

Item 18:

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 87th Legislative Session

Enabling Legislation	Subject and Purpose	Rule Chapter(s)	Owner (Support)	Timeline	Status
HB 139	Military Veterans and Spouse Certification: <ul style="list-style-type: none"> Requirements for military veterans and spouses regarding training, education, and experience to count towards certification requirements. 	228	Jessica McLoughlin	<ul style="list-style-type: none"> October 2021 Discussion December 2021 Proposal February 2022 Adoption SBOE: April 2022 Effective May 2022	SBOE Took No Action
	<ul style="list-style-type: none"> Testing exemptions for military service members, military spouses, and military spouses. 	230	Marilyn Cook	<ul style="list-style-type: none"> July 2021 Discussion October 2021 Proposal December 2021 Adoption 	Complete
	<ul style="list-style-type: none"> Requirements for military veterans and spouses regarding expediting applications and alternative methods for certification requirements. 	234	Marilyn Cook	SBOE: January 2022 Effective March 2022	
HB 159	Special Education Training Requirements: <ul style="list-style-type: none"> Requirements for educator preparation programs (EPPs) to provide information regarding high expectations for all students, including students with disabilities. 	227	Jessica McLoughlin	<ul style="list-style-type: none"> July 2022 Discussion September 2022 Proposal December 2022 Adoption SBOE: January 2023 Effective March 2023	

	<ul style="list-style-type: none"> • Definition of “student with disability.” • Requirements for what every educator is expected to know and be able to do in regards to students with disabilities. • Requirements for EPPs to demonstrate the inclusion of proactive instructional planning techniques throughout coursework for program approval or renewal. • Requirements for field-based experiences (FBEs) to include activities involving students with disabilities, including flexible FBE options. • Requirements for educator training to include educating students with disabilities. • Requirement that all educator candidates receive training in dyslexia, mental health, substance abuse, and youth suicide. • Requirements for EPPs to provide information to candidates regarding skills, expectations, supply/demand, classroom management, and appraisal framework. 	228	Jessica McLoughlin	<ul style="list-style-type: none"> • October 2021 Discussion • December 2021 Proposal • February 2022 Adoption <p>SBOE: April 2022 Effective May 2022</p>	SBOE Took No Action
	<ul style="list-style-type: none"> • Requirements for EPPs to be held accountable for the achievement of students with disabilities, to the extent practicable. 	229	Mark Olofson	<ol style="list-style-type: none"> 1. July 2021 Proposal 2. October 2021 Adoption <p>SBOE: November 2021 Effective December 2021</p>	Complete
	<ul style="list-style-type: none"> • Requirements for principal certificate regarding the ability to create inclusive environment and curriculum and instructions management to include students with disabilities. 	241	Jessica McLoughlin	<ul style="list-style-type: none"> • July 2022 Discussion • September 2022 Proposal • December 2022 Adoption <p>SBOE: January 2023 Effective March 2023</p>	

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

<p>HB 2519</p>	<p>Disciplinary Proceedings and Contract Abandonment:</p> <ul style="list-style-type: none"> Requirements for educator sanctioning notification. Forbids SBEC from suspending or revoking educators who resign 30 days prior to first day of instruction. 	<p>249</p>	<p>Laura Moriarty</p>	<ul style="list-style-type: none"> July 2021 Discussion October 2021 Proposal December 2021 Adoption <p>SBOE: January 2022 Effective March 2022</p>	<p>Complete</p>
<p>SB 199</p>	<p>Continuing Professional Education for AED Training: 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"> October 2021 Discussion December 2021 Proposal February 2022 Adoption <p>SBOE: April 2022 Effective May 2022</p>	<p>SBOE Took No Action</p>
<p>SB 226</p>	<p>Digital Learning and Virtual Learning/Instruction:</p> <ul style="list-style-type: none"> Definition of virtual instruction and learning. Requirements that educator candidates receive training in virtual learning and instruction. 	<p>228</p>	<p>Jessica McLoughlin</p>	<ul style="list-style-type: none"> October 2021 Discussion December 2021 Proposal February 2022 Adoption <p>SBOE: April 2022 Effective May 2022</p>	<p>SBOE Took No Action</p>
<p>SB 1267</p>	<p>Continuing Professional Education:</p> <ul style="list-style-type: none"> Requirement that all educators receive continuing professional education in educating student with disabilities. Relating to maximum hours teachers, principals, and counselors can obtain in certain topics for certificate renewal. Relating to creation of advisory committee to recommend frequency of required continuing education and training requirements. Relating to the creation of clearinghouse of all continuing education and training 	<p>232</p>	<p>Christie Pogue</p>	<ul style="list-style-type: none"> October 2021 Discussion December 2021 Proposal February 2022 Adoption <p>SBOE: April 2022 Effective May 2022</p>	<p>SBOE Took No Action</p>

