

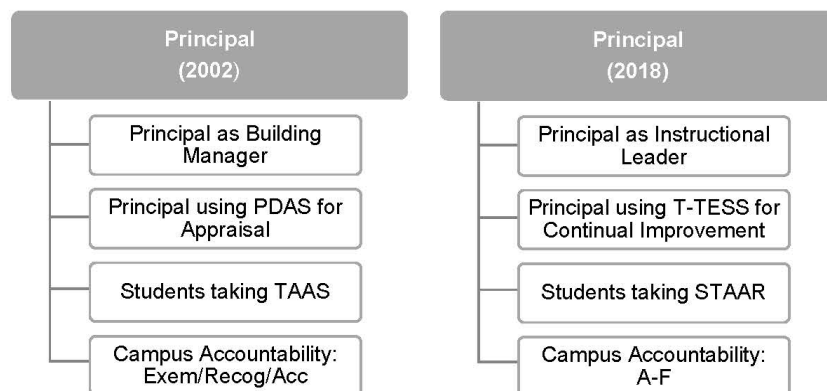
The State Board for Educator Certification (SBEC) proposes an amendment to §241.41, concerning general provisions of the Principal certificate. The proposed amendment would provide a deadline for candidates to qualify and apply for the current principal certification and to take the corresponding certification examination, after which time the Principal as Instructional Leader certificate will become the only principal certification available to candidates.

BACKGROUND INFORMATION AND JUSTIFICATION: The SBEC is statutorily authorized to regulate and oversee all aspects of the certification of public school educators. The SBEC is also statutorily authorized to ensure that all candidates for certification or renewal of certification demonstrate the knowledge and skills necessary to improve the performance of the diverse population of this state.

The SBEC rules in 19 Texas Administrative Code (TAC) Chapter 241, Certification as Principal, establish all of the requirements for certification and EPP minimum standards for issuance of a principal certificate.

At the April 2016 SBEC meeting, the SBEC adopted new principal standards that better align with contemporary principal practices, principal appraisal, and professional development standards. With the adoption of new standards that reflect the knowledge and skills necessary for today's principal, there was careful consideration of the changes to the essential role of a principal to schools, students, communities, and teachers from 2002 (when the standards began to be used for assessment purposes) to the current role in 2018, as illustrated below.

THE CHANGING ROLE OF THE PRINCIPAL FROM 2002-2018



At the March 2018 SBEC meeting, Texas Education Agency (TEA) staff presented the SBEC with a comprehensive approach to a principal certification redesign that includes 1) a new certificate name that better reflects current reality along with a new principal certification assessment; 2) an optional tiered process for obtaining standard certification; and 3) an endorsement for currently certified principals and assistant principals.

At the October 5, 2018 SBEC meeting, the SBEC adopted the new principal certificate program. The proposed amendment to §241.41(e) would formally end issuance of the Principal certificate on October 30, 2019. This date has been communicated to the field consistently since Fall 2017. This amendment would allow sufficient time for current candidates to finish out their applications, while ensuring that the transition to the Principal as Instructional Leader certification is complete by November 1, 2019.

To insure programs are aligned to the new standards and assessments, programs had to provide evidence of alignment with key knowledge, skills, and mindsets to the Principal as Instructional Leader (268) required standards that were organized around nine pillars for principal preparation, including: (1) Communication with Stakeholders, (2) Curriculum Alignment, (3) Diversity and Equity, (4) Data-Driven Instruction, (5)

Hiring, Selection, and Retention, (6) Observation and Feedback, (7) Professional Development, (8) School Vision and Culture, and (9) Strategic Problem-Solving.

Sixty-five EPPs that offer principal preparation have applied for the new certification, and currently there are 52 EPPs that have been approved.

FISCAL NOTE. Ryan Franklin, associate commissioner for educator leadership and quality, has determined that for the first five-year period the proposed amendment is in effect, there is no additional fiscal impact on state or local governments and that there are no additional costs to entities required to comply with the proposal.

LOCAL EMPLOYMENT IMPACT: The proposal has no effect on local economy; therefore, no local employment impact statement is required under Texas Government Code (TGC), §2001.002.

SMALL BUSINESS, MICROBUSINESS, AND RURAL COMMUNITY IMPACT: The proposal has no direct adverse economic impact for small businesses, microbusinesses, or rural communities; therefore, no regulatory flexibility analysis, specified in TGC, §2006.002, is required.

COST INCREASE TO REGULATED PERSONS: The proposal does not impose a cost on regulated persons, another state agency, a special district, or a local government and, therefore, is not subject to TGC, §2001.0045.

TAKINGS IMPACT ASSESSMENT: The proposal does not impose a burden on private real property and, therefore, does not constitute a taking under TGC, §2007.043.

GOVERNMENT GROWTH IMPACT: The TEA staff prepared a Government Growth Impact Statement assessment for this proposed rulemaking. During the first five years the proposed rulemaking would be in effect, it would not create or eliminate a government program; would not require the creation of new employee positions or elimination of existing employee positions; would not require an increase or decrease in future legislative appropriations to the agency; would not require an increase or decrease in fees paid to the agency; would not create a new regulation; would not expand, limit, or repeal an existing regulation; would not increase or decrease the number of individuals subject to its applicability; and would not positively or adversely affect the state's economy.

