

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.]~~
- (2) ~~(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.
- (3) ~~(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 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.
- (4) ~~(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.
- (5) ~~(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.
- ~~(6) The requirements of paragraphs (3)(C) and (5) of this subsection do not apply to the consideration of a course developed to support a program of study in career and technical education.~~
- ~~(7) Newly approved innovative courses shall be approved for a period of three years, and courses approved for renewal shall be approved for a period of five years.~~
- (8) ~~(7)~~ With the approval of the local board of trustees, a school district may offer, without changes or deletions to content ~~[modifications]~~, any state-approved innovative course.
- (9) Texas Education Agency shall review all approved innovative courses once every two years and provide for consideration for sunset a list of innovative courses that meet the following criteria:

- (A) approved as an innovative course for at least three years;
- (B) two consecutive years of zero enrollment;
- (C) average enrollment of less than 100 students statewide;
- (D) available at an average of fewer than 20 districts or charter schools statewide;
- (E) duplicative of another innovative or TEKS-based course; or
- (F) approved for implementation as a TEKS-based course.

(b) An ethnic studies course that has been approved by the SBOE [~~commissioner~~] as an innovative course shall be considered by [~~presented to~~] the SBOE at a subsequent meeting [~~for discussion and consideration~~] for inclusion in the TEKS.

- (1) Only comprehensive ethnic studies courses in Native American studies, Latino studies, African American studies, and/or Asian Pacific Islander studies, inclusive of history, government, economics, civic engagement, culture, and science and technology, shall be considered by [~~presented to~~] the SBOE [~~for consideration~~].
- (2) The chair of the Committee on Instruction, in accordance with SBOE Operating Rule 2.5(b), shall collaborate with the board chair to place the item on the next available Committee on Instruction agenda following SBOE [~~commissioner~~] approval of the innovative course.