

**Report of the State Board of Education  
Committee of the Full Board  
September 13, 2017**

The State Board of Education Committee of the Full Board met at 9:00 a.m. on Wednesday, September 13, 2017, 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 committee were present:

Presiding: Donna Bahorich, chair; Lawrence A. Allen, Jr.; Erika Beltran; Barbara Cargill; Ruben Cortez, Jr.; Keven Ellis; Pat Hardy; Tom Maynard; Sue Melton-Malone; Ken Mercer; Geraldine “Tincy” Miller; Georgina C. Pérez; Marisa B. Perez-Diaz; Marty Rowley

Absent: David Bradley

**Public Testimony**

This item provides an opportunity for the public to present testimony 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 [http://tea.texas.gov/About\\_TEA/Leadership/State\\_Board\\_of\\_Education/SBOE\\_Meetings/SBOE\\_Operating\\_Rules\\_Amended\\_1-31-17/](http://tea.texas.gov/About_TEA/Leadership/State_Board_of_Education/SBOE_Meetings/SBOE_Operating_Rules_Amended_1-31-17/) or in the information section (yellow pages) of the agenda.

The Committee of the Full Board heard public testimony on agenda item #2, #6, and #8. Information regarding the individuals who presented public testimony is included in the discussion of that item.

**DISCUSSION ITEMS**

**1. Commissioner's Comments**

(Board agenda page I-13)

Commissioner of Education Mike Morath briefed the board on the impact of Hurricane Harvey on Texas public schools and the Texas Education Agency’s response to the hurricane. Fifty-eight counties sustained damage from the hurricane. More than 1.4 million children attend public schools in those counties. The majority of schools in the region have reopened, but some face a longer repair and rebuilding effort. The commissioner noted that TEA has waived or adjusted rules where it had the authority to do so to provide some relief to the impacted districts. He said a final decision about possible changes to testing dates or accountability provisions has not been made but he felt it was unlikely that changes would be implemented. The commissioner also noted that the agency is posting hurricane-related news on <http://tea.texas.gov/harveyhelp> and established a parent hotline, which is (512) 463-9603.

**2. Public Hearing Regarding Instructional Materials Submitted for Adoption by the State Board of Education Under Proclamation 2018**

(Board agenda page I-15)

Public testimony was provided by the following individual:

NAME: Tony Diaz  
AFFILIATION: Self

**3. Update on the Review of Proclamation 2018 Instructional Materials**  
(Board agenda page I-19)

Kelly Callaway, senior director of the Instructional Materials Division, explained that two products to be used in Special Topics in Social Studies were reviewed, and both are eligible for adoption.

Ms. Callaway also explained that, with approval of the board chair, the deadline for submitting the *Publisher's Identification of Factual Errors and Editorial Changes* was extended for one publisher to September 22, 2017, because of the recent hurricane and subsequent flooding. She also explained that an action item will be brought to the board in November to ratify the approval of that extension.

**4. Discussion of Proposed Amendments to 19 TAC Chapter 66, State Adoption and Distribution of Instructional Materials, Subchapter B, State Adoption of Instructional Materials, and Subchapter C, Local Operations**  
(Board agenda page I-23)

Ms. Callaway explained the proposed amendments to Chapter 66 that would align the chapter with recent legislative changes made to statute and provide additional clarification in the rules. The board requested that agency staff add language to the proposal to clarify that instructional materials posted to the website as a part of the review and adoption process are copyrighted materials and may not be used without payment or permission.

**ACTION ITEM**

**5. Approval of Clarification Questions and Answers for Proclamation 2019 Questions and Answers**  
(Board agenda page I-1)  
[Official agenda item #3]

Monica Martinez, associate commissioner for standards and support, explained that two questions and their corresponding answers were proposed to add clarity to the original document, which was approved by the board June 23, 2017.

**MOTION AND VOTE:** *It was moved by Mr. Rowley, seconded by Ms. Hardy, and carried unanimously to recommend that the State Board of Education approve the two Proclamation 2019 Questions and Answers questions and corresponding answers as presented in Attachment II of the agenda.*

**DISCUSSION ITEMS**

**6. Discussion of Proposed Amendments to 19 TAC Chapter 74, Curriculum Requirements, Subchapter B, Graduation Requirements**  
(Board agenda page I-45)

Public testimony was provided by the following individuals:

NAME: Hal Speed  
AFFILIATION: CS4TX

NAME: Michael Ryan  
AFFILIATION: Self

NAME: Kim Garcia  
AFFILIATION: Georgetown ISD

NAME: Jennifer Bergland  
AFFILIATION: TCEA

Ms. Martinez explained the proposed amendments that would update the current graduation requirements and align them with recent legislative changes. Ms. Martinez also presented information for additional adjustments for the committee's consideration. The committee requested that agency staff draft proposed amendments related to the following.

