

ADOPTED RULES

Adopted rules include new rules, amendments to existing rules, and repeals of existing rules. A rule adopted by a state agency takes effect 20 days after the date on which it is filed with the Secretary of State unless a later date is required by statute or specified in the rule (Government Code, §2001.036). If a rule is adopted without change to the text of the proposed rule, then the *Texas Register* does not republish the rule text here. If a rule is adopted with change to the text of the proposed rule, then the final rule text is included here. The final rule text will appear in the Texas Administrative Code on the effective date.

TITLE 13. CULTURAL RESOURCES

PART 1. TEXAS STATE LIBRARY AND ARCHIVES COMMISSION

CHAPTER 2. GENERAL POLICIES AND PROCEDURES

SUBCHAPTER A. PRINCIPLES AND PROCEDURES OF THE COMMISSION

13 TAC §2.2, §2.3

The Texas State Library and Archives Commission (commission) adopts amendments to 13 Texas Administrative Code, §2.2, Responsibilities of the Commission and the Director and Librarian, and §2.3, Procedures of Commission. The amendments are adopted without changes to the proposed text as published in the December 5, 2025, issue of the *Texas Register* (50 TexReg 7813). The rules will not be republished.

BACKGROUND. The adopted amendments increase the dollar threshold at which non-competitive grants require formal commission approval from \$100,000 to \$250,000. The \$100,000 threshold was established by the commission over three decades ago. Increasing the approval threshold reflects the evolving financial landscape in which the agency operates and promotes agency efficiency. The amendments do not change the commission's requirement to approve all competitive grants, regardless of dollar amount.

EXPLANATION OF AMENDMENTS.

The amendment to §2.2(b)(4) increases the non-competitive grant threshold requiring commission approval from \$100,000 to \$250,000.

The amendment to §2.3(k) makes a corresponding revision by replacing the reference to non-competitive grants of \$100,000 or more with non-competitive grants of \$250,000 or more.

SUMMARY OF COMMENTS. The commission did not receive any comments on the proposed amendments or any information related to the cost, benefit, or effect of the proposed amendments.

STATUTORY AUTHORITY. The amendments are adopted under Texas Government Code §441.002, which authorizes the commission to assign duties to the director and librarian and requires the commission to develop and implement policies that separate policy-making and management responsibilities, and under §441.006, which authorizes the commission to administer and approve state library grants.

CROSS REFERENCE TO STATUTE. Government Code, Chapter 441.

The agency certifies that legal counsel has reviewed the adoption and found it to be a valid exercise of the agency's legal authority.

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Sarah Swanson

General Counsel

Texas State Library and Archives Commission

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For further information, please call: (512) 463-5460



13 TAC §2.56

The Texas State Library and Archives Commission (commission) adopts amendments to 13 Texas Administrative Code, §2.56, Training and Education of Staff. The amendments are adopted without changes to the proposed text as published in the December 5, 2025, issue of the *Texas Register* (50 TexReg 7816) and will not be republished.

BACKGROUND. Section 656.048 of the Government Code directs state agencies to adopt rules relating to the eligibility of the agency's administrators and employees for agency-supported training and education, as well as the obligations administrators and employees assume when receiving such training and education. Section 656.048 also directs state agencies to adopt rules requiring that before an administrator or employee of the agency may be reimbursed for a training or education program offered by an institution of higher education or private or independent institution of higher education, the executive head of the agency must authorize the tuition reimbursement payment.

The commission recently updated its tuition assistance program. As a result of these updates, the commission finds it necessary to update its rule regarding training and education of staff to ensure its policy and rule align. In addition, the current rule was adopted in 2001 with only minor non-substantive amendments since that time. The adopted amendments update the rule in compliance with §656.048 and update the rule language for readability and clarity.

EXPLANATION OF AMENDMENTS.

The amendment to subsection (a) replaces existing language regarding the purpose of the agency's training and education program with broader language regarding the statutory authority for the program. The new subsection also adds language noting that the agency will develop policies for employee training and

education. Greater details regarding the program will be available in the agency's policies.

New subsection (b) describes what the agency's training and education program may include: agency sponsored training, seminars and conferences, internet training, and tuition reimbursement. This list is not exhaustive of all possible training and education the agency may provide its employees but notes the most common.

An amendment to subsection (e) adds that approval for participation in a training program is not automatic and may be subject to the availability of funds.

Amendments to subsection (g) add an introductory clause to the existing obligations for employees on completion of training. Other amendments to this subsection clarify existing language.

Amendments to subsection (h) clarify the existing language regarding when an employee may be required to reimburse the agency for training the employee fails to attend.

Amendments to subsection (i) delete references to "special training," and add a reference to the agency's Tuition Assistance Program. The amendments also add the purpose of the agency's Tuition Assistance Program.

An amendment deletes current subsection (i), as the content of this subsection is included within current subsection (b), which is renumbered as subsection (c).

Amendments to subsection (j) add specific references to the Tuition Assistance Program and add employee eligibility information.

New subsection (k) provides that an employee who wishes to participate in the Tuition Assistance Program must agree in writing to a one-year service commitment to the agency. Employees who do not complete their service commitment would be required to reimburse the agency for the amount of tuition reimbursements made to the employee.

New subsection (l) states that before a tuition reimbursement is made to an employee or administrator, the director and librarian must approve the payment.

Finally, amendments throughout update the numbering of the subsections due to the addition and deletion of subsections throughout the section.

SUMMARY OF COMMENTS. The commission did not receive any comments on the proposed amendments or any information related to the cost, benefit, or effect of the proposed amendments.

STATUTORY AUTHORITY. The amendments are adopted under Government Code, §656.048, which directs state agencies to adopt rules relating to the eligibility of the agency's administrators and employees for training and education supported by the agency and the obligations assumed by the administrators and employees on receiving the training and education, and to adopt rules requiring that before an administrator or employee of the agency may be reimbursed for a training or education program offered by an institution of higher education or private or independent institution of higher education, the executive head of the agency must authorize the tuition reimbursement payment.

CROSS REFERENCE TO STATUTE. Government Code, Chapter 441.

The agency certifies that legal counsel has reviewed the adoption and found it to be a valid exercise of the agency's legal authority.

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Sarah Swanson

General Counsel

Texas State Library and Archives Commission

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For further information, please call: (512) 463-5460



CHAPTER 4. SCHOOL LIBRARY PROGRAMS

SUBCHAPTER A. STANDARDS AND GUIDELINES

13 TAC §4.2

The Texas State Library and Archives Commission (commission) adopts amendments to §4.2, School Library Programs: Collection Development Standards. The amendments are adopted with changes to the proposed text as published in the November 28, 2025, issue of the *Texas Register* (50 TexReg 7645) and will be republished.

BACKGROUND. The amendments are adopted to implement Senate Bill (SB) 13, 89th Regular Session (2025), which amended portions of the Education Code related to public school libraries, including the school library collection development standards first adopted by the commission in December 2023. Because of the statutory changes made by SB 13, the commission finds it necessary to amend the school library collection development standards to implement and comply with the new legislation.

Section 33.021 of the Education Code requires approval (by majority vote) by the State Board of Education (SBOE) of the school library collection development standards prior to adoption by the commission. The commission originally considered draft amendments to the standards at its August 1, 2025, meeting and approved forwarding the draft amendments to the SBOE Chair and SBOE Member appointed to work on the collection development standards. Representatives of the commission met with the SBOE Chair and Member to discuss SBOE feedback and, after making additional changes to the standards to reflect input of the SBOE, finalized a draft of the proposed amendments. The commission approved the publication of the proposed amendments at its November 14, 2025, meeting. After reviewing the public comments received and finalizing the amendments, the commission presented the final draft of the proposed amendments to the SBOE for approval at their January 30, 2026, meeting. The SBOE approved the amendments by majority vote.

EXPLANATION OF ADOPTED AMENDMENTS. An amendment to subsection (a) adds the term "library" before "materials" for consistency with the term as defined by Educ. Code, §33.020(3). An amendment to this subsection also adds the statutory citation for the definition of "library materials" to enable individuals to locate and review the full statutory definition. If Educ. Code,

§33.030(3) is amended in the future, the rule will remain up-to-date and no amendments to the rule language will be necessary.

An amendment to paragraph (c)(6) adds "catalog" to clarify that the access plan must, at a minimum, allow efficient parental access to both the school district's physical and online library catalogs. An additional amendment made on adoption adds "physical" before "catalog" to clarify the rule references both a school library's physical and online catalogs.

Amendments to subparagraph (c)(7)(B) separate the subparagraph into clauses to provide greater clarity in the subparagraph's requirements and reinforce that each item stands alone as an individual requirement. An amendment to clause (i) updates the statutory reference for the definition of "harmful material" to Educ. Code, §33.020(1) as added by SB 13. Another amendment updates the reference to *Board of Education v. Pico*, 457 U.S. 853 (1982) consistent with Educ. Code, §33.021(d)(2)(A)(iii) as amended by SB 13. A change made on adoption to clause (iv) adds the statutory reference to the definitions of indecent content and profane content. Other amendments to §4.2(c)(7)(B) add new requirements added to Educ. Code, §33.021 for a school district's collection development policy- that the collection development policy must prohibit the possession, acquisition, and purchase of library material containing indecent or profane content and library material that refers a person to an Internet website containing content prohibited by the rule. Finally, amendments update and correct punctuation throughout the subparagraph.

An amendment to subparagraph (c)(7)(D) adds library mobile applications and any other library catalog a student may access to the scope of the collection development standards as required by SB 13.

An amendment to subparagraph (c)(7)(H) adds the requirement that a collection development policy must demonstrate a commitment to compliance with the Children's Internet Protection Act as required by SB 13.

An amendment to subsection (d) adds a requirement to consider recommendations of a local school library advisory council (LSLAC) if a district has established one when evaluating materials for inclusion in a school library. The amendment also adds the statutory citation for LSLACs.

Amendments to subsection (e) change "legal guardian" to "person standing in parental relation" consistent with SB 13 and add that a person residing in the school district may request reconsideration of a specific item in their school district's library catalog as established by SB 13. Additional amendments to this subsection update the reference to the form used to request reconsideration of an item and define "reasonable timeframe" for review and recommendation (changed on adoption from "review and decision" as proposed) by a committee to mean no longer than 90 days after the date the request for reconsideration is received, as required by SB 13. Final decisions on an item will be made by the school district's board of trustees as required by SB 13. Finally, an amendment to the subsection requires that a school district prohibit students enrolled in the district from accessing material that is going through the reconsideration process until the district takes action on the material as required by SB 13.

SUMMARY OF COMMENTS. The Commission received comments on the proposed amendments from the Texas Library Association (TLA) and four individuals during the comment period as discussed below.

COMMENT: TLA did not have any comments on or suggested changes to the proposed amendments but noted that SB 13 has created major challenges for school districts and librarians, including repeated policy revisions, an added layer of bureaucracy, increased administrative burdens due to centralizing material-challenge decisions at the board level, and a purchasing process that limits librarians' ability to serve students and support learning.

RESPONSE: The commission appreciates the comment.

COMMENT: Two individuals commented that the references to vendor rating requirements established by House Bill (HB) 900, 88th Regular Session (2023), should be removed from the rule as those requirements were declared unconstitutional and permanently blocked by the United States District Court for the Western District of Texas.

RESPONSE: The commission notes that while the United States District Court for the Western District of Texas did issue an order permanently enjoining certain sections of the Education Code as added by HB 900, including the sections requiring vendors to rate library materials, Defendant Mike Morath appealed the ruling on October 23, 2025. Therefore, though the injunction remains in effect and the enjoined laws are unenforceable at this time, there still has been no final determination. Until the matter is finally determined by the courts, the commission declines to make a change to this section.

COMMENT: Two individuals suggested the rule include full definitions of certain terms, including but not limited to "harmful material," "educationally unsuitable," "obscene content," "profane content," and "indecent content," noting that school librarians and administrators need clear, accessible definitions directly within the Administrative Code rather than cross-references to external statutes.

RESPONSE: The commission appreciates the comment and considered including full statutory definitions within the proposed rules but ultimately decided against such action. The primary reason for not including the full text of statutory definitions is that by defining terms by reference to the statute, the rule will remain up to date should any of the statutory definitions be amended in the future. In addition, for terms defined in the rule by reference to statutes, the commission notes that statutes are easily accessible and freely available online at <https://statutes.capitol.texas.gov/>. The commission also suggests interested persons review the guidance material on SB 13 created by the Texas Education Agency, available online at <https://tea.texas.gov/texas-schools/school-boards/sb13-guidance.pdf>. Finally, the commission notes that of the terms noted by the commenter, only "harmful material," "profane content," and "indecent content" are specifically defined in statute. "Educationally unsuitable" is defined in statute by reference to the United States Supreme Court case, *Board of Education v. Pico*, 457 U.S. 853 (1982). "Obscene content" is not specifically defined in SB 13 by reference or otherwise. The commission declines to add any definitions not specifically adopted by the Texas legislature.

COMMENT: One individual commented that a strict 90-day deadline for a decision regarding challenged material may not always be reasonable, particularly when multiple book challenges are submitted simultaneously or at a time when the district is closed. The commenter noted that flexibility is needed to maintain the integrity and quality of the review process.

RESPONSE: The commission appreciates the comment and notes that the 90-day deadline is required by statute. However, the commission further notes that the language as proposed should be clarified to ensure consistency with SB 13. The 90-day deadline pertains to a recommendation on a challenge by a review committee and not a final decision on the item. Education Code §33.027(b) as added by SB 13 requires a Local School Library Advisory Council (LSLAC) to make a recommendation on an item within 90 days after receiving a copy of the challenge. The district's board of trustees must then make a decision on the item at the first open meeting of the board held after the LSLAC has made a recommendation. If a district has not established an LSLAC, the district's board of trustees must take action on a challenge at the first open meeting held after the 90th day after the date on which the districts receives a written challenge. Therefore, whether the committee reviewing an item is an LSLAC or a review committee formed by the district, the committee has 90 days to review an item and make a recommendation. The commission appreciates that this deadline may be difficult to meet if multiple books are challenged at the same time or if challenges are submitted when the district is closed. However, the commission is bound by the deadlines established in SB 13.

COMMENT: One individual commented that SB 13 added library material that contains profane or indecent content to the list of materials prohibited in school libraries and states this type of content does not require reviewing a book in its entirety, unlike library material that is obscene or contains harmful content. This individual recommended revising subsection (e)(4) to explain the different review standards depending on whether the challenge is based on "obscene or harmful" content or "profane or indecent" content.

RESPONSE: The commission notes that while SB 13 did add additional prohibitions on certain types of library material, the Legislature did not establish a different review process or standard to apply to a review committee's review of those items. Nor is the commission aware of a different standard required for a committee when reviewing materials that contain obscene or harmful content as opposed to profane or indecent content. The commission has determined that a thorough review of challenged material will aid the review committee in making its findings of fact and provide the strongest context and position for the committee's recommendation. As such, the commission has determined that reviewing material in its entirety is a best practice when the material is challenged, regardless of the reason for the challenge, and therefore declines to make a change based on this comment.

COMMENT: One individual commented that SB 13 expanded the right to challenge materials to all district residents, not solely parents of children in the district. This individual recommended that subsection (c)(6) be revised to expand access to the school district's library catalog to the public as opposed to just parents.

RESPONSE: The commission appreciates the comment and points the commenter to subsection (c)(7)(E), which addresses the individual's comment directly by requiring schools to provide library catalog transparency, including, but not limited to online catalogs that are publicly available. Subsection (c)(6) specifically relates to a parental access plan the district establishes within its collection development policy, which supports parents' roles as primary decision makers regarding a student's access to library material. No change is necessary in response to this comment.

The commission received four comments on the proposed amendments during the Commission's November 14, 2025, commission meeting prior to approval of the proposed amendments. One individual provided comments in-person, and the other three comments were read aloud. All comments were considered by the commission. However, the commission did not recommend any changes to the proposed amendments based on the comments presented during the commission meeting and approved publication of the proposed amendments as presented. However, one commenter suggested adding "physical" before "catalog" in subsection (c)(6) for clarity. The commission appreciates the suggestion and makes the change on adoption.

STATUTORY AUTHORITY. The amendments are adopted under Education Code, §33.021, which requires the commission to adopt standards for school library collection development that a school district shall adhere to in developing or implementing the district's library collection development policies.

§4.2. *School Library Programs: Collection Development Standards.*

(a) Each Texas public school district board or governing body must approve and institute a collection development policy that describes the processes and standards by which a school library acquires, maintains, and withdraws library materials as defined by Education Code, §33.020(3).

(b) A school library collection should include materials that are age appropriate and suitable to the campus and students it serves and include a range of materials. A school library collection should:

(1) Enrich and support the Texas Essential Knowledge and Skills (TEKS) and curriculum established by Education Code, §28.002 (relating to Required Curriculum), while taking into consideration students' varied interests, maturity levels, abilities, and learning styles;

(2) Foster growth in factual knowledge, literary appreciation, aesthetic values, and societal standards;

(3) Encourage the enjoyment of reading, foster high-level thinking skills, support personal learning, and encourage discussion based on rational analysis; and

(4) Represent the ethnic, religious, and cultural groups of the state and their contribution to Texas, the nation, and the world.

(c) A school library collection development policy must:

(1) Describe the purpose and collection development goals;

(2) Designate the responsibility for collection development;

(3) Establish procedures for the evaluation, selection, acquisition, reconsideration, and deselection of materials;

(4) Consider the distinct age groups, grade levels, and possible access to materials by all students within a campus;

(5) Include a process to determine and administer student access to material rated by library material vendors as "sexually relevant" as defined by Education Code, §35.001 consistent with any policies adopted by the Texas Education Agency and local school board requirements;

(6) Include an access plan that, at a minimum, allows efficient parental access to the school district's physical library catalog and online library catalog; and

(7) Comply with all applicable local, state, and federal laws and regulations. Specifically, a collection development policy must:

(A) Recognize that parents are the primary decision makers regarding their student's access to library material;

(B) Prohibit the possession, acquisition, and purchase of:

(i) harmful material, as defined by Education Code, §33.020(1);

(ii) library material rated sexually explicit material by the selling library material vendor under Education Code, §35.002;

(iii) library material that is pervasively vulgar or educationally unsuitable as referenced in Board of Education v. Pico, 457 U.S. 853 (1982);

(iv) library material containing indecent content as defined by Education Code, §33.020(2) or profane content as defined by Education Code, §33.020(4);

(v) or library material that refers a person to an Internet website containing content prohibited under this subsection, including by use of a link or QR code, as defined by Health and Safety Code, §443.001;

(C) Recognize that obscene content is not protected by the First Amendment to the United States Constitution;

(D) Be required for all library materials available for use or display, including material contained in school libraries, classroom libraries, online catalogs, library mobile applications, and any other library catalog a student may access;

(E) Ensure schools provide library catalog transparency, including, but not limited to:

(i) Online catalogs that are publicly available; and

(ii) Information about titles and how and where material can be accessed;

(F) Recommend schools communicate effectively with parents regarding collection development, including, but not limited to:

(i) Access to district/campus policies relating to school libraries;

(ii) Consistent access to library resources; and

(iii) Opportunities for students, parents, educators, and community members to provide feedback on library materials and services;

(G) Prohibit the removal of material based solely on the ideas contained in the material or the personal background of the author of the material or characters in the material; and

(H) Demonstrates a commitment to compliance with the Children's Internet Protection Act (Pub. L. No. 106-554), including through the use of technology protection measures, as defined by that Act.

(d) Evaluation of materials as referenced in this section includes a consideration of the factors described in subsection (b) of this section, consideration of local priorities and school district standards, including recommendations of a local school library advisory council if the district has established one under Education Code, §33.025, and at least two of the following:

(1) Consideration of recommendations from parents, guardians, and local community members;

(2) Consultation with the school district's educators and library staff and/or consultation with library staff of similarly situated

school districts and their collections and collection development policies;

(3) An extensive review of the text of item;

(4) The context of a work, including consideration of the contextual characteristics, overall fit within existing school library collection, and potential support of the school curriculum; or

(5) Consideration of authoritative reviews of the items from sources such as professional journals in library science, recognized professional education or content journals with book reviews, national and state award recognition lists, library science field experts, and highly acclaimed author and literacy expert recommendations.

(e) A reconsideration process as referenced in this section should ensure that any parent or person standing in parental relation to a student enrolled in the school district, a person employed by the district, or a person residing in the district may request the reconsideration of a specific item in their school district's library catalog. A reconsideration process should:

(1) Establish a uniform procedure an individual must follow when filing a request;

(2) Require a school district to include a form adopted by the Texas Education Agency to request a reconsideration of an item on the school's public internet website if the school has a public internet website or ensure the form is publicly available at a school district administrative office;

(3) Require that the completed form be distributed to the superintendent or superintendent designee, school librarian, school district board of trustees or governing body at the time of submission;

(4) Include a reasonable timeframe, approved by the school board, for the review and recommendation by a committee charged with the review of the item in its entirety. A district should convene a review committee in accordance with criteria established by the district to ensure a thorough and fair process. A reasonable timeframe should take no longer than 90 days after the date the request for reconsideration is received and take into account:

(A) The time necessary to convene a committee to meet and review the item;

(B) Flexibility that may be necessary depending on the number of pending reconsideration requests; and

(C) Other factors relevant to a fair and consistent process, including informing the requester on the progress of the review in a timely fashion;

(5) Prohibit students enrolled in the district from accessing the material until the district takes action in response to the request for reconsideration;

(6) Include a review and appeal process approved by the school district board of trustees or governing body; and

(7) Provide that if an item has gone through the reconsideration process and remains in the collection, a school district may not be required to reconsider an item within two calendar years of the final decision.

(f) School districts should ensure a professional librarian certified by the State Board for Educator Certification or other dedicated professional library staff trained on proper collection development standards is responsible for the selection and acquisition of library materials.

(g) A school district must develop collection assessment and evaluation procedures to periodically appraise the quality of library materials in the school library to ensure the library's goals, objectives, and information needs are serving its school community and should stipulate the means to weed or update the collection.

(h) A school district's collection development policy should be reviewed at least every three years and updated as necessary.

(i) School districts may add procedures to these minimum requirements to satisfy local needs so long as the added procedures do not conflict with these minimum requirements.

(j) School districts are responsible for ensuring their school libraries implement and adhere to these collection development standards.

The agency certifies that legal counsel has reviewed the adoption and found it to be a valid exercise of the agency's legal authority.

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Sarah Swanson

General Counsel

Texas State Library and Archives Commission

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For further information, please call: (512) 463-5460



PART 2. TEXAS HISTORICAL COMMISSION

CHAPTER 13. TEXAS HISTORIC PRESERVATION TAX CREDIT PROGRAM

13 TAC §§13.1, §13.2

The Texas Historical Commission (hereafter referred to as the Commission) adopts amendments to §13.1 and §13.2 of Title 13, Part 2, Chapter 13 of the Texas Administrative Code (relating to the Texas Historic Preservation Tax Credit Program). The rules are adopted without changes to the text as published in the November 28, 2025, issue of the *Texas Register* (50 TexReg 7648). The rules will not be republished.

The adopted amendments are needed to implement House Bill 4044 introduced by Representative Meyer and passed into law during the 89th Legislative session. These changes address the addition of public institutions of higher education as eligible recipients under certain circumstances.

The adopted amendments include a provision that specifies that an institution of higher education or university system as defined in Section 61.003, Education Code, will not be subject to the depreciation and tax-exempt use provisions as defined in Section 47(c)(2) of the Internal Revenue Code, as laid out in Texas Tax Code § 172.102(b). The change applies to eligible costs and expenses incurred on or after the effective date of the act, January 1, 2026, until the amendment expires on January 1, 2035.

No comments pertaining to these rule revisions were received during the thirty-day period following publication in the November 28, 2025, issue of the *Texas Register* (50 TexReg 7648).

These amendments are adopted under the authority of Texas Government Code § 442.005(q), which provides the Commission with the authority to promulgate rules to reasonably affect the purposes of the Commission, and Texas Government Code § 172.110, of the Texas Tax Code, which authorizes the Commission to adopt rules necessary to implement the Tax Credit for Certified Rehabilitation of Certified Historic Structures.

The agency certifies that legal counsel has reviewed the adoption and found it to be a valid exercise of the agency's legal authority.

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Joseph Bell

Executive Director

Texas Historical Commission

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For further information, please call: (512) 463-6100



TITLE 16. ECONOMIC REGULATION

PART 4. TEXAS DEPARTMENT OF LICENSING AND REGULATION

CHAPTER 63. FINANCIAL CRIMES INTELLIGENCE CENTER

16 TAC §§63.1 - 63.5

The Texas Commission of Licensing and Regulation (Commission) adopts new rules at 16 Texas Administrative Code (TAC), Chapter 63, §§63.1 - 63.5, regarding the Financial Crimes Intelligence Center program, without changes to the proposed text as published in the November 14, 2025, issue of the *Texas Register* (50 TexReg 7399). These rules will not be republished.

EXPLANATION OF AND JUSTIFICATION FOR THE RULES

The rules under 16 TAC, Chapter 63, implement Texas Business and Commerce Code Chapter 607A, Payment Card Skimmers on Electronic Terminals.

The adopted rules implement Senate Bill (SB) 2371, 89th Legislature, Regular Session (2025) which requires merchants to report skimmers on electronic terminals to law enforcement and the Financial Crimes Intelligence Center (FCIC). In these adopted rules, electronic terminals are certain electronic devices, such as point-of-sale terminals, that consumers use to conduct transactions. Skimmers are devices that criminals place on or in electronic terminals and are capable of unlawfully intercepting electronic communications or data to commit fraud. The adopted rules are necessary to establish the procedures merchants must follow when reporting a skimmer to the FCIC and removing the skimmer from electronic terminals.

SECTION-BY-SECTION SUMMARY

The adopted rules create §63.1, Authority. This new rule identifies the authority under which the rules are created.

The adopted rules create §63.2, Definitions. This new rule adds definitions for "Center," "Electronic Terminal," "Merchant," and "Skimmer." The proposed rule in this section establishes what electronic terminals and skimmers are and who is considered a merchant subject to the rules.

The adopted rules create §63.3, Merchant Duties Upon Skimmer Discovery. This new rule sets out what merchants must do when they discover, or are notified, of a skimmer on an electronic device. The proposed subsection (a) lists the actions a merchant must take upon discovery of a skimmer. Proposed subsection (b) requires merchants to cooperate with law enforcement and the FCIC in the investigation of a suspected or discovered skimmer.

The adopted rules create §63.4, Unauthorized Removal of Skimmers Prohibited. This new rule controls the removal of skimmers by merchants. The proposed subsection (a) specifies the conditions under which merchants may remove skimmers from electronic terminals. Proposed subsection (b) allows merchants to remove skimmers 24 hours after reporting the skimmer if law enforcement or the FCIC has not arrived to remove the skimmer. Proposed subsection (c) sets the procedure that a merchant who is removing a skimmer must follow in order to preserve evidence.

