

Minutes
State Board of Education
April 11, 2014

The State Board of Education met at 9:07 a.m. on Friday, April 11, 2014, 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

The student performance was provided by Young Men Junior High School Choir, Arlington Independent School District.

Invocation

Pledge of Allegiance

Approval of Minutes

State Board of Education, January 31, 2014

MOTION AND VOTE: *The State Board of Education unanimously approved the Minutes of the January 31, 2014, 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://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: Abel Villarreal
AFFILIATION: Instructional Materials Coordinators’ Association
of Texas
TOPIC: Inadequate Funding of Instructional Materials Allotments

NAME: Matt Tyner
AFFILIATION: Instructional Materials Coordinators’ Association
of Texas
TOPIC: Inadequate Funding of Instructional Materials Allotments

The State Board of Education considered items in the following order: #1, #2, #7, #6, #3 through #5; #8 through #19.

1. Resolutions and Presentations

There were no resolutions or presentations introduced.

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.

Mrs. Cargill reported that consent agenda items #(5)—Presentation on the Absolute Return Portfolios Managed for the Permanent School Fund and Decision on Absolute Return Investments, and #(2)—Decision on Real Estate Investments, were being pulled from the original consent agenda.

By unanimous consent, the State Board of Education approved the following items on the consent agenda.

(1) Ratification of the Purchases and Sales of the Investment Portfolio of the Permanent School Fund for the Months of December 2013, January and February 2014

(Board agenda page III-47)

(COMMITTEE ON SCHOOL FINANCE/PERMANENT SCHOOL FUND)

The State Board of Education ratified the purchases and sales for the months of December 2013, January and February 2014 in the amount of \$1,606,907,309 and \$1,105,593,237, respectively, as recommended by the Committee on School Finance/Permanent School Fund.

(2) Decision on Real Estate Investments

(Board agenda page III-49)

(COMMITTEE ON SCHOOL FINANCE/PERMANENT SCHOOL FUND)

This item was pulled from the consent agenda. No recommendation was brought forward by the Committee on School Finance/Permanent School Fund.

(3) Overview of Real Estate Asset Class

(Board agenda page III-51)

(COMMITTEE ON SCHOOL FINANCE/PERMANENT SCHOOL FUND)

The Committee on School Finance/Permanent School Fund directed Courtland Partners and the staff of the Permanent School Fund to proceed with a review of the performance benchmarks and to present their recommendations.

(4) **Authorization to Issue a Request for Proposals for Emerging Market Equity Investment Managers**

(Board agenda page III-53)

(COMMITTEE ON SCHOOL FINANCE/PERMANENT SCHOOL FUND)

The State Board of Education approved the issuance of a Request for Proposals for Emerging Market Equity Investment Managers, as recommended by the Committee on School Finance/Permanent School Fund.

(5) **Presentation on the Absolute Return Portfolios Managed for the Permanent School Fund and Decision on Absolute Return Investments**

(Board agenda page III-55)

(COMMITTEE ON SCHOOL FINANCE/PERMANENT SCHOOL FUND)

Ms. Hardy explained that this item was pulled from the consent agenda because it did not receive unanimous support from all committee members.

MOTION: *The Committee on School Finance/Permanent School Fund recommended that the State Board of Education approve to amend and extend the terms of all Raven operating agreements for a two-year period. All operating agreements, including Ravens 1-7, will receive two year extensions beginning September 1, 2014 through August 31, 2016.*

MOTION: *It was moved by Mr. Ratliff to amend the motion that the State Board of Education approve to amend and extend the terms of all Raven operating agreements, except Raven 2, for a two-year period. All operating agreements, including Raven's 1-7, but not including Raven 2, will receive two year extensions beginning September 1, 2014 through August 31, 2016.*

Rhett Humphreys, partner and senior consultant with NEPC, answered questions from the board members on the absolute return portfolios and absolute return investments.

Mr. Ratliff withdrew his motion without objection from the board.

MOTION AND VOTE: *It was moved by Mr. Ratliff, seconded by Mrs. Knight, and carried that the State Board of Education postpone consideration of this item, Presentation on the Absolute Return Portfolios Managed for the Permanent School Fund and Decision on Absolute Return Investments, until the board's next meeting in July. (Mr. Mercer was absent for the vote.)*

- (6) **Recommendation for Appointments to the Fort Sam Houston Independent School District Board of Trustees**
(Board agenda page IV-25)
(COMMITTEE ON SCHOOL INITIATIVES)

The State Board of Education approved the reappointments of Dr. Eustace S. Lewis and Ms. Anita Jeanne Warren, each to serve a two-year term of office, from April 11, 2014 through April 10, 2016, on the Fort Sam Houston Independent School District Board of Trustees, as recommended by the Committee on School Initiatives.

