



AGENDA

State Board of Education

January 31, 2025

STATE BOARD OF EDUCATION

(January 2025)

(State Board for Career and Technology Education)

AARON KINSEY, Midland
Chair of the State Board of Education
District 15

TBD
Vice Chair of the State Board of Education
District

TBD
Secretary of the State Board of Education
District

Board Members

GUSTAVO REVELES, El Paso
District 1

AUDREY YOUNG, Trinity
District 8

LJ FRANCIS, Corpus Christi
District 2

KEVEN ELLIS, Lufkin
District 9

MARISA PEREZ-DIAZ, San Antonio
District 3

TOM MAYNARD, Florence
District 10

STACI CHILDS, Houston
District 4

BRANDON HALL, Aledo
District 11

REBECCA BELL-METEREAU
San Marcos, District 5

PAM LITTLE, Fairview
District 12

WILL HICKMAN, Houston
District 6

TIFFANY CLARK, DeSoto
District 13

JULIE PICKREN, Pearland
District 7

EVELYN BROOKS, Frisco
District 14

Committees of the State Board of Education
(January 2025)

INSTRUCTION

Audrey Young
Evelyn Brooks
Tiffany Clark
Pam Little
Gustavo Reveles

SCHOOL FINANCE/PERMANENT SCHOOL FUND

Tom Maynard
Keven Ellis
Brandon Hall
Aaron Kinsey
Marisa Perez-Diaz

SCHOOL INITIATIVES

Will Hickman
Rebecca Bell-Metereau
Staci Childs
LJ Francis
Julie Pickren

January 31, 2025

State Board of Education
Austin, Texas

I certify that this is the official agenda of the State Board of Education for its meeting on January 28-31, 2025. 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 'M. Morath', with a long horizontal stroke extending to the right.

Mike Morath
Commissioner of Education

This page has been intentionally left blank.

SCHEDULE AND AGENDAS

Committees and Board
State Board of Education, Austin, Texas

Meeting Times January 28-31, 2025	
<u>Tuesday, January 28, 2025</u>	
11:00 a.m.	General Meeting (Room 2.035)
Committee of the Full Board (Room 2.035)	
Meeting will start at 1:00 pm or upon adjournment of the General Meeting.	
<u>Wednesday, January 29, 2025</u>	
9:00 a.m.	Committee of the Full Board (Room 2.035)
<u>Thursday, January 30, 2025</u>	
9:00 a.m.	Committee on Instruction (Room 2.029)
9:00 a.m.	Committee on School Finance/Permanent School Fund (Room 2.035)
9:00 a.m.	Committee on School Initiatives (Room 2.013)
<u>Friday, January 31, 2025</u>	
9:00 a.m.	General Meeting (Room 2.035)

If the General Meeting does not finish on Tuesday, it will resume its meeting on Wednesday. If the Committee of the Full Board does not complete its agenda Tuesday, it will resume its meeting on Wednesday, Thursday, or Friday. 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 agenda 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.

Current State Board of Education (SBOE) Operating Rules, §1.2, Committees of the Board, establish the standing committees of the SBOE as the Committee on Instruction, the Committee on School Finance/Permanent School Fund, and the Committee on School Initiatives.

Pursuant to the provisions of the Texas Education Code, §7.107, at the board’s first regular meeting after the election and qualification of new members, the board shall organize and adopt rules of procedure. Adoption of SBOE Operating Rules may change the existing standing committees. However, due to deadlines for posting notices of open meetings with the *Texas Register*, it is necessary for the existing standing committees of the SBOE to meet during the January 28-31, 2025 board meeting.

If the SBOE elects to retain the existing committee structure, newly-selected members of the Committee on Instruction, the Committee on School Finance/Permanent School Fund, and the Committee on School Initiatives will meet and will have the opportunity to elect new committee chairs.	If the SBOE elects to revise the committee structure, the prior standing committees of the SBOE must meet during this first meeting because of <i>Texas Register</i> requirements. New members of the SBOE would serve on the prior committees of former members who represented the districts to which the new members were elected. Election of new committee chairs would take place at the scheduled 2025 SBOE meeting as the first item of business on each standing committee schedule.
--	---

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://sboe.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.

OFFICIAL AGENDA

**STATE BOARD OF EDUCATION
AUSTIN, TEXAS**

**TUESDAY
January 28, 2025
11:00 a.m.**

**Barbara Jordan Building, Room 2.035
1601 N. Congress Avenue**

Invocation

Pledge of Allegiance

Roll Call

- 1. Swearing-in Ceremony for Members of the State Board of Education** **SBOE – ACTION**
(Board agenda page SBOE-1)

Oaths of office will be administered to the newly elected State Board of Education (SBOE) members during a ceremony. Statutory authority is the Texas Education Code (TEC), §7.107(b).

- 2. Review and Adoption of State Board of Education Operating Rules** **SBOE – ACTION**
(Board agenda page SBOE-2)

Pursuant to the provisions of the Texas Education Code (TEC), §7.107(b), at the first regular meeting after the election and qualification of new members, the board shall adopt rules of procedure. This item provides an opportunity for the board to review existing operating rules to determine if changes and revisions are needed.

- 3. Election of State Board of Education Officers** **SBOE – ACTION**
(Board agenda page SBOE-29)

Pursuant to the provisions of the Texas Education Code (TEC), §7.107(b), at the first regular meeting after the election and qualification of new State Board of Education (SBOE) members, the board shall elect by separate votes, a vice chair and a secretary. The current operating rules establish the terms of office for the vice chair and secretary of the board as two years and until their successors are elected.

GENERAL MEETING (continued)

**4. Announcement of Membership of Committees
(Board agenda page SBOE-30)**

SBOE – ACTION

Pursuant to the provisions of the Texas Education Code (TEC), §7.107, at the board's first regular meeting after the election and qualification of new members, the board shall organize. This item provides the opportunity for the chair to announce appointments to the committees of the State Board of Education (SBOE).

TUESDAY
January 28, 2025
1:00 p.m. or upon adjournment of the General Meeting

COMMITTEE OF THE FULL BOARD – Room 2.035 (Barbara Jordan Bldg.)

Public testimony – Individual testimony will be taken at the time the related item comes up for committee discussion or action. The procedures for public testimony at State Board of Education committee meetings and general board meetings are provided in SBOE [Operating Rules](#) or in the information section of the agenda.

- 1. Instructional Materials Review and Approval Cycle 2024 Update**
([Board agenda page I-1](#))

COMMITTEE - ACTION
SBOE - ACTION

This item provides an opportunity for staff to present to the board update of after-action review on the inaugural Instructional Materials Review Approval (IMRA) process. This will focus on the IMRA reports as well as the IMRA review and appeals processes for publishers. The board may consider any updates to their process document based on the findings of this after-action report. Statutory authority is the Texas Education Code (TEC), §31.022 and §31.023, as amended by HB 1605, 88th Texas Legislature, Regular Session, 2023.

COMMITTEE OF THE FULL BOARD (continued)

2. **Proposed New 19 TAC Chapter 67, State Review and Approval of Instructional Materials, Subchapter B, State Review and Approval, §67.27, IMRA Reviewers: Eligibility and Appointment; §67.29, IMRA Reviewers: Training, Duties, and Conduct; §67.31, Procedures for Public Access to and Handling IMRA Samples; §67.33, Public Comment on Instructional Materials; §67.39, Updates to Approved Instructional Materials; §67.41, New Editions of Approved Instructional Materials; and Subchapter C, Local Operations, §67.61, Sample Copies of Instructional Materials for School Districts; and §67.63, Selection and Local Adoption of Instructional Materials by School Districts**
(Second Reading and Final Adoption)
(Board agenda page I-3)

COMMITTEE - ACTION
SBOE - ACTION

This item presents for second reading and final adoption proposed new 19 Texas Administrative Code (TAC) Chapter 67, State Review and Approval of Instructional Materials, Subchapter B, State Review and Approval, §67.27, IMRA Reviewers: Eligibility and Appointment; §67.29, IMRA Reviewers: Training, Duties, and Conduct; §67.31, Procedures for Public Access to and Handling of IMRA Samples; §67.33, Public Comment on Instructional Materials; §67.39, Updates to Approved Instructional Materials; and §67.41, New Editions of Approved Instructional Materials, and Subchapter C, Local Operations, §67.61, Sample Copies of Instructional Materials for School Districts; and §67.63, Selection and Local Adoption of Instructional Materials by School Districts. The proposed new sections would implement House Bill (HB) 1605, 88th Texas Legislature, Regular Session, 2023, by defining the procedures and policies for the eligibility, appointment, training, and duties of instructional materials review and approval (IMRA) reviewers; outlining the procedures for IMRA public access and public comment; and specifying procedures for materials to be updated or revised following approval by the board. The proposed new sections would also outline the procedures for local districts to adopt instructional materials. No changes are recommended since approved for first reading. Statutory authority is the Texas Education Code (TEC), §31.003(a); §31.022 and §31.023, as amended by HB 1605, 88th Texas Legislature, Regular Session, 2023.

COMMITTEE OF THE FULL BOARD (continued)

- 3. Instructional Materials Review and Approval Cycle 2025 Update**
(Board agenda page I-13)

COMMITTEE - ACTION
SBOE - ACTION

This item provides an opportunity for staff to present to the board updates on Instructional Materials Review Approval (IMRA) Cycle 2025. The presentation will include a preliminary list of materials for review and an overview of the instructional materials market landscape. The board may decide to add instructional materials to the review list for IMRA Cycle 2025. Statutory authority is the Texas Education Code (TEC) §31.022 and §31.023, as amended by HB 1605, 88th Texas Legislature, Regular Session, 2023.

- 4. Discussion of Local Classroom Review Rubrics**
(Board agenda page I-15)

COMMITTEE – DISCUSSION
SBOE – NO ACTION

This item provides the opportunity for staff to present the draft rubrics related to classroom reviews and for the board to offer feedback on these rubrics. Statutory authority is the Texas Education Code (TEC), §26.0061, as added by HB 1605, 88th Texas Legislature, Regular Session, 2023 and §31.0252, as added by HB 1605, 88th Texas Legislature, Regular Session, 2023.

- 5. Proposed New 19 TAC Chapter 67, State Review and Approval of Instructional Materials, Subchapter C, Local Operations, §67.69, Local Review of Classroom Instructional Materials (First Reading and Filing Authorization)**
(Board agenda page I-17)

COMMITTEE – ACTION
SBOE – ACTION

This item presents for first reading and filing authorization proposed new 19 Texas Administrative Code (TAC) Chapter 67, State Review and Approval of Instructional Materials, Subchapter C, Local Operations, §67.69, Local Review of Classroom Instructional Materials. The proposed new section would implement House Bill (HB) 1605, 88th Texas Legislature, Regular Session, 2023, by outlining the local process requirements for a parent to petition for a review of instructional materials. Statutory authority is the Texas Education Code (TEC), §26.0061, as added by HB 1605, 88th Texas Legislature, Regular Session, 2023; §31.003(a); and §31.0252, as added by HB 1605, 88th Texas Legislature, Regular Session, 2023.

COMMITTEE OF THE FULL BOARD (continued)

6. Ethics Training
(Board agenda page I-21)

This item provides an opportunity for the State Board of Education (SBOE) to discuss ethics statutes and rules that apply to SBOE members. Statutory authority is the Texas Education Code (TEC), §43.0031 and 19 Texas Administrative Code (TAC), §33.5(b).

COMMITTEE – DISCUSSION
SBOE – NO ACTION

**WEDNESDAY
January 29, 2025**

9:00 a.m.

COMMITTEE OF THE FULL BOARD – Room 2.035 (Barbara Jordan Building)

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. Commissioner’s Comments
(Board agenda page I-42)**

**COMMITTEE – DISCUSSION
SBOE – NO ACTION**

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

**2. Discussion of Review of 19 TAC Chapter 101, Assessment, Subchapter A, General Provisions, Subchapter B, Implementation of Assessments, and Subchapter C, Local Option
(Board agenda page I-43)**

**COMMITTEE - DISCUSSION
SBOE – NO ACTION**

Texas Government Code, §2001.039, establishes a four-year rule review cycle for all state agency rules, including State Board of Education (SBOE) rules. This item presents the review of 19 Texas Administrative Code (TAC) Chapter 101, Assessment, Subchapter A, General Provisions, Subchapter B, Implementation of Assessments, and Subchapter C, Local Option. The rules being reviewed address the development and administration of tests, voluntary assessment of private school students, the schedule for the release of tests, and administration and reporting of group-administered achievement tests. Statutory authority for the rule review is Texas Government Code, §2001.039. Statutory authority for 19 TAC Chapter 101, Subchapters A-C, is Texas Education Code (TEC), §§39.021, 39.022, 39.023, 39.025, 39.032, and 39.033.

COMMITTEE OF THE FULL BOARD (continued)

3. **Proposed Amendment to 19 TAC Chapter 74, Curriculum Requirements, Subchapter A, Required Curriculum, §74.3 Description of a Required Secondary Curriculum (Second Reading and Final Adoption)**
(Board agenda page I-48)

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 A, Required Curriculum, §74.3, Description of a Required Secondary Curriculum. The proposed amendment would update the list of high school courses for science that are required to be offered to students. No changes are recommended since approved for first reading. Statutory authority is the Texas Education Code, §§7.102(c)(4), 28.002(a), and 28.025(b-1).

COMMITTEE OF THE FULL BOARD (continued)

4. **Proposed New 19 TAC Chapter 127, Texas Essential Knowledge and Skills for Career Development and Career and Technical Education, Subchapter C, Agriculture, Food, and Natural Resources, §127.59 and §127.61; Subchapter F, Business, Marketing, and Finance, §127.262 and §127.263; Subchapter J, Health Science, §127.510 and §127.511; Subchapter K, Hospitality and Tourism, §§127.569, 127.571, and 127.604; Subchapter M, Information Technology, §§127.689-127.691 and 127.695-127.699, and Subchapter N, Law and Public Service, §127.773**
(Second Reading and Final Adoption)
(Board agenda page I-54)

COMMITTEE - ACTION
SBOE – ACTION

This item presents for second reading and final adoption proposed new 19 Texas Administrative Code (TAC) Chapter 127, Texas Essential Knowledge and Skills for Career Development and Career and Technical Education, Subchapter C, Agriculture, Food, and Natural Resources, §127.59 and §127.61; Subchapter F, Business, Marketing, and Finance, §127.262 and §127.263; Subchapter J, Health Science, §127.510 and §127.511; Subchapter K, Hospitality and Tourism, §§127.569, 127.571, and 127.604; Subchapter M, Information Technology, §§127.689-127.691 and 127.695-127.699, and Subchapter N, Law and Public Service, §127.773. The proposed new sections would add Texas Essential Knowledge and Skills (TEKS) for 18 state-approved innovative courses in the following career and technical education (CTE) career clusters: agriculture, food, and natural resources; business, marketing, and finance; health science; hospitality and tourism; information technology; and law and public service. 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), (n), and (o); and 28.025(a), and (b-17).

5. **Public Hearing on Proposed New 19 Texas Administrative Code (TAC) Chapter 111, Texas Essential Knowledge and Skills for Mathematics, Subchapter B, Middle School, §§111.29-111.32**
(Board agenda page I-120)

COMMITTEE - DISCUSSION
SBOE – NO ACTION

A public hearing before the State Board of Education (SBOE) is scheduled for Wednesday, January 29, 2025. Testimony will be presented regarding Texas Essential Knowledge and Skills (TEKS) to support middle school advanced mathematics programs designed to enable students to enroll in Algebra I in eighth grade. Statutory authority is the Texas Education Code (TEC), §§7.102(c)(4), 28.002(a) and (c), and 28.029.

COMMITTEE OF THE FULL BOARD (continued)

6. **Proposed New 19 TAC Chapter 111, Texas Essential Knowledge and Skills for Mathematics, Subchapter B, Middle School, §§111.29-111.31**
(First Reading and Filing Authorization)
(Board agenda page I-122)

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 B, Middle School, §§111.29-111.31. The proposal would add new Texas Essential Knowledge and Skills (TEKS) to support middle school advanced mathematics programs designed to enable students to enroll in Algebra I in Grade 8. Statutory authority is the Texas Education Code (TEC), §§7.102(c)(4), 28.002(a) and (c), and 28.029.

7. **Public Hearing on Proposed New 19 TAC Chapter 127, Texas Essential Knowledge and Skills in Career Development and Career and Technical Education, Subchapter I, Engineering**
(Board agenda page I-141)

COMMITTEE - DISCUSSION
SBOE – NO ACTION

A public hearing before the State Board of Education (SBOE) is scheduled for Wednesday, January 29, 2025. Testimony will be presented regarding proposed new Texas Essential Knowledge and Skills (TEKS) for courses in engineering. In accordance with SBOE operating procedures, oral testimony will be limited to two minutes per person. Statutory authority is the Texas Education Code (TEC), §§7.102(c)(4); 28.002(a), (c), and (j), and 28.025(a) and (b-2)(2).

COMMITTEE OF THE FULL BOARD (continued)

8. **Proposed New 19 TAC Chapter 127, Texas Essential Knowledge and Skills for Career Development and Career and Technical Education, Subchapter I, Engineering, §§127.402-127.419, 127.452, and 127.453 (First Reading and Filing Authorization) (Board agenda page I-143)**

**COMMITTEE - ACTION
SBOE – ACTION**

This item presents for first reading and filing authorization proposed new 19 Texas Administrative Code (TAC) Chapter 127, Texas Essential Knowledge and Skills for Career Development and Career and Technical Education, Subchapter I, Engineering, §§127.402-127.419, 127.452, and 127.453. The proposal would add new courses and update existing courses that are being moved to this subchapter in the civil engineering, engineering foundations, and mechanical and aerospace design programs of study to ensure the content of the courses remains current and supports relevant and meaningful programs of study. Statutory authority is the Texas Education Code (TEC), §§7.102(c)(4); 28.002(a), (c), and (j), and 28.025(a) and (b-2)(2).

9. **Discussion of Proposed New Texas Essential Knowledge and Skills for Career and Technical Education Courses (Board agenda page I-241)**

**COMMITTEE - DISCUSSION
SBOE – NO ACTION**

This item provides an opportunity for the board to discuss proposed new Texas Essential Knowledge and Skills (TEKS) for career and technical education (CTE) courses developed in partnership with the Texas State Technical College (TSTC) and Educational Service Center (ESC) Region 4 that are needed for completion of programs of study. The proposed rule action would add new TEKS for courses in the following CTE career clusters: Arts, Audio/Video Technology, and Communications; Business, Finance, and Marketing; Health Science; Manufacturing; Law and Public Service, and Transportation, Distribution, and Logistics. Statutory authority is the Texas Education Code (TEC), §§7.102(c)(4); 28.002(a), (c), (n), and (o); and 28.025(a) and (b-17).

COMMITTEE OF THE FULL BOARD (continued)

10. Discussion of Pending Litigation
(Board agenda page I-244)

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

**THURSDAY
January 30, 2025**

9:00 a.m.

COMMITTEE ON INSTRUCTION – Room 2.029 (Barbara Jordan Building)

Members: Audrey Young; Evelyn Brooks; Pam Little; Tiffany Clark; and Gustavo Reveles. 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 public testimony at State Board of Education committee meetings and general board meetings are provided in SBOE [Operating Rules](#) or in the information section of the agenda.

**1. Election of Chair
(Board agenda page II-I)**

**COMMITTEE - ACTION
SBOE - NO ACTION**

State Board of Education (SBOE) operating rules call for each committee to elect a chair from among its members. This item provides an opportunity for the Committee on Instruction to elect a chair at this meeting if the SBOE retains the existing committee structure. The chair may then appoint a vice chair. If the board changes the committee structure, the committee may elect a member to preside over this first meeting only. Statutory authority is the Texas Education Code (TEC), §7.107(b).

**2. Proposed Repeal of 19 TAC Chapter 130, Texas Essential Knowledge and Skills for Career and Technical Education, and Proposed Revisions to 19 TAC Chapter 127, Texas Essential Knowledge and Skills for Career Development and Career and Technical Education (First Reading and Filing Authorization)
(Board agenda page II-2)**

**COMMITTEE - ACTION
SBOE - ACTION**

This item presents for first reading and filing authorization proposed repeal of 19 Texas Administrative Code (TAC) Chapter 130, Texas Essential Knowledge and Skills for Career and Technical Education, and proposed revisions to 19 TAC Chapter 127, Texas Essential Knowledge and Skills for Career Development and Career and Technical Education. The proposed rule actions would repeal career and technical education (CTE) Texas Essential Knowledge and Skills (TEKS) in 19 TAC Chapter 130 and would move the TEKS to 19 TAC Chapter 127 in order to ensure that all CTE TEKS are in the same chapter in administrative rule. The proposed rule action would also move some existing courses within 19 TAC Chapter 127 in order to avoid confusion and make the TEKS easier to locate. Statutory authority is the Texas Education Code (TEC), §7.102(c)(4) and §28.002(a) and (c).

COMMITTEE ON INSTRUCTION (continued)

3. **Proposed Amendments to 19 TAC Chapter 74, Curriculum Requirements, Subchapter B, Graduation Requirements, §74.12, Foundation High School Program, and §74.13, Endorsements (First Reading and Filing Authorization) (Board agenda page II-20)**

**COMMITTEE - ACTION
SBOE - CONSENT**

This item presents for first reading and filing authorization proposed amendments to 19 Texas Administrative Code (TAC) Chapter 74, Curriculum Requirements, Subchapter B, Graduation Requirements, §74.12, Foundation High School Program, and §74.13, Endorsements. The proposed amendments would reflect changes to a career and technical education (CTE) course to align with recently adopted CTE TEKS. Statutory authority is the Texas Education Code, §7.102(c)(4) and §28.025(a), (b-2)(2), and (c-1).

4. **Consideration of Proposed New Innovative Courses and Renewal of Currently Approved Innovative Courses (Board agenda page II-27)**

**COMMITTEE - ACTION
SBOE - CONSENT**

This item presents for consideration applications for proposed new innovative courses and renewal of currently approved courses that are scheduled to expire. Statutory authority is the Texas Education Code (TEC), §28.002(f).

5. **Discussion of Proposed New International Baccalaureate Courses (Board agenda page II-31)**

**COMMITTEE - DISCUSSION
SBOE – NO ACTION**

This item presents the opportunity for the committee to consider adding International Baccalaureate (IB) courses that are not currently included in the Texas Administrative Code (TAC). Statutory authority is the Texas Education Code (TEC), §§7.102(c)(4), 28.002, and 28.025.

6. **Recommendations Regarding Renewal of Instructional Materials Contracts (Board agenda page II-32)**

**COMMITTEE - ACTION
SBOE – CONSENT**

This item recommends renewal of instructional materials contracts that expire on August 31, 2025. This action is recommended to ensure that these materials remain available for distribution to school districts until replacements become available. Statutory authority is the Texas Education Code (TEC), §31.026.

COMMITTEE ON INSTRUCTION (continued)

7. **Approval of Updates and Substitutions to Adopted Instructional Materials**
(Board agenda page II-41)

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.

**THURSDAY
January 30, 2025**

9:00 a.m.

COMMITTEE ON SCHOOL FINANCE/PERMANENT SCHOOL FUND – Room 2.035 (BJB)

Members: Tom Maynard; Marisa Perez-Diaz; Keven Ellis; Brandon Hall; and Aaron Kinsey. 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 public testimony at State Board of Education committee meetings and general board meetings are provided in SBOE [Operating Rules](#) or in the information section of the agenda.

**1. Election of Chair
(Board agenda page III-1)**

**COMMITTEE - ACTION
SBOE - NO ACTION**

State Board of Education (SBOE) operating rules call for each committee to elect a chair from among its members. This item provides an opportunity the Committee on School Finance/Permanent School Fund to elect a chair at this meeting if the SBOE retains the existing committee structure. The chair may then appoint a vice chair. If the board changes the committee structure, the committee may elect a member to preside over this first meeting only. Statutory authority is the Texas Education Code (TEC), §7.107(b).

**2. Adoption of Review of 19 TAC Chapter 30, Administration, Subchapter B, State Board of Education: Purchasing and Contracts
(Board agenda page III-2)**

**COMMITTEE - ACTION
SBOE - ACTION**

Texas Government Code, §2001.039, establishes a four-year rule review cycle for all state agency rules, including State Board of Education (SBOE) rules. This item presents the adoption of the review of 19 Texas Administrative Code (TAC) Chapter 30, Administration, Subchapter B, State Board of Education: Purchasing and Contracts. The rules in Subchapter B address the historically underutilized business (HUB) program and procedures relating to protest for purchasing issues and dispute resolution, in accordance with Texas Government Code requirements. Statutory authority for the rule review is Texas Government Code, (TGC) §2001.039. Statutory authority for 19 TAC Chapter 30, Subchapter B, is Texas Government Code, §§2161.003, 2155.076, and 2260.052.

COMMITTEE ON SCHOOL FINANCE/PERMANENT SCHOOL FUND (continued)

3. **Discussion of Review of 19 TAC Chapter 109, Budgeting, Accounting, and Auditing, Subchapter A, Budgeting, Accounting, Financial Reporting, and Auditing for School Districts, Subchapter B, Texas Education Agency Audit Functions, Subchapter C, Adoptions by Reference, and Subchapter D, Uniform Bank Bid or Request for Proposal and Depository Contract**
(Board agenda page III-6)

**COMMITTEE - DISCUSSION
SBOE – NO ACTION**

Texas Government Code, §2001.039, establishes a four-year rule review cycle for all state agency rules, including State Board of Education (SBOE) rules. This item presents the review of 19 Texas Administrative Code (TAC) Chapter 109, Budgeting, Accounting, and Auditing, Subchapter A, Budgeting, Accounting, Financial Reporting, and Auditing for School Districts, Subchapter B, Texas Education Agency Audit Functions, Subchapter C, Adoptions by Reference, and Subchapter D, Uniform Bank Bid or Request for Proposal and Depository Contract. The rules being reviewed provide requirements for school districts relating to budgeting, accounting, financial reporting, and auditing; Texas Education Agency (TEA) financial review functions; adoption by reference of the *Financial Accountability System Resource Guide* (FASRG); and the bank bid and proposal forms and the depository contract and surety bond forms. Statutory authority for the rule review is Texas Government Code, §2001.039. The statutory authority for 19 TAC Chapter 109 is Texas Education Code (TEC), §§7.102(c)(32), 44.001, 44.002, 44.007, and 44.008, for Subchapter A; TEC, §§7.102(c)(32), 44.001, 44.007, 44.008, 44.010, and 48.104, for Subchapter B; TEC, §§7.102(c)(32); 44.001; 44.007; and 44.008, for Subchapter C; and TEC, §§7.102(c)(34), 45.206, and 45.208, for Subchapter D.

**THURSDAY
January 31, 2025**

9:00 a.m.

COMMITTEE ON SCHOOL INITIATIVES – Room 2.013 (Barbara Jordan Building)

Members: Will Hickman; LJ Francis; Rebecca Bell-Metereau; Staci Childs; and Julie Pickren. 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 public testimony at State Board of Education committee meetings and general board meetings are provided in SBOE [Operating Rules](#) or in the information section of the agenda.

**1. Election of Chair
(Board agenda page IV-1)**

**COMMITTEE – ACTION
SBOE – NO ACTION**

State Board of Education (SBOE) operating rules call for each committee to elect a chair from among its members. This item provides an opportunity for the Committee on School Initiatives to elect a chair at this meeting if the SBOE retains the existing committee structure. The chair may then appoint a vice chair. If the board changes the committee structure, the committee may elect a member to preside over this first meeting only. Statutory authority is the Texas Education Code (TEC), §7.107(b).

**2. Open-Enrollment Charter School Generation 30
Application Updates
(Board agenda page IV-2)**

**COMMITTEE - DISCUSSION
SBOE - NO ACTION**

This item provides an opportunity for the committee to receive updates regarding the Generation 30 Open-Enrollment Charter Application cycle. Statutory authority is the Texas Education Code (TEC), §12.101.

**3. Recommendation for One Reappointment to the
Boys Ranch Independent School District Board of
Trustees
(Board agenda page IV-3)**

**COMMITTEE - ACTION
SBOE - CONSENT**

This item provides an opportunity for the board to consider one reappointment to the board of trustees of Boys Ranch Independent School District (ISD). The appointment is necessary due to the expiration of the term of office of one board member. Statutory authority is the Texas Education Code (TEC), 11.352.

COMMITTEE ON SCHOOL INITIATIVES (continued)

- 4. Recommendation for One Reappointment and One Appointment to the Lackland Independent School District Board of Trustees**
(Board agenda page IV-7)

COMMITTEE - ACTION
SBOE - CONSENT

This item provides an opportunity for the board to consider one reappointment and one appointment to the board of trustees of Lackland Independent School District (ISD). The action is necessary because of the expiration of the term of office for two board members. Statutory authority is the Texas Education Code (TEC), §11.352.

- 5. Recommendation for One Appointment to the Randolph Field Independent School District Board of Trustees**
(Board agenda page IV-15)

COMMITTEE - ACTION
SBOE - CONSENT

This item provides an opportunity for the board to consider one appointment to the board of trustees of Randolph Field Independent School District (ISD). The appointment is necessary because of the expiration of the term of office of one board member. Statutory authority is the Texas Education Code (TEC), §11.352.

- 6. Discussion of Ongoing State Board for Educator Certification Activities**
(Board agenda page IV-21)

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.

COMMITTEE ON SCHOOL INITIATIVES (continued)

7. **Adoption of Review of 19 TAC Chapter 30, Administration, Subchapter A, State Board of Education: General Provisions**
(Board agenda page IV-23)

COMMITTEE - ACTION
SBOE - CONSENT

Texas Government Code, §2001.039, establishes a four-year rule review cycle for all state agency rules, including State Board of Education (SBOE) rules. This item presents the adoption of the review of 19 Texas Administrative Code (TAC) Chapter 30, Administration, Subchapter A, State Board of Education: General Provisions. Subchapter A establishes the SBOE process for petitioning the adoption of changes to SBOE rules, as required by Texas Government Code (TGC), §2001.021. The statutory authority for the rule review is Texas Government Code, (TGC), §2001.039. The statutory authority for 19 TAC Chapter 30, Subchapter A, is Texas Government Code (TGC), §2001.021.

8. **Review of Adoption of Proposed Amendments to 19 TAC Chapter 228, Requirements for Educator Preparation Programs, Subchapter A, General Guidance, Subchapter D, Required Educator Coursework and Training, Subchapter E, Educator Candidate Clinical Experiences, and Subchapter F, Support for Candidates During Required Clinical Experiences**
(Board agenda page IV-27)

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 adopt the proposed amendments to 19 Texas Administrative Code (TAC) Chapter 228, Requirements for Educator Preparation Programs, Subchapter A, General Guidance, Subchapter D, Required Educator Coursework and Training, Subchapter E, Educator Candidate Clinical Experiences, and Subchapter F, Support for Candidates During Required Clinical Experiences. The proposed amendments would further clarify requirements and definitions as applicable to support educator preparation programs (EPPs) and candidates in the successful implementation of these rules. for the SBOE to review rules that the SBEC proposes to adopt is Texas Education Code (TEC), §21.042. The statutory authority for 19 TAC Chapter 228, Subchapters A, D, E, and F, is TEC, §§21.003(a), 21.031; 21.041(b)(1)-(4); 21.044; 21.0441; 21.0442(c); 21.0443; 21.045(a); 21.0452, 21.0453; 21.0454; 21.0455; 21.046(b) and (c); 21.048(a); 21.0485; 21.0487(c); 21.0489(c); 21.04891; 21.049(a); 21.0491; 21.050(a)-(c); and 21.051; and the Texas Occupations Code (TOC), §55.007.

COMMITTEE ON SCHOOL INITIATIVES (continued)

9. **Review of Adoption of Proposed Amendments to 19 TAC Chapter 234, Military Service Members, Military Spouses, and Military Veterans**
(Board agenda page IV-39)

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 adopt the proposed amendments to 19 Texas Administrative Code (TAC) Chapter 234, Military Service Members, Military Spouses, and Military Veterans. The proposed amendments would add language specific to the Servicemembers Civil Relief Act (SCRA), allowing the portability of licenses for active-duty military service members or the spouse of a military service member, and would provide technical edits to clarify existing language, alphabetize definitions, and remove duplicative language where necessary. The proposed amendments, if adopted, would expand the number of individuals eligible to become certified educators in Texas. Statutory authority for the SBOE to review rules that the SBEC proposes to adopt is Texas Education Code (TEC), §21.042. The statutory authority for 19 TAC Chapter 234 is TEC, §§21.041(b)(2) and (4); 21.044(a); 21.0444, 21.052(b-1), (c), (d-1), (f), and (i); 21.0525, 21.054; and 21.458(a-2), and Texas Occupations Code (TOC), §§55.001; 55.002; 55.003; 55.004(a)-(c); 55.004(d), 55.0041, 55.005(a), 55.006; 55.007; 55.008; 55.009; and 55.010.

Information Materials

- 1. State Board of Education Operating Rules (amended February 2, 2023)**
Public testimony information begins on page V-10.
(Board agenda page V-1)

- 2. 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.

- 3. Annual Report of the Division of Financial Compliance**
(Board agenda page V-35)

This item provides the board with an annual review of the work accomplished by the division responsible for state financial reviews. The report describes the division's organization and legal responsibilities, deviations from the 2023-2024 audit plan, and the status of reports on the division's reviews.

OFFICIAL AGENDA

**STATE BOARD OF EDUCATION
AUSTIN, TEXAS**

**January 28, 2025
9:00 a.m.**

**Barbara Jordan Building, Room 2.035
1601 N. Congress Avenue**

Invocation

Pledge of Allegiance

Roll Call

1. Swearing-in Ceremony for Members of the State Board of Education

Oaths of office will be administered to the newly elected State Board of Education (SBOE) members during a ceremony. Statutory authority is the Texas Education Code (TEC), §7.107(b).

(Agenda Exhibit) SBOE-1

3. Review and Adoption of State Board of Education Operating Rules

Pursuant to the provisions of the Texas Education Code (TEC), §7.107(b), at the first regular meeting after the election and qualification of new members, the board shall adopt rules of procedure. This item provides an opportunity for the board to review existing operating rules to determine if changes and revisions are needed.

(Agenda Exhibit) SBOE-2

4. Election of State Board of Education Officers

Pursuant to the provisions of the Texas Education Code (TEC), §7.107(b), at the first regular meeting after the election and qualification of new State Board of Education (SBOE) members, the board shall elect by separate votes, a vice chair and a secretary. The current operating rules establish the terms of office for the vice chair and secretary of the board as two years and until their successors are elected.

(Agenda Exhibit) SBOE-29

5. Announcement of Membership of Committees

Pursuant to the provisions of the Texas Education Code (TEC), §7.107, at the board's first regular meeting after the election and qualification of new members, the board shall organize. This item provides the opportunity for the chair to announce appointments to the committees of the State Board of Education (SBOE).

(Agenda Exhibit) SBOE-30

**CONSENT AGENDA
STATE BOARD OF EDUCATION
January 31, 2025**

- (1) Proposed Amendments to 19 TAC Chapter 74, Curriculum Requirements, Subchapter B, Graduation Requirements, §74.12, Foundation High School Program, and §74.13, Endorsements
(First Reading and Filing Authorization)**

This item presents for first reading and filing authorization proposed amendments to 19 Texas Administrative Code (TAC) Chapter 74, Curriculum Requirements, Subchapter B, Graduation Requirements, §74.12, Foundation High School Program, and §74.13, Endorsements. The proposed amendments would reflect changes to a career and technical education (CTE) course to align with recently adopted CTE TEKS. Statutory authority is the Texas Education Code, §7.102(c)(4) and §28.025(a), (b-2)(2), and (c-1).

[\(Agenda Exhibit\)](#) II-20

- (2) Consideration of Proposed New Innovative Courses and Renewal of Currently Approved Innovative Courses**

This item presents for consideration applications for proposed new innovative courses and renewal of currently approved courses that are scheduled to expire. Statutory authority is the Texas Education Code (TEC), §28.002(f).

[\(Agenda Exhibit\)](#) II-27

- (3) Recommendations Regarding Renewal of Instructional Materials Contracts**

This item recommends renewal of instructional materials contracts that expire on August 31, 2025. This action is recommended to ensure that these materials remain available for distribution to school districts until replacements become available. Statutory authority is the Texas Education Code (TEC), §31.026.

[\(Agenda Exhibit\)](#) II-32

- (4) 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-41

(5) Recommendation for One Reappointment to the Boys Ranch Independent School District Board of Trustees

This item provides an opportunity for the board to consider one reappointment to the board of trustees of Boys Ranch Independent School District (ISD). The appointment is necessary due to the expiration of the term of office of one board member. Statutory authority is the Texas Education Code (TEC), 11.352.

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

(6) Recommendation for One Reappointment and One Appointment to the Lackland Independent School District Board of Trustees

This item provides an opportunity for the board to consider one reappointment and one appointment to the board of trustees of Lackland Independent School District (ISD). The action is necessary because of the expiration of the term of office for two board members. Statutory authority is the Texas Education Code (TEC), §11.352.

[\(Agenda Exhibit\)](#) IV-7

(7) Recommendation for One Appointment to the Randolph Field Independent School District Board of Trustees

This item provides an opportunity for the board to consider one appointment to the board of trustees of Randolph Field Independent School District (ISD). The appointment is necessary because of the expiration of the term of office of one board member. Statutory authority is the Texas Education Code (TEC), §11.352.

[\(Agenda Exhibit\)](#) IV-15

(8) Adoption of Review of 19 TAC Chapter 30, Administration, Subchapter A, State Board of Education: General Provisions

Texas Government Code, §2001.039, establishes a four-year rule review cycle for all state agency rules, including State Board of Education (SBOE) rules. This item presents the adoption of the review of 19 Texas Administrative Code (TAC) Chapter 30, Administration, Subchapter A, State Board of Education: General Provisions. Subchapter A establishes the SBOE process for petitioning the adoption of changes to SBOE rules, as required by Texas Government Code (TGC), §2001.021. The statutory authority for the rule review is Texas Government Code, (TGC), §2001.039. The statutory authority for 19 TAC Chapter 30, Subchapter A, is Texas Government Code (TGC), §2001.021.

[\(Agenda Exhibit\)](#) IV-23

OFFICIAL AGENDA

**STATE BOARD OF EDUCATION
AUSTIN, TEXAS**

**January 31, 2025
9:00 a.m.**

**Barbara Jordan Building, Room 2.035
1601 N. Congress Avenue**

Student Performance

Invocation

Pledge of Allegiance

Roll Call

Approval of Minutes

State Board of Education, November 22, 2024 and December 6, 2024

1. Resolutions

Resolution regarding Career and Technical Education Month

Resolution honoring the 2024 National Blue Ribbon Schools

Public testimony – Individual testimony will be taken at the time the related item comes up for Committee discussion or action. The procedures for public testimony at State Board of Education committee meetings and general board meetings are provided in 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.

[\(Agenda Exhibit\)](#) 26

COMMITTEE OF THE FULL BOARD

3. Instructional Materials Review and Approval Cycle 2024 Update

This item provides an opportunity for staff to present to the board update of after-action review on the inaugural Instructional Materials Review Approval (IMRA) process. This will focus on the IMRA reports as well as the IMRA review and appeals processes for publishers. The board may consider any updates to their process document based on the findings of this after-action report. Statutory authority is the Texas Education Code (TEC), §31.022 and §31.023, as amended by HB 1605, 88th Texas Legislature, Regular Session, 2023.

(Agenda Exhibit) I-1

4. Proposed New 19 TAC Chapter 67, State Review and Approval of Instructional Materials, Subchapter B, State Review and Approval, §67.27, IMRA Reviewers: Eligibility and Appointment; §67.29, IMRA Reviewers: Training, Duties, and Conduct; §67.31, Procedures for Public Access to and Handling IMRA Samples; §67.33, Public Comment on Instructional Materials; §67.39, Updates to Approved Instructional Materials; §67.41, New Editions of Approved Instructional Materials; and Subchapter C, Local Operations, §67.61, Sample Copies of Instructional Materials for School Districts; and §67.63, Selection and Local Adoption of Instructional Materials by School Districts (Second Reading and Final Adoption)

This item presents for second reading and final adoption proposed new 19 Texas Administrative Code (TAC) Chapter 67, State Review and Approval of Instructional Materials, Subchapter B, State Review and Approval, §67.27, IMRA Reviewers: Eligibility and Appointment; §67.29, IMRA Reviewers: Training, Duties, and Conduct; §67.31, Procedures for Public Access to and Handling of IMRA Samples; §67.33, Public Comment on Instructional Materials; §67.39, Updates to Approved Instructional Materials; and §67.41, New Editions of Approved Instructional Materials, and Subchapter C, Local Operations, §67.61, Sample Copies of Instructional Materials for School Districts; and §67.63, Selection and Local Adoption of Instructional Materials by School Districts. The proposed new sections would implement House Bill (HB) 1605, 88th Texas Legislature, Regular Session, 2023, by defining the procedures and policies for the eligibility, appointment, training, and duties of instructional materials review and approval (IMRA) reviewers; outlining the procedures for IMRA public access and public comment; and specifying procedures for materials to be updated or revised following approval by the board. The proposed new sections would also outline the procedures for local districts to adopt instructional materials. No changes are recommended since approved for first reading. Statutory authority is the Texas Education Code (TEC), §31.003(a); §31.022 and §31.023, as amended by HB 1605, 88th Texas Legislature, Regular Session, 2023.

(Agenda Exhibit) I-3

5. Instructional Materials Review and Approval Cycle 2025 Update

This item provides an opportunity for staff to present to the board updates on Instructional Materials Review Approval (IMRA) Cycle 2025. The presentation will include a preliminary list of materials for review and an overview of the instructional materials market landscape. The board may decide to add instructional materials to the review list for IMRA Cycle 2025. Statutory authority is the Texas Education Code (TEC) §31.022 and §31.023, as amended by HB 1605, 88th Texas Legislature, Regular Session, 2023.

[\(Agenda Exhibit\)](#) I-13

6. Proposed New 19 TAC Chapter 67, State Review and Approval of Instructional Materials, Subchapter C, Local Operations, §67.69, Local Review of Classroom Instructional Materials (First Reading and Filing Authorization)

This item presents for first reading and filing authorization proposed new 19 Texas Administrative Code (TAC) Chapter 67, State Review and Approval of Instructional Materials, Subchapter C, Local Operations, §67.69, Local Review of Classroom Instructional Materials. The proposed new section would implement House Bill (HB) 1605, 88th Texas Legislature, Regular Session, 2023, by outlining the local process requirements for a parent to petition for a review of instructional materials. Statutory authority is the Texas Education Code (TEC), §26.0061, as added by HB 1605, 88th Texas Legislature, Regular Session, 2023; §31.003(a); and §31.0252, as added by HB 1605, 88th Texas Legislature, Regular Session, 2023.

[\(Agenda Exhibit\)](#) I-17

7. Proposed Amendment to 19 TAC Chapter 74, Curriculum Requirements, Subchapter A, Required Curriculum, §74.3 Description of a Required Secondary Curriculum (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 A, Required Curriculum, §74.3, Description of a Required Secondary Curriculum. The proposed amendment would update the list of high school courses for science that are required to be offered to students. No changes are recommended since approved for first reading. Statutory authority is the Texas Education Code, §§7.102(c)(4), 28.002(a), and 28.025(b-1).outline the procedures for local districts to adopt instructional materials. Statutory authority is the Texas Education Code (TEC), §31.003(a); and §31.022 and §31.023, as amended by HB 1605, 88th Texas Legislature, Regular Session, 2023.

[\(Agenda Exhibit\)](#) I-48

8. **Proposed New 19 TAC Chapter 127, Texas Essential Knowledge and Skills for Career Development and Career and Technical Education, Subchapter C, Agriculture, Food, and Natural Resources, §127.59 and §127.61; Subchapter F, Business, Marketing, and Finance, §127.262 and §127.263; Subchapter J, Health Science, §127.510 and §127.511; Subchapter K, Hospitality and Tourism, §§127.569, 127.571, and 127.604; Subchapter M, Information Technology, §§127.689-127.691 and 127.695-127.699, and Subchapter N, Law and Public Service, §127.773
(Second Reading and Final Adoption)**

This item presents for second reading and final adoption proposed new 19 Texas Administrative Code (TAC) Chapter 127, Texas Essential Knowledge and Skills for Career Development and Career and Technical Education, Subchapter C, Agriculture, Food, and Natural Resources, §127.59 and §127.61; Subchapter F, Business, Marketing, and Finance, §127.262 and §127.263; Subchapter J, Health Science, §127.510 and §127.511; Subchapter K, Hospitality and Tourism, §§127.569, 127.571, and 127.604; Subchapter M, Information Technology, §§127.689-127.691 and 127.695-127.699, and Subchapter N, Law and Public Service, §127.773. The proposed new sections would add Texas Essential Knowledge and Skills (TEKS) for 18 state-approved innovative courses in the following career and technical education (CTE) career clusters: agriculture, food, and natural resources; business, marketing, and finance; health science; hospitality and tourism; information technology; and law and public service. 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), (n), and (o); and 28.025(a), and (b-17).

(Agenda Exhibit) I-54

9. **Proposed New 19 TAC Chapter 111, Texas Essential Knowledge and Skills for Mathematics, Subchapter B, Middle School, §§111.29-111.31
(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 B, Middle School, §§111.29-111.31. The proposal would add new Texas Essential Knowledge and Skills (TEKS) to support middle school advanced mathematics programs designed to enable students to enroll in Algebra I in Grade 8. Statutory authority is the Texas Education Code (TEC), §§7.102(c)(4), 28.002(a) and (c), and 28.029.

(Agenda Exhibit) I-122

10. **Proposed New 19 TAC Chapter 127, Texas Essential Knowledge and Skills for Career Development and Career and Technical Education, Subchapter I, Engineering, §§127.402-127.419, 127.452, and 127.453
(First Reading and Filing Authorization)**

This item presents for first reading and filing authorization proposed new 19 Texas Administrative Code (TAC) Chapter 127, Texas Essential Knowledge and Skills for Career Development and Career and Technical Education, Subchapter I, Engineering, §§127.402-127.419, 127.452, and 127.453. The proposal would add new courses and update existing courses that are being moved to this subchapter in the civil engineering, engineering foundations, and mechanical and aerospace design programs of study to ensure the content of the courses remains current and supports relevant and meaningful programs of study. Statutory authority is the Texas Education Code (TEC), §§7.102(c)(4); 28.002(a), (c), and (j), and 28.025(a) and (b-2)(2).

(Agenda Exhibit) I-143

COMMITTEE ON INSTRUCTION

11. **Proposed Repeal of 19 TAC Chapter 130, Texas Essential Knowledge and Skills for Career and Technical Education, and Proposed Revisions to 19 TAC Chapter 127, Texas Essential Knowledge and Skills for Career Development and Career and Technical Education (First Reading and Filing Authorization)**

This item presents for first reading and filing authorization proposed repeal of 19 Texas Administrative Code (TAC) Chapter 130, Texas Essential Knowledge and Skills for Career and Technical Education, and proposed revisions to 19 TAC Chapter 127, Texas Essential Knowledge and Skills for Career Development and Career and Technical Education. The proposed rule actions would repeal career and technical education (CTE) Texas Essential Knowledge and Skills (TEKS) in 19 TAC Chapter 130 and would move the TEKS to 19 TAC Chapter 127 in order to ensure that all CTE TEKS are in the same chapter in administrative rule. The proposed rule action would also move some existing courses within 19 TAC Chapter 127 in order to avoid confusion and make the TEKS easier to locate. Statutory authority is the Texas Education Code (TEC), §7.102(c)(4) and §28.002(a) and (c).

(Agenda Exhibit) II-2

COMMITTEE ON SCHOOL FINANCE/PERMANENT SCHOOL FUND

12. **Adoption of Review of 19 TAC Chapter 30, Administration, Subchapter B, State Board of Education: Purchasing and Contracts**

Texas Government Code, §2001.039, establishes a four-year rule review cycle for all state agency rules, including State Board of Education (SBOE) rules. This item presents the adoption of the review of 19 Texas Administrative Code (TAC) Chapter 30, Administration, Subchapter B, State Board of Education: Purchasing and Contracts. The rules in Subchapter B address the historically underutilized business (HUB) program and procedures relating to protest for purchasing issues and dispute resolution, in accordance with Texas Government Code requirements. Statutory authority for the rule review is Texas Government Code, (TGC) §2001.039. Statutory authority for 19 TAC Chapter 30, Subchapter B, is Texas Government Code, §§2161.003, 2155.076, and 2260.052.

(Agenda Exhibit) III-2

COMMITTEE ON SCHOOL INITIATIVES

13. Review of Adoption of Proposed Amendments to 19 TAC Chapter 228, Requirements for Educator Preparation Programs, Subchapter A, General Guidance, Subchapter D, Required Educator Coursework and Training, Subchapter E, Educator Candidate Clinical Experiences, and Subchapter F, Support for Candidates During Required Clinical Experiences

This item provides the State Board of Education (SBOE) an opportunity to review the State Board for Educator Certification (SBEC) rule actions that would adopt the proposed amendments to 19 Texas Administrative Code (TAC) Chapter 228, Requirements for Educator Preparation Programs, Subchapter A, General Guidance, Subchapter D, Required Educator Coursework and Training, Subchapter E, Educator Candidate Clinical Experiences, and Subchapter F, Support for Candidates During Required Clinical Experiences. The proposed amendments would further clarify requirements and definitions as applicable to support educator preparation programs (EPPs) and candidates in the successful implementation of these rules. for the SBOE to review rules that the SBEC proposes to adopt is Texas Education Code (TEC), §21.042. The statutory authority for 19 TAC Chapter 228, Subchapters A, D, E, and F, is TEC, §§21.003(a), 21.031; 21.041(b)(1)-(4); 21.044; 21.0441; 21.0442(c); 21.0443; 21.045(a); 21.0452, 21.0453; 21.0454; 21.0455; 21.046(b) and (c); 21.048(a); 21.0485; 21.0487(c); 21.0489(c); 21.04891; 21.049(a); 21.0491; 21.050(a)-(c); and 21.051; and the Texas Occupations Code (TOC), §55.007.

(Agenda Exhibit) IV-27

14. Review of Adoption of Proposed Amendments to 19 TAC Chapter 234, Military Service Members, Military Spouses, and Military Veterans

This item provides the State Board of Education (SBOE) an opportunity to review the State Board for Educator Certification (SBEC) rule actions that would adopt the proposed amendments to 19 Texas Administrative Code (TAC) Chapter 234, Military Service Members, Military Spouses, and Military Veterans. The proposed amendments would add language specific to the Servicemembers Civil Relief Act (SCRA), allowing the portability of licenses for active-duty military service members or the spouse of a military service member, and would provide technical edits to clarify existing language, alphabetize definitions, and remove duplicative language where necessary. The proposed amendments, if adopted, would expand the number of individuals eligible to become certified educators in Texas. Statutory authority for the SBOE to review rules that the SBEC proposes to adopt is Texas Education Code (TEC), §21.042. The statutory authority for 19 TAC Chapter 234 is TEC, §§21.041(b)(2) and (4); 21.044(a); 21.0444, 21.052(b-1), (c), (d-1), (f), and (i); 21.0525, 21.054; and 21.458(a-2), and Texas Occupations Code (TOC), §§55.001; 55.002; 55.003; 55.004(a)-(c); 55.004(d), 55.0041, 55.005(a), 55.006; 55.007; 55.008; 55.009; and 55.010.

(Agenda Exhibit) I-39

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 February 2, 2023)**
Public testimony information begins on page V-10.
(Board agenda page V-1)

- 2. 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.

- 3. Annual Report of the Division of Financial Compliance**
(Board agenda page V-35)

This item provides the board with an annual review of the work accomplished by the division responsible for state financial reviews. The report describes the division's organization and legal responsibilities, deviations from the 2023-2024 audit plan, and the status of reports on the division's reviews.

STATE BOARD OF EDUCATION

Swearing-in Ceremony for Members of the State Board of Education

January 28, 2025

STATE BOARD OF EDUCATION: ACTION

SUMMARY: Oaths of office will be administered to the newly elected State Board of Education (SBOE) members during a ceremony.

STATUTORY AUTHORITY: Texas Education Code ([TEC](#)), [§7.107\(b\)](#).

TEC, §7.107(b) requires the SBOE to organize, adopt operating rules, and elect a vice chair and secretary at the first meeting after an election and qualification of new members.

PREVIOUS BOARD ACTION: A swearing-in ceremony for SBOE members was last held on January 31, 2023.

BACKGROUND INFORMATION AND JUSTIFICATION: SBOE members are elected from single-member districts and serve two-year terms of office. Board members for districts 1, 3, 4, 10, 11, 12, 13 (unfinished term), and 15 were elected on November 5, 2024.

Staff Member Responsible:

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

Review and Adoption of State Board of Education Operating Rules

January 28, 2025

STATE BOARD OF EDUCATION: ACTION

SUMMARY: Pursuant to the provisions of the Texas Education Code (TEC), §7.107(b), at the first regular meeting after the election and qualification of new members, the board shall adopt rules of procedure. This item provides an opportunity for the board to review existing operating rules to determine if changes and revisions are needed.

STATUTORY AUTHORITY: Texas Education Code ([TEC](#)), [§7.107\(b\)](#).

TEC, §7.107(b) requires the State Board of Education (SBOE) to organize, adopt operating rules, and elect a vice chair and secretary at the first regular meeting after an election and qualification of new members.

PREVIOUS BOARD ACTION: The SBOE operating rules were reviewed and adopted on February 2, 2023.

BACKGROUND INFORMATION AND JUSTIFICATION: The board is required by state law to adopt rules of procedures at its first regular meeting after the election and qualification of new members. Current board operating rules and the areas of jurisdiction are shown in the information materials section of the SBOE agenda. The board's current operating rules contain a resolution which defines committees of the SBOE and their assignments.

MOTION TO BE CONSIDERED: The State Board of Education:

Review and adopt operating rules as amended.

Staff Member Responsible:

Ashley Smothers, SBOE Support Policy Director

[Attachment:](#)

State Board of Education Operating Rules (updated February 2023)

STATE BOARD OF EDUCATION OPERATING RULES
(amended February 2, 2023)

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. Establishment of essential knowledge and skills (TEKS)
2. Instructional materials proclamations and adoption of instructional materials
3. 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 including coordination with the TEA and the Texas Permanent School Fund Corporation (Texas PSF)
7. Oversight of the Texas PSF, including receipt of required reports
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. Updates regarding open-enrollment application cycles and processes
4. School safety and items pertaining to the Texas school safety center and recommendations from the chief of school safety and security
5. State Board for Educator Certification rules review
6. School board member training policy
7. Hearing examiners
8. Military reservation and special purpose school districts
9. Extracurricular activities
10. 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 consider relevant qualifications specific to a committee assignment in making committee assignments.
- (f) 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. Should the committee chair be unable or unwilling to continue to serve as chair, the chairman of the board shall declare a vacancy and a new election shall be held by the committee.
- (g) 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.
- (h) 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.
- (i) The members appointed to the Committee on School Finance/Permanent School Fund will serve as the members of the board of directors of the Texas PSF that are appointed by the SBOE as provided under Texas Education Code §43.053(a)(1) and will cease to serve as a director upon the expiration of his or her term of service or other separation from such committee in accordance with these rules as provided under 19 TAC Chapter 33, Texas Permanent School Fund Corporation, §33.21.

§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, at least 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 as attachments.
- (f) Official agendas and agenda attachments will be available one week before the board meeting. Any items submitted after this deadline may be considered at the next 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) A board member who wishes to participate in a meeting virtually shall notify the board chair and the State Board of Education Support office at least five business days prior to the start of the full board meeting during which the member will need to participate virtually. In the event of an emergency, every effort will be made to accommodate the board member. 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.
- (f) The presiding chair shall designate the area inside the velvet ropes as the bar of the meeting (the only place where discussion and votes may take place). Members of the public shall not enter areas of the bar of the meeting space designated for SBOE members only and shall not impede or interfere with the movement of SBOE members to or from designated areas. At the start of each meeting, the presiding chair shall inform members of the public that the bar has been established, that they are not permitted inside the bar, and that they may not limit members' movements to or from the bar.
- (g) For the sake of expediency, each board member shall be limited to 10 minutes of questions and discussion on each agenda item.

§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 by informing all individuals in attendance of the rules of decorum and providing notice that written rules are posted at the entrance to the room and in the room. The presiding chair shall also provide notice that an individual who does not comply with the rules of decorum may be removed from the meeting. 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) Members in the audience shall not distract or disrupt SBOE members or others in the audience during a meeting. Anyone needing to engage in a conversation should quietly exit the meeting room to a public space. If, after at least one warning from the presiding officer, any individual continues to disrupt the meeting by his or her words or actions, the presiding officer may request assistance from law enforcement officials to have the individual removed from the meeting.
- (d) No signs, placards, flags, noisemakers, or other objects of a similar nature shall be permitted in the audience gallery area.
- (e) No applause, outburst, other demonstration, or disruption by any spectator shall be permitted during any 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. If, after at least one warning from the presiding officer, any individual continues to disrupt a meeting by his or her words or actions, the presiding officer may direct that the individual be removed as necessary to preserve decorum during meetings.
- (f) 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. Materials should focus on scientific processes and recognize the ongoing process of scientific discovery and change over time in the natural world.
 - (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 Texas and its heritage and abundant natural resources.
 - (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 Texas 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.

- (vii) Instructional materials shall present factual information, avoid bias, and encourage discussion.
- (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.
- (7) At the start of public testimony or a public hearing, the presiding chair shall announce that testimony will be heard for a maximum of two consecutive hours at which time a recess of at least 15 minutes will be observed. Testimony will continue in this manner until such time as all registered testifiers have been permitted to speak. The presiding chair shall also announce that reasonable lunch and dinner breaks will be observed.

(b) Registration Procedures.

- (1) Individuals may register between the hours of 8 a.m. (Central Time) on the Monday 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) Those registering online will receive an email confirming the registration during the next business day.
- (4) Registrations will be listed based upon registration date and time or alternating points of view in order of registration date and time.
- (5) 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.
- (6) Speakers will be informed if it appears that time constraints will not permit all speakers to make their presentation within the allotted time.
- (7) All speakers may provide an electronic copy of their testimony. Registered speakers who are unable to make their presentations due to time constraints are encouraged to provide an electronic copy 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.
- (4) 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.
- (5) 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. Two-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, an electronic copy may be provided for distribution to board members and agency executive staff. Written testimony will not be attached to the board minutes.
- (c) Persons who are unable to attend or to testify at a committee or board meeting due to time constraints may provide an electronic copy 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 (TEKS) and 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 an electronic copy of their testimony for distribution to board members and agency executive staff.
- (e) Persons who are unable to testify at a public hearing due to time constraints may provide an electronic copy of their testimony to agency staff for distribution to board 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 will be noted in the *Texas Register* posting for each item. A minimum of 30 days will be allotted for public comment on a rule item. 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 charter schools 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 private or personal interest including 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 (See Texas Government Code §572.058 for further information.).
- (b) The ethical standards that govern the conduct of State Board of Education members with respect to their duties as to the Permanent School Fund are as provided under 19 TAC Chapter 33, §33.4 *Ethical Standards for Members of the State Board of Education*.

§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 and distributed to board members 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 direct contractual relationship with or otherwise receive funding from the State Board of Education, including without limitation 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 at least one week before the board meeting.
- (c) The board may 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 may 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 may 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 may 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 may 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 may 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 may 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.

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 ensure that proper criteria are 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 to:
 - (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.

Election of State Board of Education Officers

January 28, 2025

STATE BOARD OF EDUCATION: ACTION

SUMMARY: Pursuant to the provisions of the Texas Education Code (TEC), §7.107(b), at the first regular meeting after the election and qualification of new State Board of Education (SBOE) members, the board shall elect by separate votes, a vice chair and a secretary. The current operating rules establish the terms of office for the vice chair and secretary of the board as two years and until their successors are elected.

STATUTORY AUTHORITY: Texas Education Code (TEC), §7.107(b).

TEC, §7.107(b) requires the SBOE to organize, adopt operating rules, and elect a vice chair and secretary at the first meeting after an election and qualification of new members.

PREVIOUS BOARD ACTION: At the January-February 2023 meeting, Pam Little was elected as vice chair and retired member, Pat Hardy, was elected as secretary.

BACKGROUND INFORMATION AND JUSTIFICATION: The chair of the board is appointed by the governor, with the advice and consent of the Texas Senate, for a two-year term of office. The chair holds over in the position until a new chair is appointed and confirmed by the Texas Senate.

The other officers of the board – the vice chair and secretary – are elected by the board in separate votes. The duties of these two officers are listed in Section 1.1(b) of the board’s operating rules. The vice chair and secretary serve two-year terms and continue to serve until their successors are elected.

MOTION TO BE CONSIDERED: The State Board of Education:

Elect a vice chair and a secretary as required by the TEC, §7.107(b).

Staff Member Responsible:

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

Announcement of Membership of Committees

January 28, 2025

STATE BOARD OF EDUCATION: ACTION

SUMMARY: Pursuant to the provisions of the Texas Education Code (TEC), §7.107, at the board's first regular meeting after the election and qualification of new members, the board shall organize. This item provides the opportunity for the chair to announce appointments to the committees of the State Board of Education (SBOE).

BACKGROUND INFORMATION AND JUSTIFICATION: Current SBOE operating rules, §1.2(e), specify that 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 adoption of rules and election of officers. Vacancies shall be filled in a similar fashion. In addition to preference, the officers of the board shall consider relevant qualifications specific to a committee assignment in making committee assignments.

Staff Member Responsible:

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

COMMITTEE OF THE FULL BOARD

Instructional Materials Review and Approval Cycle 2024 Update

January 31, 2025

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

SUMMARY: This item provides an opportunity for staff to present to the board an update of after-action review on the inaugural Instructional Materials Review Approval (IMRA) process. This will focus on the IMRA reports, as well as the IMRA review and appeals processes for publishers. The board may consider any updates to their process document based on the findings of this after-action report.

STATUTORY AUTHORITY: Texas Education Code (TEC), §31.022, and §31.023, as amended by HB 1605, 88th Texas Legislature, Regular Session, 2023.

TEC, §31.022, as amended by HB 1605, 88th Texas Legislature, Regular Session, 2023, requires the SBOE to review instructional materials that have been provided to the board by the Texas Education Agency (TEA) under TEC, §31.023.

TEC, §31.023, as amended by HB 1605, 88th Texas Legislature, Regular Session, 2023, requires the commissioner of education to establish, in consultation with and with the approval of the SBOE, a process for the annual review of instructional materials by TEA. In conducting a review under this section, TEA must use a rubric developed by TEA in consultation with and approved 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 August-September 2023 meeting, the Committee of the Full Board discussed the IMRA process and discussed the approach to developing the quality rubric criteria and process.

At the November 2023 and December 2023 meetings, the board discussed the proposed IMRA process and provided feedback to TEA staff. They also approved a selection process for IMRA reviewers.

At the November 2023 meeting, the board discussed criteria for the suitability and appropriateness of instructional materials for the subject and grade level for which the materials are designed to be used in the instructional materials review and approval process outlined in HB 1605, 88th Texas Legislature, Regular Session, 2023.

At the December 2023 meeting, the board approved the criteria. At the January-February 2024 meeting, the board approved adjustments to the suitability rubric to further clarify the manner in which suitability criteria will be applied as part of the IMRA process.

At the January-February 2024 meeting, the board approved a final set of quality rubrics for the inaugural IMRA review, approved a process document, and adopted administrative rules related to the new IMRA process.

At the November 2024 meeting, the board voted to create the *List of Approved Instructional Materials* and the *List of Rejected Instructional Materials* from the products reviewed in IMRA Cycle 2024.

BACKGROUND INFORMATION AND JUSTIFICATION: The review of IMRA Cycle 2024 instructional materials concluded in the summer 2024. At the September 2024 board meeting, staff presented part 1 of 2 of an after-action review on the current year’s cycle, including IMRA rubrics, instructional materials selection for this cycle and IMRA reviewer selection. This report is part of the SBOE-approved process for IMRA approved in their January-February 2024 meeting.

Staff Members Responsible:

Colin Dempsey, Director, District Operations, Technology, and Sustainability Supports
Amie Phillips, Director, Instructional Materials Review and Approval

Attachments I:

[Instructional Materials Review and Approval \(IMRA\) Process](#)

Attachments II:

[Instructional Materials Review and Approval \(IMRA\) Cycle 2024 After-Action Report Part One](#)

Separate Exhibit:

Instructional Materials Review and Approval (IMRA) Cycle 2024 After-Action Report Part Two
(to be provided in advance of the January 2025 SBOE meeting)

**Proposed New 19 TAC Chapter 67, State Review and Approval of Instructional Materials, Subchapter B, State Review and Approval, §67.27, IMRA Reviewers: Eligibility and Appointment; §67.29, IMRA Reviewers: Training, Duties, and Conduct; §67.31, Procedures for Public Access to and Handling of IMRA Samples; §67.33, Public Comment on Instructional Materials; §67.39, Updates to Approved Instructional Materials; and §67.41, New Editions of Approved Instructional Materials, and Subchapter C, Local Operations, §67.61, Sample Copies of Instructional Materials for School Districts; and §67.63, Selection and Local Adoption of Instructional Materials by School Districts
(Second Reading and Final Adoption)**

January 31, 2025

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

SUMMARY: This item presents for second reading and final adoption proposed new 19 Texas Administrative Code (TAC) Chapter 67, State Review and Approval of Instructional Materials, Subchapter B, State Review and Approval, §67.27, IMRA Reviewers: Eligibility and Appointment; §67.29, IMRA Reviewers: Training, Duties, and Conduct; §67.31, Procedures for Public Access to and Handling of IMRA Samples; §67.33, Public Comment on Instructional Materials; §67.39, Updates to Approved Instructional Materials; and §67.41, New Editions of Approved Instructional Materials, and Subchapter C, Local Operations, §67.61, Sample Copies of Instructional Materials for School Districts; and §67.63, Selection and Local Adoption of Instructional Materials by School Districts. The proposed new sections would implement House Bill (HB) 1605, 88th Texas Legislature, Regular Session, 2023, by defining the procedures and policies for the eligibility, appointment, training, and duties of instructional materials review and approval (IMRA) reviewers; outlining the procedures for IMRA public access and public comment; and specifying procedures for materials to be updated or revised following approval by the board. The proposed new sections would also outline the procedures for local districts to adopt instructional materials. No changes are recommended since approved for first reading.

STATUTORY AUTHORITY: Texas Education Code (TEC), §31.003(a); and §31.022 and §31.023, as amended by HB 1605, 88th Texas Legislature, Regular Session, 2023.

TEC, §31.003(a), 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, as amended by HB 1605, 88th Texas Legislature, Regular Session, 2023, requires the SBOE to review instructional materials that have been provided to the board by the Texas Education Agency (TEA) under TEC, §31.023.

TEC, §31.023, as amended by HB 1605, 88th Texas Legislature, Regular Session, 2023, requires the commissioner of education to establish, in consultation with and with the approval of the SBOE, a process for the annual review of instructional materials by TEA. In conducting a review under this section, TEA must use a rubric developed by TEA in consultation with and approved by the SBOE.

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 sections 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 2025-2026 school year. The earlier effective date would allow for the rules to apply to IMRA Cycle 2025.

PREVIOUS BOARD ACTION: A discussion item regarding §§67.27, 67.29, 67.31, 67.33, 67.39, 67.41, 67.61, and 67.63 was presented to the Committee of the Full Board during the September 2024 SBOE meeting. At the November 2024 meeting, the board approved for first reading and filing authorization proposed new §§67.27, 67.29, 67.31, 67.33, 67.39, 67.41, 67.61, and 67.63.

BACKGROUND INFORMATION AND JUSTIFICATION: TEC, Chapter 31, addresses instructional materials in public education and permits the SBOE to adopt rules for the adoption, requisition, distribution, care, use, and disposal of instructional materials. HB 1605, 88th Texas Legislature, Regular Session, 2023, significantly revised TEC, Chapter 31, including several provisions under SBOE authority. HB 1605 also added a new provision to TEC, Chapter 48, to provide additional funding to school districts and charter schools that adopt and implement SBOE-approved materials. In addition, the bill added requirements related to adoption of essential knowledge and skills in TEC, Chapter 28.

At the January-February 2024 meeting, the SBOE approved 19 TAC Chapter 67, State Review and Approval of Instructional Materials, Subchapter B, State Review and Approval, §67.21, Proclamations, Public Notice, and Requests for Instructional Materials for Review; §67.23, Requirements for Publisher Participation in Instructional Materials Review and Approval (IMRA); and §67.25, Consideration and Approval of Instructional Materials by the State Board of Education, and Subchapter D, Duties of Publishers and Manufacturers, §67.81, Instructional Materials Contracts, and §67.83, Publisher Parent Portal, for second reading and final adoption. At that time, the board expressed a desire to clarify the rules related to the list of approved instructional materials outlined in TEC, §31.022.

At the June 2024 meeting, the SBOE approved 19 TAC Chapter 67, State Review and Approval of Instructional Materials, Subchapter B, State Review and Approval, §67.43, Lists of Approved and Rejected Instructional Materials, for second reading and final adoption.

The proposed new sections in Subchapter B would define the procedures and policies for the selection, appointment, training, and duties of IMRA reviewers; outline the procedures for IMRA public access and public comment; and specify procedures for materials to be updated or revised following approval by the board.

The proposed new sections in Subchapter C would outline the procedures for local districts to request sample copies of materials under review and clarify the procedures for selection and local adoption of instructional materials by school districts and open-enrollment charter schools.

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, including school districts and open-enrollment charter schools, 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 may impose a cost on regulated persons. Publishers of SBOE-approved materials assume all costs associated with receiving approval from the SBOE and making updates and/or substitutions to their approved materials. This is not mandatory unless a participant in the review and approval process opts to submit their materials voluntarily. Further, the SBOE may assess penalties as allowed by law against publishers that fail to obtain approval for updates to content in state-adopted instructional materials prior to delivery of the materials to school districts. However, these rules are necessary to implement legislation and, therefore, are 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 create new regulations regarding the procedures and policies for the selection, appointment, training, and duties of IMRA reviewers; outline the procedures for IMRA public access and public comment; and specify procedures for materials to be updated or revised following approval by the board.

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 proposal would define the procedures and policies for the selection, appointment, training, and duties of IMRA reviewers; outline the procedures for IMRA public access and public comment; and specify procedures for materials to be updated or revised following approval by the board. 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 proposed new sections 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 November 2024 SBOE meeting, notice of proposed new §§67.27, 67.29, 67.31, 67.33, 67.39, 67.41, 67.61, and 67.63 was filed with the Texas Register, initiating the public comment period. The public comment period on the proposal began December 20, 2024, and ended at 5:00 p.m. on January 21, 2025. No comments had been received at the time this item was prepared. A summary of public comments received will be provided to the SBOE during the January 2025 meeting. The SBOE will take registered oral and written comments on the proposal at the appropriate committee meeting in January 2025 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 new 19 TAC Chapter 67, State Review and Approval of Instructional Materials, Subchapter B, State Review and Approval, §67.27, IMRA Reviewers: Eligibility and Appointment; §67.29, IMRA Reviewers: Training, Duties, and Conduct; §67.31, Procedures for Public Access to and Handling of IMRA Samples; §67.33, Public Comment on Instructional Materials; §67.39, Updates to Approved Instructional Materials; and §67.41, New Editions of Approved Instructional Materials, and Subchapter C, Local Operations, §67.61, Sample Copies of Instructional Materials for School Districts; and §67.63, Selection and Local Adoption of Instructional Materials by School Districts; and

Make an affirmative finding that immediate adoption of proposed new 19 TAC Chapter 67, State Review and Approval of Instructional Materials, Subchapter B, State Review and Approval, §67.27, IMRA Reviewers: Eligibility and Appointment; §67.29, IMRA Reviewers: Training, Duties, and Conduct; §67.31, Procedures for Public Access to and Handling of IMRA Samples; §67.33, Public Comment on Instructional Materials; §67.39, Updates to Approved Instructional Materials; and §67.41, New Editions of Approved Instructional Materials, and Subchapter C, Local Operations, §67.61, Sample Copies of Instructional Materials for School Districts; and §67.63, Selection and Local Adoption of Instructional Materials by School Districts, is necessary and shall have an effective date of 20 days after filing as adopted 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 Member Responsible:

Colin Dempsey, Director, District Operations, Technology, and Sustainability Supports

Attachment:

Text of Proposed New 19 TAC Chapter 67, State Review and Approval of Instructional Materials, Subchapter B, State Review and Approval, §67.27, IMRA Reviewers: Eligibility and Appointment; §67.29, IMRA Reviewers: Training, Duties, and Conduct; §67.31, Procedures for Public Access to and Handling of IMRA Samples; §67.33, Public Comment on Instructional Materials; §67.39, Updates to Approved Instructional Materials; and §67.41, New Editions of Approved Instructional Materials, and Subchapter C, Local Operations, §67.61, Sample Copies of Instructional Materials for School Districts; and §67.63, Selection and Local Adoption of Instructional Materials by School Districts

ATTACHMENT
Text of Proposed New 19 TAC

Chapter 67. State Review and Approval of Instructional Materials

Subchapter B. State Review and Approval

§67.27. IMRA Reviewers: Eligibility and Appointment.

- (a) All instructional materials review and approval (IMRA) reviewers must complete an application. The application will include a resume and supervisor contact information and must request any professional associations, affiliations, and groups in a format approved by the State Board of Education (SBOE) chair.
- (b) The IMRA reviewer application shall be posted to the SBOE website.
- (c) An IMRA reviewer may serve as a quality reviewer or as a suitability reviewer.
- (d) IMRA quality reviewers must meet one of the following minimum qualification requirements:
 - (1) educators with three or more years of experience;
 - (2) district or campus personnel who have taught and/or directly supported the grade level(s) and subject area(s) or course(s) for at least three years;
 - (3) adjunct professors at an accredited institution of higher education in Texas for at least three years;
or
 - (4) persons with evidence of strong content knowledge and experience in the grade level(s) and subject area(s) or course(s).
- (e) The Texas Education Agency (TEA) may reject a quality reviewer applicant if the candidate does not meet minimum eligibility as outlined in this section.
- (f) All eligible quality reviewer applicants shall be evaluated by TEA staff using the applicants' experience and qualifications rated on a scale of 1-3. The best qualified individuals are ranked 1.
- (g) Once rated, all eligible quality reviewer applicants are shared with the SBOE member for which the applicant is a district resident.
- (h) TEA staff provides all quality reviewer applicants and their applications to the SBOE member for which the applicant is a district resident, and the SBOE member may adjust rankings, veto applicants, and/or identify top candidates.
- (i) The SBOE member has two weeks to return applicants and their rankings to TEA staff. If the SBOE member does not submit a response, TEA staff's ranking shall remain unchanged.
- (j) IMRA quality reviewers must be approved by the SBOE member for which they are a district resident.
- (k) If an individual invited to serve on a quality review panel declines the invitation, the relevant SBOE member will select an alternate from the list of candidates within one week. To the extent an SBOE member fails to select an alternate within one week, the top-ranked applicant is deemed selected.
- (l) In the event TEA does not receive enough applications to fill available roles, TEA may:
 - (1) reduce the size of the review team to no fewer than three reviewers;
 - (2) postpone the review of materials using the SBOE-approved strategy for prioritizing selection of instructional materials for review; or
 - (3) modify the review schedule to allow for additional recruitment efforts.
- (m) TEA staff shall build quality review panels using top candidates identified from each SBOE district. As final selections are made, TEA may consider the following characteristics to ensure that each individual review panel is balanced and has the necessary qualifications. The guidelines are established to ensure that

the work groups are highly qualified, reflect the make-up of the state's educators, and include representation from the following.

- (1) Experience: highly qualified educators and others with evidence of strong content knowledge and experience in the subject and/or grade level or bands and/or course(s).
 - (2) Position: a variety of positions reflected such as classroom teachers, campus- and district-level administrators/specialists, education service center subject area personnel, representatives from higher education, and community members, including parents and employers.
 - (3) School district size: large, midsize, and small school districts.
 - (4) Demographics: multiple and different racial and ethnic groups and males and females.
 - (5) School district/charter school: a variety of local education agencies are represented, including open-enrollment charter schools.
 - (6) Expertise: if a work group is assigned a grade band, at least one reviewer with experience teaching for each grade level will be prioritized.
- (n) TEA staff shall maintain a database of individuals who have served on an IMRA review panel during the review process.
- (o) Applicants are exempt from subsection (a) of this section if they have previously served as an IMRA quality reviewer and received an acceptable performance rating.
- (p) Texas residency is a minimum requirement for any IMRA suitability reviewer.
- (q) Each SBOE member shall annually nominate a minimum of 20 applicants to serve as suitability reviewers and rank them from most preferred to least preferred.
- (r) A panel for suitability review consists of three reviewers and shall reflect the political affiliation of the SBOE. No more than one suitability reviewer per panel may be from any one SBOE district.
- (s) TEA staff shall build suitability review panels using top candidates identified from each SBOE district. As final selections are made, TEA may consider the following characteristics to ensure that each individual review panel is balanced and has the necessary qualifications.
- (1) Experience: successful participation as a quality or suitability reviewer in a past review.
 - (2) Demographics: multiple and different racial and ethnic groups and males and females.
- (t) If an individual invited to serve on a review panel declines the invitation, the relevant SBOE member will select an alternate from the list of candidates within one week. To the extent a member fails to select an alternate within one week, the top-ranked applicant is deemed selected.
- (u) If there are not enough suitability reviewers available for a review cycle, TEA shall request more nominations from each SBOE member. To the extent a member fails to nominate additional candidates within one week, candidates from other SBOE member districts may be considered.
- (v) If an SBOE member who nominated reviewers no longer holds the office before the start of the annual review, the new SBOE member may nominate different suitability reviewers or adjust their rankings. If the office is vacant, the SBOE chair may nominate different suitability reviewers or adjust their rankings.

§67.29. IMRA Reviewers: Training, Duties, and Conduct.

- (a) Instructional materials review and approval (IMRA) reviewers shall participate in training that includes at least the following:
- (1) the responsibilities of an IMRA reviewer;
 - (2) statutes and rules pertaining to the IMRA process;
 - (3) essential knowledge and skills specified for subjects and grades or courses included in the proclamation or request for instructional materials, including clear and consistent guidelines for

determining Texas Essential Knowledge and Skills (TEKS), Texas Prekindergarten Guidelines (TPG), or English Language Proficiency Standards coverage within the instructional materials;

- (4) identifying factual errors;
 - (5) the schedule of IMRA procedures;
 - (6) regulatory requirements, including Texas Government Code, §572.051 (relating to Standards of Conduct), and Texas Penal Code, §36.02 (relating to Bribery); and
 - (7) IMRA quality and suitability rubrics.
- (b) IMRA reviewers shall not accept meals, entertainment, gifts, or gratuities in any form from State Board of Education (SBOE) members; publishers, authors, or depositories; agents for publishers, authors, or depositories; any person who holds any official position with publishers, authors, depositories, or agents; or any person or organization interested in influencing the selection of instructional materials.
 - (c) IMRA reviewers shall be afforded the opportunity to collaborate with other panel members during the official virtual and face-to-face reviews to discuss coverage of TEKS or TPG, errors, components, or any other aspect of instructional materials being evaluated. Reviewers shall not discuss with other reviewers of the panel the instructional materials being reviewed, except during official virtual and face-to-face reviews.
 - (d) IMRA reviewers shall not discuss instructional materials being evaluated with a member of the SBOE, unions, organizations, or associations or with any party having a financial interest in the approval of instructional materials prior to the conclusion of the review. The review is considered to have concluded on the date that the final list of instructional materials recommended for approval is posted on the SBOE website.
 - (e) SBOE members may attend review panel meetings but may not discuss materials under review with state review panel members.
 - (f) IMRA reviewers shall observe a no-contact period that shall begin with the initial communication regarding possible appointment to a state review panel and end when they are released from their duties. During this period, IMRA reviewers shall not have direct or indirect communication with any person having an interest in the approval process regarding content of instructional materials under evaluation by the panel.
 - (g) The restrictions in subsections (c)-(f) of this section are not intended to prohibit IMRA reviewers from providing public testimony to the SBOE either at a public hearing or in any regularly scheduled meeting in accordance with the SBOE Operating Rules, §2.12 (relating to Public Hearings).
 - (h) IMRA reviewers shall report immediately to the commissioner of education and chair of the SBOE any communication or attempted communication by any person not officially involved in the review process regarding instructional materials being evaluated by the panel.

§67.31. Procedures for Public Access to and Handling of IMRA Samples.

- (a) Each regional education service center (ESC) executive director shall designate one person to supervise all access to pre-approval instructional materials under consideration.
- (b) On or before the date specified in the request for instructional materials for review, each ESC representative shall notify the commissioner of education of all irregularities in electronic samples in a manner designated by the commissioner. The appropriate publisher shall be notified of any sample irregularities reported by the ESCs.
- (c) One electronic sample of all pre-approval instructional materials under consideration shall be retained in each ESC for review by interested persons. The review sample must remain available until the ESC receives the electronic final approved product sample on the date specified in the schedule of instructional materials review and approval (IMRA) procedures.
- (d) Appropriate information, such as locator and login information and passwords, shall be made available by the ESCs to ensure public access to Internet-based instructional content throughout the review or contract period, as appropriate.

- (e) Regional ESCs shall ensure reasonable public access to pre-approval instructional materials under consideration, including access outside of normal working hours that shall be scheduled by appointment.
- (f) On or before the date specified in the schedule of IMRA procedures, each ESC shall publicize the date on which pre-approval instructional materials under consideration will be available for review and shall notify all school districts in the region of the schedule.
- (g) One electronic final sample of all instructional materials approved by the State Board of Education shall be retained in each ESC for the entire contract period for review by interested persons. Samples of approved prekindergarten materials must match the format of the products to be provided to schools upon ordering.

§67.33. Public Comment on Instructional Materials.

- (a) The instructional materials public comment period begins when the electronic samples of materials under consideration for approval are posted on the State Board of Education (SBOE) website and ends after 60 calendar days.
- (b) Any resident of Texas may submit written comments for, against, or about any instructional materials submitted for review. All feedback shall be submitted to the commissioner of education in a format designated by the commissioner on or before the deadlines specified in the schedule of instructional materials review and approval (IMRA) procedures.
- (c) Copies of written feedback and lists of reported alleged factual errors and suitability flags shall be posted on the SBOE website and provided to the SBOE and participating publishers.
- (d) The SBOE shall hold a hearing on instructional materials submitted for review during a regularly scheduled meeting prior to the meeting at which the SBOE will vote to approve instructional materials.
 - (1) Testimony at the hearing shall be accepted from Texas residents and non-residents with priority given to Texas residents.
 - (2) Copies of written testimony provided at the hearing shall be distributed to SBOE members and to publishers with materials under consideration.
 - (3) Persons who wish to testify must register in accordance with registration procedures in the SBOE Operating Rules, §2.10 (relating to Oral Public Testimony in Connection with Regular Board and Committee Meetings).
 - (4) The SBOE may limit the time available for each person to testify to hear from everyone who has registered to testify.
 - (5) Persons may also be allowed to register to testify at the hearing, but priority will be given to those persons who registered prior to the deadline, in accordance with the SBOE Operating Rules, §2.12 (relating to Public Hearings).
 - (6) Oral responses to testimony at the hearing may be made by official representatives of publishing companies.
 - (7) An archived recording of the hearing shall be provided on the Texas Education Agency (TEA) website.
 - (8) All written publisher responses to comments or public testimony provided at the hearing shall be posted to the TEA website within five working days of their receipt from the publisher.
- (e) Public comment on instructional materials not approved by the SBOE on the date specified in the schedule of IMRA procedures shall be accepted according to the SBOE Operating Rules, §2.10.

§67.39. Updates to Approved Instructional Materials.

- (a) A publisher may submit a request to the commissioner of education for approval to update content in State Board of Education (SBOE)-approved instructional materials. A publisher requesting approval of a content update shall provide a written request in a manner designated by the commissioner that includes an explanation of the reason for the update. This requirement includes electronic instructional materials and

Internet products for which all users receive the same updates. The request must be accompanied by an electronic sample of the proposed updates. Proposed changes shall be posted on the Texas Education Agency (TEA) website for a minimum of 30 calendar days prior to approval.

- (b) A publisher that requests to update content in state-approved instructional materials must comply with the following additional requirements:
 - (1) provide that there will be no additional cost to the state or local education agencies (LEAs);
 - (2) certify in writing that the new material meets the applicable essential knowledge and skills, is free from factual errors, and is suitable and appropriate for the grade level and subject/course(s); and
 - (3) certify that the updates do not affect the product's coverage of Texas Education Code, §28.002(h), as it relates to that specific subject and grade level or course(s) in understanding the importance of patriotism and functioning productively in a free-enterprise society with appreciation for the basic democratic values of our state and national heritage.
- (c) All requests for updates must be approved by the SBOE prior to their introduction into state-approved and locally adopted instructional materials.
- (d) The SBOE may assess penalties as allowed by law against publishers that fail to obtain approval for updates to content in state-approved instructional materials prior to delivery of the materials to school districts.
- (e) A publisher of instructional materials may provide alternative formats for use by school districts if:
 - (1) the content is identical to SBOE-approved content; and
 - (2) the alternative formats include the identical revisions and updates as the original product and the cost to the state and LEAs is equal to or less than the cost of the original product.
- (f) Alternative formats may be developed and introduced at any time during the instructional materials review and approval cycle using the procedures for approval of other SBOE-approved materials.
- (g) Publishers must notify the commissioner in writing if they are providing SBOE-approved products in alternative formats.

§67.41. New Editions of Approved Instructional Materials.

- (a) A publisher may submit a request to the commissioner of education for approval to substitute a new edition of state-approved instructional materials. A publisher requesting approval of a new edition shall provide a written request in a manner designated by the commissioner that includes an explanation of the reason for the substitution. The request must be accompanied by an electronic sample and a correlation document that meets all the requirements of the correlation document provided for the initial review. This requirement includes electronic instructional materials and Internet products for which all users receive the same updates. Proposed changes shall be made available for public review on the Texas Education Agency website for a minimum of 60 calendar days prior to approval.
- (b) A publisher that requests to substitute a new edition of state-approved instructional materials must comply with the following additional requirements:
 - (1) provide that there will be no additional cost to the state or local education agencies;
 - (2) certify in writing that the new material meets the applicable Texas Essential Knowledge and Skills or Texas Prekindergarten Guidelines, is free from factual errors, and is suitable and appropriate for the grade level and subject/course(s); and
 - (3) certify that the updates in the new edition do not affect the product's coverage of Texas Education Code, §28.002(h), as it relates to that specific subject and grade level or course(s) in understanding the importance of patriotism and functioning productively in a free-enterprise society with appreciation for the basic democratic values of our state and national heritage.

- (c) All requests for updates involving content used in determining the product's eligibility for approval must be approved by the State Board of Education (SBOE) prior to their introduction into state-approved and locally adopted instructional materials.
- (d) The SBOE may assess penalties as allowed by law against publishers that fail to obtain approval for updates to content in SBOE-approved instructional materials prior to delivery of the materials to school districts.

Subchapter C. Local Operations

§67.61. Sample Copies of Instructional Materials for School Districts.

- (a) Upon request by the instructional materials coordinator of a school district or an open-enrollment charter school, a publisher shall provide one complete electronic sample in an open file format or closed format of approved instructional materials. Samples of learning systems and electronic, visual, or auditory media may be provided in demonstration or representative format. Samples of instructional materials provided to school districts shall be labeled "Sample Copy - Not for Classroom Use."
- (b) Samples supplied to school districts shall be provided and distributed at the expense of the publisher. No state or local funds shall be expended to purchase, distribute, or ship sample materials. Publishers may make arrangements with school districts or open-enrollment charter schools to retrieve samples after local selections are completed, but the state does not guarantee return of sample instructional materials.

§67.63. Selection and Local Adoption of Instructional Materials by School Districts.

- (a) Each local board of trustees of a school district or governing body of an open-enrollment charter school shall select instructional materials in an open meeting as required by Texas Government Code, Chapter 551, including public notice.
- (b) A school district or an open-enrollment charter school may requisition instructional materials on the list approved under the Texas Education Code, §31.023, for grades above the grade level in which the student is enrolled.
- (c) Locally adopted instructional materials shall be supplied to a student in special education classes as appropriate to the level of the student's ability and without regard to the grade for which the instructional material is adopted or the grade in which the student is enrolled.
- (d) School districts or open-enrollment charter schools shall not be reimbursed from state funds for expenses incurred in local handling of instructional materials.

Instructional Materials Review and Approval Cycle 2025 Update

January 31, 2025

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

SUMMARY: This item provides an opportunity for staff to present to the board updates on Instructional Materials Review Approval (IMRA) Cycle 2025. The presentation will include a preliminary list of materials for review and an overview of the instructional materials market landscape. The board may decide to add instructional materials to the review list for IMRA Cycle 2025.

STATUTORY AUTHORITY: Texas Education Code (TEC) §31.022 and §31.023, as amended by HB 1605, 88th Texas Legislature, Regular Session, 2023.

TEC, §31.022, as amended by HB 1605, 88th Texas Legislature, Regular Session, 2023, requires the SBOE to review instructional materials that have been provided to the board by the Texas Education Agency (TEA) under TEC, §31.023.

TEC, §31.023, as amended by HB 1605, 88th Texas Legislature, Regular Session, 2023, requires the commissioner of education to establish, in consultation with and with the approval of the SBOE, a process for the annual review of instructional materials by TEA. In conducting a review under this section, TEA must use a rubric developed by TEA in consultation with and approved by the SBOE.

PREVIOUS BOARD ACTION: At the August-September 2023 meeting, the Committee of the Full Board discussed the IMRA process and discussed the approach to developing the quality rubric criteria and process.

At the February 2024 meeting, the board approved IMRA Quality Rubrics aligned to K–3 and 4–8 English language arts and reading, K–3 and 4–6 Spanish language arts and reading, and K–12 mathematics.

At the June 2024 meeting, the Committee of the Full Board discussed a multi-year timeline for IMRA cycles including the development of quality rubrics.

The Committee of the Full Board also discussed IMRA Cycle 2025 draft rubrics and the after-action report where there were findings for some improvements to the existing quality rubrics at the September 2024 meeting.

At the November 2024 meeting, the State Board of Education approved the quality rubric for supplemental math for the Instructional Materials Review and Approval (IMRA) process and the quality rubrics, as presented by staff, for the Instructional Materials Review and Approval (IMRA) process.

BACKGROUND INFORMATION AND JUSTIFICATION: TEC, Chapter 31, addresses instructional materials in public education and permits the SBOE to adopt rules for the adoption, requisition, distribution, care, use, and disposal of instructional materials. HB 1605, 88th Texas Legislature, Regular Session, 2023, significantly revises TEC, Chapter 31, including several provisions under SBOE authority. HB 1605 also added a new provision to TEC, Chapter 48, to provide additional funding to school districts and charter schools that adopt and implement SBOE approved materials.

TEC, 31.002 as amended by HB 1605, 88 Regular Session, 2023, expanded the definition of instructional materials to include full-subject, tier-one; partial-subject, tier-one; and supplemental instructional materials.

TEC, 31.023(a)(1)(B) requires that any process developed for the review of instructional materials includes a process for the agency to review materials if the State Board of Education requests by a majority vote that the material be reviewed by the agency.

TEC, 31.023(a)(1) requires the agency to establish, in consultation with and with the approval of the State Board of Education, a process for the annual review of instructional materials by the agency. This process must include a process for the agency to select instructional materials for review.

The [Instructional Materials Review and Approval \(IMRA\) Process document](#) was approved by the SBOE on February 2, 2024. Step 14 of that process requires the agency to provide a market share analysis to the SBOE. Step 15 of that process requires that the agency present a proposed list of materials to be included in the review cycle to the SBOE and for the SBOE to have the opportunity to, by majority vote, request materials be added to the list of materials to be included in the review cycle.

PUBLIC BENEFIT AND COST TO PERSONS: The proposal would benefit the public through adding clarity to the instructional materials quality review and approval process resulting from the implementation of House Bill (HB) 1605, 88th Texas Legislature, Regular Session, 2023. There is no anticipated economic cost to persons who are required to comply with the proposal.

PUBLIC COMMENTS: A summary of public feedback on the new quality rubrics for supplemental mathematics instructional materials will be presented to the board at the January 2025 meeting.

MOTION TO BE CONSIDERED: The State Board of Education:

Approve to include [insert product name, publisher, subject/course and grade band] in IMRA Cycle 2025 as a required instructional material to be reviewed per Texas Education Code, §31.023.(a)(1)(B).

Staff Member Responsible:

Colin Dempsey, Director, District Operations, Technology, and Sustainability Supports

Separate Exhibits:

I. Preliminary List of Products for Review IMRA Cycle 2025

II. Market Landscape Analysis

(separate exhibits to be provided in advance of the January 2025 SBOE meeting)

Discussion of Local Classroom Review Rubrics

January 28, 2025

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

SUMMARY: This item provides the opportunity for staff to present the draft rubrics related to classroom reviews and for the board to offer feedback on these rubrics.

STATUTORY AUTHORITY: Texas Education Code (TEC), §26.0061, as added by HB 1605, 88th Texas Legislature, Regular Session, 2023 and §31.0252, as added by HB 1605, 88th Texas Legislature, Regular Session, 2023.

TEC, §26.0061, as added by HB 1605, 88th Texas Legislature, Regular Session, 2023, requires the board of trustees of each school district shall establish a process by which a parent may request an instructional material review under Section 31.0252 for a subject area in the grade level in which the student is enrolled and allows the SBOE to adopt rules to implement this section.

TEC, §31.0252, as added by HB 1605, 88th Texas Legislature, Regular Session, 2023, requires the Texas Education Agency (TEA) to develop a rubric, approved by the SBOE, to determine if reviewed instructional material complies with the rigor requirements described by TEC, §31.0252(a)(2).

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

PREVIOUS BOARD ACTION: A discussion item regarding §67.69 was presented to the Committee of the Full Board at the November 2024 SBOE meeting.

BACKGROUND INFORMATION AND JUSTIFICATION: HB 1605, 88th Texas Legislature, Regular Session, 2023, significantly revised TEC, Chapter 31, including adding a provision for local classroom reviews of instructional materials.

Section 24 of the bill established new TEC, §31.0252. Local Review of Classroom Instructional Materials. This section requires that the agency develop standards in consultation with stakeholders, including educators, by which a school district is authorized to conduct a review of instructional materials used by a classroom teacher in a foundation curriculum course under Section 28.002(a)(1) to determine the degree to which the material (1) corresponds with the instructional materials adopted by the school district or campus; and (2) meets the level of rigor of the knowledge and skills adopted under Section 28.002 for the grade level in which it is being used.

This section also requires the agency to develop a rubric, approved by SBOE, to determine if reviewed instructional material complies with the rigor requirements.

At the June 2023 SBOE meeting, the Committee of the Full Board held a work session to receive an overview presentation on HB 1605 from the commissioner of education and begin discussing preliminary decisions and next steps. The June 2023 SBOE HB 1605 Work Session Presentation shared during the work session is available on the TEA website at [June 2023 SBOE HB 1605 Work Session Slides](#).

At the November 2024 SBOE meeting staff presented the local classroom review rubrics and considerations for proposed rule as a discussion item for the board.

The proposed rubrics will be used to conduct local classroom reviews and must be approved by the SBOE per TEC, §31.0252.

Staff Members Responsible:

Colin Dempsey, Director, District Operations, Technology, and Sustainability Supports

Shay Wise-Garland, Director, District Leadership Supports

Separate Exhibit:

Proposed Local Classroom Review Rubrics

(to be provided in advance of the January 2025 SBOE meeting)

**Proposed New 19 TAC Chapter 67, State Review and Approval of Instructional Materials,
Subchapter C, Local Operations, §67.69, Local Review of Classroom Instructional Materials
(First Reading and Filing Authorization)**

January 31, 2025

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

SUMMARY: This item presents for first reading and filing authorization proposed new 19 Texas Administrative Code (TAC) Chapter 67, State Review and Approval of Instructional Materials, Subchapter C, Local Operations, §67.69, Local Review of Classroom Instructional Materials. The proposed new section would implement House Bill (HB) 1605, 88th Texas Legislature, Regular Session, 2023, by outlining the local process requirements for a parent to petition for a review of instructional materials.

STATUTORY AUTHORITY: Texas Education Code (TEC), §26.0061, as added by HB 1605, 88th Texas Legislature, Regular Session, 2023; §31.003(a); and §31.0252, as added by HB 1605, 88th Texas Legislature, Regular Session, 2023.

TEC, §26.0061, as added by HB 1605, 88th Texas Legislature, Regular Session, 2023, requires the board of trustees of each school district to establish a process by which a parent may request an instructional material review under TEC, §31.0252, for a subject area in the grade level in which the student is enrolled and allows the State Board of Education (SBOE) to adopt rules to implement this section.

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

TEC, §31.0252, as added by HB 1605, 88th Texas Legislature, Regular Session, 2023, requires the Texas Education Agency (TEA) to develop a rubric, approved by the SBOE, to determine if reviewed instructional material complies with the rigor requirements described by TEC, §31.0252(a)(2).

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 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 2025-2026 school year. The earlier effective date would allow for the rule to apply to the 2025-2026 school year.

PREVIOUS BOARD ACTION: A discussion item on the local review of classroom instructional materials rubric and proposed new §67.69 was presented to the Committee of the Full Board during the November 2024 SBOE meeting.

BACKGROUND INFORMATION AND JUSTIFICATION: HB 1605, 88th Texas Legislature, Regular Session, 2023, significantly revised TEC, Chapter 31, including adding a provision for local classroom reviews of instructional materials.

HB 1605, 88th Texas Legislature, Regular Session, 2023, established new TEC, §31.0252, Local Review of Classroom Instructional Materials, which requires that TEA develop standards in consultation with stakeholders, including educators, by which a school district is authorized to conduct a review of

instructional materials used by a classroom teacher in a foundation curriculum course under TEC, §28.002(a)(1), to determine the degree to which the material corresponds with the instructional materials adopted by the school district or campus and meets the level of rigor of the essential knowledge and skills adopted under TEC, §28.002, for the grade level in which it is being used.

TEC, §31.0252, also requires the agency to develop a rubric, approved by the SBOE, to determine if reviewed instructional material complies with the rigor requirements.

At the June 2023 SBOE meeting, the Committee of the Full Board held a work session to receive an overview presentation on HB 1605 from the commissioner of education and begin discussing preliminary decisions and next steps. The June 2023 SBOE HB 1605 Work Session Presentation shared during the work session is available on the TEA website at <https://tea.texas.gov/about-tea/leadership/state-board-of-education/sboe-2023/sboe-2023-june/sboe-hb1605-working-session-slidedeck-062223.pdf>.

At the November 2024 SBOE meeting, TEA staff presented to the Committee of the Full Board for discussion the local classroom review rubrics and considerations for the proposed rule.

Proposed new §67.69 would clarify the conditions under which a local review of classroom instructional materials would be conducted.

FISCAL IMPACT: TEA has determined that there are no additional costs to state or local government, including school districts and open-enrollment charter schools, 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 regarding the process for local reviews of classroom instructional materials conducted by school districts.

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 define the requirements for a school district's process for parent petitions for instructional material review. 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 February 28, 2025, and ends at 5:00 p.m. on March 31, 2025. The SBOE will take registered oral and written comments on the proposal at the appropriate committee meeting in April 2025 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 February 28, 2025.

MOTION TO BE CONSIDERED: The State Board of Education:

Approve for first reading and filing authorization proposed new 19 TAC Chapter 67, State Review and Approval of Instructional Materials, Subchapter C, Local Operations, §67.69, Local Review of Classroom Instructional Materials.

Staff Members Responsible:

Colin Dempsey, Director, District Operations, Technology, and Sustainability Supports
Shay Wise-Garland, Director, District Leadership Supports

Attachment:

Text of Proposed New 19 TAC Chapter 67, State Review and Approval of Instructional Materials, Subchapter C, Local Operations, §67.69, Local Review of Classroom Instructional Materials

ATTACHMENT
Text of Proposed New 19 TAC

Chapter 67. State Review and Approval of Instructional Materials

Subchapter C. Local Operations

§67.69. Local Review of Classroom Instructional Materials.

School districts and open-enrollment charter schools must establish a process by which a parent of a student may request an instructional material review under Texas Education Code, §31.0252, for a subject area in the grade level in which the student is enrolled. This process shall:

- (1) establish minimum requirements for a parent's petition to the school district board of trustees for a local review of classroom instructional materials, including submission guidelines and timelines for the petition. The process must align to the statewide submission window of September 1 through the last instructional day for students;
- (2) require parent petitions to include the student assignment, grade level, content area, campus name, and teacher name to complete the local review process; and
- (3) establish an appeal process for parents if a petition for a local review is denied by the school district board of trustees, detailing steps for submitting an appeal, the criteria for reviewing the appeal, and the timelines for a final decision.

Ethics Training

January 28, 2025

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

SUMMARY: This item provides an opportunity for the State Board of Education (SBOE) to discuss ethics statutes and rules that apply to SBOE members.

STATUTORY AUTHORITY: Texas Education Code (TEC), §43.0031 and 19 Texas Administrative Code (TAC), §33.4(b).

TEC §43.0031 requires the SBOE to adopt an ethics policy.

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

BACKGROUND INFORMATION AND JUSTIFICATION: Under the Permanent School Fund (PSF) Code of Ethics, the SBOE must participate in annual ethics training.

Staff Members Responsible:

Von Byer, General Counsel, Legal Services

Adrienne Butcher, TEA Ethics Advisor, Legal Services

Attachment I:

A Guide to Ethics Laws for State Officers and Employees

Attachment II:

Can I Take It?

Attachment III:

Can I Take This Trip?

Attachment IV:

Revolving Door

TEXAS ETHICS COMMISSION

A GUIDE TO ETHICS LAWS FOR STATE OFFICERS AND EMPLOYEES



Revised January 1, 2022

Texas Ethics Commission, P.O. Box 12070, Austin, Texas 78711

www.ethics.state.tx.us

(512) 463-5800 • TDD (800) 735-2989

Promoting Public Confidence in Government

**A GUIDE TO ETHICS LAWS
FOR STATE OFFICERS AND EMPLOYEES**

INTRODUCTION	2
Laws Interpreted by the Texas Ethics Commission.....	2
Advisory Opinions.....	2
PART I. STANDARDS OF CONDUCT AND CONFLICT OF INTEREST	3
The “Should Nots”.....	3
Private Interest in Measure or Decision.....	3
PART II. ACCEPTANCE OF BENEFITS	4
Bribery	4
Honoraria	4
Prohibitions on Gifts.....	4
Exceptions to Gift Prohibitions.....	5
Gifts Prohibited by the Lobby Statute	6
Gifts to State Agencies.....	6
Donation of Gifts to Charity	6
PART III. ABUSE OF OFFICE	7
Misuse of Government Property.....	7
Misuse of Official Information	7
PART IV. OTHER EMPLOYMENT	8
Concurrent Employment.....	8
Future Employment	8
Revolving Door #1.....	8
Revolving Door #2.....	8
Revolving Door #3.....	9
PART V. PERSONAL FINANCIAL STATEMENTS	9
PART VI. LOBBYING BY STATE OFFICERS AND EMPLOYEES	10
SUMMARY	10
APPENDIX	11
§ 36.08. Gift to Public Servant by Person Subject to His Jurisdiction	11
§ 36.09. Offering Gift to Public Servant.....	12
§ 36.10. Non-Applicable.....	12

INTRODUCTION

As a public servant, you owe a responsibility to the people of Texas in the performance of your official duties. This guide sets out laws that govern your conduct as a public servant. As you read this guide, you should bear in mind that ethical conduct involves more than merely following these laws. As a public servant, you should act fairly and honestly and should avoid creating even the appearance of impropriety.

Laws Interpreted by the Texas Ethics Commission

The Texas Ethics Commission interprets various laws governing the conduct of state officers and employees: the provisions in chapter 572 of the Government Code; the restrictions on benefits, gifts, and honoraria in chapter 36 of the Penal Code and in the lobby law, chapter 305 of the Government Code; and the restrictions on the use of government resources in chapter 39 of the Penal Code.

Some laws governing public servants, such as the nepotism law, are not under the jurisdiction of the Ethics Commission. Also, officers and employees of particular state agencies may be subject to statutes, rules, or personnel guidelines specifically applicable to that agency. Your general counsel or the Office of the Attorney General are the appropriate sources for advice about such laws.

Advisory Opinions

If you are concerned about how any of the laws subject to interpretation by the Ethics Commission apply to you, you may request an advisory opinion. The request must be about the application of one or more of those laws to a specific factual situation, either existing or hypothetical. Gov't Code § 571.091. Unless you waive confidentiality in writing, the Ethics Commission must keep your name confidential.

The legal effect of an Ethics Commission advisory opinion is described in section 571.097 of the Government Code as follows:

It is a defense to prosecution or to imposition of a civil penalty that the person reasonably relied on a written advisory opinion of the commission relating to the provision of the law the person is alleged to have violated or relating to a fact situation that is substantially similar to the fact situation in which the person is involved.

Copies of Ethics Advisory Opinions are available from the Ethics Commission at (512) 463-5800 or at <http://www.ethics.state.tx.us> on the Internet.

PART I. STANDARDS OF CONDUCT AND CONFLICT OF INTEREST

The “Should Not’s”

The legislature has adopted the following standards of conduct for state employees:

A state officer or employee should not:

- (1) accept or solicit any gift, favor, or service that might reasonably tend to influence the officer or employee in the discharge of official duties or that the officer or employee knows or should know is being offered with the intent to influence the officer’s or employee’s official conduct;
- (2) accept other employment or engage in a business or professional activity that the officer or employee might reasonably expect would require or induce the officer or employee to disclose confidential information acquired by reason of the official position;
- (3) accept other employment or compensation that could reasonably be expected to impair the officer’s or employee’s independence of judgment in the performance of the officer’s or employee’s official duties;
- (4) make personal investments that could reasonably be expected to create a substantial conflict between the officer’s or employee’s private interest and the public interest; or
- (5) intentionally or knowingly solicit, accept, or agree to accept any benefit for having exercised the officer’s or employee’s official powers or performed the officer’s or employee’s official duties in favor of another.

Gov’t Code § 572.051. A state agency may not use appropriated funds to compensate a state employee who violates those standards. Gov’t Code § 2113.014. Also, in some cases failure to follow the standards of conduct will violate one of the criminal statutes discussed in this guide.

Private Interest in Measure or Decision

If a board member has a private or personal interest in a measure, proposal, or decision pending before the board, the board member must disclose that fact to the rest of the board in an open meeting and must refrain from voting or otherwise participating in the matter. Gov’t Code § 572.058. The law specifies that a person does not have a “private or personal interest” in a matter if the person is engaged in a profession, trade, or occupation, and the person’s interest in the matter is the same as others similarly engaged.

Note: This guide addresses only the laws that the Ethics Commission interprets. Other laws may contain additional “conflict of interest” provisions. In particular, state agency counsels should be aware of the common-law rule restricting a contract between agencies and agency board members. *See* Attorney General Opinion JM-671 (1987).

PART II. ACCEPTANCE OF BENEFITS

Chapter 36 of the Penal Code prohibits public servants from accepting certain gifts or benefits. Violations of the laws in this chapter carry criminal penalties, and complaints alleging such violations are handled by local prosecutors, not by the Texas Ethics Commission.

Bribery

As a public servant, you commit the offense of bribery if you solicit, offer, or accept a “benefit” in exchange for your decision, opinion, recommendation, vote, or other exercise of official discretion. Penal Code § 36.02. Common sense should tell you if something is a bribe. If it is, don’t take it.

Honoraria

You may not solicit, agree to accept, or accept an honorarium in consideration for services you would not have been asked to provide but for your official position. Penal Code § 36.07. Thus, for example, you may not take a speaker’s fee for speaking if your position with the state is one of the reasons you were asked to speak. The honorarium law does not, however, prohibit acceptance of food, transportation, and lodging in connection with a speech that is more than merely perfunctory. If a state officer or the executive head of an agency accepts food, transportation, or lodging under these circumstances, the officer must report it on Part XIII of the annual personal financial statement. (A travel regulation provides that a state employee may not accept money for a travel expense reimbursement from a person that the employee’s employing state agency intends to audit, examine, or investigate or is auditing, examining, or investigating. Gov’t Code § 660.016.)

Prohibitions on Gifts

Most public servants are subject to one or more prohibitions on the acceptance of “benefits” from persons subject to their jurisdiction. Penal Code § 36.08. For example, a public servant in an agency performing regulatory functions or conducting inspections or investigations may not accept a benefit from a person the public servant “knows to be subject to regulation, inspection, or investigation by the public servant or his agency.” *Id.* § 36.08(a). Similarly, a public servant who “exercises discretion in connection with contracts, purchases, payments, claims, or other pecuniary transactions” of the agency may not accept a benefit from a person the public servant knows is interested in or likely to become interested in such a transaction. *Id.* § 36.08(d). (The Appendix contains the full text of section 36.08.) *These prohibitions apply regardless of whether the donor is asking for something in return.*

The statutory definition of “benefit” is “anything reasonably regarded as pecuniary gain or pecuniary advantage.” Penal Code § 36.01(3). In advisory opinions, the Ethics Commission has stated that the following gifts are benefits: a \$50 clock, a hotel room, a hunting trip, football tickets, a \$160 rifle, and a \$60 restaurant meal. Texas Ethics Comm’n Op. Nos. 97, 94, 90, 69, 60 (1992).

Exceptions to Gift Prohibitions

There are exceptions to the prohibitions set out in Penal Code section 36.08. These exceptions are exceptions to criminal liability under that section. You should also make sure that the laws and rules specifically applicable to your agency permit you to accept a benefit permitted under the Penal Code. Even if the acceptance of a gift is legally permissible, you should consider whether the gift raises the appearance of impropriety.

The following exceptions are most likely to be relevant to state officers or employees. (The Appendix contains the full text of section 36.10, which sets out the exceptions to section 36.08.)

- You may accept non-cash items of less than \$50 in value. Penal Code § 36.10(a)(6). If a *lobbyist* provides you with food, beverages, entertainment, lodging, or transportation, however, the lobbyist must be present at the event.
- You may accept benefits in the form of food, lodging, transportation, or entertainment in any amount if you accept them as a “guest” and report them if there is an applicable reporting requirement. Penal Code § 36.10(b). In order for you to accept something as a “guest,” the donor must be present.

Lobbyists may provide you with transportation and lodging only in connection with a fact-finding trip related to your official duties or in connection with an event, such as a conference, at which you will be providing “more than perfunctory” services in your official capacity.

State officers and agency heads: You will be required to report on your personal financial statement the acceptance of gifts worth more than \$470, except for gifts from a member of your immediate family or from a lobbyist required to report the gift. You must also report on your personal financial statement your acceptance of meals, transportation, or lodging provided in connection with a speech or other services you provided in your official capacity. (*See above discussion on “Honoraria.”*)

- You may accept a benefit from a person such as a friend, relative, or business associate with whom you have a relationship independent of your official status *if the benefit is given on account of that relationship rather than your official status*. Penal Code § 36.10(a)(2).
- You may accept a payment for which you give legitimate consideration *in a capacity other than as a public servant*. Penal Code § 36.10(a)(1). The use of the term “legitimate consideration” means that the payment you receive must reflect the actual value of the services or goods you provide in exchange for the payment. Texas Ethics Comm’n Op. No. 41 n.1 (1992).
- You may accept certain gifts, awards, and mementos from persons required to register as lobbyists. “Gift” in this context does not include food, entertainment, transportation, or lodging, which are discussed above. Penal Code § 36.10(a)(5). (*See discussion of “Gifts Prohibited by the Lobby Statute” below.*)

Gifts Prohibited by the Lobby Statute

The lobby law, chapter 305 of the Government Code, contains restrictions on gifts from a person required to register under that chapter. For the most part, the lobby statute is stricter than the Penal Code. For instance, you may not accept transportation and lodging in connection with a pleasure trip from a lobbyist. There is, however, one exception to the general rule that the lobby law is stricter than the Penal Code: Under section 36.10(a)(5) of the Penal Code, there is an exception from the Penal Code prohibition on the acceptance of benefits for a gift, award, or memento that is required to be reported by a lobbyist. Because of this exception, there are circumstances in which it is permissible for you to accept a gift from a lobbyist that you could not accept from a non-lobbyist. If you are thinking about relying on this exception, you should ask the Ethics Commission for advice before you do so.

Gifts to State Agencies

The Ethics Commission has issued several opinions in response to questions about the acceptance of gifts by a state agency. Texas Ethics Comm'n Op. Nos. 118 (1993), 63, 62, 51, 31 (1992). Chapter 305 of the Government Code, which regulates lobbying, and chapter 36 of the Penal Code, which regulates gifts to public officers and employees, do not apply to gifts given to a state agency. Texas Ethics Comm'n Op. Nos. 62, 31 (1992). The statutes applicable to a specific state agency determine whether the agency has authority to accept gifts. *Id.* Also, even if an agency has authority to accept gifts, it may do so only in accordance with the provisions of Government Code chapter 575.

Although questions about the specific authority of a state agency to accept gifts are outside the Ethics Commission's advisory opinion authority, previous ethics advisory opinions have set out some general guidelines about the acceptance of gifts by a state agency. First, the commission has noted that even if a state agency has authority to accept gifts generally, the agency may accept gifts on behalf of the agency only if the gifts can be used in carrying out the agency's powers and duties. A gift to a state agency becomes state property, and an officer or employee of the agency cannot be permitted to use it for private purposes. Consequently, acceptance of gifts by a state agency is not a permissible way of acquiring gifts for the personal enjoyment of individual state officers and employees.

Gifts to state agencies, even if legally permissible, may raise questions about impropriety. If the donor is subject to agency regulation or oversight, or engages in a business that can be affected by agency action, then it may be that the donor hopes or expects to gain favor with the agency. Even if that is not the case, it may appear to be so, especially to someone whose interests are different from those of the donor and who may feel at a disadvantage because of the donor's generosity.

Donation of Gifts to Charity

What should you do if someone sends you an unsolicited gift that you may not accept? Often public servants would prefer to donate such gifts to charity or to a governmental body, rather than returning them to the donor. A provision of the Penal Code allows such donations in specified circumstances:

A public servant who receives an unsolicited benefit that the public servant is prohibited from accepting under [section 36.08] may donate the benefit to a governmental entity that has the authority to accept the gift or may donate the benefit to a recognized tax-exempt charitable organization formed for educational, religious, or scientific purposes.

Penal Code § 36.08(i).

PART III. ABUSE OF OFFICE

Chapter 39 of the Penal Code contains several provisions prohibiting a public servant from using his or her official position in various ways for non-governmental purposes.

Misuse of Government Property

As a public servant, you commit an offense if, with intent to obtain a benefit or harm another, you *misapply any thing of value belonging to the government* that has come into your custody or possession by virtue of your public office or employment. Penal Code § 39.02(a)(2). Simply stated, this means that you are to use government property for governmental purposes, not for personal or private purposes.

Frequent Flyer Miles: Penal Code section 39.02(d) specifically provides that travel discount awards such as “frequent flyer” miles, hotel or rental car discounts, or food coupons are not things of value belonging to the government for purposes of the criminal law prohibiting misapplication of a thing of value belonging to the government. This means that personal or private use of travel awards accrued on state business is not a crime. The law does not, however, prevent a particular agency from adopting a policy requiring that such travel awards be used for agency purposes.

Political Campaigns: Do not use state time or state equipment to work on an individual’s political campaign. See Texas Ethics Comm’n Op. No. 172 (1993). Also, chapter 556 of the Government Code prohibits a state agency from using appropriated funds in connection with a political campaign. Further, it prohibits a state officer or employee from using official authority to interfere with or attempt to influence the result of an election. Gov’t Code § 556.004. The Ethics Commission does not have authority to interpret chapter 556 of the Government Code.

Misuse of Official Information

As a public servant, you may have access to information that has not been made public. Chapter 39 of the Penal Code restricts your use of such information in the following ways:

- You may not use the information to acquire or help another person to acquire a pecuniary interest in any property, transaction, or enterprise affected by the information. Penal Code § 39.06(a)(1).
- You may not speculate or aid another to speculate on the basis of the information. Penal Code § 39.06(a)(2).
- You may not disclose or use the information with the intent to obtain a benefit or to harm another. Penal Code § 39.06(b).

PART IV. OTHER EMPLOYMENT

Concurrent Employment

Some of the laws under the jurisdiction of the Ethics Commission are relevant to questions about other employment by a state officer or employee. For example, under the bribery law, you may not solicit or accept a “benefit” in exchange for your decision, opinion, recommendation, vote, or other exercise of discretion as a public servant. Penal Code § 36.02. A salary is a benefit. *See generally* Texas Ethics Comm’n Op. No. 155 (1993). Therefore, the crime of bribery occurs if a state officer accepts other employment in exchange for official action or inaction. In addition, under the honorarium law a state officer may not accept an honorarium for performing services that he or she would not have been asked to provide but for his or her official status. Other laws outside the Ethics Commission’s jurisdiction may also restrict your employment. For information about such laws, consult your general counsel or the Office of the Attorney General.

Future Employment

If you are about to leave your position with the state, you should be aware of laws that might restrict your future employment. Chapter 572 of the Government Code contains three “revolving door” provisions. Each provision applies to different groups of former officers and employees of state agencies.

Note: If other law restricts you from representing a person before an agency after you leave your position, that law prevails over the second and third Government Code provisions (in section 572.054) discussed below.

Revolving Door #1

The first revolving door provision will apply to you if you are a former state officer or employee of a state agency. For two years after you cease to be a state officer or employee of an agency, you may not accept employment from a person if you participated on behalf of the state agency in a procurement or contract negotiation involving that person.

Note: The first revolving door provision only applies to a state officer or employee whose service or employment with a state agency ceases on or after September 1, 2015.

Revolving Door #2

The second revolving door provision will apply to you if you are a former board member or executive director of a regulatory agency. For two years after you cease to be a member of the board, you may not make any communication to or appearance before an officer or employee of the board on behalf of any person with the intent to influence agency action in connection with any matter on which that person seeks official action. The restriction applies even if the agency initiates the contact and even if you are communicating on your own behalf (subject to your due process rights). It does not, however, prevent you from merely providing information to the agency, as long as you are not doing so with the intent to influence agency action on behalf of a person.

Revolving Door #3

The third revolving door provision applies to all former board members and executive directors of regulatory agencies. It also applies to former employees who, at the time of leaving the agency, were compensated at or above a certain salary level. The law applies to a former employee whose compensation at the time of leaving state employment was at or above the level prescribed by the general appropriations act for step 1, salary group A17, of the position classification salary schedule. (The 2022-2023 General Appropriations Act prescribed the minimum annual salary for that salary group (A17) as \$36,976 for fiscal years 2022 and 2023.)

A former board member or employee covered by the third provision may *never* represent a person or receive compensation for services rendered on behalf of any person regarding a “particular matter” in which he or she “participated” while serving with the agency. A “particular matter” is a *specific* matter before the agency, such as an investigation, application, contract, rulemaking proceeding, administrative proceeding, request for a ruling, etc. This revolving door provision prohibits you from representing a person, or getting paid to help a person, regarding a *specific* matter in which you were either personally involved or that was a matter within your official responsibility while a state officer or employee. It does not prohibit you from working on the *type of matters* you worked on at the agency. *This restriction lasts forever.*

Note: For purposes of the Government Code revolving door statutes, a “person” is an individual or business entity. Gov’t Code § 572.002(7). The statutes do not restrict former state officers or employees from representing or providing services on behalf of nonprofit or governmental entities. Texas Ethics Comm’n Op. No. 232 (1994).

Violation of either of the second or third revolving door provisions is a Class A misdemeanor. The Texas Ethics Commission may assess a civil penalty for a violation of any of the three revolving door laws.

PART V. PERSONAL FINANCIAL STATEMENTS

Board members and executive directors of most state agencies are required to file a personal financial statement with the commission on or before April 30 each year if they served at any time beginning on January 1 and continuing through April 30 of that year. Gov’t Code § 572.026(a). If your term as a board member is ending or if you plan to resign from a board, you should be aware of the “holdover” provision of the Texas Constitution. Under this provision, a state officer “holds over” in office until replaced. A person who no longer attends meetings may nonetheless “holdover” as a board member. Thus, if you resign or your term expires before January 1 of a given year, you will still be required to file a financial statement for that year if your successor was not appointed before January 1.

However, if you are an appointed officer, as defined by section 572.002 of the Government Code, you are not required to file a personal financial statement if the following criteria are met before January 1 of the year the statement is due: (1) your term expired, you resigned, your agency was abolished, or your agency functions were transferred to another agency; and (2) you ceased to participate in the state agency’s functions. If your term expired or if you resigned, you

are required to provide written notice of your intent to not participate in the agency's functions to the Office of the Governor and to the Texas Ethics Commission.

Anyone who asks for extra time to file by April 30 is entitled to a one-time, 60-day extension. Call the Ethics Commission legal staff at (512) 463-5800 if you have questions when completing the form.

Note: New state law requires a personal financial statement filed with the Ethics Commission to be filed electronically. Please visit the Ethics Commission website at www.ethics.state.tx.us for information regarding the filing application and instructions.

Note: The commission imposes a civil penalty of \$500 for late filings. The commission has the authority to raise this penalty. There are criminal penalties for failing to file at all.

PART VI. LOBBYING BY STATE OFFICERS AND EMPLOYEES

The provisions of Government Code chapter 556 prohibit the use of appropriated funds to influence legislation. Those provisions are not under the Ethics Commission's jurisdiction. The lobby law, chapter 305 of the Government Code, is not applicable in this context. Note, however, that a *gift* from a state agency to a legislator may be prohibited under the Penal Code.

SUMMARY

This guide is intended to make you familiar with the laws interpreted by the Texas Ethics Commission that govern your conduct as a state officer. For further guidance, you should consult your agency's ethics advisor or general counsel. Also, feel free to call the Ethics Commission at (512) 463-5800 for advice or visit our Internet site at <http://www.ethics.state.tx.us>.

APPENDIX

Penal Code Provisions Regarding Gifts to a Public Servant

§ 36.08. Gift to Public Servant by Person Subject to His Jurisdiction

- (a) A public servant in an agency performing regulatory functions or conducting inspections or investigations commits an offense if he solicits, accepts, or agrees to accept any benefit from a person the public servant knows to be subject to regulation, inspection, or investigation by the public servant or his agency.
- (b) A public servant in an agency having custody of prisoners commits an offense if he solicits, accepts, or agrees to accept any benefit from a person the public servant knows to be in his custody or the custody of his agency.
- (c) A public servant in an agency carrying on civil or criminal litigation on behalf of government commits an offense if he solicits, accepts, or agrees to accept any benefit from a person against whom the public servant knows litigation is pending or contemplated by the public servant or his agency.
- (d) A public servant who exercises discretion in connection with contracts, purchases, payments, claims, or other pecuniary transactions of government commits an offense if he solicits, accepts, or agrees to accept any benefit from a person the public servant knows is interested in or likely to become interested in any contract, purchase, payment, claim, or transaction involving the exercise of his discretion.
- (e) A public servant who has judicial or administrative authority, who is employed by or in a tribunal having judicial or administrative authority, or who participates in the enforcement of the tribunal's decision, commits an offense if he solicits, accepts, or agrees to accept any benefit from a person the public servant knows is interested in or likely to become interested in any matter before the public servant or tribunal.
- (f) A member of the legislature, the governor, the lieutenant governor, or a person employed by a member of the legislature, the governor, the lieutenant governor, or an agency of the legislature commits an offense if he solicits, accepts, or agrees to accept any benefit from any person.
- (g) A public servant who is a hearing examiner employed by an agency performing regulatory functions and who conducts hearings in contested cases commits an offense if the public servant solicits, accepts, or agrees to accept any benefit from any person who is appearing before the agency in a contested case, who is doing business with the agency, or who the public servant knows is interested in any matter before the public servant. The exception provided by Section 36.10(b) does not apply to a benefit under this subsection.
- (h) An offense under this section is a Class A misdemeanor.
- (i) A public servant who receives an unsolicited benefit that the public servant is prohibited from accepting under this section may donate the benefit to a governmental entity that has the authority to accept the gift or may donate the

benefit to a recognized tax-exempt charitable organization formed for educational, religious, or scientific purposes.

§ 36.09. Offering Gift to Public Servant

- (a) A person commits an offense if he offers, confers, or agrees to confer any benefit on a public servant that he knows the public servant is prohibited by law from accepting.
- (b) An offense under this section is a Class A misdemeanor.

§ 36.10. Non-Applicable

- (a) Sections 36.08 (Gift to Public Servant) and 36.09 (Offering Gift to Public Servant) do not apply to:
 - (1) a fee prescribed by law to be received by a public servant or any other benefit to which the public servant is lawfully entitled or for which he gives legitimate consideration in a capacity other than as a public servant;
 - (2) a gift or other benefit conferred on account of kinship or a personal, professional, or business relationship independent of the official status of the recipient;
 - (3) a benefit to a public servant required to file a statement under Chapter 572, Government Code, or a report under Title 15, Election Code, that is derived from a function in honor or appreciation of the recipient if:
 - (A) the benefit and the source of any benefit in excess of \$50 is reported in the statement; and
 - (B) the benefit is used solely to defray the expenses that accrue in the performance of duties or activities in connection with the office which are nonreimbursable by the state or political subdivision;
 - (4) a political contribution as defined by Title 15, Election Code;
 - (5) a gift, award, or memento to a member of the legislative or executive branch that is required to be reported under Chapter 305, Government Code;
 - (6) an item with a value less than \$50, excluding cash or a negotiable instrument as described by Section 3.104, Business & Commerce Code;
 - (7) an item issued by a governmental entity that allows the use of property or facilities owned, leased, or operated by the governmental entity;
 - (8) transportation, lodging, and meals described by Section 36.07(b); or
 - (9) complimentary legal advice or legal services relating to a will, power of attorney, advance directive, or other estate planning document rendered:

- (A) to a public servant who is a first responder; and
- (B) through a program or clinic that is:
 - (i) operated by a local bar association or the State Bar of Texas; and
 - (ii) approved by the head of the agency employing the public servant, if the public servant is employed by an agency.
- (b) Section 36.08 (Gift to Public Servant) does not apply to food, lodging, transportation, or entertainment accepted as a guest and, if the donee is required by law to report those items, reported by the donee in accordance with that law.
- (c) Section 36.09 (Offering Gift to Public Servant) does not apply to food, lodging, transportation, or entertainment accepted as a guest and, if the donor is required by law to report those items, reported by the donor in accordance with that law.
- (d) Section 36.08 (Gift to Public Servant) does not apply to a gratuity accepted and reported in accordance with Section 11.0262, Parks and Wildlife Code. Section 36.09 (Offering Gift to Public Servant) does not apply to a gratuity that is offered in accordance with Section 11.0262, Parks and Wildlife Code.
- (e) In this section, “first responder” means:
 - (1) a peace officer whose duties include responding rapidly to an emergency;
 - (2) fire protection personnel, as that term is defined by Section 419.021, Government Code;
 - (3) a volunteer firefighter who performs firefighting duties on behalf of a political subdivision and who is not serving as a member of the Texas Legislature or holding a statewide elected office;
 - (4) an ambulance driver; or
 - (5) an individual certified as emergency medical services personnel by the Department of State Health Services.

✓ **FEES FOR SERVICES:** You may accept a payment to which you are lawfully entitled in a capacity other than your official status. In this case you may accept the offer without restriction. Remember, you may not take an honorarium for a service that you would not have been asked to provide but for your official status.

✓ **POLITICAL CONTRIBUTIONS:** You may accept a political contribution as a candidate or officeholder.

✓ **GOVERNMENT PROPERTY:** You may accept an item issued by a governmental entity that allows the use of property or facilities owned, leased, or operated by the entity.

✓ **FOOD, ENTERTAINMENT, TRANSPORTATION, & LODGING:** Benefits in the form of food, lodging, transportation, or entertainment are permissible if accepted as a "guest" and reported in accordance with any applicable reporting requirement. To accept something as a guest, the donor must be present. As to reporting requirements, certain elected officeholders, state agency board members, and state agency heads are required to file annual personal financial statements on which they must report certain gifts worth more than \$470. For most state *employees*, there is no applicable reporting requirement. Board members and agency heads may be required to report certain gifts on their annual personal financial statement.

DONATIONS TO CHARITY

If you receive an unsolicited benefit that you are prohibited from accepting, you may donate the benefit to a recognized tax exempt charitable organization formed for educational, religious, or scientific purposes.

Texas Ethics Commission

P. O. Box 12070
Austin, Texas 78711-2070

(512) 463-5800
Fax (512) 463-5777

Visit us at <http://www.ethics.state.tx.us> on the Internet.

In compliance with the Americans With Disabilities Act, the publications of the Texas Ethics Commission are available by request in alternative formats. To request an accessible format, please contact our ADA Compliance Officer by telephone at 512-463-5800 or through RELAY Texas at 800-735-2989; or by mail in care of the Texas Ethics Commission, P.O. Box 12070, Austin, Texas 78711.

The Texas Ethics Commission is an Equal Opportunity Employer and does not discriminate in providing services or employment.

Copies of this publication have been distributed in accordance with the State Depository Law and are available for public use through the Texas State Publications Depository Program at the Texas State Library and other state depository libraries.

Can I Take It?



A Guide for Officers and Employees in the Executive Branch of State Government.

Note: Employees of the Governor or Lieutenant Governor should refer to the "Can I Take It?" brochure specifically applicable to those offices.

Revised March 16, 2021

Can I Take It?

RULE NO. 1

YOU MAY NEVER TAKE ANYTHING AS CONSIDERATION FOR AN OFFICIAL ACT

The bribery law prohibits payments or gifts made in exchange for an official act. An official act includes a vote, a recommendation, and any other exercise of official discretion.

RULE NO. 2

YOU MAY NOT ACCEPT AN HONORARIUM FOR SERVICES YOU WOULD NOT HAVE BEEN ASKED TO PROVIDE BUT FOR YOUR OFFICIAL STATUS

This means, for example, that you may not accept a gift or payment for giving a speech if your official position was a reason for your being asked to give the speech. You may, however, accept meals, transportation, and lodging in connection with a speech as long as your speech is more than merely perfunctory. Also, you may accept a gift that is not a "benefit" such as a plaque or something of minimal value like a coffee cup, key chain, or "gimme" cap.

THE OTHER RULES: If acceptance of a gift or payment is permissible under Rule Nos. 1 and 2, the next step is to determine whether or not the person making the offer is a registered lobbyist.

A. IF THE PERSON MAKING THE OFFER IS A REGISTERED LOBBYIST:

1. You may not accept:

- ✗ Loans, cash, or negotiable instruments other than political contributions.
- ✗ Travel or lodging for a pleasure trip. (Incidental transportation such as a short ride in a car or taxi is permissible.)

2. You may accept:

- ✓ Food and beverages if the lobbyist is with you. There is no annual limit on the value of food and beverages you may accept from a lobbyist.
- ✓ Entertainment worth up to \$500 in a calendar year. (Entertainment includes, for example, sports events and concerts.) The lobbyist providing the entertainment must be present for the event.
- ✓ Gifts, other than awards and mementos, that together do not exceed \$500 in value during a calendar year.
- ✓ Awards and mementos worth not more than \$500. This is not an annual cap, but a cap on the value of each individual award or memento.
- ✓ Travel and lodging in connection with a fact-finding trip or to a seminar or conference at which you are providing services, such as speaking, and the services are more than perfunctory. Any lobbyist who is providing travel or lodging must be present at the event.
- ✓ Tickets or other expenditures for attendance at a political fundraiser or charitable event if the lobbyist is present at the event.

Note: You can find out if someone is a registered lobbyist by calling the disclosure filings section of the Texas Ethics Commission at 512-463-5800 or by going to www.ethics.state.tx.us/search/lobby.html.

PLEASE NOTE

Your name will appear on a lobbyist's activities report:

- if expenditures for your food, lodging, transportation, or entertainment in a day exceed \$132.60,* which is 60 percent of the amount of the legislative per diem;
- if expenditures for a gift, award, or memento exceed \$90; or
- each time an expenditure is made for you to attend political fundraisers or charity events, regardless of the amount spent.

* effective January 6, 2019

B. IF THE PERSON MAKING THE OFFER IS NOT A REGISTERED LOBBYIST:

A state officer or employee may not take any benefit from a person subject to the regulation, inspection, or investigation by that person or that person's agency. (A "benefit" is anything reasonably regarded as pecuniary gain or advantage.) There are, however, many exceptions to this general rule. **You may accept a gift, payment, or contribution as long as the gift, payment, or contribution fits into *any one* of the following categories.**

- ✓ ITEMS WORTH LESS THAN \$50: You may accept an item with a value of less than \$50. This exception does not apply to cash, checks, or negotiable instruments.
- ✓ INDEPENDENT RELATIONSHIP: There is an exception from the general prohibition on the acceptance of benefits for a gift based on
 - kinship
 - a personal relationship independent of your official status
 - a professional relationship independent of your official status
 - a business relationship independent of your official status.

(over)

HONORARIUM LAW

As a public servant, you may not accept an honorarium in consideration for services that you would not have been requested to provide but for your official position or duties. You may, however, accept food, transportation, and lodging in connection with services rendered at a conference or seminar.

CAMPAIGN AND OFFICEHOLDER CONTRIBUTIONS

A candidate or elected officeholder must report all campaign or officeholder contributions, this includes contributions in the form of transportation or lodging.

No corporate contributions. A candidate may not accept a campaign contribution, nor may an officeholder accept an officeholder contribution, from a corporation or labor union.

FINANCIAL STATEMENT

Some government officials are required to file an annual personal financial statement. A filer must report any gifts, including trips, that exceed \$250 in value, except gifts reportable as a political contribution, or a lobby expenditure, or a gift received from an individual related within the second degree by consanguinity or affinity. Also, a filer must report transportation, meals, or lodging provided by a third party in connection with a conference or similar event, unless a lobbyist reports the expenditures.

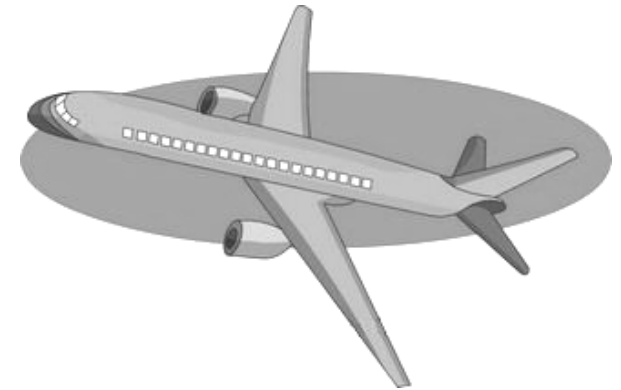
Texas Ethics Commission

P. O. Box 12070
Austin, Texas 78711-2070

(512) 463-5800
Fax (512) 463-5777

Visit us at <http://www.ethics.state.tx.us> on the Internet.

Can I Take This Trip?



A Texas Ethics Commission guide
to the acceptance of trips by
government officers and employees.

In compliance with the Americans With Disabilities Act, the publications of the Texas Ethics Commission are available by request in alternative formats. To request an accessible format, please contact our ADA Compliance Officer by telephone at 512-463-5800 or through RELAY Texas at 800-735-2989; or by mail in care of the Texas Ethics Commission, P.O. Box 12070, Austin, Texas 78711.

The Texas Ethics Commission is an Equal Opportunity Employer and does not discriminate in providing services or employment.

Copies of this publication have been distributed in accordance with the State Depository Law and are available for public use through the Texas State Publications Depository Program at the Texas State Library and other state depository libraries.

Revised February 24, 1997

Can I Take This Trip?

ATTACHMENT III

Officers and employees of governmental bodies often ask the Ethics Commission whether it is permissible to take a trip paid for by a third party. To answer such questions, it is first necessary to determine whether the third party is providing the trip to the governmental body or to the individual. If the trip is being provided to an individual government officer or employee, rather than to the governmental body itself, the individual must consider the restrictions and reporting requirements in *all* of the following laws:

- ◆ the lobby law in chapter 305, Government Code
- ◆ the gift laws in chapter 36, Penal Code
- ◆ the honorarium law in chapter 36, Penal Code
- ◆ the campaign finance law in title 15, Election Code
- ◆ the law requiring certain government officials to file an annual personal financial statement in chapter 572, Government Code.

It is important to review the restrictions in all of those laws because what is permissible under one law may not be permissible under another.