The adopted rules create §63.5, Administrative Sanctions and Penalties. This new rule establishes that violations of Texas Business and Commerce Code, Chapter 607A, this chapter, or any other rule or order may result in penalties and/or sanctions.

PUBLIC COMMENTS AND INFORMATION RELATED TO THE COST, BENEFIT, OR EFFECT OF THE PROPOSED RULES

The Department drafted and distributed the proposed rules to persons internal and external to the agency. The proposed rules were published in the November 14, 2025, issue of the *Texas Register* (50 TexReg 7399). The Department requested public comments on the proposed rules and information related to the cost, benefit, or effect of the proposed rules, including any applicable data, research, or analysis. The public comment period closed on December 15, 2025. The Department received comments from one interested party on the proposed rules. The public comment is summarized below.

Comment: The Texas Food and Fuel Association (TFFA) commented to request the removal of §63.5, Administrative Sanctions and Penalties because they contend that Texas Business and Commerce Code Chapter 607A does not grant the Department authority to issue administrative penalties/sanctions for violations of the statute and rules. Additionally, TFFA claims the Department is not engaged in the skimmer investigation or enforcement process.

Department Response: The Department disagrees with this comment. Texas Occupations Code §51.301 and §51.3025 authorize the imposition of administrative penalties or sanctions against any person who violates the laws or rules of a program administered by the Department. Here, Texas Business and Commerce Code §607A.002 and §607A.003 direct the Department to administer and enforce the chapter and adopt rules necessary to do so. The proposed rules, including §63.5, are necessary to administer and enforce the chapter.

Texas Occupations Code §51.351 authorizes the Department to conduct inspections or investigations as necessary to enforce the laws administered by the Department. Texas Government

Code §426.051 establishes the Financial Crimes Intelligence Center (FCIC) within the Department. The FCIC is directed to maximize the ability of the Department, law enforcement agencies, and other governmental agencies to detect, prevent, and respond to criminal activities related to payment fraud by Texas Government Code §426.052.

The Department, and by extension the FCIC, has the authority to investigate potential violations of Texas Business and Commerce Code Chapter 607A or its rules, and issue administrative penalties or sanctions accordingly. The Department did not make any changes to the proposed rules in response to this comment.

COMMISSION ACTION

At its meeting on February 18, 2026, the Commission adopted the proposed rules as published in the *Texas Register*.

STATUTORY AUTHORITY

The adopted rules are proposed under Texas Occupations Code, Chapter 51, which authorizes the Texas Commission of Licensing and Regulation, the Department's governing body, to adopt rules as necessary to implement that chapter and any other law establishing a program regulated by the Department. The rules are also adopted under Texas Business and Commerce Code Chapter 607A.

The statutory provisions affected by the adopted rules are those set forth in Texas Occupations Code, Chapters 51 and Texas Business and Commerce Code Chapter 607A. No other statutes, articles, or codes are affected by the adopted rules.

The legislation that enacted the statutory authority under which the rules are proposed to be adopted is Senate Bill 2371, 89th Legislature, Regular Session (2025).

The agency certifies that legal counsel has reviewed the adoption and found it to be a valid exercise of the agency's legal authority.

Filed with the Office of the Secretary of State on February 23, 2026.

TRD-202600837

Doug Jennings

General Counsel

Texas Department of Licensing and Regulation

Effective date: March 15, 2026

Proposal publication date: November 14, 2025

For further information, please call: (512) 463-7750



PART 8. TEXAS RACING COMMISSION

CHAPTER 309. RACETRACK LICENSES AND OPERATIONS

SUBCHAPTER C. HORSE RACETRACKS

DIVISION 3. FACILITIES FOR LICENSEES

16 TAC §309.282

The Texas Racing Commission (TXRC) adopts Texas Administrative Code, Title 16, Part 8, Chapter 309. Racetrack

Licenses and Operations, Subchapter C. Horse Racetracks, Division 3. Facilities for Licensees, §309.282. Living Quarters for Licensees. Amended Chapter 309, §309.282 is adopted with a deletion of the words "barn and" of the proposed text as published in the November 28, 2025, issue of the *Texas Register* (50 TexReg 7667) and will be republished.

EXPLANATION AND JUSTIFICATION FOR THE AMENDMENT

The purpose of this rule amendment enables the standards to be updated over time without additional rule changes and aligns our rules with the expectations of the SFMO including National Fire Protection Act 150 which specifically addresses the horse industry.

PUBLIC COMMENTS

The 30-day comment period ended on December 28, 2025. TXRC drafted and distributed the proposed rule to persons both internal and external to the agency. The proposed rule was published in the November 28, 2025, issue of the *Texas Register* (50 TexReg 7667). During this period, the Agency received comments that requested an edit to section (d) requesting that "barn" be removed so that a person could stay close to an animal that was in medical distress. That is the only change to the version published in the *Texas Register*.

COMMISSION ACTION

At its meeting on February 11, 2026, the Commission adopted the proposed rule as recommended by the Commission at the October 8, 2025, meeting and the Rules Committee meeting, held on November 13, 2025.

ONE-FOR-ONE REQUIREMENT FOR RULES WITH A FISCAL IMPACT

The Commission is exempt and not required to take further action under Texas Government Code §2001.0045. The Commission is specifically exempt under Texas Government Code §2001.0045(c)(7).

STATUTORY AUTHORITY

The amendment is adopted under Texas Occupations Code §2026.001.

The statutory provisions affected by the adopted rule amendment are those set forth in Texas Occupations Code §2026.001.

§309.282. *Living Quarters for Licensees.*

(a) If an association permits licensees to reside on association grounds, the association shall provide living quarters for the licensees.

(b) The living quarters must be in a permanent structure and be adequate to house the anticipated number of licensees who will be living on association grounds. The association must provide equivalent facilities for men and women licensees.

(c) The living quarters must be in compliance with the Texas State Fire Marshall's Office (SFMO) codes using the appropriate National Fire Protection Association (NFPA) standards and equipped with:

- (1) windows that open;
- (2) heating;
- (3) hot and cold water; and
- (4) showers, toilets, and sinks.

(d) An association may not permit an individual to sleep in the stable areas, including tack room areas, if the occupancy creates

a violation of the NFPA standards, specifically NFPA 150 covering "Horse Barns."

The agency certifies that legal counsel has reviewed the adoption and found it to be a valid exercise of the agency's legal authority.

Filed with the Office of the Secretary of State on February 19, 2026.

TRD-202600806

David Holmes

Interim Executive Director

Texas Racing Commission

Effective date: March 11, 2026

Proposal publication date: November 28, 2025

For further information, please call: (512) 833-6699



CHAPTER 311. OTHER LICENSES SUBCHAPTER B. SPECIFIC LICENSES

16 TAC §311.104

The Texas Racing Commission (TXRC) adopts Texas Administrative Code, Title 16, Part 8, Chapter 311. Other Licenses, Subchapter B. Specific Licenses, §311.104. Trainers. Amended Chapter 311, §311.104 is adopted without changes to the proposed text as published in the November 28, 2025, issue of the *Texas Register* (50 TexReg 7670) and will not be republished.

EXPLANATION AND JUSTIFICATION FOR THE AMENDMENT

The purpose of this rule amendment removes obsolete references to greyhounds and racing judges where appropriate; deletes a section allowing trainers without a license to enter a horse under some circumstances; and makes conforming edits throughout for consistency.

PUBLIC COMMENTS

The 30-day comment period ended on December 28, 2025. TXRC drafted and distributed the proposed rule to persons both internal and external to the agency. The proposed rule was published in the November 28, 2025, issue of the *Texas Register* (50 TexReg 7670). During this period, the Agency received no comments regarding this proposed rule change.

COMMISSION ACTION

At its meeting on February 11, 2026, the Commission adopted the proposed rule as recommended by the Commission at the October 8, 2025, meeting and the Rules Committee meeting, held on August 21, 2025.

ONE-FOR-ONE REQUIREMENT FOR RULES WITH A FISCAL IMPACT

The Commission is exempt and not required to take further action under Texas Government Code §2001.0045. The Commission is specifically exempt under Texas Government Code §2001.0045(c)(7).

STATUTORY AUTHORITY

David Holmes, Interim Executive Director certifies that a legal review has been completed and the proposal is within agency's legal authority to adopt under §§2021.002, 2023.004, 2025.001, 2025.251, and 2025.252 of the Texas Occupations Code.

The amendment is adopted under Texas Occupations Code §2025.001, which requires the Commission to adopt rules relating to license applications and the financial responsibility, moral character, and ability of applicants; §2025.252, which authorizes the Commission to adopt categories of occupational licenses and specify qualifications by rule; and §2023.004, which requires the Commission to adopt rules for conducting horse racing involving wagering. The amendments affect Texas Occupations Code §§2025.001, 2025.251-2025.254, and 2025.252.

The amendment is adopted under Texas Occupations Code §§2021.002, 2023.004, 2025.001, 2025.251, and 2025.252.

The agency certifies that legal counsel has reviewed the adoption and found it to be a valid exercise of the agency's legal authority.

Filed with the Office of the Secretary of State on February 19, 2026.

TRD-202600807

David Holmes

Interim Executive Director

Texas Racing Commission

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For further information, please call: (512) 833-6699



16 TAC §311.109

The Texas Racing Commission (TXRC) adopts Texas Administrative Code, Title 16, Part 8, Chapter 311, Subchapter B. Specific Licenses, §311.109. Mutuel Employees. Amended Chapter 311, §311.109 is adopted with changes to the proposed text as published in the November 28, 2025, issue of the *Texas Register* (50 TexReg 7672) and will be republished.

EXPLANATION AND JUSTIFICATION FOR THE AMENDMENT

The purpose of this rule amendment clarifies the licensure requirements for mutuel department personnel by adding a requirement that applicants complete a commission-approved Background Disclosure Form.

Purpose and Background: The amendment is intended to support the integrity of pari-mutuel operations by ensuring that applicants for a mutuel license provide standardized background information for review by the executive director or designee.

PUBLIC COMMENTS

The 30-day comment period ended on December 28, 2025. TXRC drafted and distributed the proposed rule to persons both internal and external to the agency. The proposed rule was published in the November 28, 2025, issue of the *Texas Register* (50 TexReg 7672). During this period, the Agency received no comments regarding this proposed rule change.

COMMISSION ACTION

At its meeting on February 11, 2026, the Commission adopted the proposed rule as recommended by the Commission at the October 8, 2025, meeting and the Rules Committee meeting, held on August 21, 2025.

ONE-FOR-ONE REQUIREMENT FOR RULES WITH A FISCAL IMPACT

The Commission is exempt and not required to take further action under Texas Government Code §2001.0045. The Commission is specifically exempt under Texas Government Code §2001.0045(c)(7).

STATUTORY AUTHORITY

David Holmes, Interim Executive Director certifies that a legal review has been completed and the proposal is within agency's legal authority to adopt under §§2021.002, 2023.002, 2025.253-2025.259 of the Texas Occupations Code.

The amendment is adopted under the Texas Occupations Code, Title 13, Subtitle A-1 (Texas Racing Act), §§2023.004, 2025.001, and 2025.251. Section 2023.004 requires the commission to adopt rules for conducting racing and to administer the subtitle. Section 2025.001 directs the commission to adopt rules relating to license applications and the qualifications of applicants. Section 2025.251 requires an occupational license for a person working in an occupation for which commission rules require a license.

The amendment is adopted under Texas Occupations Code §§2021.002, 2023.002, 2025.253-2025.259 (related to purpose, general rulemaking and licensing procedures).

§311.109. *Mutuel Employees.*

(a) To be licensed as a mutuel clerk or other employee of the mutuel department of an association, an individual must be at least 16 years old.

(b) In addition to the requirements of §311.3, applicants for a mutuel license must complete a Background Disclosure Form approved by the executive director.

The agency certifies that legal counsel has reviewed the adoption and found it to be a valid exercise of the agency's legal authority.

Filed with the Office of the Secretary of State on February 23, 2026.

TRD-202600848

David Holmes

Interim Executive Director

Texas Racing Commission

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For further information, please call: (512) 833-6699



CHAPTER 321. PARI-MUTUEL WAGERING SUBCHAPTER A. MUTUEL OPERATIONS DIVISION 3. MUTUEL TICKETS AND VOUCHERS

16 TAC §321.37

The Texas Racing Commission (TXRC) adopts Texas Administrative Code, Title 16, Part 8, Chapter 321. Pari-mutuel Wagering, Subchapter A. Mutuel Operations, Division 3. Mutuel Tickets and Vouchers, §321.37. Cashed Tickets and Vouchers. Amended Chapter 321, §321.37 is adopted without changes to the proposed text as published in the January 2, 2026, issue of the *Texas Register* (51 TexReg 18) and will not be republished.

EXPLANATION AND JUSTIFICATION FOR THE AMENDMENT

The purpose of this rule amendment modernizes recordkeeping requirements by clarifying secure procedures for digitally stored files associated with cashed tickets, vouchers, and outstanding ticket and voucher files. The Commission's existing rules reference physical storage of tickets and vouchers. As wagering systems and audit records move to digital formats, the rule text is updated to require secure procedures for accessing and maintaining digitally stored files and to clarify access limitations. These changes support integrity of pari-mutuel wagering operations and modern auditing practices.

PUBLIC COMMENTS

The 30-day comment period ended on February 1, 2026. TXRC drafted and distributed the proposed rule to persons both internal and external to the agency. The proposed rule was published in the January 2, 2026, issue of the *Texas Register* (51 TexReg 18). During this period, the Agency received no comments regarding this proposed rule change.

COMMISSION ACTION

At its meeting on February 11, 2026, the Commission adopted the proposed rule as recommended by the Commission at the December 10, 2025, meeting and the Rules Committee meeting, held on March 27, 2025.

ONE-FOR-ONE REQUIREMENT FOR RULES WITH A FISCAL IMPACT

The Commission is exempt and not required to take further action under Texas Government Code §2001.0045. The Commission is specifically exempt under Texas Government Code §2001.0045(c)(7).

STATUTORY AUTHORITY

The amendments are adopted under Texas Occupations Code §2023.001, which authorizes the Commission to license and regulate all aspects of horse and greyhound racing in this state, and §2023.004, which requires the Commission to adopt rules for conducting racing that involves wagering and for administering the Texas Racing Act.

The agency certifies that legal counsel has reviewed the adoption and found it to be a valid exercise of the agency's legal authority.

Filed with the Office of the Secretary of State on February 19, 2026.

TRD-202600808

David Holmes

Interim Executive Director

Texas Racing Commission

Effective date: March 11, 2026

Proposal publication date: January 2, 2026

For further information, please call: (512) 833-6699



16 TAC §321.39

The Texas Racing Commission (TXRC) adopts Texas Administrative Code, Title 16, Part 8, Chapter 321. Pari-mutuel Wagering, Subchapter A. Mutuel Operations, Division 3. Mutuel Tickets and Vouchers, §321.39. Altering Cashed Tickets and Cashed Vouchers. Amended Chapter 321, §321.39 is adopted without changes to the proposed text as published in the Jan-

uary 2, 2026, issue of the *Texas Register* (51 TexReg 19) and will not be republished.

EXPLANATION AND JUSTIFICATION FOR THE AMENDMENT

The amendment is adopted in conjunction with amendments to §321.37 that modernize requirements for secure handling and access to digitally stored files of cashed tickets and vouchers, rendering physical alteration unnecessary for digitally stored files.

Section 321.39 required physical alteration of cashed or refunded mutuel tickets and cashed vouchers to indicate their status without destroying identity.

PUBLIC COMMENTS

The 30-day comment period ended on February 1, 2026. TXRC drafted and distributed the proposed rule to persons both internal and external to the agency. The proposed rule was published in the January 2, 2026, issue of the *Texas Register* (51 TexReg 19). During this period, the Agency received no comments regarding this proposed rule change.

COMMISSION ACTION

At its meeting on February 11, 2026, the Commission adopted the proposed rule as recommended by the Commission at the December 10, 2025, meeting and the Rules Committee meeting, held on March 27, 2025.

ONE-FOR-ONE REQUIREMENT FOR RULES WITH A FISCAL IMPACT

The Commission is exempt and not required to take further action under Texas Government Code §2001.0045. The Commission is specifically exempt under Texas Government Code §2001.0045(c)(7).

STATUTORY AUTHORITY

The amendment is adopted under Texas Occupations Code §2023.001, which authorizes the Commission to license and regulate all aspects of horse and greyhound racing in this state, and §2023.004, which requires the Commission to adopt rules for conducting racing that involves wagering and for administering the Texas Racing Act.

The agency certifies that legal counsel has reviewed the adoption and found it to be a valid exercise of the agency's legal authority.

Filed with the Office of the Secretary of State on February 19, 2026.

TRD-202600809

David Holmes

Interim Executive Director

Texas Racing Commission

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Proposal publication date: January 2, 2026

For further information, please call: (512) 833-6699



SUBCHAPTER B. TOTALISATOR REQUIREMENTS AND OPERATING ENVIRONMENT

16 TAC §321.101

The Texas Racing Commission (TXRC) adopts amendments to 16 Texas Administrative Code §321.101, relating to Totalisator Requirements and Operating Environment, in Chapter 321, Pari-Mutuel Wagering, Subchapter B. Totalisator Requirements and Operating Environments. Amended Chapter 321, §321.101 is adopted without changes to the proposed text as published in the January 2, 2026, issue of the *Texas Register* (51 TexReg 20) and will not be republished.

EXPLANATION AND JUSTIFICATION FOR THE AMENDMENT

The amendments update the incorporated technical standards for totalisator systems and remove outdated address language.

Section 321.101 requires each association to conduct wagering using a Commission-approved pari-mutuel system that meets specified technical standards. The proposal updates the reference to the Association of Racing Commissioners International (ARCI) Totalisator Technical Standards to the version amended in December 2020, and prospectively to subsequent amendments, and removes obsolete mailing address references for where standards are available. These changes align the rule with current industry standards and Commission practice.

PUBLIC COMMENTS

The 30-day comment period ended on February 1, 2026. TXRC drafted and distributed the proposed rule to persons both internal and external to the agency. The proposed rule was published in the January 2, 2026, issue of the *Texas Register* (51 TexReg 20). During this period, the Agency received no comments regarding this proposed rule change.

COMMISSION ACTION

At its meeting on February 11, 2026, the Commission adopted the proposed rule as recommended by the Commission at the December 10, 2025, meeting and the Rules Committee meeting, held on March 27, 2025.

ONE-FOR-ONE REQUIREMENT FOR RULES WITH A FISCAL IMPACT

The Commission is exempt and not required to take further action under Texas Government Code §2001.0045. The Commission is specifically exempt under Texas Government Code §2001.0045(c)(7).

STATUTORY AUTHORITY

David Holmes, Interim Executive Director certifies that a legal review has been completed and the proposal is within agency's legal authority to adopt under §§2023.001 and 2023.004 of the Texas Occupations Code.

The amendments are adopted under Texas Occupations Code §2023.001, which authorizes the Commission to license and regulate all aspects of horse and greyhound racing in this state, and §2023.004, which requires the Commission to adopt rules for conducting racing that involves wagering and for administering the Texas Racing Act.

The agency certifies that legal counsel has reviewed the adoption and found it to be a valid exercise of the agency's legal authority.

Filed with the Office of the Secretary of State on February 19, 2026.

TRD-202600810

David Holmes

Interim Executive Director

Texas Racing Commission

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For further information, please call: (512) 833-6699

TITLE 19. EDUCATION

PART 7. STATE BOARD FOR EDUCATOR CERTIFICATION

CHAPTER 103. HEALTH AND SAFETY SUBCHAPTER DD. COMMISSIONER'S RULES CONCERNING VIDEO SURVEILLANCE OF CERTAIN SPECIAL EDUCATION SETTINGS

19 TAC §103.1301

The Texas Education Agency (TEA) adopts an amendment to §103.1301, concerning video surveillance of certain special education settings. The amendment is adopted without changes to the proposed text as published in the October 31, 2025 issue of the *Texas Register* (50 TexReg 7093) and will not be republished. The adopted amendment replaces the term "self-contained classroom" with "special education classroom" and clarifies the definitions for classroom settings in accordance with House Bill (HB) 2 and Senate Bill (SB) 568, 89th Texas Legislature, Regular Session, 2025.

REASONED JUSTIFICATION: Section 103.1301 establishes criteria for video surveillance of special education settings.

HB 2 and SB 568, 89th Texas Legislature, Regular Session, 2025, updated Texas Education Code (TEC), §29.022, to replace the term "self-contained classroom" with "special education classroom" and add a definition for "special education classroom or other special education setting."

The adopted amendment implements HB 2 and SB 568 by aligning terminology and clarifying in subsection (b)(4) the definition of a special education classroom or other special education setting.

In addition, a cross reference to 19 TAC §89.1053, Procedures for Use of Restraint and Time-Out, is added, and the reference to another administrative rule has been updated.

SUMMARY OF COMMENTS AND AGENCY RESPONSES: The public comment period on the proposal began October 31, 2025, and ended December 1, 2025. Following is a summary of public comments received and agency responses.

Comment: An administrator commented in support of the proposed amendment to change terminology from "self-contained classroom" to "special education classroom" but expressed concern that the amendment would increase the number of classrooms subject to the requirements. The commenter stated that the additional cameras would not be funded by the state and would be costly for school districts. The commenter disagreed that the Texas School for the Deaf, the Texas School for the Blind and Visually Impaired, the Texas Juvenile Justice Department, and any other state agency that provides special education and related services to students are not subject to the requirements

in TEC, §29.022. Finally, the commenter noted that the retention period in §103.1301(g)(13) should be increased from 3 months to 12 months.

Response: The agency disagrees that the transition from the term "self-contained classroom" to "special education classroom" alters or increases the types of classrooms required to have cameras. Under TEC, §29.022, a special education classroom is defined as a classroom or setting primarily used for delivering special education services to students who spend on average less than fifty percent of an instructional day in a general education classroom or setting. The agency also disagrees that the rule should apply to the Texas School for the Deaf, the Texas School for the Blind and Visually Impaired, the Texas Juvenile Justice Department, and any other state agency that provides special education and related services to students. There is no language in TEC, §29.022, reflecting that it applies to the state agencies that operate educational programs. The commenter's concerns related to the retention period for recordings are outside of the scope of the proposed rulemaking.

STATUTORY AUTHORITY. The amendment is adopted under TEC §29.022, as amended by HB 2 and SB 568, 89th Texas Legislature, Regular Session, 2025, which establishes criteria for video surveillance of special education settings. TEC, §29.022(k), allows the commissioner of education to adopt rules to implement and administer the section, including rules regarding the special education classrooms and other special education settings to which the section applies.

CROSS REFERENCE TO STATUTE. The amendment implements TEC, §29.022, as amended by HB 2 and SB 568, 89th Texas Legislature, Regular Session, 2025.

The agency certifies that legal counsel has reviewed the adoption and found it to be a valid exercise of the agency's legal authority.

Filed with the Office of the Secretary of State on February 23, 2026.

TRD-202600836

Cristina De La Fuente Valadez

Director, Rulemaking

Texas Education Agency

Effective date: March 15, 2026

Proposal publication date: October 31, 2025

For further information, please call: (512) 475-1497



CHAPTER 231. REQUIREMENTS FOR PUBLIC SCHOOL PERSONNEL ASSIGNMENTS

The State Board for Educator Certification (SBEC) adopts amendments to §§231.1, 231.3, 231.5, 231.7, 231.9, 231.11, 231.13, 231.15, 231.17, 231.21, 231.23, 231.25, 231.27, 231.31, 231.41, 231.43, 231.45, 231.47, 231.49, 231.51, 231.57, 231.61, 231.63, 231.67, 231.69, 231.71, 231.73, 231.75, 231.77, 231.91, and 231.753; and new §§231.131, 231.133, 231.135, 231.137, 231.139, 231.141, 231.143, 231.145, 231.161, 231.163, 231.181, 231.183, 231.185, 231.187, 231.189, 231.191, 231.193, 231.195, 231.211, 231.213, 231.215, 231.231, 231.233, 231.235, 231.237, 231.239, 231.241, 231.243, 231.245, 231.247, 231.249,

231.251, 231.271, 231.281, 231.291, 231.301, 231.303, 231.305, 231.307, 231.309, 231.311, 231.313, 231.331, 231.333, 231.335, 231.337, 231.339, 231.351, 231.353, 231.355, 231.357, 231.359, 231.361, 231.381, 231.383, 231.385, 231.387, 231.389, 231.391, 231.393, 231.395, 231.421, 231.423, 231.441, 231.461, 231.463, 231.465, 231.467, 231.469, 231.471, 231.473, 231.475, 231.477, 231.479, 231.481, 231.483, 231.485, 231.487, 231.489, 231.491, 231.511, 231.513, 231.531, 231.533, 231.535, 231.551, 231.553, 231.555, 231.557, 231.559, 231.571, 231.573, 231.575, 231.577, 231.591, 231.593, 231.595, 231.597, 231.599, 231.621, 231.623, 231.625, 231.641, and 231.643, concerning requirements for public school personnel assignments. The amendments to §§231.1, 231.3, 231.5, 231.7, 231.9, 231.11, 231.13, 231.15, 231.17, 231.21, 231.23, 231.25, 231.27, 231.31, 231.41, 231.43, 231.45, 231.47, 231.49, 231.51, 231.57, 231.61, 231.63, 231.67, 231.69, 231.71, 231.73, 231.75, 231.77, 231.91, and 231.753; and new §§231.131, 231.133, 231.135, 231.137, 231.139, 231.141, 231.143, 231.145, 231.161, 231.163, 231.181, 231.183, 231.185, 231.187, 231.189, 231.191, 231.193, 231.195, 231.211, 231.213, 231.215, 231.231, 231.233, 231.235, 231.237, 231.239, 231.241, 231.243, 231.245, 231.247, 231.249, 231.251, 231.271, 231.281, 231.291, 231.301, 231.303, 231.305, 231.307, 231.309, 231.311, 231.313, 231.331, 231.333, 231.335, 231.337, 231.339, 231.351, 231.353, 231.355, 231.357, 231.359, 231.361, 231.383, 231.385, 231.387, 231.389, 231.391, 231.393, 231.395, 231.421, 231.423, 231.441, 231.461, 231.463, 231.465, 231.467, 231.469, 231.471, 231.473, 231.475, 231.477, 231.479, 231.481, 231.483, 231.485, 231.487, 231.489, 231.491, 231.511, 231.513, 231.531, 231.533, 231.535, 231.551, 231.553, 231.555, 231.557, 231.559, 231.571, 231.573, 231.575, 231.577, 231.591, 231.593, 231.595, 231.597, 231.599, 231.621, 231.623, 231.625, 231.641, and 231.643, are adopted without changes to the proposed text as published in the October 17, 2025 issue of the *Texas Register* (50 TexReg 6750) and will not be republished. Section 231.381 is adopted with changes to the proposed text as published in the October 17, 2025 issue of the *Texas Register* (50 TexReg 6750) and will be republished. The adopted revisions provide requirements related to the criteria for school districts to make personnel assignments based on the correlating certification requirements.