(ATTACHMENT 1, page 11)

- (7) **Recommendation for Appointment to the Lackland Independent School District Board of Trustees**
(Board agenda page IV-53)
(COMMITTEE ON SCHOOL INITIATIVES)

The State Board of Education approved the appointment of SMSgt Michael Garcia, to serve a two-year term of office, from April 11, 2014 through April 10, 2016, on the Lackland Independent School District Board of Trustees, as recommended by the Committee on School Initiatives.

(ATTACHMENT 2, page 19)

COMMITTEE OF THE FULL BOARD

Commissioner of Education Michael Williams was not able to provide comments during the meeting of the Committee of the Full Board held on Wednesday, April 9, 2014, because of a scheduled conflict; therefore, his comments were provided at this general board meeting. Commissioner Williams addressed charter revocations, and answered questions from board members.

3. **Proposed Revisions to 19 TAC Chapter 114, Texas Essential Knowledge and Skills for Languages Other Than English, Subchapter A, Elementary, Subchapter B, Middle School, Subchapter C, High School, and Subchapter D, Other Languages Other Than English Courses**
(Second Reading and Final Adoption)
(Board agenda page I-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 proposed revisions to 19 TAC Chapter 114, Texas Essential Knowledge and Skills for Languages Other Than English, Subchapter A, Elementary, Subchapter B, Middle School, Subchapter C, High School, and Subchapter D, Other Languages Other Than English Courses, with an effective date of 20 days after filing as adopted with the Texas Register, as recommended by the Committee of the Full Board. (Mr. Cortez and Mr. Mercer were absent for the vote.)*

(ATTACHMENT 3, page 21)

4. **Proposed Revisions to 19 TAC Chapter 74, Curriculum Requirements, Subchapter A, Required Curriculum**

(Second Reading and Final Adoption)

(Board agenda page I-53)

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 revisions to 19 TAC Chapter 74, Curriculum Requirements, Subchapter A, Required Curriculum, with an effective date of 20 days after filing as adopted with the Texas Register, as recommended by the Committee of the Full Board. (Mr. Mercer was absent for the vote.)*

(ATTACHMENT 4, page 65)

5. **Proposed Amendments to 19 TAC Chapter 66, State Adoption and Distribution of Instructional Materials, Subchapter B, State Adoption of Instructional Materials**

(Second Reading and Final Adoption)

(Board agenda page I-69)

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 amendments to 19 TAC Chapter 66, State Adoption and Distribution of Instructional Materials, Subchapter B, State Adoption of Instructional Materials, with an effective date of 20 days after filing as adopted with the Texas Register, as recommended by the Committee of the Full Board. (Mr. Mercer was absent for the vote.)*

(ATTACHMENT 5, page 69)

6. **Proclamation 2016 of the State Board of Education Advertising for Bids on Instructional Materials**

(Board agenda page I-79)

MOTION: *It was moved by Mr. Ratliff that the State Board of Education approve Proclamation 2016 of the State Board of Education Advertising for Bids on Instructional Materials, as recommended by the Committee of the Full Board.*

MOTION: *It was moved by Mr. Bradley and seconded by Mrs. Knight that the State Board of Education approve Proclamation 2016 of the State Board of Education Advertising for Bids on Instructional Materials, to include a call for instructional materials for Special Topics in Social Studies, including Mexican-American Studies, African-American Studies, Native-American Studies, [~~and~~] Asian-American Studies, and Puerto-Rican American Studies.*

Mr. Bradley withdrew his motion, without board objection.

MOTION AND VOTE: *It was moved by Mr. Rowley and seconded by Mrs. Knight that the State Board of Education approve Proclamation 2016 of the State Board of Education Advertising for Bids on Instructional Materials, to include a call for instructional materials for Special Topics in Social Studies, including, but not limited to, Mexican-American Studies, African-American Studies, Native-American Studies, and Asian-American Studies. The motion carried, with 11 members voting Aye, 2 members voting No, and 1 member Abstaining, as follows:*

<u>Aye:</u>	Mr. Allen	Mr. Maynard
	Mrs. Bahorich	Mrs. Melton-Malone
	Mrs. Cargill	Ms. Perez
	Mr. Cortez	Mr. Ratliff
	Dr. Dominguez	Mr. Rowley
	Mrs. Knight	

<u>No:</u>	Mr. Bradley	Mrs. Miller
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<u>Abstain:</u>	Ms. Hardy	
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(Mr. Mercer was absent for the vote.)

