

The State Board of Education (SBOE) adopts an amendment to §61.1, concerning continuing education for school board members. The amendment is adopted with changes to the proposed text as published in the October 11, 2024 issue of the *Texas Register* (49 TexReg 8299) and will be republished. The adopted amendment establishes new eligibility requirements for trainers of school boards to include a background check, establishes that only individuals (not organizations) are eligible to provide training to school board trustees, and prohibits trainers of school boards from engaging in political advocacy during training.

REASONED JUSTIFICATION: Texas Education Code (TEC), §11.159, Member Training and Orientation, requires the SBOE to provide a training course for school board trustees. Section 61.1 addresses this statutory requirement. School board trustee training under current SBOE rule includes a local school district orientation session; a basic orientation to the TEC; an annual team-building session with the local school board and the superintendent; specified hours of continuing education based on identified needs; training on evaluating student academic performance; training on identifying and reporting potential victims of sexual abuse, human trafficking, and other maltreatment of children; and training on school safety. In addition to establishing the conditions for the training courses required for school district trustees, §61.1 establishes the criteria for both registered providers of school board training and authorized providers of school board training.

The adopted amendment updates the application requirements to be a provider of school board member training. Specifically, amended subsection (c) limits eligible providers to individuals, removing organizations from eligibility. Amended subsection (c)(1) requires the rejection of applications that do not demonstrate the requisite training, experience, educational background, or expertise. New subsection (c)(2) requires applications to include a background check and establishes additional conditions under which an application would be rejected. New subsection (c)(3) describes conditions under which a provider's status would be revoked. New subsection (c)(5) describes conditions under which a non-registered provider may be involved in training school board trustees.

New subsection (d) prohibits training providers from engaging in political advocacy while providing training. New subsection (d)(1) defines political advocacy for the purpose of this section, and new subsection (d)(2) establishes what political advocacy does not include. New subsection (d)(3) requires trainers to provide a written acknowledgement that he or she would not engage in political advocacy. New subsection (d)(4) establishes steps TEA would take if it determined that a provider engaged in political advocacy. New subsection (d)(5) permits the SBOE to revoke a provider's eligibility if it determines that the provider engaged in political advocacy. New subsection (d)(6) establishes that the revocation of a provider's status would be for one year, unless determined otherwise by the SBOE. New subsection (d)(7) establishes that a provider is presumed to have engaged in political advocacy if the advocacy occurs during the training session. In addition, obsolete language related to implementation of the section has been removed.

The following changes were made at adoption.

Technical edits were made in subsections (c) and (d) to align with administrative rule form and style guidelines and update cross references.

Subsection (c)(1) was amended to establish that a registered provider's education must include bachelor's degree at a minimum.

Subsection (c)(2) was amended to establish that, in addition to providing a list of five approved background check providers, TEA must also provide prospective registered providers a list of approved background checks associated with obtaining a professional certification or license, including background checks of school district employees conducted using the criminal history clearinghouse established by the Texas Department of Public Safety pursuant to Texas Government Code, §411.0845. The language was also amended to clarify that a background check must have been completed within the 12 months preceding the submission of the application.

Subsection (c)(3) was amended to require registered providers who are convicted of a felony or crime of moral turpitude to report that conviction to TEA within 10 days.

Subsection (d) was amended to clarify that a trainer may not engage in political advocacy during a training session and that supporting or opposing any measure with the intent to influence the outcome of a legislative, rulemaking, or other policy process or measure would be considered engaging in political advocacy.

The SBOE approved the amendment for first reading and filing authorization at its September 13, 2024 meeting and for second reading and final adoption at its November 22, 2024 meeting. The effective date of the amendment is August 25, 2025.

SUMMARY OF COMMENTS AND RESPONSES: The public comment period on the proposal began October 11, 2024, and ended at 5:00 p.m. on November 12, 2024. The SBOE also provided an opportunity for registered oral and written comments at its November 2024 meeting in accordance with the SBOE board operating policies and procedures. Following is a summary of the public comments received and corresponding responses.

Comment: One commenter stated that advocating for school district students, parents, teachers, and staff often intertwines with politics and that trustees should be able to engage in grass-roots advocacy training without repercussions.

Response: The SBOE provides the following clarification. The proposed rule does not restrict trustees from engaging in advocacy training.

Comment: An individual commented in favor of the requirement for background checks for trainers.