REASONED JUSTIFICATION: The SBEC rules in 19 TAC Chapter 231 establish the personnel assignments that correlate with appropriate certifications and are organized as follows: Subchapter A, Criteria for Assignment of Public School Personnel; Subchapter B, Prekindergarten-Grade 6 Assignments; Subchapter C, Grades 6-8 Assignments; Subchapter D, Electives, Disciplinary Courses, Local Credit Courses, and Innovative Courses, Grades 6-12 Assignments; Subchapter E, Grades 9-12 Assignments; Subchapter F, Special Education-Related Services Personnel Assignments; and Subchapter G, Paraprofessional Personnel, Administrators, and Other Instructional and Professional Support Assignments.

These subchapters offer guidance to school districts and educators by providing the list of courses by grade level and subject area and identifying the corresponding certificates and other requirements for the placement of individuals into classroom and/or campus assignments. This information assists districts with hiring and personnel assignment decisions.

The adopted revisions to 19 TAC Chapter 231, Subchapters A-E and Subchapter G, are described below and identify the appropriate certificates for placement in particular classroom assignments and/or role(s) within the district.

Subchapter A. Criteria for Assignment of Public School Personnel

The adopted amendment to §231.1(e) adds language to ensure that a non-certified individual employed by a school district as a substitute teacher has the appropriate knowledge and skills to serve in the assignment.

Subchapter B. Prekindergarten-Grade 6 Assignments

The adopted amendments to Subchapter B add the new set of Core EC-6 certificates to the appropriate assignments to align with recent SBEC rule changes in Chapter 230 and Chapter 233 to establish the new certificates. Changes to the following sections update the appropriate certificates to teach those courses, strike redundant references to assignments, and apply technical edits to alphabetize and renumber information in each section.

The adopted amendments to §231.3, General Education, Prekindergarten, §231.9, General Education, Kindergarten, and §231.15, Elementary, Prekindergarten-Grade 6, add the following certificates: "Core/Bilingual Education Spanish with the Science of Teaching Reading: Early Childhood-Grade 6"; "Core/English as a Second Language Supplemental with the Science of Teaching Reading: Early Childhood-Grade 6"; "Core/Fine Arts/Physical Education/Health with the Science of Teaching Reading: Early Childhood-Grade 6"; "Core/Special Education with the Science of Teaching Reading: Early Childhood-Grade 6"; and "Core with the Science of Teaching Reading: Early Childhood-Grade 6."

The adopted amendments to §231.5, Bilingual, Prekindergarten, and §231.11, Bilingual, Prekindergarten-Grade 6, add the following certificate: "Core/Bilingual Education Spanish with the Science of Teaching Reading: Early Childhood-Grade 6."

The adopted amendment to §231.17, Reading, Prekindergarten-Grade 6, adds the following certificates: "Core/Bilingual Education Spanish with the Science of Teaching Reading: Early Childhood-Grade 6"; "Core/English as a Second Language Supplemental with the Science of Teaching Reading: Early Childhood-Grade 6"; "Core/Fine Arts/Physical Education/Health with the Science of Teaching Reading: Early Childhood-Grade 6"; "Core/Special Education with the Science of Teaching Reading: Early Childhood-Grade 6"; "Core with the Science of Teaching Reading: Early Childhood-Grade 6"; "English Language Arts and Reading with the Science of Teaching Reading: Grades 4-8"; and "English Language Arts and Reading with the Science of Teaching Reading/Social Studies: Grades 4-8."

The adopted amendments to §231.21, Art, Prekindergarten-Grade 6; §231.23, Music, Prekindergarten-Grade 6; §231.25, Theatre, Prekindergarten-Grade 6; §231.27, Physical Education, Prekindergarten-Grade 6; and §231.31, Health Education, Prekindergarten-Grade 6, add the following certificate: "Core/Fine Arts/Physical Education/Health with the Science of Teaching Reading: Early Childhood-Grade 6."

The adopted amendments to §231.7, English as a Second Language, Prekindergarten, and §231.13, English as a Second Language, Prekindergarten-Grade 6, add the following certificates to specify supplemental certificate assignments: "Bilingual Education Supplemental: American Sign Language," "Bilingual Education Supplemental: Arabic," "Bilingual Education Supplemental: Japanese," "Bilingual Education Supplemental: Mandarin Chinese," "Bilingual Education Supplemental: Spanish," "Bilingual Education Supplemental: Vietnamese," "Bilingual Special Education Supplemental: Early Childhood-Grade 12"; "Core/Bilingual Education Spanish with the Science of Teaching Reading: Early Childhood-Grade 6"; and "Core/English as a Second Language Supplemental with the Science of Teaching Reading: Early Childhood-Grade 6."

Supplemental: Japanese," "Bilingual Education Supplemental: Mandarin Chinese," "Bilingual Education Supplemental: Spanish," "Bilingual Education Supplemental: Vietnamese," "Bilingual Special Education Supplemental: Early Childhood-Grade 12," "Core/Bilingual Education Spanish with the Science of Teaching Reading: Early Childhood-Grade 6," and "Core/English as a Second Language Supplemental with the Science of Teaching Reading: Early Childhood-Grade 6."

Subchapter C. Grades 6-8 Assignments

The adopted amendments to Subchapter C add the new set of Core EC-6 certificates to the appropriate assignments for Grade 6 to align with recent SBEC rule changes in Chapter 230 and Chapter 233 to establish the new certificates. Changes to the following sections update the appropriate certificates to teach those courses, strike redundant references to assignments, and apply technical edits to alphabetize and renumber information in each section.

The adopted amendments to §231.41, Self-Contained, Grades 6-8; §231.43, All General Subjects, Grade 6; §231.45, English Language Arts, Grades 6-8; §231.49, Reading (At or Above Grade Level), Grades 6-8; §231.51, Reading Improvement (One Year or More Below Grade Level), Grades 6-8; §231.57, Social Studies, Grade 6; §231.61, Mathematics, Grades 6-8; and §231.63, Science, Grades 6-8, add the following certificates: "Core/Bilingual Education Spanish with the Science of Teaching Reading: Early Childhood-Grade 6"; "Core/English as a Second Language Supplemental with the Science of Teaching Reading: Early Childhood-Grade 6"; "Core/Fine Arts/Physical Education/Health with the Science of Teaching Reading: Early Childhood-Grade 6"; "Core/Special Education with the Science of Teaching Reading: Early Childhood-Grade 6"; and "Core with the Science of Teaching Reading: Early Childhood-Grade 6."

The adopted amendments to §231.67, Health, Grades 6-8; §231.69, Physical Education, Grades 6-8; §231.71, Art, Middle School 1-3; and §231.73, Music, Middle School 1-3, add the following certificate: "Core/Fine Arts/Physical Education/Health with the Science of Teaching Reading: Early Childhood-Grade 6."

The adopted amendments to §231.75, Theatre, Middle School 1-3, add the following certificates: "Core/Fine Arts/Physical Education/Health with the Science of Teaching Reading: Early Childhood-Grade 6"; "Core Subjects: Early Childhood-Grade 6"; and "Core Subjects with Science of Teaching Reading: Early Childhood-Grade 6."

The adopted amendments to §231.47, English as a Second Language, Grades 6-8, add the following list of certificates considered appropriate for English as a Second Language, Grades 6-8, to specify supplemental certificate assignments: "Bilingual Education Supplemental: American Sign Language"; "Bilingual Education Supplemental: Arabic"; "Bilingual Education Supplemental: Japanese"; "Bilingual Education Supplemental: Mandarin Chinese"; "Bilingual Education Supplemental: Spanish"; "Bilingual Education Supplemental: Vietnamese"; "Bilingual Special Education Supplemental: Early Childhood-Grade 12"; "Core/Bilingual Education Spanish with the Science of Teaching Reading: Early Childhood-Grade 6"; and "Core/English as a Second Language Supplemental with the Science of Teaching Reading: Early Childhood-Grade 6."

Subchapter D. Electives, Disciplinary Courses, Local Credit Courses, and Innovative Courses, Grades 6-12

The adopted amendment to §231.91, Reserve Officer Training Corps, Grades 6-12, provides technical edits to add the term "Junior" to the section title and in other places where the assignment appears and adds a "J" to the acronym in each place where it appears.

Subchapter E. Grades 9-12 Assignments

The adopted new Subchapter E reorganizes the structure of certificate assignments for Grades 9-12.

The following table summarizes the divisions in repealed Subchapter E that are merged in adopted new Subchapter E.

Figure: 19 TAC Chapter 231-Preamble

The explanation below describes the changes in adopted new 19 TAC Chapter 231, Subchapter E, that were made to the Grades 9-12 Assignments listed in the adopted repeal of Subchapter E, which can be found in the Adopted Rules section of this issue of the *Texas Register*.

Adopted New Division 1. English Language Arts and Reading, Grades 9-12 Assignments

The adoption retains all information from repealed Division 1, English Language Arts and Reading, Grades 9-12 Assignments, with the following updates.

Adopted new §231.133, English I and II for Speakers of Other Languages, Grades 9-12, and §231.135, English as a Second Language, Grades 9-12, add the following certificates: "Bilingual Education Supplemental: American Sign Language"; "Bilingual Education Supplemental: Arabic"; "Bilingual Education Supplemental: Japanese"; "Bilingual Education Supplemental: Mandarin Chinese"; "Bilingual Education Supplemental: Spanish"; "Bilingual Education Supplemental: Vietnamese"; and "Bilingual Special Education Supplemental: Early Childhood-Grade 12".

Adopted New Division 2. Languages Other Than English, Grades 9-12 Assignments

The adoption retains all information from repealed Division 2, Languages Other Than English, Grades 9-12 Assignments.

Adopted New Division 3. Social Studies, Grades 9-12 Assignments

The adoption retains all information from repealed Division 3, Social Studies, Grades 9-12 Assignments.

Adopted New Division 4. Mathematics, Grades 9-12 Assignments

The adoption retains all information from repealed Division 4, Mathematics, Grades 9-12 Assignments.

Adopted New Division 5. Science, Grades 9-12 Assignments

The adoption retains all information from repealed Division 5, Science, Grades 9-12 Assignments, with the following updates.

Adopted new §231.239, Physics for Engineering, Grades 9-12, updates the title of the section to align with related course offerings.

Adopted new §231.243, Earth Systems Science, Grades 9-12, updates the title of the section to match the new course title adopted by the State Board of Education (SBOE).

Adopted new §231.249, Scientific Research and Design, Grades 9-12, removes references to §233.13, Career and Technical Education (Certificates not requiring experience and preparation in a skill area), and §233.14, Career and Technical Education (Cer-

tificates requiring experience and preparation in a skill area), to ensure that previous SBEC-issued certificates for Career and Technical Education are appropriate for placement in assignments as deemed appropriate by the school district.

Adopted New Division 6. Health and Physical Education, Grades 9-12 Assignments

The adoption retains all information from repealed Division 6, Health and Physical Education, Grades 9-12 Assignments.

Adopted New Division 7. Fine Arts, Grades 9-12 Assignments

The adoption retains all information from repealed Division 7, Fine Arts, Grades 9-12 Assignments.

Adopted New Division 8. Career Development, Grades 9-12 Assignments

The adoption retains all information from repealed Division 9, Career Development, Grades 9-12 Assignments, with the following updates.

Adopted new §231.291, Career Development, Grades 9-12, updates course titles from Career Preparation I to Career Preparation General and Career Preparation II to Career Preparation for Programs of Study to align with course offerings and removes references to §233.13, Career and Technical Education (Certificates not requiring experience and preparation in a skill area), and §233.14, Career and Technical Education (Certificates requiring experience and preparation in a skill area), in paragraph (2) and subsections (b)(1) and (c)(1) to ensure that previous SBEC-issued certificates for Career and Technical Education are appropriate for placement in assignments as deemed appropriate by the school district.

Adopted New Division 9. Agriculture, Food, and Natural Resources, Grades 9-12 Assignments

The adoption retains a subset of course information from repealed Division 10, Agriculture and Construction, with the following updates.

Adopted new §231.301, Agriculture, Food, and Natural Resources, Grades 9-12, updates course titles to align with course offerings; merges the Practicum and Extended Practicum in Agriculture, Food, and Natural Resources in subsection (b) into subsection (a) with the same certificates allowed to streamline the section; and streamlines new subsection (b) to enhance readability by removing redundant language and simplifying complex phrasing.

Adopted new §231.303, Sciences in Agriculture, Grades 9-12, updates the title of the section to align with course offerings.

Adopted new §231.307, Mathematics in Agriculture, Grades 9-12, updates the title of the section to align with course offerings.

Adopted new to §231.309, Agricultural Mechanics, Grades 9-12, updates the title of the section to align with course offerings.

Adopted new §231.311, Floral Design, Grades 9-12, adds new SBOE-approved course, Advanced Floral Design, and specifies the certificates appropriate to serve in the assignments.

Adopted New Division 10. Architecture and Construction, Grades 9-12 Assignments

The adoption retains a subset of course information from repealed Division 10, Agriculture and Construction, with the following updates.

Adopted new §231.331, Architecture and Construction, Grades 9-12, merges §231.307, Construction Management; Construction Technology, Grades 9-12, and §231.309, Building Maintenance Technology, Grades 9-12, into this section with the same certificates allowed to streamline the organization of certification assignments, eliminate redundancy, and ensure clarity in credential alignment with course offerings; updates the title of the section to align with course offerings; removes the "Any home economics or homemaking certificate" and "Family and Consumer Sciences, Composite: Grades 6-12" certificates, since they no longer align with the course offerings, maintaining consistency between certification areas and the courses offered; and adds a new subsection to ensure that school districts are accountable for verifying that teachers assigned to Practicum or Extended Practicum courses have received appropriate training in state and federal work-based learning and safety requirements.

Adopted new §231.333, Interior Design, Grades 9-12, merges the Practicum and Extended Practicum in Interior Design in subsection (b) into subsection (a) with the same certificates allowed; and streamlines new subsection (b) to enhance readability by removing redundant language and simplifying complex phrasing.

Adopted new §231.335, Architectural Design, Grades 9-12, removes the "Any home economics or homemaking certificate" and "Family and Consumer Sciences, Composite: Grades 6-12" certificates in subsection (b), since they no longer align with the course offerings, maintaining consistency between certification areas and the courses offered; merges the Practicum and Extended Practicum in Architectural Design in subsection (b) into subsection (a) with the same certificates allowed; and streamlines new subsection (b) to enhance readability by removing redundant language and simplifying complex phrasing.

Adopted new §231.339, Construction Trades, Grades 9-12, updates the title of the section to align with course offerings; merges the Practicum and Extended Practicum in Masonry Technology in subsection (b) into subsection (a) with the same certificates allowed; and streamlines new subsection (b) to enhance readability by removing redundant language and simplifying complex phrasing.

Adopted New Division 11. Arts, Audio/Visual Technology, and Communications, Grades 9-12 Assignments

The adoption retains a subset of course information from repealed Division 12, Arts, Audio/Video Technology, and Communications, Grades 9-12 Assignments, with the following updates. Adopted new Division 11 promotes consistency in terminology and supports clearer information sharing and knowledge alignment across related content areas.

Adopted new §231.351, Professional Communications, Grades 9-12, removes references to §233.13, Career and Technical Education (Certificates not requiring experience and preparation in a skill area), and §233.14, Career and Technical Education (Certificates requiring experience and preparation in a skill area), in §231.351(3) to ensure that previous SBEC-issued certificates for Career and Technical Education are appropriate for placement in assignments as deemed appropriate by the school district.

Adopted new §231.353, Principles of Arts, Audio Visual Technology, and Communications, Grades 9-12, updates the title of the section to align with course offerings; and removes certificates "Any home economics or homemaking certificate" and "Family and Consumer Sciences, Composite: Grades 6-12" since they

no longer align with the course offerings, maintaining consistency between certification areas and the courses offered.

Adopted new §231.355, Animation, Production, and Graphic Design, Grades 9-12, merges §231.337, Audio/Video Production; Graphic Design and Illustration, Grades 9-12, into subsection (a) with the same certificates allowed to streamline the organization of certification assignments, eliminate redundancy, and ensure clarity in credential alignment with course offerings; updates the section title to align with course offerings; removes the "Any business or office education certificate," the "Business and Finance: Grades 6-12" certificate, and the "Business Education: Grades 6-12" certificate since they no longer align with the course offerings, maintaining consistency between certification areas and the courses offered; merges the Practicum and Extended Practicum in Animation and the Practicums and Extended Practicums in Audio/Video Production and Graphic Design and Illustration in subsection (b) into subsection (a) with the same certificates allowed; and streamlines new subsection (b) to enhance readability by removing redundant language and simplifying complex phrasing.

Adopted new §231.357, Photography, Grades 9-12, merges the Practicum and Extended Practicum in Commercial Photography in subsection (b) into subsection (a) with the same certificates allowed and streamlines new subsection (b) to enhance readability by removing redundant language and simplifying complex phrasing.

Adopted new §231.359, Printing and Imaging Technology, Grades 9-12, merges the Practicum and Extended Practicum in Printing and Imaging Technology in subsection (b) into subsection (a) with the same certificates allowed and streamlines new subsection (b) to enhance readability by removing redundant language and simplifying complex phrasing.

Adopted new §231.361, Fashion Design, Grades 9-12, merges the Practicum and Extended Practicum in Fashion Design in subsection (b) into subsection (a) with the same certificates allowed and re-alphabetized the subsections and streamlines new subsection (b) to enhance readability by removing redundant language and simplifying complex phrasing.

Adopted New Division 12. Business, Marketing, and Finance, Grades 9-12 Assignments

The adoption merges the contents of repealed Division 15, Finance, Grades 9-12 Assignments, and repealed Division 23, Marketing, Grades 9-12 Assignments, into adopted new Division 12 to streamline the organization of certification assignments, eliminate redundancy, ensure clarity in credential alignment with course offerings, promote consistency in terminology, and support clearer information sharing and knowledge alignment across related content areas.

Adopted new §231.381, Business Management, Grades 9-12, updates the title of the section to align with course offerings; merges the courses, Business Information Management II, Business Law, Touch System Data Entry, and Practicum and Extended Practicum in Business Management into subsection (a) and merges §231.363, Business Management; Business Lab; Global Business; Human Resources Management; Principles of Business, Marketing, and Finance; and Virtual Business, Grades 9-12, into subsection (a) with the same certificates allowed, adding the "Any marketing or distributive education certificate" to streamline the organization of certification assignments, eliminate redundancy, and ensure clarity in credential alignment with course offerings. The update also removes

"Health Science Education: Grades 6-12. This assignment requires appropriate work approval" and "Health Science Technology Education: Grades 8-12. This assignment requires appropriate work approval" certificates, since they no longer align with the course offerings, to maintain consistency between certification areas and the courses offered; and streamlines new subsection (b) to enhance readability by removing redundant language and simplifying complex phrasing. In response to public comment, the course names for Business Information Management I and Business Information Management II were amended at adoption to Foundations of Business Communications and Technologies and Business Communications and Technologies, respectively, to match the course name as adopted by the SBOE in 19 TAC Chapter 127, Texas Essential Knowledge and Skills for Career Development and Career and Technical Education.

Adopted new §231.383, Business English, Grades 9-12, updates language in subsection (a) to clarify that the provisions in the subsection are contingent upon the specific conditions or limitations outlined in subsection (b), ensuring accurate interpretation and application of certification requirements.

Adopted new §231.385, Advertising and Marketing, Grades 9-12, merges §231.543, Advertising, Grades 9-12, and adds the "Trade and Industrial Education: Grades 6-12 and Grades 8-12" certificates and the "Trade and Industrial Workforce Training: Grades 6-12" certificate to streamline the organization of certification assignments, eliminate redundancy, and ensure clarity in credential alignment with course offerings; updates the title of the section to align with course offerings; merges Advanced Marketing and Practicum and Extended Practicum in Marketing into subsection (a) with the same certificates allowed to streamline the section and eliminate redundancy; and streamlines new subsection (b) to enhance readability by removing redundant language and simplifying complex phrasing.

Adopted new §231.389, Entrepreneurship, Grades 9-12, adds new SBOE-approved courses, Entrepreneurship II and Practicum in Entrepreneurship and Extended Practicum in Entrepreneurship into rule and specifies the certificates appropriate to serve in these assignments; and adds a new subsection with language to ensure that school districts are accountable for verifying that teachers assigned to Practicum or Extended Practicum courses have received appropriate training in state and federal work-based learning and safety requirements.

Adopted new §231.391, Financial Services, Grades 9-12, merges §231.393, Accounting I; Financial Analysis; Insurance Operations; and Securities and Investments, Grades 9-12, into this section with the same certificates allowed to streamline the organization of certification assignments, eliminate redundancy, and ensure clarity in credential alignment with course offerings; and updates the title of the section to align with course offerings.

Adopted new §231.395, Business Mathematics, Grades 9-12, merges the §231.395, Financial Mathematics, Grades 9-12, into this section that already shares similar certificate information to streamline the organization of certification assignments, eliminate redundancy, and ensure clarity in credential alignment with course offerings; and updates the title of the section to align with course offerings.

Adopted New Division 13. Education and Training, Grades 9-12 Assignments

The adoption retains all information from repealed Division 14, Education and Training, Grades 9-12 Assignments, with the following updates.

Adopted new §231.423, Human Growth and Development, Grades 9-12, merges §231.385, Child Development, Child Guidance, or Child Development Associates Foundation, Grades 9-12, into this section with the same certificates allowed to streamline the organization of certification assignments, eliminate redundancy, and ensure clarity in credential alignment with course offerings.

Adopted New Division 14. Energy, Grades 9-12 Assignments

The adoption retains all information from repealed Division 26, Energy, Grades 9-12 Assignments.

Adopted New Division 15. Engineering, Grades 9-12 Assignments

The adoption retains a subset of course information from repealed Division 24, Science, Technology, Engineering, and Mathematics, Grades 9-12 Assignments, with the following updates.

Adopted new Division 15 includes engineering-specific courses and their associated certificates, streamlines the organization of certification assignments, eliminates redundancy, and ensures clarity in credential alignment with course offerings.

Adopted new §231.461, Principles of Applied Engineering, Grades 9-12, removes the following certificates that no longer align with course offerings to maintain consistency between certification areas and the courses offered: "Agriculture, Food, and Natural Resources: Grades 6-12"; "Agricultural Science and Technology: Grades 6-12"; "Any vocational agriculture certificate"; "Health Science: Grades 6-12"; "Health Science Technology Education: Grades 8-12"; "Vocational Health Occupations"; and "Vocational Health Science Technology."

Adopted new §231.467, Electronics and Engineering Design and Presentation, Grades 9-12, merges §231.571, AC/DC Electronics; Solid State Electronics, Grades 9-12, into this section with the same certificates allowed to streamline the organization of certification assignments, eliminate redundancy, and ensure clarity in credential alignment with course offerings; updates the title of the section to align with course offerings; and updates the course title Engineering Design and Presentation I to Engineering Design and the course title Presentation and Engineering Design and Presentation II to Advanced Engineering Design and Presentation, as adopted by the SBOE; and removes subsections (b) and (c) since the Practicum and Extended Practicum courses were repealed effective September 9, 2024, as approved by the SBOE.

Adopted new §231.469, Engineering Mathematics and Robotics II, Grades 9-12, includes the "Vocational Trades and Industry" certificate. This assignment requires appropriate work approval, based on the Texas Essential Knowledge and Skills (TEKS) for Robotics II, which has a foundation in technical, mechanical, and engineering principles and falls within the instructional scope of educators certified in Vocational Trades and Industry, which also requires work approval.

Adopted new §231.471, Physics for Engineering, Grades 9-12, replaces the Principles of Technology course and updates the title of the section to align with course offerings.

Adopted new §231.473, Engineering Design and Problem Solving and Engineering Science, Grades 9-12, merges §231.579,

Engineering Science, Grades 9-12, into this section with the same certificates allowed to streamline the organization of certification assignments, eliminate redundancy, and ensure clarity in credential alignment with course offerings; and updates the title of the section to align with course offerings.

Adopted new §231.475, Scientific Research and Design, Grades 9-12, removes references to §233.13, Career and Technical Education (Certificates not requiring experience and preparation in a skill area), and §233.14, Career and Technical Education (Certificates requiring experience and preparation in a skill area), in subsection (a)(1) to ensure that previous SBEC-issued certificates for Career and Technical Education are appropriate for placement in assignments as deemed appropriate by the school district.

Adopted new §231.487, Mobile Applications Development, Grades 9-12, includes the following certificates: "Any business or office education certificate"; "Business and Finance: Grades 6-12"; "Business Education: Grades 6-12"; "Marketing: Grades 6-12"; and "Marketing Education: Grades 8-12."

Adopted New Division 16. Health Science, Grades 9-12 Assignments

The adoption retains all information from repealed Division 17, Health Science, Grades 9-12 Assignments, with the following updates.

Adopted new §231.511, Health Science, Grades 9-12, merges §231.427, Health Informatics, Grades 9-12, and §231.429, Healthcare Administration and Management; Leadership and Management in Nursing, Grades 9-12, in subsection (c) into subsection (a), and merges §231.423, Anatomy and Physiology, Medical Microbiology, Pathophysiology, Respiratory Therapy I, Respiratory Therapy II, Grades 9-12, into subsection (b) with the same certificates allowed to streamline the organization of certification assignments, eliminate redundancy, and ensure clarity in credential alignment with course offerings; streamlines new subsection (c) to enhance readability by removing redundant language and simplifying complex phrasing; and adds new subsection (d) to ensure that all teachers assigned to these courses are adequately prepared through Texas Education Agency (TEA)-approved training.

Adopted New Division 17. Hospitality and Tourism, Grades 9-12 Assignments

The adoption retains all information from repealed Division 18, Hospitality and Tourism, Grades 9-12 Assignments, with the following updates.

Adopted new §231.531, Hospitality and Tourism, Grades 9-12, merges the Practicum and Extended Practicum in Hospitality Services in subsection (b) into subsection (a) with the same certificates allowed to streamline the organization of certification assignments, eliminate redundancy, and ensure clarity in credential alignment with course offerings; and streamlines new subsection (b) to enhance readability by removing redundant language and simplifying complex phrasing.

Adopted new §231.533, Culinary Arts, Grades 9-12, merges the Practicum and Extended Practicum in Culinary Arts in subsection (b) into subsection (a) with the same certificates allowed; and streamlines new subsection (b) to enhance readability by removing redundant language and simplifying complex phrasing.

