

Minutes
State Board of Education
September 20, 2013

The State Board of Education met at 9:05 a.m. on Friday, September 20, 2013, in the State Board of Education Room, #1-104, of the William B. Travis Building, 1701 N. Congress Avenue, Austin, Texas. All members of the board were present, as follows:

Presiding: Barbara Cargill, Chair; Lawrence A. Allen, Jr.; Donna Bahorich; David Bradley; Ruben Cortez, Jr.; Martha M. Dominguez; Pat Hardy; Mavis B. Knight, Secretary; Tom Maynard; Sue Melton-Melone; Ken Mercer; Geraldine “Tincy” Miller; Marisa B. Perez; Thomas Ratliff, Vice-Chair; Marty Rowley

Student Performance

Mission High School FFA Parliamentary Procedure Team provided the student performance.

Invocation

Pledge of Allegiance

Comments from Legislators

No comments were received from legislators.

Approval of Minutes

State Board of Education, July 19, 2013
State Board of Education, August 1, 2013

MOTION AND VOTE: *The State Board of Education unanimously approved the Minutes of the July 19 and August 1, 2013, meetings 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://www.tea.state.tx.us/index4.aspx?id=25769804094> or in the information section (yellow pages) of the printed agenda.

The State Board of Education received two presentations of public testimony, as follows:

NAME:	Nibal Markus
AFFILIATION:	Skills for Living
TOPIC:	Financial Literacy Standards

NAME: Tammy Mermelstein
AFFILIATION: Skills for Living
TOPIC: Financial Literacy Standards

The State Board of Education considered items in the following order: Numbers 1 through 6; returned to #3; #9; #10; #7; #11; #12.

1. Resolutions and Presentations

Heroes for Children, State Board of Education Districts 1-15

The State Board of Education, by unanimous consent, adopted a resolution recognizing Susan Jacobs, Kathy Carskadden, Eloisa Mireles, Kimberly Aldrich, Eulia Krueger, Maria del Carmen Rivas, Melanie Smith, Brette Machiorlette, Demetrius Moffett, Ann Prochaska, Roger Waldrep, Doug James, Thomas P. Andress, Jr., Ron Greene, Sharon Johnston, Ray Guttenfelder, and Uwe Zeizinger as Heroes for Children.

(ATTACHMENT 1, page 11)

Resolution Regarding Finality of Charter Decisions

No resolution was presented.

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 item received unanimous approval in committee and was brought forward for board approval:

- Official Agenda Item #8—Per Capita Apportionment Rate for the 2013-2014 School Year

Mrs. Miller reported that, because of a potential conflict of interest, she was recusing herself from any discussion and would not cast a vote on consent agenda item number (3)—Decision on Real Estate Investments.

The State Board of Education approved the following items on the consent agenda, including the item that was brought forward.

- (1) **Ratification of the Purchases and Sales of the Investment Portfolio of the Permanent School Fund for the Months of June and July 2013**
(Board agenda page III-21)
(COMMITTEE ON SCHOOL FINANCE/PERMANENT SCHOOL FUND)

The State Board of Education ratified the purchases and sales for the months of June and July 2013 in the amount of \$616,992,766 and \$592,957,868, respectively, as recommended by the Committee on School Finance/Permanent School Fund.

- (2) **Determination as to Whether Transfers May be Made from the Permanent School Fund to the Available School Fund**
(Board agenda page III-31)
(COMMITTEE ON SCHOOL FINANCE/PERMANENT SCHOOL FUND)

The State Board of Education determined that a distribution of \$838.7 million for fiscal year 2014 is permitted under Texas Constitution Article VII, Subsection 5(a)(2), as recommended by the Committee on School Finance/Permanent School Fund.

