

## Fine Arts

### Frequently Asked Questions (FAQs)

#### 1. Which disciplines are included within fine arts?

Fine arts includes music (kindergarten–grade 12), theatre (kindergarten–grade 12), visual arts (kindergarten–grade 12), dance (grades 6–12), and film (grades 9–12).

#### 2. Are there Texas Essential Knowledge and Skills (TEKS) for fine arts disciplines?

Yes. The fine arts TEKS can be accessed in [Texas Administrative Code \(TAC\), Chapter 117](#).

The fine arts TEKS describe what every student should know and be able to do by the end of each grade level or course and are organized into strands of learning: foundations; creative expression; historical and cultural relevance; and critical evaluation and response.

#### 3. Are school districts and charter schools required to offer fine arts?

Yes. School districts and charter schools that offer kindergarten–grade 12 must offer an enrichment curriculum that includes fine arts ([TAC §74.1](#)). Schools must ensure that sufficient time is provided for teachers to teach and for students to learn all of the required curriculum standards, including fine arts.

Elementary schools must ensure instruction in all fine arts TEKS for grades kindergarten–grade 5 which include art, music, and theatre ([TAC §74.2](#)). Middle schools must offer courses in three of the four available disciplines. High schools must offer courses in at least two disciplines ([TAC §74.3](#)).

#### 4. May a school district remove students from a fine arts class for remedial tutoring or test preparation?

The district must adopt and strictly enforce a policy that limits the removal of students from class for remedial tutoring or test preparation. A district may not remove a student from a regularly scheduled class for more than 10% of the school days on which the class is offered. A student in any grade level K–12 may not be given credit or a final grade for a class unless the student is in attendance for at least 90% of the days the class is offered. An exception may be made if a parent provides written consent to the district. ([TEC §25.083\(b\)](#) and [§25.092\(a\)](#)).

#### 5. May a student who is ineligible to participate in an extracurricular activity due to a failing grade participate in a performance or performance evaluation that is a course requirement?

A student who is ineligible to participate in an extracurricular activity, but who is enrolled in a state-approved music course that participates in the University Interscholastic League (UIL)



Concert and Sightreading Evaluation, may perform with the ensemble during the UIL evaluation performance.

A student who is ineligible to participate in an extracurricular activity, but who is enrolled in a state-approved course that requires demonstration of the TEKS in a public performance, may participate in the performance if

- the general public is invited to the performance; and
- the requirement for student participation in public is stated in the TEKS of the course.

The student may not participate if

- the activity/performance is competitive;
- the activity/performance is held in conjunction with another activity that is considered to be extracurricular;
- the activity/performance is held off campus (except in a case in which adequate facilities do not exist on campus); or
- an admission is charged for the activity/performance.

For more specific eligibility requirements for activities governed by UIL, please refer to the [TEA-UIL Side-by-Side](#) document published annually by the UIL.

## **6. What are the fine arts requirements for elementary school?**

Fine arts at the elementary level includes TEKS for art, music, and theatre.

- Elementary schools must provide TEKS-based instruction to all students in art, music, and theatre at each grade level (kindergarten–grade 5).
- Elementary students are required to demonstrate proficiency in all fine arts disciplines at each grade level.
- School districts must ensure that sufficient time is provided for teachers to teach and for students to learn all of the required grade-level student expectations (SEs).
- While all fine arts TEKS are part of the required curriculum, districts have the flexibility to implement instruction in a variety of arrangements according to their resources. The instructional arrangements and scheduling of instruction are local district decisions.

## **7. What are the fine arts requirements for middle school?**

Fine arts at the middle school level includes dance, music, theatre, and visual arts.

- Districts must ensure that students have the opportunity to take courses in at least three of the four available disciplines.
- A school district that provides instruction for Grade 6 in a self-contained elementary class as part of elementary school shall provide instruction for students in Grade 6 in the Middle School 1 courses for all four disciplines.
- Middle school students must complete one fine arts course (e.g. Theatre, Middle School 1) during grades 6, 7, or 8. Students are required to demonstrate proficiency in the course.



- School districts must ensure that sufficient time is provided for teachers to teach and for students to learn the required standards for at least one fine arts course.

The requirement to offer three of the four disciplines in fine arts may be reduced to two by the commissioner of education. A school district with a total middle school enrollment of less than 250 students ([TAC §74.3\(a\)](#)) may submit an application to the Texas Education Agency (TEA).

### **8. Can a middle school dance course satisfy both the fine arts and physical education requirement?**

Yes, if certain criteria are met. A school district may provide instruction in a variety of arrangements and settings ([TAC §74.3\(a\)\(1\)](#)). A student who takes Dance, Middle School 1–3 may meet the fine arts course requirement as well as fulfill the physical education (PE) curriculum requirement if the student receives instruction and demonstrates mastery of the TEKS for both content areas. Districts must ensure that instructors using this arrangement are appropriately certified in PE and dance. Please note that while the TEKS for middle school dance are based on proficiency level, the physical education TEKS are grade-level specific.

