

Item 8:

Consider and Take Appropriate Action on Adoption of Proposed Amendment to 19 TAC Chapter 242, Superintendent Certificate, §242.20, Requirements for the Issuance of the Standard Superintendent Certificate

DISCUSSION AND ACTION

SUMMARY: Texas Education Code (TEC), §21.042, requires the State Board for Educator Certification (SBEC) to submit a written copy of each rule it proposes to adopt to the State Board of Education (SBOE) for review. At its November 2015 meeting, the SBOE is scheduled to review the proposed amendment to 19 TAC Chapter 242, Superintendent Certificate, §242.20, Requirements for the Issuance of the Standard Superintendent Certificate; however, at the time this item was prepared, the November 2015 SBOE meeting had not been held. This item provides the SBEC an opportunity to discuss and reconsider the action taken at the October 2015 meeting to adopt, subject to SBOE review, the proposed amendment to 19 TAC §242.20 in the event the SBOE rejects the amendment.

STATUTORY AUTHORITY: The statutory authority for 19 TAC §242.20 is the Texas Education Code, §§21.003(a), 21.040(4), 21.041(b)(2)-(4), and 21.046(a).

EFFECTIVE DATE: The proposed effective date of the proposed amendment to 19 TAC §242.20 would be February 28, 2016 (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: At its October 16, 2015 meeting, the SBEC adopted, subject to SBOE review, the amendment to 19 TAC §242.20, scheduled for review by the SBOE at its November 2015 meeting.

BACKGROUND INFORMATION AND SIGNIFICANT ISSUES: The SBEC rules in 19 TAC Chapter 242 establish requirements for the issuance and renewal of the superintendent certificate. Section 242.20 currently provides requirements for a superintendent certificate.

To implement the requirement in the TEC, §21.046(a), and to respond to stakeholder input, the SBEC approved for adoption, subject to SBOE review, the proposed amendment to 19 TAC §242.20 at its October 16, 2015 meeting. The proposed amendment would broaden the prerequisite experience required of superintendent candidates to allow for managerial experience in education to substitute for the principal certification requirement and, alternatively, to allow for experience outside the field of education, provided a school district has determined that a particular candidate fits the current needs of the school district.

At the time this item was prepared, the SBOE had not yet reviewed this rule action at its November 2015 meeting. In the event the SBOE rejects the rule action in accordance with the TEC, §21.042, the TEA staff will provide substitute text as a separate exhibit for SBEC

consideration as part of this item. The substitute text, if any, may include removal of or changes to language that does not address the requirements of the TEC, §21.046(a).

PUBLIC AND STUDENT BENEFIT: The public and student benefit anticipated as a result of the proposed amendment to 19 TAC §242.20 would be the potential expansion of the pool of candidates from which to hire superintendents.

MOTION TO BE CONSIDERED: The State Board for Educator Certification:

Approve for adoption the proposed amendment to 19 TAC Chapter 242, Superintendent Certificate, §242.20, Requirements for the Issuance of the Standard Superintendent Certificate, with changes and subject to State Board of Education review.

Staff Members Responsible: Tim Regal, Director
Educator Evaluation and Support

Marilyn Cook, Director
Educator Certification

Tim Miller, Director
Educator Preparation Programs

Attachments:

- I. Statutory Citations
- II. Text of Proposed Amendment to 19 TAC Chapter 242, Superintendent Certificate, §242.20, Requirements for the Issuance of the Standard Superintendent Certificate (as approved by the SBEC in October 2015 and presented for SBOE review in November 2015)

Separate Exhibit: Substitute Text for Proposed Amendment to 19 TAC Chapter 242, Superintendent Certificate, §242.20, Requirements for the Issuance of the Standard Superintendent Certificate (to be provided prior to the December 2015 SBEC meeting)

ATTACHMENT I**Statutory Citations Relating to Proposed Amendment to 19 TAC Chapter 242, Superintendent Certificate, §242.20, Requirements for the Issuance of the Standard Superintendent Certificate****Texas Education Code, §21.003, Certification Required (excerpt):**

- (a) 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 Subchapter B.

Texas Education Code, §21.040, General Powers and Duties of Board (excerpt):

The board shall:

- (4) for each class of educator certificate, appoint an advisory committee composed of members of that class to recommend standards for that class to the board;

Texas Education Code, §21.041, Rules; Fees (excerpts):

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

Texas Education Code, §21.046, Qualifications for Certification As Superintendent or Principal (excerpt):

- (a) The qualifications for superintendent must permit a candidate for certification to substitute management training or experience for part of the educational experience.

ATTACHMENT II
Text of Proposed Amendment to 19 TAC

Chapter 242. Superintendent Certificate

§242.20. Requirements for the Issuance of the Standard Superintendent Certificate.

- (a) To be eligible to receive the standard Superintendent Certificate, a candidate must:
- (1) satisfactorily complete an examination based on the standards identified in §242.15 of this title (relating to Standards Required for the Superintendent Certificate); and
 - (2) successfully complete a State Board for Educator Certification (SBEC) -approved superintendent preparation program and be recommended for certification by that program; and
 - (3) hold, at a minimum, a master's degree from an accredited institution of higher education that at the time was accredited or otherwise approved by an accrediting organization recognized by the Texas Higher Education Coordinating Board (THECB) ; and
 - (4) hold, at a minimum, a principal certificate or the equivalent issued under this title or by another state or country ; or []
 - (5) have at least three creditable years of managerial experience in a public school district.
 - (A) The managerial experience must include responsibility for:
 - (i) supervising or appraising faculty or staff;
 - (ii) conducting district-level planning and coordination of programs, activities, or initiatives; and
 - (iii) creating or maintaining a budget.
 - (B) The candidate must submit an application to Texas Education Agency (TEA) staff for the substitution of managerial experience as defined in this paragraph. The TEA staff will review the application and will notify the applicant, in writing, of approval or denial within 60 calendar days from date of receipt [and will notify the applicant in writing of approval or denial] .
- (b) Alternatively, a candidate is eligible to receive the standard superintendent certificate if:
- (1) the candidate is hired by a public school district in Texas for the position of superintendent;
 - (2) the school district's board of trustees publicly posts the reasons the candidate meets the current district needs regarding the position of superintendent, including how the candidate's experience and skillset meet those needs, at the time the school district's board of trustees names the candidate the lone finalist for the position of superintendent;
 - (3) [~~2~~] the candidate holds, at a minimum, a post-baccalaureate [bachelor's] degree from an accredited institution of higher education that at the time was accredited or otherwise approved by an accrediting organization recognized by the THECB;
 - (4) [~~3~~] the candidate satisfactorily completes an examination based on the standards identified in §242.15 of this title; and
 - (5) [~~4~~] the candidate successfully completes an SBEC-approved superintendent preparation program and is recommended for certification by that program.