- (3) **Decision on Real Estate Investments**
(Board agenda page III-35)
(COMMITTEE ON SCHOOL FINANCE/PERMANENT SCHOOL FUND)

The State Board of Education approved execution of agreements with Morgan Stanley Real Estate Adviser Inc., necessary to make an investment commitment of up to \$100 million in Prime Property Fund, LLC, subject to continued due diligence and negotiation of fund terms, as recommended by the Committee on School Finance/Permanent School Fund.

- (4) **Recommendation for Appointments to the Boys Ranch Independent School District Board of Trustees**
(Board agenda page IV-1)
(COMMITTEE ON SCHOOL INITIATIVES)

The State Board of Education approved the reappointment of Mr. George Owen and Mrs. Suzanne Wright, each to serve a two-year term of office from September 20, 2013 through September 19, 2015, on the Boys Ranch Independent School District Board of Trustees, as recommended by the Committee on School Initiatives.

(ATTACHMENT 2, page 13)

- (5) **Recommendation for Appointment to the Randolph Field Independent School District Board of Trustees**
(Board agenda page IV-11)
(COMMITTEE ON SCHOOL INITIATIVES)

The State Board of Education approved the reappointment of Mr. Jimmy D. Cornelius to serve a two-year term of office from September 20, 2013 through September 19, 2015, on the Randolph Field Independent School District Board of Trustees, as recommended by the Committee on School Initiatives.

(ATTACHMENT 3, page 21)

- (6) **Recommendation for Appointment to the Lackland Independent School District Board of Trustees**
(Board agenda page IV-29)
(COMMITTEE ON SCHOOL INITIATIVES)

The State Board of Education approved the reappointment of Mr. Brian S. Miller to serve a two-year term of office from September 20, 2013 through September 19, 2015, on the Lackland Independent School District Board of Trustees, as recommended by the Committee on School Initiatives.

(ATTACHMENT 4, page 25)

8. **Per Capita Apportionment Rate for the 2013-2014 School Year**
(Board agenda page III-1)
(COMMITTEE ON SCHOOL FINANCE/PERMANENT SCHOOL FUND)

The State Board of Education adopted a preliminary per capita apportionment rate of \$256.125 for the 2013-2014 school year, as recommended by the Committee on School Finance/Permanent School Fund.

(ATTACHMENT 5, page 27)

COMMITTEE OF THE FULL BOARD

The Committee of the Full Board reconvened its meeting of September 18, 2013, after the meeting of the State Board of Education adjourned, to consider discussion item #9—Update on the Review of Proclamation 2014 Instructional Materials. John Lopez, managing director, instructional materials and educational technology, presented an update on the state review panel process for Proclamation 2014, including the current status of the materials under review.

3. **Proposed Revisions to 19 TAC Chapter 130, Texas Essential Knowledge and Skills for Career and Technical Education, Subchapter A, Agriculture, Food, and Natural Resources, Subchapter H, Health Science, and Subchapter O, Science, Technology, Engineering, and Mathematics**
(Second Reading and Final Adoption)
(Board agenda page I-1)

MOTION AND VOTE: *The State Board of Education approved for second reading and final adoption proposed revisions to 19 TAC Chapter 130, Texas Essential Knowledge and Skills for Career and Technical Education, Subchapter A, Agriculture, Food, and Natural Resources, Subchapter H, Health Science, and Subchapter O, Science, Technology, Engineering, and Mathematics, with an effective date of August 25, 2014, as amended and recommended by the Committee of the Full Board.*

MOTION: *It was moved by Mr. Maynard that the State Board of Education reconsider the vote taken on proposed revisions to 19 TAC Chapter 130, Texas Essential Knowledge and Skills for Career and Technical Education, Subchapter A, Agriculture, Food, and Natural Resources, Subchapter H, Health Science, and Subchapter O, Science, Technology, Engineering, and Mathematics.*

Mr. Maynard explained that he voted on the prevailing side. There was no objection by the board to reconsider action on Item #3.