	<p>requirements for educators and all school personnel with recommended frequency.</p> <ul style="list-style-type: none"> • Relating to the removal of the requirement that instruction regarding grief and trauma be approved by the commissioner. 				
SB 1590	<p>Virtual Observations: 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"> • October 2021 Discussion • December 2021 Proposal • February 2022 Adoption <p>SBOE: April 2022 Effective May 2022</p>	SBOE Took No Action
SB 2066	<p>Continuing Professional Education: Relating to continuing professional education requirements for principals in educating emergent bilingual students.</p>	232	Christie Pogue	<ul style="list-style-type: none"> • October 2021 Discussion • December 2021 Proposal • February 2022 Adoption <p>SBOE: April 2022 Effective May 2022</p>	SBOE Took No Action

SBEC-Related Legislation by Meeting Date & Action Type

SBEC Meeting	Existing/New TAC Rules(s)	Enabling Legislation	Discussion	Proposal	Adoption
July 2021	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
October 2021	Ch. 228	SB 1590, HB 139, HB 159, SB 226	✓		
	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
December 2021	Ch. 228	SB 1590, HB 139, HB 159, SB 226		✓		
	Ch. 229	HB 159				Implemented
	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
February 2022	Ch. 228	SB 1590, HB 139, HB 159, SB 226			✓	
	Ch. 230 H	HB 139				Implemented
	Ch. 232	SB 199, SB 1267, SB 2066			✓	
	Ch. 234	HB 139				Implemented
	Ch. 249	HB 2519				Implemented

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

SBEC Meeting	Existing/New TAC Rules(s)	Enabling Legislation	Discussion	Proposal	Adoption	SBOE or Implemented
July 2022	Ch. 227	HB 159	✓			
	Ch. 241	HB 159	✓			

SBEC Meeting	Existing/New TAC Rules(s)	Enabling Legislation	Discussion	Proposal	Adoption	SBOE or Implemented
September 2022	Ch. 227	HB 159		✓		
	Ch. 233	HB 2256	✓			
	Ch. 235	HB 2256	✓			
	Ch. 241	HB 159		✓		

SBEC Meeting	Existing/New TAC Rules(s)	Enabling Legislation	Discussion	Proposal	Adoption	SBOE or Implemented
December 2022	Ch. 227	HB 159			✓	
	Ch. 233	HB 2256		✓		
	Ch. 235	HB 2256		✓		
	Ch. 241	HB 159			✓	

SBEC Meeting	Existing/New TAC Rules(s)	Enabling Legislation	Discussion	Proposal	Adoption	SBOE or Implemented
February 2023	Ch. 227	HB 159				SBOE January 2023
	Ch. 233	HB 2256			✓	
	Ch. 235	HB 2256			✓	
	Ch. 241	HB 159				SBOE January 2023

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 87th Legislative Session

Bill (Author)	Caption and Summary	Action Required	Owner (Support)	Timeline	Status
HB 139 (Buckley)	Military Members, Veterans and Spouse Certification Examination Exemption	Yes – Ch. 152	Marilyn Cook	Effective 3.2022	Complete
HB 1525 (Huberty/Taylor) SB 1356 (Hughes)	Do Not Hire Registry for Non-profit Organizations Participating in Tutoring Program	Yes – Ch. 153, EE Support – Ch. 150	David Rodriguez	Effective 1.2022	Complete
SB 199 (Nelson)	AED Requirements Removed from Commissioner Rule	Possibly in Commissioner Rule	Laura Moriaty		
SB 1267 (West)	SBEC to Approve Advisory Committee and Clearinghouse of Training and Continuing Education and Training Requirements	Yes – SBEC Approval	Christie Pogue		
SB 2066 (Menéndez)	SBEC to Update Principal and Teacher Surveys to Reflect Information Regarding Educating Emergency Bilingual Students	Yes – SBEC Approval	Mark Olofson	Effective Dec 10, 2021	Complete