

Item 5:

Adoption of Review of 19 TAC Chapter 232, General Certification Provisions

DISCUSSION AND ACTION

SUMMARY: Texas Government Code (TGC), §2001.039, establishes a four-year rule review cycle for all state agency rules, including State Board for Educator Certification (SBEC) rules. This item presents for SBEC approval the adoption of review of 19 Texas Administrative Code (TAC) Chapter 232, General Certification Provisions. The rules under review provide requirements relating to certificate renewal and continuing professional education and national criminal history record information review of active certificate holders.

STATUTORY AUTHORITY: Statutory authority for the rule review is TGC, §2001.039. The statutory authority for 19 TAC Chapter 232 is the Texas Education Code (TEC), §§21.003(a); 21.0031(f); 21.031; 21.041(b)(1)–(4) and (7)–(9); 21.054; 21.0541; 21.0543; and 22.0831(f); and Texas Occupations Code, §55.002 and §55.003, for Subchapter A; and the TEC, §21.041(c) and §22.0831(f), for Subchapter B.

The full text of statutory citations can be found in the statutory authority section of this agenda.

PREVIOUS BOARD ACTION: At the February 10, 2023 meeting, the SBEC voted to publish the proposed review of 19 TAC Chapter 232, General Certification Provisions, in the *Texas Register*.

BACKGROUND INFORMATION AND JUSTIFICATION: The SBEC rules in 19 TAC Chapter 232 are organized as follows: Subchapter A, Certificate Renewal and Continuing Professional Education Requirements, and Subchapter B, National Criminal History Record Information Review of Active Certificate Holders. These subchapters provide for rules that establish the requirements relating to types and classes of certificates issued, certificate renewal, continuing professional education, and national criminal history record information review.

The rule text of 19 TAC Chapter 232 is viewable on the Texas Education Agency (TEA)'s website at: <https://tea.texas.gov/about-tea/laws-and-rules/sbec-rules-tac/sbec-tac-currently-in-effect/19-tac-chapter-232>

ANTICIPATED REVISIONS TO RULES: No changes to rules in 19 TAC Chapter 232 are anticipated at this time.

PUBLIC COMMENTS: The TEA filed the notice of proposed review of 19 TAC Chapter 232 with the *Texas Register* following the February 2023 SBEC meeting. The public comment period on the proposed rule review began March 17, 2023, and ended April 17, 2023. Any comments received will be provided to the SBEC under separate cover prior to the April 28, 2023 meeting. The SBEC will take registered oral and written comments on this item at the April 28, 2023 meeting in accordance with the SBEC board operating policies and procedures.

ASSOCIATE COMMISSIONER'S RECOMMENDATION:

Adopt review of 19 TAC Chapter 232, General Certification Provisions

Staff Member Responsible:

Emily Garcia, Associate Commissioner, Educator Preparation, Certification, and Enforcement