board of Education shall adopt essential knowledge and skills that address the science, risk factors, causes, dangers, consequences, signs, symptoms, and treatment of substance abuse, including the use of illegal drugs, abuse of prescription drugs, abuse of alcohol such as by binge drinking or other excessive drinking resulting in alcohol poisoning, inhaling solvents, and other forms of substance abuse. The agency shall compile a list of evidence-based substance abuse awareness programs from which a school district shall choose a program to use in the district's middle school, junior high school, and high school health curriculum. In this subsection, "evidence-based substance abuse awareness program" means a program, practice, or strategy that has been proven to effectively prevent substance abuse among students, as determined by evaluations that are evidence-based.
- (s) In this subsection, "bullying" has the meaning assigned by Section [37.0832](#) and "harassment" has the meaning assigned by Section [37.001](#). In addition to any other essential knowledge and skills the State Board of Education adopts for the health curriculum under Subsection (a)(2)(B), the

board shall adopt for the health curriculum, in consultation with the Texas School Safety Center, essential knowledge and skills that include evidence-based practices that will effectively address awareness, prevention, identification, self-defense in response to, and resolution of and intervention in bullying and harassment.

- (t) The State Board of Education, in consultation with the commissioner of higher education and business and industry leaders, shall develop an advanced language course that a school district may use in the curriculum under Subsection (a)(2)(A) to provide students with instruction in industry-related terminology that prepares students to communicate in a language other than English in a specific professional, business, or industry environment.
- (w) Repealed by Acts 2019, 86th Leg., R.S., Ch. 352 (H.B. [18](#)), Sec. 4.01(2), eff. December 1, 2019.
- (z) The State Board of Education by rule shall require each school district to incorporate instruction in digital citizenship into the district's curriculum, including information regarding the potential criminal consequences of cyberbullying. In this subsection:
 - (1) "Cyberbullying" has the meaning assigned by Section [37.0832](#).
 - (2) "Digital citizenship" means the standards of appropriate, responsible, and healthy online behavior, including the ability to access, analyze, evaluate, create, and act on all forms of digital communication.

TEXAS EDUCATION CODE
CHAPTER 28. COURSES OF STUDY; ADVANCEMENT
SUBCHAPTER B. ADVANCEMENT, PLACEMENT, CREDIT, AND
ACADEMIC ACHIEVEMENT RECORD

TEC, §28.025. HIGH SCHOOL DIPLOMA AND CERTIFICATE; ACADEMIC ACHIEVEMENT RECORD.

- (a) The State Board of Education by rule shall determine curriculum requirements for the foundation high school program that are consistent with the required curriculum under Section [28.002](#). The State Board of Education shall designate the specific courses in the foundation curriculum under Section [28.002](#)(a)(1) required under the foundation high school program. Except as provided by this section, the State Board of Education may not designate a specific course or a specific number of credits in the enrichment curriculum as requirements for the program.
- (b) A school district shall ensure that each student, on entering ninth grade, indicates in writing an endorsement under Subsection (c-1) that the student intends to earn. A district shall permit a student to choose, at any time, to earn an endorsement other than the endorsement the student previously indicated. A student may graduate under the foundation high school program without earning an endorsement if, after the student's sophomore year:
- (1) the student and the student's parent or person standing in parental relation to the student are advised by a school counselor of the specific benefits of graduating from high school with one or more endorsements; and
 - (2) the student's parent or person standing in parental relation to the student files with a school counselor written permission, on a form adopted by the agency, allowing the student to graduate under the foundation high school program without earning an endorsement.
- (b-1) The State Board of Education by rule shall require that the curriculum requirements for the foundation high school program under Subsection (a) include a requirement that students successfully complete:
- (1) four credits in English language arts under Section [28.002](#)(a)(1)(A), including one credit in English I, one credit in English II, one credit in English III, and one credit in an advanced English course authorized under Subsection (b-2);
 - (2) three credits in mathematics under Section [28.002](#)(a)(1)(B), including one credit in Algebra I, one credit in geometry, and one credit in any advanced mathematics course authorized under Subsection (b-2);
 - (3) three credits in science under Section [28.002](#)(a)(1)(C), including one credit in biology, one credit in any advanced science course authorized under Subsection (b-2), and one credit in integrated physics and chemistry or in an additional advanced science course authorized under Subsection (b-2);
 - (4) three credits in social studies under Section [28.002](#)(a)(1)(D), including one credit in United States history, at least one-half credit in government and at least one-half credit in economics or personal financial literacy & economics, and one credit in world geography or world history;
 - (5) except as provided under Subsections (b-12), (b-13), and (b-14), two credits in the same language in a language other than English under Section [28.002](#)(a)(2)(A);
 - (6) five elective credits;
 - (7) one credit in fine arts under Section [28.002](#)(a)(2)(D); and

- (8) except as provided by Subsection (b-11), one credit in physical education under Section [28.002\(a\)\(2\)\(C\)](#).
- (b-2) In adopting rules under Subsection (b-1), the State Board of Education shall:
- (1) provide for a student to comply with the curriculum requirements for an advanced English course under Subsection (b-1)(1), for an advanced mathematics course under Subsection (b-1)(2), and for any advanced science course under Subsection (b-1)(3) by successfully completing a course in the appropriate content area that has been approved as an advanced course by board rule or that is offered as an advanced course for credit without board approval as provided by Section [28.002\(g-1\)](#); and
 - (2) allow a student to comply with the curriculum requirements for the third and fourth mathematics credits under Subsection (b-1)(2) or the third and fourth science credits under Subsection (b-1)(3) by successfully completing an advanced career and technical course designated by the State Board of Education as containing substantively similar and rigorous academic content.
- (b-3) In adopting rules for purposes of Subsection (b-2), the State Board of Education must approve a variety of advanced English, mathematics, and science courses that may be taken to comply with the foundation high school program requirements, provided that each approved course prepares students to enter the workforce successfully or postsecondary education without remediation.
- (b-4) A school district may offer the curriculum described in Subsections (b-1)(1) through (4) in an applied manner. Courses delivered in an applied manner must cover the essential knowledge and skills, and the student shall be administered the applicable end-of-course assessment instrument as provided by Sections [39.023\(c\)](#) and [39.025](#).
- (b-5) A school district may offer a mathematics or science course to be taken by a student after completion of Algebra II and physics. A course approved under this subsection must be 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.
- (b-6) A school district may allow a student to enroll concurrently in Algebra I and geometry.
- (b-7) The State Board of Education, in coordination with the Texas Higher Education Coordinating Board, shall adopt rules to ensure that a student may comply with the curriculum requirements under the foundation high school program or for an endorsement under Subsection (c-1) by successfully completing appropriate courses in the core curriculum of an institution of higher education under Section [61.822](#). Notwithstanding Subsection (b-15) or (c) of this section, Section [39.025](#), or any other provision of this code and notwithstanding any school district policy, a student who has completed the core curriculum of an institution of higher education under Section [61.822](#), as certified by the institution in accordance with commissioner rule, is considered to have earned a distinguished level of achievement under the foundation high school program and is entitled to receive a high school diploma from the appropriate high school as that high school is determined in accordance with commissioner rule. A student who is considered to have earned a distinguished level of achievement under the foundation high school program under this subsection may apply for admission to an institution of higher education for the first semester or other academic term after the semester or other academic term in which the student completes the core curriculum.
- (b-8) Repealed by Acts 2013, 83rd Leg., R.S., Ch. 211, Sec. 78(b)(3), eff. September 1, 2014.
- (b-9) A school district, with the approval of the commissioner, may allow a student to satisfy the fine arts credit required under Subsection (b-1)(7) by participating in a community-based fine arts program not provided by the school district in which the student is enrolled. The fine arts program must provide instruction in the

essential knowledge and skills identified for fine arts by the State Board of Education under Section [28.002](#)(c). The fine arts program may be provided on or off a school campus and outside the regular school day.

- (b-10) A school district, with the approval of the commissioner, may allow a student to comply with the curriculum requirements for the physical education credit required under Subsection (b-1)(8) by participating in a private or commercially sponsored physical activity program provided on or off a school campus and outside the regular school day.
- (b-11) In adopting rules under Subsection (b-1), the State Board of Education shall allow a student who is unable to participate in physical activity due to disability or illness to substitute one credit in English language arts, mathematics, science, or social studies, one credit in a course that is offered for credit as provided by Section [28.002](#)(g-1), or one academic elective credit for the physical education credit required under Subsection (b-1)(8). A credit allowed to be substituted under this subsection may not also be used by the student to satisfy a graduation requirement other than completion of the physical education credit. The rules must provide that the determination regarding a student's ability to participate in physical activity will be made by:
 - (1) if the student receives special education services under Subchapter [A](#), Chapter [29](#), the student's admission, review, and dismissal committee;
 - (2) if the student does not receive special education services under Subchapter [A](#), Chapter [29](#), but is covered by Section 504, Rehabilitation Act of 1973 (29 U.S.C. Section 794), the committee established for the student under that Act; or
 - (3) if each of the committees described by Subdivisions (1) and (2) is inapplicable, a committee established by the school district of persons with appropriate knowledge regarding the student.
- (b-12) In adopting rules under Subsection (b-1), the State Board of Education shall adopt criteria to allow a student to comply with the curriculum requirements for the two credits in a language other than English required under Subsection (b-1)(5) by substituting two credits in computer programming languages, including computer coding.
- (b-13) In adopting rules under Subsection (b-1), the State Board of Education shall allow a student to substitute credit in another appropriate course for the second credit in the same language in a language other than English otherwise required by Subsection (b-1)(5) if the student, in completing the first credit required under Subsection (b-1)(5), demonstrates that the student is unlikely to be able to complete the second credit. The board rules must establish:
 - (1) the standards and, as applicable, the appropriate school personnel for making a determination under this subsection; and
 - (2) appropriate substitute courses for purposes of this subsection.
- (b-14) In adopting rules under Subsection (b-1), the State Board of Education shall allow a student who, due to disability, is unable to complete two courses in the same language in a language other than English, as provided under Subsection (b-1)(5), to substitute for those credits two credits in English language arts, mathematics, science, or social studies or two credits in career and technology education, technology applications, or other academic electives. A credit allowed to be substituted under this subsection may not also be used by the student to satisfy a graduation credit requirement other than credit for completion of a language other than English. The rules must provide that the determination regarding a student's ability to participate in language-other-than-English courses will be made by:
 - (1) if the student receives special education services under Subchapter [A](#), Chapter [29](#), the student's admission, review, and dismissal committee; or

- (2) if the student does not receive special education services under Subchapter [A](#), Chapter [29](#), but is covered by Section 504, Rehabilitation Act of 1973 (29 U.S.C. Section 794), the committee established for the student under that Act.
- (b-15) A student may earn a distinguished level of achievement under the foundation high school program by successfully completing:
 - (1) four credits in mathematics, which must include Algebra II and the courses described by Subsection (b-1)(2);
 - (2) four credits in science, which must include the courses described by Subsection (b-1)(3);
 - (3) the remaining curriculum requirements under Subsection (b-1); and
 - (4) the curriculum requirements for at least one endorsement under Subsection (c-1).
- (b-16) A student may satisfy an elective credit required under Subsection (b-1)(6) with a credit earned to satisfy the additional curriculum requirements for the distinguished level of achievement under the foundation high school program or an endorsement under Subsection (c-1). This subsection may apply to more than one elective credit.
- (b-17) The State Board of Education shall adopt rules to ensure that a student may comply with the curriculum requirements under Subsection (b-1)(6) by successfully completing an advanced career and technical course, including a course that may lead to an industry-recognized credential or certificate or an associate degree.
- (b-18) In adopting rules under Subsection (b-1), the State Board of Education shall allow a student to comply with the curriculum requirements under Subsection (b-1) by successfully completing a dual credit course.
- (b-19) In adopting rules under Subsection (b-1), the State Board of Education shall adopt criteria to allow a student to comply with curriculum requirements for the world geography or world history credit under Subsection (b-1)(4) by successfully completing a combined world history and world geography course developed by the State Board of Education.
- (b-20) The State Board of Education shall adopt rules to include the instruction developed under Section [28.012](#) in one or more courses in the required curriculum for students in grade levels 9 through 12.
- (b-21) In adopting rules under Subsection (b-1), the State Board of Education shall adopt criteria to allow a student to comply with the curriculum requirement for one credit under Subsection (b-1)(5) by successfully completing at an elementary school either a dual language immersion program under Section [28.0051](#) or a course in American Sign Language.
- (b-22) In adopting rules under Subsection (b-1), the State Board of Education shall ensure that a personal financial literacy & economics course taken to comply with the curriculum requirement under Subsection (b-1)(4) allocates:
 - (1) two-thirds of instruction time to instruction in personal financial literacy; and
 - (2) one-third of instruction time to instruction in economics.
- (b-23) The agency shall:
 - (1) develop a list of free, open-source, and publicly available curricula that may be used by a school district to provide a personal financial literacy & economics course that satisfies the curriculum requirement under Subsection (b-1)(4); and

