Text of Proposed Amendments to 19 TAC

Chapter 232. General Certification Provisions

Subchapter A. Types and Classes of Certificates Issued

§232.4. Probationary Certificates.

(a) The following definitions apply, when used in this section [~~chapter~~] , unless the rule or context in which the word or phrase is used requires a different definition . [~~:~~]

(1) [~~"~~] Alternative certification program --An [~~" means an~~] educator preparation program that offers an alternative route to certification as authorized under Chapter 228 of this title ([~~;~~] relating to Requirements for Educator Preparation Programs) .

(2) [~~"~~] Core academic subject -- [~~" means~~] English, reading or language arts, mathematics, science, foreign languages, civics and government, economics, history, geography, or the arts.

(3) Early Childhood--Children ages 3-5.

(4) [~~(3)~~] High-quality professional development --As [~~as~~] defined by the No Child Left Behind Act of 2001, 20 United States Code (USC), §7801 (2001, as amended) and its subsequent amendments , which includes, but is not limited to, activities that are sustained, intensive, and classroom-focused in order to have a positive and lasting impact on classroom instruction; that advance the teacher's understanding of effective instructional strategies; that are developed with participation of teachers, principals, parents, and administrators; and that are regularly evaluated for their impact on increased teacher effectiveness and improved student academic achievement.

(5) [~~(4)~~] Mentoring --As [~~as~~] defined under the No Child Left Behind Act of 2001, 20 USC [~~U. S. C.~~] , §7801 and its subsequent amendments, which includes, but is not limited to, activities that consist of structured guidance and regular ongoing support for beginning educators, especially beginning teachers, as part of a developmental induction process designed to assist educators [~~the educator~~] in their professional growth and development. Beginning educator support is to be provided by an experienced educator who has been trained in mentoring.

(b) A probationary certificate may be issued for any class of certificate except educational aide.

(c) A probationary certificate may be issued to an individual who meets the conditions and requirements prescribed in this subsection.

(1) The individual must hold, unless otherwise approved by the State Board for Educator Certification (SBEC) [~~SBEC~~] , at least a bachelor's degree from an institution of higher education that, when the degree was conferred, was accredited by a [~~or otherwise approved by a state department of education,~~] recognized governmental organization ; [~~, or~~] a recognized regional accrediting organization as specified in Chapter 230, Subchapter Y, of this title (relating to Definitions); or an accrediting organization recognized by the Texas Higher Education Coordinating Board. [~~:~~]

(2) The individual must meet appropriate requirements prescribed in §230.413 of this title ([~~;~~] relating to General Requirements). [~~:~~]

(3) The individual must have been accepted to participate in an approved Texas educator preparation [~~alternative certification~~] program and has been assigned to serve in the subject area and at the grade level of certification sought . [~~:~~]

(4) The individual must receive mentoring and high-quality professional development that is sustained, intensive, and classroom-focused prior to and throughout the assignment . [~~:~~]

(5) The individual must pay the fee prescribed in [~~by~~] §230.436 of this title ([~~;~~] relating to Schedule of Fees for Certification Services). [~~Fees;~~]

(6) The individual must submit fingerprints in accordance with §232.905(c) of this title (relating to Submission of Required Information) and the Texas Education Code (TEC), §22.0831.

[~~(6) The teacher in a core academic subject in a program supported with funds under Title I, Part A, of the No Child Left Behind Act of 2001, 20 U. S. C., §§6311-6339 must demonstrate mastery of each subject to be taught~~]

[~~(A) at the public elementary school level, by passing the appropriate certification examination as prescribed in Chapter 230, Subchapter A, of this title, relating to Educator Assessment; or~~]

[~~(B) at the public middle or high school level,~~]

[~~(i) by passing the appropriate certification examination as prescribed in Chapter 230, Subchapter A, of this title, relating to Educator Assessment; or~~]

[~~(ii) have an academic major, graduate degree, or coursework equivalent to an academic major that complies with Section 21.050, Education Code , and comprises not fewer than 24 semester hours; and~~]

(7) The teacher in a core academic subject must demonstrate mastery of each subject to be taught : [~~-~~]

(A) at the public elementary school level (Early Childhood-Grade 6) , by passing the appropriate certification examination as prescribed in Chapter 230, Subchapter A, of this title (relating to Assessment of Educators) [~~, relating to Educator Assessment~~] ; or

(B) at the public middle or high school level (Grades 7-12): [~~,~~]

(i) by passing the appropriate content area certification examination as prescribed in Chapter 230, Subchapter A, of this title [~~, relating to Educator Assessment~~] ; or

(ii) by completing [~~have~~] an academic major, graduate degree, or coursework equivalent to an academic major that complies with the TEC, §21.050 [~~Section 21.050, Education Code~~] , and comprises not fewer than 24 semester hours , including 12 semester hours of upper division coursework in the subject taught .

(8) The teacher in a special education assignment must demonstrate mastery of each subject to be taught:

(A) at the public elementary school level (Early Childhood-Grade 6):

(i) by passing the appropriate certification examination as prescribed in Chapter 230, Subchapter A, of this title for the assignment; and

(ii) by passing a special education Early Childhood-Grade 12 examination; or

(B) at the public middle or high school level (Grades 7-12):

(i) by passing the appropriate content area certification examination as prescribed in Chapter 230, Subchapter A, of this title for the assignment or by completing an academic major, graduate degree, or coursework equivalent to an academic major comprised of not fewer than 24 semester hours, including 12 semester hours of upper division coursework in the subject taught; and

(ii) by passing a special education Early Childhood-Grade 12 examination.