GIFTS TO THE GOVERNMENT

Under the appropriate circumstances, a governmental body may accept an offer by a third party to pay travel expenses for a government officer or employee to conduct government business.

Whether a governmental body may accept a gift depends on the laws specifically applicable to the governmental body, not on the laws under the jurisdiction of the Texas Ethics Commission. Individual employees may not make decisions about accepting gifts on behalf of a governmental body; only the governing board may make such decisions.

An individual government officer or employee who intends to accept a trip for himself or herself should first review the restrictions and reporting requirements in the laws discussed below.

LOBBY LAW

Under the lobby law, an officer or employee in the legislative or executive branch of *state government* is subject to a general prohibition on the acceptance of transportation and lodging from a registered lobbyist. There are exceptions to this rule: one for transportation and lodging in connection with a fact-finding trip, one for transportation and lodging in connection with a conference or similar event, and one for incidental transportation.

Fact-finding trips. There is an exception to the prohibition on lobbyist-paid trips for necessary expenditures for transportation and lodging when the purpose of the travel is to explore matters directly related to the duties of a member of the legislative or executive branch, such as fact-finding trips, but not including attendance at merely ceremonial events or pleasure trips. A lobbyist who provides transportation or lodging in connection with a fact-finding trip must be present at the event.

Conferences or similar events. There is also an exception for necessary expenditures for transportation and lodging provided in connection with a conference or similar event in which the member renders services, such as addressing an audience or engaging in a seminar, to the extent that those services are more than merely perfunctory. A lobbyist who provides transportation or lodging in connection with a conference or similar event must be present at the event.

Incidental transportation. The prohibition on lobbyist-paid transportation does not apply to transportation of incidental value, such as a short ride in a car or taxi.

Note: A lobbyist is required to report lobby expenditures, including expenditures for transportation and lodging.

GIFT LAWS

Under chapter 36 of the Penal Code, most public servants, at both the state and local level, are subject to a prohibition on the acceptance of a benefit from someone subject to their jurisdiction. (The Governor and the Governor's employees, the Lieutenant Governor and the Lieutenant Governor's employees, and members of the legislature and legislative employees are subject to a prohibition on the acceptance of a benefit from anyone.) There are, however, exceptions to those prohibitions, including an exception for something worth less than \$50 and an exception for something from a close friend or family member. There is also a specific exception for benefits in the form of transportation and lodging accepted as a "guest" and reported in accordance with any applicable reporting requirement. In order for something to be accepted as a guest, the donor must be present.

Revolving Door

A GUIDE TO THE REVOLVING DOOR PROVISIONS

THIS GUIDE IS FOR former board members, officers, and employees of certain agencies in the executive branch of state government. Chapter 572 of the Government Code contains three revolving door provisions. Each provision applies to different groups of former members, officers, and employees.

The revolving door provisions do not apply to former officers or employees of the legislative or judicial branches of state government.

Caveat: *Other law “that restricts the representation of a person before a particular state agency by a former state officer or employee of that agency” prevails over the second and third provisions in section 572.054. For example, a former employee of the Public Utility Commission is not subject to the second or third revolving door provisions because the Public Utilities Regulatory Act contains a specific revolving door provision that applies to former employees of the Public Utility Commission.*

The First Revolving Door Rule

Two-year Prohibition Applicable to Former State Officers and Employees

The first revolving door rule applies to all former state officers and employees of a state agency.

With respect to a contract for which a state agency first advertises or otherwise solicits bids, proposals, offers, or qualifications between September 1, 2015, and August 31, 2017, if a state officer or employee has participated on behalf of the agency in a procurement or contract negotiation involving any person, then he or she may not accept employment from that person for two years after the date he or she leaves the agency.

With respect to a contract for which a state agency first advertises or otherwise solicits bids, proposals, offers, or qualifications on or qualifications on or after September 1, 2017, if a state officer or employee of a state agency participated on behalf of the agency in a procurement or contract negotiation involving any person, then he or she may not accept employment from that person for two years after the date the contract is signed or the procurement is terminated or withdrawn.

The Second Revolving Door Rule

Two-year Prohibition Applicable to Former Board Members and Executive Directors

The second revolving door rule applies to all former board members and former executive heads of regulatory agencies. For two years after a board member or executive head leaves a regulatory agency, he or she *may not* appear before or communicate with officers or employees of the agency with the intent to influence the board on behalf of any person in connection with any matter on which the person seeks official action.

The law is not an absolute prohibition on communications to an agency by a former board member or former executive head of the agency. *The restriction applies only to communications and appearances intended to influence agency action.* If, for example, a current board member calls a former board member to get information about past board activities, the former board member is free to provide information -- as long as the former board member does not try to influence the actions of the current board. This restriction applies regardless of who initiated the contact and even if a former board member or executive head is communicating on their "own behalf" with the intent to influence agency action, subject to any constitutional due process right to be heard by the agency.

The Third Revolving Door Rule

Continual Prohibition Applicable to Former Board Members and Upper-level Employees

The third revolving door rule deals with work on specific “matters” and applies to all former officers and certain former employees of regulatory agencies.

Former Officers. The provision applies to a former “officer” of a regulatory agency. Board members of state agencies are officers. An individual elected or appointed as the head of an agency that does not have a board is an officer.

For example, the Agriculture Commissioner and the Insurance Commissioner are state officers.

Former Employees Paid at or Above Certain Level. The provision applies to a former employee of a regulatory agency whose ending pay was at or above the amount prescribed for salary group A17, of the state position classification salary schedule. (The 2020-2021 General Appropriations Act prescribed the minimum annual salary for that salary group (A17) as \$36,976 for fiscal years 2020 and 2021.) A former employee who received that amount or more at the time of leaving state employment is subject to the third revolving door rule, regardless of whether the former employee held a classified position or a position exempt from the classification schedule.

An officer or employee subject to the third revolving door prohibition *may never* represent a person or receive compensation for services rendered on behalf of any person regarding a "particular matter" in which he or she "participated" while serving with the agency, either through personal involvement or because the matter was within his or her official responsibility. In this context, "participated" means to have taken action as an officer or employee through decision, approval, disapproval, recommendation, giving advice, investigation, or similar action.

The most common question raised about the third revolving door rule is whether proposed future employment would involve work on a "particular matter" that a person participated in as a state officer or employee. A "particular matter" is defined narrowly to mean something quite specific, such as an investigation, application, contract, rulemaking, or other administrative proceeding.

This means a person subject to the third revolving door prohibition may work on matters similar to matters he or she worked on as a state employee, but not on exactly the same matters. For example, a former employee of a regulatory agency who worked on Permit Application X at the agency could not leave the agency and work on Permit Application X on behalf of the applicant. The former employee could, however, work on Permit Application Z, even if Permit Application Z involved issues similar to the issues raised in connection with Permit Application X.

**Representation of
Nonprofit Organizations or
Governmental Bodies**

All of the revolving door laws apply to activity on behalf of a "person." Under the revolving door laws, a "person" is an individual or business entity. It does not include a nonprofit organization or governmental body.

Penalties

A violation of the second or third revolving door provisions is a Class A misdemeanor.

The Texas Ethics Commission may assess a civil penalty for a violation of any of the three revolving door laws.

Texas Ethics Commission

P.O. Box 12070

Austin, Texas 78711

(512) 463-5800

TDD: (512) 735-2989

<http://www.ethics.state.tx.us>



If you have questions, please contact the Ethics Commission at (512) 463-5800.

In compliance with the Americans With Disabilities Act, the publications of the Texas Ethics Commission are available by request in alternative formats. To request an accessible format, please contact our ADA Compliance Officer by telephone at (512) 463-5800, or through RELAY Texas at (800) 735-2989; or by mail in care of the Texas Ethics Commission, P. O. Box 12070, Austin, Texas 78711-2070.

The Texas Ethics Commission is an Equal Opportunity Employer and does not discriminate in providing services or employment.

Copies of this publication have been distributed in compliance with the State Depository Law, and are available for public use through the Texas State Publications Depository Program at the Texas State Library and other state depository libraries.

Revised October 3, 2019

REVOLVING DOOR



LEAVING A STATE AGENCY?

*A Texas Ethics Commission Guide to the
Revolving Door Provisions in Chapter 572
of the Texas Government Code*

Commissioner's Comments

January 29, 2025

COMMITTEE OF THE FULL BOARD: DISCUSSION
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:

Ashley Smothers, SBOE Policy Support Director

**Discussion of Review of 19 TAC Chapter 101, Assessment, Subchapter A, General Provisions,
Subchapter B, Implementation of Assessments, and Subchapter C, Local Option**

January 29, 2025

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

SUMMARY: Texas Government Code, §2001.039, establishes a four-year rule review cycle for all state agency rules, including State Board of Education (SBOE) rules. This item presents the review of 19 Texas Administrative Code (TAC) Chapter 101, Assessment, Subchapter A, General Provisions, Subchapter B, Implementation of Assessments, and Subchapter C, Local Option. The rules being reviewed address the development and administration of tests, voluntary assessment of private school students, the schedule for the release of tests, and administration and reporting of group-administered achievement tests.

STATUTORY AUTHORITY: The statutory authority for the rule review is Texas Government Code, (TGC), §2001.039. The statutory authority for 19 TAC Chapter 101, Subchapters A-C, is Texas Education Code (TEC), §§39.021, 39.022, 39.023, 39.025, 39.032, and 39.033.

Texas Government Code, §2001.039, requires all state agencies to review their rules at least once every four years.

TEC, §39.021, requires that the SBOE by rule establish the Texas Essential Knowledge and Skills (TEKS) that all students should learn.

TEC, §39.022, requires that the SBOE by rule create and implement a statewide assessment program that is knowledge and skills based to ensure school accountability for student achievement.

TEC, §39.023, requires school districts to administer the Grades 3-8 state-developed assessments and the end-of-course assessments to all eligible students.

TEC, §39.025, requires a student to pass each end-of-course assessment listed in TEC, §39.023(c), only for a course in which the student is enrolled and for which an end-of-course assessment is administered to receive a Texas diploma.

TEC, §39.032, requires the SBOE to adopt rules to implement assessment instrument standards for group-administered achievement tests.

TEC, §39.033, allows for the voluntary assessment of private school students and requires the SBOE to determine the cost of administering the assessment instruments.

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

FUTURE ACTION EXPECTED: The review of 19 TAC Chapter 101, Subchapters A-C, will be presented to the SBOE for adoption at the April 2025 board meeting.

BACKGROUND INFORMATION AND JUSTIFICATION: The goal of the Texas Assessment Program is to measure and support student progress toward achieving academic success. The primary purpose of the state student assessment program is to provide an accurate measure of student achievement in the areas of mathematics, reading language arts, science, and social studies. Based on the requirements

of the TEC, the assessment program evaluates the degree to which students have mastered the state-mandated curriculum, the TEKS.

According to the TEC, the SBOE is responsible for adopting rules related to the general establishment of the assessment program for purposes of accountability. This SBOE requirement is met through the following rules in 19 TAC Chapter 101.

In Subchapter A, §101.1, Scope of Rules; §101.3, Policy; and §101.5, Student Testing Requirements, establish the assessment program and require all students receiving instruction in the TEKS to be assessed.

In Subchapter B, §101.25, Schedule, and §101.27, Administrative Procedures, specify that the commissioner will adopt a schedule for administering the assessments and require uniform administrative procedures. Section 101.31, Private Schools, establishes provisions for the voluntary assessment of private school students. As provided by TEC, §39.033(c), the SBOE approves the per-student costs for private schools that administer state assessments. Section 101.33, Release of Tests, establishes a release test schedule in accordance with TEC, §39.023(e).

In Subchapter C, §101.101, Group-Administered Tests, governs the administration of local option group-administered assessments as authorized under TEC, §39.032.

ANTICIPATED REVISIONS TO RULES: At a future meeting, Texas Education Agency (TEA) staff plans to present an amendment to 19 TAC §101.25, Schedule, to remove the reference to TEC, §39.023(c-3)(1) and (2), as those provisions were removed by House Bill 3906, 86th Texas Legislature, 2019.

PUBLIC COMMENTS: TEA will file the notice of proposed review of 19 TAC Chapter 101, Subchapters A-C, with the Texas Register following the January 2025 SBOE meeting. TEA will accept comments as to whether the reasons for adopting 19 TAC Chapter 101, Subchapters A-C, continue to exist. The public comment period on the proposed rule review begins February 28, 2025, and ends at 5:00 p.m. on March 31, 2025. The SBOE will take registered oral and written comments on this item at the appropriate committee meeting in April 2025 in accordance with the SBOE operating policies and procedures.

The filing of the notice of proposed review soliciting comments as to whether the reasons for adoption continue to exist would not preclude any amendments that may be proposed at different dates through a separate rulemaking process.

Staff Members Responsible:

Iris Tian, Deputy Commissioner of Analytics, Assessment, and Reporting
José Ríos, Associate Commissioner of Assessment and Reporting
Julie Cole, Director of Policy and Publications, Student Assessment
Greg Reck, Policy Analyst, Student Assessment

Attachment:

Text of 19 TAC Chapter 101, Assessment, Subchapter A, General Provisions, Subchapter B, Implementation of Assessments, and Subchapter C, Local Option

**ATTACHMENT
Text of 19 TAC**

Chapter 101. Assessment

Subchapter A. General Provisions

§101.1. Scope of Rules.

- (a) The State Board of Education (SBOE) shall:
 - (1) create and implement the statewide assessment program to ensure the program supports the goals of education as specified in the Texas Education Code (TEC); and
 - (2) establish goals for the statewide assessment program.
- (b) When adopting rules, the SBOE shall maintain the stability of the statewide assessment program to the greatest extent possible in accordance with the TEC, Chapter 39, Subchapter B.
- (c) The statewide assessment program consists of the following criterion-referenced tests:
 - (1) the assessments of academic readiness in English and Spanish for the grades and subjects as specified in the TEC, Chapter 39, Subchapter B;
 - (2) the alternative assessments of academic readiness for eligible students receiving special education services as specified in the TEC, Chapter 39, Subchapter B;
 - (3) the assessments required for graduation as specified in the TEC, Chapter 39, Subchapter B; and
 - (4) the reading proficiency tests in English for eligible limited English proficient students as specified in the TEC, Chapter 39, Subchapter B.

§101.3. Policy.

- (a) The goal of the statewide assessment program is to provide all eligible Texas students an appropriate statewide assessment that measures and supports their achievement of the essential knowledge and skills of the state-mandated curriculum.
- (b) To maximize its effectiveness for educators and students, the statewide assessment program shall be based on the following quality standards.
 - (1) Tests shall be aligned to the essential knowledge and skills of the state-mandated curriculum in all subject areas tested.
 - (2) Tests shall be reliable and valid measures of the essential knowledge and skills and shall be administered in a standardized manner.
 - (3) Test results at the student, campus, district, regional, and state levels shall be reported in a timely and accurate manner.

§101.5. Student Testing Requirements.

Every student receiving instruction in the essential knowledge and skills shall take the appropriate criterion-referenced assessments, as required by the Texas Education Code (TEC), Chapter 39, Subchapter B.

Subchapter B. Implementation of Assessments

§101.25. Schedule.

- (a) The commissioner of education shall specify the schedule for testing and field testing that is in compliance with the Texas Education Code (TEC), §39.023(c-3)(1) and (2), and supports reliable and valid assessments.

- (b) The superintendent of each school district or chief administrative officer of each charter school and any private school administering the tests as allowed under the TEC, §39.033, shall be responsible for administering tests.
- (c) The commissioner of education may provide alternate dates for the administration of tests required for a high school diploma to students who are migratory children, as defined in the TEC, §39.029, and who are out of the state.
- (d) Participation in University Interscholastic League area, regional, or state competitions is prohibited on any days on which testing is scheduled between Monday and Thursday of the school week in which the primary administration of assessment instruments under the TEC, §39.023(a), (c), or (l), occurs.

Subchapter C. Local Option

§101.101. Group-Administered Tests.

- (a) An assessment instrument to which this section is applicable under the Texas Education Code (TEC), §39.032, is defined as any district-commissioned achievement test, either nationally normed or criterion-referenced, that is group administered and reported publicly (e.g., to the local board of trustees) in the aggregate. A test given for a special purpose such as program placement or individual evaluation (e.g., a spelling test, a diagnostic test such as a reading inventory or interim benchmark assessment, or a released statewide assessment instrument) is not included in this definition. The commissioner of education shall provide annually to school districts and charter schools a list of state-approved, norm-referenced group-administered achievement tests that test publishers certify meet the requirements of the TEC, §39.032.
- (b) A company or organization scoring a test defined in subsection (a) of this section shall send test results to the school district for verification. The school district shall have 90 days to verify the accuracy of the data and report the results to the school district board of trustees.
- (c) State and national averages for an assessment instrument under this section must be computed using data that are not more than eight years old at the time the assessment instrument is administered and that are representative of the group of students to whom the assessment instrument is administered. This eight-year limitation does not apply if only data older than eight years are available for an assessment instrument.
- (d) To maintain the security and confidentiality of group-administered achievement tests, school districts and charter schools shall follow the applicable procedures for test security and confidentiality delineated in §101.3031 of this title (relating to Required Test Administration Procedures and Training Activities to Ensure Validity, Reliability, and Security of Assessments).

§101.27. Administrative Procedures.

A school district, charter school, or private school administering the tests required by the Texas Education Code (TEC), Chapter 39, Subchapter B, shall follow procedures specified in the applicable test administration materials.

§101.31. Private Schools.

- (a) A private school administering the assessments under the Texas Education Code (TEC), Chapter 39, Subchapter B, shall follow procedures specified in the applicable test administration materials. Each private school shall maintain test security and confidentiality as delineated in the TEC, §39.030.
- (b) A private school administering the assessments under the TEC, Chapter 39, Subchapter B, shall reimburse the Texas Education Agency for each assessment administered. The per-student cost may not exceed the cost of administering the same assessment to a student enrolled in a school district.
- (c) A private school administering the assessments under the TEC, Chapter 39, Subchapter B, shall provide to the commissioner of education, as required by law and determined appropriate by the commissioner, academic excellence indicator information described in the TEC, §39.053(c) and §39.301(c). For indicator information defined and collected through the Public Education Information Management System (PEIMS), private schools shall follow the PEIMS Data Standards.

§101.33. Release of Tests.

Beginning in 2009 with the 2008-2009 school year and each subsequent third school year, the Texas Education Agency shall release all test items and answer keys only for primary administration assessment instruments administered under the Texas Education Code, §39.023(a), (b), (c), (d), and (l), and field test items that are at least four years old and that are no longer eligible for inclusion on a subsequent test form.

**Proposed Amendment to 19 TAC Chapter 74, Curriculum Requirements, Subchapter A, Required Curriculum, §74.3, Description of a Required Secondary Curriculum
(Second Reading and Final Adoption)**

January 31, 2025

**COMMITTEE OF THE FULL BOARD: 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 A, Required Curriculum, §74.3, Description of a Required Secondary Curriculum. The proposed amendment would update the list of high school courses for science that are required to be offered to students. No changes are recommended since approved for first reading.

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

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, §28.025(b-1), requires the SBOE to determine by rule specific courses for graduation under the foundation high school program.

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 2025-2026 school year. The earlier effective date will enable districts to begin preparing for implementation of the revised curriculum requirements.

PREVIOUS BOARD ACTION: The SBOE adopted 19 TAC Chapter 74, Subchapter A, effective September 1, 1996. Section 74.3 was last amended effective August 1, 2022. A discussion item regarding the proposed amendment to §74.3 was presented to the Committee of the Full Board at the September 2024 SBOE meeting. At the November 2024 meeting, the SBOE approved the proposed amendment to §74.3 for first reading and filing authorization.

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 Texas Essential Knowledge and Skills (TEKS) for Kindergarten-Grade 12 science. In November 2020, the SBOE approved for second reading and final adoption revised TEKS for four high school science courses: Biology, Chemistry, Physics, and Integrated Physics and Chemistry (IPC). 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. The updated TEKS for high school science were implemented beginning with the 2024-2025 school year.

Additionally, career and technical education (CTE) TEKS review work groups were convened from March-July 2021 to develop recommendations for certain CTE courses that satisfy a science graduation requirement. Proposed new TEKS for certain CTE courses that may satisfy science graduation requirements were approved for second reading and final adoption by the SBOE at the April 2024 SBOE meeting.

The attachment to this item reflects the text of the proposed amendment to §74.3 for second reading and final adoption. The proposed amendment would align the required secondary curriculum in §74.3(b)(2)(C) with the updates to the secondary science course offerings made during recent TEKS revisions and add state-approved Advanced Placement (AP) science courses to the list of options from which districts must select two courses to offer in addition to Biology, Chemistry, Physics, and IPC.

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

TEA has determined that for the first five years the proposal is in effect, there are no additional costs to state or local government, including school districts and open-enrollment charter schools, 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 expand an existing regulation by updating the list of high school courses for science that are required to be offered to students.

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 ensure the course titles in the required curriculum align with titles in the TEKS and would add additional course options to students to support relevant and meaningful curriculum. 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 or 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 November 2024 SBOE meeting, notice of the proposed amendment to §74.3 was filed with the Texas Register, initiating the public comment period. The public comment period began on December 20, 2024, and ended at 5:00 p.m. on January 21, 2025. No comments had been received at the time this item was prepared. A summary of public comments received will be provided to the SBOE prior to and during the January 2025 meeting. The SBOE will take registered oral and written comments on the proposal at the appropriate committee meeting in January 2025 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 A, Required Curriculum, §74.3, Description of a Required Secondary Curriculum; and

Make an affirmative finding that immediate adoption of the proposed amendment to 19 TAC Chapter 74, Curriculum Requirements, Subchapter A, Required Curriculum, §74.3, Description of a Required Secondary Curriculum, 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
Jessica Snyder, Senior Director, Curriculum Standards and Student Support

Attachment:

Text of Proposed Amendment to 19 TAC Chapter 74, Curriculum Requirements, Subchapter A, Required Curriculum, §74.3, Description of a Required Secondary Curriculum

ATTACHMENT
Text of Proposed Amendment to 19 TAC

Chapter 74. Curriculum Requirements

Subchapter A. Required Curriculum

§74.3. Description of a Required Secondary Curriculum.

- (a) (No change.)
- (b) Secondary Grades 9-12.
 - (1) A school district that offers Grades 9-12 must provide instruction in the required curriculum as specified in §74.1 of this title. The district must ensure that sufficient time is provided for teachers to teach and for students to learn the subjects in the required curriculum. The school district may provide instruction in a variety of arrangements and settings, including mixed-age programs designed to permit flexible learning arrangements for developmentally appropriate instruction for all student populations to support student attainment of course and grade level standards.
 - (2) The school district must offer the courses listed in this paragraph and maintain evidence that students have the opportunity to take these courses:
 - (A) English language arts--English I, II, III, and IV and at least one additional advanced English course;
 - (B) mathematics--Algebra I, Algebra II, Geometry, Precalculus, and Mathematical Models with Applications;
 - (C) science--Integrated Physics and Chemistry, Biology, Chemistry, Physics, and at least two additional science courses selected from Aquatic Science, Astronomy, Earth Systems Science [~~Earth and Space Science~~], Environmental Systems, Advanced Animal Science, [~~Advanced Biotechnology.~~] Advanced Plant and Soil Science, Anatomy and Physiology, Physics for Engineering, Biotechnology I, Biotechnology II, Engineering Design and Problem Solving, Food Science, Forensic Science, Medical Microbiology, Pathophysiology, Scientific Research and Design, [~~and~~] Engineering Science, Advanced Placement (AP) Biology, AP Chemistry, AP Physics 1: Algebra Based, AP Physics 2: Algebra Based, AP Environmental Science, AP Physics C: Electricity and Magnetism, and AP Physics C: Mechanics. The requirement to offer two additional courses may be reduced to one by the commissioner of education upon application of a school district with a total high school enrollment of less than 500 students. Science courses shall include at least 40% hands-on laboratory investigations and field work using appropriate scientific inquiry;
 - (D) social studies--United States History Studies Since 1877, World History Studies, United States Government, World Geography Studies, Personal Financial Literacy, Economics with Emphasis on the Free Enterprise System and Its Benefits, and Personal Financial Literacy and Economics. The requirement to offer both Economics with Emphasis on the Free Enterprise System and Its Benefits and Personal Financial Literacy and Economics may be reduced to one by the commissioner of education upon application of a school district with a total high school enrollment of less than 500 students;
 - (E) physical education--at least two courses selected from Lifetime Fitness and Wellness Pursuits, Lifetime Recreation and Outdoor Pursuits, or Skill-Based Lifetime Activities;
 - (F) fine arts--courses selected from at least two of the four fine arts areas (art, music, theatre, and dance)--Art I, II, III, IV; Music I, II, III, IV; Theatre I, II, III, IV; or Dance I, II, III, IV;
 - (G) career and technical education-- three or more career and technical education courses for four or more credits with at least one advanced course aligned with a specified number of

Texas Education Agency-designated programs of study determined by enrollment as follows:

- (i) one program of study for a district with fewer than 500 students enrolled in high school;
 - (ii) two programs of study for a district with 501-1,000 students enrolled in high school;
 - (iii) three programs of study for a district with 1,001-2,000 students enrolled in high school;
 - (iv) four programs of study for a district with 1,001-5,000 students enrolled in high school;
 - (v) five programs of study for a district with 5,001-10,000 students enrolled in high school; and
 - (vi) six programs of study for a district with more than 10,000 students enrolled in high school.
- (H) languages other than English--Levels I, II, and III or higher of the same language;
 - (I) computer science--one course selected from Fundamentals of Computer Science, Computer Science I, or AP ~~[Advanced Placement (AP)]~~ Computer Science Principles; and
 - (J) speech--Communication Applications.
- (3) Districts may offer additional courses from the complete list of courses approved by the State Board of Education to satisfy graduation requirements as referenced in this chapter.
 - (4) The school district must provide each student the opportunity to participate in all courses listed in subsection (b)(2) of this section. The district must provide students the opportunity each year to select courses in which they intend to participate from a list that includes all courses required to be offered in subsection (b)(2) of this section. If the school district will not offer the required courses every year, but intends to offer particular courses only every other year, it must notify all enrolled students of that fact. A school district must teach a course that is specifically required for high school graduation at least once in any two consecutive school years. For a subject that has an end-of-course assessment, the district must either teach the course every year or employ options described in Subchapter C of this chapter (relating to Other Provisions) to enable students to earn credit for the course and must maintain evidence that it is employing those options.
 - (5) For students entering Grade 9 beginning with the 2007-2008 school year, districts must ensure that one or more courses offered in the required curriculum for the recommended and advanced high school programs include a research writing component.
- (c) (No change.)

**Proposed New 19 TAC Chapter 127, Texas Essential Knowledge and Skills for Career Development and Career and Technical Education, Subchapter C, Agriculture, Food, and Natural Resources, §127.59 and §127.61; Subchapter F, Business, Marketing, and Finance, §127.262 and §127.263; Subchapter J, Health Science, §127.510 and §127.511; Subchapter K, Hospitality and Tourism, §§127.569, 127.571, and 127.604; Subchapter M, Information Technology, §§127.689-127.691 and 127.695-127.699, and Subchapter N, Law and Public Service, §127.773
(Second Reading and Final Adoption)**

January 31, 2025

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

SUMMARY: This item presents for second reading and final adoption proposed new 19 Texas Administrative Code (TAC) Chapter 127, Texas Essential Knowledge and Skills for Career Development and Career and Technical Education, Subchapter C, Agriculture, Food, and Natural Resources, §127.59 and §127.61; Subchapter F, Business, Marketing, and Finance, §127.262 and §127.263; Subchapter J, Health Science, §127.510 and §127.511; Subchapter K, Hospitality and Tourism, §§127.569, 127.571, and 127.604; Subchapter M, Information Technology, §§127.689-127.691 and 127.695-127.699, and Subchapter N, Law and Public Service, §127.773. The proposed new sections would add Texas Essential Knowledge and Skills (TEKS) for 18 state-approved innovative courses in the following career and technical education (CTE) career clusters: agriculture, food, and natural resources; business, marketing, and finance; health science; hospitality and tourism; information technology; and law and public service. No changes are recommended since approved for first reading.

STATUTORY AUTHORITY: Texas Education Code (TEC), §§7.102(c)(4); 28.002(a), (c), (n), and (o); and 28.025(a), and (b-17).

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(n), permits the SBOE by rule to develop and implement a plan designed to incorporate foundation curriculum requirements into the CTE curriculum.

TEC, §28.002(o), requires the SBOE to determine that at least 50% of the approved CTE courses are cost effective for a school district to implement.

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 the TEC, §28.002.

TEC, §28.025(b-17), requires the SBOE to adopt rules to ensure that a student may comply with the curriculum requirements under TEC, §28.025(b-1)(6) by successfully completing an advanced CTE course, including a course that may lead to an industry-recognized credential or certificate or an associate degree.

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 sections 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 2025-2026 school year. The earlier effective date will enable districts to begin preparing for implementation of the revised agriculture, food, and natural resources; business, marketing, and finance; health science; hospitality and tourism; information technology; and law and public service TEKS.

PREVIOUS BOARD ACTION: The SBOE adopted the TEKS for all subjects effective September 1, 1998. The CTE TEKS were amended effective August 23, 2010. The CTE TEKS were again amended effective August 28, 2017. CTE TEKS for courses in education and training; health science; and science, technology, and mathematics (STEM) were amended effective April 26, 2022; June 14, 2022; and August 7, 2022. In November 2023, the SBOE adopted new TEKS for CTE career preparation and entrepreneurship courses to be implemented in the 2024-2025 school year. The SBOE adopted new CTE TEKS for courses in the agribusiness, animal science, plant science, and aviation maintenance programs of study as well as two STEM courses effective August 1, 2025. Proposed new TEKS for state-approved innovative courses in CTE career clusters for agriculture, food, and natural resources; business, marketing, and finance; health science; hospitality and tourism; information technology; and law and public service were approved for first reading and filing authorization at the November 2024 SBOE meeting.

BACKGROUND INFORMATION AND JUSTIFICATION: After the board adopted new rules concerning graduation requirements, the previously approved experimental courses were phased out as of August 31, 1998. Since the adoption of the TEKS, school districts and other entities have submitted requests for approval of innovative courses that do not have TEKS and meet a demonstrated student need.

In 2023, CTE advisory committees were convened to make recommendations for the review and refresh of programs of study as required by the Texas Perkins State Plan. Finalized programs of study were published in the fall of 2023 with an implementation date beginning in the 2024-2025 school year. CTE courses to be developed or revised to complete or update programs of study were determined.

At the April 2024 meeting, the SBOE approved new TEKS for 23 courses in the agribusiness, animal science, plant science, and aviation maintenance programs of study as well as two STEM courses that may satisfy science graduation requirements: Physics for Engineers and Scientific Research and Design. Additionally, Texas Education Agency (TEA) staff shared an overview of upcoming interrelated needs for TEKS review and revision and instructional materials review and approval (IMRA). Staff explained upcoming needs related to development and amendment of CTE courses, made recommendations for completing the work in batches, and recommended including CTE in the next three cycles of IMRA. In 2024, the SBOE began the review of current CTE TEKS, the development of new CTE TEKS, and the review of innovative courses to be approved as TEKS for courses in the new engineering program of study. At the June 2024 meeting, the SBOE approved recommendations that TEA present certain innovative courses with minor edits for consideration for adoption as TEKS-based courses. A discussion item was presented to the Committee of the Full Board at the September 2024 SBOE meeting regarding proposed new TEKS for courses in the following CTE career clusters: agriculture, food, and natural resources; business, marketing, and finance; health science; hospitality and tourism; information technology; and law and public service. The new courses were approved for first reading and filing authorization at the November 2024 SBOE meeting.

The proposed new sections would ensure the standards for CTE programs of study remain current and support relevant and meaningful programs of study.

The attachments to this item reflect the text of the proposed new TEKS.

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

TEA has determined that for the first five years the proposal is in effect (2025-2029), there are no additional costs to the state.

There may be fiscal implications for school districts and open-enrollment charter schools to implement the proposed new TEKS, 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: 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 create new regulations by proposing new CTE TEKS required to be taught by school districts and open-enrollment charter schools offering the courses. The proposal would ensure the standards for agriculture, food, and natural resources; business, marketing, and finance; health science; hospitality and tourism; information technology; and law and public service remain current and support relevant and meaningful programs of study.

Additionally, the proposal to change these CTE courses from state-approved innovative courses to TEKS-based courses would better align the TEKS and add additional course options for students.

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 proposal would better align the TEKS and add additional course options for students to support relevant and meaningful programs of study. 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 or 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 November 2024 SBOE meeting, notice of the proposed new sections was filed with the Texas Register, initiating the public comment period. The public comment period began on December 20, 2024, and ended at 5:00 p.m. on January 21, 2025. No comments had been received at the time this item was prepared. A summary of public comments received will be provided to the SBOE prior to and during the January 2025 meeting. The SBOE will take registered oral and written comments on the proposal at the appropriate committee meeting in January 2025 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 new 19 TAC Chapter 127, Texas Essential Knowledge and Skills for Career Development and Career and Technical Education, Subchapter C, Agriculture, Food, and Natural Resources, §127.59 and §127.61; Subchapter F, Business, Marketing, and Finance, §127.262 and §127.263; Subchapter J, Health Science, §127.510 and §127.511; Subchapter K, Hospitality and Tourism, §§127.569, 127.571, and 127.604; Subchapter M, Information Technology, §§127.689-127.691 and 127.695-127.699, and Subchapter N, Law and Public Service, §127.773; and

Make an affirmative finding that immediate adoption of proposed new 19 TAC Chapter 127, Texas Essential Knowledge and Skills for Career Development and Career and Technical Education, Subchapter C, Agriculture, Food, and Natural Resources, §127.59 and §127.61; Subchapter F, Business, Marketing, and Finance, §127.262 and §127.263; Subchapter J, Health Science, §127.510 and §127.511; Subchapter K, Hospitality and Tourism, §§127.569, 127.571,

and 127.604; Subchapter M, Information Technology, §§127.689-127.691 and 127.695-127.699, and Subchapter N, Law and Public Service, §127.773, 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

Jessica Snyder, Senior Director, Curriculum Standards and Student Support

Attachment I:

Text of Proposed New 19 TAC Chapter 127, Texas Essential Knowledge and Skills for Career Development and Career and Technical Education, Subchapter C, Agriculture, Food, and Natural Resources, §127.59 and §127.61

Attachment II:

Text of Proposed New 19 TAC Chapter 127, Texas Essential Knowledge and Skills for Career Development and Career and Technical Education, Subchapter F, Business, Marketing, and Finance, §127.262 and §127.263

Attachment III:

Text of Proposed New 19 TAC Chapter 127, Texas Essential Knowledge and Skills for Career Development and Career and Technical Education, Subchapter J, Health Science, §127.510 and §127.511

Attachment IV:

Text of Proposed New 19 TAC Chapter 127, Texas Essential Knowledge and Skills for Career Development and Career and Technical Education, Subchapter K, Hospitality and Tourism, §§127.569, 127.571, and 127.604

Attachment V:

Text of Proposed New 19 TAC Chapter 127, Texas Essential Knowledge and Skills for Career Development and Career and Technical Education, Subchapter M, Information Technology, §§127.689-127.691 and 127.694-127.699

Attachment VI:

Text of Proposed New 19 TAC Chapter 127, Texas Essential Knowledge and Skills for Career Development and Career and Technical Education, Subchapter N, Law and Public Service, §127.773

ATTACHMENT I
Text of Proposed New 19 TAC

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

Subchapter C. Agriculture, Food, and Natural Resources

§127.59. Geographic Information Systems for Agriculture (One Credit), Adopted 2025.

- (a) Implementation. The provisions of this section shall be implemented by school districts beginning with the 2025-2026 school year.
- (b) General requirements. This course is recommended for students in Grades 10-12. Recommended prerequisites: Principles of Agriculture, Food, and Natural Resources. Students shall be awarded one credit for successful completion of this course.
- (c) 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) The Agriculture, Food, and Natural Resources career cluster focuses on the essential elements of life, food, water, land, and air. This career cluster includes occupations ranging from farmer, rancher, and veterinarian to geologist, land conservationist, and florist.
 - (3) Geographic Information Systems for Agriculture is a course designed to provide students with the academic and technical knowledge and skills that are required to pursue a career as a precision agriculture specialist, a crop specialist, an independent crop consultant, a nutrient management specialist, a physical scientist, a precision agronomist, a precision farming coordinator, a research agricultural engineer, or a soil fertility specialist. Students will learn to use computers to develop or analyze maps of remote sensing to compare physical topography with data on soils, fertilizer, pests, or weather.
 - (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 "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 demonstrates professional standards/employability skills as required by business and industry. The student is expected to:
 - (A) identify career and entrepreneurship opportunities for a chosen occupation in the field of agriculture and develop a plan for obtaining the education, training, and certifications required for the chosen occupation;
 - (B) model professionalism by continuously exhibiting appropriate work habits, solving problems, taking initiative, communicating effectively, listening actively, and thinking critically;
 - (C) model appropriate personal and occupational safety and health practices and explain the importance of established safety and health protocols for the workplace;
 - (D) analyze and interpret the rights and responsibilities, including ethical conduct and legal responsibilities, of employers and employees; and
 - (E) analyze the importance of exhibiting good citizenship and describe the effects of good citizenship on the development of home, school, workplace, and community.

- (2) The student develops a supervised agriculture experience program. The student is expected to:
- (A) plan, propose, conduct, document, and evaluate a supervised agriculture experience as an experiential learning activity;
 - (B) use appropriate record-keeping skills in a supervised agricultural experience;
 - (C) participate in youth agricultural leadership opportunities;
 - (D) review and participate in a local program of activities; and
 - (E) create or update documentation of relevant agricultural experience such as community service, professional, or classroom experiences.
- (3) The student explains the current applications of geographic information system (GIS) in agriculture, food, and natural resources and identifies the future need for GIS in precision agriculture. The student is expected to:
- (A) research and compare current and emerging careers related to GIS in agriculture and natural resource fields;
 - (B) identify and analyze applications of GIS technologies in agriculture, food, and natural resources;
 - (C) explain GIS data as it pertains to agriculture; and
 - (D) describe the types of licensing, certification, and credentialing requirements related to GIS occupations.
- (4) The student analyzes geographic information and spatial data types in agriculture, food and natural resources. The student is expected to:
- (A) identify the uses of GIS in agriculture;
 - (B) identify the GIS terminology used in agriculture applications, such as spatial analysis, remote sensing, georeferencing, geostatistics, and geocoding;
 - (C) identify GIS models and representations in precision agriculture;
 - (D) explain GIS representations of geographic phenomena in soil types, topography, and farming management;
 - (E) organize and describe spatial data in yield monitoring for crop planning; and
 - (F) analyze GIS data sources and ethics in agriculture.
- (5) The student uses agriculture, food, and natural resources GIS tools. The student is expected to:
- (A) identify hardware and software for agriculture data management and processing;
 - (B) explain spatial data capture and preparation, spatial data storage and maintenance, spatial query and analysis, and spatial data presentation for agriculture; and
 - (C) describe remote sensing tools and technologies used in precision farming, including unmanned aerial support (UAS), unmanned aerial vehicles (UAV), and global positioning satellite (GPS).
- (6) The student integrates spatial referencing and global positioning techniques in agriculture, food, and natural resources. The student is expected to:
- (A) explain spatial referencing systems and projections for capturing and displaying agricultural data; and
 - (B) identify uses for satellite-based positioning to increase agriculture proficiency.
- (7) The student evaluates applications for spatial data entry and preparation for agricultural analysis. The student is expected to:

- (A) analyze agricultural GIS spatial data; and
- (B) explain and analyze data accuracy and precision related to using GIS in agriculture.
- (8) The student performs agricultural spatial data analysis. The student is expected to:
 - (A) analyze GIS maps of agricultural fields to determine variables that would impact maximum crop yields;
 - (B) compare vector and raster-based data for agricultural analysis; and
 - (C) explain types of GIS analysis used in natural resource management.
- (9) The student creates spatial data visualizations and cartographic models. The student is expected to:
 - (A) identify types of GIS maps used in agriculture;
 - (B) develop GIS maps for various types of agricultural data;
 - (C) identify and explain the purpose of cartographic symbols used in precision farming; and
 - (D) analyze visual data and explain how the data is used in agricultural decision making.

§127.61. Beekeeping and Honey Processing (One Credit), Adopted 2025.

- (a) Implementation. The provisions of this section shall be implemented by school districts beginning with the 2025-2026 school year.
- (b) General requirements. This course is recommended for students in Grades 10-12. Recommended prerequisites: Principles of Agriculture, Food, and Natural Resources. Students shall be awarded one credit for successful completion of this course.
- (c) 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) The Agriculture, Food, and Natural Resources career cluster focuses on the essential elements of life, food, water, land, and air. This career cluster includes occupations ranging from farmer, rancher, and veterinarian to geologist, land conservationist, and florist.
 - (3) Beekeeping and Honey Processing is a course designed to provide students with the academic and technical knowledge and skills that are required to pursue a career related to beekeeping, apiary operations, honey harvesting, and related industries. Beekeeping and honey processing is a vital part of the United States agricultural economy. To prepare for success in Beekeeping and Honey Processing, students need opportunities to learn, reinforce, experience, apply, and transfer their knowledge and skills in a variety of settings.
 - (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 "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 demonstrates professional standards/employability skills as required by business and industry. The student is expected to:
 - (A) identify career and entrepreneurship opportunities for a chosen occupation in the field of agriculture and develop a plan for obtaining the education, training, and certifications required for the chosen occupation;

- (B) model professionalism by continuously exhibiting appropriate work habits, solving problems, taking initiative, communicating effectively, listening actively, and thinking critically;
 - (C) model appropriate personal and occupational safety and health practices and explain the importance of established safety and health protocols for the workplace;
 - (D) analyze and interpret the rights and responsibilities, including ethical conduct and legal responsibilities, of employers and employees; and
 - (E) analyze the importance of exhibiting good citizenship and describe the effects of good citizenship on the development of home, school, workplace, and community.
- (2) The student develops a supervised agriculture experience program. The student is expected to:
- (A) plan, propose, conduct, document, and evaluate a supervised agriculture experience as an experiential learning activity;
 - (B) use appropriate record-keeping skills in a supervised agricultural experience;
 - (C) participate in youth agricultural leadership opportunities;
 - (D) review and participate in a local program of activities; and
 - (E) create or update documentation of relevant agricultural experience such as community service, professional, or classroom experiences.
- (3) The student explores the biology of bee behavior. The student is expected to:
- (A) identify different types and life spans of bees;
 - (B) explain the different roles assumed by the different types of honeybees, including the queen, drones, and workers; and
 - (C) describe honeybee development, castes, behavior, division of labor, and the bee life cycle, including larval, pupal, and adult stages.
- (4) The student analyzes beehive design and development. The student is expected to:
- (A) identify the site characteristics required for successful beehive production;
 - (B) analyze factors such as climatic characteristics and food sources to determine the suitability of a beehive site for honey harvesting and pollination;
 - (C) research and compare the conditions of successful beehives in other parts of the world with similar local conditions; and
 - (D) develop a beehive design and installation plan, including consideration of sunlight, access to water, wind, topography, human and animal habitation, and good neighbor policy.
- (5) The student evaluates technology and best practices for weatherizing a beehive. The student is expected to:
- (A) explain the environmental conditions that lead to bee colonies adapting to extremes in climate conditions;
 - (B) compare seasonal strategies for proper beehive management and describe why best management practices change based on the seasons, including spring, summer, autumn, and winter; and
 - (C) explain practices for winterizing hives.
- (6) The student demonstrates beehive management techniques. The student is expected to:
- (A) identify the tools of an apiarist and demonstrate safe and proper usage of tools;

- (B) demonstrate inspection of a beehive and describe necessary equipment, including a bee suit, a smoker, and a comb replacement;
 - (C) explain beehive training techniques, including diagnosing the brood pattern, adding brood comb to the nest, switching colonies, feeding bees, providing water, removing old combs, extracting honey, and caging queens;
 - (D) identify safety precautions in the field while handling live bees, caring for the colonies in the hives, and extracting honey and honeycomb;
 - (E) explain the proper methods of bee handling to prevent harm to handlers and others; and
 - (F) describe personal protective equipment used to reduce the risk of accidents.
- (7) The student develops an integrated pest management plan for beehives. The student is expected to:
- (A) identify the major insect pests and diseases of honeybees;
 - (B) compare the components of honeybee integrated pest management; and
 - (C) describe the safe usage of pesticides in honeybee hives.
- (8) The student examines honey harvesting and the use of proper equipment and tools. The student is expected to:
- (A) describe the tools and equipment used in honey production, including a bee brush, fume board, honey drip tray, nectar detector, escape board, and extractor;
 - (B) explain the safe use of honey harvesting tools;
 - (C) explain the use of technology in modern honey production systems; and
 - (D) explain the appropriate procedures used to extract honey.
- (9) The student identifies procedures and regulations for sanitation and safety in the food industry. The student is expected to:
- (A) identify food industry inspection standards, including hazard analysis and critical control points;
 - (B) identify the appropriate chemicals used in the food industry, specifically in honey processing;
 - (C) identify safety and governmental regulations involved in the processing and labeling of foods, including honey;
 - (D) explain the procedures relating to the safe manufacture of foods through hygienic food handling and processing;
 - (E) develop and maintain sanitation schedules; and
 - (F) identify food safety laws that impact the bee industry.
- (10) The student demonstrates an in-depth understanding of a beekeeping and honey processing business, including production, processing, marketing, sales, and distribution. The student is expected to:
- (A) describe the roles of an entrepreneur in a beekeeping and honey processing operation;
 - (B) differentiate between small, medium, and large-sized honey businesses;
 - (C) create a list of tools and equipment needed to start a beekeeping operation and develop a budget to start a beekeeping business; and
 - (D) develop a business model for beekeeping, honey production, and honey processing.
- (11) The student completes the process for development, implementation, and evaluation of a marketing plan and a financial forecast for beekeeping. The student is expected to:

- (A) identify and explain the target market for honey-related products;
 - (B) create and conduct a customer survey;
 - (C) analyze the customer survey results;
 - (D) identify modification recommendations based on customer survey results;
 - (E) complete a detailed honey-related products market analysis;
 - (F) analyze and explain different types of marketing strategies;
 - (G) describe a social media marketing campaign for honey-processed products; and
 - (H) develop and explain a projected income statement, cash budget, balance sheet, and projected sources and uses of funds statement.
- (12) The student explains the scope and nature of distribution of honey-related products. The student is expected to:
- (A) explain effective distribution activities, including transportation, storage, product handling, and inventory control;
 - (B) explain how distribution can add value to goods, services, and intellectual property; and
 - (C) analyze distribution costs for honey-related products.

ATTACHMENT II
Text of Proposed New 19 TAC

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

Subchapter F. Business, Marketing, and Finance

§127.262. Marketing (One Credit), Adopted 2025.

- (a) Implementation. The provisions of this section shall be implemented by school districts beginning with the 2025-2026 school year.
- (b) General requirements. This course is recommended for students in Grades 10-12. Recommended prerequisite: Principles of Business, Marketing, and Finance. Students shall be awarded one credit for successful completion of this course.
- (c) 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) The Business, Marketing, and Finance Career Cluster focuses on careers in planning, organizing, directing, and evaluating business functions essential to efficient and productive business operations.
 - (3) The Marketing course explores the seven core functions of marketing, which include marketing planning -- why target marketing and industry affect businesses; marketing-information management -- why market research is important; pricing -- how prices maximize profit and affect the perceived value; product/service management -- why products live and die; promotion -- how to inform customers about products; channel management -- how products reach the final user; and selling -- how to convince a customer that a product is the best choice. Students will demonstrate knowledge through hands-on projects that may include conducting research, creating a promotional plan, pitching a sales presentation, and introducing an idea for a new product or service.
 - (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.
- (d) Knowledge and skills.
 - (1) The student defines marketing and identifies the seven core functions of marketing. The student is expected to:
 - (A) define marketing and explain the marketing concept; and
 - (B) identify the seven core functions of marketing, including marketing planning, marketing-information management, pricing, product/service management, promotion, channel management, and selling.
 - (2) The student knows the interrelationship and purpose of the marketing mix or 4P's of marketing: product, price, promotion, and place. The student is expected to:
 - (A) identify and describe the four elements of the marketing mix, including product, price, place, and promotion;
 - (B) explain how each component of the marketing mix contributes to successful marketing;

- (C) analyze the interdependence of each element of the marketing mix with the other three elements;
 - (D) develop and present an idea for a new product or service and the marketing mix for the new product or service; and
 - (E) investigate and explain how to determine the feasibility of a new product or service proposal.
- (3) The student knows how a company considers internal and external factors to understand the current market. The student is expected to:
- (A) explain the internal and external factors that influence marketing planning;
 - (B) define a marketing plan and describe each step in the plan;
 - (C) identify and explain market position and market share;
 - (D) explain how a business can use a strengths, weaknesses, opportunities, and threats (SWOT) analysis to plan for opportunities in the market;
 - (E) conduct a SWOT analysis; and
 - (F) analyze the data from a SWOT analysis to make informed business decisions.
- (4) The student applies the concepts of market and market identification to make informed business decisions. The student is expected to:
- (A) define the term market;
 - (B) identify the target market for a product or service;
 - (C) define niche marketing, identify examples of niche marketing, and compare niche marketing to other marketing strategies;
 - (D) analyze an appropriate target market within a specific industry;
 - (E) compare types of markets, including business to business and business to consumer; and
 - (F) identify real-life scenarios of effective markets and explain what makes a market effective.
- (5) The student understands the concept of market segmentation. The student is expected to:
- (A) define the term market segmentation;
 - (B) explain the commonly used types of market segmentation, including demographic segmentation, geographic segmentation, psychographic segmentation, and behavioral segmentation;
 - (C) analyze the impact of culture on buying decisions; and
 - (D) describe how market segmentation concepts apply to real-world situations.
- (6) The student understands the purpose and importance of gathering and evaluating information for use in making business decisions. The student is expected to:
- (A) describe marketing information and how it influences marketing decisions;
 - (B) use marketing-research tools to gather primary and secondary data;
 - (C) compare primary and secondary research data;
 - (D) define analytics;
 - (E) identify sources of data and information that can be analyzed to make business decisions;
 - (F) identify key business metrics that are used to make business decisions or evaluate outcomes of business decisions; and

- (G) analyze data and make recommendations for improving business operations.
- (7) The student explains concepts and strategies used in determining and adjusting prices to maximize return and meet customers' perceptions of value. The student is expected to:
- (A) investigate and describe how businesses make pricing decisions;
 - (B) identify and explain goals for pricing, including profit, market share, and competition;
 - (C) analyze factors affecting price, including supply and demand, perceived value, costs, expenses (profit margin), and competition;
 - (D) explain the economic principle of break-even point;
 - (E) explain key pricing terms, including odd/even pricing, loss leaders, prestige pricing, penetration pricing, price bundling, price lining, and everyday low pricing; and
 - (F) explain how supply and demand affect price.
- (8) The student explains the role of product or service management as a marketing function. The student is expected to:
- (A) explain the concept of product mix, including product lines, product width, and product depth;
 - (B) explain the importance of generating new product ideas;
 - (C) analyze the product mix for a current business;
 - (D) identify and discuss the components of the product life cycle, including introduction, growth, maturity, and decline; and
 - (E) identify the impact of marketing decisions made in each stage of the product life cycle.
- (9) The student knows the process and methods to communicate information about products to achieve a desired outcome. The student is expected to:
- (A) explain the role of promotion as a marketing function;
 - (B) identify and describe elements of the promotional mix, including advertising, public relations, personal selling, and sales promotion;
 - (C) describe and demonstrate effective ways to communicate features and benefits of a product to a potential client; and
 - (D) analyze and evaluate websites for effectiveness in achieving a desired outcome.
- (10) The student identifies promotional channels used to communicate with the targeted audiences. The student is expected to:
- (A) create advertising examples using various media, including print media such as outdoor, newspapers, magazines, and direct mail; digital media such as email, apps, and social media; and broadcast media such as television and radio, to communicate with target audiences;
 - (B) describe various public-relations activities such as a press releases and publicity management;
 - (C) analyze and compare examples of sales promotions such as coupons, loyalty programs, rebates, samples, premiums, sponsorship, and product placement; and
 - (D) explain the role of marketing ethics in promotional strategies.
- (11) The student explores the role of channel members and methods of product transportation. The student is expected to:
- (A) define channel of distribution;

- (B) describe the roles of intermediaries, including manufacturer, agent, wholesaler/industrial distributor, retailer, and consumer/industrial user, and explain how the roles may impact business decisions and the success of a business;
 - (C) identify and discuss the methods of transportation for products, including road, air, maritime, rail, and intermodal; and
 - (D) analyze and explain the impact of the distribution channel on price.
- (12) The student demonstrates how to determine client needs and wants and responds through planned and personalized communication. The student is expected to:
 - (A) explain the role of personal selling as a marketing function;
 - (B) explain the role of customer service as a component of selling relationships;
 - (C) explain the importance of preparing for the sale, including gaining knowledge of product features and benefits, identifying the target market and their needs, and overcoming common objections; and
 - (D) identify and explain ways to determine needs of customers and their buying behaviors, including emotional, rational, or patronage.
- (13) The student demonstrates effective sales techniques. The student is expected to:
 - (A) describe the steps of the selling process such as approaching the customer, determining needs, presenting the product, overcoming objections, closing the sale, and suggestive selling;
 - (B) explain effective strategies and techniques for various sales situations; and
 - (C) develop and pitch a sales presentation for a product or service using the steps of the sales process such as addressing customers' needs, wants, and objections and negotiating the sale.
- (14) The student implements a marketing plan. The student is expected to:
 - (A) identify a key target audience;
 - (B) develop an appropriate message and select a medium to attract customers;
 - (C) create a promotional plan that includes target market, promotional objective, advertising media selection, promotional schedule, and budget;
 - (D) develop and present a marketing plan to an audience; and
 - (E) analyze various marketing plans for effectiveness.
- (15) The student knows the nature and scope of project management. The student is expected to:
 - (A) investigate and describe the various tools available to manage a project such as a Gantt chart; and
 - (B) define and explain the components of a project plan, including project goals schedule, timeline, budget, human resources, quality management, risk management, monitoring, and controlling a project.
- (16) The student knows the nature and scope of ethics in marketing. The student is expected to:
 - (A) analyze and explain the role and use of ethics in marketing;
 - (B) research and discuss how ethics has affected a company's profitability; and
 - (C) describe how marketing ethics can be effectively applied to the decision-making process.

§127.263. Retail Management (One Credit), Adopted 2025.

- (a) Implementation. The provisions of this section shall be implemented by school districts beginning with the 2025-2026 school year.
- (b) General requirements. This course is recommended for students in Grades 10-12. Recommended prerequisite: Principles of Business, Marketing, and Finance. Students shall be awarded one credit for the successful completion of this course.
- (c) 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 professions.
 - (2) The Business, Marketing, and Finance Career Cluster focuses on planning, managing, and performing marketing activities to reach organizational objectives.
 - (3) Retail Management is designed as a comprehensive introduction to the principles and practices of retail management. The course explores the process of promoting greater sales and customer satisfaction by gaining a better understanding of the consumers of the goods and services provided by a company. The course provides an overview of the strategies involved in the retail process such as distributing finished products created by the business to consumers and determining what buyers want and require from the retail market.
 - (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.
- (d) Knowledge and skills.
 - (1) The student uses self-development techniques and interpersonal skills to accomplish retail management objectives. The student is expected to:
 - (A) describe and demonstrate effective interpersonal and team-building skills involving situations with coworkers, managers, and customers;
 - (B) create a self-development plan that includes improving leadership and interpersonal skills and that identifies opportunities to participate in leadership and career development activities; and
 - (C) identify and describe employability skills needed to be successful in the retail marketing industry.
 - (2) The student explores features of excellent customer service. The student is expected to:
 - (A) discuss the importance of and demonstrate effective communication skills such as active listening, evaluating nonverbal signals, and use of appropriate grammar, vocabulary, and tone;
 - (B) present written and oral communication, including email, traditional letter writing, face-to-face conversations, and phone conversation, in a clear, concise, and effective manner for a variety of purposes and audiences;
 - (C) discuss how company policy impacts an employee's interactions with consumers and a consumer's interactions with the retail establishment; and
 - (D) analyze how attitude impacts a consumer's experience with the retailer.
 - (3) The student creates professional documents required for employment. The student is expected to:
 - (A) develop a professional portfolio or resume;

- (B) write appropriate business correspondence such as a letter of intent and a thank you letter;
 - (C) complete sample job applications accurately and effectively; and
 - (D) explain protocol for identifying and asking for references.
- (4) The student analyzes non-store retailing modalities, including direct selling, telemarketing, online retailing, automatic vending, direct marketing, and e-tailing. The student is expected to:
- (A) investigate and evaluate the effectiveness of marketing and selling through online platforms such as mobile apps and software applications;
 - (B) analyze and explain the disadvantages of non-store retailing such as security concerns, inability to interact with the customer, delay in customer receipt of the product, less ease of return for unwanted items, and the lack of social interaction between customers and retailers; and
 - (C) analyze and explain the advantages of non-store retailing such as unlimited access for customers to view the inventory, the ability for customers to purchase 24 hours per day/7 days a week, lower overhead cost, and a larger inventory of items than is housed in a brick-and-mortar facility.
- (5) The student analyzes marketing research to make changes to business strategies or operations. The student is expected to:
- (A) synthesize and analyze data collected through surveys, interviews, group discussions, and internal records to create data reports;
 - (B) explain how data reports are used to make decisions to improve a retailer's practices and improve overall operations;
 - (C) analyze and evaluate the effective use of surveys to gather data needed by the retailer to make effective operational decisions;
 - (D) disaggregate and analyze internal data such as sales data, shipping data, finance reports, inventory reports, and customer and personnel feedback collected by the retailer to make effective operational decisions;
 - (E) disaggregate and analyze marketing data based on indicators such as age, gender, education, employment, income, family status, and ethnicity to identify and evaluate products based on the retailers' target market; and
 - (F) identify and analyze how the product, price, promotion, and placement of the product impacts the retail market.
- (6) The student understands the role and responsibilities of a buyer in retail management and understands the purpose of analyzing the target market to interpret consumer needs and wants based on data. The student is expected to:
- (A) define and describe various merchandising categories such as staple, fashion, seasonal, and convenience;
 - (B) describe merchandise plans and their components, including planned sales, planned stock, planned stocked reductions, and planned retail purchases;
 - (C) analyze and discuss each stage of a product's life cycle, including introduction, growth, maturity, and decline, and explain how each stage relates to the target market; and
 - (D) develop a budget based on financial goals.
- (7) The student applies inventory management strategies to effectively create and manage reliable tracking systems to schedule purchases, calculate turnover rate, and plan merchandise and marketing decisions. The student is expected to:

- (A) describe the process of purchasing inventory and executing a purchase order, transporting orders, and receiving orders;
 - (B) explain inventory management practices, including ordering, storing, producing, and selling merchandise;
 - (C) differentiate between perpetual and periodic inventory tracking methods and describe how point-of-sale software, universal product codes, radio frequency identification, stock shrinkage, and loss prevention impact a retailer's inventory management; and
 - (D) analyze and describe how stock turnover rates impact inventory.
- (8) The student evaluates retailer pricing strategies based on factors such as competition, the economy, and supply and demand to maximize sales and profit. The student is expected to:
- (A) analyze how uncontrollable factors such as competition, the economy, and supply and demand impact pricing;
 - (B) explain how controllable factors such as company goals, operating expenses, and product life cycles impact pricing;
 - (C) differentiate between demand-based pricing, competition-based pricing, and cost-based pricing and explain how each pricing method is used to determine the base price for a product;
 - (D) identify and describe how market share impacts pricing of products; and
 - (E) create price points using keystone pricing, industry benchmarks, and industry surveys.
- (9) The student explores effective promotional activities, including advertising, sales promotion, public relations, and personal selling, that retail managers use to inform, persuade, and remind customers of products that will meet consumer needs. The student is expected to:
- (A) explain the six elements of effective communication, including source, message, channel, environment, context, and feedback;
 - (B) demonstrate effective written, verbal, and nonverbal communication;
 - (C) analyze and evaluate promotional communication techniques used to inform or motivate consumers to invest in products or services;
 - (D) differentiate between techniques used for advertising, public relations, personal selling, and sales promotion; and
 - (E) investigate and evaluate technology applications that promote items using online advertising, web presence, social media, email campaigns, and other modes of electronic promotions.
- (10) The student analyzes and applies personal selling elements needed in retail management to determine how to generate sales. The student is expected to:
- (A) explain sales generating techniques, including prospecting, solution development, buyer qualification, opportunity qualification and control, negotiation, and account management and follow-up;
 - (B) describe how ethical behaviors of a sales associate impacts the retail market;
 - (C) demonstrate effective selling techniques needed in the retail market;
 - (D) analyze and describe best practices in product training for sales associates;
 - (E) explain how determining the needs, presenting the product, handling objections, closing the sale, and following up with customers increases sales for the retailer; and
 - (F) identify effective questions and questioning techniques sales associates use with consumers to gain a competitive advantage or increase sales and discuss the importance

of strategically selecting questions and techniques based on the product or service and target market.

- (11) The student explores how to effectively use visual merchandising. The student is expected to:
- (A) analyze and describe how a retailer's storefront, store layout, store interior, centralized visual merchandising, and interior displays impact sales and a consumer's experience with the business; and
 - (B) develop a visual merchandising plan using proper design elements such as mannequins, props, lighting, color, signage, and graphics.
- (12) The student understands the role of the retail manager for recruiting, hiring, training, supervising, and terminating employees as well as maintaining the everyday operation of a business to ensure that it functions efficiently and meets established goals. The student is expected to:
- (A) identify and describe effective methods of recruiting employees externally;
 - (B) explain effective methods of recruiting employees internally;
 - (C) describe how to recruit a diverse pool of talent for employment consideration;
 - (D) explain the importance of the Equal Employment Opportunity Commission guidelines on the recruitment process;
 - (E) explain the benefits of training employees to learn new skills and technologies and comply with new laws and regulations;
 - (F) develop an employee appraisal program;
 - (G) explain an effective employee performance evaluation system and the importance of including supervisors and managers, peers, customers or clients, and subordinates in the process; and
 - (H) identify leadership and career development activities such as involvement with appropriate student and local management associations and create a personal development plan that includes participation in leadership and career development activities.
- (13) The student understands the importance of effective teams and how effective leaders implement group development strategies. The student is expected to:
- (A) explain the process of forming, storming, norming, performing, and adjourning;
 - (B) analyze and discuss effective interpersonal and team-building skills involving situations with coworkers, supervisors, and subordinates;
 - (C) investigate and analyze personal integrity and its effects on relationships in the workplace;
 - (D) describe characteristics of successful working relationships such as teamwork, conflict resolution, self-control, and the ability to accept criticism;
 - (E) discuss the importance of showing respect to all people and explain how showing respect to all people impacts the success of a business;
 - (F) identify employer expectations and discuss how meeting employer expectations impacts the success of a business; and
 - (G) explain and demonstrate productive work habits and attitudes.
- (14) The student explores the practice of risk management, including identifying, assessing, and reducing risk through proper planning. The student is expected to:
- (A) differentiate between natural, human, market, economic, and market risks;
 - (B) differentiate between controllable and uncontrollable risks;

(C) investigate and explain effective strategies for identifying, assessing, and reducing risks;
and

(D) analyze how financial losses from human, physical, and natural risk factors can be
minimized through the use of insurance.

ATTACHMENT III
Text of Proposed New 19 TAC

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

Subchapter J. Health Science [~~Hospitality and Tourism~~]

§127.510. Speech and Language Development (One Credit), Adopted 2025.

- (a) Implementation. The provisions of this section shall be implemented by school districts beginning with the 2025-2026 school year.
- (b) General requirements. This course is recommended for students in Grades 11 and 12. Recommended prerequisites: Principles of Health Science, Anatomy and Physiology, and Introduction to Speech Pathology and Audiology. Students shall be awarded one credit for successful completion of this course.
- (c) 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) The Health Science Career Cluster focuses on planning, managing, and providing therapeutic services, diagnostics services, health informatics, support services, and biotechnology research and development.
 - (3) The Speech and Language Development course provides advanced knowledge and skills related to speech and language acquisition and growth of developing children. Understanding healthy development and speech, language, and communication developmental milestones is a prerequisite for studying communication disorders. This course provides students with the knowledge and skills necessary to pursue further education, possibly culminating in a bachelor's degree and subsequent master's degree in communication sciences and disorders.
 - (4) Students are encouraged to participate in extended learning experiences such as career and technical student organizations and other leadership or co-curricular 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.
- (d) Knowledge and skills.
 - (1) The student demonstrates professional standards/employability skills as required by business and industry. The student is expected to:
 - (A) explain the importance of and demonstrate clear, concise, and effective verbal and non-verbal communication; and
 - (B) describe and demonstrate effective teamwork skills, including cooperation, contribution, and collaboration.
 - (2) The student understands basic human communication processes, including the biological, neurological, psychological, developmental, linguistic, and cultural processes. The student is expected to:
 - (A) differentiate between communication, speech, language, and hearing;
 - (B) summarize the structural bases of speech production and hearing;
 - (C) compare anatomy and physiology of the speech mechanism;
 - (D) examine and describe the anatomy and physiology of the auditory system;
 - (E) identify and describe healthy verbal and nonverbal communication development;

- (F) describe the developmental building blocks and prerequisites for healthy speech and language development;
 - (G) identify and define terminology related to human communication such as speech sound production, fluency (stuttering), voice, language, hearing, hearing loss, breathing, swallowing, pragmatics, and cognition; and
 - (H) explain social-interactive and psychological bases of communication and the influences it has on interpersonal communication, including linguistic and cultural influences.
- (3) The student gains knowledge and understanding of various theoretical perspectives of healthy speech and language acquisition. The student is expected to:
- (A) investigate and explain the major theories of language acquisition;
 - (B) compare the major theories of speech sound production; and
 - (C) research and explain the connections between language development and speech development as they relate to phonological awareness in learning to read.
- (4) The student understands the healthy development of speech sound production in children. The student is expected to:
- (A) describe articulatory phonetics and explain how articulatory phonetics relate to the respiratory system, including the larynx, vocal tract, articulators (velopharynx, tongue, lips, and jaw), and air flow;
 - (B) analyze the foundation for speech acquisition in relation to auditory perception before birth and in infants;
 - (C) describe early vocal development in infants as a prerequisite for speech;
 - (D) explain how the use of vowels by infants and young children is important for the development of speech;
 - (E) illustrate ways to categorize or describe vowel and diphthong production;
 - (F) research and describe the development of consonant inventories in young English-speaking children;
 - (G) describe and differentiate between models for describing consonant production;
 - (H) summarize progression in speech development for combining sounds into syllable shapes and words; and
 - (I) analyze the linguistic and cultural influences of the heritage/native language on the development of speech sound production in English.
- (5) The student understands the components of a developing language system and how language skills develop in children. The student is expected to:
- (A) identify and explain the components of a language system, including phonology, phonetics, morphology, syntax, semantics, and pragmatics;
 - (B) explain the components of a developing language system in terms of vocabulary, grammar, and social and interpersonal communication;
 - (C) describe the prerequisite skills for developing language;
 - (D) differentiate between language delay, language disorders, and language difference;
 - (E) outline the milestones of healthy language development from birth through age five years related to comprehension and expression;
 - (F) summarize healthy language development from Kindergarten (age 5) through Grade 5 (age 10 or 11) and describe factors that influence age-appropriate development of language;

- (G) describe healthy continuing language development in adolescence for each component of a developing language system; and
 - (H) compare cultural and ethnic differences in language development.
- (6) The student explores the healthy development of verbal fluency skills in children. The student is expected to:
- (A) define and differentiate between verbal fluency, disfluencies, and stuttering;
 - (B) identify and explain common disfluencies and periods of expected disfluencies;
 - (C) explain the development of speech and language skills;
 - (D) differentiate between and discuss variables that may affect verbal fluency; and
 - (E) describe ways to measure verbal fluency for English language learners and evaluate the effectiveness of each method.
- (7) The student explores parameters of voice production in children and adults. The student is expected to:
- (A) describe the physical and physiological parameters of voice production;
 - (B) describe the components of healthy voice production, including voice quality, pitch, loudness, resonance, and duration;
 - (C) explain causes or etiologies of variations in voice production;
 - (D) describe how parameters of voice production change throughout the span of life;
 - (E) analyze environmental variables that may affect voice production;
 - (F) explain the practice of speech-language pathology and allowable services; and
 - (G) analyze the ethical considerations for the speech-language pathologist in dealing with individuals with a possible voice disorder and the requirement for ongoing work with a physician.
- (8) The student understands the development of effective language and communication skills needed to demonstrate high levels of achievement in elementary and secondary school. The student is expected to:
- (A) research and describe the milestones of communication development and literacy development;
 - (B) compare milestones of communication development to the milestones of literacy development;
 - (C) differentiate between interpersonal language used for conversational interaction and more formal, literate language used for learning academic content;
 - (D) define and provide examples of tier 1, tier 2, and tier 3 vocabulary as it relates to language development and meeting grade level expectations of academic vocabulary across subject areas;
 - (E) explain the development of language used for oral and written narratives and demonstrate how story grammar can be used as a bridge between conversational language and academic language;
 - (F) analyze the development of pragmatic-language skills and the types of verbal, nonverbal, and written communication skills needed to do well in school; and
 - (G) define emergent literacy and analyze the language base necessary for the development of reading skills.

- (9) The student explores healthy and unhealthy speech and language development. The student is expected to:
- (A) describe the role of the speech-language pathologist in determining healthy speech and language development and speech sound disorders and language disorders;
 - (B) explain the purpose of and describe techniques for screening speech and language skills in children;
 - (C) explain the purpose of and describe techniques for evaluating speech and language skills in children;
 - (D) analyze the Response to Intervention (RTI) method for accurately identifying a speech or language disorder in school-age children; and
 - (E) discuss the role of the speech-language pathologist in referral, counseling, and providing basic information when there are concerns about a child's speech or language development.
- (10) The student demonstrates effective verbal and nonverbal communication skills. The student is expected to:
- (A) describe and demonstrate appropriate communication skills when interacting with elementary age students, classroom teachers, speech-language pathologists, principals, and parents in various situations;
 - (B) identify and demonstrate verbal and nonverbal communication techniques that should be used when communicating with children who have sensory loss, language barriers, cognitive impairment, and other learning disabilities;
 - (C) identify and evaluate electronic communication and technology devices that may be used when interacting with children with communication disorders; and
 - (D) differentiate between oral interpretation and translation skills from English to a second language.
- (11) The student explores the influence of dialects of Standard American English or native language on the development of speech and language skills in English and on the production of English. The student is expected to:
- (A) provide examples of how a common phrase may be expressed across Standard American English and three different dialects;
 - (B) describe how speech and language patterns vary as a function of language, age, socioeconomic status, and geography;
 - (C) analyze the characteristics of American English dialects in terms of speech sound production and language use;
 - (D) explain the influence of heritage language on the speech sound production and grammar development of English in emergent bilingual students; and
 - (E) analyze speech and language patterns of English language learners in terms of expected speech and language development.

§127.511. Speech Communication Disorders (One Credit), Adopted 2025.

- (a) Implementation. The provisions of this section shall be implemented by school districts beginning with the 2025-2026 school year.
- (b) General requirements. This course is recommended for students in Grades 11 and 12. Recommended prerequisites: Principles of Health Science, Anatomy and Physiology, Introduction to Speech-Language Pathology and Audiology, Speech and Language Development, and Human Growth and Development. Students shall be awarded one credit for successful completion of this course.

(c) 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) The Health Science Career Cluster focuses on planning, managing, and providing therapeutic services, diagnostics services, health informatics, support services, and biotechnology research and development.
- (3) The Speech Communication Disorders course is designed to provide for the development of advanced knowledge and skills related to an overview of communication disorders that occur in children and adults in the areas of speech sound production, stuttering, voice disorders, and the language areas of semantics, syntax, pragmatics, phonology, and metalinguistics. An overview of treatment for hearing loss and deafness will also be provided.
- (4) Students are encouraged to participate in extended learning experiences such as career and technical student organizations and other leadership or co-curricular 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.

(d) Knowledge and skills.

- (1) The student demonstrates professional standards/employability skills as required by business and industry. The student is expected to:
 - (A) demonstrate verbal and non-verbal communication in a clear, concise, and effective manner; and
 - (B) demonstrate the ability to cooperate, contribute, and collaborate as a member of a team.
- (2) The student demonstrates knowledge of the nature of speech, language, hearing, and communication disorders and differences. The student is expected to:
 - (A) identify the anatomy and describe the function of the peripheral and central auditory pathways;
 - (B) describe the physical and psychological attributes of sound;
 - (C) differentiate between the different types of hearing loss and their causes;
 - (D) describe the impact of hearing loss on speech and language development;
 - (E) compare the processes of speech, language, and hearing in people of various cultures;
 - (F) identify and relate disorder differences in relationship to communication skills;
 - (G) explain the concepts of speech, language, hearing, and communication disorders across the human lifespan; and
 - (H) explain potential barriers and solutions that an interpreter or translator must consider when communicating with a child with a communication disorder.
- (3) The student demonstrates knowledge of the etiologies, characteristics, and anatomical/physical, acoustic, psychological, developmental, linguistic, and cultural correlates of communication disorders across the human lifespan. The student is expected to:
 - (A) compare common causes of hearing impairment in children and adults;
 - (B) analyze the causes of speech, language, and hearing disorders across the lifespan;
 - (C) identify common communication and hearing disorders, their typical symptoms, etiologies, characteristics, and associated correlates;
 - (D) evaluate the impact of communication disorders on the individual; and

- (E) compare cultural variations in how communication disorders are perceived.
- (4) The student describes the types of communication disorders most commonly seen in children and the services provided by professionals in this field to provide habilitation or rehabilitation. The student is expected to:
- (A) analyze speech sound disorders of the child's phonological system and describe the production of speech sounds such as place, manner, voicing, and distinctive feature analysis;
- (B) describe and organize evidence-based treatment approaches for speech sound disorders;
- (C) summarize fluency disorders, including secondary characteristics;
- (D) analyze evidence-based treatment approaches for stuttering;
- (E) identify voice disorders in terms of vocal quality, pitch, volume, resonance, and duration;
- (F) develop a plan for an evidence-based treatment for voice disorders and the required interface with a physician;
- (G) explain language disorders in terms of the child's use of syntax, morphology, semantics, pragmatics, phonology, and metalinguistics; and
- (H) compare current evidence-based treatment approaches for language disorders in preschool and elementary-age children.
- (5) The student demonstrates effective verbal and nonverbal communication skills. The student is expected to:
- (A) demonstrate communication skills appropriate to the situation when interacting with elementary age students, classroom teachers, speech-language pathologists, principals, and parents with communication disorders;
- (B) demonstrate knowledge of verbal and nonverbal communication techniques that should be used when communicating with children that have sensory loss, language barriers, cognitive impairment, and other learning disabilities; and
- (C) employ electronic communication and technology devices when interacting with children with communication disorders with appropriate supervision in a school setting.
- (6) The student demonstrates sensitivity and understanding of cultural and linguistic influences on an individual's communication patterns and describes how cultural and linguistic influences must be considered when working with children with communication disorders and their families. The student is expected to:
- (A) analyze how speech and language patterns vary as a function of language, age, socioeconomic status, and geography;
- (B) prepare a simulated interview with the parent or family member of a child referred for a hearing or communication evaluation;
- (C) identify patterns of communication that are common for individuals from different cultural and linguistic backgrounds such use of eye contact, personal space, and gestures;
- (D) apply design strategies for culturally sensitive family-centered practices for children with communication disorders; and
- (E) explain the terms language disorder, language delay, language difference, heritage language, and dialect for describing the communication patterns of a young child.
- (7) The student identifies screening, evaluation, and diagnosis procedures that are used to identify hearing loss/deafness, speech sound production disorders, stuttering, voice impairment, and language disorders in children. The student is expected to:
- (A) explain principles related to different audiometric test procedures;

- (B) participate in a basic audiometric test (screening procedure) and interpret a variety of test results regarding whether the individual passed or failed the screening;
 - (C) interpret principles related to screening speech sound production, fluency, voice, and language skills in young children;
 - (D) evaluate developmental screening activities that include screening speech and language development; and
 - (E) synthesize the components of a comprehensive diagnostic report of findings inclusive of speech sound production, fluency (stuttering), voice production, and receptive, expressive, and social language skills to explain the test results.
- (8) The student identifies research-based and evidence-based practices in speech-language pathology and audiological service delivery. The student is expected to:
 - (A) define evidence-based practice (EBP) and differentiate EBP from scientifically-based research in the fields of speech-language pathology and audiology;
 - (B) define the set of Evidence Levels used by the American Speech-Language-Hearing Association as a protocol to evaluate research evidence;
 - (C) correlate research studies to the Evidence Levels used by the American Speech-Language-Hearing Association;
 - (D) analyze the role of expert opinion and clinical experience in evidence-based practice; and
 - (E) design and present an action research project in the field of communication disorders.
- (9) The student demonstrates knowledge and understanding of a variety of treatment approaches used with children with communication disorders. The student is expected to:
 - (A) compare two treatment approaches for speech sound disorders;
 - (B) compare two treatment approaches for fluency disorders;
 - (C) describe and practice treatment approaches for voice disorders in the areas of vocal quality, pitch, loudness, resonance, and duration;
 - (D) compare two treatment approaches for language disorders in preschool children;
 - (E) compare two treatment approaches for language disorders in elementary school-age children; and
 - (F) identify treatment approaches for language disorders with children with disabilities such as autism, intellectual disability, cleft palate, or cerebral palsy.

ATTACHMENT IV
Text of Proposed New 19 TAC

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

Subchapter K. Hospitality and Tourism

§127.569. Foundations of Restaurant Management (One Credit), Adopted 2025.

- (a) Implementation. The provisions of this section shall be implemented by school districts beginning with the 2025-2026 school year.
- (b) General requirements. This course is recommended for students in Grades 10-12. Recommended prerequisite: Principles of Hospitality and Tourism. Students shall be awarded one credit for successful completion of this course.
- (c) 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) The Hospitality and Tourism Career Cluster focuses on the management, marketing, and operations of restaurants and other food/beverage services, lodging, attractions, recreation events, and travel-related services.
 - (3) Foundations of Restaurant Management provides students with a foundation to understand basic culinary skills and food service management, along with current food service industry topics and standards. Building on prior instruction, this course provides introductory insight into critical thinking, financial analysis, industry technology, social media, customer or client awareness, and leadership in the food service industry. Students will gain an understanding of restaurant operations and the importance of communicating effectively to diverse audiences for different purposes and situations in food service operations and management. Students will learn how the front of the house and the back of the house of restaurant management operate and collaborate and will obtain value-added certifications in the industry to help launch themselves into food service careers.
 - (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.
- (d) Knowledge and skills.
 - (1) The student demonstrates professional standards as required by the food service industry. The student is expected to:
 - (A) explain the importance of and demonstrate effective oral and written communication;
 - (B) describe professional grooming, hygiene, and appropriate uniform standards for various food service positions and scenarios;
 - (C) describe how punctuality and time-management skills are critical to the success of employees and businesses in the food service industry;
 - (D) describe what demonstrating self-respect and respect for others looks like;
 - (E) analyze and demonstrate effective teamwork strategies and leadership styles;
 - (F) describe initiative, adaptability, and problem-solving techniques and discuss how each may be used in the food service industry; and

- (G) identify opportunities to participate in community leadership and teamwork activities that enhance professional skills.
- (2) The student develops academic knowledge and skills required to pursue the full range of career and postsecondary education opportunities within the food service industry. The student is expected to:
 - (A) use information management methods and tools to organize oral and written information;
 - (B) create a variety of written documents such as job descriptions, menus, presentations, and advertisements;
 - (C) calculate numerical concepts such as weights, measurements, pricing, and percentages;
 - (D) identify how scientific principles used in the food service industry affect customer service and profitability; and
 - (E) explain how to operate a profitable restaurant using mathematics and science knowledge and skills.
- (3) The student uses verbal and nonverbal communication skills to create, express, and interpret information to establish a positive work environment. The student is expected to:
 - (A) develop and deliver business presentations;
 - (B) identify and create various marketing strategies used by the food service industry to increase customer or client traffic and profitability;
 - (C) plan and facilitate new staff member training;
 - (D) explain how interpersonal communications such as verbal and nonverbal cues enhance communication with coworkers, employees, managers, and customers or clients; and
 - (E) explain how active listening skills can affect employee morale and customer service.
- (4) The student solves problems using critical thinking, innovation, and creativity independently and in teams. The student is expected to:
 - (A) develop ideas to increase customer service, employee morale, and profitability; and
 - (B) describe how employing critical-thinking and interpersonal skills can help resolve conflicts with individuals such as coworkers, customers or clients, and employers.
- (5) The student uses information technology tools specific to restaurant management to access, manage, integrate, and interpret information. The student is expected to:
 - (A) identify information technology tools and applications used to perform workplace responsibilities and explain how the tools and applications may be used to increase productivity;
 - (B) describe how business financial statements may be evaluated to increase profitability;
 - (C) analyze customer service scenarios and make recommendations for improvements;
 - (D) explain how point-of-sale systems are used to evaluate business outcomes and provide customer service; and
 - (E) design Internet resources for business profitability.
- (6) The student understands the various roles and responsibilities within teams, work units, departments, organizations, and the larger environment of the food service industry. The student is expected to:
 - (A) compare the roles and responsibilities of food service operations staff, including back-of-the-house, front-of-the-house, and support roles, and explain how each impact profitability of business operations;

- (B) explain how developing strategic work schedules impacts effective customer service and profitability;
 - (C) investigate quality-control standards and practices and analyze how those standards and practices affect restaurant profitability;
 - (D) analyze various styles of restaurant services such as table, buffet, fast food, fast casual, and quick service for cost and level of profitability;
 - (E) describe how various place settings impact the customer service experience and profitability of the business; and
 - (F) explain how proper service techniques in food service operations contribute to the customer or client experience.
- (7) The student understands the importance of health, safety, and environmental management systems in organizations and their impact on organizational performance, profitability, and regulatory compliance. The student is expected to:
- (A) explain and discuss the responsibilities of workers and employers to promote safety and health in the workplace and the rights of workers to a secure workplace;
 - (B) explain and discuss the importance of Occupational Safety and Health Administration (OSHA) standards and OSHA requirements for organizations, how OSHA inspections are conducted, and the role of national and state regulatory entities;
 - (C) explain the role industrial hygiene plays in occupational safety and explain various types of industrial hygiene hazards, including physical, chemical, biological, and ergonomic;
 - (D) research and discuss sources of food-borne illness and determine ways to prevent them;
 - (E) identify and explain the appropriate use of types of personal protective equipment used in industry;
 - (F) discuss the importance of safe walking and working surfaces in the workplace and best practices for preventing or reducing slips, trips, and falls in the workplace;
 - (G) describe types of electrical hazards in the workplace and the risks associated with these hazards and describe control methods to prevent electrical hazards in the workplace;
 - (H) analyze the hazards of handling, storing, using, and transporting hazardous materials and identify and discuss ways to reduce exposure to hazardous materials in the workplace;
 - (I) identify workplace health and safety resources, including emergency plans and Safety Data Sheets, and discuss how these resources are used to make decisions in the workplace;
 - (J) describe the elements of a safety and health program, including management leadership, worker participation, and education and training;
 - (K) explain the purpose and importance of written emergency action plans and fire protection plans and describe key components of each such as evacuation plans and emergency exit routes, list of fire hazards, and identification of emergency personnel;
 - (L) explain the components of a hazard communication program; and
 - (M) explain and give examples of safety and health training requirements specified by standard setting organizations.
- (8) The student explores professional ethics and legal responsibilities within the food service industry. The student is expected to:
- (A) research and describe laws and guidelines affecting operations in the restaurant industry; and
 - (B) explain the reasons for liability insurance in the restaurant industry.

- (9) The student understands the importance of developing skills in time management, decision making, and prioritization. The student is expected to:
- (A) identify and explain delegation of tasks related to the effective operation of a food service establishment;
 - (B) describe the relationships between scheduling, payroll costs, and sales forecasting; and
 - (C) analyze various steps in determining the priority of daily tasks to be completed in a food service establishment.
- (10) The student investigates the skills, training, and educational requirements needed to successfully gain and maintain employment in the food service industry and explores local and regional opportunities in the industry. The student is expected to:
- (A) describe effective strategies for seeking employment in the food service industry;
 - (B) identify the required training and educational requirements that lead to a career in the food service industry;
 - (C) select educational and work history highlights to include in a career portfolio;
 - (D) create and update a personal career portfolio;
 - (E) describe and demonstrate effective interviewing techniques for gaining employment in the food service industry;
 - (F) create a personal training plan for obtaining employment in a specific occupation such as Texas Alcoholic Beverage Commission training and Food Safety and Sanitation training in the food service industry;
 - (G) research and analyze the local and regional labor market to determine opportunities in the food service industry;
 - (H) investigate professional development opportunities to keep current on relevant trends and information within the food service industry; and
 - (I) identify and discuss entrepreneurship opportunities within the food service industry.
- (11) The student explores factors that have shaped the food service industry. The student is expected to:
- (A) research and describe the history and growth of the food service industry;
 - (B) explain how culture and globalization influence the food service industry; and
 - (C) analyze current trends affecting the food service industry.
- (12) The student understands factors that affect the profitability of a food service business. The student is expected to:
- (A) explain the importance of effectively managing inventory to maintain profitability of the food service business;
 - (B) describe and demonstrate effective stewarding processes and procedures such as establishing thorough cleaning schedules and proper dishwashing techniques;
 - (C) describe how proper food storage techniques affect the profitability of an establishment;
 - (D) explain how pricing and controlling costs such as labor and supplies affect the profitability of a food service business; and
 - (E) analyze how customer service and customer or client loyalty affect the profitability of a food service business and compare strategies for building and maintaining customer loyalty.

§127.571. Introduction to Event and Meeting Planning (One Credit), Adopted 2025.

- (a) Implementation. The provisions of this section shall be implemented by school districts beginning with the 2025-2026 school year.
- (b) General requirements. This course is recommended for students in Grades 10-12. Recommended prerequisite: Principles of Hospitality and Tourism, Hotel Management, or Travel and Tourism Management. Students shall be awarded one credit for successful completion of this course.
- (c) 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) The Hospitality and Tourism Career Cluster focuses on the management, marketing, and operations of restaurants and other food/beverage services, lodging, attractions, recreation events, and travel-related services.
 - (3) Introduction to Event and Meeting Planning introduces students to the concepts and topics necessary to understand the meetings, events, expositions, and conventions (MEEC) industry. The course will review the roles of the organizations and people involved in the businesses that comprise the MEEC industry.
 - (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.
- (d) Knowledge and skills.
 - (1) The student demonstrates professional standards/employability skills as required by business and industry. The student is expected to:
 - (A) explain the importance of developing personal and professional skills such as punctuality, initiative, leadership, respect for all people, conflict management, work ethic, and adaptability;
 - (B) explain how critical thinking, innovation, and creativity are essential to the problem-solving process;
 - (C) describe appropriate professional grooming, hygiene, and appearance for the workplace;
 - (D) identify effective teamwork and conflict-management skills and explain how using effective teamwork and conflict-management skills leads to the achievement of collective goals;
 - (E) explain how planning and time-management skills and tools can be used to enhance results and complete work tasks;
 - (F) identify and describe essential workplace skills necessary for obtaining employment and developing a career;
 - (G) prepare and complete employment-related documents such as paper and electronic job applications and I-9 and W-4 forms;
 - (H) compare effective stress-management techniques and explain the importance of using effective stress-management techniques;
 - (I) explain the various steps in the decision-making process; and
 - (J) describe and demonstrate effective interview techniques for gaining employment in various positions and at various businesses in the MEEC industry.

- (2) The student recognizes the importance of and uses oral and written communication skills in creating, expressing, and interpreting information and ideas. The student is expected to:
- (A) explain the importance of using verbal and non-verbal communication skills effectively with customers or clients and colleagues;
 - (B) summarize information formally and informally;
 - (C) synthesize information from various sources and determine how to prioritize and convey relevant information to customers or clients and colleagues;
 - (D) explain how to use active listening skills to obtain and clarify information;
 - (E) develop and deliver different types of presentations such as informative, instructional, persuasive, and decision making;
 - (F) identify interpersonal skills used to maintain internal and external customer or client satisfaction and describe how effectively using those interpersonal skills impacts customer or client relationships; and
 - (G) identify and use technical vocabulary related to the meeting and event planning industry.
- (3) The student applies academics with career-readiness skills. The student is expected to:
- (A) explain how applying mathematical skills to business transactions such as sales forecasting, service pricing, and planning for profitability are essential to operating a successful business;
 - (B) calculate and interpret key ratios, financial statements, and budgets related to the hospitality event and meeting planning industry;
 - (C) identify opportunities in the hospitality industry to use advanced reading, writing, and mathematics skills;
 - (D) analyze and summarize data from tables, charts, and graphs to estimate and find solutions to problems and identify opportunities for increased profitability; and
 - (E) identify and use industry standards for budgeting and forecasting to maximize profit and growth.
- (4) The student explores career opportunities available within the meeting and event planning segment of the hospitality industry. The student is expected to:
- (A) compile a list of professional organizations that support the professionals in the convention, meeting, and event planning industry;
 - (B) develop a personal training plan to keep current on relevant trends and information within the meeting and event planning industry; and
 - (C) identify occupational opportunities for meeting and event planning for hospitality businesses and corporate businesses.
- (5) The student explores the history of and current trends and career opportunities in the meeting and event planning industry. The student is expected to:
- (A) describe how the meeting and event planning industry has evolved;
 - (B) analyze and describe current trends in the meeting and event planning industry;
 - (C) describe the varied occupations related to meeting and event planning such as meeting planning and management, conference planning and management, trade show planning and management, social event planning and management, association and non-profit meeting planning and management, corporation meeting planning and management, convention and visitor bureau planning and management, and destination management planning and organization;

- (D) describe how a professional mentor can be beneficial to a career and identify potential mentors in the meeting and event planning industry; and
- (E) create a career plan to achieve the desired career position in the meeting and event planning industry.
- (6) The student explores how varying needs of customers or clients impact the event planning industry. The student is expected to:
 - (A) explain the importance of meeting the varying needs of customers or clients for the successful operation of a business;
 - (B) explain how a business plan and business activities may be modified to meet the varying needs of customers or clients; and
 - (C) describe how understanding diversity such as differences in social etiquette, dress, and behaviors may positively impact event and meeting planning.
- (7) The student uses information technology tools in event and meeting planning to access, manage, integrate, and create information. The student is expected to:
 - (A) research and compare event planning software and technology tools such as tools that manage attendee engagement or provide marketing services that help perform workplace tasks and meet business objectives;
 - (B) create complex multimedia publications and presentations for clients and colleagues;
 - (C) explain how point-of-sale systems are used in the meeting and event planning industry;
 - (D) explain how Internet resources can promote industry growth;
 - (E) investigate and evaluate current and emerging technologies used to improve guest services; and
 - (F) use electronic tools to produce appropriate communication for planning and selling meetings and events.
- (8) The student understands the professional, ethical, and legal responsibilities in event and meeting planning services. The student is expected to:
 - (A) explain ethical conduct such as maintaining client confidentiality and privacy of sensitive content when interacting with others;
 - (B) identify different components of a meeting or event contract;
 - (C) investigate and describe applicable rules, laws, and regulations related to event and meeting planning;
 - (D) discuss the reasons for providing event security;
 - (E) compare options for event insurance; and
 - (F) explain the reasons for event insurance.
- (9) The student understands the importance of health, safety, and environmental management systems and their impact on organizational performance and regulatory compliance. The student is expected to:
 - (A) explain and discuss the responsibilities of workers and employers to promote safety and health in the workplace and the rights of workers to a secure workplace;
 - (B) explain and discuss the importance of Occupational Safety and Health Administration (OSHA) standards and OSHA requirements for organizations, how OSHA inspections are conducted, and the role of national and state regulatory entities;
 - (C) explain the role industrial hygiene plays in occupational safety and explain various types of industrial hygiene hazards, including physical, chemical, biological, and ergonomic;

- (D) research and discuss sources of food-borne illness and determine ways to prevent them;
 - (E) identify and explain the appropriate use of types of personal protective equipment used in industry;
 - (F) discuss the importance of safe walking and working surfaces in the workplace and best practices for preventing or reducing slips, trips, and falls in the workplace;
 - (G) describe types of electrical hazards in the workplace and the risks associated with these hazards and describe control methods to prevent electrical hazards in the workplace;
 - (H) analyze the hazards of handling, storing, using, and transporting hazardous materials and identify and discuss ways to reduce exposure to hazardous materials in the workplace;
 - (I) identify workplace health and safety resources, including emergency plans and Safety Data Sheets, and discuss how these resources are used to make decisions in the workplace;
 - (J) describe the elements of a safety and health program, including management leadership, worker participation, and education and training;
 - (K) explain the purpose and importance of written emergency action plans and fire protection plans and describe key components of each such as evacuation plans and emergency exit routes, list of fire hazards, and identification of emergency personnel;
 - (L) explain the components of a hazard communication program; and
 - (M) explain and give examples of safety and health training requirements specified by standard setting organizations.
- (10) The student explores marketing strategies and how effective marketing strategies are used in the meeting and event planning industry. The student is expected to:
- (A) develop effective marketing strategies for meetings and events;
 - (B) create promotional packages for meetings and events;
 - (C) design an effective, comprehensive menu;
 - (D) analyze the state of the economy to plan effective meeting and event services; and
 - (E) develop a meeting and events business plan.
- (11) The student understands and demonstrates appropriate professional customer service skills required by the meeting and event planning industry. The student is expected to:
- (A) create a detailed plan or process to provide maximum customer service;
 - (B) describe and demonstrate how critical-thinking and interpersonal skills are effectively used to resolve conflicts with individuals such as coworkers, employers, guests, and clients; and
 - (C) analyze customer or client feedback to formulate improvements in services and products.
- (12) The student explores different business segments and stakeholders within the event and meeting planning industry. The student is expected to:
- (A) compare roles and responsibilities of various departments in the larger lodging environment, including food and beverage services;
 - (B) differentiate between meeting and event planning operations for different clients such as business, leisure, professional organizations, and students; and
 - (C) identify the various stakeholders in the MEEC industry.

- (13) The student understands the roles and responsibilities within teams, work units, departments, organizations, and the larger environment of the meeting and event planning industry. The student is expected to:
- (A) differentiate between the roles and responsibilities of meeting and event planning staff and lodging property staff;
 - (B) describe the responsibilities of an event manager or planner;
 - (C) identify and explain how operating procedures can contribute to profitable operations; and
 - (D) identify and explain how inventory management systems used in the meeting and event planning industry can contribute to profitable operations.
- (14) The student knows how to create a functional and aesthetic meeting and event plan to meet the customer or client requirements. The student is expected to:
- (A) describe how to conduct a pre-meeting or pre-event meeting with potential clients to identify the meeting or event requirements;
 - (B) discuss the importance of a meeting venue floorplan specification chart and appropriate meeting room set-up;
 - (C) compare various meeting room set-up options and describe the benefits of each option;
 - (D) describe how meeting room set-up options vary based on the venue;
 - (E) develop a meeting room set-up for a planned event;
 - (F) calculate the square footage required for an event based on the number of anticipated attendees for the event;
 - (G) identify and design effective traffic patterns for a specific event;
 - (H) explain and demonstrate proper table rotations; and
 - (I) develop a staffing guide to schedule various staff for a meeting or event.
- (15) The student understands the importance of collaborating with various companies to provide an all-inclusive successful meeting or event. The student is expected to:
- (A) identify the various entities involved in the meeting and event planning industry such as convention and visitors' bureaus, group travel companies, entertainers, recreations, amusements, attractions, florists, caterers, and venues and differentiate between the roles each entity plays in planning the meeting or event;
 - (B) differentiate between event sponsors, organizers, and producers and the events that are coordinated by each;
 - (C) explain and demonstrate how to effectively plan and negotiate with various entities to deliver a successful meeting or event;
 - (D) compare products and services from related industries; and
 - (E) explain how the meeting and event planning process differs based on the venue such as hotels and resorts, convention and visitors' centers, event centers, and destination venues and describe the pros and cons of convening a meeting or event at various venues.

§127.604. Practicum in Event and Meeting Planning (Two Credits), Adopted 2025.

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

- (b) General requirements. This course is recommended for students in Grades 11 and 12. Recommended prerequisite: Introduction to Event and Meeting Planning. Students shall be awarded two credits for successful completion of this course.
- (c) 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) The Hospitality and Tourism Career Cluster focuses on the management, marketing, and operations of restaurants and other food/beverage services, lodging, attractions, recreation events, and travel-related services.
 - (3) The Practicum in Event and Meeting Planning course will reinforce the concepts and topics necessary for the comprehensive understanding of the meetings, events, expositions, and conventions (MEEC) industry. The central focus of this course is to integrate academic education with local MEEC businesses to prepare students for success in the work force and/or postsecondary education. Students will benefit from a combination of classroom instruction and a work- based learning experience. Students will learn employability skills, communication skills, customer service skills, and other activities related to job acquisition. The course is recommended for students who have completed the required prerequisites.
 - (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.
- (d) Knowledge and skills.
- (1) The student demonstrates proficiency in professional standards/employability skills as required by the meeting and event planning industry. The student is expected to:
 - (A) participate in a paid or unpaid, laboratory or work-based application of previously studied knowledge and skills related to event meeting and planning;
 - (B) demonstrate proper interview techniques for event and meeting planning occupations;
 - (C) complete employment-related documents such as job applications (written and electronic formats), a resume, and I-9 and W-4 forms;
 - (D) exhibit suitable grooming and appearance standards appropriate for the workplace and planned events;
 - (E) demonstrate productive work habits and a positive attitude;
 - (F) model knowledge of personal and occupational safety practices in the workplace; and
 - (G) integrate verbal, nonverbal, and written communication skills in a variety of settings.
 - (2) The student applies professional advancement skills and strategies in the meeting and event planning industry. The student is expected to:
 - (A) develop strategies to enhance career advancement and promote lifelong industry learning;
 - (B) describe historical events that have affected the event and meeting planning industry;
 - (C) formulate plans to address current events that have an effect on the event and meeting planning industry;
 - (D) document in manual and electronic format acquired technical knowledge and skills needed for success in the meeting planning industry;

- (E) produce and present a professional portfolio, including a current resume, documentation of skill attainment or technical competencies, recognitions, awards, scholarships, community service activities, student organization participation, evaluations, letters of recommendation, and cover letters;
 - (F) evaluate employment options by comparing salaries and benefits offered by different companies and occupations within the industry; and
 - (G) develop a personal budget based on career choice using effective money management and financial planning techniques.
- (3) The student demonstrates the ethics and etiquette necessary for the meeting and event planning workplace. The student is expected to:
- (A) practice appropriate business and personal etiquette in the workplace;
 - (B) display appropriate electronic communication techniques and etiquette;
 - (C) exhibit the behaviors that align with the hospitality code of ethics and ethical standards; and
 - (D) determine the most ethical behavior or course of action in response to various situations experienced in the meeting and event planning industry.
- (4) The student develops and demonstrates the interpersonal and customer service skills needed for success in the meeting and event planning environment. The student is expected to:
- (A) exhibit essential workplace characteristics such as organization, perseverance, motivation, dependability, punctuality, initiative, self-control, and the ability to accept and act on criticism;
 - (B) demonstrate effective team-building skills such as collaboration, planning, conflict resolution, rapport-building, decision-making, problem-solving, and persuasion and influencing techniques;
 - (C) identify and respond to customer or client needs, including resolving customer dissatisfaction;
 - (D) exercise leadership by anticipating and proactively diffusing potential event issues; and
 - (E) negotiate to resolve conflicts in the workplace and with customers by using strategies such as active listening, "I" messages, negotiation, and offering win-win solutions.
- (5) The student demonstrates the industry-based knowledge and skills required for a successful career in the event and meeting planning industry. The student is expected to:
- (A) employ job-specific technical vocabulary with accuracy and fluency;
 - (B) explain event planning procedures designed to ensure client needs are met such as Banquet Event Orders, rate assignment, event organization, client relations, and determination of payment methods;
 - (C) assess meeting or event company structures and traits that lead to profitability and business success;
 - (D) determine the correct procedures for the execution of client events and contracts;
 - (E) identify and organize tasks for daily operation;
 - (F) describe societal events that have shaped the event and meeting planning industry both in the past and present; and
 - (G) interpret the role of the convention and visitors' bureau in the event and meeting planning industry.

- (6) The student develops and practices awareness of varying needs of customers or clients understands the impact of diversity on the industry. The student is expected to:
- (A) assesses how varying needs of customers or clients impacts the event planning industry both from a planning and profitability aspect;
 - (B) demonstrate respect for individual differences;
 - (C) explain the importance of meeting the varying needs of customers or clients for the successful operation of a business;
 - (D) develop business plans and activities to meet the varying needs of customers or clients; and
 - (E) describe differences in social etiquette, dress, and behaviors and explain how differences affect the event planning process.
- (7) The student uses information technology tools in event and meeting planning to access, manage, integrate, and create information. The student is expected to:
- (A) evaluate current and emerging technologies that improve client services;
 - (B) evaluate and incorporate event planning software and technology tools that help to perform workplace tasks and meet business objectives;
 - (C) create and present multi-level (complex) multimedia presentations to clients;
 - (D) use and problem-solve issues with point-of-sale systems;
 - (E) design a plan for using Internet resources to maximize company profitability; and
 - (F) use appropriate electronic communication tools for planning and selling meetings and events.
- (8) The student differentiates between and adapts to various roles, types of events, and functions. The student is expected to:
- (A) differentiate between the types of event sponsors, organizers, and producers and their events such as trade shows, conferences, social events, and corporate meetings;
 - (B) identify various suppliers for different event planning needs and explain how they service different events;
 - (C) describe the importance of sales coordinators to events and meetings regardless of organization or type of event;
 - (D) evaluate and modify different types of catering options and menus based on the needs of the event or organization;
 - (E) evaluate and modify different types of meeting room set-ups (banquet, classroom, theater, and reception) based on the needs of the event or organization; and
 - (F) determine and organize staff and resources according to the specific needs of the organization and event.
- (9) The student collaborates within departments, organizations, and the larger environment of the meeting and event planning industry. The student is expected to:
- (A) analyze the roles and responsibilities of each level of the management structure of a venue;
 - (B) identify the advantages and disadvantages of different event destinations and facilities and their effects on profitability and customer satisfaction;
 - (C) analyze the roles and responsibilities of an in-house event manager or planner as compared to independent professionals; and

- (D) define specific roles and responsibilities when interfacing with destination venues.
- (10) The student understands and can articulate the factors that contribute to a successful and profitable event. The student is expected to:
 - (A) analyze the expenses associated with the planning and production of a meeting or event;
 - (B) analyze and evaluate how marketing techniques impact operation and profitability related to an event;
 - (C) calculate costs of supplies and evaluate how costs affect profitability;
 - (D) evaluate the impact of payroll expenses on profitability;
 - (E) analyze and modify operating procedures to result in more profitable or cost-effective operations;
 - (F) research and create a marketing plan for various markets such as weddings, government and military groups, professional and educational organizations, family or social gatherings, and geography;
 - (G) identify profit margins associated with various markets; and
 - (H) evaluate the importance of conducting pre-and post-event evaluations for continuous improvement.
- (11) The student demonstrates knowledge of potential liability situations that can affect business reputation and profitability. The student is expected to:
 - (A) compare and contrast different levels of insurance and liability limits for events;
 - (B) analyze customer-provided insurance options for events;
 - (C) identify and explain legal, health, and safety obligations related to event planning;
 - (D) assess the implications and responsibilities associated with providing or allowing alcohol at an event; and
 - (E) research law enforcement requirements for events and meetings.

ATTACHMENT V
Text of Proposed New 19 TAC

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

Subchapter M. Information Technology [Law and Public Service]

§127.689. Advanced Cloud Computing (One Credit), Adopted 2025.

- (a) Implementation. The provisions of this section shall be implemented by school districts beginning with the 2025-2026 school year.
- (b) General requirements. This course is recommended for students in Grades 10-12. Recommended Prerequisites: At least one credit in a Level 2 or higher course in computer science, programming, software development, or networking systems. Students shall be awarded one credit for successful completion of this course.
- (c) 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) The Information Technology (IT) Career Cluster focuses on building linkages in IT occupations for entry level, technical, and professional careers related to the design, development, support, and management of hardware, software, multimedia, and systems integration services. This career cluster includes occupations ranging from software developer and programmer to cybersecurity specialist and network analyst.
 - (3) The Advanced Cloud Computing course is an exploration of cloud computing. In this course, students explore cloud computing services, applications, and use cases. Students study cloud computing best practices and learn how cloud computing helps users develop a global infrastructure to support use case at scale while also developing and using innovative technologies.
 - (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.
- (d) Knowledge and skills.
 - (1) The student demonstrates professional standards/employability skills as required by business and industry. The student is expected to:
 - (A) demonstrate and explain positive workplace behaviors that enhance employability and job advancement such as regular attendance, promptness, attention to proper attire, maintenance of a clean and safe work environment, appropriate voice, and pride in work;
 - (B) demonstrate and explain positive personal qualities such as flexibility, open-mindedness, initiative, listening attentively to speakers, and willingness to learn new knowledge and skills;
 - (C) describe and demonstrate effective reading and writing skills;
 - (D) use critical-thinking skills to solve cloud computing problems; and
 - (E) demonstrate and explain leadership skills and how to function effectively as a team member.

- (2) The student understands the impact of cloud computing technology and compares the major services offered by cloud computing providers. The student is expected to:
- (A) describe the benefits and risks of cloud computing and the reasons for switching from on-premises computing to cloud computing;
 - (B) identify and describe the major types of cloud computing;
 - (C) generate sample cloud usage plans for a business case study, including a description of how each of the services can be used to improve the business;
 - (D) explain the purpose of a region, availability zone, and edge location; and
 - (E) compare the major services offered by cloud computing providers.
- (3) The student demonstrates how to store and share content in the cloud. The student is expected to:
- (A) identify features and functions of commonly used cloud services;
 - (B) locate and use common services found in cloud computing consoles;
 - (C) analyze how cloud services are used in real-world industries;
 - (D) explain the functions of a domain name system (DNS);
 - (E) create an object storage bucket;
 - (F) explain benefits and uses of a content delivery network;
 - (G) configure web content distribution via edge locations and attach it to a website;
 - (H) identify the benefits, features, and use cases of different types of block storage;
 - (I) analyze a use case and recommend the best type of virtual storage for the particular situation;
 - (J) create a block storage volume or physical record;
 - (K) attach a block storage volume to a virtual computing instance; and
 - (L) create a virtual computing instance that hosts a simple website.
- (4) The student applies cloud security best practices in relation to identity and access management (IAM). The student is expected to:
- (A) identify best practices for IAM;
 - (B) analyze the cultural and societal impacts of cloud security;
 - (C) differentiate between a role, user, and policy in cloud security;
 - (D) identify and use a process to resolve vulnerabilities in a web server;
 - (E) describe cloud security best practices and explain steps to fix security lapses;
 - (F) identify the best cloud security service for a given scenario;
 - (G) demonstrate the use of an IAM system to set up a text alert event; and
 - (H) compare monitoring and logging services.
- (5) The student describes when to use various databases, the benefits of caching data, and how to build a virtual private cloud (VPC). The student is expected to:
- (A) compare online transactional processing and online analytical processing;
 - (B) describe the benefits of caching data;
 - (C) explain and demonstrate how a load balancer is attached to a webpage;
 - (D) describe features and benefits of load balancing;

- (E) evaluate the performance of a load balancer;
 - (F) create an application using a platform as a service (PaaS); and
 - (G) demonstrate the use of a template infrastructure as code to build a VPC.
- (6) The student understands the landscape of emerging technologies in the cloud. The student is expected to:
- (A) define machine learning and discuss its impacts on society, business, and technology;
 - (B) identify potential use cases for emerging technology in the cloud;
 - (C) assess value propositions of using cloud technology;
 - (D) identify cloud services that can analyze and protect data and manage networks;
 - (E) define blockchain technology and explain its benefits;
 - (F) explain the infrastructure of cloud development kits or services; and
 - (G) demonstrate the use of a software development framework to model and provision a cloud application.
- (7) The student resolves common security alerts, diagrams instance states and transitions, and explains how to choose the most cost-efficient instance type. The student is expected to:
- (A) describe the shared responsibility security model;
 - (B) identify security responsibility for cloud resources;
 - (C) analyze how the shared security model accounts for common threats to the cloud computing model;
 - (D) identify the steps required to resolve an automated security alert;
 - (E) describe the six instance states, including pending, running, stopping, stopped, shutting down, and terminated;
 - (F) identify and diagram the transitions between instance states from launch to termination;
 - (G) explain instance usage billing for each instance state; and
 - (H) determine the most cost-efficient instance state for a given situation.
- (8) The student differentiates between dynamic and static websites. The student is expected to:
- (A) describe and demonstrate the process for setting up a static website;
 - (B) compare static and dynamic websites;
 - (C) create a content delivery network distribution to increase the speed of a website;
 - (D) demonstrate the process to launch a dynamic web server;
 - (E) create a serverless compute function using a serverless compute console;
 - (F) describe the main functions of auto scaling;
 - (G) create a launch template and an auto scaling group; and
 - (H) develop a plan for monitoring an auto scaling instance or group.
- (9) The student demonstrates the benefits and risks of using big data. The student is expected to:
- (A) define big data and identify use cases for it within various industries;
 - (B) identify and evaluate the benefits and risks of big data;
 - (C) explain how blockchain ensures the validity and immutability of transactions, particularly in the cloud; and

(D) evaluate the benefits and risks of blockchain business applications.

§127.690. Foundations of User Experience (One Credit), Adopted 2025.

- (a) Implementation. The provisions of this section shall be implemented by school districts beginning with the 2025-2026 school year.
- (b) General requirements. This course is recommended for students in Grades 9-12. Students shall be awarded one credit for successful completion of this course.
- (c) 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) The Information Technology (IT) Career Cluster focuses on building linkages in IT occupations for entry level, technical, and professional careers related to the design, development, support, and management of hardware, software, multimedia, and systems integration services. This career cluster includes occupations ranging from software developer and programmer to cybersecurity specialist and network analyst.
 - (3) In Foundations of User Experience (UX), students analyze and assess current trends in a career field that creates meaningful, approachable, and compelling experiences for users of an array of products, services, and/or initiatives of companies, governments, and organizations. Students gain knowledge of introductory observation and research skills, basic design thinking and applied empathy methodologies, collaborative problem-solving and ideation, and interaction design and solution development. The knowledge and skills acquired from this course enable students to identify real-world problems through research and data-driven investigation and to design solutions while participating in collaborative problem solving. Students are introduced to agile practices and methodologies to develop skills to take solutions from conceptual sketch to digital designs using professional software tools. Students explore how to improve the quality of user interactions and perceptions of products, experiences, and any related services.
 - (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.
- (d) Knowledge and skills.
 - (1) The student demonstrates professional standards/employability skills in the IT field with a focus in the area of UX. The student is expected to:
 - (A) identify job opportunities in UX and accompanying job duties and tasks;
 - (B) describe and use effective verbal and nonverbal communication skills;
 - (C) create resumes and portfolios for UX professions;
 - (D) use critical-thinking skills and creativity to present a solution to a user problem; and
 - (E) work collaboratively in a team to devise and present an efficiency or enhancement solution to a user issue within a given timeline, while incorporating empathy methodology, agile, and design principles.
 - (2) The student applies professional communications strategies. The student is expected to:
 - (A) revise presentations for audience, purpose, situation, and intent;
 - (B) interpret and clearly communicate information, data, and observations;
 - (C) apply active listening skills to obtain and clarify information;

- (D) identify multiple viewpoints of potential diverse users; and
- (E) define and exhibit public relations skills that are used by UX designers.
- (3) The student describes the field of UX and common elements in user-centered design. The student is expected to:
 - (A) analyze the current trends and challenges of the UX field;
 - (B) analyze and describe the diversity of roles and career opportunities across the UX field;
 - (C) define terminology associated with UX, including user, user experience, human-centered design, design thinking, persona, user journey, empathy map, mind maps, roadmaps, wireframes, prototypes, and portfolios;
 - (D) identify and explain the differences between relevant, friendly, and useful experience design;
 - (E) identify and explain the connection between psychology and behavior with regard to usability;
 - (F) explain the components of the design thinking methodology for ideation, iteration, co-creation, development, and execution; and
 - (G) explain how UX design affects everyday lives.
- (4) The student discusses and applies the legal and ethical practices that UX designers follow when working with technology, designs, and clients. The student is expected to:
 - (A) identify and explain ethical use of technology;
 - (B) explain intellectual property laws, including copyright, trademarks, and patents, and consequences of violating each type of law;
 - (C) identify violations of intellectual property laws;
 - (D) explain the consequences of plagiarism; and
 - (E) demonstrate ethical use of online resources, including using proper citations and avoiding plagiarism.
- (5) The student identifies and demonstrates introductory observation and research methods. The student is expected to:
 - (A) describe the difference between qualitative and quantitative data;
 - (B) conduct user interviews to gather insights into what users think about a site, an application, a product, or a process;
 - (C) organize ideas and user data using software tools;
 - (D) analyze and draw conclusions from qualitative user data collection;
 - (E) observe and document how users perform tasks through task analysis observations;
 - (F) define affinity and explain the benefits of affinity and customer journey maps;
 - (G) use data summaries from user interviews to create personas; and
 - (H) create a report or presentation, including user interview and observation data summaries, data analysis, and additional findings, for a target audience.
- (6) The student applies an understanding of psychological principles used in user-centered design. The student is expected to:
 - (A) identify and define design principles;
 - (B) describe how visceral reactions inform the creation of a positive user experience;

- (C) select colors to influence human behavior, the human mind, and reactions toward an intended outcome;
 - (D) explain recognition and scanning patterns and their importance in user-centered design;
 - (E) define Hick's Law and Weber's Law and explain their impact on UX design decisions;
 - (F) describe sensory adaptation phenomenon and perceptual set; and
 - (G) explain the stages of human information processing, including sensing, perceiving, decision-making, and acting.
- (7) The student creates effective, accessible, usable, and meaningful solutions for the end user by using UX design principles. The student is expected to:
- (A) identify end-user problems and needs in real-world environments;
 - (B) identify principles of accessibility such as perceivable, operable, understandable, and robust (POUR);
 - (C) identify and discuss the differences and connections between UX Design, Visual Design, and User Interaction in regard to usability;
 - (D) communicate potential solutions and ideas with a storytelling approach;
 - (E) sketch and refine designs within wire-framing and prototypes; and
 - (F) implement iterations for a design solution using structured testing protocols.
- (8) The student collaborates with others to apply UX project management methods. The student is expected to:
- (A) identify the relationship between UX research and design-thinking methods; and
 - (B) explain three different stages and roles of UX project management methods such as agile methods.
- (9) The student applies UX design practices and uses technology to create digital assets. The student is expected to:
- (A) use design elements such as typeface, color, shape, texture, space, and form to create a visual narrative;
 - (B) implement design principles such as unity, harmony, balance, scale, novelty, hierarchy, alignment, and contrast to create visual narratives;
 - (C) identify and explain common elements of Hyper Text Markup Language (HTML) such as tags, style sheets, and hyperlinks;
 - (D) apply UX design techniques in order to:
 - (i) create effective user interfaces for browser-based, native, and hybrid mobile applications;
 - (ii) demonstrate proper use of vector and raster-based design software;
 - (iii) explain the difference between back-end and front-end development in UX; and
 - (iv) create a web page containing links, graphics, and text using appropriate design principles;
 - (E) demonstrate basic sketching skills;
 - (F) create wireframes using design software;
 - (G) explain how design fidelity, from sketch to wireframe to prototype to visuals, aligns with and supports agile methodology; and
 - (H) produce digital assets.

§127.691. Advanced User Experience Design (One Credit), Adopted 2025.

- (a) Implementation. The provisions of this section shall be implemented by school districts beginning with the 2025-2026 school year.
- (b) General requirements. Students shall be awarded one credit for successful completion of this course. This course is recommended for students in Grades 10-12. Required prerequisite course: Foundations of User Experience.
- (c) 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) The Information Technology (IT) Career Cluster focuses on building linkages in IT occupations for entry level, technical, and professional careers related to the design, development, support, and management of hardware, software, digital interactions, multimedia, and systems integration services. This career cluster includes occupations ranging from software developer and programmer to cybersecurity specialist and network analyst.
 - (3) The Advanced User Experience (UX) Design course allows students to apply skills in science and art to integrate technology as a useful, meaningful, memorable, and accessible source for all users. Students will use knowledge from the Foundations of User Experience course to expand the research, design process, testing, and communication skills essential for success in this user-focused career field.
 - (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.
- (d) Knowledge and skills.
 - (1) The student demonstrates professional standards/employability skills in the IT field with a focus in the area of UX. The student is expected to:
 - (A) identify job opportunities in UX and individual skills and abilities needed to apply;
 - (B) describe and use effective interpersonal and communication skills;
 - (C) identify and practice the skills associated with at least one UX professional certification;
 - (D) create a resume and portfolio for a UX position; and
 - (E) demonstrate adaptability and flexibility by adjusting project outcomes from peer-review and critique.
 - (2) The student understands and demonstrates legal and ethical procedures for UX designers as they apply to the use of information technology. The student is expected to:
 - (A) identify intellectual property violations within given scenarios; and
 - (B) formulate and communicate visually, orally, or in writing the ramifications and consequences of plagiarism and copyright infringement within a business context.
 - (3) The student connects and applies UX design conceptual foundations with real-world scenarios. The student is expected to use proper terms and professional language for UX design context, both orally and in written form.
 - (4) The student uses different options of project management to produce a successful UX design. The student is expected to:

- (A) identify different stages of the UX design process, including research, identification of problem, ideation, prototyping, and testing, and apply these stages to refine or create products;
 - (B) test partial products during the UX design process and analyze results to inform the refinement phase;
 - (C) explain the conceptual design, content strategy, and ways to get feedback from various users and stakeholders in the project; and
 - (D) demonstrate effective time-management and planning to complete project tasks.
- (5) The student collects and interprets data through the use of UX tools and protocols. The student is expected to:
- (A) create templates for questionnaires, data collection, and summary reports;
 - (B) analyze data and create a summary of project conclusions that include insights into affordances and constraints of the project design;
 - (C) distinguish differences in qualitative research methods such as user interviews, ethnography, field studies, focus groups, and usability testing; and
 - (D) identify and use quantitative methods such as A/B testing, card sorting, heat maps, analytics, and user surveys.
- (6) The student creates and analyzes prototypes for UX design products. The student is expected to:
- (A) identify a UX problem and list potential solutions;
 - (B) evaluate potential solutions and create an action plan to address a problem based on desired features and requirements for a UX design product;
 - (C) create a presentable content strategy and develop conceptual designs and symbolic messages for a UX design prototype;
 - (D) generate possible solutions with ideation methods such as unstructured discussion, storyboards, brainstorming, role playing, game storming, mind mapping, teamwork games, and sketching;
 - (E) refine and select ideas for prototyping with a people-centered rationale for the decision;
 - (F) create low-fidelity prototypes, including sketches, paper models, and click-through prototypes; and
 - (G) create mockups and high-fidelity prototypes, including digital and physical versions.
- (7) The student structures solutions while applying UX design principles. The student is expected to:
- (A) explain how the connected layouts, blocks of content, visual designs, and navigation requirements enhance user experience;
 - (B) explain how the distinguishing of channels and formats during website development impacts usability across different devices;
 - (C) develop and implement design activities for co-creation, peer-review, and collaborative feedback;
 - (D) test and evaluate navigation experiences and compare results with current competitors; and
 - (E) incorporate best practices for references, including adding the designer's voice and signature.
- (8) The student describes best practices and plans for a usability test. The student is expected to:

- (A) create a usability test plan that includes cognitive, perceptual, emotional, and cultural information about users, data collection requirements, and user testing methods;
- (B) execute testing methodologies and collect data for analysis purposes; and
- (C) present conclusions and recommendations that apply design principles, communication, and creative skills.

§127.695. Information Technology Troubleshooting (One Credit), Adopted 2025.

- (a) Implementation. The provisions of this section shall be implemented by school districts beginning with the 2025-2026 school year.
- (b) General requirements. This course is recommended for students in Grades 10-12. Recommended prerequisites: Principles of Information Technology and Computer Maintenance/Lab. Students shall be awarded one credit for successful completion of this course.
- (c) 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) The Information Technology (IT) Career Cluster focuses on building linkages in IT occupations for entry-level, technical, and professional careers related to the design, development, support, and management of hardware, software, multimedia, and systems integration services. This career cluster includes occupations ranging from software developer and programmer to cybersecurity specialist and network analyst.
 - (3) The Informational Technology Troubleshooting course is about applying logic over technical components to identify and resolve problems. The course focuses on developing a methodical approach in IT troubleshooting and leveraging those skills in a workplace environment. In this course, students learn and use proven troubleshooting methods and apply those in a collaborative workplace setting. Students develop personal success skills, including time management and personal accountability measures, strategies for collaboration and teamwork, and effective written and verbal communication skills. The knowledge and skills acquired in the course enables students to use IT resources and data safely, ethically, and within legal guidelines. Students work within a service level model that helps them to interpret, clarify, and diagnose issues with hardware, software, and networking.
 - (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.
- (d) Knowledge and skills.
 - (1) The student demonstrates professional standards/employability skills as required by business and industry. The student is expected to:
 - (A) describe the benefits of effective time management and explain how to manage the use of one's time efficiently;
 - (B) describe and demonstrate the behaviors of an effective team member;
 - (C) explain the importance of emotional intelligence in the role of an IT support specialist;
 - (D) describe and apply strategies to resolve conflicts;
 - (E) identify and employ active listening skills, including paraphrasing and asking questions for clarification;

- (F) communicate effectively orally and in writing when communicating with others, including team members, clients/customers, and others;
 - (G) identify and apply best practices for email communications;
 - (H) interpret technical language, documents, and diagrams and translate them into lay terminology;
 - (I) demonstrate the use of proper grammar and spelling and capture complete thoughts in communications and documentation; and
 - (J) investigate and discuss potential IT pathways for IT support specialists.
- (2) The student develops and models customer-service skills. The student is expected to:
- (A) identify and model the characteristics of excellent customer service;
 - (B) list and demonstrate the steps for opening and greeting a contact;
 - (C) explain the benefits of using a client's name;
 - (D) identify habits and situations to avoid when interacting with a client;
 - (E) explain the importance of keeping clients informed of status changes;
 - (F) list and demonstrate the steps for putting a client on hold or transferring a call;
 - (G) identify and demonstrate techniques and strategies for handling difficult calls and situations; and
 - (H) document all client communications and outcomes clearly and appropriately.
- (3) The student applies procedures for various support interaction types. The student is expected to:
- (A) describe the primary responsibilities and skills of an IT support specialist and how to deliver consistent, quality service;
 - (B) explain and demonstrate safety procedures for unpacking, handling, and repacking replacement parts;
 - (C) describe when to use various support delivery methods and technologies such as in-person, email, phone, web, and remote access;
 - (D) demonstrate the use of various support delivery models, including in-person, email, phone, web, and remote access technologies, to troubleshoot an issue; and
 - (E) describe the purpose and value of the security management process and the IT support specialist's role in that process.
- (4) The student implements proven troubleshooting methods and strategies within the context of a service level model. The student is expected to:
- (A) implement and explain a troubleshooting process for diagnosing issues with hardware, software, and the network;
 - (B) explain the importance of clearly documenting progress throughout the troubleshooting process;
 - (C) describe activities common to help desk service level model and incident management processes;
 - (D) interpret and clarify different types of incidents, problems, and events submitted in the help desk service model or trouble ticketing system;
 - (E) describe an operational level agreement (OLA) and the role of the IT support specialist in an OLA;
 - (F) describe what is meant by escalation and the reasons an incident may be escalated;

- (G) identify and apply relevant system updates for supported devices; and
 - (H) describe service and support center metrics, including a service level target and the IT support specialist's role in monitoring and reviewing data related to these metrics.
- (5) The student describes and applies best practices for the safe, ethical, and legal use of resources and information. The student is expected to:
- (A) demonstrate and describe positive digital citizenship and acceptable use policy when using digital resources;
 - (B) describe best practices for creating passwords such as increasing password length and password complexity, enforcing password blacklists, resetting passwords, limiting password entry attempts, and using multi-factor authentication;
 - (C) examine, describe, and demonstrate the use of guidelines for using media, information, and applications protected by copyright;
 - (D) compare and explain copyright, fair use, public domain, and Creative Commons licensing;
 - (E) identify and apply licensing guidelines for software, media, and other resources;
 - (F) explain the importance and uses of encryption;
 - (G) describe and demonstrate best practices for handling confidential information;
 - (H) analyze cyber threats and social engineering vulnerabilities and discuss ways to prevent them;
 - (I) describe various types of security policies and summarize the importance of physical security and logical security measures;
 - (J) explain the importance of reporting security compromises such as addressing prohibited content and activity; and
 - (K) identify and demonstrate appropriate data destruction and disposal methods relevant to a given scenario.
- (6) The student applies foundational knowledge and skills for the installation, configuration, operation, and maintenance of desktops and workstations. The student is expected to:
- (A) explain the procedure used to install and configure motherboards, central processing units (CPUs), and add-on cards relevant to a given scenario such as a custom personal computer configuration to meet customer specifications;
 - (B) describe how to implement security best practices to secure a workstation, including software-based computer protection tools such as software firewalls, antivirus software, and anti-spyware;
 - (C) demonstrate how to identify symptoms or error codes, including no power, no POST, no BOOT, and no video, that indicate device issues and explain how to troubleshoot symptoms or error codes;
 - (D) describe the process used to install, troubleshoot, and replace random-access memory (RAM) types and data storage;
 - (E) describe how to troubleshoot, clean, repair, or replace internal components, including heat sink units and thermal paste, exhaust vents and fans, power supply units, power adapters, batteries, wireless elements, and wireless wide area network (WWAN) components;
 - (F) explain the importance of conducting periodic maintenance, including both physical and electronic cleaning, disk checks, routine reboots, data dumps, and testing; and

- (G) describe and demonstrate how to prevent, detect, and remove malware using appropriate tools and methods.
- (7) The student applies foundational knowledge and skills about the installation, configuration, operation, and maintenance of operating systems (OS) and software. The student is expected to:
 - (A) describe and demonstrate the use of OS features and tools relevant to given scenarios;
 - (B) describe and demonstrate the use of OS utilities relevant to given scenarios;
 - (C) execute OS command-line tools such as ipconfig, netstat, dir, nbtstat;
 - (D) troubleshoot and document OS problems relevant to a given scenario;
 - (E) demonstrate how to use features and tools of various operating systems properly;
 - (F) troubleshoot and document problems in various operating systems; and
 - (G) explain database concepts and the purpose of a database.
- (8) The student installs, configures, operates, maintains, and troubleshoots issues related to peripheral devices relevant to a given scenario. The student is expected to:
 - (A) explain and demonstrate how to install, configure, maintain, and troubleshoot storage devices;
 - (B) explain and demonstrate how to install, configure, maintain, and troubleshoot printers, copiers, and scanners, including small office home office (SOHO) multifunction devices and printers;
 - (C) explain and demonstrate how to install, configure, maintain, and troubleshoot video projectors and video displays; and
 - (D) explain and demonstrate how to install, configure, maintain, and troubleshoot multimedia devices such as sound cards, speakers, microphones, and webcams.
- (9) The student monitors current issues related to the installation, configuration, operation, and maintenance of laptops, tablets, and other mobile devices, including internet of things (IoT) devices. The student is expected to:
 - (A) explain and demonstrate how to install and configure laptop and netbook hardware to meet customer specifications;
 - (B) explain and demonstrate how to install components within the display of a laptop;
 - (C) explain and demonstrate how to connect and configure accessories and ports of mobile devices;
 - (D) analyze and apply methods used to secure mobile devices;
 - (E) configure mobile device network connectivity and application support;
 - (F) demonstrate proper methods to perform mobile device synchronization such as synchronizing information to a laptop or desktop computer; and
 - (G) explain and demonstrate how to troubleshoot issues relevant to mobile devices, OS, and applications.
- (10) The student troubleshoots issues with wired and wireless networks and cloud computing resources. The student is expected to:
 - (A) explain and demonstrate how to install, configure, and secure a wired network;
 - (B) explain and demonstrate how to install, configure, and secure a wireless network;
 - (C) compare wireless security protocols and authentication methods;
 - (D) analyze, describe, and troubleshoot wired and wireless network problems;

- (E) demonstrate the use of appropriate networking tools to fix network issues safely;
- (F) explain how computing devices such as laptops and cell phones connect and share data;
- (G) describe the components of cloud-computing architectures and features of cloud-computing platforms; and
- (H) analyze, describe, and troubleshoot cloud computing resources.

§127.696. Engineering Applications of Computer Science Principles (One Credit), Adopted 2025.

- (a) Implementation. The provisions of this section shall be implemented by school districts beginning with the 2025-2026 school year.
- (b) General requirements. This course is recommended for students in Grades 9-12. Prerequisite: Algebra I. Students shall be awarded one credit for successful completion of this course.
- (c) 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) The Information Technology career cluster focuses on the design, development, support, and management of hardware, software, multimedia, and systems integration services. This career cluster includes occupations ranging from software developer and programmer to cybersecurity specialists and network analysts.
 - (3) Engineering Applications of Computer Science Principles teaches rigorous engineering design practices, engineering habits of mind, and the foundational tools of computer science. Students apply core computer science principles to solve engineering design challenges that cannot be solved without such knowledge and skills. Students use a variety of computer software and hardware applications to complete projects.
 - (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.
- (d) Knowledge and skills.
 - (1) The student demonstrates professional standards/employability skills as required by business and industry. The student is expected to:
 - (A) cooperate, contribute, and collaborate as a member of a group to attain agreement and achieve a collective outcome;
 - (B) present written and oral communication in a clear, concise, and effective manner;
 - (C) demonstrate time-management skills in prioritizing tasks, following schedules, and performing goal-relevant activities in a way that produces efficient results;
 - (D) identify tasks and complete tasks with the highest standards to ensure quality products and services; and
 - (E) analyze cost savings by using a simulation to run experiments before committing more resources.
 - (2) The student applies concepts of critical thinking and problem solving to engineering applications in computer science. The student is expected to:
 - (A) identify, analyze, and discuss elements of an engineering problem to develop creative and innovative solutions;

- (B) identify, analyze, and discuss the elements and structure of a programming problem to develop creative and innovative solutions;
- (C) identify and discuss pertinent information from a customer and existing program for solving a problem;
- (D) compare and discuss alternatives to a solution using a variety of problem-solving and critical-thinking skills; and
- (E) conduct research to gather technical information necessary for decision making.
- (3) The student conducts computer science and engineering laboratory activities using safe and environmentally appropriate practices. The student is expected to:
 - (A) identify and demonstrate safe practices during hands-on cutting and building activities during computer science and engineering laboratory activities;
 - (B) identify and demonstrate safe use and storage of electrical components; and
 - (C) identify and demonstrate appropriate use and conservation of resources, including disposal, reuse, or recycling of materials.
- (4) The student applies ethical considerations in designing solutions. The student is expected to:
 - (A) define and evaluate constraints pertaining to a problem;
 - (B) identify safety considerations in designing engineering solutions with respect to the system, engineer, and user; and
 - (C) investigate and explain the importance and application of relevant legal and ethical concepts in computer science such as intellectual property, use of open-source software, attribution, patents, and trademarks.
- (5) The student demonstrates an understanding of the structured methods used to collect and analyze information about customer needs. The student is expected to:
 - (A) analyze information provided by the customer to identify customer needs;
 - (B) create a process flow diagram based on customer needs to generate ideas for potential user actions, product functions, and design opportunities;
 - (C) develop a flowchart for a program using the results of a process flow diagram;
 - (D) create a target specifications table;
 - (E) identify and describe similar existing solutions; and
 - (F) construct a functional model based on customer needs to generate ideas for potential user actions, product functions, and design opportunities.
- (6) The student develops a user interface and supplemental instructions. The student is expected to:
 - (A) identify essential tasks to be completed by the user;
 - (B) identify points of potential confusion or unexpected input by the user;
 - (C) design a software or user interface that clearly communicates to the user how to complete desired tasks;
 - (D) develop supplemental user instructions to inform the user of items that cannot be incorporated into an interface such as how to start the program or frequently asked questions;
 - (E) test a program and the program instructions with an individual who is not familiar with the project;
 - (F) evaluate and discuss feedback and results from new user testing;

- (G) improve and refine a program and the program instructions based on feedback and results of testing; and
 - (H) re-test a program and the program instructions as necessary after modifications have been made in response to testing and identify any next steps.
- (7) The student systematically reverse engineers a product, examines ways to improve the product, and identifies the type of redesign required to make that improvement. The student is expected to:
- (A) write and perform tests, including break testing, for an existing program to determine functionality;
 - (B) describe unexpected findings from deconstructing existing code;
 - (C) examine and discuss relevant software libraries to determine their uses and functionality;
 - (D) construct a flowchart for an existing program;
 - (E) compare a program's current functionality to the customer's needs;
 - (F) identify and add missing customer specifications or needs to a program's flowchart;
 - (G) develop and explain new code that includes customer specifications or improves a product; and
 - (H) compare and discuss the predicted versus actual functionality of a product to generate ideas for redesign.
- (8) The student applies concept generation and selection skills. The student is expected to:
- (A) create and explain a black box and functional model of a system;
 - (B) implement brainstorming, mind mapping, concept sketching, and gallery walk activities to produce new ideas; and
 - (C) apply concept selection techniques such as a Pugh chart or a weighted decision matrix to design decisions.
- (9) The student develops and applies engineering design process skills. The student is expected to:
- (A) select and use appropriate tools and techniques to support design activities;
 - (B) report information about software design solutions in an engineering notebook;
 - (C) develop, test, and refine programming concepts throughout the development process;
 - (D) interpret and use an electrical diagram to build a circuit;
 - (E) create a circuit using a microcontroller, a breadboard, and multiple components;
 - (F) explain and apply the design process from different starting points by beginning with a baseline design;
 - (G) use a model or simulation which represents phenomena and mimics real-world events to develop and test hardware;
 - (H) critique and explain the usefulness and limitations of certain models;
 - (I) develop a prototype solution; test the prototype solution against requirements, constraints, and specifications; and refine the prototype solution; and
 - (J) report and describe a product's final design after the prototyping phase.
- (10) The student applies mathematics and algorithms in programs. The student is expected to:
- (A) apply mathematical concepts from algebra, geometry, trigonometry, and calculus to calculate the angle of a joint;
 - (B) apply mathematical calculations cyclically in a program using algorithms; and

- (C) evaluate and verify algorithms for appropriateness and efficiency.
- (11) The student develops computer programs to support design solutions. The student is expected to:
 - (A) design and explain software interfaces that communicate with hardware;
 - (B) identify and apply relevant concepts from computer science, science, and mathematics such as functions, electricity, and mechanics; and
 - (C) employ abstraction in a program by representing numerical sensor readouts distance and brightness ranges in more intuitive variables and functions.
- (12) The student develops and applies computer science skills. The student is expected to:
 - (A) integrate small discrete programs into a larger complete program solution using systems-thinking skills;
 - (B) use intuitive variable names correctly and add comments to code to improve readability;
 - (C) employ abstraction in a program by representing images as data arrays and representing numerical tone frequencies as variables;
 - (D) convert image information into the correct data type necessary for given library functions;
 - (E) develop an algorithm that includes logic such as "while" and "if" to accept user trackbar input and display image changes in real time;
 - (F) develop flowcharts, pseudocode, and commented code to document and explain software design solutions;
 - (G) design software interfaces that communicate with users and hardware;
 - (H) employ abstraction to program to an interface, treating imported code as a "black box";
 - (I) employ abstraction by representing a joint as four points in a plane; and
 - (J) select and apply correct programming vocabulary and programming skills during program development.
- (13) The student develops and uses computer programs to process data and information to gain insight and discover connections to support design solutions. The student is expected to:
 - (A) explain how to organize complex image and video data for processing;
 - (B) analyze complex data to make decisions and instruct users; and
 - (C) develop programs that use incoming data and algorithms to create output data, information, and commands.

§127.697. Geographic Information Systems (One Credit), Adopted 2025.