- (2) seek, accept, and spend any federal or private grant funds and gifts that are available for the purpose of providing a personal financial literacy & economics course as part of the foundation high school program.
- (c) A person may receive a diploma if the person is eligible for a diploma under Section [28.0251](#). In other cases, a student may graduate and receive a diploma only if:
- (1) the student successfully completes the curriculum requirements identified by the State Board of Education under Subsection (a) and complies with Sections [28.0256](#) and [39.025](#); or
 - (2) the student successfully completes an individualized education program developed under Section [29.005](#).
- (c-1) A student may earn an endorsement on the student's transcript by successfully completing curriculum requirements for that endorsement adopted by the State Board of Education by rule. The State Board of Education by rule shall provide students with multiple options for earning each endorsement, including, to the greatest extent possible, coherent sequences of courses. The State Board of Education by rule must permit a student to enroll in courses under more than one endorsement curriculum before the student's junior year. An endorsement under this subsection may be earned in any of the following categories:
- (1) science, technology, engineering, and mathematics (STEM), which includes courses directly related to science, including environmental science, technology, including computer science, cybersecurity, and computer coding, engineering, and advanced mathematics;
 - (2) business and industry, which includes courses directly related to database management, information technology, communications, accounting, finance, marketing, graphic design, architecture, construction, welding, logistics, automotive technology, agricultural science, and heating, ventilation, and air conditioning;
 - (3) public services, which includes courses directly related to health sciences and occupations, mental health, education and training, law enforcement, and culinary arts and hospitality;
 - (4) arts and humanities, which includes courses directly related to political science, world languages, cultural studies, English literature, history, and fine arts; and
 - (5) multidisciplinary studies, which allows a student to:
 - (A) select courses from the curriculum of each endorsement area described by Subdivisions (1) through (4); and
 - (B) earn credits in a variety of advanced courses from multiple content areas sufficient to complete the distinguished level of achievement under the foundation high school program.
- (c-2) In adopting rules under Subsection (c-1), the State Board of Education shall:
- (1) require a student in order to earn any endorsement to successfully complete:
 - (A) four credits in mathematics, which must include:
 - (i) the courses described by Subsection (b-1)(2); and
 - (ii) an additional advanced mathematics course authorized under Subsection (b-2) or an advanced career and technology course designated by the State Board of Education;
 - (B) four credits in science, which must include:

- (i) the courses described by Subsection (b-1)(3); and
 - (ii) an additional advanced science course authorized under Subsection (b-2) or an advanced career and technology course designated by the State Board of Education; and
- (C) two elective credits in addition to the elective credits required under Subsection (b-1)(6); and
- (2) develop additional curriculum requirements for each endorsement with the direct participation of educators and business, labor, and industry representatives, and shall require each school district to report to the agency the categories of endorsements under Subsection (c-1) for which the district offers all courses for curriculum requirements, as determined by board rule.
- (c-3) In adopting rules under Subsection (c-1), the State Board of Education shall adopt criteria to allow a student participating in the arts and humanities endorsement under Subsection (c-1)(4), with the written permission of the student's parent or a person standing in parental relation to the student, to comply with the curriculum requirements for science required under Subsection (c-2)(1)(B)(ii) by substituting for an advanced course requirement a course related to that endorsement.
- (c-4) Each school district must make available to high school students courses that allow a student to complete the curriculum requirements for at least one endorsement under Subsection (c-1). A school district that offers only one endorsement curriculum must offer the multidisciplinary studies endorsement curriculum.
- (c-5) A student may earn a performance acknowledgment on the student's transcript by satisfying the requirements for that acknowledgment adopted by the State Board of Education by rule. An acknowledgment under this subsection may be earned:
 - (1) for outstanding performance:
 - (A) in a dual credit course;
 - (B) in bilingualism and biliteracy;
 - (C) on a college advanced placement test or international baccalaureate examination;
 - (D) on an established, valid, reliable, and nationally norm-referenced preliminary college preparation assessment instrument used to measure a student's progress toward readiness for college and the workplace; or
 - (E) on an established, valid, reliable, and nationally norm-referenced assessment instrument used by colleges and universities as part of their undergraduate admissions process; or
 - (2) for earning a state recognized or nationally or internationally recognized business or industry certification or license.
- (c-6) Notwithstanding Subsection (c), a person may receive a diploma if the person is eligible for a diploma under Section [28.0258](#).
- (c-7) Subject to Subsection (c-8), a student who is enrolled in a special education program under Subchapter [A](#), Chapter [29](#), may earn an endorsement on the student's transcript by:
 - (1) successfully completing, with or without modification of the curriculum:
 - (A) the curriculum requirements identified by the State Board of Education under Subsection (a); and

- (B) the additional endorsement curriculum requirements prescribed by the State Board of Education under Subsection (c-2); and
- (2) successfully completing all curriculum requirements for that endorsement adopted by the State Board of Education:
 - (A) without modification of the curriculum; or
 - (B) with modification of the curriculum, provided that the curriculum, as modified, is sufficiently rigorous as determined by the student's admission, review, and dismissal committee.
- (c-8) For purposes of Subsection (c-7), the admission, review, and dismissal committee of a student in a special education program under Subchapter [A](#), Chapter [29](#), shall determine whether the student is required to achieve satisfactory performance on an end-of-course assessment instrument to earn an endorsement on the student's transcript.
- (c-10) In adopting rules under Subsection (c-1), the State Board of Education shall adopt or select five technology applications courses on cybersecurity to be included in a cybersecurity pathway for the science, technology, engineering, and mathematics endorsement.
- (d) A school district may issue a certificate of coursework completion to a student who successfully completes the curriculum requirements identified by the State Board of Education under Subsection (a) but who fails to comply with Section [39.025](#). A school district may allow a student who receives a certificate to participate in a graduation ceremony with students receiving high school diplomas.
- (e) Each school district shall report the academic achievement record of students who have completed the foundation high school program on transcript forms adopted by the State Board of Education. The transcript forms adopted by the board must be designed to clearly identify whether a student received a diploma or a certificate of coursework completion.
- (e-1) A school district shall clearly indicate a distinguished level of achievement under the foundation high school program as described by Subsection (b-15), an endorsement described by Subsection (c-1), and a performance acknowledgment described by Subsection (c-5) on the transcript of a student who satisfies the applicable requirements. The State Board of Education shall adopt rules as necessary to administer this subsection.
- (e-2) At the end of each school year, each school district shall report through the Public Education Information Management System (PEIMS) the number of district students who, during that school year, were:
 - (1) enrolled in the foundation high school program;
 - (2) pursuing the distinguished level of achievement under the foundation high school program as provided by Subsection (b-15); and
 - (3) enrolled in a program to earn an endorsement described by Subsection (c-1).
- (e-3) Information reported under Subsection (e-2) must be disaggregated by all student groups served by the district, including categories of race, ethnicity, socioeconomic status, sex, and populations served by special programs, including students in special education programs under Subchapter [A](#), Chapter [29](#).
- (f) A school district shall issue a certificate of attendance to a student who receives special education services under Subchapter [A](#), Chapter [29](#), and who has completed four years of high school but has not completed the student's individualized education program. A school district shall allow a student who receives a certificate to participate in a graduation ceremony with students receiving high school diplomas. A student

may participate in only one graduation ceremony under this subsection. This subsection does not preclude a student from receiving a diploma under Subsection (c)(2).

- (g) Repealed by Acts 2013, 83rd Leg., R.S., Ch. 211, Sec. 78(b)(3), eff. September 1, 2014.
- (h) Expired.
- (i) If an 11th or 12th grade student who is homeless or in the conservatorship of the Department of Family and Protective Services transfers to a different school district and the student is ineligible to graduate from the district to which the student transfers, the district from which the student transferred shall award a diploma at the student's request, if the student meets the graduation requirements of the district from which the student transferred.

TEXAS EDUCATION CODE
TITLE 2. PUBLIC EDUCATION
SUBTITLE F. CURRICULUM, PROGRAMS, AND SERVICES
CHAPTER 29. EDUCATIONAL PROGRAMS
SUBCHAPTER Z. MISCELLANEOUS PROGRAMS

TEC, §29.926. AGRICULTURE EDUCATION PROGRAM.

- (a) The agency shall develop an agriculture education program for elementary school students to encourage appreciation and improve students' understanding of agriculture. In developing the program, the agency shall coordinate with:
 - (1) the Department of Agriculture; and
 - (2) nonprofit organizations with expertise in agriculture education, as identified by the agency.
- (b) The agency shall develop a list of agriculture education programs approved by the agency and the State Board of Education that may be used as part of the curriculum for elementary school students. A program included on the list must be available to an elementary school at no cost to the school district or open-enrollment charter school.

Added by Acts 2021, 87th Leg., R.S., Ch. 586 (S.B. [801](#)), Sec. 1, eff. September 1, 2021.

TEXAS EDUCATION CODE
TITLE 2. PUBLIC EDUCATION
SUBTITLE I. SCHOOL FINANCE AND FISCAL MANAGEMENT
CHAPTER 43. PERMANENT SCHOOL FUND AND AVAILABLE SCHOOL FUND
SUBCHAPTER A. GENERAL PROVISIONS

TEC, §43.001. COMPOSITION OF PERMANENT SCHOOL FUND AND AVAILABLE SCHOOL FUND.

- (a) Except as provided by Subsection (b), the permanent school fund, which is a perpetual endowment for the public schools of this state, consists of:
- (1) all land appropriated for the public schools by the constitution and laws of this state;
 - (2) all of the unappropriated public domain remaining in this state, including all land recovered by the state by suit or otherwise except pine forest land as described by Section [88.111](#) and property described by Section [12.128](#);
 - (3) all proceeds from the authorized sale of permanent school fund land;
 - (4) all proceeds from the lawful sale of any other properties belonging to the permanent school fund;
 - (5) all investments authorized by Section [43.003](#) of assets belonging to the permanent school fund; and
 - (6) all income from the mineral development of permanent school fund land, including income from mineral development of riverbeds and other submerged land.
- (b) The available school fund, which shall be apportioned annually to each county according to its scholastic population, consists of:
- (1) the distributions to the fund from the permanent school fund as provided by Sections [5\(a\)](#) and (g), Article VII, Texas Constitution;
 - (2) one-fourth of all revenue derived from all state occupation taxes, exclusive of delinquencies and cost of collection;
 - (3) one-fourth of revenue derived from state gasoline and special fuels excise taxes as provided by law; and
 - (4) all other appropriations to the available school fund made by the legislature for public school purposes.
- (c) The term "scholastic population" in Subsection (b) or any other law governing the apportionment, distribution, and transfer of the available school fund means all students of school age enrolled in average daily attendance the preceding school year in the public elementary and high school grades of school districts within or under the jurisdiction of a county of this state.
- (d) Each biennium the State Board of Education shall set aside an amount equal to 50 percent of the distribution for that biennium from the permanent school fund to the available school fund as provided by Sections [5\(a\)](#) and (g), Article VII, Texas Constitution, to be placed, subject to the

General Appropriations Act, in the state instructional materials and technology fund established under Section [31.021](#).

Added by Acts 1995, 74th Leg., ch. 260, Sec. 1, eff. May 30, 1995. Amended by Acts 2003, 78th Leg., ch. 201, Sec. 36, eff. June 10, 2003; Acts 2003, 78th Leg., ch. 328, Sec. 2.

Amended by:

Acts 2011, 82nd Leg., 1st C.S., Ch. 6 (S.B. [6](#)), Sec. 65, eff. July 19, 2011.

Acts 2011, 82nd Leg., 1st C.S., Ch. 6 (S.B. [6](#)), Sec. 66, eff. July 19, 2011.

Acts 2015, 84th Leg., R.S., Ch. 731 (H.B. [1474](#)), Sec. 4, eff. September 1, 2015.

Acts 2017, 85th Leg., R.S., Ch. 581 (S.B. [810](#)), Sec. 34, eff. June 9, 2017.

Acts 2017, 85th Leg., R.S., Ch. 705 (H.B. [3526](#)), Sec. 22, eff. June 12, 2017.

Acts 2019, 86th Leg., R.S., Ch. 461 (H.B. [4611](#)), Sec. 1, eff. January 1, 2020.

Acts 2019, 86th Leg., R.S., Ch. 461 (H.B. [4611](#)), Sec. 2, eff. January 1, 2020.

Acts 2019, 86th Leg., R.S., Ch. 467 (H.B. [4170](#)), Sec. 5.028, eff. September 1, 2019.

Acts 2019, 86th Leg., R.S., Ch. 631 (S.B. [1454](#)), Sec. 12, eff. June 10, 2019.

Acts 2021, 87th Leg., R.S., Ch. 875 (S.B. [1232](#)), Sec. 1.02, eff. September 1, 2021.

TEXAS EDUCATION CODE
TITLE 2. PUBLIC EDUCATION
SUBTITLE D. EDUCATORS AND SCHOOL DISTRICT EMPLOYEES AND VOLUNTEERS
CHAPTER 21. EDUCATORS
SUBCHAPTER B. CERTIFICATION OF EDUCATORS

TEC, §21.031. PURPOSE.

