

**State Board of Education
Summary of Actions
November 20, 2020**

The State Board of Education met on November 20, 2020 and took the actions described below. Additional information about each agenda item can be found at <https://tea.texas.gov/node/358496>.

Student Performance

The Chisolm Trail Middle School Choir of Round Rock ISD performed virtually 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

Resolution honoring retiring State Board of Education members

The board approved individual resolutions honoring Donna Bahorich (8 years of service); Barbara Cargill (16 years of service); Ken Mercer (14 years of service); and Marty Rowley (8 years of service). The four State Board of Education members retired at the end of their terms in December.

2. Approval of Consent Agenda

(1) Decision on the Percentage Distribution of the Permanent School Fund

The board approved the percentage distribution rate to the Available School Fund from the Permanent School Fund for the 2022-2023 fiscal biennium of 4.18%, for projected amounts of \$1.717 billion annually and \$3.434 billion for the biennium.

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

(2) Approval of Update to Instructional Materials for Learning A–Z

The board approved the request from Learning A–Z to update content in three of its adopted products, *Raz Plus ELL Texas Edition, grade 2*; *Raz Plus ELL Texas Edition, grade 3*; and *Raz Plus ELL Texas Edition, grade 4*.

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

(3) Approval of Costs to Administer the 2020–2021 State-Developed Assessments to Private School Students

The board approved the recommended per-student costs for administering the state assessments to private school students in 2020–2021. The per-student cost for private schools may not exceed the cost of administering the same assessment to a student enrolled in a public-school district.

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

(4) Ratification of the Purchases and Sales of the Investment Portfolio of the Permanent School Fund for the Months July, August, and September 2020

The board ratified the purchases and sales for the months of July, August and September 2020, in the amount of \$3,050,234,143 and \$3,358,086,350, respectively.

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

(5) Approval of an Extension of the Standard Contract with NEPC, LLC and Authorization for Contract Execution by the Commissioner of Education

The board approved renewal of the standard contract with NEPC, LLC beginning September 1, 2021 and ending August 31, 2024, and authorized 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.

(6) Approval of an Extension of the Standard Contract with Blackrock Investment Management, LLC, and Authorization for Contract Execution by the Commissioner of Education

The board approved renewal of the standard contract with Blackrock Investment Management, LLC beginning September 1, 2021 and ending August 31, 2025, and authorized 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.

(7) Proposed Amendments to the Investment Procedures Manual

The board approved the amendments to the Investment Procedures Manual, which reflected the changes to the strategic asset allocation for the PSF and the PSF Liquid Account adopted in July 2020, as presented by staff.

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

(8) 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

The board 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.

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

(9) Authorization to Issue a Request for Qualifications for Fiduciary, Investment Contracting, Real Estate, Tax and Disclosure Counsel for the Permanent School Fund

The board approved issuance of a Request for Qualifications for Fiduciary, Investment Contracting, Real Estate, Tax and Disclosure Counsel for the Permanent School Fund.

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

(10) Authorization to Issue a Request for Proposals for High Yield Bonds Discretionary Investment Managers for the Permanent School Fund

The board approved issuance of a Request for Proposals for U.S. High Yield Fixed Income Discretionary Investment Managers for the Permanent School Fund.

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

(11) Report on the Permanent School Fund Liquid Account

The board ratified the purchases and sales of the Permanent School Fund Liquid Account for the period September 1, 2019 through September 2020, in the amounts of \$3,561,837,642 and \$671,509,016, respectively.

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

COMMITTEE OF THE FULL BOARD

3. **Proposed New 19 TAC Chapter 116, Texas Essential Knowledge and Skills for Physical Education, Subchapter A, Elementary, §§116.11-116.17, Subchapter B, Middle School, §§116.25-116.28, and Subchapter C, High School, §§116.61-116.64 (Second Reading and Final Adoption)**

The board approved for second reading and final adoption proposed new 19 TAC Chapter 116, Texas Essential Knowledge and Skills for Physical Education, Subchapter A, Elementary, §§116.11-116.17, Subchapter B, Middle School, §§116.25-116.28, and Subchapter C, High School, §§116.61-116.64. The new sections update the standards to reflect current physical education research and best practices and to align with changes to requirements in statute.

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

4. **Proposed New 19 TAC Chapter 112, Texas Essential Knowledge and Skills for Science, Subchapter C, High School, §§112.41-112.45 (Second Reading and Final Adoption)**

The board approved for second reading and final adoption proposed new 19 TAC Chapter 112, Texas Essential Knowledge and Skills for Science, Subchapter C, High School, §§112.41, Implementation of Texas Essential Knowledge and Skills for Science, High School, Adopted 2020; 112.42, Biology (One Credit), Adopted 2020; 112.43, Chemistry (One Credit), Adopted 2020; 112.44, Integrated Physics and Chemistry (One Credit), Adopted 2020; and 112.45, Physics (One Credit), Adopted 2020, is necessary and shall have an effective date of 20 days after filing as adopted with the Texas Register.

