

ATTACHMENT
Text of 19 TAC

Chapter 30. Administration

Subchapter A. State Board of Education: General Provisions

§30.1. Petition for Adoption of Rule Changes.

- (a) Any interested person as defined in Texas Government Code (TGC), §2001.021(d), may petition for the adoption, amendment, or repeal of a rule of the State Board of Education (SBOE) by filing a petition on the form provided in this subsection. The petition shall be signed and submitted to the Texas Education Agency (TEA). The TEA staff responsible for the area with which the rule is concerned 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 §30.1(a)
- (b) In accordance with TGC, §2001.021, the TEA staff must respond to the petitioner within 60 calendar days of receipt of the petition.
 - (1) Where possible, the TEA staff recommendation concerning the petition shall be placed on the next SBOE agenda, and the SBOE shall act on the petition within 60 calendar days.
 - (2) Where the time required to review the petition or the scheduling of SBOE meetings will not permit the SBOE to act on the petition within the required 60 calendar days, the TEA staff shall respond to the petitioner within the required 60 calendar days, notifying the petitioner of the date of the SBOE meeting at which the TEA staff recommendation will be presented to the SBOE for action.
- (c) The SBOE will review the petition and the TEA staff 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 SBOE's action related to the petition.
- (d) The SBOE may deny a petition on the following grounds:
 - (1) the SBOE does not have jurisdiction or authority to propose or adopt the petitioned rule;
 - (2) the petitioned rule conflicts with a statute, court decision, another rule proposed or adopted by the SBOE, or other law;
 - (3) the SBOE 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) within one year of the SBOE denying a petition on a similar rule or the same subject matter; or
 - (B) to amend a rule proposed or adopted by the SBOE that has not yet become effective; or
 - (5) any other reason the SBOE determines is grounds for denial.
- (e) If the SBOE initiates rulemaking procedures in response to a petition, the rule text which the SBOE proposes may differ from the rule text proposed by the petitioner.

Figure: 19 TAC §30.1(a)

STATE BOARD OF EDUCATION Petition for Adoption of a Rule

The Texas Government Code, §2001.021, provides that any interested person may petition an agency requesting the adoption of a rule.

The petition should be signed and submitted:

by mail to Rulemaking Division, Texas Education Agency, 1701 North Congress Avenue, Austin, Texas 78701-1494; or

by using the email button at the bottom of this petition form or by emailing directly to *rules@tea.texas.gov*.

Name:

Affiliation/Organization (if applicable):

Address:

Email Address:

Telephone:

Date:

Texas Government Code, §2001.021, specifies that an interested person must meet one of the following criteria. Please check all of the following that apply to you.

- resident of Texas
- business entity located in Texas
- governmental subdivision located in Texas
- public or private organization located in Texas that is not a state agency

Proposed rule text (indicate words to be added or deleted from the current text):

Statutory authority for the proposed rule action:

Why is this rule action necessary or desirable?

(If more space is required, attach additional sheets.)

Petitioner's Signature

(Typing your name in the field above serves as your signature for the purposes of this petition.)

[Click here to submit petition form](#)