

Item 11:

Review of 19 TAC Chapter 230, Professional Educator Preparation and Certification

DISCUSSION ONLY

SUMMARY: Texas Government Code, §2001.039, establishes a four-year rule review cycle for all state agency rules, including State Board for Educator Certification (SBEC) rules. This item presents the review of 19 TAC Chapter 230, Professional Educator Preparation and Certification. The rules being reviewed provide requirements relating to definitions; assessment of educators; certification of educators in general; certificate issuance procedures; Texas educator certificates based on certification and college credentials from other states or territories of the United States; requirements for standard certificates and specialized assignments or programs; permits; educational aide certificate; and induction training for beginning teachers.

STATUTORY AUTHORITY: Statutory authority for the rule review is Texas Government Code, §2001.039. The statutory authority for 19 TAC Chapter 230 is the Texas Education Code (TEC), §21.041(b)(1) and (2), for Subchapter A; the TEC, §§21.031, 21.045(a)(1), and 21.048(a), for Subchapter B; the TEC, §§21.041(b)(2) and (4), 21.044, 21.048, 21.050, and 22.082, for Subchapter M; the TEC, §§21.031(a), 21.041(b)(1)-(5) and (9) and (c), 21.048, 21.050, 21.054(a), 22.082, and 22.0831(f), and Texas Occupations Code, §53.105, for Subchapter N; the TEC, §§21.040(6), 21.041(b)(4) and (5) and (c), 21.048, 21.050, 21.052, and 21.054(a), for Subchapter O; the TEC, §21.031(a) and §21.041(b)(1)-(3), for Subchapter P; the TEC, §§21.031(a), 21.041(b)(1), (2), and (4), 21.044, 21.045, and 21.048, for Subchapter Q; the TEC, §21.041(a) and (b)(1)-(4), for Subchapter S; and the TEC, §21.044, for Subchapter V.

BOARD RESPONSE: This item is presented for review and comment.

PREVIOUS BOARD ACTION: The SBEC last adopted the review of 19 TAC Chapter 230 in February 2009, finding that the reasons for initially adopting the rules continue to exist. A majority of the rules in 19 TAC Chapter 230 were last amended to be effective June 21, 2009. Sections 230.1, 230.412, and 230.481 were adopted to be effective June 21, 2009. Sections 230.121, 230.192-230.199, 230.301, 230.305, 230.310, 230.316, 230.601, and 230.801 were repealed effective June 21, 2009. Sections 230.436, 230.437, and 230.483 were last amended to be effective October 28, 2010.

FUTURE ACTION EXPECTED: The review of 19 TAC Chapter 230, Professional Educator Preparation and Certification, is scheduled to be presented to the SBEC for adoption at the August 2011 meeting. Any rule changes resulting from the rule review process will be presented to the SBEC for consideration at a later date.

BACKGROUND INFORMATION AND SIGNIFICANT ISSUES: The SBEC rules in 19 TAC Chapter 230 are organized as follows: Subchapter A, Definitions; Subchapter B, Assessment of Educators; Subchapter M, Certification of Educators in General; Subchapter N, Certificate

Issuance Procedures; Subchapter O, Texas Educator Certificates Based on Certification and College Credentials from Other States or Territories of the United States; Subchapter P, Requirements for Standard Certificates and Specialized Assignments or Programs; Subchapter Q, Permits; Subchapter S, Educational Aide Certificate; and Subchapter V, Induction Training for Beginning Teachers. These subchapters provide for rules that establish guidelines and procedures for certification requirements, fees, permits, educational aides, and assignment criteria relating to professional educator preparation and certification.

The rules currently in effect in 19 TAC Chapter 230 are shown in Attachment II.

ANTICIPATED REVISIONS TO RULES: It is anticipated that Texas Education Agency (TEA) staff will present changes to 19 TAC Chapter 230 for discussion and action at a future meeting to incorporate any changes that may result from the 2011 legislative session. It is anticipated that other changes will also be recommended to clarify the rules and incorporate current SBEC policy and procedures. The TEA staff anticipate conducting a stakeholder meeting prior to presenting changes to the SBEC.

RULE REVIEW: The notice of proposed review of 19 TAC Chapter 230, Professional Educator Preparation and Certification, will be filed with the *Texas Register* following the June 2011 SBEC meeting. The SBEC will accept comments as to whether reasons for adopting 19 TAC Chapter 230 continue to exist. The official comment period will begin with the publication of the proposed review of 19 TAC Chapter 230 in the *Texas Register*.

The filing of the notice of proposed review soliciting comments as to whether the reasons for adoption continue to exist would not preclude any amendments that may be proposed at different dates through a separate rulemaking process.

FISCAL IMPACT: None.

PUBLIC AND STUDENT BENEFIT: The review of 19 TAC Chapter 230 will result in the continuation of requirements relating to certification requirements, fees, procedures, educational aides, and permits for professional educator preparation and certification.

PROCEDURAL AND REPORTING IMPLICATIONS: None.

LOCALLY MAINTAINED PAPERWORK REQUIREMENTS: None.

PUBLIC COMMENTS: None.

ALTERNATIVES: None.

OTHER COMMENTS AND RELATED ISSUES: None.

Respectfully submitted,

Ann Smisko, Ph.D.
Associate Commissioner
School Improvement and Educator Initiatives

Staff Members Responsible: Janice Lopez, Ph.D., Director
Educator Certification and Standards

Andrew Allen, Assistant Counsel
Legal Services for Educator Certification, Standards, and
Investigations

Attachments: I. Statutory Citations
II. Text of 19 Chapter 230, Professional Educator Preparation and Certification

ATTACHMENT I

Statutory Citations Relating to Review of 19 TAC Chapter 230, Professional Educator Preparation and Certification**Rule Review****Texas Government Code, §2001.039, Agency Review of Existing Rules:**

- (a) A state agency shall review and consider for readoption each of its rules in accordance with this section.
- (b) A state agency shall review a rule not later than the fourth anniversary of the date on which the rule takes effect and every four years after that date. The adoption of an amendment to an existing rule does not affect the dates on which the rule must be reviewed except that the effective date of an amendment is considered to be the effective date of the rule if the agency formally conducts a review of the rule in accordance with this section as part of the process of adopting the amendment.
- (c) The state agency shall readopt, readopt with amendments, or repeal a rule as the result of reviewing the rule under this section.
- (d) The procedures of this subchapter relating to the original adoption of a rule apply to the review of a rule and to the resulting repeal, readoption, or readoption with amendments of the rule, except as provided by this subsection. Publishing the Texas Administrative Code citation to a rule under review satisfies the requirements of this subchapter relating to publishing the text of the rule unless the agency readopts the rule with amendments as a result of the review.
- (e) A state agency's review of a rule must include an assessment of whether the reasons for initially adopting the rule continue to exist.

19 TAC Chapter 230, Professional Educator Preparation and Certification**Texas Education Code, §21.031, Purpose:**

- (a) The State Board for Educator Certification is established to recognize public school educators as professionals and to grant educators the authority to govern the standards of their profession. The board shall regulate and oversee all aspects of the certification, continuing education, and standards of conduct of public school educators.
- (b) In proposing rules under this subchapter, the board 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.

Texas Education Code, §21.040, General Powers and Duties of Board (excerpt):

The board shall:

- (6) develop and implement policies that clearly define the respective responsibilities of the board and the board's staff;

Texas Education Code, §21.041, Rules; Fees (excerpts):

- (a) The board may adopt rules as necessary for its own procedures.

- (b) The board shall propose rules that:
- (1) provide for the regulation of educators and the general administration of this subchapter in a manner consistent with this subchapter;
 - (2) specify the classes of educator certificates to be issued, including emergency certificates;
 - (3) specify the period for which each class of educator certificate is valid;
 - (4) specify the requirements for the issuance and renewal of an educator certificate;
 - (5) provide for the issuance of an educator certificate to a person who holds a similar certificate issued by another state or foreign country, subject to Section 21.052;
 - (9) provide for continuing education requirements; and
- (c) The board shall propose a rule adopting a fee for the issuance and maintenance of an educator certificate that, when combined with any fees imposed under Subsection (d), is adequate to cover the cost of administration of this subchapter.

Texas Education Code, §21.044, Educator Preparation:

The board shall propose rules establishing the training requirements a person must accomplish to obtain a certificate, enter an internship, or enter an induction-year program. The board shall specify the minimum academic qualifications required for a certificate.