(d) A probationary certificate shall be valid for a 12-month period [~~one calendar year~~] from the date of issuance, except as otherwise provided under this title.

(1) A certificate may be extended for no more than two annual terms following expiration of the initial term. A probationary certificate may be extended for an annual term only if the Texas educator preparation [~~alternative certification~~] program , recommends extension and certifies that the holder is making satisfactory progress toward standard certification.

(2) Without obtaining initial, standard certification, an individual may not serve for more than three 12-month periods while holding:

(A) probationary certificates as described in this subsection;

(B) emergency certificates as specified in §230.512 of this title (relating to Emergency Certificates); or

(C) one-year certificates as specified in Chapter 230, Subchapter O, of this title (relating to Texas Educator Certificates Based on Certification and College Credentials from Other States or Territories of the United States) and Chapter 245 of this title (relating to Certification of Educators from Other Countries).

[~~(2) An individual may not serve for more than three school years without obtaining initial, standard certification.~~]

(e) The Texas Education Agency (TEA) staff [~~executive director of the State Board for Educator Certification or a designee~~] shall establish reasonable procedures to implement this section.

[~~(1) Subsection (c)(6) of this section shall be effective immediately.~~]

[~~(2) Subsection (c)(7) of this section shall be effective and shall supersede subsection (c)(6) of this section on June 30, 2006.~~]

(f) For purposes of this section, "TEA staff" means staff of the TEA assigned by the commissioner of education to perform the SBEC's administrative functions and services.

§232.5. Temporary Teacher Certificates.

(a) A person may be temporarily certified to teach only in Grades [~~grade levels~~] 8-12 if the person:

(1) holds a baccalaureate or advanced degree from an accredited institution of higher education received with an academic major or interdisciplinary academic major, including reading, other than education, that is related to at least one area of the curriculum as prescribed under the Texas Education Code (TEC), Chapter 28, Subchapter A [~~, Chapter 28, Texas Education Code~~] ; [~~and~~]

(2) performs satisfactorily on the appropriate examinations prescribed under the TEC, §21.048 [~~Section 21.048, Texas Education Code~~] ; [~~and~~]

(3) passes a criminal history background check by submitted fingerprints for review ; and [~~.~~]

(4) submits fingerprints in accordance with §232.905(c) of this title (relating to Submission of Required Information) and the TEC, §22.0831.

(b) A certificate issued under this section is valid for a term not to exceed two academic years.

(c) A person may receive a certificate to teach only in a subject area of the curriculum prescribed under the TEC, Chapter 28, Subchapter A, [~~Chapter 28,~~] in which the person holds a baccalaureate or advanced degree from an institution of higher education with an academic major related to that area of the curriculum. Guidelines for determining the academic major related to the current Grades [~~grades~~] 8-12 certificate structure will be developed by the Texas Education Agency (TEA) staff [~~Executive Director~~] .

(d) A person who applies for a temporary teaching certificate under this section shall pay a fee equal to that required of applicants for a probationary certificate under §230.436 of this title (relating to Schedule of Fees for Certification Services) .

(e) A person who holds a certificate under this section may be employed by a school district only if the person and the school district agree that the person will be employed under a probationary contract for each year of the person's employment with the district.

(f) A school district employing a person who holds a certificate issued under this section must provide the same coursework, mentoring, and training that is required by Chapter 228 of this title (relating to Requirements for Educator Preparation Programs) , except that a certificate issued under this section shall require 380 total clock-hours of training .

[~~(f) A school district employing a person who holds a certificate issued under this section must provide the board with evidence that it will provide the person with intensive support during the person's employment with the district, including:~~]

[~~(1) mentoring in which the mentoring program is modeled on research-based mentoring and induction programs;~~]

[~~(2) pre-service training that addresses the following areas before the first day of the start of the student academic year and ongoing appropriate professional development must include, but not be limited to, the following areas:~~]

[~~(A) school policies and relevant state and federal law;~~]

[~~(B) instructional methods and strategies that emphasize practical applications of the teaching-learning processes,~~]

[~~(C) curriculum organization, planning, and evaluation, including the scope and sequence of the Texas Essential Knowledge and Skills in the subject area in which the teacher holds a certificate, and~~]

[~~(D) basic principles and procedures of classroom management with emphasis on classroom discipline, using group and individual processes.~~]

(g) Districts delivering the required intensive support for an educator holding the temporary teacher certificate must follow guidelines established by the TEA staff [~~Executive Director~~] with evidence indicating the ability to comply with the provisions of this chapter.

(h) A school district may require that a person who will be employed by the district and who holds a temporary teacher certificate issued under this section complete a teacher training program.

(i) At the end of the two years of employment, the person must apply to the SBEC [~~State Board for Educator Certification~~] for a standard certificate. The person must also be recommended by the current employing school district for certification. All employing school districts must provide evidence to the SBEC [~~board~~] that each district complied with the requirements of [~~provided the aforementioned intensive support~~] subsection (f) of this section .

(j) A standard teaching certificate may [~~shall~~] be issued to a person under this section if:

(1) the person held a temporary teacher certificate issued under this section;

(2) the person has been continuously employed as a teacher of record in a public school district for two academic years; and

(3) the employing district(s) has (have) favorably reviewed the person's performance, including classroom performance and performance in any teacher training program(s). Each school district must predominately base the review of a person's performance on the increase in achievement of his or her [~~the~~] students [~~over which the person has had charge~~] .

(k) At the end of the two years of employment, if a person is granted a standard certificate, the person may not apply for or receive another temporary certificate under this section [~~rule~~] .