- (a) Implementation. The provisions of this section shall be implemented by school districts beginning with the 2025-2026 school year.
- (b) General requirements. This course is recommended for students in Grades 10-12. Recommended prerequisites: Principles of Art, Audio/Video Technology, Principles of Information Technology, Physics for Engineers, or Principles of Applied Engineering. Students shall be awarded one credit for successful completion of this course.
- (c) 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) The Information Technology career cluster focuses on the design, development, support, and management of hardware, software, multimedia, and systems integration services. This career cluster includes occupations ranging from software developer and programmer to cybersecurity specialist and network analyst.
 - (3) The Geographic Information Systems (GIS) course employs an analytic process using industry standard software to find trends and patterns in collected data. Whether collecting data first-hand or from reputable websites, GIS aims to use scientific methods to find solutions to various problems and issues.
 - (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.
- (d) Knowledge and skills.
- (1) The student demonstrates professional standards/employability skills as required by business and industry. The student is expected to:
 - (A) produce effective written and oral communication;
 - (B) describe and demonstrate appropriate verbal and nonverbal communication skills;
 - (C) describe employers' expectations, appropriate work habits, and good citizenship skills;
 - (D) identify career development and opportunities in the GIS industry and related industries;
 - (E) identify and apply competencies related to resources, information, and systems of operation in the geographical information technology industry;
 - (F) explain and discuss the responsibilities of workers and employers to promote safety and health in the workplace and the rights of workers to a secure workplace;
 - (G) identify and explain the appropriate use of types of personal protective equipment used in the GIS industry; and
 - (H) explain and give examples of safety and health training requirements specified by standard setting organizations.
 - (2) The student demonstrates knowledge and appropriate use of computer hardware components and software programs and examines how hardware and software are interrelated. The student is expected to:
 - (A) use operating systems, software applications, and communication and networking components appropriately;
 - (B) compare and appropriately use various input, processing, output, and primary/secondary storage devices;
 - (C) evaluate and select software based on quality, appropriateness, effectiveness, and efficiency; and
 - (D) solve digital file format and cross platform connectivity compatibility issues.
 - (3) The student uses data input skills. The student is expected to:
 - (A) incorporate into a product and use a variety of input devices such as keyboard, scanner, or mouse appropriately; and
 - (B) use digital keyboarding standards for the input of data.
 - (4) The student demonstrates knowledge and understanding of what GIS is and the use of GIS technology in different career fields. The student is expected to:
 - (A) identify historical and contemporary developments in GIS;

- (B) describe the basic components of GIS; and
- (C) identify appropriate application of GIS technologies in different career fields.
- (5) The student demonstrates knowledge and appropriate use of database software. The student is expected to:
 - (A) design and construct a relational database from a geographic data model using a database software;
 - (B) use joins, hyperlinks, and relational linking appropriately within a database;
 - (C) convert data into a data depiction using classifications; and
 - (D) transfer data from different sources into a database for storage and retrieval.
- (6) The student demonstrates knowledge and appropriate use of spatial databases and sources. The student is expected to:
 - (A) identify and use appropriately various spatial databases and sources such as digital terrain models, digital orthophoto quadrangles, geographic databases, land use and land cover data, digital imagery, hydrographic spatial data, and demographic data; and
 - (B) describe and demonstrate appropriate use of spatial analysis.
- (7) The student demonstrates knowledge and appropriate use of GIS software. The student is expected to:
 - (A) determine the appropriate software tool from GIS to use for a given task or project;
 - (B) create queries and spatial queries for finding features, borders, centroids, and networks and determining distance, length, and surface measurements and shapes;
 - (C) describe characteristics of maps and spatial data; and
 - (D) identify and use geographical scales, coordinates, and specific map projections.
- (8) The student demonstrates knowledge and appropriate use of GIS data collection devices. The student is expected to:
 - (A) plan and conduct supervised GIS and Global Positioning System (GPS) experiences;
 - (B) initialize and prepare a GPS receiver for data collection;
 - (C) collect geographical coordinates from a GPS receiver; and
 - (D) transfer data from a GPS device to a personal computer.
- (9) The student acquires electronic information in a variety of formats. The student is expected to:
 - (A) collect electronic information in various formats, including text, audio, video, and graphics; and
 - (B) gather authentic data from a variety of electronic sources to use for individual and group GIS projects.
- (10) The student uses appropriate computer-based productivity tools to create and modify solutions to problems. The student is expected to:
 - (A) explain project management guidelines for designing and developing GIS projects; and
 - (B) design solutions for a project using visual organizers such as flowcharts or schematic drawings.
- (11) The student produces a product using a variety of media. The student is expected to:
 - (A) publish information in a variety of formats, including hard copies and digital formats; and

- (B) prepare a presentation of GIS information using graphs, charts, maps, and presentation software.
- (12) The student examines GIS maps, reports, and graphs. The student is expected to:
 - (A) explain industry-standard legends used in GIS;
 - (B) describe symbols, scaling, and other map elements used in GIS;
 - (C) generate GIS reports and graphs; and
 - (D) create maps using a variety of map display types such as choropleth, heat maps, dot density maps, topographic maps, or graduated symbols maps.

§127.698. Raster-Based Geographic Information Systems (One Credit), Adopted 2025.

- (a) Implementation. The provisions of this section shall be implemented by school districts beginning with the 2025-2026 school year.
- (b) General requirements. This course is recommended for students in Grades 10-12. Recommended prerequisite: Geographic Information Systems. Students shall be awarded one credit for successful completion of this course.
- (c) 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) The Information Technology career cluster focuses on the design, development, support, and management of hardware, software, multimedia, and systems integration services. This career cluster includes occupations ranging from software developer and programmer to cybersecurity specialist and network analyst.
 - (3) In Raster-Based Geographic Information Systems (GIS), students study local problems; acquire information, including images or aerial photographs; process the acquired data; and merge the acquired data with vector data. Students plan, conduct, and present solutions for locally based problems.
 - (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.
- (d) Knowledge and skills.
 - (1) The student demonstrates professional standards/employability skills as required by business and industry. The student is expected to:
 - (A) produce effective written and oral communication;
 - (B) describe and demonstrate appropriate verbal and nonverbal communication skills;
 - (C) describe and demonstrate various workplace expectations, including proper work attire and professional conduct;
 - (D) describe time-management skills, including prioritizing tasks, following schedules, and tending to goal-relevant activities to optimizes efficiency and results;
 - (E) explain the importance of punctuality, dependability, reliability, and responsibility in reporting for duty and performing assigned tasks as directed;
 - (F) explain and discuss the responsibilities of workers and employers to promote safety and health in the workplace and the rights of workers to a secure workplace;

- (G) identify and explain the appropriate use of types of personal protective equipment used in the GIS industry; and
 - (H) explain and give examples of safety and health training requirements specified by standard setting organizations.
- (2) The student demonstrates knowledge of the GIS field and related careers. The student is expected to:
 - (A) identify employment and career opportunities in GIS-related fields;
 - (B) identify and explore career preparation learning experiences, including job shadowing, mentoring, apprenticeship training, and preparation programs;
 - (C) identify industry certifications for GIS-related careers, including careers related to raster-based GIS; and
 - (D) discuss and analyze ethical issues related to GIS and technology and incorporate proper ethics in submitted projects.
- (3) The student explores various roles in team projects. The student is expected to:
 - (A) explain the importance of teamwork in the field of GIS;
 - (B) describe principles of effective teamwork, including collaboration and conflict resolution; and
 - (C) explain common characteristics of strong team leaders and team members.
- (4) The student investigates the history and use of aerial photography. The student is expected to:
 - (A) explain fundamental principles of cameras and lenses as they pertain to GIS and aerial photography;
 - (B) research and explain the history of aerial photography, including aerial platforms;
 - (C) explain various uses of aerial photography;
 - (D) compare vertical and oblique aerial photography; and
 - (E) identify cities, bridges, shorelines, roads and other important features in aerial photos.
- (5) The student develops an understanding of electromagnetic and thermal radiation. The student is expected to:
 - (A) explain how forms of radiation propagate through space and interact with matter;
 - (B) research and describe the behavior of waves, including refraction, scattering, absorption, and reflection, in relation to radiation;
 - (C) describe the properties and laws of thermal radiation;
 - (D) compare the particle and wave models of electromagnetic energy;
 - (E) differentiate maps based on electromagnetic versus thermal radiation imagery; and
 - (F) evaluate whether electromagnetic or thermal radiation imagery is appropriate based on the conditions.
- (6) The student explores active and passive microwave remote sensing. The student is expected to:
 - (A) compare active and passive microwave remote sensing;
 - (B) explain geographic characteristics, including surface roughness, moisture content, vegetation, backscatter and biomass, and urban structures, detected by remote sensing images; and
 - (C) provide a detailed analysis of radar images.

- (7) The student learns the functions and applications of the tools, equipment, and materials used in GIS and raster-based analysis. The student is expected to:
- (A) describe how to use raster-based software;
 - (B) download spatial data and raster images and re-project the data and images to match the Digital Orthophoto Quadrangle (DOQ) or Digital Orthophoto Quarter Quadrangle (DOQQ);
 - (C) identify remote sensing equipment and describe the difference between the Global Positioning System (GPS) and the Global Navigation Satellite System (GLONASS);
 - (D) describe GPS measurements and perform measurements with handheld GPS devices using GPS or GLONASS systems; and
 - (E) compare the advantages, disadvantages, and limitations of remote or unmanned sensing.
- (8) The student uses scientific practices in imagery analysis. The student is expected to:
- (A) plan and implement investigative procedures, including asking questions, formulating testable hypotheses, and selecting, handling, and maintaining appropriate equipment and technology;
 - (B) collect GIS data;
 - (C) organize, analyze, evaluate, make inferences, and predict trends from GIS data; and
 - (D) communicate valid conclusions using appropriate GIS vocabulary, supportive maps, summaries, oral reports, and technology-based reports.
- (9) The student uses project-management skills to research and analyze locally based problems. The student is expected to:
- (A) identify and collect data necessary to evaluate a local problem, including defining the problem and identifying locations of the concern;
 - (B) develop a plan and project schedule for completion of a project developed to address a local concern using raster-based GIS technology;
 - (C) create a GIS map to illustrate a problem using remote sensing images gathered from sites such as the National Aeronautics and Space Administration, National Oceanic and Atmospheric Administrations, and United States Geological Survey;
 - (D) evaluate GIS map features to identify solutions to a problem;
 - (E) develop solutions to minimize, reverse, or solve problem using raster-based GIS technology; and
 - (F) organize and present findings related to a local problem in a final report or portfolio with data and solutions generated using raster-based GIS technology.

§127.699. Spatial Technology and Remote Sensing (One Credit), Adopted 2025.

- (a) Implementation. The provisions of this section shall be implemented by school districts beginning with the 2025-2026 school year.
- (b) General requirements. This course is recommended for students in Grades 10-12. Recommended prerequisites: Geographic Information Systems and Raster-Based Geographic Information Systems. Students shall be awarded one credit for successful completion of this course.
- (c) 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) The Information Technology career cluster focuses on the design, development, support, and management of hardware, software, multimedia, and systems integration services. This career cluster includes occupations ranging from software developer and programmer to cybersecurity specialist and network analyst.
 - (3) In Spatial Technology and Remote Sensing, students receive instruction in industry standard geospatial extension software and geospatial tools, including global positioning systems (GPS), and training in project management and problem solving related to geographic information systems (GIS).
 - (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.
- (d) Knowledge and skills.
- (1) The student demonstrates professional standards/employability skills as required by business and industry. The student is expected to:
 - (A) produce effective written and oral communication;
 - (B) describe and demonstrate effective verbal and nonverbal communication skills;
 - (C) describe workplace expectations, including appropriate work attire and professional conduct;
 - (D) describe and demonstrate principles of effective teamwork, including collaboration and conflict resolution;
 - (E) describe and demonstrate effective use of time-management skills, including prioritizing tasks, following schedules, and tending to goal-relevant activities to optimize efficiency and results;
 - (F) explain the importance of punctuality, dependability, reliability, and responsibility in reporting for duty and performing assigned tasks with little or no direction; and
 - (G) identify consequences and appropriate actions related to discrimination, harassment, and inequality in the workplace.
 - (2) The student demonstrates knowledge of the GIS field and GIS-related careers. The student is expected to:
 - (A) identify employment and career opportunities in spatial technology and remote sensing related GIS fields;
 - (B) describe and explore career preparation learning experiences, including job shadowing, mentoring, apprenticeship training, and preparation programs;
 - (C) identify industry certifications for GIS-related careers, including careers that use or benefit from spatial technology; and
 - (D) analyze and discuss ethical issues related to the field of spatial technology and remote sensing technology and spatial technology and remote sensing technology projects.
 - (3) The student applies basic GIS software knowledge and skills to explore the use of various geographic projections in GIS software. The student is expected to:
 - (A) identify and use Mercator map projection;
 - (B) identify and use Albers conic map projection; and
 - (C) research and explain the evolution of and need for different map projections.
 - (4) The student explores the application of GPS technology. The student is expected to:

- (A) define and use data terminology related to GPS;
 - (B) identify and use appropriately GPS receiver components;
 - (C) describe various applications of GPS coordinates such as locating fire hydrants, extinguishers, lighting, and parking lots; and
 - (D) compare the accuracy of GPS coordinates from different receivers such as smartphones, tablets, and GPS handheld devices.
- (5) The student demonstrates knowledge and understanding of the types and components of unmanned remote sensing platforms. The student is expected to:
- (A) identify major components of aerial, terrestrial, and submersible remote sensing platforms;
 - (B) determine the most appropriate remote sensing platform to use based on various conditions;
 - (C) differentiate the types of sensing systems used by each type of platform, including active, passive, spectrometer, radar, LiDAR, scatter meter, and laser altimeter platforms; and
 - (D) compare situations in which different unmanned remote sensing platforms and sensing systems might be used.
- (6) The student demonstrates skills related to GIS data analysis. The student is expected to:
- (A) evaluate findings and potential problems using GIS data;
 - (B) create models that represent collected GIS data;
 - (C) create, query, map, and analyze cell-based raster data; and
 - (D) analyze density, distance, and proximity of various data points using spatial analyst tools.
- (7) The student analyzes geospatial socioeconomic data to create three-dimensional maps to demonstrate findings. The student is expected to:
- (A) identify key sources of and gather and organize geospatial socioeconomic data;
 - (B) plan, organize, and create thematic maps;
 - (C) convert two-dimensional themes to a three-dimensional map to demonstrate features, distributions, and themes; and
 - (D) interpret, draw conclusions about, and justify findings related to geospatial socioeconomic data.
- (8) The student uses spatial technology to develop and analyze a location map. The student is expected to:
- (A) identify and collect data using GPS and unmanned systems and identify the boundaries and topography of a location;
 - (B) analyze how the location of a community impacts resources and hardships such as jobs or traffic in the community;
 - (C) create a map of a location that includes buildings and facilities, adjacent streets, and transportation sites using GIS software; and
 - (D) develop a map that includes categories for a facility's features such as restrooms, spaces allocated for core activities, emergency equipment, and excavation routes.
- (9) The student documents spatial technology knowledge and skills. The student is expected to:
- (A) create a spatial technology and remote sensing portfolio that includes attainment of technical skill competencies and samples of work such as location maps and spatial technology and remote sensing-based reports; and

(B) present a portfolio to peers or interested stakeholders.

ATTACHMENT VI
Text of Proposed New 19 TAC

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

Subchapter N. Law and Public Service

§127.773. Legal Research and Writing (One Credit), Adopted 2025.

- (a) Implementation. The provisions of this section shall be implemented by school districts beginning with the 2025-2026 school year.
- (b) General requirements. This course is recommended for students in Grades 10-12. Recommended prerequisite: Court Systems and Practices. Students shall be awarded one credit for successful completion of this course.
- (c) 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) The Law and Public Service Career Cluster focuses on planning, managing, and providing legal services, public safety, protective services, and homeland security, including professional and technical support services.
 - (3) Legal Research and Writing provides an introduction to the study and practice of legal writing and research. This course is designed to introduce students to the methods and tools used to conduct legal research, develop and frame legal arguments, produce legal writings such as briefs, memorandums, and other legal documents, study U.S. Constitutional law, and prepare for appellate argument(s).
 - (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.
- (d) Knowledge and skills.
 - (1) The student demonstrates professional standards/employability skills as required by business and industry. The student is expected to achieve business and industry employability skills standards such as attendance, on-time arrival, meeting deadlines, working toward personal and team goals every day, and ethical use of technology.
 - (2) The student conducts legal research. The student is expected to:
 - (A) plan a legal research strategy;
 - (B) access print and online research materials to find and analyze case law;
 - (C) describe the difference between mandatory and persuasive authority;
 - (D) research mandatory and persuasive case history using online databases such as Lexis-Nexis;
 - (E) explain how to shepardize case law;
 - (F) critique other's legal writing(s) to determine whether cited case law and other legal sources were correctly referenced and relied upon for precedential holdings;
 - (G) evaluate and apply concepts found in Bluebook citation rules to one's writing.

- (3) The student prepares legal arguments. The student is expected to:
- (A) read and analyze case law;
 - (B) read and analyze case procedural history;
 - (C) apply legal precedent to current legal issues; and
 - (D) develop arguments supported by case law research.
- (4) The student understands and prepares legal documents. The student is expected to:
- (A) use and interpret legal reference documents such as the Bluebook to follow and apply requirements for legal writing and citations;
 - (B) prepare legal briefs that include standard elements, including an introduction and table of authorities;
 - (C) prepare memorandums that follow a standard legal format; and
 - (D) prepare other legal documents such as demand letters and pleadings.
- (5) The student studies and analyzes U.S. Constitutional law. The student is expected to:
- (A) analyze the relationship between the U.S. Constitution, Common Law, and state and local law(s);
 - (B) analyze the legal, social, and historical implications of court decisions affecting the interpretation of the U.S. Constitution;
 - (C) predict possible outcomes of future cases and frame arguments in ways that are likely to garner the support of the judiciary;
 - (D) critique cases related to U.S. Constitutional law and other current legal issues such free exercise clause, establishment clause, due process, and equal protection; and
 - (E) critique cases related to current legal issues.
- (6) The student participates in a class moot court simulation. The student is expected to:
- (A) research case law on a current legal issue;
 - (B) read and evaluate appellant, respondent, and amici briefs associated with the chosen case;
 - (C) write an appellate brief; and
 - (D) prepare an oral argument and respond to questions during the presentation of the argument.

Public Hearing on Proposed New 19 TAC Chapter 111, Texas Essential Knowledge and Skills for Mathematics, Subchapter B, Middle School, §§111.29-111.31

January 29, 2025

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

SUMMARY: A public hearing before the State Board of Education (SBOE) is scheduled for Wednesday, January 29, 2025. Testimony will be presented regarding Texas Essential Knowledge and Skills (TEKS) to support middle school advanced mathematics programs designed to enable students to enroll in Algebra I in eighth grade.

STATUTORY AUTHORITY: Texas Education Code (TEC), §§7.102(c)(4), 28.002(a) and (c), and 28.029.

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, §28.029, requires school districts and open-enrollment charter schools to develop an advanced mathematics program for middle school students that is designed to enable those students to enroll in Algebra I in eighth grade.

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

BACKGROUND INFORMATION AND JUSTIFICATION: The SBOE adopted the TEKS for all subjects 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 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. At the April 2023 SBOE meeting, the board approved changes to the TEKS review process, including the addition of a process for selecting work group members. At the June 2024 SBOE meeting, the board approved moving forward with the establishment of TEKS for middle school advanced mathematics. At the September 2024 SBOE meeting, the board directed the work group to present recommendations for two models for middle school advanced mathematics TEKS. One model must be based on the importance of keeping the sixth grade TEKS similar to the current TEKS and would combine the seventh and eighth grade TEKS into seventh grade. The SBOE gave the work group leeway

to analyze models from Barbers Hill Independent School District (ISD), Tomball ISD, and other school districts to develop recommendations for the second model. Additionally, the SBOE directed the work group to recommend one of the two models for the SBOE's further consideration. The SBOE held a public hearing and discussed the proposed TEKS for middle school advanced mathematics at the November 2024 meeting. Based on feedback received at the November 2024 SBOE meeting, the work group met in December to finalize recommendations for the second model.

Proposed new 19 TAC Chapter 111, Texas Essential Knowledge and Skills for Mathematics, Subchapter B, Middle School, §§111.29-111.31, is presented for first reading and filing authorization as a separate item in this agenda.

Staff Members Responsible:

Monica Martinez, Associate Commissioner, Standards and Programs

Jessica Snyder, Senior Director, Curriculum Standards and Student Support

**Proposed New 19 TAC Chapter 111, Texas Essential Knowledge and Skills for Mathematics,
Subchapter B, Middle School, §§111.29-111.31
(First Reading and Filing Authorization)**

January 31, 2025

**COMMITTEE OF THE FULL BOARD: 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 B, Middle School, §§111.29-111.31. The proposal would add new Texas Essential Knowledge and Skills (TEKS) to support middle school advanced mathematics programs designed to enable students to enroll in Algebra I in Grade 8.

STATUTORY AUTHORITY: Texas Education Code (TEC), §§7.102(c)(4), 28.002(a) and (c), and 28.029.

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, §28.029, requires school districts and open-enrollment charter schools to develop an advanced mathematics program for middle school students that is designed to enable those students to enroll in Algebra I in Grade 8.

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 sections 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 2025-2026 school year. The earlier effective date will enable districts to begin preparing for implementation of TEKS that support a middle school advanced mathematics program.

PREVIOUS BOARD ACTION: The SBOE adopted the TEKS for all subjects 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.

The board approved updates to the TEKS and instructional materials review and adoption schedule at the April 2021 meeting. At the April 2023 SBOE meeting, the board approved changes to the TEKS review process, including the addition of a process for selecting work group members. At the June 2024 SBOE meeting, the board approved moving forward with the establishment of TEKS for middle school advanced mathematics. A discussion item regarding TEKS for middle school advanced mathematics was presented to the Committee of the Full Board at the November 2024 SBOE meeting.

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. 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.

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. 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 April 2023 SBOE meeting, the board discussed and approved changes to the TEKS review process, including approving a process for selecting work group members.

At the April 2024 meeting, TEA staff shared an overview of upcoming interrelated needs for TEKS review and revision and instructional materials review and approval (IMRA) and identified two needs related to mathematics, including options for instructional materials for accelerated learning and establishing TEKS to support middle school advanced mathematics pathways. At the June 2024 meeting, the board approved moving forward with the establishment of TEKS for middle school advanced mathematics and inclusion of advanced mathematics in a future IMRA process.

Applications to serve on the middle school advanced mathematics TEKS work group were collected by TEA in July and August 2024. TEA provided SBOE members with the applications for approval to serve on the work group in late August.

At the September 2024 SBOE meeting, the board directed the work group to present two models for middle school advanced mathematics TEKS. One model was to be based on the importance of keeping the Grade 6 TEKS similar to the current TEKS and would combine the Grades 7 and 8 TEKS into Grade 7. The SBOE gave the work group leeway to analyze models from Barbers Hill Independent School District (ISD), Tomball ISD, and other school districts to develop recommendations for the second model. Additionally, the SBOE directed the work group to recommend one of the two models for the SBOE's further consideration. Work groups convened for two face-to-face meetings to develop recommendations for the proposed TEKS for middle school advanced mathematics in October.

A public hearing was conducted and a discussion item regarding TEKS for middle school advanced mathematics was presented to the Committee of the Full Board at the November 2024 SBOE meeting. At that time, the SBOE selected the second model as the plan for the middle school advanced mathematics programs. The work group met in December 2024 to finalize its recommendations for the second model.

A public hearing regarding proposed TEKS for middle school advanced mathematics is presented as a separate item in this agenda.

FISCAL IMPACT: TEA has determined that for the first five years the proposal is in effect (2025-2029), there are no fiscal implications to the state. However, there was a cost to the state of approximately

\$35,000 to convene work group members who traveled to Austin to draft recommendations for the middle school advanced mathematics TEKS. In addition, there will be implications for TEA if the state develops professional development to help teachers and administrators understand the revised TEKS. Any professional development that is created would be based on whether TEA received an appropriation for professional development in the next biennium.

There may be fiscal implications for school districts and charter schools to implement the proposed new TEKS, 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. During the first five years the proposed rulemaking would be in effect, it would expand an existing regulation by adding new TEKS for middle school advanced mathematics.

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 provide TEKS to support middle school advanced mathematics programs designed to enable students to enroll in Algebra I in Grade 8. 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 or 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 February 28, 2025, and ends at 5:00 p.m. on March 31, 2025. The SBOE will take registered oral and written comments on the proposal at the appropriate committee meeting in April 2025 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 February 28, 2025.

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 B, Middle School, §§111.29-111.31.

Staff Members Responsible:

Monica Martinez, Associate Commissioner, Standards and Programs

Jessica Snyder, Senior Director, Curriculum Standards and Student Support

Attachment:

Text of Proposed New 19 TAC Chapter 111, Texas Essential Knowledge and Skills for Mathematics, Subchapter B, Middle School, §§111.29-111.31

ATTACHMENT
Text of Proposed New 19 TAC

Chapter 111. Texas Essential Knowledge and Skills for Mathematics

Subchapter B. Middle School

§111.29. Grade 6, Middle School Advanced Mathematics, Adopted 2025.

- (a) Implementation. The provisions of this section may be implemented by school districts beginning with the 2025-2026 school year.
- (b) Introduction.
- (1) The desire to achieve educational excellence is the driving force behind the Texas essential knowledge and skills for mathematics, guided by the college and career readiness standards. By embedding statistics, probability, and finance, while focusing on computational thinking, mathematical fluency, and solid understanding, Texas will lead the way in mathematics education and prepare all Texas students for the challenges they will face in the 21st century.
 - (2) The process standards describe ways in which students are expected to engage in the content. The placement of the process standards at the beginning of the knowledge and skills listed for each grade and course is intentional. The process standards weave the other knowledge and skills together so that students may be successful problem solvers and use mathematics efficiently and effectively in daily life. The process standards are integrated at every grade level and course. When possible, students will apply mathematics to problems arising in everyday life, society, and the workplace. Students will use a problem-solving model that incorporates analyzing given information, formulating a plan or strategy, determining a solution, justifying the solution, and evaluating the problem-solving process and the reasonableness of the solution. Students will select appropriate tools such as real objects, manipulatives, algorithms, paper and pencil, and technology and techniques such as mental math, estimation, number sense, and generalization and abstraction to solve problems. Students will effectively communicate mathematical ideas, reasoning, and their implications using multiple representations such as symbols, diagrams, graphs, computer programs, and language. Students will use mathematical relationships to generate solutions and make connections and predictions. Students will analyze mathematical relationships to connect and communicate mathematical ideas. Students will display, explain, or justify mathematical ideas and arguments using precise mathematical language in written or oral communication.
 - (3) To increase the number of students who complete advanced mathematics courses in high school, the middle school advanced mathematics courses are designed to enable students to complete Algebra I by the end of Grade 8.
 - (4) The primary focal areas in Grade 6, Middle School Advanced Mathematics are numeracy; proportionality; expressions, equations, and relationships; and data science. Students use concepts, algorithms, and properties of rational numbers to explore mathematical relationships and to describe increasingly complex situations. Students use concepts of proportionality to explore, develop, and communicate mathematical relationships, including number, geometry and measurement, and statistics. Students use algebraic thinking to describe how a change in one quantity in a relationship results in a change in the other. Students connect verbal, numeric, graphic, and symbolic representations of relationships, including equations and inequalities. Students begin to develop a foundational understanding of functions. Students use geometric properties and relationships, as well as spatial reasoning, to model and analyze situations and solve problems. Students communicate information about geometric figures or situations by quantifying attributes, generalize procedures from measurement experiences, and use the procedures to solve problems. Students use appropriate statistics, representations of data, and reasoning to draw conclusions, evaluate arguments, and make recommendations. The use of technology, including graphing tools, is essential in middle school advanced mathematics courses to master algebra readiness skills by bridging conceptual understanding and procedural fluency.

- (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) Mathematical process standards. The student uses mathematical processes to acquire and demonstrate mathematical understanding. The student is expected to:
- (A) apply mathematics to problems arising in everyday life, society, and the workplace;
 - (B) use a problem-solving model that incorporates analyzing given information, formulating a plan or strategy, determining a solution, justifying the solution, and evaluating the problem-solving process and the reasonableness of the solution;
 - (C) select tools, including real objects, manipulatives, paper and pencil, and technology as appropriate, and techniques, including mental math, estimation, and number sense as appropriate, to solve problems;
 - (D) communicate mathematical ideas, reasoning, and their implications using multiple representations, including symbols, diagrams, graphs, and language as appropriate;
 - (E) create and use representations to organize, record, and communicate mathematical ideas;
 - (F) analyze mathematical relationships to connect and communicate mathematical ideas; and
 - (G) display, explain, and justify mathematical ideas and arguments using precise mathematical language in written or oral communication.
- (2) Numeracy--foundations of rational numbers. The student applies mathematical process standards to represent and use rational numbers in a variety of forms. The student is expected to:
- (A) classify sets and subsets using a visual representation such as a Venn diagram or a hierarchy to describe relationships between sets of rational numbers;
 - (B) identify a number, its opposite, and its absolute value;
 - (C) represent benchmark fractions and percents such as 1%, 10%, 25%, 33 1/3%, and multiples of these values using 10 by 10 grids, strip diagrams, number lines, and numbers as proportional relationships;
 - (D) generate equivalent forms of fractions, decimals, and percents using real-world problems as proportional relationships, including problems that involve money;
 - (E) use equivalent fractions, decimals, and percents to show equal parts of the same whole as proportional relationships;
 - (F) locate, compare, and order integers and rational numbers using a number line;
 - (G) order a set of rational numbers arising from mathematical and real-world contexts; and
 - (H) use coordinate geometry to identify locations on a plane, including graphing points in all four quadrants using ordered pairs of rational numbers.
- (3) Numeracy--operations with rational numbers. The student applies mathematical process standards to represent addition, subtraction, multiplication, and division while solving problems and justifying solutions. The student is expected to:
- (A) recognize that dividing by a rational number and multiplying by its reciprocal result in equivalent values;
 - (B) determine, with and without computation, whether a quantity is increased or decreased when multiplied by a fraction, including values greater than or less than one;
 - (C) extend representations for division to include fraction notation such as a/b represents the same number as $a \div b$ where $b \neq 0$;

- (D) represent integer operations with concrete models and connect the actions with the models to standardized algorithms;
 - (E) add, subtract, multiply, and divide integers fluently;
 - (F) add, subtract, multiply, and divide rational numbers;
 - (G) generate equivalent numerical expressions using order of operations, including whole number exponents and prime factorization;
 - (H) balance a check register that includes deposits, withdrawals, and transfers; and
 - (I) create and organize a financial assets and liabilities record and construct a net worth statement.
- (4) Numeracy--applications of percents. The student applies mathematical process standards to solve problems involving percents as proportional relationships. The student is expected to:
- (A) solve real-world problems to find the whole given a part and the percent, to find the part given the whole and the percent, and to find the percent given the part and the whole, including the use of concrete and pictorial models; and
 - (B) calculate the sales tax for a given purchase and calculate income tax for earned wages.
- (5) Proportionality--foundations of ratios and rates. The student applies mathematical process standards to develop an understanding of proportional relationships in problem situations. The student is expected to:
- (A) give examples of ratios as multiplicative comparisons of two quantities describing the same attribute;
 - (B) give examples of rates as the comparison by division of two quantities having different attributes, including rates as quotients;
 - (C) represent ratios and percents with concrete models, fractions, and decimals; and
 - (D) represent mathematical and real-world problems involving ratios and rates using scale factors, tables, graphs, and proportions.
- (6) Proportionality--applications of ratios and rates. The student applies mathematical process standards to solve problems involving proportional relationships. The student is expected to:
- (A) apply qualitative and quantitative reasoning to solve prediction and comparison of real-world problems involving ratios and rates;
 - (B) calculate unit rates from rates in mathematical and real-world problems; and
 - (C) convert within and between measurement systems, including the use of proportions and the use of unit rates.
- (7) One-variable expressions, equations, and relationships--foundations of one-variable relationships. The student applies mathematical process standards to develop concepts of expressions and equations. The student is expected to:
- (A) distinguish between expressions and equations verbally, numerically, and algebraically;
 - (B) determine if two expressions are equivalent using concrete models, pictorial models, and algebraic representations; and
 - (C) generate equivalent expressions using the properties of operations: inverse, identity, commutative, associative, and distributive properties.
- (8) One-variable expressions, equations, and relationships--applications of one-variable relationships. The student applies mathematical process standards to use equations and inequalities to represent situations and solve problems. The student is expected to:

- (A) write one-variable, one- and two-step equations and inequalities to represent constraints or conditions within problems;
 - (B) write corresponding real-world problems given one-variable, one- and two-step equations or inequalities;
 - (C) represent solutions for one-variable, one- and two-step equations and inequalities on number lines;
 - (D) model and solve one-variable, one-step equations and inequalities that represent problems, including geometric concepts;
 - (E) model and solve one-variable, two-step equations and inequalities; and
 - (F) determine if the given value(s) make(s) one-variable, one- and two-step equations and inequalities true.
- (9) Two-variable equations and relationships--foundations of linear relationships. The student applies mathematical process standards to use multiple representations to describe algebraic relationships. The student is expected to:
- (A) identify independent and dependent quantities from tables and graphs;
 - (B) write an equation that represents the relationship between independent and dependent quantities from a table;
 - (C) represent a given situation using verbal descriptions, tables, graphs, and equations in the form $y = kx$ or $y = x + b$; and
 - (D) compare two rules verbally, numerically, graphically, and symbolically in the form of $y = ax$ or $y = x + a$ in order to differentiate between additive and multiplicative relationships.
- (10) Two-variable equations and relationships--applications of proportional relationships. The student applies mathematical process standards to represent and solve problems involving proportional relationships. The student is expected to represent constant rates of change in mathematical and real-world problems given pictorial, tabular, verbal, numeric, graphical, and algebraic representations, including $d = rt$.
- (11) Geometric expressions, equations, and relationships--foundations of geometric concepts equations. The student applies mathematical process standards to use geometry to represent relationships. The student is expected to:
- (A) model area formulas for parallelograms, trapezoids, and triangles by decomposing and rearranging parts of these shapes; and
 - (B) write equations that represent problems related to the area of rectangles, parallelograms, trapezoids, and triangles and volume of right rectangular prisms where dimensions are positive rational numbers.
- (12) Geometric expressions, equations, and relationships--applications of geometric concepts. The student applies mathematical process standards to use geometry to represent relationships and solve problems. The student is expected to:
- (A) extend previous knowledge of triangles and their properties to include the sum of angles of a triangle, the relationship between the lengths of sides and measures of angles in a triangle, and determining when three lengths form a triangle;
 - (B) determine solutions for problems involving the area of rectangles, parallelograms, trapezoids, and triangles where dimensions are positive rational numbers;
 - (C) solve problems involving the volume of right rectangular prisms and triangular prisms; and
 - (D) write and solve equations using geometry concepts, including the sum of the angles in a triangle, and angle relationships.

- (13) Data science--foundations of measurement and data. The student applies mathematical process standards to represent and analyze data. The student is expected to:
- (A) distinguish between situations that yield data with and without variability; and
 - (B) represent numeric data graphically, including dot plots, stem-and-leaf plots, histograms, and box plots.
- (14) Data science--applications of measurement and data. The student applies mathematical process standards to use numerical or graphical representations to analyze and solve problems. The student is expected to:
- (A) use the graphical representation of numeric data to describe the center, spread, and shape of the data distribution;
 - (B) summarize numeric data with numerical summaries, including the mean and median (measures of center) and the range and interquartile range (IQR) (measures of spread), and use these summaries to describe the center, spread, and shape of the data distribution;
 - (C) interpret numeric data summarized in dot plots, stem-and-leaf plots, histograms, and box plots;
 - (D) solve problems using data represented in bar graphs, dot plots, and circle graphs, including part-to-whole and part-to-part comparisons and equivalents;
 - (E) compare two groups of numeric data using comparative dot plots or box plots by comparing their shapes, centers, and spreads; and
 - (F) summarize categorical data with numerical and graphical summaries, including the mode, the percent of values in each category (relative frequency table), and the percent bar graph, and use these summaries to describe the data distribution.
- (15) Personal financial literacy--money management. The student applies mathematical process standards to develop an economic way of thinking and problem solving useful in one's life as a knowledgeable consumer and investor. The student is expected to:
- (A) compare the features and costs of a checking account and a debit card offered by different local financial institutions;
 - (B) identify and explain the advantages and disadvantages of different payment methods, including distinguishing between debit cards and credit cards;
 - (C) explain why it is important to establish a positive credit history;
 - (D) describe the information in a credit report and how long it is retained;
 - (E) describe the value of credit reports to borrowers and to lenders;
 - (F) explain various methods to pay for college, including through savings, grants, scholarships, student loans, and work-study; and
 - (G) compare the annual salary of several occupations requiring various levels of post-secondary education or vocational training and calculate the effects of the different annual salaries on lifetime income.

§111.30. Grade 7, Middle School Advanced Mathematics, Adopted 2025.

- (a) Implementation. The provisions of this section may be implemented by school districts beginning with the 2025-2026 school year.
- (b) Introduction.
 - (1) The desire to achieve educational excellence is the driving force behind the Texas essential knowledge and skills for mathematics, guided by the college and career readiness standards. By embedding statistics, probability, and finance, while focusing on computational thinking,

mathematical fluency, and solid understanding. Texas will lead the way in mathematics education and prepare all Texas students for the challenges they will face in the 21st century.

- (2) The process standards describe ways in which students are expected to engage in the content. The placement of the process standards at the beginning of the knowledge and skills listed for each grade and course is intentional. The process standards weave the other knowledge and skills together so that students may be successful problem solvers and use mathematics efficiently and effectively in daily life. The process standards are integrated at every grade level and course. When possible, students will apply mathematics to problems arising in everyday life, society, and the workplace. Students will use a problem-solving model that incorporates analyzing given information, formulating a plan or strategy, determining a solution, justifying the solution, and evaluating the problem-solving process and the reasonableness of the solution. Students will select appropriate tools such as real objects, manipulatives, algorithms, paper and pencil, and technology and techniques such as mental math, estimation, number sense, and generalization and abstraction to solve problems. Students will effectively communicate mathematical ideas, reasoning, and their implications using multiple representations such as symbols, diagrams, graphs, computer programs, and language. Students will use mathematical relationships to generate solutions and make connections and predictions. Students will analyze mathematical relationships to connect and communicate mathematical ideas. Students will display, explain, or justify mathematical ideas and arguments using precise mathematical language in written or oral communication.
 - (3) To increase the number of students who complete advanced mathematics courses in high school, the middle school advanced mathematics courses are designed to enable students to complete Algebra I by the end of Grade 8.
 - (4) The primary focal areas in Grade 7, Middle School Advanced Mathematics are numeracy; proportionality; expressions, equations, and relationships; and data science. Students use concepts, algorithms, and properties of real numbers to explore mathematical relationships and to describe increasingly complex situations. Students use concepts of proportionality to explore, develop, and communicate mathematical relationships, including number, geometry and measurement, and statistics and probability. Students use algebraic thinking to describe how a change in one quantity in a relationship results in a change in the other. Students connect verbal, numeric, graphic, and symbolic representations of relationships, including equations and inequalities. Students continue to develop a foundational understanding of functions. Students use geometric properties and relationships, as well as spatial reasoning, to model and analyze situations and solve problems. Students communicate information about geometric figures or situations by quantifying attributes, generalize procedures from measurement experiences, and use the procedures to solve problems. Students use appropriate statistics, representations of data, and reasoning to draw conclusions, evaluate arguments, and make recommendations. The use of technology, including graphing tools, is essential in middle school advanced mathematics courses to master algebra readiness skills by bridging conceptual understanding and procedural fluency.
 - (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) Mathematical process standards. The student uses mathematical processes to acquire and demonstrate mathematical understanding. The student is expected to:
 - (A) apply mathematics to problems arising in everyday life, society, and the workplace;
 - (B) use a problem-solving model that incorporates analyzing given information, formulating a plan or strategy, determining a solution, justifying the solution, and evaluating the problem-solving process and the reasonableness of the solution;
 - (C) select tools, including real objects, manipulatives, paper and pencil, and technology as appropriate, and techniques, including mental math, estimation, and number sense as appropriate, to solve problems;

- (D) communicate mathematical ideas, reasoning, and their implications using multiple representations, including symbols, diagrams, graphs, and language as appropriate;
 - (E) create and use representations to organize, record, and communicate mathematical ideas;
 - (F) analyze mathematical relationships to connect and communicate mathematical ideas; and
 - (G) display, explain, and justify mathematical ideas and arguments using precise mathematical language in written or oral communication.
- (2) Numeracy--foundations of real numbers. The student applies mathematical process standards to represent and use real numbers in a variety of forms. The student is expected to:
- (A) extend previous knowledge of sets and subsets using a visual representation to describe relationships between sets of real numbers;
 - (B) approximate the value of an irrational number, including π and square roots of numbers less than 225, and locate that rational number approximation on a number line;
 - (C) convert between standard decimal notation and scientific notation; and
 - (D) order a set of real numbers arising from mathematical and real-world contexts.
- (3) Numeracy--operations with rational numbers. The student applies mathematical process standards to add, subtract, multiply, and divide while solving problems and justifying solutions. The student is expected to:
- (A) add, subtract, multiply, and divide rational numbers fluently; and
 - (B) apply and extend previous understandings of operations to solve problems using addition, subtraction, multiplication, and division of rational numbers.
- (4) Numeracy--applications of percents. The student applies mathematical process standards to represent and solve problems involving percents as proportional relationships. The student is expected to:
- (A) solve problems involving ratios, rates, and percents, including multi-step problems involving percent increase and percent decrease, and financial literacy problems;
 - (B) calculate and compare simple interest and compound interest earnings;
 - (C) analyze and compare monetary incentives, including sales, rebates, and coupons;
 - (D) solve real-world problems comparing how interest rate and loan length affect the cost of credit;
 - (E) calculate the total cost of repaying a loan, including credit cards and easy access loans, under various rates of interest and over different periods using an online calculator;
 - (F) explain how small amounts of money invested regularly, including money saved for college and retirement, grow over time; and
 - (G) estimate the cost of a two-year and four-year college education, including family contribution, and devise a periodic savings plan for accumulating the money needed to contribute to the total cost of attendance for at least the first year of college.
- (5) Proportionality--geometric ratios. The student applies mathematical process standards to use geometry to describe or solve problems involving proportional relationships such as dilations. The student is expected to:
- (A) describe π as the ratio of the circumference of a circle to its diameter;
 - (B) generalize the critical attributes of similarity, including ratios within and between similar shapes;
 - (C) solve mathematical and real-world problems involving similar shape and scale drawings;

- (D) compare and contrast the attributes of a shape and its dilation(s) on a coordinate plane; and
 - (E) use an algebraic representation to explain the effect of a given positive rational scale factor applied to two-dimensional figures on a coordinate plane with the origin as the center of dilation.
- (6) Proportionality--probability. The student applies mathematical process standards to use probability and statistics to describe or solve problems involving proportional relationships. The student is expected to:
- (A) represent sample spaces for simple and compound events using lists and tree diagrams;
 - (B) select and use different simulations to represent simple and compound events with and without technology;
 - (C) make predictions and determine solutions using experimental data for simple and compound events;
 - (D) make predictions and determine solutions using theoretical probability for simple and compound events;
 - (E) find the probabilities of a simple event and its complement and describe the relationship between the two;
 - (F) solve problems using qualitative and quantitative predictions and comparisons from simple experiments; and
 - (G) determine experimental and theoretical probabilities related to simple and compound events using data and sample spaces.
- (7) One-variable expressions, equations, and relationships--applications of one-variable relationships. The student applies mathematical process standards to use one-variable equations or inequalities in problem situations. The student is expected to:
- (A) represent solutions for one-variable, two-step inequalities on number lines;
 - (B) model and solve one-variable, two-step inequalities;
 - (C) write one-variable equations or inequalities with variables on both sides that represent problems using rational number coefficients and constants;
 - (D) write a corresponding real-world problem when given a one-variable equation or inequality with variables on both sides of the equal sign using rational number coefficients and constants; and
 - (E) model and solve one-variable equations with variables on both sides of the equal sign that represent mathematical and real-world problems using rational number coefficients and constants.
- (8) Two-variable equations and relationships--foundations of linear relationships. The student applies mathematical process standards to use proportional and non-proportional relationships to develop foundational concepts of functions. The student is expected to:
- (A) determine the constant of proportionality ($k = y/x$) within mathematical and real-world problems;
 - (B) distinguish between proportional and non-proportional situations using tables, graphs, and equations in the form $y = kx$ or $y = mx + b$, where $b \neq 0$; and
 - (C) identify examples of proportional and non-proportional functions that arise from mathematical and real-world problems.
- (9) Two-variable equations and relationships--applications of linear relationships. The student applies mathematical process standards to represent linear relationships using multiple representations.

The student is expected to represent linear proportional and non-proportional relationships using verbal descriptions, tables, graphs, and equations that simplify to the form $y = mx + b$.

- (10) Geometric expressions, equations, and relationships--foundations of geometric concepts. The student applies mathematical process standards to develop geometric relationships and solve problems. The student is expected to:
- (A) use models to determine the approximate formulas for the circumference and area of a circle and connect the models to the actual formulas;
 - (B) solve problems involving the lateral and total surface area of a rectangular prism, rectangular pyramid, triangular prism, and triangular pyramid by determining the area of the shape's net;
 - (C) describe the volume formula $V = Bh$ of a cylinder in terms of its base area and its height;
 - (D) model the relationship between the volume of a rectangular prism and a rectangular pyramid having both congruent bases and heights and connect that relationship to the formulas;
 - (E) explain verbally and symbolically the relationship between the volume of a triangular prism and a triangular pyramid having both congruent bases and heights and connect that relationship to the formulas;
 - (F) model the relationship between the volume of a cylinder and a cone having both congruent bases and heights and connect that relationship to the formulas;
 - (G) use models and diagrams to explain the Pythagorean theorem; and
 - (H) use informal arguments to establish facts about the angle sum and exterior angle of triangles, the angles created when parallel lines are cut by a transversal, and the angle-angle criterion for similarity of triangles.
- (11) Geometric expressions, equations, and relationships--applications of geometric concepts. The student applies mathematical process standards to solve geometric problems. The student is expected to:
- (A) determine the circumference and area of circles;
 - (B) determine the area of composite figures containing combinations of rectangles, squares, parallelograms, trapezoids, triangles, semicircles, and quarter circles;
 - (C) use previous knowledge of surface area to make connections to the formulas for lateral and total surface area and determine solutions for problems involving rectangular prisms, triangular prisms, and cylinders;
 - (D) solve problems involving the volume of rectangular pyramids and triangular pyramids;
 - (E) solve problems involving the volume of cylinders, cones, and spheres;
 - (F) use the Pythagorean theorem and its converse to solve problems; and
 - (G) determine the distance between two points on a coordinate plane using the Pythagorean theorem.
- (12) Geometric expressions, equations, and relationships--transformations. The student applies mathematical process standards to develop transformational geometry concepts. The student is expected to:
- (A) generalize the properties of orientation and congruence of rotations, reflections, translations, and dilations of two-dimensional shapes on a coordinate plane;
 - (B) differentiate between transformations that preserve congruence and those that do not;

- (C) explain the effect of translations, reflections over the x - or y -axis, and rotations limited to 90° , 180° , 270° , and 360° as applied to two-dimensional shapes on a coordinate plane using an algebraic representation; and
 - (D) model the effect on linear and area measurements of dilated two-dimensional shapes.
- (13) Data science--applications of measurement and data. The student applies mathematical process standards to use statistical representations and procedures to analyze and describe data. The student is expected to:
- (A) use data from a random sample to make inferences about a population;
 - (B) compare two populations based on data in random samples from these populations, including informal comparative inferences about differences between the two populations;
 - (C) simulate generating random samples of the same size from a population with known characteristics to develop the notion of a random sample being representative of the population from which it was selected; and
 - (D) determine the mean absolute deviation and use this quantity as a measure of the average distance data are from the mean using a data set of no more than 10 data points.
- (14) Personal financial literacy--money management. The student applies mathematical process standards to develop an economic way of thinking and problem solving useful in one's life as a knowledgeable consumer and investor. The student is expected to:
- (A) identify the components of a personal budget, including income; planned savings for college, retirement, and emergencies; taxes; and fixed and variable expenses, and calculate what percentage each category comprises of the total budget;
 - (B) use a family budget estimator to determine the minimum household budget and average hourly wage needed for a family to meet its basic needs in the student's city or another large city nearby; and
 - (C) analyze situations to determine if they represent financially responsible decisions and identify the benefits of financial responsibility and the costs of financial irresponsibility.

§111.31. Grade 8, Middle School Advanced Mathematics, Algebra (One Credit), Adopted 2025.

- (a) Implementation. The provisions of this section may be implemented by school districts beginning with the 2025-2026 school year.
- (b) General requirements. Students shall be awarded one credit that satisfies the Algebra I requirement for high school graduation. This course is recommended for students in Grade 8. Prerequisite: Middle School Advanced Mathematics, Grade 7 or Mathematics, Grade 8.
- (c) Introduction.
 - (1) The desire to achieve educational excellence is the driving force behind the Texas essential knowledge and skills for mathematics, guided by the college and career readiness standards. By embedding statistics, probability, and finance, while focusing on fluency and solid understanding, Texas will lead the way in mathematics education and prepare all Texas students for the challenges they will face in the 21st century.
 - (2) The process standards describe ways in which students are expected to engage in the content. The placement of the process standards at the beginning of the knowledge and skills listed for each grade and course is intentional. The process standards weave the other knowledge and skills together so that students may be successful problem solvers and use mathematics efficiently and effectively in daily life. The process standards are integrated at every grade level and course. When possible, students will apply mathematics to problems arising in everyday life, society, and the workplace. Students will use a problem-solving model that incorporates analyzing given information, formulating a plan or strategy, determining a solution, justifying the solution, and

evaluating the problem-solving process and the reasonableness of the solution. Students will select appropriate tools such as real objects, manipulatives, paper and pencil, and technology and techniques such as mental math, estimation, number sense, and generalization and abstraction to solve problems. Students will effectively communicate mathematical ideas, reasoning, and their implications using multiple representations such as symbols, diagrams, graphs, and language. Students will use mathematical relationships to generate solutions and make connections and predictions. Students will analyze mathematical relationships to connect and communicate mathematical ideas. Students will display, explain, or justify mathematical ideas and arguments using precise mathematical language in written or oral communication.

(3) To increase the number of students who complete advanced mathematics courses in high school, the middle school advanced mathematics courses are designed to enable students to complete Algebra I by the end of Grade 8.

(4) In Grade 8, Middle School Advanced Mathematics, Algebra, students will build on the knowledge and skills for mathematics in Middle School Advanced Mathematics, Grades 6 and 7, which provide a foundation in linear relationships, number and operations, and proportionality. Students will study linear, quadratic, and exponential functions and their related transformations, equations, and associated solutions. Students will connect functions and their associated solutions in both mathematical and real-world situations. Students will use technology to collect and explore data and analyze statistical relationships. In addition, students will study polynomials of degree one and two, radical expressions, sequences, and laws of exponents. Students will generate and solve linear systems with two equations and two variables and will create new functions through transformations. The use of technology, including graphing tools, is essential in Middle School Advanced Mathematics, Algebra to bridge conceptual understanding and procedural fluency.

(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.

(d) Knowledge and skills.

(1) Mathematical process standards. The student uses mathematical processes to acquire and demonstrate mathematical understanding. The student is expected to:

(A) apply mathematics to problems arising in everyday life, society, and the workplace;

(B) use a problem-solving model that incorporates analyzing given information, formulating a plan or strategy, determining a solution, justifying the solution, and evaluating the problem-solving process and the reasonableness of the solution;

(C) select tools, including real objects, manipulatives, paper and pencil, and technology as appropriate, and techniques, including mental math, estimation, and number sense as appropriate, to solve problems;

(D) communicate mathematical ideas, reasoning, and their implications using multiple representations, including symbols, diagrams, graphs, and language as appropriate;

(E) create and use representations to organize, record, and communicate mathematical ideas;

(F) analyze mathematical relationships to connect and communicate mathematical ideas; and

(G) display, explain, and justify mathematical ideas and arguments using precise mathematical language in written or oral communication.

(2) Linear functions, equations, and inequalities. The student applies the mathematical process standards when using properties of linear functions to write and represent in multiple ways, with and without technology, linear equations, inequalities, and systems of equations. The student is expected to:

(A) determine the domain and range of a linear function in mathematical problems; determine reasonable domain and range values for real-world situations, both continuous and discrete; and represent domain and range using inequalities;

- (B) write linear equations in two variables in various forms, including $y = mx + b$, $Ax + By = C$, and $y - y_1 = m(x - x_1)$, given one point and the slope and given two points;
 - (C) write linear equations in two variables given a table of values, a graph, and a verbal description;
 - (D) write and solve equations involving direct variation;
 - (E) write the equation of a line that contains a given point and is parallel to a given line;
 - (F) write the equation of a line that contains a given point and is perpendicular to a given line;
 - (G) write an equation of a line that is parallel or perpendicular to the x - or y - axis and determine whether the slope of the line is zero or undefined;
 - (H) write linear inequalities in two variables given a table of values, a graph, and a verbal description; and
 - (I) write systems of two linear equations given a table of values, a graph, and a verbal description.
- (3) Linear functions, equations, and inequalities. The student applies the mathematical process standards when using graphs of linear functions, key features, and related transformations to represent in multiple ways and solve, with and without technology, equations, inequalities, and systems of equations. The student is expected to:
- (A) use similar right triangles to develop an understanding that slope, m , given as the rate comparing the change in y -values to the change in x -values, $(y_2 - y_1)/(x_2 - x_1)$, is the same for any two points (x_1, y_1) and (x_2, y_2) on the same line;
 - (B) graph proportional relationships, interpreting the unit rate as the slope of the line that models the relationship;
 - (C) determine the slope of a line given a table of values, a graph, two points on the line, and an equation written in various forms, including $y = mx + b$, $Ax + By = C$, and $y - y_1 = m(x - x_1)$;
 - (D) calculate the rate of change of a linear function represented tabularly, graphically, or algebraically in context of mathematical and real-world problems;
 - (E) use data from a table or graph to determine the rate of change or slope and y -intercept in mathematical and real-world problems;
 - (F) graph linear functions on the coordinate plane and identify key features, including x -intercept, y -intercept, zeros, and slope, in mathematical and real-world problems;
 - (G) graph the solution set of linear inequalities in two variables on the coordinate plane;
 - (H) determine the effects on the graph of the parent function $f(x) = x$ when $f(x)$ is replaced by $af(x)$, $f(x) + d$, $f(x - c)$, and $f(bx)$ for specific values of a , b , c , and d ;
 - (I) graph systems of two linear equations in two variables on the coordinate plane and determine the solutions if they exist;
 - (J) estimate graphically the solutions to systems of two linear equations with two variables in real-world problems; and
 - (K) graph the solution set of systems of two linear inequalities in two variables on the coordinate plane.
- (4) Linear functions, equations, and inequalities. The student applies the mathematical process standards to formulate statistical relationships and evaluate their reasonableness based on real-world data. The student is expected to:

- (A) construct a scatterplot and describe the observed data to address questions of association such as linear, non-linear, and no association between bivariate data;
 - (B) contrast bivariate sets of data that suggest a linear relationship with bivariate sets of data that do not suggest a linear relationship from a graphical representation;
 - (C) use a trend line that approximates the linear relationship between bivariate sets of data to make predictions;
 - (D) calculate, using technology, the correlation coefficient between two quantitative variables and interpret this quantity as a measure of the strength of the linear association;
 - (E) compare and contrast association and causation in real-world problems; and
 - (F) write, with and without technology, linear functions that provide a reasonable fit to data to estimate solutions and make predictions for real-world problems.
- (5) Linear functions, equations, and inequalities. The student applies the mathematical process standards to solve, with and without technology, linear equations and evaluate the reasonableness of their solutions. The student is expected to:
- (A) solve linear equations in one variable, including those for which the application of the distributive property is necessary and for which variables are included on both sides;
 - (B) solve linear inequalities in one variable, including those for which the application of the distributive property is necessary and for which variables are included on both sides; and
 - (C) solve systems of two linear equations with two variables for mathematical and real-world problems.
- (6) Quadratic functions and equations. The student applies the mathematical process standards when using properties of quadratic functions to write and represent in multiple ways, with and without technology, quadratic equations. The student is expected to:
- (A) determine the domain and range of quadratic functions and represent the domain and range using inequalities;
 - (B) write equations of quadratic functions given the vertex and another point on the graph, write the equation in vertex form ($f(x) = a(x - h)^2 + k$), and rewrite the equation from vertex form to standard form ($f(x) = ax^2 + bx + c$); and
 - (C) write quadratic functions when given real solutions and graphs of their related equations.
- (7) Quadratic functions and equations. The student applies the mathematical process standards when using graphs of quadratic functions and their related transformations to represent in multiple ways and determine, with and without technology, the solutions to equations. The student is expected to:
- (A) graph quadratic functions on the coordinate plane and use the graph to identify key attributes, if possible, including x -intercept, y -intercept, zeros, maximum value, minimum values, vertex, and the equation of the axis of symmetry;
 - (B) describe the relationship between the linear factors of quadratic expressions and the zeros of their associated quadratic functions; and
 - (C) determine the effects on the graph of the parent function $f(x) = x^2$ when $f(x)$ is replaced by $af(x)$, $f(x) + d$, $f(x - c)$, and $f(bx)$ for specific values of a , b , c , and d .
- (8) Quadratic functions and equations. The student applies the mathematical process standards to solve, with and without technology, quadratic equations and evaluate the reasonableness of their solutions. The student formulates statistical relationships and evaluates their reasonableness based on real-world data. The student is expected to:
- (A) solve quadratic equations having real solutions by factoring, taking square roots, completing the square, and applying the quadratic formula; and

- (B) write, using technology, quadratic functions that provide a reasonable fit to data to estimate solutions and make predictions for real-world problems.
- (9) Exponential functions and equations. The student applies the mathematical process standards when using properties of exponential functions and their related transformations to write, graph, and represent in multiple ways exponential equations and evaluate, with and without technology, the reasonableness of their solutions. The student formulates statistical relationships and evaluates their reasonableness based on real-world data. The student is expected to:
- (A) determine the domain and range of exponential functions of the form $f(x) = ab^x$ and represent the domain and range using inequalities;
- (B) interpret the meaning of the values of a and b in exponential functions of the form $f(x) = ab^x$ in real-world problems;
- (C) write exponential functions in the form $f(x) = ab^x$ (where b is a rational number) to describe problems arising from mathematical and real-world situations, including growth and decay;
- (D) graph exponential functions that model growth and decay and identify key features, including y -intercept and asymptote, in mathematical and real-world problems; and
- (E) write, using technology, exponential functions that provide a reasonable fit to data and make predictions for real-world problems.
- (10) Number and algebraic methods. The student applies the mathematical process standards and algebraic methods to rewrite in equivalent forms and perform operations on polynomial expressions. The student is expected to:
- (A) add and subtract polynomials of degree one and degree two;
- (B) multiply polynomials of degree one and degree two;
- (C) determine the quotient of a polynomial of degree one and polynomial of degree two when divided by a polynomial of degree one and polynomial of degree two when the degree of the divisor does not exceed the degree of the dividend;
- (D) rewrite polynomial expressions of degree one and degree two in equivalent forms using the distributive property;
- (E) factor, if possible, trinomials with real factors in the form $ax^2 + bx + c$, including perfect square trinomials of degree two; and
- (F) decide if a binomial can be written as the difference of two squares and, if possible, use the structure of a difference of two squares to rewrite the binomial.
- (11) Number and algebraic methods. The student applies the mathematical process standards and algebraic methods to rewrite algebraic expressions into equivalent forms. The student is expected to:
- (A) simplify numerical radical expressions involving square roots; and
- (B) simplify numeric and algebraic expressions using the laws of exponents, including integral and rational exponents.
- (12) Number and algebraic methods. The student applies the mathematical process standards and algebraic methods to write, solve, analyze, and evaluate equations, relations, and functions. The student is expected to:
- (A) identify functions using sets of ordered pairs and mappings;
- (B) decide whether relations represented verbally, tabularly, graphically, and symbolically define a function;

- (C) evaluate functions, expressed in function notation, given one or more elements in their domains;
- (D) identify terms of arithmetic and geometric sequences when the sequences are given in function form using recursive processes;
- (E) write a formula for the n^{th} term of arithmetic and geometric sequences, given the value of several of their terms; and
- (F) solve mathematic and scientific formulas, and other literal equations, for a specified variable.

Public Hearing on Proposed New 19 TAC Chapter 127, Texas Essential Knowledge and Skills in Career Development and Career and Technical Education, Subchapter I, Engineering

January 29, 2025

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

SUMMARY: A public hearing before the State Board of Education (SBOE) is scheduled for Wednesday, January 29, 2025. Testimony will be presented regarding proposed new Texas Essential Knowledge and Skills (TEKS) for courses in engineering. In accordance with SBOE operating procedures, oral testimony will be limited to two minutes per person.

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

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(j), allows the SBOE by rule to require laboratory instruction in secondary science courses and require a specific amount or percentage of time in a secondary science course that must be laboratory instruction.

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 the TEC, §28.002.

TEC, §28.025(b-2)(2), requires the SBOE to allow a student by rule to comply with the curriculum requirements for the third and fourth mathematics credits under TEC, §28.025(b-1)(2), or the third and fourth science credits under TEC, §28.025(b-1)(3), by successfully completing a career and technical education (CTE) course designated by the SBOE as containing substantially similar and rigorous content.

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

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.

Texas Education Agency (TEA) staff began supporting a CTE TEKS review for engineering in December 2023. Applications to serve on the engineering 2024 CTE TEKS review work groups were collected by TEA from December 2023 through April 2024. TEA staff provided SBOE members with batches of applications for approval to serve on a CTE work group in February, March, and April 2024. Work

groups were convened to develop recommendations for the CTE courses in May, June, July, and August 2024. The SBOE held a public hearing and discussed the proposed new TEKS for engineering at the November 2024 meeting.

The CTE work groups met for a final time in December 2024 to address feedback from the SBOE and to finalize their recommendations for the new standards. The proposed new CTE TEKS would ensure the standards for engineering remain current and support relevant and meaningful programs of study.

Proposed new 19 TAC Chapter 127, Texas Essential Knowledge and Skills for Career Development and Career and Technical Education, Subchapter I, Engineering, §§127.402-419, 127.452, and 127.453, is presented for first reading and filing authorization as a separate item in this agenda.

Staff Members Responsible:

Monica Martinez, Associate Commissioner, Standards and Programs

Jessica Snyder, Senior Director, Curriculum Standards and Student Support

Proposed New 19 TAC Chapter 127, Texas Essential Knowledge and Skills for Career Development and Career and Technical Education, Subchapter I, Engineering, §§127.402-127.419, 127.452, and 127.453
(First Reading and Filing Authorization)

January 31, 2025

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

SUMMARY: This item presents for first reading and filing authorization proposed new 19 Texas Administrative Code (TAC) Chapter 127, Texas Essential Knowledge and Skills for Career Development and Career and Technical Education, Subchapter I, Engineering, §§127.402-127.419, 127.452, and 127.453. The proposal would add new courses and update existing courses that are being moved to this subchapter in the civil engineering, engineering foundations, and mechanical and aerospace design programs of study to ensure the content of the courses remains current and supports relevant and meaningful programs of study.

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

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(j), allows the SBOE to require by rule laboratory instruction in secondary science courses and require a specific amount or percentage of time in a secondary science course that must be laboratory instruction.

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 the TEC, §28.002.

TEC, §28.025(b-2)(2), requires the SBOE to allow a student by rule to comply with the curriculum requirements for the third and fourth mathematics credits under TEC, §28.025(b-1)(2), or the third and fourth science credits under TEC, §28.025(b-1)(3), by successfully completing a career and technical education (CTE) course designated by the SBOE as containing substantially similar and rigorous content.

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 sections is August 1, 2025.

PREVIOUS BOARD ACTION: The SBOE adopted the Texas Essential Knowledge and Skills (TEKS) for all subjects effective September 1, 1998. The CTE TEKS were amended effective August 23, 2010. The CTE TEKS were again amended effective August 28, 2017. CTE TEKS for courses in education and training; health science; and science, technology, and mathematics (STEM) were amended effective April

26, 2022; June 14, 2022; and August 7, 2022. In November 2023, the SBOE adopted new TEKS for CTE career preparation and entrepreneurship courses to be implemented in the 2024-2025 school year. The SBOE adopted new CTE TEKS for courses in the agribusiness, animal science, plant science, and aviation maintenance programs of study as well as two STEM courses effective August 1, 2025. A discussion item regarding proposed new TEKS for courses in engineering programs of study was presented to the Committee of the Full Board at the November 2024 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.

During the November 2022 meeting, the SBOE approved a timeline for the review of CTE courses for 2022-2025. Also at the meeting, the SBOE approved a specific process to be used in the review and revision of the CTE TEKS. The CTE-specific process largely follows the process for TEKS review for other subject areas but was adjusted to account for differences specific to CTE. The 2022-2025 CTE cycle identified two reviews, beginning with the winter 2023 review of a small group of courses in career preparation and entrepreneurship. An abbreviated version of the new CTE TEKS review process was used for the winter 2023 review. The second review in the 2022-2025 CTE TEKS review cycle began in summer 2023. The complete CTE TEKS review process was used for the summer 2023 CTE TEKS review.

Texas Education Agency (TEA) staff began a CTE TEKS review process for engineering in December 2023. Applications to serve on the engineering 2024 CTE TEKS review work groups were collected by TEA from December 2023 through April 2024. TEA staff provided SBOE members with batches of applications for approval to serve on a CTE work group in February, March, and April 2024. Work groups convened to develop recommendations for the CTE courses in May, June, July, and August 2024. Additionally, work groups met for a final time in December 2024 to address feedback from the SBOE and to finalize their recommendations for the new standards. The proposal would ensure the standards for engineering support relevant and meaningful programs of study. The attachment to this item reflects the text of the proposed new TEKS.

A public hearing regarding the proposed new TEKS for courses in engineering is presented as a separate item in this agenda.

FISCAL IMPACT: TEA has determined that for the first five years the proposal is in effect (2025-2029), there are no fiscal implications to the state. However, in fiscal year 2024 there was a cost to the state of approximately \$100,000 to convene work group members who traveled to Austin to draft recommendations for the CTE TEKS in engineering. In addition, there will be implications for TEA if the state develops professional development to help teachers and administrators understand the revised TEKS. Any professional development that is created would be based on whether TEA received an appropriation for professional development in the next biennium.

There may be fiscal implications for school districts and charter schools to implement the proposed new TEKS, 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. During the first five years the proposed rulemaking would be in effect, it would create new regulations by adding new CTE TEKS required to be taught by school districts and charter schools offering the courses.

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 better align the TEKS and add additional course options for students to support relevant and meaningful programs of study. 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 or 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 February 28, 2025, and ends at 5:00 p.m. on March 31, 2025. The SBOE will take registered oral and written comments on the proposal at the appropriate committee meeting in April 2025 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 February 28, 2025.

MOTION TO BE CONSIDERED: The State Board of Education:

Approve for first reading and filing authorization proposed new 19 TAC Chapter 127, Texas Essential Knowledge and Skills for Career Development and Career and Technical Education, Subchapter I, Engineering, §§127.402-127.419, 127.452, and 127.453.

Staff Members Responsible:

Monica Martinez, Associate Commissioner, Standards and Programs

Jessica Snyder, Senior Director, Curriculum Standards and Student Support

Attachment:

Text of Proposed New 19 TAC Chapter 127, Texas Essential Knowledge and Skills for Career Development and Career and Technical Education, Subchapter I, Engineering, §§127.402-127.419, 127.452, and 127.453

ATTACHMENT
Text of Proposed New 19 TAC

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

Subchapter I. Engineering [~~Health Science~~]

§127.402. Engineering Design Process (One Credit), Adopted 2025.

- (a) Implementation. The provisions of this section shall be implemented by school districts beginning with the 2025-2026 school year.
- (b) General requirements. This course is recommended for students in Grades 9 and 10. Prerequisite: Algebra I. Recommended prerequisite: Principles of Applied Engineering. Students shall be awarded one credit for successful completion of this course.
- (c) Introduction.
 - (1) Career and technical education instruction provides content aligned with challenging academic standards, industry-relevant technical knowledge, and college and career readiness skills for students to further their education and succeed in current and emerging professions.
 - (2) The Engineering Career Cluster focuses on planning, designing, testing, building, and maintaining machines, structures, materials, systems, and processes using empirical evidence and science, technology, and math principles. This career cluster includes occupations ranging from mechanical engineer and drafter to electrical engineer and mapping technician.
 - (3) Engineering Design Process is an engineering course applicable to all engineering fields. Students use an iterative engineering design process to solve problems, make decisions, and manage a project. Professional practices are addressed, including development of a problem statement, maintenance of documentation, use of an engineering notebook, research, project management, internal and external communication, and creation of technical drawings and prototypes. The student delivers a professional presentation detailing the experience of working through each step of the engineering design process.
 - (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.
- (d) Knowledge and skills.
 - (1) The student demonstrates professional standards/employability skills as required by business and industry. The student is expected to:
 - (A) explain the importance of dressing appropriately, speaking politely, and conducting oneself in a manner appropriate for the profession and work site;
 - (B) describe teamwork, group dynamics, and conflict resolution and how they can impact the collective outcome;
 - (C) present written and oral technical communication in a clear, concise, and effective manner for a variety of purposes and audiences;
 - (D) identify time-management skills such as prioritizing tasks, following schedules, and tending to goal-relevant activities and how these practices optimize efficiency and results;

- (E) define work ethic and discuss the characteristics of a positive work ethic, including punctuality, dependability, reliability, and responsibility for reporting for duty and performing assigned tasks;
 - (F) discuss the importance of professionalism and ethics in engineering design as defined by professional organizations such as the National Society of Professional Engineers;
 - (G) demonstrate respect for diversity in the workplace;
 - (H) identify consequences relating to discrimination, harassment, and inequality;
 - (I) identify and discuss elements of professional codes of conduct or creeds in engineering such as the National Society of Professional Engineers Code of Ethics for Engineers;
 - (J) discuss the importance of safety in the workplace and why it is critical for employees and employers to maintain a safe work environment; and
 - (K) describe the roles and responsibilities of managers.
- (2) The student understands there are different stages of the engineering design process and the importance of working through each stage as part of an iterative process. The student is expected to:
- (A) explain the importance of defining an engineering problem as an initial step in the engineering design process;
 - (B) describe the research stage of the engineering design process;
 - (C) define and discuss the roles of ideation and conceptualization in innovation and problem solving;
 - (D) explain the criteria for selecting an idea or concept for detailed prototype design, development, and testing;
 - (E) explain the purpose of non-technical drawings, technical drawings, models, and prototypes in designing a solution to an engineering problem;
 - (F) describe the relevance of experimental design, conducting tests, collecting data, and analyzing data to evaluate potential solutions;
 - (G) explain how the engineering design process is iterative and the role reflection plays in developing an optimized engineering solution; and
 - (H) explain the purpose of effective communication throughout the entirety of the engineering design process to various audiences.
- (3) The student explores and develops skills to solve problems, make decisions, and manage a project. The student is expected to:
- (A) discuss strategies for managing time, setting deadlines, and prioritizing to accomplish goals;
 - (B) identify constraints and describe the importance of planning around constraints, including budgets, resources, and materials;
 - (C) define milestones and deliverables and explain the advantages of dividing a large project into smaller milestones and deliverables;
 - (D) identify different types of communication and explain how different types of communication lead to successful teamwork on a shared project in a professional setting; and
 - (E) identify strategies to solve problems and describe how problem solving is utilized to accomplish personal and team objectives.

- (4) The student understands the foundations of occupational safety and health. The student is expected to:
- (A) explain and discuss the responsibilities of workers and employers to promote safety and health in the workplace and the rights of workers to a secure workplace;
 - (B) explain the role industrial hygiene plays in occupational safety and explain various types of industrial hygiene hazards, including physical, chemical, biological, and ergonomic;
 - (C) identify and explain the appropriate use of types of personal protective equipment used in industry;
 - (D) demonstrate safe practices for preventing or reducing slips, trips, and falls in the workplace;
 - (E) describe types of risks of and control methods to prevent electrical hazards in the workplace; and
 - (F) identify workplace health and safety resources, including emergency plans and Safety Data Sheets, and discuss how these resources are used to make decisions in the workplace.
- (5) The student understands the value of maintaining documentation using an engineering notebook. The student is expected to:
- (A) explain the purpose and legal value of maintaining an engineering notebook as intellectual property;
 - (B) describe the proper implementation of an engineering notebook, including notebook type, documentation, signatures, adding external materials, sealing, and dating;
 - (C) create and maintain an engineering notebook by recording ideas, notes, decisions, findings, deficiencies, and corrections throughout the entire design process; and
 - (D) communicate progress during the engineering design process at regular intervals using various methods such as written reports, informal presentations, and formal presentations.
- (6) The student understands how to conduct research in the engineering design process. The student is expected to:
- (A) describe the advantages and disadvantages of emerging technologies and practices in the research process;
 - (B) explain the importance of identifying and synthesizing information from a variety of sources in the research process;
 - (C) explain the ethical acquisition and use of digital information;
 - (D) demonstrate use and citation of source material ethically and appropriately;
 - (E) define and discuss intellectual property laws such as patents, copyrights, and proprietary information in the research process; and
 - (F) identify limitations in research such as outdated, conflicting, proprietary, or access to information.
- (7) The student understands the process of creating and refining a problem statement in the engineering design process. The student is expected to:
- (A) explain the essential components of a problem statement such as who the problem affects, when it is a problem, where the problem happens, and the magnitude of the problem;
 - (B) describe different methods for creating and refining a problem statement such as questioning, observation, and client needs;

- (C) create a problem statement that is concise, specific, and measurable;
 - (D) collect, analyze, and interpret information relevant to a problem statement;
 - (E) modify a problem statement based on information acquired from using processes or various analysis tools such as fishbone charts, root-cause analysis, 80-20 rule, heat maps, survey results, and end-user input;
 - (F) explain the purpose of a technical document such as a design brief or design basis that compiles the objectives, constraints, data, alternatives, and design solutions in the engineering design process; and
 - (G) compile a technical document that includes a problem statement, constraints, resources, budget, timeline, deliverables, and solution criteria such as quality, risk, and extent to which problem is solved.
- (8) The student understands the importance of conceptualizing a solution in the engineering design process. The student is expected to:
- (A) discuss the importance of creativity in engineering, innovation, and problem solving;
 - (B) explain and use various techniques for idea generation such as brainstorming, mapping, storyboarding, sketching, questioning, reverse engineering, and natural solutions to create solution concepts;
 - (C) explain the similarities and differences between designing a solution in the classroom versus designing a solution in the real world;
 - (D) analyze and evaluate solutions using the established criteria;
 - (E) explain the importance of capturing client feedback to refine solution concepts; and
 - (F) explain and use various techniques for gathering end-user input such as focus groups, interviews, and surveys to refine solution concepts.
- (9) The student creates technical drawings in the engineering design process. The student is expected to:
- (A) explain the role of freehand sketching, freehand modeling, technical drawing, and technical modeling in the development of a prototype or solution;
 - (B) create nontechnical representations such as sketches, drawings, or models of a solution with relevant annotations;
 - (C) develop a technical model of the solution using a nontechnical representation of a solution; and
 - (D) create technical drawings, including single-view projections, multi-view projections, and orthographic views, using industry standards.
- (10) The student creates prototypes in the engineering design process. The student is expected to:
- (A) identify different types of prototypes and explain the role of a prototype in the development of a solution;
 - (B) identify and describe the steps needed to produce a prototype;
 - (C) identify and use appropriate tools, equipment, machines, and materials to produce a prototype; and
 - (D) present a prototype using presentation software.
- (11) The student tests and evaluates a prototype or solution using experiments, data, and end-user feedback. The student is expected to:
- (A) explain the purpose of conducting tests on a prototype or solution;

- (B) design appropriate protocols for testing a prototype or solution;
 - (C) analyze, evaluate, and critique a prototype or solution by using observational testing, experimental testing, empirical evidence, and statistical analysis;
 - (D) collect end-user feedback using appropriate protocols such as focus groups, interviews, and surveys to evaluate a prototype or solution; and
 - (E) identify the successes and failures of a prototype or solution based on the criteria established in the testing protocols and technical document to determine next steps in the engineering design process.
- (12) The student understands the iterative nature of the engineering design process to develop a solution. The student is expected to:
- (A) analyze design flaws of a prototype or solution using various tools such as fishbone charts, root-cause analysis, 80-20 rule, heat maps, survey results, and end-user feedback;
 - (B) iterate steps of the design process, as necessary, to improve and optimize a solution; and
 - (C) evaluate the potential impact of a solution on the original problem identified during the design process.
- (13) The student prepares and delivers a professional presentation detailing the experience of working through each step of the engineering design process to create a viable solution. The student is expected to:
- (A) prepare and deliver a presentation detailing the experience of working through each step of the engineering design process to create a viable solution;
 - (B) solicit and evaluate feedback on implementation of the design process and the presentation; and
 - (C) present learning experiences such as essential skills gained, areas of personal growth, and challenges encountered throughout the design process.

§127.403. Programming for Engineers (One Credit), Adopted 2025.

- (a) Implementation. The provisions of this section shall be implemented by school districts beginning with the 2025-2026 school year.
- (b) General requirements. Prerequisite: Algebra I and Principles of Applied Engineering, Physics for Engineering, Introduction to Computer-Aided Design and Drafting, or Introduction to Engineering Design. Students shall be awarded one credit for successful completion of this course.
- (c) Introduction.
 - (1) Career and technical education instruction provides content aligned with challenging academic standards, industry-relevant technical knowledge, and college and career readiness skills for students to further their education and succeed in current and emerging professions.
 - (2) The Engineering Career Cluster focuses on planning, designing, testing, building, and maintaining machines, structures, materials, systems, and processes using empirical evidence and science, technology, and math principles. This career cluster includes occupations ranging from mechanical engineer and drafter to electrical engineer and mapping technician.
 - (3) Students enrolled in Programming for Engineers focus on understanding, writing, evaluating, and troubleshooting code to solve engineering problems. Students use the engineering process and computational thinking to write computer programs for real-world solutions. Students explore autonomous systems, sensors, and careers to integrate computational thinking within their engineering mindset. Students spend at least 40% of the instructional time completing hands-on, real-world projects.

- (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.
- (d) Knowledge and skills.
- (1) The student demonstrates professional standards/employability skills as required by business and industry. The student is expected to:
 - (A) demonstrate dressing appropriately, speaking politely, and conducting oneself in a manner appropriate for the profession and work site;
 - (B) analyze how teams can produce better outcomes through cooperation, contribution, and collaboration from members of the team;
 - (C) present written and oral technical communication in a clear, concise, and effective manner for a variety of purposes and audiences, including explaining and justifying decisions in the design process;
 - (D) use time-management skills independently and in groups to prioritize tasks, follow schedules, and tend to goal-relevant activities in a way that optimizes efficiency and results;
 - (E) describe the importance of and demonstrate punctuality, dependability, reliability, and responsibility in reporting for duty and performing assigned tasks as directed;
 - (F) explain how engineering ethics as defined by professional organizations such as the National Society of Professional Engineers apply to engineering practice;
 - (G) demonstrate respect for diversity in the workplace;
 - (H) identify consequences relating to discrimination, harassment, and inequality;
 - (I) analyze elements of professional codes of conduct or creeds in engineering such as the National Society of Professional Engineers Code of Ethics for Engineers and how they apply to the knowledge and skills of the course and the engineering profession;
 - (J) identify the components of a safety plan and why it is critical for employees and employers to maintain a safe work environment; and
 - (K) compare skills and characteristics of managers and leaders in the workplace.
 - (2) The student understands how to implement an engineering design process to develop a product or solution. The student is expected to:
 - (A) describe and implement the stages of an engineering design process to construct a model;
 - (B) explain how factors, including complexity, scope, resources, ethics, regulations, manufacturability, and technology, impact stages of the engineering design process;
 - (C) explain how stakeholders impact an engineering design process; and
 - (D) analyze how failure is often an essential component of the engineering design process.
 - (3) The student explores the methods and aspects of project management in relation to projects. The student is expected to:
 - (A) research and explain the process and phases of project management, including initiating, planning, executing, and closing;
 - (B) explain the roles and responsibilities of team members, including project managers and leads;
 - (C) research and evaluate methods and tools available for managing a project;

- (D) discuss the importance of developing and implementing a system for the organization of project documentation such as file naming conventions, document release control, and version control;
 - (E) describe how project requirements, constraints, and deliverables impact the project schedule and influence and are influenced by an engineering design;
 - (F) explain how a project budget, including materials, equipment, and labor, is developed and maintained; and
 - (G) describe the importance of management of change (MOC) and how MOC applies to project planning.
- (4) Computational thinking--foundations. The student explores the core concepts of computational thinking related to engineering solutions, a set of problem-solving processes that involve decomposition, pattern recognition, abstraction, and algorithms. The student is expected to:
- (A) decompose real-world engineering problems into structured parts by using visual representation;
 - (B) analyze and use industry-specific symbols, patterns, and sequences found in visual representations such as flow-charts, pseudocode, concept maps, or other representations of data;
 - (C) define and practice abstraction in the context of writing a program to solve an engineering problem;
 - (D) design a plan using visual representation to document a problem, possible solutions, and an expected timeline for the development of a coded engineering solution;
 - (E) analyze different techniques used in debugging and apply them to an algorithm;
 - (F) analyze the benefits of using iteration such as code and sequence repetition in algorithms, including loops and functions;
 - (G) define and analyze Boolean expressions;
 - (H) define and analyze conditional statements;
 - (I) write code that uses conditional statements such as (if), (then), (while), and (else);
 - (J) compare the differences between scripting and programming languages such as interpretation versus compiling; and
 - (K) identify and demonstrate when to use a compiler and editor for programming design.
- (5) Computational thinking--applications. The student applies the fundamentals of programming within the context of engineering. The student is expected to:
- (A) analyze how programming parallels iterative design within the engineering design process such as problem solving and critical thinking illustrated in an engineering notebook;
 - (B) modify previously written code and implement the modified code to develop improved programs;
 - (C) solve an engineering problem by creating block-based or text-based programs that include sequences, functions, loops, conditionals, and events;
 - (D) identify and label variables that relate to a program or algorithm;
 - (E) manipulate and rename variables and describe different data types;
 - (F) write comments while coding programs for engineering solutions to enhance readability and functionality such as descriptive identifiers, internal comments, white space, spacing, punctuation, indentation, and standardized programming style;

- (G) write code that uses comparison operators such as greater than, less than, equal to, and modulus to perform mathematical computations;
 - (H) write code that uses strings to sort different data types such as Boolean operators, floats, and integers; and
 - (I) perform user testing on code to assess and improve a program.
- (6) The student understands physical computing systems to integrate input and output functions in engineering concepts. The student is expected to:
- (A) write programming to process data and control physical devices for efficient and optimized solutions;
 - (B) apply coding to demonstrate the correct operation of the output device such as motors, video displays, speakers, rapid prototype machines, and lights;
 - (C) apply coding to demonstrate the correct operation of the input device such as buttons, sensors, and switches;
 - (D) apply critical problem-solving skills to troubleshoot any errors and miscommunication such as wiring, code, and physical hardware;
 - (E) apply basic circuit theory as it pertains to ground and power systems for diagramming input and output devices and use tools such as a multimeters, microcontrollers, sensors, and LEDs; and
 - (F) use script writing to develop engineering solutions such as automatic data collecting, data analysis, programmable logic controllers, power system programming, robotics, and scripting for commercial engineering related software.
- (7) The student understands the roles of sensors and programming sensors in engineering. The student is expected to:
- (A) describe how sensors were used in the past and are used currently in real-world engineered products, including innovative applications for sensors;
 - (B) identify the proper input sensors to measure light, distance, sound, and color such as photoresistors, thermistors, sonar, switches, and buttons;
 - (C) identify the specifications of sensors and other input devices used in engineering problems, including units of measurement, upper limits, lower limits, and errors;
 - (D) select the proper sensor and defend the choice in developing a solution to an engineering problem;
 - (E) write code that will control sensors and accurately collect relevant information pertaining to the function of sensors;
 - (F) debug, asses, and test code to evaluate and improve sensor performance; and
 - (G) document the steps of sensor integration in an engineering notebook using flowcharts or technical drawings.
- (8) The student understands how automation plays a role in engineering and manufacturing. The student is expected to:
- (A) research and explain how automated machines are used in engineering and manufacturing;
 - (B) research and explain different job roles and required level of education in the field of automation;
 - (C) compare the roles of engineers, technicians, and technologists in automation;

- (D) describe the role of safety and ethics related to the use of automation within engineering; and
- (E) convert a manual mechanical system to an automated system using code and hardware.
- (9) The student uses appropriate tools and demonstrates safe work habits. The student is expected to:
 - (A) demonstrate lab safety as prescribed by the instructor in compliance with local, state, and federal regulations;
 - (B) recognize the classification of hazardous materials and wastes;
 - (C) dispose of hazardous materials and wastes appropriately;
 - (D) describe the implications of negligent or improper maintenance of tools in engineering solutions;
 - (E) demonstrate the use of precision measuring instruments;
 - (F) analyze a circuit design and identify specific areas where quality, reliability, and safety features can be implemented; and
 - (G) identify governmental and organizational regulations for health and safety in the workplace related to electronics.

§127.404. Engineering Design and Presentation I (One Credit), Adopted 2025.

- (a) Implementation. The provisions of this section shall be implemented by school districts beginning with the 2025-2026 school year.
- (b) General requirements. This course is recommended for students in Grades 10-12. Prerequisite: Algebra I and at least one credit in a course from the Engineering Career Cluster. Recommended prerequisite: Principles of Applied Engineering. Students shall be awarded one credit for successful completion of this course.
- (c) Introduction.
 - (1) Career and technical education instruction provides content aligned with challenging academic standards, industry-relevant technical knowledge, and college and career readiness skills for students to further their education and succeed in current and emerging professions.
 - (2) The Engineering Career Cluster focuses on planning, designing, testing, building, and maintaining machines, structures, materials, systems, and processes using empirical evidence and science, technology, and math principles. This career cluster includes occupations ranging from mechanical engineer and drafter to electrical engineer and mapping technician.
 - (3) Students enrolled in Engineering Design and Presentation I demonstrate knowledge and skills of the design process as it applies to engineering fields and project management using multiple software applications and tools necessary to produce and present working drawings, solid model renderings, and prototypes. Through implementation of the design process, students transfer advanced academic skills to component designs. Additionally, students explore career opportunities in engineering, technology, and drafting and learn what is required to gain and maintain employment in these areas.
 - (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.
- (d) Knowledge and skills.
 - (1) The student demonstrates professional standards/employability skills as required by business and industry. The student is expected to:

- (A) demonstrate dressing appropriately, speaking politely, and conducting oneself in a manner appropriate for the profession and work site;
 - (B) analyze how teams can produce better outcomes through cooperation, contribution, and collaboration from members of the team;
 - (C) present written and oral technical communication in a clear, concise, and effective manner for a variety of purposes and audiences, including explaining and justifying decisions in the design process;
 - (D) use time-management skills independently and in groups to prioritize tasks, follow schedules, and tend to goal-relevant activities in a way that optimizes efficiency and results;
 - (E) describe the importance of and demonstrate punctuality, dependability, reliability, and responsibility in reporting for duty and performing assigned tasks as directed;
 - (F) explain how engineering ethics as defined by professional organizations such as the National Society of Professional Engineers apply to engineering practice;
 - (G) demonstrate respect for diversity in the workplace;
 - (H) identify consequences relating to discrimination, harassment, and inequality;
 - (I) analyze elements of professional codes of conduct or creeds in engineering such as the National Society of Professional Engineers Code of Ethics for Engineers and how they apply to the knowledge and skills of the course and the engineering profession;
 - (J) identify the components of a safety plan and why it is critical for employees and employers to maintain a safe work environment; and
 - (K) compare skills and characteristics of managers and leaders in the workplace.
- (2) The student understands how to implement an engineering design process to develop a product or solution. The student is expected to:
- (A) describe and implement the stages of an engineering design process to construct a model;
 - (B) explain how factors, including complexity, scope, resources, ethics, regulations, manufacturability, and technology, impact stages of the engineering design process;
 - (C) explain how stakeholders impact an engineering design process; and
 - (D) analyze how failure is often an essential component of the engineering design process.
- (3) The student understands the value of maintaining documentation using an engineering notebook. The student is expected to:
- (A) explain the legal value of maintaining an engineering notebook as intellectual property;
 - (B) describe the proper implementation of an engineering notebook, including notebook type, documentation, signatures, adding external materials, sealing, and dating; and
 - (C) create and maintain an engineering notebook by recording ideas, notes, decisions, findings, and corrections.
- (4) The student explores the methods and aspects of project management in relation to projects. The student is expected to:
- (A) research and explain the process and phases of project management, including initiating, planning, executing, and closing;
 - (B) explain the roles and responsibilities of team members, including project managers and leads;
 - (C) research and evaluate methods and tools available for managing a project;

- (D) discuss the importance of developing and implementing a system for the organization of project documentation such as file naming conventions, document release control, and version control;
 - (E) describe how project requirements, constraints, and deliverables impact the project schedule and influence an engineering design;
 - (F) explain how a project budget, including materials, equipment, and labor, is developed and maintained; and
 - (G) describe the importance of management of change (MOC) and how MOC applies to project planning.
- (5) The student gains knowledge of and demonstrates the skills necessary for success in the engineering workplace. The student is expected to:
- (A) describe and compare the roles of an industry technician, engineering technologist, and engineer;
 - (B) identify educational requirements and career opportunities for engineers, engineering technologists, and industry technicians;
 - (C) research and describe various engineering disciplines such as mechanical, civil, aerospace, biomedical, chemical civil, computer, electrical, petroleum, and other related and emerging fields;
 - (D) investigate and describe the requirements of engineering licensure and industry-based certifications;
 - (E) investigate and describe elements of teamwork critical for success in the engineering and technology industries such as communication, active listening, and time management;
 - (F) research and describe industry standards and governmental regulations such as health and safety and environmental regulations applicable to a design problem; and
 - (G) analyze and discuss ethical issues related to engineering and technology.
- (6) The student understands the roles and responsibilities of individual team members, how successful teams function, and how to constructively contribute to the team. The student is expected to:
- (A) describe the various roles and responsibilities of a project team;
 - (B) identify the strengths of individual team members to assign roles and distribute tasks within a team; and
 - (C) describe and demonstrate appropriate behaviors such as active listening and clear communication while serving as a team leader and member on projects.
- (7) The student practices safe and proper work habits. The student is expected to:
- (A) identify and explain the appropriate use of types of personal protective equipment used in industry;
 - (B) explain and comply with safety guidelines and procedures as described in relevant manuals, instructions, and regulations;
 - (C) discuss the importance of safe walking and working surfaces in the workplace and best practices for preventing or reducing slips, trips, and falls in the workplace;
 - (D) describe the various types of electrical hazards in the workplace and the risks associated with electrical hazards;
 - (E) describe the various control methods to prevent electrical hazards in the workplace;

- (F) identify workplace health and safety resources, including emergency plans and Safety Data Sheets, and explain how emergency plans and Safety Data Sheets are used to make decisions in the workplace;
 - (G) describe the appropriate disposal of selected hazardous materials and wastes;
 - (H) perform routine maintenance on selected tools, equipment, and machines;
 - (I) demonstrate proper handling, use, and storage of tools and materials; and
 - (J) research and describe the consequences of negligent or improper equipment maintenance.
- (8) The student understands how visual and spatial reasoning applies to engineering design. The student is expected to:
 - (A) describe and compare characteristics and dimensional changes of two-dimensional (2D) and three-dimensional (3D) figures;
 - (B) draw and manipulate geometric shapes in three dimensions;
 - (C) create 2D views of a 3D object; and
 - (D) explain the symmetry of figures through the proportionate transformation of objects.
- (9) The student uses sketching and computer-aided design and drafting (CADD) to represent 3D objects in a 2D format needed for manufacturing an object. The student is expected to:
 - (A) use single and multi-view projections to represent 3D objects in a 2D format;
 - (B) use appropriate line types in engineering drawings to represent 3D objects in a 2D format;
 - (C) use orthographic and pictorial views to represent 3D objects in a 2D format;
 - (D) use auxiliary views to represent 3D objects in a 2D format;
 - (E) use section views to represent 3D objects in a 2D format;
 - (F) prepare and revise annotated multi-dimensional production drawings in computer-aided design and drafting to industry standards;
 - (G) apply best practices for file structure and management to efficiently retrieve and edit files;
 - (H) use advanced dimensioning techniques, including annotation scale; and
 - (I) construct and use CADD drawings to develop a model or prototype for presentation.
- (10) The student designs products using appropriate engineering design processes and techniques. The student is expected to:
 - (A) design product components using a variety of technologies;
 - (B) research and analyze the applications of different types of CADD software for various engineering problems;
 - (C) create and interpret engineering drawings using industry standards;
 - (D) describe how quality, reliability, and safety can be designed into specific products;
 - (E) identify specific requirements of users with special needs and modify a product design to accommodate users with special needs;
 - (F) research and explain the patenting process and analyze opportunities for potential patents related to a project; and
 - (G) use multiple software applications for concept presentations.

- (11) The student builds a prototype(s) using the appropriate tools, materials, and techniques. The student is expected to:
 - (A) identify and describe the steps needed to produce a prototype;
 - (B) identify and use appropriate tools, equipment, machines, and materials to produce the prototype;
 - (C) present the prototype and explain how the prototype meets the project requirements; and
 - (D) evaluate the successes and failures of the prototype(s) in the context of an iterative design process.
- (12) The student creates justifiable solutions to open-ended real-world problems using engineering design practices and processes. The student is expected to:
 - (A) identify and define an engineering problem;
 - (B) formulate goals, objectives, and requirements to solve an engineering problem;
 - (C) investigate and select appropriate materials for a particular product to be designed;
 - (D) explain the importance of manufacturability and maintainability when designing a product;
 - (E) determine design constraints such as personnel, resources, funding, feasibility, and time associated with an engineering problem;
 - (F) identify requirements, including health, safety, social, environmental, ethical, regulatory, and legal constraints, defining an engineering problem;
 - (G) identify alternative solutions to a problem using a variety of techniques such as brainstorming, reverse engineering, and researching engineered and natural solutions;
 - (H) test and evaluate proposed solutions using engineering practices such as experiments, simulations, statistical analysis, and critical design review; and
 - (I) select and justify a preferred solution to a problem using structured techniques such as a decision tree, design matrix, or cost-benefit analysis.
- (13) The student presents a solution derived through the engineering design process. The student is expected to:
 - (A) present the solution in a professional manner;
 - (B) solicit and evaluate feedback on the solution and presentation; and
 - (C) present learning experiences, including essential skills gained, areas of personal growth, challenges, and solutions, encountered throughout the design process.

§127.405. Engineering Design and Presentation II (Two Credits), Adopted 2025.

- (a) Implementation. The provisions of this section shall be implemented by school districts beginning with the 2025-2026 school year.
- (b) General requirements. This course is recommended for students in Grades 11 and 12. Prerequisites: Algebra I, Geometry, and Principles of Applied Engineering or Engineering Design and Presentation I. Students shall be awarded two credits for successful completion of this course.
- (c) Introduction.
 - (1) Career and technical education instruction provides content aligned with challenging academic standards, industry-relevant technical knowledge, and college and career readiness skills for students to further their education and succeed in current and emerging professions.
 - (2) The Engineering Career Cluster focuses on planning, designing, testing, building, and maintaining machines, structures, materials, systems, and processes using empirical evidence and science.

technology, and math principles. This career cluster includes occupations ranging from mechanical engineer and drafter to electrical engineer and mapping technician.

- (3) Engineering Design and Presentation II is a continuation of knowledge and skills learned in Engineering Design and Presentation I. Students enrolled in this course demonstrate advanced knowledge and skills of a system design process as it applies to engineering fields and project management using multiple software applications and tools necessary to produce and present working drawings, solid model renderings, and prototypes. Students expand on the use of a variety of computer hardware and software applications to complete assignments and projects. Through implementation of a system design process, students transfer advanced academic skills to component designs and engineering systems. Emphasis is placed on transdisciplinary and integrative approaches using skills from ideation, prototyping, and project management methods.
 - (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.
- (d) Knowledge and skills.
- (1) The student demonstrates professional standards/employability skills as required by business and industry. The student is expected to:
 - (A) demonstrate dressing appropriately, speaking politely, and conducting oneself in a manner appropriate for the profession and work site;
 - (B) analyze how teams can produce better outcomes through cooperation, contribution, and collaboration from members of the team;
 - (C) present written and oral technical communication in a clear, concise, and effective manner for a variety of purposes and audiences, including explaining and justifying decisions in the design process;
 - (D) use time-management skills independently and in groups to prioritize tasks, follow schedules, and tend to goal-relevant activities in a way that optimizes efficiency and results;
 - (E) describe the importance of and demonstrate punctuality, dependability, reliability, and responsibility in reporting for duty and performing assigned tasks as directed;
 - (F) explain how engineering ethics as defined by professional organizations such as the National Society of Professional Engineers apply to engineering practice;
 - (G) demonstrate respect for diversity in the workplace;
 - (H) identify consequences relating to discrimination, harassment, and inequality;
 - (I) analyze elements of professional codes of conduct or creeds in engineering such as the National Society of Professional Engineers Code of Ethics for Engineers and how they apply to the knowledge and skills of the course and the engineering profession;
 - (J) identify the components of a safety plan and why it is critical for employees and employers to maintain a safe work environment; and
 - (K) compare skills and characteristics of managers and leaders in the workplace.
 - (2) The student understands how to implement an engineering design process to develop a product or solution. The student is expected to:
 - (A) describe and implement the stages of an engineering design process to construct a model;
 - (B) explain how factors, including complexity, scope, resources, ethics, regulations, manufacturability, and technology, impact stages of the engineering design process;

- (C) explain how interested parties impact an engineering design process; and
- (D) analyze how failure is often an essential component of the engineering design process.
- (3) The student explores the methods and aspects of project management in relation to projects. The student is expected to:
 - (A) research and explain the process and phases of project management, including initiating, planning, executing, and closing;
 - (B) explain the roles and responsibilities of team members, including project managers and leads;
 - (C) research and evaluate methods and tools available for managing a project;
 - (D) discuss the importance of developing and implementing a system for the organization of project documentation such as file naming conventions, document release control, and version control;
 - (E) describe how project requirements, constraints, and deliverables impact the project schedule, influence an engineering design, and are influenced by an engineering design;
 - (F) explain how a project budget, including materials, equipment, and labor, is developed and maintained; and
 - (G) describe the importance of management of change (MOC) and how MOC applies to project planning.
- (4) The student practices safe and proper work habits. The student is expected to:
 - (A) identify and explain the appropriate use of types of personal protective equipment used in industry;
 - (B) explain and comply with safety guidelines and procedures as described in relevant manuals, instructions, and regulations;
 - (C) explain the importance of lock out tag out (LOTO) procedures in preventing the release of hazardous energy;
 - (D) explain the importance of safe walking and working surfaces in the workplace and best practices for preventing or reducing slips, trips, and falls in the workplace;
 - (E) describe the various types of electrical hazards in the workplace and the risks associated with electrical hazards;
 - (F) describe the various control methods to prevent electrical hazards in the workplace;
 - (G) identify workplace health and safety resources, including emergency plans and Safety Data Sheets, and explain how health and safety resources are used to make decisions in the workplace;
 - (H) describe the appropriate disposal of selected hazardous materials and wastes;
 - (I) perform routine maintenance on selected tools, equipment, and machines;
 - (J) handle, use, and store tools and materials correctly; and
 - (K) research and describe the consequences of negligent or improper equipment maintenance.
- (5) The student demonstrates the roles and responsibilities of individual team members, how successful teams function, and how to constructively contribute to the team. The student is expected to:
 - (A) demonstrate the various roles and responsibilities of a project team;
 - (B) create a plan to improve team member's skillsets based on strengths of individual team members;

- (C) demonstrate appropriate behaviors of a successful team such as active listening, development of consensus, and clear communication while serving as a team leader and member on projects; and
 - (D) describe and demonstrate the roles and responsibilities specific to team leaders such as assigning roles and responsibilities, facilitating decision making, tracking progress, and soliciting and providing timely feedback to team members.
- (6) The student uses and documents engineering design processes. The student is expected to:
- (A) use idea generation techniques such as brainstorming, sketching, rapid prototyping, and mind mapping during conceptual stages and for resolving problems of an engineering project;
 - (B) analyze and evaluate solution constraints;
 - (C) develop or improve a solution using evidence-based decision-making;
 - (D) compare solutions using analysis tools such as a decision matrix or paired comparison analysis;
 - (E) create and maintain an organized engineering notebook to record findings and corrections, including deficiencies in the design process and decisions throughout the entire design process; and
 - (F) develop an engineering notebook or portfolio to record and justify the final design, construction, and manipulation of finished projects.
- (7) The student understands how systems impact the design, integration, and management of engineering solutions. The student is expected to:
- (A) analyze and document systems such as electrical, mechanical, or information processes within a product or design concept in engineering;
 - (B) explain ethical reverse engineering;
 - (C) reverse engineer a multi-system product and explain how the systems work together; and
 - (D) modify a system design to meet a newly identified need or to improve performance.
- (8) The student demonstrates proficiency using computer-aided design and drafting (CADD) software as part of the engineering design process. The student is expected to:
- (A) research and explain the features and benefits of different types of CADD software applications for use in design systems and problem solving;
 - (B) identify and describe industry graphic standards such as American National Standards Institute (ANSI) and International Organization for Standardization (ISO) standards;
 - (C) create drawings that meet industry standards using CADD software;
 - (D) customize CADD software user interface options such as buttons, tabs, and ribbons to match different digital work environments;
 - (E) prepare and use advanced views such as auxiliary, section, and break-away using CADD software;
 - (F) draw detailed parts, assembly diagrams, and sub-assembly diagrams using CADD software;
 - (G) indicate tolerances and standard fittings using appropriate library functions within CADD software;
 - (H) setup and apply annotation styles by defining fonts, dimension styles, and leader lines using CADD software;

- (I) identify and incorporate the use of advanced layout techniques and viewports using paper-space and modeling areas using CADD software;
 - (J) create and use layers to organize objects in drawings using CADD software;
 - (K) create and use custom templates using CADD software for advanced project management;
 - (L) use advanced polar tracking and blocking techniques using CADD software to increase drawing efficiency;
 - (M) create drawings that incorporate external referencing using CADD software;
 - (N) create and render objects using parametric modeling tools within CADD software; and
 - (O) model individual parts or assemblies and produce rendered or animated output using CADD software.
- (9) The student builds a prototype using the appropriate tools, materials, and techniques. The student is expected to:
- (A) delineate and implement the steps such as defining the problem and generating concepts needed to produce a prototype;
 - (B) develop a prototype safely using tools, equipment, machines, or precision measuring instruments;
 - (C) select and justify the use of materials for prototyping and manufacturing;
 - (D) describe how design quality concepts, including performance, usability, accessibility, reliability, and safe use, affect prototype development;
 - (E) document quality-control requirements in the design and production of a prototype;
 - (F) evaluate prototype quality and performance to meet design criteria;
 - (G) fabricate a prototype using a systems engineering approach to compare the actual prototype performance to the required performance; and
 - (H) present a prototype and explain how the prototype meets the project requirements.
- (10) The student creates justifiable solutions to open-ended real-world problems within a multitude of engineering disciplines using engineering design practices and processes. The student is expected to:
- (A) identify and define a multi-system engineering problem requiring a complex solution from different engineering disciplines such as aerospace, biomedical, chemical, civil, electrical, industrial, mechanical, petroleum, robotics, or structural engineering;
 - (B) formulate and document goals, objectives, and requirements to solve a multi-system engineering problem;
 - (C) determine the design constraints such as materials, personnel, resources, funding, manufacturability, feasibility, and time associated with a multi-system engineering problem;
 - (D) identify parameters, including health, safety, social, environmental, ethical, regulatory, and legal constraints, defining a multi-system engineering problem;
 - (E) identify or create alternative solutions to a multi-system engineering problem using a variety of techniques such as brainstorming, reverse engineering, and researching engineered and natural solutions;
 - (F) test and evaluate proposed multi-system engineering solutions using tools such as models, prototypes, and mockups and methods such as simulations, critical design review, statistical analysis, and experiments; and

- (G) select and justify a preferred solution to a multi-system engineering problem using a structured technique such as a decision tree, design matrix, or cost-benefit analysis.
- (11) The student presents a solution derived through the engineering design process. The student is expected to:
 - (A) develop and deliver a presentation describing the solution to a multi-system engineering problem in a professional manner to an appropriate audience such as peers, educators, potential clients, potential employers, community members, or engineering professionals;
 - (B) solicit and evaluate feedback from the audience on the multi-system engineering solution and presentation; and
 - (C) present learning experiences, including essential skills gained, areas of personal growth, challenges, and solutions encountered throughout the design process for a multi-system engineering solution.

§127.406. Engineering Design and Problem Solving (One Credit), Adopted 2025.

- (a) Implementation. The provisions of this section shall be implemented by school districts beginning with the 2025-2026 school year.
- (b) General requirements. This course is recommended for students in Grade 12. Prerequisites: Algebra I, Geometry, and at least one credit in a Level 2 or higher course in the Engineering Career Cluster. Recommended prerequisites or corequisites: Engineering Science, Chemistry, Physics, or Physics for Engineering. This course satisfies a high school science graduation requirement. Students shall be awarded one credit for successful completion of this course.
- (c) Introduction.
 - (1) Career and technical education instruction provides content aligned with challenging academic standards, industry-relevant technical knowledge, and college and career readiness skills for students to further their education and succeed in current and emerging professions.
 - (2) The Engineering Career Cluster focuses on planning, designing, testing, building, and maintaining machines, structures, materials, systems, and processes using empirical evidence and science, technology, and math principles. This career cluster includes occupations ranging from mechanical engineer and drafter to electrical engineer and mapping technician.
 - (3) The Engineering Design and Problem Solving course extends students' problem solving skills by identifying needs and then devising solutions using scientific and engineering practices. Students apply prior knowledge to develop a multi-system product or solution for a complex problem. Students demonstrate project management skills by collaborating as part of a team, conducting research, and analyzing data that culminates in a comprehensive report and presentation. Technical drawings, models, and prototypes are created using the appropriate tools, materials, and techniques. Structured decision-making processes are used to select and justify a preferred, multi-system solution to an authentic problem. Students develop, implement, and document repeated trials of experiments and tests using scientific and engineering practices to determine whether a prototype meets design requirements.
 - (4) Science, as defined by the National Academy of Sciences, is the "use of evidence to construct testable explanations and predictions of natural phenomena, as well as the knowledge generated through this process." This vast body of changing and increasing knowledge is described by physical, mathematical, and conceptual models. Students should know that some questions are outside the realm of science because they deal with phenomena that are not currently scientifically testable.
 - (5) Scientific hypotheses and theories. Students are expected to know that:
 - (A) hypotheses are tentative and testable statements that must be capable of being supported or not supported by observational evidence. Hypotheses of durable explanatory power that have been tested over a wide variety of conditions are incorporated into theories; and

- (B) scientific theories are based on natural and physical phenomena and are capable of being tested by multiple independent researchers. Unlike hypotheses, scientific theories are well established and highly reliable explanations, but they may be subject to change as new areas of science and new technologies are developed.
- (6) Scientific inquiry is the planned and deliberate investigation of the natural world using scientific and engineering practices. Scientific methods of investigation are descriptive, comparative, or experimental. The method chosen should be appropriate to the question being asked. Student learning for different types of investigations include descriptive investigations, which involve collecting data and recording observations without making comparisons; comparative investigations, which involve collecting data with variables that are manipulated to compare results; and experimental investigations, which involve processes similar to comparative investigations but in which a control is identified.
- (A) Scientific practices. Students should be able to ask questions, plan and conduct investigations to answer questions, and explain phenomena using appropriate tools and models.
- (B) Engineering practices. Students should be able to identify problems and design solutions using appropriate tools and models.
- (7) Scientific decision making is a way of answering questions about the natural world involving its own set of ethical standards about how the process of science should be carried out. Students should be able to distinguish between scientific decision-making methods (scientific methods) and ethical and social decisions that involve science (the application of scientific information).
- (8) Science consists of recurring themes and making connections between overarching concepts. Recurring themes include systems, models, and patterns. All systems have basic properties that can be described in space, time, energy, and matter. Change and constancy occur in systems as patterns and can be observed, measured, and modeled. These patterns help to make predictions that can be scientifically tested, while models allow for boundary specification and provide a tool for understanding the ideas presented. Students should analyze a system in terms of its components and how these components relate to each other, to the whole, and to the external environment.
- (9) Students are encouraged to participate in extended learning experiences such as career and technical student organizations and other leadership or extracurricular organizations.
- (10) 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 demonstrates professional standards/employability skills as required by business and industry. The student is expected to:
- (A) demonstrate dressing appropriately, speaking politely, and conducting oneself in a manner appropriate for the profession and work site;
- (B) analyze how teams can produce better outcomes through cooperation, contribution, and collaboration from members of the team;
- (C) present written and oral technical communication in a clear, concise, and effective manner for a variety of purposes and audiences, including explaining and justifying decisions in the design process;
- (D) use time-management skills independently and in groups to prioritize tasks, follow schedules, and tend to goal-relevant activities in a way that optimizes efficiency and results;
- (E) describe the importance of and demonstrate punctuality, dependability, reliability, and responsibility in reporting for duty and performing assigned tasks as directed;

- (F) explain how engineering ethics as defined by professional organizations such as the National Society of Professional Engineers apply to engineering practice;
 - (G) demonstrate respect for diversity in the workplace;
 - (H) identify consequences relating to discrimination, harassment, and inequality;
 - (I) analyze elements of professional codes of conduct or creeds in engineering such as the National Society of Professional Engineers Code of Ethics for Engineers and how they apply to the knowledge and skills of the course and the engineering profession;
 - (J) identify the components of a safety plan and why it is critical for employees and employers to maintain a safe work environment; and
 - (K) compare skills and characteristics of managers and leaders in the workplace.
- (2) The student, for at least 40% of instructional time, asks questions, identifies problems, and plans and safely conducts classroom, laboratory, and field investigations to answer questions, explain phenomena, or design solutions using appropriate tools and models. The student is expected to:
- (A) ask questions and define problems based on observations or information from text, phenomena, models, or investigations;
 - (B) apply scientific practices to plan and conduct descriptive, comparative, and experimental investigations and use engineering practices to design solutions to problems;
 - (C) use appropriate safety equipment and practices during laboratory, classroom, and field investigations as outlined in Texas Education Agency-approved safety standards;
 - (D) use appropriate tools such as dial caliper, micrometer, protractor, compass, scale rulers, multimeter, and circuit components;
 - (E) collect quantitative data using the International System of Units (SI) and United States customary units and qualitative data as evidence;
 - (F) organize quantitative and qualitative data using spreadsheets, engineering notebooks, graphs, and charts;
 - (G) develop and use models to represent phenomena, systems, processes, or solutions to engineering problems; and
 - (H) distinguish between scientific hypotheses, theories, and laws.
- (3) The student analyzes and interprets data to derive meaning, identify features and patterns, and discover relationships or correlations to develop evidence-based arguments or evaluate designs. The student is expected to:
- (A) identify advantages and limitations of models such as their size, scale, properties, and materials;
 - (B) analyze data by identifying significant statistical features, patterns, sources of error, and limitations;
 - (C) use mathematical calculations to assess quantitative relationships in data; and
 - (D) evaluate experimental and engineering designs.
- (4) The student develops evidence-based explanations and communicates findings, conclusions, and proposed solutions. The student is expected to:
- (A) develop explanations and propose solutions supported by data and models and consistent with scientific ideas, principles, and theories;
 - (B) communicate explanations and solutions individually and collaboratively in a variety of settings and formats; and

- (C) engage respectfully in scientific argumentation using applied scientific explanations and empirical evidence.
- (5) The student knows the contributions of scientists and engineers and recognizes the importance of scientific research and innovation on society. The student is expected to:
 - (A) analyze, evaluate, and critique scientific explanations and solutions by using empirical evidence, logical reasoning, and experimental and observational testing so as to encourage critical thinking by the student;
 - (B) relate the impact of past and current research on scientific thought and society, including research methodology, cost-benefit analysis, and contributions of diverse scientists and engineers as related to the content; and
 - (C) research and explore resources such as museums, libraries, professional organizations, private companies, online platforms, and mentors employed in a science, technology, engineering, and mathematics (STEM) field.
- (6) The student understands how to implement an engineering design process to develop a multi-system product or solution for a complex problem. The student is expected to:
 - (A) implement the stages of an engineering design process to construct a model of a multi-system product or solution;
 - (B) explain how factors, including complexity, scope, resources, ethics, regulations, manufacturability, maintainability, and technology, affect stages of the engineering design process;
 - (C) explain how interested parties affect an engineering design process; and
 - (D) discuss how lessons learned from failure is often an essential component of the engineering design process.
- (7) The student explores and implements the methods and aspects of project management for complex, multi-phase, multi-system projects. The student is expected to:
 - (A) research and explain the process and phases of project management, including initiating, planning, executing, and closing;
 - (B) explain the roles and responsibilities of team members, including project managers and leads;
 - (C) create a resource-loaded project schedule for an engineering project;
 - (D) maintain a resource-loaded project schedule for the life of an engineering project;
 - (E) develop and implement a system for the organization of project documentation such as file naming conventions, document release control, and version control;
 - (F) describe how project requirements, constraints, and deliverables affect the project schedule and influence and are influenced by an engineering design;
 - (G) create a budget that includes materials, equipment, and labor for an engineering project;
 - (H) describe the importance of management of change (MOC) and how MOC applies throughout the life of an engineering project;
 - (I) create and implement a project management plan for an engineering project; and
 - (J) describe how techniques such as Monte Carlo simulation, risk matrices, and tornado diagrams are used to evaluate risk.
- (8) The student conducts research and analyzes data to create a problem statement in the engineering design process. The student is expected to:

- (A) create an organized engineering notebook to record research and findings for an engineering project;
 - (B) select an open-ended real-world problem that can be solved using scientific and engineering practices and the engineering design process;
 - (C) collect, organize, analyze, and summarize scientific and technical articles, data, and information to support the development of a problem statement;
 - (D) define and use relevant scientific and engineering vocabulary as it relates to the problem statement;
 - (E) evaluate information from sources for quality, accuracy, completeness, and reliability and conduct additional research as appropriate in the context of an iterative design process; and
 - (F) create a problem statement that is concise, specific, and measurable.
- (9) The student identifies potential solutions and uses structured techniques to select and justify a preferred solution using scientific and engineering practices and the engineering design process. The student is expected to:
- (A) identify or create alternative solutions to a problem using a variety of techniques such as sketching, brainstorming, reverse engineering, and researching engineered and natural solutions;
 - (B) select a preferred solution to a problem by applying structured techniques such as a decision tree, design matrix, or cost-benefit analysis;
 - (C) evaluate whether the preferred solution meets the requirements of the problem statement in the context of an iterative design process;
 - (D) identify material properties that are important to the solution design such as physical, mechanical, chemical, electrical, and magnetic properties and explain how material properties affect material selection;
 - (E) explain how different engineering solutions can have significantly different effects on individuals, society, and the natural world; and
 - (F) document concepts, solutions, findings, and structured decision-making techniques in the engineering notebook.
- (10) The student creates technical drawings, models, and prototypes using the appropriate tools, materials, and techniques. The student is expected to:
- (A) determine and explain the type of technical drawing that best represents the solution;
 - (B) create a technical drawing(s) that includes dimensions, scale, views, annotations, tolerances, legends, symbols, and material specifications;
 - (C) create a mathematical or physical model(s) to make predictions, identify limitations, and optimize design criteria;
 - (D) create a prototype for testing;
 - (E) evaluate the successes and failures of the prototype(s) in the context of an iterative design process; and
 - (F) revise technical drawings, models, and prototype(s) as the solution evolves to better meet objectives.
- (11) The student develops, implements, and documents repeated trials of experiments and tests using scientific and engineering practices to determine whether a prototype meets design requirements. The student is expected to:

- (A) design and conduct experiments and tests to determine whether the prototype meets the requirements of the problem statement;
 - (B) document and evaluate quantitative and qualitative data obtained through experiments and tests of the prototype in the engineering notebook;
 - (C) create and analyze charts, data tables, or graphs to organize information collected during experiments on the prototype;
 - (D) determine acceptable limits of error in data from experiments and tests of the prototype;
 - (E) explain the purpose of regression analysis as a method to model and investigate relationships between independent and dependent variables from experiments and tests of the prototype;
 - (F) identify linear and nonlinear relationships in data and situations where regression is appropriate;
 - (G) identify sources of random error and systematic error and differentiate between both types of error from experiments and tests of the prototype; and
 - (H) evaluate and determine whether the prototype meets the requirements of the problem statement by analysis of data collected in the context of an iterative design process.
- (12) The student develops and presents a comprehensive report that describes the problem, research and information collected and analyzed, concepts and solutions considered, prototypes developed and tested, and final results. The student is expected to:
- (A) create and present the comprehensive report in a professional manner to an appropriate audience such as peers, educators, potential clients, potential employers, community members, or engineering professionals;
 - (B) solicit and evaluate feedback from the audience on the comprehensive report and presentation;
 - (C) present learning experiences such as essential skills gained, areas of personal growth, and challenges and solutions encountered throughout the design process; and
 - (D) predict the local and global impacts or risks of an engineering solution to segments of the society such as the economy or the environment.

§127.407. Environmental Engineering (One Credit), Adopted 2025.

- (a) Implementation. The provisions of this section shall be implemented by school districts beginning with the 2025-2026 school year.
- (b) General requirements. This course is recommended for students in Grades 10-12. Prerequisites: At least one credit in a course from the Engineering or Energy Career Cluster. Students shall be awarded one credit for successful completion of this course.
- (c) Introduction.
 - (1) Career and technical education instruction provides content aligned with challenging academic standards, industry-relevant technical knowledge, and college and career readiness skills for students to further their education and succeed in current and emerging professions.
 - (2) The Engineering Career Cluster focuses on planning, designing, testing, building, and maintaining machines, structures, materials, systems, and processes using empirical evidence and science, technology, and math principles. This career cluster includes occupations ranging from mechanical engineer and drafter to electrical engineer and mapping technician.
 - (3) In Environmental Engineering, students research, develop, and design solutions related to water, land, and energy, with consideration to ethics and regulations. Using technology and the

engineering design process, students devise innovative solutions to address current and future engineering challenges.

- (4) Students are encouraged to participate in extended learning experiences such as career and technical student organizations, leadership or extracurricular organizations, and work-based experiences.
- (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.

(d) Knowledge and skills.

- (1) The student demonstrates professional standards/employability skills as required by business and industry. The student is expected to:
 - (A) demonstrate dressing appropriately, speaking politely, and conducting oneself in a manner appropriate for the profession and work site;
 - (B) analyze how teams can produce better outcomes through cooperation, contribution, and collaboration from members of the team;
 - (C) present written and oral technical communication in a clear, concise, and effective manner for a variety of purposes and audiences, including explaining and justifying decisions in the design process;
 - (D) use time-management skills independently and in groups to prioritize tasks, follow schedules, and tend to goal-relevant activities in a way that optimizes efficiency and results;
 - (E) describe the importance of and demonstrate punctuality, dependability, reliability, and responsibility in reporting for duty and performing assigned tasks as directed;
 - (F) explain how engineering ethics as defined by professional organizations such as the National Society of Professional Engineers apply to engineering practice;
 - (G) demonstrate respect for diversity in the workplace;
 - (H) identify consequences relating to discrimination, harassment, and inequality;
 - (I) analyze elements of professional codes of conduct or creeds in engineering such as the National Society of Professional Engineers Code of Ethics for Engineers and how they apply to the knowledge and skills of the course and the engineering profession;
 - (J) identify the components of a safety plan and why it is critical for employees and employers to maintain a safe work environment; and
 - (K) compare skills and characteristics of managers and leaders in the workplace.
- (2) The student understands how to implement an engineering design process to develop a product or solution. The student is expected to:
 - (A) describe and implement the stages of an engineering design process to construct a model;
 - (B) explain how factors, including complexity, scope, resources, ethics, regulations, manufacturability, and technology, impact stages of the engineering design process;
 - (C) explain how stakeholders impact an engineering design process; and
 - (D) analyze how failure is often an essential component of the engineering design process.
- (3) The student explores the methods and aspects of project management in relation to projects. The student is expected to:
 - (A) research and explain the process and phases of project management, including initiating, planning, executing, and closing;

- (B) explain the roles and responsibilities of team members, including project managers and leads;
 - (C) research and evaluate methods and tools available for managing a project;
 - (D) discuss the importance of developing and implementing a system for the organization of project documentation such as file naming conventions, document release control, and version control;
 - (E) describe how project requirements, constraints, and deliverables impact the project schedule and influence and are influenced by an engineering design;
 - (F) explain how a project budget, including materials, equipment, and labor, is developed and maintained; and
 - (G) describe the importance of management of change (MOC) and how MOC applies to project planning.
- (4) Engineering ethics. The student applies ethical consideration to analyze resilient engineered systems. The student is expected to:
- (A) compare the Texas Engineering Practices Act to the code of ethics of other engineering societies such as the American Society of Civil Engineers and the National Society of Professional Engineers to explain how engineers demonstrate the responsibility they have to serve the public interest, their clients, and the profession with a high degree of honesty, integrity, and accountability;
 - (B) research the New London school explosion and explain how this event led to the development of the Texas Engineering Practice Act and other regulations such as odorization of natural gas;
 - (C) evaluate and explain an engineering ethical dilemma between environmental limitations and the needs and wants of society; and
 - (D) explain how engineering solutions can have significantly different impacts on an individual, society, and the natural world.
- (5) Models. The student builds a model using the appropriate tools, materials, and techniques. The student is expected to:
- (A) identify and describe the steps needed to produce a model of a system such as hydrological, watershed management, or geospatial analysis models;
 - (B) identify advantages and limitations of models such as size, scale, properties, and materials;
 - (C) identify and use appropriate tools, equipment, and materials to produce a model;
 - (D) describe the use of a model to accurately represent the key aspects of a physical system, including the identification of constraints such as cost, time, or expertise, that may influence the selection of a model;
 - (E) develop a design proposal using a variety of media to produce a model; and
 - (F) evaluate the successes and failures of a model in the context of an iterative design process.
- (6) Critical and creative problem-solving. The student examines environmental challenges and gathers assumptions to synthesize a meaningful, well-defined problem and ideates multiple solutions. The student is expected to:
- (A) collect, analyze, and interpret information relevant to an environmental engineering problem;
 - (B) document a design process according to best practices in an engineering notebook;

- (C) identify and define visual, functional, and design requirements with realistic constraints against which solution alternatives can be evaluated;
 - (D) list potential appropriate criteria for a defined problem that may impact the success of a design solution such as economic, environmental, ethical, health and safety, technical feasibility, and design;
 - (E) represent concepts using a variety of visual tools such as sketches, graphs, and charts to communicate the details of an idea;
 - (F) develop, design, and test alternatives to generate valid quantitative data to inform decision making and demonstrate solutions; and
 - (G) explain why there are often multiple viable solution.
- (7) Critical and creative problem-solving. The student selects the optimal design solution for real-world environmental problems based on engineering judgement. The student is expected to:
- (A) evaluate competing solutions paths using a decision matrix to compare solutions based on design criteria;
 - (B) formulate a risk analysis matrix using a spreadsheet to evaluate threats and opportunities, including cost, time, and environmental impacts;
 - (C) identify data needed to address an environmental engineering research question and the appropriate tools necessary to collect, record, analyze, and evaluate the data; and
 - (D) evaluate evidence and arguments to identify deficiencies, limitations, and biases for appropriate next steps in the pursuit of a better solution.
- (8) Engineering tools and technology. The student uses a variety of techniques to measure and report quantities appropriate for an environmental analysis. The student is expected to:
- (A) research and determine appropriate units of measure, including acres, miles, and hectares, for environmental analysis;
 - (B) measure and estimate a large-scale area such as a wetland, streamline, or floodplain using maps or digital resources;
 - (C) perform dimensional analysis and unit conversions to transform data to units appropriate for a particular purpose or model; and
 - (D) select and effectively use appropriate tools for accurately measuring specific volumes.
- (9) Water resources. The student analyzes environmental factors related to safe drinking water. The student is expected to:
- (A) research and describe the Texas State Water Plan, including the sources of water, floodplain management, and recycling;
 - (B) analyze the relationship between population growth and water resources;
 - (C) describe how human health is affected by the quality of drinking water sources;
 - (D) describe and compare the most common sources of drinking water such as desalination, aquifers, surface water, and reclaimed water in developed and developing countries;
 - (E) explain the characteristics of potable water;
 - (F) describe common sources of drinking water contamination, including stormwater runoff;
 - (G) explain contaminant cycling through an ecosystem; and
 - (H) describe the infrastructure components of private wells and public drinking water systems.

- (10) Water quality. The student evaluates water quality and uses a variety of chemical and biological assays to describe water quality. The student is expected to:
- (A) research and describe Environmental Protection Agency (EPA) and Texas Commission on Environmental Quality (TCEQ) surface water quality standards for rivers, lakes, and estuaries;
 - (B) research and describe annual water quality compliance reports and compare water quality between the different reports;
 - (C) explain how water quality is quantitatively measured using chemical and biologically based testing processes;
 - (D) perform and analyze a culture assay to detect coliform in water;
 - (E) collect a water sample and determine water turbidity and pH;
 - (F) outline the stages of treatment that a typical modern sewage treatment plant uses to treat sewage water;
 - (G) explain the role of bacteria in wastewater treatment;
 - (H) research and describe emerging contaminants such as microplastics and pharmaceuticals in water;
 - (I) describe the interacting roles of bacteria, protozoa, and rotifers in a wastewater treatment ecosystem;
 - (J) describe and provide examples of how physical, chemical, and biological processes work in the process of purifying contaminated water;
 - (K) explain how plants remove nitrates from contaminated water;
 - (L) use the engineering design process to design, build, and test a water filtration system;
 - (M) design and perform an experiment to use phytoremediation to remove contaminants from water; and
 - (N) design and conduct a scientific experiment to test a variable affecting the bacteria's ability to decompose oil.
- (11) Energy. The student demonstrates a working knowledge of various sources of energy and their environmental and economic impact. The student is expected to:
- (A) explain the differences between renewable and non-renewable sources of energy and provide examples of each;
 - (B) identify and measure the amount and types of energy that students use in their daily lives;
 - (C) calculate the carbon footprint of a household;
 - (D) compare the fuel efficiency of various fuel sources;
 - (E) analyze the results of software simulations and models that vary the amounts and types of energy used to predict future energy needs;
 - (F) perform a full life cycle assessment (LCA) of material and energy sources; and
 - (G) identify the variables and the methods for completing an LCA.
- (12) Engineering resilient systems. The student understands the environmental impacts to infrastructure systems and the need to support system performance with resilient solutions. The student is expected to:
- (A) describe mitigation techniques for air pollutants and greenhouse gas emissions;
 - (B) analyze the impact on humans of naturally occurring extreme weather events such as flooding, hurricanes, tornadoes, and thunderstorms;

- (C) research and explain how engineering design can be more resilient to environmental impacts to limit additional impacts to the natural environment; and
 - (D) research and explain elements of natural environmental resilience.
- (13) Land management. The student understands land management and land management practices. The student is expected to:
- (A) explain the value of a healthy ecosystem and the impact of biodiversity on the environment;
 - (B) research and explain ecological value of the land such as direct products and provisioning, regulating, supporting, and cultural services;
 - (C) identify land conservation and preservation restorative measures using industry practice standards such as the United States Department of Agriculture (USDA) National Resources Conservation Services (NRCS) Conservation Practice Standards for a given land area;
 - (D) research changes in land use and land cover over time using geospatial tools;
 - (E) analyze and report environmental impacts due to changes in land use such as urbanization over time; and
 - (F) explain the role of protected areas and lands to safeguard natural ecosystems.
- (14) Waste management. The student understands the role and importance of waste management. The student is expected to:
- (A) analyze the impacts of reduction, reuse, and recycling in waste management;
 - (B) explain the impact of individual practices of waste reduction on resource management;
 - (C) explain the capture and use of methane gas from landfills;
 - (D) analyze the waste breakdown cycle of various waste products that enter landfills; and
 - (E) research and describe hazardous waste products and impacts on the environment, including long-term storage needs and pollution.
- (15) Regulations. The student understands the role of global, national, and local standards and regulations in environmental design. The student is expected to:
- (A) research and describe the functions of the EPA and U.S. Fish and Wildlife Service;
 - (B) research and describe the functions of the TCEQ and the Texas Parks and Wildlife Department; and
 - (C) describe the relationship between the National Environmental Policy Act, the EPA, and TCEQ.
- (16) Future challenges in environmental engineering. The student discusses and analyzes some of the persistent environmental engineering challenges to sustain growing populations and the natural environment and improve quality of life. The student is expected to:
- (A) explain why some environmental engineering challenges are persistent such as providing access to clean water, energy, sanitation, and health to growing populations;
 - (B) create a solution to a current challenge to meet the needs of society without compromising the ability to meet the needs of the future;
 - (C) identify principles that help guide development of solutions with considerations for sustainable development to include people and the planet; and
 - (D) describe the life cycle of a product or service and identify energy consumption, wastes, and emissions that are produced in the process.

§127.408. Fluid Mechanics (One Credit), Adopted 2025.

- (a) Implementation. The provisions of this section shall be implemented by school districts beginning with the 2025-2026 school year.
- (b) General requirements. This course is recommended for students in Grades 11 and 12. Prerequisite: at least one credit in a course from the Engineering Career Cluster. Prerequisite or corequisite: Algebra II. Recommended prerequisite or corequisite: Physics. This course satisfies a high school science graduation requirement. Students shall be awarded one credit for successful completion of this course.
- (c) Introduction.
 - (1) Career and technical education instruction provides content aligned with challenging academic standards, industry-relevant technical knowledge, and college and career readiness skills for students to further their education and succeed in current and emerging professions.
 - (2) The Engineering Career Cluster focuses on planning, designing, testing, building, and maintaining machines, structures, materials, systems, and processes using empirical evidence and science, technology, and math principles. This career cluster includes occupations ranging from mechanical engineer and drafter to electrical engineer and mapping technician.
 - (3) Students enrolled in Fluid Mechanics investigate the behavior and properties of fluids, including liquids and gases. Through hands-on experiments, simulations, and real-world examples, students learn about concepts such as viscosity, pressure, buoyancy, and flow dynamics. Students explore how fluids interact with solid objects, understanding phenomena like lift and drag, which are critical to the operation of ships, airplanes, and vehicles. Students engage in case studies and problem-solving activities to gain insights into how fluid mechanics shape our everyday lives, technological advancements, and industrial applications. This course prepares students to progress in careers in engineering and scientific disciplines such as aerospace, mechanical, civil, chemical, materials, and physics.
 - (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.
- (d) Knowledge and skills.
 - (1) The student demonstrates professional standards/employability skills as required by business and industry. The student is expected to:
 - (A) demonstrate dressing appropriately, speaking politely, and conducting oneself in a manner appropriate for the profession and work site;
 - (B) analyze how teams can produce better outcomes through cooperation, contribution, and collaboration from members of the team;
 - (C) present written and oral technical communication in a clear, concise, and effective manner for a variety of purposes and audiences, including explaining and justifying decisions in the design process;
 - (D) use time-management skills independently and in groups to prioritize tasks, follow schedules, and tend to goal-relevant activities in a way that optimizes efficiency and results;
 - (E) describe the importance of and demonstrate punctuality, dependability, reliability, and responsibility in reporting for duty and performing assigned tasks as directed;
 - (F) explain how engineering ethics as defined by professional organizations such as the National Society of Professional Engineers apply to engineering practice;
 - (G) demonstrate respect for diversity in the workplace;

- (H) identify consequences relating to discrimination, harassment, and inequality;
 - (I) analyze elements of professional codes of conduct or creeds in engineering such as the National Society of Professional Engineers Code of Ethics for Engineers and how they apply to the knowledge and skills of the course and the engineering profession;
 - (J) identify the components of a safety plan and why it is critical for employees and employers to maintain a safe work environment; and
 - (K) compare skills and characteristics of managers and leaders in the workplace.
- (2) The student, for at least 40% of instructional time, asks questions, identifies problems, and plans and safely conducts classroom, laboratory, and field investigations to answer questions, explain phenomena, or design solutions using appropriate tools and models. The student is expected to:
- (A) ask questions and define problems based on observations or information from text, phenomena, models, or investigations;
 - (B) apply scientific practices to plan and conduct descriptive, comparative, and experimental investigations and use engineering practices to design solutions to problems;
 - (C) use appropriate safety equipment and practices during laboratory, classroom, and field investigations as outlined in Texas Education Agency-approved safety standards;
 - (D) use appropriate tools such as dial calipers, protractors, scale rulers, tape measures, load cells, micrometers, scales, tensiometer, multimeter, and thermometers;
 - (E) collect quantitative data using the System International (SI) and United States customary units and qualitative data as evidence;
 - (F) organize quantitative and qualitative data using spreadsheets, engineering notebooks, graphs, and charts;
 - (G) develop and use models to represent phenomena, systems, processes, or solutions to engineering problems; and
 - (H) distinguish between scientific hypotheses, theories, and laws.
- (3) The student analyzes and interprets data to derive meaning, identify features and patterns, and discover relationships or correlations to develop evidence-based arguments or evaluate designs. The student is expected to:
- (A) identify advantages and limitations of models such as their size, scale, properties, and materials;
 - (B) analyze data by identifying significant statistical features, patterns, sources of error, and limitations;
 - (C) use mathematical calculations to assess quantitative relationships in data; and
 - (D) evaluate experimental and engineering designs.
- (4) The student develops evidence-based explanations and communicates findings, conclusions, and proposed solutions. The student is expected to:
- (A) develop explanations and propose solutions supported by data and models and consistent with scientific ideas, principles, and theories;
 - (B) communicate explanations and solutions individually and collaboratively in a variety of settings and formats; and
 - (C) engage respectfully in scientific argumentation using applied scientific explanations and empirical evidence.
- (5) The student knows the contributions of scientists and engineers and recognizes the importance of scientific research and innovation on society. The student is expected to:

- (A) analyze, evaluate, and critique scientific explanations and solutions by using empirical evidence, logical reasoning, and experimental and observational testing so as to encourage critical thinking by the student;
 - (B) relate the impact of past and current research on scientific thought and society, including research methodology, cost-benefit analysis, and contributions of diverse scientists and engineers as related to the content; and
 - (C) research and explore resources such as museums, libraries, professional organizations, private companies, online platforms, and mentors employed in a science, technology, engineering, and mathematics (STEM) field.
- (6) The student explains the application of fluids in historical and modern applications. The student is expected to:
- (A) describe the efficient storage and transportation of fluids, including gravity flow and natural phenomena such as aqueducts, water towers, winds, and currents;
 - (B) explain the use of fluids in power generation and power transmission such as hydraulics, pneumatics, pumps, compressors, and turbomachinery; and
 - (C) explain the impact of lift and drag on a moving object.
- (7) The student describes basic concepts of fluid mechanics. The student is expected to:
- (A) differentiate and compare the properties that distinguish a solid from a fluid;
 - (B) define the characteristics of a fluid and identify different types of fluids, including gasses, liquids, Newtonian, and non-Newtonian;
 - (C) define and list examples of compressible and incompressible fluids;
 - (D) explain the properties of fluids, including density, specific weight, specific gravity, viscosity, and compressibility;
 - (E) describe methods to measure and calculate the density, specific weight, specific gravity, viscosity, and compressibility of a Newtonian fluid;
 - (F) calculate density, specific weight, and specific gravity for a variety of fluids from measured data;
 - (G) explain the appropriate use of material reference frames and spatial reference frames, including boundary conditions, control surfaces, and control volumes;
 - (H) identify and explain the variables in the ideal gas law and apply the ideal gas law to constructed problems;
 - (I) explain the laws of conservation of energy and conservation of mass, including the algebraic version of Reynold's Transport theorem; and
 - (J) identify appropriate boundary conditions, including no-slip and ambient pressure boundary conditions in fluid flow.
- (8) The student demonstrates an understanding of pressure and hydrostatics and calculates values in a variety of systems. The student is expected to:
- (A) describe the relationship between force, area, and pressure;
 - (B) calculate force proportionalities in hydraulic and pneumatic cylinders using Pascal's law and explain the impact of the cylinders' diameter on the resultant force;
 - (C) differentiate between atmospheric pressure, gauge pressure, and absolute pressure;
 - (D) describe the working principles of a pressure gauge and measure fluid pressure using dial gauges and manometers;

- (E) calculate the buoyant force of floating and submerged objects according to Archimedes' principle; and
 - (F) define and calculate hydrostatic pressure.
- (9) The student demonstrates an understanding of fluid flows in steady-state pipes, channels, and free jets. The student is expected to:
- (A) compare developing, fully developed, and steady-state Newtonian fluid flows in pipes and channels;
 - (B) compare fluid flow profiles, including uniform and parabolic;
 - (C) describe experimental measurements of fluid flow field lines, including stream, streak, and pathlines;
 - (D) calculate volumetric flow rate in a steady state system using the continuity equation and conservation of mass;
 - (E) explain how Bernoulli's equation relates to the total energy of a steady-state system;
 - (F) calculate unknown variables in varying conditions, including changes in height, velocity, and cross-sectional area of a steady state system using Bernoulli's equation and the conservation of energy;
 - (G) derive Torricelli's equation from Bernoulli's equation and calculate the exit velocity and mass flow rates of free jets;
 - (H) calculate fluid flows in pipes, channels, and free jets using the Reynolds Transport theorem and conservation of mass; and
 - (I) calculate the resultant force of a free jet at the outlet based on the density of the fluid, cross-sectional area, pressure, and velocity of the fluid.
- (10) The student demonstrates an understanding of the effects of an object moving through a fluid. The student is expected to:
- (A) differentiate turbulent and laminar flows;
 - (B) calculate the Reynolds number of given flows to determine if the flows are turbulent or laminar;
 - (C) define lift and drag as applied to fluid flows;
 - (D) explain the relationship between viscosity and shear force in a fluid flow;
 - (E) explain the variables of lift and drag formulas and how the variables relate to fluid flow; and
 - (F) design an experiment to measure the drag coefficient for a solid body in a fluid flow.
- (11) The student understands compressible flow and the relationship between sound transmission through a fluid and fluid compression. The student is expected to:
- (A) differentiate between compressible and incompressible fluids and explain the effect of compressibility on the speed of sound through a fluid;
 - (B) explain how density impacts the speed of sound through a fluid;
 - (C) calculate and use the Mach number to model a fluid as compressible or incompressible; and
 - (D) explain the effects on fluid, including shock waves, when the sound barrier is broken.
- (12) The student designs and analyzes fluid systems. The student is expected to:
- (A) explain the function of weirs in an open channel and describe an application of weirs such as flow control or flow measurement;

- (B) calculate the fluid flow in open channels with different shapes, slopes, and weirs;
- (C) design an application of hydrostatics using the principle of buoyancy such as a boat, submarine, floating dock, or hot air balloon;
- (D) analyze and design a fluid device such as a clepsydra, water tower, pressure regulator, or nozzle using the principles of fluid dynamics;
- (E) describe applications and processes of different types of pumps, including centrifugal pumps, peristaltic pumps, gear pumps, and positive displacement pumps;
- (F) describe the operation of a centrifugal pump and explain the data presented in a pump curve, including head, flow rate, efficiency, and power;
- (G) design a hydraulics system with components, including hydraulic fluid, pump, reservoir, motor, cylinders, valves, and flow controllers;
- (H) identify and compare different types of turbomachines, including pumps and turbines;
- (I) describe and differentiate the applications of turbomachines, including pumps and turbines; and
- (J) explain the concept of tribology and identify the associated variables of tribology such as film thicknesses and pressures.

