

Music Education in the Law

Below is an outline of requirements in law that affect music education which, along with art, theatre, and dance make up the fine arts. Fine arts education requirements are defined in the Texas Education Code (TEC) and in the Texas Administrative Code (TAC).

Texas Education Code Mission & Objectives

A well-balanced and appropriate curriculum will be provided to all students. — TEC, Objective 4.

Each district shall ensure all children in the district participate actively in a balanced curriculum designed to meet individual needs. — TEC, Chapter 28.002

Required Curriculum and Skills

The TEC directs school districts with kindergarten through grade 12 to offer the **Required Curriculum**.

The TEC segments the Required Curriculum into Foundation and Enrichment subjects. Fine arts is part of the **Enrichment Curriculum** and thus must be taught.

The State Board of Education adopts the Texas Essential Knowledge and Skills (TEKS) for all subjects of the Required Curriculum. **Fine Arts TEKS** are defined for every level, and instruction must cover 100% of the TEKS as a *condition of accreditation*. Districts must provide instructional materials that cover 100% of the TEKS in all fine arts courses.

Requirements at the Grade Level



Elementary

State Board rule mandates that school districts provide TEKS-based instruction in music in grades K–5.



Middle School

State Board rule mandates that each student complete one fine arts course in grades 6–8, and the district must offer courses in three of the four fine arts disciplines (or two, if reduced by the Commissioner of Education based on school size).



High School

Districts must offer at least two of the four state-approved fine arts subjects. Every high school student must successfully earn one fine arts credit to graduate.



Pullout Limitations

The TEC directs school districts to establish policies that limit the pullout of students from a regularly scheduled class for remedial tutoring or test preparation. The policy limits pullout to 10% of the school days on which the class is offered (unless authorized to extend to 25% by a parent/guardian).

Additionally, students may not be removed from a fine arts class to receive the tutoring districts are required to provide them if they performed below an acceptable level on STAAR in grades 3–8 or on a required high school end-of-course assessment.



Foundation High School Program

The Foundation HS Program allows the serious fine arts student the opportunity to pursue an Arts and Humanities endorsement that includes multiple fine arts courses. State Board rule also protects the opportunity for continuous arts study throughout high school within any of the five endorsements: STEM, Business & Industry, Public Service, Arts & Humanities, and Multidisciplinary Studies.