MOTION: *It was moved by Mrs. Cargill to approve for second reading and final adoption proposed revisions to 19 TAC Chapter 130, Texas Essential Knowledge and Skills for Career and Technical Education, Subchapter A, Agriculture, Food, and Natural Resources, Subchapter H, Health Science, and Subchapter O, Science, Technology, Engineering, and Mathematics, but to postpone action on §130.6, Veterinary Medical Applications (One Credit), to the November 2013 meeting.*

There was no objection by the board to dividing the question.

MOTION AND VOTE: *It was moved by Mr. Maynard, seconded by Mr. Cortez, and carried to postpone action on §130.6, Veterinary Medical Applications (One Credit), until the November 2013 meeting.*

MOTION AND VOTE: *It was moved by Mr. Maynard, seconded by Mr. Cortez, and carried to approve for second reading and final adoption proposed revisions to 19 TAC Chapter 130, Texas Essential Knowledge and Skills for Career and Technical Education, Subchapter A, Agriculture, Food, and Natural Resources, Subchapter H, Health Science, and Subchapter O, Science, Technology, Engineering, and Mathematics, with an effective date of August 25, 2014, as amended.*

(ATTACHMENT 6, page 29)

4. **Proposed New 19 TAC Chapter 111, Texas Essential Knowledge and Skills for Mathematics, Subchapter C, High School, §111.46, Discrete Mathematics, Adopted 2013 (One-Half to One Credit)**

(Second Reading and Final Adoption)

(Board agenda page I-33)

MOTION AND VOTE: *It was moved by Mr. Ratliff, seconded by Ms. Hardy, and carried unanimously to approve for second reading and final adoption proposed new 19 TAC Chapter 111, Texas Essential Knowledge and Skills for Mathematics, Subchapter C, High School, §111.46, Discrete Mathematics, Adopted 2013 (One Half to One Credit), with an effective date of August 25, 2014, as amended and as recommended by the Committee of the Full Board.*

(ATTACHMENT 7, page 45)

5. **Proposed Repeal of 19 TAC Chapter 126, Texas Essential Knowledge and Skills for Technology Applications, Subchapter C, High School, §126.37, Discrete Mathematics (One-Half to One Credit), Beginning with School Year 2012-2013**

(Second Reading and Final Adoption)

(Board agenda page I-47)

MOTION AND VOTE: *It was moved by Mr. Ratliff and carried unanimously to substitute the proposed repeal of 19 TAC Chapter 126, Texas Essential Knowledge and Skills for Technology Applications, Subchapter C, High School, §126.37, Discrete Mathematics (One Half to One Credit), with an amendment to the title to read Discrete Mathematics for Computer Science, to be considered for first reading and filing authorization, as recommended by the Committee of the Full Board.*

6. **Proposed Amendments to 19 TAC Chapter 74, Curriculum Requirements, Subchapter F, Graduation Requirements, Beginning with School Year 2007-2008, and Subchapter G, Graduation Requirements, Beginning with School Year 2012-2013**

(First Reading and Filing Authorization)

(Board agenda page I-59)

MOTION: *It was moved by Mr. Ratliff to approve for first reading and filing authorization proposed amendments to 19 TAC Chapter 74, Curriculum Requirements, Subchapter F, Graduation Requirements, Beginning with School Year 2007-2008, and Subchapter G, Graduation Requirements, Beginning with School Year 2012-2013, as amended and recommended by the Committee of the Full Board.*

MOTION AND VOTE: *It was moved by Mr. Rowley, seconded by Mr. Cortez, and carried that reference to veterinary medical applications be inserted throughout the proposed amendments.*

VOTE: *A vote was taken on the motion to approve for first reading and filing authorization proposed amendments to 19 TAC Chapter 74, Curriculum Requirements, Subchapter F, Graduation Requirements, Beginning with School Year 2007-2008, and Subchapter G, Graduation Requirements, Beginning with School Year 2012-2013, as amended. The motion carried.*

