

## Item 19:

# 2019–2022 Updated Rule Review Plan for State Board for Educator Certification Rules

### INFORMATION ONLY

**SUMMARY:** This item outlines the updated rule review plan for State Board for Educator Certification (SBEC) rules during the period of 2019 through 2022. Texas Government Code (TGC), §2001.039, requires a rule review of existing state agency rules, including SBEC rules. The rule review requirement is designed to ensure the reasons for initially adopting a rule continue to exist. The updated review plan reflects the acceleration of the review of 19 TAC Chapter 239, Student Services Certificates, and the correct SBEC 2020 meeting dates.

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

The 2019–2022 Rule Review Plan for SBEC Rules was approved by the SBEC at the October 2018 meeting. The plan appears on an ongoing basis in each SBEC agenda. Any necessary modifications to the plan will be published as part of this item. Whenever necessary, proposed rule changes (amendments or revisions) will be brought to the board for consideration concurrently with the required review of the rules.

For the 2019 review period, the rule review of 19 TAC Chapter 249, Disciplinary Proceedings, Sanctions, and Contested Cases, was accelerated to begin in February 2019 and the rule reviews of 19 TAC Chapter 233, Categories of Classroom Teaching Certificates, and 19 TAC Chapter 244, Certificate of Completion of Training for Appraisers, were accelerated to begin in April 2019 due to the 2019 SBEC meeting schedule. For the 2020 review period, the rule review of 19 TAC Chapter 239, Student Services Certificates, was accelerated to begin in December 2019 to coordinate stakeholder input with any necessary changes resulting from the 86th Texas Legislature, 2019. In addition, the rule review of 19 TAC Chapter 234, Military Service Members, Military Spouses, and Military Veterans, was accelerated to begin in July 2020 due to the 2020 SBEC meeting schedule. These updates to the 2019–2022 Rule Review Plan for SBEC Rules are shown in the attached.

Rule Review Procedures. Texas Register rules specify the following two-step review process to implement the rule review requirement found in the TGC, §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.



## ATTACHMENT

## 2019–2022 Rule Review Plan for State Board for Educator Certification Rules

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: 2019			
Chapter Title	Subchapter Title	Topic	Begin Review
Chapter 249. Disciplinary Proceedings, Sanctions, and Contested Cases	Subchapter A. General Provisions	Educator Investigations	February 2019
	Subchapter B. Enforcement Actions and Guidelines		
	Subchapter C. Prehearing Matters		
	Subchapter D. Hearing Procedures		
	Subchapter E. Post-Hearing Matters		
Chapter 233. Categories of Classroom Teaching Certificates		Educator Certification	April 2019
Chapter 244. Certificate of Completion of Training for Appraisers		Educator Preparation	April 2019
Chapter 230. Professional Educator Preparation and Certification	Subchapter A. General Provisions	Educator Certification	October 2019
	Subchapter B. General Certification Requirements		
	Subchapter C. Assessment of Educators		
	Subchapter D. Types and Classes of Certificates Issued		
	Subchapter E. Educational Aide Certificate		
	Subchapter F. Permits		
	Subchapter G. Certificate Issuance Pro3.1 ( A3-8 (e P)4332 26		



