

**Report of the State Board of Education
Committee of the Full Board
Wednesday, April 12, 2023**

The State Board of Education Committee of the Full Board met at 9:05 a.m. on Wednesday, April 12, 2023, in the State Board of Education Room, #1-104, of the William B. Travis Building, 1701 N. Congress Avenue, Austin, Texas. Attendance was noted as follows:

Present: Keven Ellis, chair; Evelyn Brooks; Staci Childs; Aicha Davis; L.J. Francis; Patricia Hardy; Will Hickman (virtual); Aaron Kinsey; Pam Little; Tom Maynard; Melissa Ortega; Marisa B. Perez-Diaz; Julie Pickren; Audrey Young

Absent: Rebecca Bell-Metereau

Public Testimony

The Committee of the Full Board heard public testimony on agenda items #1 and #3. Information regarding the individuals who presented public testimony is included in the discussion of that item.

DISCUSSION ITEM

1. Commissioner's Comments
(Board agenda page I-30)

Commissioner Mike Morath provided an overview of the 2022 Agency Annual Report including the TEA Strategic Plan; school safety; school finance; recruiting, supporting, and retaining teachers and principals; building a foundation for reading and math; connecting high school to career and college; improving low-performing schools; A-F accountability; and special education. Commissioner Morath also provided an update on the report of the Teacher Vacancy Task Force.

Public testimony was provided by the following individuals:

NAME: Mary Lowe
AFFILIATION: Families Engaged for Effective Education

NAME: Lynn Davenport
AFFILIATION: Self

NAME: Jan Stell
AFFILIATION: Self

NAME: Meg Bakich
AFFILIATION: Self

ACTION ITEM

2. **Proposed New Texas Essential Knowledge and Skills for Occupational Safety and Health in 19 TAC Chapter 127, Texas Essential Knowledge and Skills for Career Development and Career and Technical Education, Subchapter B, High School (First Reading and Filing Authorization)**
(Board agenda page I-31)
[Official agenda item #4]

Shelly Ramos, senior director, curriculum standards and student support division, explained that educator work groups provided feedback regarding the proposed standalone course in occupational safety and health and stated that the work groups had not reached consensus on the best approach. She explained that this item presents two options for the board to consider for Texas Essential Knowledge and Skills (TEKS) in workplace safety and health. One option would establish a one-credit standalone high school course and a second option would establish a set of standards to be imbedded within specified career and technical education (CTE) principles course. She further explained that TEA staff's recommendation was for the board to approve both options at first reading so that the board can gather and consider public feedback on the two options and make a decision prior to considering adoption at second reading.

MOTION: *It was moved by Mr. Maynard and seconded by Mrs. Little to recommend that the State Board of Education approve for first reading and filing authorization proposed new 19 TAC Chapter 127, Texas Essential Knowledge and Skills for Career Development and Career and Technical Education, Subchapter B, High School, §127.17, Career and Technical Education Standards in Occupational Safety and Health, Adopted 2023, and §127.18, Occupational Safety and Health (One Credit), Adopted 2023.*

Mr. Maynard confirmed that the intent of the motion is to recommend approval of both options.

MOTION AND VOTE: *It was moved by Mr. Hickman, seconded by Ms. Hardy, and carried to recommend that the State Board of Education add new §127.17(c)(4) to read as follows:*

- (4) Successful completion of the standards may lead to a student earning a ten-hour general industry Occupational Safety and Health Administration (OSHA) card. To earn the ten-hour OSHA card, the content must be taught by an authorized OSHA outreach training program trainer.

