

Minutes  
State Board of Education  
April 8, 2016

The State Board of Education met at 9:20 a.m. on Friday, April 8, 2016, in the State Board of Education Room, #1-104, of the William B. Travis Building, 1701 N. Congress Avenue, Austin, Texas. The following members of the board were present:

Presiding: Donna Bahorich, Chair; Lawrence A. Allen, Jr.; Erika Beltran; Barbara Cargill; Ruben Cortez, Jr., Secretary; Martha M. Dominguez; Pat Hardy; Tom Maynard; Sue Melton-Malone; Ken Mercer; Geraldine “Tincy” Miller; Marissa B. Perez; Marty Rowley

Absent: David Bradley; Thomas Ratliff, Vice-Chair

**Student Presentation**

The student performance was provided by Work-Based Learning, Spring Branch Independent School District.

**Invocation**

**Pledge of Allegiance**

**Approval of Minutes**

State Board of Education, January 29, 2016

**MOTION AND VOTE:** *The State Board of Education unanimously approved the Minutes of the January 29, 2016, meeting of the State Board of Education, as printed.*

**Public Testimony** - Individual testimony will be taken to address items other than those on the board agenda. The procedures for registering and taking public testimony at State Board of Education committee meetings and general board meetings are provided at [http://tea.texas.gov/About\\_TEA/Leadership/State Board of Education/SBOE Meetings/SBOE Operating Rules Amended 4-17-15/](http://tea.texas.gov/About_TEA/Leadership/State_Board_of_Education/SBOE_Meetings/SBOE_Operating_Rules_Amended_4-17-15/) or in the information section (yellow pages) of the agenda. The State Board of Education received eight presentations of public testimony, as follows:

NAME: John Pendergraff  
AFFILIATION: Self  
TOPIC: Math Standards

NAME: Lori Hines  
AFFILIATION: Self  
TOPIC: Math Standards

NAME: Katherine Brief  
AFFILIATION: Texas EduCORE  
TOPIC: Curriculum Reform

NAME: Katelyn Pendergraff  
AFFILIATION: Self  
TOPIC: Grade 3 and 4 Math Standards

NAME: Randy Houchins  
AFFILIATION: Self  
TOPIC: K-12 and Algebra Math TEKS

NAME: Arlenda Lawson  
AFFILIATION: Self  
TOPIC: Out of District Transfer and Resolving Registration for  
New District

NAME: Sherryl Gray  
AFFILIATION: Cosmetology Instructors of Public Schools (CIPS)  
TOPIC: Proposed Reduction of Credit for Secondary  
Cosmetology Programs

NAME: Aleshia Rivera Palomino  
AFFILIATION: Self  
TOPIC: Keeping Three Credits for Subject in Cosmetology

## 1. Resolutions and Presentations

### National Blue Ribbon Schools

*The State Board of Education, by unanimous consent, adopted a resolution congratulating Victory Early College High School in the Aldine Independent School District; South Lawn Elementary School in the Amarillo Independent School District; Blackshear Elementary School in the Austin Independent School District; Canyon Intermediate School in the Canyon Independent School District; Country Place Elementary School and Kent Elementary School in the Carrollton-Farmers Branch Independent School District; Crawford Elementary School in the Crawford Independent School District; Harry Stone Montessori Academy and Trinidad Garza Early College High School at Mountain View College in the Dallas Independent School District; Lamar Elementary School in the El Paso Independent School District; Falls City Elementary School in the Falls City Independent School District; Kimberlin Academy for Excellence in the Garland Independent School District; and Grandview Elementary School in the Grandview Independent School District; Harper Middle School in the Harper Independent School District; Highland School in the Highland Independent School District; North Houston Early College High School in the Houston Independent School District; Klondike Independent School District in the Klondike Independent School District; Olmito Elementary School in the Los Fresnos Consolidated*

*Independent School District; Malakoff Elementary School in the Malakoff Independent School District; Achieve Early College High School in the McAllen Independent School District; Mt. Vernon Intermediate School in the Mt. Vernon Independent School District; F. J. Scott Elementary School in the Roma Independent School District; Young Women's Leadership Academy in the San Antonio Independent School District; South Texas Preparatory Academy in the South Texas Independent School District; and Vega Elementary School in the Vega Independent School District, for being nominated by Texas and named by the United States Department of Education as National Blue Ribbon Schools.*