§127.409. Mechanics of Materials (One Credit), Adopted 2025.

- (a) Implementation. The provisions of this section shall be implemented by school districts beginning with the 2025-2026 school year.
- (b) General requirements. This course is recommended for students in Grades 10-12. Prerequisite: at least one credit from the Engineering Career Cluster. Prerequisites or corequisites: Algebra II and Chemistry. Recommended prerequisite or corequisite: Physics. This course satisfies a high school science graduation requirement. Students shall be awarded one credit for the successful completion of this course.
- (c) Introduction.
 - (1) Career and technical education instruction provides content aligned with challenging academic standards, industry-relevant technical knowledge, and college and career readiness skills for students to further their education and succeed in current and emerging professions.
 - (2) The Engineering Career Cluster focuses on planning, designing, testing, building, and maintaining machines, structures, materials, systems, and processes using empirical evidence and science, technology, and math principles. This career cluster includes occupations ranging from mechanical engineer and drafter to electrical engineer and mapping technician.
 - (3) Students enrolled in Mechanics of Materials describe the mechanical behavior of engineering materials, including metals, ceramics, polymers, composites, welds, and adhesives, and the applications of load, deformation, stress and strain relationships for deformable bodies, and mechanical elements relevant to engineers. The course includes axially loaded members, buckling of columns, torsional members, beams, and failure.
 - (4) Nature of science. Science, as defined by the National Academy of Sciences, is the "use of evidence to construct testable explanations and predictions of natural phenomena, as well as the knowledge generated through this process." This vast body of changing and increasing knowledge is described by physical, mathematical, and conceptual models. Students should know that some questions are outside the realm of science because they deal with phenomena that are not scientifically testable.
 - (5) Scientific hypotheses and theories. Students are expected to know that:
 - (A) hypotheses are tentative and testable statements that must be capable of being supported or not supported by observational evidence. Hypotheses of durable explanatory power that have been tested over a wide variety of conditions are incorporated into theories; and

- (B) scientific theories are based on natural and physical phenomena and are capable of being tested by multiple independent researchers. Unlike hypotheses, scientific theories are well established and highly reliable explanations, but they may be subject to change as new areas of science and new technologies are developed.
- (6) Scientific inquiry. Scientific inquiry is the planned and deliberate investigation of the natural world using scientific and engineering practices. Scientific methods of investigation are descriptive, comparative, or experimental. The method chosen should be appropriate to the question being asked. Student learning for different types of investigations include descriptive investigations, which involve collecting data and recording observations without making comparisons; comparative investigations, which involve collecting data with variables that are manipulated to compare results; and experimental investigations, which involve processes similar to comparative investigations but in which a control is identified.
- (A) Scientific practices. Students should be able to ask questions, plan and conduct investigations to answer questions, and explain phenomena using appropriate tools and models.
- (B) Engineering practices. Students should be able to identify problems and design solutions using appropriate tools and models.
- (7) Science and social ethics. Scientific decision making is a way of answering questions about the natural world involving its own set of ethical standards about how the process of science should be carried out. Students should be able to distinguish between scientific decision-making methods (scientific methods) and ethical and social decisions that involve science (the application of scientific information).
- (8) Science consists of recurring themes and making connections between overarching concepts. Recurring themes include systems, models, and patterns. All systems have basic properties that can be described in space, time, energy, and matter. Change and constancy occur in systems as patterns and can be observed, measured, and modeled. These patterns help to make predictions that can be scientifically tested, while models allow for boundary specification and provide tools for understanding the ideas presented. Students should analyze a system in terms of its components and how these components relate to each other, to the whole, and to the external environment.
- (9) Students are encouraged to participate in extended learning experiences such as career and technical student organizations and other leadership or extracurricular organizations.
- (10) 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 demonstrates professional standards/employability skills as required by business and industry. The student is expected to:
- (A) demonstrate dressing appropriately, speaking politely, and conducting oneself in a manner appropriate for the profession and work site;
- (B) analyze how teams can produce better outcomes through cooperation, contribution, and collaboration from members of the team;
- (C) present written and oral technical communication in a clear, concise, and effective manner for a variety of purposes and audiences, including explaining and justifying decisions in the design process;
- (D) use time-management skills independently and in groups to prioritize tasks, follow schedules, and tend to goal-relevant activities in a way that optimizes efficiency and results;

- (E) describe the importance of and demonstrate punctuality, dependability, reliability, and responsibility in reporting for duty and performing assigned tasks as directed;
 - (F) explain how engineering ethics as defined by professional organizations such as the National Society of Professional Engineers apply to engineering practice;
 - (G) demonstrate respect for diversity in the workplace;
 - (H) identify consequences relating to discrimination, harassment, and inequality;
 - (I) analyze elements of professional codes of conduct or creeds in engineering such as the National Society of Professional Engineers Code of Ethics for Engineers and how they apply to the knowledge and skills of the course and the engineering profession;
 - (J) identify the components of a safety plan and why it is critical for employees and employers to maintain a safe work environment; and
 - (K) compare skills and characteristics of managers and leaders in the workplace.
- (2) The student, for at least 40% of instructional time, asks questions, identifies problems, and plans and safely conducts classroom, laboratory, and field investigations to answer questions, explain phenomena, or design solutions using appropriate tools and models. The student is expected to:
- (A) ask questions and define problems based on observations or information from text, phenomena, models, or investigations;
 - (B) apply scientific practices to plan and conduct descriptive, comparative, and experimental investigations and use engineering practices to design solutions to problems;
 - (C) use appropriate safety equipment and practices during laboratory, classroom, and field investigations as outlined in Texas Education Agency-approved safety standards;
 - (D) use appropriate tools such as dial calipers, protractors, scale rulers, tape measures, load cells, micrometers, scales, tensometers, multimeters, and thermometers;
 - (E) collect quantitative data using the System International (SI) and United States customary units and qualitative data as evidence;
 - (F) organize quantitative and qualitative data using spreadsheets, engineering notebooks, graphs, and charts;
 - (G) develop and use models to represent phenomena, systems, processes, or solutions to engineering problems; and
 - (H) distinguish between scientific hypotheses, theories, and laws.
- (3) The student analyzes and interprets data to derive meaning, identify features and patterns, and discover relationships or correlations to develop evidence-based arguments or evaluate designs. The student is expected to:
- (A) identify advantages and limitations of models such as their size, scale, properties, and materials;
 - (B) analyze data by identifying significant statistical features, patterns, sources of error, and limitations;
 - (C) use mathematical calculations to assess quantitative relationships in data; and
 - (D) evaluate experimental and engineering designs.
- (4) The student develops evidence-based explanations and communicates findings, conclusions, and proposed solutions. The student is expected to:
- (A) develop explanations and propose solutions supported by data and models and consistent with scientific ideas, principles, and theories;

- (B) communicate explanations and solutions individually and collaboratively in a variety of settings and formats; and
 - (C) engage respectfully in scientific argumentation using applied scientific explanations and empirical evidence.
- (5) The student knows the contributions of scientists and engineers and recognizes the importance of scientific research and innovation on society. The student is expected to:
- (A) analyze, evaluate, and critique scientific explanations and solutions by using empirical evidence, logical reasoning, and experimental and observational testing to encourage critical thinking by the student;
 - (B) relate the impact of past and current research on scientific thought and society, including research methodology, cost-benefit analysis, and contributions of diverse scientists and engineers as related to the content; and
 - (C) research and explore resources such as museums, libraries, professional organizations, private companies, online platforms, and mentors employed in a science, technology, engineering, and mathematics (STEM) field.
- (6) The student examines the historical developments that led to the field of mechanics of materials and material science. The student is expected to:
- (A) describe the contribution to the field of mechanics by historical scientists such as Pascal, Galileo, Euler, Navier, Lamé, Poisson, Hooke, and Young;
 - (B) describe key historical advancements related to the development of different materials such as bronze, iron, steel, Damascus steel, and Roman concrete;
 - (C) explain how materials have influenced historical events and products such as the steel in the Titanic, the space race, and smartphones;
 - (D) evaluate and explain the impact of modern development of materials to manufacturing such as composites, nanotechnology, semi-conductors, and alloys and the effects of processes on materials such as subtractive manufacturing, additive manufacturing, and welding; and
 - (E) describe the development of shapes in architectural structures such as columns, arches, domes, keystones, and suspension bridges.
- (7) The student identifies and measures different properties of an object. The student is expected to:
- (A) classify properties of an object as geometric, structural, or material;
 - (B) identify and describe the application of tools, including rulers, calipers, micrometers, weighing scales, tensile testers (tensometers), and thermometers;
 - (C) measure common properties of materials, including length, width, height, and mass;
 - (D) measure and observe intrinsic properties of materials such as hardness, thermal conductivity, and impact resistance;
 - (E) calculate density, cross-sectional area, specific gravity, thermal expansion, modulus of elasticity, Poisson's ratio, bulk modulus, yield, and ultimate stress using data from a table or graph;
 - (F) differentiate material properties, including ductility, malleability, resilience, toughness, and reflectivity;
 - (G) classify material properties as geometric (extrinsic), material (intrinsic), or structural; and
 - (H) classify types of materials, including metals and alloys, polymers, ceramics, biomaterials, composites, and semiconductors.

- (8) The student understands various manifestations of forces acting on solids. The student is expected to:
- (A) illustrate forces, including axial, radial, normal, torsional, and shear and identify different units such as newtons, pounds, and kips used in force measurement;
 - (B) explain force intensity of distributed forces, including forces distributed over a line, area, and volume;
 - (C) calculate and simplify multiple loads to a single combined load;
 - (D) distinguish between normal forces and shear forces; and
 - (E) identify and calculate different types of stress, including axial stress, shear stress, and bending stress.
- (9) The student evaluates the effect of temperature on the properties of a material. The student is expected to:
- (A) describe engineering applications of thermo-mechanical properties such as thermometers, thermocouples, thermistors, thermostatic valves and controllers, and fuses;
 - (B) explain the atomic origin of thermal expansion resulting in measurable effects such as building height change and material distortion;
 - (C) describe potential failure modes due to thermal expansion for kinematically constrained structures;
 - (D) explain how to accommodate thermal expansion in construction such as buckling of railroad rails, U-runs in piping, and expansion joints; and
 - (E) explain the effect of temperature on the mechanical properties of materials, including modulus of elasticity, yield strength, ductility, and toughness.
- (10) The student determines the material properties from different mechanical material tests and how they are graphically represented. The student is expected to:
- (A) describe a tensile test, the various possible shapes of tensile testing specimens, and tensile test measurements, including force, elongation, and change in thickness;
 - (B) analyze data from a tensile test to calculate engineering stress and strain for various materials such as aluminum, brass, cast iron, steel, and nylon at significantly different temperatures;
 - (C) plot engineering stress and strain on a two-dimensional graph;
 - (D) identify regions of a stress-strain curve, including elastic deformation, plastic deformation, resilience, strain hardening, fracture, and tension toughness;
 - (E) estimate the values from a stress-strain curve, including 0.2% offset, modulus of elasticity, yield stress, ultimate stress, resilience, and tension toughness;
 - (F) compare and explain differences in testing plots based on differences in specimen geometry and material;
 - (G) compare different types of material testing, including compression tests, tensile tests, and three-point bending tests;
 - (H) analyze testing results from compression and three-point bending tests with different specimen geometries, including length, cross-sectional shape, and cross-sectional area; and
 - (I) describe modern mechanical testing such as digital image correlation, thermography, acoustic emission, and x-ray diffraction.

- (11) The student analyzes the impact of the cross-sectional geometry on the second moment of area for beams and shafts. The student is expected to:
- (A) calculate the area and the second moment of area for primitive shapes, including rectangles, triangles, circles, and semi-circles;
 - (B) explain the parallel-axis theorem and use the parallel axis theorem to calculate the second moment of area for complex shapes;
 - (C) calculate area, centroid, and second moment of area for complex shapes composed of primitive shapes such as an H-beam, square tubes, round tubes, and angle iron; and
 - (D) hypothesize the best cross-sectional shape for different types of loads such as tension, compression, torsion, bending, and combinations of these loads.
- (12) The student represents point and distributed forces on a sketch and calculates the maximum deflection and factor of safety of bars, cables, columns, beams, and shafts using algebraic equations. The student is expected to:
- (A) describe the consequences of stresses such as elastic deformation, plastic deformation, and fracture on solid objects with mass;
 - (B) calculate the maximum deflection of various homogenous prismatic beams, including simply supported, cantilever, and overhang beams, using algebraic formulas;
 - (C) calculate the factor of safety of various homogenous prismatic beams, including simply supported, cantilever, overhang beams, and columns, using algebraic formulas;
 - (D) analyze the impact of cross-sectional area and length on the potential for various homogenous prismatic columns to buckle under load;
 - (E) explain the impact of and the reason for using a tapered object in structural applications; and
 - (F) describe why pre-stress is used in applications such as shot-peening, tempered glass, wheel spokes, flatbed trailers, and bridges.
- (13) Students demonstrate an understanding of stress, strain, and displacement fields throughout a structure, including bars and beams. The student is expected to:
- (A) identify compression and tension regions in a bent beam;
 - (B) describe the kinematics of a bent member, including elongation due to tension, shortening due to compression, the neutral axis, and the linear displacement profile; and
 - (C) identify regions of compression and tension in digital image correlation data.
- (14) The student understands that the mechanics of materials are required to analyze a multi-member structure for strength and stability in real-world applications. The student is expected to:
- (A) compare permanent and non-permanent joints, including welding, brazing, soldering, adhesives, bolting, screwing, and riveting joints;
 - (B) analyze a bolted connection for pre-stress, load, factor of safety, grade, size, yield stress, and applied torque; and
 - (C) design a structure to support a specified load with materials of adequate properties, size, and geometry and with an appropriate factor of safety.

§127.410. Statics (One Credit), Adopted 2025.

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

(b) General requirements. This course is recommended for students in Grades 11 and -12. Prerequisite: at least one credit in a course from the Engineering Career Cluster. Prerequisite or corequisite: Algebra II. Recommended prerequisite or corequisite: Physics.

(c) Introduction.

- (1) Career and technical education instruction provides content aligned with challenging academic standards, industry-relevant technical knowledge, and college and career readiness skills for students to further their education and succeed in current and emerging professions.
- (2) The Engineering Career Cluster focuses on planning, designing, testing, building, and maintaining machines, structures, materials, systems, and processes using empirical evidence and science, technology, and math principles. This career cluster includes occupations ranging from mechanical engineer and drafter to electrical engineer and mapping technician.
- (3) Statics is a gateway course into most engineering majors such as aerospace, mechanical, civil, and biomedical engineering. Students learn the elements of statics that include the forces in structures that are in equilibrium and usually not moving. This includes forces calculated in two dimensions, free-body diagrams, distributed loads, centroids, and friction as applied to cables, trusses, beams, machines, gears, and mechanisms. Students explore scenarios where objects remain stationary, emphasizing the importance of balance and stability in engineering design. This course not only equips students with theoretical knowledge but also empowers them with practical skills that are indispensable in real-world engineering scenarios.
- (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.

(d) Knowledge and skills.

- (1) The student demonstrates professional standards/employability skills as required by business and industry. The student is expected to:
 - (A) demonstrate dressing appropriately, speaking politely, and conducting oneself in a manner appropriate for the profession and work site;
 - (B) analyze how teams can produce better outcomes through cooperation, contribution, and collaboration from members of the team;
 - (C) present written and oral technical communication in a clear, concise, and effective manner for a variety of purposes and audiences, including explaining and justifying decisions in the design process;
 - (D) use time-management skills independently and in groups to prioritize tasks, follow schedules, and tend to goal-relevant activities in a way that optimizes efficiency and results;
 - (E) describe the importance of and demonstrate punctuality, dependability, reliability, and responsibility in reporting for duty and performing assigned tasks as directed;
 - (F) explain how engineering ethics as defined by professional organizations such as the National Society of Professional Engineers apply to engineering practice;
 - (G) demonstrate respect for diversity in the workplace;
 - (H) identify consequences relating to discrimination, harassment, and inequality;
 - (I) analyze elements of professional codes of conduct or creeds in engineering such as the National Society of Professional Engineers Code of Ethics for Engineers and how they apply to the knowledge and skills of the course and the engineering profession;

- (J) identify the components of a safety plan and why it is critical for employees and employers to maintain a safe work environment; and
- (K) compare skills and characteristics of managers and leaders in the workplace.
- (2) The student describes milestones in structural design and construction throughout history. The student is expected to:
 - (A) research and evaluate the significance of pioneering structures such as the Eiffel Tower, pyramids, Roman aqueducts, ferris wheel, Sydney Opera House, and St. Louis Bridge to the field of structural design;
 - (B) analyze how locally available materials and technology have impacted the construction of structures through time;
 - (C) identify the contributions of structural design pioneers such as Archimedes, Leonardo DaVinci, Galileo, René Descartes, and Albert of Saxony; and
 - (D) identify careers that use the field of statics and predict the future application of statics.
- (3) The student measures and converts units in the System International (SI) units and United States (US) customary systems of measurement. The student is expected to:
 - (A) measure objects using different units of measurement such as feet, inches, centimeters, meters, pounds force, Newtons, slugs, and kilograms in decimal and fractional measurements;
 - (B) apply prefixes to units of measure and convert between units in U.S. customary and SI systems such as kilograms and kips; and
 - (C) identify physical examples of different units of measurement, including one Newton, one pound, and one kip.
- (4) The student develops an understanding of point and distributed forces and moments, including torque and couples and their respective units. The student is expected to:
 - (A) explain how Newton's third law of motion applies to static systems;
 - (B) explain the purpose and operation of mechanical components, including gears, sprockets, pulleys, and simple machines;
 - (C) explain how mechanical components, including gears, sprockets, pulley systems, and simple machines, are used in mechanisms;
 - (D) explain distributed loads and simplify distributed loads to point loads;
 - (E) compare a two-dimensional distributed load applied over a line to a distributed load applied over an area and a volume;
 - (F) calculate and use applicable units for forces, torque, distances, and mechanical advantages related to levers, gears, and pulleys;
 - (G) define and calculate the efficiency of mechanical systems; and
 - (H) identify and explain couples in a static system.
- (5) The student applies vector algebra to calculate the equivalent force and moment vectors. The student is expected to:
 - (A) differentiate between scalar and vector quantities;
 - (B) identify properties of a vector, including magnitude and direction;
 - (C) convert forces represented graphically to vector notation;
 - (D) represent a force vector in its horizontal and vertical components;

- (E) calculate resultant vectors from multiple vectors using a strategy, including vector addition and the parallelogram rule;
 - (F) simplify free-body diagrams by using strategies, including the principle of transmissibility, couples, and the summation of moments;
 - (G) calculate moments of a rigid body system using strategies, including multiplying force by the perpendicular distance to a specified axis and the right-hand rule;
 - (H) calculate moments from component forces using Varignon's principle; and
 - (I) apply equivalent transformation to simplify external loads in a structural system.
- (6) The student locates and applies the geometric centroid and the center of mass of homogenous and heterogeneous objects. The student is expected to:
- (A) explain the difference between geometric centroid and center of mass;
 - (B) locate the geometric centroid of simple and complex shapes using the composite parts method; and
 - (C) locate the center of mass for two-dimensional and three-dimensional homogeneous and heterogeneous objects.
- (7) The student determines the stability of simple and complex objects with a variety of applied forces. The student is expected to:
- (A) identify potential pivot points at which objects could potentially rotate leading to a tip-over;
 - (B) determine the stability of simple and complex objects with only frictional force using the relative location of the center of mass and the object pivot point;
 - (C) calculate the stability of simple and complex objects with external forces applied at different locations on the object and a reaction force caused by friction; and
 - (D) describe how the friction reaction forces when combined with applied forces at different locations affect the stability of an object and how to stabilize systems subject to tipping.
- (8) The student differentiates supports, including fixed, pin, and roller supports, for structures. The student is expected to:
- (A) define and compare the applications of different structural supports, including fixed, pin, and roller supports, and describe which support is utilized in a cantilevered beam;
 - (B) explain the degrees of freedom for fixed, pin, and roller supports;
 - (C) describe how fixed, pin, and roller supports affect a structural system; and
 - (D) describe and sketch the different reaction forces and moments for structural supports, including fixed, pin, and roller supports.
- (9) The student constructs free-body diagrams of particles and rigid bodies around various supports and determines the reaction forces of the static body. The student is expected to:
- (A) sketch a complete free-body diagram that includes applied and reaction forces for a structure;
 - (B) define static equilibrium;
 - (C) formulate translational and rotational static equilibrium equations into a system of algebraic equations; and
 - (D) solve for unknown forces in a structure using equations of equilibrium.
- (10) The student analyzes statically determinant plane trusses. The student is expected to:
- (A) test if a plane truss is statically determinant;

- (B) apply the method of sections and method of joints to calculate the internal forces of a statically determinant plane truss;
 - (C) explain the difference between tension and compression forces;
 - (D) describe capabilities of members, including beams, cables, ropes, bars, and columns, to bear tension, compression, or both tension and compression;
 - (E) identify internal members as being in tension or compression, the members bearing the maximum loads, and the member most likely to fail; and
 - (F) design structures such as bridges, tensegrity structures, or trusses to support external loads.
- (11) The student recognizes the limitations of a two-dimensional model. The student is expected to:
- (A) identify the differences between a two-dimensional and three-dimensional system;
 - (B) explain the implications of adding a third dimension to a structure and how a two-dimensional analysis is insufficient to model a three-dimensional structure; and
 - (C) describe how a third dimension can cause instability in a structure.

§127.411. Mechanical Design I (One Credit), Adopted 2025.

- (a) Implementation. The provisions of this section shall be implemented by school districts beginning with the 2025-2026 school year.
- (b) General requirements. This course is recommended for students in Grades 10-12. Prerequisite: Algebra I and at least one credit in a course from the Engineering Career Cluster. Recommended corequisite: Geometry. Students shall be awarded one credit for successful completion of this course.
- (c) Introduction.
- (1) Career and technical education instruction provides content aligned with challenging academic standards, industry-relevant technical knowledge, and college and career readiness skills for students to further their education and succeed in current and emerging professions.
 - (2) The Engineering Career Cluster focuses on planning, designing, testing, building, and maintaining machines, structures, materials, systems, and processes using empirical evidence and science, technology, and math principles. This career cluster includes occupations ranging from mechanical engineer and drafter to electrical engineer and mapping technician.
 - (3) Students enrolled in Mechanical Design I demonstrate knowledge and skills associated with design and manufacture of mechanical systems. Fundamental mechanisms are introduced such as gears, belts, threaded elements, and four-bar mechanisms. Basic manufacturing processes such as stamping, injection molding, casting, machining, and assembly are explored through reverse engineering. The mechanisms encountered through reverse engineering enable the exploration of product functionality. Students compare engineering choices made for components, materials, and manufacturing processes. Emphasis is placed on team collaboration and professional documentation.
 - (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.
- (d) Knowledge and skills.
- (1) The student demonstrates professional standards/employability skills as required by business and industry. The student is expected to:
 - (A) demonstrate dressing appropriately, speaking politely, and conducting oneself in a manner appropriate for the profession and work site;

- (B) analyze how teams can produce better outcomes through cooperation, contribution, and collaboration from members of the team;
 - (C) present written and oral technical communication in a clear, concise, and effective manner for a variety of purposes and audiences, including explaining and justifying decisions in the design process;
 - (D) use time-management skills independently and in groups to prioritize tasks, follow schedules, and tend to goal-relevant activities in a way that optimizes efficiency and results;
 - (E) describe the importance of and demonstrate punctuality, dependability, reliability, and responsibility in reporting for duty and performing assigned tasks as directed;
 - (F) explain how engineering ethics as defined by professional organizations such as the National Society of Professional Engineers apply to engineering practice;
 - (G) demonstrate respect for diversity in the workplace;
 - (H) identify consequences relating to discrimination, harassment, and inequality;
 - (I) analyze elements of professional codes of conduct or creeds in engineering such as the National Society of Professional Engineers Code of Ethics for Engineers and how they apply to the knowledge and skills of the course and the engineering profession;
 - (J) identify the components of a safety plan and why it is critical for employees and employers to maintain a safe work environment; and
 - (K) compare skills and characteristics of managers and leaders in the workplace.
- (2) The student understands how to implement an engineering design process to develop a product or solution. The student is expected to:
- (A) describe and implement the stages of an engineering design process to construct a model;
 - (B) explain how factors, including complexity, scope, resources, ethics, regulations, manufacturability, and technology, impact stages of the engineering design process;
 - (C) explain how stakeholders impact an engineering design process; and
 - (D) analyze how failure is often an essential component of the engineering design process.
- (3) The student explores the methods and aspects of project management in relation to projects. The student is expected to:
- (A) research and explain the process and phases of project management, including initiating, planning, executing, and closing;
 - (B) explain the roles and responsibilities of team members, including project managers and leads;
 - (C) research and evaluate methods and tools available for managing a project;
 - (D) discuss the importance of developing and implementing a system for the organization of project documentation such as file naming conventions, document release control, and version control;
 - (E) describe how project requirements, constraints, and deliverables impact the project schedule and influence and are influenced by an engineering design;
 - (F) explain how a project budget, including materials, equipment, and labor, is developed and maintained; and
 - (G) describe the importance of management of change (MOC) and how MOC applies to project planning.
- (4) Collaboration. The student develops teamwork skills. The student is expected to:

- (A) discuss principles of critique such as describing, analyzing, interpreting, and evaluating;
 - (B) identify and demonstrate teamwork skills such as sensemaking where a team member recognizes another team member who requires additional clarity and then addresses the team member by providing clarity;
 - (C) identify methods for structuring projects such as Gantt charts, work breakdown structure, Agile, and critical path method; and
 - (D) discuss the importance of contributing to positive and productive group dynamics to enhance teamwork.
- (5) Documentation. The student documents information gathered and interpretation developed throughout engineering processes. The student is expected to:
- (A) create documents such as executive summaries, reverse engineering forms, test reports, failure documents, system black box models, engineering notebooks, and drawing packages aligned with professional industry standards;
 - (B) select the document format to communicate essential information to identified stakeholders; and
 - (C) explain and justify the structure and sequence of how information is presented in engineering documents.
- (6) Mechanisms. The student investigates and understands mechanisms that convert motion such as gears, belts, threaded elements, linkages, or linear actuators. The student is expected to:
- (A) create virtual models of physical mechanisms using appropriate tools;
 - (B) predict how different inputs affect the motion of a mechanism such as gears and linkages and compare the predictions with physical models;
 - (C) classify mechanisms into different types such as gears, belts, threaded elements, linkages, or linear actuators; and
 - (D) explain how changes in the dimensions of a mechanism influence the relationship between input and output.
- (7) Reverse engineering. The student systematically disassembles and analyzes a system to identify the concepts involved in function and manufacture. The student is expected to:
- (A) use appropriate simple tools and methods to disassemble consumer products such as can openers, mixers, or drills;
 - (B) document the reverse engineering process using appropriate documentation tools and methods;
 - (C) identify mechanisms of a product such as drive systems and gears and how their function contributes to the overall function of the product;
 - (D) identify elements of a product such as housings, covers, and controls and how their attributes contribute to the product;
 - (E) use appropriate measurement tools and methods to capture and document information about the sub-assemblies and components in a product;
 - (F) identify and evaluate the choice of particular materials in the elements of a product;
 - (G) identify and evaluate the choice of the process used to manufacture the element of a product; and
 - (H) identify and evaluate the choice of the process to assemble a product.
- (8) Manufacturing. The student identifies different manufacturing processes such as stamping, injection molding, casting, sintering, and machining and assembly. The student is expected to:

- (A) explain and compare common manufacturing processes such as stamping, casting, injection molding, and machining;
 - (B) identify and describe stamping manufacturing process elements such as press, tool, and blank and process steps such as shearing, bending, and perforating;
 - (C) identify and describe injection molding elements such as hopper, heater, platen, and mold and process steps such as heating and injecting;
 - (D) identify and describe casting elements such as mold, furnace, parting plane, sprue, and gate and process steps such as heating, pouring, cooling, and removal;
 - (E) identify and describe sintering elements such as mold, furnace, binder, and powder and process steps such as heating, pressing, cooling, and post-processing;
 - (F) identify and describe material removal elements such as workpiece, tool, jigs, and fixtures; the machine used such as mill, lathe, or drill; and process steps such as holding, locating, and cutting;
 - (G) identify and describe assembly process elements such as jigs and fixtures, tolerances, fasteners, and tools and related process steps such as locating, holding, joining, and automating; and
 - (H) identify and explain which material types are appropriate for manufacturing processes such as stamping, injection molding, casting, sintering, material removal, and assembly.
- (9) Assembly. The student explores the assembly process. The student is expected to:
- (A) explain the purposes of joining methods such as welding, adhesive bonding, fastening, riveting, and snap fitting;
 - (B) evaluate the choice of joining methods found in a consumer product and generate requirements based on the evaluation; and
 - (C) compare different assembly strategies such as assembly line, automation versus manual, or batch versus pull.
- (10) Design. The student applies appropriate professional design tools. The student is expected to:
- (A) define industry relevant terminology, including Failure Modes Effects Analysis (FMEA), Design for Manufacturing (DFM), Design for Assembly (DFA), Lean Manufacturing, Design of Experiments (DOE), benchmarking, reverse engineering, and Life Cycle Analysis (LCA);
 - (B) use design tools such as FMEA, Quality Functional Deployment (QFD), root cause analysis, five whys, or decision matrices to extract information about a reverse engineered product;
 - (C) develop an engineering requirements list to justify the selection of materials, processes, parts, and features from a reverse engineered product;
 - (D) identify opportunities for manufacturing and assembly improvement from a reverse engineered consumer product; and
 - (E) design and conduct tests to collect information needed to understand the engineers' design decisions, including material, manufacturing process, and mechanism choices, during a reverse engineering project.
- (11) Key concepts. The student understands key concepts of mechanical engineering. The student is expected to:
- (A) define heat transfer concepts such as conduction, convection, or radiation;
 - (B) define thermodynamic concepts such as systems boundary, conservation, or entropy;

- (C) define mechanics of materials concepts such as strain, stress, elasticity, brittleness, or fatigue;
- (D) define dynamics concepts such as vibrations, dampening, or spring coefficients;
- (E) define material concepts such as strength, hardness, metallics, polymers, or ceramics;
- (F) define fluids concepts such as mass flow rate, viscosity, compressibility, turbulence, or boundary layer;
- (G) define statics concepts such as free body diagrams, force, torque, moment, or equilibrium;
- (H) define controls concepts such as open loop, closed loop, or systems modeling; and
- (I) define engineering computational tools such as computer-aided design (CAD), finite element analysis (FEA), or computational fluid dynamics (CFD).

§127.412. Mechanical Design II (Two Credits), Adopted 2025.

- (a) Implementation. The provisions of this section shall be implemented by school districts beginning with the 2025-2026 school year.
- (b) General requirements. This course is recommended for students in Grades 11 and 12. Prerequisite: Mechanical Design I. Students shall be awarded two credits for successful completion of this course.
- (c) Introduction.
 - (1) Career and technical education instruction provides content aligned with challenging academic standards, industry-relevant technical knowledge, and college and career readiness skills for students to further their education and succeed in current and emerging professions.
 - (2) The Engineering Career Cluster focuses on planning, designing, testing, building, and maintaining machines, structures, materials, systems, and processes using empirical evidence and science, technology, and math principles. This career cluster includes occupations ranging from mechanical engineer and drafter to electrical engineer and mapping technician.
 - (3) Students enrolled in Mechanical Design II demonstrate knowledge and skills associated with the design development and validation of a prototype solution to meet a given set of requirements. Students identify project stakeholders; manage projects; evolve requirements; model system solutions; develop, test, and refine prototypes; and validate project solutions. Emphasis is placed on budget management, professional documentation, conducting project status updates, critiquing design reviews, and team collaboration.
 - (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.
- (d) Knowledge and skills.
 - (1) The student demonstrates professional standards/employability skills as required by business and industry. The student is expected to:
 - (A) demonstrate dressing appropriately, speaking politely, and conducting oneself in a manner appropriate for the profession and work site;
 - (B) analyze how teams can produce better outcomes through cooperation, contribution, and collaboration from members of the team;
 - (C) present written and oral technical communication in a clear, concise, and effective manner for a variety of purposes and audiences, including explaining and justifying decisions in the design process;

- (D) use time-management skills independently and in groups to prioritize tasks, follow schedules, and tend to goal-relevant activities in a way that optimizes efficiency and results;
 - (E) describe the importance of and demonstrate punctuality, dependability, reliability, and responsibility in reporting for duty and performing assigned tasks as directed;
 - (F) explain how engineering ethics as defined by professional organizations such as the National Society of Professional Engineers apply to engineering practice;
 - (G) demonstrate respect for diversity in the workplace;
 - (H) identify consequences relating to discrimination, harassment, and inequality;
 - (I) analyze elements of professional codes of conduct or creeds in engineering such as the National Society of Professional Engineers Code of Ethics for Engineers and how they apply to the knowledge and skills of the course and the engineering profession;
 - (J) identify the components of a safety plan and why it is critical for employees and employers to maintain a safe work environment; and
 - (K) compare skills and characteristics of managers and leaders in the workplace.
- (2) The student understands how to implement an engineering design process to develop a product or solution. The student is expected to:
- (A) describe and implement the stages of an engineering design process to construct a model;
 - (B) explain how factors, including complexity, scope, resources, ethics, regulations, manufacturability, and technology, impact stages of the engineering design process;
 - (C) explain how stakeholders impact an engineering design process; and
 - (D) analyze how failure is often an essential component of the engineering design process.
- (3) The student explores the methods and aspects of project management in relation to projects. The student is expected to:
- (A) research and explain the process and phases of project management, including initiating, planning, executing, and closing;
 - (B) explain the roles and responsibilities of team members, including project managers and leads;
 - (C) research and evaluate methods and tools available for managing a project;
 - (D) discuss the importance of developing and implementing a system for the organization of project documentation such as file naming conventions, document release control, and version control;
 - (E) describe how project requirements, constraints, and deliverables impact the project schedule and influence and are influenced by an engineering design;
 - (F) explain how a project budget, including materials, equipment, and labor, is developed and maintained; and
 - (G) describe the importance of management of change (MOC) and how MOC applies to project planning.
- (4) Collaboration. The student develops teamwork skills. The student is expected to:
- (A) explain and apply sensemaking skills such as recognizing team members who require additional clarity and addressing team members to provide clarity;
 - (B) apply methods such as Gantt charts, work breakdown structure, Agile, and critical path method to structure a project;

- (C) apply principles of critique within the team such as describing, analyzing, interpreting, and evaluating;
 - (D) develop and present action plans to positively support the team's work relationships;
 - (E) explain and model how to provide an effective critique of team members on topics such as team performance, test performance, project development, or presentation;
 - (F) explain and model how to provide an effective critique of other teams on topics such as presentation, problem definition, schedule, and solution justification;
 - (G) analyze and evaluate critique received from team members and other teams; and
 - (H) develop a design review presentation to provide status and solicit feedback on the design problem and solution.
- (5) Documentation. The student documents information gathered and interpretations developed throughout the applied engineering process. The student is expected to:
- (A) generate documents such as executive summaries, reverse engineering forms, test reports, failure documents, system black box models, engineering notebooks, and drawing packages by applying professional standards and templates;
 - (B) select the appropriate document format for the information being communicated based on the audience;
 - (C) explain and justify the structure and sequence of how the information is presented in the engineering documents;
 - (D) create assembly and user manuals for peer review; and
 - (E) generate a final design report that focuses on the project scope and solution with appendices to capture all relevant design information such as the design process used, requirements compliance matrix, concept reports, and test reports.
- (6) Project management. The student reviews and applies basic project management strategies following a proposal-justification-approval process for each significant model considered. The student is expected to:
- (A) generate a project management plan that includes time and deliverable estimates;
 - (B) review and update periodically the project management plan based on appropriate industry standard practices such as stage-gate and Agile Project Management; team structure and formation; and project modeling such as flow charts, Gantt charts, Program Evaluation Review Technique (PERT), critical path method, and work breakdown structures;
 - (C) create model or test proposals for review; and
 - (D) compare project management approaches such as stage-gate and Agile.
- (7) Stakeholder. The student understands how to engage stakeholders, including end user, consumer, fabricator, maintenance, the design team, and other engineers. The student is expected to:
- (A) describe how an engineer's professional responsibility applies to stakeholders;
 - (B) develop a journey map or equivalent tool to model how the stakeholder interacts with the product; and
 - (C) explain the importance of maintaining engagement with the stakeholder throughout the project.
- (8) Design requirements. The student understands the importance of the role of requirements in the mechanical engineering design process. The student is expected to:
- (A) identify and solicit stakeholder requirements;

- (B) generate, refine, and document product and project requirements throughout the project;
 - (C) document requirements in correct format with appropriate standards such as the National Aeronautics and Space Administration (NASA), military standards, and the International Council on Systems Engineering (INCOSE);
 - (D) verify that each requirement can be associated to at least one stakeholder;
 - (E) verify that each stakeholder can be associated to at least one requirement;
 - (F) discuss the importance of the relation between requirements and respective stakeholders;
 - (G) explain how the key mechanical engineering concepts relate to the requirements such as heat transfer, statics, dynamics, or materials; and
 - (H) explain how requirements drive the project.
- (9) System modeling. The student generates multiple abstract models of mechanical systems using representations such as schematic diagramming and function structure modeling. The student is expected to:
- (A) create models of various mechanical system concepts;
 - (B) compare different models against the appropriate requirements;
 - (C) extract new system requirements from the models;
 - (D) create models to communicate engineering design solutions to stakeholders for a project;
 - (E) discuss conservation principles of energy, matter, and motion; and
 - (F) apply conservation principles throughout the system model.
- (10) Design space modeling. The student models conceptual design spaces using morphological matrices. The student is expected to:
- (A) select the key requirements for the problem;
 - (B) generate multiple means to address each key requirement to populate a morphological matrix;
 - (C) generate multiple integrated solutions by selecting means from each requirement for further modeling and refinement; and
 - (D) calculate the total number of possible solutions captured in the generated morphological matrix.
- (11) Concept generation. The student generates systematic multiple concepts using appropriate ideation tools. The student is expected to:
- (A) explain the rules of ideation tools such as brainstorming, 6-3-5, Gallery Method, C-Sketch, and concept mapping;
 - (B) apply ideation tools to generate multiple concepts for a problem; and
 - (C) compare the ideation tools based on the rules, number of people, representation, and purpose.
- (12) Concept pruning. The student prunes sets of concepts using design tools such as decision matrices, pair-wise comparison, and pro-con lists. The student is expected to:
- (A) use and explain absolute or relative decision matrices to prune a set of concepts;
 - (B) use and explain pair-wise comparisons to prune a set of concepts;
 - (C) use and explain pro-con lists to prune a set of concepts;
 - (D) explain why it is important to use multiple pruning tools in design; and

- (E) explain why the pruning tools are not for selecting concepts.
- (13) Prototyping and testing. The student fabricates multiple physical prototypes ranging from parts to subsystems to final integrated prototypes to gather information needed to support mechanical engineering design decision making. The student is expected to:
- (A) develop prototyping proposals that include cost, time, and effort estimates; desired information; and testing plans;
- (B) use appropriate tools and materials to fabricate prototypes;
- (C) evaluate and execute testing plans for each prototype to gather information or check requirement satisfaction;
- (D) extract and document new requirements from prototyping and testing; and
- (E) justify the purpose for each physical or virtual model constructed against the cost of making the model.
- (14) Embodiment and refinement. The student refines design solutions by selecting and sizing components appropriately. Students justify material choices based on the requirements defined. The student is expected to:
- (A) construct geometric models and drawings to represent designed system;
- (B) justify and use appropriate analytical and simulation tools to correlate the changes in parameters of the models with changes in the performance of the modeled system;
- (C) justify design decisions using requirements such as functionality, cost, performance, or time;
- (D) use appropriate tools and materials to fabricate a final prototype;
- (E) develop final product documents such as bill of materials, assembly models, user manual, and assembly instructions; and
- (F) explain the evolution of requirements between earlier and final prototypes.
- (15) Solution validation. The student tests and verifies requirements throughout the project. The student understands the importance of discovering new requirements through testing and simulation. The student is expected to:
- (A) analyze information gained from testing and simulation to document new or refined requirements;
- (B) document simulations or tests using an appropriate report template;
- (C) design and execute simulations or tests to validate functional requirements are met;
- (D) explain why engineering design processes are iterative; and
- (E) discuss how continuous improvement and design iteration are related.
- (16) Budget. The student plans, monitors, and updates project budgets throughout the design project. The student is expected to:
- (A) create budgets for initial project costs such as raw materials, purchased parts, salvaged parts, hardware, taxes, shipping, and handling categories;
- (B) create a Bill of Materials cost report for the final build;
- (C) compare and explain any differences between the final product build cost and the project budget;
- (D) monitor and update the project budget throughout the duration of the project;
- (E) prepare budget status reports that include explanations of spenddown rates and changes to the budget; and

- (F) explain the importance of budget tracking in design projects.
- (17) Continuous learning. The student relates key mechanical engineering concepts in education and practice. The student is expected to:
 - (A) explain how key mechanical engineering concepts are addressed in college engineering plans of study;
 - (B) explain how to interpret an engineering job description; and
 - (C) identify which key mechanical engineering concepts are relevant and the minimum educational expectations for mechanical engineering positions.

§127.413. Aerospace Design I (One Credit), Adopted 2025.

- (a) Implementation. The provisions of this section shall be implemented by school districts beginning with the 2025-2026 school year.
- (b) General requirements. This course is recommended for students in Grades 10-12. Prerequisite: Algebra I and at least one credit in a course from the Engineering Career Cluster. Recommended corequisite: Geometry. Students shall be awarded one credit for successful completion of this course.
- (c) Introduction.
 - (1) Career and technical education instruction provides content aligned with challenging academic standards, industry-relevant technical knowledge, and college and career readiness skills for students to further their education and succeed in current and emerging professions.
 - (2) The Engineering Career Cluster focuses on planning, designing, testing, building, and maintaining machines, structures, materials, systems, and processes using empirical evidence and science, technology, and math principles. This career cluster includes occupations ranging from mechanical engineer and drafter to electrical engineer and mapping technician.
 - (3) Students enrolled in Aerospace Design I demonstrate knowledge and skills associated with the design evolution and emerging trends of aircraft and aerospace systems. Fundamental concepts such as forces of flight, structures, aerodynamics, propulsion, stability and control, and orbital mechanics are introduced as related to design decisions for atmospheric and space flight. These concepts are related to mission requirements and solution approaches.
 - (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.
- (d) Knowledge and skills.
 - (1) The student demonstrates professional standards/employability skills as required by business and industry. The student is expected to:
 - (A) demonstrate dressing appropriately, speaking politely, and conducting oneself in a manner appropriate for the profession and work site;
 - (B) analyze how teams can produce better outcomes through cooperation, contribution, and collaboration from members of the team;
 - (C) present written and oral technical communication in a clear, concise, and effective manner for a variety of purposes and audiences, including explaining and justifying decisions in the design process;
 - (D) use time-management skills independently and in groups to prioritize tasks, follow schedules, and tend to goal-relevant activities in a way that optimizes efficiency and results;

- (E) describe the importance of and demonstrate punctuality, dependability, reliability, and responsibility in reporting for duty and performing assigned tasks as directed;
 - (F) explain how engineering ethics as defined by professional organizations such as the National Society of Professional Engineers apply to engineering practice;
 - (G) demonstrate respect for diversity in the workplace;
 - (H) identify consequences relating to discrimination, harassment, and inequality;
 - (I) analyze elements of professional codes of conduct or creeds in engineering such as the National Society of Professional Engineers Code of Ethics for Engineers and how they apply to the knowledge and skills of the course and the engineering profession;
 - (J) identify the components of a safety plan and why it is critical for employees and employers to maintain a safe work environment; and
 - (K) compare skills and characteristics of managers and leaders in the workplace.
- (2) The student understands how to implement an engineering design process to develop a product or solution. The student is expected to:
- (A) describe and implement the stages of an engineering design process to construct a model;
 - (B) explain how factors, including complexity, scope, resources, ethics, regulations, manufacturability, and technology, impact stages of the engineering design process;
 - (C) explain how stakeholders impact an engineering design process; and
 - (D) analyze how failure is often an essential component of the engineering design process.
- (3) The student explores the methods and aspects of project management in relation to projects. The student is expected to:
- (A) research and explain the process and phases of project management, including initiating, planning, executing, and closing;
 - (B) explain the roles and responsibilities of team members, including project managers and leads;
 - (C) research and evaluate methods and tools available for managing a project;
 - (D) discuss the importance of developing and implementing a system for the organization of project documentation such as file naming conventions, document release control, and version control;
 - (E) describe how project requirements, constraints, and deliverables impact the project schedule and influence and are influenced by an engineering design;
 - (F) explain how a project budget, including materials, equipment, and labor, is developed and maintained; and
 - (G) describe the importance of management of change (MOC) and how MOC applies to project planning.
- (4) Collaboration. The student engages in multiple team projects and activities. The student is expected to:
- (A) discuss principles of critique such as describing, analyzing, interpreting, and evaluating;
 - (B) identify and demonstrate teamwork skills such as sensemaking where a team member recognizes another team member who requires additional clarity and then addresses the team member by providing clarity;
 - (C) identify methods for structuring projects such as Gantt charts, work breakdown structure, Agile, and critical path method; and

- (D) discuss the importance of contributing to positive and productive group dynamics to enhance teamwork.
- (5) Documentation. The student documents information and interpretation developed throughout engineering processes. The student is expected to:
 - (A) use professional standards and templates to generate documents such as executive summaries, test reports, failure documents, system black box models, engineering notebooks, and drawing packages;
 - (B) select the document format to communicate essential information for identified stakeholders; and
 - (C) explain and justify the structure and sequence of how the information is presented in the engineering documents.
- (6) History of flight. The student understands the history and evolution of human flight, including flight within and outside the Earth's atmosphere. The student is expected to:
 - (A) identify and discuss successes and failures in human efforts to fly prior to powered flight;
 - (B) research and discuss innovations in aircraft prior to the jet age and explain how world events impacted these innovations;
 - (C) research and discuss innovations in aircraft after the beginning of the jet age and explain how world events impacted these innovations;
 - (D) research and discuss innovations in rockets prior to human spaceflight and explain how world events impacted these innovations;
 - (E) research and discuss innovations in rockets after the first human spaceflight and explain how world events impacted these innovations; and
 - (F) discuss the history of regulation of aircraft and the role of the Federal Aviation Administration (FAA).
- (7) Introduction to aircraft. The student explains the FAA categories for aircraft and categorizes the different types of aircraft such as airplanes, rotorcraft, lighter-than-air or aerostats, glider, powered-lift, powered parachutes, weight-shift aircraft, ground-effect vehicles (GEV), air-cushion vehicles (ACV), and rockets. The student is expected to:
 - (A) identify and describe classes of aircraft such as single-engine land (SEL), gyroplane, powered-lift, and glider using the FAA categories;
 - (B) categorize aircraft by attributes such as piston engine, turboprop, powered or unpowered, and drones or piloted;
 - (C) compare aircraft categories and use cases for each category; and
 - (D) research and discuss emerging trends in aircraft such as airships, rotary powered aircraft, and alternative energy powered aircraft.
- (8) Atmospheric flight. The student identifies and relates the three axes of an aircraft, the four forces of flight, and the components used for stability and control of the aircraft. The student is expected to:
 - (A) explain the relationships between atmospheric temperature, pressure, density, and altitude;
 - (B) identify and describe the motion about the three axes of an aircraft, including yaw, pitch, and roll;
 - (C) identify and describe ways to control motion about the three axes;
 - (D) identify and explain the four forces acting on aerospace vehicles in flight, including lift, drag, thrust, and weight;

- (E) explain the relationship between weight, mass, gravity, and acceleration and identify their corresponding units such as pounds-force, pound-mass, kilogram, and Newton;
 - (F) discuss the difference between g-force and weight;
 - (G) draw the forces of flight for a straight and level flight and a level banked turn;
 - (H) identify different ways to control the forces that change the pitch, roll, and yaw of an aircraft;
 - (I) identify and explain the major fixed and movable components of various aircraft to enable stability and control within the atmosphere; and
 - (J) define and discuss aerodynamics as a subset of aerospace.
- (9) Lift and drag. The student explains how lift and drag are generated by an aircraft and how they change during flight. The student is expected to:
- (A) explain how an airfoil generates lift;
 - (B) explain how the angle of attack (AoA) influences lift;
 - (C) explain how to interpret a "Lift Coefficient (CL) versus AoA" chart;
 - (D) define and discuss stall for an airfoil;
 - (E) explain the types of drag, including profile/form, skin friction, interference, trim, and induced;
 - (F) explain how the AoA influences drag;
 - (G) explain how to interpret a "Drag Coefficient (CD) versus AoA" chart;
 - (H) explain how changes in drag during flight impact performance such as range, altitude, and power requirements;
 - (I) define and discuss Lift-to-Drag (L/D) ratio;
 - (J) explain how to interpret an L/D chart;
 - (K) identify the maximum L/D ratio from a chart to determine the optimal glide speed for maximum range;
 - (L) research and discuss other systems that use airfoils such as windmills, fans, and propelling aircraft; and
 - (M) explain how a plane can fly without engine power and in some cases can gain altitude to stay aloft for extended time and distance.
- (10) Weight and balance. The student recognizes that components have mass, weight, and location resulting in moments that are balanced by control surfaces. The student is expected to:
- (A) identify and calculate moments created by the forces of flight;
 - (B) define and discuss center of gravity (CG);
 - (C) define and discuss center of pressure (CP);
 - (D) explain how the locations of the CP and CG influence the stability of an aircraft; and
 - (E) create a model of an aircraft with variable configurations for CG and CP to determine stability of an aircraft.
- (11) Mission requirements. The student understands how mission requirements influence the type and form of aircraft. The student is expected to:
- (A) analyze a mission to generate a list of atmospheric mission requirements such as payload, range, cruise, take-off length, landing length, climb gradient, altitude, and land or sea;

- (B) analyze a mission to generate a list of space mission requirements such as payload, altitude, vibration sensitivity, launch conditions, environmental conditions, and recovery;
 - (C) explain how the mission requirements are interrelated;
 - (D) discuss how the mission requirements relate to the aircraft and spacecraft categories;
 - (E) discuss how mission requirements relate to the overall aircraft design; and
 - (F) interpret a mission profile and explain how it impacts mission requirements.
- (12) Propulsion. The student explains and evaluates different types of propulsion systems such as piston engine, turboprop, jet, and rocket. The student is expected to:
- (A) identify and explain how a piston powered aircraft delivers thrust with respect to altitude limits and speed limitations;
 - (B) identify and explain how a turboprop powered aircraft delivers thrust with respect to design requirements such as cost, operation cost, reliability, power, altitude limits, and speed limitations;
 - (C) identify and explain how a jet powered aircraft delivers thrust with respect to design requirements such as cost, operation cost, reliability, power, altitude limits, and speed limitations;
 - (D) explore and explain how a rocket engine is different from a jet engine;
 - (E) research and discuss the applications for solid-fuel rockets; and
 - (F) research and discuss the applications for liquid-fuel rockets.
- (13) Material selection. The student explains why a particular material is used in an aircraft application, taking into account cost, density, strength, and mission requirements. The student is expected to:
- (A) research and discuss material classes used in aerospace design such as woods, composites, metals, and plastics;
 - (B) explain why specific materials might have been chosen for components on different aircraft;
 - (C) discuss methods for manufacturing aircraft components such as landing gears, wings, fuselage, or canopies;
 - (D) explain the impact of material and manufacturing costs on design decisions; and
 - (E) explain how material requirements relate to mission requirements.
- (14) Aerospace structures. The student explains and compares and contrasts types of structures such as truss, semi-monocoque, monocoque. The student is expected to:
- (A) identify and discuss truss, semi-monocoque, and monocoque structures;
 - (B) explain why different structure types are used in various aircraft categories;
 - (C) discuss how mission requirements impact the selection of the structural types for an aircraft;
 - (D) identify structural components in the fuselage such as stringers, bulkheads, and skin;
 - (E) identify structural components in the wings and empennage such as ribs, spars, stringers, and skin; and
 - (F) compare structures used in atmospheric flight and space flight.
- (15) Space flight and orbital mechanics. The student knows properties of orbital mechanics as they relate to space flight and the impact of the space environment on design. The student is expected to:

- (A) identify and describe orbits based on the six Keplerian Elements;
 - (B) explain how changes in Keplerian Elements change the orbit;
 - (C) explain how mission requirements determine specific orbit types;
 - (D) describe the unique environmental conditions of operating in space for human or autonomous missions;
 - (E) research and discuss methods to reach and recover a spacecraft from space; and
 - (F) research and discuss emerging trends in space flight.
- (16) Alternate applications for aerospace design. The student identifies and discusses alternate applications for aerospace design techniques, including automotive, naval, commercial, and home products. The student is expected to:
- (A) research and discuss how aerospace engineers contribute to automotive and naval applications to improve performance;
 - (B) research and identify commercial applications for aerospace design such as heating and cooling systems, building design, and wind turbines; and
 - (C) identify and discuss items at home that are impacted by aerodynamics such as fans, convection ovens, and heating and cooling systems.
- (17) Aircraft systems. The student explores and discusses other aircraft systems such as navigation, communication, entertainment, flight control, actuation, energy storage and management, and propulsion. The student is expected to:
- (A) explain basic functionality for aircraft systems such as navigation, communication, entertainment, flight control, and propulsion; and
 - (B) research and discuss different implementations for aircraft systems such as navigation, communication, entertainment, flight control, and propulsion.

§127.414. Aerospace Design II (Two Credit), Adopted 2025.

- (a) Implementation. The provisions of this section shall be implemented by school districts beginning with the 2025-2026 school year.
- (b) General requirements. This course is recommended for students in Grades 11 and 12. Prerequisites: Geometry and Aerospace Design I. Students shall be awarded two credits for successful completion of this course.
- (c) Introduction.
 - (1) Career and technical education instruction provides content aligned with challenging academic standards, industry-relevant technical knowledge, and college and career readiness skills for students to further their education and succeed in current and emerging professions.
 - (2) The Engineering Career Cluster focuses on planning, designing, testing, building, and maintaining machines, structures, materials, systems, and processes using empirical evidence and science, technology, and math principles. This career cluster includes occupations ranging from mechanical engineer and drafter to electrical engineer and mapping technician.
 - (3) Students enrolled in Aerospace Design II demonstrate knowledge and skills associated with the design and prototyping of aerospace systems. Through aerospace projects, students apply fundamental concepts such as managing an engineering project to meet mission requirements, prototyping, testing, and validating requirements. Students explore choices made for propulsion, material, and structural design as well as various ways aircraft can navigate. Emphasis is placed on team collaboration and professional documentation.
 - (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.
- (d) Knowledge and skills.
- (1) The student demonstrates professional standards/employability skills as required by business and industry. The student is expected to:
- (A) demonstrate dressing appropriately, speaking politely, and conducting oneself in a manner appropriate for the profession and work site;
 - (B) analyze how teams can produce better outcomes through cooperation, contribution, and collaboration from members of the team;
 - (C) present written and oral technical communication in a clear, concise, and effective manner for a variety of purposes and audiences, including explaining and justifying decisions in the design process;
 - (D) use time-management skills independently and in groups to prioritize tasks, follow schedules, and tend to goal-relevant activities in a way that optimizes efficiency and results;
 - (E) describe the importance of and demonstrate punctuality, dependability, reliability, and responsibility in reporting for duty and performing assigned tasks as directed;
 - (F) explain how engineering ethics as defined by professional organizations such as the National Society of Professional Engineers apply to engineering practice;
 - (G) demonstrate respect for diversity in the workplace;
 - (H) identify consequences relating to discrimination, harassment, and inequality;
 - (I) analyze elements of professional codes of conduct or creeds in engineering such as the National Society of Professional Engineers Code of Ethics for Engineers and how they apply to the knowledge and skills of the course and the engineering profession;
 - (J) identify the components of a safety plan and why it is critical for employees and employers to maintain a safe work environment; and
 - (K) compare skills and characteristics of managers and leaders in the workplace.
- (2) The student understands how to implement an engineering design process to develop a product or solution. The student is expected to:
- (A) describe and implement the stages of an engineering design process to construct a model;
 - (B) explain how factors, including complexity, scope, resources, ethics, regulations, manufacturability, and technology, impact stages of the engineering design process;
 - (C) explain how stakeholders impact an engineering design process; and
 - (D) analyze how failure is often an essential component of the engineering design process.
- (3) The student explores the methods and aspects of project management in relation to projects. The student is expected to:
- (A) research and explain the process and phases of project management, including initiating, planning, executing, and closing;
 - (B) explain the roles and responsibilities of team members, including project managers and leads;
 - (C) research and evaluate methods and tools available for managing a project;
 - (D) discuss the importance of developing and implementing a system for the organization of project documentation such as file naming conventions, document release control, and version control;

- (E) describe how project requirements, constraints, and deliverables impact the project schedule and influence and are influenced by an engineering design;
 - (F) explain how a project budget, including materials, equipment, and labor, is developed and maintained; and
 - (G) describe the importance of management of change (MOC) and how MOC applies to project planning.
- (4) Collaboration. The student engages in multiple team projects and activities. The student is expected to:
- (A) explain and apply sensemaking skills such as recognizing team members who require additional clarity and addressing team members to provide clarity;
 - (B) apply methods such as Gantt charts, work breakdown structure, Agile, and critical path method to structure a project;
 - (C) apply principles of critique within the team such as describing, analyzing, interpreting, and evaluating;
 - (D) develop and present action plans to positively support the team's work relationships;
 - (E) explain and model how to provide an effective critique of team members on topics such as team performance, test performance, project development, or presentation;
 - (F) explain and model how to provide an effective critique of other teams on topics such as presentation, problem definition, schedule, and solution justification;
 - (G) analyze and evaluate critique received from team members and other teams; and
 - (H) develop a design review presentation to provide status and solicit feedback on the design problem and solution.
- (5) Documentation. The student documents information and interpretation developed throughout engineering processes. The student is expected to:
- (A) generate documents such as executive summaries, reverse engineering forms, test reports, failure documents, system black box models, engineering notebooks, and drawing packages by applying professional standards and templates;
 - (B) select the appropriate document format for the information being communicated based on the audience;
 - (C) explain and justify the structure and sequence of how the information is presented in the engineering documents;
 - (D) create assembly and user manuals for peer review; and
 - (E) generate a final design report that focuses on the project scope and solution with appendices to capture all relevant design information such as the design process used, requirements compliance matrix, concept reports, and test reports.
- (6) Designing to mission requirements. The student generates conceptual aircraft solutions to meet a set of given requirements. The student is expected to:
- (A) analyze given mission requirements such as altitude, speed, and payload to derive sub-requirements;
 - (B) generate and document additional sub-requirements for the mission considering various factors such as maintainability, producibility, operational cost, and safety;
 - (C) generate and document conceptual aircraft solutions to address mission and sub-requirements;

- (D) classify the generated conceptual aircraft solutions into appropriate categories such as single-engine land (SEL), gyroplane, powered-lift, and glider using the Federal Aviation Agency (FAA) classification system;
 - (E) select, justify, and document a conceptual solution that addresses the mission and sub-requirements; and
 - (F) create a model such as a graph or matrix that displays the relationships between the documented requirements.
- (7) Managing aerospace engineering projects. The student applies project management techniques to aerospace projects. The student is expected to:
- (A) generate a project plan that includes time, deliverable, and cost estimates;
 - (B) review and update periodically a project plan according to a stage gate process;
 - (C) document and execute test plans to evaluate prototypes against requirements;
 - (D) justify and present design choices through periodic design reviews; and
 - (E) generate a final design report with an executive summary, a body with problem and solution descriptions, and appendices with additional relevant information such as the design process used, requirements compliance matrix, concept reports, and test reports.
- (8) Prototyping aerospace vehicles. The student creates a prototype to address a set of mission requirements. The student is expected to:
- (A) generate a list of design parameters based on the mission and sub-requirements;
 - (B) generate and document design concepts to address design parameters;
 - (C) use appropriate tools such as decision matrices, pro-con lists, and pair-wise comparison to evaluate, downselect, and justify design concepts to prototype;
 - (D) create and document prototypes to test, validate, and modify design concepts;
 - (E) use appropriate tools such as decision matrices, pro-con lists, and pair-wise comparison to evaluate, downselect, and justify a prototype to develop as the solution;
 - (F) evaluate a prototype to identify areas of improvement for iteration;
 - (G) test, evaluate, and document performance of the revised prototype in meeting project requirements; and
 - (H) compose and present a project debrief, including lessons learned.
- (9) Atmospheric flight. The student relates the three axes of an aircraft, the four forces of flight, and the components used for stability and control. The student is expected to:
- (A) research and discuss ways to control motion about the three axes;
 - (B) calculate and explain changes in motion due to the four forces acting on aircraft during flight;
 - (C) explain why loads acting on aircraft change during different flight scenarios;
 - (D) draw and calculate the forces of flight for a straight and level flight and a level banked turn; and
 - (E) describe which aircraft components control and provide stability with respect to the six degrees of freedom.
- (10) Lift and drag. The student explains how lift and drag are generated by an aircraft and how they change during flight. The student is expected to:
- (A) explain the lift equation and illustrate the relationships between its variables;

- (B) explain the drag equation and illustrate the relationships between its variables;
 - (C) calculate the changes to lift and drag based on changes to atmospheric conditions such as temperature, density, and pressure;
 - (D) describe how aircraft control surfaces, including leading edge flaps, trailing edge flaps, ailerons, and spoilers, influence lift;
 - (E) describe how aircraft control surfaces, including leading edge flaps, trailing edge flaps, ailerons, and spoilers, influence drag;
 - (F) define and discuss how the stall angle and stall speed can be changed; and
 - (G) research and present contemporary developments reducing drag such as winglets, boundary layer control, and surface effects.
- (11) Weight and balance. The student recognizes that components have mass, weight, and location resulting in moments that are balanced by control surfaces. The student is expected to:
- (A) calculate an aircraft's estimated center of gravity throughout a mission profile considering factors such as fuel consumption, payload, and passengers;
 - (B) estimate the location of an aircraft's center of pressure;
 - (C) calculate the static margin throughout a flight profile to verify positive stability margin;
 - (D) generate and document solutions to improve positive static stability in the event of a negative stability margin; and
 - (E) revise and document static margin calculations reflecting proposed solutions.
- (12) Propulsion. The student evaluates various propulsion solutions to downselect the solutions to meet mission requirements. The student is expected to:
- (A) evaluate and select a propulsion solution that meets requirements such as piston, jet, turboprop, and rocket;
 - (B) evaluate and select the number of engines to meet mission and sub-requirements; and
 - (C) calculate propulsion weight of the selected solution to meet mission and sub-requirements.
- (13) Material selection. The student evaluates various materials to meet mission and sub-requirements. The student is expected to:
- (A) analyze component material requirements to select materials that meets mission and sub-requirements; and
 - (B) document the justification for the materials selected to meet component requirements.
- (14) Aerospace structures. The student evaluates and selects structure types to meet mission and sub-requirements. The student is expected to:
- (A) analyze structural requirements to select structure types that meets mission and sub-requirements; and
 - (B) document the justification for the structure types selected to meet structural requirements.
- (15) Navigation. The student defines and explains types of navigation used for flight. The student is expected to:
- (A) explain dead reckoning navigation using an aeronautical chart, compass, clock, and airspeed indicator;
 - (B) explain navigation using radio radials such as Automatic Direction Finder (ADF) and VHF Omnidirectional Range (VOR);
 - (C) explain navigation using an Inertial Navigation System (INS); and

(D) explain navigation using Global Positioning Systems (GPS).

§127.415. Civil Engineering I (One Credit), Adopted 2025.

- (a) Implementation. The provisions of this section shall be implemented by school districts beginning with the 2025-2026 school year.
- (b) General requirements. Prerequisite: Algebra I and Introduction to Computer-Aided Design and Drafting or Principles of Applied Engineering. Recommended prerequisite: Geometry. Students shall be awarded one credit for successful completion of this course.
- (c) Introduction.
- (1) Career and technical education instruction provides content aligned with challenging academic standards, industry-relevant technical knowledge, and college and career readiness skills for students to further their education and succeed in current and emerging professions.
 - (2) The Engineering Career Cluster focuses on planning, designing, testing, building, and maintaining machines, structures, materials, systems, and processes using empirical evidence and science, technology, and math principles. This career cluster includes occupations ranging from mechanical engineer and drafter to electrical engineer and mapping technician.
 - (3) Students in Civil Engineering I are introduced to the basic principles and practices essential to the field of civil engineering. Throughout this course students investigate different career paths in civil engineering, explore the various specializations within the field, and understand the phases and life cycle of civil engineering projects. They also delve into the functional mathematics crucial to the profession. Additionally, the course emphasizes the importance of effective project document structure and project management, ethical considerations, and the impact of civil engineering on the natural and built environment.
 - (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.
- (d) Knowledge and skills.
- (1) The student demonstrates professional standards/employability skills as required by business and industry. The student is expected to:
 - (A) explain the importance of dressing appropriately, speaking politely, and conducting oneself in a manner appropriate for the profession and work site;
 - (B) describe teamwork, group dynamics, and conflict resolution and how they can impact the collective outcome;
 - (C) present written and oral technical communication in a clear, concise, and effective manner for a variety of purposes and audiences;
 - (D) identify time-management skills such as prioritizing tasks, following schedules, and tending to goal-relevant activities and how these practices optimize efficiency and results;
 - (E) define work ethic and discuss the characteristics of a positive work ethic, including punctuality, dependability, reliability, and responsibility for reporting for duty and performing assigned tasks;
 - (F) discuss the importance of professionalism and ethics in engineering design as defined by professional organizations such as the National Society of Professional Engineers;
 - (G) demonstrate respect for diversity in the workplace;
 - (H) identify consequences relating to discrimination, harassment, and inequality;

- (I) identify and discuss elements of professional codes of conduct or creeds in engineering such as the National Society of Professional Engineers Code of Ethics for Engineers;
 - (J) discuss the importance of safety in the workplace and why it is critical for employees and employers to maintain a safe work environment; and
 - (K) describe the roles and responsibilities of managers.
- (2) The student understands that there are different stages of the engineering design process and the importance of working through each stage as part of an iterative process. The student is expected to:
- (A) explain the importance of defining an engineering problem as an initial step in the engineering design process;
 - (B) describe the research stage of the engineering design process;
 - (C) define ideation and conceptualization and discuss the role these processes play in innovation and problem solving;
 - (D) explain the processes of selecting an idea or concept for detailed prototype design, development, and testing;
 - (E) describe the purpose of non-technical drawings, technical drawings, models, and prototypes in designing a solution to an engineering problem;
 - (F) describe the process of relevant experimental design, conducting tests, collecting data, and analyzing data to evaluate potential solutions;
 - (G) explain how the engineering design process is iterative and the role reflection plays in developing an optimized engineering solution; and
 - (H) describe the purpose of effective communication of the engineering solution as obtained through the engineering design process to various audiences.
- (3) Students explore and develop skills to solve problems, make decisions, and manage a project. The student is expected to:
- (A) discuss strategies for managing time, setting deadlines, and prioritizing to accomplish goals;
 - (B) identify constraints and describe the importance of planning around constraints, including budgets, resources, and materials;
 - (C) define milestones and deliverables and explain the advantages of dividing a large project into smaller milestones and deliverables;
 - (D) identify different types of communication and explain how different types of communication lead to successful teamwork on a shared project in a professional setting; and
 - (E) identify strategies to solve problems and describe how problem solving is utilized to accomplish personal and team objectives.
- (4) The student understands the foundations of occupational safety and health. The student is expected to:
- (A) explain and discuss the responsibilities of workers and employers to promote safety and health in the workplace and the rights of workers to a secure workplace;
 - (B) explain and discuss the importance of Occupational Safety and Health Administration (OSHA) standards and OSHA requirements for organizations, how OSHA inspections are conducted, and the role of national and state regulatory entities;
 - (C) explain the role industrial hygiene plays in occupational safety and explain various types of industrial hygiene hazards, including physical, chemical, biological, and ergonomic;

- (D) identify and explain the appropriate use of types of personal protective equipment used in industry;
 - (E) discuss the importance of safe walking and working surfaces in the workplace and best practices for preventing or reducing slips, trips, and falls in the workplace;
 - (F) describe types of electrical hazards in the workplace and the risks associated with these hazards and describe control methods to prevent electrical hazards in the workplace;
 - (G) analyze the hazards of handling, storing, using, and transporting hazardous materials and identify and discuss ways to reduce exposure to hazardous materials in the workplace;
 - (H) identify workplace health and safety resources, including emergency plans and Safety Data Sheets, and discuss how these resources are used to make decisions in the workplace;
 - (I) describe the elements of a safety and health program, including management leadership, worker participation, and education and training;
 - (J) explain the purpose and importance of written emergency action plans and fire protection plans and describe key components of each such as evacuation plans and emergency exit routes, list of fire hazards, and identification of emergency personnel;
 - (K) explain the components of a hazard communication program; and
 - (L) explain and give examples of safety and health training requirements specified by standard setting organizations.
- (5) The student investigates different career paths in civil engineering. The student is expected to:
- (A) explain the licensing requirements for an engineer in training and a professional engineer;
 - (B) identify various career options related to civil engineering such as surveyors, architects, construction contractors, urban and regional planners, inspectors, and regulators;
 - (C) identify and explain the requirements to obtain professional credentials such as certified flood plain manager (CFM), project management professional (PMP), professional engineer (PE), Autodesk certifications, SolidWorks certifications, certified surveying technician (CST), registered professional land surveyor (RPLS), certified quality engineer (CQE), and certified quality inspector (CQI) associated with civil engineering; and
 - (D) describe sub-disciplines within civil engineering, including water resources, environmental, geotechnical, structural, transportation, material sciences, coastal, land development, urban development, and infrastructure.
- (6) The student examines the functional mathematics used in civil engineering. The student is expected to:
- (A) calculate the mean, median, and mode of a given data set;
 - (B) calculate the standard deviation of a given data set;
 - (C) identify parts of a normal distribution curve;
 - (D) define the Empirical Rule and analyze the distribution of a data set using the Empirical Rule;
 - (E) define systematic, gross, and random error;
 - (F) define accuracy and precision in a data set;
 - (G) analyze the accuracy and precision of a data set;
 - (H) identify the types and properties of various polygons;

- (I) solve for the parts of a triangle using the Pythagorean theorem, the law of sines, and the law of cosines;
 - (J) identify the properties of circles;
 - (K) solve for the measurements of a circle, including diameter, radius, circumference, area, chord, arclength, delta, and tangent;
 - (L) solve linear functions on a Cartesian Coordinate System using standard form, slope-intercept form, point-slope form, and the distance between two points; and
 - (M) calculate the volumes of three-dimensional shapes such as cylinders, spheres, and trapezoidal and triangular prisms.
- (7) The student understands methods of measurement and associated errors. The student is expected to:
- (A) define units of linear measurement, including U.S. survey feet, international feet, chains, rods, miles, fathoms, furlongs, varas, and other metric units commonly used in the surveying and civil engineering industry;
 - (B) define the different units of angular measurement, including vertical angles, horizontal angles, bearings, azimuths, degrees-minutes-seconds, decimal degrees, seconds of arc, and gradians;
 - (C) define the different units of volumetric measurement, including cubic feet, cubic yards, tons, and acre-feet;
 - (D) calculate and define area measurements such as acre, hectare, square feet, square mile, league, or sitio;
 - (E) convert linear, angular, and area measurements between different units;
 - (F) determine a change in elevation between two or more points by performing a differential level loop;
 - (G) measure the distance between two points on a plane using methods such as taping, electronic distance meter, total station, pacing, odometer, tacheometry, and stadia;
 - (H) compare the errors from two or more methods of calculating distance between two points such as comparing pacing and taping; and
 - (I) identify and analyze various types of errors associated with survey data.
- (8) The student researches civil engineering throughout history. The student is expected to:
- (A) describe the significance and development of historic civil engineering projects such as the Panama Canal, Roman aqueducts, and Hadrian's wall;
 - (B) describe the significance and development of a major Texas civil engineering project; and
 - (C) describe the significance and development of a major U.S. civil engineering project.
- (9) The student understands a civil engineering project life cycle. The student is expected to:
- (A) explain the civil engineering project conception, scope, proposal, contract, design planning and development, construction documents, bid and specifications, construction, and closeout phase; and
 - (B) identify and sequence the phases of a project life cycle.
- (10) The student understands and develops a civil engineering project scope of work and proposal. The student is expected to:
- (A) identify and describe the importance of potential components in a feasibility report, including soil analysis, existing land entitlements, existing topography, federal

- emergency management agency (FEMA) floodplain location and elevation, existing utility and locations, environmental studies, and adjacent rights-of-way;
- (B) identify and quantify costs and benefits associated with a proposed civil engineering project, including initial investments, operational expenses, and anticipated returns;
 - (C) conduct a cost-benefit analysis for a small civil engineering project;
 - (D) identify common risks associated with civil engineering projects, including technical, financial, environmental, and regulatory risks;
 - (E) describe methodologies for conducting risk analysis such as probability assessment, impact analysis, and risk prioritization;
 - (F) develop a feasibility report for a small civil engineering project;
 - (G) explain the purpose of a request for qualifications (RFQ);
 - (H) evaluate RFQs based on a project's scope;
 - (I) identify relevant codes and regulations impacting civil engineering projects;
 - (J) define the fundamental components of a scope of work document, including project description, stakeholders, objectives, deliverables, scope exclusions, milestones, schedule, and signature block; and
 - (K) develop a scope of work document for a small civil engineering project.
- (11) The student understands and develops the components of civil engineering designs. The student is expected to:
- (A) identify various conceptual schematic design drawings, sketches, and diagrams that explore design solutions and communicate design concepts;
 - (B) generate a conceptual schematic design drawing, sketch, or diagram that effectively communicates a design concept;
 - (C) explain the purpose and application of common civil engineering calculations such as superelevation, flow line, beam analysis, cost amortization, materials testing, plasticity index, and differential leveling;
 - (D) evaluate engineering plans and specifications using quality control and quality assurance (QCQA) processes; and
 - (E) prepare a design quantity take-off and estimate of probable construction cost.
- (12) The student researches the use and application of technology in civil engineering. The student is expected to:
- (A) identify the tools and technology used in civil engineering throughout history such as abacus, compass, scale, measuring tape, slide rule, calculator, computer-aided drafting and design, level, auto-level, grade rod, plumb bob, transit, theodolite, total station, GPS, lidar, and drones;
 - (B) explain the evolution of technology used in civil engineering; and
 - (C) explain the uses of design analysis and computer-aided drafting software.
- (13) The student understands and researches the components of project closeout processes. The student is expected to:
- (A) identify the main stakeholders involved in final inspections such as owner, utility provider(s), designer(s), contractors, municipalities, and regulatory agencies;
 - (B) develop a punch list that is organized by trade, area, or priority and identifies deficiencies in a substantially completed project; and

- (C) evaluate the completed project to identify project successes and deficiencies.
- (14) The student understands and navigates civil engineering construction documents. The student is expected to:
- (A) identify the sections of a construction document set, including plat, existing conditions, site plan, fire protection plan, dimensional control plan, grading plan, drainage plan, utility plan, paving plan, erosion control plan, and project detail sheets;
- (B) research and describe the purpose of a fire protection plan;
- (C) describe the components of a paving plan, including pavement sections, material types, and design details;
- (D) identify and locate construction specification documents relevant to a given project;
- (E) explain and locate the fundamental components of a construction document's legend, including symbols, line types, and typical abbreviations;
- (F) explain the process of drafting a construction document to scale;
- (G) determine and demonstrate which scale best fits a standard size drawing sheet;
- (H) explain the relationship between a construction document's specifications, plans, legend, and scale; and
- (I) identify and explain the differences between design drawings and record drawings.
- (15) The student applies best practices for effective project document structure and management. The student is expected to:
- (A) explain the significance of systematic organizational structure for project documents;
- (B) develop a systematic organizational structure for project documents that considers factors such as project phase, discipline, and document type;
- (C) develop a consistent naming convention for project documents; and
- (D) implement and maintain a uniform naming convention for project documents.
- (16) The student describes and exhibits characteristics that lead to a successful civil engineering team. The student is expected to:
- (A) research and describe time management techniques such as using Gantt charts, schedules, critical paths, and man-power projections for project management;
- (B) demonstrate effective communication skills in written and oral formats to facilitate collaboration in a project team; and
- (C) explain how project team dynamics impact project outcomes and member morale.
- (17) The student researches and describes ethics pertaining to civil engineering. The student is expected to:
- (A) research and identify the fundamental engineering ethics established by the Texas Board of Professional Engineers and Land Surveyors and other professional organizations such as American Society of Civil Engineers, the National Society of Professional Engineers, the, the National Council of Examiners for Engineering and Surveying, and the National Institute of Engineering Ethics; and
- (B) analyze root causes and lessons learned from historical examples or case studies involving ethical misconduct in civil engineering projects.
- (18) The student explores the impact of engineering in the natural world and built environment. The student is expected to:

- (A) describe the potential impacts of sustainable practices on local and global communities, environments, and economies;
 - (B) describe sustainability standards used throughout the project life cycle;
 - (C) describe governmental agencies that regulate environmental impact at the federal, state, and local level;
 - (D) describe the potential impacts of construction on the natural world, including flora, fauna, groundwater, surface water, soil, Earth's atmosphere, air quality, and waterways; and
 - (E) describe methods used by engineers to mitigate and remediate the effects of construction on the natural world.
- (19) The student understands the methods environmental engineers use to supply water, dispose of waste, and control pollution. The student is expected to:
- (A) describe methods of population projection for sizing water and wastewater facilities;
 - (B) describe water quality standards using prescribed units of measure;
 - (C) research and explain regulations for water quantity design requirements by jurisdiction;
 - (D) research and explain regulations for wastewater quantity design requirements by jurisdiction;
 - (E) research and describe methods of water and wastewater treatment;
 - (F) research and describe methods of solid waste management;
 - (G) research and describe methods of controlling hazardous waste; and
 - (H) research and describe methods of measuring and managing air quality.

§127.416. Civil Engineering II (Two Credits), Adopted 2025.

- (a) Implementation. The provisions of this section shall be implemented by school districts beginning with the 2025-2026 school year.
- (b) General requirements. This course is recommended for students in Grades 11 and 12. Prerequisites: Geometry and Civil Engineering I. Recommended prerequisite: Introduction to Computer-Aided Design and Drafting. Students shall be awarded two credits for successful completion of this course.
- (c) Introduction.
 - (1) Career and technical education instruction provides content aligned with challenging academic standards, industry-relevant technical knowledge, and college and career readiness skills for students to further their education and succeed in current and emerging professions.
 - (2) The Engineering Career Cluster focuses on planning, designing, testing, building, and maintaining machines, structures, materials, systems, and processes using empirical evidence and science, technology, and math principles. This career cluster includes occupations ranging from mechanical engineer and drafter to electrical engineer and mapping technician.
 - (3) Students in Civil Engineering II apply the principles and practices essential to various subdisciplines within civil engineering. Throughout this course, students develop knowledge and skills essential to the design development and construction of a civil engineering project. The students explore the impacts and constraints on the design of a project. They also delve into the functional mathematics crucial to the profession. Additionally, the course emphasizes the importance of effective project document structure and project management, ethical considerations, and the impact of civil engineering on the natural and built environment.
 - (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.
- (d) Knowledge and skills.
- (1) The student demonstrates professional standards/employability skills as required by business and industry. The student is expected to:
- (A) demonstrate dressing appropriately, speaking politely, and conducting oneself in a manner appropriate for the profession and work site;
 - (B) analyze how teams can produce better outcomes through cooperation, contribution, and collaboration from members of the team;
 - (C) present written and oral technical communication in a clear, concise, and effective manner for a variety of purposes and audiences, including explaining and justifying decisions in the design process;
 - (D) use time-management skills independently and in groups to prioritize tasks, follow schedules, and tend to goal-relevant activities in a way that optimizes efficiency and results;
 - (E) describe the importance of and demonstrate punctuality, dependability, reliability, and responsibility in reporting for duty and performing assigned tasks as directed;
 - (F) explain how engineering ethics as defined by professional organizations such as the National Society of Professional Engineers apply to engineering practice;
 - (G) demonstrate respect for diversity in the workplace;
 - (H) identify consequences relating to discrimination, harassment, and inequality;
 - (I) analyze elements of professional codes of conduct or creeds in engineering such as the National Society of Professional Engineers Code of Ethics for Engineers;
 - (J) identify the components of a safety plan and why a safety plan is critical for employees and employers to maintain a safe work environment; and
 - (K) compare skills and characteristics of managers and leaders in the workplace.
- (2) The student understands how to implement an engineering design process to develop a product or solution. The student is expected to:
- (A) describe and implement the stages of an engineering design process to construct a model;
 - (B) explain how factors, including complexity, scope, resources, ethics, regulations, manufacturability, and technology, impact stages of the engineering design process;
 - (C) explain how stakeholders impact an engineering design process; and
 - (D) analyze how failure is often an essential component of the engineering design process.
- (3) The student explores the methods and aspects of project management in relation to projects. The student is expected to:
- (A) research and explain the process and phases of project management, including initiating, planning, executing, and closing;
 - (B) explain the roles and responsibilities of team members, including project managers and leads;
 - (C) research and evaluate methods and tools available for managing a project;
 - (D) discuss the importance of developing and implementing a system for the organization of project documentation such as file naming conventions, document release control, and version control;

- (E) describe how project requirements, constraints, and deliverables impact the project schedule and influence an engineering design;
 - (F) explain how a project budget, including materials, equipment, and labor, is developed and maintained; and
 - (G) describe the importance of management of change (MOC) and how MOC applies to project planning.
- (4) The student recognizes project stakeholders and industry organizations in civil engineering. The student is expected to:
- (A) describe the roles and objectives of project stakeholders, including engineer, owner, architect, contractor, subcontractors, project manager, end users, regulatory agencies, and the public; and
 - (B) describe the mission and membership benefits of industry organizations such as the American Society of Civil Engineers, the National Society of Professional Engineers, and the Society of Women Engineers.
- (5) The student explores various disciplines within civil engineering. The student is expected to:
- (A) describe the essential technical knowledge and functions in a variety of civil engineering subdisciplines, including environmental, geotechnical, transportation, structural, water resources, and construction;
 - (B) explain how different types of projects within civil engineering subdisciplines, including public works, transportation, urban development, water resources, and utility projects, impact the built environment; and
 - (C) identify and describe types of civil engineering projects.
- (6) The student explores how codes, regulations, and plats impact a civil engineering project. The student is expected to:
- (A) research and describe regulations established by the American Disabilities Act relevant to site design;
 - (B) identify local codes and regulations for a civil engineering project;
 - (C) describe the potential impacts of local codes and regulations on civil engineering projects; and
 - (D) describe the purpose of a plat and easements for a civil engineering project.
- (7) The student develops a proposal for a civil engineering project such as a park, a parking lot, or a storm drain. The student is expected to:
- (A) analyze or develop a feasibility report for a civil engineering project;
 - (B) develop and analyze the scope of work document for a civil engineering project;
 - (C) calculate monetary value for engineering efforts on a given project;
 - (D) revise and archive the draft project proposal for scope of work changes;
 - (E) develop a client deliverable package that contains a fee proposal, project schedule, organizational chart, exclusions, and an engineering contract;
 - (F) communicate effectively a final proposal for a civil engineering project; and
 - (G) identify and evaluate lessons learned from the project proposal process.
- (8) The student develops a civil engineering project schedule. The student is expected to:
- (A) identify and prioritize project tasks to determine the critical path of a project;
 - (B) create a project critical path diagram;

- (C) evaluate project tasks and the critical path to develop a project schedule;
 - (D) create a Gantt chart for all the project activities in a project; and
 - (E) assess a project schedule for opportunities to improve project efficiencies.
- (9) The student develops a civil engineering design for a project site. The student is expected to:
- (A) create a concept site plan using existing schematics, survey data, and regulatory design manuals;
 - (B) identify existing and proposed utility providers, including electric, water, sewer, gas, and telecommunications providers, at a project site;
 - (C) research and identify existing plats and easements for a project site; and
 - (D) revise and finalize a project site plan to reflect analyzed site data, including utilities, geotechnical, right-of-way, water resources, environmental, survey, and transportation data.
- (10) The student explores concepts and calculations for storm water events used by water resources engineers. The student is expected to:
- (A) describe storm event probability based on historical models;
 - (B) describe methods used, including Rational method, Natural Resources Conservation Service (NRCS), Soil Conservation Service (SCS), and unit hydrograph, to calculate flow rate;
 - (C) analyze existing topography at the project site to determine drainage patterns;
 - (D) delineate existing and proposed drainage areas impacting a project site to determine the change in stormwater runoff generated by a project design;
 - (E) research and describe methods of stormwater mitigation and water quality treatment;
 - (F) calculate the existing flow rates for a 5-year and a 100-year storm event for a project site using the Rational method;
 - (G) analyze and calculate the proposed flow rates for a 5-year and a 100-year storm event for a project design;
 - (H) determine the required stormwater remediation techniques for a 100-year storm event by comparing existing and proposed runoff quantities;
 - (I) describe methods of stormwater conveyance, including channel, culvert, and pipe;
 - (J) calculate the hydraulics of a stormwater conveyance using the continuity equation, energy equation, and Bernoulli's equation;
 - (K) design a conveyance system such as a pipe, culvert, or open channel to convey stormwater runoff for a 100-year storm event using the calculated data;
 - (L) create a plan and profile sheet of a drainage system, including surface elevations, slopes, conveyance system dimensions, material, and pipe invert elevations; and
 - (M) describe potential impacts of a drainage analysis for a project.
- (11) The student explores concepts and calculations used by geotechnical engineers. The student is expected to:
- (A) identify and explain the components of a geotechnical report, including boring samples and logs, soil types and classifications, pavement recommendations, foundations recommendations, and soil preparations;

- (B) identify and determine the soil classifications at a project site using the United States Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) Web Soil Survey (WSS);
 - (C) calculate the plasticity index of soil from a project site;
 - (D) research and describe methods of soil preparation;
 - (E) research and explain how geotechnical results impact pavement recommendations used in civil engineering projects;
 - (F) research and select the most effective pavement section for a project; and
 - (G) describe the impact of a geotechnical analysis for a project.
- (12) The student explores concepts and calculations used by structural engineers. The student is expected to:
- (A) identify and analyze the various types of building foundations, including raft, monolithic slab, slab on grade, pier and beam, spread footing, mat footing, drilled piers, pylons, waffle slab, and post-tension slab;
 - (B) describe the forces common to structural engineering calculations, including gravity, tension, compression, flexure, and torsion;
 - (C) describe the loads common to structural engineering calculations, including dead load, live load, environmental loads, and other loads such as lateral and concentrated loads;
 - (D) diagram and explain how applied loads and forces are resisted in a structure and transferred to the Earth;
 - (E) diagram a simply supported beam subjected to loading conditions to determine reaction forces;
 - (F) sketch diagrams to determine the maximum shear and moment resulting in the beam;
 - (G) identify the different types of trusses, including simple, planar, and space frame trusses;
 - (H) diagram a truss subjected to loading conditions to determine reaction forces and identify the zero force members;
 - (I) explain why design loads are dictated by building codes; and
 - (J) describe potential impacts of a structural analysis for a project.
- (13) The student explores concepts and calculations used by transportation engineers. The student is expected to:
- (A) identify and describe various types of transportation engineering specializations such as rail, aviation, roadway, highway, and marine;
 - (B) research and explain the benefits of having a professional transportation engineering certification;
 - (C) research and explain the benefits of membership in a transportation engineering organization such as Institute for Transportation Engineers (ITE), American Society of Highway Engineers (ASHE), American Association of State Highway and Transportation Officials (AASHTO), and WTS International;
 - (D) determine stopping sight distance of a roadway given the design speed and grade;
 - (E) research and describe the impacts of transportation design elements, including grades, superelevation, design speed, friction factor, lane widths, vertical curves, horizontal curves, roadway classification, acceleration, and deceleration;
 - (F) analyze the level of service of a roadway to determine if operating conditions are adequate;

- (G) identify and explain the components of a traffic impact analysis (TIA), including data collection summary, trip analysis, turn lane analysis, project phasing, and sight visibility analysis;
 - (H) research and identify methods of traffic data collection;
 - (I) collect and calculate traffic count data at a project site and analyze the results of the traffic count to determine peak hour trips and traffic mitigation;
 - (J) determine the peak hour trips generated by a given land use from a ITE Trip Generation Manual;
 - (K) research and describe traffic level of service for various roadways;
 - (L) determine if a turn lane is warranted based on peak hour trips and traffic volume; and
 - (M) describe potential impacts of a transportation analysis for a project.
- (14) The student develops construction documents for a civil engineering project. The student is expected to:
- (A) develop project construction documents that includes design plans, specifications, and a cost estimate for a civil engineering project;
 - (B) develop the analysis reports for a civil engineering project;
 - (C) generate a demolition sheet that contains existing topography, property lines, easements, utilities, rights-of-way, drainage infrastructure, and structures, and identifies items to be demolished;
 - (D) develop a fire protection plan for a project;
 - (E) generate a paving plan that shows the limits and types of pavement necessary for a project;
 - (F) generate a site plan that labels proposed improvements for a project;
 - (G) generate a site dimensional control plan containing measurements for all site improvements for a project;
 - (H) generate a grading plan that documents proposed elevations and topography in comparison to existing topography for a project;
 - (I) generate drainage plans that document the existing drainage patterns, proposed drainage plan, and drainage infrastructure for a project;
 - (J) generate a utility plan that documents existing and proposed utility types, locations, and materials for a project;
 - (K) generate an erosion control plan that identifies erosion control best management practices (BMP) defined by the Texas Commission on Environmental Quality (TCEQ) for a project; and
 - (L) explain the importance of a quality control review and complete a quality control review of the construction documents of the project.
- (15) The student develops documents for support of the construction bid. The student is expected to:
- (A) identify components of a bid tabulation, including item description, material quantity, unit measure, unit price, and total price;
 - (B) compare a project bid tabulation with corresponding construction documents to verify all items are included;
 - (C) create a project bid tabulation; and
 - (D) identify and compile the parts of civil engineering project manual.

- (16) The student works as an individual and a team member to complete projects. The student is expected to:
 - (A) track team goals to verify completion of contribute project milestones;
 - (B) explain various methods to resolve conflict within a project team;
 - (C) explain how leadership impacts project outcomes and team members; and
 - (D) evaluate team member performance and effectiveness in a project.
- (17) The student researches and understands the code of ethics pertaining to civil engineering. The student is expected to:
 - (A) research and describe the impact of the State of Texas Engineering Practice Act and Rules; and
 - (B) analyze and discuss ethical case studies using Texas Administrative Code, Title 22, Part 6, Chapter 137, Subchapter C (relating to Professional Conduct and Ethics).
- (18) The student understands the fundamental sustainable design approaches and practices in civil engineering projects. The student is expected to:
 - (A) research and describe sustainable building materials and methods;
 - (B) identify and explain the programs and certifications that establish design criteria for engineering projects such as Leadership in Energy and Environmental Design (LEED);
 - (C) explain how sustainable programs and certifications potentially impact the design elements in a project;
 - (D) explain how design choices potentially impact the environment and human health; and
 - (E) explain how elements of the construction process potentially impact the environment and human health.

§127.417. Engineering Project Management (One Credit), Adopted 2025.

- (a) Implementation. The provisions of this section shall be implemented by school districts beginning with the 2025-2026 school year.
- (b) General requirements. This course is recommended for students in Grades 10-12. Prerequisite: Algebra I. Recommended prerequisite: English II. Students shall be awarded one credit for successful completion of this course.
- (c) Introduction.
 - (1) Career and technical education instruction provides content aligned with challenging academic standards, industry-relevant technical knowledge, and college and career readiness skills for students to further their education and succeed in current and emerging professions.
 - (2) The Engineering Career Cluster focuses on planning, designing, testing, building, and maintaining machines, structures, materials, systems, and processes using empirical evidence and science, technology, and math principles. This career cluster includes occupations ranging from mechanical engineer and drafter to electrical engineer and mapping technician.
 - (3) Students enrolled in Engineering Project Management develop cursory knowledge and essential skills to lead an engineering team through the development and construction of a project. Students assess project documentation for compliance with best management practices. They engage in project planning, risk management, team management, and stakeholder communication to ensure project completion, adherence to safety guidelines, and continuous improvement.
 - (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.
- (d) Knowledge and skills.
- (1) The student demonstrates professional standards/employability skills as required by business and industry. The student is expected to:
- (A) explain the importance of dressing appropriately, speaking politely, and conducting oneself in a manner appropriate for the profession and work site;
 - (B) describe teamwork, group dynamics, and conflict resolution and how they can impact the collective outcome;
 - (C) present written and oral technical communication in a clear, concise, and effective manner for a variety of purposes and audiences;
 - (D) identify time-management skills such as prioritizing tasks, following schedules, and tending to goal-relevant activities and how these practices optimize efficiency and results;
 - (E) define work ethic and discuss the characteristics of a positive work ethic, including punctuality, dependability, reliability, and responsibility for reporting for duty and performing assigned tasks;
 - (F) discuss the importance of professionalism and ethics in engineering design as defined by professional organizations such as the National Society of Professional Engineers;
 - (G) demonstrate respect for diversity in the workplace;
 - (H) identify consequences relating to discrimination, harassment, and inequality;
 - (I) identify and discuss elements of professional codes of conduct or creeds in engineering such as the National Society of Professional Engineers Code of Ethics for Engineers;
 - (J) discuss the importance of safety in the workplace and why it is critical for employees and employers to maintain a safe work environment; and
 - (K) describe the roles and responsibilities of managers.
- (2) The student understands that there are different stages of the engineering design process and the importance of working through each stage as part of an iterative process. The student is expected to:
- (A) explain the importance of defining an engineering problem as an initial step in the engineering design process;
 - (B) describe the research stage of the engineering design process;
 - (C) define ideation and conceptualization and discuss the role these processes play in innovation and problem solving;
 - (D) explain the processes of selecting an idea or concept for detailed prototype design, development, and testing;
 - (E) describe the purpose of non-technical drawings, technical drawings, models, and prototypes in designing a solution to an engineering problem;
 - (F) describe the process of relevant experimental design, conducting tests, collecting data, and analyzing data to evaluate potential solutions;
 - (G) explain how the engineering design process is iterative and the role reflection plays in developing an optimized engineering solution; and
 - (H) describe the purpose of effective communication of the engineering solution as obtained through the engineering design process to various audiences.

- (3) The student explores and develops skills to solve problems, make decisions, and manage a project. The student is expected to:
- (A) discuss strategies for managing time, setting deadlines, and prioritizing to accomplish goals;
 - (B) identify constraints and describe the importance of planning around constraints, including budgets, resources, and materials;
 - (C) define milestones and deliverables and explain the advantages of dividing a large project into smaller milestones and deliverables;
 - (D) identify different types of communication and explain how different types of communication lead to successful teamwork on a shared project in a professional setting; and
 - (E) identify strategies to solve problems and describe how problem solving is utilized to accomplish personal and team objectives.
- (4) The student understands the foundations of occupational safety and health. The student is expected to:
- (A) explain and discuss the responsibilities of workers and employers to promote safety and health in the workplace and the rights of workers to a secure workplace;
 - (B) explain and discuss the importance of Occupational Safety and Health Administration (OSHA) standards and OSHA requirements for organizations, how OSHA inspections are conducted, and the role of national and state regulatory entities;
 - (C) explain the role industrial hygiene plays in occupational safety and explain various types of industrial hygiene hazards, including physical, chemical, biological, and ergonomic;
 - (D) identify and explain the appropriate use of types of personal protective equipment used in industry;
 - (E) discuss the importance of safe walking and working surfaces in the workplace and best practices for preventing or reducing slips, trips, and falls in the workplace;
 - (F) describe types of electrical hazards in the workplace and the risks associated with these hazards and describe control methods to prevent electrical hazards in the workplace;
 - (G) analyze the hazards of handling, storing, using, and transporting hazardous materials and identify and discuss ways to reduce exposure to hazardous materials in the workplace;
 - (H) identify workplace health and safety resources, including emergency plans and Safety Data Sheets, and discuss how these resources are used to make decisions in the workplace;
 - (I) describe the elements of a safety and health program, including management leadership, worker participation, and education and training;
 - (J) explain the purpose and importance of written emergency action plans and fire protection plans and describe key components of each such as evacuation plans and emergency exit routes, list of fire hazards, and identification of emergency personnel;
 - (K) explain the components of a hazard communication program; and
 - (L) explain and give examples of safety and health training requirements specified by standard setting organizations.
- (5) The student explores the methods and aspects of project management in relation to engineering projects. The student is expected to:
- (A) identify and prioritize engineering tasks for an engineering project plan;
 - (B) identify and outline the critical path of a set of tasks in an engineering project;

- (C) develop a project budget based on billable hours and engineering tasks in a project;
 - (D) track and maintain time spent on engineering tasks for a given project;
 - (E) generate a Gantt chart for an engineering project, including project tasks, time to complete tasks, critical path, and schedule of tasks;
 - (F) develop and implement a systematic folder structure for organizing project documents considering factors such as project phase, discipline, and document type;
 - (G) apply naming conventions consistently to all project documents to facilitate efficient identification and retrieval;
 - (H) research and describe best management practices such as quality control and quality assurance, risk management, and project management plan for an engineering project;
 - (I) evaluate an engineering project for adherence to local, state, and federal regulations;
 - (J) evaluate an engineering project for adherence to best management practices; and
 - (K) evaluate an engineering project for implementation of sustainable practices.
- (6) The student explores processes involved in the construction phase of an engineering project. The student is expected to:
- (A) identify parts of an engineering project manual associated with a construction bid, including bid schedule, bid tabulation, construction plan set, and material specifications;
 - (B) explain the bid process for a project, including timeline, value engineering, request for information (RFI), request for qualifications (RFQ), request for price (RFP), interview process, bid opening, bid evaluations, and bid award;
 - (C) develop a quantity take-off for an engineering project; and
 - (D) identify applicable materials based on the engineering project specifications to conduct a material quantity take-off.
- (7) The student researches and identifies methods and divisions of project documentation. The student is expected to:
- (A) compare shop drawings and construction documents to identify and rectify variances;
 - (B) identify and justify applicable material specifications for a given project;
 - (C) compile and organize material specifications to create a submittal log;
 - (D) analyze a construction drawing to develop applicable design questions and create an RFI document;
 - (E) identify and explain the permitting process for an engineering project;
 - (F) identify permitting stakeholders and explain stakeholder roles in the permitting process;
 - (G) identify permitting entities and create a permit request;
 - (H) identify and explain the purpose and parts of a change order for a project;
 - (I) develop a method of documentation to track project changes, including field changes, design changes, and change orders, and analyze cost and schedule impacts of project changes; and
 - (J) identify and draft applicable completion documents, including certificate of occupancy, temporary certificate of occupancy, field changes, as-built or plan of record documents, and engineer's certification of substantial completion.
- (8) The student explores applicable federal, state, and local regulations as they pertain to engineering projects. The student is expected to:

- (A) research federal regulatory agencies and describe the role federal regulatory agencies serve in relation to an engineering project such as the Environmental Protection Agency (EPA), Federal Aviation Administration (FAA), and Army Corps of Engineers;
 - (B) research state regulatory agencies such as the Texas Department of Transportation (TxDOT), Texas Commission on Environmental Quality (TCEQ), and the Texas Railroad Commission (TRC) and describe the role these agencies serve in relation to an engineering project;
 - (C) research local regulatory agencies and describe the role local regulatory agencies serve in relation to an engineering project; and
 - (D) describe local codes and ordinances affecting construction and development activities.
- (9) The student explores methods of risk management and the effects on engineering projects. The student is expected to:
- (A) identify and describe various methods of risk management related to engineering projects;
 - (B) identify and analyze the potential risks in a project with respect to the project stakeholders;
 - (C) develop and communicate a job hazard analysis (JHA) for a given project task;
 - (D) identify factors of contingency related to an engineering project;
 - (E) create a contingency estimate analyzing events that can cause potential losses to a project; and
 - (F) present a risk management plan for a given project.
- (10) The student examines components of value engineering practices in relation to an engineering project. The student is expected to:
- (A) describe value engineering;
 - (B) identify and analyze common areas of engineering projects that are susceptible to value engineering;
 - (C) analyze an existing project design and cost estimate to identify potential cost saving areas;
 - (D) describe an opinion of probable cost (OPC) associated with an engineering project;
 - (E) generate an OPC for an engineering project, including construction mobilization, material cost, material quantities, waste disposal, contingency, and total price; and
 - (F) create a cost-benefit analysis of an engineering project that compares the monetary cost of the project to the benefit to end user.
- (11) The student demonstrates effective leadership and communications skills necessary to manage engineering projects. The student is expected to:
- (A) identify and describe the various team roles for an engineering project;
 - (B) research and describe various project management methodologies;
 - (C) create a schedule of roles for team members in an engineering project;
 - (D) conduct an effective kick-off meeting to communicate the project management plan for a given engineering project;
 - (E) evaluate how project team dynamics impact the successful completion of a project;
 - (F) prepare and document effective meeting agendas;
 - (G) record, prepare, and distribute clear and accurate meeting minutes;

- (H) research and describe effective leadership qualities;
- (I) research and identify examples of effective leadership styles;
- (J) identify and describe personal leadership styles and strengths; and
- (K) evaluate how student leadership styles impact the success of the project team.

§127.418. Architectural Engineering (Two Credits), Adopted 2025.

- (a) Implementation. The provisions of this section shall be implemented by school districts beginning with the 2025-2026 school year.
- (b) General requirements. This course is recommended for students in Grades 11 and 12. Prerequisite: Civil Engineering I. Students shall be awarded two credits for successful completion of this course.
- (c) Introduction.
 - (1) Career and technical education instruction provides content aligned with challenging academic standards, industry-relevant technical knowledge, and college and career readiness skills for students to further their education and succeed in current and emerging professions.
 - (2) The Engineering Career Cluster focuses on planning, designing, testing, building, and maintaining machines, structures, materials, systems, and processes using empirical evidence and science, technology, and math principles. This career cluster includes occupations ranging from mechanical engineer and drafter to electrical engineer and mapping technician.
 - (3) Students enrolled in Architectural Engineering use principles of engineering and design tools to create innovative, functional, and sustainable buildings. Students develop cursory knowledge and essential skills to understand the design of buildings, including the mechanical, electrical, plumbing, and structural systems, while also planning the construction process. They engage in project planning, building and system analysis, site investigation, and the integration of sustainable design and construction practices for an architectural engineering project.
 - (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.
- (d) Knowledge and skills.
 - (1) The student demonstrates professional standards/employability skills as required by business and industry. The student is expected to:
 - (A) demonstrate dressing appropriately, speaking politely, and conducting oneself in a manner appropriate for the profession and work site;
 - (B) analyze how teams can produce better outcomes through cooperation, contribution, and collaboration from members of the team;
 - (C) present written and oral technical communication in a clear, concise, and effective manner for a variety of purposes and audiences, including explaining and justifying decisions in the design process;
 - (D) use time-management skills independently and in groups to prioritize tasks, follow schedules, and tend to goal-relevant activities in a way that optimizes efficiency and results;
 - (E) describe the importance of and demonstrate punctuality, dependability, reliability, and responsibility in reporting for duty and performing assigned tasks as directed;
 - (F) explain how engineering ethics as defined by professional organizations such as the National Society of Professional Engineers apply to engineering practice;

- (G) demonstrate respect for diversity in the workplace;
 - (H) identify consequences relating to discrimination, harassment, and inequality;
 - (I) analyze elements of professional codes of conduct or creeds in engineering such as the National Society of Professional Engineers Code of Ethics for Engineers and how they apply to the knowledge and skills of the course and the engineering profession;
 - (J) identify the components of a safety plan and why it is critical for employees and employers to maintain a safe work environment; and
 - (K) compare skills and characteristics of managers and leaders in the workplace.
- (2) The student understands how to implement an engineering design process to develop a product or solution. The student is expected to:
- (A) describe and implement the stages of an engineering design process to construct a model;
 - (B) explain how factors, including complexity, scope, resources, ethics, regulations, manufacturability, and technology, impact stages of the engineering design process;
 - (C) explain how stakeholders impact an engineering design process; and
 - (D) analyze how failure is often an essential component of the engineering design process.
- (3) The student explores the methods and aspects of project management in relation to projects. The student is expected to:
- (A) research and explain the process and phases of project management, including initiating, planning, executing, and closing;
 - (B) explain the roles and responsibilities of team members, including project managers and leads;
 - (C) research and evaluate methods and tools available for managing a project;
 - (D) discuss the importance of developing and implementing a system for the organization of project documentation such as file naming conventions, document release control, and version control;
 - (E) describe how project requirements, constraints, and deliverables impact the project schedule and influence and are influenced by an engineering design;
 - (F) explain how a project budget, including materials, equipment, and labor, is developed and maintained; and
 - (G) describe the importance of management of change (MOC) and how MOC applies to project planning.
- (4) The student explores the origin and application of basic building types. The student is expected to:
- (A) identify and describe the fundamental parts of a building, including foundations, floors, walls, roof, and utility systems;
 - (B) identify and describe the visual design elements of various building types, including residential, commercial, institutional, and industrial buildings; and
 - (C) research and describe the evolution of the built space and development of building forms.
- (5) The student understands the properties of common building materials and construction methods. The student is expected to:
- (A) identify and describe common building materials such as wood, masonry, metal, glass, aggregate, and plastic;
 - (B) identify and describe common roofing materials such as thatch, wood, metal, sod, and asphalt;

- (C) describe traditional construction methods such as wood framing, tilt-wall, masonry, and steel;
 - (D) describe contemporary construction methods such as prefabricated, modular, and additive construction (3D printing);
 - (E) identify and describe standard building methods such as casting, cutting, drilling, driving, and fastening for the construction of buildings;
 - (F) research and describe sustainable building materials and methods; and
 - (G) describe how building material selection is impacted influenced by certifications such as Leadership in Energy and Environmental Design (LEED) or Energy Star.
- (6) The student understands the application of codes and regulations to building projects. The student is expected to:
- (A) explain the purpose of local building codes, including public health and safety, structural, and utility codes;
 - (B) describe land use regulations to identify zoning ordinances and allowable uses of real property;
 - (C) describe how zoning regulations are used to control land use and development;
 - (D) identify standard accessibility features such as ramps, elevators, parking, handrails, and fire alarm horn strobe as specified in codes and regulations such as the American Disability Act (ADA) and the Texas Accessibility Standards (TAS);
 - (E) explain how codes and building regulations constrain aspects of building design, including the structure, site design, utilities, and building usage;
 - (F) explain how codes and building regulations constrain aspects of building construction, including the structure, site construction, utilities, and building usage; and
 - (G) classify a building according to its use type, occupancy, and construction type using the International Building Code.
- (7) The student explores the various building systems. The student is expected to:
- (A) identify and describe various building envelopes such as tilt-wall, glazing, brick, and Exterior Insulation Finishing System (EIFS);
 - (B) describe the components of building envelopes, including foundation, walls, wall openings, roofs, roof penetrations, insulation, and building membranes;
 - (C) research and describe different types of insulating materials;
 - (D) describe different types of windows and doors;
 - (E) identify the main components and describe the purpose of mechanical systems within a building, including heating ventilation and air conditioning (HVAC), air handler, boiler, fire protection and suppression, lift, chilled water equipment, and emergency power systems;
 - (F) describe how programs and certifications such as LEED potentially impact the selection of building systems;
 - (G) identify the main components and describe the purpose of electrical systems within a building, including meters, panels, lighting, receptacles, transformers, generators, and low-voltage systems; and
 - (H) identify the main components and describe the purpose of plumbing systems within a building, including meters, main supply lines, branch lines, sewer lines, traps, risers, fire suppression, appurtenances, and fixtures.

- (8) The student examines building foundations and structures. The student is expected to:
- (A) identify and analyze the various types of building foundations, including slab on grade, pier and beam, spread footing, mat footing, drilled piers, pylons, waffle slab, and post-tension slab;
 - (B) classify a soil sample according to grain size and plasticity;
 - (C) calculate the plasticity index of a soil sample;
 - (D) determine the united soil classification system designation from a site soil sample analysis;
 - (E) describe the forces common to structural engineering calculations, including gravity, tension, compression, flexure, and torsion;
 - (F) describe the loads common to structural engineering calculations, including dead load, live load, environmental, and other load paths such as lateral and concentrated;
 - (G) diagram and explain how applied loads and forces are resisted in a structure and transferred to the Earth;
 - (H) diagram a simply supported beam subjected to loading conditions to determine reaction forces;
 - (I) sketch diagrams to determine the maximum shear and moment resulting in the beam;
 - (J) identify the different types of trusses, including simple, planar, and space frame trusses;
 - (K) diagram a truss subjected to loading conditions to determine reaction forces and identify the zero force members;
 - (L) explain why design loads are dictated by building codes;
 - (M) identify the composition and describe the ratios of ingredients in different concrete mixtures;
 - (N) describe the purpose of various concrete admixtures, including air entrainer, reducer, retarder, and accelerator;
 - (O) explain why various admixtures are selected for a project such as curing time, ambient climate, and permeability;
 - (P) conduct concrete compression and splitting-tension tests and compare strength and failures in a concrete mixture; and
 - (Q) analyze a concrete mixture by performing a slump test.
- (9) The student designs and develops plans for the building systems. The student is expected to:
- (A) develop a stormwater management system for a building that includes roof drainage calculations, roof drain design, and downspout sizing and location;
 - (B) design ingress and egress for a building that complies with local, state, and federal codes and regulations;
 - (C) develop building design and engineering plans that incorporate energy conservation techniques;
 - (D) recommend and defend an appropriate foundation design for a building type;
 - (E) design, modify, and plan structures using 3D software;
 - (F) construct building drawings using advanced computer-aided design drafting skills;
 - (G) create three-dimensional views of a building design;
 - (H) create three-dimensional solid models of the building;

- (I) design and present a final effective building design for critique;
 - (J) develop preliminary drawings of a building or structural design;
 - (K) develop a site plan using maximum orientation of the building relative to views, sun, and wind direction;
 - (L) draw schematic site plans, floor plans, roof plans, building elevations, sections, and perspectives using design development techniques;
 - (M) draw scaled wall thickness plans, interior elevations, and sections;
 - (N) develop details, floor and wall sections, ceiling and roof sections, door and window sections, and other sections as required within a building design;
 - (O) review and revise draft construction documents to incorporate results from structural analysis such as beam, truss, and foundation calculations conducted for the project; and
 - (P) review and revise draft construction documents to incorporate results from building system analysis such as mechanical, electrical, and plumbing calculations conducted for the project.
- (10) The student designs and develops plans for the building site. The student is expected to:
- (A) identify and describe various site constraints, including utilities, grading, drainage, transportation access, environmental, regulatory requirement, and rights-of-way constraints;
 - (B) explain the purpose of low impact development techniques in site development such as to reduce the impact on stormwater runoff quantity and quality;
 - (C) develop preliminary drawings of a building site design;
 - (D) develop building site design and engineering plans that integrate solutions to site constraints as appropriate;
 - (E) describe how soil characteristics impact building design;
 - (F) determine the type, sizing, and placement of site features, including parking lots, entrance and exits road, pedestrian and handicap access, and storm water facilities, that comply with local codes and regulations;
 - (G) evaluate a site to appropriately locate and orient a building or structure;
 - (H) develop site drawings using advanced computer-aided design drafting skills; and
 - (I) design and present a final effective site design for critique.
- (11) The student explores construction phase processes for a building design project. The student is expected to:
- (A) calculate quantities of building components such as the total square units of wall covering, the total cubic units of concrete, linear units of wire, and doors and windows;
 - (B) develop a material quantity take-off for a building project;
 - (C) develop an Opinion of Probable Cost (OPC) for a building project;
 - (D) document elements of the building construction that comply with design criteria such as those outlined in LEED;
 - (E) identify components of a bid tabulation, including item description, material quantity, unit measure, unit price, and total price;
 - (F) compare a project bid tabulation with corresponding construction documents to verify all items are included;
 - (G) create a project bid tabulation;

- (H) identify and describe the parts of a construction project manual, including invitation to bidders, instruction for bidders, project information, construction contracts, bid tabulation, maintenance bonds, performance bonds, payment bonds, specifications, insurance certificates, and legal requirements; and
- (I) develop an organizational chart and Gantt chart for the construction of a project.

§127.419. Surveying and Geomatics (Two Credits), Adopted 2025.

- (a) Implementation. The provisions of this section shall be implemented by school districts beginning with the 2025-2026 school year.
- (b) General requirements. This course is recommended for students in Grades 10-12. Prerequisite: Algebra I. Recommended prerequisites: Geometry and Introduction to Computer-Aided Design and Drafting. Students shall be awarded two credits for successful completion of this course.
- (c) Introduction.
 - (1) Career and technical education instruction provides content aligned with challenging academic standards, industry-relevant technical knowledge, and college and career readiness skills for students to further their education and succeed in current and emerging professions.
 - (2) The Engineering Career Cluster focuses on planning, designing, testing, building, and maintaining machines, structures, materials, systems, and processes using empirical evidence and science, technology, and math principles. This career cluster includes occupations ranging from mechanical engineer and drafter to electrical engineer and mapping technician.
 - (3) Students enrolled in Surveying and Geomatics are introduced to the principles and practices essential to the field of surveying. Throughout this course students investigate different tools, applications, and techniques used to capture and process geospatial data. They also use functional mathematics crucial to the profession. Additionally, the course emphasizes the importance of visual representations of data in multiple mediums, ethical considerations, and the legal or regulatory impact of surveying on the community and society.
 - (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.
- (d) Knowledge and skills.
 - (1) The student demonstrates professional standards/employability skills as required by business and industry. The student is expected to:
 - (A) explain the importance of dressing appropriately, speaking politely, and conducting oneself in a manner appropriate for the profession and work site;
 - (B) describe teamwork, group dynamics, and conflict resolution and how they can impact the collective outcome;
 - (C) present written and oral technical communication in a clear, concise, and effective manner for a variety of purposes and audiences;
 - (D) identify time-management skills such as prioritizing tasks, following schedules, and tending to goal-relevant activities and how these practices optimize efficiency and results;
 - (E) define work ethic and discuss the characteristics of a positive work ethic, including punctuality, dependability, reliability, and responsibility for reporting for duty and performing assigned tasks;
 - (F) discuss the importance of professionalism and ethics in engineering design as defined by professional organizations such as the National Society of Professional Engineers;

- (G) demonstrate respect for diversity in the workplace;
 - (H) identify consequences relating to discrimination, harassment, and inequality;
 - (I) identify and discuss elements of professional codes of conduct or creeds in engineering such as the National Society of Professional Engineers Code of Ethics for Engineers;
 - (J) discuss the importance of safety in the workplace and why it is critical for employees and employers to maintain a safe work environment; and
 - (K) describe the roles and responsibilities of managers.
- (2) The student understands that there are different stages of the engineering design process and the importance of working through each stage as part of an iterative process. The student is expected to:
- (A) explain the importance of defining an engineering problem as an initial step in the engineering design process;
 - (B) describe the research stage of the engineering design process;
 - (C) define ideation and conceptualization and discuss the role these processes play in innovation and problem solving;
 - (D) explain the processes of selecting an idea or concept for detailed prototype design, development, and testing;
 - (E) describe the purpose of non-technical drawings, technical drawings, models, and prototypes in designing a solution to an engineering problem;
 - (F) describe the process of relevant experimental design, conducting tests, collecting data, and analyzing data to evaluate potential solutions;
 - (G) explain how the engineering design process is iterative and the role reflection plays in developing an optimized engineering solution; and
 - (H) describe the purpose of effective communication of the engineering solution as obtained through the engineering design process to various audiences.
- (3) The student explores and develops skills to solve problems, make decisions, and manage a project. The student is expected to:
- (A) discuss strategies for managing time, setting deadlines, and prioritizing to accomplish goals;
 - (B) identify constraints and describe the importance of planning around constraints, including budgets, resources, and materials;
 - (C) define milestones and deliverables and explain the advantages of dividing a large project into smaller milestones and deliverables;
 - (D) identify different types of communication and explain how different types of communication lead to successful teamwork on a shared project in a professional setting; and
 - (E) identify strategies to solve problems and describe how problem solving is utilized to accomplish personal and team objectives.
- (4) The student understands the foundations of occupational safety and health. The student is expected to:
- (A) explain and discuss the responsibilities of workers and employers to promote safety and health in the workplace and the rights of workers to a secure workplace;

- (B) explain and discuss the importance of Occupational Safety and Health Administration (OSHA) standards and OSHA requirements for organizations, how OSHA inspections are conducted, and the role of national and state regulatory entities;
 - (C) explain the role industrial hygiene plays in occupational safety and explain various types of industrial hygiene hazards, including physical, chemical, biological, and ergonomic;
 - (D) identify and explain the appropriate use of types of personal protective equipment used in industry;
 - (E) discuss the importance of safe walking and working surfaces in the workplace and best practices for preventing or reducing slips, trips, and falls in the workplace;
 - (F) describe types of electrical hazards in the workplace and the risks associated with these hazards and describe control methods to prevent electrical hazards in the workplace;
 - (G) analyze the hazards of handling, storing, using, and transporting hazardous materials and identify and discuss ways to reduce exposure to hazardous materials in the workplace;
 - (H) identify workplace health and safety resources, including emergency plans and Safety Data Sheets, and discuss how these resources are used to make decisions in the workplace;
 - (I) describe the elements of a safety and health program, including management leadership, worker participation, and education and training;
 - (J) explain the purpose and importance of written emergency action plans and fire protection plans and describe key components of each such as evacuation plans and emergency exit routes, list of fire hazards, and identification of emergency personnel;
 - (K) explain the components of a hazard communication program; and
 - (L) explain and give examples of safety and health training requirements specified by standard setting organizations.
- (5) The student examines the functional mathematics of surveying. The student is expected to:
- (A) calculate central tendencies of a given data set, including mean, median, and mode;
 - (B) calculate standard deviation of a given data set;
 - (C) identify parts of a normal distribution curve;
 - (D) define the Empirical Rule and analyze the distribution of a data set using the Empirical Rule;
 - (E) define systematic and random error;
 - (F) identify and describe the relationship between accuracy and precision;
 - (G) identify the types and properties of various polygons;
 - (H) solve for the parts of a triangle, including Pythagorean theorem, sine, cosine, tangent, arcsine, arccosine, and arctangent;
 - (I) identify the properties of circles;
 - (J) solve for the parts of a unit circle, including diameter, radius, circumference, area, chord, arclength, delta, and tangent;
 - (K) identify and solve for linear functions, including standard form, slope-intercept form, point-slope form, and the distance between two points, on a Cartesian Coordinate System; and
 - (L) identify and solve for volumetric calculations of three-dimensional shapes, including a cylinder, sphere, rectangular prisms, trapezoidal prisms, and triangular prisms.

- (6) The student researches and understands global positioning systems (GPS) used in surveying. The student is expected to:
- (A) identify and explain data terminology related to GPS such as latitude, longitude, datum, ellipsoid, geoid, orthometric height, World Geodetic System 1984, Earth Centered Earth Fixed (ECEF), 3D coordinate geometry, and state plane coordinate system;
 - (B) explain the different types and applications of GPS surveying, including static, differential, and real-time kinematic (RTK);
 - (C) tie down a point and derive a geographic latitude and longitude coordinate using GPS;
 - (D) identify and explain GPS components, including the space segment, control segment, and the user segment;
 - (E) describe the functions of a GPS satellite;
 - (F) describe the functions of GPS ground stations;
 - (G) describe the functions of GPS receivers; and
 - (H) generate a map using geodetic coordinates.
- (7) The student researches and understands the industry standard methods and means of collecting various topographical data used in the civil engineering and construction professions. The student is expected to:
- (A) research and explain the components of optomechanical equipment, including vertical and horizontal plates and optics;
 - (B) explain the types of optomechanical equipment, including theodolite, level, and total station, and their application;
 - (C) explain methods of remote sensing, including unmanned aerial vehicle (UAV), light detection and ranging (LiDAR), sonar, ground penetrating radar, underwater remotely operated vehicle (ROV), photogrammetry, and gravity satellite;
 - (D) identify the tools used to make distance measurements, including steel tape, electric distance meter, pacing, odometer, stadia, and estimating;
 - (E) explain the various methods to measure the distance between two points on the surface of the Earth;
 - (F) measure the distance between two points on the surface of the Earth using different methods and tools;
 - (G) compare the data collected from different methods used to measure the distance between two points on the surface of the Earth for accuracy;
 - (H) identify the tools used to make angular measurements, including protractor, compass, theodolite, total station, and estimating;
 - (I) explain the various methods to measure the angle between two vectors;
 - (J) measure the angle between two vectors using different methods and tools;
 - (K) compare the data collected from different methods used to measure the angles between two vectors for accuracy;
 - (L) describe the use of control points and National Geodetic Survey (NGS) monuments;
 - (M) identify the tools used to measure elevation, including level, theodolite, total station, barometer, and estimating;
 - (N) measure and calculate the height of an object using a theodolite;

- (O) establish the elevation of a point assuming the elevation of a relative point is zero using various methods and tools;
 - (P) compare the data collected from different methods used to measure elevation between two points for accuracy;
 - (Q) identify and adhere to regulations of UAV piloting and control specified by the Federal Aviation Administration Small UAS Rule (Part A107); and
 - (R) explain the purposes of specialized surveys used in engineering, including engineering topographic, control, construction, boundary, hydrographic, optical tooling, American Land Title Association (ALTA), photogrammetric, and as-built survey.
- (8) The student records meta-data associated with surveying measurements and data collection. The student is expected to:
- (A) create and maintain field notes within a comprehensive field book that includes a cover page and field data;
 - (B) describe the necessary components of a field book cover page, including weather data, project site data, personnel data, equipment data, and type of survey conducted; and
 - (C) record surveying information in a field book, including differential level notes, collected horizontal and vertical angles, site sketches, and topographic data.
- (9) The student researches and understands the industry standard methods and means of analyzing various topographical data used in the civil engineering and construction professions. The student is expected to:
- (A) explain the process to generate a control survey;
 - (B) identify and explain symbols found on survey drawings; and
 - (C) identify and describe software used to create drawings and analyze survey data.
- (10) The student develops and communicates visual representations of topographical data used in civil engineering and construction documentation and presentations. The student is expected to:
- (A) explain the process of drafting a construction document to scale;
 - (B) determine and demonstrate which scale best fits a standard size drawing sheet;
 - (C) explain the relationship between a construction document's specifications, plans, legend, and scale;
 - (D) explain the difference between grid and surface distances;
 - (E) identify the local scale factor that transforms collected grid distances to surface distances for a given survey;
 - (F) generate a scaled topography map using collected field data;
 - (G) create a surface profile from a baseline drawn on a topographic map; and
 - (H) stake out points from design files, maps, or real-property descriptions.
- (11) The student explores how a practicing surveyor follows in the footsteps of the original surveyor. The student is expected to:
- (A) explain why and how surveyors defer to the work of existing surveys;
 - (B) define boundary monumentation;
 - (C) research and explain natural and artificial monuments;
 - (D) explain the methods to adjust real-property boundaries for the change in natural monuments over time, including riparian and littoral boundaries;

- (E) interpret a legal description of a real property;
 - (F) identify an original survey boundary by conducting land record research using the Texas General Land Office (GLO);
 - (G) explain the historical significance of land grants in Texas;
 - (H) explain how a boundary survey protects the public;
 - (I) create a property boundary drawing using collected field data; and
 - (J) explain the dignity of calls, including natural objects, artificial objects, courses, distances, and acreage, as specified in Texas Administrative Code, Title 31, Part 1, Chapter 7, §7.5 (relating to Dignity of Calls).
- (12) The student understands the different methods of measurements and associated errors. The student is expected to:
- (A) define the different units of linear measurement, including U.S. feet, international feet, chains, rod, mile, fathom, furlong, varas, and metric units, commonly used in the surveying and civil engineering industry;
 - (B) define the different units of angular measurement, including vertical angles, horizontal angles, bearings, azimuths, degrees-minutes-seconds, decimal degrees, seconds of arc, and gradians;
 - (C) define the different units of volumetric measurement, including cubic feet, cubic yards, tons, and acre-feet;
 - (D) calculate and define area measurements such as acre, hectare, square feet, square mile, league, or sitio;
 - (E) convert linear, angular, and area measurements between different units;
 - (F) determine a change in elevation between two or more points by performing a differential level loop;
 - (G) measure the distance between two or more points using industry acceptable methods such as taping, electronic distance meter, total station, pacing, odometer, tacheometry, GPS, and stadia;
 - (H) compare the errors from two or more methods of calculating the distance between two or more points; and
 - (I) calculates various types of errors associated with survey data.
- (13) The student researches and understands surveying and geomatics throughout history. The student is expected to:
- (A) explain how Eratosthenes first derived the circumference of the Earth;
 - (B) research and describe the change in methods and precision used to calculate the circumference of the Earth; and
 - (C) describe the surveying that contributed to great works of civil engineering before and after the Age of Exploration.
- (14) The student researches and understands the code of ethics pertaining to civil engineering and surveyors. The student is expected to:
- (A) research and identify the legal definitions and descriptions surveyors use to delineate and report survey data; and
 - (B) research and identify engineering ethics established by organizations such as the American Society of Civil Engineers, the National Society of Professional Engineers, the Texas Board of Professional Engineers and Land Surveyors, the National Council of

Examiners for Engineering and Surveying, and the National Institute of Engineering Ethics.

§127.452. Practicum in Engineering (Two Credits), Adopted 2025.

- (a) Implementation. The provisions of this section shall be implemented by school districts beginning with the 2025-2026 school year.
- (b) General requirements. This course is recommended for students in Grade 12. Prerequisites: Algebra I and Geometry and a minimum of two credits with at least one course in a Level 2 or higher course from the Engineering Career Cluster.
- (c) Introduction.
 - (1) Career and technical education instruction provides content aligned with challenging academic standards, industry-relevant technical knowledge, and college and career readiness skills for students to further their education and succeed in current and emerging professions.
 - (2) The Engineering Career Cluster focuses on planning, designing, testing, building, and maintaining machines, structures, materials, systems, and processes using empirical evidence and science, technology, and math principles. This career cluster includes occupations ranging from mechanical engineer and drafter to electrical engineer and mapping technician.
 - (3) Practicum in Engineering is designed to give students supervised practical application of knowledge and skills. Practicum experiences can occur in a variety of locations appropriate to the nature and level of experiences such as employment, independent study, internships, assistantships, mentorships, or laboratories. To prepare for careers in engineering, students must attain academic knowledge and skills, acquire technical knowledge and skills related to the workplace, and develop knowledge and skills regarding career opportunities, entry requirements, and industry expectations. To prepare for success, students need opportunities to learn, reinforce, apply, and transfer their knowledge and skills and technologies in a variety of settings.
 - (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.
- (d) Knowledge and skills.
 - (1) The student demonstrates professional standards/employability skills as required by business and industry. The student is expected to:
 - (A) demonstrate dressing appropriately, speaking politely, and conducting oneself in a manner appropriate for the profession and work site;
 - (B) analyze how teams can produce better outcomes through cooperation, contribution, and collaboration from members of the team;
 - (C) present written and oral technical communication in a clear, concise, and effective manner for a variety of purposes and audiences, including explaining and justifying decisions in the design process;
 - (D) use time-management skills independently and in groups to prioritize tasks, follow schedules, and tend to goal-relevant activities in a way that optimizes efficiency and results;
 - (E) describe the importance of and demonstrate punctuality, dependability, reliability, and responsibility in reporting for duty and performing assigned tasks as directed;
 - (F) explain how engineering ethics as defined by professional organizations such as the National Society of Professional Engineers apply to engineering practice;
 - (G) demonstrate respect for diversity in the workplace;

- (H) identify consequences relating to discrimination, harassment, and inequality;
 - (I) analyze elements of professional codes of conduct or creeds in engineering such as the National Society of Professional Engineers Code of Ethics for Engineers and how they apply to the knowledge and skills of the course and the engineering profession;
 - (J) identify the components of a safety plan and why it is critical for employees and employers to maintain a safe work environment; and
 - (K) compare skills and characteristics of managers and leaders in the workplace.
- (2) The student understands how a professional engineer serves the local and global community. The student is expected to:
- (A) research and identify student and professional engineering organizations and the benefits of membership such as networking platforms, training and educational opportunities, and participating in community initiatives;
 - (B) explain an engineer's role and how various engineering roles serve the organization, community, and society; and
 - (C) evaluate how the work of student or professional engineering organizations impact the local or global community such as recommended practices and issuing standards.
- (3) The student uses critical thinking and problem solving in the work-based learning experience. The student is expected to:
- (A) conduct technical research to gather information, identify gaps, and make decisions in the work-based learning experience;
 - (B) develop creative and innovative solutions to problems in the work-based learning experience;
 - (C) analyze and compare alternative designs for an effective solution to a problem in the work-based learning experience; and
 - (D) evaluate and present solutions to problems in the work-based learning experience.
- (4) The student understands and demonstrates how effective leadership and teamwork skills enable the accomplishment of goals and objectives. The student is expected to:
- (A) analyze leadership characteristics such as trustworthiness, positive attitude, integrity, and work ethic;
 - (B) explain and demonstrate effective characteristics of teamwork;
 - (C) explain and demonstrate responsibility for shared group and individual work tasks in the work-based learning experience;
 - (D) describe and analyze how strategies such as meeting deadlines, showing respect for all individuals, and communicating clearly and timely contribute to effective working relationships and accomplishing objectives; and
 - (E) research and identify opportunities to participate in extracurricular engineering activities.
- (5) The student demonstrates oral and written communication skills in delivering and receiving information and ideas. The student is expected to:
- (A) apply appropriate content knowledge, technical concepts, and vocabulary to analyze information and follow directions;
 - (B) use professional communication skills such as using technical terminology, email etiquette, and following the organization or team communication plan and hierarchy when delivering and receiving information in the work-based learning experience;

- (C) identify and analyze information contained in informational texts, internet sites, or technical materials in the work-based learning experience;
 - (D) describe and analyze verbal and nonverbal cues and behaviors such as body language, tone, and interrupting to enhance communication in the work-based learning experience; and
 - (E) apply active listening skills to receive and clarify information in the work-based learning experience.
- (6) The student reflects on the work-based learning experience to prepare for postsecondary and employment success. The student is expected to:
- (A) assess and evaluate personal strengths and weaknesses in knowledge and skill proficiency and contributions to a project related to the work-based learning experience;
 - (B) develop and maintain a professional portfolio to include:
 - (i) attainment of technical skill competencies;
 - (ii) licensures or certifications;
 - (iii) recognitions, awards, and scholarships;
 - (iv) extended learning experiences such as community service and active participation in career and technical student organizations and professional organizations;
 - (v) abstract of key points of the practicum;
 - (vi) resume;
 - (vii) samples of work; and
 - (viii) evaluation from the practicum supervisor; and
 - (C) present the professional portfolio to interested stakeholders.
- (7) The student develops a presentation describing the culmination of skills and knowledge gained from the work-based learning experience. The student is expected to:
- (A) develop a professional presentation to display and communicate the work-based learning experience, including goals and objectives, levels of achievement, skills and knowledge gained, areas for improvement and personal growth, challenges encountered throughout the experience, and a plan for future goals;
 - (B) identify an appropriate audience and coordinate the presentation of findings related to the work-based learning experience;
 - (C) present findings in a professional manner using concise language, engaging content, relevant media, and clear speech; and
 - (D) analyze feedback received from a presentation.

§127.453. Extended Practicum in Engineering (One Credit), Adopted 2025.

- (a) Implementation. The provisions of this section shall be implemented by school districts beginning with the 2025-2026 school year.
- (b) General requirements. This course is recommended for students in Grade 12. The practicum course is a paid or unpaid capstone experience for students participating in a coherent sequence of career and technical education courses in the Engineering Career Cluster. Prerequisites: Algebra I and Geometry and a minimum of two credits with at least one course in a Level 2 or higher course from the Engineering Career Cluster. This course must be taken concurrently with Practicum in Engineering and may not be taken as a stand-alone course. Students shall be awarded one credit for successful completion of this course. A student

may repeat this course once for credit provided that the student is experiencing different aspects of the industry and demonstrating proficiency in additional and more advanced knowledge and skills.

(c) 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) The Engineering Career Cluster focuses on planning, designing, testing, building, and maintaining machines, structures, materials, systems, and processes using empirical evidence and science, technology, and math principles. This career cluster includes occupations ranging from mechanical engineer and drafter to electrical engineer and mapping technician.
- (3) Extended Practicum in Engineering is designed to give students supervised practical application of previously studied knowledge and skills. Practicum experiences can occur in a variety of locations appropriate to the nature and level of experience.
- (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.

(d) Knowledge and skills.

