

STATE BOARD OF EDUCATION
Summary of Action Items

April 21, 2017

Student Performance

Fine Arts dancers from Clark High School and Taft High School in San Antonio's Northside Independent School District performed for the board.

Staff Contact: Questions about this item should be directed to the State Board of Education Support Division at (512) 463-9007.

1. Resolutions and Presentations

The board postponed action on a resolution honoring Sharon Pierce, who is retiring as the state advisor of the Texas Association of Family Career and Community Leaders of America, because Mrs. Pierce was unable to attend the meeting.

Staff Contact: Questions about this item should be directed to the State Board of Education Support Division at (512) 463-9007.

2. Approval of Consent Agenda

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

**(1) Adoption of Review of 19 TAC Chapter 101, Assessment
(Adoption of Review)
(Committee on Instruction)**

Texas Government Code, §2001.039, establishes a four-year rule review cycle for all state agency rules, including State Board of Education (SBOE) rules. The board approved the adoption of the review of 19 TAC Chapter 101, Assessment, Subchapter A, General Provisions, Subchapter B, Implementation of Assessments, and Subchapter C, Local Option. The rules 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.

Staff Contact: Questions about this item should be directed to the Student Assessment Division at (512) 463-9536.

- (2) **Proposed Repeal of 19 TAC Chapter 114, Texas Essential Knowledge and Skills for Languages Other Than English, Subchapter A, Elementary, §114.1 and §114.2, Subchapter B, Middle School, §114.11 and §114.12, and Subchapter C, High School, §§114.21-114.29
(First Reading and Filing Authorization)
(Committee on Instruction)**

The board approved for first reading and filing authorization the proposed repeal of 19 TAC Chapter 114, Texas Essential Knowledge and Skills for Languages Other than English, Subchapter A, Elementary, §114.1 and §114.2, Subchapter B, Middle School, §114.11 and §114.12, and Subchapter C, High School, §§114.21-114.29. The proposed repeal would remove the Texas Essential Knowledge and Skills (TEKS) adopted to be effective in 1998 for elementary, middle, and high school languages other than English (LOTE) and related implementation language, as updated curriculum standards will replace them in the 2017-2018 school year.

Staff Contact: Questions about this item should be directed to the Curriculum Standards and Student Support Division at (512) 463-9581.

- (3) **Consideration of Penalties Related to Instructional Materials Contracts
(Committee on Instruction)**

The board declined to impose a financial penalty on a publisher who did not meet its contractual obligations after learning that the Texas Education Agency had already terminated the contract with the company.

Staff Contact: Questions about this item should be directed to the Instructional Materials and Educational Technology Division at (512) 463-9601.

**(4) Adoption of Review of 19 TAC Chapter 109, Budgeting, Accounting, and Auditing
(Adoption of Review)
(Committee on School Finance/Permanent School Fund)**

Texas Government Code, §2001.039, establishes a four-year rule review cycle for all state agency rules, including State Board of Education rules. The board approved the adoption of the 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. These rules 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. This item was pulled from the consent agenda but was approved by the board.

Staff Contact: Questions about this item should be directed to the Financial Compliance Division at (512) 463-2945.

**(5) Ratification of the Purchases and Sales of the Investment Portfolio of the Permanent School Fund for the Months of December 2016, January and February 2017
(Committee on School Finance/Permanent School Fund)**

The board ratified the purchases and sales of investments executed in the portfolio of the Permanent School Fund (PSF) for the months of December 2016, January and February 2017 in the amounts of \$820,188,573 and \$897,691,986, respectively.

Staff Contact: Questions about this item should be directed to the Office of the Permanent School Fund at (512) 463-9169.

**(6) Adoption of an Annual Report on the Status of the Bond Guarantee Program
(Committee on School Finance/Permanent School Fund)**

The board adopted the annual report on the status of the Bond Guarantee Program, as of Aug. 31, 2016.

Staff Contact: Questions about this item should be directed to the Office of the Permanent School Fund at (512) 463-9169.

**(7) Decision on Real Estate Investments
(Committee on School Finance/Permanent School Fund)**

The board voted to execute an agreement with Ares US Real Estate IX Advisors, L.P., as general partner, necessary to make an investment of up to \$75 million in Ares U.S. Real Estate Fund IX, L.P., subject to due diligence and negotiation of fund terms, and authorization for contract execution by the commissioner of education.

