

**Item 26:****Update of State Board for Educator Certification Enabling Legislation from the 87th Texas Legislature****INFORMATION ONLY**

**SUMMARY:** This item provides an update to the State Board for Educator Certification (SBEC) regarding all SBEC-related legislation as a result of the 87th Texas Legislative Session.

**BACKGROUND INFORMATION AND SIGNIFICANT ISSUES:** The 87th Regular Texas Legislature passed several SBEC-related pieces of legislation. The Attachment includes a summary of each piece of enabling legislation, the subject and purpose, the existing Texas Administrative Code (TAC) rule, along with the current status/plan for implementation. TEA staff will provide regular updates on all SBEC-related legislation at upcoming meetings, including any additions that result from a Special Session.

**Staff Members Responsible:**

Christie Pogue, Director, SBEC Policy Development and Support  
Laura Moriaty, Director, SBEC Enforcement

**Attachment:**

SBEC-Related Legislation from the 87th Session Implementation Plan

ATTACHMENT

**SBEC Rulemaking Legislative Implementation Plan on 87<sup>th</sup> Legislative Session**

Enabling Legislation	Subject and Purpose	Rule Chapter(s)	Owner (Support)	Timeline	Status
<p><b>HB 139</b></p>	<p><b>Military Veterans and Spouse Certification:</b></p> <ul style="list-style-type: none"> <li>Requirements for military veterans and spouses regarding training, education, and experience to count towards certification requirements.</li> </ul>	<p>228</p>	<p>Jessica McLoughlin</p>	<ul style="list-style-type: none"> <li>October 2021 Discussion</li> <li>December 2021 Proposal</li> <li>February 2022 Adoption</li> </ul> <p>SBOE: April 2022 Effective May 2022</p>	
	<ul style="list-style-type: none"> <li>Testing exemptions for military service members, military spouses, and military spouses.</li> </ul>	<p>230</p>	<p>Marilyn Cook</p>	<ul style="list-style-type: none"> <li>July 2021 Discussion</li> <li>October 2021 Proposal</li> <li>December 2021 Adoption</li> </ul>	
	<ul style="list-style-type: none"> <li>Requirements for military veterans and spouses regarding expediting applications and alternative methods for certification requirements.</li> </ul>	<p>234</p>	<p>Marilyn Cook</p>	<p>SBOE: January 2022 Effective March 2022</p>	
<p><b>HB 159</b></p>	<p><b>Special Education Training Requirements:</b></p> <ul style="list-style-type: none"> <li>Requirements for educator preparation programs (EPPs) to provide information regarding high expectations for all students, including students with disabilities.</li> </ul>	<p>227</p>	<p>Jessica McLoughlin</p>	<ul style="list-style-type: none"> <li>Dec 2021 Discussion</li> <li>February 2022 Proposal</li> <li>April 2022 Adoption</li> </ul> <p>SBOE: June 2022 Effective July 2022</p>	

	<ul style="list-style-type: none"> <li>• Definition of “student with disability.”</li> <li>• Requirements for what every educator is expected to know and be able to do in regards to students with disabilities.</li> <li>• Requirements for EPPs to demonstrate the inclusion of proactive instructional planning techniques throughout coursework for program approval or renewal.</li> <li>• Requirements for field-based experiences (FBEs) to include activities involving students with disabilities, including flexible FBE options.</li> <li>• Requirements for educator training to include educating students with disabilities.</li> <li>• Requirement that all educator candidates receive training in dyslexia, mental health, substance abuse, and youth suicide.</li> <li>• Requirements for EPPs to provide information to candidates regarding skills, expectations, supply/demand, classroom management, and appraisal framework.</li> </ul>	228	Jessica McLoughlin	<ul style="list-style-type: none"> <li>• October 2021 Discussion</li> <li>• December 2021 Proposal</li> <li>• February 2022 Adoption</li> </ul> <p>SBOE: April 2022 Effective May 2022</p>	
	<ul style="list-style-type: none"> <li>• Requirements for EPPs to be held accountable for the achievement of students with disabilities, to the extent practicable.</li> </ul>	229	Mark Olofson	<ol style="list-style-type: none"> <li>1. July 2021 Proposal</li> <li>2. October 2021 Adoption</li> </ol> <p>SBOE: November 2021 Effective December 2021</p>	
	<ul style="list-style-type: none"> <li>• Requirements for principal certificate regarding the ability to create inclusive environment and curriculum and instructions management to include students with disabilities.</li> </ul>	241	Jessica McLoughlin	<ul style="list-style-type: none"> <li>• Dec 2021 Discussion</li> <li>• February 2022 Proposal</li> <li>• April 2022 Adoption</li> </ul> <p>SBOE: June 2022 Effective July 2022</p>	

