

Item 8:

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Type of Agenda Rule Item:

Discussion Only: TEA staff will present rule items with an update, potential future rule changes, and/or seek SBEC direction on potential rule changes. 2()Tj [(T)-13.6(E)-1(A)9.8(s)-5(t)-9.6(

Adoption: Second and fiSt<a53S24f 2ibstion.

Summary:

This item is an adoption of 19 TAC Chapter 234, which is a new chapter that implements recent legislation that allows military service members to substitute experience in a particular trade for the licensure requirement and waives the licensing and application fees paid to the state for military service members, spouses and veterans. This new chapter also consolidates all military-related rules into one chapter, which will streamline future rulemaking.

Statutory Authority:

All of the relevant statutes pertaining to this chapter 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.

TEA Staff Recommendation:

To adopt the proposed amendments as presented.

Relevant SBEC Core Principles:

We believe well-prepared educators are essential.

We believe flexible and accessible certification programs, held to the same standards of accountability, are essential.

We believe we must continually improve our policies and processes in response to changing needs.

Item 8:**Consider and Take Appropriate Action on Adoption of Proposed New 19 TAC Chapter 234, Military Service Members, Military Spouses, and Military Veterans****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, proposed new 19 TAC Chapter 234, Military Service Members, Military Spouses, and Military Veterans. The proposed new chapter would address recent legislation, consolidate rules specific to the military community into one chapter, and streamline future military-related rulemaking opportunities. No changes are recommended since published as proposed.

STATUTORY AUTHORITY: The statutory authority for proposed new 19 TAC Chapter 234 is the Texas Education Code (TEC), §§21.041(b)(2) and (4); 21.044(a); and

and facilitating the educator certification of military service members, military spouses, and military veterans.

PROCEDURAL AND REPORTING IMPLICATIONS: The proposed rule actions would have no procedural and reporting implications.

LOCALLY MAINTAINED PAPERWORK REQUIREMENTS:

~~armed forces of the United States, including the National Guard, or in the state military service of any state].~~

(5) ~~[(1-b)]~~ "Military spouse" means a person who is married to a military service member ~~[who is currently on active duty].~~

(6) ~~[(1-c)]~~ "Military veteran" means a person who has served on active duty and who was discharged or released from active duty ~~[in the army, navy, air force, marine corps, or coast guard of the United States, or in an auxiliary service of one of those branches of the armed forces].~~

(7) ~~[(2)]~~ "State agency" means a department, board, bureau, commission, committee, division, office, council, or agency of the state.

Texas Occupations Code, §55.002, Exemption from Penalty for Failure to Renew License, as amended by SB 1307, 84th Texas Legislature, Regular Session, 2015:

A state agency that issues a license shall adopt rules to exempt an individual who holds a license issued by the agency from any increased fee or other penalty imposed by the agency for failing to renew the license in a timely manner if the individual establishes to

- (b) ~~[Rules adopted under this section must include provisions to allow alternative demonstrations of competency to meet the requirements for obtaining the license.]~~
- [(c)] The executive director of a state agency may waive any prerequisite to obtaining a

- (e) A military service member pursuing certification in career and technical education must meet requirements for the certificate, but for career and technical education certificate areas requiring experience and licensure, the military service member shall be entitled to substitute military experience in the trade for the required license or professional credential for the specific trade.
- (f) A military service member, military spouse, and military veteran shall complete educator examination requirements for certificate issuance as outlined in Texas Education Code, Chapter 21, Subchapter B, and rules in the Texas Administrative Code, Title 19, Part 7.
- (g)