

Item 7:**Consider and Take Appropriate Action on Adoption of Proposed Amendment to 19 TAC Chapter 241, Certification as Principal, Subchapter B, Principal Certificate, §241.41, General Provisions****DISCUSSION AND ACTION**

SUMMARY: This item provides the State Board for Educator Certification (SBEC) an opportunity to adopt, subject to State Board of Education (SBOE) review, a proposed amendment to 19 Texas Administrative Code (TAC) Chapter 241, Certification as Principal, Subchapter B, Principal Certificate, §241.41, General Provisions. The proposed amendment would provide a deadline for candidates to qualify and apply for the current principal certification and to take the corresponding certification examination, after which time the Principal as Instructional Leader certificate will become the only principal certification available to candidates. This item also provides an update to the SBEC concerning the number of educator preparation programs (EPPs) that applied and have been presently approved to offer the new Principal as Instructional Leader (268) certification. No changes are recommended since published as proposed, but additional changes may be recommended at the time of the meeting based on public comment.

STATUTORY AUTHORITY: The statutory authority for 19 TAC Chapter 241 is the Texas Education Code (TEC), §§21.003(a), 21.040(4), 21.041(b)(1)-(4), 21.046(b)-(d), and 21.054(a), (e), and (e-2), as amended by Senate Bills (SBs) 7, 179, and 1839, 85th Texas Legislature, Regular Session, 2017.

TEC, §21.003(a), states that a person may not be employed as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, educational diagnostician, or school counselor by a school district unless the person holds an appropriate certificate or permit issued as provided by the TEC, Chapter 21, Subchapter B.

TEC, §21.040(4), states that the SBEC shall, for each class of educator certificate, appoint an advisory committee composed of members of that class to recommend standards for that class to the SBEC.

TEC, §21.041(b)(1), requires the SBEC to propose rules that provide for the regulation of educators and the general administration of the TEC, Chapter 21, Subchapter B, in a manner consistent with the TEC, Chapter 21, Subchapter B.

TEC, §21.041(b)(2)-(4), require the SBEC to propose rules that specify the classes of educator certificates to be issued, including emergency certificates; the period for which each class of educator certificate is valid; and the requirements for the issuance and renewal of an educator certificate.

TEC, §21.046(b), requires the SBEC to allow outstanding teachers to substitute approved experience and professional training for part of the educational requirements in lieu of classroom hours.

TEC, §21.046(c), requires the SBEC to ensure that principal candidates are of the highest caliber and that there is a multi-level screening process, along with assessment programs, and flexible internships to determine whether a candidate has the necessary skills for success.

TEC, §21.046(d), states that the SBEC shall consider competencies developed by relevant national organizations and the State Board of Education (SBOE).

TEC, §21.054(a), (e), and (e-2), as amended by SBs 7, 179, and 1839, 85th Texas Legislature, Regular Session, 2017, require the SBEC to propose rules establishing a process for identifying continuing education courses and programs that fulfill educators' continuing education requirements, including particular continuing education requirements for principals.

EFFECTIVE DATE: The proposed effective date of the proposed amendment to 19 TAC §241.41 would be July 21, 2019 (20 days after filing as adopted with the *Texas Register*). The proposed effective date is based on the SBEC and SBOE meeting schedules.

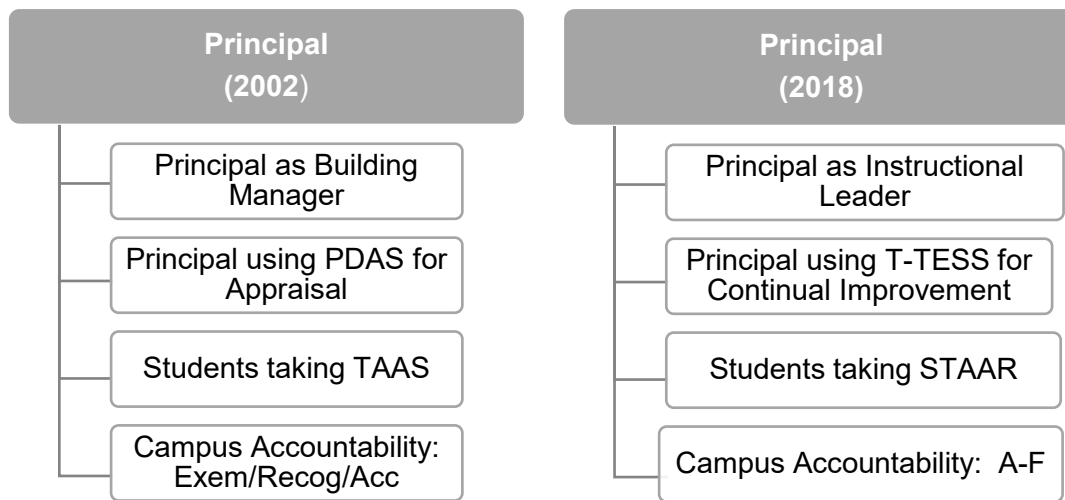
PREVIOUS BOARD ACTION: At the February 22, 2019 SBEC meeting, the SBEC approved the proposed amendment to 19 TAC §241.41, for publication in the *Texas Register* as proposed rules.

