

Review of Proposed Amendment to 19 TAC Chapter 241, Certification as Principal, Subchapter B, Principal Certificate, §241.41, General Provisions

June 14, 2019

**COMMITTEE ON SCHOOL INITIATIVES: ACTION
STATE BOARD OF EDUCATION: ACTION**

SUMMARY: This item provides the State Board of Education (SBOE) an opportunity to review the State Board for Educator Certification (SBEC) rule action that would propose an amendment to 19 Texas Administrative Code (TAC) Chapter 241, Certification as Principal, Subchapter B, Principal Certificate, §241.41, General Provisions. The proposed amendment would provide a deadline for candidates to qualify and apply for the current principal certification and to take the corresponding certification examination, after which time the Principal as Instructional Leader certificate will become the only principal certification available to candidates.

STATUTORY AUTHORITY: The statutory authority for 19 TAC Chapter 241 is the Texas Education Code (TEC), §§21.003(a), 21.040(4), 21.041(b)(1)-(4), 21.046(b)-(d), and 21.054(a), (e), and (e-2), as amended by Senate Bills (SBs) 7, 179, and 1839, 85th Texas Legislature, Regular Session, 2017.

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

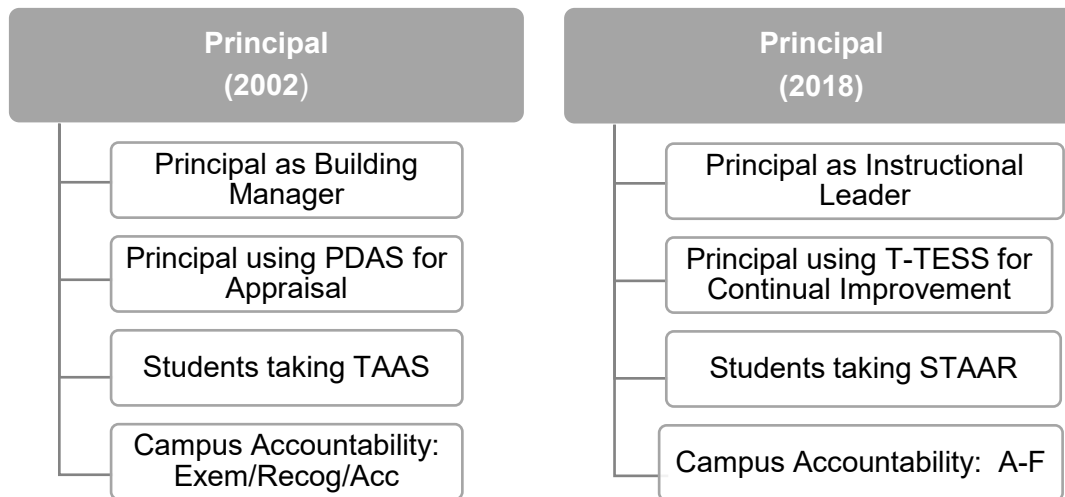
EFFECTIVE DATE: The proposed effective date of the proposed amendment to 19 TAC §241.41 is July 21, 2019.

BACKGROUND INFORMATION AND JUSTIFICATION: The SBEC is statutorily authorized to regulate and oversee all aspects of the certification of public school educators. The SBEC is also statutorily authorized to ensure that all candidates for certification or renewal of certification demonstrate the knowledge and skills necessary to improve the performance of the diverse population of this state.

The SBEC rules in 19 TAC Chapter 241, Certification as Principal, establish all of the requirements for certification and educator preparation program (EPP) minimum standards for issuance of a principal certificate.

At the April 2016 SBEC meeting, the SBEC adopted new principal standards that better align with contemporary principal practices, principal appraisal, and professional development standards. With the adoption of new standards that reflect the knowledge and skills necessary for today's principal, there was careful consideration of the changes to the essential role of a principal to schools, students, communities, and teachers from 2002 (when the standards began to be used for assessment purposes) to the current role in 2018, as illustrated below.

