

Item 15:

Discussion of Continuing Professional Education Requirements

DISCUSSION

SUMMARY: This item provides the State Board for Educator Certification (SBEC) the opportunity to discuss recent legislation as a result of the 87th Texas Legislative Session and options for continuing professional education for renewal of a Texas educator certificate.

STATUTORY AUTHORITY: The statutory authority for continuing professional education requirements for Texas educator certificate renewal is Texas Education Code, §21.054.

BACKGROUND INFORMATION AND JUSTIFICATION: This item provides the SBEC the opportunity to provide input to TEA staff regarding continuing professional education (CPE) requirements as result of recent legislation and stakeholder feedback. The guidance provided by the SBEC will inform proposed changes for the Board's consideration at the December 2021 meeting.

The following topics are outlined in two themes:

- I. recent legislation regarding (CPE) requirements for educator certificate renewal and the establishment of a Continuing Education and Training Clearinghouse, and
- II. options related to other CPE requirements including those for educators who have expired certificates who have left the profession and are wanting to return.

I. Recent Legislative Changes:

Continuing Professional Education Requirements:

All Texas educators are required to complete continuing professional education (CPE) to renew their certificate(s). Under Texas Education Code (TEC), §21.054(a), the SBEC has the authority to determine in rule what CPE an educator must attain in order to renew the educator's certificate. TEC, §21.054(d) sets out certain topic areas for CPE that the SBEC must require for classroom teachers, principals, and school counselors. Prior to the 2021 session of the Texas Legislature, this statute required that educators attain at least 25% of the total CPE hours needed for certificate renewal in the listed topics. This list of required topic areas has historically been used to represent vital topics that are a high priority for educators to obtain to renew their certificate(s). Historically, the CPE requirements set out in SBEC rule have simply mirrored the statutory requirements without imposing any additional requirements for educators and have allowed the remaining 75% of required hours to be at the educator's discretion as long as it aligns with the certificate(s) held.

Recent legislation in Senate Bill (SB) 1267, 87th Texas Legislature, Regular Session, 2021, removed of certain required CPE topics for classroom teachers and principals. SB 1267 also changed the 25% minimum (at least) that the required topics must comprise of an educators' total CPE requirements, to a 25% maximum (no more than), so that classroom teachers, principals, and school counselors are now limited in how many hours they can obtain in the

required topics to meet their individual CPE total requirements for certificate(s) renewal. The full list of the remaining and removed training topics for certificate renewal can be found in Attachment II.

In addition to the changes listed above, SB 1267 requires that all educators receive CPE in training regarding educating students with disabilities. This requirement is not subject to the 25% cap.

Below outlines the topics stricken for the classroom teacher and principal class of certificate:

Class of Certificate	CPE Training Topics Removed from Texas Education Code
Classroom Teacher	<ul style="list-style-type: none"> • Educating students who are eligible to participate in special education programs under Subchapter A, Chapter 29, <u>Special Education Program</u> • Educating students who are eligible to receive educational services required under Section 504, Rehabilitation Act of 1973 (29 U.S.C Section 794) • Educating students with mental health conditions or who engage in substance abuse • Educating students with intellectual or developmental disabilities • Educating students with limited English proficiency • How mental health conditions, including grief and trauma, affect student learning and behavior and how evidence-based grief-informed, and trauma-informed strategies support the academic success of students affected by grief and trauma.
Principal	<ul style="list-style-type: none"> • Educating students who are eligible to participate in special education programs under Subchapter A, Chapter 29, <u>Special Education Program</u> • Educating students with intellectual or developmental disabilities • Educating students who are eligible to receive educational services required under Section 504, Rehabilitation Act of 1973 (29 U.S.C Section 794) • Educating students with mental health conditions or who engage in substance abuse • How mental health conditions, including grief and trauma, affect student learning and behavior and how evidence-based grief-informed, and trauma-informed strategies support the academic success of students affected by grief and trauma.

In response to SB 1267, the SBEC has three options to implement the legislation:

1. Maintain the practice of aligning SBEC rule with statute: remove the CPE topics as a requirement for certificate renewal, make the remaining topics subject to a 25% limit, and add a requirement that all educators obtain training about educating students with disabilities.

2. Continue to require the CPE topics that are no longer required by statute for certificate renewal, and adopt them in SBEC rule along with the statutorily required training about educating students with disabilities as additional requirements that are outside of the 25% cap, or
3. Include the CPE topics that are no longer required by statute in the list of topics under 19 TAC §232.11(I) that are encouraged but not required for certificate renewal, while otherwise paralleling the statute by removing CPE topics as a requirement for certificate renewal, making the remaining topics subject to a 25% limit, and adding a requirement that all educators obtain training about educating students with disabilities.

