

## Item 6:

# **Adoption of Review of 19 TAC Chapter 230, Professional Educator Preparation and Certification**

### **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 230, Professional Educator Preparation and Certification. The rules under review set out SBEC's authority and the procedures specify the requirements for issuance of educator certificates and permits, the testing requirements and associated fees, and the types and classes of certificates issued. These requirements ensure that educators are qualified and professionally prepared to instruct the schoolchildren of Texas.

**STATUTORY AUTHORITY:** Statutory authority for the rule review is TGC, §2001.039. The statutory authority for 19 TAC Chapter 230 is the Texas Education Code (TEC), §§21.041(b)(1), (2), and (4) and (c); 21.044(a); 21.048; 21.050; and 22.082, for Subchapter A; 21.003(a); 21.031; 21.041(b)(1), (2), (4), and (5); 21.044(a); 21.048; 21.050; and 22.082, for Subchapter B; 21.031; 21.041(a); 21.041(b)(1), (2), (4), (7), and (8) and (c); 21.044(a); 21.045(a)(1); 21.048; 21.050; 21.064, and 22.082, and Texas Occupations Code (TOC), 54.003, for Subchapter C; 21.003(a); 21.031; 21.041(b)(1)–(5) and (9); 21.051; 21.064; and 22.0831(c) and (f), for Subchapter D; 21.041(a) and (b)(1)–(4), for Subchapter E; 21.031(a); 21.041(b)(1), (2), and (4); 21.044(a); 21.045; and 21.048, for Subchapter F; 21.031(a); 21.041(b)(1)–(5) and (9) and (c); 21.041(d); 21.044(a), (e), and (f); 21.048; 21.0485; 21.0489; 21.050; 21.054(a); 22.082; and 22.0831(c) and (f); TOC, §53.105; and TGC, §2054.111 and §2054.252, for Subchapter G; and 21.040(4) and (6); 21.041(a), (b)(1), (4), and (5) and (c); 21.048; 21.050; 21.052; and 21.054(a), for Subchapter H.

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

**PREVIOUS BOARD ACTION:** At the July 21, 2023 meeting, the SBEC voted to publish the proposed review of 19 TAC Chapter 230, Professional Educator Preparation and Certification, in the *Texas Register*.

**BACKGROUND INFORMATION AND JUSTIFICATION:** The SBEC rules in 19 TAC Chapter 230 are organized as follows: Subchapter A, General Provisions, Subchapter B, General Certification Requirements, Subchapter C, Assessment of Educators, Subchapter D, Types and Classes of Certificates Issued, Subchapter E, Educational Aide Certificate, Subchapter F, Permits, Subchapter G, Certificate Issuance Procedures, and Subchapter H, Texas Educator Certificates Based on Certification and College Credentials from Other States or Territories of the United States. These subchapters provide for rules that establish the issuance of educator certificates and permits, the testing requirements and associated fees, and the types and classes of certificates issued.

The rule text of 19 TAC Chapter 230 is viewable on the Texas Education Agency's (TEA) website at: <https://tea.texas.gov/about-tea/laws-and-rules/sbec-rules-tac/sbec-tac-currently-in-effect/19-tac-chapter-230>.

**ANTICIPATED REVISIONS TO RULES:** It is anticipated that TEA staff will present proposed changes to 19 TAC Chapter 230 for discussion and action at a future SBEC meeting to incorporate changes that resulted from the rule review, clarify the rules, incorporate SBEC policy and procedures, and implement legislation, as applicable.

**PUBLIC COMMENTS:** The TEA filed the notice of proposed review of 19 TAC Chapter 230 with the *Texas Register* following the July 2023 SBEC meeting. The public comment period on the proposed rule review began August 18, 2023, and ended September 18, 2023. Any comments received will be provided to the SBEC under separate cover prior to the September 29, 2023 meeting. The SBEC will also take registered oral and written comments on this item during the September 29, 2023 meeting's public comment period in accordance with the SBEC board operating policies and procedures.

**ASSOCIATE COMMISSIONER'S RECOMMENDATION:**

Adopt the review of 19 TAC Chapter 230, Professional Educator Preparation and Certification.

**Staff Members Responsible:**

Marilyn Cook, Senior Director, Educator Preparation and Certification

Jessica McLoughlin, Senior Director, Educator Quality