Texas Education Code, §21.045, Accountability System for Educator Preparation Programs:

- (a) The board shall propose rules establishing standards to govern the approval and continuing accountability of all educator preparation programs based on the following information that is disaggregated with respect to sex and ethnicity:
- (1) results of the certification examinations prescribed under Section 21.048(a);
 - (2) performance based on the appraisal system for beginning teachers adopted by the board;
 - (3) achievement, including improvement in achievement, of students taught by beginning teachers for the first three years following certification, to the extent practicable; and
 - (4) compliance with board requirements regarding the frequency, duration, and quality of structural guidance and ongoing support provided by field supervisors to beginning teachers during their first year in the classroom.
- (b) Each educator preparation program shall submit data elements as required by the board for an annual performance report to ensure access and equity. At a minimum, the annual report must contain the performance data from Subsection (a), other than the data required for purposes of Subsection (a)(3), and the following information, disaggregated by sex and ethnicity:
- (1) the number of candidates who apply;
 - (2) the number of candidates admitted;
 - (3) the number of candidates retained;
 - (4) the number of candidates completing the program;

- (5) the number of candidates employed in the profession after completing the program;
 - (6) the number of candidates retained in the profession; and
 - (7) any other information required by federal law.
- (c) The board shall propose rules establishing performance standards for the Accountability System for Educator Preparation for accrediting educator preparation programs. At a minimum, performance standards must be based on Subsection (a). The board may propose rules establishing minimum standards for approval or renewal of approval of:
- (1) educator preparation programs; or
 - (2) certification fields authorized to be offered by an educator preparation program.

Texas Education Code, §21.048, Certification Examinations:

- (a) The board shall propose rules prescribing comprehensive examinations for each class of certificate issued by the board.
- (b) The board may not administer a written examination to determine the competence or level of performance of an educator who has a hearing impairment unless the examination has been field tested to determine its appropriateness, reliability, and validity as applied to, and minimum acceptable performance scores for, persons with hearing impairments.
- (c) An educator who has a hearing impairment is exempt from taking a written examination for a period ending on the first anniversary of the date on which the board determines, on the basis of appropriate field tests, that the examination complies with the standards specified in Subsection (b). On application to the board, the board shall issue a temporary exemption certificate to a person entitled to an exemption under this subsection.
- (c-1) The results of an examination administered under this section are confidential and are not subject to disclosure under Chapter 552, Government Code, unless:
- (1) the disclosure is regarding notification to a parent of the assignment of an uncertified teacher to a classroom as required by Section 21.057; or
 - (2) the educator has failed the examination more than five times.
- (d) In this section:
- (1) "Hearing impairment" means a hearing impairment so severe that the person cannot process linguistic information with or without amplification.
 - (2) "Reliability" means the extent to which an experiment, test, or measuring procedure yields the same results on repeated trials.
 - (3) "Validity" means being:
 - (A) well-grounded or justifiable;
 - (B) relevant and meaningful;
 - (C) correctly derived from premises or inferences; and
 - (D) supported by objective truth or generally accepted authority.

Texas Education Code, §21.050, Academic Degree Required for Teaching Certificate; Internship:

- (a) A person who applies for a teaching certificate for which board rules require a bachelor's degree must possess a bachelor's degree received with an academic major or interdisciplinary academic major, including reading, other than education, that is related to the curriculum as prescribed under Subchapter A, Chapter 28.
- (b) The board may not require more than 18 semester credit hours of education courses at the baccalaureate level for the granting of a teaching certificate. The board shall provide for a minimum number of semester credit hours of internship to be included in the hours needed for certification. The board may propose rules requiring additional credit hours for certification in bilingual education, English as a second language, early childhood education, or special education.
- (c) A person who receives a bachelor's degree required for a teaching certificate on the basis of higher education coursework completed while receiving an exemption from tuition and fees under Section 54.214 may not be required to participate in any field experience or internship consisting of student teaching to receive a teaching certificate.

Texas Education Code, §21.052, Certification of Educators From Outside the State:

- (a) The board may issue a certificate to an educator who applies for a certificate and:
 - (1) holds:
 - (A) a degree issued by an institution accredited by a regional accrediting agency or group that is recognized by a nationally recognized accreditation board; or
 - (B) a degree issued by an institution located in a foreign country, if the degree is equivalent to a degree described by Paragraph (A);
 - (2) holds an appropriate certificate or other credential issued by another state or country; and
 - (3) performs satisfactorily on:
 - (A) the examination prescribed under Section 21.048; or
 - (B) if the educator holds a certificate or other credential issued by another state or country, an examination similar to and at least as rigorous as that described by Paragraph (A) administered to the educator under the authority of that state.
- (b) For purposes of Subsection (a)(2), a person is considered to hold a certificate or other credential if the credential is not valid solely because it has expired.
- (c) The board may issue a temporary certificate under this section to an educator who holds a degree required by Subsection (a)(1) and a certificate or other credential required by Subsection (a)(2) but who has not satisfied the requirements prescribed by Subsection (a)(3). Subject to Subsection (d), the board may specify the term of a temporary certificate issued under this subsection.
- (d) A temporary certificate issued under Subsection (c) to an educator employed by a school district that has constructed or expanded at least one instructional facility as a result of increased student enrollment due to actions taken under the Defense Base Closure and Realignment Act of 1990 (10 U.S.C. Section 2687) may not expire before

the first anniversary of the date on which the board completes the review of the educator's credentials and informs the educator of the examination or examinations under Section 21.048 on which the educator must perform successfully to receive a standard certificate.

- (e) An educator who has submitted all documents required by the board for certification and who receives a certificate as provided by Subsection (a) must perform satisfactorily on the examination prescribed under Section 21.048 not later than the first anniversary of the date the board completes the review of the educator's credentials and informs the educator of the examination or examinations under Section 21.048 on which the educator must perform successfully to receive a standard certificate.
- (f) The board shall post on the board's Internet website the procedures for obtaining a certificate under Subsection (a).
- (g) The commissioner shall provide guidance to school districts that employ an educator certified as provided by Subsection (a) on procedures to classify the educator as a highly qualified teacher in a manner consistent with the No Child Left Behind Act of 2001 (20 U.S.C. Section 6301 et seq.).
- (h) This subsection applies only to an applicant who holds a certificate or other credential issued by another state in mathematics, science, special education, or bilingual education, or another subject area that the commissioner determines has a shortage of teachers. In any state fiscal year, the board shall accept or reject, not later than the 14th day after the date the board receives the completed application, at least 90 percent of the applications the board receives for a certificate under this subsection, and shall accept or reject all completed applications the board receives under this subsection not later than the 30th day after the date the board receives the completed application. An applicant under this subsection must submit:
 - (1) a letter of good standing from the state in which the teacher is certified on a form determined by the board;
 - (2) information necessary to complete a national criminal history record information review; and
 - (3) an application fee as required by the board.

Texas Education Code, §21.054, Continuing Education (excerpt):

- (a) The board shall propose rules establishing a process for identifying continuing education courses and programs that fulfill educators' continuing education requirements.

Texas Education Code, §22.082, Access to Criminal History Records by State Board for Educator Certification:

The State Board for Educator Certification shall subscribe to the criminal history clearinghouse as provided by Section 411.0845, Government Code, and may obtain from any law enforcement or criminal justice agency all criminal history record information and all records contained in any closed criminal investigation file that relate to a specific applicant for or holder of a certificate issued under Subchapter B, Chapter 21.

Texas Education Code, §22.0831, National Criminal History Record Information Review of Certified Educators (excerpt):

- (f) The board may propose rules to implement this section, including rules establishing:
- (1) deadlines for a person to submit fingerprints and photographs in compliance with this section; and
 - (2) sanctions for a person's failure to comply with the requirements of this section, including suspension or revocation of a certificate or refusal to issue a certificate.

Texas Occupations Code, §53.105, Fees:

A licensing authority may charge a person requesting an evaluation under this subchapter a fee adopted by the authority. Fees adopted by a licensing authority under this subchapter must be in an amount sufficient to cover the cost of administering this subchapter.

ATTACHMENT II
Text of 19 TAC

Chapter 230. Professional Educator Preparation and Certification

Subchapter A. Definitions

Statutory Authority: The provisions of this Subchapter A issued under the Texas Education Code, §21.041(b)(1) and (2), unless otherwise noted.

§230.1. Definitions.

The following words and terms, when used in this chapter, shall have the following meanings, unless the context clearly indicates otherwise:

- (1) Certificate--Any credential issued by the State Board for Educator Certification (SBEC) under the authority of the Texas Education Code (TEC), Chapter 21, Subchapter B.
- (2) Educator--A person who is required to hold a certificate issued under the TEC, Chapter 21, Subchapter B.
- (3) Educator preparation program--An entity approved by the SBEC to recommend candidates in one or more educator certification fields.
- (4) Examination--An examination or other test required by statute or SBEC rule that governs an individual's admission to an educator preparation program; certification as an educator; continuation as an educator; or advancement as an educator.
- (5) Mentor--For a classroom teacher, a certified educator assigned by the campus administrator who has completed mentor training; who guides, assists, and supports the beginning teacher in areas such as planning, classroom management, instruction, assessment, working with parents, obtaining materials, district policies; and who reports the beginning teacher's progress to that teacher's educator preparation program.
- (6) Private school--A school whose educational program has been evaluated by a state department of education or regional accrediting agency and whose program has met and is maintaining certain educational standards.
- (7) Teacher service record--The official document used to record years of service and days used and accumulated under the state's former minimum sick leave program or the state's current personal leave program.
- (8) Texas Education Agency staff--Staff of the Texas Education Agency (TEA) assigned by the commissioner of education to perform the SBEC's administrative functions and services.
- (9) Texas public school--A school accredited by the TEA under the TEC, §39.073.

