

Item 20:

2015-2018 Rule Review Plan for State Board for Educator Certification Rules

INFORMATION ONLY

SUMMARY: This item outlines the rule review plan for State Board for Educator Certification (SBEC) rules during the period of 2015 through 2018. Texas Government Code, §2001.039, requires a rule review of existing state agency rules, including SBEC rules. The rule review requirement is designed to ensure that the reasons for initially adopting a rule continue to exist.

BACKGROUND INFORMATION AND SIGNIFICANT ISSUES: Senate Bill (SB) 178, 76th Texas Legislature, 1999, amended the Texas Government Code by adding §2001.039, which requires the review of existing state agency rules. The rule review requirement in Texas Government Code, §2001.039, is designed to ensure that the reasons for adopting or readopting the rule continue to exist.

The 2015-2018 Rule Review Plan for SBEC Rules was approved by the SBEC at the October 2014 meeting. The plan appears on an ongoing basis in each SBEC agenda. Any necessary modifications to the plan will appear as an action item in the SBEC agenda for approval by the SBEC. Also, whenever necessary, proposed rule changes (amendments or revisions) will be brought to the board for consideration concurrently with the required review of the rules.

Rule Review Procedures. *Texas Register* rules specify the following two-step review process to implement the rule review requirement found in the Texas Government Code, §2001.039:

1. a Notice of Proposed Review (Intention to Review) requesting comments on whether reasons for adopting or readopting the rules continue to exist is published in the *Texas Register*, and
2. a Notice of Adopted Review (Readoption) summarizing the public comments received in response to the notice of proposed review and providing a response to each comment and an assessment of whether the reasons for initially adopting the rules continue to exist is published in the *Texas Register*.

OTHER COMMENTS AND RELATED ISSUES: As with proposed rule actions, the public comment period for a proposed review would last 30 days and include registered oral and written comments on the proposed review provided at an SBEC meeting.

Staff Members Responsible:

Christie Pogue, EPP Accreditation and Policy Development
Cristina De La Fuente-Valadez, Director, Rulemaking

Attachment:

2015-2018 Rule Review Plan for State Board for Educator Certification Rules

ATTACHMENT

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Texas Government Code, §2001.039, established a four-year rule review cycle for all state agency rules, including State Board for Educator Certification (SBEC) rules. The rule review is designed to ensure that the reasons for adopting or readopting the rule continue to exist. The plan only includes rules in effect at the time the plan is adopted.

Review Period: 2015			
Chapter Title	Subchapter Title	Topic	Begin Review
Chapter 249. Disciplinary Proceedings, Sanctions, and Contested Cases	<i>Subchapter A. General Provisions</i>	Educator Investigations	March 2015
	<i>Subchapter B. Enforcement Actions and Guidelines</i>		
	<i>Subchapter C. Prehearing Matters</i>		
	<i>Subchapter D. Hearing Procedures</i>		
	<i>Subchapter E. Post-Hearing Matters</i>		
Chapter 233. Categories of Classroom Teaching Certificates		Educator Certification	June 2015
Chapter 244. Certificate of Completion of Training for Appraisers		Educator Preparation	June 2015
Chapter 230. Professional Educator Preparation and Certification	<i>Subchapter A. General Provisions</i>	Educator Certification	October 2015
	<i>Subchapter B. General Certification Requirements</i>		
	<i>Subchapter C. Assessment of Educators</i>		
	<i>Subchapter D. Types and Classes of Certificates Issued</i>		
	<i>Subchapter E. Educational Aide Certificate</i>		
	<i>Subchapter F. Permits</i>		
	<i>Subchapter G. Certificate Issuance Procedures</i>		
	<i>Subchapter H. Texas Educator Certificates Based on Certification and College Credentials from Other States or Territories of the United States</i>		
Chapter 232. General Certification Provisions	<i>Subchapter A. Certificate Renewal and Continuing Professional Education Requirements</i>	Educator Certification	October 2015
	<i>Subchapter B. National Criminal History Record Information Review of Active Certificate Holders</i>	Educator Investigations	

Review Period: 2016			
Chapter Title	Subchapter Title	Topic	Begin Review
Chapter 239. Student Services Certificates	<i>Subchapter A. School Counselor Certificate</i>	Educator Certification	April 2016
	<i>Subchapter B. School Librarian Certificate</i>		
	<i>Subchapter C. Educational Diagnostician Certificate</i>		
	<i>Subchapter D. Reading Specialist Certificate</i>		
	<i>Subchapter E. Master Teacher Certificate</i>		

Review Period: 2017			
Chapter Title	Subchapter Title	Topic	Begin Review
Chapter 231. Requirements for Public School Personnel Assignments	<i>Subchapter A. Criteria for Assignment of Public School Personnel</i>	Educator Certification	March 2017
	<i>Subchapter B. Prekindergarten-Grade 6 Assignments</i>		
	<i>Subchapter C. Grades 6-8 Assignments</i>		
	<i>Subchapter D. Electives, Disciplinary Courses, Local Credit Courses, and Innovative Courses, Grades 6-12 Assignments</i>		
	<i>Subchapter E. Grades 9-12 Assignments</i>		
	<i>Subchapter F. Special Education-Related Services Personnel Assignments</i>		
	<i>Subchapter G. Paraprofessional Personnel, Administrators, and Other Instructional and Professional Support Assignments</i>		
	<i>Subchapter H. Assignments for Teachers Certified Before 1966</i>		
Chapter 245. Certification of Educators from Other Countries		Educator Certification	March 2017
Chapter 227. Provisions for Educator Preparation Candidates	<i>Subchapter A. Admission to Educator Preparation Programs</i>	Educator Preparation	August 2017
	<i>Subchapter B. Preliminary Evaluation of Certification Eligibility</i>	Educator Investigations	
Chapter 228. Requirements for Educator Preparation Programs		Educator Preparation	August 2017

Continued – Review Period: 2017			
Chapter Title	Subchapter Title	Topic	Begin Review
Chapter 229. Accountability System for Educator Preparation Programs		Educator Preparation	*December 2017
Chapter 247. Educators' Code of Ethics		Educator Investigations	*December 2017
Chapter 250. Administration	<i>Subchapter A. Purchasing</i>	Administration	*December 2017
	<i>Subchapter B. Rulemaking Procedures</i>		

*These chapters were scheduled to begin review in January 2018 but was accelerated to December 2017 due to the SBEC not having a January 2018 meeting.

Review Period: 2018			
Chapter Title	Subchapter Title	Topic	Begin Review
Chapter 241. Principal Certificate		Educator Certification	August 2018
Chapter 242. Superintendent Certificate		Educator Certification	August 2018