

## ATTACHMENT I

### **Statutory Citations Relating to Proposed New 19 TAC Chapter 234, Military Service Members, Military Spouses, and Military Veterans**

#### **Texas Education Code, §21.041, Rules; Fees (excerpt):**

- (b) The board shall propose rules that:
  - (2) specify the classes of educator certificates to be issued, including emergency certificates;
  - (4) specify the requirements for the issuance and renewal of an educator certificate;

#### **Texas Education Code, §21.044, Educator Preparation (excerpt):**

- (a) The board shall propose rules establishing the training requirements a person must accomplish to obtain a certificate, enter an internship, or enter an induction-year program. The board shall specify the minimum academic qualifications required for a certificate.

#### **Texas Education Code, §21.054, Continuing Education, as amended by Senate Bill (SB) 1296, 84th Texas Legislature, Regular Session, 2015:**

- (a) The board shall propose rules establishing a process for identifying continuing education courses and programs that fulfill educators' continuing education requirements.
- (b) Continuing education requirements for an educator who teaches students with dyslexia must include training regarding new research and practices in educating students with dyslexia.
- (c) The training required under Subsection (b) may be offered in an online course.
- (d) Continuing education requirements for a classroom teacher must provide that not more than 25 percent of the training required every five years include instruction regarding:
  - (1) collecting and analyzing information that will improve effectiveness in the classroom;
  - (2) recognizing early warning indicators that a student may be at risk of dropping out of school;
  - (3) integrating technology into classroom instruction; and
  - (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.
- (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) integrating technology into campus curriculum and instruction; and
- (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.
- (f) Continuing education requirements for a counselor must provide that not more than 25 percent of training required every five years include instruction regarding:
  - (1) assisting students in developing high school graduation plans;
  - (2) implementing dropout prevention strategies; and
  - (3) informing students concerning:
    - (A) college admissions, including college financial aid resources and application procedures; and
    - (B) career opportunities.
- (g) The board shall adopt rules that allow an educator to fulfill up to 12 hours of continuing education by participating in a mental health first aid training program offered by a local mental health authority under Section 1001.203, Health and Safety Code. The number of hours of continuing education an educator may fulfill under this subsection may not exceed the number of hours the educator actually spends participating in a mental health first aid training program.

**Texas Occupations Code, §55.001, Definitions, as amended by SB 1307, 84th Texas Legislature, Regular Session, 2015:**

In this chapter:

- (1) "Active duty" means current full-time military service in the armed forces of the United States or active duty military service as a member of the Texas military forces, as defined by Section 437.001, Government Code, or similar military service of another state.
- (2) "Armed forces of the United States" means the army, navy, air force, coast guard, or marine corps of the United States or a reserve unit of one of those branches of the armed forces.
- (3) "License" means a license, certificate, registration, permit, or other form of authorization required by law or a state agency rule that must be obtained by an individual to engage in a particular business.
- (4) [(1-a)] "Military service member" means a person who is on active duty [~~currently serving in the armed forces of the United States, in a reserve component of the 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) [(4-e)] "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 the satisfaction of the agency that the individual failed to renew the license in a timely manner because the individual was serving as a military service member [~~on active duty in the United States armed forces serving outside this state~~].

**Texas Occupations Code, §55.003, Extension of License Renewal [Certain] Deadlines for [Active Duty] Military Service Members [Personnel], as amended by SB 1307, 84th Texas Legislature, Regular Session, 2015:**

A military service member [person] who holds a license [~~is a member of the state military forces or a reserve component of the armed forces of the United States, and is ordered to active duty by proper authority~~] is entitled to two years of [an] additional [amount of] time [~~equal to the total number of years or parts of years that the person serves on active duty,~~] to complete:

- (1) any continuing education requirements; and
- (2) any other requirement related to the renewal of the military service member's [person's] license.