Staff Contact: Questions about this item should be directed to the Office of the Permanent School Fund at (512) 463-9169.

**(8) Approval of the Selection of a Firm to Provide Investment Management Services for Long-Only Passive International Developed and Emerging Market Equity for the Texas Permanent School Fund and Authorization for Contract Execution by the Commissioner of Education
(Committee on School Finance/Permanent School Fund)**

The board voted to enter into a contract with Blackrock Investment Management, LLC for investment services for long-only passive international developed and emerging market equity for the Texas Permanent School Fund and approved authorization for contract execution by the commissioner of education. The contract is tentatively scheduled to begin Sept. 1, 2017.

Staff Contact: Questions about this item should be directed to the Office of the Permanent School Fund at (512) 463-9169.

**(9) Recommendation for Appointments to the Boys Ranch Independent School District Board of Trustees
(Committee on School Initiatives)**

The board approved the re-appointments of Jacque Branch and Ken Teel to serve a two-year term of office from April 21, 2017 to April 20, 2019 on the board of trustees of the Boys Ranch Independent School District.

Staff Contact: Questions about this item should be directed to the Governance and Investigations Division at (512) 463-9623.

COMMITTEE OF THE FULL BOARD

- 3. Proposed Amendments to 19 TAC Chapter 111, Texas Essential Knowledge and Skills for Mathematics, Subchapter A, Elementary, Subchapter B, Middle School, and Subchapter C, High School (First Reading and Filing Authorization)**

By a vote of 5-9 with one abstention, the board considered but did not approve amendments to remove references to mathematical process standards from the knowledge and skills statements in the mathematics curriculum standards.

Staff Contact: Questions about this item should be directed to the Curriculum Standards and Student Support Division at (512) 463-9581.

- 4. Proposed Amendments to 19 TAC Chapter 112, Texas Essential Knowledge and Skills for Science, Subchapter A, Elementary, Subchapter B, Middle School, and Subchapter C, High School (Second Reading and Final Adoption)**

The board approved for second reading and final adoption 19 TAC Chapter 112, Texas Essential Knowledge and Skills for Science, Subchapter A, Elementary, Subchapter B, Middle School, and Subchapter C, High School, as amended. The proposed amendments streamline the Texas Essential Knowledge and Skills (TEKS) for science with a recommended implementation date of the 2018-2019 school year.

Staff Contact: Questions about this item should be directed to the Curriculum Standards and Student Support Division at (512) 463-9581.

5. **Proposed Revisions to 19 TAC Chapter 110, Texas Essential Knowledge and Skills for English Language Arts and Reading, Subchapter A, Elementary, and Subchapter B, Middle School, and 19 TAC Chapter 128, Texas Essential Knowledge and Skills for Spanish Language Arts and Reading and English as a Second Language, Subchapter A, Elementary, and Subchapter B, Middle School**
(Second Reading and Final Adoption)

The board approved amendments to 19 TAC Chapter 110, Texas Essential Knowledge and Skills for English Language Arts and Reading, Subchapter A, Elementary, and Subchapter B, Middle School, and 19 TAC Chapter 128, Texas Essential Knowledge and Skills for Spanish Language Arts and Reading and English as a Second Language, Subchapter A, Elementary, and Subchapter B, Middle School. However, the board postponed final approval of the rules, as amended, until a specially-called meeting at 8 a.m. May 10 to provide time for the board and the Texas Education Agency to ensure that the amendments have been accurately incorporated into the TEKS.

Staff Contact: Questions about this item should be directed to the Curriculum Standards and Student Support Division at (512) 463-9581.

6. **Proposed Revisions to 19 TAC Chapter 110, Texas Essential Knowledge and Skills for English Language Arts and Reading, Subchapter C, High School, and 19 TAC Chapter 128, Texas Essential Knowledge and Skills for Spanish Language Arts and Reading and English as a Second Language, Subchapter C, High School**
(First Reading and Filing Authorization)

The board approved for first reading and filing authorization proposed revisions to 19 TAC Chapter 110, Texas Essential Knowledge and Skills for English Language Arts and Reading, Subchapter C, High School, and Chapter 128, Texas Essential Knowledge and Skills for Spanish Language Arts and Reading and English as a Second Language, Subchapter C, High School, as amended. The proposed revisions recommend an implementation date of the 2020-2021 school year.

