

# Item 21:

## COVER PAGE

### Type of Agenda Board Item:

- ✓ **Discussion Only:** TEA staff will present board items with an update, potential future items, and/or seek SBEC direction on potential future board action items. TEA staff will draft future action items from the board's discussion and direction.
- ☐ **Board Action:** SBEC members will take action on the agenda item and the effective date will be immediately upon board approval.

### Summary:

This item allows the TEA staff to provide an update and report to the board on recent SBEC-related legislation as a result of the 84<sup>th</sup> Texas Legislation. There were several pieces of legislation that are required to be implemented into the Texas Administrative Code (TAC). This item clarifies the implementation plan and date for each piece of legislation, along with the purpose of the legislation and the existing or new TAC rule that will be effected. TEA staff anticipates full implementation by September 2016.

### Statutory Authority:

All of the relevant statutes, if applicable, pertaining to this item are listed for you on the agenda title page and the entire statutory language is on Attachment I. This is always helpful in referencing the law the TEA staff was working under when preparing this item.

### Relevant SBEC Core Principles:

- *We believe well-prepared educators are essential.*
- *We believe high certification standards measured by rigorous and reliable assessments are essential.*
- *We believe student success is primary, and we must ensure the safety and welfare of Texas school children.*
- *We believe flexible and accessible certification programs, held to the same standards of accountability, are essential.*
- *We believe stakeholder input is essential, and we are accountable to all Texas stakeholders.*
- *We believe educators must be held to high standards of ethical conduct.*
- *We believe we must continually improve our policies and processes in response to changing needs.*
- *We believe we must ensure consistency and effectiveness among educator preparation programs.*
- *We believe that a certified educator holds a unique position of trust with almost unparalleled access to the hearts and minds of impressionable students and therefore, the conduct of an educator must be held to the highest standard.*

**Item 21:****Update and Report of Legislation Related to the State Board for Educator Certification: Implementation Plan for the 84<sup>th</sup> Texas Legislative Session****DISCUSSION ONLY**

**SUMMARY:** This item provides an update and report to the State Board for Educator Certification (SBEC) concerning the implementation plan for all SBEC-related legislation as a result of the 84<sup>th</sup> Texas Legislative Session.

**BACKGROUND INFORMATION AND SIGNIFICANT ISSUES:** As a result of the 84<sup>th</sup> Regular Session of the Texas Legislature, there were several SBEC-related pieces of legislation that are required to be implemented into the Texas Administrative Code (TAC). Attachment I is a summary of each piece of enabling legislation, the subject and purpose, either the existing or new TAC rule, along with the current status/plan for implementation. Attachment II clarifies which SBEC meeting the enabling legislation along with the relevant TAC rules will either be discussed, proposed or adopted, with the implementation date if applicable. According to the current schedule, all SBEC-related legislation should be adopted by August 2016 and fully implemented by September 2016, which will be prior to the beginning of the 85<sup>th</sup> Regular Session of the Texas Legislature.

The Texas Education Agency (TEA) staff have received legislative interim charges and have been participating in committee hearings, as well as, preparing and submitting data requests and hearing materials for legislative committee meetings.

**Staff Members Responsible:** Ryan Franklin, Associate Commissioner  
Educator Leadership & Quality

Christie Pogue, SBEC Manager  
Educator Leadership & Quality

**Attachments:** I. SBEC-Related Legislation from the 84<sup>th</sup> Session Implementation Plan  
II. SBEC-Related Legislation Implementation by Meeting Date and Action Type

Attachment I

**SBEC-Related Legislation from 84<sup>th</sup> Session Implementation Plan**

Enabling Legislation	Subject and Purpose	Existing/New TAC Rule(s)	Status/Plan
<p><b>HB 218</b></p>	<p><b>Teacher Assignments for Bilingual Education Program:</b> This legislation would allow teachers who provide the English language component of a dual language immersion/one-way or two-way program model to be certified in ESL instead of Bilingual education.</p>	<ul style="list-style-type: none"> <li>• Chapter 231 – Requirements for Public School Personnel Assignments</li> <li>• Chapter 233 – Categories of Classroom Teaching Certificates</li> </ul>	<ol style="list-style-type: none"> <li>1. October 2015 Discussion</li> <li>2. December 2015 Proposal</li> <li>3. February 2016 Adoption</li> <li>4. SBOE April 2016</li> </ol>
<p><b>HB 1300</b></p>	<p><b>Content Exam for 10% Exception:</b> This legislation changes requirements for admission into an educator preparation program (EPP) by requiring an applicant with less than 2.5 grade point average (GPA) to pass a content exam to qualify for admission under the extraordinary circumstances exception.</p>	<ul style="list-style-type: none"> <li>• Chapter 227 – Provisions for Educator Preparation Candidates</li> </ul>	<p>Complete: Effective February 2016</p>
<p><b>HB 1783</b></p>	<p><b>New Notification Requirement for Superintendents or Directors to Report Educator Misconduct:</b> This legislation creates a right for school district or open-enrollment charter school employees to report crime and modifies the required superintendent reporting of educator misconduct and criminal histories to the SBEC.</p>	<ul style="list-style-type: none"> <li>• Chapter 249 – Disciplinary Proceeding, Sanctions and Contested Cases</li> </ul>	<p>Complete: Effective October 2015</p>
<p><b>HB 2014</b></p>	<p><b>Military Experience in Trade for CTE Classes:</b> This legislation allows current and former members of the United States armed services to substitute their experience in a particular trade during their military service in place of any license or credential required to earn a certification in career and technical education.</p>	<ul style="list-style-type: none"> <li>• Chapter 234 – New: Military Service Members, Military Spouses and Military Veterans</li> </ul>	<ol style="list-style-type: none"> <li>1. December 2015 Discussion</li> <li>2. February 2016 Proposal</li> <li>3. April 2016 Adoption</li> <li>4. SBOE July 2016</li> </ol>