Question for SBEC's Discussion:

- When considering the Board's rules in Chapter 232, regarding the CPE content required for educator certificate renewal, is there a preference on above options regarding CPE requirement for certificate renewal?

Further considerations regarding staff development and CPE requirements for certificate renewal:

- The stricken topics may be offered during staff development provided by a school district, but not all educators are actively employed in their respective roles.
- HB 2519 significantly changed the requirements for school districts to provide CPE to educators, giving school districts significantly more discretion in the timing and topics of CPE that districts provide for their staff. It is possible that these changes will cause educators to become responsible for obtaining a much larger percentage of their required CPE hours outside of school because they will no longer be provided by the school districts. SBEC rules provide educators flexibility in the CPE topics they choose by require that educators obtain CPE hours that align with their certificate(s) to provide discretion, as well as through rules that allow educators to obtain up to 30 hours of independent study to choose to obtain these hours. If the Board chooses not to implement the stricken topics as new requirements in rule, educators interested in those topic areas could still obtain CPE in those topics at their discretion.
- Educators look to SBEC to provide guidance on CPE training requirements for certificate renewal, however, some educators would like to have more flexibility when satisfying CPE requirements.

CPE Clearinghouse:

SB 1267 also requires the SBEC to publish a comprehensive clearinghouse of information regarding continuing professional education and training requirements for educators and other school personnel ("Clearinghouse") by June 1, 2022. It will include best practices and industry recommendations for the frequency for training of those individuals. School districts are required to review the Clearinghouse annually and use it as a guide for developing their professional development policies.

The SBEC is required to approve an advisory committee consisting of educators, including classroom teachers, and representatives of organizations that represent educators to provide input and guidance for the Board's consideration. TEA staff will be sending an email at the

conclusion of the Board meeting to solicit names for consideration of advisory committee members at the December 10, 2021, meeting. Additionally, staff will work closely with those stakeholders who were involved with this legislation, those who testified on the bill, as well as stakeholders who have contacted us interested in this work.

Implementation of the Clearinghouse and the advisory committee will not require additional rulemaking. The Board will vote on the approval of the advisory committee at the December meeting. TEA staff will work with the advisory committee, as well as other divisions in the agency that oversee school district training requirements, to draft the clearinghouse recommendations to be published by the June 1, 2022, deadline.

II. CPE Rule Change Options:

School District Hardship Exemptions

SBEC rule requires educators to obtain a minimum number of CPE hours to renew their certificate every five years: classroom teachers must obtain 150 hours over a five-year period and all other classes (superintendent, principal, librarian, counselor, reading specialist, and educational diagnostician) must obtain 200 hours over a five-year period. School districts cannot hire a certified educator whose certification status is “inactive” due to not having the required CPE 150 or 200 hours. Educators often encounter problems with insufficient CPE hours when they have left the profession and then decided to come back. Over the past couple of years, TEA staff have been contacted by school district administrators requesting a waiver or exemption of these requirements so they could offer a contract to an educator who does not have the CPE hours required to renew the educator’s certificate. School districts have shared that it would benefit the students and the school district to hire experienced certified educators to fill vacancies rather than those not fully certified or long-term substitutes.

Question for SBEC’s Discussion:

When considering the Board’s rules in Chapter 232 regarding requirements for educator certificate renewal, are there concerns about allowing a school district with a hardship to apply for a temporary extension of an educator’s certification for the academic year to allow the educator to complete SBEC-required CPE training?

TEA staff, as an administrative function of the SBEC, would approve the hardship exemption request submitted by the district and manually extend the educator’s certificate expiration date. If the educator has obtained all of the required CPE by the end of the certificate extension, the educator would be eligible to submit an online renewal application and fee to begin the next five-year cycle for his or her certificate(s).

CPE Dyslexia Training Requirement

SBEC rule requires classroom teachers who teach students with dyslexia to receive training regarding educating students with dyslexia. Many teachers are assigned students with dyslexia throughout the year without prior notice and without sufficient time to receive the proper training before serving the student. If all classroom teachers received CPE training in educating students with dyslexia, it would allow those teachers to be prepared to serve those students. Additionally, it could align in rule under the new requirements in SB 1267 that all educators must obtain CPE training regarding educating students with disabilities.

Question for SBEC's Discussion:

When considering the Board's rules in Chapter 232 regarding the CPE content required for educator certificate renewal, should dyslexia for classroom teachers be included as a training renewal requirement for all Texas educators?