Staff Contact: Questions about this item should be directed to the Curriculum Standards and Student Support Division at (512) 463-9581.

7. ***Proclamation 2019 of the State Board of Education Advertising for Bids on Instructional Materials***

The board voted to issue *Proclamation 2019*, which advertises for bids for instructional materials for English and Spanish language arts and reading for kindergarten through eighth grade. Instructional materials submitted in response to *Proclamation 2019* are scheduled for adoption by the SBOE in November 2018.

Staff Contact: Questions about this item should be directed to the Instructional Materials Division at (512) 463-9601.

COMMITTEE ON INSTRUCTION

8. **Proposed New 19 TAC Chapter 114, Texas Essential Knowledge and Skills for Languages Other Than English, Subchapter C, High School, §114.53, Advanced Language for Career Applications (One Credit) (Second Reading and Final Adoption)**

The board gave final approval of proposed new 19 TAC Chapter 114, Texas Essential Knowledge and Skills for Languages Other than English, Subchapter C, High School, §114.53, Advanced Language for Career Applications (One Credit), as amended. The new rule implements House Bill (HB) 1431, 84th Texas Legislature, 2015, which requires the State Board of Education to develop an advanced languages other than English (LOTE) course that prepares students to communicate in a language other than English in a specific professional, business, or industry environment. The board did amend the rule to clarify that this course may not satisfy a high school languages other than English graduation credit or a LOTE requirement for an endorsement.

Staff Contact: Questions about this item should be directed to the Curriculum Standards and Student Support Division at (512) 463-9581.

9. **Proposed Amendments to 19 TAC Chapter 115, Texas Essential Knowledge and Skills for Health Education, Subchapter B, Middle School, and Subchapter C, High School (Second Reading and Final Adoption)**

The board approved for second reading and final adoption proposed amendments to 19 TAC Chapter 115, Texas Essential Knowledge and Skills for Health Education, Subchapter B, Middle School, and Subchapter C, High School. The amendments add student expectations for prescription drug awareness to the health education Texas Essential Knowledge and Skills (TEKS) in accordance with Senate Bill (SB) 968, 84th Texas Legislature, 2015.

Staff Contact: Questions about this item should be directed to the Curriculum Standards and Student Support Division at (512) 463-9581.

10. Proposed Approval of Innovative Courses

The board approved renewal of the following innovative courses that do not fall within any of the subject areas of the foundation or enrichment curriculum for a period of five years: Coca-Cola Valued Youth Cross-Age Tutoring Program, Making Connections I and II, and PeaceKeepers I and II.

Staff Contact: Questions about this item should be directed to the Curriculum Standards and Student Support Division at (512) 463-9581.

COMMITTEE ON SCHOOL FINANCE/PERMANENT SCHOOL FUND

11. Proposed Amendment to 19 TAC Chapter 109, Budgeting, Accounting, and Auditing, Subchapter D, Uniform Bank Bid or Request for Proposal and Depository Contract, §109.51, Uniform Depository Bank Bid or Proposal Form (Second Reading and Final Adoption)

The board approved for second reading and final adoption a proposed amendment to 19 TAC Chapter 109, Budgeting, Accounting, and Auditing, Subchapter D, Uniform Bank Bid or Request for Proposal and Depository Contract, §109.51, Uniform Depository Bank Bid or Proposal Form. The amendment would facilitate the acquisition of a depository contract that is in compliance with current banking standards.

Staff Contact: Questions about this item should be directed to the Financial Compliance Division at (512) 463-2945.

COMMITTEE ON SCHOOL INITIATIVES

12. Proposed Amendment to 19 TAC Chapter 30, Administration, Subchapter A, State Board of Education: General Provisions, §30.1, Petition for Adoption of Rule Changes (Second Reading and Final Adoption)

The board approved for second reading and final adoption a proposed amendment to 19 TAC Chapter 30, Administration, Subchapter A, State Board of Education: General Provisions, §30.1, Petition for Adoption of Rule Changes. The amendment updates the petition form adopted in rule to indicate that the petitioner meets one of the four definitions of an *interested person* specified in statute and add language to specify the reasons the State Board of Education (SBOE) may deny a petition for rulemaking.

Staff Contact: Questions about this item should be directed to the Rulemaking Unit at (512) 475-1497.