Response: The SBOE agrees. A background check will be required for registered providers of trustee training.

Comment: One commenter suggested a review of the required training, adding that the training the commenter has attended has been politically one-sided and indoctrinatory. The commenter continued that the team-of-eight training encourages always voting unanimously and instructs that defending the district and superintendent takes precedence over representing constituents.

Response: The SBOE agrees in part and took action to clarify the definition of political advocacy that is prohibited under the rule. The comments related to the team-of-eight training are outside the scope of the proposed rulemaking.

Comment: One commenter stated that local school boards know who is right to provide the training and the rule should allow for local control.

Response: The SBOE agrees. The proposed rule allows each school system to choose which registered or authorized provider is best suited for its needs.

Comment: Two commenters stated that the SBOE should allow background checks from professional certifications and registrations mandated by law for professional fields to meet the requirements for a background check.

Response: The SBOE agrees. At adoption, the SBOE amended subsection (c)(2) to require TEA to provide prospective registered providers a list of approved background checks associated with obtaining a professional certification or license.

Comment: Two commenters stated that the SBOE should clarify subsection (c)(5) by including a disclaimer that any unregistered panelist, speaker, or presenter joining a registered provider are sharing their own opinions and incidental comments should not be considered a violation so long as the registered provider makes reasonable efforts to redirect the speaker(s) in accordance with the rule.

Response: The SBOE disagrees and has determined that the language in subsection (c)(5) is appropriate as proposed.

Comment: One commenter stated that it is important for providers to have clear guidelines around what would be considered political advocacy and that the SBOE should clarify the definition of political advocacy in a way that does not restrict discussions of broad policy and legislative topics, as these conversations are essential to informed decision-making.

Response: The SBOE agrees. At adoption, the SBOE approved changes to subsection (d) to clarify that a trainer may not engage in political advocacy during a training session and that supporting or opposing any measure with the intent to influence the outcome of a legislative, rulemaking, or other policy process or measure would be considered engaging in political advocacy.

Comment: One commenter stated that the rule should have an implementation date of September 1 to allow for sufficient lead time to prevent a shortage of registered providers. The commenter continued that most association events have a three- to four-month lead time to accept presenter applications and build the program, and if the rule establishes a September 1 effective date, presenters at various association events would have to be approved registered providers by April 1, when the presenter application window opens.

Response: The SBOE disagrees that a specific implementation date is needed in the rule language, because according to TEC, §7.102(f), amended §61.1 will be effective beginning with the 2025-2026 school year.

Comment: One commenter stated that the rule should clarify that the registration requirements apply only to the individuals who will present the content and not to administrative staff, graphic designers, and information technology professionals or others who develop the content.

Response: The SBOE disagrees that the rule needs to be clarified. Subsection (c) specifically mentions individuals should register "to provide the board member continuing education."

Comment: One commenter stated that eliminating the eligibility of groups and organizations as registered providers would have a negative short-term impact on upcoming conferences, as there would not be time to for all potential trainers for the approximately 150 individual sessions to get fingerprinted and approved. The commenter recommended allowing a year-long transition by having an implementation date of November 1, 2025.

Response: The SBOE disagrees. The proposed rule does not prevent employees of, or contractors for, organizations from providing training; it only requires that those employees and contractors go through the registration process. Additionally, according to TEC, §7.102 (f), amended §61.1 will be effective beginning with the 2025-2026 school year.

Comment: One commenter stated that the word "policy," used in the terms "policy position" and "policy process" in §61.1(d)(1)(B), is not defined in either statute or rule. The commenter stated that in absence of a definition, the terms could be misconstrued to imply that a training could not include broad statements of support for public education, student outcome improvement, child safety, or fiscal prudence. The commenter recommended either striking the term or defining "policy position" in §61.1(d)(1)(B) to include "with the intent of influencing."

Response: The SBOE agrees. At adoption, the SBOE changed the language of subsection (d)(1)(B) to clarify the definition of political advocacy that is prohibited under the rule.

Comment: One commenter stated that §61.1(d)(1) should limit the definition of "political advocacy" to "with the intent of influencing the outcome of legislation pending before the Texas Legislature or of rulemaking pending before an administrative body."

Response: The SBOE agrees. At adoption, the SBOE changed the language of subsection (d)(1)(B) to clarify the definition of political advocacy that is prohibited under the rule.