Source: The provisions of this §230.1 adopted to be effective June 21, 2009, 34 TexReg 3930.

Subchapter B. Assessment of Educators

Statutory Authority: The provisions of this Subchapter B issued under the Texas Education Code, §§21.031, 21.045(a)(1), and 21.048(a), unless otherwise noted.

§230.5. Educator Assessment.

- (a) A candidate seeking admission to an approved educator preparation program for initial certification must be assessed for basic skills in reading, written communication, and mathematics.
- (b) A candidate seeking certification as an educator must pass examinations required by the Texas Education Code (TEC), §21.048, and the State Board for Educator Certification (SBEC) in §233.1(e) of this title (relating to General Authority).
- (c) A candidate seeking a standard certificate as an educator based on completion of an approved educator preparation program may take the appropriate certification examinations required by subsection (b) of this section at such time as the educator preparation program determines the candidate's readiness to take the examinations, or upon successful completion of the educator preparation program, whichever comes first.
- (d) The holder of a Texas certificate effective before February 1, 1986, must pass examinations prescribed by the SBEC to be eligible for continued certification, unless the individual has passed the Texas Examination of Current Administrators and Teachers (TECAT).
- (e) For an examination or other assessment required by law or under the provisions of this title, the SBEC approves the satisfactory level of performance required, a schedule of examination fees, and a plan for administering the examination.
- (f) Scores from examinations required under this title must be made available to the examinee, the Texas Education Agency (TEA) staff, and, if appropriate, the educator preparation program from which the examinee will seek a recommendation for certification.
- (g) A candidate seeking an exemption under the TEC, §21.048, must have a report submitted to the TEA staff by an audiologist licensed by the State of Texas, documenting that the candidate is hearing impaired as defined in the TEC, §21.048(d)(1). The report from the audiologist may not be dated more than one year from the date of application for the exemption.
- (h) The following provisions concern test security and confidential integrity.
 - (1) An educator who participates in the development, design, construction, review, field testing, or validation of an examination shall not reveal or cause to be revealed the contents of the examination to any other person.
 - (2) An educator who administers an examination shall not:
 - (A) allow or cause an unauthorized person to view any part of the examination;
 - (B) copy, reproduce, or cause to be copied or reproduced any part of the examination;
 - (C) reveal or cause to be revealed the contents of the examination;
 - (D) correct, alter, or cause to be corrected or altered any response to a test item contained in the examination;
 - (E) provide assistance with any response to a test item contained in the examination or cause assistance to be provided; or
 - (F) deviate from the rules governing administration of the examination.
 - (3) An educator who violates subsection (b) or (c) of this section is subject to sanction in accordance with the provisions of the TEC, §21.041(b)(7), and Chapter 249 of this title (relating to Disciplinary Proceedings, Sanctions, and Contested Cases).
 - (4) An educator who is an examinee shall not:

- (A) copy, reproduce, or cause to be copied or reproduced any test item contained in the examination;
 - (B) provide assistance with any response to a test item contained in the examination, or cause assistance to be provided;
 - (C) solicit or accept assistance with any response to a test item contained in the examination;
 - (D) deviate from the rules governing administration of the examination; or
 - (E) otherwise engage in conduct that amounts to cheating, deception, or fraud.
- (5) An educator who violates this subsection is subject to:
- (A) sanction in accordance with the provisions of the TEC, §21.041(b)(7), and Chapter 249 of this title;
 - (B) voiding of a score from an examination in which a violation specified in this subsection occurred; and
 - (C) disallowance and exclusion from future examinations either in perpetuity or for a period of time that serves the best interests of the education profession.

Source: The provisions of this §230.5 adopted to be effective December 5, 1996, 21 TexReg 11480; amended to be effective April 28, 1997, 22 TexReg 3581; amended to be effective July 11, 1999, 24 TexReg 5012; amended to be effective June 7, 2000, 25 TexReg 5331; amended to be effective August 29, 2001, 26 TexReg 6298; amended to be effective June 21, 2009, 34 TexReg 3930.

Subchapter M. Certification of Educators in General

Statutory Authority: The provisions of this Subchapter M issued under the Texas Education Code, §§21.041(b)(2) and (4), 21.044, 21.048, 21.050, and 22.082, unless otherwise noted.

§230.411. Purpose.

The purpose of certifying public school educators is to identify qualified and professionally prepared individuals. The certification shall comply with the Texas Education Code, Chapter 21, Subchapter B, and rules adopted by the State Board for Educator Certification.

Source: The provisions of this §230.411 adopted to be effective December 5, 1996, 21 TexReg 11480; amended to be effective June 21, 2009, 34 TexReg 3930.

§230.412. Standard Certificate Requirements.

- (a) Standard classroom teacher certificates, including special education certificates, career and technical education certificates, and endorsement areas, based on completion of an approved educator preparation program shall require:
 - (1) at least a baccalaureate degree and, for certain career and technical education certificates, preparation and experience in a skill area as specified in Subchapter P of this chapter (relating to Requirements for Standard Certificates and Specialized Assignments or Programs);
 - (2) recommendation by an approved educator preparation program; and
 - (3) submission of a passing score on a comprehensive examination prescribed by the State Board for Educator Certification as specified in §230.5 of this title (relating to Educator Assessment).
- (b) Standard career and technical education certificates based on experience and preparation in a skill area shall require:
 - (1) preparation and experience in a skill area and, for certain career and technical education certificates, completion of a baccalaureate degree; and
 - (2) recommendation by an educator preparation program approved to offer professional development courses required for career and technical education certification.

Source: The provisions of this §230.412 adopted to be effective June 21, 2009, 34 TexReg 3930.

§230.413. General Requirements.

- (a) The only credits and degrees acceptable for certification of educators are those earned from and conferred by institutions of higher education that at the time were accredited or otherwise approved by an accrediting organization recognized by the Texas Higher Education Coordinating Board. All credit hour requirements for certification are semester credit hours or their equivalent.
- (b) An applicant for a Texas educator certificate must:
 - (1) be at least 18 years old;
 - (2) successfully resolve any criminal history and not be disqualified or the subject of a pending proceeding under Chapter 249 of this title (relating to Disciplinary Proceedings, Sanctions, and Contested Cases);
 - (3) not be disqualified by federal law;
 - (4) be willing to support and defend the constitutions of the United States and Texas;
 - (5) be able to speak and understand the English language sufficiently to use it easily and readily in conversation and teaching. English language proficiency may be evidenced by one of the following:

- (A) completion of an undergraduate or graduate degree at an institution of higher education in the United States;
 - (B) if an undergraduate or graduate degree was earned at an institution of higher education outside of the United States, evidence must be provided under procedures approved by the Texas Education Agency (TEA) staff that the primary language of instruction was English;
 - (C) completion of a state-approved educator preparation program within the United States;
 - (D) verification of three creditable years of teaching experience as defined in Chapter 153, Subchapter CC, of this title (relating to Commissioner's Rules on Creditable Years of Service), in an educational setting within the United States or, if the experience was earned in an educational setting outside of the United States, evidence under procedures approved by the TEA staff that the primary language of instruction was English; or
 - (E) verification of satisfactory scores on an English language proficiency examination(s) approved by the TEA staff;
- (6) successfully complete appropriate examinations prescribed in §230.5 of this title (relating to Educator Assessment) for the educator certificate sought; and
- (7) satisfy one or more of the following requirements:
- (A) complete academic requirements specified in Subchapters P or S of this chapter (relating to Requirements for Standard Certificates and Specialized Assignments or Programs and Educational Aide Certificate); Chapter 239 of this title (relating to Student Services Certificates); Chapter 241 of this title (relating to Principal Certificate); Chapter 242 of this title (relating to Superintendent Certificate), or complete requirements for the certificates specified in Chapter 233 of this title (relating to Categories of Classroom Teaching Certificates) and be recommended for certification by an approved educator preparation program;
 - (B) qualify under Subchapter O of this chapter (relating to Texas Educator Certificates Based on Certification and College Credentials from Other States or Territories of the United States);
 - (C) qualify under §230.437 of this title (relating to Issuance of Additional Certificates Based on Examination);
 - (D) qualify for a career and technical education certificate based on skill and experience specified in Subchapter P of this chapter or Chapter 233 of this title;
 - (E) qualify under Chapter 245 of this title (relating to Certification of Educators from Other Countries); or
 - (F) qualify for certification under §232.5 of this title (relating to Temporary Teacher Certificates).