- (1) The student demonstrates professional standards/employability skills as required by business and industry. The student is expected to:
 - (A) demonstrate dressing appropriately, speaking politely, and conducting oneself in a manner appropriate for the profession and work site;
 - (B) analyze how teams can produce better outcomes through cooperation, contribution, and collaboration from members of the team;
 - (C) present written and oral technical communication in a clear, concise, and effective manner for a variety of purposes and audiences, including explaining and justifying decisions in the design process;
 - (D) use time-management skills independently and in groups to prioritize tasks, follow schedules, and tend to goal-relevant activities in a way that optimizes efficiency and results;
 - (E) describe the importance of and demonstrate punctuality, dependability, reliability, and responsibility in reporting for duty and performing assigned tasks as directed;
 - (F) explain how engineering ethics as defined by professional organizations such as the National Society of Professional Engineers apply to engineering practice;
 - (G) demonstrate respect for diversity in the workplace;
 - (H) identify consequences relating to discrimination, harassment, and inequality;
 - (I) analyze elements of professional codes of conduct or creeds in engineering such as the National Society of Professional Engineers Code of Ethics for Engineers and how they apply to the knowledge and skills of the course and the engineering profession;
 - (J) identify the components of a safety plan and why it is critical for employees and employers to maintain a safe work environment; and
 - (K) compare skills and characteristics of managers and leaders in the workplace.
- (2) The student understands how a professional engineer serves the local and global community. The student is expected to:

- (A) research and identify student and professional engineering organizations and the benefits of membership such as networking platforms, training and educational opportunities, and participating in community initiatives;
 - (B) explain an engineer's role and how various engineering roles serve the organization, community, and society; and
 - (C) evaluate how the work of student or professional engineering organizations impact the local or global community such as recommended practices and issuing standards.
- (3) The student uses critical thinking and problem solving in the work-based learning experience. The student is expected to:
- (A) conduct technical research to gather information, identify gaps, and make decisions in the work-based learning experience;
 - (B) develop creative and innovative solutions to problems in the work-based learning experience;
 - (C) analyze and compare alternative designs for an effective solution to a problem in the work-based learning experience; and
 - (D) evaluate and present solutions to problems in the work-based learning experience.
- (4) The student understands and demonstrates how effective leadership and teamwork skills enable the accomplishment of goals and objectives. The student is expected to:
- (A) analyze leadership characteristics such as trustworthiness, positive attitude, integrity, and work ethic;
 - (B) explain and demonstrate effective characteristics of teamwork;
 - (C) explain and demonstrate responsibility for shared group and individual work tasks in the work-based learning experience;
 - (D) describe and analyze how strategies such as meeting deadlines, showing respect for all individuals, and communicating clearly and timely contribute to effective working relationships and accomplishing objectives; and
 - (E) research and identify opportunities to participate in extracurricular engineering activities.
- (5) The student demonstrates oral and written communication skills in delivering and receiving information and ideas. The student is expected to:
- (A) apply appropriate content knowledge, technical concepts, and vocabulary to analyze information and follow directions;
 - (B) use professional communication skills such as using technical terminology, email etiquette, and following the organization or team communication plan and hierarchy when delivering and receiving information in the work-based learning experience;
 - (C) identify and analyze information contained in informational texts, internet sites, or technical materials in the work-based learning experience;
 - (D) describe and analyze verbal and nonverbal cues and behaviors such as body language, tone, and interrupting to enhance communication in the work-based learning experience; and
 - (E) apply active listening skills to receive and clarify information in the work-based learning experience.
- (6) The student reflects on the work-based learning experience to prepare for postsecondary and employment success. The student is expected to:
- (A) assess and evaluate personal strengths and weaknesses in knowledge and skill proficiency and contributions to a project related to the work-based learning experience;

- (B) develop and maintain a professional portfolio to include:
 - (i) attainment of technical skill competencies;
 - (ii) licensures or certifications;
 - (iii) recognitions, awards, and scholarships;
 - (iv) extended learning experiences such as community service and active participation in career and technical student organizations and professional organizations;
 - (v) abstract of key points of the practicum;
 - (vi) resume;
 - (vii) samples of work; and
 - (viii) evaluation from the practicum supervisor; and
- (C) present the professional portfolio to interested stakeholders.
- (7) The student develops a presentation describing the culmination of skills and knowledge gained from the work-based learning experience. The student is expected to:
 - (A) develop a professional presentation to display and communicate the work-based learning experience, including goals and objectives, levels of achievement, skills and knowledge gained, areas for improvement and personal growth, challenges encountered throughout the experience, and a plan for future goals;
 - (B) identify an appropriate audience and coordinate the presentation of findings related to the work-based learning experience;
 - (C) present findings in a professional manner using concise language, engaging content, relevant media, and clear speech; and
 - (D) analyze feedback received from a presentation.

Discussion of Proposed New Texas Essential Knowledge and Skills for Certain Career and Technical Education Courses

January 29, 2025

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

SUMMARY: This item provides an opportunity for the board to discuss proposed new Texas Essential Knowledge and Skills (TEKS) for career and technical education (CTE) courses developed in partnership with the Texas State Technical College (TSTC) and Educational Service Center (ESC) Region 4 that are needed for completion of programs of study. The proposed rule action would add new TEKS for courses in the following CTE career clusters: Arts, Audio/Video Technology, and Communications; Business, Finance, and Marketing; Health Science; Manufacturing; Law and Public Service, and Transportation, Distribution, and Logistics.

STATUTORY AUTHORITY: Texas Education Code (TEC), §§7.102(c)(4); 28.002(a), (c), (n), and (o); and 28.025(a) and (b-17).

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(n), allows the SBOE to develop by rule and implement a plan designed to incorporate foundation curriculum requirements into the CTE curriculum required in TEC, §28.002.

TEC, §28.002(o), requires the SBOE to determine that at least 50% of the approved CTE courses are cost effective for a school district to implement.

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-17), requires the SBOE to ensure by rule that a student may comply with curriculum requirements under TEC, §28.025(b-1)(6), by successfully completing an advanced CTE course, including a course that may lead to an industry-recognized credential or certificate or an associate degree.

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

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.

During the November 2022 meeting, the SBOE approved a timeline for the review of CTE courses for 2022-2025. Also at the meeting, the SBOE approved a specific process to be used in the review and

revision of the CTE TEKS. The CTE-specific process largely follows the process for TEKS review for other subject areas but was adjusted to account for differences specific to CTE.

In 2023, CTE advisory committees convened to make recommendations for the review and refresh of programs of study as required by the Texas Perkins State Plan. Finalized programs of study were published in the fall of 2023 with an implementation date beginning in the 2024-2025 school year. CTE courses to be developed or revised to complete or update programs of study were determined.

At the April 2023 SBOE meeting, the board discussed and approved changes to the TEKS review process, including approving a process for selecting work group members. The changes were implemented beginning with the engineering TEKS review process. The SBOE began the review of current CTE TEKS, the development of new CTE TEKS, and the review of innovative courses to be approved as TEKS for courses in the new engineering program of study in 2024. Proposed new engineering CTE TEKS are presented for first reading and filing authorization as a separate item in this agenda.

At the April 2024 meeting, the SBOE approved new TEKS for 23 courses in the agribusiness, animal science, plant science, and aviation maintenance programs of study as well as Physics for Engineering and Scientific Research and Design, two science, technology, engineering, and mathematics (STEM) courses that may satisfy science graduation requirements. Additionally, Texas Education Agency (TEA) staff shared an overview of upcoming interrelated needs for TEKS review and revision and instructional materials review and approval (IMRA). Staff explained upcoming needs related to development and amendment of CTE courses, made recommendations for completing the work in batches, and recommended including CTE in the next three cycles of IMRA.

At the June 2024 meeting, the board considered next steps related to the adoption of CTE courses that are needed to complete programs of study and a schedule for future CTE TEKS reviews. The SBOE approved recommendations that TEA present a set of innovative courses with minor edits for consideration for adoption as TEKS-based courses. Additionally, the SBOE authorized TEA to enter into interagency contracts with Collin College, Texas State Technical College, and ESC Region 4 to develop initial drafts of TEKS for the CTE courses.

This item provides an opportunity to discuss initial drafts of proposed new TEKS for CTE courses developed in partnership with TSTC and ESC Region 4 that are needed for completion of programs of study. The development includes a combination of new CTE TEKS and the review of innovative courses to be approved as TEKS-based courses.

Staff Members Responsible:

Monica Martinez, Associate Commissioner, Standards and Programs

Jessica Snyder, Senior Director, Curriculum Standards and Student Support

Separate Exhibits:

- I. Text of Proposed New 19 TAC Chapter 127, Texas Essential Knowledge and Skills for Career Development and Career and Technical Education, Subchapter D, Arts, Audio/Visual Technology, and Communications
- II. Text of Proposed New 19 TAC Chapter 127, Texas Essential Knowledge and Skills for Career Development and Career and Technical Education, Subchapter F, Business, Marketing, and Finance
- III. Text of Proposed New 19 TAC Chapter 127, Texas Essential Knowledge and Skills for Career Development and Career and Technical Education, Subchapter J, Health Science

- IV. Text of Proposed New 19 TAC Chapter 127, Texas Essential Knowledge and Skills for Career Development and Career and Technical Education, Subchapter N, Law and Public Service
- V. Text of Proposed New 19 TAC Chapter 127, Texas Essential Knowledge and Skills for Career Development and Career and Technical Education, Subchapter O, Manufacturing
- VI. Text of Proposed New 19 TAC Chapter 127, Texas Essential Knowledge and Skills for Career Development and Career and Technical Education, Subchapter P, Transportation, Distribution, and Logistics

(separate exhibits I-VI to be provided in advance of the January 2025 SBOE meeting)

Discussion of Pending Litigation

January 29, 2025

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:

Book People, INC. VBK, INC d/b/a Blue Willow Bookshop, American Booksellers Association, Association of American Publishers, Authors Guild, INC., Comic Book Legal Defense Fund v. Martha Wong in her official capacity as chair of the Texas State Library and Archives Commission, Keven Ellis in his official capacity as chair of the Texas Board of Education, Mike Morath in his official capacity as Commissioner of Education; in the United States District Court for the Western District of Texas, Austin Division, Case No. 1:23-cv-858; and

any 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

Election of Chair

January 30, 2025

COMMITTEE ON INSTRUCTION: ACTION
STATE BOARD OF EDUCATION: NO ACTION

SUMMARY: State Board of Education (SBOE) operating rules call for each committee to elect a chair from among its members. This item provides an opportunity for the Committee on Instruction to elect a chair at this meeting if the SBOE retains the existing committee structure. The chair may then appoint a vice chair. If the board changes the committee structure, the committee may elect a member to preside over this first meeting only.

STATUTORY AUTHORITY: Texas Education Code, [§7.107\(b\)](#).

TEC, §7.107(b) requires the SBOE to organize and adopt operating rules at the first meeting after an election and qualification of new members.

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

PREVIOUS BOARD ACTION: A committee chair was last elected on February 2, 2023.

BACKGROUND INFORMATION AND JUSTIFICATION: The board is required to organize at the first meeting after the election and qualification of new members. Section 1.2(e) of the board's operating rules requires each standing committee to 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.

Staff Member Responsible:

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

Proposed Repeal of 19 TAC Chapter 130, Texas Essential Knowledge and Skills for Career and Technical Education, and Proposed Revisions to 19 TAC Chapter 127, Texas Essential Knowledge and Skills for Career Development and Career and Technical Education
(First Reading and Filing Authorization)

January 31, 2025

COMMITTEE ON INSTRUCTION: ACTION
STATE BOARD OF EDUCATION: ACTION

SUMMARY: This item presents for first reading and filing authorization proposed repeal of 19 Texas Administrative Code (TAC) Chapter 130, Texas Essential Knowledge and Skills for Career and Technical Education, and proposed revisions to 19 TAC Chapter 127, Texas Essential Knowledge and Skills for Career Development and Career and Technical Education. The proposed rule actions would repeal career and technical education (CTE) Texas Essential Knowledge and Skills (TEKS) in 19 TAC Chapter 130 and would move the TEKS to 19 TAC Chapter 127 in order to ensure that all CTE TEKS are in the same chapter in administrative rule. The proposed rule action would also move some existing courses within 19 TAC Chapter 127 in order to avoid confusion and make the TEKS easier to locate.

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

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.

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 and revisions is August 1, 2025.

PREVIOUS BOARD ACTION: The SBOE adopted the TEKS for CTE effective September 1, 1998. The SBOE approved revisions to the CTE TEKS in Chapter 127 and new Chapter 130, Subchapters A-P, effective August 23, 2010. In 2015, the CTE TEKS were amended effective August 28, 2017. In 2018, the SBOE adopted revisions to 19 TAC Chapter 130, Subchapters B, H, M, and O, effective March 27, 2018. In 2020, the SBOE approved revisions to the CTE TEKS in 19 TAC Chapter 130, Subchapters A, C, K, O, and Q, effective August 1, 2020.

At the November 2021 meeting, the board approved new CTE TEKS in 19 TAC Chapter 127, Subchapters G, I, J, M, and O, effective April 26, 2022. At the January 2022 SBOE meeting, the board approved the repeal of CTE TEKS in 19 TAC Chapter 130, Subchapters E, G, H, I, L, and O, and new CTE TEKS in 19 TAC Chapter 127, Subchapters G, I, J, M, and O, effective April 7, 2022. The board approved new CTE TEKS in 19 TAC Chapter 127, Subchapters G and O, at the April 2022 meeting, effective June 14, 2022. At the June 2022 meeting, the board approved the repeal of CTE TEKS in 19 TAC Chapter 127, Subchapters G, I, and O, and Chapter 130, Subchapter J, effective August 1, 2022, and approved new CTE TEKS in 19 TAC Chapter 127, Subchapter O, effective August 7, 2022. At the June

2023 meeting, the board approved the repeal of CTE TEKS in 19 TAC Chapter 127, Subchapters I, M, and O, effective August 1, 2023. The board approved new CTE TEKS in 19 TAC Chapter 127, Subchapters B and F, at the November 2023 meeting, effective February 13, 2024. At the April 2024 meeting, the board approved for second reading and final adoption new CTE TEKS in 19 TAC Chapter 127, Subchapters C, O, and P. The board approved the repeal of CTE TEKS in 19 TAC Chapter 127, Subchapters B, G, I, J, and O, and Chapter 130, Subchapters J and N, at the June 2024 meeting, effective August 1, 2024. At the September 2024 meeting, the board discussed the proposed repeal of remaining CTE TEKS in 19 TAC Chapter 130 and proposed revisions to 19 TAC Chapter 127 to relocate and reorganize all CTE TEKS within Chapter 127.

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.

The TEKS for courses associated with 14 CTE career clusters are codified by subchapter in 19 TAC Chapters 127 and 130. In December 2020, the SBOE began initial steps to prepare for the review and revision of CTE courses in programs of study for the education and training; health science; and science, technology, engineering, and mathematics career clusters. Two additional courses eligible to satisfy a graduation requirement in science were also part of the review. The board approved for second reading and final adoption new TEKS for these courses in November 2021 and January, April, and June 2022.

At the November 2023 SBOE meeting, the board approved new CTE TEKS in Chapter 127 for courses in career preparation and entrepreneurship, which became effective February 13, 2024, and were implemented beginning in the 2024-2025 school year. At the April 2024 meeting, the board approved new CTE TEKS in Chapter 127 for courses in agribusiness, animal science, plant science, aviation maintenance, and engineering that will be implemented beginning in the 2025-2026 school year.

Due to the current structure of Chapter 130, there are not enough sections to add new CTE courses under consideration in their assigned subchapters. To accommodate the addition of new and future courses, the board began the process of moving the CTE TEKS from Chapter 130 to Chapter 127 in order to keep all the TEKS together in administrative rule and avoid confusion. In addition, current subchapters in Chapter 127 need to be reorganized and will be assigned new subchapters within the same chapter. The related implementation sections will be repealed and will not be re-proposed. Instead, implementation information will be added to each individual course. No other changes are being proposed to the existing CTE courses as part of the move to Chapter 127.

The attachment to this item provides a crosswalk between the current TEKS in Chapters 127 and 130 that would be repealed and the new location of those TEKS in Chapter 127. The text of sections in Chapters 127 and 130 that will be repealed and moved to Chapter 127 is not included as an attachment to this item due to the volume of rules; however, the rules are viewable on the Texas Education Agency (TEA) website at <https://tea.texas.gov/about-tea/laws-and-rules/texas-administrative-code/19-tac-chapter-127> and <https://tea.texas.gov/about-tea/laws-and-rules/texas-administrative-code/19-tac-chapter-130>.

FISCAL IMPACT: TEA has determined that there are no additional costs to state or local government, including school districts and open-enrollment charter schools, 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 and create new regulations by transferring existing CTE TEKS from Chapters 127 and 130 to new locations in Chapter 127.

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 improve access to and organization of the CTE TEKS and avoid confusion regarding the revised TEKS. 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 or 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 February 28, 2025, and ends at 5:00 p.m. on March 31, 2025. The SBOE will take registered oral and written comments on the proposal at the appropriate committee meeting in April 2025 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 February 28, 2025.

MOTION TO BE CONSIDERED: The State Board of Education:

Approve for first reading and filing authorization proposed repeal of 19 TAC Chapter 130, Texas Essential Knowledge and Skills for Career and Technical Education, and proposed revisions to 19 TAC Chapter 127, Texas Essential Knowledge and Skills for Career Development and Career and Technical Education.

Staff Member Responsible:

Monica Martinez, Associate Commissioner, Standards and Programs

Attachment:

Crosswalk of Current Section Numbers of CTE TEKS in 19 TAC Chapter 130 and New Section Numbers in Chapter 127 Relating to Proposed Repeal of 19 TAC Chapter 130, Texas Essential Knowledge and Skills for Career and Technical Education, and Proposed Revisions to 19 TAC Chapter 127, Texas Essential Knowledge and Skills for Career Development and Career and Technical Education

ATTACHMENT

Crosswalk of Current Section Numbers of CTE TEKS in 19 TAC Chapter 130 and New Section Numbers in Chapter 127 Relating to Proposed Repeal of 19 TAC Chapter 130, Texas Essential Knowledge and Skills for Career and Technical Education, and Proposed Revisions to 19 TAC Chapter 127, Texas Essential Knowledge and Skills for Career Development and Career and Technical Education

Current Subchapter/Section Number	New Section Number
Ch. 127. Subchapter O. STEM	Ch 127. Subchapter B. High School
§127.558. Scientific Research and Design, (One Credit), Adopted 2015	No new course required. Replaced by new §127.796. Scientific Research and Design, (One Credit), Adopted 2024, effective September 9, 2024, implementation August 1, 2025
§127.796. Scientific Research and Design, (One Credit), Adopted 2024	127.18
Ch 130. Subchapter A. Agriculture, Food, and Natural Resources	Ch 127. Subchapter C. Agriculture, Food, and Natural Resources
§130.1. Implementation of Texas Essential Knowledge and Skills for Agriculture, Food, and Natural Resources, Adopted 2015.	Repeal only. No new section required. Implementation language is included in subsection (a) for each course.
§130.2. Principles of Agriculture, Food, and Natural Resources (One Credit), Adopted 2015.	No new course required. §127.30. Principles of Agriculture, Food, and Natural Resources (One Credit), Adopted 2024, effective September 9, 2024
§130.3. Professional Standards in Agribusiness (One-Half Credit), Adopted 2015.	No new course required. §127.45. Professional Standards and Communication in Agribusiness (One Credit), Adopted 2024, effective September 9, 2024
§130.4. Agribusiness Management and Marketing (One Credit), Adopted 2015.	No new course required. §127.46. Agribusiness Management and Marketing (One Credit), Adopted 2024, effective September 9, 2024
§130.5. Mathematical Applications in Agriculture, Food, and Natural Resources (One Credit), Adopted 2015.	§127.31
§130.6. Equine Science (One-Half Credit), Adopted 2015.	No new course required. §127.48. Equine Science (One-Half Credit), Adopted 2024, effective September 9, 2024
§130.7. Livestock Production (One Credit), Adopted 2015.	No new course required. §127.49. Livestock & Poultry Production (One Credit), Adopted 2024, effective September 9, 2024
§130.8. Small Animal Management (One-Half Credit), Adopted 2015.	No new course required. §127.50. Small Animal Management (One-Half Credit), Adopted 2024, effective September 9, 2024
§130.9. Veterinary Medical Applications (One Credit), Adopted 2015.	No new course required. §127.51. Veterinary Science (One Credit), Adopted 2024, effective September 9, 2024
§130.10. Advanced Animal Science (One Credit), Adopted 2015.	No new course required. §127.52. Advanced Animal Science (One Credit), Adopted 2024, effective September 9, 2024

Current Subchapter/Section Number	New Section Number
§130.11. Energy and Natural Resource Technology (One Credit), Adopted 2015.	§127.32
§130.12. Advanced Energy and Natural Resource Technology (One Credit), Adopted 2015.	§127.33
§130.15. Food Technology and Safety (One Credit), Adopted 2015.	§127.34
§130.16. Food Processing (One Credit), Adopted 2015.	§127.35
§130.17. Wildlife, Fisheries, and Ecology Management (One Credit), Adopted 2015.	§127.36
§130.18. Forestry and Woodland Ecosystems (One Credit), Adopted 2015.	§127.37
§130.19. Range Ecology and Management (One Credit), Adopted 2015.	§127.38
§130.20. Floral Design (One Credit), Adopted 2015.	No new course required. §127.53. Floral Design (One Credit), Adopted 2024, effective September 9, 2024
§130.21. Landscape Design and Management (One-Half Credit), Adopted 2015.	§127.39
§130.22. Turf Grass Management (One-Half Credit), Adopted 2015.	§127.40
§130.23. Horticultural Science (One Credit), Adopted 2015.	No new course required. §127.54. Horticultural Science (One Credit), Adopted 2024, effective September 9, 2024
§130.24. Greenhouse Operation and Production (One Credit), Adopted 2015.	No new course required. §127.55. Greenhouse Operation and Production (One Credit), Adopted 2024, effective September 9, 2024
§130.25. Advanced Plant and Soil Science (One Credit), Adopted 2015.	No new course required. §127.58. Advanced Plant and Soil Science (One Credit), Adopted 2024, effective September 9, 2024
§130.26. Agricultural Mechanics and Metal Technologies (One Credit), Adopted 2015.	§127.41
§130.27. Agricultural Structures Design and Fabrication (One Credit), Adopted 2015.	§127.42
§130.28. Agricultural Equipment Design and Fabrication (One Credit), Adopted 2015.	§127.43
§130.29. Agricultural Power Systems (Two Credits), Adopted 2015.	§127.44
§130.30. Agricultural Laboratory and Field Experience (One Credit), Adopted 2015.	§127.85
§130.31. Practicum in Agriculture, Food, and Natural Resources (Two Credits), Adopted 2015.	No new course required. §127.86. Practicum in Agriculture, Food, and Natural Resources (Two Credits), Adopted 2024, effective September 9, 2024
§130.32. Extended Practicum in Agriculture, Food, and Natural Resources (One Credit), Adopted 2015.	No new course required. §127.87. Extended Practicum in Agriculture, Food, and Natural Resources (One Credit), Adopted 2024, effective September 9, 2024

Current Subchapter/Section Number	New Section Number
Ch 127. Subchapter B. Architecture and Construction	Ch 127. Subchapter D. Architecture and Construction
§130.41. Implementation of Texas Essential Knowledge and Skills for Architecture and Construction, Adopted 2015.	Repeal only. No new section required. Implementation language is included in subsection (a) for each course.
§130.42. Principles of Architecture (One Credit), Adopted 2015.	§127.94
§130.43. Principles of Construction (One Credit), Adopted 2015.	§127.95
§130.44. Building Maintenance Technology I (Two Credits), Adopted 2015.	§127.96
§130.45. Building Maintenance Technology II (Two Credits), Adopted 2015.	§127.97
§130.46. Construction Management I (Two Credits), Adopted 2015.	§127.98
§130.47. Construction Management II (Two Credits), Adopted 2015.	§127.99
§130.48. Construction Technology I (Two Credits), Adopted 2015.	§127.100
§130.49. Construction Technology II (Two Credits), Adopted 2015.	§127.101
§130.50. Mill and Cabinetmaking Technology (Two Credits), Adopted 2015.	§127.102
§130.51. Masonry Technology I (Two Credits), Adopted 2015.	§127.103
§130.52. Masonry Technology II (Two Credits), Adopted 2015.	§127.104
§130.53. Architectural Design I (One Credit), Adopted 2015.	§127.105
§130.54. Architectural Design II (Two Credits), Adopted 2015.	§127.106
§130.55. Interior Design I (One Credit), Adopted 2015.	§127.107
§130.56. Interior Design II (Two Credits), Adopted 2015.	§127.108
§130.57. Electrical Technology I (One Credit), Adopted 2015.	§127.109
§130.58. Electrical Technology II (Two Credits), Adopted 2015.	§127.110
§130.59. Heating, Ventilation, and Air Conditioning (HVAC) and Refrigeration Technology I (One Credit), Adopted 2015.	§127.111
§130.60. Heating, Ventilation, and Air Conditioning (HVAC) and Refrigeration Technology II (Two Credits), Adopted 2015.	§127.112
§130.61. Plumbing Technology I (One Credit), Adopted 2015.	§127.113
§130.62. Plumbing Technology II (Two Credits), Adopted 2015.	§127.114
§130.63. Practicum in Construction Management (Two Credits), Adopted 2015.	§127.145
§130.68. Extended Practicum in Construction Management (One Credit), Adopted 2015.	§127.146
§130.64. Practicum in Construction Technology (Two Credits), Adopted 2015.	§127.147
§130.69. Extended Practicum in Construction Technology (One Credit), Adopted 2015.	§127.148
§130.65. Practicum in Masonry Technology (Two Credits), Adopted 2015.	§127.149
§130.70. Extended Practicum in Masonry Technology (One Credit), Adopted 2015.	§127.150

Current Subchapter/Section Number	New Section Number
§130.66. Practicum in Architectural Design (Two Credits), Adopted 2015.	§127.151
§130.71. Extended Practicum in Architectural Design (One Credit), Adopted 2015.	§127.152
§130.67. Practicum in Interior Design (Two Credits), Adopted 2015.	§127.153
§130.72. Extended Practicum in Interior Design (One Credit), Adopted 2015.	§127.154
Ch 130. Subchapter C. Arts, Audio/Video Technology, and Communications	Ch 127. Subchapter E. Arts, Audio <u>Visual</u> Technology, and Communications
§130.81. Implementation of Texas Essential Knowledge and Skills for Arts, Audio/Video Technology, and Communications, Adopted 2015.	Repeal only. No new section required. Implementation language is included in subsection (a) for each course.
130.82. Principles of Arts, Audio/Video Technology, and Communications (One Credit), Adopted 2015.	§127.160
130.83. Animation I (One Credit), Adopted 2015.	§127.161
130.84. Animation I Lab (One Credit), Adopted 2015.	§127.162
130.85. Animation II (One Credit), Adopted 2015.	§127.163
130.86. Animation II Lab (One Credit), Adopted 2015.	§127.164
130.87. Audio/Video Production I (One Credit), Adopted 2015.	§127.165
130.88. Audio/Video Production I Lab (One Credit), Adopted 2015.	§127.166
130.89. Audio/Video Production II (One Credit), Adopted 2015.	§127.167
130.90. Audio/Video Production II Lab (One Credit), Adopted 2015.	§127.168
130.91. Digital Audio Technology I (One Credit), Adopted 2015.	§127.169
130.92. Digital Audio Technology II (One Credit), Adopted 2015.	§127.170
130.93. Video Game Design (One Credit), Adopted 2015.	§127.171
130.94. Printing and Imaging Technology I (One Credit), Adopted 2015.	§127.172
130.95. Printing and Imaging Technology I Lab (One Credit), Adopted 2015.	§127.173
130.96. Printing and Imaging Technology II (One Credit), Adopted 2015.	§127.174
130.97. Printing and Imaging Technology II Lab (One Credit), Adopted 2015.	§127.175
130.98. Commercial Photography I (One Credit), Adopted 2015.	§127.176
130.99. Commercial Photography I Lab (One Credit), Adopted 2015.	§127.177
130.100. Commercial Photography II (One Credit), Adopted 2015.	§127.178
130.101. Commercial Photography II Lab (One Credit), Adopted 2015.	§127.179
130.102. Fashion Design I (One Credit), Adopted 2015.	§127.180
130.103. Fashion Design I Lab (One Credit), Adopted 2015.	§127.181
130.104. Fashion Design II (One Credit), Adopted 2015.	§127.182
130.105. Fashion Design II Lab (One Credit), Adopted 2015.	§127.183

Current Subchapter/Section Number	New Section Number
130.106. Graphic Design and Illustration I (One Credit), Adopted 2015.	§127.184
130.107. Graphic Design and Illustration I Lab (One Credit), Adopted 2015.	§127.185
130.108. Graphic Design and Illustration II (One Credit), Adopted 2015.	§127.186
130.109. Graphic Design and Illustration II Lab (One Credit), Adopted 2015.	§127.187
130.110. Professional Communications (One-Half Credit), Adopted 2015.	§127.188
130.123. Digital Design and Media Production (One Credit).	§127.189
130.124. Digital Art and Animation (One Credit).	§127.190
130.125. 3-D Modeling and Animation (One Credit)	§127.191
130.126. Digital Communications in the 21st Century (One Credit).	§127.192
130.127. Web Game Development (One Credit).	§127.193
§130.111. Practicum in Animation (Two Credits), Adopted 2015.	§127.224
§130.117. Extended Practicum in Animation (One Credit), Adopted 2015.	§127.225
§130.112. Practicum in Audio/Video Production (Two Credits), Adopted 2015.	§127.226
§130.118. Extended Practicum in Audio/Video Production (One Credit), Adopted 2015.	§127.227
§130.113. Practicum in Printing and Imaging Technology (Two Credits), Adopted 2015.	§127.228
§130.119. Extended Practicum in Printing and Imaging Technology (One Credit), Adopted 2015.	§127.229
§130.114. Practicum in Commercial Photography (Two Credits), Adopted 2015.	§127.230
§130.120. Extended Practicum in Commercial Photography (One Credit), Adopted 2015.	§127.231
§130.115. Practicum in Fashion Design (Two Credits), Adopted 2015.	§127.232
§130.121. Extended Practicum in Fashion Design (One Credit), Adopted 2015.	§127.233
§130.116. Practicum in Graphic Design and Illustration (Two Credits), Adopted 2015.	§127.234
§130.122. Extended Practicum in Graphic Design and Illustration (One Credit), Adopted 2015.	§127.235
Ch 130. Subchapter D. Business Management and Administration	Ch 127. Subchapter F. Business, Marketing, and Finance
§130.131. Implementation of Texas Essential Knowledge and Skills for Business Management and Administration, Adopted 2015.	Repeal only. No new section required. Implementation language is included in subsection (a) for each course.
§130.132. Principles of Business, Marketing, and Finance (One Credit), Adopted 2015.	§127.241
§130.133. Touch System Data Entry (One-Half Credit), Adopted 2015.	§127.242

Current Subchapter/Section Number	New Section Number
§130.134. Business Law (One Credit), Adopted 2015.	§127.243
§130.135. Business English (One Credit), Adopted 2015.	§127.244
§130.136: Foundations of Business Communication and Technologies (One Credit), Adopted 2015. *New course title to take effect 2/2/25	§127.245
§130.137. Business Information Management II (One Credit), Adopted 2015. *New course title to take effect 2/2/25	§127.246
§130.138. Business Lab (One Credit), Adopted 2015.	§127.294
§130.139. Business Management (One Credit), Adopted 2015.	§127.247
§130.140. Global Business (One-Half Credit), Adopted 2015.	§127.248
§130.141. Virtual Business (One-Half Credit), Adopted 2015.	§127.249
§130.142. Human Resources Management (One-Half Credit), Adopted 2015.	§127.250
§130.143. Practicum in Business Management (Two Credits), Adopted 2015.	§127.295
§130.144. Extended Practicum in Business Management (One Credit), Adopted 2015.	§127.296
Ch 130. Subchapter F. Finance	Ch 127. Subchapter F. Business, Marketing, and Finance
§130.180. Financial Mathematics (One Credit), Adopted 2015.	§127.251
§130.181. Implementation of Texas Essential Knowledge and Skills for Finance, Adopted 2015.	Repeal only. No new section required. Implementation language is included in subsection (a) for each course.
§130.182. Money Matters (One Credit), Adopted 2015.	§127.252
§130.184. Securities and Investments (One Credit), Adopted 2015.	§127.253
§130.185. Insurance Operations (One Credit), Adopted 2015.	§127.254
§130.186. Banking and Financial Services (One-Half Credit), Adopted 2015.	§127.255
§130.187. Accounting I (One Credit), Adopted 2015.	§127.256
§130.188. Accounting II (One Credit), Adopted 2015.	§127.257
§130.189. Financial Analysis (One Credit), Adopted 2015.	§127.258
§130.190. Statistics and Business Decision Making (One Credit), Adopted 2015.	§127.259
Ch 130. Subchapter M. Marketing	Ch 127. Subchapter F. Business, Marketing, and Finance
§130.381. Implementation of Texas Essential Knowledge and Skills for Marketing, Adopted 2015.	Repeal only. No new section required. Implementation language is included in subsection (a) for each course.
§130.382. Advertising (One-Half Credit), Adopted 2015.	§127.260
§130.383. Fashion Marketing (One-Half Credit), Adopted 2015.	§127.264
§130.385. Social Media Marketing (One-Half Credit), Adopted 2015.	§127.265
§130.386. Sports and Entertainment Marketing (One-Half Credit), Adopted 2015.	§127.266
§130.387. Practicum in Marketing (Two Credits), Adopted 2015.	§127.297

Current Subchapter/Section Number	New Section Number
§130.388. Extended Practicum in Marketing (One Credit), Adopted 2015.	§127.298
§130.389. Advanced Marketing (Two Credits), Adopted 2015.	§127.268
§127.277 Practicum in Entrepreneurship, Adopted 2023	§127.299
§127.278 Extended Practicum in Entrepreneurship, Adopted 2023	§127.300
Ch 127. Subchapter G. Education and Training	Ch 127. Subchapter G. Education and Training
§127.316 Principles of Education and Training (One Credit), Adopted 2021.	§127.309
§127.323 Human Growth and Development (One Credit), Adopted 2021.	§127.310
§127.317 Child Development (One Credit), Adopted 2021.	§127.311
§127.318 Child Guidance (Two Credits), Adopted 2021.	§127.312
§127.319 Child Development Associate Foundations (One Credit), Adopted 2021.	§127.313
§127.324 Communication and Technology in Education (One Credit), Adopted 2021.	§127.314
§127.325 Instructional Practices (Two Credits), Adopted 2021.	§127.315
127.320 Practicum in Early Learning (Two Credits), Adopted 2021.	§127.343
127.321 Extended Practicum in Early Learning (One Credit), Adopted 2021.	§127.344
127.326 Practicum in Education and Training (Two Credits), Adopted 2021.	§127.345
127.314 Extended Practicum in Education and Training (One Credit), Adopted 2015.	§127.346
Ch 130. Subchapter Q. Energy	Ch 127. Subchapter H. Energy
§130.490. Foundations of Energy (One Credit).	§127.351
§130.485. Oil and Gas Production I (One Credit).	§127.352
§130.486. Oil and Gas Production II (One Credit).	§127.353
§130.487. Oil and Gas Production III (One Credit).	§127.354
§130.488. Oil and Gas Production IV (One Credit).	§127.355
§130.489. Introduction to Process Technology (One Credit).	§127.356
§130.491. Petrochemical Safety, Health, and Environment (One Credit).	§127.357
Ch. 127. Subchapter O. STEM	Ch 127. Subchapter I. Engineering
§127.745. Principles of Technology (One Credit), Adopted 2015	Repeal only. No new section/course required. Revised and adopted as new §127.795. Physics For Engineering (One Credit), Adopted 2024, effective September 9, 2024 and implementing August 1, 2025.
127.781 Principles of Applied Engineering, Adopted 2021	§127.391
127.746. AC/DC Electronics (One Credit), Adopted 2015.	§127.392
127.747. Solid State Electronics (One Credit), Adopted 2015.	§127.393
127.748. Digital Electronics (One Credit), Adopted 2015.	§127.394

Current Subchapter/Section Number	New Section Number
127.749. Robotics I (One Credit), Adopted 2015. (STEM)	§127.395
127.750. Robotics II (One Credit), Adopted 2015. (STEM)	§127.396
127.782. Engineering Science, Adopted 2021	§127.397
127.754. Engineering Mathematics, Adopted 2021	§127.398
127.786. Introduction to Computer-Aided Design and Drafting, Adopted 2021	§127.399
127.787 Intermediate Computer-Aided Design and Drafting, Adopted 2021	§127.400
§127.795. Physics for Engineering (One Credit), Adopted 2024	§127.401
127.783. Engineering Design and Presentation I, Adopted 2022	Repeal only. No new section/course required. Scheduled to be replaced by proposed new §127.404. Engineering Design and Presentation I, Adopted 2025, to be effective August 1, 2025.
127.784. Engineering Design and Presentation II, Adopted 2022	Repeal only. No new section/course required. Scheduled to be replaced by proposed new §127.405. Engineering Design and Presentation II, Adopted 2025, to be effective August 1, 2025.
127.785. Engineering Design and Problem Solving, Adopted 2021	Repeal only. No new section/course required. Scheduled to be replaced by proposed new §127.406. Engineering Design and Problem Solving, Adopted 2025, to be effective August 1, 2025.
127.759. Practicum in Science, Technology, Engineering, and Mathematics, Adopted 2015	Repeal only. No new section required. The SBOE is scheduled to consider proposed new Practicum in Engineering.
127.760. Extended Practicum in Science, Technology, Engineering, and Mathematics, Adopted 2015	Repeal only. No new section required. The SBOE is scheduled to consider proposed new Extended Practicum in Engineering.
Ch 127. Subchapter I. Health Science	Ch 127. Subchapter J. Health Science
127.403. Principles of Health Science (One Credit), Adopted 2015.	§127.461
127.778. Principles of Bioscience (One Credit), Adopted 2021	§127.462
127.410. Mathematics for Medical Professionals (One Credit), Adopted 2015.	§127.474
127.779. Biotechnology I (One Credit), Adopted 2021	§127.475
127.780. Biotechnology II (One Credit), Adopted 2021	§127.476
127.417. Medical Terminology (One Credit), Adopted 2021	§127.477
127.422. Health Science Theory (One Credit), Adopted 2021	§127.478
127.413. Health Science Clinical (One Credit), Adopted 2015.	§127.479
127.420. World Health and Emerging Technologies (One Credit), Adopted 2021.	§127.480
127.423. Anatomy and Physiology, (One Credit), Adopted 2021	§127.481
127.424. Pathophysiology (One Credit), Adopted 2021.	§127.482
127.425. Pharmacy I (One Credit), Adopted 2021.	§127.483
127.426. Pharmacy II (Two Credit), Adopted 2021.	§127.484
127.428. Pharmacology (One Credit), Adopted 2021.	§127.485

Current Subchapter/Section Number	New Section Number
127.433. Medical Microbiology (One Credit), Adopted 2021.	§127.486
127.418. Health Informatics (One Credit), Adopted 2021.	§127.487
127.421. Medical Billing and Coding (One Credit), Adopted 2021.	§127.488
127.427. Medical Assistant (One Credit), Adopted 2021.	§127.489
127.429. Respiratory Therapy I (One Credit), Adopted 2021.	§127.490
127.430. Respiratory Therapy II (One Credit), Adopted 2021.	§127.491
127.419. Healthcare Administration and Management (One Credit), Adopted 2021.	§127.492
127.431. Leadership and Management in Nursing (One Credit), Adopted 2021.	§127.493
127.414. Practicum in Health Science (Two Credits), Adopted 2015.	§127.553
127.415. Extended Practicum in Health Science (One Credit), Adopted 2015.	§127.554
127.432. Practicum in Nursing (two Credit), Adopted 2021.	§127.555
Ch 127. Subchapter I. Hospitality and Tourism	Ch 127. Subchapter K. Hospitality and Tourism
§127.469. Principles of Hospitality and Tourism (One Credit), Adopted 2015.	§127.561
127.470. Introduction to Culinary Arts (One Credit), Adopted 2015.	§127.562
§127.471. Culinary Arts (Two Credits), Adopted 2015.	§127.563
§127.472. Advanced Culinary Arts (Two Credits), Adopted 2015.	§127.564
§127.482. Food Science (One Credit), Adopted 2021.	§127.565
§127.475. Travel and Tourism Management (One Credit), Adopted 2015.	§127.566
§127.476. Hotel Management (One Credit), Adopted 2015.	§127.567
§127.477. Hospitality Services (Two Credits), Adopted 2015.	§127.568
127.474. Practicum in Culinary Arts (Two Credits), Adopted 2015.	§127.600
§127.479. Extended Practicum in Culinary Arts (One Credit), Adopted 2015.	§127.601
§127.478. Practicum in Hospitality Services (Two Credits), Adopted 2015.	§127.602
§127.480. Extended Practicum in Hospitality Services (One Credit), Adopted 2015.	§127.603
Ch 130. Subchapter J. Human Services	Ch 127. Subchapter L. Human Services
§130.271. Implementation of Texas Essential Knowledge and Skills for Human Services, Adopted 2015.	No new section required. Implementation language is included in subsection (a) for each course.
§130.272. Principles of Human Services (One Credit), Adopted 2015.	§127.611
§130.281. Principles of Cosmetology Design and Color Theory (One Credit), Adopted 2015.	§127.612
§130.273. Dollars and Sense (One-Half Credit), Adopted 2015.	§127.613
§130.274. Lifetime Nutrition and Wellness (One-Half Credit), Adopted 2015.	§127.614

Current Subchapter/Section Number	New Section Number
§130.275. Interpersonal Studies (One-Half Credit), Adopted 2015.	§127.615
§130.276. Counseling and Mental Health (One Credit), Adopted 2015.	§127.616
§130.279. Family and Community Services (One Credit), Adopted 2015.	§127.617
§130.282. Introduction to Cosmetology (One Credit), Adopted 2015.	§127.618
§130.283. Cosmetology I (Two Credits), Adopted 2015.	§127.619
§130.286. Cosmetology I Lab (One Credit), Adopted 2018.	§127.620
§130.284. Cosmetology II (Two Credits), Adopted 2015.	§127.621
§130.287. Cosmetology II Lab (One Credit), Adopted 2018.	§127.622
§130.280. Practicum in Human Services (Two Credits), Adopted 2015.	§127.665
§130.285. Extended Practicum in Human Services (One Credit), Adopted 2015.	§127.666
Ch 130. Subchapter K. Information Technology	Ch 127. Subchapter M. Information Technology
§130.301. Implementation of Texas Essential Knowledge and Skills for Information Technology, Adopted 2015.	No new section required. Implementation language is included in subsection (a) for each course.
§130.302. Principles of Information Technology (One Credit), Adopted 2015.	§127.671
127.788. Fundamentals of Computer Science (STEM), Adopted 2022.	§127.672
127.789. Computer Science I (One Credit), Adopted 2022.	§127.673
127.790. Computer Science II (One Credit), Adopted 2022.	§127.674
127.791. Computer Science III, (One Credit), Adopted 2022.	§127.675
127.792. Foundations of Cybersecurity, (One Credit), Adopted 2022.	§127.676
127.793. Digital Forensics (One Credit), Adopted 2022.	§127.677
127.794. Cybersecurity Capstone (One Credit), Adopted 2022.	§127.678
§130.303. Computer Maintenance (One Credit), Adopted 2015.	§127.679
§130.304. Computer Maintenance Lab (One Credit), Adopted 2015.	§127.680
§130.305. Networking (One Credit), Adopted 2015.	§127.681
§130.306. Networking Lab (One Credit), Adopted 2015.	§127.682
§130.307. Digital Media (One Credit), Adopted 2015.	§127.683
§130.315. Web Communications (One-Half Credit).	§127.684
§130.316. Web Design (One Credit).	§127.685
127.766. Discrete Mathematics for Computer Science (One Credit), Beginning with School Year 2012-2013.	§127.686
127.767. Game Programming and Design (One Credit)	§127.687
127.768. Mobile Application Development (One Credit)	§127.688
§130.317. Independent Study in Technology Applications (One Credit), Beginning with School Year 2012-2013.	§127.720

Current Subchapter/Section Number	New Section Number
§130.318. Independent Study in Evolving/Emerging Technologies (One Credit).	§127.721
127.771. Advanced Placement (AP) Computer Science A (Two Credits)	§127.722
127.772. Advanced Placement (AP) Computer Science Principles (One Credit)	§127.723
127.773. International Baccalaureate (IB) Computer Science Standard Level (Two Credits)	§127.724
127.774. International Baccalaureate (IB) Computer Science Higher Level (Two Credits)	§127.725
127.775. International Baccalaureate (IB) Information Technology in a Global Society Standard Level (Two Credits)	§127.726. International Baccalaureate (IB) Digital Society Standard Level (Two Credits)
127.776. International Baccalaureate (IB) Information Technology in a Global Society Higher Level (Two Credits)	§127.727. International Baccalaureate (IB) Digital Society Higher Level (Two Credits)
§130.312. Practicum in Information Technology (Two Credits), Adopted 2015.	§127.735
§130.314. Extended Practicum in Information Technology (One Credit), Adopted 2015.	§127.736
§130.311. Computer Technician Practicum (Two Credits), Adopted 2015.	§127.737
§130.313. Extended Computer Technician Practicum (One Credit), Adopted 2015.	§127.738
Ch 127. Subchapter M. Law and Public Service	Ch 127. Subchapter N. Law and Public Service
§127.625. Implementation of Texas Essential Knowledge and Skills for Law, Public Safety, Corrections, and Security, Adopted 2015.	No new section required. Implementation language is included in subsection (a) for each course.
§127.626. Principles of Law, Public Safety, Corrections, and Security (One Credit), Adopted 2015.	§127.746
§127.627. Correctional Services (One Credit), Adopted 2015.	§127.747
§127.628. Firefighter I (Two Credits), Adopted 2015.	§127.748
§127.629. Firefighter II (Three Credits), Adopted 2015.	§127.749
§127.630. Law Enforcement I (One Credit), Adopted 2015.	§127.750
§127.631. Law Enforcement II (One Credit), Adopted 2015.	§127.751
§127.632. Criminal Investigation (One Credit), Adopted 2015.	§127.758
§127.634. Court Systems and Practices (One Credit), Adopted 2015.	§127.759
§127.635. Federal Law Enforcement and Protective Services (One Credit), Adopted 2015.	§127.760
§127.638. Implementation of Texas Essential Knowledge and Skills for Government and Public Administration, Adopted 2015.	No new section required. Implementation language is included in subsection (a) for each course.
§127.639. Principles of Government and Public Administration (One Credit), Adopted 2015.	§127.761
§127.640. Political Science I (One Credit), Adopted 2015.	§127.762
§127.641. Political Science II (One Credit), Adopted 2015.	§127.763

Current Subchapter/Section Number	New Section Number
§127.642. Foreign Service and Diplomacy (One Credit), Adopted 2015.	§127.764
§127.643. Planning and Governance (One Credit), Adopted 2015.	§127.765
§127.644. National Security (One Credit), Adopted 2015.	§127.766
§127.645. Public Management and Administration (One Credit), Adopted 2015.	§127.767
§127.646. Revenue, Taxation, and Regulation (One Credit), Adopted 2015.	§127.768
§127.652. Forensic Science (One Credit), Adopted 2021.	§127.769
§127.636. Practicum in Law, Public Safety, Corrections, and Security (Two Credits), Adopted 2015.	§127.800
§127.637. Extended Practicum in Law, Public Safety, Corrections, and Security (One Credit), Adopted 2015.	§127.801
§127.647. Practicum in Local, State, and Federal Government (Two Credits), Adopted 2015.	§127.802
§127.648. Extended Practicum in Law, Public Safety, Corrections, and Security (One Credit), Adopted 2015.	§127.803
Ch 130. Subchapter M. Manufacturing	Ch 127. Subchapter O. Manufacturing
§130.351. Implementation of Texas Essential Knowledge and Skills for Manufacturing, Adopted 2015.	No new section required. Implementation language is included in subsection (a) for each course.
§130.352. Principles of Manufacturing (One Credit), Adopted 2015.	§127.810
§130.353. Diversified Manufacturing I (One Credit), Adopted 2015.	§127.811
§130.354. Diversified Manufacturing II (One Credit), Adopted 2015.	§127.812
§130.355. Manufacturing Engineering Technology I (One Credit), Adopted 2015.	§127.813
§130.356. Manufacturing Engineering Technology II (One Credit), Adopted 2015.	§127.814
§130.357. Metal Fabrication and Machining I (Two Credits), Adopted 2015.	§127.815
§130.358. Metal Fabrication and Machining II (Two Credits), Adopted 2015.	§127.816
§130.359. Precision Metal Manufacturing I (Two Credits), Adopted 2015.	§127.817
§130.360. Precision Metal Manufacturing II (Two Credits), Adopted 2015.	§127.818
§130.361. Precision Metal Manufacturing II Lab (One Credit), Adopted 2015.	§127.819
§130.362. Introduction to Welding (One Credit), Adopted 2015.	§127.820
§130.363. Welding I (Two Credits), Adopted 2015.	§127.821
§130.364. Welding II (Two Credits), Adopted 2015.	§127.822
§130.365. Welding II Lab (One Credit), Adopted 2015.	§127.823

Current Subchapter/Section Number	New Section Number
§130.366. Practicum in Manufacturing (Two Credits), Adopted 2015.	§127.865
§130.367. Extended Practicum in Manufacturing (One Credit), Adopted 2015.	§127.866
Ch 130. Subchapter P. Transportation, Distribution, and Logistics	Ch 127. Subchapter P. Transportation, Distribution, and Logistics
§130.441. Implementation of Texas Essential Knowledge and Skills for Transportation, Distribution, and Logistics, Adopted 2015.	No new section required. Implementation language is included in subsection (a) for each course.
§130.442. Principles of Transportation Systems (One Credit), Adopted 2015.	§127.871
§130.443. Principles of Distribution and Logistics (One Credit), Adopted 2015.	§127.872
§130.444. Introduction to Transportation Technology (One-Half Credit), Adopted 2015.	§127.873
§130.445. Small Engine Technology I (One Credit), Adopted 2015. *New course title to take effect 2/2/25	§127.874
§130.446. Small Engine Technology II (Two Credits), Adopted 2015. *New course title to take effect 2/2/25	§127.875
§130.447. Automotive Basics (One Credit), Adopted 2015.	§127.876
§130.449. Automotive Technology I: Maintenance and Light Repair (Two Credits), Adopted 2015.	§127.877
§130.450. Automotive Technology II: Automotive Service (Two Credits), Adopted 2015.	§127.878
§130.451. Advanced Transportation Systems Laboratory (One Credit), Adopted 2015	No new course required. §127.920. Advanced Transportation Systems Laboratory (One Credit), Adopted 2024, effective September 9, 2024
§130.452. Introduction to Aircraft Technology (One Credit), Adopted 2015	No new course required. §127.887. Introduction to Aircraft Technology (One Credit), Adopted 2024, effective September 9, 2024
§130.453. Aircraft Airframe Technology (Two Credits), Adopted 2015.	No new course required. §127.888. Aircraft Airframe Technology (Two Credits), Adopted 2024, effective September 9, 2024
§130.454. Aircraft Powerplant Technology (Two Credits), Adopted 2015.	No new course required. §127.889. Aircraft Powerplant Technology (Two Credits), Adopted 2024, effective September 9, 2024
§130.455. Basic Collision Repair and Refinishing (One Credit), Adopted 2015.	§127.879
§130.456. Collision Repair (Two Credits), Adopted 2015.	§127.880
§130.457. Paint and Refinishing (Two Credits), Adopted 2015.	§127.881
§130.458. Diesel Equipment Technology I (Two Credits), Adopted 2015.	§127.882
§130.459. Diesel Equipment Technology II (Two Credits), Adopted 2015.	§127.883
§130.460. Energy and Power of Transportation Systems (One Credit), Adopted 2015.	§127.884

Current Subchapter/Section Number	New Section Number
§130.461. Management of Transportation Systems (One Credit), Adopted 2015.	§127.885
§130.462. Distribution and Logistics (One Credit), Adopted 2015.	§127.886
§130.463. Practicum in Transportation Systems (Two Credits), Adopted 2015.	§127.921
§130.465. Extended Practicum in Transportation Systems (One Credit), Adopted 2015.	§127.922
§130.464. Practicum in Distribution and Logistics (Two Credits), Adopted 2015.	§127.923
§130.466. Extended Practicum in Distribution and Logistics (One Credit), Adopted 2015.	§127.924

**Proposed Amendments to 19 TAC Chapter 74, Curriculum Requirements, Subchapter B, Graduation Requirements, §74.12, Foundation High School Program, and §74.13, Endorsements
(First Reading and Filing Authorization)**

January 31, 2025

COMMITTEE ON INSTRUCTION: ACTION
STATE BOARD OF EDUCATION: CONSENT

SUMMARY: This item presents for first reading and filing authorization proposed amendments to 19 Texas Administrative Code (TAC) Chapter 74, Curriculum Requirements, Subchapter B, Graduation Requirements, §74.12, Foundation High School Program, and §74.13, Endorsements. The proposed amendments would reflect changes to a career and technical education (CTE) course to align with recently adopted CTE TEKS.

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

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

TEC, §28.025(a), requires the SBOE to determine by rule the curriculum requirements for the foundation high school program that are consistent with the required curriculum and requires the SBOE to designate specific courses that are required for the foundation high school program.

TEC, §28.025(b-2)(2), requires the SBOE to allow a student by rule to comply with the curriculum requirements for the third and fourth mathematics credits under TEC, §28.025(b-1)(2), or the third and fourth science credits under TEC, §28.025(b-1)(3), by successfully completing a CTE course designated by the SBOE as containing substantially similar and rigorous content.

TEC, §28.025(c-1), requires the SBOE to adopt rules regarding earning an endorsement.

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 amendments is August 1, 2025.

PREVIOUS BOARD ACTION: The SBOE adopted rules in Chapter 74, Subchapter B, to implement the Foundation High School Program effective July 8, 2014. The SBOE adopted amendments to §74.12 effective August 22, 2016; August 28, 2017; August 27, 2018; August 1, 2019; August 1, 2020; August 1, 2022, and August 1, 2024. The SBOE adopted amendments to §74.13 effective August 22, 2016; August 28, 2017; August 27, 2018; August 1, 2019; August 1, 2020; August 1, 2022; and August 1, 2024.

BACKGROUND INFORMATION AND JUSTIFICATION: At the April 2024 SBOE meeting, the SBOE approved for second reading and final adoption Texas Essential Knowledge and Skills (TEKS) for a set of CTE courses in agriculture; aviation maintenance; and science, technology, engineering, and mathematics (STEM) with an effective date of August 1, 2025. The proposed amendments would update the list of courses that can satisfy a science graduation requirement to reflect a CTE course that was retitled Physics for Engineering (formerly titled Principles of Technology) as a result of the 2024 CTE TEKS review. The board will also have the opportunity to consider whether Physics for Engineering

should satisfy the physics requirement for graduation, which will determine whether a student may earn credit for both courses.

The attachment to this item reflects the text of proposed amendments to §74.12 and §74.13 for consideration by the SBOE for first reading and filing authorization.

The proposed amendments were not presented as a discussion item. The SBOE, however, may wish to consider this item for first reading and filing authorization as authorized under its operating procedures. Therefore, this item is presented for first reading and filing authorization consideration at this meeting. It is recommended that the SBOE consider this item for first reading and filing authorization to ensure that the amendments to §74.12 and §74.13 can be implemented beginning with the 2025-2026 school year to avoid confusion.

FISCAL IMPACT: TEA has determined that there are no additional costs to state or local government, including school districts and open-enrollment charter schools, 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 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, 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 clarify the rules by updating out-of-date language. 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 February 28, 2025, and ends at 5:00 p.m. on March 31, 2025. The SBOE will take registered oral and written comments on the

proposal at the appropriate committee meeting in April 2025 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 February 28, 2025.

MOTION TO BE CONSIDERED: 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 proposed amendments to 19 TAC Chapter 74, Curriculum Requirements, Subchapter B, Graduation Requirements, §74.12, Foundation High School Program, and §74.13, Endorsements.

Staff Members Responsible:

Monica Martinez, Associate Commissioner, Standards and Programs

Jessica Snyder, Senior Director, Curriculum Standards and Student Support

Attachment:

Text of Proposed Amendments to 19 TAC Chapter 74, Curriculum Requirements, Subchapter B, Graduation Requirements, §74.12, Foundation High School Program, and §74.13, Endorsements

ATTACHMENT
Text of Proposed Amendments to 19 TAC

Chapter 74. Curriculum Requirements

Subchapter B. Graduation Requirements

§74.12. Foundation High School Program.

- (a) (No change.)
- (b) Core courses. A student must demonstrate proficiency in the following.
 - (1)-(2) (No change.)
 - (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) Physics for Engineering [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)-(xvii)(No change.)
 - (xviii) Physics for Engineering [Principles of Technology] ;
 - (xix)-(xxiv) (No change.)
 - ~~[(C) Credit may not be earned for both physics and Principles of Technology to satisfy science credit requirements.]~~
 - (4)-(7) (No change.)
- (c)-(d) (No change.)

§74.13. Endorsements.

- (a)-(d) (No change.)
- (e) To earn an endorsement a student must demonstrate proficiency in the following.
 - (1)-(5) (No change.)
 - (6) An additional credit in science that may be selected from one full credit or a combination of two half credits from two different courses, subject to prerequisite requirements, from the following courses:
 - (A)-(Q) (No change.)
 - (R) Physics for Engineering [Principles of Technology] ;
 - (S)-(X) (No change.)
 - ~~[(Y) credit may not be earned for both physics and Principles of Technology to satisfy science credit requirements.]~~

~~(Y)~~ ~~(Z)~~ The fourth science credit may be satisfied with 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) that does not count toward another credit required for graduation.

(7) (No change.)

(f) A student may earn any of the following endorsements.

(1) Science, technology, engineering, and mathematics (STEM). Students who entered high school prior to the 2022-2023 school year may earn a STEM endorsement by completing the requirements specified in subsection (e) of this section, including Algebra II, chemistry, and physics or Physics for Engineering ~~[Principles of Technology]~~ and:

(A) a coherent sequence of courses for four or more credits in career and technical education (CTE) that consists of at least two courses in the same career cluster and at least one advanced CTE course. The courses may be selected from ~~[Chapter 130 of this title (relating to Texas Essential Knowledge and Skills for Career and Technical Education),]~~ Chapter 127 of this title (relating to Texas Essential Knowledge and Skills for Career Development and Career and Technical Education) ~~[3]~~ or CTE innovative courses. The final course in the sequence must be selected from Chapter 127, Subchapter O, of this title (relating to Science, Technology, Engineering, and Mathematics) as it existed prior to August 1, 2025, or Career Preparation I or II (Career Preparation General or Career Preparation for Programs of Study) and Project-Based Research (Career and Technical Education Project-Based Capstone) in Chapter 127, Subchapter B, of this title (relating to High School), if the course addresses a STEM-related field;

(B)-(E) (No change.)

(2) Business and industry. Students who entered high school prior to the 2022-2023 school year may earn a business and industry endorsement by completing the requirements specified in subsection (e) of this section and:

(A) a coherent sequence of courses for four or more credits in CTE that consists of at least two courses in the same career cluster and at least one advanced CTE course. The courses may be selected from ~~[Chapter 130 of this title,]~~ Chapter 127 of this title ~~[3]~~ or CTE innovative courses. The final course in the sequence must be selected from one of the following:

(i) Chapter 127, Subchapter C, of this title (related to Agriculture, Food, and Natural Resources);

~~(ii) Chapter 127, Subchapter D, of this title (relating to Architecture and Construction);~~

~~(iii) Chapter 127, Subchapter E, of this title (relating to Arts, Audio/Video Technology, and Communications);~~

~~[(ii) Chapter 130, Subchapter A, of this title (relating to Agriculture, Food, and Natural Resources)];~~

~~[(iii) Chapter 130, Subchapter B, of this title (relating to Architecture and Construction)];~~

~~[(iv) Chapter 130, Subchapter C, of this title (relating to Arts, Audio/Video Technology, and Communications)];~~

~~(iv)~~ ~~(v)~~ Chapter 127, Subchapter F, of this title (relating to Business, Marketing, and Finance);

~~(v)~~ Chapter 127, Subchapter H, of this title (relating to Energy);

~~[(vi) Chapter 130, Subchapter D, of this title (relating to Business Management and Administration)];~~

~~[(vii) Chapter 130, Subchapter F, of this title (relating to Finance);]~~

(vi) [(viii)] Chapter 127, Subchapter K [H], of this title (relating to Hospitality and Tourism);

(vii) Chapter 127, Subchapter M, of this title (relating to Information Technology);

(viii) Chapter 127, Subchapter O, of this title (relating to Manufacturing);

~~[(ix) Chapter 130, Subchapter K, of this title (relating to Information Technology);]~~

~~[(x) Chapter 130, Subchapter M, of this title (relating to Manufacturing);]~~

~~[(xi) Chapter 130, Subchapter N, of this title (relating to Marketing);]~~

(ix) [(xii)] Chapter 127, Subchapter P, of this title (relating to Transportation, Distribution, and Logistics); or

~~[(xiii) Chapter 130, Subchapter P, of this title (relating to Transportation, Distribution, and Logistics);]~~

~~[(xiv) Chapter 130, Subchapter Q, of this title (relating to Energy); or]~~

(x) [(xv)] Career Preparation I or II (Career Preparation General or Career Preparation for Programs of Study) and Project-Based Research (Career and Technical Education Project-Based Capstone) in Chapter 127, Subchapter B, of this title if the course addresses a career from a field listed in clauses (i)-(ix) [~~(i)-(xv)~~] of this subparagraph;

(B)-(D) (No change.)

- (3) Public services. Students who entered high school prior to the 2022-2023 school year may earn a public services endorsement by completing the requirements specified in subsection (e) of this section and:

(A) a coherent sequence of courses for four or more credits in CTE that consists of at least two courses in the same career cluster and at least one advanced CTE course. The courses may be selected from [~~Chapter 130 of this title,~~] Chapter 127 of this title [~~]~~ or CTE innovative courses. The final course in the sequence must be selected from one of the following:

(i) Chapter 127, Subchapter G, of this title (relating to Education and Training);

(ii) Chapter 127, Subchapter J [H], of this title (relating to Health Science);

(iii) Chapter 127 [~~130~~], Subchapter L [~~J~~], of this title (relating to Human Services);

(iv) Chapter 127, Subchapter N [~~M~~], of this title (relating to Law and Public Service); or

(v) Career Preparation I or II (Career Preparation General or Career Preparation for Programs of Study) and Project-Based Research (Career and Technical Education Project-Based Capstone) in Chapter 127, Subchapter B, of this title if the course addresses a field from a cluster listed in clauses (i)-(iv) [~~(i)-(v)~~] of this subparagraph;

(B)-(C) (No change.)

- (4)-(5) (No change.)

- (6) STEM. Students who entered high school in the 2022-2023 school year or later may earn a STEM endorsement by completing the requirements specified in subsection (e) of this section, including Algebra II, chemistry, and physics or Physics for Engineering [~~Principles of Technology~~] and:

(A)-(D) (No change.)

- (7)-(8) (No change.)

(g) (No change.)

**Consideration of Proposed New Innovative Courses and Renewal of Currently Approved
Innovative Courses**

January 31, 2025

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

SUMMARY: This item presents for consideration applications for proposed new innovative courses and renewal of currently approved courses that are scheduled to expire.

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.

PREVIOUS BOARD ACTION: The SBOE adopted 19 TAC §74.27, Innovative Courses and Programs, to be effective September 1, 1996, with amendments to be effective September 1, 1998, and December 25, 2007. In November 2019, the SBOE adopted additional amendments to 19 TAC §74.27 to be effective December 25, 2019. In November 2022, the SBOE again adopted amendments to 19 TAC §74.27 to be effective February 26, 2023. In November 2023, the SBOE adopted amendments effective February 18, 2024.

From May 1998 through July 2003, the SBOE approved a total of 45 new innovative courses that do not fall within any of the subject areas of the foundation or enrichment curriculum through the annual approval process. In May 2004, July 2007, July 2009, January 2011, January 2012, January 2013, and July 2014 the SBOE approved the renewal of innovative courses in addition to approving new courses. In April 2005, April 2006, May 2008, May 2010, and April 2014 the SBOE approved renewal of innovative courses. In July 2010, the SBOE approved one new course. In April 2015, the SBOE approved for a period of five years three expiring course series submitted for renewal. In April 2016, the SBOE approved one new course for a period of three years and one new course for a one-year period. The SBOE approved for a period of five years each the renewal of three expiring innovative courses in November 2016. At the January-February 2017 meeting, the SBOE approved for renewal two expiring innovative courses for a period of five years, and at the April 2017 SBOE meeting, the SBOE approved for renewal three additional courses for a period of five years each. At the June 2017 SBOE meeting, the SBOE approved two new courses for a period of five years each. At the April 2018 SBOE meeting, the SBOE approved one new course for a period of five years. At the January-February 2019 SBOE meeting, the SBOE renewed one course for a period of three years and granted one course a one-year extension. At the April 2019 SBOE meeting, the board approved for renewal two courses for a period of three years and one course for a period of five years. At the June 2019 SBOE meeting, the board approved renewal of one course for a period of three years and one new course for a period of two years. The board approved renewal of eight innovative courses for a period of five years at the January 2020 SBOE meeting. At the June-July 2020 SBOE meeting, the SBOE renewed ten courses for a period of five years and granted one new course a two-year approval. In January 2021, the SBOE renewed one course for a period of five years. At the January 2022 SBOE meeting, the board approved renewal of one course for a period of three

years and five courses for a period of five years. At the April 2022 SBOE meeting, the board approved renewal of six courses for a period of five years. At the June 2023 meeting, the SBOE approved one new innovative course for a period of two years. At the June 2024 meeting, the SBOE extended the approvals for 24 innovative courses that were part of career and technical education (CTE) programs of study. At the November 2024 meeting, the SBOE approved the renewal of six innovative courses for a period of five years.

BACKGROUND INFORMATION AND JUSTIFICATION: After the board adopted new rules concerning graduation requirements, the previously approved experimental courses were phased out as of August 31, 1998. Since the adoption of the Texas Essential Knowledge and Skills (TEKS), school districts and other entities have submitted new requests for approval of innovative courses that do not have TEKS and meet a demonstrated student need. The process originally outlined in §74.27 provided authority for the commissioner of education to approve discipline-based courses but reserved for SBOE review and approval those courses that did not fall within any of the subject areas of the foundation or enrichment curriculum. In November 2023, the SBOE amended §74.27 to shift from the commissioner of education to the SBOE the authority to approve all innovative courses that fall under the foundation or enrichment curriculum. The amendments also specified the number of years for initial approval and renewal of innovative courses and provided an exemption from the pilot requirement for career and technical education courses that support an approved program of study.

A brief description of the courses submitted for SBOE review and consideration will be provided to SBOE members prior to the January 2025 meeting. If approved, the recommended effective date for the courses would be August 1, 2025. With the approval of the local board of trustees, the courses would be available for school districts' use beginning with the 2025-2026 school year.

PUBLIC BENEFIT AND COST TO PERSONS: Students would have access to new innovative courses and continue to have access to courses that meet local district needs.

Staff Members Responsible:

Monica Martinez, Associate Commissioner, Standards and Programs
Jessica Snyder, Senior Director, Curriculum Standards and Student Support

Attachment:

Text of 19 TAC §74.27, [Innovative Courses and Programs](#)

Separate Exhibit:

Innovative Courses Submitted for Approval
(to be provided at the January 2025 SBOE meeting)

ATTACHMENT

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 discipline-based courses in the foundation or enrichment curriculum and courses that do 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) 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) To request approval from the SBOE, 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;
 - (H) the amount of credit requested; and
 - (I) a copy of or electronic access to any recommended instructional resources for the course.
 - (4) To request approval 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) 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) With the approval of the local board of trustees, a school district may offer, without changes or deletions to content, 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 **have been approved as an innovative course for at least three years and** meet the following criteria:
 - (A) zero enrollment for the previous two years;
 - (B) average enrollment of less than 100 students statewide for the previous three years;

- (C) student enrollment at an average of fewer than 20 districts or charter schools statewide for the previous three years;
 - (D) duplicative of another innovative or TEKS-based course; or
 - (E) approved for implementation as a TEKS-based course.
- (b) An ethnic studies course that has been approved by the SBOE as an innovative course shall be considered by the SBOE at a subsequent meeting 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 the SBOE.
 - (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 approval of the innovative course.

Discussion of Proposed New International Baccalaureate Courses

January 30, 2025

COMMITTEE ON INSTRUCTION: DISCUSSION STATE BOARD OF EDUCATION: NO ACTION

SUMMARY: This item presents the opportunity for the committee to consider adding International Baccalaureate (IB) courses that are not currently included in the Texas Administrative Code (TAC).

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

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

TEC, §28.002, identifies the subjects of the required curriculum and 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 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.

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

BACKGROUND INFORMATION AND JUSTIFICATION: In order for students to earn state credit toward specific graduation requirements, a course must be approved by the SBOE and included in the TAC. This item allows the SBOE to consider the addition of TEKS for IB courses not yet approved by the board.

Staff Members Responsible:

Monica Martinez, Associate Commissioner, Standards and Programs
Jessica Snyder, Director, Curriculum Standards and Student Support

Recommendations Regarding Renewal of Instructional Materials Contracts

January 31, 2025

COMMITTEE ON INSTRUCTION: ACTION STATE BOARD OF EDUCATION: CONSENT

SUMMARY: This item recommends renewal of instructional materials contracts that expire on August 31, 2025. This action is recommended to ensure that these materials remain available for distribution to school districts until replacements become available.

STATUTORY AUTHORITY: Texas Education Code ([TEC](#)), [§31.026](#).

TEC, §31.026, requires the State Board of Education (SBOE) to execute contracts with publishers of adopted materials that coincide with the board's review cycle and that specify a price fixed for the term of the contract that does not exceed the lowest price paid by any other state or any school or school district.

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

BACKGROUND INFORMATION AND JUSTIFICATION: Instructional materials included in *Proclamation 2017* are career and technical education (CTE), languages other than English (LOTE), Special Topics in Social Studies, Algebraic Reasoning, and Statistics. Instructional materials from *Proclamation 2017* were adopted in November 2016.

Texas Administrative Code, §66.72(g), requires publishers awarded instructional materials contracts to be prepared to extend the contract period for not more than four years.

A list of instructional materials recommended for 2025–2029 renewal is provided in the attachment. Current contracts for these materials will expire on August 31, 2025, and new instructional materials for the subject areas will not yet be adopted at that time.

MOTION TO BE CONSIDERED: The State Board of Education:

Renew contracts for instructional materials adopted under *Proclamation 2017* in the subject areas and for the periods indicated in the attachment.

Staff Member Responsible:

Colin Dempsey, Director, District Operations, Technology, and Sustainability Supports

[Attachment I.](#)

Instructional Materials Recommended for 2025–2029 Renewal

Attachment II.

[Proclamation 2017](#)

COI P2017 Renewal Attachment I

Proclamation 2017 Instructional Materials Recommended for 2025–2029 Renewal

Publisher	Course/Grade	TEKS %
B.E. Publishing, Inc.	Business Information Management I	96.72%
	Practicum In Health Science	56%
	Principles Of Health Science (2 products)	52%; 60%
Bolchazy-Carducci Publishers, Inc.	Latin, Levels I–V, High School (30 products)	70% - 100%
Cambridge University Press	Latin, Level IV, High School	100%
	Spanish, Levels I–IV, High School	100%
Cengage Learning, Inc.	Agricultural Mechanics and Metal Technologies	82%
	Digital Media	79.03%
	Entrepreneurship	86.67%
	Principles Of Agriculture, Food, and Natural Resources	71.43%
	Principles Of Information Technology	69.70%
	Sports and Entertainment Marketing	88.54%
	Welding I	95.18%
	Wildlife, Fisheries, and Ecology Management (2 products)	61.82%; 72.73%
	Accounting I	97.18%
	Business Information Management I (4 products)	81.97% - 83.61%
	Business Information Management II (4 products)	58.33% - 91.67%
	Career Preparation I	80.85%
	Dollars and Sense	70%
	Investigating Careers	66.67%
	Money Matters	94.74%
	Principles Of Business, Marketing, and Finance	95.24%
	Principles Of Health Science	100%
Touch System Data Entry (4 products)	73.17% - 92.68%	
Career Preparation I	80.85%	

Publisher	Course/Grade	TEKS %
iCEV Multimedia Ltd.	Advanced Animal Science	100%
	Advanced Energy and Natural Resource Technology	100%
	Advanced Plant and Soil Science	100%
	Advertising	100%
	Agricultural Equipment Design and Fabrication	100%
	Agricultural Mechanics and Metal Technologies	100%
	Agricultural Power Systems	100%
	Agricultural Structures Design and Fabrication	100%
	Construction Technology I	90.74%
	Diesel Equipment Technology I	78.57%
	Diesel Equipment Technology II	100%
	Energy and Natural Resource Technology	100%
	Entrepreneurship	100%
	Equine Science	100%
	Fashion Design I	100%
	Fashion Design II	100%
	Fashion Marketing	100%
	Floral Design	100%
	Food Processing	92.86%
	Food Technology and Safety	100%
	Forestry and Woodland Ecosystems	100%
	Horticultural Science	100%
	Interior Design I	100%
	Introduction To Welding	100%
	Landscape Design and Management	100%
	Livestock Production	100%
	Practicum In Agriculture, Food, and Natural Resources	100%
Practicum In Marketing	81.51%	
Principles Of Agriculture, Food, and Natural Resources	100%	
Principles Of Architecture	100%	

Publisher	Course/Grade	TEKS %
iCEV Multimedia Ltd. (cont.)	Principles Of Arts, Audio/Video Technology, And Communications	100%
	Principles Of Construction	100%
	Principles Of Distribution and Logistics	60%
	Principles Of Information Technology	100%
	Principles Of Manufacturing	76.92%
	Principles Of Transportation Systems	60.66%
	Professional Communications	100%
	Professional Standards In Agribusiness	100%
	Small Animal Management	100%
	Small Engine Technology I	100%
	Small Engine Technology II	81.67%
	Sports and Entertainment Marketing	100%
	Veterinary Medical Applications	100%
	Welding I	100%
	Welding II	100%
	Wildlife, Fisheries, and Ecology Management	100%
	Accounting I	95.77%
	Advanced Culinary Arts	90.28%
	Business English	86.11%
	Business Information Management I	100%
	Business Information Management II	100%
	Business Law	55%
	Business Management	100%
	Career Preparation I	100%
	Career Preparation II	100%
	Child Guidance	100%
	College and Career Readiness	100%
	Counseling and Mental Health	51.43%
	Culinary Arts	100%
	Dollars and Sense	100%
Family and Community Services	100%	

Publisher	Course/Grade	TEKS %
iCEV Multimedia Ltd. (cont.)	Global Business	100%
	Hospitality Services	86.67%
	Hotel Management	77.78%
	Human Resources Management	62.20%
	Interpersonal Studies	100%
	Introduction To Culinary Arts	100%
	Investigating Careers	100%
	Lifetime Nutrition and Wellness	100%
	Money Matters	100%
	Practicum In Business Management	100%
	Principles Of Business, Marketing, and Finance	100%
	Principles Of Health Science	100%
	Principles Of Hospitality And Tourism	100%
	Principles Of Human Services	100%
	Principles Of Law, Public Safety, Corrections, and Security	100%
	Touch System Data Entry	100%
	Travel and Tourism Management	54.39%
	Accounting II	100%
Agribusiness Management and Marketing	100%	
Cheng & Tsui Co., Inc.	Chinese, Levels I–IV, High School (4 products)	53.85% - 69.23%
	Japanese, Levels I–II, High School	50%
Compusolar, Inc.	Principles Of Information Technology	100%
	Web Technologies	100%
Cosenza & Associates, LLC	Algebraic Reasoning	100%
Davis Publications, Inc.	Graphic Design and Illustration I & II (2 products)	95.65%; 95.83%
Decker & Associates, Inc.	Financial Mathematics	71.57%
Electude USA	Automotive Basics	59.46%
	Automotive Technology I: Maintenance and Light Repair	84.71%
	Automotive Technology II: Automotive Service	86.49%

Publisher	Course/Grade	TEKS %
Goodheart-Willcox Company	Agricultural Mechanics and Metal Technologies	100%
	Architectural Design I	100%
	Audio/Video Production I	100%
	Automotive Basics	100%
	Automotive Technology I: Maintenance and Light Repair	100%
	Basic Collision Repair and Refinishing	100%
	Collision Repair	98.81%
	Commercial Photography I	95.65%
	Construction Technology I	100%
	Entrepreneurship	100%
	Fashion Design I	100%
	Fashion Design I Lab	100%
	Floral Design	100%
	Horticultural Science	100%
	Interior Design I	100%
	Interior Design II	100%
	Practicum In Marketing	94.12%
	Principles Of Agriculture, Food, and Natural Resources	100%
	Principles Of Information Technology	100%
	Professional Communications	100%
	Small Engine Technology I	100%
	Video Game Design	63.51%
	Welding I	100%
	Career Preparation I	100%
	Career Preparation II	100%
	Child Guidance	100%
	Culinary Arts	100%
Dollars and Sense	100%	
Interpersonal Studies	100%	
Investigating Careers	100%	

Publisher	Course/Grade	TEKS %
Goodheart-Willcox Company (cont.)	Lifetime Nutrition and Wellness	100%
	Money Matters	100%
	Principles of Business, Marketing, and Finance	100%
	Principles of Health Science	100%
	Principles of Hospitality and Tourism	100%
	Principles of Human Services	100%
Houghton Mifflin Harcourt	French, Levels I & II, Middle School	100%
	French, Levels I–III, High School	100%
	Spanish, Levels I & II, Middle School	100%
	Spanish, Levels I–IV, High School	100%
Klett World Languages	German, Levels I–III, Middle School	100%
	German, Levels I–IV, High School (4 products)	92.86% - 100%
McGraw-Hill Education	Professional Communications	100%
	Accounting I	100%
	Lifetime Nutrition And Wellness	100%
	Spanish, Level I, Middle School	100%
	Spanish, Levels I–IV, High School	100%
Savas Learning Company	Agricultural Mechanics and Metal Technologies	100%
	Audio/Video Production I	100%
	Automotive Technology I: Maintenance and Light Repair	100%
	Computer Programming I	100%
	Construction Technology I	100%
	Digital Media	100%
	Entrepreneurship	100%
	Graphic Design and Illustration I	100%
	Livestock Production	100%
	Principles Of Agriculture, Food, and Natural Resources	100%
	Principles Of Arts, Audio/Video Technology and Communications	100%
	Principles Of Information Technology	100%

Publisher	Course/Grade	TEKS %
Savvas Learning Company (cont.)	Professional Communications	100%
	Small Animal Management	100%
	Web Technologies	100%
	Welding I	100%
	Business Information Management I & II	100%
	College And Career Readiness	100%
	Dollars and Sense	100%
	Interpersonal Studies	100%
	Introduction To Culinary Arts	100%
	Investigating Careers	100%
	Lifetime Nutrition and Wellness	100%
	Principles Of Health Science	100%
	Principles Of Human Services	100%
	Spanish, Level I, Middle School	100%
Spanish, Levels I–III, High School	100%	
Perfection Learning Corporation	Professional Communications	100%
PetroEd Multimedia Inc.	Oil And Gas Production I	55.26%
Phoenix Tree Publishing Inc.	Chinese, Levels I, Elementary	58.33%
	Chinese, Levels II–IV, Middle School (3 products)	57.14% - 61.54%
	Chinese, Levels II–VII, High School (6 products)	57.14% - 66.67%
TPS Publishing, Inc.	Criminal Investigation	51.18%
	Law Enforcement I	100%
	Principles Of Law, Public Safety, Corrections, and Security	100%
Yetter's Learn Spanish	Spanish, Level I, High School	100.00%

Publishers Not Electing to Renew

Publisher	Course/Grade
EMC Publishing, LLC (Carnegie Learning, Inc. dba EMC Publishing LLC)	Discovering Languages and Cultures French, Level I, Middle School French, Levels I, II, IV, High School Spanish, Level I, Middle School Spanish, Levels I, II, IV, V High School
The Lampo Group/Ramsey Education	Money Matters
Vista Higher Learning (F.K.A. Santillana Publishing Company)	Spanish, Levels I & II, Elementary Spanish, Level I, Middle School Spanish, Levels I-IV, High School

Additional Contracts Not Being Renewed

Publisher	Course/Grade
Global Classroom Alliance/ Sinolingua Publisher non-responsive to all attempts to contact (email and phone)	Chinese, Levels I, II, IV, Elementary Chinese, Levels I-IV, Middle School Chinese, Levels I-VII, High School

Approval of Updates and Substitutions to Adopted Instructional Materials

January 31, 2025

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 2015 the SBOE approved update and/or substitution requests for three products. In 2016 the SBOE approved update and/or substitution requests for two products. In 2019 the SBOE approved update and/or substitution requests for seven products. In 2020 the SBOE approved update and/or substitution requests for twenty-one products. In 2021 the SBOE approved update and/or substitution requests for sixteen products. In 2022 the SBOE approved update and/or substitution requests for twenty-five products. In 2023 the SBOE approved update and/or substitution requests for ten products. In February 2024, the SBOE approved update requests to update Science, grade 6 from Savvas Learning Company, Houghton Mifflin Harcourt Depository, McGraw-Hill School, and Summit K12 Holdings, Inc. In April 2024, the SBOE approved a request from Ramsey Education (Dave Ramsey/Lampo), to update their Personal Financial Literacy instructional materials adopted under *Proclamation 2024*. In June 2024, the SBOE approved an update request to update Social Studies, grade 6 from Cengage Learning to update their instructional materials adopted under *Proclamation 2024*. In September 2024, the SBOE postponed action until November 2024 on requests from FrogStreet to update their English and Spanish prekindergarten materials, and McGraw-Hill to update their *Texas World Cultures and Geography, Texas History, Texas United States History to 1877, Texas Economics, Texas United States Government, Texas United States History Since 1877, Texas World Geography, and Texas World History* materials. In November 2024 the SBOE approved requests from *Ellipsis Education to update content in its Technology Applications, Grade 3, from McGraw-Hill to update content in its Texas World Cultures and Geography, Texas History, Texas United States History to 1877, Texas Economics, Texas United States Government, Texas United States History Since 1877, Texas World Geography, and Texas World History, and approve updated TEKS percentages in Houghton Mifflin Harcourt's Social Studies, grades 6–8, Texas World Geography Studies, United States History Studies Since 1877, World History Studies, and Economics with Emphasis on the Free Enterprise System and Its Benefits.*

BACKGROUND INFORMATION AND JUSTIFICATION: Rules in 19 TAC §66.75 permit a publisher to submit a request for approval to update content in state-adopted instructional materials. The

rule also requires that all requests for updates involving content in state-adopted instructional materials be [posted](#) for public comment and 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 requests from FrogStreet Press to update content in its English and Spanish prekindergarten materials, and from Studies Weekly to update content in its social studies grades K–5 products.

Staff Member Responsible:

Amie Phillips, Director, Instructional Materials Review and Approval, District Operations, Technology & Sustainability Supports

Attachment I.

[Frogstreet, Prekindergarten English](#)

Attachment II.

[Frogstreet, Prekindergarten Spanish](#)

Attachment III.

[Savvas Learning, Social Studies, Grades K–12](#)

Attachment IV.

[Studies Weekly, Social Studies, Grade K](#)

Attachment V.

[Studies Weekly, Social Studies, Grade 1](#)

Attachment VI.

[Studies Weekly, Social Studies, Grade 2](#)

Attachment VII.

[Studies Weekly, Social Studies, Grade 3](#)

Attachment VIII.

[Studies Weekly, Social Studies, Grade 4](#)

Attachment IX.

[Studies Weekly, Social Studies, Grade 5](#)

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

Election of Chair

January 30, 2025

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

SUMMARY: State Board of Education (SBOE) operating rules call for each committee to elect a chair from among its members. This item provides an opportunity for the Committee on School Finance/Permanent School Fund to elect a chair at this meeting if the SBOE retains the existing committee structure. The chair may then appoint a vice chair. If the board changes the committee structure, the committee may elect a member to preside over this first meeting only.

STATUTORY AUTHORITY: Texas Education Code, [§7.107\(b\)](#).

TEC, §7.107(b) requires the SBOE to organize and adopt operating rules at the first meeting after an election and qualification of new members.

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

PREVIOUS BOARD ACTION: A committee chair was last elected on February 2, 2023.

BACKGROUND INFORMATION AND JUSTIFICATION: The board is required to organize at the first meeting after the election and qualification of new members. Section 1.2(e) of the board's operating rules requires each standing committee to 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.

Staff Member Responsible:

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

Adoption of Review of 19 TAC Chapter 30, Administration, Subchapter B, State Board of Education: Purchasing and Contracts
(Adoption of Review)

January 31, 2025

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

SUMMARY: Texas Government Code, §2001.039, establishes a four-year rule review cycle for all state agency rules, including State Board of Education (SBOE) rules. This item presents the adoption of the review of 19 Texas Administrative Code (TAC) Chapter 30, Administration, Subchapter B, State Board of Education: Purchasing and Contracts. The rules in Subchapter B address the historically underutilized business (HUB) program and procedures relating to protest for purchasing issues and dispute resolution, in accordance with Texas Government Code requirements.

STATUTORY AUTHORITY: The statutory authority for the rule review is Texas Government Code (TGC), §2001.039. The statutory authority for 19 TAC Chapter 30, Subchapter B, is Texas Government Code, §§2161.003, 2155.076, and 2260.052.

Texas Government Code, §2001.039, requires all state agencies to review their rules at least once every four years.

Texas Government Code, §2161.003, requires the SBOE to adopt the HUB rules of the state as its own rules.

Texas Government Code, §2155.076, requires that each state agency by rule develop and adopt protest procedures for resolving vendor protests relating to purchasing issues.

Texas Government Code, §2260.052, requires each unit of state government with rulemaking authority to develop rules to govern the negotiation and mediation of a claim.

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

PREVIOUS BOARD ACTION: The review of 19 TAC Chapter 30, Subchapter B, was presented to the Committee on School Finance/Permanent School Fund for discussion at the November 2024 meeting.

BACKGROUND INFORMATION AND JUSTIFICATION: Effective December 5, 2004, the SBOE adopted rules in 19 TAC Chapter 30, Subchapter B, to address the HUB program, protest procedures for purchasing issues, and procedures for dispute resolution, as required by statute.

Texas Government Code, §2161.003, directs each state agency to adopt the state's HUB rules as its own rules. Those rules apply to state agency construction projects and purchases of goods and services paid for with appropriated money. To comply with statute, the SBOE adopted 19 TAC §30.21, Historically Underutilized Business (HUB) Program, effective December 5, 2004. The rule adopts by reference the Texas Building and Procurement Commission (TBPC) rules concerning the HUB program. Effective April 26, 2009, the rule was amended to reflect the transfer of HUB rules from the TBPC to the Comptroller of Public Accounts.

Texas Government Code, §2155.076, requires that each state agency by rule develop and adopt protest procedures for resolving vendor protests relating to purchasing issues. Rules are required to be consistent with the Comptroller of Public Accounts' rules and include standards for maintaining documentation about the purchasing process to be used in the event of a protest. In addition, Texas Government Code, §2260.052, requires each unit of state government with rulemaking authority to develop rules to govern the negotiation and mediation of a claim. To comply with statute, the SBOE adopted 19 TAC §30.22, Procedures for Protests, Dispute Resolution, and Appeals Relating to Purchasing and Contract Issues, effective December 5, 2004. The rule establishes that any person interested in protesting an award must do so by filing a written formal protest petition and provides the specifications that must be addressed in the protest petition. The rule also specifies the mediation procedures for resolution of a formal protest and sets forth guidelines to appeal a protest determination. No amendments have been made to the rule since its initial adoption.

Texas Education Agency (TEA) staff do not anticipate presenting any changes to 19 TAC Chapter 30, Subchapter B, at this time.

PUBLIC COMMENTS: TEA filed the proposed review of 19 TAC Chapter 30, Subchapter B, with the Texas Register following the November 2024 SBOE meeting. The public comment period on the proposed review began December 20, 2024, and ended at 5:00 p.m. on January 21, 2025. At the time this item was prepared, no comments had been received regarding this review. Any public comments received will be provided to the SBOE during the January 2025 meeting. The SBOE will take registered oral and written comments on the proposed review at the committee meeting in January 2025 in accordance with the SBOE board operating policies and procedures.

MOTION TO BE CONSIDERED: The State Board of Education:

Adopt the review of 19 TAC Chapter 30, Administration, Subchapter B, State Board of Education: Purchasing and Contracts.

Staff Members Responsible:

Carla Steffen, Associate Commissioner of Finance/Chief Financial Officer
Jenna Mattingly, Director, Contracts and Purchasing

Attachment:

Text of 19 TAC Chapter 30, Administration, Subchapter B, State Board of Education: Purchasing and Contracts

ATTACHMENT
Text of 19 TAC

Chapter 30. Administration

Subchapter B. State Board of Education: Purchasing and Contracts

§30.21. Historically Underutilized Business (HUB) Program.

In accordance with the Texas Government Code, §2161.003, the State Board of Education adopts by reference the rules of the Comptroller of Public Accounts, found at Title 34 Texas Administrative Code, §§20.11-20.28, concerning the Historically Underutilized Business (HUB) Program.

§30.22. Procedures for Protests, Dispute Resolution, and Appeals Relating to Purchasing and Contract Issues.

- (a) Any actual or prospective bidder, offeror, or contractor who is aggrieved in connection with the solicitation, evaluation, or award of a contract under the jurisdiction of the State Board of Education (SBOE) may formally protest to the director of the Texas Education Agency (TEA) division responsible for purchasing and contracts. Such protests must be in writing and received in the purchasing and contracts director's office within ten working days after such aggrieved person knows, or reasonably should have known, of the occurrence of the action which is protested, unless the director finds that good cause for delay is shown or determines that a protest or appeal raises issues significant to the TEA's procurement practices or procedures.
- (b) Formal protests must conform to the requirements of this subsection and subsection (d) of this section, and shall be resolved in accordance with the procedure set forth in subsections (e)-(f) of this section. Copies of the protest must be mailed or delivered by the protesting party to the TEA and to the other interested parties. For the purposes of this section, "interested parties" means all respondents who have submitted bids, proposals, or offers for the contract involved. Names and addresses of all interested parties may be obtained by sending a written request for this information to the purchasing and contracts director.
- (c) In the event of a timely protest or appeal under this section, the TEA shall not proceed further with the solicitation or with the award of the contract unless the commissioner of education or the commissioner's designee, in consultation with the purchasing and contracts director, makes a written determination that the expeditious award of contract is necessary to protect substantial interest of the state. A copy of this determination shall be mailed to the protesting party.
- (d) A formal protest petition must be sworn and must contain:
 - (1) a specific identification of the statutory or regulatory provision(s) that the action complained of is alleged to have violated;
 - (2) a specific description of each act alleged to have violated the statutory or regulatory provision(s) identified in paragraph (1) of this subsection;
 - (3) a precise statement of the relevant facts;
 - (4) an identification of the issue or issues to be resolved;
 - (5) argument and authorities in support of the protest; and
 - (6) a statement that copies of the protest have been mailed or delivered to the TEA and other identifiable interested parties.
- (e) The purchasing and contracts director shall have the authority to settle and resolve the dispute concerning the solicitation or award of a contract. The director may solicit written responses to the protest petition from other interested parties, and if he or she makes such a request, the protesting party shall be given notice of the director's request and of any written responses to the request that the director receives. The director may consult with the TEA office of legal services concerning the dispute.

- (f) If the protest is not resolved by mutual agreement, the purchasing and contracts director will issue a written determination on the protest.
- (1) If the director determines that no violation of rules or statutes has occurred, he or she shall so inform the protesting party and other interested parties by a letter which sets forth the reasons for the determination.
 - (2) If the director determines that a violation of rules or statutes has occurred in a case where a contract has not been awarded, he or she shall so inform the protesting party and other interested parties by letter which sets forth the reasons for the determination and the appropriate remedial action.
 - (3) If the director determines that a violation of rules or statutes has occurred in a case where a contract has been awarded, he or she shall so inform the protesting party and other interested parties by a letter which sets forth the reasons for the determination. In such a case, the director has the authority to declare the contract void. If he or she declares the contract void, this fact shall be included in the determination letter.
- (g) The purchasing and contracts director's determination on a protest may be appealed by the protesting party to the commissioner of education or the commissioner's designee. An appeal of the director's determination must be in writing and must be received in the commissioner's office no later than ten working days after the date of the director's determination. An appeal of the determination shall be limited to those issues raised in the protest petition and the determination letter. Copies of the appeal must be mailed or delivered by the appealing party to the TEA and other interested parties and must contain a sworn statement that such copies have been provided.
- (h) The commissioner or the commissioner's designee shall review the protest petition, the purchasing and contracts director's requests for written responses to the protest petition, any written responses received from other interested parties, the determination, and the appeal.
- (i) The commissioner or the commissioner's designee may, in his or her discretion, issue a written decision on the protest or refer the matter to the SBOE for consideration at a regularly scheduled open meeting.
- (j) A decision issued either by the SBOE in an open meeting or in writing by the commissioner or the commissioner's designee shall be the final administrative action of the TEA.

Discussion of Review of 19 TAC Chapter 109, Budgeting, Accounting, and Auditing, Subchapter A, Budgeting, Accounting, Financial Reporting, and Auditing for School Districts, Subchapter B, Texas Education Agency Audit Functions, Subchapter C, Adoptions by Reference, and Subchapter D, Uniform Bank Bid or Request for Proposal and Depository Contract

January 30, 2025

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

SUMMARY: Texas Government Code, §2001.039, establishes a four-year rule review cycle for all state agency rules, including State Board of Education (SBOE) rules. This item presents the review of 19 Texas Administrative Code (TAC) Chapter 109, Budgeting, Accounting, and Auditing, Subchapter A, Budgeting, Accounting, Financial Reporting, and Auditing for School Districts, Subchapter B, Texas Education Agency Audit Functions, Subchapter C, Adoptions by Reference, and Subchapter D, Uniform Bank Bid or Request for Proposal and Depository Contract. The rules being reviewed provide requirements for school districts relating to budgeting, accounting, financial reporting, and auditing; Texas Education Agency (TEA) financial review functions; adoption by reference of the *Financial Accountability System Resource Guide* (FASRG); and the bank bid and proposal forms and the depository contract and surety bond forms.

STATUTORY AUTHORITY: The statutory authority for the rule review is Texas Government Code (TGC), §2001.039. The statutory authority for 19 TAC Chapter 109 is Texas Education Code (TEC), §§7.102(c)(32), 44.001, 44.002, 44.007, and 44.008, for Subchapter A; TEC, §§7.102(c)(32), 44.001, 44.007, 44.008, 44.010, and 48.104, for Subchapter B; TEC, §§7.102(c)(32); 44.001; 44.007; and 44.008, for Subchapter C; and TEC, §§7.102(c)(34), 45.206, and 45.208, for Subchapter D.

Texas Government Code, §2001.039, requires all state agencies to review their rules at least once every four years.

TEC, §7.102(c)(32), authorizes the SBOE to adopt rules concerning school district budgets and audits of school district fiscal accounts as required under TEC, Chapter 44, Subchapter A.

TEC, §7.102(c)(34), requires the SBOE to prescribe uniform bid blanks for school districts to use in selecting a depository bank.

TEC, §44.001, requires the commissioner to report annually to the SBOE the status of school district fiscal management.

TEC, §44.002, requires a superintendent to prepare a proposed district budget according to rules adopted by the SBOE.

TEC, §44.007, directs the SBOE to require each district to file a report of revenues and expenditures by a date set by the SBOE.

TEC, §44.008, requires each district's independent audit to meet minimum standards and be in the format prescribed by the SBOE.

TEC, §44.010, requires TEA staff to review and analyze the budgets, fiscal reports, and audit reports filed by school districts to determine if all legal requirements have been met and to collect fiscal data needed to report to the governor and the legislature.

TEC, §45.206, requires school districts to use the uniform bid blank and request for proposal forms prescribed by the SBOE when selecting a depository bank.

TEC, §45.208, requires that a school district and a bank selected as a depository enter into a depository contract using the form prescribed by the SBOE.

TEC, §48.104, requires the SBOE to adopt rules requiring a report on the use of compensatory education funds as part of the annual audit and develop minimum requirements for that report.

TEC, §48.105, requires the SBOE to adopt rules requiring a report on the use of bilingual education funds as part of the annual audit and develop minimum requirements for that report.

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

FUTURE ACTION EXPECTED: The review of 19 TAC Chapter 109, Subchapters A-D, will be presented to the SBOE for adoption at the April 2025 board meeting.

BACKGROUND INFORMATION AND JUSTIFICATION: Following is a summary of the SBOE rules in Chapter 109.

Subchapter A, Budgeting, Accounting, Financial Reporting, and Auditing for School Districts

The rule in this subchapter provides for a uniform system of accounting in public schools. Under current rules, school districts must use a uniform accounting system and maintain certain information for reporting to the TEA.

Subchapter B, Texas Education Agency Audit Functions

The rules in this subchapter provide for an annual audit plan, the completion and review of independent audits, and reporting and auditing for state compensatory education funds. School districts are held accountable for the use of compensatory education allotments through desk reviews and detailed investigations as needed to ensure compliance with the limitations in statute and rule.

Subchapter C, Adoptions by Reference

The rule in this subchapter adopts by reference the FASRG. The FASRG describes rules for financial accounting in modules for financial accounting and reporting, budgeting, purchasing, auditing, site-based decision making, accountability, data collection and reporting, management, and state compensatory education. The FASRG also includes special supplements for nonprofit charter schools. Public school districts use the FASRG to meet the accounting, auditing, budgeting, and reporting requirements set forth in the TEC and other state statutes relating to public school finance. The FASRG is available on the TEA website at

[http://tea.texas.gov/Finance and Grants/Financial Accountability/Financial Accountability System Resource Guide/](http://tea.texas.gov/Finance_and_Grants/Financial_Accountability/Financial_Accountability_System_Resource_Guide/).

Subchapter D, Uniform Bank Bid or Request for Proposal and Depository Contract

The rules in this subchapter provide uniform depository bank bid, proposal, contract, and surety bond forms. A school district is required to use a uniform bank bid or proposal form to obtain bids or proposals from depository banks located in the district at least 30 days before the termination of the current depository contract. However, a school district may add to the uniform bank bid or proposal form to specify additional depository requirements. Depository contracts have traditionally been executed for a two-year period, expiring on August 31 in odd-numbered years. Depository bank contracts are legal instruments that help ensure the security of all school district funds on deposit. Additionally, depository contracts contain terms and conditions describing depository bank services and fees.

ANTICIPATED REVISIONS TO RULES: At a future meeting, TEA staff plans to present an amendment to §109.52(c) and (e) to remove outdated references.

PUBLIC COMMENTS: TEA will file the notice of proposed review of 19 TAC Chapter 109, Subchapters A-D, with the Texas Register following the January 2025 SBOE meeting. The TEA will accept comments as to whether reasons for adopting 19 TAC Chapter 109, Subchapters A-D, continue to exist. The public comment period on the proposed rule review begins February 28, 2025, and ends at 5:00 p.m. on March 31, 2025. The SBOE will take registered oral and written comments on this item at the appropriate committee meeting in April 2025 in accordance with the SBOE operating policies and procedures.

The filing of the notice of proposed review soliciting comments as to whether the reasons for adoption continue to exist would not preclude any amendments that may be proposed at different dates through a separate rulemaking process.

Staff Members Responsible:

Amy Copeland, Associate Commissioner, School Finance
David Marx, Director, Financial Compliance

Attachment I:

Text of 19 TAC Chapter 109, Budgeting, Accounting, and Auditing, Subchapter A, Budgeting, Accounting, Financial Reporting, and Auditing for School Districts, Subchapter B, Texas Education Agency Audit Functions, Subchapter C, Adoptions by Reference, and Subchapter D, Uniform Bank Bid or Request for Proposal and Depository Contract

Attachment II:

Figure: 19 TAC §109.51(c)

Attachment III:

Figure: 19 TAC §109.51(d)

Attachment IV:

Figure: 19 TAC §109.52(b)

Attachment V:

Figure: 19 TAC §109.52(d)

ATTACHMENT I
Text of 19 TAC

Chapter 109. Budgeting, Accounting, and Auditing

Subchapter A. Budgeting, Accounting, Financial Reporting, and Auditing for School Districts

§109.1. Financial Accounting.

- (a) A uniform system of public school budgeting, accounting, and financial reporting shall be provided and employed throughout the state as required by law. The uniform system for budgeting, accounting, and financial reporting is to reflect the full implementation of modified and full accrual accounting, as appropriate, in accordance with generally accepted accounting principles.
- (b) The commissioner of education shall develop and administer the requirements relating to budgeting, accounting, financial reporting, and auditing for Texas public schools. The commissioner of education shall ensure adequate stakeholder involvement in the design and modification of these requirements. The State Board of Education shall approve the budgeting, accounting, and reporting systems and the auditing procedures as determined by the commissioner of education. The school districts and charter schools shall install the budgeting, accounting, and financial reporting system as required by law and meet the audit requirements as developed by the commissioner of education and subject to review and comment by the state auditor when required by law.

Subchapter B. Texas Education Agency Audit Functions

§109.21. Annual Audit Plan.

The commissioner of education shall submit an annual audit plan for field and independent audits for review of the designated committee of the State Board of Education. The plan may be amended as needed by the commissioner of education. The designated committee of the State Board of Education shall be informed at least annually by the commissioner of education on the progress of and amendments to the plan.

§109.23. School District Independent Audits and Agreed-Upon Procedures.

- (a) A school district, governmental charter school, open-enrollment charter school, nonprofit service provider, county education district, or regional education service center must file with the Texas Education Agency (TEA) an annual financial and compliance report and, if applicable, a state compensatory agreed-upon procedures report. These reports must be audited by an independent auditor, and the audit must be reviewed by the TEA, including review of auditors' working papers, in accordance with the Financial Accountability System Resource Guide, as adopted by reference in §109.41 of this title (relating to Financial Accountability System Resource Guide).
- (b) The annual financial audit report and state compensatory agreed-upon procedures report are due 150 days after the end of the fiscal year.
- (c) Auditors from the TEA must review independent audit reports. The commissioner's designee must resolve audit findings.
- (d) The district or other educational entity must hire at its own expense an independent auditor to conduct an independent audit of its financial statements and provide an opinion on its annual financial and compliance report.
 - (1) The independent auditor must:
 - (A) be associated with a certified public accountancy (CPA) firm that has a current valid license issued by the Texas State Board of Public Accountancy or a state licensing agency from another state;

- (B) be a certified public accountant with a current valid license issued by the Texas State Board of Public Accountancy, as required under the Texas Education Code, §44.008; and
 - (C) adhere to the generally accepted auditing standards (GAAS), adopted by the American Institute of CPAs (AICPA), as amended, and the generally accepted government auditing standards (GAGAS), adopted by the US Government Accountability Office, as amended.
- (2) The CPA firm must:
- (A) be a member of the AICPA Governmental Audit Quality Center (GAQC);
 - (B) adhere to GAQC's membership requirements; and
 - (C) collectively have the knowledge, skills, and experience to be competent for the audit being conducted, including thorough knowledge of the government auditing requirements and:
 - (i) Texas public school district environment;
 - (ii) public sector; or
 - (iii) nonprofit sector.
- (e) If at any time the TEA division responsible for financial compliance reviews an audit firm's working papers and finds that the firm or the quality of the work does not meet the standards required as stated in subsection (d) of this section, the division may require the district or other educational entity to change its audit firm.
- (f) To the extent that this section conflicts with any other rule regarding audits of school districts and other educational entities by independent auditors and the TEA, this section controls.

§109.25. State Compensatory Education Program Reporting and Auditing System.

- (a) Each school district and charter school shall report financial information relating to expenditure of the state compensatory education allotment under the Foundation School Program to the Texas Education Agency (TEA). Each school district and charter school shall report the information according to standards for financial accounting provided in §109.41 of this title (relating to Financial Accountability System Resource Guide.) The financial data will be reported annually through the Public Education Information Management System. The commissioner of education shall ensure that districts follow guidelines contained in the "Financial Accountability System Resource Guide" in attributing supplemental direct costs to state compensatory education and accelerated instruction programs and services. Costs charged to state compensatory education shall be for programs and services that supplement the regular education program.
- (b) Each school district and charter school shall ensure that supplemental direct costs and personnel attributed to compensatory education and accelerated instruction are identified in district and/or campus improvement plans at the summary level for financial units or campuses. Each school district and charter school shall maintain documentation that supports the attribution of supplemental costs and personnel to compensatory education. School districts and charter schools must also maintain sufficient documentation supporting the appropriate identification of students in at-risk situations, under criteria established in Texas Education Code (TEC), §29.081.
- (c) The TEA shall conduct risk assessment and desk audit processes to identify the school districts, charter schools, or campuses most at risk of inappropriate allocation and/or underexpenditure of the compensatory education allotment. In the risk assessment and desk audit processes, the TEA shall consider the following factors:
 - (1) aggregate performance of students in at-risk situations on the state assessment instruments that is below the standards for the "acceptable" rating, as defined in the state accountability system;
 - (2) the financial management of compensatory education funds; and/or
 - (3) the quality of data related to compensatory education submitted by a school district or charter school.

- (d) The TEA shall use the results of risk assessment and desk audit processes to prioritize school districts or charter schools for the purpose of on-site visits and may conduct on-site visits.
- (e) The TEA shall issue a preliminary report resulting from a desk audit or an on-site visit before submitting a final report to the school district or charter school. After issuance of a preliminary report, a school district or charter school must file with the TEA the following:
 - (1) a response to the preliminary report within 20 calendar days from the date of the preliminary report outlining steps the school district or charter school will take to resolve the issues identified in the preliminary report; and
 - (2) a corrective action plan within 60 calendar days from the date of the preliminary report if the school district's or charter school's response to the preliminary report does not resolve issues identified in the preliminary report.
- (f) The TEA shall issue a final report that indicates whether the school district or charter school has resolved the findings in the preliminary report and whether the corrective action plan filed under subsection (e)(2) of this section is adequate.
 - (1) If the final report contains a finding of noncompliance with TEC, §48.104(k), the report shall include a financial penalty authorized under TEC, §48.104(o).
 - (2) If the school district or charter school responds with an appropriate corrective action plan, the TEA shall rescind the financial penalty and release the amount of the penalty to the school district or charter school.
- (g) The TEA may conduct an on-site visit to verify the implementation of a school district's or charter school's corrective action plan.

Subchapter C. Adoptions By Reference

§109.41. Financial Accountability System Resource Guide.

The rules for financial accounting are described in the official Texas Education Agency (TEA) publication Financial Accountability System Resource Guide, Version 19, which is adopted by this reference as the agency's official rule. A copy is available on the TEA website with information related to financial compliance.

Subchapter D. Uniform Bank Bid or Request for Proposal and Depository Contract

§109.51. Uniform Depository Bank Bid or Proposal Form.

- (a) At least 60 days before the end of the current depository contract, each school district must decide to use either competitive bidding or a request for proposals to choose a new depository.
- (b) At least 30 days before the end of the current depository contract, the district must mail the uniform blank form for the selected process to each bank located in the district. The district must use either the uniform bid form specified in subsection (c) of this section or the uniform proposal form specified in subsection (d) of this section. The district may add other terms to the uniform bid or proposal form if the added terms do not unfairly restrict competition between banks as stated in the Texas Education Code, §45.206(b). The district must keep the selected bid or proposal form in the district and make it available to the Texas Education Agency upon request.
- (c) This subsection provides the uniform bid blank form, entitled "Bid Form for Depository Services."
Figure: 19 TAC §109.51(c)
- (d) This subsection provides the uniform proposal blank form, entitled "Proposal Form for Depository Services."
Figure: 19 TAC §109.51(d)

§109.52. Uniform Depository Bank Contract and Surety Bond Forms.

- (a) Each school district must use the uniform depository contract form as provided in subsection (b) of this section. The district must complete the form and file it electronically with the Texas Education Agency (TEA) as specified in the Texas Education Code (TEC), §45.208, and in accordance with filing instructions provided on the TEA website.
- (b) This subsection provides the uniform depository contract form, entitled "Depository Contract for Funds of Independent School Districts under the Texas Education Code, Chapter 45, Subchapter G, School District Depositories."

Figure: 19 TAC §109.52(b)

- (c) If a district's depository elects a surety bond to secure the district's deposit amounts less any applicable Federal Deposit Insurance Corporation insurance, the depository must complete the surety bond form provided in subsection (d) of this section, attach it to the contract, and file it with the district. The district must file a copy of the contract and the surety bond form with the TEA as specified in the TEC, §45.208, and in accordance with filing instructions provided on the TEA website.
- (d) This subsection provides the uniform surety bond form, entitled "Texas School Depository Surety Bond Form."

Figure: 19 TAC §109.52(d)

- (e) If the TEA receives a contract form and determines that it is incomplete, the TEA will notify the district.
- (f) A district that has no current depository contract in force and filed with the TEA will receive its warrants from the TEA by US mail.
- (g) For depository contract filing requirements for charter schools, refer to §100.1043 of this title (relating to Status and Use of State Funds; Depository Contract).

Bid Form

for Depository Services

by _____ Independent School District

Definitions and Instructions

In this document, the terms “you” and “your” refer to the depository bank, and “we,” “our,” and “us” refer to the district named above.

You must answer all questions in this form and provide it to us as your bid.

We have the right to reject any bid. If any part of this bid or any contract entered into between you and us is invalid, the remainder, at our option, remains in force and is not affected. We have the right to use a sub-depository bank other than the primary bank and those deposits will be collateralized.

Bank Compensation

We may pay for your services by targeted balances or by fees and change the methodology when appropriate. Please detail any differences in related costs to us with either option.

Compensation Based on a Targeted Balance

We may choose to pay for your services by maintaining a targeted amount of our funds in the depository. We will maintain balances in the checking accounts to compensate you in full or in part for services provided. You must provide a monthly account analysis that reflects the earnings credited for these balances.

You may invest any excess collected balance daily as directed by us in an overnight investment that we approve, an interest bearing account, or a money market mutual fund registered with the Securities and Exchange Commission (SEC) which strives to maintain a \$1 NAV. Please list below the overnight investment and any index upon which the rate will be based.

The rate history at your bank for the months beginning MM/YY and ending MM/YY was:

Earnings Credit Rate (ECR):	_____	%
Interest Bearing Accounts:	_____	%
Money Market Accounts:	_____	%
Sweep Accounts:	_____	%

[Alternatively, the district may require the depository bank to complete the information by month according to Attachment A, Historical Information about the Bank.]

If any of these rates is based on an index rate (such as the T-Bill auction rate), stipulate how you will use the index to calculate the rate.

Compensation Based on Fees

We may choose to pay for your services on a straight fee basis in which we will not maintain a targeted balance. You will assess fees, and we will pay them in accordance with your proposed fees as listed on Attachment A, Volumes for Pricing Transactions.

District Investments

We reserve the right to purchase, sell, and invest our funds and funds under our control, including bond funds, as authorized by the Texas Government Code, Chapter 2256, Public Funds Investment Act, and in compliance with our investment policy, a copy of which is attached as Attachment C *[alternatively, the district may provide the link to the investment policy on the district's website]*.

[The district chooses to insert language of Option A or Option B]

Option A

We may choose to invest in time deposits at the depository, but all investments including certificates of deposit are bid competitively at the time of purchase.

Option B

We may choose to invest in time deposits at the depository. You will pay interest on our funds placed in time deposits with maturities we chose. The interest rate spread on the deposits should be indicated as above, below, or equal to the "asked" yield on the comparable maturity T-Bill of the proposed time deposit being purchased as reported in an independent, financial source.

Single Maturity Time Deposits of more than \$250,000:

Maturity	Basis point spread over (+) or under (-) T-Bill "asked" yield <i>[District-specified rate]</i>
7 – 29 Days	_____
30 – 59 Days	_____
60 – 89 Days	_____
90 – 179 Days	_____
180 – 364 Days	_____
365 Days or More	_____

Collateral

Collateral Conditions

You must provide collateral equal to 102 percent of all our time and demand deposits plus accrued interest minus applicable Federal Deposit Insurance Corporation (FDIC) coverage. Collateral will be pledged to us and held in an independent safekeeping institution by a custodian or permitted institution as specified by the Texas Government Code, Chapter 2257, Public Funds Collateral Act. You will be liable for monitoring and maintaining the collateral and the required margin at all times and will provide an original safekeeping notice and a monthly report of the collateral including at least the security description, par amount, cusip, and market value.

You and we must execute a collateral agreement in accordance with the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (FIRREA). Provide a sample collateral agreement as Attachment D, Sample Collateral Agreement.

We estimate our maximum anticipated collateral requirement to be \$_____.

If voluntary collateral pooling is legislated during the period of this contract, you and we may consider it and agree to use it under this contract.

Eligible Collateral

We will accept only approved securities as specified by the TEC, §45.201, as pledged collateral, voluntary pooled collateral (if available) or a Federal Home Loan Bank Letter of Credit.

[Alternatively, the district may require specific collateral in accordance with its investment policy. In that case, the district would refer to its investment policy and use the following paragraph instead:

We will accept only the following as pledged collateral in accordance with our investment policy (see Attachment C, District Investment Policy):

The district lists items here.]

Banking Services Fees

Based on the services we require from you, complete the proposed fee schedule, Attachment A, Volumes for Pricing Transactions. All fees which may be charged to supply the services must be included or will not be eligible under the contract. We and you reserve the right to mutually agree upon any change of contract terms or pricing during the contract extension periods.

Depository Information

Please answer the following questions about your depository bank.

1. State the full name and address of the depository and any parent holding company. List all branch locations within our boundary.
2. Provide the annual audited financial statement for the most current fiscal year. This may be in printed form, but we prefer an electronic link to the website. Members of your holding companies must include corporate annual financial statements and your individual call report for the most recent operating quarter. Audited financial statements are required each year of the contract.
3. State your rating from an independent depository rating agency or, if that rating is not available, the rating on your senior and subordinate debt. You must inform us of any change in this rating during the period of the contract within a reasonable period.

4. Contact Information

To ensure smooth communication and continuation of services, you must assign a specific account executive and a backup to our account to coordinate services and help solve any problem encountered.

- a. Designate a depository officer as a primary contact with us.

Name _____

Title _____

Telephone # _____

Fax # _____

Email _____

- b. Designate a depository representative as a backup contact with us.

Name _____

Title _____

Telephone # _____

Fax # _____

Email _____

- c. If the primary and backup contacts are not available, how do we contact someone in an emergency? After hours?
 - d. Describe in detail how you handle problem resolution, customer service, day-to-day contact, and ongoing maintenance for governmental clients. Please be specific about exactly whom we will be calling and working with for the situations described above.
5. List references from at least three of your current, comparable governmental clients. Include the length of time under contract and a client contact, title, and telephone number.

6. Based on the services we require, please provide a proposed timeline for implementing the contract; include the timeline activities and direct responsibilities of both our district and your depository bank during implementation.
7. Provide a copy of all agreements (including those not directly referenced in this bid) that will be required under the contract.
8. If we award the contract to you, you must review our then-current district investment policy and certify in writing to that review in accordance with the Public Funds Investment Act verifying that you have sufficient controls in place to avoid transactions not authorized by the policy. [*The district specifies one: We have attached our investment policy to this bid notice. or We have provided a link to our investment policy on our website.*]

Banking Services

1. Consolidated Account Structure with Sweep Mechanism

We are interested in earning at then-current interest rates available at all times. We want the option to use an automated, daily sweep to a money market mutual fund or depository alternative account (if competitive) to reach our full investment goal. *[District option: We will not accept a repurchase agreement or offshore investments as sweep investment vehicles.]*

Our current account structure is listed as Attachment B, District's Current Account Structure. We do not guarantee that we will maintain the balances or structure at these same levels.

You must clearly describe your most cost-effective account structure (interest bearing accounts, zero balance accounts [ZBAs], or sweep, etc.).

- a. Fully describe the proposed account structure. Would a sweep be from a master account with ZBAs or directly swept from the individual accounts? Is interest distributed at the account level?
- b. State the average interest rate on the recommended alternative structure for the past 12 months.
- c. If an SEC-registered money market fund is used for the sweep proposal, provide the full name and a copy of the prospectus. It must strive to maintain a \$1 NAV.
- d. Interest earned on interest bearing accounts must **not** be charged as an expense on the account analysis. Confirm acceptance of this condition.

We may be required or may desire to open additional accounts, close accounts, or change account types during the contract period. If this occurs, the new accounts and services must be charged at the same contracted amount or, if unanticipated, at not more than published rates.

2. Automated Cash Management Information

We are interested in automated balance and detail information and online retention. Minimum automated services must include the following *[The district specifies the requirements.]*:

- prior-day summary and detail balance reporting on all accounts
 - intraday detail and summary balances (on local main and payroll accounts)
 - initiation and monitoring of stop payments
 - positive pay exception transactions
 - initiation and monitoring of internal and wire transfers
 - image access
 - controlled disbursement presentment totals [optional]
- a. Fully describe your online service. **List** the system capabilities (for example, balance reporting, wires, positive pay, stop payment, etc.).
 - b. What is your backup process to report balances and transactions in case the system is not available?
 - c. When is daily balance information available?

- d. Submit samples of major screens available, or provide web link access to a demonstration module.
- e. How is an individual security sign-on assigned, and who maintains the security module? How many levels of security are available?
- f. [Optional] With regard to controlled disbursements:
 - What is the cutoff time for disbursements?
 - What Federal Reserve location do these accounts clear through?
 - How do we have access to this information?

3. Deposit Services

We require standard commercial deposit services for all accounts.

We expect all deposited checks to clear based on your current published availability schedule, but please note any options for expedited availability in your bid. For all cleared deposits you receive by your established deadline, you must process them for same-day ledger credit. If you fail to credit our accounts in a timely fashion, you must pay interest to us at the then-current effective federal funds rate.

- a. What is your daily cutoff time to ensure same-day ledger credit?
- b. Describe how and when you send credit and debit advices to us.
- c. What type of deposit bags do you use or require? Are these available from you?
- d. In what city does item processing occur?

Remote Deposit

We are interested in establishing (or using] remote check deposit for a few high-volume locations during the contract period. These deposits include both consumer and commercial checks.

- e. What are your current capabilities in remote check deposit? Describe how checks are processed and cleared. Please state the cutoff time for same-day ledger credit.
- f. Give two comparable references with contact information.
- g. Do you produce a daily balancing report? Provide a sample.
- h. What scanner equipment is required to operate the system? Is this equipment available through your depository bank for purchase or lease? Please list the equipment required along with its cost.

4. Standard Disbursing Services

We are interested in standard disbursing services for designated accounts.

- a. Do you image all paid checks, deposit items, and deposit slips?
- b. Are check and deposit images available online? When? Do you provide a monthly compact disc (CD)? If not, are reports downloadable?
- c. How long do you maintain check and deposit images online?
- d. Do you pay all our checks without charge upon presentation?

5. Positive Pay

We require positive pay services if available at the bank for designated accounts on which checks are written. The positive pay process should be fully automated and web based. We will transmit check information electronically to you on each check run and as we create checks manually.

- a. Describe the data transmission and transfer requirements for automated and manual checks.
- b. Is input available online for manual checks? If it is not available online, how do we transmit information on individual manual checks to you?
- c. How can we change or delete check records, if necessary?
- d. How do you notify us of a positive pay exception?
- e. When do you report exception information to us? When is the deadline for our exception elections? Are images of exceptions available?
- f. Are all checks, including those received by the tellers and vault, verified against the positive pay file before processing? How often do you update teller information?
- g. Do you offer payee positive pay?
- h. Please provide a copy of your file layout format.

6. Account Reconciliation

We anticipate using partial or full reconciliation services on all accounts in concert with positive pay, depending on cost effectiveness.

- a. Describe the partial and full reconciliation processes.
- b. With what format(s) does your system interface? What record formats are required? *[Alternatively, the district can specify its interface format for the depository to determine compatibility.]* How do you send reconciled data to us? When?
- c. Please provide references of customers who use the XX ledger system?
- d. Specify all reporting alternatives.
- e. Are reports available online? How long are reports maintained online? Provide a sample copy of reports.

7. Funds Transfer and Wire Services

Incoming wire transfers must receive immediate same-day collected credit. Wire initiation should be available online. We require that wires be released the same business day if information is provided by the established deadline.

- a. Describe the process of online wire initiation. What backup process is available for the online process in case the system is unavailable?
- b. Is any paper transaction required for transfers or wires as follow-up?
- c. How and when will you notify us of incoming wires? Online? Email?
- d. Is future dating available for both repetitive and non repetitive wires and transfers? How far in advance?
- e. What is the deadline for initiation:
 - by telephone?
 - online?

- f. Are templates and template storage available?

8. Optical Imaging

We desire optical images that are downloadable or on CD on all accounts.

- a. What items and reports are available online (checks, statements, deposit slips, deposited items, etc.)? How long are each available online?
- b. What items are captured on the monthly CD, if provided?
- c. When do you make the monthly CD or imaged reports available?
- d. When and for how long are statements and account analyses available online?

9. Automated Clearinghouse (ACH) Services

We require ACH transactions for payable and receivable transactions. We require a pre-notification (pre-note) on all new transactions.

- a. Describe the transmission alternatives for individual ACH transactions. Can we initiate individual ACH transactions online?
- b. What filters and blocks are available on our accounts for ACH transactions?
- c. Are ACH addenda shown in their entirety online and in reports?
- d. What is your policy on pre-notification? Is the pre-note charged as a standard ACH transaction?
- e. What is the deadline for transmission (hour and day) for a payroll to credit employee accounts on a Friday?
- f. Is ACH positive pay available?
- g. Does ACH debit the account on day of initiation or settlement?

10. Safekeeping Services

We may require you or another eligible offeror to provide book-entry safekeeping services for any securities we own. We will make all our investments and transmit instructions for clearing and safekeeping to you in writing or electronically.

All securities must be cleared on a **delivery versus payment (DVP)** basis. Ownership must be documented by original clearing confirmations, and safekeeping of receipts must be provided within one business day of the transaction. Funds for investments must be drawn from our designated demand deposit account. All principal and interest payments, coupon payments, and maturities must receive automated same-day collected credit on our designated account without requiring any additional action by us.

If you use a correspondent bank for safekeeping our securities, the transactions must be handled through your systems and must not require additional interaction by us with the correspondent bank. No delay in transactions, wires, or flow of funds is acceptable under a correspondent relationship.

- a. Are you a member of either the Federal Reserve or a Federal Home Loan Bank? If not, name the correspondent depository you would use for clearing and safekeeping.

Describe any safekeeping arrangement proposed with a correspondent depository including processing requirements by us.

- b. Are security transactions available online for either originating or monitoring?
- c. What is the deadline for settlement instructions on a cash (same-day) settlement? Would we incur any charge for late instructions?

We may choose to purchase time deposits from you, but all time deposits will be competitively bid at the time of purchase.

11. Collateral Requirements

You must meet all the requirements, including those beyond the Public Funds Collateral Act, as stated below. The bid must state that you agree to the following terms and conditions:

- All collateral pledged to us must be held by a custodian or permitted institution as specified by the Texas Government Code, Chapter 2257, Public Funds Collateral Act. *[Alternatively, the district may specify any limitations on its preferred custodial arrangement.]*
- We, you, and the safekeeping bank must execute a triparty safekeeping agreement for custody of pledged securities in full compliance with the FIRREA requiring a depository resolution. (Or completion of Circular 7 if a Federal Reserve bank is acting as custodian. Even if a Federal Reserve bank is used, you and we must still execute a depository agreement.)
- All time and demand deposits above FDIC coverage must be collateralized at a minimum of 102 percent of principal plus accrued interest at all times (110 percent on mortgage-backed securities).
- You are contractually liable for continuously monitoring and maintaining collateral at our required margin levels.
- The custodian must provide evidence of pledged collateral by sending original safekeeping receipts or a report directly to us within one business day of receipt.
- We must receive a monthly report of collateral pledged including description, par, market value, and cusip, at a minimum.
- We may grant substitution rights if you obtain our prior approval and if substituting securities are received before previously pledged securities are removed from safekeeping.

Authorized collateral includes only approved securities as specified by the Texas Government Code, Chapter 2257, Public Funds Collateral Act and noted above.

- a. Do you propose any collateral charges? If so, under what conditions are they charged, and how is the charge applied?
- b. What is your deadline for requesting collateral in excess of existing requirements?

12. Account Analysis

You should provide monthly account analysis reports for each account and on a consolidated account basis.

- a. When is the account analysis available each month?
- b. Is the account analysis available online? Is it imaged monthly on electronic media?

- c. Are paper statements also sent to us? If so, when?
- d. How long will it take you to correct any billing errors on the account analysis?

13. Monthly Statements

You must provide monthly account statements on all accounts with complete supporting documentation.

- a. State when monthly statements will be available each month online and on paper.
- b. Is the monthly statement available online? If so, when and for how long? Are the statements imaged and/or put on electronic media monthly?
- c. If imaged, are paper statements also sent to us? If so, when?

14. Overdrafts

- a. Are all accounts aggregated for overdraft calculation purposes?
- b. State the rate basis for intraday and interday overdrafts.
- c. What is the policy for daylight overdrafts?

15. Stop Payments

We desire an automated stop payment process.

- a. What are the time period options available for stop payments?
- b. What are the options for extended stop payment periods? How are they extended?
- c. What is the cutoff hour for same-day action on stop payments?
- d. Can we initiate stop payment orders online? If so, do you require any paper follow-up document?
- e. What information on current and expiring stop payments is available online?

16. Customer Service

- a. Do you offer customer services in languages other than English?
- b. What languages are offered?

17. Service Enhancements

Based on the information you provide in the bid and your knowledge of the public sector, please describe any services or technological enhancements, not previously mentioned, that we should consider to manage our treasury operations more effectively.

Optional Services

1. Nonsufficient Funds (NSF) Checks Re-presented as ACH (Re-presented Check [RCK] Entry)

We may want the option of the second presentment to be made by ACH to targeted dates for maximum collection potential.

- a. Are you currently using ACH for collection of NSF checks? How long have you been providing this service? Provide two comparable references with contact information.
- b. How are the NSF and the later ACH transactions matched and reconciled? Does your system cross-reference the two transactions in any way?
- c. Is the NSF information, image, or occurrence available online? When and how? For how long is it available online?
- d. Can we specify any target pay day(s)?

2. Merchant Services.

We currently accept Visa, MasterCard, American Express, Discover, and debit card payments approximating \$_____ in collections per month with an average ticket size of \$_____. There are _____ (specify number) locations with _____ (specify number) terminals. *[Alternatively: We are interested in possibly accepting credit card payments for various activities.]* The service should include daily capture, transmission, and authorization of payments at point of sale and on the web. The service must include reporting by location.

[The district inserts this statement if it is true: We can and do comply with Payment Card Industry Data Security Standards.]

- a. Do you currently offer merchant card processing services? How long has this service been available? What interface format(s) does your system supply?
- b. How many institutions and end customers do you have?
- c. Describe the fee components of a merchant card processing relationship. Provide a list of all the fees to us. State the association fees, the discount rates, and your fee per transaction.
- d. Do you have software that allows online payments to us through your portal?
- e. Describe the reporting functions and data availability.
- f. Describe billing options.
- g. Describe the authorization method or process used. How are incorrect authorizations reversed?
- h. Describe your debit card processing capabilities. Do you distinguish between debit and credit cards on your bank identification number (BIN)? Can you program a debit card to the lowest cost network?
- i. Describe your transmission process. Describe the monitoring and notification process if transmissions fail.
- j. Is data imaging available online? What is available online? When? For how long?
- k. Describe the dispute resolution process.
- l. Describe your security measures for Internet transactions and unauthorized use.

3. Payroll Cards or Debit Cards

We are exploring the use of stored-value cards (payroll cards or debit cards) as a payroll option for employees at a minimum. Cardholders should be able to use the cards as debit

cards for purchases at point of sale as well as for cash withdrawals at financial institutions and automated teller machines.

The purchasing ability of the cards must be limited to the stored value of the card. We may choose not to pay for access fees for the employees issued the stored-value cards.

We will be responsible for any marketing of the program and have total discretion on the distribution of the cards. We will enroll the employees. You must provide cardholders with all processing and transaction information and reports. We expect the following services from you, at a minimum:

- embossing, encoding, and distributing standard cards as directed by us
- providing paper and electronic statements to cardholders
- administering accounts, including maintenance of accounts, application of funds, authorization of transactions, and related tracking
- customer service functions
 - a. Do you currently provide this service? If so, how long has it been available?
 - b. How many institutions and end customers use the service? Provide three comparable references for the service.
 - c. Which program (authorization marks) does your program use? (Visa, MasterCard, etc.)
 - d. Describe the enrollment process. Is enrollment batched and web-based?
 - e. Describe the manner by which funds will be made available to the cardholders.
 - f. What are the inactivity levels for the program? Do these generate additional fees? Describe any other potential fees.
 - g. Are all funding transmissions by standard ACH? Describe the data transmission requirements and deadlines.

4. Purchasing Cards

We may consider a purchasing card program during the contract period. Cards would be assigned to our employees for defined use.

- a. What card platforms do you support (MasterCard, Visa)? Do you use a third-party processor?
- b. What, if any, information is available online? When? Describe data download and integration capabilities. Describe reporting capabilities.
- c. What client support is available? How is it provided?
- d. Describe the diverse parameters and restrictions available for the card control. How many access levels are available?
- e. Discuss settlement and corporate liability terms. Include information on your support for the program and your experience, settlement terms on payment, security procedures, and license requirements. How will we receive billing?
- f. Describe how cards are issued, deleted, or replaced. How do you handle lost or stolen cards?
- g. Provide three comparable references for the service.

5. Check Printing

- a. Do you offer check printing services? Describe?
- b. What is the deadline for same-day and next day printing?
- c. Where are checks printed and sent from?

6. Smart Safes

- a. Do you offer smart safes? Describe.
- b. From our deposit history is this cost effective?

Schedules and Attachments

We provide the following:

- copy of our audited financial statements *[or link to website]*
- Attachment A, Volumes for Pricing Transactions (filled in with volumes)
- Attachment B, District's Current Account Structure
- Attachment C, District Investment Policy *[or link to website]*

You must include the following information with the bid:

- copy of your audited financial statements *[or link to website]*
- corporate audited financial statements and the individual depository's call report (for members of your holding companies) *[or link to website]*
- Uniform Bank Performance Report reference
- Attachment A, Volumes for Pricing Transactions (filled in with rates)
- Sample Account Analysis Statement
- Attachment D, Sample Collateral Agreement
- any service agreements (including those not directly referenced in this bid) that must be executed under the contract (if applicable)
- screen shots of major pages within your automated cash management system, or online web demo access (if available)
- sample daily balancing report for remote deposit (if applicable)
- sample account reconciliation reports (if applicable)

Optional Acknowledgments *[The district has the option to insert these acknowledgments.]*

You confirm that you will not charge interest earned on the account analysis.

If awarded the contract, you must review our then-current district investment policy and certify in writing to that review in accordance with the Public Funds Investment Act verifying that you have sufficient controls in place to avoid transactions not authorized by the policy.

You accept the investment options and/or collateral conditions as specified in our investment policy.

By submitting this bid, you acknowledge that you agree with and accept all specifications in the bid except as you expressly qualified in the bid.

Bank: _____

Address: _____

City, State, Zip: _____

Phone Number: _____

Fax Number: _____

Email Address: _____

Typed Name: _____

Date: _____

Proposal Form

for Depository Services

by _____ Independent School District

Definitions and Instructions

In this document, the terms “you” and “your” refer to the depository bank, and “we,” “our,” and “us” refer to the district named above.

You must answer all questions in this form and provide it to us as your proposal.

We have the right to reject any proposal. If any part of this proposal or any contract entered into between you and us is invalid, the remainder, at our option, remains in force and is not affected. We have the right to use a sub-depository bank other than the primary bank and those deposits will be collateralized.

Bank Compensation

We may pay for your services by targeted balances or by fees and change the methodology when appropriate? Please detail any differences in related costs to us with either option.

Compensation Based on a Targeted Balance

We may choose to pay for your services by maintaining a targeted amount of our funds in the depository. We will maintain balances in the checking accounts to compensate you in full or in part for services provided. You must provide a monthly account analysis that reflects the earnings credited for these balances.

You may invest any excess collected balance daily as directed by us in an overnight investment that we approve, an interest bearing account, or a money market mutual fund registered with the Securities and Exchange Commission (SEC) which strives to maintain a \$1 NAV. Please list below the overnight investment and any index upon which the rate will be based.

The rate history at your bank for the months beginning MM/YY and ending MM/YY was:

Earnings Credit Rate (ECR):	_____	%
Interest Bearing Accounts:	_____	%
Money Market Accounts:	_____	%
Sweep Accounts:	_____	%

[Alternatively, the district may require the depository bank to complete the information by month according to Attachment A, Historical Information about the Bank.]

If any of these rates is based on an index rate (such as the T-Bill auction rate), stipulate how you will use the index to calculate the rate.

Compensation Based on Fees

We may choose to pay for your services on a straight fee basis in which we will not maintain a targeted balance. You will assess fees, and we will pay them in accordance with your proposed fees as listed on Attachment A, Volumes for Pricing Transactions.

District Investments

We reserve the right to purchase, sell, and invest our funds and funds under our control, including bond funds, as authorized by the Texas Government Code, Chapter 2256, Public Funds Investment Act, and in compliance with our investment policy, a copy of which is attached as Attachment C *[alternatively, the district may provide the link to the investment policy on the district's website]*.

[The district chooses to insert language of Option A or Option B]

Option A

We may choose to invest in time deposits at the depository, but all investments including certificates of deposit are bid competitively at the time of purchase.

Option B

We may choose to invest in time deposits at the depository. You will pay interest on our funds placed in time deposits with maturities we chose. The interest rate spread on the deposits should be indicated as above, below, or equal to the "asked" yield on the comparable maturity T-Bill of the proposed time deposit being purchased as reported in an independent, financial source.

Single Maturity Time Deposits of more than \$100,000:

Maturity	Basis point spread over (+) or under (-) T-Bill "asked" yield <i>[District-specified rate]</i>
7 – 29 Days	_____
30 – 59 Days	_____
60 – 89 Days	_____
90 – 179 Days	_____
180 – 364 Days	_____
365 Days or More	_____

Collateral

Collateral Conditions

You must provide collateral equal to 102 percent of all our time and demand deposits plus accrued interest minus applicable Federal Deposit Insurance Corporation (FDIC) coverage. Collateral will be pledged to us and held in an independent safekeeping institution by a custodian or permitted institution as specified by the Texas Government Code, Chapter 2257, Public Funds Collateral Act. You will be liable for monitoring and maintaining the collateral and the required margin at all times and will provide an original safekeeping notice and a monthly report of the collateral including at least the security description, par amount, cusip, and market value.

You and we must execute a collateral agreement in accordance with the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (FIRREA). Provide a sample collateral agreement as Attachment D, Sample Collateral Agreement.

We estimate our maximum anticipated collateral requirement to be \$_____.

If voluntary collateral pooling is legislated during the period of this contract, you and we may consider it and agree to use it under this contract.

Eligible Collateral

We will accept only approved securities as specified by the TEC, §45.201, as pledged collateral, voluntary pooled collateral (if available) or a Federal Home Loan Bank Letter of Credit.

[Alternatively, the district may require specific collateral in accordance with its investment policy. In that case, the district would refer to its investment policy and use the following paragraph instead:

We will accept only the following as pledged collateral in accordance with our investment policy (see Attachment C, District Investment Policy):

The district lists items here.]

Banking Services Fees

Based on the services we require from you, complete the proposed fee schedule, Attachment A, Volumes for Pricing Transactions. All fees which may be charged to supply the services must be included or will not be eligible under the contract. We and you reserve the right to mutually agree upon any change of contract terms or pricing during the contract extension periods.

Depository Information

Please answer the following questions about your depository bank.

1. State the full name and address of the depository and any parent holding company. List all branch locations within our boundary.
2. Provide the annual audited financial statement for the most current fiscal year. This may be in printed form, but we prefer an electronic link to the website. Members of your holding companies must include corporate annual financial statements and your individual call report for the most recent operating quarter. Audited financial statements are required each year of the contract.
3. State your rating from an independent depository rating agency or, if that rating is not available, the rating on your senior and subordinate debt. You must inform us of any change in this rating during the period of the contract within a reasonable period.