THE CHANGING ROLE OF THE PRINCIPAL FROM 2002-2018



At the March 2018 SBEC meeting, Texas Education Agency (TEA) staff presented the SBEC with a comprehensive approach to a principal certification redesign that includes: 1) a new certificate name that better reflects current reality along with a new principal certification assessment; 2) an optional tiered process for obtaining standard certification; and 3) an endorsement for currently certified principals and assistant principals.

At the October 5, 2018 SBEC meeting, the SBEC adopted the new principal certification program. The proposed amendment to §241.41(e) would formally end issuance of the previous Principal Certificate on October 30, 2019. This date has been communicated to the field consistently since Fall 2017. This amendment would allow sufficient time for current candidates to finish out their applications, while ensuring that the transition to the Principal as Instructional Leader certification is complete by November 1, 2019.

To ensure programs are aligned to the new standards and assessments, programs had to provide evidence of alignment with key knowledge, skills, and mindsets to the Principal as Instructional Leader (268) required standards that were organized around nine pillars for principal preparation, including: (1) Communication with Stakeholders, (2) Curriculum Alignment, (3) Diversity and Equity, (4) Data-Driven Instruction, (5) Hiring, Selection, and Retention, (6) Observation and Feedback, (7) Professional Development, (8) School Vision and Culture, and (9) Strategic Problem-Solving.

Sixty-five EPPs that offer principal preparation applied for the new certification, and currently there are 52 EPPs that have been approved.

SBOE Review of Proposed SBEC Rules

Under the TEC, §21.042, the SBEC must submit a written copy of each rule it proposes to adopt to the SBOE for review. The SBOE may reject the proposed rule by a vote of at least two-thirds of the members of the SBOE present and voting but may not modify a rule.

FISCAL IMPACT: The TEA staff has determined that there is no additional fiscal impact on state or local governments and that there are no additional costs to entities required to comply with the proposal.

LOCAL EMPLOYMENT IMPACT: The proposal has no effect on local economy; therefore, no local employment impact statement is required under Texas Government Code (TGC), §2001.002.

SMALL BUSINESS, MICROBUSINESS, AND RURAL COMMUNITY IMPACT: The proposal has no direct adverse economic impact for small businesses, microbusinesses, or rural communities; therefore, no regulatory flexibility analysis, specified in TGC, §2006.002, is required.

COST INCREASE TO REGULATED PERSONS: 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, §2001.0045.

TAKINGS IMPACT ASSESSMENT: 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: 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, it would limit an existing regulation by providing a deadline for candidates to qualify and apply for the current principal certification and to take the corresponding certification examination, after which time the Principal as Instructional Leader certificate will become the only principal certification available to candidates.

The proposed rulemaking would not create or eliminate 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 or decrease the number of individuals subject to its applicability; and would not positively or adversely affect the state's economy.

PUBLIC BENEFIT AND COSTS TO PERSONS: The proposal would provide clarity for candidates and programs regarding the final date for candidates to complete their program and be recommended for their principal certificate. There is no anticipated cost to persons who are required to comply with the proposal.

DATA AND REPORTING IMPACT: The proposal would have no data and reporting impact.

PRINCIPAL AND CLASSROOM TEACHER PAPERWORK REQUIREMENTS: The TEA staff has determined that the proposal would not require a written report or other paperwork to be completed by a principal or classroom teacher.

PUBLIC COMMENTS: In accordance with the SBEC rulemaking process, a summary of comments received by the SBEC on its proposed rules is shared with the SBOE under separate cover prior to this SBOE meeting.

MOTION TO BE CONSIDERED: The State Board of Education:

Take no action on the proposed amendment to 19 TAC Chapter 241, Certification as Principal, Subchapter B, Principal Certificate, §241.41, General Provisions.

Staff Members Responsible:

Ryan Franklin, Associate Commissioner, Educator Leadership and Quality

Tam Jones, Director, Educator Preparation

Attachment: Text of Proposed Amendment to 19 TAC Chapter 241, Certification as Principal,
Subchapter B, Principal Certificate, §241.41, General Provisions