Comment: One commenter stated that the language of §61.1(d)(1)(C) is confusing and recommended revising it to be more direct, striking the phrase "shall not include" and in its place adding "does not mean."

Response: The SBOE disagrees and has determined that the language is appropriate as proposed.

Comment: One commenter stated that if discussions related to the needs of school boards, especially those serving communities that have faced challenges, are deemed "political advocacy," it could hinder necessary conversations about equity, representation in schools, and understanding of implementation of state laws and guidance. The

commenter stated that lack of clarity in the rule could discourage trainers from engaging with these important topics, undermining the goal of preparing school board members to govern effectively.

Response: The SBOE provides the following clarification. The language of the proposed rule does not define discussions related to the needs of school boards as "political advocacy." However, at adoption, the SBOE changed the language of subsection (d)(1)(B) to clarify the definition of political advocacy that is prohibited under the rule.

Comment: One commenter stated that limiting eligible training providers to individuals raises significant concerns, specifically that organizations that offer specialized expertise in critical areas like school finance, special education, and equity often provide a level of collaborative, in-depth knowledge that individual trainers may not match. The commenter stated that by redefining who can serve as a provider, the proposed rule risks weakening the role of collaborative, expert-led training and long-standing relationships that school board trustees rely on to stay informed and lead effectively.

Response: The SBOE disagrees. The proposed rule does not prevent employees of, or contractors for, organizations from providing training; it only requires that those employees and contractors go through the registration process.

Comment: One commenter expressed concerned that the proposed changes would harm minority students and school board members by restricting access to the specialized training necessary to serve marginalized communities effectively. The commenter stated that by excluding trainers with deep knowledge of the unique challenges faced by Latino and other minority students, the rule would limit school board members' ability to make informed decisions that address the needs of these populations. The commenter stated that this lack of valuable training could further disadvantage minority students, widening educational gaps and undermining efforts to create equitable school environments.

Response: The SBOE disagrees. The proposed rule does not exclude trainers with deep knowledge of the unique challenges faced by any given student group. Additionally, the proposed rule does not prevent employees of, or contractors for, organizations from providing training; it only requires that those employees and contractors go through the registration process.

Comment: Two commenters opposed the proposed amendment, stating that it unnecessarily limits access to high-quality training for school board members and could inhibit meaningful discussions, including encouraging trustees to make student-centered decisions. The commenter urged the SBOE to reject these provisions and allow organizations to continue playing a vital role in training school boards, especially in districts serving historically marginalized populations.

Response: The SBOE disagrees. The proposed rule does not exclude trainers with deep knowledge of the unique challenges faced by any given student group. Additionally, the proposed rule does not prevent employees of, or contractors for, organizations from providing training; it only requires that those employees and contractors go through the registration process. The proposed rule does not restrict trustees from engaging in advocacy training.

Comment: One commenter stated that organizations should not be precluded from offering continuing education since organizations may offer expertise and qualified personnel on educational policymaking, community engagement, improving student outcomes, complying with existing state and federal laws, and other areas of trustee interest. The commenter stated that changes to §61.1(c) present concerns about how school board members may benefit from evidence-based and up-to-date resources and training provided by qualified organizations. The commenter recommended removing the proposed changes to §61.1(c) and (c)(1) that prohibit groups or organizations from being registered providers.

Response: The SBOE disagrees. The proposed rule does not prevent employees of, or contractors for, organizations from providing training; it only requires that those employees and contractors go through the registration process.

Comment: One commenter stated that defining political advocacy and prohibiting it from school board member training presents concerns about how trustees can be equipped to understand their role as elected representatives of their school districts. Specifically, the commenter suggested that subsections (d)(1)(B) and (C) limit how school board members can understand the legislative process of state policies that will affect their governance of their

school districts and the potential well-being of their school district communities. The commenter recommended striking subsections (d)(1)(B) and (C) to limit the definition of political advocacy for the purposes of this rule to activities outlined in subsection (d)(1)(A).

Response: SBOE disagrees. Political advocacy, as defined by the rule, does not prohibit school board member training from addressing the legislative process or trustees' role as elected representatives. At adoption, the SBOE changed the language of subsection (d)(1)(B) to clarify the definition of political advocacy that is prohibited under the rule.

