ATTACHMENT II
Text of Proposed Amendments to 19 TAC

Chapter 245. Certification of Educators from Other Countries

§245.1. General Provisions.

(a) A Texas educator certificate may be issued to an individual who holds a college degree and an appropriate certificate or other credential issued by the authorized licensing agency in another country and who meets appropriate requirements specified in §230.413 of this title (relating to General Requirements) and [~~elsewhere~~] in this chapter.

(b) The degree held by an applicant from another country must be , at a minimum, equivalent to [~~at least~~] a baccalaureate [~~bachelor's~~] degree issued by an institution of higher education in the United States [~~that was~~] accredited or otherwise approved by an [~~a state department of education, a recognized governmental organization, or a recognized regional~~] accrediting organization recognized by the Texas Higher Education Coordinating Board .

(c) The certificate(s) [~~certificate~~] or other credential(s) [~~credential~~] issued by the authorized licensing agency in another country may not be a temporary permit, a credential issued by a city or school district, or a certificate for which academic or other program deficiencies are indicated. Specific examination or renewal requirements shall not be considered academic or program deficiencies.

(d) A statement, approval letter, or certification entitlement card issued by the authorized licensing agency in another country specifying eligibility for full certification upon employment or completion of specified examination requirements shall have the same standing as a certificate.

(e) The certificate(s) [~~certificate~~] or other credential(s) [~~credential~~] and areas of certification issued by the authorized licensing agency in another country must be equivalent to a certificate and certification areas issued by the State Board for Educator Certification (SBEC). The Texas Education Agency (TEA) staff [~~executive director of SBEC or a designee~~] shall identify the certification areas [~~certificate(s)~~] for which the applicant qualifies in Texas. The certificate, including all certification areas [~~certificate(s)~~] for which the applicant qualifies , may be issued by the TEA staff under the authority of the SBEC [~~executive director~~] .

§245.5. Requirements for Issuance of a Texas Certificate Based on Certification from Another Country.

(a) The appropriate standard certificate [~~Standard Certificate~~] issued under Chapter 232, Subchapter A, [~~M~~] of this title (relating to [~~the~~] Types and Classes of Certificates Issued), may be issued to an applicant holding a certificate or other credential and college degree as specified in §245.1 of this title [~~chapter~~] (relating to General Provisions). The applicant must:

(1) pass the appropriate examination(s) [~~examination~~] prescribed in the Texas Education Code (TEC), [~~under~~] §21.048(a), [~~Texas Education Code (relating to certification requirements)~~] and §230.5 of this title (relating to Educator Assessment); or

(2) achieve an acceptable score on an examination(s) similar to and at least as rigorous as the [~~that~~] requirements prescribed in the TEC, [~~under~~] §21.048(a), [~~Texas Education Code~~] and §230.5 of this title that was administered under the authority of another country. The applicant shall verify in a manner determined by the Texas Education Agency staff [~~executive director~~] the level of performance on acceptable examinations administered under the authority of another country.

(b) If all certification requirements are met, except successful completion of the appropriate certification examination(s), the applicant may request issuance of a one-year certificate in one or more of the certification areas authorized by the certificate(s) or other credential(s) from another country. An applicant who holds only a credential that is equivalent to a student services, principal, or superintendent certificate issued in accordance with Chapter 239 of this title (relating to Student Services Certificates), with the exception of Subchapter E (relating to Master Teacher Certificate); Chapter 241 of this title (relating to Principal Certificate); or Chapter 242 of this title (relating to Superintendent Certificate) may be issued the equivalent Texas certificate. The applicant must verify two creditable years of public or private school experience, as defined in Chapter 153, Subchapter CC, of this title (relating to Commissioner's Rules on

Creditable Years of Service) and the TEC, §5.001(2), in the specific student services or administrative area sought.

(c) An applicant issued a one-year certificate under §232.1 of this title (relating to Types of Certificates) and this chapter who does not satisfy the appropriate examination requirements to establish eligibility for a standard certificate during the validity of the one-year certificate is not eligible for any type of certificate or permit authorizing employment for the same certification level or area until he or she has satisfied the examination requirements. If, due to extenuating circumstances, examination requirements are not met during the validity period of the one-year certificate, the educator may request an extension of the one-year certificate, not to exceed one calendar year in length.

(d) An applicant issued a one-year certificate under subsection (c) of this section who, during or subsequent to the validity of the one-year certificate, satisfies the appropriate examination requirements and establishes eligibility for a standard certificate may apply for:

(1) a new one-year certificate in another certification area based on a certificate or other credential issued by a another country; or

(2) a second one-year certificate in an area previously authorized on a one-year certificate, provided the applicant was not assigned to the area and has not attempted the appropriate examination requirements for that area.

[~~(b) An applicant who holds a certificate or other credential that is equivalent to a certification area listed in Chapter 230, Subchapter G of this title (relating to Certification Requirements for Classroom Teachers) and that was issued in accordance with §245.1 of this chapter may be issued the equivalent Texas certificate.~~]

[~~(c) An applicant who holds a certificate or other credential that is equivalent to a certification area listed in Chapter 230, Subchapter J of this title (relating to Certification Requirements for Educators Other Than Classroom Teachers and Educational Aides) and that was issued in accordance with §245.1 of this chapter may be issued the equivalent Texas certificate, provided the applicant:~~]

[~~(1) has completed requirements for a classroom teacher certificate; or~~]

[~~(2) can verify three creditable years of public or private school experience, as defined in Chapter 230, Subchapter Y of this title (relating to Definitions) in the certification area.~~]

[~~(d) If all certification requirements are met except successful completion of the appropriate certification examination(s), the applicant may request issuance of a one-year certificate in one or more of the certification areas authorized by the certificate from another country.~~]