**Texas Occupations Code, §55.004, Alternative Licensing [License Procedure] for Military Service Members, Military Veterans, and Military Spouses [Spouse], as amended by SB 1307, 84th Texas Legislature, Regular Session, 2015:**

- (a) A state agency that issues a license shall adopt rules for the issuance of the license to an applicant who is a military service member, military veteran, or military spouse [~~the spouse of a person serving on active duty as a member of the armed forces of the United States~~] and:
  - (1) holds a current license issued by another jurisdiction [state] that has licensing requirements that are substantially equivalent to the requirements for the license in this state; or
  - (2) within the five years preceding the application date held the license in this state [~~that expired while the applicant lived in another state for at least six months~~].
- (b) [~~Rules adopted under this section must include provisions to allow alternative demonstrations of competency to meet the requirements for obtaining the license.~~]
- [(e)] The executive director of a state agency may waive any prerequisite to obtaining a license for an applicant described by Subsection (a) after reviewing the applicant's credentials [~~issue a license by endorsement in the same manner as the Texas Commission of Licensing and Regulation under Section 51.404 to an applicant described by Subsection (a)~~].

- (c) In addition to the rules adopted under Subsection (a), a state agency that issues a license may adopt rules that would establish alternate methods for a military service member, military veteran, or military spouse to demonstrate competency to meet the requirements for obtaining the license.

*Text of subsection (c), as amended by House Bill 3742, 84th Texas Legislature, Regular Session, 2015*

- (c) The executive director of a state agency may issue a license by endorsement in the same manner as the Texas Commission of Licensing and Regulation under Section 51.4041(b) [~~51.404~~] to an applicant described by Subsection (a).

**Texas Occupations Code, §55.005, Expedited License Procedure for Military Service Members, Military Veterans, and Military Spouses, as amended by SB 1307, 84th Texas Legislature, Regular Session, 2015:**

- (a) A state agency that issues a license shall, as soon as practicable after a military service member, military veteran, or military spouse files an application for a license:
- (1) process the application; and
  - (2) issue the [a] license to an [a qualified military spouse] applicant who qualifies for the license under Section 55.004 [~~holds a current license issued by another jurisdiction that has licensing requirements that are substantially equivalent to the licensing requirements in this state~~].
- (b) A license issued under this section may not be a provisional license and must confer the same rights, privileges, and responsibilities as a license not issued under this section.

**Texas Occupations Code, §55.006, Renewal of Expedited License Issued to Military Service Member, Military Veteran, or Military Spouse, as amended by SB 1307, 84th Texas Legislature, Regular Session, 2015:**

- (a) As soon as practicable after a state agency issues a license under Section 55.005, the state agency shall determine the requirements for the license holder to renew the license.
- (b) The state agency shall notify the license holder of the requirements for renewing the license in writing or by electronic means.
- (c) A license issued under Section 55.005 has the term established by law or state agency rule, or a term of 12 months from the date the license is issued, whichever term is longer.

**Texas Occupations Code, §55.007, License Eligibility Requirements for Applicants with Military Experience:**

- (a) Notwithstanding any other law, a state agency that issues a license shall, with respect to an applicant who is a military service member or military veteran, credit verified military service, training, or education toward the licensing requirements, other than an examination requirement, for a license issued by the state agency.
- (b) The state agency shall adopt rules necessary to implement this section.
- (c) Rules adopted under this section may not apply to an applicant who:
- (1) holds a restricted license issued by another jurisdiction; or
  - (2) has an unacceptable criminal history according to the law applicable to the state agency.

**Texas Occupations Code, §55.008 [~~§55.005~~], Apprenticeship Requirements for Applicant with Military Experience, as amended by SB 1296 and SB 1307, 84th Texas Legislature, Regular Session, 2015:**

- (a) Notwithstanding any other law, if an apprenticeship is required for a an occupational license issued by a state agency, the state agency shall credit verified military service, training, or education that is relevant to the occupation toward the apprenticeship requirements for the license.
- (b) The state agency shall adopt rules necessary to implement this section.

**Texas Occupations Code, §55.009, License Application and Examination Fees, as added by SB 807, 84th Texas Legislature, Regular Session, 2015:**

Notwithstanding any other law, a state agency that issues a license shall waive the license application and examination fees paid to the state for an applicant who is:

- (1) a military service member or military veteran whose military service, training, or education substantially meets all of the requirements for the license; or
- (2) a military service member, military veteran, or military spouse who holds a current license issued by another jurisdiction that has licensing requirements that are substantially equivalent to the requirements for the license in this state.

**Texas Occupations Code, §55.009, Notice of Chapter Provisions, as added by SB 1307, 84th Texas Legislature, Regular Session, 2015:**

A state agency that issues a license shall prominently post a notice on the home page of the agency's Internet website describing the provisions of this chapter that are available to military service members, military veterans, and military spouses.