Comment: One commenter stated that limiting eligibility to individuals will prevent school board trustees from benefiting from the in-depth knowledge and infrastructure of organizations and impair the quality, scope, and efficiency of the continuing education provided to Texas school board trustees. The commenter also stated that specialized and up-to-date training is particularly important for school board trustees who serve Latino students.

Response: The SBOE disagrees that the proposed rule will impair the quality of continuing education for school board members. The proposed rule does not prevent employees of, or contractors for, organizations from providing training; it only requires that those employees and contractors go through the registration process.

Comment: One commenter stated that the proposed restrictions on "political advocacy" are vague and would impair robust and solution-oriented dialogue on educational issues. The commenter stated that language of the political advocacy prohibition, particularly with regard to the "intent" of the discussion of policy positions, is so vague that it would discourage providers from presenting comprehensive information on education issues and the variety of perspectives that school board trustees need to make informed decisions; impair the exchange of information between trustees and providers; and hinder discussions focused on student-centered solutions to address the challenges faced by trustees and the students they serve. The commenter also stated that the political advocacy prohibition would have a significant impact on the ability of school board trustees to develop sound policies to improve the education of Latinos and all Texans.

Response: The SBOE agrees that the language should be clarified. At adoption, the SBOE changed the language of subsection (d)(1)(B) to clarify the definition of political advocacy that is prohibited under the rule.

STATUTORY AUTHORITY. The amendment is adopted under Texas Education Code, §11.159, which requires the State Board of Education to provide a training course for school board trustees.

CROSS REFERENCE TO STATUTE. The amendment implements Texas Education Code, §11.159.

<rule>

§61.1. Continuing Education for School Board Members.

- (a) Under the Texas Education Code (TEC), §11.159, the State Board of Education (SBOE) shall adopt a framework for school board development to be used in structuring continuing education for school board members. The framework shall be posted to the Texas Education Agency (TEA) website and shall be distributed annually by the president of each board of trustees to all current board members and the superintendent.
- (b) The continuing education required under the TEC, §11.159, applies to each member of an independent school district board of trustees. All school board trainings and continuing education under this section shall comply with state law.
 - (1) Each school board member of an independent school district shall complete a local district orientation.
 - (A) The purpose of the local orientation is to familiarize new board members with local board policies and procedures and district goals and priorities.

- (B) A candidate for school board may complete the training up to one year before he or she is elected or appointed. A newly elected or appointed school board member who did not complete this training in the year preceding his or her election or appointment must complete the training within 120 calendar days after election or appointment.
 - (C) The orientation shall be at least three hours in length.
 - (D) The orientation shall address local district practices in the following, in addition to topics chosen by the local district:
 - (i) curriculum and instruction;
 - (ii) business and finance operations;
 - (iii) district operations;
 - (iv) superintendent evaluation; and
 - (v) board member roles and responsibilities.
 - (E) Each board member should be made aware of the continuing education requirements of this section and those of the following:
 - (i) open meetings act in Texas Government Code, §551.005;
 - (ii) public information act in Texas Government Code, §552.012; and
 - (iii) cybersecurity in Texas Government Code, §2054.5191.
 - (F) The orientation shall be open to any board member who chooses to attend.
- (2) Each school board member of an independent school district shall complete a basic orientation to the TEC and relevant legal obligations.
- (A) The orientation shall have special, but not exclusive, emphasis on statutory provisions related to governing Texas school districts.
 - (B) A candidate for school board may complete the training up to one year before he or she is elected or appointed. A newly elected or appointed school board member who did not complete this training in the year preceding his or her election or appointment must complete the training within 120 calendar days after election or appointment.
 - (C) The orientation shall be at least three hours in length.
 - (D) Topics shall include, but not be limited to, the TEC, Chapter 26 (Parental Rights and Responsibilities), and the TEC, §28.004 (Local School Health Advisory Council and Health Education Instruction).
 - (E) The orientation shall be provided by a regional education service center (ESC).
 - (F) The orientation shall be open to any board member who chooses to attend.
 - (G) The continuing education may be fulfilled through online instruction, provided that the training incorporates interactive activities that assess learning and provide feedback to the learner and offers an opportunity for interaction with the instructor.
 - (H) The ESC shall determine the clock hours of training credit to be awarded for successful completion of an online course and shall provide verification of completion as required in subsection (i) of this section.
- (3) After each session of the Texas Legislature, including each regular session and called session related to education, each school board member shall complete an update to the basic orientation to the TEC.
- (A) The update session shall be of sufficient length to familiarize board members with major changes in statute and other relevant legal developments related to school governance.

