

Item 9:**Adoption of Proposed Amendment to 19 TAC Chapter 232, General Certification Provisions, Subchapter A, Certificate Renewal and Continuing Professional Education Requirements, §232.11, Number and Content of Required Continuing Professional Education Hours****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, a proposed amendment to 19 TAC Chapter 232, General Certification Provisions, Subchapter A, Certificate Renewal and Continuing Professional Education Requirements, §232.11, Number and Content of Required Continuing Professional Education Hours. The proposed amendment would be necessary as a result of House Bill (HB) 642, 83rd Texas Legislature, Regular Session, 2013, and HB 3793, 83rd Texas Legislature, Regular Session, 2013, both of which amended the Texas Education Code (TEC), §21.054. HB 642 requires classroom teachers, principals, and school counselors to earn continuing professional education (CPE) units in specific areas related to collecting and analyzing information, recognizing early warning indicators for dropouts, and educating diverse student populations. HB 3793 allows educators to fulfill up to 12 clock-hours of CPE by participating in a mental health first aid training program. The proposed amendment to 19 TAC §232.11 would establish CPE requirements that conform to HB 642 and HB 3793. No changes are recommended since published as proposed.

STATUTORY AUTHORITY: The statutory authority for 19 TAC §232.11 is the TEC, §21.054.

EFFECTIVE DATE: The proposed effective date of the proposed amendment to 19 TAC §232.11 would be May 18, 2014 (20 days after filing as adopted with the *Texas Register*). The proposed effective date is also based on the SBEC and SBOE meeting schedules.

PREVIOUS BOARD ACTION: Section 232.11 was adopted effective August 12, 2012.

The SBEC approved the amendment to 19 TAC §232.11 for filing as proposed at the October 2013 meeting.

BACKGROUND INFORMATION AND SIGNIFICANT ISSUES: The TEC, §21.054(a), states that the SBEC shall propose rules establishing a process for identifying continuing education courses and programs that fulfill educators' continuing education requirements.

HB 642 and HB 3793, which amended the TEC, §21.054, require the SBEC to amend 19 TAC §232.11, Number and Content of Required Continuing Professional Education Hours, to align the CPE requirements with new statutory assignment-specific requirements for teachers, principals, and school counselors, in order to make CPE requirements more relevant and useful

for teachers, principals, and school counselors. The requirements in subsection (c) would be amended to include CPE requirements related to data analysis, use of technology, working with diverse student populations, dropout prevention, and career planning, as required by HB 642. Proposed subsection (g) would be added to allow an educator to participate in a mental health first aid training program offered by a local mental health authority to fulfill up to 12 clock-hours of required CPE activities, as required by HB 3793. No changes are recommended since published as proposed.

FISCAL IMPACT: The TEA staff has determined that there is no fiscal impact on state and local governments and there are no additional costs to persons or entities required to comply with the proposed rule action. In addition, there is no direct adverse economic impact for small businesses and microbusinesses; therefore, no regulatory flexibility analysis, specified in Texas Government Code, §2006.002, is required.

PUBLIC AND STUDENT BENEFIT: The public and student benefit anticipated as a result of the proposed amendment to 19 TAC §232.11 would be targeted professional development requirements for teachers, principals, and school counselors in the areas of mental health first aid, data-driven decisions, identifying at-risk students, integrating technology, working with diverse populations, and career planning.

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

LOCALLY MAINTAINED PAPERWORK REQUIREMENTS: The proposed rule action would have no locally maintained paperwork requirements. The CPE tracking forms that are available to educators on the Texas Education Agency website would be updated and may be maintained locally by educators.

PUBLIC COMMENTS: Following the October 2013 SBEC meeting, the proposed amendment to 19 TAC §232.11 was filed with the *Texas Register* initiating the official public comment period. At the time this item was prepared, no comments had been received. Any public comments received will be provided to the SBEC under separate cover prior to the February 2014 meeting.

ALTERNATIVES: None.

OTHER COMMENTS AND RELATED ISSUES: None.

ASSOCIATE COMMISSIONER'S RECOMMENDATION: I recommend that the State Board for Educator Certification:

Approve for adoption, subject to State Board of Education review, the proposed amendment to 19 TAC Chapter 232, General Certification Provisions, Subchapter A, Certificate Renewal and Continuing Professional Education Requirements, §232.11, Number and Content of Required Continuing Professional Education Hours, with an effective date of 20 days after filing the adoption notice with the *Texas Register*.

