

(C) examines and discusses evidence related to student growth or progress measures, as described in §150.1022(f)-(h) of this title, when available; and

(D) identifies potential goals and professional development activities for the principal for the next school year; and

(5) a written summative annual appraisal report to be provided to the principal after the conclusion of the end-of-year conference.

(c) Each school district shall establish a calendar for the appraisal of principals and provide that calendar to principals prior to the pre-evaluation conference.

(d) The written summative annual appraisal report shall be placed in the principal's personnel file by the end of the appraisal period.

(e) Any documentation collected after the end-of-year conference but before the end of the contract term during one school year may be considered as part of the appraisal of a principal. If the documentation affects the principal's evaluation in any indicator, the attainment of goals, or a measure of student growth or progress, another summative report shall be developed to inform the principal of the change(s) prior to the end of the contract term.

§150.1024. Appraiser Qualifications.

(a) The principal appraisal process requires at least one certified appraiser.

(b) Before conducting an appraisal, an appraiser must be certified by having satisfactorily completed the state-approved Texas Principal Evaluation and Support System. Periodic recertification and training may be required.

§150.1025. Principal Orientation.

(a) A school district shall ensure that a principal is provided with an orientation of the Texas Principal Evaluation and Support System (T-PESS) either prior to or in conjunction with the pre-evaluation conference, as referenced in §150.1023(b)(2) of this title (relating to Appraisals, Data Sources, and Conferences) when:

(1) the principal is new to the district;

(2) the principal has never been appraised under the T-PESS; or

(3) district policy regarding principal appraisal has changed since the last time the principal was provided with an orientation to the T-PESS.

(b) The principal orientation shall include all state and local appraisal policies and the local appraisal calendar.

§150.1026. Alternatives to the Commissioner's Recommended Principal Appraisal System.

A school district that does not choose to use the commissioner's recommended Texas Principal Evaluation and Support System must develop its own principal appraisal system supported by locally adopted policy and procedures and by the processes outlined in the Texas Education Code (TEC), §21.3541.

§150.1027. District Submissions to Regional Education Service Center.

(a) The superintendent shall notify the executive director of its regional education service center in writing of the school district's choice of appraisal system when using an alternative to the commissioner's recommended appraisal system and detail the components of

that system by the first day of instruction for the school year in which the alternative system is used.

(b) Each school district shall submit annually to its regional education service center a summary of the evaluation scores from the Texas Principal Evaluation and Support System or the district's locally adopted appraisal system, in a manner prescribed by the commissioner of education.

§150.1028. Appraisal of Administrators other than Principals.

(a) Each school district shall evaluate administrators other than principals annually.

(b) A school district may use the Texas Principal Evaluation and Support System (T-PESS) to appraise administrators other than principals provided the school district makes appropriate modifications to ensure that the T-PESS rubric and components fit the job descriptions of the administrators other than principals evaluated with the T-PESS.

(c) Each school district wanting to select or develop a local appraisal system for administrators other than principals must follow the TEC, §21.354(c)(2).

The agency certifies that legal counsel has reviewed the proposal and found it to be within the state agency's legal authority to adopt.

Filed with the Office of the Secretary of State on February 22, 2016.

TRD-201600839

Cristina De La Fuente-Valadez

Director, Rulemaking

Texas Education Agency

Earliest possible date of adoption: April 3, 2016

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

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**TITLE 22. EXAMINING BOARDS**  
**PART 3. TEXAS BOARD OF**  
**CHIROPRACTIC EXAMINERS**

**CHAPTER 78. RULES OF PRACTICE**

**22 TAC §78.6**

The Texas Board of Chiropractic Examiners (Board) proposes amending Chapter 78, §78.6, concerning Required Fees and Charges. The proposed amended rule is necessary in order to remove an obsolete reference and update the rule concerning application of monetary funds to outstanding balances.

Patricia Gilbert, Executive Director, has determined that for the first five-year period the proposed amended rule is in effect, there will not be any fiscal implications for state or local government as a result of enforcing or administering the proposed amendment of the rule.

Ms. Gilbert has determined that for the first five-year period the proposed amended rule is in effect, the public benefit expected as a result of the proposed amended rule will be clarifying the present rule resulting in clearer guidance for the public and stakeholders and enhanced compliance with existing law and rules.

Ms. Gilbert has also determined that the proposed amended rule will not have an adverse economic effect on small businesses or

individuals because the proposed amended rule does not impose any duties or obligations upon small businesses or individuals.

This amended rule was proposed upon a recommendation by the Rules Committee to the Board and approved by the Board for publication. Although not officially published for comment, unofficial comments were received during the course of discussion of the February 18, 2016, Board and Rules Committee meetings.