Enabling Legislation	Subject and Purpose	Existing/New TAC Rule(s)	Status/Plan
<p><b>HB 2205</b></p>	<p><b>Several Provisions Relating to EPPs and Delegation of Settlement Authority:</b>                      This legislation allows:</p> <ul style="list-style-type: none"> <li>• Minimum 2.5 GPA for EPP Admission</li> <li>• Incoming Class 3.0 GPA</li> <li>• Excludes CTE from 3.0 GPA for Incoming Class</li> </ul>	<ul style="list-style-type: none"> <li>• Chapter 227 – Provisions for Educator Preparation Candidates</li> </ul>	<p>Complete: Effective February 2016</p>
	<ul style="list-style-type: none"> <li>• Dyslexia Training Required for ACP Candidates</li> <li>• Limits EPP Approval of Person Taking Certification Exams to Five Times Without SBEC Waiver</li> <li>• EPP Risk Factors &amp; Risk Assessment Model</li> </ul>	<ul style="list-style-type: none"> <li>• Chapter 228 – Requirements for Educator Preparation Programs</li> </ul>	<ol style="list-style-type: none"> <li>1. April 2016 Discussion</li> <li>2. June 2016 Proposal</li> <li>3. August 2016 Adoption</li> <li>4. SBOE September 2016</li> </ol>
	<ul style="list-style-type: none"> <li>• Additional Indicators and Reporting Requirements for EPP Accountability (10)</li> <li>• Requirement of 3.0 GPA for Incoming Class for EPP Accountability</li> <li>• Excludes CTE Candidates for Incoming Class 3.0 GPA Requirement</li> </ul>	<ul style="list-style-type: none"> <li>• Chapter 229 – Accountability System for Educator Preparation Programs</li> </ul>	<ol style="list-style-type: none"> <li>1. April 2016 Discussion</li> <li>2. June 2016 Proposal</li> <li>3. August 2016 Adoption</li> <li>4. SBOE September 2016</li> </ol>
	<ul style="list-style-type: none"> <li>• Commissioner Sets Performance Standards on Certification Exams</li> <li>• Limits Persons Taking Certification Exams to Five Times</li> </ul>	<ul style="list-style-type: none"> <li>• Chapter 230 (C) – Professional Educator Preparation and Certification</li> </ul>	<ol style="list-style-type: none"> <li>1. December 2015 Discussion</li> <li>2. February 2016 Proposal</li> <li>3. April 2016 Adoption</li> <li>4. SBOE July 2016</li> </ol>
	<ul style="list-style-type: none"> <li>• SBEC Authority to Delegate Settlement Authority to Commissioner</li> </ul>	<ul style="list-style-type: none"> <li>• Chapter 249 – Disciplinary Proceedings, Sanctions and Contested Cases</li> </ul>	<ol style="list-style-type: none"> <li>1. October 2015 Discussion</li> <li>2. December 2015 Proposal</li> <li>3. February 2016 Adoption</li> <li>4. SBOE April 2016</li> </ol>