[~~(1) An applicant issued a one-year certificate under this section who does not satisfy the appropriate examination requirements during the validity of the one-year certificate is not eligible for any type of certificate or permit authorizing employment for the same certification level or area until he or she has satisfied the examination requirements.~~]

[~~(2) An applicant issued a one-year certificate under this section who, during or subsequent to the validity of the certificate, satisfies the appropriate examination requirements and establishes eligibility for a standard certificate may apply for:~~]

[~~(A) a new one-year certificate in another certification area based on a certificate issued by a another country; or~~]

[~~(B) a second one-year certificate in an area previously authorized on a one-year certificate, provided the applicant was not assigned to the area and has not attempted the appropriate examination requirements for that area.~~]

[~~(e) An initial one-year certificate whose validity was extended under the emergency adoption (published in the August 24, 2001, issue of the Texas Register (26 TexReg 6192)) or emergency extension (November 30, 2001, issue of the Texas Register (26 TexReg 9679)) of this amended section is hereby ratified according to the terms of its extension. The determination by the executive director or a designee of the validity period of a one-year certificate so extended shall be final and unappealable. This subsection expires March 1, 2004.~~]

[~~(f) An individual issued an initial one-year certificate under this chapter during the 2001-2002 school year with an expiration after September 1, 2002, in a certification area slated for deletion on September 1, 2002, will be permitted to take the certification examinations required for the deleted certificate until August 31, 2003, and apply for the corresponding certificate. The provisions of this subsection do not extend the validity period of the one-year certificate issued under this chapter.~~]

§245.10. Application Procedures.

(a) An individual who has [~~Individuals who have~~] been issued an appropriate certificate or other credential by the authorized licensing agency in another country as specified in §245.1 of this title [~~chapter~~] (relating to General Provisions) may apply for a review of credentials by submitting the following items to the Texas Education Agency (TEA) staff [~~State Board for Educator Certification (SBEC)~~] :

(1) a completed application [~~form~~] ;

(2) the original detailed report or course-by-course evaluation for professional licensing of all college-level credits prepared by a foreign credential evaluation service recognized by the TEA staff [~~executive director of SBEC~~] . The evaluation must verify that the individual:

(A) holds , at a minimum, the equivalent of a baccalaureate [~~bachelor's~~] degree issued [~~granted~~] by an accredited institution of higher education in the United States as specified in §245.1(b) of this title , including the date [~~month, day, and year~~] that the degree was conferred; and

(B) has completed an educator preparation program, including a teaching practicum;

[~~(C) holds an appropriate certificate or credential issued by another country as specified in §245.1 of this chapter, including the effective date and validity period of the certificate, certification area(s) and grade level(s);~~]

(3) an original written statement, provided by the authorized licensing agency in the issuing country, [~~evidence in a form approved by the executive director~~] that the educator certificate(s) [~~certificate~~] or other credential(s) [~~credential~~] specified in §245.1 of this title [~~chapter~~] is currently in good standing and has not been revoked, suspended, or sanctioned for misconduct and is not pending disciplinary or adverse action . The statement must be written in the English language or must be accompanied by a translation in the English language from a foreign credential evaluation service recognized by the TEA staff or an accredited translation service ;

(4) official transcripts of any additional college credits earned in the United States ; [~~:~~] and

(5) a nonrefundable review fee as specified in Chapter 230, Subchapter N , of this title (relating to Certificate Issuance Procedures).

[~~(b) Applicants holding certificates or other credentials issued by a country that is a party to the Interstate Certification Compact for reciprocity through the National Association of State Directors of Teacher Education and Certification (NASDTEC), may submit the following in lieu of a credential evaluation report from a recognized credential evaluation service:~~]

[~~(1) official transcripts in English of all college credits showing the appropriate degree(s) and dates(s) conferred; and~~]

[~~(2) copies (front and back) of all certificates or credentials issued in accordance with §245.1 of this chapter, to include the effective date and validity period of the certificate, certification area(s) and grade level(s).~~]

(b) [~~(c)~~] Pursuant to §245.5(b) of this title [~~chapter~~] (relating to Requirements for [~~of~~] Issuance of a Texas Certificate Based on [~~a~~] Certification from Another Country) an applicant [~~applicants~~] may apply for a one-year certificate by submitting the following items to the TEA staff [~~board~~] :

(1) a completed application [~~form~~] ; and

(2) the appropriate fee as specified in Chapter 230, Subchapter N , of this title [~~(relating to Certificate Issuance Procedures)~~] .

(c) [~~(d)~~] Pursuant to §245.5(a) of the title, an applicant [~~chapter, applicants~~] may apply for a standard certificate [~~Standard Certificate~~] by submitting the following items to the TEA staff [~~board~~] :

(1) a completed application [~~form~~] ; and

(2) the appropriate fee as specified in Chapter 230, Subchapter N , of this title [~~, relating to Certificate Issuance Procedures~~] .

[~~(e) The executive director may develop and implement further procedures to administer this chapter.~~]

§245.15. Evaluation of College Credentials.

(a) A request [~~Requests~~] to evaluate an applicant's credentials for areas of certification that are not identified on the certificate(s) or other credential(s) [~~certificate~~] issued in accordance with §245.1 of this title [~~chapter~~] (relating to General Provisions) must be directed to a State Board for Educator Certification (SBEC)-approved [~~an approved Texas~~] educator preparation program for admission to and recommendation by the program for certification . [~~The appropriate Texas certificate will be issued upon recommendation by the program.~~]

(b) An individual who does not hold a certificate or other credential issued in accordance with §245.1 of this title [~~chapter~~] must seek admission to an SBEC-approved [~~have his or her credentials evaluated through an approved Texas~~] educator preparation program and be recommended by the program for certification.