4. Contact Information

To ensure smooth communication and continuation of services, you must assign a specific account executive and a backup to our account to coordinate services and help solve any problem encountered.

- a. Designate a depository officer as a primary contact with us.

Name _____

Title _____

Telephone # _____

Fax # _____

Email _____

- b. Designate a depository representative as a backup contact with us.

Name _____

Title _____

Telephone # _____

Fax # _____

Email _____

- c. If the primary and backup contacts are not available, how do we contact someone in an emergency? After hours?
 - d. Describe in detail how you handle problem resolution, customer service, day-to-day contact, and ongoing maintenance for governmental clients. Please be specific about exactly whom we will be calling and working with for the situations described above.
5. List references from at least three of your current, comparable governmental clients. Include the length of time under contract and a client contact, title, and telephone number.

6. Based on the services we require, please provide a proposed timeline for implementing the contract; include the timeline activities and direct responsibilities of both our district and your depository bank during implementation.
7. Provide a copy of all agreements (including those not directly referenced in this proposal) that will be required under the contract.
8. If we award the contract to you, you must review our then-current district investment policy and certify in writing to that review in accordance with the Public Funds Investment Act verifying that you have sufficient controls in place to avoid transactions not authorized by the policy. *[The district specifies one: We have attached our investment policy to this proposal notice. or We have provided a link to our investment policy on our website.]*
9. We may conduct a preaward interview on-site at your depository bank before awarding the contract. Please provide us with a contact name for arranging the preaward interview.
10. Are you offering any transition or retention incentive to us? If so, please describe it in detail

Banking Services

1. Consolidated Account Structure with Sweep Mechanism

We are interested in earning at then-current interest rates available at all times. We want the option to use an automated, daily sweep to a money market mutual fund or depository alternative account (if competitive) to reach our full investment goal. *[District option: We will not accept a repurchase agreement or offshore investments as a sweep investment vehicle.]*

Our current account structure is listed as Attachment B, District's Current Account Structure. We do not guarantee that we will maintain the balances or structure at these same levels.

You must clearly describe your most cost-effective account structure (interest bearing accounts, zero balance accounts [ZBAs], or sweep, etc.).

- a. Fully describe the proposed account structure. Would a sweep be from a master account with ZBAs or directly swept from the individual accounts? Is interest distributed at the account level?
- b. State the average interest rate on the recommended alternative structure for the past 12 months.
- c. If an SEC-registered money market fund is used for the sweep proposal, provide the full name and a copy of the prospectus. It must strive to maintain a \$1 NAV.
- d. Interest earned on interest bearing accounts must **not** be charged as an expense on the account analysis. Confirm acceptance of this condition.

We may be required or may desire to open additional accounts, close accounts, or change account types during the contract period. If this occurs, the new accounts and services must be charged at the same contracted amount or, if unanticipated, at not more than published rates.

2. Automated Cash Management Information

We are interested in automated balance and detail information and online retention. Minimum automated services must include the following *[The district specifies the requirements.]*:

- prior-day summary and detail balance reporting on all accounts
 - intraday detail and summary balances (on local main and payroll accounts)
 - initiation and monitoring of stop payments
 - positive pay exception transactions
 - initiation and monitoring of internal and wire transfers
 - image access
 - controlled disbursement presentment totals [optional]
- a. Fully describe your online service. **List** the system capabilities (for example, balance reporting, wires, positive pay, stop payment, etc.).
 - b. What is your backup process to report balances and transactions in case the system is not available?
 - c. When is daily balance information available?

- d. Submit samples of major screens available, or provide web link access to a demonstration module.
- e. How is an individual security sign-on assigned, and who maintains the security module? How many levels of security are available?
- f. [Optional] With regard to controlled disbursements:
 - What is the cutoff time for disbursements?
 - What Federal Reserve location do these accounts clear through?
 - How do we have access to this information?

3. Deposit Services

We require standard commercial deposit services for all accounts.

We expect all deposited checks to clear based on your current published availability schedule, but please note any options for expedited availability in your proposal. For all cleared deposits you receive by your established deadline, you must process them for same-day ledger credit. If you fail to credit our accounts in a timely fashion, you must pay interest to us at the then-current effective federal funds rate.

- a. What is your daily cutoff time to ensure same-day ledger credit?
- b. Describe how and when you send credit and debit advices to us.
- c. What type of deposit bags do you use or require? Are these available from you?
- d. In what city does item processing occur?

Remote Deposit

We are interested in establishing or using remote check deposit for a few high-volume locations during the contract period. These deposits include both consumer and commercial checks.

- e. What are your current capabilities in remote check deposit? Describe how checks are processed and cleared. Please state the cutoff time for same-day ledger credit.
- f. Give two comparable references with contact information.
- g. Do you produce a daily balancing report? Provide a sample.
- h. What scanner equipment is required to operate the system? Is this equipment available through your depository bank for purchase or lease? Please list the equipment required along with its cost.

4. Standard Disbursing Services

We are interested in standard disbursing services for designated accounts.

- a. Do you image all paid checks, deposit items and deposit slips?
- b. Are check and deposit images available online? When? Do you provide a monthly compact disc (CD)? If not, are reports downloadable?
- c. How long do you maintain check and deposit images online?
- d. Do you pay all our checks without charge upon presentation?

5. Positive Pay

We require positive pay services if available at the bank for designated accounts on which checks are written. The positive pay process should be fully automated and web based. We will transmit check information electronically to you on each check run and as we create checks manually.

- a. Describe the data transmission and transfer requirements for automated and manual checks.
- b. Is input available online for manual checks? If it is not available online, how do we transmit information on individual manual checks to you?
- c. How can we change or delete check records, if necessary?
- d. How do you notify us of a positive pay exception?
- e. When do you report exception information to us? When is the deadline for our exception elections? Are images of exceptions available?
- f. Are all checks, including those received by the tellers and vault, verified against the positive pay file before processing? How often do you update teller information?
- g. Do you offer payee positive pay?
- h. Please provide a copy of your file layout format.

6. Account Reconciliation

We anticipate using partial or full reconciliation services on all accounts in concert with positive pay, depending on cost effectiveness.

- a. Describe the partial and full reconciliation processes.
- b. With what format(s) does your system interface? What record formats are required? *[Alternatively, the district can specify its interface format for the depository to determine compatibility.]* How do you send reconciled data to us? When?
- c. Please provide references of customers who use the XX ledger system?
- d. Specify all reporting alternatives.
- e. Are reports available online? How long are reports maintained online? Provide a sample copy of reports.

7. Funds Transfer and Wire Services

Incoming wire transfers must receive immediate same-day collected credit. Wire initiation should be available online. We require that wires be released the same business day if information is provided by the established deadline.

- a. Describe the process of online wire initiation. What backup process is available for the online process in case the system is unavailable?
- b. Is any paper transaction required for transfers or wires as follow-up?
- c. How and when will you notify us of incoming wires? Online? Email?
- d. Is future dating available for both repetitive and non repetitive wires and transfers? How far in advance?
- e. What is the deadline for initiation:
 - by telephone?
 - online?
- f. Are templates and template storage available?

8. Optical Imaging

We desire optical images that are downloadable or on CD on all accounts.

- a. What items and reports are available online (checks, statements, deposit slips, deposited items, etc.)? How long are each available?
- b. What items are captured on the monthly CD, if provided?
- c. When do you make the monthly CD or imaged reports available?
- d. When and for how long are statements and account analyses available online?

9. Automated Clearinghouse (ACH) Services

We require ACH transactions for payable and receivable transactions. We require a pre-notification (pre-note) on all new transactions.

- a. Describe the transmission alternatives for individual ACH transactions. Can we initiate individual ACH transactions online?
- b. What filters and blocks are available on our accounts for ACH transactions?
- c. Are ACH addenda shown in their entirety online and in reports?
- d. What is your policy on pre-notification? Is the pre-note charged as a standard ACH transaction?
- e. What is the deadline for transmission (hour and day) for a payroll to credit employee accounts on a Friday?
- f. Is ACH positive pay available?
- g. Does ACH debit the account on day of initiation or settlement?

10. Safekeeping Services

We may require you or another eligible offeror to provide book-entry safekeeping services for any securities we own. We will make all our investments and transmit instructions for clearing and safekeeping to you in writing or electronically.

All securities must be cleared on a **delivery versus payment (DVP)** basis. Ownership must be documented by original clearing confirmations, and safekeeping of receipts must be provided within one business day of the transaction. Funds for investments must be drawn from our designated demand deposit account. All principal and interest payments, coupon payments, and maturities must receive automated same-day collected credit on our designated account without requiring any additional action by us.

If you use a correspondent bank for safekeeping our securities, the transactions must be handled through your systems and must not require additional interaction by us with the correspondent bank. No delay in transactions, wires, or flow of funds is acceptable under a correspondent relationship.

- a. Are you a member of either the Federal Reserve or a Federal Home Loan Bank? If not, name the correspondent depository you would use for clearing and safekeeping. Describe any safekeeping arrangement proposed with a correspondent depository including processing requirements by us.
- b. Are security transactions available online for either originating or monitoring?

- c. What is the deadline for settlement instructions on a cash (same-day) settlement?
Would we incur any charge for late instructions?

We may choose to purchase time deposits from you, but all time deposits will be competitively bid at the time of purchase.

11. Collateral Requirements

You must meet all the requirements, including those beyond the Public Funds Collateral Act, as stated below. The proposal must state that you agree to the following terms and conditions:

- All collateral pledged to us must be held by a custodian or permitted institution as specified by the Texas Government Code, Chapter 2257, Public Funds Collateral Act. *[Alternatively, the district may specify any limitations on its preferred custodial arrangement.]*
- We, you, and the safekeeping bank must execute a triparty safekeeping agreement for custody of pledged securities in full compliance with the FIRREA requiring a depository resolution. (Or completion of Circular 7 if a Federal Reserve bank is acting as custodian. Even if a Federal Reserve bank is used, you and we must still execute a depository agreement.)
- All time and demand deposits above FDIC coverage must be collateralized at a minimum of 102 percent of principal plus accrued interest at all times (110 percent on mortgage-backed securities).
- You are contractually liable for continuously monitoring and maintaining collateral at our required margin levels.
- The custodian must provide evidence of pledged collateral by sending original safekeeping receipts or a report directly to us within one business day of receipt.
- We must receive a monthly report of collateral pledged including description, par, market value, and cusip, at a minimum.
- We must grant substitution rights if you obtain our prior approval and if substituting securities are received before previously pledged securities are removed from safekeeping.

Authorized collateral includes only approved securities as specified by the Texas Government Code, Chapter 2257, Public Funds Collateral Act and noted above.

- a. Do you propose any collateral charges? If so, under what conditions are they charged, and how is the charge applied?
- b. What is your deadline for requesting collateral in excess of existing requirements?

12. Account Analysis

You should provide monthly account analysis reports for each account and on a consolidated account basis.

- a. When is the account analysis available each month?
- b. Is the account analysis available online? Is it imaged on electronic media monthly?
- c. Are paper statements also sent to us? If so, when?
- d. How long will it take you to correct any billing errors on the account analysis?

13. Monthly Statements

You must provide monthly account statements on all accounts with complete supporting documentation.

- a. State when monthly statements will be available each month online and on paper.
- b. Is the monthly statement available online? If so, when and for how long? Are the statements imaged and/or put on electronic media monthly?
- c. If imaged, are paper statements also sent to us? If so, when?

14. Overdrafts

- a. Are all accounts aggregated for overdraft calculation purposes?
- b. State the rate basis for intraday and interday overdrafts.
- c. What is the policy for daylight overdrafts?

15. Stop Payments

We desire an automated stop payment process.

- a. What are the time period options available for stop payments?
- b. What are the options for extended stop payment periods? How are they extended?
- c. What is the cutoff hour for same-day action on stop payments?
- d. Can we initiate stop payment orders online? If so, do you require any paper follow-up document?
- e. What information on current and expiring stop payments is available online?

16. Customer Service

- a. Do you offer customer services in languages other than English?
- b. What languages are offered?

17. Service Enhancements

Based on the information you provide in the proposal and your knowledge of the public sector, please describe any services or technological enhancements, not previously mentioned, that we should consider to manage our treasury operations more effectively.

Optional Services

1. Nonsufficient Funds (NSF) Checks Re-presented as ACH (Re-presented Check [RCK] Entry)

We may want the option of the second presentment to be made by ACH to targeted dates for maximum collection potential.

- a. Are you currently using ACH for collection of NSF checks? How long have you been providing this service? Provide two comparable references with contact information.
- b. How are the NSF and the later ACH transactions matched and reconciled? Does your system cross-reference the two transactions in any way?
- c. Is the NSF information, image, or occurrence available online? When and how? For how long is it available online?
- d. Can we specify any target pay day(s)?

2. Merchant Services.

We currently accept Visa, MasterCard, American Express, Discover, and debit card payments approximating \$_____ in collections per month with an average ticket size of \$_____. There are _____ (specify number) locations with _____ (specify number) terminals. *[Alternatively: We are interested in possibly accepting credit card payments for various activities.]* The service should include daily capture, transmission, and authorization of payments at point of sale and on the web. The service must include reporting by location.

[The district inserts this statement if it is true: We can and do comply with Payment Card Industry Data Security Standards.]

- a. Do you currently offer merchant card processing services? How long has this service been available? What interface format(s) does your system supply?
- b. How many institutions and end customers do you have?
- c. Describe the fee components of a merchant card processing relationship. Provide a list of all the fees to us. State the association fees, the discount rates, and your fee per transaction.
- d. Do you have software that allows online payments to us through your portal?
- e. Describe the reporting functions and data availability.
- f. Describe billing options.
- g. Describe the authorization method or process used. How are incorrect authorizations reversed?
- h. Describe your debit card processing capabilities. Do you distinguish between debit and credit cards on your bank identification number (BIN)? Can you program a debit card to the lowest cost network?
- i. Describe your transmission process. Describe the monitoring and notification process if transmissions fail.
- j. Is data imaging available online? What is available online? When? For how long?
- k. Describe the dispute resolution process.
- l. Describe your security measures for Internet transactions and unauthorized use.

3. Payroll Cards or Debit Cards

We are exploring the use of stored-value cards (payroll cards or debit cards) as a payroll option for employees at a minimum. Cardholders should be able to use the cards as debit

cards for purchases at point of sale as well as for cash withdrawals at financial institutions and automated teller machines.

The purchasing ability of the cards must be limited to the stored value of the card. We may choose not to pay for access fees for the employees issued the stored-value cards.

We will be responsible for any marketing of the program and have total discretion on the distribution of the cards. We will enroll the employees. You must provide cardholders with all processing and transaction information and reports. We expect the following services from you, at a minimum:

- embossing, encoding, and distributing standard cards as directed by us
- providing paper and electronic statements to cardholders
- administering accounts, including maintenance of accounts, application of funds, authorization of transactions, and related tracking
- customer service functions
 - a. Do you currently provide this service? If so, how long has it been available?
 - b. How many institutions and end customers use the service? Provide three comparable references for the service.
 - c. Which program (authorization marks) does your program use? (Visa, MasterCard, etc.)
 - d. Describe the enrollment process. Is enrollment batched and web-based?
 - e. Describe the manner by which funds will be made available to the cardholders.
 - f. What are the inactivity levels for the program? Do these generate additional fees? Describe any other potential fees.
 - g. Are all funding transmissions by standard ACH? Describe the data transmission requirements and deadlines.

4. Purchasing Cards

We may consider a purchasing card program during the contract period. Cards would be assigned to our employees for defined use.

- a. What card platforms do you support (MasterCard, Visa)? Do you use a third-party processor?
- b. What, if any, information is available online? When? Describe data download and integration capabilities. Describe reporting capabilities.
- c. What client support is available? How is it provided?
- d. Describe the diverse parameters and restrictions available for the card control. How many access levels are available?
- e. Discuss settlement and corporate liability terms. Include information on your support for the program and your experience, settlement terms on payment, security procedures, and license requirements. How will we receive billing?
- f. Describe how cards are issued, deleted, or replaced. How do you handle lost or stolen cards?
- g. Provide three comparable references for the service.

5. Check Printing

- a. Do you offer check printing services? Describe?
- b. What is the deadline for same-day and next day printing?
- c. Where are checks printed and sent from?

6. Smart Safes

- a. Do you offer smart safes? Describe.
- b. From our deposit history is this cost effective?

Schedules and Attachments

We provide the following:

- copy of our audited financial statements *[or link to website]*
- Attachment A, Volumes for Pricing Transactions (filled in with volumes)
- Attachment B, District's Current Account Structure
- Attachment C, District Investment Policy *[or link to website]*

You must include the following information with the proposal:

- copy of your audited financial statements *[or link to website]*
- corporate audited financial statements and the individual depository's call report (for members of your holding companies) *[or link to website]*
- Uniform Bank Performance Report reference
- Attachment A, Volumes for Pricing Transactions (filled in with rates)
- Sample Account Analysis Statement
- Attachment D, Sample Collateral Agreement
- any service agreements (including those not directly referenced in this proposal) that must be executed under the contract (if applicable)
- screen shots of major pages within your automated cash management system, or online web demo access (if available)
- sample daily balancing report for remote deposit (if applicable)
- sample account reconciliation reports (if applicable)

Optional Acknowledgments *[insert as required by district preference]*

You confirm that you will not charge interest earned on the account analysis.

If awarded the contract, you must review our then-current district investment policy and certify in writing to that review in accordance with the Public Funds Investment Act verifying that you have sufficient controls in place to avoid transactions not authorized by the policy.

You accept the investment options and/or collateral conditions as specified in our investment policy.

By submitting this proposal, you acknowledge that you agree with and accept all specifications in the proposal except as you expressly qualified in the proposal.

Bank: _____

Address: _____

City, State, Zip: _____

Phone Number: _____

Fax Number: _____

Email Address: _____

Typed Name: _____

Date: _____

Depository Contract for Funds of Independent School Districts under the Texas Education Code, Chapter 45, Subchapter G, School District Depositories

* = Required Field

State of Texas

County of *

 *County-District Number

Article I. The * _____, referred to in this contract

Name of District

as the "District," is located in * _____ County, Texas. The board of trustees of the District has selected

Name of County

* _____, referred to in this contract as the "Depository," to serve as the Depository of the

Name of Depository Bank

school funds of the District (or if there are tie bids or proposals as defined in the Texas Education Code [TEC], as one of the Depositories). This selection was made in accordance with the TEC, Chapter 45, Subchapter G. The Depository will serve under this contract for a two-year term starting with the fiscal year beginning * _____ and ending * _____, and until its successor is selected and has qualified unless

Date *Date*

this contract is terminated sooner by the Depository's failure to adhere to all requirements of the TEC and of this contract. The school funds of the District include all school funds except those permitted by law to be deposited or invested otherwise at the sole discretion of the District's board of trustees.

The Depository is located at * _____ * _____ County, State of Texas, and is a

Bank Mailing Address, City, Zip Code *Name of County*

bank as defined in the TEC, §45.201.

Article II. The District selected the Depository based on the Depository's written bid or proposal submitted as provided by State Board of Education rule. The District determined that the Depository's written bid or proposal was the best, or equal to the best, among * _____ bids or
Number Submitted

proposals submitted to the District and opened on * _____. The bid or proposal is incorporated in this contract by reference.

Date

This contract is subject to the TEC and any amendments to it and to any acts of the Texas Legislature that affect public moneys held by the District during the term of this contract.

Article III. The Depository has elected a method to adequately protect the funds of the District deposited with the Depository in accordance with the TEC, §45.208, and a copy of the election is attached to this contract and incorporated by reference.

Article IV.

- A. The TEC, §45.205, requires that this contract and any extension of this contract coincide with the District's fiscal year. If the District changes its fiscal year in accordance with the TEC, §44.0011, the parties may agree to shorten or extend the two-year term of the contract by no more than one year to coincide with the end of the new fiscal year, provided that this contract remains in effect until the Depository's successor is selected and has qualified. If the parties cannot agree, the District has the option to change the term of this contract to coincide with the end of a new fiscal year closest to its original expiration date.
- B. The District and the Depository may agree to extend this contract for three additional two-year terms in accordance with the TEC, §45.205(b). The contract may be modified for each two-year extension if both parties mutually agree to the terms. An extension under this subsection is not subject to the requirements of the TEC, §45.206.
- C. The District must electronically file this contract and any additional two-year extension of this contract with the Texas Education Agency.
- D. The Depository must allow the District to purchase time deposits that mature after the ending date of this contract; however, the Depository may apply new interest rates to the time deposits after the ending date of this contract. The District is entitled to withdraw these time deposits without penalty when this contract expires. But in that event, the Depository will be obligated only to pay interest rates comparable to rates offered in the contract for the term the time deposits were actually held. The Depository may impose an early withdrawal penalty on a time deposit withdrawn within six days of creation of the deposit, to the extent required to comply with federal regulations defining time deposits.
- E. If a contractual dispute results in litigation between the Depository and the District, the trial will be held in the county in which the District has its central office, but only if this venue designation is not considered to be a waiver of any immunity that either party to this contract may be entitled to claim.

Article V. The District and the Depository execute this contract and each retain a copy, both of which are considered to be originals, and file the contract with the TEA electronically as specified in Article IV, item C, above.

To Be Completed by the District and Verified by the Depository
(For all funds received from the Texas Education Agency)

Routing Transit Number grid (9 boxes)

* Routing Transit Number
(Must be 9 digits)

Type of Account:

Check One:
Checking
Savings

*Account Number
(Up to 13 digits)

__ Check here if the TEA currently sends funds to an investment pool and no change is required in routing of funds.

Please note that the account information above must match the current direct deposit information on file with the Texas Education Agency, Accounting Division. If the District is changing the current direct deposit information, the District must submit a Vendor Direct Deposit Authorization form along with the depository contract.

Agreed and accepted on behalf of the District this * _____ day of * _____, *

Signature of President of School Board

Agreed and accepted on behalf of the Depository this * _____ day of * _____, *

* Typed Name of Depository

Signature of Authorized Officer

* Title of Authorized Officer

Acknowledgment

Acknowledged before me in * _____ County, Texas, on * _____, 20* _____, by

* _____, bank officer of the Depository named in the preceding document, for the Depository.

Signature of Notary

(SEAL)

Notary Public in and for * _____
County, Texas

**Election of Collateral Method for Funds
of Independent School Districts
under the Texas Education Code, Chapter 45, Subchapter G,
School District Depositories**

In accordance with Article III of the Depository Contract for Funds, the Depository has elected to use the following method(s) to protect the funds of the District:

- ___ Surety bond (TEC, §45.208[b])
- ___ Deposit or pledge securities (TEC, §45.208[f])

- A. If the Depository elected to file with the District a corporate surety bond, then the corporate surety bond is in an initial amount of \$ * _____, which is equal to the estimated highest daily balance of the District funds determined by the board of trustees of the District to be on deposit with the Depository during the term of this contract. The corporate surety bond is executed in the form and with the content prescribed by State Board of Education rule. A fully executed copy of the corporate surety bond is attached to and made a part of this contract by reference, provided further that:
- (1) the initial amount of the corporate surety bond may rise or fall from day to day so long as all deposits of the District are fully protected;
 - (2) the bond is made payable to the District and is signed by the Depository and the surety company authorized to do business in this state;
 - (3) the bond and the surety on the bond are approved by the board of trustees of the District;
 - (4) the bond exists under the condition that the Depository must:
 - (a) faithfully perform all duties and obligations required by law and this contract;
 - (b) pay on presentation all checks or drafts ordered according to law by the District's board of trustees;
 - (c) pay on demand any demand deposit in the Depository;
 - (d) pay any time deposit after the required notice period expires;
 - (e) faithfully keep school district funds and account for the funds according to law; and
 - (f) faithfully pay over to the successor depository all balances remaining in the account; and
 - (5) the District may not pay a premium on the depository bond out of school district funds.
- B. If the Depository did not elect to make the corporate surety bond in the amount and as referred to in A, above, then the Depository must either deposit or pledge with the District, or with a trustee designated by the District, approved securities as defined in the TEC, §45.201. The pledged or deposited securities must meet the following conditions:
- (1) The pledged securities must be approved securities and authorized by law and must be in a total market value sufficient to protect the funds of the District on deposit as directed at any time by the District in accordance with standards acceptable to the Texas Education Agency.
 - (2) The pledge of approved securities must be waived only to the extent of the exact dollar amount of Federal Deposit Insurance Corporation insurance protection for the District's funds on deposit with the Depository from day to day, and if the insurance protection ends, this contract must immediately become void except as provided in (4) below.
 - (3) The conditions of the pledge of approved securities required by this contract are that the Depository must:
 - (a) credit the account(s) of the District with the full amount of all State of Texas warrants presented to the Depository for the District's account no later than the next banking day after the day the Depository receives the warrants credit the account(s) of the District with the full amount of electronically transferred funds on the effective settlement date;
 - (b) faithfully perform all duties and obligations required by law and this contract;
 - (c) pay upon presentation all checks or drafts ordered according to law by the District's board of trustees;
 - (d) pay upon demand any demand deposit of the District in the Depository;
 - (e) pay any time deposit or certificate of deposit upon maturity or after the required notice period expires;
 - (f) faithfully keep school district funds and account for the funds according to law; and
 - (g) faithfully pay over to the successor depository all balances of funds remaining in the account.
 - (4) The pledge of approved securities required by this contract must continue until either this contract ends or the Depository fulfills all its duties and obligations arising out of this contract, whichever is later. And a continuing security interest in the District's favor must immediately apply to any pledge to all proceeds of sale and to all substitutions, replacements, and exchanges of the securities, and in no event may this continuing security interest be voided by any act of the Depository; however, the Depository will have the right, with the District's consent, to purchase and sell, and substitute or replace with other approved securities, any of the approved securities pledged under this contract, provided that the Depository adheres to all the other conditions of this contract, and the pledge is in addition to all other remedies available in law to the District.
 - (5) The Depository must immediately furnish or cause to be furnished to the District original and valid safekeeping or trust receipts issued by the custodian holding the approved securities pledged under this contract, marked on their face by the custodian to show the pledge and market value as required above, and the Depository must upon the District's request provide a description of securities being pledged and evidence that the securities are legally acceptable in accordance with (1) above.
 - (6) The District may examine and verify at any reasonable time a pledged investment security or a record that a custodian maintains in accordance with the Texas Government Code, §2257.061. The District or its agent may inspect at any time an investment security evidenced by trust receipt.
 - (7) Upon any closing or failure of the Depository, or any event considered by a state or federal regulatory agency to constitute a closing or failure of the Depository, title to all securities pledged under this depository contract must be considered to be vested in, and to be held by

the District. The District is empowered to take immediate possession of and to sell any such pledged securities, whether in safekeeping at another bank or in possession of the District or the Depository, and the District is specifically so empowered by execution of this contract.

- (8) The collateral pledge agreement must conform to Title 12 United States Code Annotated, §1823(e), so to defeat the claim of the Federal Deposit Insurance Corporation, its successor, or any other receiver to the securities, and be:
 - (a) in writing;
 - (b) executed by the Depository at the same time the asset is acquired;
 - (c) approved by the Depository's board of directors or loan committee, with the approval reflected in the board's or committee's minutes; and
 - (d) maintained continuously from the date of its execution as an official record of the Depository.

The Depository must furnish the minutes of the Depository's board of directors or loan committee to the District.

- C. If the Depository elects to give both a corporate surety bond and to pledge approved securities, the corporate surety bond and pledged approved securities must be in an aggregate amount that, together with applicable Federal Deposit Insurance Corporation insurance, will adequately protect the total amount of District funds on deposit with the Depository from day to day. The provisions of A, above, permitting the amount of the corporate surety bond to rise or fall from day to day, and all the provisions of B, above, relating to the amount and conditions of pledge of approved securities, including but not limited to substitution and conditions of pledge, apply to the election permitted by this paragraph C.
- D. The Depository agrees to cover by corporate surety bond, pledge of approved securities, or both an amount that is equal to funds anticipated to be on deposit from day to day, which is estimated not to exceed \$ * _____ . The amount of collateral will be calculated in accordance with the Texas Government Code, Chapter 2257, Collateral for Public Funds Act.
- E. After the beginning date of this contract if the amount of deposit exceeds that which is initially covered by corporate surety bond, pledged approved securities, and FDIC insurance, the amount covered will be increased, and original and valid safekeeping or trust receipts of the additional securities, increased corporate surety bond, or both will be provided in accordance with the TEC and Texas Education Agency rules.

Texas School Depository Surety Bond Form

Bond Number _____

**I.
Guarantee**

1. Under all the terms and conditions of this bond, _____ (referred to in this document as *the Surety Company*) and _____ (referred to in this document as *the Bank*) agree that:
 - a. the Bank will pay a premium to the Surety Company and
 - b. the Surety Company will guarantee the deposits in certain Designated Depository Accounts in the Bank, in excess of the \$250,000.00 deposit insurance provided by the Federal Deposit Insurance Corporation (FDIC).

2. The Surety Company must promptly reimburse the Owner(s) of a Designated Depository Account or Accounts (referred to in this document as *the Owner*) up to a limit of liability as specified in Section III of this bond if the Bank becomes insolvent and fails.

3. "Becomes insolvent and fails" means that either:
 - a. the Bank must be taken over by a regulatory authority, either state or federal, and ordered liquidated or
 - b. the FDIC must sell the Bank's deposits in such a manner that the FDIC refuses to sell or reimburse the deposits in excess of the \$250,000.00 deposit insurance.

**II.
Designation of Account Owner and Depository Account(s)**

Designated Owner of the Depository Account(s):

[_____ *Independent School District (ISD)*].

Address of the Owner:

Designated Depository Account Number(s):

[List Various Depository Accounts in the Name of _____ ISD]

**III.
Limit of Liability**

The Surety Company's total liability under this bond is [*written dollar amount \$XXXXXXXX*], which is the maximum guaranteed amount. Regardless of the number of Owners and the number of Designated Depository Accounts, the maximum amount of payment under this bond must not exceed [*\$XXXXXXXX*].

**IV.
Payment of Loss**

If the Bank should be declared insolvent and fail, the Surety Company must pay the Owner of the Designated Depository Account(s) for which this bond has been issued the amount that the receiver's certificate indicates to be uninsured by the FDIC. The amount of the payment is limited to the maximum guaranteed amount specified in Section III of this bond. This bond does not cover any indirect or consequential damages or loss. The Surety Company must pay the Owner promptly upon receiving assignment of the receiver's certificate from the Owner or upon demand.

**V.
Termination or Cancellation**

This bond becomes effective at 12:01 a.m. on [*date*] and remains in effect until terminated or canceled for any of the following reasons:

1. The Surety Company cancels the bond for nonpayment of the annual premium 15 days after notifying the Bank of the nonpayment and impending cancellation.
2. The Owner notifies the Surety Company in writing of the Owner's desire to cancel the bond, and the Surety Company cancels the bond immediately.
3. The Surety Company desires to cancel the bond for reasons allowed by the laws of Texas.
 - a. The Surety Company sends a written notice by facsimile transmission, hand delivery, or certified mail, return receipt requested to the Bank and to the Owner's address as shown on this bond. The notice is considered effective upon receipt by the parties to whom the notice is addressed.
 - b. The cancellation is effective 90 days after the notice is effective.
4. This bond is automatically terminated if all funds in the Designated Depository Account(s) listed in Section II of this bond are withdrawn, the account(s) are closed, or both.

If this bond is canceled or terminated, the Surety Company has no obligation to make any payment to any Owner.

VI.
Responsibility of the Bank

It is understood and agreed that this bond is for and on behalf of the Bank to enable the Bank to protect the Owner of its Designated Depository Account(s). All designations of accounts are the complete responsibility of the Bank. The Surety Company's liability to the Owner begins upon the declaration of insolvency and failure of the Bank, and not before that event. In addition, under the Texas Education Code, §45.208, the Surety Company and the Bank agree that the Bank must:

1. faithfully perform all duties and obligations required by law,
2. pay on presentation all checks or drafts ordered according to law by the district's board of trustees,
3. pay on demand any demand deposit in the Bank,
4. pay any time deposit of the school district after the required notice period expires,
5. faithfully keep the school district funds and account for the funds according to law, and
6. faithfully pay over to any successor depository all balances remaining in the accounts of the Bank.

VII.
Consolidation or Merger

This bond becomes void at 12:01 a.m. on the date the Bank consolidates with or merges into any other bank or financial institution. The Bank must notify the Surety Company and the Owner 90 days before any consolidation or merger of the Bank's intention to merge into another bank or financial institution. Any deposits in the Designated Depository Account(s) in excess of the \$250,000.00 FDIC deposit limit must be guaranteed by a new bond or other means as authorized by Texas law at the time of the consolidation or merger.

**VIII.
Sole Use and Benefit**

This bond is for the sole use and benefit of the Owner. This bond is nonnegotiable and may not be assigned under any circumstances by the Owner or any other person, entity, or holder. The Bank may not be considered an agent or representative of the Surety Company for any purpose in connection with this bond.

Signed, sealed, and dated this _____ day of _____, _____.

[Bank]
(Address)
(Phone)

[Surety Company]
(Address)
(Phone)

By _____

By _____

Title _____

Title _____

Acknowledgment

Acknowledged before me in _____ County, Texas, on _____, 20____, by _____, officer of the Bank named in the preceding document, for the Bank, and by _____, officer of the Surety Company named in the preceding document, for the Surety Company.

(SEAL)

Signature of Notary

Notary Public in and for _____
County, Texas
My Commission Expires _____

Surrender of Bond Form

By signature below of the Owner, the Owner gives notice to the Surety Company of the Owner's desire to cancel Bond Number _____ in its entirety.

By _____

Date _____

OR

Surrender of Bond for Reissuance Form

By signature below of the Owner, the Owner gives notice to the Surety Company of the Owner's desire to cancel Bond Number _____ in its entirety, on the condition that another similar bond is issued with the following listed Owner, Owner address, Designated Depository Account Number(s) and limit of liability:

Requested Designated Depository Account Owner:

Address of Requested Designated Owner:

Requested Designated Depository Account Number(s):

Requested Limit of Liability:

By _____

Date _____

COMMITTEE ON SCHOOL INITIATIVES

Election of Chair

January 30, 2025

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

SUMMARY: State Board of Education (SBOE) operating rules call for each committee to elect a chair from among its members. This item provides an opportunity for the Committee on School Initiatives to elect a chair at this meeting if the SBOE retains the existing committee structure. The chair may then appoint a vice chair. If the board changes the committee structure, the committee may elect a member to preside over this first meeting only.

STATUTORY AUTHORITY: Texas Education Code, [§7.107\(b\)](#).

TEC, §7.107(b) requires the SBOE to organize and adopt operating rules at the first meeting after an election and qualification of new members.

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

PREVIOUS BOARD ACTION: A committee chair was last elected on February 2, 2023.

BACKGROUND INFORMATION AND JUSTIFICATION: The board is required to organize at the first meeting after the election and qualification of new members. Section 1.2(e) of the board's operating rules requires each standing committee to 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.

Staff Member Responsible:

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

Open-Enrollment Charter School Generation 30 Application Updates

January 30, 2025

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 30 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 30 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 within its jurisdiction. To that end, this item is for discussion of updates pertaining to the Generation 30 application.

Public information concerning open-enrollment charter schools is available at the division of Charter Schools – Applications page found on the Texas Education Agency's website (<https://tea.texas.gov/texas-schools/texas-schools-charter-schools/charter-school-applicants>). The Generation 30 applications and required attachments will also be linked on that page upon publication.

Staff Members Responsible:

Kelvey Oeser, Deputy Commissioner, Educator and System Support

Marian Schutte, Deputy Associate Commissioner, Authorizing and Policy

**Recommendation for One Reappointment to the Boys Ranch
Independent School District Board of Trustees**

January 31, 2025

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

SUMMARY: This item provides an opportunity for the board to consider one reappointment to the board of trustees of Boys Ranch Independent School District (ISD). The reappointment is necessary due to the expiration of the term of office of one board member.

STATUTORY AUTHORITY: Texas Education Code (TEC), §11.352.

TEC, §11.352 authorizes the State Board of Education (SBOE) to appoint school board members in special purpose school districts.

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

PREVIOUS BOARD ACTION: No previous board action has occurred on this item.

BACKGROUND INFORMATION AND JUSTIFICATION: The SBOE is statutorily authorized to appoint board members for ISDs created under its authority to establish special purpose school districts. Trustees so appointed hold office until their successors are appointed and qualified. When a vacancy occurs, the chief executive officer (CEO) of Cal Farley’s Boys Ranch notifies the commissioner of education of the vacancy in compliance with TEC, §11.352. The CEO submits resumes and other documents verifying that individuals are qualified to hold the position as well as a statement that the individual would accept the position if appointed. The CEO is required by 19 TAC §61.2 to provide one nomination to the SBOE. The nominee must be qualified under the general school laws of Texas.

Mr. Richard Nedelkoff, president and CEO of Cal Farley’s Boys Ranch, has notified the commissioner that the term of one trustee of is expiring. The president and CEO has requested that Mr. Tim Nation be reappointed for a two-year term.

MOTION TO BE CONSIDERED: The State Board of Education:

Based on Mr. Richard Nedelkoff’s recommendation, approve the reappointment of Mr. Tim Nation to serve a two-year term of office from January 31, 2025, to January 30, 2027, on the Boys Ranch ISD Board of Trustees.

Staff Members Responsible:

Steve Lecholop, Deputy Commissioner, Office of Governance
Christopher Lucas, Director, Research and Policy, Office of Governance

Attachment:

Correspondence from Mr. Richard Nedelkoff, president and CEO of Cal Farley’s Boys Ranch ISD that includes supporting documentation for the nominee



BOYS RANCH
FOUNDED BY CAL FARLEY

November 4, 2024

Mr. Mike Morath
Commissioner
Texas Education Agency
1701 North Congress Avenue
Austin, Texas 78701-1494

Dear Commissioner Morath,

In my capacity as President and Chief Executive Officer of Cal Farley's Boys Ranch, I request that the State Board of Education, at its January 2025 meeting, reappoint Tim Nation to the Boys Ranch Independent School District (BRISD) Board of Trustees. Mr. Nation is qualified under Texas Law and meets all requirements.

The following documents are provided: resume, signed statement expressing willingness to accept appointment and serve in full adherence to the state-established standards for school board members and certifying that the biographical information is true and correct, and background check information.

I understand that the BRISD Board of Trustees has the power to govern and oversee management of the district, and my power as President and Chief Executive Officer of Cal Farley's Boys Ranch is limited to duty as defined by statutes relating to the process of appointing members to the BRISD Board of Trustees. I also certify that the membership composition of the BRISD Board of Trustees is in full compliance with the provisions of the Texas Education Code, section 11.352. I further certify that the role of the BRISD superintendent is in full compliance with the provisions of the Texas Education Code, section 11.201.

Should you have any questions, please contact me at 806-322-2609 or via email at richardnedelkoff@calfarley.org.

I appreciate your consideration and look forward to confirmation of this appointment.

Sincerely,

Richard Nedelkoff
President and Chief Executive Officer

RN:ss

STATEMENT TO ACCOMPANY
BOYS RANCH INDEPENDENT SCHOOL DISTRICT
SCHOOL BOARD TRUSTEE APPOINTMENT REQUEST
FOR
TIMOTHY NATION

I, **Timothy Nation**, verify that I am qualified under the general school laws of Texas to be a BRISD School Board Trustee. I certify that the attached biographical information is true and correct. I am willing to accept the appointment as BRISD School Board Trustee and serve in such capacity with full adherence to the state-established standards for the duties and responsibilities of school board members.

Timothy Nation
Timothy Nation (signature)

10/15/2024
Date

TIMOTHY NATION

no changes

Canyon, Texas 79015 • 806-341-6139 • tsnation@hotmail.com

Professional Summary

As a native Texan who has resided in the Panhandle for the last 22 years, I have a long history of working with youth. My wife of 31 years, Susan, and I have raised five children and have been blessed with 19 grandchildren.

Work History

Community as Labs Agricultural Coordinator 06 2012 to 08 2021

Cal Farley's Boys Ranch - Boys Ranch, TX

I mentored the youth of Cal Farley's using the format of the greenhouses, gardens, and an assortment of farm animals. I also taught a Wildlife Management class for several years at the Boys Ranch High School.

Houseparent 05 2004 to 05 2012

Cal Farley's Boys Ranch - Boys Ranch, TX

I served as a primary houseparent at Romersi 5. We created an Independent Living Program which I taught for several years. I served under several supervisors including Suzanne Wright and Suzie Lynn.

Christian Missionary 06 2003 to 07 2004

Rio Bravo Ministries - Renenosa, Mexico

I served as a host to American mission teams coming to Mexico to serve in various orphanages.

House Parent 05 2001 to 08 2003

Cal Farley's Boys Ranch - Boys Ranch, TX

I served at Romersi 2 as an alternate houseparent couple and later as the primary houseparents. I served under Suzanne Wright.

**Recommendation for One Reappointment and One Appointment to the
Lackland Independent School District Board of Trustees**

January 31, 2025

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

SUMMARY: This item provides an opportunity for the board to consider one reappointment and one appointment to the board of trustees of Lackland Independent School District (ISD). The appointments are necessary due to the expiration of the terms of office of two board members.

STATUTORY AUTHORITY: Texas Education Code (TEC), §11.352, and 19 Texas Administrative Code (TAC) §61.2, as amended effective August 15, 2024.

TEC, §11.352 authorizes the State Board of Education to appoint school board members in special purpose school districts.

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

BACKGROUND INFORMATION AND JUSTIFICATION: The State Board of Education is statutorily authorized to appoint board members for military reservation ISDs. Trustees so appointed shall hold office for two years and until their successors are appointed and qualified. Enlisted military personnel may be appointed to the board; however, a majority must be civilians, and all may be civilians. When a vacancy occurs on a board, the base commander notifies the commissioner of education, in compliance with TEC, §11.352, and recommends candidates for appointment. At its June 2024 meeting, the SBOE adopted an amendment to 19 TAC, §61.2 to define the term ‘commanding officer’ for the purpose of recommending school board trustee candidates to the SBOE. The rule that became effective on August 15, 2024 defines the term as, “the officer who is assigned to serve physically on the installation or military reservation on which the military reservation school district is located and who provides leadership for the functional support of and contingency or emergency coordination for the military reservation school district.”

Brigadier General, United States Air Force, Randy P. Oakland, has notified the commissioner of education that the terms of two trustees of Lackland ISD have expired. Brigadier General Oakland recommends the appointment of Mr. Thomas Koch and the reappointment of Mr. Brian Miller to the Lackland ISD Board of Trustees.

MOTION TO BE CONSIDERED: The State Board of Education:

Based on Brigadier General Oakland’s recommendation, approve the appointment of Mr. Thomas Koch and the reappointment of Mr. Brian Miller to serve terms of office from January 31, 2025, to January 30, 2027, on the Lackland ISD Board of Trustees.

Staff Members Responsible:

Steve Lecholop, Deputy Commissioner, Office of Governance

Christopher Lucas, Director, Research and Policy, Office of Governance

Attachment:

Correspondence from Brigadier General Oakland that includes biographical information and supporting documentation for each nominee



DEPARTMENT OF THE AIR FORCE
502D AIR BASE WING
JOINT BASE SAN ANTONIO



16 August 2024

MEMORANDUM FOR MR. MIKE MORATH, COMMISSIONER, TEXAS EDUCATION
AGENCY

FROM: 502 ABW/CC
2080 Wilson Way
JBSA – Ft Sam Houston TX 78234-7680

SUBJECT: Reappointment of Mr. Brian Miller and Appointment of Mr. Thomas Koch to the Lackland
Independent School District (ISD) Board of Trustees

1. Please consider this my formal request to reappoint Mr. Brian Miller and appoint Mr. Thomas Koch to the Lackland ISD Board of Trustees. Enclosed are their resumes, as required by Texas Administrative Code Section 61.2a (1), along with their signed statement expressing their willingness to accept the appointment and serve in full adherence to the established state standards for school board members.
2. Mr. Brian Miller is eligible for reappointment and Mr. Thomas Koch is eligible for appointment under the general school laws of Texas and lives or works on Joint Base San Antonio-Lackland. The nominees are highly qualified and would be in full compliance with the provisions of the Texas Education Code 11.352. Every avenue was used to reach the widest possible applicant pool with 3 candidates submitting packages. The membership composition of the board of trustees is in compliance with the provisions of Texas Education Code 11.352.
3. I recognize the role of the Board of Trustees to govern and manage the operations of the Lackland ISD and recognize that my role as the commanding officer of the 502d Air Base Wing, in the process for appointing the Board of Trustees, is limited to the duty defined by statute.
4. Thank you for your support of our school district. If you have any questions, please contact Ms. Dianna Fryer at (210) 671-8388, or at dianna.fryer@us.af.mil.

RANDY P. OAKLAND
Brigadier General, USAF
Commander

2 Attachments:

1. Mr. Brian Miller Resume and Eligibility Statement
2. Mr. Thomas Koch Resume and Eligibility Statement

BRIAN S. MILLER

15507 Grey Fox Terrace
San Antonio TX, 78255
(210) 573-2302
brian.miller.10@us.af.mil

OBJECTIVE

It is my desire to continue to faithfully serve the needs of military families of Lackland ISD with a consideration for reappointment to the Lackland Independent School District Board of Trustees.

WORK HISTORY

2005-present Policy Director, AF Basic Military Training, U.S. Air Force
2001-present Board President, Lackland Independent School District, Board of Trustees
2004-2005 Deputy Chief, Standardization Evaluation, 37th Training Group, U.S. Air Force
2002-2004 Operations Superintendent, Training and Education, U.S. Air Force
1998-2002 Correspondence Course Manager/Writer, U.S. Air Force
1997-1998 Resource Advisor, U.S. Air Force, Republic of Korea (ROK)
1998-1999 Faculty Instructor, Central Texas College, Ed. Services, Kunsan AB, ROK
1996-1998 Training Manager, Community College of the Air Force, U.S. Air Force
1992-1996 Instructor, Community College of the Air Force, U.S. Air Force

EDUCATION

Masters in Adult Education (MAED)	2015	University of Phoenix
Masters in Public Administration (MPA)	2013	University of Phoenix
B.A. Occupational Education/Corporate Training	1997	Wayland Baptist University
Associates in Applied Science in Criminal Justice	1992	Vernon Regional College
Associates in Applied Science in Instructional Technology	1992	Community College of the AF

SCHOOL BOARD TRAINING/EXPERIENCE

- Twenty years' experience in school board governance, policy development, school law, board facilitation; budget formulation, adoption, and implementation.
- Extensive training in school board governance with over 300 hours in continuing education
 - Budget Implementation
 - Public Relations
 - Legislative Updates
 - Planning and Accountability
 - Open Meetings Act
 - School Law
 - Effective Facilitation
 - Texas Education Code
 - Team Building
- Sixteen congressional visits advocating the educational needs of military families and the continued appropriations for Federal Impact Aid.
- Fifteen years' experience in policy research and development for Air Force and Major Command Instructions, supplements and policy issuances.

COMMUNITY VOLUNTEER ACTIVITIES

2007-present President, Red Robin Homeowners Association
2007-present Member, Bexar County School Board Coalition

Brian S Miller, 21 May 24
BRIAN S. MILLER



Joint Base San Antonio Statement of Eligibility

Applicant Full Name: Brian S. Miller

Residential Address: 15507 Grey Fox Terrace

San Antonio

Texas

78255

Physical Address of Employer: 1618 Truemper Dr.

Texas

Texas

78236

Board of Trustees Location Applying For: Lackland ISD

I hereby make a formal application for the above indicated Board of Trustees. In doing so, I confirm that:

- I am qualified under the general school laws of Texas and live or am employed on JBSA.
- I attest the contents of my resume.
- I am a qualified voter.
- I willingly accept the appointment to the Board of Trustees and will serve in this capacity with full adherence to the state established standards on the duties and responsibilities of school board members.

MILLER.BRIAN.S.1036
175008

Digitally signed by
MILLER.BRIAN.S.1036175008
Date: 2024.05.22 11:18:37 -05'00'

22 May 2024

Signature of Applicant

Date

Brian S. Miller

Printed Name of Applicant

Digital Signatures are authorized. If using a wet signature, please sign, date and print legibly. Form must be completed prior to setting up your interview with the selection board.

Thomas Koch
1980 Horal St. Apt #423
San Antonio, Texas, USA 78227
Phone: 1-812-629-5180
Phone: 1-812-518-0453

Education:

Temple University-Japan Osaka, Japan Degree: M Ed (English Ed /Secondary Ed) August 1992.

Indiana University, Bloomington, In. USA Degree: BS (Business) June 1971.

Health: Excellent

Experience:

08/2023 – Present: Learning Resource Center Specialist - Army LRC. Implemented an online extensive reading program. Registered and monitored 815 students who completed 17898 reading exercises on Read Theory.org. Successful students averaged an 18-point increase over their previous average on DLIELC's English Comprehension Level Test. A passing score is 75.

08/2020 – 08/2023: ESL Instructor: Defense Language Institute English Language Center, Lackland AFB, San Antonio, Texas / Taught international military students from over 30 countries and six of the seven continents.

10/2019 – 06/2020: ESL Instructor - The International Tourism and Hospitality College, (Lincoln College), Riyadh, Saudi Arabia

01/2019 – 03/2019: ESL Instructor - Alasala University, Dammam, Saudi Arabia. Taught 23 classroom hours/week – 40 hour work week. Contract completed 03/15/2019.

09/2018 – 12/2018 – ESL Instructor – TVTC, Hafar Al Batin, Saudi Arabia. Contract completed 12/2018.

06/2017 – 09/2018: Volunteer - Promoter of free and low-cost online Extensive Reading programs to secondary schools and universities in Asian countries including Mongolia, China, Cambodia, Indonesia, Thailand, Vietnam and Laos.

08/2016 – 06/2017 English Language Fellow - Funded by US State Department/Administered by Georgetown University National University of Mongolia, Ulaanbaatar, Mongolia

Position: Visiting Professor/ESL Instructor/Public outreach at the American Corner
(Sponsored by the US Embassy.)

Supervisor: Dr. Dawn Rogier, Regional English Language Officer, Bureau of Educational and Cultural Affairs
U.S. Department of State, United States Embassy of Beijing, China, No. 55 An Jia Lou Lu 100600, Beijing, China

Tel: +86-10-531-3000 relobeijing@state.gov

4/10 – 3/16 (Full-time)

Kindai University Department of Agriculture, Nara, Japan,

Position: Associate Professor/Coordinator of the Native English-Speaking Teachers/ESL Teacher (Only full-time native-English speaking faculty member – coordinated eight part-time foreign instructors.)

Higashi-osaka, Osaka, Japan April 1993 – March 2010

Position: ESL Lecturer April 1993 – March 2003 (36 hours/week)

Position: Associate Professor April 2003 – March 2016 (36 hours/week)

Former Supervisor: Professor Masanori Kimura

Kindai University 3327-204 Nakamachi, Nara City, 〒631-8505 Japan

Tel:+81-90-6603-1879 m-kimura@nara.kindai.ac.jp

04/93 – 07/16 (Part-time) Kansai University, Suita, Osaka, Japan,

Position: Part-time ESL English Teacher (5 hours/week)

Former Supervisor: Professor Curtis Kelly, EdD

Kansai University, 3-3-35 Yamate-cho, Yamate,

Suita-shi, Osaka-fu 564-8680 JAPAN

Tel: +81 6-6368-1121 ctskelly@gmail.com

Japanese Government Funded Research Projects:

Presentations:

"Girls' talk and boys' talk: A look at the Movies", The Kansai Branch Research Forum of the Japanese Association for Studies in English Communication. 1993.

"The Effect of Phonics on Japanese Students' Pronunciation", 5th Pan-Asian Conference on Language Teaching at FEELTA, 2004. Vladivostok, Russia. June 2004.

"Extensive Reading: A Simple Technique with Outstanding Results", The 19th EA Education Conference. Perth, Australia. September 2006.

"Expanding the Power of Extensive Reading: Avoiding the Rabbit Hole", The 18th International Symposium on Theoretical & Applied Linguistics. Thessaloniki, Greece. May 2007.

"The Start with Simple Stories Method". Bangladesh English Language Teachers", Association (BELTA 2007). Dacca, Bangladesh. August 2007.

"Production vs. Process: Introducing Extensive Reading into the Classroom", International Language Conference (ILC 2008). Kuala Lumpur, Malaysia. March 2008.

"A New Direction: Making Extensive Reading Accessible", PeruTESOL 2008. Trujillo, Peru. August 2008.

"Implementing an Extensive Reading Element in the EFL Classroom", PeruTESOL 2009. Tarapoto, Peru. August 2009.

"Adapting the Pimsleur Learning Method to the Language Classroom", PeruTESOL 2009. Tarapoto, Peru. August 2009.

"Start with Simple Stories vs. the Input Hypothesis", Poster Session. Extensive Reading Conference. Kinki University. June 2009.

"Kinki University Extensive Reading Research Project", JACET Conference 2009. Kinki University. 2009.

"Leveraging Language Learning Activities with Moodle Computer Programs", PeruTESOL 2011. Lima, Peru. August 2011.

"The Management Principles of W. Edwards Deming and the Language Classroom" PeruTESOL 2012. Lima, Peru. August 2012.

"Activities for developing Autonomous Learners in the Language Classroom", PeruTESOL 2012. Lima, Peru. August 2012.

"ISO 26000 and Social Responsibility in an Educational Environment." PeruTESOL 2013. Lima, Peru. August 2013.

"Developing Autonomous Language Learners", PeruTESOL 2014. Lima, Peru. August 2014.

"By the Numbers: Classroom Management Techniques for Encouraging Autonomous Learners In Language Courses in the 21st Century" 9th Annual University of KwaZulu-Natal Teaching & Learning in Higher Education Conference. Durban, South Africa. September 2015.

"Extensive Reading: From Start to Finish", ELTAM 2016 (English Language Teachers Association of Mongolia), Ulaanbaatar, Mongolia. Oct. 2016.

"Extensive Reading and Student Motivation", National University of Mongolia - Erdenet Campus, Workshop, Erdenet, Mongolia. Oct. 17, 2016.

"Extensive Reading", "Classroom Management" and "Class Goal Setting", Main Trainer, US Embassy sponsored - American Corner – Ulaanbaatar, Mongolia "Mongolia Mentor Program", Workshop for 45 secondary teachers and provincial Department of Education members from the 21 provinces. Dec. 2 - 4, 2017.

8/016 – 6/2017 – 50 presentations to universities lecturers, secondary school teachers and the public in Ulaanbaatar, Mongolia.

2018 - Presentations in Vientiane, Laos; Ulaanbaatar, Mongolia; Banjarmasin and Samarang, Indonesia, Phnom Penh, Cambodia.



Joint Base San Antonio Statement of Eligibility

Applicant Full Name: THOMAS CHARLES KOCH

Residential Address: 1980 HORAL ST. APT 423

SAN ANTONIO

TX

78227

Physical Address of Employer: DLIELC

2235 Andrews Ave, Jbsa L 2235 Andrews Ave 78236

Board of Trustees Location Applying For: LACKLAND ISD

I hereby make a formal application for the above indicated Board of Trustees. In doing so, I confirm that:

- I am qualified under the general school laws of Texas and live or am employed on JBSA.
- I attest the contents of my resume.
- I am a qualified voter.
- I willingly accept the appointment to the Board of Trustees and will serve in this capacity with full adherence to the state established standards on the duties and responsibilities of school board members.

KOCH.THOMAS.CHARLES
LES.1495713292

Digitally signed by
KOCH.THOMAS.CHARLES.1495713292
Date: 2024.05.29 13:47:02 -05'00'

29 MAY 2024

Signature of Applicant

Date

THOMAS CHARLES KOCH

Printed Name of Applicant

Digital Signatures are authorized. If using a wet signature, please sign, date and print legibly. Form must be completed prior to setting up your interview with the selection board.

**Recommendation for One Appointment to the Randolph Field
Independent School District Board of Trustees**

January 31, 2025

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

SUMMARY: This item provides an opportunity for the board to consider one appointment to the board of trustees of Randolph Field Independent School District (ISD). The appointment is necessary due to the expiration of the term of office of one board member.

STATUTORY AUTHORITY: Texas Education Code (TEC), §11.352, and 19 Texas Administrative Code (TAC) §61.2, as amended in August 15, 2024.

TEC, §11.352 authorizes the State Board of Education to appoint school board members in special purpose school districts.

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

BACKGROUND INFORMATION AND JUSTIFICATION: The State Board of Education is statutorily authorized to appoint board members for military reservation ISDs. Trustees so appointed hold office for two years and until their successors are appointed and qualified. Enlisted military personnel may be appointed to the board; however, a majority must be civilians, and all may be civilians. When a vacancy occurs on a board, the base commander notifies the commissioner of education, in compliance with TEC, §11.352, and recommends candidates for appointment. At its June 2024 meeting, the SBOE adopted an amendment to 19 TAC §61.2 to define the term ‘commanding officer’ for the purpose of recommending school board trustee candidates to the SBOE. The rule that became effective on August 15, 2024 defines the term as, “the officer who is assigned to serve physically on the installation or military reservation on which the military reservation school district is located and who provides leadership for the functional support of and contingency or emergency coordination for the military reservation school district.”

Brigadier General, United States Air Force, Randy P. Oakland, has notified the commissioner of education that the term of one trustee of Randolph Field ISD has expired. Brigadier General Oakland recommends the appointment of Mr. Robert C. Bornhauser to the Randolph Field ISD Board of Trustees.

MOTION TO BE CONSIDERED: The State Board of Education:

Based on Brigadier General Oakland’s recommendation, approve the appointment of Mr. Robert C. Bornhauser to serve a term of office from January 31, 2025, to January 30, 2027, on the Randolph Field ISD Board of Trustees.

Staff Members Responsible:

Steve Lecholop, Deputy Commissioner, Office of Governance
Christopher Lucas, Director, Research and Policy, Office of Governance

Attachment:

Correspondence from Brigadier General Oakland that includes biographical information and supporting documentation for the nominee



DEPARTMENT OF THE AIR FORCE
502D AIR BASE WING
JOINT BASE SAN ANTONIO



16 August 2024

MEMORANDUM FOR MR. MIKE MORATH, COMMISSIONER, TEXAS EDUCATION
AGENCY

FROM: 502 ABW/CC
2080 Wilson Way
JBSA – Ft Sam Houston TX 78234-7680

SUBJECT: Appointment of Mr. Robert C. Bornhauser to the Randolph Field Independent School District
(RFISD) Board of Trustees

1. Please consider this my formal request to appoint Mr. Robert C. Bornhauser to the Randolph Field ISD Board of Trustees. Enclosed is his resume, as required by Texas Administrative Code Section 61.2a (1), along with his signed statement expressing his willingness to accept the appointment and serve in full adherence to the established state standards for school board members.
2. Mr. Robert C. Bornhauser is eligible for appointment under the general school laws of Texas and lives or works on Joint Base San Antonio-Randolph. The nominee is highly qualified and would be in full compliance with the provisions of the Texas Education Code 11.352. Every avenue was used to reach the widest possible applicant pool with six candidates submitting packages. The membership composition of the board of trustees is in compliance with the provisions of Texas Education Code 11.352.
3. I recognize the role of the Board of Trustees to govern and manage the operations of the Randolph Field ISD and recognize that my role as the commanding officer of the 502d Air Base Wing, in the process for appointing the Board of Trustees, is limited to the duty defined by statute.
4. Thank you for your support of our school district. If you have any questions, please contact Ms. Angela Green at (210) 652-3081, or at angela.green.8@us.af.mil.

RANDY P. OAKLAND
Brigadier General, USAF
Commander

2 Attachments:

1. Randolph Field ISD Board of Trustee Memorandum-Mr. Robert C. Bornhauser
2. Mr. Robert C. Bornhauser Resume and Eligibility Statement



**DEPARTMENT OF THE AIR FORCE
502D AIR BASE WING
JOINT BASE SAN ANTONIO**



MEMORANDUM FOR 502 ABW/CC

FROM: 502 FSS/FSY

SUBJECT: Randolph Field Independent School District (RFISD) Trustees Nomination Panel Recommendation

1. In accordance with *Procedures for Appointment to the Board of Trustees* memorandum signed by the 502 ABW/CC on 24 Jul 2023, a Trustee Nomination Panel consisting of three eligible voting members and one non-voting members was convened by the School Liaison Program Manager (SLPM) on 18 Jun 2024.
2. The following signatures attest the Trustee Nomination Panel members interviewed five (5) applicants, utilizing questions from a standard list provided and completed a scoring rubric for each applicant interviewed. Panel voting members recommend the following individual for one anticipated vacancies on the RFISD Board of Trustees:

a. Mr. Robert Bornhauser – Appointment

LANE.JESSICA
.B.1386155212
Digitally signed by
LANE.JESSICA.B.1386155
212
Date: 2024.06.28 09:33:54
-05'00'

Ms. Jessica Lane
RFISD Parent

MURDOCK.CHRISTOPHER.WAYNE.1374248258
STOPHER.WAYNE.1374248258
Digitally signed by
MURDOCK.CHRISTOPHE
R.WAYNE.1374248258
Date: 2024.06.27 17:55:30
-05'00'

MSgt Christopher Murdock
M&FRC Employee

FRYER.DIANNA.LYNN.1160909850
A.LYNN.1160909850
Digitally signed by
FRYER.DIANNA.LYNN.11
60909850
Date: 2024.06.28 06:29:40
-05'00'

Ms. Dianna Fryer
LKD School Liaison

3. The POC in this matter is Ms. Angela Green, RAN SLPM, angela.green.8@us.af.mil, 210-652-3081.

GREEN.ANGELA.L.1119770633
A.L.1119770633
Digitally signed by
GREEN.ANGELA.L.111977063
3
Date: 2024.06.27 18:05:28
-05'00'

ANGELA L. GREEN, GS-11
Manager, RAN School Liaison Program

1st Ind 502 FSS/FSY

MEMORANDUM FOR 502 ABW/CC

Concur/~~Non-Concur~~

COUCH.JENNIFER.L.1288734794
R.L.1288734794
Digitally signed by
COUCH.JENNIFER.L.1288734794
DN: cn=COUCH.JENNIFER.L.1288734794,
o=U.S. Government, ou=USAF,
email=unknown, c=US
Date: 2024-06-28T10:08:28-0500

JENNIFER L. COUCH, GS-13
Chief, Child and Youth Services Flight



Joint Base San Antonio Statement of Eligibility

Applicant Full Name: Robert C. Bornhauser

Residential Address: 3 Outer Octagon

Universal City Texas 78148

Physical Address of Employer:

1777 NE Interstate 410 Loop #100

San Antonio Texas 78148

Board of Trustees Location Applying For: Randolph Field ISD

I hereby make a formal application for the above indicated Board of Trustees. In doing so, I confirm that:

- I am qualified under the general school laws of Texas and live or am employed on JBSA.
- I attest the contents of my resume.
- I am a qualified voter.
- I willingly accept the appointment to the Board of Trustees and will serve in this capacity with full adherence to the state established standards on the duties and responsibilities of school board members.

BORNHAUSER.ROBER
T.CORBIN.1403716444

Digitally signed by
BORNHAUSER.ROBERT.CORBIN 14037164
44
Date: 2024.05.21 12:02:34 -05'00'

Signature of Applicant

Robert C. Bornhauser

Printed Name of Applicant

21 May 2024

Date

Digital Signatures are authorized. If using a wet signature, please sign, date and print legibly. Form must be completed prior to setting up your interview with the selection board.



Rob Bornhauser

Summary

Mission Support Flight Commander with the 341st Recruiting Squadron, San Antonio, Texas. Possessing 13+ years of military experience (enlisted and officer). I currently reside at Randolph AFB with my wife (Sarah) and three daughters (Isa, Emilia and Juliana)—who all attend Randolph Field ISD schools (Elementary, Middle School and High School).

Experience

Chief, Management Engineering Branch - 08/2021 to 04/2024
Air Force Manpower Analysis Agency, JBSA-Randolph, Texas

Force Support Officer – 11/2018 to 08/2021
375th Force Support Squadron, Scott AFB, Illinois

Deputy Airfield Manager – 08/2013 to 11/2018
19th Operations Support Squadron, Little Rock AFB, Arkansas

Response Force Member – 04/2011 to 08/2013
19th Security Forces Squadron, Little Rock AFB, Arkansas

Education

Master of Arts: Organizational Leadership - 2022
American Military University, WV

Master of Science: Sports Administration – 2019
American Military University

Awards & Certifications

John L. Levitow Award: Airman Leadership School – 2014

Distinguished Graduate: Squadron Officer School – 2023

References

Steven J. Parker – Air Force Personnel Center
Steven.parker.56@us.af.mil +1(210) 760-2271

Jimi Baudino – Team Mascoutah Softball
Jbaudino5@gmail.com +1(618) 917-0568

Beau Dicken – Air Force Recruiting Service
Beau.dicken@us.af.mil +1(303) 704-3444

Contact Info

+1 (501) 606 0431

robert.bornhauser@yahoo.com

3 Outer Octagon, JBSA-Randolph, TX

Memberships

Council Member: JBSA-Randolph Housing

April 2024-present

Pitching Coach: Thunderbirds 12U Softball

Aug 2023-present

Head Coach: JBSA-Randolph Youth Basketball

Fall 2023

Head Coach: Randolph Thunderhawks Football

June 2023-November 2023

Asst. Head Coach: Mascoutah 12/14U Softball

June 2019-July 2021

Board Member: Sylvan Hills Optimist Club

March 2013-April 2015

//SIGNED// 20240520

Discussion of Ongoing State Board for Educator Certification Activities

January 30, 2025

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 Board 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 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:

Jessica McLoughlin, Associate Commissioner, Educator Preparation, Certification, and Enforcement

Adoption of Review of 19 TAC Chapter 30, Administration, Subchapter A, State Board of Education: General Provisions
(Adoption of Review)

January 31, 2025

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

SUMMARY: Texas Government Code, §2001.039, establishes a four-year rule review cycle for all state agency rules, including State Board of Education (SBOE) rules. This item presents the adoption of the review of 19 Texas Administrative Code (TAC) Chapter 30, Administration, Subchapter A, State Board of Education: General Provisions. Subchapter A establishes the SBOE process for petitioning the adoption of changes to SBOE rules, as required by Texas Government Code, §2001.021.

STATUTORY AUTHORITY: The statutory authority for the rule review is Texas Government Code, (TGC), §2001.039. The statutory authority for 19 TAC Chapter 30, Subchapter A, is Texas Government Code (TGC), §2001.021.

Texas Government Code, §2001.039, requires all state agencies to review their rules at least once every four years.

Texas Government Code, §2001.021, authorizes a state agency to prescribe by rule the form for a petition and the procedure for the submission, consideration, and disposition.

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

PREVIOUS BOARD ACTION: The review of 19 TAC Chapter 30, Subchapter A, was presented to the Committee on School Initiatives for discussion at the November 2024 meeting.

BACKGROUND INFORMATION AND JUSTIFICATION: Texas Government Code, §2001.021, requires that procedures to petition for the adoption of rule changes be adopted by rule. To comply with statute, the SBOE adopted 19 TAC Chapter 30, Administration, Subchapter A, State Board of Education: General Provisions, §30.1, Petition for Adoption of Rule Changes, effective December 5, 2004. Prior to the adoption of 19 TAC §30.1, procedures to petition for the adoption of changes to SBOE rules were included as part of the SBOE's operating rules. Effective April 26, 2009, an amendment adopted in rule the form used to submit a petition.

Since 19 TAC §30.1 was last reviewed in 2020, three petitions have been presented to the SBOE.

In 2020, a petitioner requested that the SBOE adopt United States History Studies Before 1877 and offer the course to all high school students. The SBOE denied the petition because all Grade 8 students are required to receive instruction in United States History through 1877.

In 2022, a petitioner requested that 19 TAC §74.12 be amended to allow Oral Interpretation I-III to satisfy a fine arts graduation requirement. The SBOE denied the petition because Oral Interpretation I, II, and III are not aligned with fine arts courses.

In 2023, a petitioner requested that 19 TAC §100.1 be amended to remove the no-contact period between open-enrollment charter applicants and any person or entity acting on their behalf with the commissioner, the commissioner's designee, a member of the SBOE, or a member of an external application review panel. The SBOE directed Texas Education Agency (TEA) staff to initiate rulemaking proceedings, and §100.1 was amended to modify the no-contact period for open-enrollment charter applicants or any person or entity acting on their behalf, effective October 31, 2023.

If authorized by the SBOE, TEA will file the adopted review with the Texas Register stating that the SBOE finds the reasons for adopting 19 TAC Chapter 30, Subchapter A, continue to exist. The filing of the adopted review stating that the reasons for adoption continue to exist would not preclude any amendments that may be proposed at different dates through a separate rulemaking process.

No changes to 19 TAC Chapter 30, Subchapter A, are recommended as a result of the review.

PUBLIC COMMENTS: TEA filed the proposed review of 19 TAC Chapter 30, Subchapter A, with the Texas Register following the November 2024 SBOE meeting. The public comment period on the proposed review began December 20, 2024, and ended at 5:00 p.m. on January 21, 2025. At the time this item was prepared, no comments had been received regarding this review. Any public comments received will be provided to the SBOE during the January 2025 meeting. The SBOE will take registered oral and written comments on the proposed review at the committee meeting in January 2025 in accordance with the SBOE board operating policies and procedures.

MOTION TO BE CONSIDERED: The State Board of Education:

Adopt the review of 19 TAC Chapter 30, Administration, Subchapter A, State Board of Education: General Provisions.

Staff Member Responsible:

Cristina De La Fuente-Valadez, Director, Rulemaking

Attachment:

Text of 19 TAC Chapter 30, Administration, Subchapter A, State Board of Education: General Provisions, including Figure: 19 TAC §30.1(a), *State Board of Education Petition for Adoption of a Rule*

ATTACHMENT
Text of 19 TAC

Chapter 30. Administration

Subchapter A. State Board of Education: General Provisions

§30.1. Petition for Adoption of Rule Changes.

- (a) Any interested person as defined in Texas Government Code (TGC), §2001.021(d), may petition for the adoption, amendment, or repeal of a rule of the State Board of Education (SBOE) by filing a petition on the form provided in this subsection. The petition shall be signed and submitted to the Texas Education Agency (TEA). The TEA staff responsible for the area with which the rule is concerned shall evaluate the merits of the petition to determine whether to recommend that rulemaking proceedings be initiated or that the petition be denied.

Figure: 19 TAC §30.1(a)

- (b) In accordance with TGC, §2001.021, the TEA staff must respond to the petitioner within 60 calendar days of receipt of the petition.
- (1) Where possible, the TEA staff recommendation concerning the petition shall be placed on the next SBOE agenda, and the SBOE shall act on the petition within 60 calendar days.
- (2) Where the time required to review the petition or the scheduling of SBOE meetings will not permit the SBOE to act on the petition within the required 60 calendar days, the TEA staff shall respond to the petitioner within the required 60 calendar days, notifying the petitioner of the date of the SBOE meeting at which the TEA staff recommendation will be presented to the SBOE for action.
- (c) The SBOE will review the petition and the TEA staff recommendation and will either deny the petition, giving reasons for the denial, or direct the TEA staff to begin the rulemaking process. The TEA staff will notify the petitioner of the SBOE's action related to the petition.
- (d) The SBOE may deny a petition on the following grounds:
- (1) the SBOE does not have jurisdiction or authority to propose or adopt the petitioned rule;
- (2) the petitioned rule conflicts with a statute, court decision, another rule proposed or adopted by the SBOE, or other law;
- (3) the SBOE determines that a different proceeding, procedure, or act more appropriately addresses the subject matter of the petition than initiating a rulemaking proceeding;
- (4) the petitioner files a petition:
- (A) within one year of the SBOE denying a petition on a similar rule or the same subject matter; or
- (B) to amend a rule proposed or adopted by the SBOE that has not yet become effective; or
- (5) any other reason the SBOE determines is grounds for denial.
- (e) If the SBOE initiates rulemaking procedures in response to a petition, the rule text which the SBOE proposes may differ from the rule text proposed by the petitioner.

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.

The petition should be signed and submitted:

by mail to Rulemaking Division, Texas Education Agency, 1701 North Congress Avenue, Austin, Texas 78701-1494; or

by using the email button at the bottom of this petition form or by emailing directly to *rules@tea.texas.gov*.

Name:

Affiliation/Organization (if applicable):

Address:

Email Address:

Telephone:

Date:

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):

Statutory authority for the proposed rule action:

Why is this rule action necessary or desirable?

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

Petitioner's Signature

(Typing your name in the field above serves as your signature for the purposes of this petition.)

[Click here to submit petition form](#)

Review of Adoption of Proposed Amendments to 19 TAC Chapter 228, Requirements for Educator Preparation Programs, Subchapter A, General Guidance, Subchapter D, Required Educator Coursework and Training, Subchapter E, Educator Candidate Clinical Experiences, and Subchapter F, Support for Candidates During Required Clinical Experiences

January 31, 2025

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 adopt the proposed amendments to 19 Texas Administrative Code (TAC) Chapter 228, Requirements for Educator Preparation Programs, Subchapter A, General Guidance, Subchapter D, Required Educator Coursework and Training, Subchapter E, Educator Candidate Clinical Experiences, and Subchapter F, Support for Candidates During Required Clinical Experiences. The proposed amendments would further clarify requirements and definitions as applicable to support educator preparation programs (EPPs) and candidates in the successful implementation of these rules.

STATUTORY AUTHORITY: The statutory authority for the SBOE to review rules that the SBEC proposes to adopt is Texas Education Code (TEC), §21.042. The statutory authority for 19 TAC Chapter 228, Subchapters A, D, E, and F, is TEC, §§21.003(a), 21.031; 21.041(b)(1)-(4); 21.044; 21.0441; 21.0442(c); 21.0443; 21.045(a); 21.0452, 21.0453; 21.0454; 21.0455; 21.046(b) and (c); 21.048(a); 21.0485; 21.0487(c); 21.0489(c); 21.04891; 21.049(a); 21.0491; 21.050(a)-(c); and 21.051; and the Texas Occupations Code (TOC), §55.007.

TEC, §21.042, requires the SBEC to submit a written copy of each rule it proposes to adopt to the SBOE for review. The SBOE may reject a 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 proposed by the SBEC.

TEC, §21.003(a), states that 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, §21.031, authorizes the SBEC to regulate and oversee all aspects of the certification, continuing education, and standards of conduct of public school educators.

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(b)(2)-(4), 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, §21.044, authorizes the SBEC to propose rules specifying what each educator is expected to know and be able to do, particularly with regard to students with disabilities, establishing the training requirements a person must accomplish to obtain a certificate, or enter an internship, and specifying the

minimum academic qualifications required for a certificate. It also sets requirements for training, coursework and qualifications that the SBEC is required to include.

TEC, §21.0441, requires the SBEC to set admission requirements for candidates entering EPPs and specifies certain requirements that must be included in the rules.

TEC, §21.0442(c), requires the SBEC to create an abbreviated EPP for a person seeking certification in trade and industrial workforce training with a minimum of 80 hours of classroom instruction in certain specified topics.

TEC, §21.0443, requires the SBEC to set standards for approval and renewal of approval for EPPs, sets certain requirements for approval and renewal, and requires that the SBEC review each program at least every five years.

TEC, §21.045(a), requires the SBEC to create an accountability system for EPPs based on the results of certification examinations, teacher appraisals, student achievement, compliance with the requirements for candidate support, and the results of a teacher satisfaction survey.

TEC, §21.0452, requires the SBEC to make information about EPPs available to the public through its internet website and gives the SBEC authority to require any person to give information to the Board for this purpose.

TEC, §21.0453, sets requirements for information that EPPs must provide candidates and gives the SBEC rulemaking authority to implement the provision and ensure that EPPs give candidates accurate information.

TEC, §21.0454, gives the SBEC rulemaking authority to set risk factors to determine the Board's priorities in conducting monitoring, inspections, and compliance audits and sets out certain factors that must be included among the factors.

TEC, §21.0455, gives the SBEC rulemaking authority to establish a process for a candidate for teacher certification to direct a complaint against an EPP to the agency, requires that EPPs notify candidates of the complaints process, states that the SBEC must post the complaint process on its website, and states that the SBEC has no authority to resolve disputes over contractual or commercial issues between programs and candidates.

TEC, §21.046(b), 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.

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, §21.048(a), requires the SBEC to prescribe comprehensive certification examinations for each class of certificate issued by the Board.

TEC, §21.0485, states that to be eligible for certification to teach students with visual impairments, a person must complete all coursework required for that certification in an approved EPP or alternative EPP, perform satisfactorily on required certification exams, and satisfy other requirements established by the SBEC.

TEC, §21.0487(c), requires the SBEC to propose rules related to approval of EPPs to offer the Junior Reserve Officer Training Corps (JROTC) teacher certification and to recognize applicable military training and experience and prior employment by a school district as a JROTC instructor to support completion of certification requirements.

TEC, §21.0489(c), sets out the requirements for Early Childhood certification.

TEC, §21.04891, sets out the requirements for the Bilingual Special Education certification.

TEC, §21.049(a), requires the SBEC to propose rules providing for EPPs as an alternative for traditional preparation programs.

TEC, §21.0491, requires the SBEC to create a probationary and standard trade and industrial workforce training certificate.

TEC, §21.050(a), requires an applicant for teacher certification to have a bachelor's degree in a relevant field.

TEC, §21.050(b), requires the SBEC to include hours of field-based experience in the hours of coursework required for certification and allows the Board to require additional credit hours for certification in bilingual education, English as a second language, early childhood education, or special education.

TEC, §21.050(c), exempts people who receive a bachelor's degree while receiving an exemption from tuition and fees under TEC, §54.363, from having to participate in field-based experiences or internships as a requirement for educator certification.

TEC, §21.051, requires that candidates complete at least 15 hours of field-based experiences in which the candidate is actively engaged in instructional or educational activities under supervision involving a diverse student population at a public-school campus or an approved private school, allows 15 hours of experience as a long-term substitute to count as field-based experience, and gives the SBEC rulemaking authority related to field-based experiences.

TOC, §55.007, requires all state agencies that issue licenses or certifications to credit military experience toward the requirements for the license or certification.

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

BACKGROUND INFORMATION AND JUSTIFICATION: The SBEC rules in 19 TAC Chapter 228, Requirements for Educator Preparation Programs, establish the requirements for EPPs in the preparation of candidates for Texas educator certification.

As a follow-up to the July 2024 SBEC meeting discussion on proposed changes to the new Chapter 228 rules, Texas Education Agency (TEA) staff completed additional work on draft proposed rule changes and conducted a stakeholder meeting on August 9, 2024. The information from the August stakeholder meeting informed the final version of proposed rules presented for the Board's review and action at the September SBEC meeting.

The following is a description of the proposed amendments to Chapter 228 in the attached.

Subchapter A. General Guidance

§228.2. Definitions.

The proposed new definition of *extracurricular activities* would mirror the language of the definition of this term established in 19 TAC Chapter 76, Extracurricular Activities, Subchapter AA, Commissioner's Rules. In addition, defining the term in this manner will provide EPPs and candidates with additional clarity and support around the types of activities that should be considered acceptable to meet preparation program requirements.

The proposed new definition of *Legacy Chapter 228 rules* would provide a reference to the EPP rules that were in effect on August 31, 2024, and ensure that EPPs and candidates have a place to anchor their use of those rules as they support candidates who began their preparation prior to September 1, 2024, through the rest of the preparation and certification process.

The proposed amendment to the definition of *school day* would acknowledge that school days may be extended for some subject areas that have duties outside of the regular school day and would strike the reference to clinical teaching and allow guidance on meeting those requirements to be addressed in §228.67, Clinical Teaching.

Some definitions in this section would be renumbered due to the addition of two new definitions in proposed §228.2(26) and §228.2(37).

§228.6. Implementation Date.

The proposed amendment to §228.6, Implementation Date, would create new paragraphs (1) and (2) to more formally codify the implementation structures understood in the field. These additions to the rules would provide clarification and consistency to support EPPs with candidates admitted prior to September 1, 2024.

Proposed new §228.6(1)(A) would reinforce the expectation for candidates who have not started their clinical experience prior to September 1, 2024, to comply with the current rules in Chapter 228, Subchapter E, Educator Candidate Experiences.

Proposed new §228.6(1)(B) would establish a clear deadline to ensure that EPPs and candidates completing requirements under the Legacy Chapter 228 rules do so by August 31, 2026.

Proposed new §228.6(2) would reinforce for EPPs and candidates that anyone admitted into an EPP on or after September 1, 2024, is subject to all requirements in this chapter.

Subchapter D. Required Educator Coursework and Training

§228.33. Preparation Program Coursework and/or Training for All Certification Classes.

A technical edit to §228.33(d)(3) would strike the outdated rule reference that was repealed in February 2024 and replace with an updated reference to the alternative rules, Part 1, Chapter 2, Subchapter J, Rule §2.204 (relating to Approval of Distance Education Courses and Programs for Public Institutions).

Subchapter E. Educator Candidate Experiences

§228.67. Clinical Teaching.

A technical edit to §228.67(a) would change the introductory rule text from “A candidate *for* initial certification” to “A candidate *seeking* initial certification” for clarity.

The proposed amendment to §228.67(b)(1) would change the time spent in the subject area of the certificate sought from 4 hours per day to a total of 280 hours across the clinical teaching experience and provide flexibility for candidates to complete the remaining 210 clinical teaching hours in other aspects of an educator’s duties.

The proposed amendment to §228.67(b)(3) would add “medical” and strike “illness” to more broadly represent things that could impact a candidate’s ability to complete the required total number of clinical teaching hours.

The proposed amendment to §228.67(c) would change the time spent in the subject area of an additional certificate area sought by the candidate that cannot be taught concurrently with the primary certificate area sought from 5 hours per week to a total of 70 hours during the clinical teaching experience, providing flexibility to candidates and EPPs to structure the clinical teaching experience as needed and still comply with requirements.

§228.73. Internship.

The proposed amendment to §228.73(h) would further clarify that subsection (g)(2)-(6) outlines the applicable options under which an EPP should cease with providing additional support to a candidate and proceed with the required steps to deactivate the candidate’s intern or probationary certificate.

Subchapter F. Support for Candidates During Required Clinical Experiences

§228.103. Formal Observations for Candidates in Residency Assignments.

The proposed change to §228.103(a) would clarify that an EPP must provide the first formal observation with the first six weeks of all residency assignments. This change would restore the original intent of the requirements for formal observations specific to candidates in residency assignments.

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 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. Jessica McLoughlin, associate commissioner for educator preparation, certification, and enforcement, has determined that for the first five years the proposal is in effect, 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, it 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, 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 COSTS TO PERSONS: No changes have been made to this section since published as proposed. Jessica McLoughlin, associate commissioner for educator preparation, certification, and enforcement, has determined that for the first five years the proposal is in effect, the public benefit anticipated would be clear and better organized rules regarding EPPs. Overall, the proposal will ensure increased responsiveness to candidate needs, and the overall elevation of the quality of educator preparation influenced by the proposal will have a lasting, positive impact on education and the preparation and retention of qualified educators in every classroom. 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 additional data and reporting impact.

ENVIRONMENTAL IMPACT: No changes have been made to this section since published as proposed. The proposal does not require an environmental impact analysis because the proposal does not include major environmental rules under TGC, §2001.0225.

PRINCIPAL AND CLASSROOM TEACHER PAPERWORK REQUIREMENTS: No changes have been made to this section since published as proposed. 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: That the State Board of Education:

Take no action on the proposed amendments to 19 TAC Chapter 228, Requirements for Educator Preparation Programs, Subchapter A, General Guidance, Subchapter D, Required Educator Coursework and Training, Subchapter E, Educator Candidate Clinical Experiences, and Subchapter F, Support for Candidates During Required Clinical Experiences.

Staff Members Responsible:

Jessica McLoughlin, Associate Commissioner, Educator Preparation, Certification, and Enforcement
Marilyn Cook, Senior Director, Educator Preparation and Certification

Attachment:

Text of Proposed Amendments to 19 TAC Chapter 228, Requirements for Educator Preparation Programs, Subchapter A, General Guidance, Subchapter D, Required Educator Coursework and Training, Subchapter E, Educator Candidate Clinical Experiences, and Subchapter F, Support for Candidates During Required Clinical Experiences

ATTACHMENT
Text of Proposed Amendments to 19 TAC

Chapter 228. Requirements for Educator Preparation Programs

Subchapter A. General Guidance

§228.2. Definitions.

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

(1)-(25) (No change.)

(26) Extracurricular activities--Activities sponsored by the University Interscholastic League (UIL), the school district board of trustees, or an organization sanctioned by resolution of the board of trustees as specified in Chapter 76, Subchapter AA, of Part 2 of this title (relating to Commissioner's Rules).

(27) [~~26~~] Field-based experiences--Introductory experiences for a classroom teacher certification candidate, incorporated with preparation coursework that involve, at the minimum, reflective observation of and interaction with Early Childhood-Grade 12 students, teachers, and faculty/staff members engaging in educational activities in an authentic school setting.

(28) [~~27~~] Field supervisor--A currently certified educator, who preferably has advanced credentials, hired by the EPP to observe candidates, monitor their performance, and provide constructive feedback to improve their effectiveness as educators.

(29) [~~28~~] Formal admission--Admission as described in §227.17 of this title (relating to Formal Admission).

(30) [~~29~~] Head Start Program--The federal program established under the Head Start Act (42 United States Code (USC), §9801 et seq.) and its subsequent amendments.

(31) [~~30~~] Host teacher--~~For~~ ~~for~~ a teacher resident candidate, an educator who is jointly assigned by the EPP and the campus administrator who supports the candidate through co-teaching and coaching during their teacher residency field placement.

(32) [~~31~~] Initial certification--The first Texas certificate in a class of certificate issued to an individual based on participation in an approved EPP.

(33) [~~32~~] Intensive pre-service--An educator assignment supervised by an EPP accredited and approved by the SBEC prior to a candidate meeting the requirements for issuance of intern and probationary certificates.

(34) [~~33~~] Intern certificate--A type of certificate as specified in §230.36 of this title (relating to Intern Certificates) that is issued to a candidate who has passed all required content pedagogy certification examinations and is completing requirements for initial certification through an approved EPP.

(35) [~~34~~] Internship--A paid supervised classroom teacher assignment for one full school year at a public school accredited by the TEA or other school approved by the TEA for this purpose that may lead to completion of a standard certificate.

(36) [~~35~~] Late hire--An individual who is both accepted into an EPP after the 45th day before the first day of instruction and hired for a teaching assignment by a school after the 45th day before the first day of instruction or after the school's academic year has begun.

(37) Legacy Chapter 228 rules--The version of State Board for Educator Certification rules in Chapter 228 that were in effect on August 31, 2024.

(38) [~~36~~] Long-term substitute--An individual that has served in place of a teacher of record in a classroom for at least 30 consecutive days; also referred to as a permanent substitute.

- (39) ~~(37)~~ Mentor--For an internship candidate, an educator who is employed as a classroom teacher on the candidate's campus and who is assigned to support the candidate during the internship experience.
- (40) ~~(38)~~ Pedagogy--The art and science of teaching that incorporates instructional methods that are developed from scientifically based research.
- (41) ~~(39)~~ Performance task--An assessment in which the teacher candidate applies learning and demonstrates a discrete set of skills, resulting in a tangible product or performance that serves as evidence of learning. The assessment must be evaluated using a standard rubric or set of criteria and must not include multiple-choice questions.
- (42) ~~(40)~~ Post-baccalaureate program--An EPP, delivered by an accredited IHE and approved by the SBEC to recommend candidates for certification, that is designed for individuals who already hold at least a bachelor's degree and are seeking an additional degree.
- (43) ~~(41)~~ Practicum--A supervised educator assignment at a public school accredited by the TEA or other school approved by the TEA for this purpose that is in a school setting in the particular class for which a certificate in a class other than classroom teacher is sought.
- (44) ~~(42)~~ Probationary certificate--A type of certificate as specified in §230.37 of this title (relating to Probationary Certificates) that is issued to a candidate who has passed all required certification examinations and is completing requirements for certification through an approved EPP.
- (45) ~~(43)~~ Representations--Artifacts and illustrations of instruction used to help teacher candidates see and analyze strong teaching practices. Representations expose teacher candidates to and build understanding of specific criteria of effective teacher practices, as well as deepen their content knowledge for teaching. May include teacher educator modeling, student work, videos and transcripts.
- (46) ~~(44)~~ Residency--A supervised educator assignment for an entire school year through a partnership between an EPP and a public school accredited by the TEA or other school approved by the TEA for this purpose that may lead to completion of an enhanced standard certificate.
- (47) ~~(45)~~ School day--Actual school attendance days during the regular academic school year, including a partial day or extended day that students attend school for instructional purposes as adopted by the district or governing body of the school, excluding weekends, holidays, summer school, etc. ~~[For the purpose of completing clinical experiences, the school day must be at least four hours, including intermissions and recesses, but not including conference or lunch periods, professional development, or extracurricular activities.]~~
- (48) ~~(46)~~ School year--The period of time starting with the first instructional day for students through the last instructional day for students as identified on the calendar of the campus or district for the school year in which the candidate is completing the clinical experience.
- (49) ~~(47)~~ Site supervisor--For a practicum candidate, an educator who is assigned collaboratively by the campus or district administrator and the EPP and who supports the candidate during the practicum experience.
- (50) ~~(48)~~ Standard certificate--A type of certificate issued to an individual who has met all requirements for a given class of certification, as specified in §230.33 of this title.
- (51) ~~(49)~~ Students with disabilities--A student who is eligible to participate in a school district's special education program under Texas Education Code, §29.003, is covered by Section 504, Rehabilitation Act of 1973 (29 USC Section 794), or is covered by the Individuals with Disabilities Education Act (20 USC Section 1400 et seq.).
- (52) ~~(50)~~ Substitute teacher--An individual who ~~[that]~~ serves in place of a teacher of record in a classroom in an accredited public or private school.
- (53) ~~(51)~~ Teacher of record--An educator who is employed by a school or district and who teaches in an academic instructional setting or a career and technical instructional setting not less than an

average of four hours each day and is responsible for evaluating student achievement and assigning grades.

(54) [~~52~~] Texas Education Agency staff--Staff of the TEA assigned by the commissioner of education to perform the SBEC's administrative functions and services.

(55) [~~53~~] Texas Essential Knowledge and Skills (TEKS)--The Kindergarten-Grade 12 state curriculum in Texas adopted by the State Board of Education and used as the foundation of all state certification examinations.

§228.6. Implementation Date.

The provisions of this chapter are effective September 1, 2024, unless otherwise specified in rule.

(1) At the determination of the educator preparation program (EPP), candidates admitted into an EPP prior to September 1, 2024, are eligible to finish preparation program requirements under the Legacy Chapter 228 rules or may complete requirements under the new rules and credit requirements completed under the Legacy Chapter 228 rules.

(A) Regardless of the preparation program requirements approved by an EPP via provisions in paragraph (1) of this subsection, for the purposes of formal observations, clinical experiences in Subchapter E of this chapter (relating to Educator Candidate Clinical Experiences), that begin on or after September 1, 2024, must meet the frequency and duration requirements in §§228.103(b)(1) of this title (relating to Formal Observations for Candidates in Residency Assignments), 228.105(b) of this title (relating to Formal Observations for All Candidates for Initial Classroom Teacher Certification), 228.105(c)(1) of this title, 228.107(b) of this title (relating to Formal Observations for Candidates in Clinical Teaching Assignments), 228.107(d) of this title, 228.109(b)(1) of this title (relating to Formal Observations for Candidates in Internship Assignments), 228.109(b)(2) of this title, 228.109(c)(1) of this title, 228.109(c)(2) of this title, and 228.111 of this title (relating to Formal Observations for Candidates Employed as Educational Aides).

(B) Candidates must complete all requirements under Legacy Chapter 228 rules by August 31, 2026.

(2) Candidates admitted into an EPP on or after September 1, 2024, are subject to all requirements in this chapter.

Subchapter D. Required Educator Coursework and Training

§228.33. Preparation Program Coursework and/or Training for All Certification Classes.

(a)-(c) (No change.)

(d) Coursework and training that is offered online must meet criteria set for accreditation, quality assurance, and/or compliance with one or more of the following:

(1) Accreditation or Certification by the Distance Education Accrediting Commission;

(2) Program Design and Teaching Support Certification by Quality Matters;

(3) Part 1, Chapter 2, Subchapter J, Rule §2.204 of this title (relating to Approval of Distance Education Courses and Programs for Public Institutions); or

[Part 1, Chapter 4, Subchapter P, of this title (relating to Approval of Distance Education Courses and Programs for Public Institutions); or]

(4) Part 1, Chapter 7, of this title (relating to Degree Granting Colleges and Universities Other than Texas Public Institutions).

Subchapter E. Educator Candidate Clinical Experiences

§228.67. Clinical Teaching.

- (a) A candidate seeking ~~for~~ initial certification as a classroom teacher must have a clinical teaching assignment for each subject area in which the candidate is seeking certification.
- (b) The required duration of a clinical teaching assignment shall be a minimum of 490 hours ~~[that is not less than an average of 4 hours each day in the subject area and grade level of certification sought, including planning periods but not including lunch periods]~~. For the purposes of satisfying this requirement, the following provisions apply.
 - (1) At least 280 clinical teaching hours must be completed in the subject area and grade level of the certification sought, under the supervision of a cooperating teacher as specified in §228.91 of this title (relating to Mentors, Cooperating Teachers, Host Teachers, and Site Supervisors), including planning periods.
 - (2) The remaining clinical teaching hours may be accrued through additional instructional hours during the school day, Texas Essential Knowledge and Skills-based extracurricular activities that directly relate to the grade-level and subject area of the certification sought, and professional development hours that occur within the assignment start and end date. The candidate must be under the supervision of a certified educator for the remaining required hours of clinical teaching.
 - (3) The minimum required clinical teaching hours may be reduced to no less than 455 hours if the candidate is absent from the clinical teaching assignment due to a documented instance of parental leave, military leave, medical, ~~[illness]~~ or bereavement.
- (c) For certification in more than one subject area that cannot be taught concurrently during the same period of the school day as the primary teaching assignment, at least 70 hours ~~[five hours per week]~~ of the clinical teaching requirement in subsection (b)(2) of this section must be completed in each additional subject area if and only if:
 - (1) the educator preparation program (EPP) is approved to offer preparation in the certification category required for the additional assignment;
 - (2) the EPP provides ongoing support for each assignment as prescribed in Subchapter F of this chapter (relating to Support for Candidates During Required Clinical Experiences);
 - (3) the EPP provides coursework and training for each assignment to adequately prepare the candidate to be effective in the classroom; and
 - (4) the campus administrator agrees to assign a qualified cooperating teacher appropriate to each assignment.
- (d)-(g) (No change.)

§228.73. Internship.

- (a)-(f) (No change.)
- (g) An EPP must provide ongoing support to a candidate as described in Subchapter F of this chapter (relating to Support for Candidates During Required Clinical Experiences) for the full term of the initial and any additional internship, unless, prior to the expiration of that term:
 - (1) a standard certificate is issued to the candidate during any additional internship under an intern or probationary certificate;
 - (2) the candidate resigns, is non-renewed, or is terminated by the school or district;
 - (3) the candidate is discharged or is released from the EPP;
 - (4) the candidate withdraws from the EPP;
 - (5) the candidate is a late hire and fails to meet the pre-internship requirements within 90 business days of assignment in accordance with §228.55 of this title (relating to Late Hire Candidates); or
 - (6) the internship assignment does not meet the requirements described in this subchapter.

- (h) If the candidate leaves the internship assignment for any of the reasons identified in subsection (g)(2)-(6) of this section:
- (1) the EPP, the campus or district personnel, and the candidate must inform each other within one calendar week of the candidate's last day in the assignment; and
 - (2) the TEA must receive the certificate deactivation request with all related documentation from the EPP within two calendar weeks of the candidate's last day of the assignment in a format determined by the TEA.
- (i)-(k) (No change.)

Subchapter F. Support for Candidates During Required Clinical Experiences

§228.103. Formal Observations for Candidates in Residency Assignments.

- (a) An educator preparation program (EPP) must provide the first formal observation within the first six ~~four~~ weeks of all residency assignments.
- (b) For a residency described in §228.65 of this title (relating to Residency):
- (1) an EPP must provide a minimum of two formal observations of 45 minutes each during the first semester of the residency and a minimum of two formal observations of 45 minutes each during the second semester of the residency. All formal observations must include a pre-observation and post-observation conference with the candidate; and
 - (2) all of the minimum formal observations must be in-person.

Review of Adoption of Proposed Amendments to 19 TAC Chapter 234, Military Service Members, Military Spouses, and Military Veterans

January 31, 2025

**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 adopt the proposed amendments to 19 Texas Administrative Code (TAC) Chapter 234, Military Service Members, Military Spouses, and Military Veterans. The proposed amendments would add language specific to the Servicemembers Civil Relief Act (SCRA), allowing the portability of licenses for active-duty military service members or the spouse of a military service member, and would provide technical edits to clarify existing language, alphabetize definitions, and remove duplicative language where necessary. The proposed amendments, if adopted, would expand the number of individuals eligible to become certified educators in Texas.

STATUTORY AUTHORITY: The statutory authority for the SBOE to review rules that the SBEC proposes to adopt is Texas Education Code (TEC), §21.042. The statutory authority for 19 TAC Chapter 234 is TEC, §§21.041(b)(2) and (4); 21.044(a); 21.0444, 21.052(b-1), (c), (d-1), (f), and (i); 21.0525, 21.054; and 21.458(a-2), and Texas Occupations Code (TOC), §§55.001; 55.002; 55.003; 55.004(a)-(c); 55.004(d), 55.0041, 55.005(a), 55.006; 55.007; 55.008; 55.009; and 55.010.

TEC, §21.042, requires the SBEC to submit a written copy of each rule it proposes to adopt to the SBOE for review. The SBOE may reject a 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 proposed by the SBEC.

TEC, §21.041(b)(2), requires the SBEC to propose rules that specify the classes of educator certificates to be issued, including emergency certificates.

TEC, §21.041(b)(4), requires the SBEC to propose rules that specify the requirements for the issuance and renewal of an educator certificate.

TEC, §21.044(a), requires the SBEC to propose rules establishing training requirements a person must accomplish to obtain a certificate, enter an internship, or enter an induction-year program.

TEC, §21.0444, requires the SBEC to propose rules for issuing a temporary certification to teach career and technology education for certain military service members and first responders.

TEC, §21.052(b-1), requires the SBEC to propose rules to establish procedures to establish residency and expedite processing of certification applications submitted by a military veteran or military spouse.

TEC, §21.052(c), states the SBEC can specify the term of a temporary certificate issued under this subsection.

TEC, §21.052(d-1), requires the SBEC to issue a three-year temporary certificate to eligible military spouses of active-duty service members.

TEC, §21.052(f), requires the SBEC to maintain an Internet website that outlines the procedures for military community members to obtain certification in Texas.

TEC, §21.052(i), defines active-duty service, lists the branches of the United States armed forces, and confirms the members of the military community eligible for processes established to certify educators from outside the state.

TEC, §21.0525, requires the SBEC to propose rules for issuing a temporary teaching certificate for certain persons with experience as instructors for the Community College of the Air Force.

TEC, §21.054, requires the SBEC to propose rules establishing a process for identifying continuing education courses and programs that fulfill educators' continuing education requirements.

TEC, §21.458(a-2), specifies that a school district shall assign a mentor teacher to a classroom teacher who has been issued a temporary certificate to teach career and technology education under TEC, §21.0444, for at least two years.

TOC, §55.001, defines key terms and identifies the individuals relevant to the processing and support of members of the military community.

TOC, §55.002, provides clarification and guidelines for implementing fee exemptions for members of the military community.

TOC, §55.003, states military service members are eligible to receive a two-year extension of time to complete requirements for license renewal.

TOC, §55.004(a)-(c), requires state agencies to adopt rules for issuance of licensure to members of the military community and provides alternatives to become eligible for licensure.

TOC, §55.004(d), requires state agencies to adopt rules to allow military service members and military spouses to meet the residency requirements for licensure.

TOC, §55.0041, requires state agencies to establish a process to identify jurisdictions that have licensing requirements that are substantially equivalent to the requirements for the license in this state and to verify that the member or spouse is licensed in good standing in such a jurisdiction.

TOC, §55.005(a), requires a state agency that issues a license must do so no later than 30 days following the date that a military service member, military veteran, or military spouse applies for licensure.

TOC, §55.006, requires state agencies to determine renewal requirements for expedited licenses issued to members of the military community.

TOC, §55.007, requires state agencies credit verified military service, training, or education toward licensing requirements.

TOC, §55.008, requires state agencies to credit verified relevant military service, training, or education relevant to the occupation toward the apprenticeship requirements for licensure.

TOC, §55.009, confirms state agencies that issue licensure shall waive license application and examination fees paid to the state for applicable members of the military community.

TOC, §55.010, requires state agencies to prominently post notification of licensure provisions for military service members, military veterans, and military spouses on the home page of the agency's website.

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

BACKGROUND INFORMATION AND JUSTIFICATION: The SBEC rules in 19 TAC Chapter 234 consolidate all military-related provisions into one chapter for all members of the military community (i.e., military service members, military spouses, and military veterans) and related individuals subject to these provisions through statute (military veterans, peace officers, fire protection personnel, emergency medical services personnel, and qualified instructors for the Community College of the Air Force).

At the July 2024 SBEC meeting, Texas Education Agency (TEA) staff provided the board with an overview of the provisions of the chapter as well as proposed technical edits to alphabetize, re-number, and strike duplicative information. TEA staff also discussed the addition of language added to the SCRA by the U.S. Congress to allow service members and the spouses of military service members to use their professional licenses and certificates when they relocate due to military orders.

The following is a description of the proposed amendments reflected in Attachment I.

§234.1. Purpose.

The proposed amendment to 19 TAC §234.1 would incorporate technical edits and add new subsection (c) related to the SCRA to incorporate the federally mandated Veterans Auto and Education Improvement Act of 2022 (H.R. 7939), which allows a military service member or the spouse of a military service member to use their license and certificates in certain circumstances when they relocate to another state due to military orders.

§234.3. Definitions.

The proposed amendment to 19 TAC §234.3 would alphabetize and re-number definitions relevant to effective implementation of this chapter. No changes to the text of the definitions are proposed.

§234.5. Certification of Military Service Members, Military Spouses, and Military Veterans.

The proposed amendment to 19 TAC §234.5 would make the following technical edits for clarification: in subsection (b), would add the phrase “*Following completion of the review of credentials,*”; would strike the phrase “*As soon as practicable after the issuance of a one-year certificate*”; would strike the phrase “*in writing or by email*” to more accurately reflect the current process of placing the results of an educator’s credentials review in his or her online certification account for access and review; would add text to include the temporary certificate; and would strike subsection (c) because it is duplicative and re-letter the subsequent subsections.

§234.7. Renewal and Continuing Education Requirements for Military Service Members, Military Spouses, and Military Veterans.

The proposed amendment to 19 TAC §234.7 would strike subsection (d) since there is not a time limit imposed on any individual related to certificate renewal.

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 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. Jessica McLoughlin, associate commissioner for educator preparation, certification, and enforcement, has determined that for the first five years the proposal is in effect, 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. 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 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, 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. Jessica McLoughlin, associate commissioner for educator preparation, certification, and enforcement, has determined that for the first five years the proposal is in effect, the public benefit anticipated would be clear and better organized rules regarding military service members, military spouses, military veterans, and first responders. 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.

ENVIRONMENTAL IMPACT: No changes have been made to this section since published as proposed. The proposal does not require an environmental impact analysis because the proposal does not include major environmental rules under TGC, §2001.0225.

PRINCIPAL AND CLASSROOM TEACHER PAPERWORK REQUIREMENTS: No changes have been made to this section since published as proposed. TEA staff has determined 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: That the State Board of Education:

Take no action on the proposed amendments to 19 TAC Chapter 234, Military Service Members, Military Spouses, and Military Veterans.

Staff Members Responsible:

Jessica McLoughlin, Associate Commissioner, Educator Preparation, Certification, and Enforcement
Trenton Law, Director, Educator Credentialing, Educator Preparation and Certification

Attachment I:

Text of Proposed Amendments to 19 TAC Chapter 234, Military Service Members, Military Spouses, and Military Veterans

Attachment II:

U.S. Department of Justice Notification Letter – Subject: Professional License Portability for Service members and Their Spouses

ATTACHMENT I
Text of Proposed Amendments to 19 TAC

Chapter 234. Military Service Members, Military Spouses, and Military Veterans

§234.1. Purpose.

- (a) The purpose of identifying military service members, military spouses, and military veterans is to establish a process to count applicable military service for timely admission into educator preparation programs, expedite the completion of certification credential reviews, support certification examination and licensure application fee exemptions as applicable, and support certification renewal of members of the military community.
- (b) Effective September 1, 2023, in support of House Bill 621 and Senate Bill 544 [legislation] passed by the 88th Texas Legislature, Regular Session, 2023, this chapter has been updated to include military veterans, peace officers, fire protection personnel, emergency medical services personnel, who meet the qualifications outlined in this chapter to be issued a three-year temporary certificate to be placed in a career and technology education assignment, and to include qualified instructors for the Community College of the Air Force to be issued a one-year temporary certificate upon enrollment in a Texas-approved educator preparation program.
- (c) Effective January 5, 2023, Title 50--War and National Defense, Chapter 50--Servicemembers Civil Relief, Subchapter VII--Further Relief, was amended to add Section 4025a, which states in any case in which a servicemember or the spouse of a servicemember has a covered license and such servicemember or spouse relocates his or her residency because of military orders for military service to a location that is not in the jurisdiction of the licensing authority that issued the covered license, such covered license shall be considered valid at a similar scope of practice and in the discipline applied for in the jurisdiction of such new residency for the duration of such military orders. The servicemember's or spouse's covered license or certificate must be in good standing with the licensing authority that issued such professional license or certificate and has been actively used during the two years immediately preceding the relocation. Requirements to have a specific number of years of experience in roles other than classroom teacher do not apply to applicants eligible for certification via provisions of the Servicemembers Civil Relief Act.
- (d) ~~(e)~~ In the event of conflict with any other rule in the Texas Administrative Code, Title 19, Part 7, this chapter shall supersede with regard to the certification of military service members, military spouses, and military veterans.

§234.3. Definitions.

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

- (1) Active duty--Current full-time military service in the armed forces of the United States or active duty military service as a member of the Texas military forces, as defined by the Texas Government Code (TGC), §437.001, or similar military service of another state.
- (2) Armed forces of the United States--The army, navy, air force, space force, coast guard, or marine corps of the United States or a reserve unit of one of those branches of the armed forces.
- (3) Emergency medical services personnel--As defined by Health and Safety Code, §773.003.
- (4) Fire protection personnel--As defined by TGC, §419.021.

- (5) License--A license, certificate, registration, permit, or other form of authorization required by law or a state agency rule that must be obtained by an individual to engage in a particular business, occupation, or profession.
- (6) ~~[(1)]~~ Military service member--A person who is on active duty.
- (7) ~~[(2)]~~ Military spouse--A person who is married to a military service member.
- (8) ~~[(3)]~~ Military veteran--A person who has served on active duty and who was discharged or released from active duty.
- ~~[(4) — Active duty — Current full-time military service in the armed forces of the United States or active-duty military service as a member of the Texas military forces, as defined by the Texas Government Code (TGC), §437.001, or similar military service of another state.]~~
- ~~[(5) — Armed forces of the United States — The army, navy, air force, space force, coast guard, or marine corps of the United States or a reserve unit of one of those branches of the armed forces.]~~
- ~~[(6) — Permanent change of station order — United States armed forces active-duty member document ordering a permanent change of station.]~~
- ~~[(7) — Texas Education Agency staff — an employee of the Texas Education Agency (TEA) who performs administrative functions on behalf of the State Board for Educator Certification.]~~
- ~~[(8) — Review of credentials — the licensure process completed by TEA staff for individuals certified to teach in other states or countries as specified in Chapter 230, Subchapter H, of this title (relating to Texas Educator Certificates Based on Certification and College Credentials from Other States or Territories of the United States) and Chapter 245 of this title (relating to Certification of Educators from Other Countries).]~~
- (9) Peace officer--As [as] defined by Texas Code of Criminal Procedure, Article 2.12.
- (10) Permanent change of station order--United States armed forces active-duty member document ordering a permanent change of station.
- ~~[(10) — Fire protection personnel — as defined by TGC, §419.021.]~~
- (11) Review of credentials--The licensure process completed by Texas Education Agency (TEA) staff for individuals certified to teach in other states or countries as specified in Chapter 230, Subchapter H, of this title (relating to Texas Educator Certificates Based on Certification and College Credentials from Other States or Territories of the United States) and Chapter 245 of this title (relating to Certification of Educators from Other Countries).
- ~~[(11) — Emergency medical services personnel — as defined by Health and Safety Code, §773.003.]~~
- ~~[(12) — License — a license, certificate, registration, permit, or other form of authorization required by law or a state agency rule that must be obtained by an individual to engage in a particular business, occupation, or profession.]~~
- (12) ~~[(13)]~~ State agency--A [a] department, board, bureau, commission, committee, division, office, council, or agency of the state.
- (13) Texas Education Agency staff--An employee of TEA who performs administrative functions on behalf of the State Board for Educator Certification.

§234.5. Certification of Military Service Members, Military Spouses, and Military Veterans.

- (a) The application for certification of a military service member, military veteran, or military spouse, including an application based upon certification by a jurisdiction other than Texas that has certification requirements substantially similar to the Texas certification requirements, shall be processed within 30 days of receipt of a complete application.
- (b) ~~Following completion of the review of credentials, [As soon as practicable after the issuance of a one-year certificate,]~~ Texas Education Agency (TEA) staff shall notify a military service member, a military spouse, ~~and/or [and]~~ a military veteran ~~[, in writing or by email,]~~ of the requirements for obtaining temporary and [a] standard Texas certificates [certificate].
- ~~[(c) — A military spouse who has been issued a one-year certificate prior to September 1, 2017, under the provisions of this chapter, is eligible for two additional years from the date of issuance, not to exceed a total of three years maximum, to align with provisions for a military spouse referenced in subsection (d) of this section.]~~
- (c) ~~[(d)]~~ Effective September 1, 2017, a military spouse shall be issued a three-year temporary certificate upon completion of the review of credentials.
- (d) ~~[(e)]~~ Effective December 1, 2019, prior to beginning employment, a military spouse must declare his or her intent to teach in Texas with a license issued by another state department of education, by submitting an application and required documents for a review of credentials to the TEA and completing the criminal background check. TEA staff must provide approval for the military spouse to teach in Texas a maximum of three years with credentials issued by another state.
- (e) ~~[(f)]~~ Effective December 1, 2023, a military service member shall be issued a three-year temporary certificate upon completion of the review of credentials, or, prior to beginning employment, a military service member must declare his or her intent to teach in Texas with a license issued by another state department of education, by submitting an application and required documents for a review of credentials to the TEA and completing the criminal background check. TEA staff must provide approval for the military service member to teach in Texas a maximum of three years with credentials issued by another state.
- (f) ~~[(g)]~~ A military service member, a military veteran, or a military spouse shall be entitled to credit verified military service, training, clinical and professional experience, or education toward the training, education, work experience, or related requirements (other than certification examinations) for educator certification. TEA staff and educator preparation programs (EPPs) shall use information from the U.S. Department of Veterans Affairs or other reliable sources to assist in crediting applicable military service, training, or education to certification requirements.
- (g) ~~[(h)]~~ A military service member pursuing certification in career and technical education must meet requirements for the certificate, but for career and technical education certificate areas requiring experience and licensure, the military service member shall be entitled to substitute military experience in the trade for the required license or professional credential for the specific trade.
- (h) ~~[(i)]~~ A military service member, military spouse, and military veteran shall complete educator examination requirements for certificate issuance as outlined in Texas Education Code, Chapter 21, Subchapter B, and rules in the Texas Administrative Code, Title 19, Part 7, or qualify for an exemption from required Texas examinations through provisions in §152.1001 of Part 2 of this title (relating to Exceptions to Examination Requirements for Individuals Certified Outside the State).
- (i) ~~[(j)]~~ A military service member and a military veteran are exempt from certification application fees that are paid to the state that lead to initial certification. These members of the military

community are exempt from paying the portion of the examination registration fee that is paid to the TEA.

- (j) ~~(k)~~ A military service member and a military veteran are exempt from certification application fees that are paid to the state that lead to initial certification resulting from a review of credentials, one-year certificate, or out-of-state standard certificate. These members of the military community are exempt from paying the portion of the examination registration fee that is paid to the TEA.
- (k) ~~(l)~~ A military spouse is exempt from certification application fees that are paid to the state that lead to initial certification resulting from a review of credentials, three-year temporary certificate, or out-of-state standard certificate. This member of the military community is exempt from paying the portion of the examination registration fee that is paid to the TEA.
- (l) ~~(m)~~ As applicable to meet residency requirements and establish acceptable identification for military-related fee exemption and other provisions, a military service member, military spouse, or military veteran can submit a copy of the permanent change of station order for the military service member, military spouse, or military veteran.

§234.7. Renewal and Continuing Education Requirements for Military Service Members, Military Spouses, and Military Veterans.

- (a) Military service members, military spouses, and military veterans who hold a standard certificate(s) are responsible for certificate renewal and continuing professional education requirements pursuant to Chapter 232 of this title (relating to General Certification Provisions), except where specified in this chapter.
- (b) A military service member shall be exempted from any fee or penalty for failing to timely renew his or her Texas educator certificate if the delay occurred because the educator was serving as a military service member.
- (c) A military service member is entitled to two years of additional time to complete all continuing education requirements and any other requirements relating to the renewal of his or her Texas educator certificate.
- ~~(d) — The standard Texas certificate of a military service member, military spouse, or military veteran may be renewed if that certificate has expired within five years preceding the Texas application date.]~~



U.S. Department of Justice

Civil Rights Division

Office of the Assistant Attorney General

Washington, D.C. 20530

NOTIFICATION LETTER

ATTENTION: State Licensing Authorities
DATE: July 13, 2023
SUBJECT: Professional License Portability for Servicemembers and Their Spouses

Introduction

The Department of Justice’s Civil Rights Division is issuing this letter to notify State Licensing Authorities of a new provision in the Servicemembers Civil Relief Act (SCRA) about the portability of professional licenses for servicemembers and their spouses.

Servicemembers bear great burdens to protect and advance our democracy. Likewise, the families of these dedicated military professionals often make sacrifices on our behalf and face frequent moves, child-care challenges, and interruptions or barriers to employment. Military families most often relocate through a process formally known as “Permanent Change of Station” (PCS) moves. According to the 2021 Department of Defense Survey of Active Duty Spouses, 48% of respondents stated that finding employment was one of the most critical problems they experienced during PCS moves.¹ Military spouses specifically reported difficulty transferring their professional licenses or certificates from one location to another, which often hinders their ability to find jobs in the new locations. The survey also notes that the unemployment rate for military spouses was 21% and that unemployed spouses actively seeking work spent an average of 19 weeks looking for employment.²

The SCRA provides servicemembers and their dependents with certain financial and due process protections during military service.³ On January 5, 2023, President Joseph Biden signed the Veterans Auto and Education Improvement Act of 2022 (H.R. 7939) into law.⁴ This law amends the SCRA by adding a new section called “Portability of Professional Licenses of Servicemembers and their Spouses.”⁵ We request that you carefully review the information in this letter and evaluate your practices to ensure compliance with this new federal law.

¹ [2021 DOD Survey of Active Duty Spouses \(militaryonesource.mil\)](https://www.militaryonesource.mil/).

² *Id.*

³ See Title 50 U.S. Code, Sections 3901-4043.

⁴ [H.R.7939, 117th Congress \(2021-2022\): Veterans Auto and Education Improvement Act of 2022.](https://www.congress.gov/bills/117/7939)

⁵ See 50 U.S.C. § 4025a; Pub. L. 117-333.

Professional License Portability for Servicemembers and Their Spouses

Overview of the New Law on Professional License Portability

This new SCRA provision allows servicemembers and their spouses to use their professional licenses and certificates in certain circumstances when they must relocate due to military orders.⁶ For a license to be considered valid in a new location, a servicemember or their spouse must satisfy the following five criteria:

1. Have moved to a location outside the jurisdiction of the licensing authority that issued the covered license or certificate because of orders for military service;
2. Provide a copy of the military orders to the licensing authority in the new jurisdiction;
3. Have actively used the license or certificate during the two years immediately preceding the move;
4. Remain in good standing with:
 - a. the licensing authority that issued the covered license or certificate; and
 - b. every other licensing authority that issued a license or certificate valid for a similar scope of practice and in the discipline applied for in the new jurisdiction; and
5. Submit to the authority of the licensing authority in the new jurisdiction for the purposes of standards of practice, discipline, and fulfillment of any continuing education requirements.⁷

If these five criteria are met, the servicemember or their spouse's covered license or certificate "***shall be considered valid*** at a similar scope of practice and in the discipline applied for in the [new] jurisdiction" for the duration of military orders.⁸

The New Law's Impact on Interstate Licensure Compacts

Some states are members of interstate licensure compacts, which allow licensed practitioners to work in other compact-member states without needing a new license or certificate. Where a servicemember or their spouse is relocating from one state to another state involved in the same interstate licensure compact, the rules of that interstate compact (instead of the new SCRA provision) apply to the covered license at issue.⁹

If, however, a servicemember or their spouse has a license or certificate issued by a state involved in an interstate licensure compact, but is relocating to a state not involved in the same interstate compact, the new SCRA provision applies. Additionally, if a servicemember or their spouse has a license not covered by any interstate licensure compact, the new SCRA provision applies.¹⁰

⁶ The only professional license excluded from portability under the new SCRA provision are licenses to practice law. *See* 50 U.S.C. § 4025a(c)(3).

⁷ *See* 50 U.S.C. § 4025a.

⁸ *See* 50 U.S.C. § 4025a(a) (emphasis added).

⁹ *See* 50 U.S.C. § 4025a(b).

¹⁰ *See* 50 U.S.C. § 4025a(a)-(b) (emphasis added).

Professional License Portability for Servicemembers and Their Spouses

Effective Date of the New Law

This new part of the SCRA—Portability of Professional Licenses of Servicemembers and their Spouses—went into effect on January 5, 2023, when President Biden signed the bill into law. Servicemembers and their spouses can now take advantage of this benefit under the SCRA.

Enforcement Authority for the New Law

Congress has provided the Attorney General with enforcement authority under the SCRA, which includes this provision regarding the portability of professional licenses and certificates. Specifically, this authority has been delegated to the Civil Rights Division, and authorized lawsuits in federal district court against those who engage in (1) a pattern or practice of violations; or (2) violations that raise issues of significant public importance.¹¹

The Civil Rights Division is proud of its work to enforce the SCRA and support servicemembers and their families. Since 2011, the Justice Department has obtained over \$480 million in monetary relief for over 147,000 servicemembers under the SCRA on issues involving lease termination, foreclosures, vehicle repossessions, interest rate benefits, and default judgments, among others. We appreciate your efforts in ensuring compliance with this new provision of the SCRA that is designed to support military families.¹²

Additional Resources

You can find additional information about the SCRA, professional licensure, and interstate licensure compacts through the following links:

- *Justice Department's Servicemembers & Veterans Initiative* – www.servicemembers.gov
- *Resource on Licenses Sponsored by the Department of Labor* – [License Finder | CareerOneStop](#)
- *Department of Defense Resource on Interstate Licensure Compacts & Other Issues* – [About Defense-State Liaison Office | Military State Policy \(militaryonesource.mil\)](#)

In addition, you can refer servicemembers and their families seeking information about their rights under this new law (or any section of the SCRA) to the follow resources:

- *Justice Department's Servicemembers & Veterans Initiative* – www.servicemembers.gov
- *Military Legal Assistance* – <http://legalassistance.law.af.mil/>

¹¹ See 50 U.S.C. § 4041(a).

¹² This notification letter is intended to inform State Licensing Authorities about the enactment of this new SCRA provision. The contents of this document do not have the force and effect of law and are not meant to bind the public or State Licensing Authorities in any way or to create any enforceable legal rights. This notification letter does not determine the outcome in any particular case or set of facts. In any investigation under the SCRA, the Civil Rights Division makes enforcement decisions based on the facts of that particular case.

Professional License Portability for Servicemembers and Their Spouses

If servicemembers or their spouses are not eligible for military legal assistance services, they may request that the Justice Department review their claim by submitting a complaint through <https://civilrights.justice.gov/link/4025A>.

Conclusion

The SCRA provides important legal protections for our military families who do so much for our country. We hope that this new law eases some of the significant burden that constant moves around the country can create. The Justice Department appreciates your assistance in ensuring that the rights of our Nation's servicemembers and their families are safeguarded.

Sincerely,

A handwritten signature in blue ink that reads "Kristen Clarke". The signature is fluid and cursive, with the first name "Kristen" and the last name "Clarke" clearly distinguishable.

Kristen Clarke
Assistant Attorney General
Civil Rights Division
U.S. Department of Justice

INFORMATION MATERIALS

STATE BOARD OF EDUCATION OPERATING RULES
(amended February 2, 2023)

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. Establishment of essential knowledge and skills (TEKS)
2. Instructional materials proclamations and adoption of instructional materials
3. 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 including coordination with the TEA and the Texas Permanent School Fund Corporation (Texas PSF)
7. Oversight of the Texas PSF, including receipt of required reports
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. Updates regarding open-enrollment application cycles and processes
4. School safety and items pertaining to the Texas school safety center and recommendations from the chief of school safety and security
5. State Board for Educator Certification rules review
6. School board member training policy
7. Hearing examiners
8. Military reservation and special purpose school districts
9. Extracurricular activities
10. 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 consider relevant qualifications specific to a committee assignment in making committee assignments.
- (f) 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. Should the committee chair be unable or unwilling to continue to serve as chair, the chairman of the board shall declare a vacancy and a new election shall be held by the committee.
- (g) 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.
- (h) 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.
- (i) The members appointed to the Committee on School Finance/Permanent School Fund will serve as the members of the board of directors of the Texas PSF that are appointed by the SBOE as provided under Texas Education Code §43.053(a)(1) and will cease to serve as a director upon the expiration of his or her term of service or other separation from such committee in accordance with these rules as provided under 19 TAC Chapter 33, Texas Permanent School Fund Corporation, §33.21.

§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, at least 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 as attachments.
- (f) Official agendas and agenda attachments will be available one week before the board meeting. Any items submitted after this deadline may be considered at the next 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) A board member who wishes to participate in a meeting virtually shall notify the board chair and the State Board of Education Support office at least five business days prior to the start of the full board meeting during which the member will need to participate virtually. In the event of an emergency, every effort will be made to accommodate the board member. 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.
- (f) The presiding chair shall designate the area inside the velvet ropes as the bar of the meeting (the only place where discussion and votes may take place). Members of the public shall not enter areas of the bar of the meeting space designated for SBOE members only and shall not impede or interfere with the movement of SBOE members to or from designated areas. At the start of each meeting, the presiding chair shall inform members of the public that the bar has been established, that they are not permitted inside the bar, and that they may not limit members' movements to or from the bar.
- (g) For the sake of expediency, each board member shall be limited to 10 minutes of questions and discussion on each agenda item.

§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 by informing all individuals in attendance of the rules of decorum and providing notice that written rules are posted at the entrance to the room and in the room. The presiding chair shall also provide notice that an individual who does not comply with the rules of decorum may be removed from the meeting. 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) Members in the audience shall not distract or disrupt SBOE members or others in the audience during a meeting. Anyone needing to engage in a conversation should quietly exit the meeting room to a public space. If, after at least one warning from the presiding officer, any individual continues to disrupt the meeting by his or her words or actions, the presiding officer may request assistance from law enforcement officials to have the individual removed from the meeting.
- (d) No signs, placards, flags, noisemakers, or other objects of a similar nature shall be permitted in the audience gallery area.
- (e) No applause, outburst, other demonstration, or disruption by any spectator shall be permitted during any 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. If, after at least one warning from the presiding officer, any individual continues to disrupt a meeting by his or her words or actions, the presiding officer may direct that the individual be removed as necessary to preserve decorum during meetings.
- (f) 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. Materials should focus on scientific processes and recognize the ongoing process of scientific discovery and change over time in the natural world.
 - (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 Texas and its heritage and abundant natural resources.
 - (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 Texas 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.
 - (vii) Instructional materials shall present factual information, avoid bias, and encourage discussion.

- (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.
- (7) At the start of public testimony or a public hearing, the presiding chair shall announce that testimony will be heard for a maximum of two consecutive hours at which time a recess of at least 15 minutes will be observed. Testimony will continue in this manner until such time as all registered testifiers have been permitted to speak. The presiding chair shall also announce that reasonable lunch and dinner breaks will be observed.

(b) Registration Procedures.

- (1) Individuals may register between the hours of 8 a.m. (Central Time) on the Monday preceding the board meeting and 5 p.m. on the Friday preceding the board meeting on the agency website at [Operating Rules](#) 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) Those registering online will receive an email confirming the registration during the next business day.
- (4) Registrations will be listed based upon registration date and time or alternating points of view in order of registration date and time.
- (5) 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.
- (6) Speakers will be informed if it appears that time constraints will not permit all speakers to make their presentation within the allotted time.
- (7) All speakers may provide an electronic copy of their testimony. Registered speakers who are unable to make their presentations due to time constraints are encouraged to provide an electronic copy 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.
- (4) 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.
- (5) 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. Two-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, an electronic copy may be provided for distribution to board members and agency executive staff. Written testimony will not be attached to the board minutes.
- (c) Persons who are unable to attend or to testify at a committee or board meeting due to time constraints may provide an electronic copy 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 (TEKS) and 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 an electronic copy of their testimony for distribution to board members and agency executive staff.
- (e) Persons who are unable to testify at a public hearing due to time constraints may provide an electronic copy of their testimony to agency staff for distribution to board 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 will be noted in the *Texas Register* posting for each item. A minimum of 30 days will be allotted for public comment on a rule item. 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 charter schools 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 private or personal interest including 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 (See Texas Government Code §572.058 for further information.).
- (b) The ethical standards that govern the conduct of State Board of Education members with respect to their duties as to the Permanent School Fund are as provided under 19 TAC Chapter 33, §33.4 *Ethical Standards for Members of the State Board of Education*.

§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 and distributed to board members 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 direct contractual relationship with or otherwise receive funding from the State Board of Education, including without limitation 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 at least one week before the board meeting.
- (c) The board may 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 may 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 may 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 may 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 may 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 may 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 may 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.

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 ensure that proper criteria are 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 to:
 - (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.

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.

Annual Report of the Division of Financial Compliance

January 31, 2025

STATE BOARD OF EDUCATION: INFORMATION

SUMMARY: This item provides the board with an annual review of the work accomplished by the division responsible for state financial reviews. The report describes the division's organization and legal responsibilities, deviations from the 2023-2024 audit plan, and the status of reports on the division's reviews.

BACKGROUND INFORMATION AND JUSTIFICATION: Title 19 Texas Administrative Code §109.21 requires the commissioner of education to report to the State Board of Education at least annually on the progress of each fiscal year's audit plan. The 2023-2024 audit plan was submitted to the Committee on School Finance/Permanent School Fund for review and comment in June 2024.

PUBLIC AND STUDENT BENEFIT: Communicates the results of the Financial Compliance Division's efforts to ensure public funds are being spent efficiently.

Staff Member Responsible:

David Marx, Director of Financial Compliance

Attachment:

Annual Report of the Division of Financial Compliance

January 31, 2025

The Honorable Members of the State Board of Education
1701 North Congress Avenue
Austin, TX 78701-1494

Dear State Board of Education Members:

Under 19 Texas Administrative Code (TAC) §109.21, the commissioner of education is required to report to the State Board of Education at least annually on the progress of each fiscal year's audit plan. In accordance with that section, the following is a description of the status of audit reports and related activities for the agency's 2024 fiscal year, which ended on August 31, 2024.

Organization and Personnel

The Financial Compliance Division continues to oversee student attendance reviews, annual financial and compliance report (AFR) reviews, special allotment reviews, all aspects of the State Compensatory Education (SCE) program, and financial accountability ratings. In addition, the division continued to update financial management reviews to support struggling charters and districts who may have been issued the same audit findings for a number of years and/or who have failed FIRST indicators for multiple years, and/or have other identified financial concerns. The division also built on the monitoring of the tax rates of school districts and to verify if any of the school districts are using the maintenance and operations tax levy to pay for the interest and sinking debt requirements, as required by HB 1525 (87th Legislative session).

In fiscal 2024, the division continued to advise and partner with districts and charters to ensure that accurate financial and student records were maintained and that they remained in compliance with laws and regulations. Other tasks of the division included reviewing the proper coding of financial data and student data, district depository contracts, work papers of certified public accountants (CPA) who audit school district and charter schools, superintendent severance payments, and financial exigency. The team processed district's fiscal year changes updated the *Student Attendance Accounting Handbook* and prepared edits for the *Financial Accountability System Resource Guide* (FASRG) as well.

This past year the division was provided funding to update the AUDIT application that districts, charters, and ESCs use to upload audited data, improvement plans, and depository information to TEA. The current system was over 20 years old and was no longer an adequate application for today's environment. Additionally the function of SHARS (School Health and Related Services) was moved to the Office of Special Populations and Student Supports.

Annual Audit Plan and Division Activities

The Financial Compliance Division adhered to the annual audit plan that was provided to the Committee on School Finance/Permanent School Fund in June 2023, with a few exceptions due to limited resources. The division had turnover in personnel in key positions that were replaced with new staff. The division continued to prioritize reviewing and investigating student attendance compliance, reviewing AFRs, issuing financial accountability ratings, providing training, updating guidance documents, and answering customer questions daily.

The following table summarizes the review activities of the division for the 2024 fiscal year by type. Additional details and a list of other work performed by the division are provided in the attachment.

Activity	Status						
Student Attendance <table border="1" data-bbox="610 810 1024 1045" style="width: 100%; border-collapse: collapse;"> <tr> <td data-bbox="610 810 1024 888">--Reviews</td> <td data-bbox="1024 810 1382 888" style="text-align: right;">130 <i>Completed</i> 24 <i>in progress</i></td> </tr> <tr> <td data-bbox="610 888 1024 966">--Correspondence Investigations</td> <td data-bbox="1024 888 1382 966" style="text-align: right;">2 <i>Completed</i></td> </tr> <tr> <td data-bbox="610 966 1024 1045">--Charter School Closeout Reviews</td> <td data-bbox="1024 966 1382 1045" style="text-align: right;">2 <i>Completed</i></td> </tr> </table>	--Reviews	130 <i>Completed</i> 24 <i>in progress</i>	--Correspondence Investigations	2 <i>Completed</i>	--Charter School Closeout Reviews	2 <i>Completed</i>	
--Reviews	130 <i>Completed</i> 24 <i>in progress</i>						
--Correspondence Investigations	2 <i>Completed</i>						
--Charter School Closeout Reviews	2 <i>Completed</i>						
Annual Financial and Compliance Report Reviews	1155 <i>Completed</i>						
CPA Work Paper Reviews	0 <i>Completed</i> 0 <i>in progress</i>						
Superintendent Severance Payments	11 <i>Completed</i> 23 <i>in progress</i>						
TEA Mailbox Questions/Research/Answer	1100+ <i>Completed</i>						
Fiscal Management Reviews	28 <i>Completed</i> 2 <i>in progress</i>						
School First Ratings Issued	1,199 <i>Completed</i>						
1525 Tax Rate Compliance Reviews	43 <i>Reviewed</i> 12 <i>in progress</i>						
State Allotment Monitoring Program Compliance	410 <i>Completed</i>						

The division completed reviews of student attendance data, including both desk and compliance reviews. These reviews resulted in the recovery of \$1,281,873 of taxpayer funds because of the reported errors. In addition, two student attendance investigations were also completed, resulting in the recovery of \$20,936 in funds and two charter closeout reviews were completed which resulted in the recovery of \$167,574.

The Texas Education Code (TEC), §44.008(e), requires division staff members to review every public school AFR that has been audited by certified independent auditors. In the reviews, the division uses financial statement data to verify year-end financial data submitted through the Texas Student Data System Public Education Information Management System (TSDS PEIMS). Division staff members identify problems such as inaccurate PEIMS data, noncompliance with laws or rules, insolvency, and potential default on bonded indebtedness. Additionally, they communicate with local education agencies regarding required corrective action. In addition, the division reviews electronically submitted AFR information to verify that no sensitive or confidential information was included. During the 2024 fiscal year, the division reviewed and issued letters or reports on 1,155 AFRs including completing the remaining reviews from the prior year.

The division successfully notified 410 LEAs that did not spend the statutorily minimum amount on the special allotments, which includes the State Compensatory Education Program, Gifted and Talented Program, Special Education Program, Bilingual Education Program, Career and Technology Program, Early Education Program, Dyslexia Program, and College, Career, and Military Readiness Program. Additionally, a requirement from HB 3 was incorporated into the data feed that required districts and charters to disclose certain information related to state comp ed and bilingual in their AFR that were subject to audit procedures performed by the school's external auditor.

The division's audit plan for fiscal management reviews focuses on one of the division's key purpose of compliance and supporting schools to correct the struggles in financial operations to ensure resources can be focused on students. By the end of fiscal year 2024, the division completed 28 fiscal management reviews.

The division completed 11 desk reviews of superintendent severance payment disclosures submitted by school districts and charter schools. These reviews resulted in a \$74,366 reduction in Foundation School Program (FSP) funding because the severance payments followed the statutorily required amounts.

The division did not perform work paper reviews on any CPA firms. However, division staff members checked Texas State Board of Public Accountancy records to determine if each CPA performing audits of school districts and charter schools held a valid license and if the CPA's firm had an unexpired firm license and reviewed the membership list of the AICPA Governmental Audit Quality Center to determine if they are in compliance with the statutes.

TEC, §45.0021 requires TEA to review the tax rates for all school districts to determine if they are levying a maintenance and operations tax in order to create a surplus to pay interest and sinking obligations. The division completed 43 preliminary reviews and continued to work with 12 of the districts.

TEC, §45.208, which relates to school district depository contracts information was repealed, therefore the division no longer reviews school district depository contract files but reviews charter depository renewals and addresses inquiries regarding district depository contracts.

The division continues to make updates to FASRG to reflect the changes mandated by the Legislature and GASB and FASB accounting changes. The update also includes changes to fund codes that were created to account for the ESSER funding that went to help LEAs during the pandemic.

The division staff continued to assist newly approved charter schools by reviewing the operations of the charter school in the areas of student attendance, business office operations, and highlighting key areas in the SAAH, FASRG, and going through the FIRST indicators in detail.

Division staff members held and participated in several workshops that provided guidance to school district and charter school personnel. Topics covered included supplemental allotment programs, changes to financial reporting standards, changes to student attendance accounting, State Comp ED requirements, and new laws on the horizon. Additionally, division staff met with legislative offices when additional details were needed for potential legislation they were interested in filing.

Division staff members also spent hundreds of hours providing information on statutory and regulatory requirements to charter school officials, district officials, and other individuals by phone and correspondence. Staff members researched and responded to over 1,000 requests for information received through the division’s mailboxes (financial accountability, school audits, state compensatory education, student attendance accounting, and state allotments).

Additionally, the division updated the Financial Integrity Rating System of Texas (FIRST). The final results for both school districts and charter schools for 23-24 using fiscal year 2023 data:

Ratings	School FIRST	Charter FIRST
A = Superior Achievement	876	114
B = Above Standard Achievement	79	37
C = Meets Standard Achievement	50	15
F = Substandard Achievement	12	10
Total	1,017	176

Status of Division Reviews and Related Activities

The attached document presents the status of division activities conducted during the 2024 fiscal year. As of August 31, 2024, the adjustments resulting from attendance reviews and correspondence investigations, reviews of charter closeouts, and superintendent buyout reviews resulted in \$1,544,749 owed to the state.

