

Chapter 250. Administration

Subchapter B. Rulemaking Procedures

Statutory Authority: The provisions of this Subchapter B issued under the Texas Education Code, §21.035(b) and §21.041(a) and (b)(1), and Texas Government Code, §2001.021.

§250.20. Petition for Adoption of Rules or Rule Changes.

- (a) Any interested person, as defined in Texas Government Code (TGC), §2001.021, may petition for the adoption, amendment, or repeal of a rule of the State Board for Educator Certification (SBEC) by filing a petition on the form provided in this subsection. The petition shall be signed and submitted to the designated Texas Education Agency (TEA) office. The TEA staff shall evaluate the merits of the petition to determine whether to recommend that rulemaking proceedings be initiated or that the petition be denied.

[Figure: 19 TAC §250.20\(a\)](#)

- (b) The SBEC shall respond to a written request for rulemaking from an interested person in accordance with TGC, §2001.021.
- (c) The SBEC will review the petition and the recommendation and will either deny the petition, giving reasons for the denial, or direct the TEA staff to begin the rulemaking process. The TEA staff will notify the petitioner of the SBEC's action related to the petition.
- (d) Without limitation to the reasons for denial in this subsection, the SBEC may deny a petition on the following grounds:
- (1) the SBEC does not have jurisdiction or authority to propose or to adopt the petitioned rule;
 - (2) the petitioned rule conflicts with a statute, court decision, another rule proposed or adopted by the SBEC, or other law;
 - (3) the SBEC determines that a different proceeding, procedure, or act more appropriately addresses the subject matter of the petition than initiating a rulemaking proceeding;
 - (4) the petitioner files a petition:
 - (A) before the fourth anniversary of the SBEC's having previously considered and rejected a similar rule on the same subject matter; or
 - (B) to amend a rule proposed or adopted by the SBEC that has not yet become effective; or
 - (5) any other reason the SBEC determines is grounds for denial.
- (e) If the SBEC initiates rulemaking procedures in response to a petition, the rule text which the SBEC proposes may differ from the rule text proposed by the petitioner.

Source: The provisions of this §250.20 adopted to be effective August 19, 2010, 35 TexReg 7067; amended to be effective October 27, 2014, 39 TexReg 8403; amended to be effective October 21, 2018, 43 TexReg 6843; amended to be effective July 21, 2022, 47 TexReg 4330; amended to be effective August 3, 2025, 50 TexReg 4930.