MOTION AND VOTE: *It was moved by Ms. Perez-Diaz, seconded Mrs. Little, and carried to call the question.*

VOTE: *A vote was taken on the original motion to recommend that the State Board of Education approve for first reading and filing authorization proposed new 19 TAC Chapter 127, Texas Essential Knowledge and Skills for Career Development and Career and Technical Education, Subchapter B, High School, §127.17, Career and Technical Education Standards in Occupational Safety and Health, Adopted 2023, and §127.18, Occupational Safety and Health (One Credit), Adopted 2023, as amended. The motion carried.*

DISCUSSION ITEMS

3. **Discussion of Proposed Amendment to 19 TAC Chapter 100, Charters, Subchapter A, Open Enrollment Charter Schools, §100.1, Selection Process**
(Board agenda page I-41)

Public testimony was provided by the following individuals:

NAME: Mary Lowe
AFFILIATION: Self

NAME: Patrick Huff
AFFILIATION: Self

NAME: Christine Gendron
AFFILIATION: Texas Public Charter Schools Association

Marian Schutte, executive director, authorizing division, explained the proposed amendment that was being presented for discussion in response to a petition for a rule change. She also presented information on the Open-Enrollment Charter School selection process.

4. **Update on the Review of Proclamation 2024 Instructional Materials**
(Board agenda page I-43)

Amie Phillips, director, instructional materials review, open education resources division, provided an update regarding *Proclamation 2024*, including the publisher response, the number of state review panel applications received, and upcoming next steps.

5. **Discussion of Pending Litigation**
(Board agenda page I-44)

The committee did not discuss pending litigation; therefore, no executive session was held.

6. **Update on Texas Essential Knowledge and Skills (TEKS) Review**
(Board agenda page I-23)
[Official agenda item #3]

A portion of this item was postponed from the April 11, 2022, meeting of the Committee of the Full Board.

MOTION: *It was moved by Mr. Hickman and seconded by Ms. Hardy to recommend that the State Board of Education approve changes to the TEKS Review Work Group Build Process (ATTACHMENT 1) as follows:*

1. TEA staff develops a work group application in Qualtrics. The application collects contact and demographic information and professional and educational experiences. The application will include resume and professional associations, affiliations, and groups.

- ~~5. TEA staff provides applications to SBOE members from applicants in their districts for approval. Due to the volume of applications received, applications are typically sent to SBOE members in two to three batches. Board members are given one to two weeks to review and approve the applications from their districts. For approval forms not submitted by the deadline, all applicants in the batch are considered approved.~~
- ~~6. TEA staff builds work groups only from the pool of approved applications.~~
- ~~5. 7. To build work groups for specific grade levels or courses, TEA staff identify applicants with direct experience in the grade/course. Campus and district specialists' and administrators' experience supporting the grade level(s) or subject is also appropriate. The following qualifications are preferred:~~
- ~~a. Teachers with three or more years of experience~~
 - ~~b. District/campus personnel who have taught and/or directly supported the grade level/course~~
 - ~~c. IHE personnel with direct content knowledge~~
 - ~~d. If a work group is assigned a grade band, at least one teacher with experience teaching for each grade level~~
- ~~7. 9. The spreadsheet of preferred approved applicants is sorted by SBOE district to facilitate selection of qualified applicants from each district and ensure balanced representation.~~
- ~~8. 10. Using data from the application and the content area team's rankings, staff begins ranking applicants within each SBOE district based on the charge and additional criteria using work-group building guidelines and a rubric adopted by the SBOE. The guidelines are established to ensure that the work groups are highly qualified, reflect the make-up of the state's educators, and include representation from the following:~~
- ~~a. Experience: Highly qualified educators and others with evidence of strong content knowledge and experience in the subject and/or grade level or bands and/or course(s).~~
 - ~~b. Position: A variety of positions reflected such as classroom teachers, campus and district-level administrators/specialists, education service center subject area personnel, and representatives from higher education and community members, including parents and employers.~~
 - ~~c. Geographic area: Rural, suburban, and urban areas and multiple regions across the state~~
 - ~~d. Demographics: Multiple and different racial and ethnic groups and males and females~~
 - ~~e. School district/charter school: A variety of local education agencies are represented, including open enrollment schools~~
- ~~11. Staff begins building the work group using top candidates from each SBOE district. The guidelines are referenced as final selections are made to ensure that each individual work group is balanced and has the necessary qualifications to address the charge.~~
9. TEA staff provides all the applications to SBOE members from applicants in their districts for selection with staff rankings. Board members are given one to two weeks to review and select an applicant to serve from their district. For selection forms not submitted by the deadline, the top ranked staff applicant is deemed selected.
- ~~10. 12. If an individual invited to serve on a work group declines the invitation, the relevant SBOE member will select TEA staff identifies an alternate from the list of top candidates within one~~