Adopted New Division 18. Human Services, Grades 9-12 Assignments

The adoption retains all information from repealed Division 19, Human Services, Grades 9-12 Assignments, with the following update.

Adopted new §231.551, Human Services, Grades 9-12, merges the Practicum and Extended Practicum in Human Services in subsection (b) into subsection (a) with the same certificates allowed to streamline the organization of certification assignments, eliminate redundancy, and ensure clarity in credential alignment with course offerings; and streamlines new subsection (b) to enhance readability by removing redundant language and simplifying complex phrasing.

Adopted New Division 19. Information Technology, Grades 9-12 Assignments

The adoption retains all information from repealed Division 20, Information Technology, Grades 9-12 Assignments, with the following updates.

Adopted new §231.573, Digital Communications, Grades 9-12, merges §231.485, Web Communications, Web Design, Grades 9-12, and related certificates to streamline the organization of certification assignments, eliminate redundancy, and ensure clarity in credential alignment with course offerings; and updates the title of the section to align with course offerings.

Adopted new §231.575, Computer Maintenance and Technician, Grades 9-12, merges with §231.489, Computer Technician; Information Technology, Grades 9-12, and related certificates to streamline the organization of certification assignments, eliminate redundancy, and ensure clarity in credential alignment with course offerings; updates the title of the section to align with course offerings; and adds a new subsection to ensure that school districts are accountable for verifying that teachers assigned to Practicum or Extended Practicum courses have received appropriate training in state and federal work-based learning and safety requirements.

Adopted new §231.577, Independent Study in Evolving/Emerging Technologies and Independent Study in Technology Applications, Grades 9-12, removes references to §233.13, Career and Technical Education (Certificates not requiring experience and preparation in a skill area), and §233.14, Career and Technical Education (Certificates requiring experience and preparation in a skill area), to ensure that previous SBEC-issued certificates for Career and Technical Education are appropriate for placement in assignments as deemed appropriate by the school district.

Adopted New Division 20. Law and Public Service, Grades 9-12 Assignments

The adoption retains all information from repealed Division 16, Government and Public Administration, Grades 9-12 Assignments, and repealed Division 21, Law, Public Safety, Corrections, and Security, Grades 9-12 Assignments, with the following updates.

Adopted new Division 20 merges the contents of repealed Divisions 16 and 21 to update the title, streamline the organization of certification assignments, eliminate redundancy, ensure consistency in terminology and clarity in credential alignment with course offering, and maintain alignment across related content areas.

Adopted new §231.591, Law, Public Safety, Corrections, and Security, Grades 9-12, merges the Practicum and Extended Practicum in Law, Public Safety, Corrections, and Security in subsection (b) into subsection (a) with the same certificates

allowed; and streamlines new subsection (b) to enhance readability by removing redundant language and simplifying complex phrasing.

Adopted new §231.595, Government and Public Administration, Grades 9-12, merges the Practicum and Extended Practicum in Local, State, and Federal Government in subsection (b) into subsection (a) with the same certificates allowed to streamline the organization of certification assignments, eliminate redundancy, and ensure clarity in credential alignment with course offerings; and streamlines new subsection (b) to enhance readability by removing redundant language and simplifying complex phrasing.

Adopted New Division 21. Manufacturing, Grades 9-12 Assignments

The adoption retains all information in repealed Division 22, Manufacturing, Grades 9-12 Assignments, with the following update.

Adopted new §231.621, Manufacturing, Grades 9-12, streamlines subsection (c) to enhance readability by removing redundant language and simplifying complex phrasing.

Adopted New Division 22. Transportation, Distribution, and Logistics, Grades 9-12 Assignments

The adoption retains all information in repealed Division 25, Transportation, Distribution, and Logistics, Grades 9-12 Assignments, with the following update.

Adopted new §231.641, Transportation, Distribution, and Logistics, Grades 9-12, includes the new SBOE-approved Aircraft Maintenance Technology course in the section and specifies the certificates appropriate to serve in these assignments; and streamlines subsection (c) to enhance readability by removing redundant language and simplifying complex phrasing.

Subchapter G. Paraprofessional Personnel, Administrators, and Other Instructional and Professional Support Assignments

The adopted amendment to §231.753 adds "Principal as Instructional Leader" to the list of certificates appropriate to serve in the assignment of principal and assistant principal. The adoption also adds "Educational Diagnostician, Early Childhood-Grade 12" as the certificate appropriate to serve in the assignment of Educational Diagnostician; and "Reading Specialist, Early Childhood-Grade 12" as the certificate appropriate to serve in the assignment of Reading Specialist.

SUMMARY OF COMMENTS AND RESPONSES: The public comment period on the proposal began October 17, 2025, and ended November 17, 2025. The SBEC also provided an opportunity for registered oral and written comments on the proposal at the December 4, 2025 meeting's public comment period in accordance with the SBEC board operating policies and procedures. The following public comments were received on the proposal.

Comment: A counselor expressed concern that substitutes are already in short supply and that the proposed amendments could increase stress on teachers. The commenter noted that when staff absences occur without available substitutes, administrators often pressure employees to avoid taking leave, and classes are split among other teachers, disrupting instruction for multiple groups. The commenter stated the proposal is unrealistic and suggested offering pay incentives or financial assistance for aides seeking certification instead of limiting the substitute pool.

Response: This comment is outside the scope of the proposed rulemaking.

Comment: A career and technical education (CTE) director stated that merging the Practicum with Extended Practicum courses to align with teacher certifications would be helpful. The commenter also noted that the name for the Business Information Management II course has changed and referenced proposed updates that would merge several courses, including Business Information Management II, Business Law, Touch System Data Entry, and Practicum and Extended Practicum in Business Management in §231.381(a).

Response: The SBEC agrees and took action at adoption to change the course names for Business Information Management I to Foundations of Business Communications and Technologies and Business Information Management II to Business Communications and Technologies to match the course names adopted by the SBOE in 19 TAC Chapter 127, Texas Essential Knowledge and Skills for Career Development and Career and Technical Education.

Comment: A CTE specialist requested that the SBEC add Family and Consumer Science (FCS) into rule as an option for teaching Principles of Arts and AV and Principles of Architecture. The commenter stated that these introductory courses have previously been taught by FCS teachers and are essential for allowing the same teacher to deliver complete Fashion Design and Interior Design pathways and that removing this ability could make it harder for districts to offer full course sequences. The commenter noted that these courses cover design elements, career exploration, and soft skills, areas where FCS teachers are qualified, and encouraged SBEC to reconsider this change.

Response: The SBEC disagrees. While FCS teachers have historically taught these courses, the current alignment of Principles of Arts, Audio/Video Technology, and Communications and Principles of Architecture is intended to ensure that students receive instruction from educators with specialized knowledge in those career clusters. These introductory courses lay the foundation for technical skills and industry standards that are specific to Arts/AV and Architecture pathways. The competencies required go beyond general design elements and soft skills. Maintaining this alignment in the programs of study helps districts provide students with a coherent, industry-relevant sequence of courses and ensures educators are adequately prepared to teach the specialized content.

The State Board of Education (SBOE) took no action on the review of the amendments to §§231.1, 231.3, 231.5, 231.7, 231.9, 231.11, 231.13, 231.15, 231.17, 231.21, 231.23, 231.25, 231.27, 231.31, 231.41, 231.43, 231.45, 231.47, 231.49, 231.51, 231.57, 231.61, 231.63, 231.67, 231.69, 231.71, 231.73, 231.75, 231.77, 231.91, and 231.753; and new §§231.131, 231.133, 231.135, 231.137, 231.139, 231.141, 231.143, 231.145, 231.161, 231.163, 231.181, 231.183, 231.185, 231.187, 231.189, 231.191, 231.193, 231.195, 231.211, 231.213, 231.215, 231.231, 231.233, 231.235, 231.237, 231.239, 231.241, 231.243, 231.245, 231.247, 231.249, 231.251, 231.271, 231.281, 231.291, 231.301, 231.303, 231.305, 231.307, 231.309, 231.311, 231.313, 231.331, 231.333, 231.335, 231.337, 231.339, 231.351, 231.353, 231.355, 231.357, 231.359, 231.361, 231.381, 231.383, 231.385, 231.387, 231.389, 231.391, 231.393, 231.395, 231.421, 231.423, 231.441, 231.461, 231.463, 231.465, 231.467, 231.469, 231.471, 231.473, 231.475, 231.477, 231.479, 231.481, 231.483, 231.485, 231.487,

231.489, 231.491, 231.511, 231.513, 231.531, 231.533, 231.535, 231.551, 231.553, 231.555, 231.557, 231.559, 231.571, 231.573, 231.575, 231.577, 231.591, 231.593, 231.595, 231.597, 231.599, 231.621, 231.623, 231.625, 231.641, and 231.643 at the January 30, 2026 SBOE meeting.

SUBCHAPTER A. CRITERIA FOR ASSIGNMENT OF PUBLIC SCHOOL PERSONNEL

19 TAC §231.1

STATUTORY AUTHORITY. The amendment is adopted under Texas Education Code (TEC), §21.003(a), which states that a person may not be employed as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, educational diagnostician, or school counselor by a school district unless the person holds an appropriate certificate or permit issued as provided by the TEC, Chapter 21, Subchapter B; TEC, §21.031(a), which states that the SBEC shall regulate and oversee all aspects of the certification, continuing education, and standards of conduct of public school educators; TEC, §21.041(b)(1), which requires the SBEC to propose rules that provide for the regulation of educators and the general administration of the TEC, Chapter 21, Subchapter B, in a manner consistent with the TEC, Chapter 21, Subchapter B; TEC, §21.041(b)(2), which requires the SBEC to propose rules that specify the classes of educator certificates to be issued, including emergency certificates; and TEC, §21.064, which requires the SBEC to stop the issuance and renewal of master teacher certificates effective September 1, 2019, to add a designation of "legacy" to each master teacher certificate issued and to recognize these certificates until they expire.

CROSS REFERENCE TO STATUTE. The amendment implements Texas Education Code (TEC), §§21.003(a), 21.031(a), 21.041(b)(1) and (2), and 21.064.

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SUBCHAPTER B. PREKINDERGARTEN- GRADE 6 ASSIGNMENTS

19 TAC §§231.3, 231.5, 231.7, 231.9, 231.11, 231.13, 231.15, 231.17, 231.21, 231.23, 231.25, 231.27, 231.31

STATUTORY AUTHORITY. The amendments are adopted under Texas Education Code (TEC), §21.003(a), which states that a person may not be employed as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, educational diagnostician, or school counselor by a school

district unless the person holds an appropriate certificate or permit issued as provided by the TEC, Chapter 21, Subchapter B; TEC, §21.031(a), which states that the SBEC shall regulate and oversee all aspects of the certification, continuing education, and standards of conduct of public school educators; TEC, §21.041(b)(1), which requires the SBEC to propose rules that provide for the regulation of educators and the general administration of the TEC, Chapter 21, Subchapter B, in a manner consistent with the TEC, Chapter 21, Subchapter B; TEC, §21.041(b)(2), which requires the SBEC to propose rules that specify the classes of educator certificates to be issued, including emergency certificates; and TEC, §21.064, which requires the SBEC to stop the issuance and renewal of master teacher certificates effective September 1, 2019, to add a designation of "legacy" to each master teacher certificate issued, and to recognize these certificates until they expire.

CROSS REFERENCE TO STATUTE. The amendments implement Texas Education Code (TEC), §§21.003(a), 21.031(a), 21.041(b)(1) and (2), and 21.064.

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SUBCHAPTER C. GRADES 6-8 ASSIGNMENTS

19 TAC §§231.41, 231.43, 231.45, 231.47, 231.49, 231.51, 231.57, 231.61, 231.63, 231.67, 231.69, 231.71, 231.73, 231.75, 231.77

STATUTORY AUTHORITY. The amendments are adopted under Texas Education Code (TEC), §21.003(a), which states that a person may not be employed as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, educational diagnostician, or school counselor by a school district unless the person holds an appropriate certificate or permit issued as provided by the TEC, Chapter 21, Subchapter B; TEC, §21.031(a), which states that the SBEC shall regulate and oversee all aspects of the certification, continuing education, and standards of conduct of public school educators; TEC, §21.041(b)(1), which requires the SBEC to propose rules that provide for the regulation of educators and the general administration of the TEC, Chapter 21, Subchapter B, in a manner consistent with the TEC, Chapter 21, Subchapter B; TEC, §21.041(b)(2), which requires the SBEC to propose rules that specify the classes of educator certificates to be issued, including emergency certificates; and TEC, §21.064, which requires the SBEC to stop the issuance and renewal of master teacher certificates effective September 1, 2019, to add a des-

ignation of "legacy" to each master teacher certificate issued, and to recognize these certificates until they expire.

CROSS REFERENCE TO STATUTE. The amendments implement Texas Education Code (TEC), §§21.003(a), 21.031(a), 21.041(b)(1) and (2), and 21.064.

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SUBCHAPTER D. ELECTIVES, DISCIPLINARY COURSES, LOCAL CREDIT COURSES, AND INNOVATIVE COURSES, GRADES 6-12 ASSIGNMENTS

19 TAC §231.91

STATUTORY AUTHORITY. The amendment is adopted under Texas Education Code (TEC), §21.003(a), which states that a person may not be employed as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, educational diagnostician, or school counselor by a school district unless the person holds an appropriate certificate or permit issued as provided by the TEC, Chapter 21, Subchapter B; TEC, §21.031(a), which states that the SBEC shall regulate and oversee all aspects of the certification, continuing education, and standards of conduct of public school educators; TEC, §21.041(b)(1), which requires the SBEC to propose rules that provide for the regulation of educators and the general administration of the TEC, Chapter 21, Subchapter B, in a manner consistent with the TEC, Chapter 21, Subchapter B; TEC, §21.041(b)(2), which requires the SBEC to propose rules that specify the classes of educator certificates to be issued, including emergency certificates; and TEC, §21.064, which requires the SBEC to stop the issuance and renewal of master teacher certificates effective September 1, 2019, to add a designation of "legacy" to each master teacher certificate issued, and to recognize these certificates until they expire.

CROSS REFERENCE TO STATUTE. The amendment implements Texas Education Code (TEC), §§21.003(a), 21.031(a), 21.041(b)(1) and (2), and 21.064.

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SUBCHAPTER E. GRADES 9-12 ASSIGNMENTS

DIVISION 1. ENGLISH LANGUAGE ARTS AND READING, GRADES 9-12 ASSIGNMENTS

19 TAC §§231.131, 231.133, 231.135, 231.137, 231.139, 231.141, 231.143, 231.145

STATUTORY AUTHORITY. The new sections are adopted under Texas Education Code (TEC), §21.003(a), which states that a person may not be employed as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, educational diagnostician, or school counselor by a school district unless the person holds an appropriate certificate or permit issued as provided by the TEC, Chapter 21, Subchapter B; TEC, §21.031(a), which states that the SBEC shall regulate and oversee all aspects of the certification, continuing education, and standards of conduct of public school educators; TEC, §21.041(b)(1), which requires the SBEC to propose rules that provide for the regulation of educators and the general administration of the TEC, Chapter 21, Subchapter B, in a manner consistent with the TEC, Chapter 21, Subchapter B; TEC, §21.041(b)(2), which requires the SBEC to propose rules that specify the classes of educator certificates to be issued, including emergency certificates; and TEC, §21.064, which requires the SBEC to stop the issuance and renewal of master teacher certificates effective September 1, 2019, to add a designation of "legacy" to each master teacher certificate issued, and to recognize these certificates until they expire.

CROSS REFERENCE TO STATUTE. The new sections implement Texas Education Code (TEC), §§21.003(a), 21.031(a), 21.041(b)(1) and (2), and 21.064.

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DIVISION 2. LANGUAGES OTHER THAN ENGLISH, GRADES 9-12 ASSIGNMENTS

19 TAC §231.161, §231.163

STATUTORY AUTHORITY. The new sections are adopted under Texas Education Code (TEC), §21.003(a), which states that a person may not be employed as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, educational diagnostician, or school counselor by a school district unless the person holds an appropriate certificate or permit issued as provided by the TEC, Chapter 21, Subchapter B; TEC, §21.031(a), which states that the SBEC shall regulate and oversee all aspects of the certification, continuing education, and standards of conduct of public school educators; TEC, §21.041(b)(1), which requires the SBEC to propose rules that provide for the regulation of educators and the general administration of the TEC, Chapter 21, Subchapter B, in a manner consistent with the TEC, Chapter 21, Subchapter B; TEC, §21.041(b)(2), which requires the SBEC to propose rules that specify the classes of educator certificates to be issued, including emergency certificates; and TEC, §21.064, which requires the SBEC to stop the issuance and renewal of master teacher certificates effective September 1, 2019, to add a designation of "legacy" to each master teacher certificate issued, and to recognize these certificates until they expire.

CROSS REFERENCE TO STATUTE. The new sections implement Texas Education Code (TEC), §§21.003(a), 21.031(a), 21.041(b)(1) and (2), and 21.064.

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DIVISION 3. SOCIAL STUDIES, GRADES 9-12 ASSIGNMENTS

19 TAC §§231.181, 231.183, 231.185, 231.187, 231.189, 231.191, 231.193, 231.195

STATUTORY AUTHORITY. The new sections are adopted under Texas Education Code (TEC), §21.003(a), which states that a person may not be employed as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, educational diagnostician, or school counselor by a school district unless the person holds an appropriate certificate or permit issued as provided by the TEC, Chapter 21, Subchapter B; TEC, §21.031(a), which states that the SBEC shall regulate and oversee all aspects of the certification, continuing education, and standards of conduct of public school educators; TEC, §21.041(b)(1), which requires the SBEC to propose rules that provide for the regulation of educators and the general administration of the TEC, Chapter 21, Subchapter B, in a manner consistent with the TEC, Chapter 21, Subchapter B; TEC, §21.041(b)(2), which requires the SBEC to propose rules that specify the classes of educator certificates to be issued,

including emergency certificates; and TEC, §21.064, which requires the SBEC to stop the issuance and renewal of master teacher certificates effective September 1, 2019, to add a designation of "legacy" to each master teacher certificate issued, and to recognize these certificates until they expire.

CROSS REFERENCE TO STATUTE. The new sections implement Texas Education Code (TEC), §§21.003(a), 21.031(a), 21.041(b)(1) and (2), and 21.064.

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DIVISION 4. MATHEMATICS, GRADES 9-12 ASSIGNMENTS

19 TAC §§231.211, 231.213, 231.215

STATUTORY AUTHORITY. The new sections are adopted under Texas Education Code (TEC), §21.003(a), which states that a person may not be employed as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, educational diagnostician, or school counselor by a school district unless the person holds an appropriate certificate or permit issued as provided by the TEC, Chapter 21, Subchapter B; TEC, §21.031(a), which states that the SBEC shall regulate and oversee all aspects of the certification, continuing education, and standards of conduct of public school educators; TEC, §21.041(b)(1), which requires the SBEC to propose rules that provide for the regulation of educators and the general administration of the TEC, Chapter 21, Subchapter B, in a manner consistent with the TEC, Chapter 21, Subchapter B; TEC, §21.041(b)(2), which requires the SBEC to propose rules that specify the classes of educator certificates to be issued, including emergency certificates; and TEC, §21.064, which requires the SBEC to stop the issuance and renewal of master teacher certificates effective September 1, 2019, to add a designation of "legacy" to each master teacher certificate issued, and to recognize these certificates until they expire.

CROSS REFERENCE TO STATUTE. The new sections implement Texas Education Code (TEC), §§21.003(a), 21.031(a), 21.041(b)(1) and (2), and 21.064.

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DIVISION 5. SCIENCE, GRADES 9-12 ASSIGNMENTS

19 TAC §§231.231, 231.233, 231.235, 231.237, 231.239, 231.241, 231.243, 231.245, 231.247, 231.249, 231.251

STATUTORY AUTHORITY. The new sections are adopted under Texas Education Code (TEC), §21.003(a), which states that a person may not be employed as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, educational diagnostician, or school counselor by a school district unless the person holds an appropriate certificate or permit issued as provided by the TEC, Chapter 21, Subchapter B; TEC, §21.031(a), which states that the SBEC shall regulate and oversee all aspects of the certification, continuing education, and standards of conduct of public school educators; TEC, §21.041(b)(1), which requires the SBEC to propose rules that provide for the regulation of educators and the general administration of the TEC, Chapter 21, Subchapter B, in a manner consistent with the TEC, Chapter 21, Subchapter B; TEC, §21.041(b)(2), which requires the SBEC to propose rules that specify the classes of educator certificates to be issued, including emergency certificates; and TEC, §21.064, which requires the SBEC to stop the issuance and renewal of master teacher certificates effective September 1, 2019, to add a designation of "legacy" to each master teacher certificate issued, and to recognize these certificates until they expire.

CROSS REFERENCE TO STATUTE. The new sections implement Texas Education Code (TEC), §§21.003(a), 21.031(a), 21.041(b)(1) and (2), and 21.064.

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DIVISION 6. HEALTH AND PHYSICAL EDUCATION, GRADES 9-12 ASSIGNMENTS

19 TAC §231.271

STATUTORY AUTHORITY. The new section is adopted under Texas Education Code (TEC), §21.003(a), which states that a person may not be employed as a teacher, teacher intern

or teacher trainee, librarian, educational aide, administrator, educational diagnostician, or school counselor by a school district unless the person holds an appropriate certificate or permit issued as provided by the TEC, Chapter 21, Subchapter B; TEC, §21.031(a), which states that the SBEC shall regulate and oversee all aspects of the certification, continuing education, and standards of conduct of public school educators; TEC, §21.041(b)(1), which requires the SBEC to propose rules that provide for the regulation of educators and the general administration of the TEC, Chapter 21, Subchapter B, in a manner consistent with the TEC, Chapter 21, Subchapter B; TEC, §21.041(b)(2), which requires the SBEC to propose rules that specify the classes of educator certificates to be issued, including emergency certificates; and TEC, §21.064, which requires the SBEC to stop the issuance and renewal of master teacher certificates effective September 1, 2019, to add a designation of "legacy" to each master teacher certificate issued, and to recognize these certificates until they expire.

CROSS REFERENCE TO STATUTE. The new section implements Texas Education Code (TEC), §§21.003(a), 21.031(a), 21.041(b)(1) and (2), and 21.064.

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DIVISION 7. FINE ARTS, GRADES 9-12 ASSIGNMENTS

19 TAC §231.281

STATUTORY AUTHORITY. The new section is adopted under Texas Education Code (TEC), §21.003(a), which states that a person may not be employed as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, educational diagnostician, or school counselor by a school district unless the person holds an appropriate certificate or permit issued as provided by the TEC, Chapter 21, Subchapter B; TEC, §21.031(a), which states that the SBEC shall regulate and oversee all aspects of the certification, continuing education, and standards of conduct of public school educators; TEC, §21.041(b)(1), which requires the SBEC to propose rules that provide for the regulation of educators and the general administration of the TEC, Chapter 21, Subchapter B, in a manner consistent with the TEC, Chapter 21, Subchapter B; TEC, §21.041(b)(2), which requires the SBEC to propose rules that specify the classes of educator certificates to be issued, including emergency certificates; and TEC, §21.064, which requires the SBEC to stop the issuance and renewal of master teacher certificates effective September 1, 2019, to add a designation of "legacy" to each master teacher certificate issued, and to recognize these certificates until they expire.

CROSS REFERENCE TO STATUTE. The new section implements Texas Education Code (TEC), §§21.003(a), 21.031(a), 21.041(b)(1) and (2), and 21.064.

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DIVISION 8. CAREER DEVELOPMENT, GRADES 9-12 ASSIGNMENTS

19 TAC §231.291

STATUTORY AUTHORITY. The new section is adopted under Texas Education Code (TEC), §21.003(a), which states that a person may not be employed as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, educational diagnostician, or school counselor by a school district unless the person holds an appropriate certificate or permit issued as provided by the TEC, Chapter 21, Subchapter B; TEC, §21.031(a), which states that the SBEC shall regulate and oversee all aspects of the certification, continuing education, and standards of conduct of public school educators; TEC, §21.041(b)(1), which requires the SBEC to propose rules that provide for the regulation of educators and the general administration of the TEC, Chapter 21, Subchapter B, in a manner consistent with the TEC, Chapter 21, Subchapter B; TEC, §21.041(b)(2), which requires the SBEC to propose rules that specify the classes of educator certificates to be issued, including emergency certificates; and TEC, §21.064, which requires the SBEC to stop the issuance and renewal of master teacher certificates effective September 1, 2019, to add a designation of "legacy" to each master teacher certificate issued, and to recognize these certificates until they expire.

CROSS REFERENCE TO STATUTE. The new section implements Texas Education Code (TEC), §§21.003(a), 21.031(a), 21.041(b)(1) and (2), and 21.064.

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DIVISION 9. AGRICULTURE, FOOD, AND NATURAL RESOURCES, GRADES 9-12 ASSIGNMENTS

19 TAC §§231.301, 231.303, 231.305, 231.307, 231.309, 231.311, 231.313

STATUTORY AUTHORITY. The new sections are adopted under Texas Education Code (TEC), §21.003(a), which states that a person may not be employed as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, educational diagnostician, or school counselor by a school district unless the person holds an appropriate certificate or permit issued as provided by the TEC, Chapter 21, Subchapter B; TEC, §21.031(a), which states that the SBEC shall regulate and oversee all aspects of the certification, continuing education, and standards of conduct of public school educators; TEC, §21.041(b)(1), which requires the SBEC to propose rules that provide for the regulation of educators and the general administration of the TEC, Chapter 21, Subchapter B, in a manner consistent with the TEC, Chapter 21, Subchapter B; TEC, §21.041(b)(2), which requires the SBEC to propose rules that specify the classes of educator certificates to be issued, including emergency certificates; and TEC, §21.064, which requires the SBEC to stop the issuance and renewal of master teacher certificates effective September 1, 2019, to add a designation of "legacy" to each master teacher certificate issued, and to recognize these certificates until they expire.

CROSS REFERENCE TO STATUTE. The new sections implement Texas Education Code (TEC), §§21.003(a), 21.031(a), 21.041(b)(1) and (2), and 21.064.

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DIVISION 10. ARCHITECTURE AND CONSTRUCTION, GRADES 9-12 ASSIGNMENTS

19 TAC §§231.331, 231.333, 231.335, 231.337, 231.339

STATUTORY AUTHORITY. The new sections are adopted under Texas Education Code (TEC), §21.003(a), which states that a person may not be employed as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, educational diagnostician, or school counselor by a school district unless the person holds an appropriate certificate or permit issued as provided by the TEC, Chapter 21, Subchapter

B; TEC, §21.031(a), which states that the SBEC shall regulate and oversee all aspects of the certification, continuing education, and standards of conduct of public school educators; TEC, §21.041(b)(1), which requires the SBEC to propose rules that provide for the regulation of educators and the general administration of the TEC, Chapter 21, Subchapter B, in a manner consistent with the TEC, Chapter 21, Subchapter B; TEC, §21.041(b)(2), which requires the SBEC to propose rules that specify the classes of educator certificates to be issued, including emergency certificates; and TEC, §21.064, which requires the SBEC to stop the issuance and renewal of master teacher certificates effective September 1, 2019, to add a designation of "legacy" to each master teacher certificate issued, and to recognize these certificates until they expire.