BACKGROUND INFORMATION AND JUSTIFICATION: The SBEC is statutorily authorized to regulate and oversee all aspects of the certification of public school educators. The SBEC is also statutorily authorized to ensure that all candidates for certification or renewal of certification demonstrate the knowledge and skills necessary to improve the performance of the diverse population of this state.

The SBEC rules in 19 TAC Chapter 241, Certification as Principal, establish all of the requirements for certification and EPP minimum standards for issuance of a principal certificate.

At the April 2016 SBEC meeting, the SBEC adopted new principal standards that better align with contemporary principal practices, principal appraisal, and professional development standards. With the adoption of new standards that reflect the knowledge and skills necessary for today's principal, there was careful consideration of the changes to the essential role of a principal to schools, students, communities, and teachers from 2002 (when the standards began to be used for assessment purposes) to the current role in 2018, as illustrated below.

THE CHANGING ROLE OF THE PRINCIPAL FROM 2002-2018



At the March 2018 SBEC meeting, Texas Education Agency (TEA) staff presented the SBEC with a comprehensive approach to a principal certification redesign that includes: 1) a new certificate name that better reflects current reality along with a new principal certification assessment; 2) an optional tiered process for obtaining standard certification; and 3) an endorsement for currently certified principals and assistant principals.

At the October 5, 2018 SBEC meeting, the SBEC adopted the new principal certification program. The proposed amendment to §241.41(e) would formally end issuance of the previous Principal Certificate on October 30, 2019. This date has been communicated to the field consistently since Fall 2017. This amendment would allow sufficient time for current candidates to finish out their applications, while ensuring that the transition to the Principal as Instructional Leader certification is complete by November 1, 2019.

To ensure programs are aligned to the new standards and assessments, programs had to provide evidence of alignment with key knowledge, skills, and mindsets to the Principal as Instructional Leader (268) required standards that were organized around nine pillars for principal preparation, including: (1) Communication with Stakeholders, (2) Curriculum Alignment, (3) Diversity and Equity, (4) Data-Driven Instruction, (5) Hiring, Selection, and Retention, (6) Observation and Feedback, (7) Professional Development, (8) School Vision and Culture, and (9) Strategic Problem-Solving.

Sixty-five EPPs that offer principal preparation applied for the new certification, and currently there are 52 EPPs that have been approved and are listed in Attachment III.

No changes are recommended to the proposed amendment to 19 TAC Chapter 241, Certification as Principal, Subchapter B, Principal Certificate, §241.41, General Provisions, but additional changes may be recommended at the time of the meeting based on public comment.

FISCAL IMPACT: No changes have been made to this section since published as proposed. The TEA staff has determined that there is no additional fiscal impact on state or local governments and that there are no additional costs to entities required to comply with the proposal.

LOCAL EMPLOYMENT IMPACT: No changes have been made to this section since published as proposed. The proposal has no effect on local economy; therefore, no local employment impact statement is required under Texas Government Code (TGC), §2001.002.

SMALL BUSINESS, MICROBUSINESS, AND RURAL COMMUNITY IMPACT: No changes have been made to this section since published as proposed. The proposal has no direct adverse economic impact for small businesses, microbusinesses, or rural communities; therefore, no regulatory flexibility analysis, specified in TGC, §2006.002, is required.

COST INCREASE TO REGULATED PERSONS: No changes have been made to this section since published as proposed. The proposal does not impose a cost on regulated persons, another state agency, a special district, or a local government and, therefore, is not subject to TGC, §2001.0045.