COMMITTEE ON INSTRUCTION

7. **Proposed Revisions to 19 TAC Chapter 89, Adaptations for Special Populations, Subchapter C, Texas Certificate of High School Equivalency**
(Second Reading and Final Adoption)
(Board agenda page II-1)

MOTION AND VOTE: *The State Board of Education, by an affirmative vote of two-thirds of the members of the board, approved for second reading and final adoption the proposed revisions to 19 TAC Chapter 89, Adaptations for Special Populations, Subchapter C, Texas Certificate of High School Equivalency, with an effective date of 20 days after filing as adopted with the Texas Register, as recommended by the Committee on Instruction.*

(ATTACHMENT 8, page 49)

COMMITTEE ON SCHOOL FINANCE/PERMANENT SCHOOL FUND

8. **Per Capita Apportionment Rate for the 2013-2014 School Year**
(Board agenda page III-1)

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

9. **Proposed Amendment to 19 TAC Chapter 33, Statement of Investment Objectives, Policies, and Guidelines of the Texas Permanent School Fund, §33.65, Bond Guarantee Program**
(First Reading and Filing Authorization)
(Board agenda page III-3)

MOTION AND VOTE: *It was moved by Ms. Hardy and carried to approve for first reading and filing authorization proposed amendment to 19 TAC Chapter 33, Statement of Investment Objectives, Policies, and Guidelines of the Texas Permanent School Fund, §33.65, Bond Guarantee Program, with the application fee of \$1,500 inserted in subsection (f)(1)(A), as recommended by the Committee on School Finance/Permanent School Fund.*

10. Proposed Amendment to 19 TAC Chapter 33, Statement of Investment Objectives, Policies, and Guidelines of the Texas Permanent School Fund, §33.25, Permissible and Restricted Investments and General Guidelines for Investment Managers

(Second Reading and Final Adoption)

(Board agenda page III-23)

MOTION AND VOTE: *The State Board of Education, by an affirmative vote of two-thirds of the members of the board, approved for second reading and final adoption proposed amendment to 19 TAC Chapter 33, Statement of Investment Objectives, Policies, and Guidelines of the Texas Permanent School Fund, §33.25, Permissible and Restricted Investments and General Guidelines for Investment Managers, with an effective date of 20 days after filing as adopted with the Texas Register, as recommended by the Committee on School Finance/Permanent School Fund.*

(ATTACHMENT 9, page 53)

COMMITTEE ON SCHOOL INITIATIVES

11. Review of Proposed Amendments to 19 TAC Chapter 249, Disciplinary Proceedings, Sanctions, and Contested Cases

(Board agenda page IV-45)

The State Board of Education took no action on the proposed amendments to 19 TAC Chapter 249, Disciplinary Proceedings, Sanctions, and Contested Cases, as recommended by the Committee on School Initiatives.

12. Review of the Commissioner of Education's Generation 18 Charter Proposals

(Board agenda page IV-53)

The commissioner of education postponed the issuance of Generation 18 open-enrollment charters until September 27, 2013; therefore, no action was taken by the State Board of Education.

REPORTS OF COMMITTEES REGARDING AGENDA ITEMS ON COMMITTEE AGENDAS

Committee on Instruction

Mr. Maynard did not report on discussion items of the Committee on Instruction.

Committee on School Finance/Permanent School Fund

Ms. Hardy reported on the following discussion items of the Committee on School Finance/Permanent School Fund: Discussion of Proposed New 19 TAC Chapter 33, Statement of Investment Objectives, Policies, and Guidelines of the Texas Permanent School Fund, §33.67, Bond Guarantee Program for Charter Schools; and Texas Education Agency Administrative and Program Strategic Budget for 2014-2015.

Committee on School Initiatives

Mrs. Bahorich reported on the following discussion item: Discussion on Information Regarding Open-Enrollment Charter Schools by the Committee on School Initiatives.