Respectfully submitted,

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Marilyn Cook, Interim Director
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Legal Services

- Attachments:**
- I. Statutory Citation
 - II. Text of Proposed Amendment to 19 TAC Chapter 232, General Certification Provisions, Subchapter A, Certificate Renewal and Continuing Professional Education Requirements, §232.11, Number and Content of Required Continuing Professional Education Hours

ATTACHMENT I

Statutory Citation Relating to Proposed Amendment to 19 TAC Chapter 232, General Certification Provisions, Subchapter A, Certificate Renewal and Continuing Professional Education Requirements, §232.11, Number and Content of Required Continuing Professional Education Hours

Texas Education Code, §21.054, Continuing Education, as amended by House Bill (HB) 642 and HB 3793, 83rd Texas Legislature, Regular Session, 2013:

- (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.

Text of subsection (d), as added by HB 642, 83rd Texas Legislature, Regular Session, 2013

- (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.

Text of subsection (d), as added by HB 3793, 83rd Texas Legislature, Regular Session, 2013

- (d) 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.

Text of subsections (e) and (f), as added by HB 642, 83rd Texas Legislature, Regular Session, 2013

- (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

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- (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.

ATTACHMENT II
Text of Proposed Amendment to 19 TAC

Chapter 232. General Certification Provisions

Subchapter A. Certificate Renewal and Continuing Professional Education Requirements

§232.11. Number and Content of Required Continuing Professional Education Hours.

- (a) The appropriate number of clock-hours of continuing professional education (CPE), as specified in §232.13 of this title (relating to Number of Required Continuing Professional Education Hours by Classes of Certificates), must be completed during each five-year renewal period.
- (b) One semester credit hour earned at an accredited institution of higher education is equivalent to 15 CPE clock-hours.
- (c) At least 80% of the CPE activities should be directly related to the certificate(s) being renewed and focus on the standards required for the initial issuance of the certificate(s), including:
 - (1) content area knowledge and skills;
 - (2) professional ethics and standards of conduct;
 - (3) professional development, which should encompass topics such as the following:
 - (A) district and campus priorities and objectives;
 - (B) child development, including research on how children learn;
 - (C) classroom management;
 - (D) applicable federal and state laws;
 - (E) diversity and special needs of student populations;
 - (F) increasing and maintaining parental involvement;
 - (G) integration of technology into educational practices;
 - (H) ensuring that students read on or above grade level;
 - (I) diagnosing and removing obstacles to student achievement; and
 - (J) instructional practices.
 - (4) Not more than 25% of the CPE activities for a classroom teacher shall include instruction regarding:
 - (A) collecting and analyzing information that will improve effectiveness in the classroom;
 - (B) recognizing early warning indicators that a student may be at risk of dropping out of school;
 - (C) integrating technology into classroom instruction; and
 - (D) educating diverse student populations, including:
 - (i) students with disabilities, including mental health disorders;
 - (ii) students who are educationally disadvantaged;
 - (iii) students of limited English proficiency; and
 - (iv) students at risk of dropping out of school.
 - (5) Not more than 25% of the CPE activities for a principal shall include instruction regarding:
 - (A) effective and efficient management, including:

- (i) collecting and analyzing information;
 - (ii) making decisions and managing time; and
 - (iii) supervising student discipline and managing behavior;
 - (B) recognizing early warning indicators that a student may be at risk of dropping out of school;
 - (C) integrating technology into campus curriculum and instruction; and
 - (D) educating diverse student populations, including:
 - (i) students with disabilities, including mental health disorders;
 - (ii) students who are educationally disadvantaged;
 - (iii) students of limited English proficiency; and
 - (iv) students at risk of dropping out of school.
- (6) Not more than 25% of the CPE activities for a school counselor shall include instruction regarding:
 - (A) assisting students in developing high school graduation plans;
 - (B) implementing dropout prevention strategies; and
 - (C) informing students concerning:
 - (i) college admissions, including college financial aid resources and application procedures; and
 - (ii) career opportunities.
- (d) Educators are encouraged to identify CPE activities based on results of his or her annual appraisal required under the Texas Education Code, Chapter 21, Subchapter H.
- (e) The required CPE for educators who teach students with dyslexia must include training regarding new research and practices in educating students with dyslexia. The required training may be satisfied through an online course approved by Texas Education Agency staff.
- (f) An educator eligible to renew multiple classes of certificates issued during the same renewal period may satisfy the requirements specified in §232.13 of this title for any class of certificate issued for less than the full five-year period by completing a prorated number of the required CPE clock-hours. Educators must complete a minimum of one-fifth of the additional CPE clock-hours for each full calendar year that the additional class of certificate is valid.
- (g) An educator may fulfill up to 12 clock-hours of required CPE activities by participating in a mental health first aid training program offered by a local mental health authority under the Texas Health and Safety Code, §1001.203. The number of clock-hours of CPE an educator may fulfill under this subsection may not exceed the number of clock-hours the educator actually spends participating in a mental health first aid training program.