- (B) The update shall be provided by an ESC or a registered provider, as defined by subsection (c) of this section.
 - (C) A board member who has attended an ESC basic orientation session described in paragraph (2) of this subsection that incorporated the most recent legislative changes is not required to attend an update.
 - (D) The continuing education may be fulfilled through online instruction, provided that the training is designed and offered by a registered provider, incorporates interactive activities that assess learning and provide feedback to the learner, and offers an opportunity for interaction with the instructor.
 - (E) The ESC or registered provider shall determine the clock hours of training credit to be awarded for successful completion of an online course and shall provide verification of completion as required in subsection (i) of this section.
- (4) The entire board shall participate with their superintendent in a team-building session.
- (A) The purpose of the team-building session is to enhance the effectiveness of the board-superintendent team and to assess the continuing education needs of the board-superintendent team.
 - (B) The session shall be held annually.
 - (C) The session shall be at least three hours in length.
 - (D) The session shall include a review of the roles, rights, and responsibilities of a local board, including its oversight relationship to administrators, as outlined in the framework for school board development described in subsection (a) of this section.
 - (E) The assessment of needs shall be based on the framework for school board development described in subsection (a) of this section and shall be used to plan continuing education activities for the year for the governance leadership team.
 - (F) The team-building session shall be provided by an ESC or a registered provider as described in subsection (c) of this section.
 - (G) The superintendent's participation in team-building sessions as part of the continuing education for board members shall represent one component of the superintendent's ongoing professional development.
- (5) In addition to the continuing education requirements in paragraphs (1) through (4) of this subsection, each board member shall complete additional continuing education based on the framework for school board development described in subsection (a) of this section.
- (A) The purpose of continuing education is to address the continuing education needs referenced in paragraph (4) of this subsection.
 - (B) The continuing education shall be completed annually.
 - (C) In a board member's first year of service, he or she shall complete at least ten hours of continuing education in fulfillment of assessed needs.
 - (D) Following a board member's first year of service, he or she shall complete at least five hours of continuing education annually in fulfillment of assessed needs.
 - (E) A board president shall complete continuing education related to leadership duties of a board president as some portion of the annual requirement.
 - (F) At least 50% of the continuing education shall be designed and delivered by persons not employed or affiliated with the board member's local school district. No more than one hour of the required continuing education that is delivered by the local district may utilize self-instructional materials.

- (G) The continuing education shall be provided by an ESC or a registered provider, as defined by subsection (c) of this section.
 - (H) The continuing education may be fulfilled through online instruction, provided that the training is designed and offered by a registered provider, incorporates interactive activities that assess learning and provide feedback to the learner, and offers an opportunity for interaction with the instructor.
 - (I) The ESC or registered provider shall determine the clock hours of training credit to be awarded for successful completion of an online course and shall provide verification of completion as required in subsection (i) of this section.
- (6) Each school board member shall complete continuing education on evaluating student academic performance and setting individual campus goals for early childhood literacy and mathematics and college, career, and military readiness.
- (A) The purpose of the training on evaluating student academic performance is to provide research-based information to board members that is designed to support the oversight role of the board of trustees outlined in the TEC, §11.1515.
 - (B) The purpose of the continuing education on setting individual campus goals for early childhood literacy and mathematics and college, career, and military readiness is to facilitate boards meeting the requirements of TEC, §11.185 and §11.186.
 - (C) A candidate for school board may complete the training up to one year before he or she is elected or appointed. A newly elected or appointed school board member who did not complete this training in the year preceding his or her election or appointment must complete the training within 120 calendar days after election or appointment.
 - (D) The continuing education shall be completed every two years.
 - (E) The training shall be at least three hours in length.
 - (F) The continuing education required by this subsection shall include, at a minimum:
 - (i) instruction in school board behaviors correlated with improved student outcomes with emphasis on:
 - (I) setting specific, quantifiable student outcome goals; and
 - (II) adopting plans to improve early literacy and numeracy and college, career, and military readiness for applicable student groups evaluated in the Closing the Gaps domain of the state accountability system established under TEC, Chapter 39;
 - (ii) instruction in progress monitoring practices to improve student outcomes; and
 - (iii) instruction in state accountability with emphasis on the Texas Essential Knowledge and Skills, state assessment instruments administered under the TEC, Chapter 39, and the state accountability system established under the TEC, Chapter 39.
 - (G) The continuing education shall be provided by an authorized provider as defined by subsection (e) of this section.
 - (H) If the training is attended by an entire school board and its superintendent, includes a review of local school district data on student achievement, and otherwise meets the requirements of subsection (b)(4) of this section, the training may serve to meet a school board member's obligation to complete training under subsection (b)(4) and (6) of this section, as long as the training complies with the Texas Open Meetings Act.
- (7) Each board member shall complete continuing education on identifying and reporting potential victims of sexual abuse, human trafficking, and other maltreatment of children in accordance with TEC, §11.159(c)(2).