Next Steps:

- TEA staff will seek stakeholder feedback with the Educator Preparation Advisory Committee (EPAC) and will bring proposed rule changes to the SBEC at the December 2021 Board meeting to update the rules with feedback from the SBEC and the EPAC.
- TEA will solicit advisory member names for the SBEC approval at the December 2021 meeting. The advisory committee will develop the clearinghouse recommendations for the SBEC's consideration at a future meeting.

Staff Members Responsible:

Christie Pogue, Director, SBEC Policy Development and Support

Viviana Lopez, Program Specialist, Educator Preparation, Certification, and Enforcement

Attachments

- I. Statutory Citations
- II. SB 1267 Removed and Remaining CPE Required Training Topics

ATTACHMENT I

Statutory Citations Relating to Continuing Professional Education

Texas Education Code, §21.054, Continuing Education, as amended by SB 1267, 87th Texas Legislature, Regular Session 2021:

- (a) The board shall propose rules establishing a process for identifying continuing education courses and programs that fulfill educators' continuing education requirements, including opportunities for educators to receive micro-credentials in fields of study related to the educator's certification class as provided by Subsection (i).
- (a-1) Continuing education requirements for educators must include training regarding educating students with disabilities.
- (b) Continuing education requirements for an educator who teaches students with dyslexia must include training regarding new research and practices in educating students with dyslexia.
- (c) The training required under Subsection (b) may be offered in an online course.
- (d) Continuing education requirements for a classroom teacher must provide that not more than [at least] 25 percent of the training required every five years include instruction regarding:
- (1) collecting and analyzing information that will improve effectiveness in the classroom;
 - (2) recognizing early warning indicators that a student may be at risk of dropping out of school;
 - (3) digital learning, digital teaching, and integrating technology into classroom instruction;
 - (4) educating diverse student populations, including:
 - ~~[(A) — students who are eligible to participate in special education programs under Subchapter A, Chapter 29;]~~
 - ~~[(B) — students who are eligible to receive educational services required under Section 504, Rehabilitation Act of 1973 (29 U.S.C. Section 794);]~~
 - ~~[(C) — students with mental health conditions or who engage in substance abuse;]~~
 - ~~[(D) — students with intellectual or developmental disabilities;]~~
 - (A) [(E)] who are educationally disadvantaged;
 - ~~[(F) — students of limited English proficiency; and~~
 - (B) [(G)] students at risk of dropping out of school[-] ; and
 - (5) understanding appropriate relationships, boundaries, and communications between educators and students. [-] ; and
 - ~~[(6) — how mental health conditions, including grief and trauma affect student learning and behavior and how evidence-based, grief-informed, and trauma-informed~~

~~strategies support the academic success of students affected by grief and trauma.]~~

(d-1) The instruction required under Subsection (d) may include two or more listed topics together.

~~[(d-2) The instruction required under Subsection (d)(6) must:~~

- ~~(1) — comply with the training required by Section 38.036(c)(1); and~~
- ~~(2) — be approved by the commissioner.]~~

(e) Continuing education requirements for a principal must provide that not more than [at least] 25 percent of the training required every five years include instruction regarding:

- (1) effective and efficient management, including:
 - (A) collecting and analyzing information;
 - (B) making decisions and managing time; and
 - (C) supervising student discipline and managing behavior;
- (2) recognizing early warning indicators that a student may be at risk of dropping out of school;
- (3) digital learning, digital teaching, and integrating technology into campus curriculum and instruction;
- (4) effective implementation of a comprehensive school counseling program under Section 33.005;
- (5) mental health programs addressing a mental health condition;
- (6) educating diverse student populations, including:
 - ~~[(A) — students who are eligible to participate in special education programs under Subchapter A, Chapter 29]~~
 - ~~[(B) — students with intellectual or developmental disabilities;]~~
 - ~~[(C) — students who are eligible to receive educational services required under Section 504, Rehabilitation Act of 1973 (29 U.S.C. Section 794);]~~
 - ~~[(D) — students with mental health conditions or who engage in substance] abuse;]~~
 - (A) [(E)] students who are educationally disadvantaged;
 - (B) [(F)] students of limited English proficiency; and
 - (C) [(G)] students at risk of dropping out of school; and
- (7) preventing, recognizing, and reporting any sexual conduct between an educator and student that is prohibited under Section 21.12, Penal Code, or for which reporting is required under Section 21.006 of this code. [; and]
- ~~[(8) — how mental health conditions, including grief and trauma, affect student learning and behavior and how evidence-based, grief-informed, and trauma-informed strategies support the academic success of students affected by grief and trauma.]~~

