

SUBJECT: Review of State Board of Education rules regarding required curriculum

COMMITTEE: Public Education — favorable, without amendment

VOTE: 7 ayes — Sadler, Dutton, Dunnam, Hardcastle, Hochberg, Olivo, Smith

0 nays

2 absent —Grusendorf, Oliveira

SENATE VOTE: On final passage, April 20 — 30-0, on Local and Uncontested Calendar

WITNESSES: None

BACKGROUND: Government Code, sec. 2001.039 requires each state agency to review and consider for readoption each of its rules no later than the fourth anniversary of the date on which the rule takes effect and every four years after that.

Education Code, sec. 28.002 sets forth the required curriculum for essential knowledge and skills for each public school district in Texas. Sec. 28.002(c) requires the State Board of Education (SBOE) to adopt a rule to identify the essential knowledge and skills of each subject of the foundation curriculum that all students should be able to demonstrate. This rule is used in evaluating textbooks. Sec. 28.002(d) requires SBOE to adopt a rule to identify the essential knowledge and kills of each subject of the enrichment curriculum that all students should be able to demonstrate.

In 1995, the Legislature directed the SBOE to rewrite the “essential elements” curriculum that had been in place since the 1980s. In July 1997, the SBOE adopted new course requirements, the Texas Essential Knowledge and Skills (TEKS), which took effect with the 1998-1999 academic school year.

DIGEST: SB 1543 would amend sec. 28.002 by adding subsection (l) to exempt SBOE rules regarding essential knowledge and skills of each subject of the foundation and enrichment curriculums from the four-year review requirement in Government Code, sec. 2001.039.

The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2001.

**SUPPORTERS  
SAY:**

The four-year review requirement is inappropriate for the SBOE rules implementing the TEKS public school curriculum, and SB 1543 would make a justifiable exception. Before its revision, the essential elements curriculum was exempt from the four-year rule review requirement. The current TEKS curriculum was developed and adopted over a three year period, involving 15 writing teams consisting of more than 400 educators, parents, community members, and business representatives. The SBOE held regional public hearings and state level hearings. Two publicly reviewed draft documents received over 29,000 responses, and the final draft incorporated thousands of suggestions made by individuals and groups. The current curriculum represents a statewide consensus as to the knowledge and skills that public school students should have. It was anticipated that this TEKS curriculum would serve a generation of students or about 12-13 years.

Because of the extensive development effort and intended longevity for the TEKS, a review at this time would very likely result in considerable confusion and concern. Although TEKS was implemented in 1998-1999, districts and teachers are still working to incorporate all of the knowledge and skills into classroom instruction.

Fine-tuning of the curriculum requirements is tied to the textbook proclamation cycle. Depending on the subject area, a review could happen about every six years. However, the process of adopting textbooks aligned with the TEKS is only partially complete. Proclamations calling for materials for enrichment subjects areas have not yet been issued or purchased. A four-year review cycle would disrupt this process.

Extensive development for the new TAAS-II student assessment is occurring now. Changes at this time to any of the tested areas would disrupt this process. New tests are scheduled to be administered in spring 2003. SB 1543 would allow the Texas Education Agency to coordinate TEKS reviews with textbook adoption cycles and assessment instruments revisions.

In order to maintain continuity in instruction and testing program, major changes in TEKS should not be contemplated at this time. A more reasonable time period for review would be 2011, when the students who entered kindergarten when the TEKS were implemented will graduate from high school.

OPPONENTS  
SAY:

If the four-year review requirement is lifted, the bill should specify an alternative timetable for comprehensive review of the TEKS rules.