Source: The provisions of this §230.413 adopted to be effective December 5, 1996, 21 TexReg 11480; amended to be effective April 28, 1997, 22 TexReg 3584; amended to be effective February 3, 2000, 25 TexReg 566; amended to be effective June 9, 2002, 27 TexReg 4696; amended to be effective April 25, 2004, 29 TexReg 3959; amended to be effective June 21, 2009, 34 TexReg 3930.

Subchapter N. Certificate Issuance Procedures

Statutory Authority: The provisions of this Subchapter N issued under the Texas Education Code, §§21.031(a), 21.041(b)(1)-(5) and (9) and (c), 21.048, 21.050, 21.054(a), 22.082, and 22.0831(f), unless otherwise noted.

§230.431. Procedures in General.

- (a) The State Board for Educator Certification (SBEC), in compliance with SBEC rules, shall issue appropriate certificates to qualified individuals who meet all requirements.
 - (1) The certificate shall identify the name of the holder, the class, grade levels, and subject areas of the certificate, and bear the signature of the SBEC chair.
 - (2) A certificate that is issued shall be transmitted to the applicant as expeditiously as possible.
- (b) Permanent records of all certificates, permits, and supporting documentation shall be maintained by the Texas Education Agency (TEA) staff.
- (c) An applicant for or holder of an educator's certificate shall provide the TEA staff a current mailing address. The applicant for or holder of an educator's certificate shall notify the TEA staff of a change of address within 45 calendar days of the effective date of such change, unless another rule under this title requires earlier notification.
- (d) The representation of an individual's certificate status as maintained on the SBEC website is considered to be the official record of educator certification. This electronic representation of the certificate satisfies Texas Education Code, §21.053(a), which requires individuals to present their certificate prior to employment by a school district. A hard copy may be requested at the time of application.

Source: The provisions of this §230.431 adopted to be effective December 5, 1996, 21 TexReg 11480; amended to be effective September 2, 1999, 24 TexReg 6747; amended to be effective December 2, 2002, 27 TexReg 11143; amended to be effective June 21, 2009, 34 TexReg 3930.

§230.432. Candidates of Approved Educator Preparation Programs.

An appropriate certificate may be issued to a candidate who completes all requirements of a State Board for Educator Certification-approved educator preparation program. The candidate must complete the appropriate application and pay the designated fee. The certification officer representing the approved educator preparation program shall submit to the Texas Education Agency staff a recommendation for the issuance of the appropriate certificate, indicating the date on which all requirements were completed.

Source: The provisions of this §230.432 adopted to be effective December 5, 1996, 21 TexReg 11480; amended to be effective June 21, 2009, 34 TexReg 3930.

§230.433. Duplicate Certificates.

A duplicate of an active, valid certificate shall be issued when the Texas Education Agency staff receives a completed application and fee.

Source: The provisions of this §230.433 adopted to be effective December 5, 1996, 21 TexReg 11480; amended to be effective September 2, 1999, 24 TexReg 6747; amended to be effective June 21, 2009, 34 TexReg 3930.

§230.434. Effective Dates of Certificates and Permit Issuance.

- (a) Issuance date of a certificate.
 - (1) The date of issuance shall not precede the date all certification requirements are completed.
 - (2) The issuance date of a certificate recommended by an approved educator preparation program shall be the date the recommending educator preparation program verifies that the applicant has satisfied all certification requirements.

- (3) A certificate shall not become effective more than 60 calendar days before the Texas Education Agency (TEA) staff receives the application, and may not precede the date all certification, degree, and examination requirements are completed.
 - (4) A certificate shall be valid for the entire month in which it is issued.
- (b) Effective date of a permit.
- (1) A permit shall become effective on the date of the assignment, provided the TEA staff receives the application within 60 calendar days of the date of the assignment.
 - (2) If the permit application is completed and signed by the applicant and superintendent or his or her designee on the date teaching duties begin, the application may be kept in the school district's files until all materials for submission are acquired. A permit held by a school district shall not become effective more than 60 calendar days before the TEA staff receives the application.
 - (3) The school district shall be notified regarding eligibility for the permit. Coverage will not be provided to the school district for the employment of an individual who is ineligible for the permit requested.
- (c) Authority to alter dating procedures. A certificate or permit may become effective more than 60 calendar days before the TEA staff receives an application if the appropriate official assumes responsibility for the delay or documents it in writing.

Source: The provisions of this §230.434 adopted to be effective December 5, 1996, 21 TexReg 11480; amended to be effective September 2, 1999, 24 TexReg 6747; amended to be effective June 21, 2009, 34 TexReg 3930.

§230.435. Fees for Certification Services.

- (a) The fees for certification services shall be based on a study conducted periodically by the State Board for Educator Certification of the actual costs of the services.
- (b) The fees for authorizing a permit shall be paid by the requesting school district.
- (c) The certificate of an applicant who does not pay the applicable certification fee, either by failing to remit full payment or by sending a check that is dishonored, shall be placed on inactive status if the applicant does not pay the full certification fee and any related processing fees within 60 calendar days from the date the notice of payment deficiency is sent to the applicant. The inactive status of a certificate will render the certificate holder ineligible for employment in a Texas public school. A certificate placed on inactive status in accordance with the provisions of this subsection will be returned to active status upon receipt of full payment of all applicable fees.

Source: The provisions of this §230.435 adopted to be effective December 5, 1996, 21 TexReg 11480; amended to be effective July 13, 2004, 29 TexReg 6643; amended to be effective June 21, 2009, 34 TexReg 3930.

§230.436. Schedule of Fees for Certification Services.

An applicant for a certificate or a school district requesting a permit shall pay the applicable fee from the following list.

- (1) Standard Educational Aide certificate--\$30.
- (2) Standard certificate, additional specialization, teaching field, or endorsement/delivery system, based on recommendation by an approved educator preparation program or State Board for Educator Certification authorization; or extension or conversion of a certificate processing fee--\$75.
- (3) Probationary certificate based on recommendation by an approved educator preparation program or Texas public school district processing fee--\$50.
- (4) Duplicate of an active, valid certificate or change of name on an active, valid certificate--\$45.
- (5) Addition of certification based on completion of appropriate examination--\$75.

- (6) Review of a credential issued by a jurisdiction other than Texas (nonrefundable)--\$175.
- (7) Temporary credential based on a credential issued by a jurisdiction other than Texas--\$50.
- (8) Emergency permit, including an initial permit, reassignment on permit with a change in assignment or school district, renewal for nonconsecutive years, or renewal of permit on a hardship basis (nonrefundable)--\$55.
- (9) Renewal in the school district of a permit at the same target certificate level and initial activation, or renewal in the same school district of a temporary classroom assignment permit--no fee.
- (10) National criminal history check (nonrefundable)--The fee, posted on the State Board for Educator Certification website, shall vary according to the current cost of fingerprint processing and obtaining national criminal history record information from the Texas Department of Public Safety, its contractors, and the Federal Bureau of Investigation. The same fee will be paid by current certified educators who are subject to a national criminal history check pursuant to the Texas Education Code, §§22.082, 22.0831, and 22.0836.
- (11) Temporary Teacher certificate based on recommendation by an approved Texas public school district--\$50.
- (12) Review of credentials requiring analysis and research of college or university transcript and degrees for issuance of a temporary certificate (nonrefundable)--\$175.
- (13) On-time renewal of Standard Educational Aide certificate--\$10.
- (14) Additional fee for late renewal of Standard Educational Aide certificate--\$5.
- (15) Reactivation of an inactive Standard Educational Aide certificate--\$15.
- (16) Reinstatement following restitution of child support or student loan repayment for Standard Educational Aide certificate--\$20.
- (17) On-time renewal of Standard certificate (to include any paraprofessional certificates if held)--\$20.
- (18) Additional fee for late renewal of Standard certificate--\$10.
- (19) Reactivation of an inactive Standard certificate--\$40; except for an inactivation pursuant to §232.907 of this title (relating to Inactive Status).
- (20) Reinstatement following restitution of child support or student loan repayment--\$50.
- (21) Visiting International Teacher certificate--\$50.
- (22) Request for preliminary criminal history evaluation (nonrefundable)--\$150.

Statutory Authority: The provisions of this §230.436 issued under the Texas Education Code, §21.041(c) and §22.0831(f), and Texas Occupations Code, §53.105.

