

Item 7:

Adoption of Review of 19 TAC Chapter 233, Categories of Classroom Teaching Certificates

DISCUSSION AND ACTION

SUMMARY: Texas Government Code (TGC), §2001.039, establishes a four-year rule review cycle for all state agency rules, including State Board for Educator Certification (SBEC) rules. This item presents for SBEC approval the adoption of review of 19 Texas Administrative Code (TAC) Chapter 233, Categories of Classroom Teaching Certificates. The rules under review establish separate certificate categories within the certificate class for the classroom teacher. These categories identify the content areas or special populations the holder may teach, the grade levels the holder may teach, and the earliest dates the certificates may be issued.

STATUTORY AUTHORITY: Statutory authority for the rule review is Texas Government Code, §2001.039. The statutory authority for 19 TAC Chapter 233 is the Texas Education Code, §§21.003(a), 21.031, 21.041(b)(1)-(4) and (6), 21.044(e) and (f), 21.0442, 21.048(a) and (a-2), 21.0487, 21.0489, 21.04891, 21.0491, 21.050, 22.0831(f), and 29.061(b-1) and (b-2).

The full text of statutory citations can be found in the statutory authority section of this agenda.

PREVIOUS BOARD ACTION: At the September 30, 2022 meeting, the SBEC voted to publish the proposed review of 19 TAC Chapter 233, Categories of Classroom Teaching Certificates, in the *Texas Register*.

BACKGROUND INFORMATION AND JUSTIFICATION: The SBEC rules in 19 TAC Chapter 233, Categories of Classroom Teaching Certificates, establish separate certificate categories within the certificate class for the classroom teacher. These categories identify the content areas or special populations the holder may teach, the grade levels the holder may teach, and the earliest dates the certificates may be issued.

The rule text of 19 TAC Chapter 233 is viewable on the Texas Education Agency (TEA)'s website at: <https://tea.texas.gov/about-tea/laws-and-rules/sbec-rules-tac/sbec-tac-currently-in-effect/19-tac-chapter-233>.

If authorized by the SBEC, the notice of adopted review stating the reasons for adoption continue to exist will be filed with the *Texas Register* following the December 2022 SBEC meeting.

ANTICIPATED REVISIONS TO RULES: Texas Education Agency (TEA) staff will present proposed changes to 19 TAC Chapter 233 for proposal as a separate item in this agenda. Other changes may also be recommended to clarify the rules and incorporate current SBEC policy and procedures.

PUBLIC COMMENTS: The TEA filed the notice of proposed review of 19 TAC Chapter 233 with the *Texas Register* following the September 2022 SBEC meeting. The public comment period

on the proposed rule review began October 28, 2022, and ended November 28, 2022. Any comments received will be provided to the SBEC under separate cover prior to the December 9, 2022 meeting. The SBEC will take registered oral and written comments on this item at the December 9, 2022 meeting in accordance with the SBEC board operating policies and procedures.

ASSOCIATE COMMISSIONER'S RECOMMENDATION:

Adopt the review of 19 TAC Chapter 233, Categories of Classroom Teaching Certificates.

Staff Member Responsible:

Marilyn Cook, Director, Educator Certification