

**Item 9:****Consider and Take Appropriate Action on Adoption of  
Proposed Repeal of 19 TAC Chapter 239, Student Services  
Certificates, Subchapter E, Master Teacher Certificate****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, proposed repeal of 19 Texas Administrative Code (TAC) Chapter 239, Student Services Certificates, Subchapter E, Master Teacher Certificate. The proposed repeal of 19 TAC Chapter 239, Subchapter E, would implement the requirements of House Bill 3 (HB 3), 86th Texas Legislature, 2019. HB 3 requires that effective September 1, 2019, the SBEC can no longer issue or renew master teacher certificates. HB 3 also specifies that master teacher certificates will be designated as "legacy" certificates and recognized for assignment purposes until they expire. No changes are recommended since published as proposed, but additional changes may be recommended at the time of the meeting based on public comment.

**STATUTORY AUTHORITY:** The statutory authority for the repeal of 19 TAC Chapter 239, Subchapter E is the House Bill (HB) 3, 86th Texas Legislature, 2019, Article 4, Repealer, Section 4.001(a)(2)-(5) and Texas Education Code (TEC), 21.064, as amended by HB 3, 86th Texas Legislature, 2019.

TEC, §21.064, as amended by HB 3, 86th Texas Legislature, Regular Session, 2019, required the SBEC to stop the issuance and renewal of master teacher certificates effective September 1, 2019, to add a designation of "legacy" to each master teacher certificate issued, and to recognize these certificates until they expire.

HB 3, 86th Texas Legislature, 2019, Article 4. Repealer, Section 4.001(a)(2)-(5), repeals TEC, §21.0481, Master Reading Teacher Certification; TEC, §21.0482, Master Mathematics Teacher Certification; TEC, § 21.0483, Master Technology Teacher Certification; and TEC, § 21.0484, Master Science Teacher Certification.

**EFFECTIVE DATE:** The proposed effective date of the proposed repeal of 19 TAC Chapter 239, Subchapter E, would be December 22, 2019 (20 days after filing as adopted with the *Texas Register*). The proposed effective date is based on the SBEC and SBOE meeting schedules.

**PREVIOUS BOARD ACTION:** At the July 26, 2019 SBEC meeting, the SBEC approved the proposed repeal of 19 TAC Chapter 239, Subchapter E, for publication in the *Texas Register* as proposed rules.

**BACKGROUND INFORMATION AND JUSTIFICATION:** The SBEC rules in 19 TAC Chapter 239, Student Services Certificates, Subchapter E, Master Teacher Certificate, establish the minimum requirements for admission, preparation, standards, certificate issuance, and renewal of master teacher certificates in reading, mathematics, technology, and science.

HB 3 repealed TEC, §§ 21.0481–21.0484, the statutory authority for the master teacher certificates. These statutory citations and others relevant to this proposal are included in Attachment I. The proposed repeal of 19 TAC Chapter 239, Student Services Certificates, Subchapter E, Master Teacher Certificate is reflected in Attachment II.

Texas Education Agency (TEA) staff have proactively reached out to those potentially affected by the repeal of those certificates:

- Educator Preparation Programs that offer preparation for the master teacher certification to notify them and provide guidance to the programs on what they need to do to close-out these certificate classes and to assist candidates who are currently in the pipeline for the master teacher certificates.
- Current certificate holders to notify them and provide guidance that the current master teacher certificates will be designated as "legacy" and will allow holders to be eligible for placement into appropriate teaching assignments.

No changes are recommended to the proposed revisions to 19 TAC Chapter 239, Student Services Certificates, Subchapter E, Master Teacher Certificate, but additional changes may be recommended at the time of the meeting based on public comment.

**FISCAL IMPACT:** No changes have been made to this section since published as proposed. The TEA staff has determined that there is no additional fiscal impact on state and local governments and that there are no additional costs to persons or entities required to comply with the proposal, outside of the costs caused directly by HB 3.

**LOCAL EMPLOYMENT IMPACT:** No changes have been made to this section since published as proposed. The proposal has no effect on local economy; therefore, no local employment impact statement under Texas Government Code (TGC), §2001.022, is required.

**SMALL BUSINESS, MICROBUSINESS, AND RURAL COMMUNITY IMPACT:** No changes have been made to this section since published as proposed. The proposal has no direct adverse impact for small businesses, microbusinesses, or rural communities; therefore, no regulatory flexibility local employment impact statement under Texas Government Code (TGC), §2006.002, is required.