(ATTACHMENT 1, page 13)

## **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.

In addition to the items on the original consent agenda, the following items received unanimous approval in committee and were brought forward for board approval:

- Official Agenda Item #15—Adoption of Review of 19 TAC Chapter 129, Student Attendance, Subchapter A, Student Attendance Allowed, and Subchapter B, Student Attendance Accounting
- Official Agenda Item #17—Proposed Amendments to 19 TAC Chapter 33, Statement of Investment Objectives, Policies, and Guidelines of the Texas Permanent School Fund, Subchapter A, State Board of Education Rules

Mrs. Miller reported that she was recusing herself from any discussion, and would not cast a vote, on consent agenda item number (4)—Decision on Real Estate Investments.

*By unanimous consent, the State Board of Education approved the following items on the consent agenda, including the two items that were brought forward.*

### **(1) Approval for Update of Instructional Material**

(Board agenda page II-29)

(COMMITTEE ON INSTRUCTION)

The State Board of Education approved the request from Texas State University to update *Math Explorations I* and *Math Explorations II* products adopted in November 2013 under *Proclamation 2014*, as recommended by the Committee on Instruction.

(2) **Ratification of the Purchases and Sales of the Investment Portfolio of the Permanent School Fund for the Months of December 2015, January and February 2016**

(Board agenda page III-15)

(COMMITTEE ON SCHOOL FINANCE/PERMANENT SCHOOL FUND)

The State Board of Education ratified the purchases and sales for the months of December 2015, January and February 2016, in the amount of \$1,178,405,824 and \$1,245,473,723, respectively, as recommended by the Committee on School Finance/Permanent School Fund.

(3) **Adoption of an Annual Report on the Status of the Bond Guarantee Program**

(Board agenda page III-17)

(COMMITTEE ON SCHOOL FINANCE/PERMANENT SCHOOL FUND)

The State Board of Education adopted an annual report on the status of the Bond Guarantee Program as of August 31, 2015, as recommended by the Committee on School Finance/Permanent School Fund.

(ATTACHMENT 2, page 15)

(4) **Decision on Real Estate Investments**

(Board agenda page III-19)

(COMMITTEE ON SCHOOL FINANCE/PERMANENT SCHOOL FUND)

The State Board of Education approved the recommendation of the Committee on School Finance/Permanent School Fund to execute agreement(s) with PAG Enhanced Credit Management Limited, necessary to make an investment commitment of up to \$70 million in PAG Enhanced Credit Fund L.P., a U.S. dollar denominated fund, subject to due diligence and negotiation of fund terms and authorization for contract execution by the commissioner of education, and to approve a waiver of the PSF Real Estate Investment Policy Statement requirement for the investment manager to be a registered investment advisor with the Securities Exchange Commission.

(5) **Overview of the Private Equity Asset Class**

(Board agenda page III-21)

(COMMITTEE ON SCHOOL FINANCE/PERMANENT SCHOOL FUND)

The State Board of Education approved the Private Equity Investment Policy and Guidelines, as recommended by the Committee on School Finance/Permanent School Fund.

- (6) **Authorization to Issue a Request for Proposals for Global Custody and Securities Lending Services for the Texas Permanent School Fund**  
(Board agenda page III-23)  
(COMMITTEE ON SCHOOL FINANCE/PERMANENT SCHOOL FUND)

The State Board of Education approved the issuance of the Request for Proposals for Global Custody and Securities Lending Services for the Texas Permanent School Fund, as recommended by the Committee on School Finance/Permanent School Fund.

- (7) **Recommendation for Appointments to the Fort Sam Houston Independent School District Board of Trustees**  
(Board agenda page IV-1)  
(COMMITTEE ON SCHOOL INITIATIVES)

The State Board of Education approved the reappointments of Ms. Anita J. Warren and Mr. Eustace S. Lewis to each serve a two-year term of office, from April 8, 2016 through April 7, 2018, on the Fort Sam Houston Independent School District Board of Trustees, as recommended by the Committee on School Initiatives.