VOTE: *A vote was taken on the motion that the State Board of Education approve Proclamation 2016 of the State Board of Education Advertising for Bids on Instructional Materials, as amended. The motion carried, with 12 members voting Aye and 2 members voting No, as follows:*

<u>Aye:</u>	Mr. Allen	Mrs. Knight
	Mrs. Bahorich	Mr. Maynard
	Mrs. Cargill	Mrs. Melton-Malone
	Mr. Cortez	Ms. Perez
	Dr. Dominguez	Mr. Ratliff
	Ms. Hardy	Mr. Rowley

<u>No:</u>	Mr. Bradley	Mrs. Miller
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(Mr. Mercer was absent for the vote.)

(ATTACHMENT 6, page 75)

7. New Course Development
(Board agenda page I-81)

MOTION AND VOTE: *The State Board of Education approved the recommendation of the Committee of the Full Board to direct Texas Education Agency staff to begin the development of three legislative mandated courses, a one-half credit elective course in personal financial literacy, a one-credit career and technical education personal financial literacy course approved to satisfy a mathematics credit, and a one-credit combined world geography/world history course, and to direct the future development of a course in calculus. (Mr. Mercer was absent for the vote.)*

8. Charge to Texas Essential Knowledge and Skills (TEK) Review Committees
(Board agenda page I-95)

MOTION AND VOTE: *The State Board of Education approved the Process for Review and Revision of the Texas Essential Knowledge and Skills (TEKS), as recommended by the Committee of the Full Board. (Mr. Mercer was absent for the vote.)*

(ATTACHMENT 7, page 109)

COMMITTEE ON INSTRUCTION

9. Proposed New 19 TAC Chapter 74, Curriculum Requirements, Subchapter C, Other Provisions, §74.38, Requirements for Instruction in Cardiopulmonary Resuscitation (CPR)
(Second Reading and Final Adoption)
(Board agenda page II-1)

MOTION AND VOTE: *The State Board of Education approved for second reading and final adoption proposed new 19 TAC Chapter 74, Curriculum Requirements, Subchapter C, Other Provisions, §74.38, Requirements for Instruction in Cardiopulmonary Resuscitation (CPR), with an effective date of August 25, 2014, as recommended by the Committee on Instruction. (Mr. Mercer was absent for the vote.)*

(ATTACHMENT 8, page 111)

10. Proposed Repeal of 19 TAC Chapter 89, Adaptations for Special Populations, Subchapter B, Adult Basic and Secondary Education
(First Reading and Filing Authorization)
(Board agenda page II-5)

MOTION AND VOTE: *The State Board of Education approved for first reading and filing authorization proposed repeal of 19 TAC Chapter 89, Adaptations for Special Populations, Subchapter B, Adult Basic and Secondary Education, as recommended by the Committee on Instruction. (Mr. Mercer was absent for the vote.)*

11. **Proposed Revisions 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-15)

MOTION AND VOTE: *The State Board of Education approved for first reading and filing authorization proposed revisions 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. Mercer was absent for the vote.)*

12. **Adoption of Review of 19 TAC Chapter 89, Adaptations for Special Populations**
(Adoption of Review)
(Board agenda page II-21)

MOTION AND VOTE: *The State Board of Education adopted the review of 19 TAC Chapter 89, Adaptations for Special Populations, Subchapter A, Gifted/Talented Education; Subchapter C, Texas Certificate of High School Equivalency; and Subchapter D, Special Education Services and Settings, as recommended by the Committee on Instruction. (Mr. Cortez and Mr. Mercer were absent for the vote.)*

13. **Proposed Approval of Innovative Courses**
(Board agenda page II-39)

MOTION AND VOTE: *The State Board of Education approved for a period of five years, the renewal of the following four innovative courses that do not fall within any of the subject areas of the foundation or enrichment curriculum: Advancement Via Individual Determination (AVID) I-IV, Reconnecting Youth, Student Leadership, and Teen Leadership, as recommended by the Committee on Instruction. (Mr. Cortez and Mr. Mercer were absent for the vote.)*