- (a) The State Board for Educator Certification is established to recognize public school educators as professionals and to grant educators the authority to govern the standards of their profession. The board shall regulate and oversee all aspects of the certification, continuing education, and standards of conduct of public school educators.

- (b) In proposing rules under this subchapter, the board shall ensure that all candidates for certification or renewal of certification demonstrate the knowledge and skills necessary to improve the performance of the diverse student population of this state.

TEXAS EDUCATION CODE
TITLE 2. PUBLIC EDUCATION
SUBTITLE D. EDUCATORS AND SCHOOL DISTRICT EMPLOYEES AND VOLUNTEERS
CHAPTER 21. EDUCATORS
SUBCHAPTER B. CERTIFICATION OF EDUCATORS

TEC, §21.035. DELEGATION AUTHORITY; ADMINISTRATION BY AGENCY.

- (a) The board is permitted to make a written delegation of authority to the commissioner or the agency to informally dispose of a contested case involving educator certification.
- (b) The agency shall provide the board's administrative functions and services.

TEXAS EDUCATION CODE
TITLE 2. PUBLIC EDUCATION
SUBTITLE D. EDUCATORS AND SCHOOL DISTRICT EMPLOYEES AND VOLUNTEERS
CHAPTER 21. EDUCATORS
SUBCHAPTER B. CERTIFICATION OF EDUCATORS

TEC, §21.042. APPROVAL OF RULES.

The State Board for Educator Certification must submit a written copy of each rule it proposes to adopt to the State Board of Education for review. The State Board of Education may reject a proposed rule by a vote of at least two-thirds of the members of the board present and voting. If the State Board of Education fails to reject a proposal before the 90th day after the date on which it receives the proposal, the proposal takes effect as a rule of the State Board for Educator Certification as provided by Chapter 2001, Government Code. The State Board of Education may not modify a rule proposed by the State Board for Educator Certification.

TEXAS GOVERNMENT CODE
TITLE 10. GENERAL GOVERNMENT
SUBTITLE A. ADMINISTRATIVE PROCEDURE AND PRACTICE
CHAPTER 2001. ADMINISTRATIVE PROCEDURE
SUBCHAPTER B. RULEMAKING

TGC, §2001.021. PETITION FOR ADOPTION OF RULES.

- (a) An interested person by petition to a state agency may request the adoption of a rule.
- (b) A state agency by rule shall prescribe the form for a petition under this section and the procedure for its submission, consideration, and disposition. If a state agency requires signatures for a petition under this section, at least 51 percent of the total number of signatures required must be of residents of this state.
- (c) Not later than the 60th day after the date of submission of a petition under this section, a state agency shall:
 - (1) deny the petition in writing, stating its reasons for the denial; or
 - (2) initiate a rulemaking proceeding under this subchapter.
- (d) For the purposes of this section, an interested person must be:
 - (1) a resident of this state;
 - (2) a business entity located in this state;
 - (3) a governmental subdivision located in this state; or
 - (4) a public or private organization located in this state that is not a state agency.

MINUTES

STATE BOARD OF EDUCATION

SEPTEMBER 2, 2022 & SEPTEMBER 26, 2022

Minutes

State Board of Education

September 2, 2022

STATE BOARD OF EDUCATION
(State Board for Career and Technology Education)

KEVEN ELLIS, Lufkin
Chair of the State Board of Education
District 9

PAM LITTLE, Fairview
Vice Chair of the State Board of
Education
District 12

GEORGINA PÉREZ, El Paso
Secretary of the State Board of
Education
District 1

Board Members

LAWRENCE ALLEN, JR., Houston
District 4

WILL HICKMAN, Houston
District 6

REBECCA BELL-METEREAU, San Marcos
District 5

TOM MAYNARD, Florence
District 10

RUBEN CORTEZ, JR., Brownsville
District 2

SUE MELTON-MALONE, Robinson
District 14

AICHA DAVIS, Dallas
District 13

MARISA PEREZ-DIAZ, Converse
District 3

JAY JOHNSON, Pampa
District 15

MATT ROBINSON, Friendswood
District 7

PATRICIA HARDY, Fort Worth
District 11

AUDREY YOUNG, Apple Springs
District 8

Committees of the State Board of Education
(updated January 26, 2021)

INSTRUCTION

Sue Melton-Malone, chair
Audrey Young, vice chair
Rebecca Bell-Metereau
Pam Little
Georgina Pérez

SCHOOL FINANCE/PERMANENT SCHOOL FUND

Tom Maynard, chair
Lawrence Allen, Jr., vice chair
Keven Ellis
Pat Hardy
Marisa Perez-Diaz

SCHOOL INITIATIVES

Matt Robinson, chair
Aicha Davis, vice chair
Ruben Cortez, Jr.
Will Hickman
Jay Johnson

Minutes
State Board of Education
Friday, September 2, 2022

The State Board of Education met at 9:02 a.m. on Friday, September 2, 2022, in the State Board of Education Room, #1-104, of the William B. Travis Building, 1701 N. Congress Avenue, Austin, Texas. Attendance was noted as follows:

Present: Keven Ellis, chair; Lawrence A. Allen, Jr.; Rebecca Bell-Metereau; Ruben Cortez, Jr. (virtual); Aicha Davis; Pat Hardy; Will Hickman; Jay Johnson; Pam Little vice-chair; Tom Maynard; Sue Melton-Malone; Georgina C. Pérez, secretary; Marisa B. Perez-Diaz; Matt Robinson; Audrey Young

Student Performance

A student performance was provided by the Texas City High School Mariachi Raya in Texas City Independent School District (ISD).

Invocation

Pledge of Allegiance

Roll Call

Approval of Minutes

State Board of Education, June 17, 2022

MOTION AND VOTE: *The State Board of Education unanimously approved the minutes of the June 17, 2022, meeting of the State Board of Education, as printed.*

1. Resolution and Presentations

Heroes for Children Award

The State Board of Education, by unanimous consent, adopted a resolution honoring Deborah McReynolds, Esmeralda Guerrero, Jason Mims, Rosalinda Ortiz, Melinda Cox, Lauren Dougherty, Barbara Franklin, Tonia Jaeggi, Thomas Beall, Carolyn Holubec, Ken Kuhl, Jill Beitel, Elsa Muñoz, Elizabeth Chase, and Betty Lyon as the 2021 Heroes for Children Award recipients.

(ATTACHMENT 1, page 12)

Public Testimony

Public Testimony was provided by the following individuals:

NAME: Perla Munoz Hopkins
AFFILIATION: Self

NAME: Katherine Vanderpol
AFFILIATION: Self

NAME: Mary Lowe
AFFILIATION: Families Engaged for Effective Education

NAME: Lyn Davenport
AFFILIATION: Self

NAME: Julia Brookins
AFFILIATION: Self

NAME: Steven Mintz
AFFILIATION: Self

NAME: Jason Southerland
AFFILIATION: Self

NAME: Daniel Southland
AFFILIATION: Self

MOTION AND VOTE: *It was moved by Ms. Davis, seconded by Ms. Hardy, and carried that the State Board of Education suspend board operating rule §2.10(b)(6) to hear testimony from individuals who did not register 30 minutes before the scheduled start of a meeting.*

NAME: Myah Young
AFFILIATION: Self

NAME: Kennedy Searl
AFFILIATION: Self

NAME: Kendall Fields
AFFILIATION: Self

NAME: Rhett Smith
AFFILIATION: Self

NAME: Evelyn Brooks
AFFILIATION: Self

NAME: Jennifer Eckhart
AFFILIATION: Self

NAME: Courtney Pessa
AFFILIATION: Moms for Liberty

2. Approval of Consent Agenda

Any agenda item may be placed on the consent agenda by any State Board of Education committee. The State Board of Education may elect to take separate action on any item on the consent agenda.

By unanimous consent, the State Board of Education approved the following items on the consent agenda.

(1) **Proposed Amendment to 19 TAC Chapter 112, Texas Essential Knowledge and Skills for Science, Subchapter C, High School, §112.41, Implementation of Texas Essential Knowledge and Skills for Science, High School, Adopted 2020**
(First Reading and Filing Authorization)

(Board agenda page I-5)

The State Board of Education suspended the board operating procedures in accordance with §5.2(a) to allow consideration at first reading and filing authorization; and

Approved for first reading and filing authorization the proposed amendment to 19 TAC Chapter 112, Texas Essential Knowledge and Skills for Science, Subchapter C, High School, §112.41 Implementation of Texas Essential Knowledge and Skills for Science, High School, Adopted 2020, as recommended by the Committee of the Full Board.

(2) **Decision on the Percentage Distribution of the Permanent School Fund for Fiscal Years 2024 and 2025 and Related Fund Transfers**

(Board agenda page I-15)

The State Board of Education adopted a distribution rate of 3.32% for fiscal years 2024 and 2025, as recommended by the Committee of the Full Board.

(3) **One-Time Procedural Action to Correct the Effective Date of Proposed Repeal of 19 TAC Chapter 127, Texas Essential Knowledge and Skills for Career Development and Career and Technical Education, Subchapter O, Science, Technology, Engineering, and Mathematics, §127.761 and §127.764**

(Board agenda page II-1)

The State Board of Education amended the motion from the June 17, 2022 minutes of the State Board of Education to specify an August 1, 2023 effective date for the proposed repeal of 19 TAC §127.761, Fundamentals of Computer Science (One Credit), and §127.764, Computer Science III (One Credit), as recommended by the Committee on Instruction.

(4) **Approval of Updates and Substitutions to Adopted Instructional Materials**

(Board agenda page II-7)

The State Board of Education approved the request from Learning A–Z to update content in its product, *Raz Plus ELL Texas Edition*, grades 2–5, adopted under *Proclamation 2019*, and the request from Goodheart-Wilcox to update content in its products, *Texas Health Skills for Middle School* and *Companion Text to Accompany Texas Health Skills for Middle School*, grades 6–8, and *Texas Health Skills for High School* and *Companion Text to Accompany Texas Health Skills for High School*, adopted under *Proclamation 2022*, as recommended by the Committee on Instruction.

(5) **Report on Permanent School Fund Securities Transactions and the Investment Portfolio and Ratification of Purchases and Sales for the Months of May and June 2022**

(Board agenda page III-5)

The State Board of Education, based on the information provided by staff and the recommendation of the executive administrator and chief investment officer and the commissioner of education, ratified the purchases and sales for the months of May 2022 and June

2022, in the amounts of \$1,242,364,268 and \$1,640,216,450, respectively, as recommended by the Committee on School Finance/Permanent School Fund.
(ATTACHMENT 2, page 14)

(6) Report on Permanent School Fund Liquid Account and Ratification of Purchases and Sales for the Months of May and June 2022

(Board agenda page III-6)

The State Board of Education based on the information provided by staff and the recommendation of the executive administrator and chief investment officer and the commissioner of education, ratified the purchases and sales of the Permanent School Fund Liquid Account for the period May 1, 2022, through June 30, 2022, in the amounts of \$340,056,233 and \$25,032,133, respectively, as recommended by the Committee on School Finance/Permanent School Fund.
(ATTACHMENT 3, page 16)

(7) Determination Regarding Whether Transfers May be Made from the Permanent School Fund to the Available School Fund

(Board agenda page III-8)

The State Board of Education approved a distribution to the Available School Fund of approximately \$1.731 billion for fiscal year 2023, as recommended by the Committee on School Finance/Permanent School Fund.

(8) Recommendation for Reappointment to the Boys Ranch Independent School District Board of Trustees

(Board agenda page IV-1)

The State Board of Education, based on Mr. Richard Nedelkoff's recommendation, approved the reappointment of Mr. Mark Strother to serve a two-year term of office, from September 2, 2022, to September 1, 2024, on the Boys Ranch ISD Board of Trustees, as recommended by the Committee on School Initiatives.

(9) Recommendation for Reappointments to the Lackland Independent School District Board of Trustees

(Board agenda page IV-7)

The State Board of Education, based on Colonel Shane R. Cuéllar's recommendation, approved the reappointments of Mr. Brian Miller and Ms. Sandra H. Wellman to serve two-year terms of office from September 2, 2022, to September 1, 2024, on the Lackland ISD Board of Trustees, as recommended by the Committee on School Initiatives.

