

ATTACHMENT II

**Chapter 232 Draft Rule Text Reflecting Stakeholder Input**

Topic with Purpose and Rationale	Draft Rule Text	Rationale for Changes or Maintaining Text
<p><b>Hardship Extension:</b> The SBEC requested rule text that will allow a school district to apply for an extension to hire an educator who has an invalid certificate due to not having the CPE hours needed to renew their certificate.</p>	<p><b>§232.7. Requirements for Certificate Renewal.</b></p> <p><u>(4) A hardship exemption may be approved for a local education agency on behalf of an educator who has an invalid certificate due to lack of earning the required continuing professional education hours as prescribed §232.11 of this chapter. The hardship exemption is valid for the academic year of the application and may be renewed up to one additional academic year, provided that:</u></p> <p><u>(A) the superintendent or designee of the local education agency applies for the hardship exemption; and</u></p> <p><u>(B) the educator makes sufficient progress toward the remaining continuing professional education hours to renew the certificate during the academic year.</u></p>	<p>We received two types of feedback:</p> <ul style="list-style-type: none"> <li>We removed the language regarding making sufficient progress as a requirement for the additional year as it's too difficult to track and measure and does not allow the educator and LEA to determine that.</li> <li>We added “or designee” as a requestor for the additional year as it aligns with other areas where an LEA makes a request.</li> </ul>
<p><b>SB 1267:</b> Mandatory CPE requirements for all educators regarding educating students with disabilities. The SBEC also requested rule text that allows educators to receive educating students with dyslexia to fall under this new requirement.</p>	<p><b>§232.11. Number and Content of Required Continuing Professional Education Hours.</b></p> <p><u>(1) All educators must receive CPE training regarding educating students with disabilities. This training must include information particular to educating students with dyslexia, including students with dyslexia.</u></p>	<p>We received two types of feedback:</p> <ol style="list-style-type: none"> <li>A couple of stakeholders requested this language be more clear and to separate out dyslexia, which is shown here.</li> <li>Some wanted more clarity around minimum hours and when it should be completed. A minimum was not written in the legislation, so the number is up to the educator within the remaining 75% they must complete, and the timing would be every five years. As a reminder, this topic was covered in the list that was just stricken, so educators have already been acquiring the trainings.</li> </ol>

<p><b>SB 1267:</b> Topics stricken from the required CPE list and a cap for classroom teachers on required topics for CPE purposes. To allow classroom teachers who are already in their 3<sup>rd</sup> year of certificate renewal to not be harmed by changing requirements too soon, the new provision will go into effect September 1, 2023.</p>	<p><b>§232.11. Number and Content of Required Continuing Professional Education Hours.</b></p> <p><b>Classroom Teachers:</b></p> <p>(3) <u>For a classroom teacher that renews a certificate on or after September 1, 2023, not more than 37.5 hours of CPE training shall include instruction in, and must be directly related to each of the following topics. The training may include two or more listed topics combined:</u></p> <p>(A)<u>collecting and analyzing information that will improve effectiveness in the classroom;</u></p> <p>(B)<u>recognizing early warning indicators that a student may be at risk of dropping out of school;</u></p> <p>(C)<u>digital learning, digital teaching, and integrating technology into classroom instruction;</u></p> <p>(D)<u>educating diverse student populations, including:</u></p> <p>(i) <u>students who are educationally disadvantaged; and</u></p> <p>(ii) <u>students at risk of dropping out of school.</u></p> <p>(E) <u>understanding appropriate relationships, boundaries, and communications between educators and students.</u></p>	<p>We received three types of feedback:</p> <ol style="list-style-type: none"> <li>1. Most stakeholders support maintaining this language as it aligns with the legislation.</li> <li>2. One stakeholder suggests allowing educators to still use the stricken topics as it was not the legislative intent to limit those topics for the educators, only the state. The Board is restricted to the language of the legislation that is aligned with the proposed text. As discussed with the Board in October, there are “allowable” hours for each of those stricken areas so educators can still choose to obtain those hours if they wish.</li> <li>3. Some stakeholders suggested condensing some of the topics and removing the last one due to a desire for brevity or it being duplicative. However, this language is taken strictly out of 21.054 and supported in SB 1267, therefore, the topics must remain.</li> </ol>
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**SB 1267:** Topics stricken from the required CPE list and a cap for principals on required topics for CPE purposes. To allow principals who are already in their 3<sup>rd</sup> year of certificate renewal to not be harmed by changing requirements too soon, the new provision will go into effect September 1, 2023.