Enabling Legislation	Subject and Purpose	Existing/New TAC Rule(s)	Status/Plan
<p><b>SB 382</b></p>	<p><b>CPE Credit for Automated External Defibrillator:</b>                      This legislation allows an educator to receive credit toward the educator’s continuing education requirements for completion of an instructional course on the use of an automated external defibrillator.</p>	<ul style="list-style-type: none"> <li>• Chapter 232 – General Certification Provisions</li> </ul>	<ol style="list-style-type: none"> <li>1. December 2015 Discussion</li> <li>2. February 2016 Proposal</li> <li>3. April 2016 Adoption</li> <li>4. SBOE July 2016</li> </ol>
<p><b>SB 674</b></p>	<p><b>Mental Health, Substance Abuse and Youth Suicide Requirements for EPPs:</b>                      This legislation requires any educator certificate that requires a bachelor’s degree to also require persons to receive training in mental health, youth suicide, and substance abuse.</p>	<ul style="list-style-type: none"> <li>• Chapter 228 – Requirements for Educator Preparation Programs</li> </ul>	<ol style="list-style-type: none"> <li>1. April 2016 Discussion</li> <li>2. June 2016 Proposal</li> <li>3. August 2016 Adoption</li> <li>4. SBOE September 2016</li> </ol>
<p><b>SB 807</b></p>	<p><b>Occupational License Application and Exam Fees for Certain Military Members, Veterans and Spouses:</b>                      This legislation requires state agencies to waive the license application and examination fees paid to the state for an applicant who is a military service member, military veteran, or military spouse if their military service or training meet the requirements of the license or who hold a license issue by another jurisdiction that is substantially equivalent to the requirements for a Texas license.</p>	<ul style="list-style-type: none"> <li>• Chapter 234 – New: Military Service Members, Military Spouses and Military Veterans</li> </ul>	<ol style="list-style-type: none"> <li>1. December 2015 Discussion</li> <li>2. February 2016 Proposal</li> <li>3. April 2016 Adoption</li> <li>4. SBOE July 2016</li> </ol>
<p><b>SB 1307</b></p>	<p><b>Occupational Licenses Renewal for Military Service Members, Veterans and Spouses:</b>                      This legislation defines key military terms to increase flexibility in issuance of certificates, processing of renewals, and completion of credential reviews for out-of-state applicants.</p>	<ul style="list-style-type: none"> <li>• Chapter 234 – New: Military Service Members, Military Spouses and Military Veterans</li> </ul>	<ol style="list-style-type: none"> <li>1. December 2015 Discussion</li> <li>2. February 2016 Proposal</li> <li>3. April 2016 Adoption</li> <li>4. SBOE July 2016</li> </ol>

Enabling Legislation	Subject and Purpose	Existing/New TAC Rule(s)	Status/Plan
<p><b>SB 1309</b></p>	<p><b>New Certificate for JROTC Instructors:</b> This legislation establishes requirements for issuance of a five-year standard teaching certificate for JROTC.</p>	<ul style="list-style-type: none"> <li>• Chapter 233 – Categories of Classroom Teaching Certificates</li> </ul>	<ol style="list-style-type: none"> <li>1. October 2015 Discussion</li> <li>2. December 2015 Proposal</li> <li>3. February 2016 Adoption</li> <li>4. SBOE April 2016</li> </ol>
		<ul style="list-style-type: none"> <li>• Chapter 234 – New: Military Service Members, Military Spouse and Military Veterans</li> </ul>	<ol style="list-style-type: none"> <li>1. December 2015 Discussion</li> <li>2. February 2016 Proposal</li> <li>3. April 2016 Adoption</li> <li>4. SBOE July 2016</li> </ol>

Attachment II:

**SBEC-Related Legislation by Meeting Date & Action Type**

SBEC Meeting	Existing/New TAC Rules(s)	Enabling Legislation	Discussion	Proposal	Adoption	Implemented
<b>December 2015</b>	Ch. 227	HB 1300 & HB 2205			✓	February 2016
	Ch. 228	HB 2205 & SB 674	✓			
	Ch. 229	HB 2205	✓			
	Ch. 230	HB 2205	✓			
	Ch. 231	HB 218		✓		
	Ch. 232	SB 382	✓			
	Ch. 233	HB 218 & SB 1309		✓		
	Ch. 234	HB 2014, SB 807, SB 1307 & SB 1309	✓			
	Ch. 249	HB 2205		✓		

SBEC Meeting	Existing/New TAC Rules(s)	Enabling Legislation	Discussion	Proposal	Adoption	Implemented
<b>February 2016</b>	Ch. 230 (C)	HB 2205		✓		
	Ch. 231	HB 218			✓	
	Ch. 232	SB 382		✓		
	Ch. 233	HB 218 & SB 1309			✓	
	Ch. 234	HB 2014, SB 807, SB 1307 & SB 1309		✓		
	Ch. 249	HB 2205			✓	

SBEC Meeting	Existing/New TAC Rules(s)	Enabling Legislation	Discussion	Proposal	Adoption	Implemented
<b>April 2016</b>	Ch. 228	HB 2205 & SB 674	✓			
	Ch. 229	HB 2205	✓			
	Ch. 230 (Remaining)	HB 2205	✓			
	Ch. 232	SB 382			✓	
	Ch. 234	HB 2014, SB 807, SB 1307 & SB 1309			✓	
	Ch. 230 (C)	HB 2205			✓	

SBEC Meeting	Existing/New TAC Rules(s)	Enabling Legislation	Discussion	Proposal	Adoption	Implemented
June 2016	Ch. 228	HB 2205 & SB 674		✓		
	Ch. 229	HB 2205		✓		
	Ch. 230 (Remaining)	HB 2205		✓		

SBEC Meeting	Existing/New TAC Rules(s)	Enabling Legislation	Discussion	Proposal	Adoption	Implemented
August 2016	Ch. 228	HB 2205 & SB 674			✓	
	Ch. 229	HB 2205			✓	
	Ch. 230 (Remaining)	HB 2205			✓	