~~week. To the extent a member fails to select an alternate within one week, the top ranked staff applicant is deemed selected possible, staff selects an applicant from the same SBOE district and/or with similar qualifications and demographics to maintain the balance in the original work group build.~~

- ~~12. 14.~~ TEA staff builds the next work group comprised of half individuals who have already served on a work group and the other half will be new work group members selected by SBOE members following the process above. This process is repeated to build each new work groups.
13. Staff keeps an ongoing tally of criteria of work group members selected: from the guidelines to maintain balance for SBOE member districts, gender, ethnicity, and rural/suburban/urban area representation.

MOTION AND VOTE: *It was moved by Mr. Maynard, seconded by Ms. Perez-Diaz, and carried without objection that the SBOE informally consider language for the TEKS Review Work Group Build Process.*

The committee discussed various ways to refine the language of the TEKS Review Work Group Build Process.

MOTION AND VOTE: *It was moved by Mrs. Little, seconded by Ms. Hardy, and carried to recommend that the State Board of Education amend the TEKS Review Work Group Build Process to move step 9 to step 8 and amend as follows:*

- ~~8. 9.~~ TEA staff provides all the applications to SBOE members from applicants in their districts in ranked categories (as laid out in #6) and the board member may adjust rankings or veto applicants and identify top candidates. The board member has two weeks to return applicants to staff. If the board member does not submit a response, TEA staff's ranking shall remain unchanged for selection with staff rankings. Board members are given one to two weeks to review and select an applicant to serve from their district. For selection forms not submitted by the deadline, the top ranked staff applicant is deemed selected.
- ~~9. 8.~~ Staff builds the work group using top candidates identified from each SBOE district and a rubric adopted by the SBOE. As final selections are made, the guidelines below are considered to ensure that each individual work group is balanced and has the necessary qualifications to address the charge to the work group. Information on completed work groups will be provided to the board with background information on the work group members. Using data from the application and the content area team's rankings, staff begins ranking applicants within each SBOE district based on the charge and additional criteria using work group building guidelines and a rubric adopted by the SBOE. The guidelines are established to ensure that the work groups are highly qualified, reflect the make-up of the state's educators, and include representation from the following:
- a. Experience: Highly qualified educators and others with evidence of strong content knowledge and experience in the subject and/or grade level or bands and/or course(s)
 - b. Position: A variety of positions reflected such as classroom teachers, campus and district-level administrators/specialists, education service center subject area personnel, and representatives from higher education and community members, including parents and employers
 - c. School district size: large, midsize, and small school districts ~~Geographic area: Rural, suburban, and urban areas~~ and multiple regions across the state
 - d. Demographics: Multiple and different racial and ethnic groups and males and females

- e. School district/charter school: A variety of local education agencies are represented, including open enrollment schools

MOTION: *It was moved by Mr. Kinsey, seconded by Mr. Francis, and carried to recommend that the State Board of Education amend the TEKS Review Work Group Build Process by adding a new step 12 as follows:*

- 12. At the completion of each workgroup’s charge, TEA staff will provide the SBOE with a breakdown of workgroup member statistics.

MOTION AND VOTE: *It was moved by Mr. Francis and carried to recommend that the State Board of Education delete step 14 and amend new step 12 in the TEKS Review Work Group Build Process to read as follows:*

- 12. Staff keeps an ongoing tally of criteria of work group members selected, including but not limited to: SBOE member districts, gender, ethnicity, and school district size. At the completion of each workgroup’s charge, TEA staff will provide the SBOE with a breakdown of workgroup member statistics.

Without objection, the committee agreed with technical edits recommended by staff to strike “by SBOE members” from step 13 and to replace criteria with characteristics in step 12.

