

**Item 19:****Discussion of 19 TAC Chapter 239, Student Services Certificates, Subchapter A, School Counselor Certificate****DISCUSSION ONLY**

**SUMMARY:** This item provides the State Board for Educator Certification (SBEC) an opportunity to discuss 19 Texas Administrative Code (TAC) Chapter 239, Student Services Certificates, Subchapter A, School Counselor Certificate.

**STATUTORY AUTHORITY:** The statutory authority for 19 TAC Chapter 239, Subchapter A, §239.20, is Texas Education Code (TEC), §§21.031(a); 21.040(2); 21.041(a), (b)(1)–(5), and (9); 21.044(a)(2); 21.0462, as added by SB 798, 88th Texas Legislature, Regular Session, 2023; 21.048(a); 21.054, as amended by House Bill (HB) 2929, 88th Texas Legislature, Regular Session, 2023; and 22.0831(f).

TEC, §21.031(a), charges the SBEC with regulating and overseeing all aspects of the certification, continuing education, and standards of conduct for public school educators.

TEC, §21.040(2), states that the 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 board.

TEC, §21.041(a), authorizes the SBEC to adopt rules as necessary to implement its procedures.

TEC, §21.041(b)(1), 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 TEC, Chapter 21, Subchapter B.

TEC, §21.041(b)(2)-(4), 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 issuance and renewal of an educator certificate.

TEC, §21.041(b)(5), requires the SBEC to provide for the issuance of an educator certificate to a person who holds a similar certificate issued by another state or foreign country, subject to Section 21.052.

TEC, §21.041(b)(9), requires the SBEC to provide for continuing education requirements.

TEC, §21.044(a)(2), requires the SBEC to propose rules establishing training requirements a person must accomplish to obtain a certificate, enter an internship, or enter an induction-year program.

TEC, §21.0462, as added by SB 798, 88th Texas Legislature, Regular Session, 2023, prohibits requiring candidates have experience as a classroom teacher.

TEC, §21.048(a), requires the SBEC to propose rules prescribing comprehensive examinations for each class of certificate issued by the SBEC and requires the commissioner of education to determine the satisfactory level of performance required for each certification examination and each core subject covered by the generalist certification examination.

TEC, §21.054, as amended by HB 2929, 88th Texas Legislature, Regular Session, 2023, requires classroom teachers, principals, and school counselors to earn continuing professional education units in specific areas and directs the SBEC to propose rules relating to continuing professional education courses and programs for educators.

TEC, §22.0831(f), states the board may propose rules to implement this section, including rules establishing: (1) deadlines for a person to submit fingerprints and photographs in compliance with this section; and (2) sanctions for a person's failure to comply with the requirements of this section, including suspension or revocation of a certificate or refusal to issue a certificate.

The full text of statutory citations can be found in the statutory authority section of this agenda.

**BACKGROUND INFORMATION AND JUSTIFICATION:** The SBEC rules in 19 TAC Chapter 239, Student Services Certificates, Subchapter A, School Counselor Certificate, establish requirements for minimum admission, preparation, standards, certificate issuance, renewal, and transition and implementation dates for the school counselor certificate. These requirements ensure educators are qualified and professionally prepared to instruct the schoolchildren of Texas.

The SBEC recently completed rulemaking to implement SB 798, which removed the requirement that a candidate have teaching experience as a qualification for certification as a school counselor. Public testimony and comments were provided to the SBEC and the SBOE throughout the rulemaking process and conversation has continued about school counselor certification. In the final stages of SBEC rulemaking, TEA staff was asked by SBEC and SBOE Board Members to return with a discussion item on school counselor certification requirements as soon as possible following the effective date of the update to the Chapter 239, Subchapter A rules. This item has been developed to honor that request.

Here are a couple of important highlights about School Counselor Certification:

- There are currently 57 approved School Counselor programs in Texas. For initial certification as a School Counselor, a candidate must complete requirements through one of the approved programs.
- To qualify for admission into a School Counselor program, the applicant must have a GPA of 2.5 or higher and must be screened by program staff for appropriateness for the School Counselor certificate.
- While enrolled in a School Counselor program, candidates must complete a rigorous, performance-based course of study that includes at least 200 clock hours of coursework and training based on the School Counselor standards, including standards set forth in *The Texas Model for Comprehensive School Counseling Programs*.
  - Additionally, candidates must complete a practicum of 160 clock-hours or more where they demonstrate proficiency in the implementation of skills required of school counselors.

- Through the coursework and training process, candidates learn and practice a variety of techniques needed to be effective in the role, including additional knowledge and skills required of classroom teachers such as knowing learners' developmental characteristics and needs and their relevance to educational and career choices, understanding characteristics and learning needs of special populations, proficiency in teaching small and large groups by actively engaging students in the learning process, and techniques and behavioral interventions to assist teachers with classroom management.
- Standard certification of a School Counselor requires not only completion of the program requirements but also requires passing scores on a School Counselor certification exam and a 48-hour master's degree in counseling.

TEA staff anticipates receiving additional stakeholder feedback from the Texas Counseling Association (TCA) and the Texas School Counselor Association (TSCA). TEA staff plan to share any information received with Board members and incorporate the stakeholder feedback into the presentation of this item at the July board meeting.

**FUTURE ACTION EXPECTED:** Following a conversation with the Board at the July SBEC meeting, TEA will act on these rules as directed.

**Staff Members Responsible:**

Marilyn Cook, Senior Director, Educator Preparation and Certification

Lorrie Ayers, Director of EPP Management, Educator Preparation and Certification