Source: The provisions of this §230.436 adopted to be effective December 5, 1996, 21 TexReg 11480; amended to be effective December 17, 2000, 25 TexReg 12386; amended to be effective February 3, 2002, 27 TexReg 606; amended to be effective February 5, 2003, 28 TexReg 931; amended to be effective January 29, 2004, 29 TexReg 627; amended to be effective April 25, 2004, 29 TexReg 3960; amended to be effective September 1, 2004, 29 TexReg 8283; amended to be effective July 31, 2006, 31 TexReg 5962; amended to be effective December 16, 2007, 32 TexReg 9108; amended to be effective June 21, 2009, 34 TexReg 3930; amended to be effective October 28, 2010, 35 TexReg 9502.

§230.437. Issuance of Additional Certificates Based on Examination.

General provisions. A teacher who holds a valid provisional, professional, or standard classroom teaching certificate or a valid temporary classroom teaching certificate issued under the provisions of Subchapter O of this chapter (relating to Texas Educator Certificates Based on Certification and College Credentials from Other States or Territories of the United States), or Chapter 245 of this title (relating to Certification of Educators from Other Countries), and a baccalaureate degree may qualify for an additional teaching field or

certification to teach at another level by passing the appropriate certification examination(s) for that subject. The rule shall not be used to qualify a classroom teacher for:

- (1) initial certification;
- (2) career and technical education certification based on skill and experience, with the exception of Marketing Education: Grades 8-12;
- (3) another class of certificate, as listed in Chapter 232, Subchapter A, of this title (relating to Types and Classes of Certificates Issued);
- (4) certification for which no certification examination has been developed.

Statutory Authority: The provisions of this §230.437 issued under the Texas Education Code, §§21.031(a), 21.041(b)(1)-(5) and (9) and (c.) and 21.048(a).

Source: The provisions of this §230.437 adopted to be effective December 5, 1996, 21 TexReg 11480; amended to be effective April 28, 1997, 22 TexReg 3585; amended to be effective September 2, 1999, 24 TexReg 6747; amended to be effective December 17, 2000, 25 TexReg 12386; amended to be effective June 21, 2009, 34 TexReg 3930; amended to be effective October 28, 2010, 35 TexReg 9503.

§230.438. E-Pay Supplemental Fee.

An applicant for a certificate or a school district requesting a permit shall pay a supplemental fee of \$2 in addition to the fees outlined in §230.436 of this title (relating to Schedule of Fees for Certification Services), for the purpose of recovering the costs of the TexasOnline Initiative, with the exception of the following fees for certification services set forth in §230.436 of this title:

- (1) On-time renewal of Standard Educational Aide certificate;
- (2) Additional fee for late renewal of Standard Educational Aide certificate;
- (3) Reactivation of an inactive Standard Educational Aide certificate;
- (4) On-time renewal of Standard certificate (to include any paraprofessional certificates if held);
- (5) Additional fee for late renewal of Standard certificate; and
- (6) Reinstatement following restitution of child support or student loan repayment.

Source: The provisions of this §230.438 adopted to be effective November 4, 2004, 29 TexReg 10103; amended to be effective June 21, 2009, 34 TexReg 3930.

Subchapter O. Texas Educator Certificates Based on Certification and College Credentials from Other States or Territories of the United States

Statutory Authority: The provisions of this Subchapter O issued under the Texas Education Code, §§21.040(6), 21.041(b)(4) and (5) and (c), 21.048, 21.050, 21.052, and 21.054(a), unless otherwise noted.

§230.461. General Provisions.

- (a) A Texas educator certificate may be issued to an individual who holds a college degree and an appropriate certificate or credential issued by the authorized licensing agency in another state or territory of the United States and who meets appropriate requirements specified in §230.413 of this title (relating to General Requirements) and elsewhere in this subchapter.
- (b) The degree held by an applicant from another state or territory of the United States must be equivalent to at least a baccalaureate degree issued by an institution of higher education that at the time was accredited or otherwise approved by a state department of education, a recognized governmental organization, or an accrediting organization recognized by the Texas Higher Education Coordinating Board.
- (c) The certificate or other credential issued by the authorized licensing agency in another state or territory of the United States 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 deficiencies.
- (d) A statement, approval letter, or certification entitlement card issued by the authorized licensing agency in another state or territory of the United States specifying eligibility for full certification upon employment or completion of specified examination requirements shall have the same standing as a certificate.
- (e) The certificate and areas of certification issued by the authorized licensing agency in another state or territory of the United States must be equivalent to a certificate and certification areas approved by the State Board for Educator Certification (SBEC). The Texas Education Agency (TEA) staff shall identify the certification areas for which the applicant qualifies in Texas. The certificate(s) for which the applicant qualifies may be issued by the TEA staff under the authority of the SBEC.

Source: The provisions of this §230.461 adopted to be effective December 5, 1996, 21 TexReg 11480; amended to be effective September 2, 1999, 24 TexReg 6748; amended to be effective June 9, 2002, 27 TexReg 4697; amended to be effective June 21, 2009, 34 TexReg 3930.

§230.462. Requirements for Texas Certificates Based on Certification from Other States or Territories of the United States.

- (a) An applicant for a standard Texas certificate based on a certificate issued in accordance with §230.461 of this title (relating to General Provisions) must pass the appropriate examination requirements prescribed in the Texas Education Code (TEC), §21.048(a), and §230.5 of this title (relating to Educator Assessment) or achieve an acceptable level of performance on an examination(s) similar to and at least as rigorous as that prescribed in the TEC, §21.048(a), and §230.5 of this title that was administered to the applicant under the authority of another state or territory of the United States. The applicant shall verify in a manner determined by the Texas Education Agency staff the level of performance on acceptable examinations administered under the authority of another state or territory of the United States.
- (b) If all certification requirements are met except the appropriate examination requirements, the applicant may request issuance of a one-year certificate in one or more certification areas authorized on the out-of-state certificate. An applicant who holds only 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 service in an Early Childhood-Grade 12 public or private school, as defined in Chapter 153, Subchapter CC, of this title (relating to Commissioner's Rules on Creditable Years of Service), in the specific student services or administrative area sought.

- (c) After satisfying all requirements, including all appropriate examination requirements, the applicant is eligible to receive the appropriate standard certificate issued under Chapter 232, Subchapter A of this title (relating to Types and Classes of Certificates Issued).
- (d) An applicant issued a one-year certificate under this section who does not complete 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 certified level or areas until he or she has satisfied the appropriate examination requirements. If examination requirements are not met during the validity period of the one-year certificate due to circumstances beyond the control of the educator, the employing school district may request an extension not to exceed one calendar year in length.
- (e) An employing superintendent may apply for a nonrenewable permit for a teacher who does not pass the pedagogy and professional responsibilities portion of the certification examinations but does pass the appropriate content specialization portions of the examination during the validity of the one-year certificate. The nonrenewable permit shall be valid for no more than 12 months from the date the individual first attempts the pedagogy and professional responsibilities examination.
- (f) An applicant shall not be required to complete the content specialization portion of the certification examination in a certification area for which he or she does not seek standard certification.
- (g) An applicant issued a one-year certificate under this section who, during or subsequent to the validity of the certificate, establishes eligibility for a standard certificate may apply for:
 - (1) a new one-year certificate in another certification area based on an acceptable certificate from another state or territory of the United States; 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.

Source: The provisions of this §230.462 adopted to be effective December 5, 1996, 21 TexReg 11480; amended to be effective September 2, 1999, 24 TexReg 6748; amended to be effective June 9, 2002, 27 TexReg 4697; amended to be effective June 21, 2009, 34 TexReg 3930.

§230.463. Requests for Evaluation of College Credentials.

- (a) A request to evaluate an applicant's credentials for areas of certification that are not identified on the certificate issued in accordance with §230.461 of this title (relating to General Provisions) must be directed to an approved Texas educator preparation program. The appropriate Texas certificate will be issued upon recommendation by the educator preparation program.
- (b) An individual who does not hold a certificate issued in accordance with §230.461 of this title must have his or her credentials evaluated through an approved Texas educator preparation program and be recommended by the educator preparation program for certification.

Source: The provisions of this §230.463 adopted to be effective December 5, 1996, 21 TexReg 11480; amended to be effective September 2, 1999, 24 TexReg 6748; amended to be effective June 21, 2009, 34 TexReg 3930.

§230.464. Application Procedures.

An individual who meets the requirements of this subchapter may apply for a review of his or her credentials and issuance of the appropriate Texas certificate according to procedures approved by the Texas Education Agency staff. A review of credentials and payment of related fees are required for all applicants.

Source: The provisions of this §230.464 adopted to be effective June 9, 2002, 27 TexReg 4697; amended to be effective June 21, 2009, 34 TexReg 3930.

Subchapter P. Requirements for Standard Certificates and Specialized Assignments or Programs

Statutory Authority: The provisions of this Subchapter P issued under the Texas Education Code, §21.031(a) and §21.041(b)(1)-(3), unless otherwise noted.