VOTE: *A vote was taken on the original motion to recommend that the State Board of Education approve the TEKS Review Work Group Build Process as amended. The motion carried.*

MOTION AND VOTE: *It was moved by Mr. Kinsey, seconded by Ms. Pickren, and carried to recommend that the State Board of Education amend the administrative procedures column of Step 3C of the SBOE TEKS Review Process Decision Document as follows:*

- 3C. *If not provided, TEA Curriculum staff contacts the designated content advisor to request resume or CV. Curriculum staff sends preliminary communication to content advisors and work with Contracts and Purchasing staff to begin the paperwork for the personal services contract. TEA Staff shall notify the nominator of any non-response.*

MOTION AND VOTE: *It was moved by Ms. Pickren, seconded by Mr. Maynard, and carried to recommend that the State Board of Education amend the steps in approved process column of Step 1 of the SBOE TEKS Review Process Decision Document to add “and parents” after “survey from educators.”*

MOTION AND VOTE: *It was moved by Mr. Kinsey, seconded by Ms. Childs, and carried without objection to recommend that the State Board of Education amend the administrative procedures column of Step 4A of the SBOE TEKS Review Process Decision Document as follows:*

- 4A. *TEA identifies and invites to the briefing stakeholders from professional organizations and other entities who have expressed an interest in the subject areas review. A list of those organizations shall be shared with SBOE members.*

MOTION AND VOTE: *It was moved by Mr. Kinsey, seconded by Ms. Pickren, and carried without objection to recommend that the State Board of Education amend the administrative procedures column of Step 5C of the SBOE TEKS Review Process Decision Document as follows:*

5C. *TEA promotes the application in relevant conference presentations and educator meetings and in meetings with ESC specialists. A list of such presentations and meetings shall be shared with members of the SBOE.*

MOTION AND VOTE: *It was moved by Mr. Kinsey, seconded by Mrs. Little, and carried to recommend that the State Board of Education amend the administrative procedures column of Step 6A of the SBOE TEKS Review Process Decision Document as follows:*

6A. *TEA staff sort applications by SBOE district and prepare approval forms. TEA staff provides each SBOE member a list of all completed applicants from their district.*

MOTION AND VOTE: *It was moved by Mr. Hickman, seconded by Mr. Maynard, and carried to recommend that the State Board of Education amend the steps in approved process column of Step 7 of the SBOE TEKS Review Process Decision Document as follows:*

7. *SBOE adopts ~~determines~~ scope of review and provides written direction to TEA and work groups regarding work to be completed.*

MOTION AND VOTE: *It was moved by Mr. Kinsey, seconded by Mr. Francis, and carried without objection to recommend that the State Board of Education amend the additional information column of Step 9A of the SBOE TEKS Review Process Decision Document to replace TEA with the SBOE chair or vice chair.*

MOTION AND VOTE: *It was moved by Mr. Maynard to take from the table the motion to take no action on the list of recommendations for the CTE advisory group members for Agriculture, Food, and Natural Resources. The motion carried.*

VOTE: *A vote was taken on the original motion to recommend that the State Board of Education take no action on the list of recommendations for the CTE advisory group members for Agriculture, Food, and Natural Resources. The motion carried.*

Dr. Ellis briefly discussed the TEKS and Instructional Materials Review and Adoption Schedule and updated the committee on pending legislation that could impact the board's TEKS review timeline. Board members posed questions about the current K-12 mathematics TEKS to Ms. Martinez, James Slack, secondary mathematics content specialist, and Shawna Wiebusch, director of mathematics and science.

7. **Discussion of Proposed Amendment to 19 TAC Chapter 66, State Adoption and Distribution of Instructional Materials, Subchapter B, State Adoption of Instructional Materials, §66.30, State Review Panels: Eligibility and Appointment**
(Board agenda page I-26)

This item was postponed from the April 11, 2022, meeting of the Committee of the Full Board.

Ms. Phillips explained that this item provided the opportunity for the committee to discuss possible amendments to rules related to the eligibility and appointment of state review panels.

Dr. Ellis adjourned the meeting at 8:01 p.m.