Middle School Dance may be considered as part of the four-semester moderate or vigorous daily physical activity requirement ([TEC §28.002\(l\)](#)). This is a local district decision.

### **9. What are the fine arts requirements for high school?**

Fine arts at the high school level include courses in visual arts, dance, music, music studies, theatre, musical theatre, technical theatre, and film.

- Districts must ensure that students have the opportunity to take courses in at least two of four disciplines: Art I, II, III, IV; Music I, II, III, IV; Theatre I, II, III, IV; or Dance I, II, III, IV ([TAC §74.3\(b\)\(2\)\(F\)](#)).
- Credit may be earned through the successful completion of any course from the fine arts TEKS for high school.
- High school students must complete one credit of fine arts to graduate under the Foundation High School Program.
- School districts must ensure that sufficient time is provided for teachers to teach and for students to learn the required standards for at least one fine arts course.

### **10. Can the one-credit fine arts graduation requirement be fulfilled by combining half credits of different courses?**

Yes. TAC §74.26(d) allows the proportional award of credit. A student may satisfy a graduation requirement for which there are multiple options with one-half credit of one option and one-half credit of a second option, unless otherwise specified by TAC or local district policy. For example, a district may allow a student to satisfy the one-credit fine arts graduation requirement by combining a half credit for a music course with a half credit of a theatre course.

### **11. Can courses in other academic content areas be used to meet the one-credit fine arts requirement for graduation?**



Yes. The following career and technical education (CTE) courses are approved for the one-credit fine arts graduation requirement:

- Floral Design
- Digital Art and Animation
- 3-D Modeling and Animation

## **12. What is a community-based fine arts program?**

[TAC §74.1030](#) allows a student to complete the one-credit fine arts graduation requirement by participating in a community-based fine arts program not provided by the district or charter school in which the student is enrolled. Credit may be earned through participation in the community-based fine arts program only if the school district or charter school

- applies to the commissioner of education for approval of the community-based fine arts program;
- certifies that the program provides instruction in the TEKS for a high school fine arts course;
- ensures that the program is organized and monitored by appropriately trained instructors; and
- documents student completion of the approved activity.

The community-based fine arts program may be provided on or off a school campus and outside the regular school day. However, students may not be dismissed from any part of the regular school day to participate in the community-based fine arts program. The school district or charter school shall require that instructors of the community-based fine arts program provide the school entity, at its request, the information necessary to obtain the criminal history record information required for school personnel, if the community-based program is offered on campus.

## **13. Can fine arts courses or activities serve as a substitute for the physical education high school graduation requirement?**

Yes. The Foundation High School Program allows a student to earn the required physical education credit through completion of any TEKS-based course that meets the moderate to vigorous physical activity requirement and that is not being used to satisfy another specific graduation requirement. The district must approve of this substitution by certifying that the TEKS-based course meets the 100-minute moderate to vigorous physical activity per five-day school week requirement. For example, if a student takes Musical Theatre I and the district has approved the course as an eligible substitution by meeting the physical activity requirement, then the student may choose to use this course to meet either the physical education credit or the fine arts credit, but not both ([TAC §74.12\(b\)\(6\)\(B\)](#)).

A student who also participates in approved extracurricular activities, such as drill team, marching band, or color guard, is eligible to receive a physical education substitution credit according to local district policy. If a student participates in an approved substitution activity as a component of a fine arts course, such as Band I as well as marching band, the student may



receive the fine arts credit for the course and up to one physical education credit for participation in the approved activity. All substitution activities must meet the moderate to vigorous physical activity requirement. ([TAC §74.12\(b\)\(6\)\(D\)](#)).

Additionally, a district may choose to layer instruction in an approved PE course with a fine arts course, such as Dance I. Students may be awarded credit in both the PE and fine arts courses as long as the student receives instruction and demonstrates mastery of the TEKS for both content areas. Districts must ensure that instructors using this arrangement are appropriately certified in both PE and dance.

Please note that all students involved in extracurricular activities or courses that are substituting for the physical education requirement are subject to the required physical fitness assessment ([TEC §38.101](#)).

#### **14. How do districts document the use of a fine arts course to meet the PE credit requirement on the Foundation High School Program?**

Special explanation codes are available in the Texas Records Exchange (TReX) system to identify allowable substitutions and courses taken as a part of the Foundation High School Program. Districts must use the special explanation code "7" to indicate a TEKS-based course that includes 100 minutes of moderate to vigorous physical activity per five-day school week taken to satisfy the physical education requirement on the foundation high school program ([TAC §74.12\(b\)\(6\)\(B\)](#)).

Districts will use the PEIMS ID for the fine arts course and add the special explanation code, "7," as directed by the local student information system (SIS) vendor.

#### **15. Can a student's participation in University Interscholastic League (UIL) One-Act Play Contest or a local production count for the one-credit fine arts high school graduation requirement?**

No. Although the [UIL One-Act Play Contest](#) can serve as a beneficial experience for students and as an effective instructional strategy for teaching certain components of the TEKS, students may not receive fine arts credit for participating in UIL One-Act Play Contest or in a school theatrical production.