PUBLIC BENEFIT AND COST TO PERSONS: The public benefit anticipated as a result of the proposal is that clarity would be provided for candidates and programs regarding the final date for candidates to complete their program and be recommended for their principal certificate. There is no anticipated cost to persons who are required to comply with the proposal.

DATA AND REPORTING IMPACT: The proposal would not require a written report or other paperwork to be completed by a principal or classroom teacher.

PRINCIPAL AND CLASSROOM TEACHER PAPERWORK REQUIREMENTS: The TEA staff has determined that the proposal would not require a written report or other paperwork to be completed by a principal or classroom teacher.

PUBLIC COMMENTS: The public comment period on the proposal begins March 15, 2019 and ends April 15, 2019. A form for submitting public comments is available on the TEA website at [https://tea.texas.gov/About_TEA/Laws_and_Rules/SBEC_Rules_\(TAC\)/Proposed_State_Board_for_Educator_Certification_Rules/](https://tea.texas.gov/About_TEA/Laws_and_Rules/SBEC_Rules_(TAC)/Proposed_State_Board_for_Educator_Certification_Rules/). The SBEC will take registered oral and written comments on the proposed amendment at the April 26, 2019 meeting in accordance with the SBEC board operating policies and procedures. All requests for a public hearing on the proposed amendments submitted under the Administrative Procedure Act must be received by the Department of Educator Leadership and Quality, Texas Education Agency, 1701 North Congress Avenue, Austin, Texas 78701, Attention: Mr. Ryan Franklin, associate commissioner for educator leadership and quality, not more than 14 calendar days after notice of the proposal has been published in the *Texas Register* on March 15, 2019.

STATUTORY AUTHORITY. The amendment is proposed under the Texas Education Code (TEC), §21.003(a), which states that a person may not be employed as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, educational diagnostician, or school counselor by a school district unless the person holds an appropriate certificate or permit issued as provided by the TEC, Chapter 21, Subchapter B; TEC, §21.040(4), which states that the State Board for Educator Certification (SBEC) shall, for each class of educator certificate, appoint an advisory committee composed of members of that class to recommend standards for that class to the SBEC; TEC, §21.041(b)(1), which requires the SBEC to propose rules that provide for the regulation of educators and the general administration of the TEC, Chapter 21, Subchapter B, in a manner consistent with the TEC, Chapter 21, Subchapter B; TEC, §21.041(b)(2)-(4), which require the SBEC to propose rules that specify the classes of educator certificates to be issued, including emergency certificates; the period for which each class of educator certificate is valid; and the requirements for the issuance and renewal of an educator certificate; TEC, §21.046(b), which requires the SBEC to allow outstanding teachers to substitute approved experience and professional training for part of the educational requirements in lieu of classroom hours; TEC, §21.046(c), which requires the SBEC to ensure that principal candidates are of the highest caliber and that there is a multi-level screening process, along with assessment programs, and flexible internships to determine whether a candidate has the necessary skills for success; TEC, §21.046(d), which states that the SBEC shall consider competencies developed by relevant national organizations and the State Board of Education; and TEC, §21.054(a), (e), and (e-2), as amended by Senate Bills 7, 179, and 1839, 85th Texas Legislature, Regular Session, 2017, which require the SBEC to propose rules establishing a process for identifying continuing education courses and programs that fulfill educators' continuing education requirements, including particular continuing education requirements for principals.

CROSS REFERENCE TO STATUTE. The amendment implements the Texas Education Code, §§21.003(a), 21.040(4), 21.041(b)(1)-(4), 21.046(b)-(d), and 21.054(a), (e), and (e-2), as amended by Senate Bills 7, 179, and 1839, 85th Texas Legislature, Regular Session, 2017.

<rule>

§241.41. General Provisions.

- (a) Due to the critical role the principal plays in campus effectiveness and student achievement, and consistent with the Texas Education Code (TEC), §21.046(c), the rules adopted by the State Board for Educator Certification ensure that each candidate for the Principal Certificate is of the highest caliber and possesses the knowledge and skills necessary for success.
- (b) As required by the TEC, §21.046(b)(1)-(6), the standards identified in §241.55 of this title (relating to Standards Required for the Principal Certificate) emphasize instructional leadership; administration, supervision, and communication skills; curriculum and instruction management; performance evaluation; organization; and fiscal management.
- (c) An individual serving as a principal or assistant principal is expected to actively participate in professional development activities to continually update his or her knowledge and skills. Currency in best practices and research as related to both campus leadership and student learning is essential.
- (d) The holder of the Principal Certificate issued under the provisions of this chapter may serve as a principal or assistant principal in a Texas public school.
- (e) A candidate must meet the requirements for the Principal Certificate by August 31, 2019. All applications must be complete and received by the Texas Education Agency by October 30, 2019.