(10) Recommendation for Reappointment to the Randolph Field Independent School District Board of Trustees

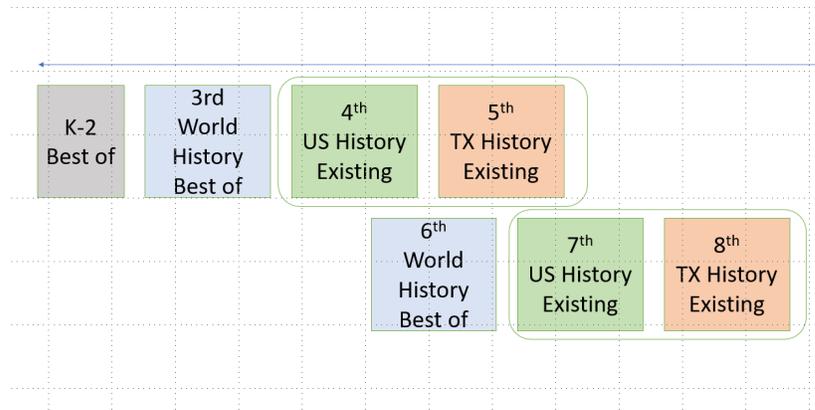
(Board agenda page IV-15)

The State Board of Education, based on Colonel Shane R. Cuéllar's recommendation, approved the reappointment of Mrs. Glenda Solomon to serve a two-year term of office from September 2, 2022, to September 1, 2024, on the Randolph Field ISD Board of Trustees, as recommended by the Committee on School Initiatives.

COMMITTEE OF THE FULL BOARD

3. Update on Texas Essential Knowledge and Skills (TEKS) Review
(Board agenda page I-1)

MOTION: *It was moved by Mrs. Little that the State Board of Education use the following framework as a starting point in future consideration of revisions to the K-8 social studies TEKS, as amended and recommended by the Committee of the Full Board:*



MOTION AND VOTE: *It was moved by Mrs. Perez-Diaz and seconded by Dr. Robinson that the State Board of Education amend the original motion to include the following framework as a starting point in future consideration of revisions to the 6-8 social studies TEKS:*

6th grade Contemporary World Cultures course would stay as is currently.

7th grade scope

Geography (TX & US) <i>(3 weeks)</i>	Native Cultures (TX & US) <i>(2 weeks)</i>	Exploration (TX & US) - European reasons for exploration - Key explorers: Cortes, Pineda <i>(2 weeks)</i>	Colonization (TX & US) - Spanish settlements - 13 colonies PEGS <i>(5 weeks)</i>	American Revolution (Add in new TEKS with Haudenosaunee) <i>(4 weeks)</i>
Early Republic (U.S. - first five presidents) <i>(4 weeks)</i>	Age of Jackson <i>(2 weeks)</i>	Mexican National Era in Texas - Mexican Independence - Empresarios <i>(2 weeks)</i>	Texas Revolution <i>(4 weeks)</i>	Republic of Texas <i>(4 weeks)</i>

8th grade scope

Industrialization (US) <i>(5 weeks)</i>	Westward Expansion (US/Review Tx. Annex) <i>(2 weeks)</i>	Reform <i>(2 weeks)</i>	Civil War <i>(5 weeks)</i>	Reconstruction <i>(3 weeks)</i>
Frontier & Agriculture <i>(3 weeks)</i>	Age of Oil/WWII <i>(2 weeks)</i>	Great Depression/WWII <i>(3 weeks)</i>	Civil Rights (TX/US) <i>(4 weeks)</i>	Contemporary PES (TX constitution) <i>(4 weeks)</i>

The motion failed with 7 members voting Aye and 7 members voting No as follows:

<u>Aye:</u>	Mr. Allen	Ms. Pérez
	Dr. Bell-Metereau	Ms. Perez-Diaz
	Mr. Cortez	Dr. Robinson
	Ms. Davis	
<u>No:</u>	Ms. Hardy	Mr. Maynard
	Mr. Hickman	Mrs. Melton-Malone
	Dr. Johnson	Dr. Young
	Mrs. Little	

VOTE: *The motion to approve the use of the framework, as presented in the original motion, as a starting point in future consideration of revisions to the K-8 social studies TEKS carried with 10 members voting Aye and 4 members voting No as follows:*

<u>Aye:</u>	Ms. Davis	Mr. Maynard
	Ms. Hardy	Mrs. Melton-Malone
	Mr. Hickman	Ms. Pérez
	Dr. Johnson	Dr. Robinson
	Mrs. Little	Dr. Young
<u>No:</u>	Mr. Allen	Mr. Cortez
	Dr. Bell-Metereau	Ms. Perez-Diaz

MOTION: *It was moved by Mrs. Little that the State Board of Education request that staff bring to the next SBOE meeting a draft that only adds missing Senate Bill (SB) 3 requirements; give staff the latitude to use draft student expectations from the work groups as a starting point in adding student expectations that meet SB 3 requirements; and establish that the SBOE will spend the next couple of years, until 2025, investigating to inform the framework, as recommended by the Committee of the Full Board.*

MOTION AND VOTE: *It was moved by Dr. Bell-Metereau, seconded by Ms. Perez-Diaz, and carried that the State Board of Education divide the question.*

MOTION AND VOTE: *It was moved by Mr. Hickman, seconded by Ms. Hardy, and carried that the State Board of Education specify that staff should add student expectations that meet SB 3 requirements to the existing TEKS.*

MOTION AND VOTE: *It was moved by Mr. Maynard, seconded by Mr. Hickman, and carried unanimously that the State Board of Education request that staff bring to the next SBOE meeting a draft that only adds missing SB 3 requirements to the existing TEKS and give staff the latitude to use draft student expectations from the work groups as a starting point in adding student expectations that meet SB 3 requirements.*

MOTION AND VOTE: *It was moved by Ms. Perez-Diaz, seconded by Ms. Davis, and carried that the State Board of Education amend the motion to establish that the SBOE will spend the next couple of years, until 2025, investigating to inform the framework to replace “couple of years” with “two years.”*

MOTION AND VOTE: *It was moved by Mr. Hickman and seconded by Mr. Maynard that the State Board of Education establish that the SBOE will spend the next two years, until 2025, investigating to*

inform the framework. The motion carried with 8 members voting Aye and 7 members voting No as follows:

<u>Aye:</u>	Dr. Ellis	Mrs. Little
	Ms. Hardy	Mr. Maynard
	Mr. Hickman	Mrs. Melton-Malone
	Dr. Johnson	Dr. Young
<u>No:</u>	Mr. Allen	Ms. Pérez
	Dr. Bell-Metereau	Mrs. Perez-Diaz
	Mr. Cortez	Dr. Robinson
	Ms. Davis	

MOTION AND VOTE: *It was moved by Mrs. Little and carried unanimously that the State Board of Education take no action on the current Mexican American Studies and African American Studies TEKS and to direct staff to invite interested parties to submit innovative course applications for American Indian/Native Studies and Asian American Studies during the upcoming innovative course application cycle, as recommended by the Committee of the Full Board.*

(Mr. Allen was absent for the vote.)

4. **Proposed Amendment to 19 TAC Chapter 66, State Adoption and Distribution of Instructional Materials, Subchapter C, Local Operations, §66.105, Certification by School Districts (Second Reading and Final Adoption)**
(Board agenda page I-9)

MOTION AND VOTE: *It was moved by Mrs. Little and carried unanimously that the State Board of Education approve for second reading and final adoption the proposed amendment to 19 TAC Chapter 66, State Adoption and Distribution of Instructional Materials, Subchapter C, Local Operations, §66.105, Certification by School Districts; and*

Make an affirmative finding that immediate adoption of the proposed amendment to 19 TAC Chapter 66, State Adoption and Distribution of Instructional Materials, Subchapter C, Local Operations, §66.105, Certification by School Districts, is necessary and shall have an effective date of 20 days after filing as adopted with the Texas Register, as recommended by the Committee of the Full Board.

(Mr. Allen was absent for the vote.)

5. **Amendments to Proclamation 2024 of the State Board of Education Advertising for Bids on Instructional Material**
(Board agenda page I-17)

MOTION AND VOTE: *It was moved by Mrs. Little and carried unanimously that the State Board of Education approve amendments to the schedule of adoption procedures in Proclamation 2024 of the State Board of Education Advertising for Bids for Instructional Materials, as recommended by the Committee of the Full Board.*

(Mr. Allen was absent for the vote.)

- 6. Approval of Proclamation 2024 Questions and Answers**
(Board agenda page I-18)

MOTION AND VOTE: *It was moved by Mrs. Little and carried unanimously that the State Board of Education approve Proclamation 2024 Questions and Answers, as recommended by the Committee of the Full Board.*

(Mr. Allen was absent for the vote.)

- 7. Ratification of Texas Essential Knowledge and Skills Coverage in Materials Selected for the Texas Resource Review**
(Board agenda page I-19)

MOTION AND VOTE: *It was moved by Mrs. Little and carried unanimously that the State Board of Education ratify the report of the commissioner of education regarding TEKS alignment in instructional materials selected for the Texas Resource Review, as recommended by the Committee of the Full Board.*

(Mr. Allen was absent for the vote.)

- 8. Long-Range Plan for Technology Update**
(Board agenda page I-20)

MOTION AND VOTE: *It was moved by Mrs. Little and carried that the State Board of Education approve the updated Revised and Extended Long-Range Plan for Technology 2018-2025, as recommended by the Committee of the Full Board.*

(Mr. Allen was absent for the vote.)

COMMITTEE ON INSTRUCTION

- 9. Proposed Amendment to 19 TAC Chapter 74, Curriculum Requirements, Subchapter C, Other Provisions, §74.27, Innovative Courses and Programs (First Reading and Filing Authorization)**
(Board agenda page II-144)

MOTION AND VOTE: *It was moved by Mrs. Melton-Malone and carried unanimously that the State Board of Education suspend the board operating procedures in accordance with §5.2(a) to allow for consideration at first reading and filing authorization; and*

Approve for first reading and filing authorization the proposed amendment to 19 TAC Chapter 74, Curriculum Requirements, Subchapter C, Other Provisions, §74.27, Innovative Courses and Programs, as amended and recommended by the Committee on Instruction.

(Mr. Allen and Mr. Hickman were absent for the vote.)

COMMITTEE ON SCHOOL INITIATIVES**10. Review of Proposed Amendment to 19 TAC Chapter 230, Professional Educator Preparation and Certification, Subchapter E, Educational Aide Certificate, §230.55, Certification Requirements for Educational Aide I**

(Board agenda page IV-23)

MOTION AND VOTE: *It was moved by Dr. Robinson and carried unanimously that the State Board of Education take no action on the proposed amendment to 19 TAC Chapter 230, Professional Educator Preparation and Certification, Subchapter E, Educational Aide Certificate, §230.55, Certification Requirements for Educational Aide I, as recommended by the Committee on School Initiatives.*

(Mr. Allen and Mr. Cortez were absent for the vote.)

11. Review of Proposed Amendment to 19 TAC Chapter 232, General Certification Provisions, Subchapter A, Certificate Renewal and Continuing Professional Education Requirements, §232.7, Requirements for Certificate Renewal

(Board agenda page IV-27)

MOTION AND VOTE: *It was moved by Dr. Robinson and carried unanimously that the State Board of Education take no action on the proposed amendment to 19 TAC Chapter 232, General Certification Provisions, Subchapter A, Certificate Renewal and Continuing Professional Education Requirements, §232.7, Requirements for Certificate Renewal, as recommended by the Committee on School Initiatives.*

(Mr. Allen and Mr. Cortez were absent for the vote.)

REGARDING AGENDA ITEMS POSTED FOR DISCUSSION ON COMMITTEE AGENDAS**Committee on Instruction**

Mrs. Melton-Malone did not report on the Committee on Instruction.

Committee on School Finance/Permanent School Fund

Mr. Maynard reported that the Permanent School Fund Corporation is in the process of creating organizational infrastructure and is on schedule to move into a new building in 2023. He explained that there is a constitutional requirement that the budget for the Permanent School Fund be appropriated. He further explained that while the budget was historically under the TEA umbrella, it is now required to go through the legislative appropriations request process separate from the agency. Mr. Maynard also provided an update on the bond guarantee program.

Committee on School Initiatives

Dr. Robinson did not report on the Committee on School Initiatives.

REPORTS OF OTHER STATE BOARD OF EDUCATION MEMBERS REGARDING AGENDA ITEMS AND EDUCATIONAL ACTIVITIES AND CONCERNS IN INDIVIDUAL DISTRICTS

Dr. Ellis gave board members an opportunity to provide information regarding agenda items or other relevant information about public education.

The meeting adjourned at 1:01 p.m.