- Move clarifying language regarding Advanced Placement and International Baccalaureate courses to the relevant subject areas in TAC §74.12 and identify Advanced Placement and International Baccalaureate courses separately.
- Provide more information related to AP Computer Science Principles as a possible option to satisfy a graduation requirement.
- Add Advanced Language for Career Applications as a course to count toward an arts and humanities endorsement.
- Add AP and/or IB English courses as options to satisfy the English IV requirement for a multidisciplinary studies endorsement.
- Provide more information related to outstanding performance on ACT Aspire and SAT assessments for a performance acknowledgment.

**7. Discussion of Proposed Revisions to 19 TAC Chapter 130, Texas Essential Knowledge and Skills for Career and Technical Education, Subchapters B, H, J, M, and O**

(Board agenda page I-73)

Shelly Ramos, senior director of curriculum standards and student support, provided an overview of proposed revisions to the career and technical education (CTE) Texas Essential Knowledge and Skills (TEKS). The proposed revisions would correct inconsistencies that have been identified in certain courses, adjust prerequisites, and add new lab courses for Cosmetology I and II.

**8. Discussion of International Baccalaureate Courses**

(Board agenda page I-99)

Public testimony was provided by the following individuals:

NAME: Jeanette LaFevers  
AFFILIATION: Texas IB Schools

NAME: Margaret Davis  
AFFILIATION: Texas IB Schools

Ms. Martinez provided an overview of items related to amending the Texas Administrative Code (TAC) to update and add International Baccalaureate (IB) courses. The board requested that agency

staff prepare rule text to address these items and requested that staff balance the items over two different meetings.

**9. Update on Texas Essential Knowledge and Skills (TEKS) Review**  
(Board agenda page I-105)

Ms. Martinez discussed the impact of Hurricane Harvey on the schedule for streamlining social studies TEKS and suggested that the board consider postponing TEKS work group meetings until January to ensure equal opportunity for participation. The delay will also allow more time to obtain initial feedback and additional applications for TEKS work groups. The committee agreed that beginning work group meetings in January was appropriate.

Board members were provided with the applications received to date from prospective TEKS work group members and were asked to submit approvals to the agency.

**ACTION ITEM**

**10. Review and Revision of the Texas Essential Knowledge and Skills (TEKS) for Health Education**  
(Board agenda page I-7)  
[Official agenda item #4]

Ms. Martinez explained the request of the board chair for assistance in advance of the board's review and revision of the health education TEKS. Mrs. Bahorich explained that she would like the commissioner to consider convening a group of experts to develop a study to provide guidance for the development of revised health education TEKS.

**MOTION:** *It was moved by Dr. Ellis, seconded by Ms. Hardy, and carried to recommend that the State Board of Education request that the commissioner prepare a study of current health education research and state standards that would be used as a guide for the State Board of Education to begin a review and revision of the health education TEKS.*

*The commissioner's recommendations would include the following:*

- *A framework for what the strands should be for kindergarten through grade 12*
- *Distinctions regarding grade levels and/or grade bands at which health concepts are most appropriately taught*
- *A summary of all statutory requirements related to health education and suggestions regarding the most appropriate way to integrate those requirements into the framework*

**MOTION AND VOTE:** *It was moved by Ms. Beltran and carried to amend the motion by adding "including national best practices."*

**VOTE:** *A vote was taken on the original motion as amended to recommend that the State Board of Education request that the commissioner prepare a study of current health education research and state standards, including national best practices, that would be used as a guide for the State Board of Education to begin a review and revision of the health education TEKS.*

*The commissioner's recommendations would include the following:*

- *A framework for what the strands should be for kindergarten through grade 12*

- *Distinctions regarding grade levels and/or grade bands at which health concepts are most appropriately taught*
- *A summary of all statutory requirements related to health education and suggestions regarding the most appropriate way to integrate those requirements into the framework*

*The motion carried.*

## **DISCUSSION ITEM**

### **11. Discussion of Pending Litigation**

(Board agenda page I-113)

General Counsel Von Byer notified the board that the plaintiff will not appeal the lawsuit titled Lyondell Chemical Company, No. 09-10023; Edward S. Weisfelner, as Trustee of the LB Creditor Trust v. Morgan Stanley, Adv. Pro. No. 10-04609 (Bankr. S.D.N.Y.) and Edward S. Weisfelner, as Trustee of the LB Litigation Trust v. Holmes, Adv. Pro. No. 10-05525 (Bankr. S.D.N.Y.)

No executive session was held.

Mrs. Bahorich adjourned the meeting at 5:50 p.m.