**COST INCREASE TO REGULATED PERSONS:** No changes have been made to this section since published as proposed. 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, §2001.045.

**TAKINGS IMPACT ASSESSMENT:** No changes have been made to this section since published as proposed. 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:** No changes have been made to this section since published as proposed. 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, the proposed rulemaking would eliminate a government program, would decrease the number of individuals subject its applicability, and would repeal an existing regulation by repealing the master teacher certification.

The proposed rulemaking would not create 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 or limit an existing regulation; would not increase 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:** No changes have been made to this section since published as proposed. The public benefit anticipated as a result of the proposal would be timely implementation of legislative mandates in HB 3 and clarity for educators and applicants regarding which certificates are available. There are no anticipated costs to persons who are required to comply with the proposal.

**DATA AND REPORTING IMPACT:** No changes have been made to this section since published as proposed. The proposal would have no data and reporting impact.

**PRINCIPAL AND CLASSROOM TEACHER PAPERWORK REQUIREMENTS:** No changes have been made to this section since published as proposed. The TEA staff has determined that the proposal would not require a written report or paperwork to be completed by a principal or classroom teacher.

**PUBLIC COMMENTS:** The public comment period on the proposal began August 23, 2019 and ended September 23, 2019. Any comments received will be provided to the SBEC under separate cover prior to the October 4, 2019 meeting. The SBEC will take registered oral and written comments on this item at the October 4, 2019 meeting in accordance with the SBEC Board operating policies and procedures.

**ASSOCIATE COMMISSIONER'S RECOMMENDATION:**

Approve for adoption, subject to State Board of Education review, the proposed repeal of 19 TAC Chapter 239, Student Services Certificates, Subchapter E, Master Teacher Certificate, with an effective date of 20 days after filing the adoption notice with the *Texas Register*.

**Staff Member Responsible:**

Marilyn Cook, Director, Educator Certification

**Attachments:**

- I. Statutory Citations
- II. Text of Proposed Repeal of 19 TAC Chapter 239, Student Services Certificates, Subchapter E, Master Teacher Certificate

**ATTACHMENT I**

**Statutory Citations Related to Proposed Repeal of 19 TAC Chapter 239, Student Services  
Certificates, Subchapter E, Master Teacher Certificate**

**Texas Education Code, §21.064, Legacy Master Teacher Certifications, as amended by  
HB3, 86th Texas Legislature, Regular Session, 2019 (excerpts):**

- (a) The board shall recognize a master teacher certificate issued under former Section 21.0481, 21.0482, 21.0483, or 21.0484 until the certificate expires. The board shall note a designation of "legacy" on the certificate.

**HB 3, 86th Texas Legislature, 2019, Article 4. Repealer (excerpt), §4.001**

- (a) The following provisions of the Education Code are repealed (excerpt):
  - (2) Section 21.0481;
  - (3) Section 21.0482;
  - (4) Section 21.0483;
  - (5) Section 21.0484;

ATTACHMENT II  
Text of Proposed Repeal of 19 TAC

## Chapter 239. Student Services Certificates

[Subchapter E. Master Teacher Certificate][§239.100. General Provisions for Master Teacher Certificates.]

- ~~[(a) An educator preparation program must obtain approval from the State Board for Educator Certification (SBEC) under §228.10 of this title (relating to Approval Process) before it may offer a program to prepare candidates to be certified master teachers.]~~
- ~~[(b) SBEC approved standards shall be the basis for an educator preparation program that prepares candidates to be certified as master teachers. An educator preparation program operating a program shall periodically measure a candidate's progress and needed improvement using benchmarks and structured assessments based on the appropriate master teacher certificate standards.]~~
- ~~[(c) A field based practicum required by this subchapter shall be structured to provide a candidate relevant experiences in a variety of educational settings with diverse student populations. The practicum experience shall require a candidate to demonstrate proficiency in each of the applicable standards.]~~
- ~~[(d) To take a course through an SBEC approved educator preparation program, a candidate must meet the following requirements:]~~
- ~~[(1) hold a baccalaureate 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; and]~~
- ~~[(2) satisfy other requirements established by the educator preparation program to appropriately determine the candidate's qualifications for the master teacher certificate sought.]~~

[§239.101. Master Reading Teacher Certification.]