Georgina C. Pérez, Secretary

RESOLUTION

WHEREAS volunteers provide invaluable support to our Texas public schools through selfless giving of their time, talent, and financial resources; and

WHEREAS the State Board of Education has honored outstanding school volunteers with the Heroes for Children award since 1994; and

WHEREAS Deborah McReynolds has been a volunteer for eight years in Ector County Independent School District (ISD) where she operates a science laboratory that she helped restore into a functional room for students to enjoy engaging lessons through the program, *Sharkfinder*; and her tremendous impact helps students develop a love for learning science; and

WHEREAS Esmeralda Guerrero has volunteered at the Alton Memorial Junior High in Mission Consolidated ISD for the past seven years and she serves as the District Advisory Council president and together with other leaders, she helps lead parent committee meetings that benefit students and the school community; and

WHEREAS Jason Mims is an advocate for students in San Antonio ISD; he encourages his students to dream big when making their postsecondary plans; and his most notable Kindness Campaign recognizes the value in the actions of others and celebrates the accomplishments of young people for whom he has been a mentor, benefactor, and a cheerleader for the past 20 years; and

WHEREAS Rosalinda Ortiz is a volunteer for the last 8 years at Pyburn Elementary in Galena Park ISD where she never left school even after her crossing guard duties ended; and she was president of the Parent-Teacher Association (PTA) where she made great connections with other parents who came together to benefit the whole Pyburn School family; and

WHEREAS Melinda Cox has been a volunteer for North East ISD for more than twelve years where she has held numerous leadership roles; and she started the Johnson High School PTA Smart Driving Club that educates teens on the dangers of distracted driving; and

WHEREAS Lauren Dougherty is an advocate for public education in Klein ISD who works tirelessly to engage parental involvement by organizing a monthly Dual Language Family Night where families get together to share their culture's food and recipes along with games and craft activities that bring communities together for a common goal; and

WHEREAS Barbara Franklin's volunteer work in Brazosport ISD started 34 years ago when she founded the Brazosport *Safetytown* which put into motion a child-focused safety program that has withstood the test of time through her leadership and dedication; and in the district, she also coordinates the annual comprehensive safety education workshop for incoming first graders; and

WHEREAS Tonia Jaeggi has supported student learning in Cypress-Fairbanks ISD by becoming certified as a volunteer presenter for the Science Resource Center where she delivers hands-on learning to students who are excited to see real critters such as snakes, guinea pigs, ferrets, and worms; And she has also sponsored staff appreciation gifts and various fundraising activities; and

WHEREAS Thomas Beall has advocated for Tyler ISD for 20 years; his Tab and Bonnie Beall Foundation donated \$550,000 for scholarship endowment and has impacted 21 graduates to date; And he is an inspiring model and community leader who was named a 2019 Distinguished Alumni for his achievements, strengths of character, and citizenship; and

WHEREAS Carolyn Holubec has been a devoted volunteer for Thrall ISD for more than 20 years; she has served on several committees including, campus PTAs, band booster clubs, and has served as president of the Thrall Community Education Foundation; and she also devotes countless hours to ensure the teacher grants and scholarships continue annually; and

WHEREAS Ken Kuhl has been a volunteer for five years and advocates for public schools and equitable education for the benefit of all students in Fort Worth ISD; and as president of the Council of PTAs, he has earned the esteem of parents, admiration of teachers, respect of principals, and the appreciation of the community for his leadership; and

WHEREAS Jill Beitel has served five different campuses in Prosper ISD for the past 11 years; she has chaired organizations and various clubs, been a room mom and Parent-Teacher Organization (PTO) officer, and serves as a member on the district's Strategic Plan Committee; And she also volunteers in service groups benefiting the Prosper community; and

WHEREAS Elsa Muñoz volunteers at Townsell Elementary in Irving ISD; she serves as a classroom mom and is an advocate for parent engagement; she spends her time helping teachers and students with craft activities and event decorations; and her helpful and positive attitude makes the school a better place to be for students; and

WHEREAS Elizabeth Chase serves the students and community of Copperas Cove ISD; she fills two challenging volunteer leadership roles as the Project Graduation chairman and cheer booster club president; and despite overwhelming obstacles, her perseverance has resulted in successful outcomes for the students; and

WHEREAS Betty Lyon has been volunteering for Morton ISD for the past 50 years; she is known as everyone's Nana; her immeasurable love for service includes, substitute teaching, baking for fundraising, supporting students at stock shows, or as a cheerleader on the stands, the Morton community can count on her to be there for them; now, therefore, be it

RESOLVED, that the State Board of Education recognizes these outstanding individuals as Heroes for Children and thanks them for their years of volunteer service in their local public schools and communities.

WITNESS our signatures this second day of September, two thousand and twenty-two in Austin, Texas.

Keven Ellis, Chair

Georgina C. Pérez, Secretary

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**TEXAS PERMANENT SCHOOL FUND
SUMMARY OF TRANSACTIONS FOR APPROVAL
(Including External Manager's Trades)
For May 1, 2022 through June 30, 2022**

Purchases/Capital Calls:

Long Term Fixed Income	\$ 608,998,056
Public Market Equities	258,336,543
Alternative Investments	<u>375,029,669</u>
 TOTAL	 <u><u>\$ 1,242,364,268</u></u>

Sales/Distributions:

Long Term Fixed Income	\$ 251,323,513
Public Market Equities	776,543,026
Alternative Investments	<u>612,349,912</u>
 TOTAL	 <u><u>\$ 1,640,216,450</u></u>

General Land Office Contributions:

FY 2021 Cumulative June 2021	FY 2022 Cumulative June 2022
\$33,750,000	\$0

Based on the above information provided by staff including a report that deposits to the Permanent School Fund from the General Land Office were \$33,750,000 through June 2021 for fiscal year 2021 versus \$0 through June 2022 for fiscal year 2022, and the recommendation of the Executive Administrator and Chief Investment Officer and the Commissioner of Education; it is moved by unanimous consent that the Committee on School Finance/Permanent School Fund ratify for the months of May 2022 through June 2022 Permanent School Fund portfolio purchases of \$1,242,364,268 and sales of \$1,640,216,450.

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**TEXAS PERMANENT SCHOOL FUND
SUMMARY OF TRANSACTIONS FOR APPROVAL
FOR PSF LIQUID ACCOUNTS
For May 1, 2022 through June 30, 2022**

<u>Purchases:</u>		
	Fixed Income	\$ 63,306,816
	Public Market Equities	<u>276,749,417</u>
	 TOTAL	 <u><u>\$ 340,056,233</u></u>
 <u>Sales:</u>		
	Fixed Income	\$ -
	Public Market Equities	<u>25,032,133</u>
	 TOTAL	 <u><u>\$ 25,032,133</u></u>

Based on the above information provided by staff and the recommendation of the Executive Administrator and Chief Investment officer and the Commissioner of Education: It is moved by unanimous consent that the Committee on School Finance/Permanent School Fund ratify for the period May 1, 2022 through June 30, 2022 Permanent School Fund Liquid Account purchases of \$340,056,233 and sales of \$25,032,133.

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Minutes

State Board of Education

September 26, 2022

Minutes
State Board of Education
Monday, September 26, 2022

The State Board of Education met at 12:37 p.m. on Monday, September 26, 2022, in the State Board of Education Room, #1-104, of the William B. Travis Building, 1701 N. Congress Avenue, Austin, Texas. Attendance was noted as follows:

Present: Keven Ellis, chair; Lawrence A. Allen, Jr.; Rebecca Bell-Metereau; Ruben Cortez, Jr. (virtual); Aicha Davis; Pat Hardy; Will Hickman; Jay Johnson; Pam Little vice-chair; Tom Maynard; Sue Melton-Malone (virtual); Georgina C. Pérez, secretary; Audrey Young

Absent: Marisa B. Perez-Diaz; Matt Robinson

Roll Call

- 1. Proposed Amendments to 19 TAC Chapter 113, Texas Essential Knowledge and Skills for Social Studies, Subchapter A, Elementary, Subchapter B, Middle School, and Subchapter C, High School (First Reading and Filing Authorization)**
(Board agenda page I-3)

Shelly Ramos, senior director, curriculum standards and student support, presented the proposed amendments to the social studies TEKS that align with the requirements of Senate Bill 3, 87th Texas Legislature, 2021.

MOTION: *It was moved by Mr. Hickman and seconded by Mrs. Little that the State Board of Education approve for first reading and filing authorization proposed amendments to 19 TAC Chapter 113, Texas Essential Knowledge and Skills for Social Studies, Subchapter A, Elementary, Subchapter B, Middle School, and Subchapter C, High School.*

MOTION AND VOTE: *It was moved by Ms. Pérez and seconded by Mr. Allen that the State Board of Education amend §113.19(c)(7)(D) to include Representative José Tomás Canales. Dr. Ellis ruled that the motion was out of order and not germane to the posted item.*

MOTION AND VOTE: *It was moved by Ms. Pérez and seconded by Ms. Davis that the State Board of Education appeal the position of the chair. The motion failed and the ruling of the chair was sustained.*

MOTION AND VOTE: *It was moved by Ms. Pérez that the State Board of Education approve grammatical corrections to the proposed amendments to 19 TAC Chapter 113, Texas Essential Knowledge and Skills for Social Studies, Subchapter A, Elementary, Subchapter B, Middle School, and Subchapter C, High School related to media literacy. The motion died due to lack of a second.*

MOTION AND VOTE: *It was moved by Ms. Pérez and seconded by Dr. Bell-Metereau that the State Board of Education amend the proposed amendments to §113.43(d)(8) to include the topic of climate change. The motion failed.*

MOTION AND VOTE: *It was moved by Ms. Davis and seconded by Ms. Pérez that the State Board of Education amend §113.12(c)(2)(A) to include Dolores Huerta. The motion failed.*

VOTE: *A vote was taken on the main motion that the State Board of Education approve for first reading and filing authorization proposed amendments to 19 TAC Chapter 113, Texas Essential Knowledge and Skills for Social Studies, Subchapter A, Elementary, Subchapter B, Middle School, and Subchapter C, High School. The motion carried.*

Dr. Ellis adjourned the meeting at 2:01 p.m.

Minutes

State Board of Education Committees

August 30-Sept. 1, 2022 & September 26, 2022

**Report of the State Board of Education
Committee of the Full Board
Tuesday, August 30, 2022**

The State Board of Education Committee of the Full Board met at 9:14 a.m. on Tuesday, August 30, 2022, in the State Board of Education Room, #1-104, of the William B. Travis Building, 1701 N. Congress Avenue, Austin, Texas. Attendance was noted as follows:

Present: Keven Ellis, chair; Lawrence A. Allen, Jr.; Rebecca Bell-Metereau; Ruben Cortez, Jr. (virtual); Aicha Davis; Patricia Hardy; Will Hickman; Jay Johnson; Pam Little; Tom Maynard; Sue Melton-Malone; Georgina C. Pérez; Marisa B. Perez-Diaz; Matt Robinson; Audrey Young

Public Testimony

The Committee of the Full Board heard public testimony on agenda items #1 and #2. Information regarding the individuals who presented public testimony is included in the discussion of that item.

ACTION ITEM

1. Update on Texas Essential Knowledge and Skills (TEKS) Review

(Board agenda page I-1)

[Official agenda item #3]

Monica Martinez, associate commissioner for standards and programs, provided an update on the social studies TEKS review. She explained that, in response to the request from the board at their August 1 meeting, an additional work group, Work Group F, had been convened to discuss and make a recommendation for the best framework to use for the Kindergarten-Grade 8 social studies TEKS. She explained that the work group unanimously recommended that the board proceed with the framework the board agreed upon at the April, May, and August 1 meetings. Ms. Martinez provided an overview of the changes made to the draft recommendations.

Public testimony was provided by the following individuals:

NAME: Shalon Bond
AFFILIATION: Work Group F

NAME: Mohit Mehta
AFFILIATION: Center for Asian American Studies

NAME: Lily Trieu
AFFILIATION: Asian Texans for Justice

NAME: Courtney Wai
AFFILIATION: Asian American Education Project

NAME: Jena Masquelier
AFFILIATION: Self

NAME: Bianca Mabute-Louie
AFFILIATION: Self

NAME: Abby Gail Trino
AFFILIATION: Self

NAME: Kelsey Kling
AFFILIATION: Texas American Federation of Teachers

NAME: Mary Castle
AFFILIATION: Texas Values

NAME: Jolyn Potenza
AFFILIATION: Self

NAME: Robert Whistler
AFFILIATION: Citizen Potawatomi Nation

NAME: James P. Macklin
AFFILIATION: Self

NAME: Angela Wetuski
AFFILIATION: Self

NAME: Julia Brookins
AFFILIATION: American Historical Association

NAME: Mary Lowe
AFFILIATION: Family Engaged for Effective Education

NAME: Maria Unda
AFFILIATION: Self

NAME: Lanette Aguero
AFFILIATION: Grand Prairie Independent School District

NAME: Carisa Lopez
AFFILIATION: Texas Freedom Network

NAME: Tom Bartel
AFFILIATION: Self

NAME: Jackie Besinger
AFFILIATION: Moms for Liberty

NAME: Lynn Davenport
AFFILIATION: Families Engaged for Effective Education

NAME: Julie Pickren
AFFILIATION: Self

NAME: Maggie Stern
AFFILIATION: Children's Defense Fund – Texas

NAME: Cindy Najera
AFFILIATION: Moms for Liberty

NAME: Sandeep Mangat
AFFILIATION: Self

NAME: Paul Gastineau
AFFILIATION: County Citizens Defending Freedom

NAME: Lilliana Saldana
AFFILIATION: Mexican American Studies Teachers Academy, University of Texas at San Antonio

NAME: Deyadira Arellano
AFFILIATION: Ethnic Studies for Texas Schools Coalition

NAME: Valerie Martinez
AFFILIATION: Self

NAME: Rick Green
AFFILIATION: Self

NAME: Jaco Booyens
AFFILIATION: Jaco Booyens Ministries

NAME: Cynthia Castilla
AFFILIATION: Texas Eagle Forum

NAME: Judi DeHaan
AFFILIATION: Self

NAME: Michael Barba
AFFILIATION: Texas Public Policy Foundation

NAME: Christopher Carmona
AFFILIATION: Ethnic Studies for Texas Schools Coalition