(ATTACHMENT 3, page 29)

- (8) **Recommendation for Appointment to the Lackland Independent School District Board of Trustees**  
(Board agenda page IV-35)  
(COMMITTEE ON SCHOOL INITIATIVES)

The State Board of Education approved the reappointment of SMSgt Michael Garcia to serve a two-year term of office, from April 8, 2016 through April 7, 2018, on the Lackland Independent School District Board of Trustees, as recommended by the Committee on School Initiatives.

(ATTACHMENT 4, page 35)

15. **Adoption of Review of 19 TAC Chapter 129, Student Attendance, Subchapter A, Student Attendance Allowed, and Subchapter B, Student Attendance Accounting**  
(Adoption of Review)  
(Board agenda page III-1)  
(COMMITTEE ON SCHOOL FINANCE/PERMANENT SCHOOL FUND)

The State Board of Education adopted the review of 19 TAC Chapter 129, Student Attendance, Subchapter A, Student Attendance Allowed, and Subchapter B, Student Attendance Accounting, as recommended by the Committee on School Finance/Permanent School Fund.

**17. Proposed Amendments to 19 TAC Chapter 33, Statement of Investment Objectives, Policies, and Guidelines of the Texas Permanent School Fund, Subchapter A, State Board of Education Rules**

(First Reading and Filing Authorization)

(Board agenda page III-25)

(COMMITTEE ON SCHOOL FINANCE/PERMANENT SCHOOL FUND)

The State Board of Education approved for first reading and filing authorization proposed amendments to 19 TAC Chapter 33, Statement of Investment Objectives, Policies, and Guidelines of the Texas Permanent School Fund, Subchapter A, State Board of Education Rules, as recommended by the Committee on School Finance/Permanent School Fund.

**COMMITTEE OF THE FULL BOARD**

**3. Proposed Amendments to 19 TAC Chapter 74, Curriculum Requirements, Subchapter B, Graduation Requirements**

(Second Reading and Final Adoption)

(Board agenda page I-1)

**MOTION AND VOTE:** *It was moved by Mr. Rowley and carried unanimously that the State Board of Education approve for second reading and final adoption proposed amendments to 19 TAC Chapter 74, Curriculum Requirements, Subchapter B, Graduation Requirements, with an effective date of August 22, 2016, as recommended by the Committee of the Full Board. (Mr. Cortez was absent for the vote.)*

(ATTACHMENT 5, page 37)

**4. Proposed Amendments to *Proclamation 2017* of the State Board of Education Advertising for Bids on Instructional Materials**

(Board agenda page I-27)

**MOTION AND VOTE:** *It was moved by Mr. Rowley and carried unanimously that the State Board of Education approve proposed amendments to Proclamation 2017 of the State Board of Education Advertising for Bids on Instructional Materials, as recommended by the Committee of the Full Board. (Mr. Cortez was absent for the vote.)*

**5. Texas Certificate of High School Equivalency**

(Board agenda page I-31)

Ms. Perez reported that she was recusing herself from any discussion, and would not cast a vote, on this item.

**MOTION AND VOTE:** *It was moved by Mr. Rowley, seconded by Mrs. Melton-Malone, and carried that the State Board of Education approve the proposed April 2016 Decision Matrix for the transition and implementation of multiple test providers for the Texas Certificate of High School Equivalency (TxCHSE) as identified in the 04/05/2016 Committee of the Full Board minutes, Attachment B, with the exception of #1C in the attachment, to be amended as follows:*

*TEA should extend the MOU with the current provider for 6 months from today's date and include a 2 week termination notice.*

*(Mr. Cortez was absent for the vote.)*

**6. Study of Essential Knowledge and Skills and Assessment Instruments**  
(Board agenda page I-35)

**MOTION AND VOTE:** *It was moved by Mr. Rowley and carried unanimously that the State Board of Education postpone action on this item until the July 2016 meeting, as recommended by the Committee of the Full Board. (Mr. Cortez was absent for the vote.)*

