

Item 19:

2015-2018 Rule Review Plan for State Board for Educator Certification Rules

INFORMATION ONLY

SUMMARY: This item outlines the rule review plan for State Board for Educator Certification (SBEC) rules during the period of 2015 through 2018. Texas Government Code, §2001.039, requires a rule review of existing state agency rules, including SBEC rules. The rule review requirement is designed to ensure that the reasons for initially adopting a rule continue to exist.

BACKGROUND INFORMATION AND SIGNIFICANT ISSUES: Senate Bill (SB) 178, 76th Texas Legislature, 1999, amended the Texas Government Code by adding §2001.039, which requires the review of existing state agency rules. The rule review requirement in Texas Government Code, §2001.039, is designed to ensure that the reasons for adopting or readopting the rule continue to exist.

The 2015-2018 Rule Review Plan for SBEC Rules was approved by the SBEC at the October 2014 meeting. The plan appears on an ongoing basis in each SBEC agenda. Any necessary modifications to the plan will appear as an action item in the SBEC agenda for approval by the SBEC. Also, whenever necessary, proposed rule changes (amendments or revisions) will be brought to the board for consideration concurrently with the required review of the rules.

Rule Review Procedures. *Texas Register* rules specify the following two-step review process to implement the rule review requirement found in the Texas Government Code, §2001.039:

1. a Notice of Proposed Review (Intention to Review) requesting comments on whether reasons for adopting or readopting the rules continue to exist is published in the *Texas Register*, and
2. a Notice of Adopted Review (Readoption) summarizing the public comments received in response to the notice of proposed review and providing a response to each comment and an assessment of whether the reasons for initially adopting the rules continue to exist is published in the *Texas Register*.

OTHER COMMENTS AND RELATED ISSUES: As with proposed rule actions, the public comment period for a proposed review would last 30 days and include registered oral and written comments on the proposed review provided at an SBEC meeting.

Staff Members Responsible: Christie Pogue, SBEC Manager
Educator Leadership and Quality

Cristina De La Fuente-Valadez, Director
Rulemaking

Attachment: 2015-2018 Rule Review Plan for State Board for Educator Certification Rules

ATTACHMENT

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Texas Government Code, §2001.039, established a four-year rule review cycle for all state agency rules, including State Board for Educator Certification (SBEC) rules. The rule review is designed to ensure that the reasons for adopting or readopting the rule continue to exist. The plan only includes rules in effect at the time the plan is adopted.

Review Period: 2015			
Chapter Title	Subchapter Title	Topic	Begin Review
	<i>Subchapter A. General Provisions</i>		
Chapter 249. Disciplinary Proceedings, Sanctions, and Contested Cases		Educator Investigations	March 2015

Review Period: 2018			
Chapter Title	Subchapter Title	Topic	Begin Review
Chapter 227. Provisions for Educator Preparation Candidates	<i>Subchapter A. Admission to Educator Preparation Programs</i>	Educator Preparation	January 2018
	<i>Subchapter B. Preliminary Evaluation of Certification Eligibility</i>	Educator Investigations	

Chapter 228. Requirements for Educator Preparation Programs