CROSS REFERENCE TO STATUTE. The new sections implement Texas Education Code (TEC), §§21.003(a), 21.031(a), 21.041(b)(1) and (2), and 21.064.

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DIVISION 11. ARTS, AUDIO VISUAL TECHNOLOGY, AND COMMUNICATIONS, GRADES 9-12 ASSIGNMENTS

19 TAC §§231.351, 231.353, 231.355, 231.357, 231.359, 231.361

STATUTORY AUTHORITY. The new sections are adopted under Texas Education Code (TEC), §21.003(a), which states that a person may not be employed as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, educational diagnostician, or school counselor by a school district unless the person holds an appropriate certificate or permit issued as provided by the TEC, Chapter 21, Subchapter B; TEC, §21.031(a), which states that the SBEC shall regulate and oversee all aspects of the certification, continuing education, and standards of conduct of public school educators; TEC, §21.041(b)(1), which requires the SBEC to propose rules that provide for the regulation of educators and the general administration of the TEC, Chapter 21, Subchapter B, in a manner consistent with the TEC, Chapter 21, Subchapter B; TEC, §21.041(b)(2), which requires the SBEC to propose rules that specify the classes of educator certificates to be issued, including emergency certificates; and TEC, §21.064, which requires the SBEC to stop the issuance and renewal of master teacher certificates effective September 1, 2019, to add a designation of "legacy" to each master teacher certificate issued, and to recognize these certificates until they expire.

CROSS REFERENCE TO STATUTE. The new sections implement Texas Education Code (TEC), §§21.003(a), 21.031(a), 21.041(b)(1) and (2), and 21.064.

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DIVISION 12. BUSINESS, MARKETING, AND FINANCE, GRADES 9-12 ASSIGNMENTS

19 TAC §§231.381, 231.383, 231.385, 231.387, 231.389, 231.391, 231.393, 231.395

STATUTORY AUTHORITY. The new sections are adopted under Texas Education Code (TEC), §21.003(a), which states that a person may not be employed as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, educational diagnostician, or school counselor by a school district unless the person holds an appropriate certificate or permit issued as provided by the TEC, Chapter 21, Subchapter B; TEC, §21.031(a), which states that the SBEC shall regulate and oversee all aspects of the certification, continuing education, and standards of conduct of public school educators; TEC, §21.041(b)(1), which requires the SBEC to propose rules that provide for the regulation of educators and the general administration of the TEC, Chapter 21, Subchapter B, in a manner consistent with the TEC, Chapter 21, Subchapter B; TEC, §21.041(b)(2), which requires the SBEC to propose rules that specify the classes of educator certificates to be issued, including emergency certificates; and TEC, §21.064, which requires the SBEC to stop the issuance and renewal of master teacher certificates effective September 1, 2019, to add a designation of "legacy" to each master teacher certificate issued, and to recognize these certificates until they expire.

CROSS REFERENCE TO STATUTE. The new sections implement Texas Education Code (TEC), §§21.003(a), 21.031(a), 21.041(b)(1) and (2), and 21.064.

§231.381. *Business Management, Grades 9-12.*

(a) An assignment for Foundations of Business Communications and Technologies, Business Communications and Technologies, Business Law, Touch System Data Entry, Business Management, Business Lab, Global Business, Human Resources Management, Principles of Business, Marketing, and Finance, Virtual Business, Practicum in Business Management, or Extended Practicum in Business Management, Grades 9-12, is allowed with one of the following certificates.

- (1) Any business or office education certificate.
- (2) Any marketing or distributive education certificate.
- (3) Business and Finance: Grades 6-12.

- (4) Business Education: Grades 6-12.
- (5) Marketing: Grades 6-12.
- (6) Marketing Education: Grades 8-12.

(b) The school district is responsible for ensuring that each teacher assigned to a Practicum or Extended Practicum course, Grades 9-12, has completed appropriate training in state and federal requirements regarding work-based learning and safety.

The agency certifies that legal counsel has reviewed the adoption and found it to be a valid exercise of the agency's legal authority.

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DIVISION 13. EDUCATION AND TRAINING, GRADES 9-12 ASSIGNMENTS

19 TAC §231.421, §231.423

STATUTORY AUTHORITY. The new sections are adopted under Texas Education Code (TEC), §21.003(a), which states that a person may not be employed as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, educational diagnostician, or school counselor by a school district unless the person holds an appropriate certificate or permit issued as provided by the TEC, Chapter 21, Subchapter B; TEC, §21.031(a), which states that the SBEC shall regulate and oversee all aspects of the certification, continuing education, and standards of conduct of public school educators; TEC, §21.041(b)(1), which requires the SBEC to propose rules that provide for the regulation of educators and the general administration of the TEC, Chapter 21, Subchapter B, in a manner consistent with the TEC, Chapter 21, Subchapter B; TEC, §21.041(b)(2), which requires the SBEC to propose rules that specify the classes of educator certificates to be issued, including emergency certificates; and TEC, §21.064, which requires the SBEC to stop the issuance and renewal of master teacher certificates effective September 1, 2019, to add a designation of "legacy" to each master teacher certificate issued, and to recognize these certificates until they expire.

CROSS REFERENCE TO STATUTE. The new sections implement Texas Education Code (TEC), §§21.003(a), 21.031(a), 21.041(b)(1) and (2), and 21.064.

The agency certifies that legal counsel has reviewed the adoption and found it to be a valid exercise of the agency's legal authority.

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 For further information, please call: (512) 475-1497



DIVISION 14. ENERGY, GRADES 9-12 ASSIGNMENTS

19 TAC §231.441

STATUTORY AUTHORITY. The new section is adopted under Texas Education Code (TEC), §21.003(a), which states that a person may not be employed as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, educational diagnostician, or school counselor by a school district unless the person holds an appropriate certificate or permit issued as provided by the TEC, Chapter 21, Subchapter B; TEC, §21.031(a), which states that the SBEC shall regulate and oversee all aspects of the certification, continuing education, and standards of conduct of public school educators; TEC, §21.041(b)(1), which requires the SBEC to propose rules that provide for the regulation of educators and the general administration of the TEC, Chapter 21, Subchapter B, in a manner consistent with the TEC, Chapter 21, Subchapter B; TEC, §21.041(b)(2), which requires the SBEC to propose rules that specify the classes of educator certificates to be issued, including emergency certificates; and TEC, §21.064, which requires the SBEC to stop the issuance and renewal of master teacher certificates effective September 1, 2019, to add a designation of "legacy" to each master teacher certificate issued, and to recognize these certificates until they expire.

CROSS REFERENCE TO STATUTE. The new section implements Texas Education Code (TEC), §§21.003(a), 21.031(a), 21.041(b)(1) and (2), and 21.064.

The agency certifies that legal counsel has reviewed the adoption and found it to be a valid exercise of the agency's legal authority.

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DIVISION 15. ENGINEERING, GRADES 9-12 ASSIGNMENTS

19 TAC §§231.461, 231.463, 231.465, 231.467, 231.469, 231.471, 231.473, 231.475, 231.477, 231.479, 231.481, 231.483, 231.485, 231.487, 231.489, 231.491

STATUTORY AUTHORITY. The new sections are adopted under Texas Education Code (TEC), §21.003(a), which states

that a person may not be employed as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, educational diagnostician, or school counselor by a school district unless the person holds an appropriate certificate or permit issued as provided by the TEC, Chapter 21, Subchapter B; TEC, §21.031(a), which states that the SBEC shall regulate and oversee all aspects of the certification, continuing education, and standards of conduct of public school educators; TEC, §21.041(b)(1), which requires the SBEC to propose rules that provide for the regulation of educators and the general administration of the TEC, Chapter 21, Subchapter B, in a manner consistent with the TEC, Chapter 21, Subchapter B; TEC, §21.041(b)(2), which requires the SBEC to propose rules that specify the classes of educator certificates to be issued, including emergency certificates; and TEC, §21.064, which requires the SBEC to stop the issuance and renewal of master teacher certificates effective September 1, 2019, to add a designation of "legacy" to each master teacher certificate issued, and to recognize these certificates until they expire.

CROSS REFERENCE TO STATUTE. The new sections implement Texas Education Code (TEC), §§21.003(a), 21.031(a), 21.041(b)(1) and (2), and 21.064.

The agency certifies that legal counsel has reviewed the adoption and found it to be a valid exercise of the agency's legal authority.

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DIVISION 16. HEALTH SCIENCE, GRADES 9-12 ASSIGNMENTS

19 TAC §§231.511, §231.513

STATUTORY AUTHORITY. The new sections are adopted under Texas Education Code (TEC), §21.003(a), which states that a person may not be employed as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, educational diagnostician, or school counselor by a school district unless the person holds an appropriate certificate or permit issued as provided by the TEC, Chapter 21, Subchapter B; TEC, §21.031(a), which states that the SBEC shall regulate and oversee all aspects of the certification, continuing education, and standards of conduct of public school educators; TEC, §21.041(b)(1), which requires the SBEC to propose rules that provide for the regulation of educators and the general administration of the TEC, Chapter 21, Subchapter B, in a manner consistent with the TEC, Chapter 21, Subchapter B; TEC, §21.041(b)(2), which requires the SBEC to propose rules that specify the classes of educator certificates to be issued, including emergency certificates; and TEC, §21.064, which requires the SBEC to stop the issuance and renewal of master

teacher certificates effective September 1, 2019, to add a designation of "legacy" to each master teacher certificate issued, and to recognize these certificates until they expire.

CROSS REFERENCE TO STATUTE. The new sections implement Texas Education Code (TEC), §§21.003(a), 21.031(a), 21.041(b)(1) and (2), and 21.064.

The agency certifies that legal counsel has reviewed the adoption and found it to be a valid exercise of the agency's legal authority.

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DIVISION 17. HOSPITALITY AND TOURISM, GRADES 9-12 ASSIGNMENTS

19 TAC §§231.531, 231.533, 231.535

STATUTORY AUTHORITY. The new sections are adopted under Texas Education Code (TEC), §21.003(a), which states that a person may not be employed as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, educational diagnostician, or school counselor by a school district unless the person holds an appropriate certificate or permit issued as provided by the TEC, Chapter 21, Subchapter B; TEC, §21.031(a), which states that the SBEC shall regulate and oversee all aspects of the certification, continuing education, and standards of conduct of public school educators; TEC, §21.041(b)(1), which requires the SBEC to propose rules that provide for the regulation of educators and the general administration of the TEC, Chapter 21, Subchapter B, in a manner consistent with the TEC, Chapter 21, Subchapter B; TEC, §21.041(b)(2), which requires the SBEC to propose rules that specify the classes of educator certificates to be issued, including emergency certificates; and TEC, §21.064, which requires the SBEC to stop the issuance and renewal of master teacher certificates effective September 1, 2019, to add a designation of "legacy" to each master teacher certificate issued, and to recognize these certificates until they expire.

CROSS REFERENCE TO STATUTE. The new sections implement Texas Education Code (TEC), §§21.003(a), 21.031(a), 21.041(b)(1) and (2), and 21.064.

The agency certifies that legal counsel has reviewed the adoption and found it to be a valid exercise of the agency's legal authority.

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DIVISION 18. HUMAN SERVICES, GRADES 9-12 ASSIGNMENTS

19 TAC §§231.551, 231.553, 231.555, 231.557, 231.559

STATUTORY AUTHORITY. The new sections are adopted under Texas Education Code (TEC), §21.003(a), which states that a person may not be employed as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, educational diagnostician, or school counselor by a school district unless the person holds an appropriate certificate or permit issued as provided by the TEC, Chapter 21, Subchapter B; TEC, §21.031(a), which states that the SBEC shall regulate and oversee all aspects of the certification, continuing education, and standards of conduct of public school educators; TEC, §21.041(b)(1), which requires the SBEC to propose rules that provide for the regulation of educators and the general administration of the TEC, Chapter 21, Subchapter B, in a manner consistent with the TEC, Chapter 21, Subchapter B; TEC, §21.041(b)(2), which requires the SBEC to propose rules that specify the classes of educator certificates to be issued, including emergency certificates; and TEC, §21.064, which requires the SBEC to stop the issuance and renewal of master teacher certificates effective September 1, 2019, to add a designation of "legacy" to each master teacher certificate issued, and to recognize these certificates until they expire.

CROSS REFERENCE TO STATUTE. The new sections implement Texas Education Code (TEC), §§21.003(a), 21.031(a), 21.041(b)(1) and (2), and 21.064.

The agency certifies that legal counsel has reviewed the adoption and found it to be a valid exercise of the agency's legal authority.

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DIVISION 19. INFORMATION TECHNOLOGY, GRADES 9-12 ASSIGNMENTS

19 TAC §§231.571, 231.573, 231.575, 231.577

STATUTORY AUTHORITY. The new sections are adopted under Texas Education Code (TEC), §21.003(a), which states that a person may not be employed as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator,

educational diagnostician, or school counselor by a school district unless the person holds an appropriate certificate or permit issued as provided by the TEC, Chapter 21, Subchapter B; TEC, §21.031(a), which states that the SBEC shall regulate and oversee all aspects of the certification, continuing education, and standards of conduct of public school educators; TEC, §21.041(b)(1), which requires the SBEC to propose rules that provide for the regulation of educators and the general administration of the TEC, Chapter 21, Subchapter B, in a manner consistent with the TEC, Chapter 21, Subchapter B; TEC, §21.041(b)(2), which requires the SBEC to propose rules that specify the classes of educator certificates to be issued, including emergency certificates; and TEC, §21.064, which requires the SBEC to stop the issuance and renewal of master teacher certificates effective September 1, 2019, to add a designation of "legacy" to each master teacher certificate issued, and to recognize these certificates until they expire.

CROSS REFERENCE TO STATUTE. The new sections implement Texas Education Code (TEC), §§21.003(a), 21.031(a), 21.041(b)(1) and (2), and 21.064.

The agency certifies that legal counsel has reviewed the adoption and found it to be a valid exercise of the agency's legal authority.

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DIVISION 20. LAW AND PUBLIC SERVICE, GRADES 9-12 ASSIGNMENTS

19 TAC §§231.591, 231.593, 231.595, 231.597, 231.599

STATUTORY AUTHORITY. The new sections are adopted under Texas Education Code (TEC), §21.003(a), which states that a person may not be employed as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, educational diagnostician, or school counselor by a school district unless the person holds an appropriate certificate or permit issued as provided by the TEC, Chapter 21, Subchapter B; TEC, §21.031(a), which states that the SBEC shall regulate and oversee all aspects of the certification, continuing education, and standards of conduct of public school educators; TEC, §21.041(b)(1), which requires the SBEC to propose rules that provide for the regulation of educators and the general administration of the TEC, Chapter 21, Subchapter B, in a manner consistent with the TEC, Chapter 21, Subchapter B; TEC, §21.041(b)(2), which requires the SBEC to propose rules that specify the classes of educator certificates to be issued, including emergency certificates; and TEC, §21.064, which requires the SBEC to stop the issuance and renewal of master teacher certificates effective September 1, 2019, to add a designation of "legacy" to each master teacher certificate issued, and to recognize these certificates until they expire.

CROSS REFERENCE TO STATUTE. The new sections implement Texas Education Code (TEC), §§21.003(a), 21.031(a), 21.041(b)(1) and (2), and 21.064.

The agency certifies that legal counsel has reviewed the adoption and found it to be a valid exercise of the agency's legal authority.

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DIVISION 21. MANUFACTURING, GRADES 9-12 ASSIGNMENTS

19 TAC §§231.621, 231.623, 231.625

STATUTORY AUTHORITY. The new sections are adopted under Texas Education Code (TEC), §21.003(a), which states that a person may not be employed as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, educational diagnostician, or school counselor by a school district unless the person holds an appropriate certificate or permit issued as provided by the TEC, Chapter 21, Subchapter B; TEC, §21.031(a), which states that the SBEC shall regulate and oversee all aspects of the certification, continuing education, and standards of conduct of public school educators; TEC, §21.041(b)(1), which requires the SBEC to propose rules that provide for the regulation of educators and the general administration of the TEC, Chapter 21, Subchapter B, in a manner consistent with the TEC, Chapter 21, Subchapter B; TEC, §21.041(b)(2), which requires the SBEC to propose rules that specify the classes of educator certificates to be issued, including emergency certificates; and TEC, §21.064, which requires the SBEC to stop the issuance and renewal of master teacher certificates effective September 1, 2019, to add a designation of "legacy" to each master teacher certificate issued, and to recognize these certificates until they expire.

CROSS REFERENCE TO STATUTE. The new sections implement Texas Education Code (TEC), §§21.003(a), 21.031(a), 21.041(b)(1) and (2), and 21.064.

The agency certifies that legal counsel has reviewed the adoption and found it to be a valid exercise of the agency's legal authority.

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DIVISION 22. TRANSPORTATION, DISTRIBUTION, AND LOGISTICS, GRADES 9-12 ASSIGNMENTS

19 TAC §§231.641, §231.643

STATUTORY AUTHORITY. The new sections are adopted under Texas Education Code (TEC), §21.003(a), which states that a person may not be employed as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, educational diagnostician, or school counselor by a school district unless the person holds an appropriate certificate or permit issued as provided by the TEC, Chapter 21, Subchapter B; TEC, §21.031(a), which states that the SBEC shall regulate and oversee all aspects of the certification, continuing education, and standards of conduct of public school educators; TEC, §21.041(b)(1), which requires the SBEC to propose rules that provide for the regulation of educators and the general administration of the TEC, Chapter 21, Subchapter B, in a manner consistent with the TEC, Chapter 21, Subchapter B; TEC, §21.041(b)(2), which requires the SBEC to propose rules that specify the classes of educator certificates to be issued, including emergency certificates; and TEC, §21.064, which requires the SBEC to stop the issuance and renewal of master teacher certificates effective September 1, 2019, to add a designation of "legacy" to each master teacher certificate issued, and to recognize these certificates until they expire.

CROSS REFERENCE TO STATUTE. The new sections implement Texas Education Code (TEC), §§21.003(a), 21.031(a), 21.041(b)(1) and (2), and 21.064.

The agency certifies that legal counsel has reviewed the adoption and found it to be a valid exercise of the agency's legal authority.

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SUBCHAPTER G. PARAPROFESSIONAL PERSONNEL, ADMINISTRATORS, AND OTHER INSTRUCTIONAL AND PROFESSIONAL SUPPORT ASSIGNMENTS

19 TAC §231.753

STATUTORY AUTHORITY. The amendment is adopted under Texas Education Code (TEC), §21.003(a), which states that a person may not be employed as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, educational diagnostician, or school counselor by a school district unless the person holds an appropriate certificate or permit issued as provided by the TEC, Chapter 21, Subchapter

B; TEC, §21.031(a), which states that the SBEC shall regulate and oversee all aspects of the certification, continuing education, and standards of conduct of public school educators; TEC, §21.041(b)(1), which requires the SBEC to propose rules that provide for the regulation of educators and the general administration of the TEC, Chapter 21, Subchapter B, in a manner consistent with the TEC, Chapter 21, Subchapter B; TEC, §21.041(b)(2), which requires the SBEC to propose rules that specify the classes of educator certificates to be issued, including emergency certificates; and TEC, §21.064, which requires the SBEC to stop the issuance and renewal of master teacher certificates effective September 1, 2019, to add a designation of "legacy" to each master teacher certificate issued, and to recognize these certificates until they expire.

CROSS REFERENCE TO STATUTE. The amendment implements Texas Education Code (TEC), §§21.003(a), 21.031(a), 21.041(b)(1) and (2), and 21.064.

The agency certifies that legal counsel has reviewed the adoption and found it to be a valid exercise of the agency's legal authority.

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CHAPTER 231. REQUIREMENTS FOR PUBLIC SCHOOL PERSONNEL ASSIGNMENTS SUBCHAPTER E. GRADES 9-12 ASSIGNMENTS

The State Board for Educator Certification (SBEC) adopts the repeal of §§231.121, 231.123, 231.125, 231.127, 231.129, 231.131, 231.133, 231.135, 231.151, 231.153, 231.161, 231.163, 231.165, 231.167, 231.169, 231.171, 231.173, 231.177, 231.191, 231.193, 231.195, 231.201, 231.203, 231.205, 231.207, 231.209, 231.211, 231.213, 231.215, 231.217, 231.219, 231.221, 231.231, 231.241, 231.271, 231.281, 231.283, 231.285, 231.287, 231.289, 231.291, 231.293, 231.301, 231.303, 231.305, 231.307, 231.309, 231.311, 231.313, 231.331, 231.333, 231.335, 231.337, 231.339, 231.341, 231.343, 231.361, 231.363, 231.365, 231.381, 231.383, 231.385, 231.391 - 231.395, 231.397, 231.401, 231.403, 231.405, 231.421, 231.423, 231.425, 231.427, 231.429, 231.441, 231.443, 231.445, 231.461, 231.463, 231.465, 231.467, 231.469, 231.481, 231.483, 231.485, 231.487, 231.489, 231.491, 231.501, 231.503, 231.521, 231.523, 231.525, 231.541, 231.543, 231.545, 231.547, 231.561, 231.563, 231.565, 231.567, 231.569, 231.571, 231.573, 231.575, 231.577, 231.579, 231.581, 231.583, 231.585, 231.587, 231.589, 231.591, 231.593, 231.595, 231.631, 231.633, and 231.651, concerning requirements for public school personnel assignments. The repeals are adopted without changes to the proposed text as published

in the October 17, 2025 issue of the *Texas Register* (50 TexReg 6806) and will not be republished. The adoption repeals requirements related to the criteria for school districts to make personnel assignments for Grades 9-12.

REASONED JUSTIFICATION: The SBEC rules in 19 TAC Chapter 231 establish the personnel assignments that correlate with appropriate certifications and offer guidance to school districts and educators by providing the list of courses by grade level and subject area and identifying the corresponding certificates and other requirements for the placement of individuals into classroom and/or campus assignments. This information assists districts with hiring and personnel assignment decisions. In a separate rule action, personnel assignments for Grades 9-12 are reorganized in adopted new Subchapter E, which can be found in the Adopted Rules section of this issue of the *Texas Register*. The following table summarizes the repealed divisions that were merged in new Subchapter E.

Figure: 19 TAC Chapter 231 - Preamble

SUMMARY OF COMMENTS AND RESPONSES: The public comment period on the proposal began October 17, 2025, and ended November 17, 2025. The SBEC also provided an opportunity for registered oral and written comments on the proposal at the December 4, 2025 meeting's public comment period in accordance with the SBEC board operating policies and procedures. No public comments were received on the proposal.

The State Board of Education (SBOE) took no action on the repeal of §§231.121, 231.123, 231.125, 231.127, 231.129, 231.131, 231.133, 231.135, 231.151, 231.153, 231.161, 231.163, 231.165, 231.167, 231.169, 231.171, 231.173, 231.177, 231.191, 231.193, 231.195, 231.201, 231.203, 231.205, 231.207, 231.209, 231.211, 231.213, 231.215, 231.217, 231.219, 231.221, 231.231, 231.241, 231.271, 231.281, 231.283, 231.285, 231.287, 231.289, 231.291, 231.293, 231.301, 231.303, 231.305, 231.307, 231.309, 231.311, 231.313, 231.331, 231.333, 231.335, 231.337, 231.339, 231.341, 231.343, 231.361, 231.363, 231.365, 231.381, 231.383, 231.385, 231.391 - 231.395, 231.397, 231.401, 231.403, 231.405, 231.421, 231.423, 231.425, 231.427, 231.429, 231.441, 231.443, 231.445, 231.461, 231.463, 231.465, 231.467, 231.469, 231.481, 231.483, 231.485, 231.487, 231.489, 231.491, 231.501, 231.503, 231.521, 231.523, 231.525, 231.541, 231.543, 231.545, 231.547, 231.561, 231.563, 231.565, 231.567, 231.569, 231.571, 231.573, 231.575, 231.577, 231.579, 231.581, 231.583, 231.585, 231.587, 231.589, 231.591, 231.593, 231.595, 231.631, 231.633, and 231.651 at the January 30, 2026 SBOE meeting.

DIVISION 1. ENGLISH LANGUAGE ARTS AND READING, GRADES 9-12 ASSIGNMENTS

**19 TAC §§231.121, 231.123, 231.125, 231.127, 231.129,
231.131, 231.133, 231.135**

STATUTORY AUTHORITY. The repeals are adopted under Texas Education Code (TEC), §21.003(a), which states that a person may not be employed as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, educational diagnostician, or school counselor by a school district unless the person holds an appropriate certificate or permit issued as provided by the TEC, Chapter 21, Subchapter B; TEC, §21.031(a), which states that the SBEC shall regulate and oversee all aspects of the certification, continuing edu-

ation, and standards of conduct of public school educators; TEC, §21.041(b)(1), which requires the SBEC to propose rules that provide for the regulation of educators and the general administration of the TEC, Chapter 21, Subchapter B, in a manner consistent with the TEC, Chapter 21, Subchapter B; TEC, §21.041(b)(2), which requires the SBEC to propose rules that specify the classes of educator certificates to be issued, including emergency certificates; and TEC, §21.064, which requires the SBEC to stop the issuance and renewal of master teacher certificates effective September 1, 2019, to add a designation of "legacy" to each master teacher certificate issued, and to recognize these certificates until they expire.

CROSS REFERENCE TO STATUTE. The repeals implement Texas Education Code (TEC), §§21.003(a), 21.031(a), 21.041(b)(1) and (2), and 21.064.

The agency certifies that legal counsel has reviewed the adoption and found it to be a valid exercise of the agency's legal authority.

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DIVISION 2. LANGUAGES OTHER THAN ENGLISH, GRADES 9-12 ASSIGNMENTS

19 TAC §§231.151, §231.153

STATUTORY AUTHORITY. The repeals are adopted under Texas Education Code (TEC), §21.003(a), which states that a person may not be employed as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, educational diagnostician, or school counselor by a school district unless the person holds an appropriate certificate or permit issued as provided by the TEC, Chapter 21, Subchapter B; TEC, §21.031(a), which states that the SBEC shall regulate and oversee all aspects of the certification, continuing education, and standards of conduct of public school educators; TEC, §21.041(b)(1), which requires the SBEC to propose rules that provide for the regulation of educators and the general administration of the TEC, Chapter 21, Subchapter B, in a manner consistent with the TEC, Chapter 21, Subchapter B; TEC, §21.041(b)(2), which requires the SBEC to propose rules that specify the classes of educator certificates to be issued, including emergency certificates; and TEC, §21.064, which requires the SBEC to stop the issuance and renewal of master teacher certificates effective September 1, 2019, to add a designation of "legacy" to each master teacher certificate issued, and to recognize these certificates until they expire.