**7. Acceptance of Grant to Fund Long-Range Planning Efforts**  
(Board agenda page I-39)

**MOTION AND VOTE:** *It was moved by Mr. Rowley and carried that the State Board of Education accept a grant from the Meadows Foundation of Dallas to be used to help fund work associated with the development of a new Long-Range Plan for Public Education, as recommended by the Committee of the Full Board. (Mr. Cortez was absent for the vote.)*

**8. Adoption of Memorandum of Understanding Related to the Long-Range Plan for Public Education**  
(Board agenda page I-41)

**MOTION AND VOTE:** *It was moved by Mr. Rowley and carried that the State Board of Education enter into a Memorandum of Understanding with the commissioner of education that involves the commissioner appointing the chair and vice chair of the Committee on Instruction, the Committee on School Finance/Permanent School Fund, and the Committee on School Initiatives to a panel to review proposals received in response to a Request for Qualifications for a facilitator; the commissioner will select the facilitator based on the review panel's recommendations; or if a tie vote occurs, the commissioner or his designee(s) will select the contract recipient, as recommended by the Committee of the Full Board. (Mr. Cortez was absent for the vote.)*

9. **Approval of a Request for Qualifications (RFQ) for a Facilitator to Assist with the Planning and Preparation of a Long-Range Plan for Public Education**  
(Board agenda page I-43)

**MOTION AND VOTE:** *It was moved by Mr. Rowley and carried that the State Board of Education approve the request for qualifications (RFQ) for a facilitator to assist with the planning and preparation of a long-range plan for public education, as recommended by the Committee of the Full Board. (Mr. Cortez was absent for the vote.)*

#### **COMMITTEE ON INSTRUCTION**

10. **Proposed Amendment to 19 TAC Chapter 74, Curriculum Requirements, Subchapter A, Required Curriculum, §74.5, Academic Achievement Record (Transcript) and High School Diploma**  
(Second Reading and Final Adoption)  
(Board agenda page II-1)

**MOTION AND VOTE:** *It was moved by Mrs. Melton-Malone that the State Board of Education, by an affirmative vote of two-thirds of the members of the board, approve for second reading and final adoption proposed amendment to 19 TAC Chapter 74, Curriculum Requirements, Subchapter A, Required Curriculum, §74.5, Academic Achievement Record (Transcript) and High School Diploma, with an effective date of 20 days after filing as adopted with the Texas Register, as recommended by the Committee on Instruction. The motion carried with an affirmative vote of two-thirds of the members of the board. (Mr. Cortez was absent for the vote.)*

(ATTACHMENT 6, page 55)

11. **Proposed New 19 TAC Chapter 126, Texas Essential Knowledge and Skills for Technology Applications, Subchapter D, Other Technology Applications Courses, §126.65, Advanced Placement (AP) Computer Science Principles (One Credit), Adopted 2016**  
(Second Reading and Final Adoption)  
(Board agenda page II-7)

**MOTION AND VOTE:** *It was moved by Mrs. Melton-Malone and carried that the State Board of Education approve for second reading and final adoption proposed new 19 TAC Chapter 126, Texas Essential Knowledge and Skills for Technology Applications, Subchapter D, Other Technology Applications Courses, §126.65, Advanced Placement (AP) Computer Science Principles (One Credit), Adopted 2016, with an effective date of August 22, 2016, as recommended by the Committee on Instruction. (Mr. Cortez was absent for the vote.)*

(ATTACHMENT 7, page 57)



**12. Proposed New 19 TAC Chapter 127, Texas Essential Knowledge and Skills for Career Development, Subchapter B, High School, §127.16, Extended Career Preparation (One Credit), Adopted 2016**

(Second Reading and Final Adoption)

(Board agenda page II-13)

**MOTION AND VOTE:** *It was moved by Mrs. Melton-Malone and carried unanimously that 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, Subchapter B, High School, §127.16, Extended Career Preparation (One Credit), Adopted 2016, with an effective date of August 28, 2017, as recommended by the Committee on Instruction. (Mr. Cortez was absent for the vote.)*

(ATTACHMENT 8, page 59)

**13. Proposed Amendments to 19 TAC Chapter 89, Adaptations for Special Populations, Subchapter C, Texas Certificate of High School Equivalency**

(First Reading and Filing Authorization)