- ~~[(a) To ensure that there are teachers with special training to work with other teachers and with students in order to improve student reading performance, the State Board for Educator Certification (SBEC) established the Master Reading Teacher Certificate.]~~
- ~~[(b) The holder of the Master Reading Teacher Certificate may serve as a reading teacher mentor to other teachers and teach reading to students in Prekindergarten Grade 12.]~~
- ~~[(c) To be eligible for the Master Reading Teacher Certificate, an individual must:]~~
- ~~[(1) hold the Reading Specialist Certificate issued under Subchapter D of this chapter (relating to Reading Specialist Certificate) and successfully complete a course of instruction as prescribed under paragraph (2)(B) of this subsection through an SBEC approved educator preparation program and satisfy any other requirement generally applicable to a certificate issued under this title; or]~~
- ~~[(2) hold a valid teaching certificate issued under this title and:]~~
- ~~[(A) have at least three creditable years teaching experience as a classroom teacher, as defined in Chapter 153, Subchapter CC, of this title (relating to Commissioner's Rules on Creditable Years of Service) and the Texas Education Code, §5.001(2);]~~
- ~~[(B) satisfactorily complete a knowledge-based and skills-based course of instruction through an SBEC approved educator preparation program on the science of teaching children to read that includes training in:]~~
- ~~[(i) effective reading instruction techniques, including effective techniques for students whose primary language is a language other than English;]~~

~~[(ii) — identification of dyslexia and related reading disorders and effective reading instruction techniques for students with those disorders; and]~~

~~[(iii) — effective professional peer mentoring techniques;]~~

~~[(C) — satisfactorily complete a field-based practicum prescribed by an SBEC approved educator preparation program;]~~

~~[(D) — perform satisfactorily on the master reading teacher certification examination prescribed by the SBEC; and]~~

~~[(E) — satisfy any other requirement generally applicable to a certificate issued under this title.]~~

**§239.102. Master Mathematics Teacher Certification.**

~~[(a) — To ensure that there are teachers with special training to work with other teachers and with students in order to improve student mathematics performance, the State Board for Educator Certification (SBEC) established:]~~

~~[(1) — the Master Mathematics Teacher Certificate to teach mathematics in Early Childhood Grade 4;]~~

~~[(2) — the Master Mathematics Teacher Certificate to teach mathematics in Grades 4-8; and]~~

~~[(3) — the Master Mathematics Teacher Certificate to teach mathematics in Grades 8-12.]~~

~~[(b) — The SBEC shall issue the appropriate Master Mathematics Teacher Certificate to an eligible individual.]~~

~~[(c) — To be eligible for the Master Mathematics Teacher Certificate, an individual must:]~~

~~[(1) — hold a valid teaching certificate issued under this title;]~~

~~[(2) — have at least three creditable years teaching experience as a classroom teacher, as defined in Chapter 153, Subchapter CC, of this title (relating to Commissioner's Rules on Creditable Years of Service) and the Texas Education Code, §5.001(2);]~~

~~[(3) — satisfactorily complete a knowledge-based course of instruction through an SBEC approved educator preparation program on the science of teaching children mathematics that includes training in mathematics instruction and professional peer mentoring techniques that, through scientific testing, have been proven effective;]~~

~~[(4) — satisfactorily complete a field-based practicum prescribed by an SBEC approved educator preparation program;]~~

~~[(5) — perform satisfactorily on the appropriate master mathematics teacher certification examination prescribed by the SBEC; and]~~

~~[(6) — satisfy any other requirement generally applicable to certificates issued under this title.]~~

~~[(d) — The course of instruction prescribed under subsection (c)(3) of this section shall be developed by the Texas Education Agency staff in consultation with mathematics and science faculty members at institutions of higher education.]~~

**§239.103. Master Technology Teacher Certification.**

~~[(a) — To ensure that there are teachers with special training to work with other teachers and with students in order to increase the use of technology in each classroom, the State Board for Educator Certification (SBEC) established the Master Technology Teacher Certificate.]~~

~~[(b) — The holder of the Master Technology Teacher Certificate may serve as a technology training mentor for the amount of time and in the manner established by the school district and by rule adopted by the commissioner of education. The holder of the Master Technology Teacher Certificate is not certified to teach technology courses in the required secondary curriculum as specified in §74.3 of this title (relating to Description of a Required Secondary Curriculum), unless the individual holds a certificate appropriate for assignment to teach those courses as specified in Chapter 231 of this title (relating to Assignment of Public~~