NAME: Lawrence Scott
AFFILIATION: Self

NAME: Jan Stell
AFFILIATION: Self

NAME: Prabhleen Kaur Chabra
AFFILIATION: Self

NAME: Cyndie Phillips
AFFILIATION: Self

NAME: Jonathan Covey
AFFILIATION: Texas Values

NAME: Nora Lieberman
AFFILIATION: Jewish Federation of Texas

NAME: Phyllis Garrett
AFFILIATION: Self

NAME: Teresa Shipman
AFFILIATION: Awake and See LLC

NAME: Hilary Hickland
AFFILIATION: Self

NAME: Kiahndra Edwards
AFFILIATION: Dallas Independent School District

NAME: Sara Crocker
AFFILIATION: Moms for Liberty

NAME: Hannah Smith
AFFILIATION: Self

NAME: Jee Sun Lee
AFFILIATION: Self

NAME: Kimberly Yancy
AFFILIATION: National Association for the Advancement of Colored People

NAME: Justin Lurie
AFFILIATION: Self

NAME: Andrew Pierce
AFFILIATION: Self

NAME: Kathleen Kirchoff
AFFILIATION: Self

NAME: Angela Robertson
AFFILIATION: Self

NAME: Mairi Kaska
AFFILIATION: Self

NAME: Cindy Gaskill
AFFILIATION: Self

NAME: Pearl Cruz
AFFILIATION: Office of Senator José Menéndez

NAME: Erin Schmitz
AFFILIATION: Self

NAME: Zabrina Black
AFFILIATION: Self

NAME: Orlando Lara
AFFILIATION: Self

NAME: Bridget Brame
AFFILIATION: Self

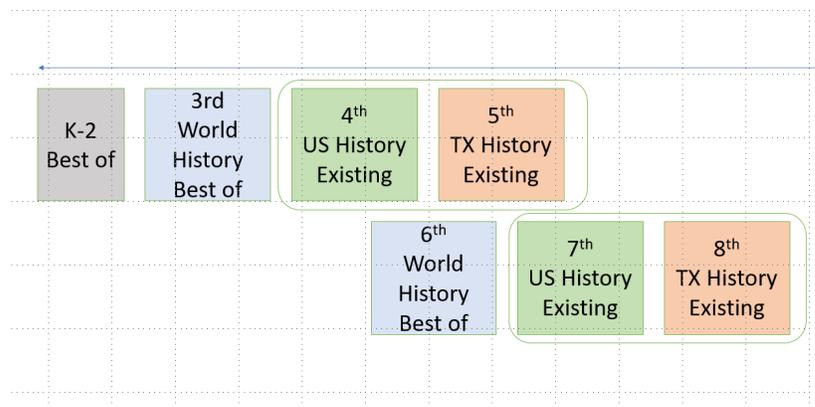
MOTION: *It was moved by Mrs. Little and seconded by Ms. Hardy to recommend that the State Board of Education request that staff bring to the next SBOE meeting a draft that only adds missing Senate Bill (SB) 3 requirements; give staff the latitude to use draft student expectations from the work groups as a starting point in adding student expectations that meet SB 3 requirements; and establish that the SBOE will spend the next couple of years, until 2025, investigating to inform the framework.*

MOTION AND VOTE: *It was moved by Mr. Hickman and seconded by Ms. Pérez to divide the question. The motion failed.*

VOTE: *A vote was taken on the motion to recommend that the State Board of Education request that staff bring to the next SBOE meeting a draft that only adds missing SB 3 requirements; give staff the latitude to use draft student expectations from the work groups as a starting point in adding student expectations that meet SB 3 requirements; and establish that the SBOE will spend the next couple of years, until 2025, investigating to inform the framework. The motion carried.*

(Mr. Allen, Dr. Bell-Metereau, Ms. Davis, Ms. Pérez, and Ms. Perez-Diaz, and Dr. Robinson were absent for the vote.)

MOTION AND VOTE: *It was moved by Mr. Hickman, seconded by Dr. Robinson, and carried to recommend that the State Board of Education use the following framework as a starting point in future consideration of revisions to the K-8 social studies TEKS:*



(Ms. Pérez was absent for the vote.)

MOTION AND VOTE: *It was moved by Ms. Hardy, seconded by Mr. Maynard, and carried to recommend that the State Board of Education take no action on the current Mexican American Studies and African American Studies TEKS and to direct staff to invite interested parties to submit innovative course applications for American Indian/Native Studies and Asian American Studies during the upcoming innovative course application cycle.*

(Ms. Pérez was absent for the vote.)

DISCUSSION ITEM

- 2. Discussion of 19 TAC Chapter 74, Curriculum Requirements, Subchapter C, Other Provisions, §74.33, Additional Requirements for Social Studies Classes for Grades 3 - 12**
(Board agenda page I-3)

Shelly Ramos, senior director, curriculum standards and student support, explained that this item provided the opportunity for the committee to discuss possible amendments to their rules related to Celebrate Freedom Week as they consider possible amendments to the social studies Texas Essential Knowledge and Skills.

Public testimony was provided by the following individuals:

NAME: Jonathan Covey
AFFILIATION: Texas Values

NAME: Julie Pickren
AFFILIATION: Self

NAME: Rick Green
AFFILIATION: Self

NAME: Jackie Besinger
AFFILIATION: Moms for Liberty

ACTION ITEMS

- 3. Proposed Amendment to 19 TAC Chapter 112, Texas Essential Knowledge and Skills for Science, Subchapter C, High School, §112.41, Implementation of Texas Essential Knowledge and Skills for Science, High School, Adopted 2020**
(First Reading and Filing Authorization)
(Board agenda page I-5)
[Consent agenda item #1]

Ms. Ramos explained that this item would change the implementation date from the 2023-24 school year to the 2024-25 school year for the Texas Essential Knowledge and Skills (TEKS) for four high school science courses, Biology, Chemistry, Integrated Physics and Chemistry, and Physics. The change would align the implementation of these TEKS with implementation of revisions to all other science grades and courses and to the call for instructional materials for K-12 science.

MOTION AND VOTE: *It was moved by Mr. Maynard, seconded by Ms. Hardy, and carried unanimously to recommend that the State Board of Education suspend the board operating procedures in accordance with §5.2(a) to allow consideration at first reading and filing authorization; and*

Approve for first reading and filing authorization the proposed amendment to 19 TAC Chapter 112, Texas Essential Knowledge and Skills for Science, Subchapter C, High School, §112.41 Implementation of Texas Essential Knowledge and Skills for Science, High School, Adopted 2020.

4. Proposed Amendment to 19 TAC Chapter 66, State Adoption and Distribution of Instructional Materials, Subchapter C, Local Operations, §66.105, Certification by School Districts (Second Reading and Final Adoption)

(Board agenda page I-9)

[Official agenda item #4]

This item was postponed to the August 31, 2022 Committee of the Full Board meeting.

Dr. Ellis adjourned the meeting at 7:55 p.m.

**Report of the State Board of Education
Committee of the Full Board
Wednesday, August 31, 2022**

The State Board of Education Committee of the Full Board met at 9:05 a.m. on Wednesday, August 31, 2022, in the State Board of Education Room, #1-104, of the William B. Travis Building, 1701 N. Congress Avenue, Austin, Texas. Attendance was noted as follows:

Present: Keven Ellis, chair; Lawrence A. Allen, Jr.; Rebecca Bell-Metereau; Aicha Davis; Patricia Hardy; Will Hickman; Jay Johnson; Pam Little; Tom Maynard; Sue Melton-Malone; Georgina C. Pérez; Marisa B. Perez-Diaz; Matt Robinson; Audrey Young

Absent: Ruben Cortez, Jr.

Public Testimony

The Committee of the Full Board heard public testimony on agenda item #1. Information regarding the individuals who presented public testimony is included in the discussion of that item.

DISCUSSION ITEM

1. Commissioner's Comments
(Board agenda page I-14)

Commissioner Mike Morath provided an overview of the state A-F accountability system and an update on the accountability ratings that were recently released. He also provided an overview of the recently updated list of industry-based certifications that high school students will be able to earn and that districts and charter schools will be able to receive credit for in the accountability system.

Public testimony was provided by the following individuals:

NAME: Mary Lowe
AFFILIATION: Tarrant County Moms for Liberty

NAME: Lynn Davenport
AFFILIATION: Families Engaged for Effective Education

ACTION ITEMS

2. **Decision on the Percentage Distribution of the Permanent School Fund for Fiscal Years 2024 and 2025 and Related Fund Transfers**

(Board agenda page I-15)

[Consent agenda item #2]

Holland Timmins, chief investment officer and executive administrator, noted several factors that suggest a lower distribution rate in the coming FY 2024-2025 biennium than in the current FY 2022-2023 biennium and stated that both staff and NEPC recommendations are similar.

Mark Shewmaker, fixed income portfolio manager and managing director of special projects, presented the permanent school fund (PSF) staff recommendation. He addressed the factors considered in determining an appropriate distribution rate for the PSF that preserves intergenerational equity. The staff recommendation was for the board to adopt a range for the distribution rate of between 2.66% and 3.32% for fiscal years 2024 and 2025, respectively. Mr. Shewmaker added that the high end of the range is projected to allow the State Board of Education to distribute an amount similar to what is currently distributed.

Keith Stronkowsky, senior consultant, NEPC, discussed the factors NEPC used to make its recommendation, explaining the slight differences between staff and NEPC in the variables. NEPC's recommendation was for a distribution rate range between 2.71% and 3.30% for fiscal years 2024 and 2025.

MOTION AND VOTE: *It was moved by Mr. Maynard, seconded Ms. Perez-Diaz, and carried unanimously to recommend that the State Board of Education adopt a distribution rate of 3.32% for fiscal years 2024 and 2025.*

(Dr. Bell-Metereau, Dr. Robinson, and Ms. Davis were absent for the vote.)

3. **Proposed Amendment to 19 TAC Chapter 66, State Adoption and Distribution of Instructional Materials, Subchapter C, Local Operations, §66.105, Certification by School Districts (Second Reading and Final Adoption)**

(Board agenda page I-9)

[Official agenda item #4]

This item was postponed from the August 30, 2022, agenda.

Amie Phillips, director, instructional materials review, open education resources division, explained that two public comments were received for this rule item, but that the comments were not related to this rule item. Ms. Phillips also explained that there are no recommended changes to this rule item since it was approved for first reading.

MOTION AND VOTE: *It was moved by Mrs. Melton-Malone, seconded by Mr. Hickman, and carried to recommend that the State Board of Education approve for second reading and final adoption the proposed amendment to 19 TAC Chapter 66, State Adoption and Distribution of Instructional Materials, Subchapter C, Local Operations, §66.105, Certification by School Districts; and*

Make an affirmative finding that immediate adoption of the proposed amendment to 19 TAC Chapter 66, State Adoption and Distribution of Instructional Materials, Subchapter C, Local Operations, §66.105, Certification by School Districts, is necessary and shall have an effective date of 20 days after filing as adopted with the Texas Register.

(Ms. Davis, Mr. Maynard, Ms. Pérez, and Dr. Young were absent for the vote.)

4. Amendments to Proclamation 2024 of the State Board of Education Advertising for Bids on Instructional Materials

(Board agenda page I-17)
[Official agenda item #5]

Ms. Phillips explained that proposed changes included moving deadlines for publishers to provide the preliminary and final correlations, pre-adoption samples, and related deliverables to allow additional time for staff to complete breakouts and Spanish translations of the essential knowledge and skills.

MOTION AND VOTE: *It was moved by Mrs. Melton-Malone, seconded by Ms. Hardy, and carried unanimously to recommend that the State Board of Education approve amendments to the schedule of adoption procedures in Proclamation 2024 of the State Board of Education Advertising for Bids for Instructional Materials.*

(Ms. Davis and Mr. Maynard were absent for the vote.)

5. Approval of Proclamation 2024 Questions and Answers

(Board agenda page I-18)
[Official agenda item #6]

Ms. Phillips provided explanations for new questions that were received and proposed answers related to *Proclamation 2024*.

MOTION AND VOTE: *It was moved by Mrs. Little, seconded by Ms. Hardy, and carried unanimously to recommend that the State Board of Education approve Proclamation 2024 Questions and Answers.*

(Ms. Davis and Mr. Maynard were absent for the vote.)

6. Ratification of Texas Essential Knowledge and Skills Coverage in Materials Selected for the Texas Resource Review

(Board agenda page I-19)
[Official agenda item #7]

Ms. Phillips provided Texas Essential Knowledge and Skills (TEKS) alignment reports from the state review panels for K–3 English and Spanish phonics instructional materials selected for the Texas Resource Review.