§230.481. Teacher Certificate--Secondary (Grades 6-12) and Teacher Certificate--All Level (Prekindergarten-Grade 12).

- (a) The Teacher Certificate--Secondary shall be based on completion of an educator preparation program as described in Chapter 228 of this title (relating to Requirements for Educator Preparation Programs). An educator preparation program for this certificate may be offered in art, French, German, Latin, Spanish, and other languages as approved by the State Board for Educator Certification (SBEC). Each educator preparation program that recommends a candidate for language certification must assess the candidate's oral proficiency in accordance with procedures, criteria, and passing scores specified by the SBEC.
- (b) The provisions of subsection (a) of this section shall expire on September 1, 2011, with the exception of the area of academic specialization for art, which shall expire on September 1, 2009.
- (c) The Teacher Certificate--All-Level shall be based upon completion of an educator preparation program as described in Chapter 228 of this title (relating to Requirements for Educator Preparation Programs). The area of academic specialization for the teacher certificate--all-level shall be art.
- (d) The provisions of subsection (c) of this section shall expire on September 1, 2009.

Source: The provisions of this §230.481 adopted to be effective June 21, 2009, 34 TexReg 3930.

§230.482. Specific Requirements for Standard Certificates and Endorsements.

- (a) The following certificates require completion of an approved educator preparation program offered under §230.481 of this title (relating to Teacher Certificate--Secondary (Grades 6-12) and Teacher Certificate--All Level (Prekindergarten-Grade 12):
 - (1) standard classroom teacher certificate--secondary; and
 - (2) standard classroom teacher certificate--all level.
- (b) The driver education endorsement will be issued upon evidence of completion of requirements specified in §75.1002 of this title (relating to Driver Education Teachers). The driver education endorsement requires completion of an approved educator preparation program offered under this section.

Source: The provisions of this §230.482 adopted to be effective December 5, 1996, 21 TexReg 11480; amended to be effective September 2, 1999, 24 TexReg 6749; amended to be effective July 13, 2004, 29 TexReg 6644; amended to be effective June 4, 2006, 31 TexReg 4422; amended to be effective June 21, 2009, 34 TexReg 3930.

§230.483. Specific Requirements for Standard Career and Technical Education Certificates Based on Experience and Preparation.

- (a) Health Science Technology Education: Grades 8-12 certificate. A standard Health Science Technology Education: Grades 8-12 certificate shall be based on experience and academic preparation in the skill area.
 - (1) The standard Health Science Technology Education: Grades 8-12 certificate shall require the following:
 - (A) a baccalaureate degree from an accredited institution of higher education;
 - (B) current licensure, certification, or registration by a nationally recognized accrediting agency as a health professions practitioner. The preparation program for licensure, certification, or registration must require at least two years of college-level education;
 - (C) approval, by the certification officer of an approved educator preparation program, of two years of wage earning experience using the licensure requirement described in

- subparagraph (B) of this paragraph, in addition to that required to be registered or certified; and
- (D) one year of creditable classroom teaching experience, as defined in Chapter 153, Subchapter CC, of this title (relating to Commissioner's Rules on Creditable Years of Service), on an emergency permit or probationary certificate in the area of health science technology education.
- (2) The standard Health Science Technology Education: Grades 8-12 certificate curricula shall be based on the standards approved by the State Board for Educator Certification. A candidate for this certificate must pass the appropriate certification examinations.
- (b) Trade and Industrial Education: Grades 8-12 certificate. A standard Trade and Industrial Education: Grades 8-12 certificate shall be based on academic preparation and experience in the skill areas to be taught and completion of specified pedagogy and professional responsibilities training.
- (1) The standard Trade and Industrial Education: Grades 8-12 certificate shall require the following academic preparation and wage-earning experience.
- (A) Option I. An individual must:
- (i) hold a baccalaureate degree from an accredited institution of higher education; and
- (ii) have three years of full-time wage-earning experience within the past eight years in one or more approved occupations for which instruction is offered. The experience must be approved by the certification officer of an educator preparation program approved to prepare teachers for the trade and industrial education certificate. Up to 18 months of the wage-earning experience can be met through a formal documented internship.
- (B) Option II. An individual must:
- (i) hold an associate degree from an accredited institution of higher education; and
- (ii) have three years of full-time wage-earning experience within the past eight years in one or more approved occupations for which instruction is offered. The experience must be approved by the certification officer of an educator preparation program approved to prepare teachers for the Trade and Industrial Education: Grades 8-12 certificate.
- (C) Option III. An individual must:
- (i) hold a high school diploma or the equivalent; and
- (ii) have five years of full-time wage-earning experience within the past eight years in one or more approved occupations for which instruction is offered. The experience must be approved by the certification officer of an educator preparation program approved to prepare teachers for the Trade and Industrial Education: Grades 8-12 certificate.
- (2) The standard Trade and Industrial Education: Grades 8-12 certificate shall require current licensure, certification, or registration by a nationally recognized accrediting agency based on a recognized test or measurement. If the licensure, certification, or registration is not based on a recognized test or measurement, then passing of the appropriate National Occupational Competency Testing Institute (NOCTI) assessment is required. A cosmetology teacher must hold a current cosmetology instructor license issued by the Texas Department of Licensing and Regulation.
- (3) An individual must complete one year of creditable classroom teaching experience, as defined in Chapter 153, Subchapter CC, of this title, on an emergency permit or probationary certificate in the specific area of trade and industrial education.

- (c) Career and technical education certificate. Approval of career and technical education teachers shall be based on prior experience and preparation in a skill area.
- (1) Prospective career and technical education teachers shall submit a statement of qualifications detailing prior experience and skill area preparation to the educator preparation program approved to prepare teachers for the career and technical education certificate sought. The certification officer of the educator preparation program shall review the applicant's statement of qualifications to determine whether the applicant meets the appropriate approval criteria specified in this subsection. In the case of an educator who otherwise qualifies for certification by examination in Marketing Education: Grades 8-12, the review and approval of required work experience may be performed by a certified school administrator.
 - (2) Under this subsection, 12 months of wage-earning experience consisting of at least 40 hours per week shall equal one year of full-time experience. Wage-earning experience consisting of less than 40, but at least 20, hours per week shall be calculated at a 50% rate in determining years of full-time experience. Wage-earning experience consisting of less than 20 hours per week shall not be considered acceptable in determining full-time experience.
 - (3) Postsecondary and proprietary school teaching experience in the specific occupational area for which the candidate is seeking certification may be counted on a year-for-year basis in lieu of on-the-job experience. Proprietary schools must be accredited or otherwise approved by the Texas Workforce Commission. Recency of experience, as well as current licensure, certification, or registration by a state or nationally recognized accrediting agency must be met.

Statutory Authority: The provisions of this §230.483 issued under the Texas Education Code, §21.031(a) and §21.041(b)(1)-(3).

Source: The provisions of this §230.483 adopted to be effective December 5, 1996, 21 TexReg 11480; amended to be effective April 28, 1997, 22 TexReg 3585; amended to be effective September 2, 1999, 24 TexReg 6749; amended to be effective June 9, 2002, 27 TexReg 4698; amended to be effective September 14, 2003, 28 TexReg 7702; amended to be effective July 13, 2004, 29 TexReg 6644; amended to be effective June 4, 2006, 31 TexReg 4422; amended to be effective June 21, 2009, 34 TexReg 3930; amended to be effective October 28, 2010, 35 TexReg 9503.

Subchapter Q. Permits

Statutory Authority: The provisions of this Subchapter Q issued under the Texas Education Code, §§21.031(a), 21.041(b)(1), (2), and (4), 21.044, 21.045, and 21.048, unless otherwise noted.

§230.501. General Provisions.

