

The State Board for Educator Certification (SBEC) adopts amendments to 19 Texas Administrative Code (TAC) §233.2 and §233.8, concerning categories of classroom teaching certificates. The amendment is adopted without changes to the proposed text as published in the December 29, 2023 issue of the *Texas Register* (48 TexReg 8150) and will not be republished. The adopted amendment to 19 TAC §233.2, Early Childhood; Core Subjects, adds five new core subjects-related certificates, and the adopted amendment to 19 TAC §233.8, Special Education, adds a new Bilingual Special Education Supplemental certificate.

REASONED JUSTIFICATION: The SBEC rules in 19 TAC Chapter 233, Categories of Classroom Teaching Certificates, establish separate certificate categories within the certificate class for the classroom teacher. These categories identify the content area or special population the holder may teach, the grade levels the holder may teach, and the earliest date the certificate may be issued.

Following is a description of the adopted amendments.

*§233.2. Early Childhood; Core Subjects.*

The adopted amendment in §233.2 adds the following five new certificates as new subsections (d)-(h): 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/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; and Core with the Science of Teaching Reading: Early Childhood-Grade 6.

The SBEC adopts the creation of these new certificates in response to stakeholder feedback and a longstanding goal to consolidate the total number of examinations individuals must take to become certified in various high-needs areas.

*§233.8. Special Education.*

The adopted amendment in §233.8 adds the Bilingual Special Education Supplemental certificate as new subsection (a) to ensure there are teachers with special training in providing instruction to students of limited English proficiency with disabilities. To qualify for issuance of the Bilingual Special Education Supplemental certificate, individuals must complete an EPP, pass a certification examination, and successfully complete any other requirements prescribed by the SBEC.

The SBEC deleted former §233.8(a), Core Subjects with Science of Teaching Reading/Special Education: Early Childhood-Grade 6, because the certificate is replaced by adopted new §233.2(e), Core/Special Education with the Science of Teaching Reading: Early Childhood-Grade 6.

SUMMARY OF COMMENTS AND RESPONSES: The public comment period on the proposal began December 29, 2023, and ended January 29, 2024. The SBEC also provided an opportunity for registered oral and written comments on the proposal at the February 16, 2024 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 review of the amendments to §233.2 and §233.8 at the April 12, 2024 SBOE meeting.

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, which authorizes the State Board for Educator Certification (SBEC) to regulate and oversee all aspects of the certification, continuing education, and standards of conduct of public school educators, and states that in proposing rules under the TEC, Chapter 21, Subchapter B, the SBEC shall ensure that all candidates for certification or renewal of certification demonstrate the knowledge and skills necessary to improve the performance of the diverse student population of this state; 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; TEC, §21.041(b)(3), which requires the SBEC to propose rules that specify the period for which each class of educator certificate is valid; TEC, §21.041(b)(4), which requires the SBEC to propose rules that specify the requirements for the issuance and renewal of an educator certificate; TEC, §21.041(b)(6), which requires the SBEC to propose rules that provide for special or restricted certification of educators, including certification of instructors of American Sign Language; TEC, §21.044(e), which provides the requirements that SBEC rules must specify for a person to obtain a certificate to teach a health science technology education course; TEC, §21.044(f), which provides that SBEC rules for obtaining a certificate to teach a health science technology education course shall not specify that a person must have a bachelor's degree or establish any other credential or teaching experience requirements that exceed the requirements under TEC, §21.044(e); TEC, §21.0442, which requires the SBEC to create an abbreviated educator preparation program (EPP) for trade and industrial workforce training; TEC, §21.048(a), which requires the SBEC to propose rules prescribing comprehensive examinations for each class of certificate issued by the SBEC. TEC, §21.048(a), also specifies that the commissioner of education shall determine the satisfactory level of performance required for each certification examination and require a satisfactory level of examination performance in each core subject covered by the generalist certification examination; TEC, §21.048(a-2), which requires the SBEC to adopt rules to require individuals teaching any grade level from Prekindergarten-Grade 6 to demonstrate proficiency in the science of teaching reading; TEC, §21.0487, which requires the SBEC to establish a standard Junior Reserve Officer Training Corps teaching certificate; TEC, §21.0489, which requires the SBEC to create a Prekindergarten-Grade 3 certificate; TEC, §21.04891, which requires the SBEC to create a Bilingual Special Education certificate; TEC, §21.0491, which requires the SBEC to create a probationary and standard trade and industrial workforce training certificate; and TEC, §22.0831(f)(1) and (2), which state the SBEC may propose rules regarding the deadline for the national criminal history check and implement sanctions for persons failing to comply with the requirements.