MOTION AND VOTE: *It was moved by Mr. Hickman, seconded by Ms. Hardy, and carried to recommend that the State Board of Education ratify the report of the commissioner of education regarding TEKS alignment in instructional materials selected for the Texas Resource Review.*

(Ms. Davis and Mr. Maynard were absent for the vote.)

7. Approval of Long-Range Plan for Technology

(Board agenda page I-20)

[Official agenda item #8]

Julia Schacherl, director of strategic projects, office of information technology, outlined sections to be expanded in the plan and explained that feedback received from the board was incorporated into the draft.

MOTION AND VOTE: *It was moved by Dr. Robinson, seconded by Mrs. Little, and carried to recommend that the State Board of Education approve the updated Revised and Extended Long-Range Plan for Technology 2018-2025.*

(Ms. Davis and Mr. Maynard were absent for the vote.)

DISCUSSION ITEM

8. Discussion of Pending Litigation

(Board agenda page I-21)

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

Dr. Ellis adjourned the meeting at 12:18 p.m.

**Report of the State Board of Education
Committee on Instruction
Thursday, September 1, 2022**

The State Board of Education Committee on Instruction met at 9:00 a.m. on Thursday, September 1, 2022, in Room #1-100 of the William B. Travis Building, 1701 N. Congress Avenue, Austin, Texas. Attendance was noted as follows:

Present: Sue Melton-Malone, chair; Rebecca Bell-Metereau; Pam Little; Georgina C. Pérez; Audrey Young, vice-chair

Non-Committee Members Present: Will Hickman

Public Testimony

The Committee on Instruction heard public testimony on agenda item #3. Information regarding the individual who presented public testimony is included in the discussion of that item.

The Committee on Instruction considered items in the following order: Item number 5, 1, 2, 3, 4.

ACTION ITEMS

- 1. One-Time Procedural Action to Correct the Effective Date of Proposed Repeal of 19 TAC Chapter 127, Texas Essential Knowledge and Skills for Career Development and Career and Technical Education, Subchapter O, Science, Technology, Engineering, and Mathematics, §127.761 and §127.764**
(Board agenda page II-1)
[Consent agenda item #3]

Jessica Snyder, director, special projects, explained that this one-time procedural action would correct an error in the effective date for the repeal of two career and technical education courses, Fundamentals of Computer Science and Computer Science III. The procedural action would allow the repeal to take effect at the same time the new TEKS for the two courses are implemented.

MOTION AND VOTE: *It was moved by Dr. Young, seconded by Mrs. Little, and carried unanimously to recommend that the State Board of Education amend the motion from the June 17, 2022 minutes of the State Board of Education to specify an August 1, 2023 effective date for the proposed repeal of 19 TAC §127.761, Fundamentals of Computer Science (One Credit), and §127.764, Computer Science III (One Credit).*

2. Proposed Amendment to 19 TAC Chapter 74, Curriculum Requirements, Subchapter C, Other Provisions, §74.27, Innovative Courses and Programs (First Reading and Filing Authorization)

(Board agenda page II-3)
[Official agenda item #9]

Ms. Snyder explained that this item, which came at the request of committee members, would update the rule to require applicants for innovative courses to pilot a course in at least one Texas school prior to seeking new innovative course approval.

MOTION: *It was moved by Dr. Young and seconded by Ms. Pérez to recommend that the State Board of Education suspend the board operating procedures in accordance with §5.2(a) to allow for consideration at first reading and filing authorization; and*

approve for first reading and filing authorization the proposed amendment to 19 TAC Chapter 74, Curriculum Requirements, Subchapter C, Other Provisions, §74.27, Innovative Courses and Programs.

MOTION AND VOTE: *It was moved by Dr. Young, seconded by Mrs. Little, and carried unanimously to recommend that the State Board of Education amend §74.27(a)(6) to read:*

“To request approval of a new innovative course, the applying school district or organization must submit with its request for approval evidence that the course has been successfully piloted in its entirety in at least one school in the state of Texas.”

MOTION AND VOTE: *It was moved by Ms. Pérez, seconded by Mrs. Little, and carried unanimously to recommend that the State Board of Education amend §74.27(a)(4)(C) to read:*

“data that demonstrates successful piloting of the course in Texas.”

VOTE: *A vote was taken on the motion to recommend that the State Board of Education suspend the board operating procedures in accordance with §5.2(a) to allow for consideration at first reading and filing authorization; and*

approve for first reading and filing authorization the proposed amendment to 19 TAC Chapter 74, Curriculum Requirements, Subchapter C, Other Provisions, §74.27, Innovative Courses and Programs, as amended. The motion carried unanimously.

3. Approval of Updates and Substitutions to Adopted Instructional Materials

(Board agenda page II-7)
[Consent agenda item #4]

Public testimony was provided by the following individual:

NAME: Lori Kuykendall
AFFILIATION: Beacon Health Education Resources

Amie Phillips, director, instructional materials review, open education resources division, explained that Learning A–Z is requesting approval to update digital content in its adopted product, *Raz Plus ELL Texas Edition*, grades 2–5, and that Goodheart-Wilcox is requesting to update content in its

recently adopted products, *Texas Health Skills for Middle School* and *Companion Text to Accompany Texas Health Skills for Middle School*, grades 6–8, and *Texas Health Skills for High School* and *Companion Text to Accompany Texas Health Skills for High School*. She explained that staff reviewed the requested changes and determined that the updated material addresses the TEKS in a manner equivalent to the original content.

MOTION AND VOTE: *It was moved by Dr. Young, seconded by Ms. Pérez, and carried unanimously to recommend that the State Board of Education approve the request from Learning A–Z to update content in its product, Raz Plus ELL Texas Edition, grades 2–5, adopted under Proclamation 2019, and the request from Goodheart-Wilcox to update content in its products, Texas Health Skills for Middle School and Companion Text to Accompany Texas Health Skills for Middle School, grades 6–8, and Texas Health Skills for High School and Companion Text to Accompany Texas Health Skills for High School, adopted under Proclamation 2022.*

DISCUSSION ITEMS

- 4. Discussion of Proposed New 19 TAC Chapter 111, Texas Essential Knowledge and Skills for Mathematics, Subchapter D, Other High School Mathematics Courses, §111.56, Advanced Placement Precalculus**
(Board agenda page II-9)

Ms. Snyder explained that this item provided an opportunity for the committee to discuss the addition of Texas Essential Knowledge and Skills for a new Advanced Placement (AP) Precalculus course to align with current offerings from the College Board. The committee requested that staff bring proposed rules for the new AP course to a future meeting for the board’s consideration.

- 5. Discussion of Proposed Revisions to 19 TAC Chapter 127, Texas Essential Knowledge and Skills for Career Development and Career and Technical Education, Subchapter A, Middle School**
(Board agenda page II-10)

Mr. Hickman explained that school districts are required to ensure that at least once in Grade 7 or 8 each student receives instruction in high school, college, and career preparation. Currently, school districts are permitted to provide the required instruction through an existing career and technical education (CTE) course, as part of an existing course in the required curriculum, or through a new locally developed elective course.

Mr. Hickman further explained that an ad hoc committee of board members has drafted a proposal for Texas Essential Knowledge and Skills for a new CTE course called Flight Plans that could replace the two existing middle school career exploration courses.

The meeting of the Committee on Instruction adjourned at 10:02 a.m.

**Report of the State Board of Education
Committee on School Finance/Permanent School Fund
Thursday, September 1, 2022**

The State Board of Education Committee on School Finance/Permanent School Fund met at 11:09 a.m. on Thursday, September 1, 2022, in the State Board of Education Room, Room #1-104 of the William B. Travis Building, 1701 N. Congress Avenue, Austin, Texas. Attendance was noted as follows:

Present: Tom Maynard, chair; Lawrence A. Allen, Jr., vice chair; Keven Ellis; Patricia Hardy; Marisa B. Perez-Diaz

Public Testimony

The Committee on School Finance/Permanent School Fund received no presentations of public testimony.

DISCUSSION ITEMS

- 1. Discussion of Proposed Repeal of 19 TAC Chapter 129, Subchapter A, Student Attendance Allowed, and Subchapter B, Student Attendance Accounting**
(Board agenda page III-1)

David Marx, senior director, financial compliance division, explained that the proposed repeal would implement changes required by House Bill 3, 86th Texas Legislature, 2019, which removed the State Board of Education's (SBOE) rulemaking authority related to student attendance.

- 2. Per Capita Apportionment Rate for the 2022-2023 School Year**
(Board agenda page III-4)

Amy Copeland, interim associate commissioner, department of school finance, explained the background of the per capita apportionment rate and provided additional information about the rate. Ms. Copeland stated that the preliminary 2022–2023 per capita apportionment rate is set at \$629.518.

ACTION ITEMS

- 3. Report on Permanent School Fund Securities Transactions and the Investment Portfolio and Ratification of Purchases and Sales for the Months of May and June 2022**
(Board agenda page III-5)
[Consent agenda item #5]

David Trice, senior managing director of investment finance and operations, provided a summary on the status of the Permanent School Fund (PSF) portfolio. Reports presented to the committee were for the reporting period May 1, 2022, through June 30, 2022, unless otherwise noted. Mr. Trice's report included reporting on the current fair market value of the PSF; the asset allocation mix as of June 30, 2022; PSF transaction activity occurring in the reporting period; revenues and expenditures for the fiscal period beginning September 1, 2021, through June 30, 2022; the activity in the securities lending

program for the fiscal period beginning September 1, 2021, through June 30, 2022; the status of transfers from the General Land Office (GLO) through June 30, 2022; current status of the Bond Guarantee Program and the available capacity in the program; broker commissions on both the internal and external equity portfolios and the internal commodities portfolio for the calendar year to date period January 1, 2022, through June 30, 2022; fixed income rating changes for the fiscal period September 1, 2021, through June 30, 2022; short-term cash investments; and ratification of purchases and sales from May 1, 2022, through June 30, 2022.

MOTION AND VOTE: *Based on the information provided by staff and the recommendation of the executive administrator and chief investment officer and the commissioner of education, the committee recommended by unanimous consent that the State Board of Education ratify the purchases and sales for the months of May 2022 and June 2022, in the amounts of \$1,242,364,268 and \$1,640,216,450, respectively (Attachment A).*

4. Report on Permanent School Fund Liquid Account and Ratification of Purchases and Sales for the Months of May and June 2022

(Board agenda page III-6)
[Consent agenda item #6]

Mr. Trice provided a summary on the status of the PSF Liquid Account. Reports presented to the committee were for the reporting period May 1, 2022, through June 30, 2022. Mr. Trice's report included reporting on the current fair market value of the Liquid Account; the asset allocation mix as of June 30, 2022; transfer activity between the GLO and the Liquid Account; cumulative Income and Realized Gains transferred to the SBOE from the Liquid Account as of June 30, 2022; transactions occurring in the reporting period; broker commissions on equity portfolios for the calendar year to date period January 1, 2022, through June 30, 2022; and ratification of the cumulative Purchases and Sales of the Liquid Account from May 1, 2022, through June 30, 2022.

MOTION AND VOTE: *Based on the information provided by staff and the recommendation of the executive administrator and chief investment officer and the commissioner of education, the committee recommended by unanimous consent that the State Board of Education ratify the purchases and sales of the Permanent School Fund Liquid Account for the period May 1, 2022, through June 30, 2022, in the amounts of \$340,056,233 and \$25,032,133, respectively (Attachment B).*

DISCUSSION ITEM

5. Second Quarter 2022 Permanent School Fund Performance Report

(Board agenda page III-7)

Mike Maher, vice president of BNY Mellon Global and Risk Solutions, presented the second quarter of 2022 PSF performance report. Mr. Maher began with an overview of the U.S and foreign capital markets. Mr. Maher then reviewed the performance of the PSF for the second quarter of 2022. He stated that the PSF returned -6.86% net of fees for the second quarter, outperforming the target benchmark by 10 basis points. Mr. Maher attributed most of the outperformance to Absolute Return and Non-core Real Estate.

Mr. Maher then reviewed the second quarter 2022 performance of the PSF by asset class, stating that the total domestic large cap equity composite returned -16.11%, underperforming its benchmark for the quarter by one basis point. Mr. Maher added that Small/Midcap Equity portfolio returned -15.04%

in the quarter, underperforming its benchmark by two basis point. He added that international equities returned -13.78% for the quarter, underperforming its benchmark by five basis points for the period.

The fixed income portfolio returned -6.35% for the quarter, underperforming its benchmark by 19 basis points. Mr. Maher added that high yield returned -10.11% during the quarter, underperforming its benchmark by 27 basis points. Mr. Maher stated that the Absolute Return composite returned -1.50% for the quarter, outperforming its benchmark, the HFRI Fund of Funds Composite Index, by 255 points. Mr. Maher added that the Real Estate composite returned 6.21% for the quarter, outperforming its benchmark by 136 basis points. He further stated that the Real Return Asset class returned -6.03% for the quarter, underperforming its benchmark by 10 basis point. He added that Emerging Market Debt returned -8.15% for the quarter, outperforming its benchmark by 48 basis points. Mr. Maher stated that private equity returned -1.56% for the quarter, underperforming its benchmark by 101 basis points. He stated that the total emerging market equity composite returned -11.80% for the second quarter 2022, underperforming its benchmark by 35 basis points. Finally, Mr. Maher stated that the total emerging manager composite returned -24.84% for the quarter, underperforming the benchmark by 94 basis points.