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

5. **Proposed New 19 TAC Chapter 115, Texas Essential Knowledge and Skills for Health Education, Subchapter A, Elementary, §§115.11-115.17, Subchapter B, Middle School, §§115.25-115.28, and Subchapter C, High School, §§115.37-115.40 (Second Reading and Final Adoption)**

The board approved for second reading and final adoption proposed new 19 TAC Chapter 115, Texas Essential Knowledge and Skills for Health Education, Subchapter A, Elementary, §§115.11-115.17, Subchapter B, Middle School, §§115.25-115.28, and Subchapter C, High School, §§115.37-115.40. The proposed new sections update the standards to reflect current health education research and best practices and align with changes to requirements in statute.

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

6. Legislative Recommendations for the 87th Texas Legislature

The board established 14 priorities for the 87th Texas Legislative session, which begins January 12, 2021.

Staff Contact: Questions about this item should be directed to the Governmental Relations Division at (512) 463-9682.

7. Report from the Commissioner of Education Regarding Instructional Materials Offered for Adoption under *Proclamation 2021*

The board took action to require all publishers to make corrections listed in the Proclamation 2021 *Report of Required Corrections* and the *Report of Editorial Changes*; require that all instructional materials meet established manufacturing standards and specifications; require all electronic instructional materials to comply with the Web Content Accessibility Guidelines, Level 2.0 AA and the technical standards required by the Federal Rehabilitation Act, Section 508; approve changes and corrections submitted in response to written comments and public testimony; and place instructional materials submitted for adoption on the adopted list as indicated on the Proclamation 2021 *List of Instructional Materials Eligible for Adoption*.

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

8. Proposed Amendment to 19 TAC Chapter 74, Curriculum Requirements, Subchapter B, Graduation Requirements, §74.11, High School Graduation Requirements (First Reading and Filing Authorization)

The board voted to suspend its operating rules to allow this item to be considered for first reading and filing authorization and approved for first reading and filing authorization a proposed amendment to 19 TAC Chapter 74, Curriculum Requirements, Subchapter B, Graduation Requirements, §74.11, High School Graduation Requirements. The amendment would update the rule to align with the requirement in House Bill (HB) 3, 86th Texas Legislature, 2019, that students complete and submit a financial aid application as a requirement for high school graduation. Additionally, the proposed amendment would establish that students may satisfy the graduation requirement to demonstrate proficiency in certain speech skills in Grade 8 or higher.

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

9. Texas Certificate of High School Equivalency

The board approved the content of the Texas Certificate of High School Equivalency Request for Proposals (RFP) for test providers relating to 19 TAC Chapter 89, Texas Certificate of High School Equivalency.

Staff Contact: Questions about this item should be directed to the College, Career and Military Preparation Division at (512) 463-9661.

10. Proposed Amendment to 19 TAC Chapter 66, State Adoption and Distribution of Instructional Materials, Subchapter A, General Provisions, §66.15, Administrative Penalty (Second Reading and Final Adoption)

The board approved for second reading and final adoption a proposed amendment to 19 TAC Chapter 66, State Adoption and Distribution of Instructional Materials, Subchapter A, General Provisions, §66.15, Administrative Penalty, to address penalties for failure to comply with state law and rule governing review and adoption of instructional materials.

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

11. Recommended Revisions to the Framework for School Board Development

The board adopted recommended revisions to the School Board Member Training—Framework for School Board Development. The framework outlines the vision, structure, accountability, advocacy, and unity needed to provide local educational programs and services that promote excellence in student academic achievement.

Staff Contact: Questions about this item should be directed to the Office of School Governance at (512) 475-3697.

12. Review of Proposed New 19 TAC Chapter 239, Student Services Certificates, Subchapter E, Legacy Master Teacher Certificate

The board took no action on proposed new 19 TAC Chapter 239, Student Services Certificates, Subchapter E, Legacy Master Teacher Certificate. The proposal provides for the requirements and validity period for Legacy Master Teacher certificate holders.

Staff Contact: Questions about this item should be directed to the Department of Educator Leadership and Quality at (512) 936-9831.

13. **Review of Proposed Revisions 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; 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**

The board took no action on proposed revisions 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; 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. The proposed revisions incorporate courses approved by the State Board of Education, add certificate areas to the list of credentials appropriate for placement into an assignment, and reorganize current provisions to improve readability and align citations.

Staff Contact: Questions about this item should be directed to the Department of Educator Leadership and Quality at (512) 936-9831.

14. **Review of Proposed Amendments to 19 TAC Chapter 229, Accountability System for Educator Preparation Programs**

The board took no action on proposed amendments to 19 TAC Chapter 229, Accountability System for Educator Preparation Programs. The proposed amendments provide for adjustments to the 2019–2020 Accountability System for Educator Preparation (ASEP) due to Governor Abbott's disaster declaration related to COVID-19; include an accountability indicator for Educator Preparation Programs (EPP) based on the improvement in achievement of students taught by beginning teachers; provide an index for the determination of EPP accreditation status; and provide updates to the ASEP manual.

Staff Contact: Questions about this item should be directed to the Department of Educator Leadership and Quality at (512) 936-9831.