- (A) A candidate for school board may complete the training up to one year before he or she is elected or appointed. A newly elected or appointed school board member who did not complete this training in the year preceding his or her election or appointment must complete the training within 120 calendar days after election or appointment.
 - (B) The training shall be completed every two years.
 - (C) The training shall be at least one hour in length.
 - (D) The training must familiarize board members with the requirements of TEC, §38.004 and §38.0041, and §103.1401 of this title (relating to Reporting Child Abuse or Neglect, Including Trafficking of a Child).
 - (E) The training required by this subsection shall include, at a minimum:
 - (i) instruction in best practices of identifying potential victims of child abuse, human trafficking, and other maltreatment of children;
 - (ii) instruction in legal requirements to report potential victims of child abuse, human trafficking, and other maltreatment of children; and
 - (iii) instruction in resources and organizations that help support victims and prevent child abuse, human trafficking, and other maltreatment of children.
 - (F) The training sessions shall be provided by a registered provider as defined by subsection (c) of this section.
 - (G) This training may be completed online, provided that the training is designed and offered by a registered provider, incorporates interactive activities that assess learning and provide feedback to the learner, and offers an opportunity for interaction with the instructor.
 - (H) The registered provider shall determine the clock hours of training credit to be awarded for successful completion of an online course and shall provide verification of completion as required in subsection (i) of this section.
- (c) For the purposes of this section, a registered provider has demonstrated proficiency in the content required for a specific training. An individual applicant shall register with the TEA to provide the board member continuing education required in subsection (b)(3), (5), and (7) of this section. Groups and organizations are not eligible for registration.
- (1) The applicant's registration application shall include documentation of the applicant's training, experience, educational background, which must include a bachelor's or higher degree, and expertise in the activities and areas covered in the framework for school board development. A registration application that does not demonstrate the training, experience, educational background, and expertise shall be rejected.
 - (2) TEA will provide each applicant with a list of at least five TEA-approved background check providers and a list of TEA-approved background checks associated with obtaining a professional certification or license in this state, including background checks of school district employees conducted using the criminal history clearinghouse established by the Texas Department of Public Safety pursuant to the Texas Government Code, §411.0845. The applicant's registration application shall include a background check report from one of the approved providers or a background check report performed in association with obtaining an approved professional certification or license. A registration application that does not include a background check report completed in the last 12 months shall be rejected, and a registration application that includes a background check report documenting an applicant's felony or crime of moral turpitude conviction shall be rejected.
 - (3) Any registered provider will report to TEA within 10 days if they are convicted of a felony or crime of moral turpitude. TEA shall revoke a registered provider's status upon notification and confirmation that a registered provider has been convicted of a felony or a crime of moral turpitude. A registered provider will be given an opportunity to promptly contest in writing, within

30 days, a claim that the registered provider was convicted. TEA will respond within 30 days of its decision. An informal hearing will be conducted by TEA upon request from the registered provider. Registration shall be withheld until confirmation of registration is received from TEA.