TAKINGS IMPACT ASSESSMENT: No changes have been made to this section since published as proposed. The proposal does not impose a burden on private real property and, therefore, does not constitute a taking under TGC, §2007.043.

GOVERNMENT GROWTH IMPACT: No changes have been made to this section since published as proposed. The TEA staff prepared a Government Growth Impact Statement assessment for this proposed rulemaking. During the first five years the proposed rulemaking would be in effect, it would not create or eliminate a government program; would not require the creation of new employee positions or elimination of existing employee positions; would not require an increase or decrease in future legislative appropriations to the agency; would not require an increase or decrease in fees paid to the agency; would not create a new regulation; would not expand, limit, or repeal an existing regulation; would not increase or decrease the number of individuals subject to its applicability; and would not positively or adversely affect the state's economy.

PUBLIC BENEFIT AND COSTS TO PERSONS: No changes have been made to this section since published as proposed. The proposal would provide clarity for candidates and programs regarding the final date for candidates to complete their program and be recommended for their principal certificate. There is no anticipated cost to persons who are required to comply with the proposal.

DATA AND REPORTING IMPACT: No changes have been made to this section since published as proposed. The proposal would have no data and reporting impact.

PRINCIPAL AND CLASSROOM TEACHER PAPERWORK REQUIREMENTS: No changes have been made to this section since published as proposed. The TEA staff has determined that the proposal would not require a written report or other paperwork to be completed by a principal or classroom teacher.

PUBLIC COMMENTS: The public comment period on the proposal began March 15, 2019 and ended April 15, 2019. Any comments received will be provided to the SBEC under separate cover prior to the April 26, 2019 meeting. The SBEC will take registered oral and written comments on this item at the April 26, 2019 meeting in accordance with the SBEC board operating policies and procedures.

ASSOCIATE COMMISSIONER'S RECOMMENDATION:

Approve for adoption, subject to State Board of Education review, the proposed amendment to 19 TAC Chapter 241, Certification as Principal, Subchapter B, Principal Certificate, §241.41, General Provisions, with an effective date of 20 days after filing the adoption notice with the *Texas Register*.

Staff Member Responsible:

Tam Jones, Director, Educator Preparation

Attachments:

- I. Statutory Citations
- II. Text of Proposed Amendment to 19 TAC Chapter 241, Certification as Principal, Subchapter B, Principal Certificate, §241.41, General Provisions
- III. List of Educator Preparation Programs Approved to Offer the New Principal as Instructional Leader Certification

ATTACHMENT I**Statutory Citations Related to Proposed Amendment to 19 TAC Chapter 241, Certification as Principal, Subchapter B, Principal Certificate, §241.41, General Provisions****Texas Education Code, §21.003, Certification Required (excerpt):**

- (a) A person may not be employed as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, educational diagnostician, or school counselor by a school district unless the person holds an appropriate certificate or permit issued as provided by Subchapter B.

Texas Education Code, §21.040, General Powers and Duties of Board (excerpt):

The board shall:

- (4) for each class of educator certificate, appoint an advisory committee composed of members of that class to recommend standards for that class to the board;

Texas Education Code, §21.041, Rules; Fees (excerpts):

- (b) The board shall propose rules that:
- (1) provide for the regulation of educators and the general administration of this subchapter in a manner consistent with this subchapter;
 - (2) specify the classes of educator certificates to be issued, including emergency certificates;
 - (3) specify the period for which each class of educator certificate is valid;
 - (4) specify the requirements for the issuance and renewal of an educator certificate;

Texas Education Code, §21.046, Qualifications for Certification as Superintendent or Principal (excerpts):

- (b) The qualifications for certification as a principal must be sufficiently flexible so that an outstanding teacher may qualify by substituting approved experience and professional training for part of the educational requirements. Supervised and approved on-the-job experience in addition to required internship shall be accepted in lieu of classroom hours. The qualifications must emphasize:
- (1) instructional leadership;
 - (2) administration, supervision, and communication skills;
 - (3) curriculum and instruction management;
 - (4) performance evaluation;
 - (5) organization; and
 - (6) fiscal management.
- (c) Because an effective principal is essential to school improvement, the board shall ensure that:

- (1) each candidate for certification as a principal is of the highest caliber; and
 - (2) multi-level screening processes, validated comprehensive assessment programs, and flexible internships with successful mentors exist to determine whether a candidate for certification as a principal possesses the essential knowledge, skills, and leadership capabilities necessary for success.
- (d) In creating the qualifications for certification as a principal, the board shall consider the knowledge, skills, and proficiencies for principals as developed by relevant national organizations and the State Board of Education.