CROSS REFERENCE TO STATUTE. The amendments implement Texas Education Code (TEC), §§21.003(a); 21.031; 21.041(b)(1)-(4) and (6); 21.044(e) and (f); 21.0442; 21.048(a) and (a-2); 21.0487; 21.0489; 21.04891; 21.0491; and 22.0831(f).

<rule>

§233.2. Early Childhood; Core Subjects.

(a) Early Childhood: Prekindergarten-Grade 3. The Early Childhood: Prekindergarten-Grade 3 certificate may be issued no earlier than January 1, 2020.

(b) Core Subjects with Science of Teaching Reading: Early Childhood-Grade 6. The Core Subjects with Science of Teaching Reading: Early Childhood-Grade 6 certificate may be issued no earlier than January 1, 2021.

(c) Core Subjects with Science of Teaching Reading: Grades 4-8. The Core Subjects with Science of Teaching Reading certificate: Grades 4-8 may be issued no earlier than January 1, 2021.

(d) Core/Fine Arts/Physical Education/Health with the Science of Teaching Reading: Early Childhood-Grade 6. The Core/Fine Arts/Physical Education/Health with the Science of Teaching Reading: Early Childhood-Grade 6 certificate may be issued no earlier than September 1, 2027.

(e) Core/Special Education with the Science of Teaching Reading: Early Childhood-Grade 6. The Core/Special Education with the Science of Teaching Reading: Early Childhood-Grade 6 certificate may be issued no earlier than September 1, 2027.

(f) Core/Bilingual Education Spanish with the Science of Teaching Reading: Early Childhood-Grade 6. The Core/Bilingual Education Spanish with the Science of Teaching Reading: Early Childhood-Grade 6 certificate may be issued no earlier than September 1, 2028.

(g) Core/English as a Second Language Supplemental with the Science of Teaching Reading: Early Childhood-Grade 6. The Core/English as a Second Language Supplemental with the Science of Teaching Reading: Early Childhood-Grade 6 certificate may be issued no earlier than September 1, 2028.

(h) Core with the Science of Teaching Reading: Early Childhood-Grade 6. The Core with the Science of Teaching Reading: Early Childhood-Grade 6 certificate may be issued no earlier than September 1, 2027.

§233.8. Special Education.

- (a) Bilingual Special Education Supplemental: Early Childhood-Grade 12: The Bilingual Special Education Supplemental: Early Childhood-Grade 12 certificate may be issued no earlier than September 1, 2027.
- (b) Deafblind Supplemental: Early Childhood-Grade 12. The Deafblind: Early Childhood-Grade 12 certificate may be issued no earlier than September 1, 2025.
- (c) Special Education: Early Childhood-Grade 12. The Special Education: Early Childhood-Grade 12 certificate may be issued no earlier than September 1, 2003.
- (d) Special Education Specialist: Early Childhood-Grade 12. The Special Education Specialist: Early Childhood-Grade 12 certificate may be issued no earlier than September 1, 2025.
- (e) Special Education Supplemental. The Special Education Supplemental certificate may be issued no earlier than September 1, 2003.
- (f) Teacher of the Deaf and Hard of Hearing: Early Childhood-Grade 12. The Teacher of the Deaf and Hard of Hearing: Early Childhood-Grade 12 certificate may be issued no earlier than September 1, 2005.
- (g) Teacher of Students with Visual Impairments Supplemental: Early Childhood-Grade 12. The Teacher of Students with Visual Impairments Supplemental: Early Childhood-Grade 12 certificate may be issued no earlier than September 1, 2005.