- (4) An updated registration shall be required of a provider of continuing education every three years.
 - (5) A registered provider may present with other panel members, speakers, or presenters for credit. Those panel members, speakers, or presenters must comply with subsections (d)-(m) of this section but are not required to comply with paragraphs (1)-(4) of this subsection. Any violation of this section by the other panel members, speakers, or presenters is the responsibility of the registered provider.
 - (6) A school district that provides continuing education exclusively for its own board members is not required to register.
 - (7) An ESC is not required to register under this subsection.
- (d) A provider of training under this section may not engage in political advocacy during the training sessions under this section.
- (1) For the purposes of this section, political advocacy means:
 - (A) supporting or opposing political candidate(s), a particular party, or a group of candidates who hold a particular political viewpoint or position, specifically or by unmistakable implication, with the intent to influence the outcome of an election or appointment; and/or
 - (B) supporting or opposing any measure with the intent to influence the outcome of a legislative, rulemaking, or other policy process or measure.
 - (2) Political advocacy shall not include discussions on fostering legislative relationships, legislative or rulemaking processes, or legislative or policy updates.
 - (3) If a provider is required to register under subsection (c) of this section, the provider shall provide a written acknowledgement, provided by the agency, indicating that the provider shall not engage in political advocacy while providing training. A registration application that does not include an acknowledgement shall be rejected.
 - (4) If the agency determines a provider engaged in political advocacy while providing training, the agency shall:
 - (A) issue a warning to the provider;
 - (B) request that the provider submit a written explanation from the provider explaining the events and what action, if any, has or will be taken to prevent a future violation; and
 - (C) notify members of the State Board of Education of the warning issued to the provider and include any written explanation from the provider.
 - (5) The board may remove the registration or the authorization to provide training under this section for an individual, school district, or regional service center if the board determines that the provider engaged in political advocacy while providing training under this section.
 - (6) Removal of registration or authorization under paragraph (5) of this subsection shall be for a term of one year unless modified by the board.
 - (7) A provider is presumed to have provided political advocacy while providing training under this section if the political advocacy occurs during that training session.
- (e) An authorized provider meets all the requirements of a registered provider and has demonstrated proficiency in the content required in subsection (b)(4) and (6) of this section. Proficiency may be demonstrated by completing a TEA-approved train-the-trainer course that includes evaluation on the topics and following a review of the provider's qualifications and course design, or through other means as determined by the commissioner.

- (1) A school district or individual may be authorized by TEA to provide the board member training required in subsection (b)(4) and (6) of this section.
 - (2) An ESC shall be authorized by TEA to provide the board member training required in subsection (b)(4) and (6) of this section.
 - (3) The authorization process shall include documentation of the provider's training and/or expertise in the activities and areas covered in the framework for school board development.
 - (4) An updated authorization shall be required of a provider of training every three years.
- (f) No continuing education shall take place during a school board meeting unless that meeting is called expressly for the delivery of board member continuing education. However, continuing education may take place prior to or after a legally called board meeting in accordance with the provisions of the Texas Government Code, §551.001(4).
- (g) An ESC board member continuing education program shall be open to any interested person, including a current or prospective board member. A district is not responsible for any costs associated with individuals who are not current board members.
- (h) A registration fee shall be determined by ESCs to cover the costs of providing continuing education programs offered by ESCs.
- (i) For each training described in this section, the provider of continuing education shall provide verification of completion of board member continuing education to the individual participant and to the participant's school district. The verification must include the provider's authorization or registration number.
- (j) To the extent possible, the entire board shall participate in continuing education programs together.
- (k) At the last regular meeting of the board of trustees before an election of trustees, the current president of each local board of trustees shall announce the name of each board member who has completed the required continuing education, who has exceeded the required hours of continuing education, and who is deficient in meeting the required continuing education as of the anniversary of the date of each board member's election or appointment to the board or two-year anniversary of his or her previous training, as applicable. The announcement shall state that completing the required continuing education is a basic obligation and expectation of any sitting board member under SBOE rule. The minutes of the last regular board meeting before an election of trustees must reflect whether each trustee has met or is deficient in meeting the training required for the trustee as of the first anniversary of the date of the trustee's election or appointment or two-year anniversary of his or her previous training, as applicable. The president shall cause the minutes of the local board to reflect the announcement and, if the minutes reflect that a trustee is deficient in training as of the anniversary of his or her joining the board, the district shall post the minutes on the district's Internet website within 10 business days of the meeting and maintain the posting until the trustee meets the requirements.
- (l) Annually, the SBOE shall commend those local board-superintendent teams that complete at least eight hours of the continuing education specified in subsection (b)(4) and (5) of this section as an entire board-superintendent team.
- (m) Annually, the SBOE shall commend local board-superintendent teams that effectively implement the commissioner's trustee improvement and evaluation tool developed under the TEC, §11.182, or any other tool approved by the commissioner.