CROSS REFERENCE TO STATUTE. The repeals implement Texas Education Code (TEC), §§21.003(a), 21.031(a), 21.041(b)(1) and (2), and 21.064.

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State Board for Educator Certification
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DIVISION 3. SOCIAL STUDIES, GRADES 9-12 ASSIGNMENTS

19 TAC §§231.161, 231.163, 231.165, 231.167, 231.169, 231.171, 231.173, 231.177

STATUTORY AUTHORITY. The repeals are adopted under Texas Education Code (TEC), §21.003(a), which states that a person may not be employed as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, educational diagnostician, or school counselor by a school district unless the person holds an appropriate certificate or permit issued as provided by the TEC, Chapter 21, Subchapter B; TEC, §21.031(a), which states that the SBEC shall regulate and oversee all aspects of the certification, continuing education, and standards of conduct of public school educators; TEC, §21.041(b)(1), which requires the SBEC to propose rules that provide for the regulation of educators and the general administration of the TEC, Chapter 21, Subchapter B, in a manner consistent with the TEC, Chapter 21, Subchapter B; TEC, §21.041(b)(2), which requires the SBEC to propose rules that specify the classes of educator certificates to be issued, including emergency certificates; and TEC, §21.064, which requires the SBEC to stop the issuance and renewal of master teacher certificates effective September 1, 2019, to add a designation of "legacy" to each master teacher certificate issued, and to recognize these certificates until they expire.

CROSS REFERENCE TO STATUTE. The repeals implement Texas Education Code (TEC), §§21.003(a), 21.031(a), 21.041(b)(1) and (2), and 21.064.

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DIVISION 4. MATHEMATICS, GRADES 9-12 ASSIGNMENTS

19 TAC §§231.191, 231.193, 231.195

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DIVISION 5. SCIENCE, GRADES 9-12 ASSIGNMENTS

19 TAC §§231.201, 231.203, 231.205, 231.207, 231.209, 231.211, 231.213, 231.215, 231.217, 231.219, 231.221

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DIVISION 6. HEALTH AND PHYSICAL EDUCATION, GRADES 9-12 ASSIGNMENTS

19 TAC §231.231

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DIVISION 7. FINE ARTS, GRADES 9-12 ASSIGNMENTS

19 TAC §231.241

STATUTORY AUTHORITY. The repeal is adopted under Texas Education Code (TEC), §21.003(a), which states that a person may not be employed as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, educational diagnostician, or school counselor by a school district unless the person holds an appropriate certificate or permit issued as provided by the TEC, Chapter 21, Subchapter B; TEC, §21.031(a), which states that the SBEC shall regulate and oversee all aspects of the certification, continuing education, and standards of conduct of public school educators; TEC, §21.041(b)(1), which requires the SBEC to propose rules that provide for the regulation of educators and the general administration of the TEC, Chapter 21, Subchapter B, in a manner consistent with the TEC, Chapter 21, Subchapter B; TEC, §21.041(b)(2), which requires the SBEC to propose rules that specify the classes of educator certificates to be issued, including emergency certificates; and TEC, §21.064, which requires the SBEC to stop the issuance and renewal of master teacher certificates effective September 1, 2019, to add a designation of "legacy" to each master teacher certificate issued, and to recognize these certificates until they expire.

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DIVISION 9. CAREER DEVELOPMENT, GRADES 9-12 ASSIGNMENTS

19 TAC §231.271

STATUTORY AUTHORITY. The repeal is adopted under Texas Education Code (TEC), §21.003(a), which states that a person may not be employed as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, educational diagnostician, or school counselor by a school district unless the person holds an appropriate certificate or permit issued as provided by the TEC, Chapter 21, Subchapter B; TEC, §21.031(a), which states that the SBEC shall regulate and oversee all aspects of the certification, continuing education, and standards of conduct of public school educators; TEC, §21.041(b)(1), which requires the SBEC to propose rules that provide for the regulation of educators and the general administration of the TEC, Chapter 21, Subchapter B, in a manner consistent with the TEC, Chapter 21, Subchapter B; TEC, §21.041(b)(2), which requires the SBEC to propose rules that specify the classes of educator certificates to be issued, including emergency certificates; and TEC, §21.064, which requires the SBEC to stop the issuance and renewal of master teacher certificates effective September 1, 2019, to add a designation of "legacy" to each master teacher certificate issued, and to recognize these certificates until they expire.

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DIVISION 10. AGRICULTURE, FOOD, AND NATURAL RESOURCES, GRADES 9-12 ASSIGNMENTS

19 TAC §§231.281, 231.283, 231.285, 231.287, 231.289, 231.291, 231.293

STATUTORY AUTHORITY. The repeals are adopted under Texas Education Code (TEC), §21.003(a), which states that a person may not be employed as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, educational diagnostician, or school counselor by a school district unless the person holds an appropriate certificate or permit issued as provided by the TEC, Chapter 21, Subchapter B; TEC, §21.031(a), which states that the SBEC shall regulate and oversee all aspects of the certification, continuing education, and standards of conduct of public school educators; TEC, §21.041(b)(1), which requires the SBEC to propose rules that provide for the regulation of educators and the general administration of the TEC, Chapter 21, Subchapter B, in a manner consistent with the TEC, Chapter 21, Subchapter B; TEC, §21.041(b)(2), which requires the SBEC to propose rules

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DIVISION 11. ARCHITECTURE AND CONSTRUCTION, GRADES 9-12 ASSIGNMENTS

**19 TAC §§231.301, 231.303, 231.305, 231.307, 231.309,
231.311, 231.313**

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DIVISION 12. ARTS, AUDIO/VIDEO TECHNOLOGY, AND COMMUNICATIONS, GRADES 9-12 ASSIGNMENTS

**19 TAC §§231.331, 231.333, 231.335, 231.337, 231.339,
231.341, 231.343**

STATUTORY AUTHORITY. The repeals are adopted under Texas Education Code (TEC), §21.003(a), which states that a person may not be employed as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, educational diagnostician, or school counselor by a school district unless the person holds an appropriate certificate or permit issued as provided by the TEC, Chapter 21, Subchapter B; TEC, §21.031(a), which states that the SBEC shall regulate and oversee all aspects of the certification, continuing education, and standards of conduct of public school educators; TEC, §21.041(b)(1), which requires the SBEC to propose rules that provide for the regulation of educators and the general administration of the TEC, Chapter 21, Subchapter B, in a manner consistent with the TEC, Chapter 21, Subchapter B; TEC, §21.041(b)(2), which requires the SBEC to propose rules that specify the classes of educator certificates to be issued, including emergency certificates; and TEC, §21.064, which requires the SBEC to stop the issuance and renewal of master teacher certificates effective September 1, 2019, to add a designation of "legacy" to each master teacher certificate issued, and to recognize these certificates until they expire.

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DIVISION 13. BUSINESS MANAGEMENT AND ADMINISTRATION, GRADES 9-12 ASSIGNMENTS

19 TAC §§231.361, 231.363, 231.365

STATUTORY AUTHORITY. The repeals are adopted under Texas Education Code (TEC), §21.003(a), which states that a person may not be employed as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, educational diagnostician, or school counselor by a school district unless the person holds an appropriate certificate or permit issued as provided by the TEC, Chapter 21, Subchapter B; TEC, §21.031(a), which states that the SBEC shall regulate and oversee all aspects of the certification, continuing education, and standards of conduct of public school educators; TEC, §21.041(b)(1), which requires the SBEC to propose rules that provide for the regulation of educators and the general administration of the TEC, Chapter 21, Subchapter B, in a manner consistent with the TEC, Chapter 21, Subchapter B; TEC, §21.041(b)(2), which requires the SBEC to propose rules that specify the classes of educator certificates to be issued, including emergency certificates; and TEC, §21.064, which requires the SBEC to stop the issuance and renewal of master teacher certificates effective September 1, 2019, to add a designation of "legacy" to each master teacher certificate issued, and to recognize these certificates until they expire.

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DIVISION 14. EDUCATION AND TRAINING, GRADES 9-12 ASSIGNMENTS

19 TAC §§231.381, 231.383, 231.385

STATUTORY AUTHORITY. The repeals are adopted under Texas Education Code (TEC), §21.003(a), which states that a person may not be employed as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, educational diagnostician, or school counselor by a school district unless the person holds an appropriate certificate or permit issued as provided by the TEC, Chapter 21, Subchapter B; TEC, §21.031(a), which states that the SBEC shall regulate and oversee all aspects of the certification, continuing education, and standards of conduct of public school educators; TEC, §21.041(b)(1), which requires the SBEC to propose rules

that provide for the regulation of educators and the general administration of the TEC, Chapter 21, Subchapter B, in a manner consistent with the TEC, Chapter 21, Subchapter B; TEC, §21.041(b)(2), which requires the SBEC to propose rules that specify the classes of educator certificates to be issued, including emergency certificates; and TEC, §21.064, which requires the SBEC to stop the issuance and renewal of master teacher certificates effective September 1, 2019, to add a designation of "legacy" to each master teacher certificate issued, and to recognize these certificates until they expire.

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DIVISION 15. FINANCE, GRADES 9-12 ASSIGNMENTS

19 TAC §§231.391 - 231.395, 231.397

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DIVISION 16. GOVERNMENT AND PUBLIC ADMINISTRATION, GRADES 9-12 ASSIGNMENTS

19 TAC §§231.401, 231.403, 231.405

STATUTORY AUTHORITY. The repeals are adopted under Texas Education Code (TEC), §21.003(a), which states that a person may not be employed as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, educational diagnostician, or school counselor by a school district unless the person holds an appropriate certificate or permit issued as provided by the TEC, Chapter 21, Subchapter B; TEC, §21.031(a), which states that the SBEC shall regulate and oversee all aspects of the certification, continuing education, and standards of conduct of public school educators; TEC, §21.041(b)(1), which requires the SBEC to propose rules that provide for the regulation of educators and the general administration of the TEC, Chapter 21, Subchapter B, in a manner consistent with the TEC, Chapter 21, Subchapter B; TEC, §21.041(b)(2), which requires the SBEC to propose rules that specify the classes of educator certificates to be issued, including emergency certificates; and TEC, §21.064, which requires the SBEC to stop the issuance and renewal of master teacher certificates effective September 1, 2019, to add a designation of "legacy" to each master teacher certificate issued, and to recognize these certificates until they expire.

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DIVISION 17. HEALTH SCIENCE, GRADES 9-12 ASSIGNMENTS

19 TAC §§231.421, 231.423, 231.425, 231.427, 231.429

STATUTORY AUTHORITY. The repeals are adopted under Texas Education Code (TEC), §21.003(a), which states that a person may not be employed as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, educational diagnostician, or school counselor by a school district unless the person holds an appropriate certificate or permit issued as provided by the TEC, Chapter 21, Subchapter B; TEC, §21.031(a), which states that the SBEC shall regulate and oversee all aspects of the certification, continuing education, and standards of conduct of public school educators; TEC, §21.041(b)(1), which requires the SBEC to propose rules that provide for the regulation of educators and the general administration of the TEC, Chapter 21, Subchapter B, in a manner consistent with the TEC, Chapter 21, Subchapter B; TEC, §21.041(b)(2), which requires the SBEC to propose rules that specify the classes of educator certificates to be issued, including emergency certificates; and TEC, §21.064, which requires the SBEC to stop the issuance and renewal of master teacher certificates effective September 1, 2019, to add a designation of "legacy" to each master teacher certificate issued, and to recognize these certificates until they expire.

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DIVISION 18. HOSPITALITY AND TOURISM, GRADES 9-12 ASSIGNMENTS

19 TAC §§231.441, 231.443, 231.445

STATUTORY AUTHORITY. The repeals are adopted under Texas Education Code (TEC), §21.003(a), which states that a person may not be employed as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, educational diagnostician, or school counselor by a school district unless the person holds an appropriate certificate or permit issued as provided by the TEC, Chapter 21, Subchapter B; TEC, §21.031(a), which states that the SBEC shall regulate and oversee all aspects of the certification, continuing education, and standards of conduct of public school educators; TEC, §21.041(b)(1), which requires the SBEC to propose rules that provide for the regulation of educators and the general administration of the TEC, Chapter 21, Subchapter B, in a manner consistent with the TEC, Chapter 21, Subchapter B; TEC, §21.041(b)(2), which requires the SBEC to propose rules that specify the classes of educator certificates to be issued,

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DIVISION 19. HUMAN SERVICES, GRADES 9-12 ASSIGNMENTS

19 TAC §§231.461, 231.463, 231.465, 231.467, 231.469

STATUTORY AUTHORITY. The repeals are adopted under Texas Education Code (TEC), §21.003(a), which states that a person may not be employed as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, educational diagnostician, or school counselor by a school district unless the person holds an appropriate certificate or permit issued as provided by the TEC, Chapter 21, Subchapter B; TEC, §21.031(a), which states that the SBEC shall regulate and oversee all aspects of the certification, continuing education, and standards of conduct of public school educators; TEC, §21.041(b)(1), which requires the SBEC to propose rules that provide for the regulation of educators and the general administration of the TEC, Chapter 21, Subchapter B, in a manner consistent with the TEC, Chapter 21, Subchapter B; TEC, §21.041(b)(2), which requires the SBEC to propose rules that specify the classes of educator certificates to be issued, including emergency certificates; and TEC, §21.064, which requires the SBEC to stop the issuance and renewal of master teacher certificates effective September 1, 2019, to add a designation of "legacy" to each master teacher certificate issued, and to recognize these certificates until they expire.

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DIVISION 20. INFORMATION TECHNOLOGY, GRADES 9-12 ASSIGNMENTS

19 TAC §§231.481, 231.483, 231.485, 231.487, 231.489, 231.491

STATUTORY AUTHORITY. The repeals are adopted under Texas Education Code (TEC), §21.003(a), which states that a person may not be employed as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, educational diagnostician, or school counselor by a school district unless the person holds an appropriate certificate or permit issued as provided by the TEC, Chapter 21, Subchapter B; TEC, §21.031(a), which states that the SBEC shall regulate and oversee all aspects of the certification, continuing education, and standards of conduct of public school educators; TEC, §21.041(b)(1), which requires the SBEC to propose rules that provide for the regulation of educators and the general administration of the TEC, Chapter 21, Subchapter B, in a manner consistent with the TEC, Chapter 21, Subchapter B; TEC, §21.041(b)(2), which requires the SBEC to propose rules that specify the classes of educator certificates to be issued, including emergency certificates; and TEC, §21.064, which requires the SBEC to stop the issuance and renewal of master teacher certificates effective September 1, 2019, to add a designation of "legacy" to each master teacher certificate issued, and to recognize these certificates until they expire.

CROSS REFERENCE TO STATUTE. The repeals implement Texas Education Code (TEC), §§21.003(a), 21.031(a), 21.041(b)(1) and (2), and 21.064.

The agency certifies that legal counsel has reviewed the adoption and found it to be a valid exercise of the agency's legal authority.

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DIVISION 21. LAW, PUBLIC SAFETY, CORRECTIONS, AND SECURITY, GRADES 9-12 ASSIGNMENTS

19 TAC §§231.501, §231.503

STATUTORY AUTHORITY. The repeals are adopted under Texas Education Code (TEC), §21.003(a), which states that a person may not be employed as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, educational diagnostician, or school counselor by a school district unless the person holds an appropriate certificate or permit issued as provided by the TEC, Chapter 21, Subchapter B; TEC, §21.031(a), which states that the SBEC shall regulate and oversee all aspects of the certification, continuing education, and standards of conduct of public school educators; TEC, §21.041(b)(1), which requires the SBEC to propose rules that provide for the regulation of educators and the general administration of the TEC, Chapter 21, Subchapter B, in a manner consistent with the TEC, Chapter 21, Subchapter B; TEC, §21.041(b)(2), which requires the SBEC to propose rules that specify the classes of educator certificates to be issued, including emergency certificates; and TEC, §21.064, which requires the SBEC to stop the issuance and renewal of master teacher certificates effective September 1, 2019, to add a designation of "legacy" to each master teacher certificate issued, and to recognize these certificates until they expire.

CROSS REFERENCE TO STATUTE. The repeals implement Texas Education Code (TEC), §§21.003(a), 21.031(a), 21.041(b)(1) and (2), and 21.064.

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DIVISION 22. MANUFACTURING, GRADES 9-12 ASSIGNMENTS

19 TAC §§231.521, 231.523, 231.525

STATUTORY AUTHORITY. The repeals are adopted under Texas Education Code (TEC), §21.003(a), which states that a person may not be employed as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, educational diagnostician, or school counselor by a school district unless the person holds an appropriate certificate or permit issued as provided by the TEC, Chapter 21, Subchapter B; TEC, §21.031(a), which states that the SBEC shall regulate and oversee all aspects of the certification, continuing education, and standards of conduct of public school educators; TEC, §21.041(b)(1), which requires the SBEC to propose rules that provide for the regulation of educators and the general administration of the TEC, Chapter 21, Subchapter B, in a manner consistent with the TEC, Chapter 21, Subchapter B; TEC, §21.041(b)(2), which requires the SBEC to propose rules that specify the classes of educator certificates to be issued, including emergency certificates; and TEC, §21.064, which

requires the SBEC to stop the issuance and renewal of master teacher certificates effective September 1, 2019, to add a designation of "legacy" to each master teacher certificate issued, and to recognize these certificates until they expire.

CROSS REFERENCE TO STATUTE. The repeals implement Texas Education Code (TEC), §§21.003(a), 21.031(a), 21.041(b)(1) and (2), and 21.064.

The agency certifies that legal counsel has reviewed the adoption and found it to be a valid exercise of the agency's legal authority.

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DIVISION 23. MARKETING, GRADES 9-12 ASSIGNMENTS

19 TAC §§231.541, 231.543, 231.545, 231.547

STATUTORY AUTHORITY. The repeals are adopted under Texas Education Code (TEC), §21.003(a), which states that a person may not be employed as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, educational diagnostician, or school counselor by a school district unless the person holds an appropriate certificate or permit issued as provided by the TEC, Chapter 21, Subchapter B; TEC, §21.031(a), which states that the SBEC shall regulate and oversee all aspects of the certification, continuing education, and standards of conduct of public school educators; TEC, §21.041(b)(1), which requires the SBEC to propose rules that provide for the regulation of educators and the general administration of the TEC, Chapter 21, Subchapter B, in a manner consistent with the TEC, Chapter 21, Subchapter B; TEC, §21.041(b)(2), which requires the SBEC to propose rules that specify the classes of educator certificates to be issued, including emergency certificates; and TEC, §21.064, which requires the SBEC to stop the issuance and renewal of master teacher certificates effective September 1, 2019, to add a designation of "legacy" to each master teacher certificate issued, and to recognize these certificates until they expire.

CROSS REFERENCE TO STATUTE. The repeals implement Texas Education Code (TEC), §§21.003(a), 21.031(a), 21.041(b)(1) and (2), and 21.064.

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DIVISION 24. SCIENCE, TECHNOLOGY, ENGINEERING, AND MATHEMATICS, GRADES 9-12 ASSIGNMENTS

**19 TAC §§231.561, 231.563, 231.565, 231.567, 231.569,
231.571, 231.573, 231.575, 231.577, 231.579, 231.581,
231.583, 231.585, 231.587, 231.589, 231.591, 231.593,
231.595**

STATUTORY AUTHORITY. The repeals are adopted under Texas Education Code (TEC), §21.003(a), which states that a person may not be employed as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, educational diagnostician, or school counselor by a school district unless the person holds an appropriate certificate or permit issued as provided by the TEC, Chapter 21, Subchapter B; TEC, §21.031(a), which states that the SBEC shall regulate and oversee all aspects of the certification, continuing education, and standards of conduct of public school educators; TEC, §21.041(b)(1), which requires the SBEC to propose rules that provide for the regulation of educators and the general administration of the TEC, Chapter 21, Subchapter B, in a manner consistent with the TEC, Chapter 21, Subchapter B; TEC, §21.041(b)(2), which requires the SBEC to propose rules that specify the classes of educator certificates to be issued, including emergency certificates; and TEC, §21.064, which requires the SBEC to stop the issuance and renewal of master teacher certificates effective September 1, 2019, to add a designation of "legacy" to each master teacher certificate issued, and to recognize these certificates until they expire.

CROSS REFERENCE TO STATUTE. The repeals implement Texas Education Code (TEC), §§21.003(a), 21.031(a), 21.041(b)(1) and (2), and 21.064.

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DIVISION 25. TRANSPORTATION, DISTRIBUTION, AND LOGISTICS, GRADES 9-12 ASSIGNMENTS

19 TAC §231.631, §231.633

STATUTORY AUTHORITY. The repeal is adopted under Texas Education Code (TEC), §21.003(a), which states that a person may not be employed as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, educational diagnostician, or school counselor by a school district unless the person holds an appropriate certificate or permit issued as provided by the TEC, Chapter 21, Subchapter B; TEC, §21.031(a), which states that the SBEC shall regulate and oversee all aspects of the certification, continuing education, and standards of conduct of public school educators; TEC, §21.041(b)(1), which requires the SBEC to propose rules that provide for the regulation of educators and the general administration of the TEC, Chapter 21, Subchapter B, in a manner consistent with the TEC, Chapter 21, Subchapter B; TEC, §21.041(b)(2), which requires the SBEC to propose rules that specify the classes of educator certificates to be issued, including emergency certificates; and TEC, §21.064, which requires the SBEC to stop the issuance and renewal of master teacher certificates effective September 1, 2019, to add a designation of "legacy" to each master teacher certificate issued, and to recognize these certificates until they expire.

CROSS REFERENCE TO STATUTE. The repeal implements Texas Education Code (TEC), §§21.003(a), 21.031(a), 21.041(b)(1) and (2), and 21.064.

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DIVISION 26. ENERGY, GRADES 9-12 ASSIGNMENTS

19 TAC §231.651

STATUTORY AUTHORITY. The repeal is adopted under Texas Education Code (TEC), §21.003(a), which states that a person may not be employed as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, educational diagnostician, or school counselor by a school district unless the person holds an appropriate certificate or permit issued as provided by the TEC, Chapter 21, Subchapter B; TEC, §21.031(a), which states that the SBEC shall regulate and oversee all aspects of the certification, continuing education, and standards of conduct of public school educators; TEC, §21.041(b)(1), which requires the SBEC to propose rules that provide for the regulation of educators and the general administration of the TEC, Chapter 21, Subchapter B, in a manner consistent with the TEC, Chapter 21, Subchapter B; TEC, §21.041(b)(2), which requires the SBEC to propose rules that specify the classes of educator certificates to be issued, including emergency certificates; and

TEC, §21.064, which requires the SBEC to stop the issuance and renewal of master teacher certificates effective September 1, 2019, to add a designation of "legacy" to each master teacher certificate issued, and to recognize these certificates until they expire.

CROSS REFERENCE TO STATUTE. The repeal implements Texas Education Code (TEC), §§21.003(a), 21.031(a), 21.041(b)(1) and (2), and 21.064.

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TITLE 22. EXAMINING BOARDS

PART 5. STATE BOARD OF DENTAL EXAMINERS

CHAPTER 101. DENTAL LICENSURE

22 TAC §101.2

The State Board of Dental Examiners (Board) adopts this amendment to 22 TAC §101.2, pertaining to dental licensure by examination. The adopted rule reflects that CDCA-WREB-CITA (a dental exam administrator) and the American Board of Dental Examiners (developer of the ADEX licensure exams) have combined under a single entity: the American Board of Dental Examiners. The amendment is adopted without changes to the proposed text as published in the December 12, 2025, issue of the *Texas Register* (50 TexReg 7978) and will not be republished.

No comments were received regarding adoption of this rule.

This rule is adopted under Texas Occupations Code §254.001(a), which gives the Board authority to adopt rules necessary to perform its duties and ensure compliance with state laws relating to the practice of dentistry to protect the public health and safety.

The agency certifies that legal counsel has reviewed the adoption and found it to be a valid exercise of the agency's legal authority.

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Lauren Studdard
General Counsel
State Board of Dental Examiners
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22 TAC §101.6

The State Board of Dental Examiners (Board) adopts this amendment to 22 TAC §101.6, pertaining to dental licensing for military service members, military veterans, and military spouses. The purpose of the adoption is to implement House Bill 5629 and Senate Bill 1818, 89th Legislature, Regular Session (2025), which amended Texas Occupations Code Chapter 55, Licensing of Military Service Members, Military Veterans, and Military Spouses with the following changes: (1) defines good standing; (2) allows for alternative licensing if the applicant holds a current license issued by another state that is similar in scope of practice to the license in this state and is in good standing with that state's licensing authority; (3) requires the Board to issue a provisional license to the applicant while the Board processes the application or issue the license for which the applicant applied; (4) requires the Board to process an alternative licensing application within 10 business days; and (5) waives all fees. The adoption also corrects clerical errors. The amendment is adopted without changes to the proposed text as published in the December 12, 2025, issue of the *Texas Register* (50 TexReg 7979) and will not be republished.

No comments were received regarding adoption of this rule.

This rule is adopted under Texas Occupations Code §254.001(a), which gives the Board authority to adopt rules necessary to perform its duties and ensure compliance with state laws relating to the practice of dentistry to protect the public health and safety.

The agency certifies that legal counsel has reviewed the adoption and found it to be a valid exercise of the agency's legal authority.

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Lauren Studdard
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22 TAC §101.14

The State Board of Dental Examiners (Board) adopts this amendment to 22 TAC §101.14, pertaining to exemption from licensure for certain military service members and military spouses. The purpose of the adoption is to implement House Bill 5629 and Senate Bill 1818, 89th Legislature, Regular Session (2025), which amended Texas Occupations Code Chapter 55, Licensing of Military Service Members, Military Veterans, and Military Spouses with the following changes: (1) defines

good standing; (2) removes the three-year limit to practice as long as the applicant is stationed at a military installation; (3) allows for an authorization to practice if the applicant holds a current license issued by another state that is similar in scope of practice to the license in this state and is in good standing with that state's licensing authority; and (4) requires the Board to process applications within 10 business days. The amendment is adopted without changes to the proposed text as published in the December 12, 2025, issue of the *Texas Register* (50 TexReg 7980) and will not be republished.

No comments were received regarding adoption of this rule.

This rule is adopted under Texas Occupations Code §254.001(a), which gives the Board authority to adopt rules necessary to perform its duties and ensure compliance with state laws relating to the practice of dentistry to protect the public health and safety.

The agency certifies that legal counsel has reviewed the adoption and found it to be a valid exercise of the agency's legal authority.