<b>HB 2256</b>	<b>Bilingual Special Education Certificate:</b>				
	<ul style="list-style-type: none"> <li>Related to the training requirements to obtain a Bilingual Special Education Certificate.</li> <li>Requirements for EPPs regarding Bilingual Special Education standards for program approval and renewal.</li> </ul>	228	Jessica McLoughlin	<ul style="list-style-type: none"> <li>October 2023 Discussion</li> <li>December 2023 Proposal</li> <li>February 2024 Adoption</li> </ul> <p>SBOE: April 2024 Effective May 2024</p>	
	<ul style="list-style-type: none"> <li>Related to the creation of, and examination requirements for a Bilingual Special Education Certificate.</li> </ul>	230	Jessica McLoughlin and Marilyn Cook	<ul style="list-style-type: none"> <li>October 2023 Discussion</li> <li>December 2023 Proposal</li> <li>February 2024 Adoption</li> </ul> <p>SBOE: April 2024 Effective May 2024</p>	
	<ul style="list-style-type: none"> <li>Requirements for personnel assignments for individuals with a Bilingual Special Education Certificate.</li> </ul>	231	Marilyn Cook	<ul style="list-style-type: none"> <li>October 2023 Discussion</li> <li>December 2023 Proposal</li> <li>February 2024 Adoption</li> </ul> <p>SBOE: April 2024 Effective May 2024</p>	
	<ul style="list-style-type: none"> <li>Related to the establishment of a Bilingual Special Education Certificate category.</li> </ul>	233	Marilyn Cook	<ul style="list-style-type: none"> <li>October 2022 Discussion</li> <li>December 2022 Proposal</li> <li>February 2023 Adoption</li> </ul> <p>SBOE: April 2023 Effective May 2023</p>	
	<ul style="list-style-type: none"> <li>Related to the creation of Bilingual Special Education standards.</li> </ul>	235	Jessica McLoughlin	<ul style="list-style-type: none"> <li>October 2022 Discussion</li> <li>December 2022 Proposal</li> <li>February 2023 Adoption</li> </ul> <p>SBOE: April 2023 Effective May 2023</p>	