~~School Personnel), Chapter 233 of this title (relating to Categories of Classroom Teaching Certificates), or elsewhere in this title.]~~

~~[(c) — To be eligible for the Master Technology Teacher Certificate, an individual must:]~~

~~[(1) — hold the Technology Applications Certificate or the Technology Education Certificate issued under this title and:]~~

~~[(A) — satisfactorily complete the course of instruction as prescribed under paragraph (2)(B) of this subsection through an SBEC approved educator preparation program;]~~

~~[(B) — satisfactorily perform on the examination prescribed under paragraph (2)(D) of this subsection;]~~

~~[(C) — satisfactorily complete a field-based practicum prescribed by an SBEC approved educator preparation program; and]~~

~~[(D) — satisfy any other requirement generally applicable to certificates issued under this title; or]~~

~~[(2) — hold a valid teaching certificate issued under this title and:]~~

~~[(A) — have at least three creditable years teaching experience as a classroom teacher, as defined in Chapter 153, Subchapter CC, of this title (relating to Commissioner's Rules on Creditable Years of Service) and the Texas Education Code, §5.001(2);]~~

~~[(B) — satisfactorily complete a knowledge-based and skills-based course of instruction on interdisciplinary technology applications and the science of teaching technology through an SBEC approved educator preparation program that includes training in:]~~

~~[(i) — effective technology instruction techniques, including applications designed to meet the educational needs of students with disabilities;]~~

~~[(ii) — classroom teaching methodology that engages student learning through the integration of technology;]~~

~~[(iii) — digital learning competencies, including Internet research, graphics, animation, website mastering, and video technologies;]~~

~~[(iv) — curriculum models designed to prepare teachers to facilitate an active student learning environment; and]~~

~~[(v) — effective professional peer mentoring techniques;]~~

~~[(C) — satisfactorily complete a field-based practicum prescribed by an SBEC approved educator preparation program;]~~

~~[(D) — satisfactorily perform on an examination administered at the conclusion of the course of instruction prescribed under subparagraph (B) of this paragraph; and]~~

~~[(E) — satisfy any other requirement generally applicable to certificates issued under this title.]~~

~~[(d) — The SBEC may provide technology applications training courses under subsection (c)(2)(B) of this section and a field-based practicum under subsection (c)(2)(C) of this section in cooperation with:]~~

~~[(1) — regional education service centers; and]~~

~~[(2) — other public or private entities, including any state council on technology;]~~

~~[(e) — The course of instruction prescribed under subsection (c)(2)(B) of this section shall be developed by the Texas Education Agency staff in consultation with technology faculty members at institutions of higher education.]~~

~~§239.104. Master Science Teacher Certification.~~

- ~~[(a) — To ensure that there are teachers with special training to work with other teachers and with students in order to improve student science performance, the State Board for Educator Certification (SBEC) established:]~~
- ~~[(1) — the Master Science Teacher Certificate to teach science in Early Childhood-Grade 4;]~~
- ~~[(2) — the Master Science Teacher Certificate to teach science in Grades 4-8; and]~~
- ~~[(3) — the Master Science Teacher Certificate to teach science in Grades 8-12.]~~
- ~~[(b) — To be eligible for the Master Science Teacher Certificate, an individual must:]~~
- ~~[(1) — hold a valid teaching certificate issued under this title;]~~
- ~~[(2) — have at least three creditable years teaching experience as a classroom teacher, as defined in Chapter 153, Subchapter CC, of this title (relating to Commissioner's Rules on Creditable Years of Service) and the Texas Education Code, §5.001(2);]~~
- ~~[(3) — satisfactorily complete a knowledge-based course of instruction through an SBEC-approved educator preparation program on the science of teaching children science that includes training in science instruction and professional peer mentoring techniques that, through scientific testing, have been proven effective;]~~
- ~~[(4) — satisfactorily complete a field-based practicum prescribed by an SBEC-approved educator preparation program;]~~
- ~~[(5) — perform satisfactorily on the appropriate master science teacher certification examination prescribed by the SBEC; and]~~
- ~~[(6) — satisfy any other requirement generally applicable to certificates issued under this title.]~~
- ~~[(c) — The course of instruction prescribed under subsection (b)(3) of this section shall be developed by the Texas Education Agency staff in consultation with science faculty members at institutions of higher education.]~~