- (a) In accordance with the provisions of this subchapter, emergency permits are issued under the authority of the State Board for Educator Certification (SBEC).
- (b) Under this subchapter, a superintendent or his or her designee who cannot secure an appropriately certified and qualified individual to fill a vacant position may activate an emergency permit for an individual who does not have one of the appropriate credentials required for the assignment as specified in Chapter 231 of this title (relating to Assignment of Public School Personnel). The superintendent or his or her designee must:
 - (1) document the efforts the school district has taken to employ a fully certified individual in the position for which an emergency permit is activated;
 - (2) apply for an emergency permit when a vacant position is filled with an uncertified or inappropriately certified individual who will serve as the teacher of record or will serve in the assignment for more than 30 consecutive instructional days. The application must be submitted within 45 instructional days of the date of assignment;
 - (3) verify that the school district maintains a support system, has assigned a trained mentor, and will provide release time as needed to assist the individual serving on an emergency permit. (A school district shall not be required to provide a mentor for a degreed, certified teacher assigned on an emergency permit if the teacher has one or more creditable years experience within the school district, as defined in Chapter 153, Subchapter CC, of this title (relating to Commissioner's Rules on Creditable Years of Service)); and
 - (4) verify that the individual for whom the emergency permit is activated has been advised of the SBEC rules regarding permits and permit renewal requirements in this subchapter.
- (c) A certified teacher must consent to the activation of an emergency permit and be advised of the conditions of the emergency permit. A teacher who refuses to consent to activation of an emergency permit may not be terminated or nonrenewed or otherwise retaliated against because of the teacher's refusal to consent to the activation of the emergency permit. However, a teacher's refusal to consent shall not impair a school district's right to implement a necessary reduction in force or other personnel actions in accordance with local school district policy.
- (d) An emergency permit is authorized for the school district for a specific assignment and is not the property of the individual for whom the emergency permit was activated.
- (e) If an emergency permit authorized by the SBEC is not used, the school district shall notify the Texas Education Agency (TEA) staff in writing.
- (f) An emergency permit may be authorized on a hardship basis for an individual who does not meet all emergency permit requirements as listed in §§230.503(1), 230.504, and 230.506 of this title (relating to General Eligibility Requirements for Emergency Permits, Specific Requirements for Initial Emergency Permits, and Renewal Requirements) only if approval has been granted and written notification received from the SBEC or TEA staff. The school district must:
 - (1) document local conditions requiring the assignment of an individual who does not meet emergency permit requirements;
 - (2) verify that the deficiencies for the certificate sought do not exceed 36 semester credit hours; and
 - (3) verify that the individual will be enrolled in the first available course listed on the deficiency plan.
- (g) The school district is not required to comply with the requirements of this subchapter if an uncertified individual is assigned for a certified teacher that will be absent for more than 30 consecutive instructional

days due to documented health related reasons and has expressed the intention to return to the assignment. The school district must comply with the Texas Education Code, §21.057.

Source: The provisions of this §230.501 adopted to be effective December 5, 1996, 21 TexReg 11480; amended to be effective April 28, 1997, 22 TexReg 3585; amended to be effective July 11, 1999, 24 TexReg 5013; amended to be effective June 21, 2009, 34 TexReg 3930.

§230.502. Validity of Emergency Permits.

- (a) The validity date of an emergency permit activated and authorized under this subchapter is specified in §230.434 of this title (relating to Effective Dates of Certificates and Permit Issuance).
- (b) An emergency permit is valid for the remainder of the school year for which it is activated and authorized by the State Board for Educator Certification (SBEC). The emergency permit must be submitted to the Texas Education Agency staff within 45 instructional days from the date of assignment.
- (c) An emergency permit authorized by the SBEC is valid for service only in the requesting school district and only for the assignments indicated on the emergency permit application.
- (d) The employment of an individual on an emergency permit may not exceed three years in the same assignment. The individual may serve in a specific assignment no more than two additional school years beyond the initial emergency permit. To continue beyond the initial emergency permit year, the individual must comply with the renewal provisions specified in §230.506 of this title (relating to Renewal Requirements). To continue employment in the assignment beyond the validity of the emergency permit, the individual must hold the appropriate certificate. An individual may not serve as a classroom teacher of record in the Texas public school for more than three school years, without obtaining initial, standard certification.

Source: The provisions of this §230.502 adopted to be effective December 5, 1996, 21 TexReg 11480; amended to be effective July 11, 1999, 24 TexReg 5013; amended to be effective June 21, 2009, 34 TexReg 3930.

§230.503. General Eligibility Requirements for Emergency Permits.

An individual for whom an emergency permit is activated must meet the following criteria.

- (1) The individual must hold a baccalaureate degree from an accredited institution of higher education.
 - (A) For a career and technical education assignment requiring certification based on both a baccalaureate degree and experience in the occupational area to be taught, such as health science technology education or marketing education, the individual must have completed the degree requirement and have specified work experience.
 - (B) For trade and industrial education assignments, the individual must have specified work experience in lieu of a baccalaureate degree.
- (2) The individual must be at least 18 years old.
- (3) The individual must be able to speak and understand the English language sufficiently to use it easily and readily in conversation and teaching, as specified in Subchapter M of this chapter (relating to Certification of Educators in General).
- (4) The individual must be of good moral character. The State Board for Educator Certification may refuse to authorize an emergency permit for an individual who has been convicted of a felony or misdemeanor crime that directly relates to the duties and responsibilities of the teaching profession.

Source: The provisions of this §230.503 adopted to be effective December 5, 1996, 21 TexReg 11480; amended to be effective July 11, 1999, 24 TexReg 5013; amended to be effective June 21, 2009, 34 TexReg 3930.

§230.504. Specific Requirements for Initial Emergency Permits.

- (a) General Provisions. An individual for whom an emergency permit is activated must:

- (1) have completed the appropriate semester credit hours or equivalent contact hours required for the emergency permit sought as specified in this section; or, for a degreed, certified teacher, have passed the appropriate content specialization portions of the appropriate certification examination required for the target certificate; and
 - (2) have satisfied the appropriate experience requirement specified in this section for the emergency permit sought.
- (b) Assignments to elementary grades (Early Childhood-Grade 6) (general education).
- (1) Elementary (Early Childhood-Grade 6). The individual must have completed 12 semester credit hours in a combination of subjects directly related to the elementary curriculum, or 12 semester credit hours in elementary education, or any combination of these areas of study. Subjects related to the elementary curriculum include, but are not limited to, art, English language arts, health, mathematics, music, physical education, reading, science, social studies, technology applications, or theatre arts.
 - (2) Foreign language in the elementary grades (Early Childhood-Grade 6).
 - (A) An individual must have current certification with a teaching field in the language to be taught.
 - (B) An individual who holds a secondary certificate with a teaching field in the language to be taught must have completed six semester credit hours of elementary education before the assignment is continued.
 - (C) Continued assignment must be documented on the individual's teacher service record.
 - (D) An individual who holds a Generalist: Early Childhood-Grade 4 or Generalist: Early Childhood-Grade 6 certificate with a passing score on the appropriate oral proficiency test in the target language may qualify for an emergency permit. To continue in the assignment, the individual must pass the written content specialization portion of the certification examination.
 - (E) Requirements specified in §230.506 of this title (relating to Renewal Requirements) do not apply to this assignment.
- (c) Assignments to secondary grades (Grades 7-12) (general education).
- (1) An emergency permit may be activated for an individual not certified at the secondary level provided the individual has completed:
 - (A) 24 semester credit hours in the subject to be taught; or
 - (B) 24 semester credit hours toward a composite teaching field appropriate for the assignment, including at least six semester credit hours in the subject to be taught.
 - (2) A Temporary Classroom Assignment Permit (TCAP) may be activated for a teacher certified at the secondary level assigned to a subject area not covered by the certificate. The school district is not required to file the TCAP with the Texas Education Agency staff. The TCAP must be maintained in the school district personnel records.
 - (A) A TCAP must be activated for an individual who is assigned to one or more class periods in an area not covered by the certificate held. The individual must have completed six semester credit hours in the specific subject area(s) to be taught. A TCAP may be activated for no more than four class periods.
 - (B) The TCAP is valid for one school year and is not renewable except in the event that the TCAP was issued for fewer than 90 calendar days before the last day of student instruction in the prior school year.
- (d) Assignments to all grade levels (Early Childhood-Grade 12) (general education).
- (1) An individual must have completed 24 semester credit hours in the subject area to be taught.

- (2) This section will apply to all general education subject areas that are available as Early Childhood-Grade 12 certificates.
- (e) Assignments to career and technical education programs.
- (1) Agricultural science and technology assignments. An individual must:
- (A) hold a baccalaureate degree from an accredited institution of higher education; and
- (B) have completed 24 semester credit hours in agricultural science and technology coursework.
- (2) Health science technology assignments. An individual must:
- (A) hold a baccalaureate degree from an accredited institution of higher education;
- (B) be currently licensed, certified, or registered (requiring two years of college education) by a state-authorized or nationally recognized accrediting agency as a professional practitioner in one or more health occupations for which instruction is offered; and
- (C) have an approved statement of qualifications verifying two years of full-time employment in an accredited health care facility or agency while holding the license mentioned in subparagraph (B) of this paragraph.
- (3) Family and consumer sciences assignments. An individual must:
- (A) hold a baccalaureate degree from an accredited institution of higher education; and
- (B) have completed 24 semester credit hours in family and consumer sciences coursework.
- (4) Marketing education assignments. An individual must:
- (A) hold a baccalaureate degree from an accredited institution of higher education;
- (B) have completed 24 semester credit hours in marketing coursework; and
- (C) have an approved statement of qualifications verifying two years of full-time wage-earning experience in marketing occupations for which training is offered at the secondary level.
- (5) Business education assignments (for any instructional arrangement). An individual must:
- (A) hold a baccalaureate degree from an accredited institution of higher education; and
- (B) have completed 24 semester credit hours in business coursework.
- (6) Trade and industrial education assignments.
- (A) Option I. An individual must:
- (i) hold a baccalaureate degree from an accredited institution of higher education; and
- (ii) have an approved statement of qualifications verifying three years of full-time wage-earning experience earned within the past eight years in one or more approved occupations for which instruction is offered. Up to 18 months of the wage-earning experience can be met through a formal documented internship.
- (B) Option II. An individual must:
- (i) hold an associate degree from an accredited institution of higher education; and
- (ii) have an approved statement of qualifications verifying three years of full-time wage-earning experience earned within the past eight years in one or more approved occupations for which instruction is offered.
- (C) Option III. An individual must:
- (i) hold a high school diploma or the equivalent; and