<p><b>HB 2519</b></p>	<p><b>Disciplinary Proceedings and Contract Abandonment:</b></p> <ul style="list-style-type: none"> <li>• Requirements for educator sanctioning notification.</li> <li>• Forbids SBEC from suspending or revoking educators who resign 30 days prior to first day of instruction.</li> </ul>	<p>249</p>	<p>Laura Moriarty</p>	<ul style="list-style-type: none"> <li>• July 2021 Discussion</li> <li>• October 2021 Proposal</li> <li>• December 2021 Adoption</li> </ul> <p>SBOE: January 2022 Effective March 2022</p>	
<p><b>SB 199</b></p>	<p><b>Continuing Professional Education for AED Training:</b> Relating to the training requirements for continuing profession education (CPE) providers to offer automatic external defibrillator (AED) training for CPE.</p>	<p>232</p>	<p>Christie Pogue</p>	<ul style="list-style-type: none"> <li>• October 2021 Discussion</li> <li>• December 2021 Proposal</li> <li>• February 2022 Adoption</li> </ul> <p>SBOE: April 2022 Effective May 2022</p>	
<p><b>SB 226</b></p>	<p><b>Digital Learning and Virtual Learning/Instruction:</b></p> <ul style="list-style-type: none"> <li>• Definition of virtual instruction and learning.</li> <li>• Requirements that educator candidates receive training in virtual learning and instruction.</li> </ul>	<p>228</p>	<p>Jessica McLoughlin</p>	<ul style="list-style-type: none"> <li>• October 2021 Discussion</li> <li>• December 2021 Proposal</li> <li>• February 2022 Adoption</li> </ul> <p>SBOE: April 2022 Effective May 2022</p>	
<p><b>SB 1267</b></p>	<p><b>Continuing Professional Education:</b></p> <ul style="list-style-type: none"> <li>• Requirement that all educators receive continuing professional education in educating student with disabilities.</li> <li>• Relating to maximum hours teachers, principals, and counselors can obtain in certain topics for certificate renewal.</li> <li>• Relating to creation of advisory committee to recommend frequency of required continuing education and training requirements.</li> <li>• Relating to the creation of clearinghouse of all continuing education and training</li> </ul>	<p>232</p>	<p>Christie Pogue</p>	<ul style="list-style-type: none"> <li>• October 2021 Discussion</li> <li>• December 2021 Proposal</li> <li>• February 2022 Adoption</li> </ul> <p>SBOE: April 2022 Effective May 2022</p>	

	<p>requirements for educators and all school personnel with recommended frequency.</p> <ul style="list-style-type: none"> <li>• Relating to the removal of the requirement that instruction regarding grief and trauma be approved by the commissioner.</li> </ul>				
<b>SB 1590</b>	<p><b>Virtual Observations:</b> Relating to the virtual observation options that allow for two formal observations to be completed virtually that are equivalent in rigor to in-person.</p>	228	Jessica McLoughlin	<ul style="list-style-type: none"> <li>• July 2021 Discussion</li> <li>• October 2021 Proposal</li> <li>• December 2021 Adoption</li> </ul> <p>SBOE: January 2022 Effective February 2022</p>	
<b>SB 2066</b>	<p><b>Continuing Professional Education:</b> Relating to continuing professional education requirements for principals in educating emergent bilingual students.</p>	232	Christie Pogue	<ul style="list-style-type: none"> <li>• October 2021 Discussion</li> <li>• December 2021 Proposal</li> <li>• February 2022 Adoption</li> </ul> <p>SBOE: April 2022 Effective May 2022</p>	

### SBEC-Related Legislation by Meeting Date & Action Type

SBEC Meeting	Existing/New TAC Rules(s)	Enabling Legislation	Discussion	Proposal	Adoption
<b>July 2021</b>	Ch. 228	SB 1590	✓		
	Ch. 229	HB 159		✓	
	Ch. 230 H	HB 139	✓		
	Ch. 234	HB 139	✓		
	Ch. 249	HB 2519	✓		

SBEC Meeting	Existing/New TAC Rules(s)	Enabling Legislation	Discussion	Proposal	Adoption
<b>October 2021</b>	Ch. 228	SB 1590, SB 226, HB 139, HB 159	✓		
	Ch. 229	HB 159			✓
	Ch. 230 H	HB 139		✓	
	Ch. 232	SB 199, SB 1267, SB 2066	✓		
	Ch. 234	HB 139		✓	
	Ch. 249	HB 2519		✓	

SBEC Meeting	Existing/New TAC Rules(s)	Enabling Legislation	Discussion	Proposal	Adoption	SBOE or Implemented
<b>December 2021</b>	Ch. 228	SB 1590, SB 226, HB 139, HB 159		✓		
	Ch. 227	HB 159	✓			
	Ch. 229	HB 159				SBOE Nov 2021
	Ch. 230 H	HB 139			✓	
	Ch. 232	SB 199, SB 1267, SB 2066		✓		
	Ch. 234	HB 139			✓	
	Ch. 241	HB 159	✓			
	Ch. 249	HB 2519			✓	