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CHAPTER 103. DENTAL HYGIENE LICENSURE

22 TAC §103.2

The State Board of Dental Examiners (Board) adopts this amendment to 22 TAC §103.2, pertaining to dental hygiene licensure by examination. The adopted rule reflects that CDCA-WREB-CITA (a dental exam administrator) and the American Board of Dental Examiners (developer of the ADEX licensure exams) have combined under a single entity: the American Board of Dental Examiners. The adopted rule also corrects a grammatical error. The amendment is adopted without changes to the proposed text as published in the December 12, 2025, issue of the *Texas Register* (50 TexReg 7982) and will not be republished.

No comments were received regarding adoption of this rule.

This rule is adopted under Texas Occupations Code §254.001(a), which gives the Board authority to adopt rules necessary to perform its duties and ensure compliance with state laws relating to the practice of dentistry to protect the public health and safety.

The agency certifies that legal counsel has reviewed the adoption and found it to be a valid exercise of the agency's legal authority.

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22 TAC §103.10

The State Board of Dental Examiners (Board) adopts this amendment to 22 TAC §103.10, pertaining to exemption from dental hygiene licensure for certain military service members and military spouses. The purpose of the adoption is to implement House Bill 5629 and Senate Bill 1818, 89th Legislature, Regular Session (2025), which amended Texas Occupations Code Chapter 55, Licensing of Military Service Members, Military Veterans, and Military Spouses with the following changes: (1) defines good standing; (2) removes the three-year limit to practice as long as the applicant is stationed at a military installation; (3) allows for an authorization to practice if the applicant holds a current license issued by another state that is similar in scope of practice to the license in this state and is in good standing with that state's licensing authority; and (4) requires the Board to process applications within 10 business days.

The amendment is adopted without changes to the proposed text as published in the December 12, 2025, issue of the *Texas Register* (50 TexReg 7983) and will not be republished.

No comments were received regarding adoption of this rule.

This rule is adopted under Texas Occupations Code §254.001(a), which gives the Board authority to adopt rules necessary to perform its duties and ensure compliance with state laws relating to the practice of dentistry to protect the public health and safety.

The agency certifies that legal counsel has reviewed the adoption and found it to be a valid exercise of the agency's legal authority.

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CHAPTER 104. CONTINUING EDUCATION

22 TAC §104.1

The State Board of Dental Examiners (Board) adopts this amendment to 22 TAC §104.1, pertaining to continuing education requirements. The adopted rule reflects that CDCA-WREB-CITA (a dental exam administrator) and the American Board of Dental Examiners (developer of the ADEX licensure exams) have combined under a single entity: the American Board of Dental Examiners. The amendment is

adopted without changes to the proposed text as published in the December 12, 2025, issue of the *Texas Register* (50 TexReg 7984) and will not be republished.

No comments were received regarding adoption of this rule.

This rule is adopted under Texas Occupations Code §254.001(a), which gives the Board authority to adopt rules necessary to perform its duties and ensure compliance with state laws relating to the practice of dentistry to protect the public health and safety.

The agency certifies that legal counsel has reviewed the adoption and found it to be a valid exercise of the agency's legal authority.

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22 TAC §104.2

The State Board of Dental Examiners (Board) adopts this amendment to 22 TAC §104.2, pertaining to continuing education providers. The adopted rule reflects that CDCA-WREB-CITA (a dental exam administrator) and the American Board of Dental Examiners (developer of the ADEX licensure exams) have combined under a single entity: the American Board of Dental Examiners. The amendment is adopted without changes to the proposed text as published in the December 12, 2025, issue of the *Texas Register* (50 TexReg 7986) and will not be republished.

No comments were received regarding adoption of this rule.

This rule is adopted under Texas Occupations Code §254.001(a), which gives the Board authority to adopt rules necessary to perform its duties and ensure compliance with state laws relating to the practice of dentistry to protect the public health and safety.

The agency certifies that legal counsel has reviewed the adoption and found it to be a valid exercise of the agency's legal authority.

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CHAPTER 114. EXTENSION OF DUTIES OF AUXILIARY PERSONNEL--DENTAL ASSISTANTS

22 TAC §114.2

The State Board of Dental Examiners (Board) adopts this amendment to 22 TAC §114.2, pertaining to registration of dental assistants. The amendment is adopted without changes to the proposed text as published in the December 12, 2025, issue of the *Texas Register* (50 TexReg 7987) and will not be republished. The adopted amendment: (1) specifies that applications for registration or for renewal of registration must be submitted online; (2) specifies that dental assistants can obtain a duplicate registration from their online account; (3) removes language pertaining to the Dental Assistant Advisory Committee because the committee no longer exists; (4) updates the language to reflect that a student who takes a dental assistant radiology course should be able to demonstrate concepts for both film and digital x-rays; and (5) updates the language to reflect that technology has replaced film x-rays with digital x-rays, although the Board notes that film x-rays are still being used in the dental profession.

The Texas Academy of General Dentistry (TAGD) submitted a written comment in support of adoption of the rule as proposed. No changes to this rule were made as a result of the comment.

This rule is adopted under Texas Occupations Code §254.001(a), which gives the Board authority to adopt rules necessary to perform its duties and ensure compliance with state laws relating to the practice of dentistry to protect the public health and safety.

The agency certifies that legal counsel has reviewed the adoption and found it to be a valid exercise of the agency's legal authority.

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22 TAC §114.3

The State Board of Dental Examiners (Board) adopts this amendment to 22 TAC §114.3, pertaining to dental assistants applying pit and fissure sealants. The amendment is adopted without changes to the proposed text as published in the December 12, 2025, issue of the *Texas Register* (50 TexReg 7991) and will not be republished. This rule was recently reviewed in accordance with the Board's rule review plan. As a result of the review, the Board adopts changes that correct punctuation and typo errors.

The Texas Academy of General Dentistry (TAGD) submitted a written comment in support of adoption of the rule as proposed. No changes to this rule were made as a result of the comment.

This rule is adopted under Texas Occupations Code §254.001(a), which gives the Board authority to adopt rules necessary to perform its duties and ensure compliance with state laws relating to the practice of dentistry to protect the public health and safety.

The agency certifies that legal counsel has reviewed the adoption and found it to be a valid exercise of the agency's legal authority.

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Lauren Studdard
General Counsel

State Board of Dental Examiners

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22 TAC §114.7

The State Board of Dental Examiners (Board) adopts this amendment to 22 TAC §114.7, pertaining to exemption from registration for certain military service members and military spouses. The purpose of the adoption is to implement House Bill 5629 and Senate Bill 1818, 89th Legislature, Regular Session (2025), which amended Texas Occupations Code Chapter 55, Licensing of Military Service Members, Military Veterans, and Military Spouses with the following changes: (1) defines good standing; (2) removes the three-year limit to practice as long as the applicant is stationed at a military installation; (3) allows for an authorization to practice if the applicant holds a current registration issued by another state that is similar in scope of practice to the registration in this state and is in good standing with that state's licensing authority; and (4) requires the Board to process applications within 10 business days. The adoption also clarifies that a registration is issued to dental assistants, not a license.

The amendment is adopted without changes to the proposed text as published in the December 12, 2025, issue of the *Texas Register* (50 TexReg 7992) and will not be republished.

No comments were received regarding adoption of this rule.

This rule is adopted under Texas Occupations Code §254.001(a), which gives the Board authority to adopt rules necessary to perform its duties and ensure compliance with state laws relating to the practice of dentistry to protect the public health and safety.

The agency certifies that legal counsel has reviewed the adoption and found it to be a valid exercise of the agency's legal authority.

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Lauren Studdard

General Counsel

State Board of Dental Examiners

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CHAPTER 115. EXTENSION OF DUTIES OF AUXILIARY PERSONNEL--DENTAL HYGIENE

22 TAC §115.4

The State Board of Dental Examiners (Board) adopts this amendment to 22 TAC §115.4, pertaining to placement of site specific subgingival medicaments. The adopted rule simply updates the applicable section of the Texas Occupations Code pertaining to the practice of dental hygiene and a hygienist being able to topically apply drugs. The amendment is adopted without changes to the proposed text as published in the December 12, 2025, issue of the *Texas Register* (50 TexReg 7993) and will not be republished.

No comments were received regarding adoption of this rule.

This rule is adopted under Texas Occupations Code §254.001(a), which gives the Board authority to adopt rules necessary to perform its duties and ensure compliance with state laws relating to the practice of dentistry to protect the public health and safety.

The agency certifies that legal counsel has reviewed the adoption and found it to be a valid exercise of the agency's legal authority.

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TITLE 25. HEALTH SERVICES

PART 11. CANCER PREVENTION AND RESEARCH INSTITUTE OF TEXAS

CHAPTER 703. GRANTS FOR CANCER PREVENTION AND RESEARCH

25 TAC §703.24

The Cancer Prevention and Research Institute of Texas ("CPRIT" or "the Institute") adopts amendments to 25 Texas Administrative Code §703.24 without changes to the proposed amendments as published in the December 5, 2025, issue of the *Texas Register* (50 TexReg 7866); therefore, the rule will not be republished.

Reasoned Justification

CPRIT requires all of its grant recipients to report grant expenditures on quarterly Financial Status Reports (FSR). In general, CPRIT conducts these reviews in accordance with standards set in the Texas Grant Management Standards (TxGMS), as published by the office of the Texas Comptroller of Public Accounts. When necessary, and as allowed by TxGMS, CPRIT establishes variations from TxGMS through the official rulemaking process. TxGMS standards include a 21-day deadline for a state agency to review a request for payment and notify a grantee of any errors in the request. This 21-day deadline applies to FSR. However, the volume, complexity, and timing of FSR reviews make it impossible for CPRIT to review all FSR submissions within 21 days. CPRIT is in the process of revising its business processes and developing new technology tools to shorten these review times but lacks sufficient data to determine the necessary review times at present. As a result, CPRIT must clarify that it can only guarantee payment within 30 days of receiving a complete and correct FSR. CPRIT expects to revise this rule again in the future to specify predictable review timelines once it has new processes and new technology tools in place and has obtained sufficient data to make accurate predictions. CPRIT is adding the current language permitting the institute to waive those eventual review timelines to ensure grantees receive notice if any deadlines for review or payment will not be met going forward.

Summary of Public Comments and Staff Recommendation

CPRIT received no public comments regarding the proposed amendments to §703.24. CPRIT staff recommends moving forward with adoption of the amendments.

The rule changes are adopted under the authority of the Texas Health and Safety Code Annotated, § 102.108, which provides the Institute with broad rule-making authority to administer the chapter, including rules for awarding grants.

The agency certifies that legal counsel has reviewed the adoption and found it to be a valid exercise of the agency's legal authority.

Filed with the Office of the Secretary of State on February 20, 2026.

TRD-202600832

Heidi McConnell

Deputy Executive Officer / Chief Operating Officer
Cancer Prevention and Research Institute of Texas

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Proposal publication date: December 5, 2025

For further information, please call: (512) 463-3190



TITLE 26. HEALTH AND HUMAN SERVICES

PART 1. HEALTH AND HUMAN SERVICES COMMISSION

CHAPTER 511. LIMITED SERVICES RURAL HOSPITALS

SUBCHAPTER C. OPERATIONAL REQUIREMENTS

26 TAC §511.85

The executive commissioner of the Texas Health and Human Services Commission (HHSC) adopts new §511.85, concerning Miscellaneous Policies and Protocols.

Section 511.85 is adopted without changes to the proposed text as published in the December 12, 2025, issue of the *Texas Register* (50 TexReg 8038). This rule will not be republished.

BACKGROUND AND JUSTIFICATION

The new section is necessary to comply with House Bill (HB) 4076, 89th Legislature, Regular Session, 2025. HB 4076 amended Texas Health and Safety Code (THSC) Chapter 161 by adding §161.474, which prohibits a health care provider from discriminating based on vaccination status for services related to organ transplants.

The new section increases consistency between the limited services rural hospital (LSRH) licensing rules and similar rules for other HHSC-regulated health care facilities.

COMMENTS

The 31-day comment period ended January 12, 2026.

During this period, HHSC did not receive any comments regarding the proposed rule.

STATUTORY AUTHORITY

The new section is adopted under Texas Government Code §524.0151, which provides that the executive commissioner of HHSC shall adopt rules for the operation and provision of services by the health and human services agencies, and THSC §241.302(b), which provides that the executive commissioner of HHSC shall adopt rules to establish minimum standards for limited services rural hospitals.

The agency certifies that legal counsel has reviewed the adoption and found it to be a valid exercise of the agency's legal authority.

Filed with the Office of the Secretary of State on February 18, 2026.

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Karen Ray

Chief Counsel

Health and Human Services Commission

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For further information, please call: (512) 834-4591



TITLE 37. PUBLIC SAFETY AND CORRECTIONS

PART 11. TEXAS JUVENILE JUSTICE DEPARTMENT

CHAPTER 341. GENERAL STANDARDS FOR JUVENILE PROBATION DEPARTMENTS

The Texas Juvenile Justice Department (TJJD) adopts amendments to 37 TAC, Part 11, §341.202, Policies and Procedures, with changes to the proposed text as published in the December 26, 2025, issue of the *Texas Register* (50 TexReg 8500). This rule will be republished. TJJD also adopts amendments to 37

TAC, Part 11, §341.302, Participation in Community Resources Coordination Groups, and §341.502, Risk and Needs Assessment, without changes to the proposed text as published in the December 26, 2025, issue of the *Texas Register* (50 TexReg 8500). These rules will not be republished.

SUMMARY OF CHANGES

As required due to statutory changes, amendments to §341.202 include: 1) adding a subparagraph titled *Diversion of Juveniles in a General Residential Operation* to the list of topics that departments must address in their policies and procedures and provide information related to including each of those specific topics; 2) removing the subparagraph titled *Deferred Prosecution* related to fees from the list of topics that departments must address in their policies and procedures; 3) providing that, if a probation department uses volunteers or interns, the juvenile board must establish policies that include a requirement to conduct criminal history searches and non-criminal background searches in accordance with 37 TAC, Part 11, Chapter 344 for volunteers and interns who will have direct, unsupervised access to juveniles or direct contact with a juvenile and prohibiting such contact if the person does not meet the requirements in Chapter 344; and 4) adding a subparagraph titled *Training Requirements* to the list of topics that departments must address in their policies and procedures and providing information related to including each of those specific topics. (The topics that must be trained are related to maintaining professional relationships with children and recognizing and reporting suspected physical and sexual abuse.)

In addition, §341.202 now correctly identifies the Health and Human Services Commission (rather than the Department of Family and Protective Services) as the agency that licenses, certifies, and registers general residential operations, as provided by Chapter 42, Human Resources Code.

As required due to a non-substantive statutory revision, amendments to §341.302 include modifying a statutory reference related to participation in a community resources coordination group.

As required due to statutory changes, amendments to §341.502 include adding that, prior to the disposition of a juvenile's case, a probation department must screen the juvenile for risk of commercial sexual exploitation.

PUBLIC COMMENTS

TJJD received no public comments on the proposed rulemaking actions.

SUBCHAPTER B. JUVENILE BOARD RESPONSIBILITIES

37 TAC §341.202

STATUTORY AUTHORITY

The amended section is adopted under the following: 1) §221.003, Human Resources Code (as amended by HB 451, 89th Legislature, Regular Session), which requires a juvenile probation department to use a validated, evidence-informed tool as part of a youth's risk and needs assessment to screen for the risk of commercial sexual exploitation; 2) Chapter 811, Health and Safety Code (as added by HB 3153, 89th Legislature, Regular Session), which institutes requirements for certain facilities to prevent physical and sexual abuse of children; 3) §152.00145, Human Resources Code (as amended by HB 16, 89th Legislature, Regular Session), which clarifies the diversion

and detention policy for certain juveniles; and §221.002, Human Resources Code, which requires the board to adopt rules to govern juvenile boards, probation departments, probation officers, programs, and facilities.

No other statute, code, or article is affected by this adoption.

§341.202. *Policies and Procedures.*

(a) Personnel Policies. The juvenile board must establish written personnel policies.

(b) Department Policies. The juvenile board must establish written department policies and procedures. These policies and procedures must address the following topics if they apply.

(1) Diversion of Juveniles in a General Residential Operation.

(A) As required by §152.00145, Human Resources Code, the juvenile board must establish policies that prioritize:

(i) the diversion from referral to a prosecuting an attorney under Chapter 53, Family Code, juveniles residing in a general residential operation, particularly children alleged to have engaged in conduct constituting a misdemeanor involving violence to a person; and

(ii) the limitation of detention to such juveniles to circumstances of last resort.

(B) To monitor the success of policies implemented under subparagraph (A) of this paragraph, a juvenile board shall track:

(i) the number of juveniles residing in a general residential operation who are referred to the juvenile probation department or other intake entity for the juvenile court;

(ii) the number of juveniles described by clause (i) of this subparagraph who are placed on deferred prosecution; and

(iii) the general residential operation where each child tracked under this section resided at the time of the conduct that result in the referral.

(C) For purposes of this subsection, a "general residential operation" is a child-care facility that provides care for seven or more children for 24 hours a day, including facilities known as residential treatment centers and emergency shelters. General residential operations are licensed, certified, or registered by the Health and Human Services Commission, as provided by Chapter 42, Human Resources Code.

(2) Volunteers and Interns. If a juvenile probation department uses volunteers or interns, the juvenile board must establish policies for the volunteer and/or internship program that include:

(A) a description of the scope, responsibilities, and limited authority of volunteers and interns who work with the department;

(B) selection and termination criteria, including disqualification based on specified criminal history;

(C) a requirement to conduct criminal history searches and non-criminal background searches as described in Chapter 344 of this title for volunteers and interns who will have direct, unsupervised access to juveniles or direct contact with a juvenile, as defined in Chapter 344 of this title;

(D) a prohibition on having unsupervised contact with juveniles for volunteers and interns whose history does not meet the requirements in Chapter 344 of this title;

(E) the orientation and training requirements, including training on recognizing and reporting abuse, neglect, and exploitation;

(F) a requirement that volunteers and interns meet minimum professional requirements if serving in a professional capacity; and

(G) a requirement to maintain a sign-in log that documents the name of the volunteer or intern, the purpose of the visit, the date of the service, and the beginning and ending time of the service performed for the department.

(3) Zero-Tolerance for Sexual Abuse. The juvenile board must establish zero-tolerance policies and procedures regarding sexual abuse as defined in Chapter 358 of this title. The policies and procedures must:

(A) prohibit sexual abuse of juveniles under the jurisdiction of the department by department staff, volunteers, interns, and contractors;

(B) establish the actions department staff must take in response to allegations of sexual abuse and TJJD-confirmed incidents of sexual abuse; and

(C) provide for administrative disciplinary sanctions and referral for criminal prosecution.

(4) Pretrial Detention for Certain Juveniles. As required by §152.0015, Human Resources Code, the juvenile board must establish a policy that specifies whether a person who has been transferred for criminal prosecution under §54.02, Family Code, and is younger than 17 years of age may be detained in a juvenile facility pending trial.

(5) Juveniles Younger Than 12 Years of Age. As required by §152.00145, Human Resources Code, the juvenile board must establish policies that prioritize:

(A) the diversion of children younger than 12 years of age from referral to a prosecuting attorney under Chapter 53, Family Code; and

(B) the limitation of detention of children younger than 12 years of age to circumstances of last resort.

(6) Taking Juveniles into Custody. The juvenile board must establish a policy that specifies whether juvenile probation officers may take a juvenile into custody as allowed by §§52.01(a)(4), 52.01(a)(6), or 52.015, Family Code.

(A) If the policy allows juvenile probation officers to take a juvenile into custody, the policy must specify whether the officers are allowed to use force in doing so.

(B) If the policy allows juvenile probation officers to use force in taking a juvenile into custody, the policy must:

(i) address prohibited conduct, circumstances under which force is authorized, and training requirements;

(ii) require each use of force to be documented, except when the only force used is the placement of mechanical restraints on the juvenile.

(7) Training Requirements.

(A) The juvenile board must establish a policy that requires training to each employee, volunteer, or independent contractor who may be placed in direct contact with a juvenile receiving services from the department or facility. The training must include:

(i) recognition of the signs of physical and sexual abuse and reporting requirements for suspected physical and sexual abuse;

(ii) the department's or facility's policies related to reporting physical and sexual abuse; and

(iii) methods for maintaining professional and appropriate relationships with children.

(B) For purposes of this paragraph, a person may be placed in direct contact with a juvenile receiving services from the department or facility if the person's position potentially requires the person to:

(i) provide care, supervision, or guidance to a child;

(ii) exercise any form of control over a child; or

(iii) routinely interact with a child.

The agency certifies that legal counsel has reviewed the adoption and found it to be a valid exercise of the agency's legal authority.

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Kaci Singer

Deputy General Counsel

Texas Juvenile Justice Department

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For further information, please call: (512) 490-7130



SUBCHAPTER C. CHIEF ADMINISTRATIVE OFFICER RESPONSIBILITIES

37 TAC §341.302

STATUTORY AUTHORITY

The amended section is adopted under the following: 1) §221.003, Human Resources Code (as amended by HB 451, 89th Legislature, Regular Session), which requires a juvenile probation department to use a validated, evidence-informed tool as part of a youth's risk and needs assessment to screen for the risk of commercial sexual exploitation; 2) Chapter 811, Health and Safety Code (as added by HB 3153, 89th Legislature, Regular Session), which institutes requirements for certain facilities to prevent physical and sexual abuse of children; 3) §152.00145, Human Resources Code (as amended by HB 16, 89th Legislature, Regular Session), which clarifies the diversion and detention policy for certain juveniles; and §221.002, Human Resources Code, which requires the board to adopt rules to govern juvenile boards, probation departments, probation officers, programs, and facilities.

No other statute, code, or article is affected by this adoption.

The agency certifies that legal counsel has reviewed the adoption and found it to be a valid exercise of the agency's legal authority.

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Kaci Singer
Deputy General Counsel
Texas Juvenile Justice Department
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SUBCHAPTER E. CASE MANAGEMENT

37 TAC §341.502

STATUTORY AUTHORITY

The amended section is adopted under the following: 1) §221.003, Human Resources Code (as amended by HB 451, 89th Legislature, Regular Session), which requires a juvenile probation department to use a validated, evidence-informed tool as part of a youth's risk and needs assessment to screen for the risk of commercial sexual exploitation; 2) Chapter 811, Health and Safety Code (as added by HB 3153, 89th Legislature, Regular Session), which institutes requirements for certain facilities to prevent physical and sexual abuse of children; 3) §152.00145, Human Resources Code (as amended by HB 16, 89th Legislature, Regular Session), which clarifies the diversion and detention policy for certain juveniles; and §221.002, Human Resources Code, which requires the board to adopt rules to govern juvenile boards, probation departments, probation officers, programs, and facilities.

No other statute, code, or article is affected by this adoption.

The agency certifies that legal counsel has reviewed the adoption and found it to be a valid exercise of the agency's legal authority.

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Kaci Singer
Deputy General Counsel
Texas Juvenile Justice Department
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For further information, please call: (512) 490-7130

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**CHAPTER 342. STANDARDS FOR HOUSING
NON-TEXAS JUVENILES IN TEXAS
CORRECTIONAL FACILITIES**

37 TAC §342.1

The Texas Juvenile Justice Department (TJJD) adopts amendments to 37 TAC, Part 11, §342.1, Authority to House Out-of-State Juveniles, without changes to the proposed text as published in the December 19, 2025, issue of the *Texas Register* (50 TexReg 8185). The rule will not be republished.

SUMMARY OF CHANGES

Amendments to §342.1 include clarifying the phrase *juveniles convicted of offenses committed against the laws of another*

state of the United States (instead of *or the United States*); and removing references to pre-adjudication, secure detention facilities.

PUBLIC COMMENTS

TJJD received no public comments on the proposed rulemaking action.

STATUTORY AUTHORITY

The amended section is adopted under §221.053, Human Resources Code, which requires the Board to develop rules, procedures, and minimum standards applicable to county or private correctional facilities housing out-of-state juvenile inmates

No other statute, code, or article is affected by this adoption.

The agency certifies that legal counsel has reviewed the adoption and found it to be a valid exercise of the agency's legal authority.

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Kaci Singer
Deputy General Counsel
Texas Juvenile Justice Department
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**CHAPTER 343. SECURE JUVENILE
PRE-ADJUDICATION DETENTION AND
POST-ADJUDICATION CORRECTIONAL
FACILITIES**

SUBCHAPTER E. RESTRAINTS

37 TAC §§343.800, 343.816, 343.817

The Texas Juvenile Justice Department (TJJD) adopts amendments to 37 TAC, Part 11, §343.800, Definitions, with changes to the proposed text as published in the December 26, 2025, issue of the *Texas Register* (50 TexReg 8503). This rule will be republished. TJJD also adopts amendments to 37 TAC, Part 11, §343.816, Chemical Restraints, without changes to the proposed text as published in the December 26, 2025, issue of the *Texas Register* (50 TexReg 8503). This rule will not be republished. TJJD also adopts new 37 TAC, Part 11, §343.817, Use of Force Review Board, without changes to the proposed text as published in the December 26, 2025, issue of the *Texas Register* (50 TexReg 8503). This rule will not be republished.

SUMMARY OF CHANGES

Amendments to §343.800 include adding definitions of *approved chemical restraint device*, *detention supervisor*, *dorm supervisor*, *reasonable belief*, *serious bodily injury*, *security personnel*, and *shift supervisor*.

In addition, the definitions of *security personnel* and *serious bodily injury* now appear in correct alphabetical order.

Amendments to §343.816 include specifying that the use of chemical restraints is governed by this section as well as by

§§343.802, 343.804, and 343.806 of this chapter, and adding that: 1) chemical restraints may be used only if the juvenile board has given approval; 2) if the board gives approval to use a chemical restraint, board policies must specify the approved chemical restraint device, which staff are authorized to use the device, which staff are authorized to carry the device, the training curriculum required for staff to be authorized to carry the device, the procedures for controlling the device, and the procedures to follow after the use of chemical restraints; 3) only approved chemical restraint devices may be used and devices must be stored in a locked, controlled area; 4) only certified juvenile supervision officers who have been trained in the chemical restraint device may use it; 5) as part of the training curriculum, juvenile supervision officers must be sprayed with the device if the juvenile supervision officer is being trained in chemical restraint for the first time and exposure to the oleoresin capsicum spray is not medically contraindicated for the juvenile supervision officer; 6) the only staff who may be authorized to routinely carry the chemical restraint device are the facility administrator, assistant facility administrator, shift supervisor, detention supervisor, dorm supervisor, and security personnel; 7) except for the exceptions provided, the use of chemical restraints is authorized only for those instances when other interventions have failed or are not practical and chemical restraints are reasonably believed necessary to quell a riot or major disruption; resolve a hostage situation; remove residents from behind a barricade during a riot or a situation involving self-harm; secure an object that is being used as a weapon and is capable of causing serious injury; protect residents, staff, or others from serious injury; or prevent escape; 8) any resident affected by a chemical restraint must be decontaminated as soon as the purpose of the restraint is achieved and that, after decontamination, a health care professional must examine, treat, and monitor any resident or staff member affected by the restraint; 9) authorization to use a chemical restraint must be obtained prior to each use, except in instances when it is reasonably believed necessary to prevent the loss of life or serious bodily injury; 10) standing orders authorizing chemical restraints are prohibited; 11) chemical restraints are not authorized for use on a resident when a medical provider has diagnosed the resident as having a chronic, serious respiratory problem or other serious health condition known to the facility, except in instances when it is reasonably believed necessary to prevent the loss of life or serious bodily injury; and 12) a facility that is authorized to use chemical restraints and that accepts residents from other counties is required to make those counties aware that the facility authorizes the use of chemical restraints.