Texas Education Code, §21.054, Continuing Education, as amended by SBs 7, 179, and 1839, 85th Texas Legislature, Regular Session, 2017 (excerpts):

- (a) The board shall propose rules establishing a process for identifying continuing education courses and programs that fulfill educators' continuing education requirements.
- (e) Continuing education requirements for a principal must provide that not more than 25 percent of the training required every five years include instruction regarding:
 - (1) effective and efficient management, including:
 - (A) collecting and analyzing information;
 - (B) making decisions and managing time; and
 - (C) supervising student discipline and managing behavior;
 - (2) recognizing early warning indicators that a student may be at risk of dropping out of school;
 - (3) digital learning, digital teaching, and integrating technology into campus curriculum and instruction;
 - (4) educating diverse student populations, including:
 - (A) students with disabilities, including mental health disorders;
 - (B) students who are educationally disadvantaged;
 - (C) students of limited English proficiency; and
 - (D) students at risk of dropping out of school.
 - (5) preventing, recognizing, and reporting any sexual conduct between an educator and student that is prohibited under Section 21.12, Penal Code, or for which reporting is required under Section 21.006 of this code.
- (e-2) Continuing education requirements for a principal may include instruction regarding how grief and trauma affect student learning and behavior and how evidence-based, grief-informed, and trauma-informed strategies support the academic success of students affected by grief and trauma.

ATTACHMENT II
Text of Proposed Amendment to 19 TAC

Chapter 241. Certification as Principal

Subchapter B. Principal Certificate

§241.41. General Provisions.

- (a) Due to the critical role the principal plays in campus effectiveness and student achievement, and consistent with the Texas Education Code (TEC), §21.046(c), the rules adopted by the State Board for Educator Certification ensure that each candidate for the Principal Certificate is of the highest caliber and possesses the knowledge and skills necessary for success.
- (b) As required by the TEC, §21.046(b)(1)-(6), the standards identified in §241.55 of this title (relating to Standards Required for the Principal Certificate) emphasize instructional leadership; administration, supervision, and communication skills; curriculum and instruction management; performance evaluation; organization; and fiscal management.
- (c) An individual serving as a principal or assistant principal is expected to actively participate in professional development activities to continually update his or her knowledge and skills. Currency in best practices and research as related to both campus leadership and student learning is essential.
- (d) The holder of the Principal Certificate issued under the provisions of this chapter may serve as a principal or assistant principal in a Texas public school.
- (e) A candidate must meet the requirements for the Principal Certificate by August 31, 2019. All applications must be complete and received by the Texas Education Agency by October 30, 2019.

Attachment III**List of Educator Preparation Programs Approved to Offer the
New Principal as Instructional Leader Certification**

Concordia University	Southern Methodist University
American College	Stephen F. Austin State University
Angelo State University	Sul Ross University Alpine
Dallas Baptist University	Tarleton State University
East Texas Baptist University	Texas A&M University–Central Texas
Harris County Department of Education	Texas A&M University–College Station
Houston Baptist University	Texas A&M University–Commerce
iTeach	Texas A&M University–Corpus Christi
Lamar University	Texas A&M University–International
LeTourneau University	Texas A&M University–Kingsville
Midwestern State University	Texas A&M University–San Antonio
North American University	Texas A&M University–Texarkana
Region 1 Education Service Center	Texas Christian University
Region 2 Education Service Center	Texas Tech University
Region 4 Education Service Center	Texas Wesleyan University
Region 5 Education Service Center	Texas Woman's University
Region 12 Education Service Center	Trinity University
Region 13 Education Service Center	University of Houston
Region 14 Education Service Center	University of Houston–Clear Lake
Region 19 Education Service Center	University of Houston–Victoria
Sam Houston State University	University of Mary Hardin-Baylor

University of North Texas

University of Texas–El Paso

University of North Texas–Dallas

University of Texas–Permian Basin

University of St. Thomas

University of Texas–San Antonio

University of Texas–Arlington

University of Texas–Tyler

University of Texas–Austin

Wayland Baptist University