SBEC Meeting	Existing/New TAC Rules(s)	Enabling Legislation	Discussion	Proposal	Adoption	SBOE or Implemented
February 2022	Ch. 227	HB 159		✓		
	Ch. 228	SB 1590, SB 226, HB 139, HB 159			✓	
	Ch. 230 H	HB 139				SBOE Jan 2022
	Ch. 232	SB 199, SB 1267, SB 2066			✓	
	Ch. 234	HB 139				SBOE Jan 2022
	Ch. 241	HB 159		✓		
	Ch. 249	HB 2519				SBOE Jan 2022

SBEC Meeting	Existing/New TAC Rules(s)	Enabling Legislation	Discussion	Proposal	Adoption	SBOE or Implemented
April 2022	Ch. 227	HB 159			✓	
	Ch. 228	SB 1590, SB 226, HB 139, HB 159				SBOE June 2022
	Ch. 232	SB 199, SB 1267, SB 2066				SBOE June 2022
	Ch. 241	HB 159			✓	

SBEC Meeting	Existing/New TAC Rules(s)	Enabling Legislation	Discussion	Proposal	Adoption	SBOE or Implemented
July 2022	Ch. 227	HB 159				SBOE Sept 2022
	Ch. 228	HB 139, HB 159, SB 226				SBOE Sept 2022
	Ch. 241	HB 159				SBOE Sept 2022



SBEC Meeting	Existing/New TAC Rules(s)	Enabling Legislation	Discussion	Proposal	Adoption	SBOE or Implemented
October 2022	Ch. 233	HB 2256	✓			
	Ch. 235	HB 2256	✓			

SBEC Meeting	Existing/New TAC Rules(s)	Enabling Legislation	Discussion	Proposal	Adoption	SBOE or Implemented
December 2022	Ch. 233	HB 2256		✓		
	Ch. 235	HB 2256		✓		

SBEC Meeting	Existing/New TAC Rules(s)	Enabling Legislation	Discussion	Proposal	Adoption	SBOE or Implemented
February 2023	Ch. 233	HB 2256			✓	
	Ch. 235	HB 2256			✓	

SBEC Meeting	Existing/New TAC Rules(s)	Enabling Legislation	Discussion	Proposal	Adoption	SBOE or Implemented
April 2023	Ch. 233	HB 2256				April SBOE 2023
	Ch. 235	HB 2256				April SBOE 2023

SBEC Meeting	Existing/New TAC Rules(s)	Enabling Legislation	Discussion	Proposal	Adoption	SBOE or Implemented
*October 2023	Ch. 228	HB 2256	✓			
	Ch. 230 C & D	HB 2256	✓			
	Ch. 231	HB 2256	✓			

\*This is only anticipated due to timing of establishment and approval of educator standards and testing framework that will inform this new certificate.

**SBEC/ Commissioner Action Legislative Implementation Plan on 87<sup>th</sup> Legislative Session**

<b>Bill (Author)</b>	<b>Caption and Summary</b>	<b>Action Required</b>	<b>Owner (Support)</b>	<b>Timeline</b>	<b>Status</b>
<b>HB 139</b> (Buckley)	<b>Military Members, Veterans and Spouse Certification Examination Exemption</b>	Yes – Ch. 152	Marilyn Cook	Effective 3.2022	
<b>HB 1525</b> (Huberty/Taylor) <b>SB 1356</b> (Hughes)	<b>Do Not Hire Registry for Non-profit Organizations Participating in Tutoring Program</b>	Yes – Ch. 153, EE Support – Ch. 150	David Rodriguez	Effective 1.2022	
<b>SB 199</b> (Nelson)	<b>AED Requirements Removed from Commissioner Rule</b>	Possibly in Commissioner Rule	Laura Moriaty		
<b>SB 1267</b> (West)	<b>SBEC to Approve Advisory Committee and Clearinghouse of Training and CPE Requirements</b>	Yes – SBEC Approval	Christie Pogue		
<b>SB 2066</b> (Menéndez)	<b>SBEC to Update Principal and Teacher Surveys to Reflect Information Regarding Educating Emergency Bilingual Students</b>	Yes – SBEC Approval	Mark Olofson		