**§232.11. Number and Content of Required Continuing Professional Education Hours.**

**Principals:**

- (3) For a principal and principal as instructional leader that renews a certificate on or after September 1, 2023, not more than 50 hours of CPE training shall include instruction in, and must be directly related to, each of the following topics. The training may include two or more listed topics combined:
- (A) effective and efficient management, including:
    - (i) collecting and analyzing information;
    - (ii) making decisions and managing time; and
    - (iii) supervising student discipline and managing behavior;
  - (B) recognizing early warning indicators that a student may be at risk of dropping out of school;
  - (C) digital learning, digital teaching, and integrating technology into campus curriculum and instruction;
  - (D) effective implementation of the Texas Model for Comprehensive School Counseling Programs under TEC, §33.005;
  - (E) mental health programs addressing a mental health condition;
  - (F) educating diverse student populations, including:
    - (i) students who are educationally disadvantaged;
    - (ii) students of limited English proficiency;
    - (iii) students at risk of dropping out of school;  
and
  - (G) preventing, recognizing, and reporting any sexual conduct

Same as above.

	<p><u>between an educator and student that is prohibited under Texas Penal Code, §21.12, or for which reporting is required under TEC, §21.006.</u></p>	
<p><b>SB 1267:</b> A cap for school counselors on required topics for CPE purposes. To allow counselors who are already in their 3<sup>rd</sup> year of certificate renewal to not be harmed by changing requirements too soon, the new provision will go into effect September 1, 2023.</p>	<p><b>§232.11. Number and Content of Required Continuing Professional Education Hours.</b></p> <p><b>School Counselors:</b></p> <p>(3) <u>For a school counselor that renews a certificate on or after September 1, 2024, not more than 50 hours of CPE training shall include instruction in, and must be directly related to, each of the following topics. The training may include two or more listed topics combined:</u></p> <p>(A) <u>assisting students in developing high school graduation plans;</u></p> <p>(B) <u>implementing dropout prevention strategies;</u></p> <p>(C) <u>informing students concerning:</u></p> <p style="padding-left: 40px;">(i) <u>college admissions, including college financial aid resources and application procedures; and</u></p> <p style="padding-left: 40px;">(ii) <u>career opportunities;</u></p> <p>(D) <u>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</u></p>	<p>We received two types of stakeholder feedback:</p> <ol style="list-style-type: none"> <li>1. Same as above regarding teachers and principals, and</li> <li>2. Those in the counseling community that request the implementation date to be moved to September 1, 2024. Staff recognizes that all of the topics will be limited to the 25% and the statute does not allow for those topics to be “allowable” for CPE purposes. Staff got approval from legislative staff for this extension and recommends moving the date to September 1, 2024.</li> </ol>

	<p>(E) <u>effective implementation of the Texas Model for Comprehensive School Counseling Programs under TEC, §33.005.</u></p>	
<p><b>SB 199:</b> Allows the SBEC to approve the training requirements for AED training.</p>	<p><b>§232.11. Number and Content of Required Continuing Professional Education Hours.</b></p> <p>(3) an instructional course on the use of an automated external defibrillator (AED) that meets the guidelines for AED training <u>by an SBEC-approved provider, [under Texas Health and Safety Code, §779.002,]</u> in accordance with the TEC, §21.0541;</p>	
<p><b>CPE Allowable Topics:</b> The SBEC requested rule text that will allow an educator to receive CPE hours for the topics removed by SB 1267 that are not incorporated in other areas or topics of Ch. 232.</p>	<p><b>§232.11. Number and Content of Required Continuing Professional Education Hours.</b></p> <p>(1) Professional development activities may include:</p> <p>(5) <u>educating students with mental health conditions, including how 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;</u></p> <p>(6) <u>for classroom teachers, educating emergent bilingual students; and</u></p> <p>(7) <u>educating students who engage in substance abuse.</u></p>	<p>We received concerns and support for these provisions:</p> <p>1. Concerns:</p> <ul style="list-style-type: none"> <li>• One stated that there was confusion coming out of the meeting that these have to be here due to be considered in the 75%. Staff does not believe there was confusion but that the Board wanted to add these specifically here to point to their importance and clarification to the field that they are allowable since they will be stricken in the rule.</li> </ul>

		<ul style="list-style-type: none"><li>• One stated that the list should contain, “but are not limited to,” in the lead-in sentence prior to the list and conclude with, “any other topics related to the certificate being renewed.” Staff believe that the “may” provides guidance that the list is not exhaustive and the provision in 232.11(c)(2) states specifically that the remaining CPE hours not in the required lists must be related to the certificates being renewed.</li></ul> <p>2. Support:</p> <ul style="list-style-type: none"><li>• Agree that grief and trauma are important topics that should be addressed for educators.</li><li>• Agree in the importance of educators receiving CPE in educating emergent bilingual students.</li></ul>
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