The new §343.817 includes that: 1) each facility authorized to use chemical restraints must have a use of force review board comprising the facility administrator and other designated staff; 2) no later than 14 calendar days after a restraint, the review board reviews each use of force incident involving chemical restraints; 3) the review board uses all available resources to determine whether policy was followed, to determine whether documentation was completed correctly, to identify training needs, and to identify ways to expand prevention efforts; and 4) for each meeting of the review board, written documents of the names of all attendees, a list of each incident reviewed, and any corrective actions recommended must be created and saved.

PUBLIC COMMENTS

TJJD received no public comments on the proposed rulemaking actions.

STATUTORY AUTHORITY

The new and amended sections are adopted under §221.002, Human Resources Code, which requires the board to adopt rules to govern juvenile boards, probation departments, probation officers, programs, and facilities.

No other statute, code, or article is affected by this adoption.

§343.800. Definitions.

The following words and terms, when used in this subchapter, shall have the following meanings unless otherwise expressly defined within the chapter.

(1) **Approved Personal Restraint Technique**--A professionally trained, curriculum-based, and competency-based restraint technique that uses a person's physical exertion to completely or partially constrain another person's body movement without the use of mechanical restraints.

(2) **Approved Mechanical Restraint Devices**--A professionally manufactured and commercially available mechanical device designed to aid in the restriction of a person's bodily movement. TJJD-approved mechanical restraint devices are limited to the following:

(A) **Ankle Cuffs**--A metal band designed to be fastened around the ankle to restrain free movement of the legs.

(B) **Handcuffs**--Metal devices designed to be fastened around the wrist to restrain free movement of the hands and arms.

(C) **Plastic Cuffs**--Plastic devices designed to be fastened around the wrists or legs to restrain free movement of hands, arms, or legs. Plastic cuffs must be designed specifically for use in human restraint.

(D) **Restraint Bed**--A professionally manufactured and commercially available bed or integrated bed attachments that are specifically designed to facilitate safe human restraint.

(E) **Restraint Chair**--A professionally manufactured and commercially available restraint apparatus specifically designed for safe human restraint. The device restrains a subject in an upright, sitting position by restricting the subject's extremities, upper leg area, and torso with soft restraints. The apparatus may be fixed or wheeled for relocation.

(F) **Waist Belt**--A cloth, leather, or metal band designed to be fastened around the waist and used to secure the arms to the sides or front of the body.

(G) **Wristlets**--A cloth or leather band designed to be fastened around the wrist that may be secured to a waist belt or used in a non-ambulatory mechanical restraint.

(3) **Approved Chemical Restraint Device**--A professionally manufactured and commercially available defense spray containing Oleoresin Capsicum (i.e., OC pepper spray) that has been approved by TJJD for use as allowed by this chapter.

(4) **Chemical Restraint**--The application of a chemical agent on one or more residents.

(5) **Detention Supervisor**--Regardless of title, the certified juvenile supervision officer serving as the assistant to the shift supervisor during the current shift.

(6) **Dorm Supervisor**--Regardless of title, the highest ranking certified juvenile supervision officer assigned to a dorm during the current shift.

(7) Four-Point Restraint--The use of approved mechanical restraint devices on each of a resident's wrists and ankles to secure the resident in a supine position to a restraint bed.

(8) Mechanical Restraint--The application of an approved mechanical restraint device.

(9) Non-Ambulatory Mechanical Restraint--A method of prohibiting a resident's ability to stand upright and walk with the use of a combination of approved mechanical restraint devices, cuffing techniques, and the subject's body positioning. The four-point restraint and restraint chair are examples of acceptable non-ambulatory mechanical restraints.

(10) Personal Restraint--The application of an approved personal restraint technique.

(11) Physical Escort--Touching or holding a resident with a minimum use of force for the purpose of directing the resident's movement from one place to another. A physical escort is not considered a personal restraint.

(12) Protective Devices--Professionally manufactured devices used for the protection of residents or staff that do not restrict the movement of a resident. Protective devices are not considered mechanical restraint devices.

(13) Reasonable Belief--A belief that would be held by a similarly trained staff considering the facts and circumstances known by the actor at the time of the incident.

(14) Restraint--The application of an approved personal restraint technique, an approved mechanical restraint device, or a chemical agent to a resident so as to restrict the individual's freedom of movement.

(15) Riot--A situation in which three or more persons in the facility intentionally participate in conduct that constitutes a clear and present danger to persons or property and substantially obstructs the performance of facility operations or a program therein. Rebellion is a form of riot.

(16) Security Personnel--Staff persons whose primary responsibility is to patrol the facility and respond to security-related incidents.

(17) Serious Bodily Injury--An injury that creates a substantial risk of death, serious permanent disfigurement, or extended loss or impairment of the function of any bodily member or organ.

(18) Shift Supervisor--The highest-ranking certified juvenile supervision officer below the facility administrator working at the facility during the current shift.

(19) Soft Restraints--Non-metallic wristlets and anklets used as stand-alone restraint devices or in conjunction with a restraint bed or restraint chair. These devices are designed to reduce the incidence of skin, nerve, and muscle damage to the subject's extremities.

The agency certifies that legal counsel has reviewed the adoption and found it to be a valid exercise of the agency's legal authority.

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Kaci Singer

Deputy General Counsel

Texas Juvenile Justice Department

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For further information, please call: (512) 490-7130

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CHAPTER 344. EMPLOYMENT,
CERTIFICATION, AND TRAINING

The Texas Juvenile Justice Department (TJJD) adopts amendments to 37 TAC, Part 11, §344.100, Definitions; §344.300, Criminal History Checks; §344.400, Disqualifying Criminal History; §344.430, Arrest or Conviction of Currently Certified or Employed Individuals; §344.690, Credit for Training Hours for Military Service Members, Spouses, and Veterans; and §344.864, Certification Renewal Process, without changes to the proposed text as published in the December 26, 2025, issue of the *Texas Register* (50 TexReg 8506). These rules will not be republished. TJJD also adopts new 37 TAC, Part 11, §344.350, Non-Criminal History Background Checks, with changes to the proposed text as published in the December 26, 2025, issue of the *Texas Register* (50 TexReg 8506). This rule will be republished. TJJD also adopts new §344.360, Review of Applicant's Prior History, without changes to the proposed text as published in the December 26, 2025, issue of the *Texas Register* (50 TexReg 8506). This rule will not be republished.

SUMMARY OF CHANGES

Amendments to §344.100 include adding definitions of *direct contact with a juvenile* and *search engine for multi-agency reportable conduct (SEMARC)*.

Amendments to §344.300 include adding that criminal history checks must be done for those who may have direct contact with a juvenile in a juvenile justice facility and who is an employee, volunteer, intern, or individual providing goods or services under contract on the premises of a juvenile justice facility or program.

Amendments to §344.400 include: 1) adding that a person convicted of or placed on deferred adjudication for conviction for an offense under §§21.02, 22.011, 22.021, or 25.05, Penal Code, is prohibited from holding any position that allows direct contact with a juvenile; 2) specifying this does not apply retroactively to those certified before the effective date of the changes unless the certification expires; and 3) modifying language related to inapplicability dates.

Amendments to §344.430 include: 1) clarifying that a police report must be provided as soon as practicable when reporting an arrest, in addition to any other information available; and 2) adding that, in addition to removing a person from unsupervised access to juveniles, those with direct contact with juveniles must also be removed if convicted or placed on deferred adjudication.

Amendments to §344.690 include: 1) modifying language regarding certification for military service members, military veterans, and military spouses eligible for certification if they hold a current license in another state, to be consistent with changes to Chapter 55, Occupations Code; 2) adding that the military provisions apply to a juvenile probation officer certification; 3) adding a requirement for the applicant seeking certification under this section to provide the statutorily required documents; 4) adding a requirement for TJJD to maintain a list of states

with similar-in-scope licenses and to post the information on its website, as provided in Chapter 55, Occupations Code; and 5) adding a requirement for TJJJ to maintain a record of each complaint made against military service members, military veterans, and military spouses certified under this section, as provided in Chapter 55, Occupations Code

Amendments to §344.864 include adding a requirement to provide verification that a SEMARC check was conducted no earlier than 14 days before a certification renewal application was submitted and that the person did not appear in a search result

New §344.350 and §344.360 modify and republish information contained in the previous versions of §§344.350, 344.360, and 344.370, which are simultaneously adopted for repeal.

Key additions and revisions to §344.350 include: 1) reorganizing existing criminal background check requirements and adding that they also apply to any person who may have direct contact with a juvenile; 2) adding a requirement to conduct checks using the soon-to-be implemented SEMARC for all persons in positions requiring certification or otherwise having direct contact with or unsupervised access to a juvenile; 3) specifying that, if a person is found in TJJJ's registry, the person may not be placed in the position; 4) requiring subsequent checks when certification is renewed or, for those without a certification, every two years, consistent with the statutory requirement to establish in rule a requirement for periodic search queries of existing employees and others who have contact with juveniles; 5) adding a requirement to conduct an employment verification, as required by new Chapter 811, Health and Safety Code, for any person who may have unsupervised access to or direct contact with a juvenile in a facility, for the purpose of determining whether the person has a history of harassment in the workplace or abuse, neglect, or exploitation of a child or member of another vulnerable population; 6) establishing that, if employment verification reveals that a person engaged in physical or sexual abuse of a child constituting the offenses of continuous sexual abuse of a young child or disabled individual, sexual assault, aggravated sexual assault, or prohibited sexual conduct, even if not convicted, the person is prohibited from having direct contact with a juvenile in a facility; 7) establishing that, if employment verification reveals that a person engaged in harassment in the workplace or any other type of abuse, neglect, exploitation, or other mistreatment of a child or member of another vulnerable population, the person is prohibited from having direct contact with a juvenile in a facility; 8) establishing that, even though the employment verification check is only required for people who will provide services in a facility, it is required before any person may do so, even if the person is already serving in a role that required the other checks; 9) modifying the current requirement to conduct a check related to a required self-disclosure form related to a history of abuse, neglect, exploitation, or mistreatment and certain actions on a certification to provide that portions of the disclosed history that have been checked through SEMARC or the employment verification check do not need to be duplicated; and 10) adding a requirement that all verifications under this section be performed using the person's current name and all former names, establishing requirements to maintain records, and adding a requirement to report to TJJJ discrepancies between what the person reports and what is discovered through the background checks.

In addition, several sentences throughout §344.350 have been changed from the passive voice to the active voice.

Key additions and revisions to §344.360 include providing additional information on the review process by the juvenile board or

designee, to include the purpose of the review and the use of a form promulgated by TJJJ, which must be maintained.

PUBLIC COMMENTS

TJJJ received no public comments on the proposed rulemaking actions.

SUBCHAPTER A. DEFINITIONS AND APPLICABILITY

37 TAC §344.100

STATUTORY AUTHORITY

The amended section is adopted under the following: 1) Chapter 810, Health and Safety Code (as added by SB 1849, 89th Legislature, Regular Session), which clarifies the rules requiring a search engine for multi-agency reportable conduct; 2) Chapter 811, Health and Safety Code (as added by HB 3153, 89th Legislature, Regular Session), which institutes requirements for certain facilities to prevent physical and sexual abuse of children; 3) Chapter 55, Occupations Code (as amended by HB 5629 and SB 1818, 89th Legislature, Regular Session), which clarifies the rules pertaining to the licensing of military service members, military veterans, and military spouses; 4) §221.002, Human Resources Code, which requires the board to adopt rules to govern juvenile boards, probation departments, probation officers, programs, and facilities; and 5) §221.002(a)(3), Human Resources Code, which requires the board to adopt reasonable rules that provide appropriate educational, training, and certification standards for juvenile probation and detention officers and court-supervised community-based program personnel.

No other statute, code, or article is affected by this adoption.

The agency certifies that legal counsel has reviewed the adoption and found it to be a valid exercise of the agency's legal authority.

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Kaci Singer

Deputy General Counsel

Texas Juvenile Justice Department

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For further information, please call: (512) 490-7130



SUBCHAPTER C. CRIMINAL HISTORY AND BACKGROUND CHECKS

37 TAC §§344.300, 344.350, 344.360

STATUTORY AUTHORITY

The new and amended sections are adopted under the following: 1) Chapter 810, Health and Safety Code (as added by SB 1849, 89th Legislature, Regular Session), which clarifies the rules requiring a search engine for multi-agency reportable conduct; 2) Chapter 811, Health and Safety Code (as added by HB 3153, 89th Legislature, Regular Session), which institutes requirements for certain facilities to prevent physical and sexual abuse of children; 3) Chapter 55, Occupations Code (as

amended by HB 5629 and SB 1818, 89th Legislature, Regular Session), which clarifies the rules pertaining to the licensing of military service members, military veterans, and military spouses; 4) §221.002, Human Resources Code, which requires the board to adopt rules to govern juvenile boards, probation departments, probation officers, programs, and facilities; and 5) §221.002(a)(3), Human Resources Code, which requires the board to adopt reasonable rules that provide appropriate educational, training, and certification standards for juvenile probation and detention officers and court-supervised community-based program personnel.

No other statute, code, or article is affected by this adoption.

§344.350. Non-Criminal History Background Checks.

(a) Checks Using TJJJ's Certification System.

(1) A department or facility must use TJJJ's certification system before employing, contracting with, or allowing a person to volunteer, intern, or otherwise serve in a position that may be placed in direct contact with a juvenile or have direct, unsupervised access to a juvenile, regardless of whether or not the position requires or is eligible for certification under this chapter, to verify that the person:

(A) has not had a TJJJ certification revoked;

(B) has not been designated as ineligible for certification by TJJJ;

(C) is not currently under an order of active suspension issued by TJJJ; and

(D) is not currently ineligible to take the certification exam due to repeated failures to pass the exam as described in §344.700 of this chapter.

(2) A person who has had a TJJJ certification revoked, has been designated as ineligible for TJJJ certification, or is currently under an order of active suspension issued by TJJJ may not hold a position that requires certification or that allows for direct contact with a juvenile or have direct, unsupervised access to a juvenile in a juvenile facility or program. The person is not eligible for a review under §344.360 of this chapter.

(3) A person who is currently ineligible to take the certification exam may not hold a position that requires certification. The person is not eligible for a review under §344.360 of this chapter.

(b) Checks Using the Search Engine for Multi-Agency Reportable Conduct (SEMARC).

(1) A department or facility must use the search engine for multi-agency reportable conduct (SEMARC) before employing, contracting with, or allowing a person to volunteer, intern, or otherwise serve in a position that may be placed in direct contact with a juvenile or have direct, unsupervised access to a juvenile, regardless of whether or not the position requires or is eligible for certification under this chapter, to determine if the person has been included in any do-not-hire or similar registry of TJJJ or the other participating state agencies.

(2) A person who is included in TJJJ's registry is not eligible for certification and is not eligible to serve in a position in which the person may be placed in direct contact with a juvenile or have direct, unsupervised access to a juvenile. The person is not eligible for review under §344.360 of this chapter.

(3) A person who is included in the registry of any other SEMARC-participating agency is not eligible for certification and is not eligible to serve in a position that may be placed in direct contact with a juvenile or have direct, unsupervised access to a juvenile unless

a review is requested under §344.360 of this chapter and that review results in a determination that the person should not be prevented from being certified or from serving in such a position.

(4) The department or facility must conduct a SEMARC check as part of the certification renewal process for each person with a certification. The department or facility must conduct a SEMARC check every two years for all persons who do not have a TJJJ certification. The department or facility must immediately remove a person who appears in any agency's registry, except for those previously reviewed and approved under §344.360 of this chapter, from having any contact with juveniles and must immediately notify TJJJ's certification office of the SEMARC result. TJJJ will conduct a review and determine if it will take action on the certification or, if the person is not certified, if it will take action to make the person ineligible for certification. The person may not return to a position having any contact with juveniles until TJJJ informs the department or facility that such is permissible.

(5) As provided by Chapter 810, Health and Safety Code, authorized users may use SEMARC only for the purpose of making decisions about certification, employment, or other service. Information received through SEMARC is confidential and excepted from disclosure under Chapter 552, Government Code.

(c) Employment Verification.

(1) A facility must conduct an employment verification with all previous employers, which includes contacting the previous employers, to the extent possible, in accordance with Chapter 811, Health and Safety Code, before employing, contracting with, or allowing a person to volunteer, intern, or otherwise serve in a position in a facility that may be placed in direct contact with a juvenile, regardless of whether or not the position requires or is eligible for certification under this chapter.

(2) The purpose of the employment verification is to determine if the person was terminated or otherwise disciplined for conduct that included harassment in the workplace or abuse, neglect, exploitation, or other mistreatment of a child or member of another vulnerable population or, if the employer is one that serves children or other vulnerable populations, if any of the criteria in subsection (d)(1) of this section exist.

(3) If the employment verification reveals that a person engaged in physical or sexual abuse of a child constituting an offense under §21.02 (Continuous Sexual Abuse of Young Child or Disabled Individual), §22.011 (Sexual Assault), §22.021 (Aggravated Sexual Assault), or §25.02 (Prohibited Sexual Conduct), Penal Code, even if not convicted, the person is not eligible to serve in any position in a facility that may be placed in direct contact with a juvenile. The person is not eligible for a review under §344.360 of this chapter.

(4) A person is not eligible for certification and may not serve in a position in a facility that may allow the person to be placed in direct contact with a juvenile if the employment verification reveals that a person engaged in harassment in the workplace or any other type of abuse, neglect, exploitation, or other mistreatment of a child or member of another vulnerable population or that any of the criteria in subsection (d)(1) of this section exist unless a review is requested under §344.360 of this chapter and that review results in a determination that the person should not be prevented from being certified or from serving in such a position.

(5) The employment verification under this section applies only to individuals who will provide services in a facility. However, the employment verification is required before any person may begin

service in a facility in a role described in paragraph (1) of this subsection, even if the person is already serving in a role not in a facility that required the other checks and verifications in this chapter.

(d) Self-Disclosure Form and Checks.

(1) A department or facility, before employing, contracting with, or allowing a person to volunteer, intern, or otherwise serve in a position that may be placed in direct contact with a juvenile or have direct, unsupervised access to a juvenile, regardless of whether or not the position requires or is eligible for certification under this chapter, must require the person to complete a form promulgated by TJJJ that requires the applicant to disclose and provide additional information, if applicable, regarding whether the applicant ever:

(A) worked, contracted, volunteered, interned, or otherwise served at or held an occupational license with a child-serving entity or entity that serves other vulnerable populations, such as elderly persons, persons with disabilities, persons in mental health facilities, or persons who were incarcerated;

(B) had the employment, contract, volunteer, or other status suspended or terminated;

(C) had the occupational license revoked or suspended;

(D) had a finding of abuse, neglect, exploitation, or mistreatment made against the applicant; or

(E) had the applicant's name placed on a do-not-hire or similar registry with an entity that provides services to or regulation of services for children or members of other vulnerable populations.

(2) Except as provided by paragraph (3) of this subsection, the department or facility must, to the extent possible, contact all entities identified on the form completed in accordance with paragraph (1) of this subsection and verify whether or not the person's history includes one or more of the criteria in paragraph (1)(B) - (E) of this subsection.

(3) The department or facility does not have to contact entities that are identified on the form if the entity is a state agency with a registry that is searchable through SEMARC or is an entity that is contacted as part of the employment verification check required under subsection (c) of this section.

(4) The person is not eligible for certification and may not serve in a position that may be placed in direct contact with a juvenile or have direct, unsupervised access to a juvenile if the check indicates that the person's history includes one or more of the criteria in paragraph (1)(B) - (E) unless a review is requested under §344.360 of this chapter and that review results in a determination that the person should not be prevented from being certified or from serving in such a position.

(e) Rules of General Applicability.

(1) The person(s) conducting all checks and verifications required by this subsection must do so using the applicant's current name and all prior names.

(2) The person(s) conducting each check or verification required by this section, with the exception of a search using SEMARC, must maintain a written record of the check or verification, to include the name of the person(s) conducting the check or verification, the date the check or verification was conducted, and the information received as a result of the check or verification, to include the name of each person who provided such information. SEMARC search histories will automatically be created in the system.

(3) The department or facility must report to TJJJ any discrepancies revealed between any check or verification conducted under

this chapter and the information the person reported regarding the person's history. A person's failure to accurately disclose the information requested on the form referenced in subsection (a) of this section is considered a violation of the Code of Ethics and may result in termination of service in the position, denial of certification, designation of ineligibility for certification, and/or revocation of certification.

(4) If the department or facility wishes to select the person despite the history, a review must be requested as provided in §344.360 of this chapter, if such a review is allowable based on the history. The person may not be hired or otherwise approved to serve in a position until the review process is completed and the outcome is a determination that the person will not be prevented from being certified or from serving in the position, as applicable.

The agency certifies that legal counsel has reviewed the adoption and found it to be a valid exercise of the agency's legal authority.

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Kaci Singer

Deputy General Counsel

Texas Juvenile Justice Department

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SUBCHAPTER D. DISQUALIFYING CRIMINAL HISTORY

37 TAC §344.400, §344.430

STATUTORY AUTHORITY

The amended sections are adopted under the following: 1) Chapter 810, Health and Safety Code (as added by SB 1849, 89th Legislature, Regular Session), which clarifies the rules requiring a search engine for multi-agency reportable conduct; 2) Chapter 811, Health and Safety Code (as added by HB 3153, 89th Legislature, Regular Session), which institutes requirements for certain facilities to prevent physical and sexual abuse of children; 3) Chapter 55, Occupations Code (as amended by HB 5629 and SB 1818, 89th Legislature, Regular Session), which clarifies the rules pertaining to the licensing of military service members, military veterans, and military spouses; 4) §221.002, Human Resources Code, which requires the board to adopt rules to govern juvenile boards, probation departments, probation officers, programs, and facilities; and 5) §221.002(a)(3), Human Resources Code, which requires the board to adopt reasonable rules that provide appropriate educational, training, and certification standards for juvenile probation and detention officers and court-supervised community-based program personnel.

No other statute, code, or article is affected by this adoption.

The agency certifies that legal counsel has reviewed the adoption and found it to be a valid exercise of the agency's legal authority.

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Deputy General Counsel
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SUBCHAPTER E. TRAINING AND CONTINUING EDUCATION

37 TAC §344.690

STATUTORY AUTHORITY

The amended section is adopted under the following: 1) Chapter 810, Health and Safety Code (as added by SB 1849, 89th Legislature, Regular Session), which clarifies the rules requiring a search engine for multi-agency reportable conduct; 2) Chapter 811, Health and Safety Code (as added by HB 3153, 89th Legislature, Regular Session), which institutes requirements for certain facilities to prevent physical and sexual abuse of children; 3) Chapter 55, Occupations Code (as amended by HB 5629 and SB 1818, 89th Legislature, Regular Session), which clarifies the rules pertaining to the licensing of military service members, military veterans, and military spouses; 4) §221.002, Human Resources Code, which requires the board to adopt rules to govern juvenile boards, probation departments, probation officers, programs, and facilities; and 5) §221.002(a)(3), Human Resources Code, which requires the board to adopt reasonable rules that provide appropriate educational, training, and certification standards for juvenile probation and detention officers and court-supervised community-based program personnel.

No other statute, code, or article is affected by this adoption.

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SUBCHAPTER G. CERTIFICATION

37 TAC §344.864

STATUTORY AUTHORITY

The amended section is adopted under the following: 1) Chapter 810, Health and Safety Code (as added by SB 1849, 89th Legislature, Regular Session), which clarifies the rules requiring a search engine for multi-agency reportable conduct; 2) Chapter 811, Health and Safety Code (as added by HB 3153, 89th Legislature, Regular Session), which institutes requirements for

certain facilities to prevent physical and sexual abuse of children; 3) Chapter 55, Occupations Code (as amended by HB 5629 and SB 1818, 89th Legislature, Regular Session), which clarifies the rules pertaining to the licensing of military service members, military veterans, and military spouses; 4) §221.002, Human Resources Code, which requires the board to adopt rules to govern juvenile boards, probation departments, probation officers, programs, and facilities; and 5) §221.002(a)(3), Human Resources Code, which requires the board to adopt reasonable rules that provide appropriate educational, training, and certification standards for juvenile probation and detention officers and court-supervised community-based program personnel.

No other statute, code, or article is affected by this adoption.

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CHAPTER 344. EMPLOYMENT, CERTIFICATION, AND TRAINING
SUBCHAPTER C. CRIMINAL HISTORY AND BACKGROUND CHECKS

37 TAC §§344.350, 344.360, 344.370

The Texas Juvenile Justice Department (TJJD) adopts the repeal of 37 TAC, Part 11, §344.350, Background Checks; §344.360, Disclosure and Review of Applicant's Prior History; and §344.370, Review by TJJD Regarding Eligibility for Certification, without changes to the proposed text as published in the December 26, 2025, issue of the *Texas Register* (50 TexReg 8515). The rules will not be republished.

SUMMARY OF REPEAL

The repeal of §344.350 and §344.360 allows the content to be revised and republished as new §344.350 and §344.360. The repeal of §344.370 allows the substance of the section to be moved to new §344.360.

PUBLIC COMMENTS

TJJD received no public comments on the proposed rulemaking action.

STATUTORY AUTHORITY

The repeals are adopted under the following: 1) Chapter 810, Health and Safety Code (as added by SB 1849, 89th Legislature, Regular Session), which clarifies the rules requiring a search engine for multi-agency reportable conduct; 2) Chapter 811, Health and Safety Code (as added by HB 3153, 89th Legislature, Regular Session), which institutes requirements for certain facilities to prevent physical and sexual abuse of children;

3) Chapter 55, Occupations Code (as amended by HB 5629 and SB 1818, 89th Legislature, Regular Session), which clarifies the rules pertaining to the licensing of military service members, military veterans, and military spouses; 4) §221.002, Human Resources Code, which requires the board to adopt rules to govern juvenile boards, probation departments, probation officers, programs, and facilities; and 5) §221.002(a)(3), Human Resources Code, which requires the board to adopt reasonable rules that provide appropriate educational, training, and certification standards for juvenile probation and detention officers and court-supervised community-based program personnel.

No other statute, code, or article is affected by this adoption.

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Deputy General Counsel

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