ACTION ITEM

6. Determination Regarding Whether Transfers May be Made from the Permanent School Fund to the Available School Fund

(Board agenda page III-8)

[Consent agenda item #7]

Carlos Veintemillas, deputy chief investment officer and director of fixed income, gave a presentation describing the two constitutional limits on distributions from the PSF. The two tests require that an annual distribution cannot be greater than six percent of the value of the Fund assets and the total amount of distributions from the current and previous nine state fiscal years cannot exceed the total return on the Fund assets over the same period. Mr. Veintemillas stated that both tests were satisfied, allowing for a distribution from the PSF to the Available School Fund for fiscal year 2023.

Mr. Veintemillas stated that Rhett Humphreys, partner, NEPC, LLC, and Keith Stronkowski, senior consultant, NEPC, LLC, agreed with PSF staff recommendations.

MOTION AND VOTE: *By unanimous consent, the committee recommended that the State Board of Education approve a distribution to the Available School Fund of approximately \$1.731 billion for fiscal year 2023.*

DISCUSSION ITEMS

7. Discussion of 19 TAC Chapter 33, Statement of Investment Objectives, Policies, and Guidelines of the Texas Permanent School Fund, Subchapter A, State Board of Education Rules

(Board agenda page III-9)

John Wright, PSF general counsel, gave a presentation on the proposed changes to the 19 TAC Chapter 33 administrative rules to include detail on the restructure of rules into subchapters. He explained that the rules would be identified for one of three actions: repeal, retention in existing Subchapters A and AA, or transfer to a new Subchapter B. Mr. Wright reported that draft language for the proposed amendments would be presented at the November board meeting.

8. Report of the Permanent School Fund Executive Administrator and Chief Investment Officer
(Board agenda page III-58)

Holland Timmins, chief investment officer and executive administrator, provided a brief history and overview of the federal bond guarantee capacity limits, the pace at which the amount of bonds guaranteed through the Texas PSF's Bond Guarantee Program (BGP) is rapidly approaching these limits, and the surge in demand for BGP guarantees.

Mr. Timmins called on representatives from DLA Piper, tax legal counsel retained by the board to address the regulatory constraints, to provide an update on efforts to increase the bond guarantee program capacity.

The meeting of the Committee on School Finance/Permanent School Fund adjourned at 1:10 p.m.

**TEXAS PERMANENT SCHOOL FUND
SUMMARY OF TRANSACTIONS FOR APPROVAL
(Including External Manager's Trades)
For May 1, 2022 through June 30, 2022**

Purchases/Capital Calls:

Long Term Fixed Income	\$ 608,998,056
Public Market Equities	258,336,543
Alternative Investments	<u>375,029,669</u>
 TOTAL	 <u><u>\$ 1,242,364,268</u></u>

Sales/Distributions:

Long Term Fixed Income	\$ 251,323,513
Public Market Equities	776,543,026
Alternative Investments	<u>612,349,912</u>
 TOTAL	 <u><u>\$ 1,640,216,450</u></u>

General Land Office Contributions:

FY 2021 Cumulative June 2021	FY 2022 Cumulative June 2022
\$33,750,000	\$0

Based on the above information provided by staff including a report that deposits to the Permanent School Fund from the General Land Office were \$33,750,000 through June 2021 for fiscal year 2021 versus \$0 through June 2022 for fiscal year 2022, and the recommendation of the Executive Administrator and Chief Investment Officer and the Commissioner of Education; it is moved by unanimous consent that the Committee on School Finance/Permanent School Fund ratify for the months of May 2022 through June 2022 Permanent School Fund portfolio purchases of \$1,242,364,268 and sales of \$1,640,216,450.

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**TEXAS PERMANENT SCHOOL FUND
SUMMARY OF TRANSACTIONS FOR APPROVAL
FOR PSF LIQUID ACCOUNTS
For May 1, 2022 through June 30, 2022**

<u>Purchases:</u>		
	Fixed Income	\$ 63,306,816
	Public Market Equities	<u>276,749,417</u>
	 TOTAL	 <u><u>\$ 340,056,233</u></u>
 <u>Sales:</u>		
	Fixed Income	\$ -
	Public Market Equities	<u>25,032,133</u>
	 TOTAL	 <u><u>\$ 25,032,133</u></u>

Based on the above information provided by staff and the recommendation of the Executive Administrator and Chief Investment officer and the Commissioner of Education: It is moved by unanimous consent that the Committee on School Finance/Permanent School Fund ratify for the period May 1, 2022 through June 30, 2022 Permanent School Fund Liquid Account purchases of \$340,056,233 and sales of \$25,032,133.

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**Report of the State Board of Education
Committee on School Initiatives
Thursday, September 1, 2022**

The State Board of Education Committee on School Initiatives met at 9:09 a.m. on Thursday, September 1, 2022, in Room, #1-111, of the William B. Travis Building, 1701 N. Congress Avenue, Austin, Texas. Attendance was noted as follows:

Present: Matt Robinson, chair; Will Hickman; Jay Johnson

Absent: Aicha Davis, vice chair; Ruben Cortez, Jr.

Public Testimony

The Committee on School Initiatives heard public testimony on agenda items #4 and #5. Information regarding the individuals who presented public testimony is included in the discussion of that item.

ACTION ITEMS

- 1. Recommendation for Reappointment to the Boys Ranch Independent School District (ISD) Board of Trustees**
(Board agenda page IV-1)
[Consent agenda item #8]

Christopher Lucas, director, policy, planning, and operations, explained that the term of one member of the board of trustees of Boys Ranch Independent School District (ISD) is expiring. Mr. Richard Nedelkoff, president and chief executive officer of Boys Ranch ISD, has recommended that Mr. Mark Strother be reappointed for a two-year term.

MOTION AND VOTE: *It was moved by Dr. Johnson, seconded by Mr. Hickman, and carried unanimously to recommend that the State Board of Education, based on Mr. Richard Nedelkoff's recommendation, approve the reappointment of Mr. Mark Strother to serve a two-year term of office, from September 2, 2022, to September 1, 2024, on the Boys Ranch ISD Board of Trustees.*

2. Recommendation for Reappointments to the Lackland Independent School District (ISD) Board of Trustees

(Board agenda page IV-7)
[Consent agenda item #9]

Mr. Lucas explained that the term of two members of the board of trustees of Lackland ISD are expiring. Colonel Shane R. Cuéllar, United States Air Force, Commander of the 502d Force Support Group, has recommended that Mr. Brian Miller and Ms. Sandra H. Wellman be reappointed for two-year terms.

MOTION AND VOTE: *It was moved by Mr. Hickman, seconded by Dr. Johnson, and carried unanimously to recommend that the State Board of Education, based on Colonel Shane R. Cuéllar's recommendation, approve the reappointments of Mr. Brian Miller and Ms. Sandra H. Wellman to serve two-year terms of office from September 2, 2022, to September 1, 2024, on the Lackland ISD Board of Trustees.*

3. Recommendation for Reappointment to the Randolph Field Independent School District (ISD) Board of Trustees

(Board agenda page IV-15)
[Consent agenda item #10]

Mr. Lucas explained that the term of one member of the board of trustees of Randolph Field ISD is expiring. Colonel Shane R. Cuéllar, United States Air Force, Commander of the 502d Force Support Group, has recommended that Mrs. Glenda Solomon be reappointed a two-year term.

MOTION AND VOTE: *It was moved by Dr. Johnson, seconded by Mr. Hickman, and carried unanimously to recommend that the State Board of Education, based on Colonel Shane R. Cuéllar's recommendation, approve the reappointment of Mrs. Glenda Solomon to serve a two-year term of office from September 2, 2022, to September 1, 2024, on the Randolph Field ISD Board of Trustees.*

DISCUSSION ITEM

4. Open-Enrollment Charter School Generation 28 Application Updates

(Board agenda page IV-22)

Marian Schutte, director, charter school authorizing division, presented information on the Generation 28 Open-Enrollment Charter Application cycle, content, improvements, and timeline.

Public testimony was provided by the following individual:

NAME: Ellen Williams
AFFILIATION: Texas Association of School Administrators and Texas Association of School Boards

ACTION ITEMS

5. **Review of Proposed Amendment to 19 TAC Chapter 230, Professional Educator Preparation and Certification, Subchapter E, Educational Aide Certificate, §230.55, Certification Requirements for Educational Aide I**

(Board agenda page IV-23)

[Official agenda item #10]

Marilyn Cook, director, educator certification, explained that the proposed amendment would update requirements for issuance of the Educational Aide I certificate to high school students who qualify for industry-based certification. The proposed amendment would also provide technical cross-reference and SBOE action updates.

Public testimony was provided by the following individual:

NAME: Kelsey Kling

AFFILIATION: Texas American Federation of Teachers

MOTION AND VOTE: *It was moved by Mr. Hickman, seconded by Dr. Johnson, and carried unanimously to recommend that the State Board of Education take no action on the proposed amendment to 19 TAC Chapter 230, Professional Educator Preparation and Certification, Subchapter E, Educational Aide Certificate, §230.55, Certification Requirements for Educational Aide I.*

6. **Review of Proposed Amendment to 19 TAC Chapter 232, General Certification Provisions, Subchapter A, Certificate Renewal and Continuing Professional Education Requirements, §232.7, Requirements for Certificate Renewal**

(Board agenda page IV-27)

[Official agenda item #11]

Laura Moriaty, director, State Board for Educator Certification (SBEC) enforcement, explained that the proposed amendment would require that to renew an educator's certificate, the educator must be in compliance with the terms of any SBEC order resulting from an educator discipline case against the educator. This requirement would allow the SBEC to enforce its disciplinary orders more efficiently and consistently, particularly when the order requires an educator to take training or continuing education but does not suspend the educator's certificate.

MOTION AND VOTE: *It was moved by Dr. Robinson, seconded by Dr. Johnson, and carried unanimously to recommend that the State Board of Education take no action on the proposed amendment to 19 TAC Chapter 232, General Certification Provisions, Subchapter A, Certificate Renewal and Continuing Professional Education Requirements, §232.7, Requirements for Certificate Renewal.*

The meeting of the Committee on School Initiatives adjourned at 9:34 a.m.

**Report of the State Board of Education
Committee of the Full Board
Monday, September 26, 2022**

The State Board of Education Committee of the Full Board met at 8:23 a.m. on Monday, September 26, 2022, in the State Board of Education Room, #1-104, of the William B. Travis Building, 1701 N. Congress Avenue, Austin, Texas. Attendance was noted as follows:

Present: Keven Ellis, chair; Lawrence A. Allen, Jr.; Rebecca Bell-Metereau; Ruben Cortez, Jr. (virtual); Aicha Davis; Patricia Hardy; Will Hickman; Jay Johnson; Pam Little; Georgina C. Pérez; Marisa B. Perez-Diaz (virtual); Audrey Young

Absent: Tom Maynard; Sue Melton-Malone; Matt Robinson

Public Testimony

The Committee of the Full Board heard public testimony on agenda item #1. Information regarding the individuals who presented public testimony is included in the discussion of that item.

DISCUSSION ITEM

- 1. Public Hearing on Proposed Amendments to 19 TAC Chapter 113, Texas Essential Knowledge and Skills for Social Studies, Subchapter A, Elementary, Subchapter B, Middle School, and Subchapter C, High School**
(Board agenda page I-1)

Public testimony was provided by the following individuals:

NAME: Jackie Besinger
AFFILIATION: Moms for Liberty – Texas

NAME: Shirley Mount
AFFILIATION: Self

NAME: Jacob Solomon
AFFILIATION: Self

NAME: Alex Harris
AFFILIATION: Self

NAME: Jonathan Covey
AFFILIATION: Texas Values

NAME: Nancy Lusby
AFFILIATION: Self

NAME: Ralph Lusby
AFFILIATION: Self

NAME: Michelle Castillo
AFFILIATION: Children's Defense Fund – Texas

NAME: Evelyn Brooks
AFFILIATION: Self

NAME: Emerald Belmaez
AFFILIATION: Texas Freedom Network

NAME: Emilio Zamora
AFFILIATION: Academia Cuauhtli

NAME: Angela Valenzuela
AFFILIATION: Education Policy – University of Texas at Austin

NAME: Tez Figueroa
AFFILIATION: Out Youth

NAME: Rajesh Verma
AFFILIATION: Self

ACTION ITEM

2. **Proposed Amendments to 19 TAC Chapter 113, Texas Essential Knowledge and Skills for Social Studies, Subchapter A, Elementary, Subchapter B, Middle School, and Subchapter C, High School (First Reading and Filing Authorization)**
(Board agenda page I-3)

The Committee of the Full Board did not take action on this item.

Dr. Ellis adjourned the meeting at 12:37 p.m.

