

Item 5:

Proposed Review of 19 TAC Chapter 231, Requirements for Public School Personnel Assignments

DISCUSSION AND ACTION

SUMMARY: Texas Government Code (TGC), §2001.039, establishes a four-year rule review cycle for all state agency rules, including State Board for Educator Certification (SBEC) rules. This item presents for SBEC approval for the proposed review of 19 Texas Administrative Code (TAC) Chapter 231, Requirements for Public School Personnel Assignments. The rules being reviewed provide requirements relating to the criteria for school districts to make personnel assignments based on the correlating certification requirements.

STATUTORY AUTHORITY: Statutory authority for the rule review is TGC, §2001.039. The statutory authority for 19 TAC Chapter 231 is the Texas Education Code (TEC), §§21.003(a), 21.031(a), 21.041(b)(1) and (2), and 21.0486.

FUTURE ACTION EXPECTED: The review of 19 TAC Chapter 231, Requirements for Public School Personnel Assignments, is scheduled to be presented to the SBEC for adoption at the July 2024 meeting.

BACKGROUND INFORMATION AND JUSTIFICATION: The SBEC rules in 19 TAC Chapter 231, Requirements for Public School Personnel Assignments, establish requirements for school districts to make personnel assignments based on the correlating certification requirements.

Due to the volume of the text for Chapter 231, the rule text is not included as an attachment in this agenda. However, the rules can be found on the Texas Education Agency (TEA) website at <https://tea.texas.gov/about-tea/laws-and-rules/sbec-rules-tac/sbec-tac-currently-in-effect/19-tac-chapter-231>

ANTICIPATED REVISIONS TO RULES: Texas Education Agency (TEA) staff anticipates presenting proposed revisions to Chapter 231 to the Board for action at the September 2024 meeting.

PUBLIC COMMENTS: The TEA will file the notice of proposed review of 19 TAC Chapter 231 with the Texas Register following the April 2024 SBEC meeting. The SBEC will accept comments as to whether the reasons for adopting 19 TAC Chapter 231 continue to exist. The public comment period on the proposed rule review begins May 31, 2024, and ends July 1, 2024. The SBEC will also take registered oral and written comments on the proposal during the July 19, 2024 meeting's public comment period in accordance with the SBEC board operating policies and procedures.

The filing of the notice of proposed review soliciting comments as to whether the reasons for adoption continue to exist would not preclude any amendments that may be proposed at the same time or at different times through a separate rulemaking process.

ASSOCIATE COMMISSIONER'S RECOMMENDATION:

Approve the proposed review of 19 TAC Chapter 231, Requirements for Public School Personnel Assignments, to be published as presented in the *Texas Register*.

Staff Members Responsible:

Marilyn Cook, Senior Director, Educator Preparation and Certification
Jessica McLoughlin, Senior Director, Educator Quality