Respectfully submitted,

David Marx
Director, Financial Compliance Division

Attachment

ATTACHMENT

Item No.	Review No.	County District Number	District Name	Final Mailed	Final Adjustment
1	DA22-015	014-801	Richard Milburn Alternative High School (Killeen)	9/15/23	(\$20,771)
2	DA22-054	015-822	Jubilee Academies	9/15/23	(\$15,831)
3	DA22-020	108-904	Edinburg CISD	9/15/23	(\$9,168)
4	DA22-009	057-914	Mesquite ISD	9/15/23	(\$155,116)
5	DA23-045	248-901	Kermit ISD	9/15/23	\$0
6	DA23-075	125-903	Orange Grove ISD	9/15/23	(\$8,482)
7	CA23-007	152-907	Frenship ISD	9/29/23	\$0
8	DA23-005	071-804	El Paso Academy	9/29/23	\$0
9	DA23-067	190-903	Rains ISD	10/6/23	(\$6,980)
10	DA22-018	057-909	Garland ISD	10/6/23	(\$25,988)
11	DA22-057	021-803	Brazos School for Inquiry & Creativity	10/13/23	(\$15,761)
12	DA23-048	071-806	Harmony Public Schools - West Texas	10/13/23	\$0
13	DA23-046	057-828	Winfrey Academy Charter Schools	10/13/23	\$0
14	DA22-027	057-916	Richardson ISD	10/13/23	(\$1,853)
15	DA23-076	225-906	Chapel Hill ISD	10/13/23	\$0
16	DA23-060	101-858	Harmony Public Schools - Houston North	10/13/23	\$0
17	DA23-065	075-901	Flatonia ISD	10/27/23	(\$12,768)
18	DA23-057	020-907	Columbia-Brazoria ISD	10/27/23	(\$1,562)
19	DA23-062	057-806	Advantage Academy	11/10/23	(\$8,239)
20	CA23-014	027-904	Marble Falls ISD	11/10/23	\$0
21	DA23-066	235-904	Nursery ISD	11/10/23	(\$33,705)
22	DA23-068	071-801	Burnham Wood Charter School District	11/10/23	(\$2,316)
23	DA23-070	100-903	Kountze ISD	11/10/23	(\$817)
24	DA23-072	177-903	Blackwell CISD	11/10/23	\$0
25	DA23-041	031-912	San Benito CISD	11/10/23	(\$8,555)
26	DA23-036	031-906	Los Fresnos CISD	11/10/23	\$0
27	DA23-047	220-906	Grapevine-Colleyville ISD	11/10/23	(\$2,707)
28	DA22-006	246-909	Round Rock ISD	11/10/23	(\$22,341)
29	DA23-002	161-914	Waco ISD	11/10/23	(\$26,391)
30	DA22-033	015-916	Judson ISD	11/10/23	(\$15,638)
31	DA22-007	227-825	Austin Achieve Public Schools	11/10/23	(\$2,377)
32	CA23-010	061-902	Lewisville ISD	11/10/23	\$0
33	DA23-007	101-910	Galena Park ISD	11/17/23	(\$20,716)
34	DA23-029	015-912	Southwest ISD	11/17/23	(\$171)
35	DA22-043	149-902	Three Rivers ISD	11/17/23	(\$53,141)
36	DA23-051	084-802	Odyssey Academy Inc.	11/17/23	(\$882)
37	DA23-019	159-901	Eagle Pass ISD	11/17/23	(\$3,239)
38	DA23-011	240-901	Laredo ISD	11/17/23	(\$4,332)
39	DA23-063	084-909	Santa Fe ISD	11/17/23	(\$26,023)
40	DA23-033	212-905	Tyler ISD	11/17/23	(\$5,577)
41	DA23-054	025-902	Brownwood ISD	12/8/23	(\$1,684)
42	DA23-055	101-838	Southwest Public Schools	12/8/23	(\$4,474)
43	DA23-059	101-846	Harmony Public Schools - Houston South	12/8/23	(\$93)

Item No.	Review No.	County District Number	District Name	Final Mailed	Final Adjustment
44	DA23-064	128-901	Karnes City ISD	12/8/23	(\$2,109)
45	DA23-022	126-903	Cleburne ISD	12/8/23	(\$6,059)
46	DA23-025	101-905	Channelview ISD	12/8/23	\$0
47	DA23-015	105-906	Hays CISD	12/8/23	(\$15,784)
48	DA23-028	123-905	Nederland ISD	12/8/23	\$0
49	DA23-021	057-907	Duncanville ISD	12/29/23	(\$2,332)
50	DA23-043	113-901	Crockett ISD	12/29/23	(\$4,473)
51	DA23-037	094-902	Schertz-Cibolo-Universal City ISD	12/29/23	(\$1,743)
52	DA23-053	237-905	Royal ISD	12/29/23	(\$3,911)
53	DA23-020	020-905	Brazosport ISD	1/12/24	\$0
54	DA23-018	227-910	Del Valle ISD	1/12/24	(\$150)
55	DA23-052	205-902	Gregory-Portland ISD	1/12/24	\$0
56	DA23-058	057-807	Life School	2/2/24	(\$107)
57	DA23-024	043-907	McKinney ISD	2/2/24	(\$35,082)
58	DA23-049	199-901	Rockwall ISD	2/2/24	(\$1,496)
59	DA23-039	028-903	Luling ISD	2/2/24	(\$23,809)
60	DA23-031	163-908	Medina Valley ISD	2/2/24	(\$266)
61	DA23-056	253-901	Zapata County ISD	2/2/24	\$0
62	DA23-003	101-914	Katy ISD	2/2/24	(\$12,606)
63	DA23-030	105-902	San Marcos CISD	2/9/24	(\$2,162)
64	DA23-017	108-913	Weslaco ISD	2/9/24	(\$1,549)
65	CA23-005	074-904	Dodd City ISD	2/9/24	(\$1,598)
66	DA23-027	227-907	Manor ISD	2/9/24	(\$995)
67	DA23-010	108-902	Donna ISD	2/9/24	(\$313)
68	DA23-008	178-904	Corpus Christi ISD	2/9/24	\$0
69	DA23-061	015-827	School of Science and Technology	2/9/24	(\$823)
70	DA23-050	237-904	Waller ISD	2/9/24	(\$14,014)
71	DA23-023	014-909	Temple ISD	3/15/24	(\$1,560)
72	DA23-009	061-911	Northwest ISD	3/15/24	(\$92,419)
73	DA22-023	084-910	Clear Creek ISD	3/15/24	(\$80,361)
74	CA23-019	094-901	Seguin ISD	3/15/24	\$0
75	DA23-006	101-915	Klein ISD	3/15/24	(\$51,391)
76	DA23-016	057-910	Grand Prairie ISD	3/15/24	(\$14,844)
77	CA23-017	043-910	Plano ISD	3/15/24	\$0
78	CA23-016	200-906	Olfen ISD	3/15/24	\$0
79	DA23-004	079-907	Fort Bend ISD	3/15/24	(\$3,556)
80	DA23-013	061-901	Denton ISD	3/15/24	(\$17,052)
81	DA23-071	143-902	Moulton ISD	3/15/24	(\$16,609)
82	DA23-032	070-908	Midlothian ISD	3/15/24	(\$6,283)
83	DA23-074	220-814	Texas School of the Arts	3/15/24	(\$5,090)
84	DA23-042	046-901	New Braunfels ISD	3/15/24	(\$7,471)
85	DA23-040	170-906	Magnolia ISD	3/15/24	\$0
86	DA23-034	084-906	Texas City ISD	3/15/24	(\$347)
87	DA23-035	240-904	Webb CISD	3/15/24	(\$65,222)

Item No.	Review No.	County District Number	District Name	Final Mailed	Final Adjustment
88	DA23-001	220-901	Arlington ISD	3/22/24	(\$30,678)
89	DA23-026	057-834	Evolution Academy Charter School	3/22/24	\$0
90	DA23-014	227-904	Pflugerville ISD	4/5/24	(\$13,302)
91	CR23-011	234-904	Grand Saline ISD	4/5/24	\$0
92	DA23-012	101-913	Humble ISD	4/19/24	(\$1,172)
93	DA23-069	097-903	Hico ISD	4/19/24	(\$6,492)
94	CA23-012	227-907	Manor ISD	4/19/24	(\$65,132)
95	DA23-038	057-922	Coppell ISD	4/19/24	(\$1)
96	CA23-011	028-902	Lockhart ISD	4/19/24	(\$52,815)
97	CA23-020	178-912	Tuloso-Midway ISD	4/26/24	(\$12,165)
98	CR23-019	091-914	S and S CISD	5/10/24	\$0
99	F23-006	061-912	Lake Dallas ISD	5/10/24	\$0
100	CR23-017	185-901	Bovina ISD	5/17/24	\$0
101	DA23-044	043-901	Allen ISD	5/17/24	(\$8,891)
102	CR23-013	092-906	Sabine ISD	5/17/24	\$0
103	CA23-015	070-908	Midlothian ISD	5/17/24	(\$67,573)
104	CR23-015	148-901	Booker ISD	5/17/24	\$0
105	CR23-009	116-901	Caddo Mills ISD	5/24/24	\$0
106	CR23-007	201-913	Carlisle ISD	5/24/24	\$0
107	CR23-006	091-905	Howe ISD	5/24/24	\$0
108	CR23-005	224-902	Woodson ISD	5/24/24	\$0
109	F23-002	195-901	Pecos-Barstow-Toyah ISD	5/24/24	\$0
110	CR23-008	031-905	La Feria ISD	6/7/24	\$0
111	F23-003	002-901	Andrews ISD	6/24/24	\$0
112	CR23-016	188-903	Highland Park ISD	6/24/24	\$0
113	F23-001	220-908	Mansfield ISD	6/24/24	\$0
114	F23-007	015-917	Southside ISD	6/28/24	\$0
115	F23-005	221-801	Texas College Preparatory Academies	6/28/24	\$0
116	CR23-023	214-902	San Isidro ISD	7/12/24	\$0
117	DA23-131	166-904	Rockdale ISD	8/2/24	\$0
118	CA24-010	167-902	Mullin ISD	8/16/24	\$0
119	CA24-004	084-911	Friendswood ISD	8/16/24	\$0
120	CR23-012	056-901	Dalhart ISD	8/16/24	\$0
121	CR23-004	093-901	Anderson-Shiro CISD	8/16/24	\$0
122	CR23-003	015-842	Royal Public Schools	8/16/24	\$0
123	DA23-114	119-902	Jacksboro ISD	8/16/24	(\$94)
124	CR23-010	074-909	Leonard ISD	8/16/24	\$0
125	DA23-081	007-905	Pleasanton ISD	8/16/24	(\$11,322)
126	CR23-022	025-905	May ISD	8/16/24	\$0
127	F23-009	212-906	Whitehouse ISD	8/23/24	\$0
128	CR23-018	212-904	Troup ISD	8/23/24	\$0
129	CR23-002	015-843	Prelude Preparatory Charter School	8/23/24	\$0
130	DA23-085	026-901	Caldwell ISD	8/23/24	(\$952)

Item No.	Review No.	County District Number	District Name	Final Mailed	Final Adjustment
Total		130	Student Attendance Reviews Completed		\$ (1,281,873)

Item No.	Review No.	County District Number	District Name
1	DA23-077	062-901	Cuero ISD
2	CR23-001	101-877	Elevate Collegiate Charter School
3	CR23-014	252-903	Olney ISD
4	CR23-020	116-910	Campbell ISD
5	CR23-021	106-901	Canadian ISD
6	F23-004	057-808	Universal Academy
7	F23-008	043-911	Princeton ISD
8	DA23-089	057-830	Inspired Vision Academy
9	DA23-098	220-915	Azle ISD
10	DA23-101	015-901	Alamo Heights ISD
11	DA23-102	070-911	Red Oak ISD
12	DA23-107	100-907	Lumberton ISD
13	DA23-110	201-907	Mount Enterprise ISD
14	DA23-112	170-903	Montgomery ISD
15	DA23-113	049-901	Gainesville ISD
16	DA23-115	188-902	River Road ISD
17	DA23-116	247-904	Poth ISD
18	DA23-120	108-911	Sharyland ISD
19	DA23-121	043-904	Farmersville ISD
20	DA23-122	050-910	Copperas Cove ISD
21	DA23-124	108-808	Vanguard Academy
22	DA23-127	139-909	Paris ISD
23	DA23-129	158-901	Bay City ISD
24	CA24-005	091-902	Collinsville ISD
Total			
		24	Student Attendance Reviews -- In Progress

Item No.	Review No.	County District Number	District Name	Final Mailed	Final Adjustment
1	CC23-004	108-912	La Joya ISD	5/24/24	(\$2,233)
2	CC24-001	123-910	Beaumont ISD	6/21/24	(\$18,703)
Total					
		2	Student Attendance Complaint Investigations Completed		\$ (20,936)

Item No.	Review No.	County District Number	District Name	Final Mailed	Final Adjustment
1	CO24-001	220-815	Chapel Hill Academy	8/2/24	\$0
2	CO24-002	057-816	A W Brown Leadership Academy	8/23/24	(\$167,574)
Total					\$ (167,574)

Item No.	County District Number	District Name
1	084-804	Ambassadors Prep
2	217-901	Aspermont ISD
3	030-903	Baird ISD
4	249-903	Bridgeport ISD
5	186-901	Buena Vista ISD
6	071-907	Canutillo ISD
7	142-901	Cotulla ISD
8	052-901	Crane ISD
9	005-902	Holliday ISD
10	133-902	Hunt ISD
11	186-903	Iraan-Sheffield ISD
12	015-916	Judson ISD
13	107-910	La Poynor ISD
14	019-908	Liberty-Eylau ISD
15	158-904	Matagorda ISD
16	184-904	Millsap ISD
17	184-908	Peaster ISD
18	015-840	San Antonio Preparatory Schools
19	031-912	San Benito CISD
20	084-909	Santa Fe ISD
21	015-827	School Of Science And Technology
22	015-917	Southside ISD
23	171-902	Sunray Collegiate ISD
24	107-907	Trinidad ISD
25	230-904	Union Hill ISD
26	240-904	Webb CISD
27	178-915	West Oso ISD
28	062-903	Yoakum ISD
Total		
	28	Fiscal Management Reviews Completed

Item No.	County District Number	District Name
1	251-901	Denver City ISD
2	105-802	Texas Preparatory School
Total	2	Fiscal Management Reviews--In Progress

Item No.	County District Number	District Name	Review Date	Statutory Adjustment
1	089-901	Gonzales ISD	9/9/2024	
2	232-903	Uvalde Consolidated ISD	8/29/2024	
3	108-903	Edcouch-Elsa ISD	8/29/2024	
4	015-909	Somerset ISD	8/29/2024	
5	163-903	Natalia ISD	8/29/2024	
6	110-901	Anton ISD	8/30/2024	(\$28,319)
7	240-904	Webb Consolidated ISD	8/30/2024	
8	220-901	Arlington ISD	8/30/2024	
9	227-827	The Excel Center for Adults	8/30/2024	(\$46,047)
10	101-912	Houston ISD	8/30/2024	
11	120-902	Ganado ISD	8/30/2024	
Total 11 Superintendent's Severance Reviews Completed				\$ (74,366)

Item No.	County District Number	District Name
1	220-905	Fort Worth ISD
2	126-905	Joshua ISD
3	247-904	Poth ISD
4	040-902	Whiteface Consolidated ISD
5	015-916	Judson ISD
6	108-909	Pharr-San Juan-Alamo ISD
7	024-901	Brooks County ISD
8	039-902	Henrietta ISD
9	130-901	Boerne ISD
10	205-903	Ingleside ISD
11	036-901	Anahuac ISD
12	208-903	Ira ISD
13	121-902	Brookeland ISD
14	079-907	Fort Bend ISD
15	016-901	Johnson City ISD
16	135-001	Guthrie CSD
17	241-906	Louise ISD
18	092-908	White Oak ISD
19	108-907	Mercedes ISD
20	092-901	Gladewater ISD
21	057-835	Golden Rule Charter School
22	031-903	Harlingen CISD
23	220-905	Fort Worth ISD
Total		
	23	Superintendent's Severance Reviews -- In Progress

Item No.	County District Number	District Name
1	020-901	ALVIN ISD
2	020-905	BRAZOSPORT ISD
3	215-901	BRECKENRIDGE ISD
4	161-919	BRUCEVILLE-EDDY ISD
5	119-901	BRYSON ISD
6	103-901	CHANNING ISD
7	174-901	CHIRENO ISD
8	229-901	COLMESNEIL ISD
9	072-902	DUBLIN ISD
10	241-903	EL CAMPO ISD
11	043-905	FRISCO ISD
12	049-901	GAINESVILLE ISD
13	120-902	GANADO ISD
14	174-903	GARRISON ISD
15	033-901	GROOM ISD
16	059-901	HEREFORD ISD
17	188-903	HIGHLAND PARK ISD
18	101-912	HOUSTON ISD
19	034-903	HUGHES SPRINGS ISD
20	101-913	HUMBLE ISD
21	236-902	HUNTSVILLE ISD
22	131-001	KENEDY COUNTY WIDE CSD
23	031-905	LA FERIA ISD
24	201-903	LANEVILLE ISD
25	034-905	LINDEN-KILDARE CISD
26	108-907	MERCEDES ISD
27	201-907	MOUNT ENTERPRISE ISD
28	009-901	MULESHOE ISD
29	201-908	OVERTON ISD
30	108-910	PROGRESO ISD
31	043-912	PROSPER ISD
32	031-911	RIO HONDO ISD
33	031-912	SAN BENITO CISD
34	066-902	SAN DIEGO ISD
35	019-909	SIMMS ISD
36	031-916	SOUTH TEXAS ISD
37	229-905	SPURGER ISD
38	127-906	STAMFORD ISD
39	019-907	TEXARKANA ISD
40	240-904	WEBB CISD
41	108-913	WESLACO ISD
42	221-912	WYLIE ISD
43	062-904	YORKTOWN ISD
Total	43	HB1525 Tax Rate Compliance - Preliminary Review

Item No.	County District Number	District Name
1	009-901	MULESHOE ISD
2	019-909	SIMMS ISD
3	034-903	HUGHES SPRINGS ISD
4	049-901	GAINESVILLE ISD
5	119-901	BRYSON ISD
6	174-901	CHIRENO ISD
7	174-903	GARRISON ISD
8	201-907	MOUNT ENTERPRISE ISD
9	215-901	BRECKENRIDGE ISD
10	229-901	COLMESNEIL ISD
11	229-905	SPURGER ISD
12	241-903	EL CAMPO ISD
Total	12	HB1525 Tax Rate Compliance - In Progress

Item No.	Activities	Counts
1	New Charter School First Year Visits	2
2	Responses to TEA's Q&A Mailboxes (School audits, financial accountability, allotment programs, and Attendance)	1100+
3	CPA Workpaper Reviews	0
4	Review of Annual Financial and Compliance Reports	1155
5	School District and Charter FIRST Ratings based upon FYE 2023	1199
6	Presentations and Trainings throughout Texas covering FASRG, SAAH, Comp Ed, etc.	65+
7	Financial Exigency Reviewed	1
8	Fiscal Year Changes	17
9	New Charters Schools Applications Reviewed	6
10	State Allotment Monitoring Program Compliance Letters	410
11	Depository Contracts and/or Extensions Reviews	279

STATUTORY AUTHORITY REFERENCE SECTION:

TEXAS CONSTITUTION ARTICLE VII

TEXAS EDUCATION CODE (TEC)

TEXAS GOVERNMENT CODE (TGC)

TEXAS OCCUPATIONS CODE (TOC)

NATURAL RESOURCES CODE (NRC)

TEXAS EDUCATION CODE
CHAPTER 7. STATE ORGANIZATION
SUBCHAPTER C. COMMISSIONER OF EDUCATION

TEC, §7.055. COMMISSIONER OF EDUCATION POWERS AND DUTIES.

- (a) The commissioner has the powers and duties provided by Subsection (b).
- (b)(1) The commissioner shall serve as the educational leader of the state.
 - (2) The commissioner shall serve as executive officer of the agency and as executive secretary of the board.
 - (3) The commissioner shall carry out the duties imposed on the commissioner by the board or the legislature.
 - (4) The commissioner shall prescribe a uniform system of forms, reports, and records necessary to fulfill the reporting and recordkeeping requirements of this title.
 - (5) The commissioner may delegate ministerial and executive functions to agency staff and may employ division heads and any other employees and clerks to perform the duties of the agency.
 - (6) The commissioner shall adopt an annual budget for operating the Foundation School Program as prescribed by Subsection (c).
 - (7) The commissioner may issue vouchers for the expenditures of the agency and shall examine and must approve any account to be paid out of the school funds before the comptroller may issue a warrant.
 - (8) Repealed by Acts 2011, 82nd Leg., R.S., Ch. 1083, Sec. 25(7), eff. June 17, 2011.
 - (9) The commissioner shall have a manual published at least once every two years that contains Title 1 and this title, any other provisions of this code relating specifically to public primary or secondary education, and an appendix of all other state laws relating to public primary or secondary education and shall provide for the distribution of the manual as determined by the board.
 - (10) The commissioner may visit different areas of this state, address teachers' associations and educational gatherings, instruct teachers, and promote all aspects of education and may be reimbursed for necessary travel expenses incurred under this subdivision to the extent authorized by the General Appropriations Act.
 - (11) The commissioner may appoint advisory committees, in accordance with Chapter [2110](#), Government Code, as necessary to advise the commissioner in carrying out the duties and mission of the agency.
 - (12) The commissioner shall appoint an agency auditor.
 - (13) The commissioner may provide for reductions in the number of agency employees.
 - (14) The commissioner shall carry out duties relating to the investment capital fund under Section [7.024](#).
 - (15) The commissioner shall review and act, if necessary, on applications for waivers under Section [7.056](#).
 - (16) The commissioner shall carry out duties relating to regional education service centers as specified under Chapter [8](#).
 - (17) The commissioner shall distribute funds to open-enrollment charter schools as required under Subchapter [D](#), Chapter [12](#).

- (18) The commissioner shall adopt a recommended appraisal process and criteria on which to appraise the performance of teachers, a recommended appraisal process and criteria on which to appraise the performance of administrators, and a job description and evaluation form for use in evaluating school counselors, as provided by Subchapter [H](#), Chapter [21](#).
- (19) The commissioner shall coordinate and implement teacher recruitment programs under Section [21.004](#).
- (20) The commissioner shall perform duties in connection with the certification and assignment of hearing examiners as provided by Subchapter [E](#), Chapter [21](#).
- (21) The commissioner shall carry out duties under the Texas Advanced Placement Incentive Program under Subchapter [C](#), Chapter [28](#).
- (22) The commissioner may adopt rules for optional extended year programs under Section [29.082](#).
- (23) The commissioner shall monitor and evaluate prekindergarten programs and other child-care programs as required under Section [29.154](#).
- (24) The commissioner, with the approval of the board, shall develop and implement a plan for the coordination of services to children with disabilities as required under Section [30.001](#).
- (25) The commissioner shall develop a system to distribute to school districts or regional education service centers a special supplemental allowance for students with visual impairments as required under Section [30.002](#).
- (26) The commissioner, with the assistance of the comptroller, shall determine amounts to be distributed to the Texas School for the Blind and Visually Impaired and the Texas School for the Deaf as provided by Section [30.003](#) and to the Texas Juvenile Justice Department as provided by Section [30.102](#).
- (27) The commissioner shall establish a procedure for resolution of disputes between a school district and the Texas School for the Blind and Visually Impaired under Section [30.021](#).
- (28) The commissioner shall perform duties relating to the funding, adoption, and purchase of instructional materials under Chapter [31](#).
- (29) The commissioner may enter into contracts concerning technology in the public school system as authorized under Chapter [32](#).
- (30) The commissioner shall adopt a recommended contract form for the use, acquisition, or lease with option to purchase of school buses under Section [34.009](#).
- (31) The commissioner shall ensure that the cost of using school buses for a purpose other than the transportation of students to or from school is properly identified in the Public Education Information Management System (PEIMS) under Section [34.010](#).
- (32) The commissioner shall perform duties in connection with the public school accountability system as prescribed by Chapters [39](#) and [39A](#).
- (33) Repealed by Acts 1999, 76th Leg., ch. 397, Sec. 8, eff. Sept. 1, 1999.
- (34) The commissioner shall perform duties in connection with the options for local revenue levels in excess of entitlement under Chapter [49](#).
- (35) The commissioner shall perform duties in connection with the Foundation School Program as prescribed by Chapter [48](#).

- (36) The commissioner shall establish advisory guidelines relating to the fiscal management of a school district and report annually to the board on the status of school district fiscal management as required under Section [44.001](#).
 - (37) The commissioner shall review school district audit reports as required under Section [44.008](#).
 - (38) The commissioner shall perform duties in connection with the guaranteed bond program as prescribed by Subchapter [C](#), Chapter [45](#).
 - (39) The commissioner shall cooperate with the Texas Higher Education Coordinating Board in connection with the Texas partnership and scholarship program under Subchapter [Q](#), Chapter [61](#).
 - (40) The commissioner shall suspend the certificate of an educator or permit of a teacher who violates Chapter [617](#), Government Code.
 - (41) The commissioner shall adopt rules relating to extracurricular activities under Section [33.081](#) and approve or disapprove University Interscholastic League rules and procedures under Section [33.083](#).
- (c) The budget the commissioner adopts under Subsection (b) for operating the Foundation School Program must be in accordance with legislative appropriations and provide funds for the administration and operation of the agency and any other necessary expense. The budget must designate any expense of operating the agency or operating a program for which the board has responsibility that is paid from the Foundation School Program. The budget must designate program expenses that may be paid out of the foundation school fund, other state funds, fees, federal funds, or funds earned under interagency contract. Before adopting the budget, the commissioner must submit the budget to the board for review and, after receiving any comments of the board, present the operating budget to the governor and the Legislative Budget Board. The commissioner shall provide appropriate information on proposed budget expenditures to the comptroller to assure that all payments are paid from the appropriate funds in a timely and efficient manner.
- (d) Notwithstanding any other law, the commissioner's power to delegate ministerial and executive functions under Subsection (b)(5) is a valid delegation of authority.

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) Repealed by Acts 2019, 86th Leg., R.S., Ch. 943 (H.B. [3](#)), Sec. 4.001(a)(1), eff. September 1, 2019.
 - (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) Repealed by Acts 2019, 86th Leg., R.S., Ch. 439 (S.B. [1376](#)), Sec. 4.01(a)(1), eff. June 4, 2019.
 - (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](#). The program may not include a distinction between standard protocol dyslexia instruction, as defined by the Dyslexia Handbook: Procedures Concerning Dyslexia and Related Disorders, as updated in 2021 and adopted by the State Board of Education, and its subsequent amendments, and other types of direct dyslexia instruction, including specially designed instruction.
 - (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](#).
 - (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.

Added by Acts 1995, 74th Leg., ch. 260, Sec. 1, eff. May 30, 1995. Amended by Acts 1997, 75th Leg., ch. 165, Sec. 6.01, eff. Sept. 1, 1997; Acts 1997, 75th Leg., ch. 268, Sec. 2, eff. May 26, 1997; Acts 1999, 76th Leg., ch. 1482, Sec. 1, eff. June 19, 1999; Acts 2001, 77th Leg., ch. 1420, Sec. 4.001(b), eff. Sept. 1, 2001.

Amended by:

Acts 2011, 82nd Leg., 1st C.S., Ch. 6 (S.B. [6](#)), Sec. 4, eff. July 19, 2011.

Acts 2013, 83rd Leg., R.S., Ch. 73 (S.B. [307](#)), Sec. 2.06(a)(1), eff. September 1, 2013.

Acts 2017, 85th Leg., R.S., Ch. 324 (S.B. [1488](#)), Sec. 21.003(4), eff. September 1, 2017.

Acts 2019, 86th Leg., R.S., Ch. 439 (S.B. [1376](#)), Sec. 4.01(a)(1), eff. June 4, 2019.

Acts 2019, 86th Leg., R.S., Ch. 943 (H.B. [3](#)), Sec. 3.003, eff. September 1, 2019.

Acts 2019, 86th Leg., R.S., Ch. 943 (H.B. [3](#)), Sec. 4.001(a)(1), eff. September 1, 2019.

Acts 2023, 88th Leg., R.S., Ch. 542 (H.B. [3928](#)), Sec. 2, eff. June 10, 2023.

TEXAS EDUCATION CODE
CHAPTER 7. STATE ORGANIZATION
SUBCHAPTER D. STATE BOARD OF EDUCATION

TEC, § 7.107. OFFICERS (excerpt):

- (b) At the board's first regular meeting after the election and qualification of new members, the board shall organize, adopt rules of procedure, and elect by separate votes a vice chair and a secretary.

TEXAS EDUCATION CODE
TITLE 2. PUBLIC EDUCATION
SUBTITLE C. LOCAL ORGANIZATION AND GOVERNANCE
CHAPTER 11. SCHOOL DISTRICTS
SUBCHAPTER H. SPECIAL-PURPOSE SCHOOL DISTRICTS

TEC, §11.352. GOVERNANCE OF SPECIAL-PURPOSE DISTRICT.

- (a) The State Board of Education shall appoint for each district established under Section [11.351](#) a board of three, five, or seven trustees, as determined by the State Board of Education. A trustee is not required to be a resident of the district.
- (b) For each military reservation school district, the State Board of Education may appoint a board of three or five trustees. Enlisted military personnel and military officers may be appointed to the school board. A majority of the trustees appointed for the district must be civilians and all may be civilians. The trustees shall be selected from a list of persons who are qualified to serve as members of a school district board of trustees under Section [11.061](#) and who live on or are employed on the military reservation. A person who retires from active duty or civilian service while serving a term as a member of the board of trustees may continue to serve for the remainder of that person's term. The list shall be furnished to the board by the commanding officer of the military reservation. The trustees appointed serve terms of two years.
- (c) The State Board of Education shall adopt rules for the governance of a special-purpose district. In the absence of a rule adopted under this subsection, the laws applicable to independent school districts apply to a special-purpose district.

Added by Acts 1995, 74th Leg., ch. 260, Sec. 1, eff. May 30, 1995. Amended by Acts 2001, 77th Leg., ch. 982, Sec. 3, eff. Sept. 1, 2001.

Amended by:

Acts 2005, 79th Leg., Ch. 676 (S.B. [144](#)), Sec. 1, eff. June 17, 2005.

Acts 2023, 88th Leg., R.S., Ch. 759 (H.B. [4210](#)), Sec. 1, eff. September 1, 2023.

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 campus under Subsection (b-4)(2) up to 36 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.

Added by Acts 1995, 74th Leg., ch. 260, Sec. 1, eff. May 30, 1995. Amended by Acts 2001, 77th Leg., ch. 1504, Sec. 2, eff. Sept. 1, 2001; Acts 2003, 78th Leg., ch. 193, Sec. 1, eff. June 2, 2003.

Amended by:

Acts 2013, 83rd Leg., R.S., Ch. 1140 (S.B. [2](#)), Sec. 9, eff. September 1, 2013.

Acts 2015, 84th Leg., R.S., Ch. 1046 (H.B. [1842](#)), Sec. 3(a), eff. June 19, 2015.

Acts 2019, 86th Leg., R.S., Ch. 597 (S.B. [668](#)), Sec. 2.01, eff. June 10, 2019.

Acts 2023, 88th Leg., R.S., Ch. 706 (H.B. [2102](#)), Sec. 1, eff. September 1, 2023.

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, §21.031. 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, §21.041. 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, §21.042. 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 EDUCATION CODE
TITLE 2. PUBLIC EDUCATION
SUBTITLE D. EDUCATORS AND SCHOOL DISTRICT EMPLOYEES AND VOLUNTEERS
CHAPTER 21. EDUCATORS
SUBCHAPTER B. CERTIFICATION OF EDUCATORS

TEC, §21.044. EDUCATOR PREPARATION.

- (a) The board shall propose rules:
 - (1) specifying what each educator is expected to know and be able to do, particularly with regard to students with disabilities;
 - (2) establishing the training requirements a person must accomplish to obtain a certificate, enter an internship, or enter an induction-year program; and
 - (3) specifying the minimum academic qualifications required for a certificate.
- (a-1) Any training requirements for a certificate specified under Subsection (a) must require that the person demonstrate:
 - (1) basic knowledge of:
 - (A) each disability category under the Individuals with Disabilities Education Act (20 U.S.C. Section 1400 et seq.) and how each category can affect student learning and development; and
 - (B) conditions that may be considered a disability under Section 504, Rehabilitation Act of 1973 (29 U.S.C. Section 794), and how a condition covered by that section can affect student learning and development;
 - (2) competence in the use of proactive instructional planning techniques that:
 - (A) provide flexibility in the ways:
 - (i) information is presented;
 - (ii) students respond or demonstrate knowledge and skills; and
 - (iii) students are engaged;
 - (B) reduce barriers in instruction;
 - (C) provide appropriate accommodations, supports, and challenges; and
 - (D) maintain high achievement expectations for all students, including students with disabilities and students of limited English proficiency;
 - (3) competence in the use of evidence-based inclusive instructional practices, including:
 - (A) general and special education collaborative and co-teaching models and approaches;
 - (B) multitiered systems of support, including response to intervention strategies, classroom and school level data-based collaborative structures, and evidence-based strategies for intervention and progress monitoring systems in academic areas;

- (C) classroom management techniques using evidence-based behavioral intervention strategies and supports; and
 - (D) appropriate adaptation strategies, including accommodations, modifications, and instruction in the use of assistive technology for instruction; and
- (4) thorough understanding of and competence in the use of open education resource instructional materials included on the list of approved instructional materials maintained by the State Board of Education under Section [31.022](#) in each subject area and grade level covered by the person's certificate.
- (b) The minimum academic qualifications for a certificate specified under Subsection (a) must require that the person receive, as part of the training required to obtain that certificate, instruction in detection and education of students with dyslexia.
- (c) The instruction under Subsection (b) must:
 - (1) be developed by a panel of experts in the diagnosis and treatment of dyslexia who are:
 - (A) employed by institutions of higher education; and
 - (B) approved by the board; and
 - (2) include information on:
 - (A) characteristics of dyslexia;
 - (B) identification of dyslexia; and
 - (C) effective, multisensory strategies for teaching students with dyslexia.
- (c-1) The minimum academic qualifications for a certificate specified under Subsection (a) must require that the person receive, as part of the training required to obtain that certificate, instruction regarding mental health, substance abuse, and youth suicide. The instruction required must:
 - (1) be provided through:
 - (A) a program selected from the list of recommended best practice-based programs and research-based practices established under Section [38.351](#); or
 - (B) a course offered by any accredited public or private postsecondary educational institution as part of a degree program; and
 - (2) include effective strategies, including de-escalation techniques and positive behavioral interventions and supports, for teaching and intervening with students with mental health conditions or who engage in substance abuse.
- (c-2) Any minimum academic qualifications for a certificate specified under Subsection (a) that require a person to possess a bachelor's degree must also require that the person receive, as part of the training required to obtain that certificate, instruction in digital learning, virtual learning, and virtual instruction, including a digital literacy evaluation followed by a prescribed digital learning

curriculum. The instruction required must:

- (1) be aligned with the International Society for Technology in Education's standards for teachers;
 - (2) provide effective, evidence-based strategies to determine a person's degree of digital literacy;
 - (3) cover best practices in:
 - (A) assessing students receiving virtual instruction, based on academic progress; and
 - (B) developing a virtual learning curriculum; and
 - (4) include resources to address any deficiencies identified by the digital literacy evaluation.
- (d) In proposing rules under this section, the board shall specify that to obtain a certificate to teach an "applied STEM course," as that term is defined by Section [28.027](#), at a secondary school, a person must:
- (1) pass the certification test administered by the recognized national or international business and industry group that created the curriculum the applied STEM course is based on; and
 - (2) have at a minimum:
 - (A) an associate degree from an accredited institution of higher education; and
 - (B) three years of work experience in an occupation for which the applied STEM course is intended to prepare the student.
- (e) In proposing rules under this section for a person to obtain a certificate to teach a health science technology education course, the board shall specify that a person must have:
- (1) an associate degree or more advanced degree from an accredited institution of higher education;
 - (2) current licensure, certification, or registration as a health professions practitioner issued by a nationally recognized accrediting agency for health professionals; and
 - (3) at least two years of wage earning experience utilizing the licensure requirement.
- (f) The board may not propose rules for a certificate to teach a health science technology education course that specify that a person must have a bachelor's degree or that establish any other credential or teaching experience requirements that exceed the requirements under Subsection (e).
- (f-1) Board rules addressing ongoing educator preparation program support for a candidate seeking certification in a certification class other than classroom teacher may not require that an educator preparation program conduct one or more formal observations of the candidate on the candidate's site in a face-to-face setting. The rules must permit each required formal observation to occur on the candidate's site or through use of electronic transmission or other video-based or technology-based method.

- (g) Each educator preparation program must provide information regarding:
- (1) the skills that educators are required to possess, the responsibilities that educators are required to accept, and the high expectations for all students, including students with disabilities, in this state;
 - (2) the effect of supply and demand forces on the educator workforce in this state;
 - (3) the performance over time of the educator preparation program;
 - (4) the importance of building strong classroom management skills;
 - (5) the framework in this state for teacher and principal evaluation, including the procedures followed in accordance with Subchapter H; and
 - (6) appropriate relationships, boundaries, and communications between educators and students.
- (h) An educator preparation program may not include instruction on the use of instructional materials that incorporate the method of three-cueing, as defined by Section [28.0062\(a-1\)](#), into foundational skills reading instruction.

Added by Acts 1995, 74th Leg., ch. 260, Sec. 1, eff. May 30, 1995.

Amended by:

Acts 2011, 82nd Leg., R.S., Ch. 635 (S.B. [866](#)), Sec. 1, eff. June 17, 2011.

Acts 2011, 82nd Leg., R.S., Ch. 926 (S.B. [1620](#)), Sec. 1, eff. June 17, 2011.

Reenacted and amended by Acts 2013, 83rd Leg., R.S., Ch. 161 (S.B. [1093](#)), Sec. [4.001](#), eff. September 1, 2013.

Reenacted and amended by Acts 2013, 83rd Leg., R.S., Ch. 1091 (H.B. [3573](#)), Sec. 1, eff. June 14, 2013.

Reenacted and amended by Acts 2013, 83rd Leg., R.S., Ch. 1282 (H.B. [2012](#)), Sec. 3, eff. September 1, 2013.

Amended by:

Acts 2013, 83rd Leg., R.S., Ch. 1321 (S.B. [460](#)), Sec. 2, eff. September 1, 2013.

Acts 2015, 84th Leg., R.S., Ch. 931 (H.B. [2205](#)), Sec. 3, eff. September 1, 2015.

Acts 2015, 84th Leg., R.S., Ch. 1157 (S.B. [674](#)), Sec. 1, eff. September 1, 2015.

Acts 2015, 84th Leg., R.S., Ch. 1157 (S.B. [674](#)), Sec. 2, eff. September 1, 2015.

Acts 2015, 84th Leg., R.S., Ch. 1236 (S.B. [1296](#)), Sec. 21.001(8), eff. September 1, 2015.

Acts 2017, 85th Leg., R.S., Ch. 178 (S.B. [7](#)), Sec. 8, eff. September 1, 2017.

Acts 2017, 85th Leg., R.S., Ch. 714 (H.B. [4056](#)), Sec. 2, eff. June 12, 2017.

Acts 2017, 85th Leg., R.S., Ch. 757 (S.B. [1839](#)), Sec. 3, eff. June 12, 2017.

Acts 2017, 85th Leg., R.S., Ch. 960 (S.B. [1963](#)), Sec. 1, eff. June 15, 2017.

Acts 2019, 86th Leg., R.S., Ch. 352 (H.B. [18](#)), Sec. 1.03, eff. December 1, 2019.

Acts 2021, 87th Leg., R.S., Ch. 215 (H.B. [159](#)), Sec. 2, eff. September 1, 2021.

Acts 2021, 87th Leg., R.S., Ch. 548 (S.B. [226](#)), Sec. 2, eff. September 1, 2021.

Acts 2023, 88th Leg., R.S., Ch. 818 (H.B. [1605](#)), Sec. 2, eff. June 13, 2023.

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.

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, §21.048. CERTIFICATION EXAMINATIONS.

- (a) The board shall propose rules prescribing comprehensive examinations for each class of certificate issued by the board. The commissioner shall determine the satisfactory level of performance required for each certification examination. For the issuance of a generalist certificate, the commissioner shall require a satisfactory level of examination performance in each core subject covered by the examination.
- (a-1) The board may not require that more than 45 days elapse before a person may retake an examination. A person may not retake an examination more than four times, unless the board waives the limitation for good cause as prescribed by the board.
- (a-2) The board shall adopt rules that provide that in order to teach any grade level from prekindergarten through grade six a person must demonstrate proficiency in the science of teaching reading on a certification examination for each class of certificate issued by the board after January 1, 2021.
- (b) The board may not administer a written examination to determine the competence or level of performance of an educator who has a hearing impairment unless the examination has been field tested to determine its appropriateness, reliability, and validity as applied to, and minimum acceptable performance scores for, persons with hearing impairments.
- (c) An educator who has a hearing impairment is exempt from taking a written examination for a period ending on the first anniversary of the date on which the board determines, on the basis of appropriate field tests, that the examination complies with the standards specified in Subsection (b). On application to the board, the board shall issue a temporary exemption certificate to a person entitled to an exemption under this subsection.
- (c-1) The results of an examination administered under this section are confidential and are not subject to disclosure under Chapter 552, Government Code, unless the disclosure is regarding notification to a parent of the assignment of an uncertified teacher to a classroom as required by Section 21.057.
- (d) In this section:

- (1) "Hearing impairment" means a hearing impairment so severe that the person cannot process linguistic information with or without amplification.
- (2) "Reliability" means the extent to which an experiment, test, or measuring procedure yields the same results on repeated trials.
- (3) "Validity" means being:
 - (A) well-grounded or justifiable;
 - (B) relevant and meaningful;
 - (C) correctly derived from premises or inferences; and
 - (D) supported by objective truth or generally accepted authority.

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, §21.049. ALTERNATIVE CERTIFICATION.

- (a) To provide a continuing additional source of qualified educators, the board shall propose rules providing for educator certification programs as an alternative to traditional educator preparation programs. The rules may not provide that a person may be certified under this section only if there is a demonstrated shortage of educators in a school district or subject area.
- (b) The board may not require a person employed as a teacher in an alternative education program under Section 37.008 or a juvenile justice alternative education program under Section 37.011 for at least three years to complete an alternative educator certification program adopted under this section before taking the appropriate certification examination.

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, §21.050. ACADEMIC DEGREE REQUIRED FOR TEACHING CERTIFICATE; FIELD-BASED EXPERIENCE OR INTERNSHIP.

- (a) A person who applies for a teaching certificate for which board rules require a bachelor's degree must possess a bachelor's degree received with an academic major or interdisciplinary academic major, including reading, that is related to the curriculum as prescribed under Subchapter [A](#), Chapter [28](#).
- (b) The board shall provide for a minimum number of semester credit hours of field-based experience or internship to be included in the credit hours needed for certification. The board may propose rules requiring additional credit hours for certification in bilingual education, English as a second language, early childhood education, or special education.
- (c) A person who receives a bachelor's degree required for a teaching certificate on the basis of higher education coursework completed while receiving an exemption from tuition and fees under Section [54.363](#) may not be required to participate in any field experience or internship consisting of student teaching to receive a teaching certificate.

Added by Acts 1995, 74th Leg., ch. 260, Sec. 1, eff. May 30, 1995. Amended by Acts 1997, 75th Leg., ch. 524, Sec. 1, eff. Sept. 1, 1997; Acts 2001, 77th Leg., ch. 74, Sec. 2, eff. May 14, 2001.

Amended by:

Acts 2011, 82nd Leg., R.S., Ch. 359 (S.B. [32](#)), Sec. 2, eff. January 1, 2012.

Acts 2019, 86th Leg., R.S., Ch. 206 (H.B. [3217](#)), Sec. 1, eff. May 24, 2019.

Acts 2019, 86th Leg., R.S., Ch. 206 (H.B. [3217](#)), Sec. 2, eff. May 24, 2019.

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, §21.051. RULES REGARDING FIELD-BASED EXPERIENCE AND OPTIONS FOR FIELD EXPERIENCE AND INTERNSHIPS.

- (a) In this section, "teacher of record" means a person employed by a school district who teaches the majority of the instructional day in an academic instructional setting and is responsible for evaluating student achievement and assigning grades.
- (b) Before a school district may employ a candidate for certification as a teacher of record and, except as provided by Subsection (b-1), after the candidate's admission to an educator preparation program, the candidate must complete at least 15 hours of field-based experience in which the candidate is actively engaged in instructional or educational activities involving a diverse student population that, to the greatest extent practicable, includes students with disabilities under supervision at:
 - (1) a public school campus accredited or approved for the purpose by the agency; or
 - (2) a private school recognized or approved for the purpose by the agency.
- (b-1) A candidate may satisfy up to 15 hours of the field-based experience requirement under Subsection (b) by serving as a long-term substitute teacher as prescribed by board rule. Experience under this subsection may occur after the candidate's admission to an educator preparation program or during the two years before the date the candidate is admitted to the program. The candidate's experience in instructional or educational activities must be documented by the educator preparation program and must be obtained at:
 - (1) a public school campus accredited or approved for the purpose by the agency; or
 - (2) a private school recognized or approved for the purpose by the agency.
- (c) Subsection (b) applies only to an initial certification issued on or after September 1, 2012. Subsection (b) does not affect:
 - (1) the validity of a certification issued before September 1, 2012; or
 - (2) the eligibility of a person who holds a certification issued before September 1, 2012, to obtain a subsequent renewal of the certification in accordance with board rule.

- (d) Subsection (b) does not affect the period within which an individual must complete field-based experience hours as determined by board rule if the individual is not accepted into an educator preparation program before the deadline prescribed by board rule and is hired for a teaching assignment by a school district after the deadline prescribed by board rule.
- (e) The board shall propose rules relating to the field-based experience required by Subsection (b). The commissioner by rule shall adopt procedures and standards for recognizing a private school under Subsection (b)(2).
- (f) The board shall propose rules providing flexible options for persons for any field-based experience or internship required for certification, including options for candidate observations that provide for at least:
 - (1) two observations to occur in person and two additional observations to occur in virtual settings that are equivalent in rigor to in-person options for observation; or
 - (2) three observations to occur in person.
- (f-1) The options required under Subsection (f) must, to the greatest extent practicable, involve interaction with a diverse student population, including students with disabilities.

Added by Acts 1995, 74th Leg., ch. 260, Sec. 1, eff. May 30, 1995.

Amended by:

Acts 2011, 82nd Leg., 1st C.S., Ch. 8 (S.B. [8](#)), Sec. 2, eff. September 28, 2011.

Acts 2017, 85th Leg., R.S., Ch. 757 (S.B. [1839](#)), Sec. 6, eff. June 12, 2017.

Acts 2021, 87th Leg., R.S., Ch. 215 (H.B. [159](#)), Sec. 8, eff. September 1, 2021.

Acts 2021, 87th Leg., R.S., Ch. 952 (S.B. [1590](#)), Sec. 1, eff. June 18, 2021.

Acts 2021, 87th Leg., 2nd C.S., Ch. 5 (S.B. [15](#)), Sec. 1, eff. September 9, 2021.

Acts 2023, 88th Leg., R.S., Ch. 768 (H.B. [4595](#)), Sec. 6.006, eff. September 1, 2023.

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, §21.052. CERTIFICATION OF EDUCATORS FROM OUTSIDE THE STATE.

- (a) The board may issue a certificate to an educator who applies for a certificate and:
 - (1) holds:
 - (A) a degree issued by an institution accredited by a regional accrediting agency or group that is recognized by a nationally recognized accreditation board; or
 - (B) a degree issued by an institution located in a foreign country, if the degree is equivalent to a degree described by Paragraph (A);
 - (2) holds an appropriate certificate or other credential issued by another state or country; and
 - (3) performs satisfactorily on:
 - (A) the examination prescribed under Section [21.048](#); or
 - (B) if the educator holds a certificate or other credential issued by another state or country, an examination similar to and at least as rigorous as that described by Paragraph (A) administered to the educator under the authority of that state.
- (a-1) The commissioner may adopt rules establishing exceptions to the examination requirements prescribed by Subsection (a)(3) for an educator from outside the state, including military service members, military spouses, and military veterans, to obtain a certificate in this state.
- (b) For purposes of Subsection (a)(2), a person is considered to hold a certificate or other credential if the credential is not valid solely because it has expired.
- (b-1) The board shall propose rules in accordance with Chapter [55](#), Occupations Code, to establish procedures to expedite the processing of an application for a certificate under this section submitted by an educator who is a military veteran or military spouse, including rules for providing a permanent change of station order for purposes of establishing residency and for providing a military identification card.
- (c) The board may issue a temporary certificate under this section to an educator who holds a degree required by Subsection (a)(1) and a certificate or other credential required by Subsection (a)(2) but who has not satisfied the requirements prescribed by Subsection (a)(3). Subject to Subsections (d) and (d-1), the board may specify the term of a temporary certificate issued under this subsection.
- (d) A temporary certificate issued under Subsection (c) to an educator employed by a school district that has constructed or expanded at least one instructional facility as a result of increased student enrollment due to actions taken under the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. Section 2687) may not expire before the first anniversary of the date on which the board completes the review of the educator's credentials and informs the educator of the examination or examinations under Section [21.048](#) on which the educator must perform successfully to receive a standard certificate.

- (d-1) A temporary certificate issued under Subsection (c) to an educator who is the spouse of a person who is serving on active duty as a member of the armed forces of the United States may not expire before the third anniversary of the date on which the board completes the review of the educator's credentials and informs the educator of the examination or examinations under Section [21.048](#) on which the educator must perform satisfactorily to receive a standard certificate.
- (e) An educator who has submitted all documents required by the board for certification and who receives a temporary certificate as provided by Subsection (c) must perform satisfactorily on the examination prescribed under Section [21.048](#) not later than the first anniversary of the date the board completes the review of the educator's credentials and informs the educator of the examination or examinations under Section [21.048](#) on which the educator must perform successfully to receive a standard certificate.
- (f) The board shall post on the board's Internet website the procedures for obtaining a certificate under Subsection (a) and the notice required under Section [55.010](#), Occupations Code.
- (g) Repealed by Acts 2017, 85th Leg., R.S., Ch. 757 (S.B. [1839](#)), Sec. 12(2), eff. June 12, 2017.
- (h) This subsection applies only to an applicant who holds a certificate or other credential issued by another state in mathematics, science, special education, or bilingual education, or another subject area that the commissioner determines has a shortage of teachers. In any state fiscal year, the board shall accept or reject, not later than the 14th day after the date the board receives the completed application, at least 90 percent of the applications the board receives for a certificate under this subsection, and shall accept or reject all completed applications the board receives under this subsection not later than the 30th day after the date the board receives the completed application. An applicant under this subsection must submit:
 - (1) a letter of good standing from the state in which the teacher is certified on a form determined by the board;
 - (2) information necessary to complete a national criminal history record information review; and
 - (3) an application fee as required by the board.
 - (i) In this section:
 - (1) "Active duty" means current full-time military service in the armed forces of the United States or active duty military service as a member of the Texas military forces, as defined by Section [437.001](#), Government Code, or similar military service of another state.
 - (2) "Armed forces of the United States" means the army, navy, air force, space force, coast guard, or marine corps of the United States or a reserve unit of one of those branches of the armed forces.
 - (3) "Military service member" means a person who is on active duty.
 - (4) "Military spouse" means a person who is married to a military service member.
 - (5) "Military veteran" means a person who has served on active duty and who was discharged or released from active duty.

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, §21.054. 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.
- (d) Subject to Subsection (d-2), continuing education requirements for a classroom teacher may not require that 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.
- (d-1) The instruction required under Subsection (d) may include two or more listed topics together.
- (d-2) Training in a topic of instruction described by Subsection (d) attended by a classroom teacher in excess of an amount of hours equal to 25 percent of the training required of the teacher every five years shall be counted toward the teacher's overall training requirements.
- (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 at least 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.

Acts 2023, 88th Leg., R.S., Ch. 518 (H.B. [2929](#)), Sec. 1, eff. June 10, 2023.

Acts 2023, 88th Leg., R.S., Ch. 518 (H.B. [2929](#)), Sec. 2, eff. June 10, 2023.

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, §21.0441. 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).

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, §21.0442. EDUCATOR PREPARATION PROGRAM FOR PROBATIONARY AND
STANDARD TRADE AND INDUSTRIAL WORKFORCE TRAINING
CERTIFICATES.**

- (a) The board shall propose rules under this subchapter to create an abbreviated educator preparation program for a person seeking certification in trade and industrial workforce training.
- (b) A person is eligible for admission to an educator preparation program created under this section only if the person:
 - (1) has been issued a high school diploma or a postsecondary credential, certificate, or degree;
 - (2) has seven years of full-time wage-earning experience within the preceding 10 years in an approved occupation for which instruction is offered;
 - (3) holds with respect to that occupation a current license, certificate, or registration, as applicable, issued by a nationally recognized accrediting agency based on a recognized test or measurement; and
 - (4) within the period described by Subdivision (2), has not been the subject of a complaint filed with a licensing entity or other agency that regulates the occupation of the person, other than a complaint that was determined baseless or unfounded by that entity or agency.
- (c) In proposing rules for an educator preparation program under this section, the board shall ensure that the program requires at least 80 hours of classroom instruction in:
 - (1) a specific pedagogy;
 - (2) creating lesson plans;
 - (3) creating student assessment instruments;
 - (4) classroom management; and
 - (5) relevant federal and state education laws.

Text of section effective on June 15, 2017, but only if a specific appropriation is provided as described by Acts 2017, 85th Leg., R.S., Ch. 1077 (H.B. [3349](#)), Sec. 3, which states: This Act takes effect only if a specific appropriation for the implementation of the Act is provided in a general appropriations act of the 85th Legislature.

Added by Acts 2017, 85th Leg., R.S., Ch. 1077 (H.B. [3349](#)), Sec. 1, eff. June 15, 2017.

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, §21.0443. 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.

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, §21.0444. TEMPORARY CERTIFICATION FOR CERTAIN MILITARY SERVICE MEMBERS AND FIRST RESPONDERS.

- (a) In this section, "first responder" means a person elected, employed, or appointed as:
 - (1) a peace officer as defined by Article [2.12](#), Code of Criminal Procedure;
 - (2) fire protection personnel as defined by Section [419.021](#), Government Code; or
 - (3) emergency medical services personnel as defined by Section [773.003](#), Health and Safety Code.
- (b) This section applies to a person seeking certification to teach career and technology education who:
 - (1) has served in the armed forces of the United States and was honorably discharged, retired, or released from active duty; or
 - (2) has served as a first responder and, while in good standing and not because of pending or final disciplinary actions or a documented performance problem, retired, resigned, or separated from employment as a first responder.
- (c) The board shall propose rules under this subchapter providing for the issuance of a temporary certificate to teach career and technology education to a person described by Subsection (b) who meets all other eligibility requirements for standard certification to teach career and technology education, except that the person may substitute for a requirement that the person hold:
 - (1) an associate degree from an accredited institution of higher education, 48 months of active duty military service or service as a first responder; or
 - (2) a bachelor's degree:
 - (A) the military service or service as a first responder described by Subdivision (1); and
 - (B) 60 semester credit hours completed at a public or private institution of higher education with a minimum grade point average of at least 2.50 on a four-point scale.
- (d) Rules proposed by the board for a temporary certificate issued under this section must provide that the certificate is:
 - (1) valid for no more than three years;
 - (2) limited to a one-time issuance; and
 - (3) not subject to renewal.
- (e) A person issued a temporary certificate under this section may be issued a standard certificate if

the person completes all eligibility requirements required for that certification.

- (f) A school district shall require a new employee who holds a temporary certificate issued under this section to obtain at least 20 hours of classroom management training, unless the new employee has documented experience as an instructor or trainer during the employee's required 48 months of active duty military service or service as a first responder.

Added by Acts 2023, 88th Leg., R.S., Ch. 806 (H.B. [621](#)), Sec. 1, eff. September 1, 2023.

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, §21.0452. 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.

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, §21.0453. INFORMATION FOR CANDIDATES FOR TEACHER CERTIFICATION.

- (a) The board shall require an educator preparation program to provide candidates for teacher certification with information concerning the following:
 - (1) skills and responsibilities required of teachers with regard to all students, including students with disabilities;
 - (2) expectations for student performance, including students with disabilities, based on state standards;
 - (3) the current supply of and demand for teachers in this state;
 - (4) the importance of developing classroom management skills; and
 - (5) the state's framework for appraisal of teachers and principals.
- (b) The board may propose rules as necessary for administration of this section, including rules to ensure that accurate and consistent information is provided by all educator preparation programs.

Added by Acts 2013, 83rd Leg., R.S., Ch. 1292 (H.B. [2318](#)), Sec. 1, eff. June 14, 2013.

Amended by:

Acts 2021, 87th Leg., R.S., Ch. 215 (H.B. [159](#)), Sec. 5, 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, §21.0454. RISK FACTORS FOR EDUCATOR PREPARATION PROGRAMS; RISK-ASSESSMENT MODEL.

- a) The board shall propose rules necessary to develop a set of risk factors to use in assessing the overall risk level of each educator preparation program. The set of risk factors must include:
 - (1) a history of the program's compliance with state law and board rules, standards, and procedures, with consideration given to:
 - (A) the seriousness of any violation of a rule, standard or procedure;
 - (B) whether the violation resulted in an action being taken against the program;
 - (C) whether the violation was promptly remedied by the program;
 - (D) the number of alleged violations; and
 - (E) any other matter considered to be appropriate in evaluating the program's compliance history; and
 - (2) whether the program meets the accountability standards under Section [21.045](#).
- (b) The set of risk factors developed by the board may include whether an educator preparation
- (c) The board shall use the set of risk factors to guide the agency in conducting monitoring, inspections, and compliance audits of educator preparation programs, including evaluations associated with renewals under Section [21.0443](#).

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, §21.0455. COMPLAINTS REGARDING EDUCATOR PREPARATION PROGRAMS.

- (a) The board shall propose rules necessary to establish a process for a candidate for teacher certification to direct a complaint against an educator preparation program to the agency.
- (b) The board by rule shall require an educator preparation program to notify candidates for teacher certification of the complaint process adopted under Subsection (a). The notice must include the name, mailing address, telephone number, and Internet website address of the agency for the purpose of directing complaints to the agency. The educator preparation program shall provide for that notification:
 - (1) on the Internet website of the educator preparation program, if the program maintains a website; and
 - (2) on a sign prominently displayed in program facilities.
- (c) The board shall post the complaint process adopted under Subsection (a) on the agency's Internet website.
- (d) The board has no authority to arbitrate or resolve contractual or commercial issues between an educator preparation program and a candidate for teacher certification.

TEXAS EDUCATION CODE
TITLE 2. PUBLIC EDUCATION
SUBTITLE D. EDUCATORS AND SCHOOL DISTRICT EMPLOYEES AND VOLUNTEERS
CHAPTER 21. EDUCATORS
SUBCHAPTER J. STAFF DEVELOPMENT

TEC, §21.458. MENTORS.

- (a) Except as provided by Subsection (a-2), each school district may assign a mentor teacher to each classroom teacher who has less than two years of teaching experience in the subject or grade level to which the teacher is assigned. A teacher assigned as a mentor must:
- (1) to the extent practicable, teach in the same school;
 - (2) to the extent practicable, teach the same subject or grade level, as applicable; and
 - (3) meet the qualifications prescribed by commissioner rules adopted under Subsection (b).
- (a-1) To be assigned as a mentor, a teacher must agree to serve as a mentor teacher for at least one school year. The assignment must begin not later than the 30th day of employment of the classroom teacher to whom the mentor teacher is assigned. A district must agree to assign a mentor to a new classroom teacher for at least two school years.
- (a-2) A school district shall assign a mentor teacher to a classroom teacher who has been issued a temporary certificate to teach career and technology education under Section [21.0444](#) for at least two school years.
- (b) The commissioner shall adopt rules necessary to administer this section, including rules concerning the duties and qualifications of a teacher who serves as a mentor and the number of classroom teachers that may be assigned to a mentor. The rules concerning qualifications must require that to serve as a mentor a teacher must:
- (1) complete a research-based mentor and induction training program approved by the commissioner;
 - (2) complete a mentor training program provided by the district, which the district may allow to be satisfied by completing the training program described by Subdivision (1);
 - (3) have at least three complete years of teaching experience with a superior record of assisting students, as a whole, in achieving improvement in student performance; and

TEXAS EDUCATION CODE
TITLE 2. PUBLIC EDUCATION
SUBTITLE D. EDUCATORS AND SCHOOL DISTRICT EMPLOYEES AND VOLUNTEERS
CHAPTER 21. EDUCATORS
SUBCHAPTER J. STAFF DEVELOPMENT

- (4) demonstrate interpersonal skills, instructional effectiveness, and leadership skills.
- (b-1) A school district must provide training as described by Subsection (b)(2) to mentor teachers and any appropriate district and campus employees who work with the classroom teacher or supervise the classroom teacher. A district may allow a training program approved by the commissioner under Subsection (b)(1) to qualify for the training required by this section. The training must be completed by the mentor teacher and the district and campus employees before the beginning of the school year. The district shall also provide supplemental training to mentor teachers and employees during the school year. The training must include content related to best mentorship practices.
- (c) Repealed by Acts 2019, 86th Leg., R.S., Ch. 943 (H.B. [3](#)), Sec. 4.001(a)(10), eff. September 1, 2019.
- (d) In adopting rules under this section, the commissioner shall rely on research-based mentoring programs that, through external evaluation, have demonstrated success.
- (e) Each year the commissioner shall report to the legislature regarding the effectiveness of school district mentoring programs.
- (f) A mentor teacher must meet with each classroom teacher assigned to the mentor not less than 12 hours each semester. Observations of the mentor by the classroom teacher being mentored or of the classroom teacher being mentored by the mentor may count toward the 12 hours of meeting time required for the semester. Except as provided by Subsection (f-1), the mentoring sessions must address the following topics:
 - (1) orientation to the context, policies, and practices of the school district;
 - (2) data-driven instructional practices;
 - (3) specific instructional coaching cycles, including coaching regarding conferences between parents and the classroom teacher;

TEXAS EDUCATION CODE
TITLE 2. PUBLIC EDUCATION
SUBTITLE D. EDUCATORS AND SCHOOL DISTRICT EMPLOYEES AND VOLUNTEERS
CHAPTER 21. EDUCATORS
SUBCHAPTER J. STAFF DEVELOPMENT

- (4) professional development; and
- (5) professional expectations.
- (f-1) Subject to approval by the agency, in determining the topics to be addressed in the mentoring sessions, a school district may create an appropriate curriculum that meets the district needs.
- (g) A school district must:
 - (1) designate a specific time during the regularly contracted school day for meetings between mentor teachers and classroom teachers assigned to a mentor; and
 - (2) schedule release time or a reduced teaching load for mentor teachers and classroom teachers under this section to facilitate mentoring activities, including classroom observations or participation in supportive coaching.

Added by Acts 2006, 79th Leg., 3rd C.S., Ch. 5 (H.B. [1](#)), Sec. 4.07, eff. May 31, 2006.

Amended by:

Acts 2009, 81st Leg., R.S., Ch. 796 (S.B. [1290](#)), Sec. 1, eff. June 19, 2009.

Acts 2013, 83rd Leg., R.S., Ch. 1282 (H.B. [2012](#)), Sec. 8, eff. September 1, 2013.

Acts 2019, 86th Leg., R.S., Ch. 943 (H.B. [3](#)), Sec. 2.009, eff. June 12, 2019.

Acts 2019, 86th Leg., R.S., Ch. 943 (H.B. [3](#)), Sec. 4.001(a)(10), eff. September 1, 2019.

Acts 2021, 87th Leg., R.S., Ch. 1045 (S.B. [1267](#)), Sec. 9, eff. June 18, 2021.

Acts 2023, 88th Leg., R.S., Ch. 806 (H.B. [621](#)), Sec. 2, eff. September 1, 2023.

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, §21.0485. CERTIFICATION TO TEACH STUDENTS WITH VISUAL IMPAIRMENTS.

- (a) To be eligible to be issued a certificate to teach students with visual impairments, a person must:
 - (1) complete either:
 - (A) all course work required for that certification in an approved educator preparation program; or
 - (B) an alternative educator certification program approved for the purpose by the board;
 - (2) perform satisfactorily on each examination prescribed under Section [21.048](#) for certification to teach students with visual impairments, after completing the course work or program described by Subdivision (1); and
 - (3) satisfy any other requirements prescribed by the board.
- (b) Subsection (a) does not apply to eligibility for a certificate to teach students with visual impairments, including eligibility for renewal of that certificate, if the application for the initial certificate was submitted on or before September 1, 2011.

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, §21.0487. JUNIOR RESERVE OFFICER TRAINING CORPS TEACHER
CERTIFICATION.**

- (a) The board shall establish a standard Junior Reserve Officer Training Corps teaching certificate to provide Junior Reserve Officer Training Corps instruction.
- (b) To be eligible for a certificate under this section, a person must:
 - (1) hold a bachelor's degree from an institution of higher education that is, and at the time the person received the degree was, accredited or otherwise approved by an accrediting organization recognized by the Texas Higher Education Coordinating Board;
 - (2) satisfy the eligibility and testing requirements for certification as a Junior Reserve Officer Training Corps instructor established by the branch of service in which the person served; and
 - (3) complete an approved educator preparation program.
- (c) The board shall propose rules to:
 - (1) approve educator preparation programs to prepare a person as a teacher for certification under this section; and
 - (2) establish requirements under which:
 - (A) a person's training and experience acquired during the person's military service serves as proof of the person's demonstration of subject matter knowledge if that training and experience is verified by the branch of service in which the person served; and
 - (B) a person's employment by a school district as a Junior Reserve Officer Training Corps instructor before the person was enrolled in an educator preparation program or while the person is enrolled in an educator preparation program is applied to satisfy any student teaching, internship, or field-based experience program requirement.
- (d) A person is not required to hold a certificate established under this section to be employed by a school district as a Junior Reserve Officer Training Corps instructor.

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, §21.0489. EARLY CHILDHOOD CERTIFICATION.

- (a) To ensure that there are teachers with special training in early childhood education focusing on prekindergarten through grade three, the board shall establish an early childhood certificate.
- (b) A person is not required to hold a certificate established under this section to be employed by a school district to provide instruction in prekindergarten through grade three.
- (c) To be eligible for a certificate established under this section, a person must:
 - (1) either:
 - (A) satisfactorily complete the course work for that certificate in an educator preparation program, including a knowledge-based and skills-based course of instruction on early childhood education that includes:
 - (i) teaching methods for:
 - (a) using small group instructional formats that focus on building social, emotional, and academic skills;
 - (b) navigating multiple content areas; and
 - (c) managing a classroom environment in which small groups of students are working on different tasks; and
 - (ii) strategies for teaching fundamental academic skills, including reading, writing, and numeracy; or
 - (B) hold an early childhood through grade six certificate issued under this subchapter and satisfactorily complete a course of instruction described by Paragraph (A);
 - (2) perform satisfactorily on an early childhood certificate examination prescribed by the board; and
 - (3) satisfy any other requirements prescribed by the board.
- (d) The criteria for the course of instruction described by Subsection (c)(1)(A) shall be developed by the board in consultation with faculty members who provide instruction at institutions of higher education in educator preparation programs for an early childhood through grade six certificate.

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, §21.0491. PROBATIONARY AND STANDARD TRADE AND INDUSTRIAL WORKFORCE TRAINING CERTIFICATES.

- (a) To provide a continuing additional source of teachers to provide workforce training, the board shall establish a probationary trade and industrial workforce training certificate and a standard trade and industrial workforce training certificate that may be obtained through an abbreviated educator preparation program under Section 21.0442.
- (b) To be eligible for a probationary certificate under this section, a person must:
 - (1) satisfactorily complete the course work for that certificate in an educator preparation program under Section [21.0442](#); and
 - (2) satisfy any other requirements prescribed by the board.
- (c) To be eligible for a standard certificate under this section, a person must:
 - (1) hold a probationary certificate issued under this section;
 - (2) be employed by:
 - (A) a public or private primary or secondary school; or
 - (B) an institution of higher education or an independent or private institution of higher education as those terms are defined by Section [61.003](#); and
 - (3) perform satisfactorily on a standard trade and industrial workforce training certificate examination prescribed by the board.
- (d) The limitation imposed by Section [21.048](#)(a-1) on the number of administrations of an examination does not apply to the administration of the standard trade and industrial workforce training certificate examination prescribed by the board.
- (e) Notwithstanding any other law, the board may administer the standard trade and industrial workforce training certificate examination to a person who satisfies the requirements of Subsections (c)(1) and (2).
- (f) The board shall propose rules to:
 - (1) specify the term of a probationary certificate and a standard certificate issued under this section; and
 - (2) establish the requirements for renewal of a standard certificate.

Text of section effective on June 15, 2017, but only if a specific appropriation is provided as described by Acts 2017, 85th Leg., R.S., Ch. 1077 (H.B. [3349](#)), Sec. 3, which states: This Act takes effect only if a specific appropriation for the implementation of the Act is provided in a general appropriations act of the 85th Legislature.

Added by Acts 2017, 85th Leg., R.S., Ch. 1077 (H.B. [3349](#)), Sec. 1, eff. June 15, 2017.

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, §21.0525. CERTIFICATION OF CERTAIN MILITARY INSTRUCTORS; TEMPORARY TEACHING CERTIFICATE.

- (a) The board shall propose rules providing for a person who holds a bachelor's degree and has at least two semesters' experience as a full-time instructor for the Community College of the Air Force to:
 - (1) be issued a temporary teaching certificate on the person's enrollment in an educator preparation program; and
 - (2) receive credit for the person's education, training, and clinical or professional experience as an instructor for the Community College of the Air Force toward the requirements for completion of an educator preparation program, including requirements regarding coursework, field-based experience, or clinical experience.
- (b) A temporary teaching certificate issued under this section is valid for a term of one year from the date of issuance.

Added by Acts 2023, 88th Leg., R.S., Ch. 1073 (S.B. [544](#)), Sec. 1, eff. September 1, 2023.

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, §21.04891. BILINGUAL SPECIAL EDUCATION CERTIFICATION.

- (a) In this section, "limited English proficiency" has the meaning assigned by Section [29.052](#).
- (b) To ensure that there are teachers with special training in providing instruction to students of limited English proficiency with disabilities, the board shall establish a bilingual special education certificate.
- (c) To be eligible for a certificate established under this section, a person must:
 - (1) satisfactorily complete the coursework for that certificate in an educator preparation program, including a skills-based course of instruction on providing instruction to students of limited English proficiency with disabilities, which must include instruction on:
 - (A) the foundations of bilingual, multicultural, and second language special education;
 - (B) providing individualized education programs for students of limited English proficiency with disabilities;
 - (C) providing assessment of students of limited English proficiency with and without disabilities;
 - (D) developing teaching methods to recognize the intellectual, developmental, and emotional needs of students in dual language and transitional bilingual education settings;
 - (E) teaching fundamental academic skills, including reading, writing, and mathematics, to students of limited English proficiency; and
 - (F) creating partnerships with families and school professionals;
 - (2) perform satisfactorily on a bilingual special education certificate examination prescribed by the board; and
 - (3) satisfy any other requirements prescribed by the board.

Added by Acts 2021, 87th Leg., R.S., Ch. 691 (H.B. [2256](#)), Sec. 1, eff. September 1, 2021.

TEXAS EDUCATION CODE
TITLE 2. PUBLIC EDUCATION
SUBTITLE E. STUDENTS AND PARENTS
CHAPTER 26. PARENTAL RIGHTS AND RESPONSIBILITIES

TEC, §26.0061. RIGHT TO REQUEST INSTRUCTIONAL MATERIAL REVIEW.

- (a) The board of trustees of each school district shall establish a process by which a parent of a student, as indicated on the student registration form at the student's campus, may request an instructional material review under Section [31.0252](#) for a subject area in the grade level in which the student is enrolled.
- (b) A process established under Subsection (a):
 - (1) may not require more than one parent of a student to make the request;
 - (2) must provide for the board of trustees of the school district to determine if the request will be granted, either originally or through an appeal process; and
 - (3) may permit the requesting parent to review the instructional material directly before the district conducts an instructional material review under Section [31.0252](#).
- (c) If the parents of at least 25 percent of the students enrolled at a campus present to the board of trustees of the school district in which the campus is located a petition for the board to conduct an instructional material review under Section [31.0252](#), the board shall, subject to Subsection (d), conduct the review, unless the petition is presented by the parents of less than 50 percent of the students enrolled at the campus and, by a majority vote, the board denies the request. A review conducted under this subsection shall include a review of instructional materials for each subject area or grade level specified in the petition.
- (d) The board of trustees of a school district is not required to conduct a review under this section for a specific subject area or grade level at a specific district campus more than once per school year.
- (e) Parental access to instructional material provided by an instructional material review conducted under this section is in addition to any other right to access instructional material granted by this title or school district policy.
- (f) The State Board of Education may adopt rules to implement this section.

Added by Acts 2023, 88th Leg., R.S., Ch. 818 (H.B. [1605](#)), Sec. 6, eff. June 13, 2023.

TEXAS EDUCATION CODE
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.
- (c-4) In adopting essential knowledge and skills for English language arts under Subsection (a)(1)(A), the State Board of Education shall specify a list of required vocabulary and at least one literary work to be taught in each grade level. The vocabulary specified by the board must support the essential knowledge and skills adopted for other courses offered under the foundation curriculum under Subsection (a)(1).
- (c-5) The State Board of Education shall initiate the process of specifying an initial list of vocabulary and literary works as required by Subsection (c-4) not later than February 1, 2024. The State Board of Education shall request from the agency recommendations regarding the list, and that request for recommendations may be considered an initiation of the process. This subsection expires September 1, 2025.
- (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."
- (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.
- (h-3) Repealed by Acts 2021, 87th Leg., 2nd C.S., Ch. 9 (S.B. 3), Sec. 6, eff. December 2, 2021.
- (h-4) Repealed by Acts 2021, 87th Leg., 2nd C.S., Ch. 9 (S.B. [3](#)), Sec. 6, eff. December 2, 2021.
- (h-5) Repealed by Acts 2021, 87th Leg., 2nd C.S., Ch. 9 (S.B. [3](#)), Sec. 6, eff. December 2, 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.
- (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).
- (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.

Added by Acts 1995, 74th Leg., ch. 260, Sec. 1, eff. May 30, 1995. Amended by Acts 1997, 75th Leg., ch. 1285, Sec. 4.02, eff. Sept. 1, 1997; Acts 2001, 77th Leg., ch. 907, Sec. 1, eff. June 14, 2001; Acts 2001, 77th Leg., ch. 925, Sec. 3, eff. June 14, 2001; Acts 2003, 78th Leg., ch. 61, Sec. 2, eff. Sept. 1, 2003; Acts 2003, 78th Leg., ch. 1264, Sec. 1, eff. Sept. 1, 2003; Acts 2003, 78th Leg., ch. 1275, Sec. 2(14), eff. Sept. 1, 2003.

Amended by:

Acts 2005, 79th Leg., Ch. 784 (S.B. [42](#)), Sec. 1, eff. June 17, 2005.

Acts 2007, 80th Leg., R.S., Ch. 254 (H.B. [2176](#)), Sec. 1, eff. September 1, 2007.

Acts 2007, 80th Leg., R.S., Ch. 856 (H.B. [1287](#)), Sec. 3, eff. June 15, 2007.

Acts 2007, 80th Leg., R.S., Ch. 1377 (S.B. [530](#)), Sec. 1, eff. June 15, 2007.

Acts 2009, 81st Leg., R.S., Ch. 529 (S.B. [1344](#)), Sec. 2, eff. June 19, 2009.

Acts 2009, 81st Leg., R.S., Ch. 773 (S.B. [891](#)), Sec. 1, eff. June 19, 2009.

Acts 2009, 81st Leg., R.S., Ch. 895 (H.B. [3](#)), Sec. 25, eff. June 19, 2009.

Acts 2009, 81st Leg., R.S., Ch. 1419 (H.B. [3076](#)), Sec. 1, eff. June 19, 2009.

Acts 2009, 81st Leg., R.S., Ch. 1421 (S.B. [1219](#)), Sec. 1, eff. June 19, 2009.

Acts 2011, 82nd Leg., R.S., Ch. 91 (S.B. [1303](#)), Sec. 27.001(5), eff. September 1, 2011.

Acts 2011, 82nd Leg., R.S., Ch. 776 (H.B. [1942](#)), Sec. 4, eff. June 17, 2011.

Acts 2011, 82nd Leg., 1st C.S., Ch. 6 (S.B. [6](#)), Sec. 13, eff. July 19, 2011.

Acts 2013, 83rd Leg., R.S., Ch. 211 (H.B. [5](#)), Sec. 8(a), eff. June 10, 2013.

Acts 2013, 83rd Leg., R.S., Ch. 211 (H.B. [5](#)), Sec. 78(b)(1), eff. September 1, 2014.

Acts 2013, 83rd Leg., R.S., Ch. 796 (S.B. [1474](#)), Sec. 1, eff. June 14, 2013.

Acts 2013, 83rd Leg., R.S., Ch. 861 (H.B. [462](#)), Sec. 1, eff. June 14, 2013.

Acts 2013, 83rd Leg., R.S., Ch. 1026 (H.B. [2662](#)), Sec. 1, eff. June 14, 2013.

Acts 2015, 84th Leg., R.S., Ch. 89 (H.B. [440](#)), Sec. 1, eff. May 23, 2015.

Acts 2015, 84th Leg., R.S., Ch. 729 (H.B. [1431](#)), Sec. 1, eff. June 17, 2015.

Acts 2015, 84th Leg., R.S., Ch. 1175 (S.B. [968](#)), Sec. 1, eff. June 19, 2015.

Acts 2017, 85th Leg., R.S., Ch. 1088 (H.B. [3593](#)), Sec. 1, eff. June 15, 2017.

Acts 2019, 86th Leg., R.S., Ch. 352 (H.B. [18](#)), Sec. 1.07, eff. December 1, 2019.

Acts 2019, 86th Leg., R.S., Ch. 352 (H.B. [18](#)), Sec. 4.01(2), eff. December 1, 2019.

Acts 2019, 86th Leg., R.S., Ch. 464 (S.B. [11](#)), Sec. 7, eff. June 6, 2019.

Acts 2019, 86th Leg., R.S., Ch. 1149 (H.B. [2984](#)), Sec. 1, eff. June 14, 2019.

Acts 2021, 87th Leg., R.S., Ch. 772 (H.B. [3979](#)), Sec. 1, eff. September 1, 2021.

Acts 2021, 87th Leg., R.S., Ch. 1005 (H.B. [4509](#)), Sec. 3, eff. June 18, 2021.

Acts 2021, 87th Leg., 2nd C.S., Ch. 9 (S.B. [3](#)), Sec. 3, eff. December 2, 2021.

Acts 2021, 87th Leg., 2nd C.S., Ch. 9 (S.B. [3](#)), Sec. 4, eff. December 2, 2021.

Acts 2021, 87th Leg., 2nd C.S., Ch. 9 (S.B. [3](#)), Sec. 6, eff. December 2, 2021.

Acts 2023, 88th Leg., R.S., Ch. 818 (H.B. [1605](#)), Sec. 7, eff. June 13, 2023.

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
CHAPTER 28. COURSES OF STUDY; ADVANCEMENT
SUBCHAPTER B. ADVANCEMENT, PLACEMENT, CREDIT, AND
ACADEMIC ACHIEVEMENT RECORD

TEC, §28.029. MIDDLE SCHOOL ADVANCED MATHEMATICS PROGRAM.

- (a) To increase the number of students who complete advanced mathematics courses in high school, each school district and open-enrollment charter school shall develop an advanced mathematics program for middle school students that is designed to enable those students to enroll in Algebra I in eighth grade.
- (b) Under the program, subject to Subsection (c), a school district or open-enrollment charter school shall automatically enroll in an advanced mathematics course each sixth grade student who performed in the top 40 percent on:
 - (1) the fifth grade mathematics assessment instrument administered under Section 39.023(a);
or
 - (2) a local measure that includes the student's fifth grade class ranking or a demonstrated proficiency in the student's fifth grade mathematics coursework.
- (c) The parent or guardian of a student described by Subsection (b) may opt the student out of automatic enrollment under that subsection.
- (d) The commissioner may adopt rules to implement this section.

Added by Acts 2023, 88th Leg., R.S., Ch. 262 (S.B. 2124), Sec. 1, eff. May 27, 2023.

TEXAS EDUCATION CODE
TITLE 2. PUBLIC EDUCATION
SUBTITLE F. CURRICULUM, PROGRAMS, AND SERVICES
CHAPTER 31. INSTRUCTIONAL MATERIALS AND TECHNOLOGY
SUBCHAPTER A. GENERAL PROVISIONS

TEC, §31.003. RULES.

- (a) The State Board of Education may adopt rules, consistent with this chapter, for the adoption, requisition, distribution, care, use, and disposal of instructional materials.
- (b) The commissioner may adopt rules, consistent with this chapter, as necessary to implement a provision of this chapter that the commissioner or agency is responsible for implementing.

Added by Acts 1995, 74th Leg., ch. 260, Sec. 1, eff. May 30, 1995.

Amended by:

Acts 2011, 82nd Leg., 1st C.S., Ch. 6 (S.B. [6](#)), Sec. 20, eff. July 19, 2011.

Acts 2023, 88th Leg., R.S., Ch. 818 (H.B. [1605](#)), Sec. 13, eff. June 13, 2023.

TEXAS EDUCATION CODE
CHAPTER 31. INSTRUCTIONAL MATERIALS
SUBCHAPTER B. STATE REVIEW AND ADOPTION

TEC, §31.022. STATE BOARD OF EDUCATION INSTRUCTIONAL MATERIALS REVIEW AND APPROVAL.

- (a) The State Board of Education shall review instructional materials provided to the board by the agency under Section 31.023. Before approving instructional material, the board may review the material and must determine that the material is free from factual error and suitable for the subject and grade level for which the material is designed, and, if the material is intended to cover the foundational skills reading curriculum in kindergarten through third grade, does not include three-cueing, as defined by Section 28.0062(a-1). The board shall add each material approved under this section to a list of approved instructional materials and may add a material not approved under this section to a list of rejected instructional materials.
- (b) The State Board of Education may adopt criteria necessary for approval of instructional material under Subsection (a) and may require:
 - (1) all instructional material submitted as full subject tier one instructional material to cover a minimum percentage, as determined by the board, of the essential knowledge and skills adopted for the subject and grade level for which the material is designed;
 - (2) electronic samples of the material;
 - (3) certain physical specifications;
 - (4) the instructional material to not contain obscene or harmful content and otherwise be compatible with certification requirements under Section 31.1011(a)(1)(B); and
 - (5) the instructional material to be made publicly available for review.
- (c) The State Board of Education may remove instructional material from the list of approved instructional materials under this section if the essential knowledge and skills intended to be covered by the material are revised or the material is revised without the approval of the board.
- (c-1) If the State Board of Education intends to remove an instructional material from the list of approved instructional materials under Subsection (c) because the board plans to revise the essential knowledge and skills intended to be covered by the material, the board shall issue a proclamation requesting the revision of the applicable instructional materials and shall, not later than December 1 of the year preceding the school year for which the revision will take effect, provide to each school district the updated list of approved instructional materials for the relevant subject or grade level.
- (d) The State Board of Education shall indicate whether each instructional material reviewed under Subsection (a) is capable of being made available through an instructional materials parent portal established under Section 31.154.
- (d-1) Repealed by Acts 2023, 88th Leg., R.S., Ch. 818 (H.B. 1605), Sec. 51(2), eff. June 13, 2023.
- (e) Repealed by Acts 2023, 88th Leg., R.S., Ch. 818 (H.B. 1605), Sec. 51(2), eff. June 13, 2023.
- (f) Repealed by Acts 2023, 88th Leg., R.S., Ch. 818 (H.B. 1605), Sec. 51(2), eff. June 13, 2023.
- (g) Repealed by Acts 2023, 88th Leg., R.S., Ch. 818 (H.B. 1605), Sec. 51(2), eff. June 13, 2023.
- (h) Repealed by Acts 2023, 88th Leg., R.S., Ch. 818 (H.B. 1605), Sec. 51(2), eff. June 13, 2023.
- (i) Repealed by Acts 2023, 88th Leg., R.S., Ch. 818 (H.B. 1605), Sec. 51(2), eff. June 13, 2023.

TEXAS EDUCATION CODE
TITLE 2. PUBLIC EDUCATION
SUBTITLE F. CURRICULUM, PROGRAMS, AND SERVICES
CHAPTER 31. INSTRUCTIONAL MATERIALS
SUBCHAPTER B. STATE REVIEW AND ADOPTION

TEC, §31.023. INSTRUCTIONAL MATERIAL REVIEW.

- (a) The commissioner shall establish, in consultation with and with the approval of the State Board of Education, a process for the annual review of instructional materials by the agency. The process established under this subsection must:
- (1) establish a process for the agency to select instructional materials for review that includes:
 - (A) evaluating requests for review of instructional materials submitted to the agency by:
 - (i) a school district;
 - (ii) a majority of the members of the State Board of Education; or
 - (iii) a publisher of instructional material, which may only be submitted for material published by the requesting publisher;
 - (B) requiring the agency to review materials if the State Board of Education requests by a majority vote that the material be reviewed by the agency;
 - (C) reviewing instructional materials requisitioned or purchased under Section [31.0212](#); and
 - (D) reviewing instructional materials using a time frame appropriate for the proclamation requesting the revision of the instructional materials under Section [31.022\(c-1\)](#) to address revisions made by the State Board of Education to the essential knowledge and skills for a particular subject or grade level;
 - (2) describe the types of instructional materials the agency may review, including:
 - (A) partial subject tier one instructional material, including those designed for use in the phonics curriculum required under Section [28.0062\(a\)\(1\)](#);
 - (B) open education resource instructional material;
 - (C) instructional materials developed by a school district and submitted to the agency by the district for review; and
 - (D) commercially available full subject tier one instructional material;

- (3) establish procedures for the agency to conduct reviews of instructional materials, including:
 - (A) the use of a rubric approved under Subsection (b); and
 - (B) consultation with classroom teachers and other curriculum experts for the appropriate subject and grade level; and
 - (4) ensure the procedures for review allow the agency to review at least 200 individual instructional materials each year.
- (b) In conducting a review under this section, the agency must use a rubric developed by the agency in consultation with and approved by the State Board of Education that includes, with respect to the instructional material being reviewed, a determination of:
- (1) whether the material is free from factual error and satisfies the criteria adopted by the board under Section [31.022](#);
 - (2) the quality of the material;
 - (3) the essential knowledge and skills for the subject and grade level for which the material was developed that are covered by the material, including identification of:
 - (A) each essential knowledge and skill covered by the material;
 - (B) for a full subject tier one instructional material, the percentage of the essential knowledge and skills adopted for the subject and grade level covered by the material; and
 - (C) for a partial subject tier one instructional material, the percentage of the essential knowledge and skills for the relevant portion of the subject and grade level covered by the material; and
 - (4) whether the material contains obscene or harmful content or is otherwise incompatible with certification requirements under Section [31.1011\(a\)\(1\)\(B\)](#).
- (c) After completing a review under this section, the agency shall provide the results of the review and any related recommendations to the State Board of Education for approval or rejection of the instructional material and the inclusion of the instructional material on a list maintained by the State Board of Education under Section [31.022](#).
- (d) The agency shall use funds appropriated to the agency for the purposes of reviewing instructional material or available in the state instructional materials and technology fund for purposes of implementing this section.

- (e) A process established under Subsection (a) or a rubric developed under Subsection (b) is automatically approved by the State Board of Education if not rejected by the board before the 91st day after the date the agency submits the item to the board.

Added by Acts 1995, 74th Leg., ch. 260, Sec. 1, eff. May 30, 1995.

Amended by:

Acts 2007, 80th Leg., R.S., Ch. 445 (H.B. [188](#)), Sec. 4, eff. June 16, 2007.

Acts 2011, 82nd Leg., 1st C.S., Ch. 6 (S.B. [6](#)), Sec. 26, eff. July 19, 2011.

Acts 2017, 85th Leg., R.S., Ch. 578 (S.B. [801](#)), Sec. 1, eff. September 1, 2017.

Acts 2023, 88th Leg., R.S., Ch. 818 (H.B. [1605](#)), Sec. 23, eff. June 13, 2023.

TEXAS EDUCATION CODE
TITLE 2. PUBLIC EDUCATION
SUBTITLE F. CURRICULUM, PROGRAMS, AND SERVICES
CHAPTER 31. INSTRUCTIONAL MATERIALS
SUBCHAPTER B. STATE FUNDING, ADOPTION, AND PURCHASE

TEC, §31.026. CONTRACT; PRICE.

- (a) The State Board of Education shall execute a contract for the purchase or licensing of each adopted instructional material.
- (b) A contract must require the publisher to provide the number of instructional materials required by school districts in this state for the term of the contract, which must coincide with the board's adoption cycle.
- (c) As applicable, a contract must provide for the purchase or licensing of instructional material at a specific price, which may not exceed the lowest price paid by any other state or any school or school district. The price must be fixed for the term of the contract.
- (d) This section does not apply to open education resource instructional material.

TEXAS EDUCATION CODE
TITLE 2. PUBLIC EDUCATION
SUBTITLE F. CURRICULUM, PROGRAMS, AND SERVICES
CHAPTER 31. INSTRUCTIONAL MATERIALS
SUBCHAPTER B. STATE REVIEW AND ADOPTION

TEC, §31.0252. LOCAL REVIEW OF CLASSROOM INSTRUCTIONAL MATERIAL.

- (a) The agency shall develop standards in consultation with stakeholders, including educators, by which a school district may conduct a review of instructional materials used by a classroom teacher in a foundation curriculum course under Section 28.002(a)(1) to determine the degree to which the material:
 - (1) corresponds with the instructional materials adopted by the school district or district campus; and
 - (2) meets the level of rigor of the essential knowledge and skills adopted under Section 28.002 for the grade level in which it is being used.
- (b) The agency shall develop a rubric, approved by the State Board of Education, to determine if reviewed instructional material complies with the rigor requirements described by Subsection (a)(2).
- (c) The agency, in developing standards under Subsection (a):
 - (1) shall minimize, to the extent possible, the time a classroom teacher is required to spend complying with a review conducted under this section;
 - (2) may not, unless unavoidable, require a teacher to spend more than 30 minutes on a single review conducted under this section; and
 - (3) may not authorize the review of instructional materials used by a classroom teacher for a specific subject or grade level at a specific school district campus more than once per school year.
- (d) The agency shall permit a regional education service center or a curriculum review service provider approved by the agency to conduct the review for a school district under this section and provide to approved centers and providers training relating to appropriately conducting the review.
- (e) The agency shall award grants to assist school districts in conducting reviews under this section.

Added by Acts 2023, 88th Leg., R.S., Ch. 818 (H.B. 1605), Sec. 24, eff. June 13, 2023.

TEXAS EDUCATION CODE
TITLE 2. PUBLIC EDUCATION
SUBTITLE H. PUBLIC SCHOOL SYSTEM ACCOUNTABILITY
CHAPTER 39. PUBLIC SCHOOL SYSTEM ACCOUNTABILITY
SUBCHAPTER B. ASSESSMENT OF ACADEMIC SKILLS

TEC, §39.021. ESSENTIAL SKILLS AND KNOWLEDGE.

The State Board of Education by rule shall establish the essential skills and knowledge that all students should learn to achieve the goals provided under Section [4.002](#).

TEXAS EDUCATION CODE
TITLE 2. PUBLIC EDUCATION
SUBTITLE H. PUBLIC SCHOOL SYSTEM ACCOUNTABILITY
CHAPTER 39. PUBLIC SCHOOL SYSTEM ACCOUNTABILITY
SUBCHAPTER B. ASSESSMENT OF ACADEMIC SKILLS

TEC, §39.022. ASSESSMENT PROGRAM.

- (a) The State Board of Education by rule shall create and implement a statewide assessment program that is knowledge- and skills-based to ensure school accountability for student achievement that achieves the goals provided under Section [4.002](#). After adopting rules under this section, the State Board of Education shall consider the importance of maintaining stability in the statewide assessment program when adopting any subsequent modification of the rules.
- (b) It is the policy of this state that the statewide assessment program be designed to:
 - (1) provide assessment instruments that are as short as practicable; and
 - (2) minimize the disruption to the educational program.

Added by Acts 1995, 74th Leg., ch. 260, Sec. 1, eff. May 30, 1995. Amended by Acts 1999, 76th Leg., ch. 397, Sec. 2, eff. Sept. 1, 1999.

Amended by:

Acts 2019, 86th Leg., R.S., Ch. 1315 (H.B. [3906](#)), Sec. 1, eff. June 14, 2019.

TEXAS EDUCATION CODE
TITLE 2. PUBLIC EDUCATION
SUBTITLE H. PUBLIC SCHOOL SYSTEM ACCOUNTABILITY
CHAPTER 39. PUBLIC SCHOOL SYSTEM ACCOUNTABILITY
SUBCHAPTER B. ASSESSMENT OF ACADEMIC SKILLS

TEC, §39.023. ADOPTION AND ADMINISTRATION OF INSTRUMENTS.

Text of subsection effective until September 01, 2021

- (a) The agency shall adopt or develop appropriate criterion-referenced assessment instruments designed to assess essential knowledge and skills in reading, writing, mathematics, social studies, and science. Except as provided by Subsection (a-2), all students, other than students assessed under Subsection (b) or (1) or exempted under Section [39.027](#), shall be assessed in:
- (1) mathematics, annually in grades three through eight;
 - (2) reading, annually in grades three through eight;
 - (3) writing, including spelling and grammar, in grades four and seven;
 - (4) social studies, in grade eight;
 - (5) science, in grades five and eight; and
 - (6) any other subject and grade required by federal law.

Text of subsection effective on September 01, 2021

- (a) The agency shall adopt or develop appropriate criterion-referenced assessment instruments designed to assess essential knowledge and skills in reading, mathematics, social studies, and science. Except as provided by Subsection (a-2), all students, other than students assessed under Subsection (b) or (1) or exempted under Section [39.027](#), shall be assessed in:
- (1) mathematics, annually in grades three through eight;
 - (2) reading, annually in grades three through eight;
 - (3) social studies, in grade eight;
 - (4) science, in grades five and eight; and
 - (5) any other subject and grade required by federal law.
- (a-1) The agency shall develop assessment instruments required under Subsection (a) in a manner that allows, to the extent practicable:
- (1) the score a student receives to provide reliable information relating to a student's satisfactory performance for each performance standard under Section [39.0241](#); and
 - (2) an appropriate range of performances to serve as a valid indication of growth in student achievement.
- (a-2) Except as required by federal law, a student is not required to be assessed in a subject otherwise assessed at the student's grade level under Subsection (a) if the student:

TEXAS EDUCATION CODE
TITLE 2. PUBLIC EDUCATION
SUBTITLE H. PUBLIC SCHOOL SYSTEM ACCOUNTABILITY
CHAPTER 39. PUBLIC SCHOOL SYSTEM ACCOUNTABILITY
SUBCHAPTER B. ASSESSMENT OF ACADEMIC SKILLS

- (1) is enrolled in a course in the subject intended for students above the student's grade level and will be administered an assessment instrument adopted or developed under Subsection (a) that aligns with the curriculum for the course in which the student is enrolled; or
 - (2) is enrolled in a course in the subject for which the student will receive high school academic credit and will be administered an end-of-course assessment instrument adopted under Subsection (c) for the course.
- (a-3) The agency may not adopt or develop a criterion-referenced assessment instrument under this section based on common core state standards as defined by Section [28.002](#)(b-1). This subsection does not prohibit the use of college advanced placement tests or international baccalaureate examinations as those terms are defined by Section [28.051](#).
- (a-4) For purposes of Subsection (a)(1), the State Board of Education by rule may designate sections of a mathematics assessment instrument for a grade level that:
- (1) may be completed with the aid of technology; and
 - (2) must be completed without the aid of technology.
- (a-5)-(a-10) Expired.
- (a-11) Before an assessment instrument adopted or developed under Subsection (a) may be administered under that subsection, the assessment instrument must, on the basis of empirical evidence, be determined to be valid and reliable by an entity that is independent of the agency and of any other entity that developed the assessment instrument.
- (a-12) An assessment instrument adopted or developed under Subsection (a) may not have more than three parts. A part of an assessment instrument must be designed so that:
- (1) if administered to students in grades three and four, 85 percent of students will be able to complete that part within 60 minutes; and
 - (2) if administered to students in grades five through eight, 85 percent of students will be able to complete that part within 75 minutes.
- (a-13) The amount of time allowed for administration of an assessment instrument adopted or developed under Subsection (a) may not exceed eight hours, and the administration may occur in multiple parts over more than one day.
- (a-14) Subsections (a-12) and (a-13) do not apply to the administration of assessment instruments for a grade level if, as a result of the time restriction imposed, the assessment instrument no longer:
- (1) complies with federal law; or
 - (2) is valid and reliable, based on findings and recommendations made by the advisory committees established under Section [39.02302](#).

TEXAS EDUCATION CODE
TITLE 2. PUBLIC EDUCATION
SUBTITLE H. PUBLIC SCHOOL SYSTEM ACCOUNTABILITY
CHAPTER 39. PUBLIC SCHOOL SYSTEM ACCOUNTABILITY
SUBCHAPTER B. ASSESSMENT OF ACADEMIC SKILLS

- (a-15) Subsections (a-12) and (a-13) do not apply to a classroom portfolio method used to assess writing performance.
- (a-16) An assessment instrument under this section may not be administered to a kindergarten student except for the purpose of determining whether the student is entitled to the benefit of the Foundation School Program as provided under this code.
- (b) The agency shall develop or adopt appropriate criterion-referenced alternative assessment instruments to be administered to each student in a special education program under Subchapter [A](#), Chapter [29](#), for whom an assessment instrument adopted under Subsection (a), even with allowable accommodations, would not provide an appropriate measure of student achievement, as determined by the student's admission, review, and dismissal committee, including assessment instruments approved by the commissioner that measure growth. The assessment instruments developed or adopted under this subsection, including the assessment instruments approved by the commissioner, must, to the extent allowed under federal law, provide a district with options for the assessment of students under this subsection. The agency may not adopt a performance standard that indicates that a student's performance on the alternate assessment does not meet standards if the lowest level of the assessment accurately represents the student's developmental level as determined by the student's admission, review, and dismissal committee.
- (b-1) The agency, in conjunction with appropriate interested persons, shall redevelop assessment instruments adopted or developed under Subsection (b) for administration to significantly cognitively disabled students in a manner consistent with federal law. An assessment instrument under this subsection may not require a teacher to prepare tasks or materials for a student who will be administered such an assessment instrument. A classroom portfolio method used to assess writing performance may require a teacher to prepare tasks and materials.
- (c) The agency shall also adopt end-of-course assessment instruments for secondary-level courses in Algebra I, biology, English I, English II, and United States history. The Algebra I end-of-course assessment instrument must be administered with the aid of technology, but may include one or more parts that prohibit the use of technology. The English I and English II end-of-course assessment instruments must each assess essential knowledge and skills in both reading and writing and must provide a single score. A school district shall comply with State Board of Education rules regarding administration of the assessment instruments listed in this subsection. If a student is in a special education program under Subchapter [A](#), Chapter [29](#), the student's admission, review, and dismissal committee shall determine whether any allowable modification is necessary in administering to the student an assessment instrument required under this subsection. The State Board of Education shall administer the assessment instruments. An end-of-course assessment instrument may be administered in multiple parts over more than one day. The State Board of Education shall adopt a schedule for the administration of end-of-course assessment instruments that complies with the requirements of Subsection (c-3).
- (c-1) The agency shall develop any assessment instrument required under this section in a manner that allows for the measurement of annual improvement in student achievement as required by Sections [39.034](#)(c) and (d).

TEXAS EDUCATION CODE
TITLE 2. PUBLIC EDUCATION
SUBTITLE H. PUBLIC SCHOOL SYSTEM ACCOUNTABILITY
CHAPTER 39. PUBLIC SCHOOL SYSTEM ACCOUNTABILITY
SUBCHAPTER B. ASSESSMENT OF ACADEMIC SKILLS

- (c-2) The agency may adopt end-of-course assessment instruments for courses not listed in Subsection (c). A student's performance on an end-of-course assessment instrument adopted under this subsection is not subject to the performance requirements established under Subsection (c) or Section [39.025](#).
- (c-3) Except as provided by Subsection (c-7), in adopting a schedule for the administration of assessment instruments under this section, the State Board of Education shall ensure that assessment instruments administered under Subsection (a) or (c) are not administered on the first instructional day of a week.
- (c-4) To the extent practicable and subject to Section [39.024](#), the agency shall ensure that each end-of-course assessment instrument adopted under Subsection (c) is:
 - (1) developed in a manner that measures a student's performance under the college readiness standards established under Section [28.008](#); and
 - (2) validated by national postsecondary education experts for college readiness content and performance standards.
- (c-5) A student's performance on an end-of-course assessment instrument required under Subsection (c) must be included in the student's academic achievement record.
- (c-6) In adopting an end-of-course assessment instrument under this section, the agency shall consider the use of an existing assessment instrument that is currently available. The agency may use an existing assessment instrument that is currently available only if the assessment instrument:
 - (1) is aligned with the essential knowledge and skills of the subject being assessed; and
 - (2) allows for the measurement of annual improvement in student achievement as provided by Subsection (c-1).

Text of subsection as added by Acts 2019, 86th Leg., R.S., Ch. 1282 (H.B. [1244](#)), Sec. 1

- (c-7) The United States history end-of-course assessment instrument adopted under Subsection (c) must include 10 questions randomly selected by the agency from the civics test administered by the United States Citizenship and Immigration Services as part of the naturalization process under the federal Immigration and Nationality Act (8 U.S.C. Section 1101 et seq.). The agency shall:
 - (1) ensure that the questions included in the assessment instrument align with the essential knowledge and skills adopted for the United States history course for which the instrument is administered; and
 - (2) annually issue a report:
 - (A) providing the questions included in the assessment instrument under this subsection and the answers to those questions; and
 - (B) detailing student performance on the questions included in the assessment instrument under this subsection, both statewide and disaggregated by school

TEXAS EDUCATION CODE
TITLE 2. PUBLIC EDUCATION
SUBTITLE H. PUBLIC SCHOOL SYSTEM ACCOUNTABILITY
CHAPTER 39. PUBLIC SCHOOL SYSTEM ACCOUNTABILITY
SUBCHAPTER B. ASSESSMENT OF ACADEMIC SKILLS

district and campus.

Text of subsection as added by Acts 2019, 86th Leg., R.S., Ch. 1315 (H.B. [3906](#)), Sec. 3

- (c-7) Subsection (c-3) does not apply to a classroom portfolio method used to assess writing performance if student performance under that method is less than 50 percent of a student's overall assessed performance in writing.
- (c-8) Beginning with the 2022-2023 school year, an assessment instrument developed under Subsection (a) or (c) may not present more than 75 percent of the questions in a multiple choice format.
- (d) The commissioner may participate in multistate efforts to develop voluntary standardized end-of-course assessment instruments. The commissioner by rule may require a school district to administer an end-of-course assessment instrument developed through the multistate efforts. The admission, review, and dismissal committee of a student in a special education program under Subchapter [A](#), Chapter [29](#), shall determine whether any allowable modification is necessary in administering to the student an end-of-course assessment instrument.
- (e) Under rules adopted by the State Board of Education, every third year, the agency shall release the questions and answer keys to each assessment instrument administered under Subsection (a), (b), (c), (d), or (l), excluding any assessment instrument administered to a student for the purpose of retaking the assessment instrument, after the last time the instrument is administered for that school year. To ensure a valid bank of questions for use each year, the agency is not required to release a question that is being field-tested and was not used to compute the student's score on the instrument. The agency shall also release, under board rule, each question that is no longer being field-tested and that was not used to compute a student's score. During the 2014-2015 and 2015-2016 school years, the agency shall release the questions and answer keys to assessment instruments as described by this subsection each year.
- (e-1) The agency may defer releasing assessment instrument questions and answer keys as required by Subsection (e) to the extent necessary to develop additional assessment instruments.
- (f) The assessment instruments shall be designed to include assessment of a student's problem-solving ability and complex-thinking skills using a method of assessing those abilities and skills that is demonstrated to be highly reliable.
- (g) The State Board of Education may adopt one appropriate, nationally recognized, norm-referenced assessment instrument in reading and mathematics to be administered to a selected sample of students in the spring. If adopted, a norm-referenced assessment instrument must be a secured test. The state may pay the costs of purchasing and scoring the adopted assessment instrument and of distributing the results of the adopted instrument to the school districts. A district that administers the norm-referenced test adopted under this subsection shall report the results to the agency in a manner prescribed by the commissioner.
- (h) The agency shall notify school districts and campuses of the results of assessment instruments administered under this section not later than the 21st day after the date the assessment instrument is administered. The school district shall disclose to each district teacher the results of assessment

TEXAS EDUCATION CODE
TITLE 2. PUBLIC EDUCATION
SUBTITLE H. PUBLIC SCHOOL SYSTEM ACCOUNTABILITY
CHAPTER 39. PUBLIC SCHOOL SYSTEM ACCOUNTABILITY
SUBCHAPTER B. ASSESSMENT OF ACADEMIC SKILLS

instruments administered to students taught by the teacher in the subject for the school year in which the assessment instrument is administered.

- (i) The provisions of this section, except Subsection (d), are subject to modification by rules adopted under Section [39.022](#). Each assessment instrument adopted under those rules and each assessment instrument required under Subsection (d) must be reliable and valid and must meet any applicable federal requirements for measurement of student progress.
- (j) Repealed by Acts 2007, 80th Leg., R.S., Ch. 1312, Sec. 18, eff. September 1, 2007.
- (l) The State Board of Education shall adopt rules for the administration of the assessment instruments adopted under Subsection (a) in Spanish to students in grades three through five who are of limited English proficiency, as defined by Section [29.052](#), whose primary language is Spanish, and who are not otherwise exempt from the administration of an assessment instrument under Section [39.027](#)(a)(1) or (2). Each student of limited English proficiency whose primary language is Spanish, other than a student to whom Subsection (b) applies, may be assessed using assessment instruments in Spanish under this subsection for up to three years or assessment instruments in English under Subsection (a). The language proficiency assessment committee established under Section [29.063](#) shall determine which students are administered assessment instruments in Spanish under this subsection.
- (m) The commissioner by rule shall develop procedures under which the language proficiency assessment committee established under Section [29.063](#) shall determine which students are exempt from the administration of the assessment instruments under Section [39.027](#)(a)(1) or (2). The rules adopted under this subsection shall ensure that the language proficiency assessment committee provides that the exempted students are administered the assessment instruments under Subsections (a) and (c) at the earliest practical date.
- (n) This subsection applies only to a student who is determined to have dyslexia or a related disorder and who is an individual with a disability under 29 U.S.C. Section 705(20) and its subsequent amendments. The agency shall adopt or develop appropriate criterion-referenced assessment instruments designed to assess the ability of and to be administered to each student to whom this subsection applies for whom the assessment instruments adopted under Subsection (a), even with allowable modifications, would not provide an appropriate measure of student achievement, as determined by the committee established by the board of trustees of the district to determine the placement of students with dyslexia or related disorders. The committee shall determine whether any allowable modification is necessary in administering to a student an assessment instrument required under this subsection. The assessment instruments required under this subsection shall be administered on the same schedule as the assessment instruments administered under Subsection (a).
- (o) The agency shall adopt or develop optional interim assessment instruments for each subject or course for each grade level subject to assessment under this section. A school district may not be required to administer interim assessment instruments adopted or developed under this subsection. An interim assessment instrument:
 - (1) must be:

TEXAS EDUCATION CODE
TITLE 2. PUBLIC EDUCATION
SUBTITLE H. PUBLIC SCHOOL SYSTEM ACCOUNTABILITY
CHAPTER 39. PUBLIC SCHOOL SYSTEM ACCOUNTABILITY
SUBCHAPTER B. ASSESSMENT OF ACADEMIC SKILLS

- (A) predictive of the assessment instrument for the applicable subject or course for that grade level required under this section; and
 - (B) administered electronically; and
- (2) may not be used for accountability purposes.
- (p) On or before September 1 of each year, the commissioner shall make the following information available on the agency's Internet website for each assessment instrument administered under Subsection (a), (c), or (l):
- (1) the number of questions on the assessment instrument;
 - (2) the number of questions that must be answered correctly to achieve satisfactory performance as determined by the commissioner under Section [39.0241](#)(a);
 - (3) the number of questions that must be answered correctly to achieve satisfactory performance under the college readiness performance standard as provided by Section [39.0241](#); and
 - (4) the corresponding scale scores.

TEXAS EDUCATION CODE
TITLE 2. PUBLIC EDUCATION
SUBTITLE H. PUBLIC SCHOOL SYSTEM ACCOUNTABILITY
CHAPTER 39. PUBLIC SCHOOL SYSTEM ACCOUNTABILITY
SUBCHAPTER B. ASSESSMENT OF ACADEMIC SKILLS

TEC, §39.025. SECONDARY-LEVEL PERFORMANCE REQUIRED.

- (a) The commissioner shall adopt rules requiring a student in the foundation high school program under Section [28.025](#) to be administered an end-of-course assessment instrument listed in Section [39.023](#)(c) only for a course in which the student is enrolled and for which an end-of-course assessment instrument is administered. A student is required to achieve a scale score that indicates satisfactory performance, as determined by the commissioner under Section [39.0241](#)(a), on each end-of-course assessment instrument administered to the student. For each scale score required under this subsection that is not based on a 100-point scale scoring system, the commissioner shall provide for conversion, in accordance with commissioner rule, of the scale score to an equivalent score based on a 100-point scale scoring system. A student may not receive a high school diploma until the student has performed satisfactorily on end-of-course assessment instruments in the manner provided under this subsection. This subsection does not require a student to demonstrate readiness to enroll in an institution of higher education.
- (a-1) A student enrolled in a college preparatory mathematics or English language arts course under Section [28.014](#) who satisfies the Texas Success Initiative (TSI) college readiness benchmarks prescribed by the Texas Higher Education Coordinating Board under Section [51.334](#) on an assessment instrument designated by the coordinating board under that section administered at the end of the college preparatory mathematics or English language arts course satisfies the requirements concerning and is exempt from the administration of the Algebra I or the English I and English II end-of-course assessment instruments, as applicable, as prescribed by Section [39.023](#)(c), even if the student did not perform satisfactorily on a previous administration of the applicable end-of-course assessment instrument. A student who fails to perform satisfactorily on the assessment instrument designated by the coordinating board under Section [51.334](#) administered as provided by this subsection may retake that assessment instrument for purposes of this subsection or may take the appropriate end-of-course assessment instrument.
- (a-2) The commissioner shall determine a method by which a student's satisfactory performance on an advanced placement test, an international baccalaureate examination, an SAT Subject Test, the SAT, the ACT, or any nationally recognized norm-referenced assessment instrument used by institutions of higher education to award course credit based on satisfactory performance on the assessment instrument shall be used to satisfy the requirements concerning an end-of-course assessment instrument in an equivalent course as prescribed by Subsection (a). The commissioner shall determine a method by which a student's satisfactory performance on the PSAT or the ACT-Plan shall be used to satisfy the requirements concerning an end-of-course assessment instrument in an equivalent course as prescribed by Subsection (a). A student who fails to perform satisfactorily on a test or other assessment instrument authorized under this subsection, other than the PSAT or the ACT-Plan, may retake that test or other assessment instrument for purposes of this subsection or may take the appropriate end-of-course assessment instrument. A student who fails to perform satisfactorily on the PSAT or the ACT-Plan must take the appropriate end-of-course assessment instrument. The commissioner shall adopt rules as necessary for the administration of this subsection.
- (a-3) A student who, after retaking an end-of-course assessment instrument for Algebra I or English II, has failed to perform satisfactorily as required by Subsection (a), but who receives a score of proficient on the Texas Success Initiative (TSI) diagnostic assessment for the corresponding subject for which the student failed to perform satisfactorily on the end-of-course assessment

TEXAS EDUCATION CODE
TITLE 2. PUBLIC EDUCATION
SUBTITLE H. PUBLIC SCHOOL SYSTEM ACCOUNTABILITY
CHAPTER 39. PUBLIC SCHOOL SYSTEM ACCOUNTABILITY
SUBCHAPTER B. ASSESSMENT OF ACADEMIC SKILLS

instrument satisfies the requirement concerning the Algebra I or English II end-of-course assessment, as applicable. This subsection expires September 1, 2023.

- (a-4) The admission, review, and dismissal committee of a student in a special education program under Subchapter [A](#), Chapter [29](#), shall determine whether, to receive a high school diploma, the student is required to achieve satisfactory performance on end-of-course assessment instruments.
- (a-5) Notwithstanding Subsection (a), a student who has failed to perform satisfactorily on end-of-course assessment instruments in the manner provided under this section may receive a high school diploma if the student has qualified for graduation under Section [28.0258](#). This subsection expires September 1, 2023.
- (b) Each time an end-of-course assessment instrument adopted under Section [39.023](#)(c) is administered, a student who failed to achieve a score requirement under Subsection (a) may retake the assessment instrument. A student is not required to retake a course as a condition of retaking an end-of-course assessment instrument.
- (b-1) A school district shall provide each student who fails to perform satisfactorily as determined by the commissioner under Section [39.0241](#)(a) on an end-of-course assessment instrument with accelerated instruction in the subject assessed by the assessment instrument.
- (b-2) Repealed by Acts 2015, 84th Leg., R.S., Ch. 934 , Sec. 5(3), eff. June 18, 2015.
- (c) A student who has been denied a high school diploma under this section and who subsequently performs at the level necessary to comply with the requirements of this section shall be issued a high school diploma.
- (c-1) A school district may not administer an assessment instrument required for graduation administered under this section as this section existed:
 - (1) before September 1, 1999; or
 - (2) before amendment by Chapter 1312 (S.B. 1031), Acts of the 80th Legislature, Regular Session, 2007.
- (c-2) A school district may administer to a student who failed to perform satisfactorily on an assessment instrument described by Subsection (c-1) an alternate assessment instrument designated by the commissioner. The commissioner shall determine the level of performance considered to be satisfactory on an alternate assessment instrument. The district may not administer to the student an assessment instrument or a part of an assessment instrument that assesses a subject that was not assessed in an assessment instrument applicable to the student described by Subsection (c-1). The commissioner shall make available to districts information necessary to administer the alternate assessment instrument authorized by this subsection. The commissioner's determination regarding designation of an appropriate alternate assessment instrument under this subsection and the performance required on the assessment instrument is final and may not be appealed.
- (d) Notwithstanding Subsection (a), the commissioner by rule shall adopt one or more alternative nationally recognized norm referenced assessment instruments under this section to administer to

TEXAS EDUCATION CODE
TITLE 2. PUBLIC EDUCATION
SUBTITLE H. PUBLIC SCHOOL SYSTEM ACCOUNTABILITY
CHAPTER 39. PUBLIC SCHOOL SYSTEM ACCOUNTABILITY
SUBCHAPTER B. ASSESSMENT OF ACADEMIC SKILLS

a student to qualify for a high school diploma if the student enrolls after January 1 of the school year in which the student is otherwise eligible to graduate:

- (1) for the first time in a public school in this state; or
 - (2) after an absence of at least four years from any public school in this state.
- (e) The commissioner shall establish a required performance level for an assessment instrument adopted under Subsection (d) that is at least as rigorous as the performance level required to be met under Subsection (a).
- (e-1) Nothing in this section has the effect of prohibiting the administration of an end-of-course assessment instrument listed in Section [39.023\(c\)](#) to a student enrolled below the high school level who is enrolled in the course for which the assessment instrument is adopted. The commissioner shall adopt rules necessary to ensure that the student's performance on the assessment instrument is considered in the same manner for purposes of this section as the performance of a student enrolled at the high school level.
- (f) The commissioner shall by rule adopt a transition plan to implement the amendments made by Chapter 1312 (S.B. No. 1031), Acts of the 80th Legislature, Regular Session, 2007, replacing general subject assessment instruments administered at the high school level with end-of-course assessment instruments. The rules must provide for the end-of-course assessment instruments adopted under Section [39.023\(c\)](#) to be administered beginning with students enrolled in the ninth grade for the first time during the 2011-2012 school year. During the period under which the transition to end-of-course assessment instruments is made:
- (1) for students entering a grade above the ninth grade during the 2011-2012 school year or students repeating ninth grade during the 2011-2012 school year, the commissioner shall retain, administer, and use for purposes of accreditation and other campus and district accountability measures under this chapter the assessment instruments required by Section [39.023\(a\)](#) or (c), as that section existed before amendment by Chapter 1312 (S.B. No. 1031), Acts of the 80th Legislature, Regular Session, 2007; and
 - (2) a student subject to Subdivision (1) may not receive a high school diploma unless the student has performed satisfactorily on the SAT, the ACT, the Texas Success Initiative (TSI) diagnostic assessment, or the current assessment instrument or instruments administered for graduation purposes as provided by Subsection (f-1) or on each required assessment instrument administered under Section [39.023\(c\)](#), as that section existed before amendment by Chapter 1312 (S.B. No. 1031), Acts of the 80th Legislature, Regular Session, 2007.
- (f-1) The commissioner shall establish satisfactory performance levels for the SAT, the ACT, the Texas Success Initiative (TSI) diagnostic assessment, and the current assessment instrument or instruments administered for graduation purposes that are equivalent in rigor to the performance level required to be met under Subsection (a), as that subsection existed before amendment by Chapter 1312 (S.B. No. 1031), Acts of the 80th Legislature, Regular Session, 2007, that qualify a student subject to Subsection (f)(1) to receive a high school diploma. Notwithstanding Subsection (f), the commissioner is not required after September 1, 2017, to maintain and administer assessment instruments administered under Section [39.023\(c\)](#), as that section existed before amendment by Chapter 1312 (S.B. No. 1031), Acts of the 80th Legislature, Regular

TEXAS EDUCATION CODE
TITLE 2. PUBLIC EDUCATION
SUBTITLE H. PUBLIC SCHOOL SYSTEM ACCOUNTABILITY
CHAPTER 39. PUBLIC SCHOOL SYSTEM ACCOUNTABILITY
SUBCHAPTER B. ASSESSMENT OF ACADEMIC SKILLS

Session, 2007.

- (f-2) A school district shall determine which assessment or assessments described by Subsection (f-1) qualify a student subject to Subsection (f)(1) to receive a high school diploma from the district.
- (g) Rules adopted under Subsection (f) must require that each student who will be subject to the requirements of Subsection (a) is entitled to notice of the specific requirements applicable to the student. Notice under this subsection must be provided not later than the date the student enters the eighth grade.

TEXAS EDUCATION CODE
TITLE 2. PUBLIC EDUCATION
SUBTITLE H. PUBLIC SCHOOL SYSTEM ACCOUNTABILITY
CHAPTER 39. PUBLIC SCHOOL SYSTEM ACCOUNTABILITY
SUBCHAPTER B. ASSESSMENT OF ACADEMIC SKILLS

TEC, §39.032. ASSESSMENT INSTRUMENT STANDARDS; CIVIL PENALTY.

- (a) Repealed by Acts 2009, 81st Leg., R.S., Ch. 1210, Sec. 2, eff. June 19, 2009.
- (b) Repealed by Acts 2009, 81st Leg., R.S., Ch. 1210, Sec. 2, eff. June 19, 2009.
- (c) State and national norms of averages shall be computed using data that are not more than eight years old at the time the assessment instrument is administered and that are representative of the group of students to whom the assessment instrument is administered.
- (c-1) The standardization norms computed under Subsection (c) shall be:
 - (1) based on a national probability sample that meets accepted standards for educational and psychological testing; and
 - (2) updated at least every eight years using proven psychometric procedures approved by the State Board of Education.
- (c-2) The eight-year limitation on data to compute norms under this section does not apply if only data older than eight years is available for an assessment instrument. The commissioner by rule may limit the exception created by this subsection based on the type of assessment instrument.
- (d) Repealed by Acts 2009, 81st Leg., R.S., Ch. 1210, Sec. 2, eff. June 19, 2009.
- (e) The State Board of Education shall adopt rules for the implementation of this section and for the maintenance of the security of the contents of all assessment instruments.
- (f) In this section, "assessment instrument" means a group-administered achievement test.

TEXAS EDUCATION CODE
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.

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, §43.0031. PERMANENT SCHOOL FUND ETHICS POLICY.

- (a) In addition to any other requirements provided by law, the State Board of Education shall adopt and enforce an ethics policy that provides standards of conduct relating to the management and investment of the permanent school fund. The ethics policy must include provisions that address the following issues as they apply to the management and investment of the permanent school fund and to persons responsible for managing and investing the fund:
 - (1) general ethical standards;
 - (2) conflicts of interest;
 - (3) prohibited transactions and interests;
 - (4) the acceptance of gifts and entertainment;
 - (5) compliance with applicable professional standards;
 - (6) ethics training; and
 - (7) compliance with and enforcement of the ethics policy.
- (b) The ethics policy must include provisions applicable to:
 - (1) members of the State Board of Education;
 - (2) the commissioner;
 - (3) employees of the agency; and
 - (4) any person who provides services to the board relating to the management or investment of the permanent school fund.
- (c) Not later than the 45th day before the date on which the board intends to adopt a proposed ethics policy or an amendment to or revision of an adopted ethics policy, the board shall submit a copy of the proposed policy, amendment, or revision to the Texas Ethics Commission and the state auditor for review and comments. The board shall consider any comments from the commission or state auditor before adopting the proposed policy.
- (d) The provisions of the ethics policy that apply to a person who provides services to the board relating to the management or investment of the permanent school fund must be based on the Code of Ethics and the Standards of Professional Conduct prescribed by the Association for Investment Management and Research or other ethics standards adopted by another appropriate professionally recognized entity.
- (e) The board shall ensure that applicable provisions of the ethics policy are included in any contract under which a person provides services to the board relating to the management and investment of the permanent school fund.

TEXAS EDUCATION CODE
TITLE 2. PUBLIC EDUCATION
SUBTITLE I. SCHOOL FINANCE AND FISCAL MANAGEMENT
CHAPTER 44. FISCAL MANAGEMENT
SUBCHAPTER A. SCHOOL DISTRICT FISCAL MANAGEMENT

TEC, §44.001. FISCAL GUIDELINES.

- (a) The commissioner shall establish advisory guidelines relating to the fiscal management of a school district.
- (b) The commissioner shall report annually to the State Board of Education the status of school district fiscal management as reflected by the advisory guidelines and by statutory requirements.

TEXAS EDUCATION CODE
TITLE 2. PUBLIC EDUCATION
SUBTITLE I. SCHOOL FINANCE AND FISCAL MANAGEMENT
CHAPTER 44. FISCAL MANAGEMENT
SUBCHAPTER A. SCHOOL DISTRICT FISCAL MANAGEMENT

TEC, §44.002. PREPARATION OF BUDGET.

- (a) On or before a date set by the State Board of Education, the superintendent shall prepare, or cause to be prepared, a proposed budget covering all estimated revenue and proposed expenditures of the district for the following fiscal year.
- (b) The budget must be prepared according to generally accepted accounting principles, rules adopted by the State Board of Education, and adopted policies of the board of trustees.

TEXAS EDUCATION CODE
TITLE 2. PUBLIC EDUCATION
SUBTITLE I. SCHOOL FINANCE AND FISCAL MANAGEMENT
CHAPTER 44. FISCAL MANAGEMENT
SUBCHAPTER A. SCHOOL DISTRICT FISCAL MANAGEMENT

TEC, §44.007. ACCOUNTING SYSTEM; REPORT.

- (a) A standard school fiscal accounting system must be adopted and installed by the board of trustees of each school district. The accounting system must conform with generally accepted accounting principles.
- (b) The accounting system must meet at least the minimum requirements prescribed by the commissioner, subject to review and comment by the state auditor.
- (c) A record must be kept of all revenues realized and of all expenditures made during the fiscal year for which a budget is adopted. A report of the revenues and expenditures for the preceding fiscal year shall be filed with the agency on or before the date set by the State Board of Education.
- (d) The State Board of Education shall require each district, as part of the report required by this section, to include management, cost accounting, and financial information in a format prescribed by the board and in a manner sufficient to enable the board to monitor the funding process and determine educational system costs by district, campus, and program.
- (e) Expired.
- (f) Expired.

TEXAS EDUCATION CODE
TITLE 2. PUBLIC EDUCATION
SUBTITLE I. SCHOOL FINANCE AND FISCAL MANAGEMENT
CHAPTER 44. FISCAL MANAGEMENT
SUBCHAPTER A. SCHOOL DISTRICT FISCAL MANAGEMENT

TEC, §44.008. ANNUAL AUDIT; REPORT.

- (a) The board of school trustees of each school district shall have its school district fiscal accounts audited annually at district expense by a certified or public accountant holding a permit from the Texas State Board of Public Accountancy. The audit must be completed following the close of each fiscal year.
- (b) The independent audit must meet at least the minimum requirements and be in the format prescribed by the State Board of Education, subject to review and comment by the state auditor. The audit shall include an audit of the accuracy of the fiscal information provided by the district through the Public Education Information Management System (PEIMS).
- (c) Each treasurer receiving or having control of any school fund of any school district shall keep a full and separate itemized account with each of the different classes of its school funds coming into the treasurer 's hands. The treasurer 's records of the district 's itemized accounts and records shall be made available to audit.
- (d) A copy of the annual audit report, approved by the board of trustees, shall be filed by the district with the agency not 11 later than the 150th day after the end of the fiscal year for which the audit was made. If the board of trustees declines or refuses to approve its auditor 's report, it shall nevertheless file with the agency a copy of the audit report with its statement detailing reasons for failure to approve the report.
- (e) The audit reports shall be reviewed by the agency, and the commissioner shall notify the board of trustees of objections, violations of sound accounting practices or law and regulation requirements, or of recommendations concerning the audit reports that the commissioner wants to make. If the audit report reflects that penal laws have been violated, the commissioner shall notify the appropriate county or district attorney and the attorney general. The commissioner shall have access to all vouchers, receipts, district fiscal and financial records, and other school records as the commissioner considers necessary and appropriate for the review, analysis, and passing on audit reports.

TEXAS EDUCATION CODE
TITLE 2. PUBLIC EDUCATION
SUBTITLE I. SCHOOL FINANCE AND FISCAL MANAGEMENT
CHAPTER 44. FISCAL MANAGEMENT
SUBCHAPTER A. SCHOOL DISTRICT FISCAL MANAGEMENT

TEC, §44.010. REVIEW BY AGENCY.

The budgets, fiscal reports, and audit reports filed with the agency shall be reviewed and analyzed by the staff of the agency to determine whether all legal requirements have been met and to collect fiscal data needed in preparing school fiscal reports for the governor and the legislature.

TEXAS EDUCATION CODE
TITLE 2. PUBLIC EDUCATION
SUBTITLE I. SCHOOL FINANCE AND FISCAL MANAGEMENT
CHAPTER 45. SCHOOL DISTRICT FUNDS
SUBCHAPTER G. SCHOOL DISTRICT DEPOSITORIES

TEC, §45.206. BID OR REQUEST FOR PROPOSAL NOTICES; BID AND PROPOSAL FORMS.

- (a) Not later than the 60th day before the date a school district's current depository contract expires, the district shall choose whether to select a depository through competitive bidding or through requests for proposals.
- (a-1) If a school district chooses under Subsection (a) to use competitive bidding, the district shall, not later than the 30th day before the date the current depository contract expires, mail to each bank located in the district and, if desired, to other banks, a notice stating the time and place in which bid applications will be received for selecting a depository or depositories. The notice must include a uniform bid blank in the form prescribed by State Board of Education rule.
- (a-2) If a school district chooses under Subsection (a) to use requests for proposals, the district shall, not later than the 30th day before the date the current depository contract expires, mail to each bank located in the district and, if desired, to other banks, a notice stating the time and place in which proposals will be received for selecting a depository or depositories. The notice must include a uniform proposal blank in the form prescribed by State Board of Education rule.
- (b) The school district may add to the uniform bid or proposal blank other terms that do not unfairly restrict competition between banks in or near the territory of the district.
- (c) Interest rates may be stated in the bid or proposal either as a fixed rate, as a percentage of a stated base rate, in relation to a stated prevailing rate varying from time to time, or in any other manner, but in every case in a uniform manner, that will permit comparison with other bids or proposals received.
- (d) If the school district chooses under Subsection (a) to use requests for proposals, the district shall state the selection criteria, including the factors specified under Section [45.207\(c\)](#), in the request for proposals and shall select the proposal that offers the best value to the district based on the evaluation and ranking of each submitted proposal in relation to the stated selection criteria. A district may negotiate with the bank that submits the highest-ranked proposal to determine any terms of the proposed depository contract other than the interest rates proposed.

TEXAS EDUCATION CODE
TITLE 2. PUBLIC EDUCATION
SUBTITLE I. SCHOOL FINANCE AND FISCAL MANAGEMENT
CHAPTER 45. SCHOOL DISTRICT FUNDS
SUBCHAPTER G. SCHOOL DISTRICT DEPOSITORIES

TEC, §45.208. DEPOSITORY CONTRACT; BOND.

- (a) The bank or banks selected as the depository or depositories and the school district shall enter into a depository contract or contracts, bond or bonds, or other necessary instruments setting forth the duties and agreements pertaining to the depository, in a form and with the content prescribed by the State Board of Education. The parties shall attach to the contract and incorporate by reference the bid or proposal of the depository.
- (b) The depository bank shall attach to the contract and file with the school district a bond in an initial amount equal to the estimated highest daily balance, determined by the board of trustees of the district, of all deposits that the school district will have in the depository during the term of the contract, less any applicable Federal Deposit Insurance Corporation insurance. The bond must be payable to the school district and must be signed by the depository bank and by some surety company authorized to do business in this state. The depository bank shall increase the amount of the bond if the board of trustees determines it to be necessary to adequately protect the funds of the school district deposited with the depository bank.
- (c) The bond shall be conditioned on:
 - (1) the faithful performance of all duties and obligations devolving by law on the depository;
 - (2) the payment on presentation of all checks or drafts on order of the board of trustees of the school district, in accordance with its orders entered by the board of trustees according to law;
 - (3) the payment on demand of any demand deposit in the depository;
 - (4) the payment, after the expiration of the period of notice required, of any time deposit in the depository;
 - (5) the faithful keeping of school funds by the depository and the accounting for the funds according to law; and
 - (6) the faithful paying over to the successor depository all balances remaining in the accounts.
- (d) The bond and the surety on the bond must be approved by the board of trustees of the school district. A premium on the depository bond may not be paid out of school district funds

- (e) Repealed by Acts 2019, 86th Leg., R.S., Ch. 439 (S.B. [1376](#)), Sec. 4.01(a)(8), eff. June 4, 2019.
- (f) In lieu of the bond required under Subsection (b), the depository bank may deposit or pledge, with the school district or with a trustee designated by the school district, approved securities in an amount sufficient to adequately protect the funds of the school district deposited with depository bank. A depository bank may give a bond and deposit or pledge approved securities in an aggregate amount sufficient to adequately protect the funds of the school district deposited with the depository bank. The school district shall designate from time to time the amount of approved securities or the aggregate amount of the bond and approved securities to adequately protect the district. The district may not designate an amount less than the balance of school district funds on deposit with the depository bank from day to day, less any applicable Federal Deposit Insurance Corporation insurance. The depository bank may substitute approved securities on obtaining the approval of the school district. For purposes of this subsection, the approved securities are valued at their market value.

TEXAS EDUCATION CODE
TITLE 2: PUBLIC EDUCATION
SUBTITLE I. SCHOOL FINANCE AND FISCAL MANAGEMENT
CHAPTER 48. FOUNDATION SCHOOL PROGRAM
SUBCHAPTER C. STUDENT-BASED ALLOTMENTS

TEC, §48.104. COMPENSATORY EDUCATION ALLOTMENT.

- (a) For each student who does not have a disability and resides in a residential placement facility in a district in which the student's parent or legal guardian does not reside, a district is entitled to an annual allotment equal to the basic allotment multiplied by 0.2 or, if the student is educationally disadvantaged, 0.275. For each full-time equivalent student who is in a remedial and support program under Section [29.081](#) because the student is pregnant, a district is entitled to an annual allotment equal to the basic allotment multiplied by 2.41.
- (b) For each student who is educationally disadvantaged and resides in an economically disadvantaged census block group as determined by the commissioner under Subsection (c), a district is entitled to an annual allotment equal to the basic allotment multiplied by the weight assigned to the student's census block group under Subsection (d).
- (c) For purposes of the allotment under Subsection (b), the commissioner shall establish an index for economically disadvantaged census block groups in the state that provides criteria for determining which census block groups are economically disadvantaged and categorizes economically disadvantaged census block groups in five tiers according to relative severity of economic disadvantage. In determining the severity of economic disadvantage in a census block group, the commissioner shall consider:
 - (1) the median household income;
 - (2) the average educational attainment of the population;
 - (3) the percentage of single-parent households;
 - (4) the rate of homeownership; and
 - (5) other economic criteria the commissioner determines likely to disadvantage a student's preparedness and ability to learn.
- (d) The weights assigned to the five tiers of the index established under Subsection (c) are, from least to most severe economic disadvantage, 0.225, 0.2375, 0.25, 0.2625, and 0.275.
- (e) If insufficient data is available for any school year to evaluate the level of economic disadvantage in a census block group, a school district is entitled to an annual allotment equal to the basic allotment multiplied by 0.225 for each student who is educationally disadvantaged and resides in that census block group.
- (f) A student receiving a full-time virtual education through the state virtual school network may be included in determining the number of students who are educationally disadvantaged and reside in an economically disadvantaged census block group under Subsection (b) or (e), as applicable, if the school district submits to the commissioner a plan detailing the enhanced services that will be provided to the student and the commissioner approves the plan.
- (g) Not later than March 1 of each year, the commissioner shall:
 - (1) review and, if necessary, update the index established under Subsection (c) to be used for the following school year, based on the most recent estimates published by the United States Census Bureau; and
 - (2) notify each school district of any changes to the index.

TEXAS EDUCATION CODE
TITLE 2: PUBLIC EDUCATION
SUBTITLE I. SCHOOL FINANCE AND FISCAL MANAGEMENT
CHAPTER 48. FOUNDATION SCHOOL PROGRAM
SUBCHAPTER C. STUDENT-BASED ALLOTMENTS

- (h) The state demographer, the Department of Agriculture, and any other state agency with relevant information shall assist the commissioner in performing the commissioner's duties under this section.
- (i) On a schedule determined by the commissioner, each school district shall report to the agency the census block group in which each student enrolled in the district who is educationally disadvantaged resides. The agency shall provide to school districts a resource for use in determining the census block group in which a student resides.
- (j) The commissioner shall adopt rules for the method of determining the number of students who qualify for an allotment under this section at a campus that participates in the Community Eligibility Provision administered by the United States Department of Agriculture, as provided by the Healthy, Hunger-Free Kids Act of 2010 (Pub. L. No. 111-296).
- (j-1) In addition to other purposes for which funds allocated under this section may be used, those funds may also be used to:
 - (1) provide child-care services or assistance with child-care expenses for students at risk of dropping out of school, as described by Section [29.081](#)(d)(5); or
 - (2) pay the costs associated with services provided through a life skills program in accordance with Sections [29.085](#)(b)(1) and (3)-(7).
- (k) At least 55 percent of the funds allocated under this section must be used to:
 - (1) fund supplemental programs and services designed to eliminate any disparity in performance on assessment instruments administered under Subchapter [B](#), Chapter [39](#), or disparity in the rates of high school completion between:
 - (A) students who are educationally disadvantaged and students who are not educationally disadvantaged; and
 - (B) students at risk of dropping out of school, as defined by Section [29.081](#), and all other students; or
 - (2) support a program eligible under Title I of the Elementary and Secondary Education Act of 1965, as provided by Pub. L. No. 103-382 and its subsequent amendments, and by federal regulations implementing that Act.
- (l) The commissioner shall adopt rules regarding the use of funds described by Subsection (k). The rules:
 - (1) must:
 - (A) permit a school district to use those funds for programs and services that reflect the needs of students at each campus in the district; and
 - (B) provide for streamlined reporting on the use of those funds; and
 - (2) may not prohibit the use of those funds for any purpose for which the use of those funds was authorized under former Section 42.152 as that section existed on September 1, 2018.
- (m) The State Board of Education shall adopt rules requiring a report on the use of funds under Subsection (k) as part of the annual audit under Section [44.008](#) and shall develop minimum

TEXAS EDUCATION CODE
TITLE 2: PUBLIC EDUCATION
SUBTITLE I. SCHOOL FINANCE AND FISCAL MANAGEMENT
CHAPTER 48. FOUNDATION SCHOOL PROGRAM
SUBCHAPTER C. STUDENT-BASED ALLOTMENTS

requirements for that report.

- (n) The commissioner annually shall review each report required under Subsection (m) for the preceding school year and:
 - (1) identify each school district that was not in compliance with Subsection (k) during that school year; and
 - (2) provide each district identified under Subdivision (1) a reasonable opportunity to comply with Subsection (k).