(Board agenda page II-21)

**MOTION AND VOTE:** *The State Board of Education unanimously approved for first reading and filing authorization proposed amendments to 19 TAC Chapter 89, Adaptations for Special Populations, Subchapter C, Texas Certificate of High School Equivalency, as recommended by the Committee on Instruction. (Mr. Cortez was absent for the vote.)*

**14. Proposed Approval of Innovative Courses**

(Board agenda page II-51)

**MOTION AND VOTE:** *The State Board of Education approved two new innovative courses that do not fall within any of the subject areas of the foundation or enrichment curriculum: Navigating Life with Hearing Loss and Making Connections, as recommended by the Committee on Instruction. (Mr. Cortez was absent for the vote.)*

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

**15. Adoption of Review of 19 TAC Chapter 129, Student Attendance, Subchapter A, Student Attendance Allowed, and Subchapter B, Student Attendance Accounting**

(Adoption of Review)

(Board agenda page III-1)

Action taken by the State Board of Education is addressed under Item #2—Approval of Consent Agenda.

**16. Proposed Amendment to 19 TAC Chapter 129, Student Attendance, Subchapter B, Student Attendance Accounting, §129.21, Requirements for Student Attendance Accounting for State Funding Purposes**

(First Reading and Filing Authorization)

(Board agenda page III-9)

**MOTION AND VOTE:** *The State Board of Education unanimously approved suspending its board operating procedures in accordance with §5.2(a) to allow consideration at first reading and filing authorization, and approved for first reading and filing authorization the proposed amendment to 19 TAC Chapter 129, Student Attendance, Subchapter B, Student Attendance Accounting, §129.21, Requirements for Student Attendance Accounting for State Funding Purposes, as recommended by the Committee on School Finance/Permanent School Fund.*

**17. Proposed Amendments to 19 TAC Chapter 33, Statement of Investment Objectives, Policies, and Guidelines of the Texas Permanent School Fund, Subchapter A, State Board of Education Rules**

(First Reading and Filing Authorization)

(Board agenda page III-25)

Action taken by the State Board of Education is addressed under Item #2—Approval of Consent Agenda.

**COMMITTEE ON SCHOOL INITIATIVES**

**18. Review of Proposed Amendments to 19 TAC Chapter 231, Requirements for Public School Personnel Assignments, Subchapter B, Prekindergarten-Grade 6 Assignments, Subchapter C, Grades 6-8 Assignments, Subchapter D, Electives, Disciplinary Courses, Local Credit Courses, and Innovative Courses, Grades 6-12 Assignments, and Subchapter E, Grades 9-12 Assignments**

(Board agenda page IV-47)

The State Board of Education took no action on the proposed amendments to 19 TAC Chapter 231, Requirements for Public School Personnel Assignments, Subchapter B, Prekindergarten-Grade 6 Assignments, Subchapter C, Grades 6-8 Assignments, Subchapter D, Electives Disciplinary Courses, Local Credit Courses, and Innovative Courses, Grades 6-12 Assignments, and Subchapter E, Grades 9-12 Assignments, as recommended by the Committee on School Initiatives.

**19. Review of Proposed Revisions to 19 TAC Chapter 233, Categories of Classroom Teaching Certificates**

(Board agenda page IV-61)

The State Board of Education took no action on the proposed revisions to 19 TAC Chapter 233, Categories of Classroom Teaching Certificates, as recommended by the Committee on School Initiatives.

20. **Review of Proposed Amendments to 19 TAC Chapter 249, Disciplinary Proceedings, Sanctions, and Contested Cases, Subchapter A, General Provisions, §249.5, Purpose; Policy Governing Disciplinary Proceedings; Subchapter B, Enforcement Actions and Guidelines, §249.15, Disciplinary Action by State Board for Educator Certification, and §249.17, Decision-Making Guidelines; and Subchapter D, Hearing Procedures, §249.35, Disposition Prior to Hearing; Default**  
(Board agenda page IV-79)

The State Board of Education took no action on the proposed amendments to 19 TAC Chapter 249, Disciplinary Proceedings, Sanctions, and Contested Cases, Subchapter A, General Provisions, §249.5, Purpose; Policy Governing Disciplinary Proceedings; Subchapter B, Enforcement Actions and Guidelines, §249.15, Disciplinary Action by State Board for Educator Certification, and §249.17, Decision-Making Guidelines; and Subchapter D, Hearing Procedures, §249.35, Disposition Prior to Hearing; Default, as recommended by the Committee on School Initiatives.