COMMITTEE ON SCHOOL FINANCE/PERMANENT SCHOOL FUND

14. **Proposed Amendments to 19 TAC Chapter 109, Budgeting, Accounting, and Auditing, Subchapter D, Uniform Bank Bid or Request for Proposal and Depository Contract**
(Second Reading and Final Adoption)
(Board agenda page III-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 proposed amendments 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, and §109.52, Uniform Depository Bank Contract and Surety Bond Forms, 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. (Mr. Cortez and Mr. Mercer were absent for the vote.)*

(ATTACHMENT 9, page 113)

COMMITTEE ON SCHOOL INITIATIVES

15. **Review of Proposed Amendment to 19 TAC Chapter 232, General Certification Provisions, Subchapter A, Certificate Renewal and Continuing Professional Education Requirements, §232.11, Number and Content of Required Continuing Professional Education Hours**
(Board agenda page IV-1)

The State Board of Education took no action on the proposed amendment to 19 TAC Chapter 232, General Certification Provisions, Subchapter A, Certificate Renewal and Continuing Professional Education Requirements, §232.11, Number and Content of Required Continuing Professional Education Hours, as recommended by the Committee on School Initiatives.

16. **Review of Proposed Revisions to 19 TAC Chapter 231, Requirements for Public School Personnel Assignments, Subchapter E, Grades 9-12 Assignments; Subchapter F, Special Education-Related Services Personnel Assignments; and Subchapter G, Paraprofessional Personnel, Administrators, and Other Instructional and Professional Support Assignments**
(Board agenda page IV-9)

The State Board of Education took no action on the proposed revisions to 19 TAC Chapter 231, Requirements for Public School Personnel Assignments, Subchapter E, Grades 9-12 Assignments; Subchapter F, Special Education-Related Services Personnel Assignments; and Subchapter G, Paraprofessional Personnel, Administrators, and Other Instructional and Professional Support Assignments, as recommended by the Committee on School Initiatives.

17. **Review of Proposed Amendment to 19 TAC Chapter 249, Disciplinary Proceedings, Sanctions, and Contested Cases, Subchapter B, Enforcement Actions and Guidelines, §249.16, Eligibility of Persons with Criminal Convictions for a Certificate under Texas Occupations Code, Chapter 53**
(Board agenda page IV-17)

The State Board of Education took no action on the proposed amendment to 19 TAC Chapter 249, Disciplinary Proceedings, Sanctions, and Contested Cases, Subchapter B, Enforcement Actions and Guidelines, §249.16, Eligibility of Persons with Criminal Convictions for a Certificate under Texas Occupations Code, Chapter 53, as recommended by the Committee on School Initiatives.

18. **Proposed Amendment to 19 TAC Chapter 61, School Districts, Subchapter A, Board of Trustees Relationship, §61.1, Continuing Education for School Board Members**
(First Reading and Filing Authorization)
(Board agenda page IV-71)

MOTION AND VOTE: *The State Board of Education approved for first reading and filing authorization proposed amendment to 19 TAC Chapter 61, School Districts, Subchapter A, Board of Trustees Relationship, §61.1, Continuing Education for School Board Members, as recommended by the Committee on School Initiatives. (Mr. Bradley and Mr. Mercer were absent for the vote.)*

19. Consideration of Funds for Charter School Fact Finding Trips

(Board agenda page IV-77)

MOTION AND VOTE: *The State Board of Education postponed this item, Consideration of Funds for Charter School Fact Finding Trips, until the July board meeting, as recommended by the Committee on School Initiatives. (Mr. Bradley and Mr. Mercer were absent for the vote.)*

REPORTS OF COMMITTEES REGARDING AGENDA ITEMS ON COMMITTEE AGENDAS

Committee on Instruction

Mr. Maynard reported on the following discussion items of the Committee on Instruction: Discussion of the Texas Certificate of High School Equivalency, and Discussion of Updates to Dyslexia Handbook.

Committee on School Finance/Permanent School Fund

Ms. Hardy reported on the following discussion item of the Committee on School Finance/Permanent School Fund: Discussion of 19 TAC Chapter 33, Statement of Investment Objectives, Policies, and Guidelines of the Texas Permanent School Fund, §33.65, Bond Guarantee Program for School Districts.

Committee on School Initiatives

Mrs. Bahorich reported on the following discussion items of the Committee on School Initiatives: Discussion on Information Regarding Generation 19 Open-Enrollment Charter School Application Process, and Long-Range Planning Efforts for Texas Public Schools.

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 12:45 p.m.

Mavis B. Knight, Secretary