- (o) The commissioner, in the year following a determination under Subsection (n) that a school district was not in compliance with Subsection (k) for the 2021-2022 school year or a subsequent school year, shall withhold from the district's foundation school fund payment an amount equal to the amount of compensatory education funds the commissioner determines were not used in compliance with Subsection (k). The commissioner shall release to a district funds withheld under this subsection when the district provides to the commissioner a detailed plan to spend those funds in compliance with Subsection (k). In determining whether a school district is subject to the withholding of funding required under this subsection, the commissioner may consider the district's average use of funds for the three preceding school years.

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.

TEXAS GOVERNMENT CODE
TITLE 10. GENERAL GOVERNMENT
SUBTITLE A. ADMINISTRATIVE PROCEDURE AND PRACTICE
CHAPTER 2001. ADMINISTRATIVE PROCEDURE
SUBCHAPTER B. RULEMAKING

TGC, §2001.039. AGENCY REVIEW OF EXISTING RULES.

- (a) A state agency shall review and consider for readoption each of its rules in accordance with this section.
- (b) A state agency shall review a rule not later than the fourth anniversary of the date on which the rule takes effect and every four years after that date. The adoption of an amendment to an existing rule does not affect the dates on which the rule must be reviewed except that the effective date of an amendment is considered to be the effective date of the rule if the agency formally conducts a review of the rule in accordance with this section as part of the process of adopting the amendment.
- (c) The state agency shall readopt, readopt with amendments, or repeal a rule as the result of reviewing the rule under this section.
- (d) The procedures of this subchapter relating to the original adoption of a rule apply to the review of a rule and to the resulting repeal, readoption, or readoption with amendments of the rule, except as provided by this subsection. Publishing the Texas Administrative Code citation to a rule under review satisfies the requirements of this subchapter relating to publishing the text of the rule unless the agency readopts the rule with amendments as a result of the review.
- (e) A state agency's review of a rule must include an assessment of whether the reasons for initially adopting the rule continue to exist.

TEXAS GOVERNMENT CODE
TITLE 10. GENERAL GOVERNMENT
SUBTITLE D. STATE PURCHASING AND GENERAL SERVICES
CHAPTER 2155. PURCHASING: GENERAL RULES AND PROCEDURES
SUBCHAPTER B. GENERAL PURCHASING REQUIREMENTS, PROCEDURES, AND
PROGRAMS

TGC, §2155.076 PROTEST PROCEDURES.

- (a) The comptroller and each state agency by rule shall develop and adopt protest procedures for resolving vendor protests relating to purchasing issues. An agency's rules must be consistent with the comptroller's rules. The rules must include standards for maintaining documentation about the purchasing process to be used in the event of a protest.
- (b) A state agency that is not subject to Chapter [2001](#) shall provide public notice of its proposed and adopted protest rules and provide a procedure for public comment on the proposed rules.

Added by Acts 1997, 75th Leg., ch. 1206, Sec. 6, eff. Sept. 1, 1997.

Amended by:

Acts 2019, 86th Leg., R.S., Ch. 1071 (H.B. [1524](#)), Sec. 15, eff. September 1, 2019.

TEXAS GOVERNMENT CODE
TITLE 10. GENERAL GOVERNMENT
SUBTITLE D. STATE PURCHASING AND GENERAL SERVICES
CHAPTER 2161. HISTORICALLY UNDERUTILIZED BUSINESSES
SUBCHAPTER A. GENERAL PROVISIONS

TGC, §2161.003 AGENCY RULES.

A state agency, including an institution of higher education, shall adopt the comptroller's rules under Section [2161.002](#) as the agency's or institution's own rules. Those rules apply to the agency's construction projects and purchases of goods and services paid for with appropriated money without regard to whether a project or purchase is otherwise subject to this subtitle.

Added by Acts 1999, 76th Leg., ch. 1499, Sec. 1.23, eff. Sept. 1, 1999.

Amended by:

Acts 2019, 86th Leg., R.S., Ch. 1071 (H.B. [1524](#)), Sec. 81, eff. September 1, 2019.

TEXAS GOVERNMENT CODE
TITLE 10. GENERAL GOVERNMENT
SUBTITLE F. STATE AND LOCAL CONTRACTS AND FUND MANAGEMENT
CHAPTER 2260. RESOLUTION OF CERTAIN CONTRACT CLAIMS AGAINST THE STATE
SUBCHAPTER B. NEGOTIATION OF CLAIM

TGC, §2260.052 NEGOTIATION.

- (a) The chief administrative officer or, if designated in the contract, another officer of the unit of state government shall examine the claim and any counterclaim and negotiate with the contractor in an effort to resolve them. The negotiation must begin not later than the 120th day after the date the claim is received.
- (b) Repealed by Acts 2005, 79th Leg., Ch. 988, Sec. 8, eff. September 1, 2005.
- (c) Each unit of state government with rulemaking authority shall develop rules to govern the negotiation and mediation of a claim under this section. If a unit of state government does not have rulemaking authority, that unit shall follow the rules adopted by the attorney general. A model rule for negotiation and mediation under this chapter shall be provided for voluntary adoption by units of state government through the coordinated efforts of the State Office of Administrative Hearings and the office of the attorney general.

TEXAS OCCUPATIONS CODE
TITLE 2. GENERAL PROVISIONS RELATING TO LICENSING
CHAPTER 55. LICENSING OF MILITARY SERVICE MEMBERS, MILITARY VETERANS, AND
MILITARY SPOUSES

TOC, §55.001. DEFINITIONS.

In this chapter:

- (1) "Active duty" means current full-time military service in the armed forces of the United States or active duty military service as a member of the Texas military forces, as defined by Section [437.001](#), Government Code, or similar military service of another state.
- (2) "Armed forces of the United States" means the army, navy, air force, space force, coast guard, or marine corps of the United States or a reserve unit of one of those branches of the armed forces.
- (3) "License" means a license, certificate, registration, permit, or other form of authorization required by law or a state agency rule that must be obtained by an individual to engage in a particular business.
- (4) "Military service member" means a person who is on active duty.
- (5) "Military spouse" means a person who is married to a military service member.
- (6) "Military veteran" means a person who has served on active duty and who was discharged or released from active duty.
- (7) "State agency" means a department, board, bureau, commission, committee, division, office, council, or agency of the state.

TEXAS OCCUPATIONS CODE
TITLE 2. GENERAL PROVISIONS RELATING TO LICENSING
CHAPTER 55. LICENSING OF MILITARY SERVICE MEMBERS, MILITARY VETERANS, AND
MILITARY SPOUSES

TOC, §55.002. EXEMPTION FROM PENALTY FOR FAILURE TO RENEW LICENSE.

A state agency that issues a license shall adopt rules to exempt an individual who holds a license issued by the agency from any increased fee or other penalty imposed by the agency for failing to renew the license in a timely manner if the individual establishes to the satisfaction of the agency that the individual failed to renew the license in a timely manner because the individual was serving as a military service member.

TEXAS OCCUPATIONS CODE
TITLE 2. GENERAL PROVISIONS RELATING TO LICENSING
CHAPTER 55. LICENSING OF MILITARY SERVICE MEMBERS, MILITARY VETERANS, AND
MILITARY SPOUSES

TOC, §55.003. EXTENSION OF LICENSE RENEWAL DEADLINES FOR MILITARY SERVICE MEMBERS.

A military service member who holds a license is entitled to two years of additional time to complete:

- (1) any continuing education requirements; and
- (2) any other requirement related to the renewal of the military service member's license.

TEXAS OCCUPATIONS CODE
TITLE 2. GENERAL PROVISIONS RELATING TO LICENSING
CHAPTER 55. LICENSING OF MILITARY SERVICE MEMBERS, MILITARY VETERANS, AND
MILITARY SPOUSES

**TOC, §55.004. ALTERNATIVE LICENSING FOR MILITARY SERVICE MEMBERS,
MILITARY VETERANS, AND MILITARY SPOUSES.**

- (a) A state agency that issues a license shall adopt rules for the issuance of the license to an applicant who is a military service member, military veteran, or military spouse and:
 - (1) holds a current license issued by another jurisdiction that has licensing requirements that are substantially equivalent to the requirements for the license in this state; or
 - (2) within the five years preceding the application date held the license in this state.
- (b) The executive director of a state agency may waive any prerequisite to obtaining a license for an applicant described by Subsection (a) after reviewing the applicant's credentials.
- (c) In addition to the rules adopted under Subsection (a), a state agency that issues a license may adopt rules that would establish alternate methods for a military service member, military veteran, or military spouse to demonstrate competency to meet the requirements for obtaining the license, including receiving appropriate credit for training, education, and clinical and professional experience.
- (d) A state agency that issues a license that has a residency requirement for license eligibility shall adopt rules regarding documentation necessary for an applicant who is a military service member or military spouse to establish residency for purposes of this subsection, including by providing to the agency a copy of the permanent change of station order for the applicant or the applicant's spouse.

Added by Acts 2011, 82nd Leg., R.S., Ch. 930 (S.B. [1733](#)), Sec. 2, eff. June 17, 2011.

Amended by:

Acts 2015, 84th Leg., R.S., Ch. 586 (H.B. [3742](#)), Sec. 4, eff. September 1, 2015.

Acts 2015, 84th Leg., R.S., Ch. 1193 (S.B. [1307](#)), Sec. 5, eff. September 1, 2015.

Reenacted by Acts 2017, 85th Leg., R.S., Ch. 324 (S.B. [1488](#)), Sec. 14.001, eff. September 1, 2017.

TOC 55.004

Amended by:

Acts 2021, 87th Leg., R.S., Ch. 46 (H.B. [139](#)), Sec. 3, eff. September 1, 2021.

Acts 2023, 88th Leg., R.S., Ch. 1061 (S.B. [422](#)), Sec. 1, eff. September 1, 2023.

TEXAS OCCUPATIONS CODE
TITLE 2. GENERAL PROVISIONS RELATING TO LICENSING
CHAPTER 55. LICENSING OF MILITARY SERVICE MEMBERS, MILITARY VETERANS, AND
MILITARY SPOUSES

**TOC, §55.005. EXPEDITED LICENSE PROCEDURE FOR MILITARY SERVICE MEMBERS,
MILITARY VETERANS, AND MILITARY SPOUSES.**

- (a) A state agency that issues a license shall, not later than the 30th day after the date a military service member, military veteran, or military spouse files an application for a license:
 - (1) process the application; and
 - (2) issue the license to an applicant who qualifies for the license under Section [55.004](#).
- (b) A license issued under this section may not be a provisional license and must confer the same rights, privileges, and responsibilities as a license not issued under this section.

Added by Acts 2013, 83rd Leg., R.S., Ch. 66 (S.B. [162](#)), Sec. 3, eff. May 18, 2013.

Amended by:

Acts 2015, 84th Leg., R.S., Ch. 1193 (S.B. [1307](#)), Sec. 6, eff. September 1, 2015.

Acts 2015, 84th Leg., R.S., Ch. 1193 (S.B. [1307](#)), Sec. 7, eff. September 1, 2015.

Acts 2023, 88th Leg., R.S., Ch. 1061 (S.B. [422](#)), Sec. 3, eff. September 1, 2023.

TEXAS OCCUPATIONS CODE
TITLE 2. GENERAL PROVISIONS RELATING TO LICENSING
CHAPTER 55. LICENSING OF MILITARY SERVICE MEMBERS, MILITARY VETERANS, AND
MILITARY SPOUSES

TOC, §55.006. RENEWAL OF EXPEDITED LICENSE ISSUED TO MILITARY SERVICE MEMBER, MILITARY VETERAN, OR MILITARY SPOUSE.

- (a) As soon as practicable after a state agency issues a license under Section [55.005](#), the state agency shall determine the requirements for the license holder to renew the license.
- (b) The state agency shall notify the license holder of the requirements for renewing the license in writing or by electronic means.
- (c) A license issued under Section [55.005](#) has the term established by law or state agency rule, or a term of 12 months from the date the license is issued, whichever term is longer.

TEXAS OCCUPATIONS CODE
TITLE 2. GENERAL PROVISIONS RELATING TO LICENSING
CHAPTER 55. LICENSING OF MILITARY SERVICE MEMBERS, MILITARY VETERANS, AND
MILITARY SPOUSES

**TOC, §55.007. LICENSE ELIGIBILITY REQUIREMENTS FOR APPLICANTS WITH
MILITARY EXPERIENCE.**

- (a) Notwithstanding any other law, a state agency that issues a license shall, with respect to an applicant who is a military service member or military veteran, credit verified military service, training, or education toward the licensing requirements, other than an examination requirement, for a license issued by the state agency.
- (b) The state agency shall adopt rules necessary to implement this section.
- (c) Rules adopted under this section may not apply to an applicant who:
 - (1) holds a restricted license issued by another jurisdiction; or
 - (2) has an unacceptable criminal history according to the law applicable to the state agency.

TEXAS OCCUPATIONS CODE
TITLE 2. GENERAL PROVISIONS RELATING TO LICENSING
CHAPTER 55. LICENSING OF MILITARY SERVICE MEMBERS, MILITARY VETERANS, AND
MILITARY SPOUSES

TOC, §55.008. APPRENTICESHIP REQUIREMENTS FOR APPLICANT WITH MILITARY EXPERIENCE.

- (a) Notwithstanding any other law, if an apprenticeship is required for a license issued by a state agency, the state agency shall credit verified military service, training, or education that is relevant to the occupation toward the apprenticeship requirements for the license.
- (b) The state agency shall adopt rules necessary to implement this section.

TEXAS OCCUPATIONS CODE
TITLE 2. GENERAL PROVISIONS RELATING TO LICENSING
CHAPTER 55. LICENSING OF MILITARY SERVICE MEMBERS, MILITARY VETERANS, AND
MILITARY SPOUSES

TOC, §55.009. LICENSE APPLICATION AND EXAMINATION FEES.

Notwithstanding any other law, a state agency that issues a license shall waive the license application and examination fees paid to the state for an applicant who is:

- (1) a military service member or military veteran whose military service, training, or education substantially meets all of the requirements for the license; or
- (2) a military service member, military veteran, or military spouse who holds a current license issued by another jurisdiction that has licensing requirements that are substantially equivalent to the requirements for the license in this state.

TEXAS OCCUPATIONS CODE
TITLE 2. GENERAL PROVISIONS RELATING TO LICENSING
CHAPTER 55. LICENSING OF MILITARY SERVICE MEMBERS, MILITARY VETERANS, AND
MILITARY SPOUSES

TOC, §55.010. NOTICE OF CHAPTER PROVISIONS.

A state agency that issues a license shall prominently post a notice on the home page of the agency's Internet website describing the provisions of this chapter that are available to military service members, military veterans, and military spouses.

TEXAS OCCUPATIONS CODE
TITLE 2. GENERAL PROVISIONS RELATING TO LICENSING
CHAPTER 55. LICENSING OF MILITARY SERVICE MEMBERS, MILITARY VETERANS, AND
MILITARY SPOUSES

TOC, §55.0041. RECOGNITION OF OUT-OF-STATE LICENSE OF MILITARY SERVICE MEMBERS AND MILITARY SPOUSES.

- (a) Notwithstanding any other law, a military service member or military spouse may engage in a business or occupation for which a license is required without obtaining the applicable license if the member or spouse is currently licensed in good standing by another jurisdiction that has licensing requirements that are substantially equivalent to the requirements for the license in this state.
- (b) Before engaging in the practice of the business or occupation, the military service member or military spouse must:
 - (1) notify the applicable state agency of the member's or spouse's intent to practice in this state;
 - (2) submit to the agency proof of the member's or spouse's residency in this state in accordance with rules adopted under Section [55.004\(d\)](#) and a copy of the member's or spouse's military identification card; and
 - (3) receive from the agency confirmation that:
 - (A) the agency has verified the member's or spouse's license in the other jurisdiction; and
 - (B) the member or spouse is authorized to engage in the business or occupation in accordance with this section.
- (c) The military service member or military spouse shall comply with all other laws and regulations applicable to the business or occupation in this state.
- (d) A military service member or military spouse may engage in the business or occupation under the authority of this section only for the period during which the military service member or, with respect to a military spouse, the military service member to whom the spouse is married is stationed at a military installation in this state but not to exceed three years from the date the member or spouse receives the confirmation described by Subsection (b)(3).
- (d-1) Notwithstanding Subsection (d), in the event of a divorce or similar event that affects a person's status as a military spouse, the spouse may continue to engage in the business or occupation

under the authority of this section until the third anniversary of the date the spouse received the confirmation described by Subsection (b)(3).

- (e) A state agency that issues a license shall adopt rules to implement this section. The rules must establish a process for the agency to:
 - (1) identify, with respect to each type of license issued by the agency, the jurisdictions that have licensing requirements that are substantially equivalent to the requirements for the license in this state; and
 - (2) not later than the 30th day after the date a military service member or military spouse submits the information described by Subsections (b)(1) and (2), verify that the member or spouse is licensed in good standing in a jurisdiction described by Subdivision (1).
- (f) In addition to the rules adopted under Subsection (e), a state agency that issues a license may adopt rules to provide for the issuance of a license to a military service member or military spouse to whom the agency provides confirmation under Subsection (b)(3). A license issued under this subsection must expire not later than the third anniversary of the date the agency provided the confirmation and may not be renewed. A state agency may not charge a fee for the issuance of the license.

Added by Acts 2019, 86th Leg., R.S., Ch. 622 (S.B. [1200](#)), Sec. 1, eff. September 1, 2019.

Amended by:

Acts 2021, 87th Leg., R.S., Ch. 46 (H.B. [139](#)), Sec. 4, eff. September 1, 2021.

Acts 2023, 88th Leg., R.S., Ch. 1061 (S.B. [422](#)), Sec. 2, eff. September 1, 2023.

MINUTES

STATE BOARD OF EDUCATION

NOVEMBER & DECEMBER 2024

STATE BOARD OF EDUCATION

(updated February 2023, January 2024 , August 2024)

(State Board for Career and Technology Education)

AARON KINSEY, Midland
Chair of the State Board of Education
District 15

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

PAT HARDY, Fort Worth
Secretary of the State Board of Education
District 11

Board Members

MELISSA ORTEGA, El Paso
District 1

JULIE PICKREN, Pearland
District 7

LJ FRANCIS, Corpus Christi
District 2

AUDREY YOUNG, Trinity
District 8

MARISA PEREZ-DIAZ, San Antonio
District 3

KEVEN ELLIS, Lufkin
District 9

STACI CHILDS, Houston
District 4

TOM MAYNARD, Florence
District 10

REBECCA BELL-METEREAU
San Marcos, District 5

LESLIE RECINE
District 13

WILL HICKMAN, Houston
District 6

EVELYN BROOKS, Frisco
District 14

Committees of the State Board of Education

(Updated Aug. 2024, Nov. 2024)

INSTRUCTION

Audrey Young- Chair
Evelyn Brooks-Vice Chair
Pam Little
Melissa N. Ortega
Leslie Recine-District 13

SCHOOL FINANCE/PERMANENT SCHOOL FUND

Tom Maynard-Chair
Marisa Perez-Diaz-Vice Chair
Keven Ellis
Patricia Hardy
Aaron Kinsey

SCHOOL INITIATIVES

Will Hickman-Chair
LJ Francis-Vice Chair
Rebecca Bell-Metereau
Staci Childs
Julie Pickren

Minutes

State Board of Education

November 22, 2024 & December 6, 2024

**Minutes
State Board of Education
Friday, November 22, 2024**

The State Board of Education Committee of the Full Board met at 9:04 a.m. on Friday, November 22, 2024, 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: Aaron Kinsey, chair; Rebecca Bell-Metereau; Evelyn Brooks; Staci Childs; Patricia Hardy; Will Hickman; Keven Ellis; Pam Little; Tom Maynard; Melissa Ortega; Marisa B. Perez-Diaz; Julie Pickren; Audrey Young; Leslie Recine

Student Performance

A student performance was provided by the LD Bell High School A Capella Choir in the Hurst-Euless-Bedford Independent School District.

Invocation

Pledge of Allegiance

Roll Call

Approval of Minutes

State Board of Education, September 13, 2024

MOTION AND VOTE: *The State Board of Education approved, without objection, the minutes of the September 13, 2024, meeting of the State Board of Education.*

1. Resolutions and Presentation

Resolution Honoring Departing State Board of Education Member Melissa Ortega

The State Board of Education, by unanimous consent, adopted a resolution honoring departing State Board of Education member Melissa Ortega.

(ATTACHMENT 1, page 16)

Resolution Honoring Departing State Board of Education Member Aicha Davis

The State Board of Education, by unanimous consent, adopted a resolution honoring departing State Board of Education member Aicha Davis.

(ATTACHMENT 2, page 18)

Resolution Honoring Departing State Board of Education Member Pat Hardy

The State Board of Education, by unanimous consent, adopted a resolution honoring departing State Board of Education member Pat Hardy.

(ATTACHMENT 3, page 21)

Resolution Honoring the Winners of the 2024 National History Day Contest

The State Board of Education, by unanimous consent, adopted a resolution honoring the 2024 National History Day second place winner, Tori White of Nimitz High School in Houston; fourth place winners Aliya Ajani, Ambika Nair, Selest Banks, and Smirithi Guddeti of Honor Roll School in Sugar Land, Texas, Nora Gillum of Dripping Springs Middle School in Dripping Springs, Texas and Felicity Fok and Zeviel Pineda of Veterans Memorial Early College High School In Brownsville, Texas; fifth place winners Annali Ramirez, Gabriel Ramirez, Jonathan Lewis and Yashvir Singh Gill of E.F. Middle School from Baytown, Texas, and Grant Gillum of Dripping Springs High School in Dripping Springs, Texas; seventh place winners Dalinda Hernandez of Stillman Middle School in Brownsville, Texas and Lilith Shue of Young Women’s Leadership Academy in San Antonio, Texas; and ninth place winners Austin Thomas and Brycen Gardiner of Baytown Junior High School in Baytown, Texas.

(ATTACHMENT 4, page 24)

Presentation

Texas America 250

Public Testimony

Public Testimony was provided by the following individuals:

- NAME: Julia Brookins
AFFILIATION: American Historical Association

- NAME: Stephen Silva-Brave
AFFILIATION: Self

- NAME: Hawana Townsley
AFFILIATION: Self

- NAME: Kennedy Cortez
AFFILIATION: Self

- NAME: Lena Martinez-Wolfinger
AFFILIATION: American Indian Native Studies Committee

- NAME: Carol Anderson
AFFILIATION: Self

- NAME: Jackie Besinger
AFFILIATION: Self

- NAME: Rachel Caldwell
AFFILIATION: Cen

- NAME: Randy Houchins
AFFILIATION: Self

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) Approval of Updates to and Ratification of Standards-Alignment Percentages for Instructional Materials Adopted Under Proclamation 2024

(Board agenda page 1-4)

The State Board of Education removed this item from the consent agenda.

(2) Decision on the 5a Distribution from the Permanent School Fund for Fiscal Years 2026- 2027

(Board agenda page I-32)

The State Board of Education removed this item from the consent agenda.

(3) Renewal of Currently Approved Innovative Courses

(Board agenda page II-1)

The State Board of Education approved the renewal of the following innovative courses: College Transitions, Logic I, Logic II, Sports Medicine I, Sports Medicine II, and Sports Medicine III.

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

(Board agenda page II-5)

The State Board of Education approved requests from Ellipsis Education to update content in its Technology Applications, Grade 3 material and from McGraw-Hill to update content in its Texas World Cultures and Geography, Texas History, Texas United States History to 1877, Texas Economics, Texas United States Government, Texas United States History Since 1877, Texas World Geography, and Texas World History; and approve updated TEKS percentages in Houghton Mifflin Harcourt's Social Studies, grades 6–8, Texas World Geography Studies, United States History Since 1877, World History Studies, and Economics with Emphasis on the Free Enterprise System and Its Benefits

(5) Approval of Costs to Administer the 2024–2025 State-Developed Assessments to Private School Students

(Board agenda page III-1)

The State Board of Education removed this item from the consent agenda.

COMMITTEE OF THE FULL BOARD

3. Consideration of Instructional Materials Offered for Approval Under Instructional Materials Review and Approval Cycle 2024

(Board agenda page I-2)

[Official agenda item #3]

MOTION: *It was moved by Mrs. Little that the State Board of Education require that publishers of instructional materials on the Approved List make all agreed to changes listed in the Individual Product Reports; require that all instructional materials meet established manufacturing standards and specifications; require that all electronic instructional materials comply with the Web Content Accessibility Guidelines, Version 2.1, Level AA and the technical standards required by the Federal Rehabilitation Act, Section 508; require that materials provide access to a parent portal as require by TEC, §31.154; approve changes and corrections submitted in response to written comments and public testimony to SBOE by November 20, 2024, at 5:00 pm Central Standard Time; and adopt the List of the Approved Instructional Materials, as prepared by the Committee of the Full Board.*

MOTION AND VOTE: *It was moved by Mrs. Brooks, seconded by Dr. Ortega, and carried without objection to divide the question and consider all Bluebonnet Learning products separately.*

MOTION AND VOTE: *It was moved by Ms. Childs, seconded by Ms. Perez-Diaz, and carried to divide the question further to consider Bluebonnet Learning English and Language Arts, Edition 1, grades K-5 separately from Bluebonnet Learning Mathematics, Edition 1, grades K-5 and Bluebonnet Learning Secondary Mathematics, Edition 1.*

VOTE: *A vote was taken on the motion to approve keeping Bluebonnet Learning English and Language Arts, Edition 1, grades K-5, on the approved list.*

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

<i><u>Aye:</u></i>	<i>Dr. Ellis</i>	<i>Mr. Maynard</i>
	<i>Mr. Francis</i>	<i>Ms. Pickren</i>
	<i>Mr. Hickman</i>	<i>Ms. Recine</i>
	<i>Mr. Kinsey</i>	<i>Dr. Young</i>

<i><u>No:</u></i>	<i>Dr. Bell-Metereau</i>	<i>Mrs. Little</i>
	<i>Ms. Brooks</i>	<i>Dr. Ortega</i>
	<i>Ms. Childs</i>	<i>Ms. Perez-Diaz</i>
	<i>Ms. Hardy</i>	

VOTE: *A vote was taken on the motion to approve keeping Bluebonnet Learning Mathematics, Edition 1, grades K-5, and Bluebonnet Learning Secondary Mathematics, Edition 1, on the approved list.*

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

Aye: Dr. Bell-Metereau Mrs. Little
 Ms. Childs Mr. Maynard
 Dr. Ellis Ms. Perez-Diaz
 Mr. Francis Ms. Pickren
 Ms. Hardy Ms. Recine
 Mr. Hickman Dr. Young
 Mr. Kinsey

No: Mrs. Brooks Dr. Ortega

MOTION AND VOTE: *It was moved by Mr. Hickman, seconded by Dr. Young, that the following products:*

- *Just Right Reader 1st Grade Decodables*
- *Just Right Reader 2nd Grade Decodables*
- *Just Right Reader Kindergarten - Early Decodables*
- *Just Right Reader Decodables De Jardín De Infantes*
- *Just Right Reader Decodables De Primer Grado*
- *Just Right Reader Decodables De Segundo Grado*
- *95 Phonics Core Program Classroom Kit: Grade 1*
- *95 Phonics Core Program Classroom Kit: Grade 2*
- *95 Phonics Core Program Classroom Kit: Grade 3*
- *95 Phonics Core Program Classroom Kit: Grade K*

Be placed on the List of Approved Instructional Materials contingent upon the verification of compliance with phonics rules outlined in 19 TAC 74.2001(b)(1)(B)–(G) by the Commissioner of Education using new content submitted in the IMRA Cycle 2024 Comprehensive Changes Addendum. If materials are not found to be compliant after a review by the Committee on Instruction, to be held no later than December 31, 2024, the items shall be removed from the List of Approved Instructional Materials and placed on the “Take No Action” list. The motion carried unanimously.

MOTION AND VOTE: *It was moved by Mr. Hickman, seconded by Ms. Perez-Diaz, that the following products:*

- *Heggerty, Literacy Resources, LLC (all products)*

Be added on the List of Approved Instructional Materials contingent upon the verification of compliance with phonics rules outlined in 19 TAC 74.2001(b)(1)(B)–(G) by the Commissioner of Education using new content submitted in the IMRA Cycle 2024 Comprehensive Changes Addendum. If materials are not found to be compliant after a review by the Committee on

Instruction, to be held no later than December 31, 2024, the items shall remain on the “Take No Action” list. The motion carried.

MOTION AND VOTE: *It was moved by Mr. Hickman, seconded by Ms. Perez-Diaz, that the following products:*

- *Scholastic Inc. (all products)*

Be added on the List of Approved Instructional Materials contingent upon the verification of compliance with phonics rules outlined in 19 TAC 74.2001(b)(1)(B)–(G) by the Commissioner of Education using new content submitted in the IMRA Cycle 2024 Comprehensive Changes Addendum. If materials are not found to be compliant after a review by the Committee on Instruction, to be held no later than December 31, 2024, the items shall remain on the “Take No Action” list. The motion carried.

VOTE: *A vote was taken on the original motion to require that publishers of instructional materials on the Approved List make all agreed to changes listed in the Individual Product Reports; require that all instructional materials meet established manufacturing standards and specifications; require that all electronic instructional materials comply with the Web Content Accessibility Guidelines, Version 2.1, Level AA and the technical standards required by the Federal Rehabilitation Act, Section 508; require that materials provide access to a parent portal as require by TEC, §31.154; approve changes and corrections submitted in response to written comments and public testimony to SBOE by November 20, 2024, at 5:00 pm Central Standard Time; and adopt the List of the Approved Instructional Materials, as prepared by the Committee of the Full Board. The motion carried unanimously.*

MOTION AND VOTE: *It was moved by Mrs. Little that the State Board of Education adopt the “Take No Action” List of Instructional Materials, as prepared by the Committee of the Full Board. The motion carried unanimously.*

MOTION AND VOTE: *It was moved by Mrs. Little that the State Board of Education adopt the List of Rejected Instructional Materials, as prepared by the Committee of the Full Board. The motion carried unanimously.*

4. Approval of Proposed Quality Rubrics for IMRA Cycle 2025.

(Board agenda page I-6)

[Official agenda item #4]

MOTION AND VOTE: *It was moved by Mrs. Little, that the State Board of Education approve the quality rubrics for Supplemental Math of the Instructional Materials Review and Approval (IMRA) process. The motion carried unanimously.*

MOTION AND VOTE: *It was moved by Mrs. Little, that the State Board of Education adopt the Quality Rubrics as presented by Staff. The motion carried unanimously.*

5. **Approval of Proposed Technical and Conforming Edits to the State Board of Education’s Suitability Rubric**

(Board agenda page I-8)
[Official agenda item #5]

MOTION: *It was moved by Mrs. Little, that the State Board of Education approve the proposed technical and conforming edits to the State Board of Education’s suitability rubric for the Instructional Materials Review and Approval Process.*

MOTION AND VOTE: *It was moved by Dr. Ellis, seconded by Dr. Young, to amend Section 2 of the Overview section be amended to state “other than supplemental mathematics”. The motion carried.*

MOTION AND VOTE: *It was moved by Mr. Francis, seconded by Mr. Maynard, that the Structure section of the Overview section be amended to read, “With the collection of evidence for category 2, each indicator will be scored as “evidence found,” or “evidence not found,” or “evidence not applicable”. With the collection of evidence for category 6, each indicator will be scored as “evidence found,” “evidence not found,” or “evidence not applicable.” The motion carried unanimously.*

VOTE: *A vote was taken by the State Board of Education to approve the proposed technical and conforming edits to the State Board of Education’s suitability rubric for the Instructional Materials Review and Approval Process. The motion carried.*

6. **Proposed Amendment to 19 TAC Chapter 67, State Review and Approval of Instructional Materials, Subchapter B, State Review and Approval, §67.25, Consideration and Approval of Instructional Materials by the State Board of Education**
(Second Reading and Final Adoption)

(Board agenda page I-10)
[Official agenda item #6]

MOTION AND VOTE: *It was moved by Mrs. Little that the State Board of Education:*

Approve for second reading and final adoption proposed Amendment to 19 TAC Chapter 67, State Review and Approval of Instructional Materials, Subchapter B, State Review and Approval, §67.25, Consideration and Approval of Instructional Materials by the State Board of Education; and

Make an affirmative finding that immediate adoption of proposed Amendment to 19 TAC Chapter 67, State Review and Approval of Instructional Materials, Subchapter B, State Review and Approval, §67.25, Consideration and Approval of Instructional Materials by the State Board of Education, is necessary and shall have an effective date of 20 days after filing as adopted with the Texas Register. The motion carried.

(ATTACHMENT 5, page 27)

7. **Proposed New 19 TAC Chapter 67, State Review and Approval of Instructional Materials, Subchapter B, State Review and Approval, §67.27, IMRA Reviewers: Eligibility and Appointment; §67.29, IMRA Reviewers: Training, Duties, and Conduct; §67.31, Procedures for Public Access to and Handling of IMRA Samples; §67.33, Public Comment on Instructional Materials; §67.39, Updates to Approved Instructional Materials; and §67.41, New Editions of Approved Instructional Materials, and Subchapter C, Local Operations, §67.61, Sample Copies of Instructional Materials for School Districts; and §67.63, Selection and Local Adoption of Instructional Materials by School Districts (First Reading and Filing Authorization)**
(Board agenda page I-14)
[Official agenda item #7]

MOTION: *It was moved by Mrs. Little that the State Board of Education:*

Approve for first reading and filing authorization proposed new 19 TAC Chapter 67, State Review and Approval of Instructional Materials, Subchapter B, State Review and Approval, §67.27, IMRA Reviewers: Eligibility and Appointment; §67.29, IMRA Reviewers: Training, Duties, and Conduct; §67.31, Procedures for Public Access to and Handling of IMRA Samples; §67.33, Public Comment on Instructional Materials; §67.39, Updates to Approved Instructional Materials; and §67.41, New Editions of Approved Instructional Materials, and Subchapter C, Local Operations, §67.61, Sample Copies of Instructional Materials for School Districts; and §67.63, Selection and Local Adoption of Instructional Materials by School Districts, as amended.

MOTION AND VOTE: *it was moved by Mr. Francis, seconded by Mrs. Pickren to amend §67.63 Selection and Local Adoption of Instructional Materials by School Districts to read, “(a) Each local board of trustees of a school district or governing body of an open-enrollment charter school shall provide for a public hearing before the board of trustees or governing body before the board of trustees or governing body selects tier one instructional materials or supplemental materials related to tier one instructional materials. Each board of trustees or governing body shall select instructional materials in an open meeting as required by Texas Government Code, Chapter 551, including public notice, and shall adopt a policy that specifies the school district’s procedures for selecting instructional materials.” The motion failed.*

VOTE: *A vote was taken by the State Board of Education to approve for first reading and filing authorization proposed new 19 TAC Chapter 67, State Review and Approval of Instructional Materials, Subchapter B, State Review and Approval, §67.27, IMRA Reviewers: Eligibility and Appointment; §67.29, IMRA Reviewers: Training, Duties, and Conduct; §67.31, Procedures for Public Access to and Handling of IMRA Samples; §67.33, Public Comment on Instructional Materials; §67.39, Updates to Approved Instructional Materials; and §67.41, New Editions of Approved Instructional Materials, and Subchapter C, Local Operations, §67.61, Sample Copies of Instructional Materials for School Districts; and §67.63, Selection and Local Adoption of Instructional Materials by School Districts, as amended. The motion carried.*

8. **Approval of Texas Essential Knowledge and Skills Review and Instructional Materials Review and Approval Cycle**
(Board agenda page I-26)
[Official agenda item #8]

MOTION AND VOTE: *It was moved by Ms. Lit that the State Board of Education approve the schedule for future cycles of Instructional Materials Review and Approval (IMRA), including the development timeline for quality rubrics, and Texas Essential Knowledge and Skills (TEKS) review and revision. The motion carried.*

- 9. Report from the Commissioner of Education Regarding Proclamation 2024 Confirmation of Changes**
(Board agenda page I-30)
[Official agenda item #9]

MOTION AND VOTE: *The State Board of Education took no action.*

- 10. Legislative Recommendations to the 89th Texas Legislature**
(Board agenda page I-31)
[Official agenda item #10]

MOTION: *It was moved by Ms. Hardy, that the State Board of Education adopt the Legislative Recommendations to the 89th Texas Legislature which are:*

- *HB1605 Amendment: \$20 Open Education Resource funding can be used for any OER materials on the SBOE Approved List.*
- *That the rating of school library books for sexually explicit and sexually relevant content described in TEC 35 be assigned to the State Board of Education, giving the board the discretion to create rules, procedures and timelines for the process. Furthermore, amend the statute to streamline the book challenge process.*
- *Recommend supporting TEA's exceptional item request related to Special Education Funding Commission recommendations.*
- *Grant the authority to the State Board of Education (SBOE) to establish rules regarding school system's implementation of Protection of Pupil Rights Amendment (PPRA), including automatic requirements for parental notification.*
- *Increased funding to ISDs for hiring of certified teachers and/or increased salaries for certified teachers.*
- *That the NEXT program be created with the intent to fund student-level targeted math and reading intervention to the lowest performing campuses in Texas. (Navigating Excellence Through Targeted Support)*
- *The State Board of Education calls on the Texas Legislature to reimburse costs associated with an individual's successful attempt at the special education and bilingual certification exams.*

MOTION AND VOTE: *It was moved by Mr. Francis, seconded by Ms. Recine, that the State Board of Education add, "The 89th Legislature should consider the remaining seven recommendations from the Teacher Vacancy Task Force to improve recruitment and retention of Texas teachers." and "The legislature should consider removing the funding cap from the Rural Pathway Excellence Partnership program and fully fund the R-PEP to expand its impact." The motion carried.*

MOTION AND VOTE: *It was moved by Mr. Maynard, seconded by Ms. Childs, to commit the Legislative Recommendations to the 89th Texas Legislature to an ad hoc committee to make grammatical edits. The motion carried unanimously.*

MOTION: *It was moved by Mr Maynard, seconded by Ms. Childs, that the State Board of Education adopt the amend Legislative Recommendations to the 89th Texas Legislature to read as follows:*

- *Amend the TEC to allow the \$20 Open Education Resource allotment to be utilized for any OER materials on the State Board of Education Approved List.*
- *Assign rating school library books for sexually explicit and sexually relevant content described in TEC 35 to the State Board of Education, giving the State Board of Education rulemaking authority to govern the process. Furthermore, amend the statute to streamline the book challenge process.*
- *Support TEA’s exceptional item request related to Special Education Funding Commission recommendations.*
- *Grant rulemaking authority to the State Board of Education regarding school systems’ implementation of Protection of Pupil Rights Amendment, including automatic requirements for parental notification.*
- *Increase funding to Local Educational Agencies for hiring certified teachers and/or increasing salaries for certified teachers.*
- *Create the Navigating Excellence Through Targeted Support program to fund student-level targeted math and reading intervention to the lowest performing campuses in Texas.*
- *Reimburse costs associated with an individual’s successful attempt at the special education and bilingual certification exams.*
- *Implement the seven remaining recommendations made by the Governor’s Teacher Vacancy Task Force to improve teacher recruitment and retention.*
- *Expand the Rural Pathway Excellence Partnership program by removing the funding cap.*

The motion carried.

VOTE: *The State Board of Education took a vote on the original motion to adopt the Legislative Recommendations to the 89th Texas Legislature. The motion carried unanimously.*

11. **Proposed Amendment to 19 TAC Chapter 61, School Districts, Subchapter A, Board of Trustees Relationship, §61.1, Continuing Education for School Board Members (Second Reading and Final Adoption)**
(Board agenda page I-34)
[Official agenda item #11]

MOTION: *It was moved by Ms. Hardy that the State Board of Education approve for second reading and final adoption proposed amendment to 19 TAC Chapter 61, School Districts, Subchapter A, Board of Trustees Relationship, §61.1, Continuing Education for School Board Members, as amended; and*

Make an affirmative finding that immediate adoption of the proposed amendment to 19 TAC Chapter 61, School Districts, Subchapter A, Board of Trustees Relationship, §61.1, Continuing Education for School Board Members, is necessary and shall have an effective date of 20 days after filing as adopted with the Texas Register.

MOTION: *It was moved by Dr. Young, seconded by Ms. Hardy, to amend section §61.1 Continuing Education for School Board Members by adding subsection (m):*

“This section as it read prior to adoption by the SBOE at its November 2024 meeting controls continuing education for school board members until January 1, 2026. Changes to this section approved by the SBOE at its November 2024 meeting (this amended section) are effective and will be implemented beginning November 1, 2025, except that:

By December 1, 2024, the Texas Education Agency shall send all registered providers and authorized providers notice regarding the changes to this amended section and a list of background check providers.

Beginning December 1, 2024, the Texas Education Agency shall begin receiving applications that meet the requirements of this amended section for registered providers and authorized providers.

An individual who on December 1, 2024, was a registered provider or an authorized provider and whose registration ends on or after December 1, 2024, shall reapply in compliance with this amended section.

No later than March 1, 2025, and June 1, 2025, the Texas Education Agency shall report to the State Board of Education:

- a. The number of new applications that it has received and the number that it has approved.*
- b. The number of applications from previously registered providers that it has received and the number that it has approved”*

MOTION AND VOTE: *It was moved by Mrs. Pickren, seconded by Ms. Recine, to amend the previous motion to state:*

“This section as it read prior to adoption by the SBOE at its November 2024 meeting controls continuing education for school board members until January 1, 2026. Changes to this section approved by the SBOE at its November 2024 meeting (this amended section) are effective and will be implemented beginning November 1, 2025, except that:

By December 1, 2024, the Texas Education Agency shall send all registered providers and authorized providers notice regarding the changes to this amended section and a list of background check providers.

~~Beginning December 1, 2024, the Texas Education Agency shall begin receiving applications that meet the requirements of this amended section for registered providers and authorized providers.~~

~~An individual who on December 1, 2024, was a registered provider or an authorized provider and whose registration ends on or after December 1, 2024, shall reapply in compliance with this amended section.~~

~~No later than March 1, 2025, and June 1, 2025, the Texas Education Agency shall report to the State Board of Education:~~

~~a. The number of new applications that it has received and the number that it has approved.~~

~~b. The number of applications from previously registered providers that it has received and the number that it has approved~~

~~All authorized and registered individuals and all individuals employed or contracted by a registered entity under the prior rule, effective March 24, 2020, shall submit a background check as referenced in subsection (c) by November 1, 2025.”~~

The motion carried.

VOTE: A vote was taken on the previous motion. The motion carried unanimously.

MOTION AND VOTE: It was moved by Mrs. Pickren, seconded by Mr. Francis to reconsider the previous motion. The motion carried without objection.

MOTION AND VOTE: It was moved by Mrs. Pickren to withdraw the motion. The motion was withdrawn without objection.

MOTION AND VOTE: It was moved by Dr. Young to withdraw the motion. The motion was withdrawn without objection.

MOTION AND VOTE: It was moved by Dr. Ortega, seconded by Ms. Perez-Diez, to amend section §61.1 Continuing Education for School Board Members by adding subsection (n) “This section will be implemented November 1, 2025.” The motion failed.

VOTE: A vote was taken on the original motion to approve for second reading and final adoption proposed amendment to 19 TAC Chapter 61, School Districts, Subchapter A, Board of Trustees Relationship, §61.1, Continuing Education for School Board Members, as amended; and

Make an affirmative finding that immediate adoption of the proposed amendment to 19 TAC Chapter 61, School Districts, Subchapter A, Board of Trustees Relationship, §61.1, Continuing Education for School Board Members, is necessary and shall have an effective date of 20 days after filing as adopted with the Texas Register. The motion carried.

(ATTACHMENT 6, page 30)

12. Discussion of Proposed Texas Essential Knowledge and Skills (TEKS) for Middle School Advanced Mathematics

(Board agenda page I-47)
[Official agenda item #12]

MOTION AND VOTE: *It was moved by Mrs. Little, that the State Board of Education approve option #2, as presented at the November 20, 2024, COFB meeting, as the plan for Middle School Mathematics. The motion carried unanimously.*

13. Proposed Amendment to 19 TAC Chapter 74, Curriculum Requirements, Subchapter A, Required Curriculum, §74.3 Description of a Required Secondary Curriculum (First Reading and Filing Authorization)

(Board agenda page I-223)
[Official agenda item #13]

MOTION AND VOTE: *It was moved by Mrs. Little that the State Board of Education approve for first reading and filing authorization proposed amendment to 19 TAC Chapter 74, Curriculum Requirements, Subchapter A, Required Curriculum, §74.3 Description of a Required Secondary Curriculum, as amended. The motion carried.*

14. Proposed New 19 TAC Chapter 127, Texas Essential Knowledge and Skills for Career Development and Career and Technical Education, Subchapter C, Agriculture, Food, and Natural Resources, §127.59 and §127.61; Subchapter F, Business, Marketing, and Finance, §127.262 and §127.263; Subchapter J, Health Science, §127.510 and §127.511; Subchapter K, Hospitality and Tourism, §§127.569, 127.571, and 127.604; Subchapter M, Information Technology, §§127.689-127.691 and 127.694-127.699; and Subchapter N, Law and Public Service, §127.773 (First Reading and Filing Authorization)

(Board agenda page I-228)
[Official agenda item #14]

MOTION: *It was moved by Mrs. Little, that the State Board of Education approve for first reading and filing authorization proposed new 19 TAC Chapter 127, Texas Essential Knowledge and Skills for Career Development and Career and Technical Education, Subchapter C, Agriculture, Food, and Natural Resources, §127.59 and §127.61; Subchapter F, Business, Marketing, and Finance, §127.262 and §127.263; Subchapter J, Health Science, §127.510 and §127.511; Subchapter K, Hospitality and Tourism, §§127.569, 127.571, and 127.604; Subchapter M, Information Technology, §§127.689-127.691 and 127.694-127.699; and Subchapter N, Law and Public Service, §127.773.*

MOTION AND VOTE: *It was moved by Mr. Maynard, seconded by Ms. Hardy, to strike “127.694” and add “127.695”. The motion carried without objection.*

VOTE: *A vote was taken on the original motion to approve for first reading and filing authorization proposed new 19 TAC Chapter 127, Texas Essential Knowledge and Skills for Career Development and Career and Technical Education, Subchapter C, Agriculture, Food, and Natural Resources, §127.59 and §127.61; Subchapter F, Business, Marketing, and Finance, §127.262 and §127.263; Subchapter J, Health Science, §127.510 and §127.511; Subchapter K, Hospitality and Tourism, §§127.569, 127.571, and 127.604;*

Subchapter M, Information Technology, §§127.689-127.691 and 127.694-127.699; and Subchapter N, Law and Public Service, §127.773. The motion carried unanimously.

- (1) **Approval of Updates to and Ratification of Standards-Alignment Percentages for Instructional Materials Adopted Under Proclamation 2024**
(Board agenda page 1-4)

MOTION AND VOTE: *It was moved by Mrs. Little, that the State Board of Education approve the request from The Curriculum Center for Family and Consumer Sciences (CCFCS) to update content in its Personal Financial Literacy and Economics, Child Development Associate Foundations, and Instructional Practices; and*

Update the official TEKS percentage for instructional materials reviewed for TEKS Updates on the Instructional Materials Current Adoption Bulletin. The motion carried unanimously.

- (2) **Decision on the 5a Distribution from the Permanent School Fund for Fiscal Years 2026- 2027**
(Board agenda page I-32)

MOTION AND VOTE: *It was moved by Mrs. Little, that the State Board of Education pursuant to the Texas Constitution, Article VII, Section 5(a), approve an annual distribution rate of 3.45% resulting in an estimated annual distribution in the amount of \$1.81 billion for fiscal years 2026 and 2027, a projected \$3.62 billion for the biennium. The motion carried unanimously.*

COMMITTEE ON SCHOOL FINANCE / PERMANENT SCHOOL FUND

- (5) **Approval of Costs to Administer the 2024–2025 State-Developed Assessments to Private School Students**
(Board agenda page III-1)

MOTION AND VOTE: *It was moved by Mr. Maynard, that the State Board of Education approve the recommended per-student costs for administering the state assessments to private school students in the 2024–2025 school year. The motion carried unanimously.*

COMMITTEE ON SCHOOL INITIATIVES

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

(Board agenda page IV-4)

[Official agenda item #15]

MOTION AND VOTE: *It was moved by Mr. Francis, that the State Board of Education take no action on the proposed amendments to 19 TAC Chapter 229, Accountability System for Educator Preparation Programs. The motion carried unanimously.*

16. **Review of Adoption of Proposed Amendment to 19 TAC Chapter 230, Professional Educator Preparation and Certification, Subchapter B, General Certification Requirements, §230.11, General Requirements**

(Board agenda page IV-67)

[Official agenda item #16]

MOTION AND VOTE: *It was moved by Mr. Francis, that the State Board of Education take no action on the proposed amendment to 19 TAC Chapter 230, Professional Educator Preparation and Certification, Subchapter B, General Certification Requirements, §230.11, General Requirements. The motion carried unanimously.*

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 BOARDS 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.

Chairman Kinsey adjourned the meeting at 1:54 p.m.

Patricia Hardy, Secretary

RESOLUTION

WHEREAS Dr. Melissa N. Ortega was elected to serve District 1 of the State Board of Education in November 2022, where she served as a member of the Committee on Instruction; and

WHEREAS she is a dedicated public servant for education who has the eagerness and passion to improve public education in Texas; and

WHEREAS she attended El Paso Community College, Southwest Texas State University, and the University of Umea Sweden where she studied transnational feminism; and

WHEREAS she attended the University of Texas in El Paso where she earned her bachelor’s degree in interdisciplinary studies with a focus on education and her Ph.D. in teaching, learning & culture; focusing her dissertation research on the identity and learning outcomes of mentor veteran teachers in STEM education; and

WHEREAS she has presented her research at several conferences including the University of Texas in El Paso annual Women’s History Month Conference, the Southwest Diversity Summit, New Mexico State University’s Annual Mentoring Conference, Society for Information Technology and Teacher Education, and the American Institute of Higher Education International Conference; and

WHEREAS her research has appeared in journals such as the American Institute for Higher Education, Society for Informational Technology and Teacher Education, and i-manager’s Journal of Educational Technology; now, therefore be it

RESOLVED, that the State Board of Education wishes Dr. Melissa N. Ortega all the very best on her next pursuit; and be it further

RESOLVED, that this resolution be presented to Dr. Melissa N. Ortega and that a copy be included in the permanent records of the State Board of Education.

WITNESS our signatures this twenty second day of November, two thousand and twenty-four, in Austin, Texas.

Aaron Kinsey, Chair

Pat Hardy, Secretary

This page has been intentionally left blank.

RESOLUTION

WHEREAS Aicha Davis began her education career as a sixth-grade reading and science teacher in Louisiana serving students and families affected by Hurricane Katrina and later moved to high school where she taught advanced sciences and engineering and coached robotics teams that competed nationally; and

WHEREAS upon moving to Texas in 2011 she worked in the Irving and DeSoto Independent School Districts where she was a science teacher with English as a Second Language and principal certifications; and

WHEREAS her passion for education continued when she was elected to the State Board of Education in November 2018 and was a member of the Committee on Instruction, she was re-elected in 2022 serving 1.7 million Texans in parts of the Dallas-Fort Worth Metroplex; and

WHEREAS this phenomenal educator led the adoption of African-American Studies as a Texas Essential Knowledge and Skills or TEKS-based course in 2020; and

WHEREAS as lead instructor for the Texas Education Policy Institute, she taught education policy and advocacy to educators; and

WHEREAS Aicha Davis was appointed vice chair of the Committee on School Initiatives in 2021 and served a two-year term in that committee; and

WHEREAS her amazing mother, Precious Davis, served as her thought partner, trip navigator, private eye and security, entertainer and cheerleader at nearly every board meeting; and

WHEREAS Aicha Davis is a member of Zeta Phi Beta Sorority, Inc., the Texas Alliance of Black School Educators, and the Texas Association of Latino Administrators and Superintendents; and

WHEREAS she served the board for almost six years until she decided to run for an office where she could support stronger laws for Texas public schools, students, and teachers; now, therefore be it

RESOLVED, that the State Board of Education wishes Aicha Davis all the best as she ventures her way to the Texas House of Representatives; and be it further

RESOLVED, that this resolution be presented to Aicha Davis and that a copy be included in the permanent records of the State Board of Education.

WITNESS our signatures this twenty-second day of November, two thousand and twenty-four, in Austin, Texas.

Aaron Kinsey, Chair

Pat Hardy, Secretary

This page has been intentionally left blank.

RESOLUTION

WHEREAS Patricia “Pat” Hardy this year completes 21 years of dedicated service on the State Board of Education; and

WHEREAS who in Sam Hill could have predicted the far-reaching impact Pat Hardy would have on public education at the local, state, and national level when she began her teaching career after graduating from Howard Payne University; and

WHEREAS this career educator brought her practical experience as a world history and world geography teacher and a district-level social studies coordinator to her work on the State Board of Education as she helped create and shape statewide education policies; and

WHEREAS Pat Hardy has served on all three board committees, including serving as vice chair and chair of the School Finance/Permanent School Fund Committee and secretary of the board; and

WHEREAS her conservative fiscal leadership helped influence wise diversification and investments in the state’s prestigious Permanent School Fund, which grew from a market value of \$16.8 billion when she joined the board in January 2003 to its present-day value of \$63.7 billion, an increase of almost 400 percent; and

WHEREAS Pat Hardy’s influence was perhaps most impactful in the adoption and refinement of the state’s social studies Texas Essential Knowledge and Skills; and

WHEREAS when Pat Hardy, a former Texas Social Studies Supervisor of the Year, offered advice about the social studies curriculum standards, the board listened to this in-house expert; and

WHEREAS Pat Hardy continued to maintain her close connection to students through her long service as the Texas coordinator of the National Geographic Bee, through her work as co-director of the Kids Hope mentor program, and as a member of the Texas America 250 Commission; and

WHEREAS whether serving as a classroom teacher, a member of the State Board of Education, or a homeowners’ association board member, Pat Hardy has lived her life in service to others; now, therefore be it

RESOLVED, that the State Board of Education gratefully thanks Pat Hardy for her dedication and devotion to the children of Texas and Texas public schools; and be it further

RESOLVED, that this resolution be presented to Pat Hardy and that a copy be included in the permanent records of the State Board of Education.

WITNESS our signatures this twenty-second day of November, two thousand and twenty-four, in Austin, Texas.

Aaron Kinsey, Chair

Pam Little, Vice Chair

This page has been intentionally left blank.

RESOLUTION

WHEREAS the State Board of Education considers high academic standards as the foundation of public education in Texas; and

WHEREAS the National History Day program fosters academic achievement and intellectual growth, requires student participants to conduct extensive primary and secondary source research on a topic of historical significance, and promotes pride in each student participant's heritage and in our nation's history and place in the world; and

WHEREAS the annual National History Day contest with the theme of *Turning Points in History* was held in College Park, Maryland, on June 9-13, 2024; and

WHEREAS Tori White of Nimitz High School in Houston, Texas, achieved Second Place in the Senior Division Senior Individual Performance category with her performance titled *Red Light! Gladys West & the Global Positioning System* and

WHEREAS Aliya Ajani, Ambika Nair, Seleste Banks, and Smrithi Guddeti of the Honor Roll School in Sugar Land, Texas, achieved Fourth Place in the Junior Division Group Website category with their website titled *Invention of the Smallpox Vaccine: The Birth of Mass Vaccination*; and

WHEREAS Nora Gillum of Dripping Springs Middle School in Dripping Springs, Texas, achieved Fourth Place in the Junior Division Individual Website category with her website titled *Poisoned Pills: How the 1982 Tylenol Scare Became a Turning Point in Consumer Safety*; and

WHEREAS Felicity Fok and Zeviel Pineda of Veterans Memorial Early College High School in Brownsville, Texas, achieved Fourth Place in the Senior Division Group Exhibit category with their exhibit titled *Exposed Wire Leads to Fire: How One Telegram Ignited America's Rise to Power*;

WHEREAS Annali Ramirez, Gabriel Ramirez, Jonathan Lewis, and Yashvir Singh Gill of E.F. Green Middle School in Baytown, Texas, achieved Fifth Place in the Junior Division Group Exhibit category with their exhibit titled *From Sea to Shining Sea: The Transcontinental Railroad Redefines the Face of a Nation*; and

WHEREAS Grant Gillum of Dripping Springs High School in Dripping Springs, Texas, achieved Fifth Place in the Senior Division Individual Website category with his website titled *Fueling Victory: How the Inch Pipelines Became a Turning Point in World War II*; and

WHEREAS Dalinda Hernandez of Stillman Middle School in Brownsville, Texas, achieved Seventh Place in the Junior Division Individual Performance category with her performance titled *The Discovery of the Double Helix: A Turning Point in Understanding the Structure of Deoxyribonucleic Acid (DNA)*; and

WHEREAS Lilith Shue of Young Women's Leadership Academy in San Antonio achieved Seventh Place in the Junior Division Individual Website category with her website titled *The Digitalization of Filmmaking: A Turning Point in Modern Storytelling*; and

WHEREAS Austin Thomas and Brycen Gardiner of Baytown Junior High School in Baytown, Texas, achieved Ninth Place in the Junior Division Group Exhibit category with their exhibit titled *The Box That Changed the World*;
now, therefore, be it

RESOLVED, That the State Board of Education does hereby congratulate these *2024 National History Day* honorees from the Aldine Independent School District, the Honor Roll School in Sugar Land, Dripping Springs Independent School District, Brownsville Independent School District, Goose Creek Consolidated Independent School District, and San Antonio Independent School District; and be it further

RESOLVED, That this resolution be presented to the aforementioned students for their high levels of achievement at the *2024 National History Day* contest and that a copy be included in the permanent records of the State Board of Education.

WITNESS our signatures this twenty-second day of November, two thousand and twenty-four, in Austin, Texas.

Aaron Kinsey, Chair

Patricia Hardy, Secretary

This page has been intentionally left blank.

ATTACHMENT
Text of Proposed Amendment to 19 TAC

Chapter 67. State Review and Approval of Instructional Materials

Subchapter B. State Review and Approval

§67.25. Consideration and Approval of Instructional Materials by the State Board of Education.

The State Board of Education (SBOE) shall review the results of the instructional materials reviews completed by a review panel and submitted by the commissioner of education in accordance with Texas Education Code (TEC), §31.022 and §31.023. Instructional materials may be placed on the list of approved instructional materials only if they meet the following criteria:

- (1) for full-subject and partial-subject tier one instructional materials for foundation subjects as defined by TEC, §28.002(a)(1), the product components cover 100% of the Texas Essential Knowledge and Skills (TEKS) and applicable English Language Proficiency Standards (ELPS) for the specific grade level and subject area when the proclamation or request for instructional materials was issued. In determining the percentage of the TEKS and ELPS covered by instructional materials, each student expectation shall count as an independent element of the standards;
- ~~(2) for enrichment subjects as defined by TEC, §28.002(a)(2):~~
 - ~~(A) the product components for full-subject tier one instructional materials cover 100% of the TEKS for the specific grade level and subject area when the proclamation or request for instructional materials was issued. In determining the percentage of the TEKS covered by instructional materials, each student expectation shall count as an independent element of the standards; and~~
 - ~~(B) the product components for partial-subject tier one instructional materials cover 100% of the applicable TEKS for the specific grade level and subject area when the proclamation or request for instructional materials was issued. The agency will bring recommendations regarding which TEKS are applicable to the SBOE for approval. In determining the percentage of the TEKS covered by instructional materials, each student expectation shall count as an independent element of the standards;~~
- ~~[(2) for full subject and partial subject tier one instructional materials for enrichment subjects as defined by TEC, §28.002(a)(2), the product components cover 100% of the applicable TEKS for the specific grade level and subject area when the proclamation or request for instructional materials was issued. In determining the percentage of the TEKS covered by instructional materials, each applicable student expectation shall count as an independent element of the standards;]~~
- ~~(3) for supplemental instructional materials as defined by TEC, §31.002(3), the publisher will indicate which TEKS are applicable, and the product and its components cover 100% of the applicable student expectations in the TEKS for the specific subject or course for which the materials are designed;~~
- ~~(4) [(2)] materials have been reviewed through the process required by TEC, §31.023;~~
- ~~(5) [(3)] materials are free from factual error, defined as a verified error of fact or any error that would interfere with student learning, including significant grammatical or punctuation errors;~~

- (6) [~~(4)~~] materials meet the Web Content Accessibility Guidelines (WCAG) and meet the technical specifications of the Federal Rehabilitation Act, Section 508, as specified when a request for instructional materials or proclamation was issued;
- (7) [~~(5)~~] materials conform to or exceed in every instance the latest edition of the Manufacturing Standards and Specifications for Textbooks (MSST), developed by the State Instructional Materials Review Association, when the proclamation or request for instructional materials was issued;
- (8) [~~(6)~~] materials are compliant with the suitability standards adopted by the SBOE and are compliant with all applicable state laws; and
- (9) [~~(7)~~] materials provide access to a parent portal as required by TEC, §31.154.

ATTACHMENT
Text of Proposed Amendment to 19 TAC

Chapter 61. School Districts

Subchapter A. Board of Trustees Relationship

§61.1. Continuing Education for School Board Members.

- (a) Under the Texas Education Code (TEC), §11.159, the State Board of Education (SBOE) shall adopt a framework for school board development [governance leadership] to be used in structuring continuing education for school board members. The framework shall be posted to the Texas Education Agency (TEA) website and shall be distributed annually by the president of each board of trustees to all current board members and the superintendent.
- (b) The continuing education required under the TEC, §11.159, applies to each member of an independent school district board of trustees. All school board trainings and continuing education under this section shall comply with state law.
 - (1) Each school board member of an independent school district shall complete a local district orientation.
 - (A) The purpose of the local orientation is to familiarize new board members with local board policies and procedures and district goals and priorities.
 - (B) A candidate for school board may complete the training up to one year before he or she is elected or appointed. A newly elected or appointed school board member who did not complete this training in the year preceding his or her election or appointment must complete the training within 120 calendar days after election or appointment.
 - (C) The orientation shall be at least three hours in length.
 - (D) The orientation shall address local district practices in the following, in addition to topics chosen by the local district:
 - (i) curriculum and instruction;
 - (ii) business and finance operations;
 - (iii) district operations;
 - (iv) superintendent evaluation; and
 - (v) board member roles and responsibilities.
 - (E) Each board member should be made aware of the continuing education requirements of this section and those of the following:
 - (i) open meetings act in Texas Government Code, §551.005;
 - (ii) public information act in Texas Government Code, §552.012; and
 - (iii) cybersecurity in Texas Government Code, §2054.5191.
 - (F) The orientation shall be open to any board member who chooses to attend.

- (2) Each school board member of an independent school district shall complete a basic orientation to the TEC and relevant legal obligations.
- (A) The orientation shall have special, but not exclusive, emphasis on statutory provisions related to governing Texas school districts.
 - (B) A candidate for school board may complete the training up to one year before he or she is elected or appointed. A newly elected or appointed school board member who did not complete this training in the year preceding his or her election or appointment must complete the training within 120 calendar days after election or appointment.
 - (C) The orientation shall be at least three hours in length.
 - (D) Topics shall include, but not be limited to, the TEC, Chapter 26 (Parental Rights and Responsibilities), and the TEC, §28.004 (Local School Health Advisory Council and Health Education Instruction).
 - (E) The orientation shall be provided by a regional education service center (ESC).
 - (F) The orientation shall be open to any board member who chooses to attend.
 - (G) The continuing education may be fulfilled through online instruction, provided that the training incorporates interactive activities that assess learning and provide feedback to the learner and offers an opportunity for interaction with the instructor.
 - (H) The ESC shall determine the clock hours of training credit to be awarded for successful completion of an online course and shall provide verification of completion as required in subsection (i) [~~(h)~~] of this section.
- (3) After each session of the Texas Legislature, including each regular session and called session related to education, each school board member shall complete an update to the basic orientation to the TEC.
- (A) The update session shall be of sufficient length to familiarize board members with major changes in statute and other relevant legal developments related to school governance.
 - (B) The update shall be provided by an ESC or a registered provider, as defined by subsection (c) of this section.
 - (C) A board member who has attended an ESC basic orientation session described in paragraph (2) of this subsection that incorporated the most recent legislative changes is not required to attend an update.
 - (D) The continuing education may be fulfilled through online instruction, provided that the training is designed and offered by a registered provider, incorporates interactive activities that assess learning and provide feedback to the learner, and offers an opportunity for interaction with the instructor.
 - (E) The ESC or registered provider shall determine the clock hours of training credit to be awarded for successful completion of an online course and shall provide verification of completion as required in subsection (i) [~~(h)~~] of this section.
- (4) The entire board shall participate with their superintendent in a team-building session.
- (A) The purpose of the team-building session is to enhance the effectiveness of the board-superintendent team and to assess the continuing education needs of the board-superintendent team.
 - (B) The session shall be held annually.

- (C) The session shall be at least three hours in length.
 - (D) The session shall include a review of the roles, rights, and responsibilities of a local board including its oversight relationship to administrators, as outlined in the framework for school board development [governance leadership] described in subsection (a) of this section.
 - (E) The assessment of needs shall be based on the framework for school board development [governance leadership] described in subsection (a) of this section and shall be used to plan continuing education activities for the year for the governance leadership team.
 - (F) The team-building session shall be provided by an ESC or a registered provider as described in subsection (c) of this section.
 - (G) The superintendent's participation in team-building sessions as part of the continuing education for board members shall represent one component of the superintendent's ongoing professional development.
- (5) In addition to the continuing education requirements in paragraphs (1) through (4) of this subsection, each board member shall complete additional continuing education based on the framework for school board development [governance leadership] described in subsection (a) of this section.
- (A) The purpose of continuing education is to address the continuing education needs referenced in paragraph (4) of this subsection.
 - (B) The continuing education shall be completed annually.
 - (C) In a board member's first year of service, he or she shall complete at least ten hours of continuing education in fulfillment of assessed needs.
 - (D) Following a board member's first year of service, he or she shall complete at least five hours of continuing education annually in fulfillment of assessed needs.
 - (E) A board president shall complete continuing education related to leadership duties of a board president as some portion of the annual requirement.
 - (F) At least 50% of the continuing education shall be designed and delivered by persons not employed or affiliated with the board member's local school district. No more than one hour of the required continuing education that is delivered by the local district may utilize self-instructional materials.
 - (G) The continuing education shall be provided by an ESC or a registered provider, as defined by subsection (c) of this section.
 - (H) The continuing education may be fulfilled through online instruction, provided that the training is designed and offered by a registered provider, incorporates interactive activities that assess learning and provide feedback to the learner, and offers an opportunity for interaction with the instructor.
 - (I) The ESC or registered provider shall determine the clock hours of training credit to be awarded for successful completion of an online course and shall provide verification of completion as required in subsection (i) ~~(h)~~ of this section.
- (6) Each school board member shall complete continuing education on evaluating student academic performance and setting individual campus goals for early childhood literacy and mathematics and college, career, and military readiness.

- (A) The purpose of the training on evaluating student academic performance is to provide research-based information to board members that is designed to support the oversight role of the board of trustees outlined in the TEC, §11.1515.
 - (B) The purpose of the continuing education on setting individual campus goals for early childhood literacy and mathematics and college, career, and military readiness is to facilitate boards meeting the requirements of TEC, §11.185 and §11.186.
 - (C) A candidate for school board may complete the training up to one year before he or she is elected or appointed. A newly elected or appointed school board member who did not complete this training in the year preceding his or her election or appointment must complete the training within 120 calendar days after election or appointment.
 - (D) The continuing education shall be completed every two years.
 - (E) The training shall be at least three hours in length.
 - (F) The continuing education required by this subsection shall include, at a minimum:
 - (i) instruction in school board behaviors correlated with improved student outcomes with emphasis on:
 - (I) setting specific, quantifiable student outcome goals; and
 - (II) adopting plans to improve early literacy and numeracy and college, career, and military readiness for applicable student groups evaluated in the Closing the Gaps domain of the state accountability system established under TEC, Chapter 39;
 - (ii) instruction in progress monitoring practices to improve student outcomes; and
 - (iii) instruction in state accountability with emphasis on the Texas Essential Knowledge and Skills, state assessment instruments administered under the TEC, Chapter 39, and the state accountability system established under the TEC, Chapter 39.
 - (G) The continuing education shall be provided by an authorized provider as defined by subsection (e) [~~(d)~~] of this section.
 - (H) If the training is attended by an entire school board and its superintendent, includes a review of local school district data on student achievement, and otherwise meets the requirements of subsection (b)(4) of this section, the training may serve to meet a school board member's obligation to complete training under subsection (b)(4) and (6) of this section, as long as the training complies with the Texas Open Meetings Act.
- (7) Each board member shall complete continuing education on identifying and reporting potential victims of sexual abuse, human trafficking, and other maltreatment of children in accordance with TEC, §11.159(c)(2).
- (A) A candidate for school board may complete the training up to one year before he or she is elected or appointed. A newly elected or appointed school board member who did not complete this training in the year preceding his or her election or appointment must complete the training within 120 calendar days after election or appointment.
 - (B) The training shall be completed every two years.
 - (C) The training shall be at least one hour in length.

- (D) The training must familiarize board members with the requirements of TEC, §38.004 and §38.0041, and ~~§103.1401~~ ~~§61.1051~~ of this title (relating to Reporting Child Abuse or Neglect, Including Trafficking of a Child).
 - (E) The training required by this subsection shall include, at a minimum:
 - (i) instruction in best practices of identifying potential victims of child abuse, human trafficking, and other maltreatment of children;
 - (ii) instruction in legal requirements to report potential victims of child abuse, human trafficking, and other maltreatment of children; and
 - (iii) instruction in resources and organizations that help support victims and prevent child abuse, human trafficking, and other maltreatment of children.
 - (F) The training sessions shall be provided by a registered provider as defined by subsection (c) of this section.
 - (G) This training may be completed online, provided that the training is designed and offered by a registered provider, incorporates interactive activities that assess learning and provide feedback to the learner, and offers an opportunity for interaction with the instructor.
 - (H) The registered provider shall determine the clock hours of training credit to be awarded for successful completion of an online course and shall provide verification of completion as required in subsection (i) ~~(h)~~ of this section.
- (c) For the purposes of this section, a registered provider has demonstrated proficiency in the content required for a specific training. An individual applicant [A private or professional organization, school district, government agency, college/university, or private consultant] shall register with the TEA to provide the board member continuing education required in subsection (b)(3), (5), and (7) of this section. Groups and organizations are not ~~no longer~~ eligible for registration.
- (1) The applicant's registration application ~~process~~ shall include documentation of the applicant's ~~provider's~~ training, experience, educational background, and/or expertise in the activities and areas covered in the framework for school board development. A registration application that does not demonstrate the training, experience, educational background, and/or expertise shall be rejected ~~[governance leadership]~~.
 - (2) TEA will provide each applicant with a list of at least five ~~(5)~~ TEA approved background check providers. The applicant's registration application shall include a background check report from one of the approved providers. A registration application that does not include a background check report shall be rejected, and ~~[or]~~ a registration application that includes a background check report documenting an applicant's felony or crime of moral turpitude conviction shall be rejected.
 - (3) TEA shall revoke a registered provider's status upon notification and confirmation that a registered provider has been convicted of a felony or a crime of moral turpitude. A registered provider will be given an opportunity to promptly contest ~~a claim~~ in writing, ~~[]~~ within 30 days, a claim that the registered provider was convicted. TEA will respond within 30 days of its decision. An informal hearing will be conducted by TEA upon request from the registered provider. Registration shall be withheld until confirmation of registration is received from TEA.
 - (4) ~~(2)~~ An updated registration shall be required of a provider of continuing education every three years.
 - (5) A registered provider may present with other panel members, speakers, or presenters for credit. Those ~~[however those]~~ panel members, speakers, or presenters must comply with subsections (d)-(m) ~~[will comply with the remainder]~~ of this section ~~[]~~ but are not required to comply with

paragraphs (1)-(4) of this subsection. Any violation of this section by the other panel members, speakers, or presenters is the responsibility of the registered provider.

(6) [(3)] A school district that provides continuing education exclusively for its own board members is not required to register.

(7) [(4)] An ESC is not required to register under this subsection.

(d) A provider of training under this section may not engage in political advocacy while providing the training under this section.

(1) For the purposes of this section [rule], political advocacy means:

(A) supporting [Supporting] or opposing political candidate(s), a particular party, or a group of candidates who hold a particular political viewpoint or position, specifically or by unmistakable implication, with the intent to influence the outcome of an election or appointment; and/or

(B) supporting [Supporting] or opposing a political or policy position with the intent of influencing the outcome of a legislative, rulemaking, or other policy process.

(2) [(C)] Political advocacy shall not include discussions on fostering legislative relationships, legislative or rulemaking processes, or legislative or policy updates.

(3) [(2)] If a provider is required to register under subsection (c) of this section, the provider shall provide a written acknowledgement, provided by the agency, indicating that the provider shall not engage in political advocacy while providing training. A registration application that does not include an acknowledgement shall be rejected.

(4) [(3)] If the agency determines a provider engaged in political advocacy while providing training, the agency shall:

(A) issue a warning to the provider;

(B) request that the provider submit a written explanation from the provider explaining the events and what action, if any, has or will be taken to prevent a future violation; and

(C) notify members of the State Board of Education of the warning issued to the provider and include any written explanation from the provider.

(5) [(4)] The board may remove the registration or the authorization to provide training under this section for an individual, school district, or regional service center if the board determines that the provider engaged in political advocacy while providing training under this section.

(6) [(5)] Removal of registration or authorization under paragraph (5) [(4)] of this subsection shall be for a term of one year unless modified by the board.

(7) [(6)] A provider is presumed to have provided political advocacy while providing training under this section if the political advocacy occurs during that training session.

(e) [(4)] An authorized provider meets all the requirements of a registered provider and has demonstrated proficiency in the content required in subsection (b)(4) and (6) of this section. Proficiency may be demonstrated by completing a TEA-approved train-the-trainer course that includes evaluation on the topics and following a review of the provider's qualifications and course design, or through other means as determined by the commissioner.

(1) A [private or professional organization,] school district or individual [- government agency, college/university, or private consultant] may be authorized by TEA to provide the board member training required in subsection (b)(4) and (6) of this section.

- (2) An ESC shall be authorized by TEA to provide the board member training required in subsection (b)(4) and (6) of this section.
- (3) The authorization process shall include documentation of the provider's training and/or expertise in the activities and areas covered in the framework for school board development [~~governance leadership~~].
- (4) An updated authorization shall be required of a provider of training every three years.
- (f) [~~e~~] No continuing education shall take place during a school board meeting unless that meeting is called expressly for the delivery of board member continuing education. However, continuing education may take place prior to or after a legally called board meeting in accordance with the provisions of the Texas Government Code, §551.001(4).
- (g) [~~f~~] An ESC board member continuing education program shall be open to any interested person, including a current or prospective board member. A district is not responsible for any costs associated with individuals who are not current board members.
- (h) [~~g~~] A registration fee shall be determined by ESCs to cover the costs of providing continuing education programs offered by ESCs.
- (i) [~~h~~] For each training described in this section, the provider of continuing education shall provide verification of completion of board member continuing education to the individual participant and to the participant's school district. The verification must include the provider's authorization or registration number.
- (j) [~~i~~] To the extent possible, the entire board shall participate in continuing education programs together.
- (k) [~~j~~] At the last regular meeting of the board of trustees before an election of trustees, the current president of each local board of trustees shall announce the name of each board member who has completed the required continuing education, who has exceeded the required hours of continuing education, and who is deficient in meeting the required continuing education as of the anniversary of the date of each board member's election or appointment to the board or two-year anniversary of his or her previous training, as applicable. The announcement shall state that completing the required continuing education is a basic obligation and expectation of any sitting board member under SBOE rule. The minutes of the last regular board meeting before an election of trustees must reflect whether each trustee has met or is deficient in meeting the training required for the trustee as of the first anniversary of the date of the trustee's election or appointment or two-year anniversary of his or her previous training, as applicable. The president shall cause the minutes of the local board to reflect the announcement and, if the minutes reflect that a trustee is deficient in training as of the anniversary of his or her joining the board, the district shall post the minutes on the district's Internet website within 10 business days of the meeting and maintain the posting until the trustee meets the requirements.
- (l) [~~k~~] Annually, the SBOE shall commend those local board-superintendent teams that complete at least eight hours of the continuing education specified in subsection (b)(4) and (5) of this section as an entire board-superintendent team.
- (m) [~~l~~] Annually, the SBOE shall commend local board-superintendent teams that effectively implement the commissioner's trustee improvement and evaluation tool developed under the TEC, §11.182, or any other tool approved by the commissioner.
- ~~(m) — This section will be implemented May 1, 2020. This section as it read prior to adoption by the SBOE at its January 2020 meeting controls continuing education for school board members~~

**Report of the State Board of Education
Committee on Instruction
Friday, December 6, 2024**

The State Board of Education Committee on Instruction met at 9 a.m. on Friday, December 6, 2024, in Room, #2.029, of the Barbara Jordan Building, 1601 N. Congress Avenue, Austin, Texas. Attendance was noted as follows:

Present: Audrey Young, chair; Evelyn Brooks; Pam Little; Melissa Ortega; and Leslie Recine

Public Testimony

The Committee on Instruction heard no public testimony.

ACTION ITEMS

1. Determination Whether Materials Approved as Part of Instructional Materials Review and Approval Cycle 2024 Comply with Phonics Rule
(Board agenda page II-1)

Amie Phillips, director of instructional materials review and approval, district operations, technology, and sustainability supports division, explained that the Texas Education Agency completed an additional review of submissions by 95 percent group, Heggerty, Just Right Reader, and Scholastic. In the review of 95 percent group, the Texas Education was looking for compliance in the phonics rules 1(d) and 1(g) and found their submissions were not in compliance with phonics rules 1(g). Ms. Phillips explained that in the submissions from Heggerty were found to be in non-compliant with phonics rule 1(d). She further explained that Just Right Reader's submissions were found to be in compliance with phonics rules 1(d) and 1(g). She further explained that Scholastic's submissions were found to be in non-compliance with rule 1(d).

MOTION AND VOTE: *It was moved by Mrs. Little, seconded by Dr. Ortega, that the Committee on Instruction moves to affirm the findings of the Texas Education Agency that the following products comply with phonics rules outlined in 19 TAC §74.2001(b)(1)(B)–(G).*

- *Just Right Reader, Inc.*
 - o *Just Right Reader 1st Grade Decodables*
 - o *Just Right Reader 2nd Grade Decodables*
 - o *Just Right Reader Kindergarten - Early Decodables*
 - o *Just Right Reader Decodables De Jardín De Infantes*
 - o *Just Right Reader Decodables De Primer Grado*
 - o *Just Right Reader Decodables De Segundo Grado*

The motion carried unanimously.

MOTION AND VOTE: *It was moved by Mrs. Little, seconded by Dr. Ortega, that the Committee on Instruction moves to affirm the findings of the Texas Education Agency that the following products do not comply with phonics rules outlined in 19 TAC §74.2001(b)(1)(B)–(G) and will be removed from the list of approved instructional materials.*

- *95 Percent Group, LLC*
 - *95 Phonics Core Program Classroom Kit: Grade 1*
 - *95 Phonics Core Program Classroom Kit: Grade 2*
 - *95 Phonics Core Program Classroom Kit: Grade 3*
 - *95 Phonics Core Program Classroom Kit: Grade K*

- *Heggerty, Literacy Resources, LLC*
 - *Bridge to Reading - First Grade*
 - *Bridge to Reading - Second Grade*
 - *Bridge to Reading - Third Grade*
 - *Bridge to Reading, Kindergarten*

- *Scholastic, Inc.*
 - *Ready4Reading, Grade 3*
 - *Ready4Reading, Grade 2*
 - *Ready4Reading, Kindergarten*
 - *Ready4Reading, Grade 1*

The motion carried.

The meeting of the Committee on Instruction adjourned at 9:32 a.m.

Minutes

State Board of Education Committees

November 18-21, 2024

**Report of the State Board of Education
Committee of the Full Board
Monday, November 18, 2024**

The State Board of Education Committee of the Full Board met at 1:02 p.m. on Monday, November 18, 2024, 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: Aaron Kinsey, chair; Rebecca Bell-Metereau; Evelyn Brooks; Staci Childs; LJ Francis; Patricia Hardy; Will Hickman; Keven Ellis; Pam Little; Tom Maynard; Melissa Ortega; Marisa B. Perez-Diaz; Julie Pickren; Audrey Young; Leslie Recine

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 Regarding Instructional Materials Submitted for Approval by the State Board of Education Under Instructional Materials Review and Approval Cycle 2024
(Board agenda page I-1)

Public testimony was provided by the following individuals:

NAME: Lisa Adams
AFFILIATION: Temple Independent School District

NAME: Mark Chancey
AFFILIATION: Individual

NAME: Susan Pérez
AFFILIATION: Citizens for Education Reform

NAME: Jomeka Gray
AFFILIATION: Temple Independent School District

NAME: Jonathan Covey
AFFILIATION: Texas Values

NAME: Margaret Hess
AFFILIATION: Temple Independent School District

NAME: Courtnie Bagley
AFFILIATION: Texas Public Policy Foundation

NAME: Brittany Minter
AFFILIATION: Temple Independent School District

NAME: Jackie Besinger
AFFILIATION: National Alliance for Education Freedom

NAME: Barbara Baruch
AFFILIATION: Individual

NAME: Mary Elizabeth Castle
AFFILIATION: Texas Values

NAME: Francine Erickson
AFFILIATION: Individual

NAME: Carole Haynes
AFFILIATION: Haynes Consulting

NAME: Caren Edelstein
AFFILIATION: Individual

NAME: Lisa Epstein
AFFILIATION: Jewish Federation of San Antonio

NAME: Glenn Melvin
AFFILIATION: Individual

NAME: Megan Benton
AFFILIATION: Texas Values

NAME: Mary Lowe
AFFILIATION: Families Engaged

NAME: Grace Bonilla
AFFILIATION: Texas Impact

NAME: Julia Brookins
AFFILIATION: American Historical Association

NAME: Karla Gant
AFFILIATION: Individual

NAME: Catrina Berka
AFFILIATION: Individual

NAME: Penny Simmons
AFFILIATION: Individual

NAME: Jeralee Smith
AFFILIATION: Individual

NAME: Renate Sims
AFFILIATION: Individual

NAME: Courtney Torreto
AFFILIATION: Anti-Defamation League

NAME: Cindi Castilla
AFFILIATION: Texas Eagle Forum

NAME: Tammy Fogle
AFFILIATION: Individual

NAME: Patrick Huff
AFFILIATION: Texas Truth Movement

NAME: Eric Bengs
AFFILIATION: Individual

NAME: Alice Linahan
AFFILIATION: Women on the Wall

NAME: Mark Lugo
AFFILIATION: SA Impact Ministries

NAME: Martin Fadden
AFFILIATION: Individual

NAME: Gladys Fadden
AFFILIATION: Individual

NAME: Cecillia Wood
AFFILIATION: Individual

NAME: Hector Flores
AFFILIATION: Texas Rotunda Prayer and Worship

NAME: Lynn Davenport
AFFILIATION: Individual

NAME: Amanda Tyler
AFFILIATION: Baptist Joint Committee for Religious Liberty

NAME: Mara Bim
AFFILIATION: Faith Commons

NAME: Meg Bakich
AFFILIATION: Individual

NAME: Ann Kimura
AFFILIATION: Individual

NAME: Robert Norris
AFFILIATION: Grandparents for Public Schools

NAME: Lisa Jacob
AFFILIATION: Baptist Joint Committee

NAME: Alfredo Ruiz
AFFILIATION: Centro Cristiano Lirio de los Valles

NAME: Shanda Hasse
AFFILIATION: Individual

NAME: Jeana Foxman
AFFILIATION: Concerned Citizen of Texas

NAME: Liz Case
AFFILIATION: Individual

NAME: Meagan Tehseldar
AFFILIATION: Individual

NAME: Susan Nayak
AFFILIATION: Individual

NAME: Katheryn Barlow- Williams
AFFILIATION: Central Presbyterian Church

NAME: Susan Scruggs
AFFILIATION: Individual

NAME: Tami Keeling
AFFILIATION: Individual

NAME: Georgia McKee
AFFILIATION: Wilshire Baptist Church

NAME: Laura Smith
AFFILIATION: Wilshire Baptist Church

NAME: Anna Kathryn Roome
AFFILIATION: Individual

NAME: Cindy Asmussen
AFFILIATION: Individual

NAME: Ana Cordova
AFFILIATION: Individual

NAME: Joseph Montalvo
AFFILIATION: Discipleship Center

NAME: Sharyn Vane
AFFILIATION: Individual

NAME: Cynthia Estee
AFFILIATION: Wilshire Baptist Church

NAME: Kim Batchelor
AFFILIATION: Texas Christians for Reproductive Justice

NAME: Brenda Howard
AFFILIATION: Individual

NAME: Richard Vega
AFFILIATION: Community Transformation Church

NAME: Janey Anderson
AFFILIATION: Citiznes for Educational Reform

NAME: Krish Naath
AFFILIATION: Students Engaged in Advancing Texas

NAME: Alejandra Ruiz
AFFILIATION: Texas Rotunda Prayer and Worship

NAME: Olga Elisa Vega
AFFILIATION: Texas Rotunda Prayer and Worship

NAME: Bryan Register
AFFILIATION: Individual

NAME: Tracy Hanes
AFFILIATION: Individual

NAME: Laura Reagan
AFFILIATION: Lubbock Area Republican Women

NAME: Maggie Morey
AFFILIATION: Baptist Joint Committee

NAME: Gay Herrin
AFFILIATION: Individual

NAME: Calvin Miller
AFFILIATION: 1 Team 1 Fight Ministries

NAME: Abby Burnham
AFFILIATION: Individual

NAME: Arshia Papari
AFFILIATION: Individual

NAME: Alice Barnett
AFFILIATION: Individual

NAME: Erin Greene
AFFILIATION: Individual

NAME: Jonathan Davis
AFFILIATION: Baptist Joint Committee for Religious Liberty

NAME: Terry Kosobud
AFFILIATION: Grandparents for Public Schools

NAME: Cynthia Alderete
AFFILIATION: Deep Grace Ministries

NAME: Kay Harris
AFFILIATION: Citizens for Education Reform

NAME: Jan Powell
AFFILIATION: Citizens for Education Reform

NAME: Martha Fierro
AFFILIATION: Texas Rotunda Prayer and Worship

NAME: Francisco Fierro
AFFILIATION: Texas Rotunda Prayer and Worship

NAME: Claudia Rodriguez
AFFILIATION: Iglesia Cristiana Palabra de Poder

NAME: Joseph Mendez
AFFILIATION: Texas Rotunda Prayer and Worship

NAME: Bonnie Wallace
AFFILIATION: Individual

NAME: Keri Thomas
AFFILIATION: Individual

NAME: Ginger Moore
AFFILIATION: San Angelo Republican Women

NAME: Gloria Toti
AFFILIATION: Trinity Church

NAME: Carlton Johnson
AFFILIATION: Individual

NAME: Carolina Villarreal
AFFILIATION: Individual

NAME: Rocio Fierro-Perez
AFFILIATION: Texas Freedom Network

NAME: Sally Arendell
AFFILIATION: Individual

NAME: Mary Ann Jackson
AFFILIATION: Individual

NAME: Veronica Rosas
AFFILIATION: Individual

NAME: Glenn Lawrence
AFFILIATION: Individual

NAME: Anna Menjares
AFFILIATION: Individual

NAME: Anita Kegley
AFFILIATION: Individual

ACTION ITEMS

2. Consideration of Instructional Materials Offered for Approval Under Instructional Materials Review and Approval Cycle 2024

(Board agenda page I-2)

[Official agenda item #3]

This item was postponed to the November 19, 2024, meeting of the Committee of the Full Board.

MOTION AND VOTE:

3. Approval of Updates to and Ratification of Standards- Alignment Percentages for Instructional Materials Adopted Under *Proclamation 2024*

(Board agenda page I-4)

[Official agenda item #3]

This item was postponed to the November 19, 2024, meeting of the Committee of the Full Board.

4. Approval of Proposed Quality Rubrics for Instructional Materials Review and Approval Cycle 2025 and Amendments to Existing Rubrics

(Board agenda page I-6)

[Official agenda item #4]

This item was postponed to the November 19, 2024, meeting of the Committee of the Full Board.

5. Approval of Proposed Technical and Conforming Edits to the State Board of Education's Suitability Rubric

(Board agenda page I-8)

[Official agenda item #5]

This item was postponed to the November 19, 2024, meeting of the Committee of the Full Board.

**6. Proposed Amendment to 19 TAC Chapter 67, State Review and Approval of Instructional Materials, Subchapter B, State Review and Approval, §67.25, Consideration and Approval of Instructional Materials by the State Board of Education
(Second Reading and Final Adoption)**

(Board agenda page I-10)

[Official agenda item #6]

This item was postponed to the November 19, 2024, meeting of the Committee of the Full Board.

Chairman Kinsey adjourned the meeting at 9:29 p.m.

**Report of the State Board of Education
Committee of the Full Board
Tuesday, November 19, 2024**

The State Board of Education Committee of the Full Board met at 8:34 a.m. on Tuesday, November 19, 2024, 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: Aaron Kinsey, chair; Rebecca Bell-Metereau; Evelyn Brooks; Staci Childs; LJ Francis; Patricia Hardy; Will Hickman; Keven Ellis; Pam Little; Tom Maynard; Melissa Ortega; Marisa B. Perez-Diaz; Julie Pickren; Audrey Young; Leslie Recine

Public Testimony

The Committee of the Full Board received no presentations of public testimony.

The Committee of the Full Board considered items in the following order: Item number 1, 2, 3, 4, 5, 6, 8, 7.

ACTION ITEMS

1. Consideration of Instructional Materials Offered for Approval Under Instructional Materials Review and Approval Cycle 2024

(Board agenda page I-2)
[Official agenda item #3]

This item was postponed from the November 18, 2024, meeting of the Committee of the Full Board.

Colin Dempsey, director, district operations, technology, and sustainability supports division, presented information regarding the final report from the commissioner of education on materials under consideration for IMRA Cycle 2024 and vote to place instructional materials on the approved list, take no action, or place materials on the rejected list outlined in TEC §31.022.

MOTION: *It was moved by Dr. Young and seconded by Mrs. Little, and carried unanimously, to recommend that the State Board of Education:*

Require that publishers of the instructional materials make all agreed to changes listed in the individual product reports;

Require that publishers make corrections listed in the individual product reports;

Require that all instructional materials meet established manufacturing standards and specifications;

Require that all electronic instructional materials comply with the Web Content Accessibility Guidelines, Level 2.1 AA and the technical standards required by the Federal Rehabilitation Act, Section 508;

Require that materials provide access to a parent portal as required by §TEC 31.154; and

Approve changes and corrections submitted in response to written comments and public testimony.

MOTION AND VOTE: *It was moved by Mrs. Brooks, seconded by Mr. Hickman, and carried to amend the main motion to read:*

“Require that publishers of the instructional materials make all agreed to changes listed in the individual product reports;

Require that publishers make corrections listed in the individual product reports;

Require that all instructional materials meet established manufacturing standards and specifications;

Require that all electronic instructional materials comply with the Web Content Accessibility Guidelines, Level 2.1 AA and the technical standards required by the Federal Rehabilitation Act, Section 508;

Require that materials provide access to a parent portal as required by §TEC 31.154;

Approve changes and corrections submitted in response to written comments and public testimony to the SBOE by November 20, 2024, at 5:00 p.m. Central Standard Time.”

MOTION AND VOTE: *It was moved by Mr. Francis, seconded by Ms. Childs, and carried to amend the main motion to read:*

“Require that publishers of the instructional materials on the Approved List of Instructional Materials make all agreed to changes listed in the individual product reports;

Require that publishers make corrections listed in the individual product reports;

Require that all instructional materials meet established manufacturing standards and specifications;

Require that all electronic instructional materials comply with the Web Content Accessibility Guidelines, Level 2.1 AA and the technical standards required by the Federal Rehabilitation Act, Section 508;

Require that materials provide access to a parent portal as required by §TEC 31.154;

Approve changes and corrections submitted in response to written comments and public testimony to the SBOE by November 20, 2024, at 5:00 p.m. Central Standard Time.”

MOTION: *It was moved by Dr. Young and seconded by Ms. Hardy to recommend that the State Board of Education:*

Place on the List of Approved Instructional Materials all products recommended by the commissioner and those marked as “split recommendation” on the IMRA Cycle 2024 Materials Under Consideration and Commissioner Recommendations.

MOTION AND VOTE: *It was moved by Ms. Perez-Diaz and seconded by Ms. Childs, to remove Texas Education Agency, Bluebonnet Learning Reading Language Arts, Edition 1, grades K–5, from consideration for approval.*

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

Aye: *Mrs. Little* *Dr. Bell-Metereau*
 Ms. Childs *Ms. Perez-Diaz*
 Dr. Ortega *Mrs. Brooks*
 Ms. Hardy

No: *Mr. Francis* *Ms. Recine*
 Mr. Maynard *Dr. Ellis*
 Dr. Young *Mrs. Pickren*
 Mr. Hickman *Mr. Kinsey*

MOTION AND VOTE: *It was moved by Ms. Hardy, seconded by Mr. Hickman, and carried to add 95 percent Group, LLC, 95 Phonics Core Program Classroom Kit, grades K–3 to the List of Approved Instructional Materials.*

MOTION AND VOTE: *It was moved by Mr. Francis and seconded by Mrs. Brooks to remove Amplify Education, Inc, Amplify TX ELAR Skills, grades K–3 to the List of Approved Instructional Materials. The motion failed.*

MOTION AND VOTE: *It was moved by Mr. Hickman and seconded by Ms. Hardy, to add Heggerty, Literacy Resources, LLC, Bridge to Reading, grades K–3 to the List of Approved Instructional Materials. The motion failed.*

MOTION AND VOTE: *It was moved by Ms. Childs and seconded by Ms. Perez-Diaz, to add Institute for Multi-Sensory Education, IMSE Comprehensive Orton-Gillingham Plus, grades K–3 Phonics to the List of Approved Instructional Materials. The motion failed.*

MOTION AND VOTE: *It was moved by Mr. Hickman and seconded by Ms. Hardy, to add ReadBright; ReadBright Phonics, grades 1–2 to the List of Approved Instructional Materials. The motion failed.*

MOTION AND VOTE: *It was moved by Mr. Francis and seconded by Mrs. Brooks to divide the question. The motion carried.*

MOTION AND VOTE: *It was moved by Mr. Hickman and seconded by Dr. Ortega, to recommend add Scholastic Inc., Ready4Reading, grade 2 to the List of Approved Instructional Materials. The motion failed.*

MOTION AND VOTE: *It was moved by Mr. Hickman and seconded by Dr. Ortega, to add Scholastic Inc., Ready4Reading, grades K, 1, and 3 to the List of Approved Instructional Material. The motion failed.*

MOTION AND VOTE: *It was moved by Mrs. Brooks and seconded by Mrs. Little, to remove Texas Education Agency, Bluebonnet Learning Grade 1 Foundational Skills Reading Language Arts, Edition 1, grades K–5 from the List of Approved Instructional Materials. The motion failed.*

MOTION AND VOTE: *It was moved by Ms. Perez-Diaz and seconded by Dr. Ortega, to add Pioneer Valley Educational Press, Inc. DBA Pioneer Valley Books, In Tandem grades K–2; Phonics Launch grades K–2; and Stepping Together grades K–2 to the List of Approved Instructional Materials. The motion failed.*

MOTION AND VOTE: *It was moved by Mr. Hickman and seconded by Dr. Ellis to add Just Right Reader, Inc. Just Right Reader Decodables De Jardin, grades K–2 to the List of Approved Instructional Materials. The motion failed.*

MOTION AND VOTE: *It was moved by Mr. Hickman and seconded by Ms. Perez-Diaz, to add Pacific Learning, El Camino Al Éxito grade K; El Próximo Paso Al Éxito, Grade 1 to the List of Approved Materials. The motion failed.*

MOTION AND VOTE: *It was moved by Dr. Ellis and seconded by Ms. Perez-Diaz, and carried to add Curriculum Associates, LLC. Texas i-Ready Classroom Mathematics, grades K, 1, 2, 6, 7, 8 to the List of Approved Instructional Materials.*

MOTION AND VOTE: *It was moved by Mrs. Brooks and seconded by Dr. Ortega, and carried to remove Texas Education Agency, Bluebonnet Learning Secondary Mathematics, grades 6–8, Algebra I; Texas Education Agency, Bluebonnet Learning Math, grades K–5 from the List of Approved Instructional Materials. The motion failed.*

MOTION AND VOTE: *It was moved by Mrs. Brooks and seconded by Mr. Hickman to remove Amplify Education Inc., Amplify SLAR Texas Habilidades y Destrezas, grades K–2 from the List of Approved Instructional Materials. The motion failed.*

MOTION AND VOTE: *It was moved by Ms. Childs and seconded by Ms. Perez-Diaz, and carried to reconsider including Just Right Reader Just Right Reader Decodables de Jardin, grades K–2, to the List of Approved Instructional Materials.*

MOTION AND VOTE: *It was moved by Ms. Childs and seconded by Ms. Perez-Diaz, and carried to add Just Right Reader, Inc., Just Right Reader Decodables De Jardín, grades K–2 from the List of Approved Instructional Materials.*

MOTION AND VOTE: *It was moved by Mrs. Brooks and seconded by Ms. Perez-Diaz, and carried to reconsider including Pioneer Valley Educational Press, Inc. DBA Pioneer Valley Books, In Tandem grades K–2; Phonics Launch grades K–2; and Stepping Together grades K–2, to the List of Approved Instructional Materials.*

MOTION AND VOTE: *It was moved by Mrs. Brooks and seconded by Ms. Perez-Diaz, to add Pioneer Valley Educational Press, Inc. DBA Pioneer Valley Books, In Tandem grades K–2; Phonics Launch grades K–2; and Stepping Together grades K–2, to the List of Approved Instructional Materials. The motion failed.*

MOTION AND VOTE: *It was moved by Dr. Ortega and seconded by Mrs. Brooks to reconsider including Pacific Learning, El Camino Al Éxito grades K–1 to the List of Approved Instructional Materials. The motion failed.*

VOTE: *A vote was taken on the original motion as amended. The motion carried.*

MOTION: *It was moved by Dr. Maynard and seconded by Ms. Perez-Diaz to recommend that the State Board of Education move to take no action on all unapproved instructional materials.*

MOTION AND VOTE: *It was moved by Mr. Hickman and seconded by Mr. Maynard, and carried to add Ono Learning, LLC Método Onomatopéyico - Onomatopoeic Program, grades K–3; to the List of Rejected Instructional Materials.*

MOTION AND VOTE: *It was moved by Mr. Maynard and seconded by Ms. Perez-Diaz, and carried to add EPS Operations, LLC S.P.I.R.E.® 4th Edition, grades K–3; to the List of Rejected Instructional Materials.*

MOTION AND VOTE: *It was moved by Mr. Francis and seconded by Mrs. Pickren, to add Institute for Multi-Sensory Education, IMSE Comprehensive Orton-Gillingham Plus, Phonics, grades K–3; to the List of Rejected Instructional Materials. The motion failed.*

MOTION AND VOTE: *It was moved by Mr. Maynard and seconded by Ms. Hardy, and carried to add Laprea Education, Structured Literacy with E.A.S.E. Second Edition, grades K–2; to the List of Rejected Instructional Materials.*

MOTION AND VOTE: *It was moved by Mr. Hickman and seconded by Mr. Francis, to add Curriculum Associates, LLC, Texas i-Ready Classroom Mathematics, grades 3–5; to the List of Rejected Instructional Materials. The motion failed.*

MOTION AND VOTE: *It was moved by Mr. Francis, seconded by Mr. Maynard, and carried to add Kiddom, Texas Math: Powered by Kiddom, grades K–8, Algebra I, Algebra II, Geometry, to the List of Rejected Instructional Materials.*

VOTE: *A vote was taken on the original motion as amended. The motion carried.*

- 2. Approval of Updates to and Ratification of Standards- Alignment Percentages for Instructional Materials Adopted Under Proclamation 2024**
(Board agenda page I-4)
[Official agenda item #3]

This item was postponed from the November 18, 2024, meeting of the Committee of the Full Board.

Amie Phillips, director, instructional materials review and approval, district operations, technology, and sustainability supports division, explained that this item provides an opportunity for the committee to approve the updated Texas Essential Knowledge and Skills (TEKS) coverage percentages on materials submitted for the TEKS update review for materials adopted under *Proclamation 2024*. Publishers supplied new content and/or new correlations to demonstrate alignment to TEKS not addressed during the initial review. Materials submitted for the TEKS update review were reviewed by the *Proclamation 2024* state review panel (SRP) in the summer of 2024. This item presents the final report from the commissioner of education regarding the updated coverage of the TEKS along with any SRP-reported errors and feedback.

MOTION AND VOTE: *It was moved by Mrs. Little and seconded by Ms. Hardy, and carried unanimously, to recommend that the State Board of Education: Approve the request from The Curriculum Center for Family and Consumer Sciences (CCFCS) to update content in its Personal Financial Literacy and Economics, Child Development Associate Foundations, and Instructional Practices; and*

Update the official TEKS percentage for instructional materials reviewed for TEKS Updates on the Instructional Materials Current Adoption Bulletin.

3. Approval of Proposed Quality Rubrics for Instructional Materials Review and Approval Cycle 2025 and Amendments to Existing Rubrics
(Board agenda page I-6)
[Official agenda item #4]

This item was postponed from the November 18, 2024, meeting of the Committee of the Full Board.

Mr. Dempsey explained that this item provides the opportunity for the committee to review proposed changes to the draft rubrics for the Instructional Materials Review and Approval (IMRA) Cycle 2025. Since the draft review, the supplemental math rubric has been posted for public comment, resulting in changes to make it more applicable to supplemental products and to clarify language.

Dr. Davis explained that the recommended revisions to the existing quality rubrics are to provide clarity and increase efficiency of the IMRA process.

MOTION AND VOTE: *It was moved by Mrs. Little, seconded by Ms. Hardy, and carried to recommend that the State Board of Education approve the quality rubric for supplemental math for the Instructional Materials Review and Approval (IMRA) process.*

MOTION AND VOTE: *It was moved by Mrs. Little, seconded by Ms. Hardy, and carried to recommend that the State Board of Education approve the quality rubrics, as presented by staff, for the Instructional Materials Review and Approval (IMRA) process.*

MOTION AND VOTE:

4. Approval of Proposed Technical and Conforming Edits to the State Board of Education's Suitability Rubric
(Board agenda page I-8)
[Official agenda item #5]

This item was postponed from the November 18, 2024, meeting of the Committee of the Full Board.

Mr. Dempsey explained that this item provides an opportunity for the SBOE to consider staff recommendations to update the usability, congruency and formatting of the SBOE-approved suitability rubric ahead of IMRA Cycle 2025.

MOTION: *It was moved by Dr. Ellis and seconded by Mrs. Pickren to recommend that the State Board of Education approve the proposed technical and conforming edits to the State Board of Education's suitability rubric for the Instructional Materials Review and Approval (IMRA) process.*

MOTION AND VOTE: *It was moved by Dr. Ellis and seconded by Mrs. Pickren, and carried unanimously, to recommend that the Committee of the Full Board amend the suitability rubric to read as follows:*

Structure:

The rubric is arranged by category with a suitability indicator and corresponding guidance supporting the indicator if applicable.

The rule is broken into two sections.

Section 1, Suitability Prohibitions, consists of 7 categories and their related indicators. A flag in Section 1 indicates that an instructional material potentially includes prohibited content.

Section 2, Suitability Excellence Requirements (conforming throughout) Ellis Pickren Adopt, consists of only 2 categories and their related indicators. Positive evidence must be present in the reviewed instructional material when the indicator is applicable. With the collection of evidence, each indicator will be scored as “evidence found”, “evidence not found”, or “evidence not applicable”.

3. Scoring:

Suitability evaluations under this rubric conducted on behalf of the SBOE are intended to support SBOE members. As reviewers read IMs under consideration, each reviewer shall evaluate and flag if a component of IM content potentially does not meet a Suitability Indicator, as appropriate for the rubric section as noted above. The format of each component of content flagged will denote the product component and page and any other relevant content location information (e.g., paragraph 3 sentence 2; 2nd photo from top) and the specific Suitability Indicator(s) to which the flag relates. Reviewers do not need to reach consensus, as all content flagged by any reviewer will be logged. In completing a review, reviewers must affirmatively confirm affirm each Suitability Indicator has been reviewed, as having no or some content that Does Not Meet the indicator. The SBOE members will be provided a summary of Ssuitability findings, with underlying documents listing all content where a Suitability Indicator has been flagged by one or more reviewers as a potential concern. SBOE members may use that information to decide and vote on an IM’s suitability.

Section 1

All sections categories of the rubric in section 1 for subjects identified in TEC §28.002(a)(1) and (2) apply to full-subject tier 1, partial-subject tier 1, and supplemental instructional materials as defined by TEC, §31.002.

Section 2

All full subject tier full-subject tier 1, partial-subject tier 1, and supplemental instructional materials as defined by TEC, §31.002 for subjects identified in TEC §28.002(a)(1) intended for kindergarten to grade 12 are required to include positive evidence of compliance with category 2, including subcategories 2.1 and 2.1.1 of the rubric.

If relevant content is present in full subject tier 1, partial subject tier 1, and supplemental instructional materials as defined by TEC, §31.002 for subjects identified in TEC §28.002(a)(1) and (2) for category 2 6 of this rubric, then reviewers must collect lesson level evidence of compliance with indicators 2.1.1 and 6.2 in section 2.

VOTE: *A vote was taken on the original motion to recommend that the State Board of Education approve the proposed technical and conforming edits to the State Board of Education's suitability rubric for the Instructional Materials Review and Approval (IMRA). The motion carried.*

5. Proposed Amendment to 19 TAC Chapter 67, State Review and Approval of Instructional Materials, Subchapter B, State Review and Approval, §67.25, Consideration and Approval of Instructional Materials by the State Board of Education **(Second Reading and Final Adoption)**

(Board agenda page I-10)

[Official agenda item #6]

Mr. Dempsey explained that 19 TAC Chapter 67, State Review and Approval of Instructional Materials, Subchapter B, State Review and Approval, §67.25, Consideration and Approval of

Instructional Materials by the State Board of Education, has been re-opened to allow for amendments to address the required TEKS coverage percentages for full- and partial-subject, tier-one instructional materials for enrichment subjects and supplemental instructional materials.

MOTION: *It was moved by Mrs. Little and seconded by Dr. Young to recommend that the State Board of Education approve for second reading and final adoption proposed amendment to 19 TAC Chapter 67, State Review and Approval of Instructional Materials, Subchapter B, State Review and Approval, §67.25, Consideration and Approval of Instructional Materials by the State Board of Education; and*

Make an affirmative finding that immediate adoption of proposed amendment to 19 TAC Chapter 67, State Review and Approval of Instructional Materials, Subchapter B, State Review and Approval, §67.25, Consideration and Approval of Instructional Materials by the State Board of Education, is necessary and shall have an effective date of 20 days after filing as adopted 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.)

MOTION AND VOTE: *It was moved by Mr. Maynard and seconded by Mrs. Brooks to recommend that the State Board of Education amend §67.25(2) to read as follows:*

“for enrichment subjects as defined by TEC, §28.002(a)(2):

(A) the product components for full-subject tier one instructional materials cover 100% of the TEKS for the specific grade level and subject area when the proclamation or request for instructional materials was issued. In determining the percentage of the TEKS covered by instructional materials, each student expectation shall count as an independent element of the standards; and

(B) the product components for partial-subject tier one instructional materials cover 100% of the applicable TEKS for the specific grade level and subject area when the proclamation or request for instructional materials was issued. The agency will bring recommendations regarding which TEKS are applicable to the SBOE for approval. In determining the percentage of the TEKS covered by instructional materials, each student expectation shall count as an independent element of the standards;”

The motion carried without objection.

VOTE: *A vote was taken on the original motion to recommend that the State Board of Education approve for second reading and final adoption proposed and final adoption proposed amendment to 19 TAC Chapter 67, State Review and Approval of Instructional Materials, Subchapter B, State Review and Approval, §67.25, Consideration and Approval of Instructional Materials by the State Board of Education as amended; and*

Make an affirmative finding that immediate adoption of proposed amendment to 19 TAC Chapter 67, State Review and Approval of Instructional Materials, Subchapter B, State Review and Approval, §67.25, Consideration and Approval of Instructional Materials by the State Board of Education, is necessary and shall have an effective date of 20 days after filing as adopted 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.)

The motion carried without objection.

(Dr. Bell-Metereau, Ms. Perez-Diaz, Mr. Hickman were absent for the vote.)

6. **Proposed New 19 TAC Chapter 67, State Review and Approval of Instructional Materials, Subchapter B, State Review and Approval, §67.27, IMRA Reviewers: Eligibility and Appointment; §67.29, IMRA Reviewers: Training, Duties, and Conduct; §67.31, Procedures for Public Access to and Handling of IMRA Samples; §67.33, Public Comment on Instructional Materials; §67.39, Updates to Approved Instructional Materials; and §67.41, New Editions of Approved Instructional Materials, and Subchapter C, Local Operations, §67.61, Sample Copies of Instructional Materials for School Districts; and §67.63, Selection and Local Adoption of Instructional Materials by School Districts (First Reading and Filing Authorization)**

(Board agenda page I-14)

[Official agenda item #7]

MOTION: *It was moved by Mrs. Little and seconded by Dr. Young to recommend that the State Board of Education approve for first reading and filing authorization the proposed new 19 Texas Administrative Code (TAC) Chapter 67, State Review and Approval of Instructional Materials, Subchapter B, State Review and Approval, §67.27, IMRA Reviewers: Eligibility and Appointment; §67.29, IMRA Reviewers: Training, Duties, and Conduct; §67.31, Procedures for Public Access to and Handling of IMRA Samples; §67.33, Public Comment on Instructional Materials; §67.39, Updates to Approved Instructional Materials; and §67.41, New Editions of Approved Instructional Materials, and Subchapter C, Local Operations, §67.61, Sample Copies of Instructional Materials for School Districts; and §67.63, Selection and Local Adoption of Instructional Materials by School Districts*

MOTION AND VOTE: *It was moved by Mrs. Pickren, seconded by Mr. Francis, and carried to amend §67.27 (m) to read:*

“IMRA reviewers shall not discuss instructional materials being evaluated with a member of the SBOE, unions, organizations or associations, or with any party having a financial interest in the approval of instructional materials prior to the conclusion of the review. The review is considered to have concluded on the date that the final list of instructional materials recommended for approval is posted on the SBOE website.”

MOTION AND VOTE: *It was moved by Dr. Young, seconded by Ms. Hardy, and carried to remove §67.27 (g).*

“The restrictions in subsections (c)-(f) of this section are not intended to prohibit IMRA reviewers from seeking advice from educators, experts, or parents regarding the meaning or intent of the student expectations that the materials must cover.”

VOTE: *A vote was taken on the main motion as amended. The motion carried.*

DISCUSSION ITEM

7. **Discussion of Local Review of Classroom Instructional Materials and Proposed New 19 TAC Chapter 67, State Review and Approval of Instructional Materials, Subchapter C, Local Operations, §67.69, Local Review of Classroom Instructional Materials**

(Board agenda page I-24)

[Official agenda item #3]

Mr. Dempsey explained that this item provides an opportunity for the committee to discuss proposed new 19 Texas Administrative Code (TAC) Chapter 67, State Review and Approval of Instructional Materials, Subchapter C. Local Operations, §67.69. Local Review of Classroom Instructional Materials.

ACTION ITEMS

8. Approval of Texas Essential Knowledge and Skills Review and Instructional Materials Review and Approval Cycles

(Board agenda page I-26)

[Official agenda item #8]

Todd Davis, associate commissioner for instructional strategy, and Monica Martinez, associate commissioner for standards and programs, explained that there were only two adjustments to the proposed schedule for future cycles of Instructional Materials Review and Approval (IMRA), including the development timeline for quality rubrics, and Texas Essential Knowledge and Skills (TEKS) review and revision that was presented for discussion in September 2024. The two adjustments would provide additional flexibility for future board decision making.

Public testimony was provided by the following individual:

NAME: Tracene Nechamkin

AFFILIATION: Texas Association of Supervisors of Mathematics and Texas Council of Teachers of Mathematics

MOTION: *It was moved by Mrs. Little and seconded by Ms. Childs to recommend that the State Board of Education approve the schedule for future cycles of Instructional Materials Review and Approval (IMRA), including the development timeline for quality rubrics, and Texas Essential Knowledge and Skills (TEKS) review and revision.*

MOTION AND VOTE: *It was moved by Mr. Francis and seconded by Mrs. Brooks to recommend that the State Board of Education remove positive character traits from the schedule for future cycles of IMRA and TEKS review and revision. The motion failed.*

VOTE: *A vote was taken on the original motion to recommend that the State Board of Education approve the schedule for future cycles of Instructional Materials Review and Approval (IMRA), including the development timeline for quality rubrics, and Texas Essential Knowledge and Skills (TEKS) review and revision. The motion carried.*

Chairman Kinsey adjourned the meeting at 10:47 p.m.

**Report of the State Board of Education
Committee of the Full Board
Wednesday, November 20, 2024**

The State Board of Education Committee of the Full Board met at 9:04 a.m. on Wednesday, November 20, 2024, 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: Aaron Kinsey, chair; Rebecca Bell-Metereau; Evelyn Brooks; Staci Childs; LJ Francis; Patricia Hardy; Will Hickman; Keven Ellis; Pam Little; Tom Maynard; Melissa Ortega; Marisa B. Perez-Diaz; Julie Pickren; Audrey Young; Leslie Recine

Public Testimony

The Committee of the Full Board heard public testimony on agenda items 2, 3 and 5. 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-33)

Mike Morath, the Commissioner of Education, provided an update to the board on Math STAAR score history and the potential options the board could take to help improve these outcomes. He also provided an update on the Additional Days School Year (ADSY) program and how the legislature funds this program.

ACTION ITEM

2. Proposed Amendment to 19 TAC Chapter 61, School Districts, Subchapter A, Board of Trustees Relationship, §61.1, Continuing Education for School Board Members (Second Reading and Final Adoption)

(Board agenda page I-34)

[Official agenda item #11]

Steve Lecholop, deputy commissioner, governance, introduced the item and explained that the proposed amendment does not affect the content of the training but rather the requirements for training providers. The proposed amendment would limit the training eligibility to individuals, require background checks for training providers, and prohibit political advocacy by a training provider during training, as well some conforming and non-substantive changes.

Public testimony was provided by the following individual:

NAME: Sarai Flores
AFFILIATION: Mexican American School Board Association

NAME: Natalie Blasingame
AFFILIATION: Individual

MOTION: *It was moved by Mr. Maynard and seconded by Ms. Little to recommend that the State Board of Education approve for second reading and final adoption proposed amendment to 19 TAC Chapter 61, School Districts, Subchapter A, Board of Trustees Relationship, §61.1, Continuing Education for School Board Members; and*

Make an affirmative finding that immediate adoption of the proposed amendment to 19 TAC Chapter 61, School Districts, Subchapter A, Board of Trustees Relationship, §61.1, Continuing Education for School Board Members, is necessary and shall have an effective date of 20 days after filing as adopted with the Texas Register.

MOTION AND VOTE: *It was moved by Dr. Young, seconded by Ms. Hardy, and carried without objection to recommend that the State Board of Education amend subsection (c)(1) to read as follows:*

“The applicant's registration application [~~process~~] shall include documentation of the applicant's [~~provider's~~] training, experience, and educational background, including a bachelor's or higher degree, and expertise in the activities and areas covered in the framework for school board development. A registration application that does not demonstrate the training, experience, educational background and expertise shall be rejected [~~governance leadership~~].”

MOTION AND VOTE: *It was moved by Dr. Young, seconded by Ms. Little, and carried without objection to recommend that the State Board of Education amend subsection (c)(2) to read as follows:*

“TEA will provide each applicant with a list of at least five [~~5~~] TEA-approved background check providers and a list of TEA-approved background checks associated with obtaining a professional certification or license in this state, including background checks of school district employees conducted using the criminal history clearinghouse established by the Texas Department of Public Safety pursuant to the Texas Government Code, §411.0845. The applicant's registration application shall include a background check report from one of the approved providers or a background check report performed in association with obtaining an approved professional certification or license. A registration application that does not include a background check report completed in the last 12 months shall be rejected, and [~~or~~] a registration application that includes a background check report documenting an applicant's felony or crime of moral turpitude conviction shall be rejected.”

MOTION: *It was moved by Dr. Young and seconded by Ms. Little, to recommend that the State Board of Education amend subsection (c)(5) to read as follows:*

“A registered provider may present with other panel members, speakers, or presenters for credit. Those [~~however those~~] panel members, speakers, or presenters must comply with subsections (d)-(m) [~~will comply with the remainder~~] of this section [~~z~~] but are not required to comply with paragraphs (1)-(4) of this subsection. Any violation of this section by the other panel members, speakers, or presenters is the responsibility of the registered provider unless the registered provider disclaims to all attendees before the presentation that the opinions stated by the unregistered panel members, speakers, or presenters are purely their own and:

- (A) the violation is de minimis or merely incidental to the information relayed by the panel member, speaker, or presenter; and*
- (B) the registered provider makes reasonable efforts to redirect the other panel member, speaker, or presenter to comply with this section in light of the gravity of the potential violation.”*

The motion was withdrawn without objection.

MOTION AND VOTE: *It was moved by Mr. Hickman, seconded by Ms. Little, and carried without objection to recommend that the State Board of Education amend subsection (c)(3) to read as follows:*

“Any registered provider will report to TEA within 10 days if they are convicted of a felony or crime of moral turpitude. TEA shall revoke a registered provider's status upon notification and confirmation that a registered provider has been convicted of a felony or a crime of moral turpitude. A registered provider will be given an opportunity to promptly contest [~~a claim~~] in writing, [~~±~~] within 30 days, a claim that the registered provider was convicted. TEA will respond within 30 days of its decision. An informal hearing will be conducted by TEA upon request from the registered provider. Registration shall be withheld until confirmation of registration is received from TEA.”

MOTION AND VOTE: *It was moved by Dr. Young, seconded by Ms. Perez-Diaz, and carried without objection to recommend that the State Board of Education amend the previous amendment to subsection (c)(1) to read as follows:*

“The applicant's registration application [~~process~~] shall include documentation of the applicant's [~~provider's~~] training, experience, and educational background, which must include a bachelor's or higher degree, and expertise in the activities and areas covered in the framework for school board development. A registration application that does not demonstrate the training, experience, educational background and/or expertise shall be rejected [~~governance leadership~~].”

MOTION: *It was moved by Dr. Young and seconded by Ms. Hardy, to recommend that the State Board of Education amend subsection (c)(7) to read as follows:*

“Employees and/or personnel of an [~~An~~]ESC are [~~is not~~] required to register under this subsection”.

The motion was withdrawn without objection.

MOTION: *It was moved by Mr. Francis and seconded by Dr. Young, to recommend that the State Board of Education amend subsection (c)(4) to read as follows:*

“An updated registration shall be required of a provider of continuing education every three years or after new convictions per item 2, above”.

The motion was withdrawn without objection.

MOTION: *It was moved by Dr. Young and seconded by Ms. Hardy, to recommend that the State Board of Education amend subparagraph (d)(1)(B) to read as follows:*

“supporting a political position with the intent of influencing the outcome of that political position”.

The motion was withdrawn without objection.

MOTION: *It was moved by Dr. Young and seconded by Ms. Hardy, to recommend that the State Board of Education amend subparagraph (d)(1)(B) to read as follows:*

“supporting or opposing any measure with the intent to influence the outcome of a legislative, rulemaking, or other policy processes or measures”

MOTION: *It was moved by Ms. Perez-Diaz and seconded by Ms. Childs, to recommend that the State Board of Education amend Dr. Young’s amendment to paragraph (d)(1)(B) to read as follows:*

“supporting or opposing any measure with the intent to influence the outcome of pending legislation or administrative action”.

The motion failed.

VOTE: *A vote was taken on the Dr. Young’s motion to amended subparagraph (d)(1)(B). The motion carried.*

MOTION AND VOTE: *It was moved by Dr. Bell-Metereau, seconded by Mr. Hickman, and carried to recommend that the State Board of Education amend subsection (d) to read as follows:*

“A provider of training under this section may not engage in political advocacy [~~while providing~~] during the training sessions under this section.”

VOTE: *A vote was taken on the Mr. Maynard’s original motion as amended. The motion carried unanimously.*

DISCUSSION ITEM

- 3. Public Hearing on Proposed Texas Essential Knowledge and Skills for Middle School Advanced Mathematics**
(Board agenda page I-45)

Invited testimony was provided by the following individuals:

NAME: David Muñoz
AFFILIATION: TEKS Work Group Member

NAME: Lisa Ellermann
AFFILIATION: TEKS Work Group Member

ACTION ITEM

- 4. Discussion of Proposed Texas Essential Knowledge and Skills for Middle School Advanced Mathematics**
(Board agenda page I-47)
[Official agenda item #12]

Monica Martinez, associate commissioner for standards and programs, explained that this item provides the opportunity for the committee to discuss proposed Texas Essential Knowledge and Skills (TEKS) to support middle school advanced mathematics programs designed to enable students to enroll in Algebra I in eighth grade and for the board to provide additional direction to the work group. Based on direction from the board, the work group will convene in December and proposed TEKS will be presented in January 2025 for first reading and filing authorization.

MOTION AND VOTE: *It was moved by Mr. Maynard, seconded by Mrs. Little, and carried to recommend that the State Board of Education select option #2 as presented at the November 20, 2024, Committee of the Full Board meeting as the plan for middle school advanced mathematics programs.*

DISCUSSION ITEMS

5. Public Hearing on Proposed New Career and Technical Education Texas Essential Knowledge and Skills in Engineering (Board agenda page I-49)

Public testimony was provided by the following individual:

NAME: George Vachris
AFFILIATION: Self

Invited testimony was provided by the following individuals:

NAME: Ashlee Davison
AFFILIATION: Civil Engineering TEKS Work Group Member

NAME: Luis Gasca
AFFILIATION: Mechanical & Aerospace Engineering TEKS Work Group Member

NAME: Dan Geiter
AFFILIATION: Engineering Foundations – Fluids, Materials, Statics TEKS Work Group Member

NAME: Cristal Johnson
AFFILIATION: Programming for Engineers TEKS Work Group Member

NAME: Francisco Nolasco
AFFILIATION: Engineering Foundations - Design TEKS Work Group Member

6. Discussion of Proposed New Career and Technical Education Texas Essential Knowledge and Skills for Engineering (Board agenda page I-51)

Jessica Snyder, director, curriculum standards and student support division, explained that this item provides the opportunity for the committee to discuss proposed new career and technical education (CTE) Texas Essential Knowledge and Skills (TEKS) for engineering. Ms. Snyder further explained the proposal would add new and update existing courses in the civil engineering, engineering foundations, and mechanical and aerospace design programs of study to ensure the content of the courses supports relevant and meaningful programs of study.

Chairman Kinsey asked staff to provide the board’s suitability rubric to this work group and future work groups for their review as they complete their recommendations. He asked that staff suggest that future work group members view the archived video of the Proclamation 2024 and the Instructional Materials Review and Approval (IMRA) process discussions of the SBOE. Mr. Kinsey also instructed staff to ensure that the employability standards included in CTE TEKS that are developed or revised in the future are consistent with employability standards recently adopted by the SBOE.

ACTION ITEMS

7. **Proposed Amendment to 19 TAC Chapter 74, Curriculum Requirements, Subchapter A, Required Curriculum, §74.3 Description of a Required Secondary Curriculum (First Reading and Filing Authorization)**

(Board agenda page I-223)

[Official agenda item #13]

Ms. Snyder explained that, in addition to the list of science courses school districts must offer, the rule includes a second list of science courses from which districts must select at least two additional courses they will offer. She explained that the proposed amendment would update titles of two courses in the list of courses that school districts may choose from and would add two more course options to the list.

MOTION: *It was moved by Mrs. Little and seconded by Dr. Bell-Metereau to recommend that the State Board of Education approve for first reading and filing authorization the proposed amendment to 19 TAC Chapter 74, Curriculum Requirements, Subchapter A, Required Curriculum, §74.3, Description of a Required Secondary Curriculum.*

MOTION AND VOTE: *It was moved by Mr. Hickman, seconded by Mrs. Brooks, and carried to recommend that the State Board of Education amend 19 TAC §74.3(b)(2)(C) to include the following Advanced Placement (AP) courses:*

- AP Biology
- AP Chemistry
- AP Physics 1: Algebra Based
- AP Physics 2: Algebra Based
- AP Environmental Science
- AP Physics C: Electricity and Magnetism
- AP Physics C: Mechanics

VOTE: *A vote was taken on the original motion to recommend that the State Board of Education approve for first reading and filing authorization the proposed amendment to 19 TAC Chapter 74, Curriculum Requirements, Subchapter A, Required Curriculum, §74.3, Description of a Required Secondary Curriculum, as amended. The motion carried.*

8. **Proposed New 19 TAC Chapter 127, Texas Essential Knowledge and Skills for Career Development and Career and Technical Education, Subchapter C, Agriculture, Food, and Natural Resources, §127.59 and §127.61; Subchapter F, Business, Marketing, and Finance, §127.262 and §127.263; Subchapter J, Health Science, §127.510 and §127.511; Subchapter K, Hospitality and Tourism, §§127.569, 127.571, and 127.604; Subchapter M, Information Technology, §§127.689-127.691 and 127.694-127.699; and Subchapter N, Law and Public Service, §127.773**

(First Reading and Filing Authorization)

(Board agenda page I-228)

[Official agenda item #14]

Ms. Martinez explained that the proposal would add TEKS for state-approved innovative courses in the following CTE career clusters: agriculture, food, and natural resources; business, marketing, and finance; health science; hospitality and tourism; information technology; and law and public service.

MOTION AND VOTE: *It was moved by Mrs. Little, seconded by Ms. Perez-Diaz, and carried unanimously to recommend that the State Board of Education approve for first reading and filing authorization proposed new 19 TAC Chapter 127, Texas Essential Knowledge and Skills for Career Development and Career and Technical Education, Subchapter C, Agriculture, Food, and Natural Resources, §127.59 and §127.61; Subchapter F, Business, Marketing, and Finance, §127.262 and §127.263; Subchapter J, Health Science, §127.510 and §127.511; Subchapter K, Hospitality and Tourism, §§127.569, 127.571, and 127.604; Subchapter M, Information Technology, §§127.689-127.691 and 127.694-127.699; and Subchapter N, Law and Public Service, §127.773.*

DISCUSSION ITEM

9. Discussion of Pending Litigation

(Board agenda page I-232)

No presentation was provided for this item.

ACTION ITEM

10. Report from the Commissioner of Education Regarding *Proclamation 2024* Confirmation of Changes

(Board agenda page I-30)

[Official agenda item #9]

This item was postponed from the November 19, 2024, meeting of the Committee of the Full Board.

Amie Phillips, director, instructional materials review and approval, district operations, technology, and sustainability supports division, presented information regarding the final report from the commissioner of education on the findings of the *Proclamation 2024* confirmation of changes from the *Proclamation 2024* Report of Required Corrections, Report of Editorial Changes, and Report of New Content and consider action for any publisher that did not make the required changes.

No action taken.

Chairman Kinsey adjourned the meeting at 6:35 p.m.

**Report of the State Board of Education
Committee on Instruction
Thursday, November 21, 2024**

The State Board of Education Committee on Instruction met at 9:08 a.m. on Thursday, November 21, 2024, in Room, #1-100, of the William B. Travis Building, 1701 N. Congress Avenue, Austin, Texas. Attendance was noted as follows:

Present: Audrey Young, chair; Evelyn Brooks; Pam Little; and Leslie Recine

Absent: Melissa Ortega

Public Testimony

The Committee on Instruction heard public testimony on agenda item 2. Information regarding the individuals who presented public testimony is included in the discussion of that item.

ACTION ITEMS

1. Renewal of Currently Approved Innovative Courses (Second Reading and Final Adoption)
(Board agenda page II-1)

Jessica Snyder, senior director, curriculum standards and student support, explained that this item presents for consideration the renewal of six currently approved innovative courses that are scheduled to expire. Ms. Snyder provided a brief overview of each course and explained that the SBOE's rules state innovative courses approved for renewal are approved for a period of five years.

MOTION AND VOTE: *It was moved by Mrs. Little, seconded by Mrs. Brooks, and carried without objection to recommend that the State Board of Education approve the renewal of the following innovative courses: College Transitions, Logic I, Logic II, Sports Medicine I, Sports Medicine II, and Sports Medicine III.*

2. Approval of Updates and Substitutions to Adopted Instructional Materials
(Board agenda page II-5)

NAME: Alex McDonald
AFFILIATION: Texas Coalition for Human Rights

NAME: Bahia Amawi
AFFILIATION: Self

NAME: Deena Mansour
AFFILIATION: Self

NAME: Aasya Peera
AFFILIATION: Self

NAME: Nhuy Le
AFFILIATION: Self

NAME: Kellen Gildersleeve
AFFILIATION: Self

NAME: Nishaat Munshi
AFFILIATION: Self

NAME: Larry Miller
AFFILIATION: Self

Amie Phillips, director of instructional materials review and approval, district operations, technology, and sustainability supports division, explained that the requests from Frogstreet Press and Studies Weekly were being postponed to the January 2025 State Board of Education meeting. She presented a request received from Ellipsis Education to update content in its *Technology Applications, Grade 3* material; a request from McGraw-Hill to update its *Social Studies Grade 6, Grade 7, Grade 8, Economics, U.S. Government, U.S. History, World Geography, and World History* material; and updated Texas Essential Knowledge and Skills (TEKS) percentages for Houghton Mifflin Harcourt's *Social Studies, grades 6–12* materials. She explained that 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.

MOTION AND VOTE: *It was moved by Mrs. Brooks, seconded by Mrs. Little, and carried without objection to recommend that the State Board of Education approve requests from Ellipsis Education to update content in its Technology Applications, Grade 3 material and from McGraw-Hill to update content in its Texas World Cultures and Geography, Texas History, Texas United States History to 1877, Texas Economics, Texas United States Government, Texas United States History Since 1877, Texas World Geography, and Texas World History; and approve updated TEKS percentages in Houghton Mifflin Harcourt's Social Studies, grades 6–8, Texas World Geography Studies, United States History Since 1877, World History Studies, and Economics with Emphasis on the Free Enterprise System and Its Benefits.*

The meeting of the Committee on Instruction adjourned at 9:55 a.m.

**Report of the State Board of Education
Committee on School Finance/Permanent School Fund
Thursday, November 21, 2024**

The State Board of Education Committee on Instruction met at 9:04 a.m. on Thursday, November 21, 2024, in Room, #1-104, of the William B. Travis Building, 1701 N. Congress Avenue, Austin, Texas. Attendance was noted as follows:

Present: Tom Maynard, chair; Marisa Perez-Diaz, vice chair; Kevin Ellis; Patricia Hardy; and Aaron Kinsey

Public Testimony

The Committee on School Finance/Permanent School Fund heard no public testimony on agenda item 2. Information regarding the individuals who presented public testimony included in the discussion of that item.

ACTION ITEM

1. **Approval of Costs to Administer the 2024–2025 State-Developed Assessments to Private School Students**
(Board agenda page III-1)

Julie Cole, policy and publication director, student assessment division, explained that Texas Education Code, §39.033 permits private schools to voluntarily use state-developed assessments to evaluate their students. Ms. Cole further explained that the State Board of Education is required to approve the cost per assessment for private schools each year.

MOTION AND VOTE: It was moved by Ms. Perez-Diaz, seconded by Ms. Hardy, and carried unanimously to recommend that the State Board of Education approve the recommended per-student costs for administering the state assessments to private school students in the 2024–2025 school year.

DISCUSSION ITEM

2. **Determination Discussion of Review of 19 TAC Chapter 30, Administration, Subchapter B, State Board of Education: Purchasing and Contracts**
(Board agenda page III-5)

Jenna Mattingly, director, Contracts and Purchasing, presented this discussion item. Mrs. Mattingly explained the background and purpose of 19 TAC Chapter 30, Administration, Subchapter B, State Board of Education: Purchasing and Contracts, and the reason for the current rule review. She explained how the contracting process works under this rule and offered related information. Mr. Maynard, Mr. Kinsey, and Ms. Hardy asked questions about the item. Mr. Maynard made comments about the item.

The meeting of the Committee on School Finance/Permanent School Fund adjourned at 9:27 a.m.

**Report of the State Board of Education
Committee on School Initiatives
Thursday, November 21, 2024**

The State Board of Education Committee on Instruction met at 9:00 a.m. on Thursday, November 21, 2024, in Room, #1-111, of the William B. Travis Building, 1701 N. Congress Avenue, Austin, Texas. Attendance was noted as follows:

Present: Will Hickman, chair; LJ Francis, vice chair; Rebecca Bell-Metereau; Staci Childs; and Julie Pickren

Public Testimony

The Committee on School Initiatives heard public testimony on agenda items #4. Information regarding the individuals who presented public testimony is included in the discussion of that item.

DISCUSSION ITEMS

1. Open-Enrollment Charter School Generation 30 Application Updates
(Board agenda page IV-1)

Marian Schutte, Deputy Associate Commissioner, provided updates on the Generation 30 application process. She shared details about the process, including the standard application timeline, mandatory information sessions, optional applicant support seminars, monthly office hours, capacity interviews, and the timeline for the Commissioner’s proposed awards. She also addressed general questions about the application process, including capacity interview requirements, differences between application processes, frequency of approvals, and submission windows.

2. Discussion of Ongoing State Board for Educator Certification Activities
(Board agenda page IV-2)

Jessica McLoughlin, Associate Commissioner of Educator Preparation, Certification, and Enforcement, shared an overview of the State Board for Educator Certification (SBEC) rulemaking process and shared updates on SBEC activities during their September meeting, including details on SBEC adoption items related to 19 TAC Chapters 229 and 230 B. Ms. McLoughlin also discussed SBEC proposal items related to 19 TAC Chapters 234 and 228 that will come before the SBEC as adoption items on December 6, 2024. Ms. McLoughlin also highlighted some of the key points of previous SBEC discussion items regarding Chapters 249, 235 ABCD, 231 F, and discussion regarding the development of a Texas TPA. Ms. McLoughlin also provided details about the upcoming SBEC meeting that will be held on December 6, 2024.

ACTION ITEMS

3. Review of Adoption Proposed Amendments to 19 TAC Chapter 229, Accountability System for Educator Preparation Programs
(Board agenda page IV-4)
[Official agenda item #15]

Dr. Mark Olofson, Director of Educator Data, Research, and Strategy, presented the Adoption of Proposed Amendments to 19 TAC Chapter 229, Accountability System for Educator Preparation Programs (ASEP) as adopted by the SBEC at their meeting in September. Dr. Olofson provided details about the proposed updates to the ASEP.

MOTION AND VOTE: *It was moved by Ms. Childs, seconded by Mr. Francis, and carried unanimously to recommend that the State Board of Education take no action on the Proposed Amendments to 19 TAC Chapter 229, Accountability System for Educator Preparation Programs.*

4. **Review of Adoption Proposed Amendments to 19 TAC Chapter 230, Professional Educator Preparation and Certification, Subchapter B, General Certification Requirements, §230.11, General Requirements**

(Board agenda page IV-67)

[Official agenda item #16]

Invited testimony was provided by the following individuals:

NAME: Jamie Vinsek

AFFILIATION: Lamar CISD

NAME: Elizabeth Blake

AFFILIATION: Lamar CISD

Trenton Law, Director of Educator Credentialing, presented the Adoption of Proposed Amendments to 19 TAC Chapter 230, Professional Educator Preparation and Certification, Subchapter B, General Certification Requirements, as adopted by the SBEC at their meeting in September. Mr. Law provided details about the proposed updates to Chapter 230.

MOTION AND VOTE: *It was moved by Ms. Childs to recommend that the State Board of Education take no action on the Proposed Amendments to 19 TAC Chapter 230, Professional Educator Preparation and Certification, Subchapter B, General Certification Requirements. A second was made by Ms. Bell-Metereau and the motion passed.*

DISCUSSION ITEM

5. **Rev Discussion of Review of 19 TAC Chapter 30, Administration, Subchapter A, State Board of Education: General Provisions**

(Board agenda page IV-74)

Cristina De La Fuente-Valadez, director of rulemaking, provide an update to the committee on a rule review request.

The meeting of the Committee on School Initiatives adjourned at 10:34 a.m.