~~[(e-2) The instruction required under Subsection (e)(8) must be:~~

- ~~(1) based on relevant best practice-based programs and research-based practices; and~~
- ~~(2) approved by the commissioner, in consultation with the Health and Human Services Commission.]~~
- (f) Continuing education requirements for a counselor must provide that not more than ~~[at least]~~ 25 percent of training required every five years include instruction regarding:
 - (1) assisting students in developing high school graduation plans;
 - (2) implementing dropout prevention strategies; ~~[and]~~
 - (3) informing students concerning:
 - (A) college admissions, including college financial aid resources and application procedures; and
 - (B) career opportunities.
 - (4) counseling students concerning mental health conditions and substance abuse, including through the use of grief-informed and trauma-informed interventions and crisis management and suicide prevention strategies; and
 - (5) effective implementation of a comprehensive school counseling program under Section 33.005.
- (g) The board shall adopt rules that allow an educator to fulfill continuing education requirements by participating in an evidence-based mental health first aid training program or an evidence-based grief-informed and trauma-informed care program. The rules adopted under this subsection must allow an educator to complete a program described by this subsection and receive credit toward continuing education requirements for twice the number of hours of instruction provided under that program, not to exceed 16 hours. The program must be offered through a classroom instruction format that requires in-person attendance.
- (h) Continuing education requirements for a superintendent must include at least 2-1/2 hours of training every five years on identifying and reporting potential victims of sexual abuse, human trafficking, and other maltreatment of children. For purposes of this subsection, "other maltreatment" has the meaning assigned by Section 42.002, Human Resources Code.
- (i) The board shall propose rules establishing a program to issue micro-credentials in fields of study related to an educator's certification class. The agency shall approve continuing education providers to offer micro-credential courses. A micro-credential received by an educator shall be recorded on the agency's Educator Certification Online System (ECOS) and included as part of the educator's public certification records.

ATTACHMENT II

SB 1267 Removed and Remaining CPE Required Training Topics

Class of Certificate	CPE Training Removed	CPE Training Remaining
Classroom Teacher	<ul style="list-style-type: none"> • Educating students who are eligible to participate in special education programs under Subchapter A, Chapter 29, <u>Special Education Program</u> • Educating students who are eligible to receive educational services required under Section 504, Rehabilitation Act of 1973 (29 U.S.C Section 794) • Educating students with mental health conditions or who engage in substance abuse • Educating students with intellectual or developmental disabilities • Educating students with limited English proficiency • How mental health conditions, including grief and trauma, affect student learning and behavior and how evidence-based grief-informed, and trauma-informed strategies support the academic success of students affected by grief and trauma. 	<ul style="list-style-type: none"> • Collecting and analyzing information that will improve effectiveness in the classroom • Recognizing early warning indicators that a student may be at risk of dropping out of school • Digital learning, digital teaching, and integrating technology into classroom instruction • Educating diverse student populations, including students who are economically disadvantaged and students at risk of dropping out of school • Understanding appropriate relationships, boundaries, and communications between educators and students
Principal	<ul style="list-style-type: none"> • Educating students who are eligible to participate in special education programs under Subchapter A, Chapter 29, <u>Special Education Program</u> • Educating students with intellectual or developmental disabilities • Educating students who are eligible to receive educational services required under Section 504, Rehabilitation Act of 1973 (29 U.S.C Section 794) • Educating students with mental health conditions or who engage in substance abuse 	<ul style="list-style-type: none"> • Effective and efficient management, including: <ul style="list-style-type: none"> ○ Collecting and analyzing information ○ Making decisions and managing time, and ○ Supervising student discipline and managing behavior • Recognizing early warning indicators that a student may be at risk of dropping out of school; • Digital learning, digital teaching, and integrating

	<ul style="list-style-type: none"> • How mental health conditions, including grief and trauma, affect student learning and behavior and how evidence-based grief-informed, and trauma-informed strategies support the academic success of students affected by grief and trauma. 	<p>technology into campus curriculum and instruction;</p> <ul style="list-style-type: none"> • Effective implementation of a comprehensive school counseling program under Section 33.005; • Mental health programs addressing a mental health condition • Educating diverse student populations, including students who are economically disadvantaged, students of limited English proficiency, and students at risk of dropping out of school • preventing, recognizing, and reporting any sexual conduct between an educator and student that is prohibited under Section 21.12, Penal Code, or for which reporting is required under Section 21.006 of this code
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