21. **Adoption of Review of 19 TAC Chapter 100, Charters, Subchapter A, Open-Enrollment Charter Schools, and Subchapter B, Home-Rule School District Charters**  
(Adoption of Review)  
(Board agenda page IV-103)

**MOTION AND VOTE:** *It was moved by Mr. Rowley and carried unanimously that the State Board of Education adopt the review of 19 TAC Chapter 100, Charters, Subchapter A, Open-Enrollment Charter Schools, and Subchapter B, Home-Rule School District Charters, as recommended by the Committee on School Initiatives. (Mr. Cortez was absent for the vote.)*

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

### Committee on Instruction

There were no discussion items for the Committee on Instruction.

### Committee on School Finance/Permanent School Fund

Ms. Hardy did not report on Committee on School Finance/Permanent School Fund discussion items.

### Committee on School Initiatives

Mr. Rowley did not report on the Committee on School Initiatives discussion item.

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

Mrs. Bahorich gave board members an opportunity to provide information regarding agenda items or other relevant information about public education.

The meeting adjourned at 12:53 p.m.

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Ruben Cortez, Jr., Secretary

# RESOLUTION

**WHEREAS** the *National Blue Ribbon Schools* program recognizes elementary, middle, and high schools where students perform at very high levels; and

**WHEREAS** a *National Blue Ribbon Schools* flag overhead is a mark of excellence in education; and

**WHEREAS** in 2015, Texas nominated 25 schools to be recognized for their students' achievement; and

**WHEREAS** these 25 schools were then named 2015 *National Blue Ribbon Schools* by the United States Department of Education; now, therefore, be it

**RESOLVED**, That the State Board of Education does hereby extend its congratulations to Victory Early College High School in the Aldine Independent School District; South Lawn Elementary School in the Amarillo Independent School District; Blackshear Elementary School in the Austin Independent School District; Canyon Intermediate School in the Canyon Independent School District; Country Place Elementary School and Kent Elementary School in the Carrollton-Farmers Branch Independent School District; and Crawford Elementary School in the Crawford Independent School District; and be it further

**RESOLVED**, That the State Board of Education does hereby extend its congratulations to Harry Stone Montessori Academy and Trinidad Garza Early College High School at Mountain View College in the Dallas Independent School District; Lamar Elementary School in the El Paso Independent School District; Falls City Elementary School in the Falls City Independent School District; Kimberlin Academy for Excellence in the Garland Independent School District; and Grandview Elementary School in the Grandview Independent School District; and be it further

**RESOLVED**, That the State Board of Education does hereby extend its congratulations to Harper Middle School in the Harper Independent School District; Highland School in the Highland Independent School District; North Houston Early College High School in the Houston Independent School District; Klondike Independent School District in the Klondike Independent School District; Olmito Elementary School in the Los Fresnos Consolidated Independent School District; and Malakoff Elementary School in the Malakoff Independent School District; and be it further

**RESOLVED**, That the State Board of Education does hereby extend its congratulations to Achieve Early College High School in the McAllen Independent School District; Mt. Vernon Intermediate School in the Mt. Vernon Independent School District; F. J. Scott Elementary School in the Roma Independent School District; Young Women's Leadership Academy in the San Antonio Independent School District; South Texas Preparatory Academy in the South Texas Independent School District; and Vega Elementary School in the Vega Independent School District, for being nominated by Texas and named by the United States Department of Education as *National Blue Ribbon Schools*; and be it further

**RESOLVED**, That this resolution be presented to the principals of the aforementioned schools for being recognized for excellence through the *National Blue Ribbon Schools* program and that a copy be included in the permanent records of the State Board of Education.

**WITNESS** our signatures this eighth day of April, two thousand and sixteen, in Austin, Texas.

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Donna Bahorich, Chair

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Ruben Cortez, Jr., Secretary