

Item 11:
Adoption of Review of 19 TAC Chapter 242, Superintendent Certificate

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 242, Superintendent Certificate. The rules being reviewed provide requirements relating to the certification of superintendents.

STATUTORY AUTHORITY: Statutory authority for the rule review is TGC, §2001.039. The statutory authority for 19 TAC Chapter 242 is the Texas Education Code, §§21.003(a), 21.040(2), 21.041(b)(2)-(4), and 21.046(a).

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

PREVIOUS BOARD ACTION: At the February 11, 2022 meeting, the SBEC voted to publish the proposed review of 19 TAC Chapter 242, Superintendent Certificate, in the *Texas Register*.

BACKGROUND INFORMATION AND JUSTIFICATION: The SBEC rules in 19 TAC Chapter 242 establish requirements for the issuance and renewal of the superintendent certificate.

The rule text of 19 TAC Chapter 242 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-242>

If authorized by the SBEC, the notice of adopted review stating the reasons for adoption continue to exist will be filed with the *Texas Register* following the April 2022 SBEC meeting.

ANTICIPATED REVISIONS TO RULES: TEA staff will present proposed changes to 19 TAC Chapter 242 for discussion at this meeting to align with provisions in House Bill 403, 86th Texas Legislature, 2019, regarding identifying and reporting human trafficking, sexual abuse, and other maltreatment of students.

PUBLIC COMMENTS: The TEA filed the notice of proposed review of 19 TAC Chapter 242 with the *Texas Register* following the February 2022 SBEC meeting. The public comment period on the proposed rule review began March 18, 2022, and ended April 18, 2022. Any comments received will be provided to the SBEC under separate cover prior to the April 29, 2022 meeting. The SBEC will take registered oral and written comments on this item at the April 29, 2022 meeting in accordance with the SBEC board operating policies and procedures.

ASSOCIATE COMMISSIONER'S RECOMMENDATION:

Adopt the review of 19 TAC Chapter 242, Superintendent Certificate.

Staff Member Responsible:

Jessica McLoughlin, Director, Educator Standards, Testing, and Preparation