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

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

The meeting adjourned at 11:28 a.m.

Mavis B. Knight, Secretary

RESOLUTION

WHEREAS volunteers can have both large and small impacts on the lives of children and influence positive outcomes in many different ways; and

WHEREAS the State Board of Education recognizes that public school volunteers serve the schoolchildren of Texas through many avenues including sharing time, interests, personal skills and socialization; and

WHEREAS despite a battle with breast cancer, Susan Jacobs put the needs of the children at Franklin High School in the El Paso Independent School District before her own to keep the Franklin Parent-Teacher-Student Association active and engaged with the community; and

WHEREAS Kathy Carskadden has achieved a lifelong dream of helping those students in the Hondo ISD who were falling through the cracks improve their lives for the better; and

WHEREAS Eloisa Mireles has been a volunteer with the Brownsville ISD for more than 20 years serving on numerous campus and district committees where she represents the voices of parents and students; and

WHEREAS Kimberly Aldrich has helped to mentor and support the Wagner High School Cheer Team in the Judson ISD giving countless hours so that the program is affordable and accessible for all the participants; and

WHEREAS for more than 35 years, Eulla Krueger has volunteered her time, effort, passion and dedication to the students of Southwest ISD; and

WHEREAS Maria del Carmen Rivas has invested tirelessly five days a week to help the students at North Shore Elementary in the Galena Park ISD, and has given so much that she is referred to as “the little lady with a big heart”; and

WHEREAS Melanie Smith has devoted her time and energy to working with the students in the Richland Springs ISD and helping prepare many of them for academic UIL competitions; and

WHEREAS as a high school student, Brette Machiorlette began the Reading Aces literacy program for at-risk youths in the Houston ISD and then replicated the same program in the Austin ISD as a student at U.T. Austin; and

WHEREAS Demetrius Moffett is described as an exceptional role model who unselfishly gives of himself in order to support the goals of the students and the community in the West Orange-Cove CISD; and

WHEREAS Ann Prochaska, a volunteer at the Barbara Bush Elementary School in the Conroe ISD, is a tireless advocate for struggling students who need academic and/or physical assistance to achieve their highest potential; and

WHEREAS Roger Waldrep is described by a student at Texas High School in the Texarkana ISD as a bigger superhero than Batman, Iron Man and Superman, because he has given so much to so many for more than 17 years; and

WHEREAS Doug James did spearhead the development of the Literacy Partners Program in the Leander ISD which utilizes 250 volunteers from 15 different faith-based organizations to read with elementary school children; and

WHEREAS after retiring in 1989, Thomas P. Andress, Jr., decided he wanted to work with children and for the last 22 years has volunteered at Venture High School in the Arlington ISD; and

WHEREAS Ron Greene has spent the last four years working with the students at Richardson High School in the Richardson ISD teaching them the finer points and many intricacies of personal finance; and

WHEREAS Sharon Johnston has been a constant advocate for homeless students in the Irving ISD and is one of five founding members of Advocates for Homeless Teens, a group dedicated to creating housing for homeless teens; and

WHEREAS Ray Guttenfelder, a 90-year old volunteer in the Burseson ISD, tutors students in the reading lab and in math classes at North Joshua Elementary School four days a week; and

WHEREAS Uwe Zeizinger decided to learn about the American School System by volunteering at Rider High School in the Wichita Falls ISD working with students with special needs and providing much appreciated tutoring; and

WHEREAS all these Texans’ efforts have benefited the children of our state and contributed to the success of the Texas public education system; now, therefore, be it

RESOLVED, That the State Board of Education recognizes these outstanding individuals as Heroes for Children; and be it further

RESOLVED, That this resolution be presented to each of the recipients and that a copy be included in the permanent records of the State Board of Education.

WITNESS our signatures this twentieth day of September, two thousand thirteen, in Austin, Texas.

Barbara Cargill, Chair

Mavis B. Knight, Secretary