In general, commenters were supportive of the Board's effort to enhance the compliance process and ensure that licensees were in good standing at all times.

Comments on the proposed amended rule and/or a request for a public hearing on the proposed amended rule may be submitted to Bryan D. Snoddy, General Counsel, Texas Board of Chiropractic Examiners, 333 Guadalupe St., Tower III, Suite 825, Austin, Texas 78701; fax: (512) 305-6705 or [rules@tbce.state.tx.us](mailto:rules@tbce.state.tx.us) no later than 30 days from the date that this proposed amendment is published in the *Texas Register*.

This amended rule is proposed under Texas Occupations Code §201.152, relating to rules. Section 201.152 authorizes the Board to adopt rules necessary to regulate the practice of chiropractic to protect the public health and safety.

No other statutes, articles, or codes are affected by the amendment.

§78.6. *Required Fees and Charges.*

(a) Current fees required by the board are as follows:

Figure: 22 TAC §78.6(a) (No change.)

(b) Application of Monetary Funds to Outstanding Balances.

When a person pays monetary funds to the Board to renew a license or facility registration, the monetary funds paid shall first be applied to any outstanding unpaid fees, assessed costs owed by that person from a final Board order, as authorized under §79.10 of this title (relating to Decision of the Board), or administrative penalties owed from a final Board order, as authorized under §78.10 of this title (relating to Schedule of Sanctions). [The board is required to increase its fees for annual renewal, an examination, and re-examination by \$200 pursuant to the Occupations Code §201.153(b). That increase is reflected in subsection (a) of this section under the column entitled "Professional Fee (78th Leg)." The total amount of each of these fees must be paid before the board will process an application subject to such fee.]

(c) Any remittance submitted to the board in payment of a required fee for application, initial license, registration, or renewal, must be in the form of a cashier's or certified check for guaranteed funds or money order, made out to the "Texas Board of Chiropractic Examiners." Checks from foreign financial institutions are not acceptable.

(d) Fees for license verification or certification, license replacement, and continuing education applications may submit the required fee in the form of a personal or company check, cashier's or certified check for guaranteed funds or money order, made out to the "Texas Board of Chiropractic Examiners." Checks from foreign financial institutions are not acceptable. Persons who have submitted a check which has been returned, and who have not made good on that check and paid the returned check fee provided in subsection (a) of this section, within 10 days from notice from the board of the returned check, for whatever reason, shall submit all future fees in the form of a cashier's or certified check or money order.

(e) Copies of public information, not excepted from disclosure by the Texas Open Records Act, Chapter 552, Government Code, including the information listed in paragraphs (1) - (6) of this subsection

may be obtained upon written request to the board, at the rates established by the Office of the Attorney General for copies of public information, 1 TAC Part 3, Chapter 70, §§70.1 - 70.10 (relating to Cost of Copies of Public Information).

- (1) List of New Licensees
- (2) Lists of Licensees
- (3) Licensee Labels
- (4) Demographic Profile
- (5) Facilities List
- (6) Facilities Labels

The agency certifies that legal counsel has reviewed the proposal and found it to be within the state agency's legal authority to adopt.

Filed with the Office of the Secretary of State on February 19, 2016.

TRD-201600825

Bryan Snoddy  
General Counsel

Texas Board of Chiropractic Examiners

Earliest possible date of adoption: April 3, 2016

For further information, please call: (512) 305-6715

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**TITLE 25. HEALTH SERVICES**

**PART 1. DEPARTMENT OF STATE  
HEALTH SERVICES**

**CHAPTER 97. COMMUNICABLE DISEASES  
SUBCHAPTER B. IMMUNIZATION  
REQUIREMENTS IN TEXAS ELEMENTARY  
AND SECONDARY SCHOOLS AND  
INSTITUTIONS OF HIGHER EDUCATION**

**25 TAC §§97.61 - 97.72**

The Executive Commissioner of the Health and Human Services Commission, on behalf of the Department of State Health Services (department), proposes amendments to §§97.61 - 97.72, concerning immunization requirements in Texas elementary and secondary schools and institutions of higher education.

**BACKGROUND AND PURPOSE**

Government Code, §2001.039, requires that each state agency review and consider for readoption each rule adopted by that agency pursuant to the Government Code, Chapter 2001 (Administrative Procedure Act). Sections 97.61 - 97.72 have been reviewed and the department has determined that reasons for adopting the sections continue to exist because rules on this subject are required by statute and provide guidance for the ongoing program. However, revisions to the rules are necessary as outlined in this preamble.

The purpose of the amendments is to clarify and optimize procedures, update language and contact information, simplify the immunization requirements by clarifying the requirement schedules, and remove outdated requirement information. The