- (ii) have an approved statement of qualifications verifying five years of full-time wage-earning experience earned within the past eight years in one or more approved occupations for which instruction is offered.
 - (D) Additional requirements.
 - (i) Current licensure, certification, or registration by a state or nationally recognized accrediting agency as a professional practitioner in one or more approved occupations for which instruction is offered. Licensure, certification, or registration by a nationally recognized accrediting agency must be based on a recognized test or measurement. If the license, certification, or registration is not based on a recognized test or measurement, then passing of the appropriate National Occupational Competency Testing (NOCTI) assessment is required.
 - (ii) A cosmetology teacher must:
 - (I) have three years of full-time wage-earning experience as a licensed cosmetologist; and
 - (II) currently be licensed as a cosmetology instructor by the Texas Department of Licensing and Regulation.
 - (iii) Wage-earning experience must be approved by the certification officer of the educator preparation program.
- (f) Assignments for special populations.
 - (1) English language learners (ELLs).
 - (A) Bilingual education.
 - (i) An individual who holds a baccalaureate degree from an accredited institution of higher education and is certified at the appropriate level must:
 - (I) have completed three semester credit hours in an approved bilingual education program; and
 - (II) have completed six semester credit hours in the language of the target population; or have demonstrated proficiency in oral communication skills in the language of the target population by achieving a score of "intermediate mid" (level 2) or higher on the Texas Oral Proficiency Test (TOPT) or a comparable score on a state-approved examination of oral proficiency.
 - (ii) An individual who holds a baccalaureate degree from an accredited institution of higher education, but is not certified must:
 - (I) meet the requirements for the level of assignment;
 - (II) be currently enrolled in an approved educator preparation program for bilingual education; and
 - (III) have satisfied one of the following requirements:
 - (-a-) have completed 12 semester credit hours in the language of the target population, bilingual education, or a combination of the two subject areas; or
 - (-b-) have demonstrated proficiency in oral communication skills in the language of the target population by achieving a score of "intermediate mid" (level 2) or higher on the TOPT or a comparable score on a state-approved examination of oral proficiency.
 - (B) English as a second language (ESL). An individual must:

- (i) be currently certified for the grade level based on a baccalaureate degree from an accredited institution of higher education; and
 - (ii) have satisfied one of the following requirements:
 - (I) have completed six semester credit hours in an approved ESL program; or
 - (II) have one creditable year of classroom teaching experience, as defined in Chapter 153, Subchapter CC, of this title (relating to Commissioner's Rules on Creditable Years of Service).
- (2) Students with special learning needs.
- (A) Auditory impairments. An individual must:
 - (i) hold a baccalaureate degree from an accredited institution of higher education;
 - (ii) have completed six semester credit hours directly related to teaching the hearing impaired;
 - (iii) have demonstrated competence in the specific communication method used in the classroom setting with students who are deaf; and
 - (iv) have verified that the employing school district, cooperative, or education service center (ESC) has one or more fully certified teachers for students with auditory impairments available as a mentor and to provide support.
 - (B) Visual impairments. An individual must:
 - (i) be currently certified in elementary, secondary, or special education;
 - (ii) have satisfied one of the following requirements:
 - (I) have completed six semester credit hours directly related to teaching students with visual impairments; or
 - (II) have one creditable year of classroom teaching experience, as defined in Chapter 153, Subchapter CC, of this title;
 - (iii) have demonstrated competency in literary Braille and basic Nemeth Code by passing the approved Braille examination, holding certification as a literary Braille transcriber by the Library of Congress, or completing one university course in Braille; and
 - (iv) have verified that the employing school district, cooperative, or ESC has one or more fully certified teachers of students with visual impairments available as a mentor and to provide support.
 - (C) Home-based instruction or instruction in a hospital class. An individual must:
 - (i) be currently certified based on a baccalaureate degree from an accredited institution of higher education; and
 - (ii) have one creditable year of teaching experience, as defined in Chapter 153, Subchapter CC, of this title.
 - (D) Special education (Early Childhood-Grade 12).
 - (i) An individual who holds a baccalaureate degree from an accredited institution of higher education and is certified at the appropriate level must:
 - (I) have completed six semester credit hours directly related to teaching children with special learning needs; or
 - (II) have one creditable year of classroom teaching experience, as defined in Chapter 153, Subchapter CC, of this title.

- (ii) An individual who holds a baccalaureate degree from an accredited institution of higher education, but is not certified must:
 - (I) for elementary assignments, meet requirements for the level of assignment as stated in subsection (b) of this section and have completed 18 semester credit hours directly related to teaching children with special learning needs; or
 - (II) for secondary assignments, have completed 24 semester credit hours directly related to teaching children with special learning needs.
- (g) Assignments for other instructional and support personnel.
 - (1) School Counselor (Early Childhood-Grade 12). An individual must:
 - (A) hold a baccalaureate degree from an accredited institution of higher education;
 - (B) have completed 24 semester credit hours of graduate-level credit, including 12 semester credit hours in guidance and counseling; and
 - (C) have two creditable years of classroom teaching experience, as defined in Chapter 153, Subchapter CC, of this title.
 - (2) Educational Diagnostician (Early Childhood-Grade 12). An individual must:
 - (A) hold a baccalaureate degree from an accredited institution of higher education;
 - (B) have completed 30 semester credit hours of graduate-level credit in the field of education or a related field, including six semester credit hours in tests and measurements, at least three semester credit hours of which emphasized individualized testing;
 - (C) have completed six semester credit hours directly related to teaching individuals with special learning needs; and
 - (D) have two creditable years of classroom teaching experience, as defined in Chapter 153, Subchapter CC, of this title.
 - (3) School Librarian (Early Childhood-Grade 12). An individual must:
 - (A) hold a baccalaureate degree from an accredited institution of higher education;
 - (B) have completed six semester credit hours directly related to the basic competencies required of school librarians; and
 - (C) have two creditable years of classroom teaching experience, as defined in Chapter 153, Subchapter CC, of this title.
 - (4) Reserve Officers' Training Corps (ROTC) instructor.
 - (A) An individual must verify that he or she has satisfied the requirements and been approved to serve by the ROTC.
 - (B) Requirements specified in §230.506 of this title (relating to Renewal Requirements) do not apply to this assignment.
 - (C) Continued assignment must be documented on the individual's teacher service record.

Source: The provisions of this §230.504 adopted to be effective December 5, 1996, 21 TexReg 11480; amended to be effective April 28, 1997, 22 TexReg 3585; amended to be effective July 11, 1999, 24 TexReg 5013; amended to be effective June 21, 2009, 34 TexReg 3930.

§230.505. Procedures for Activation of Initial Emergency Permits.

- (a) For all assignments (except career and technical education assignments based on skill and experience). The employing superintendent or his or her designee or authorized representative must verify the individual's eligibility for the emergency permit as described in §230.503 of this title (relating to General Eligibility

Requirements for Emergency Permits) and §230.504 of this title (relating to Specific Requirements for Initial Emergency Permits) and submit to the Texas Education Agency (TEA) staff the following information within 45 instructional days of assignment:

- (1) a completed emergency permit application;
 - (2) one of the following:
 - (A) a deficiency plan from an approved Texas educator preparation program verifying that the individual meets the grade point average requirement for admission to the educator education program and a listing of the preparation, student teaching/internship, and/or assessment activities required to obtain certification in the assignment for which the emergency permit application has been submitted; or
 - (B) for an individual who holds a baccalaureate degree from an accredited institution of higher education, is certified, and is placed in an assignment requiring a classroom teaching certificate or endorsement, verification of registration for the next available administration of the appropriate content specialization portion of the certification examination; and
 - (3) the appropriate fee (payable by the school district).
- (b) For career and technical education assignments based on skill and experience. The employing superintendent or his or her designee or authorized representative must verify the individual's eligibility for the emergency permit as described in §230.503 and §230.504 of this title and submit to the TEA staff the following information within 45 instructional days of assignment:
- (1) a completed emergency permit application;
 - (2) a copy of the individual's statement of qualifications, approved by the certification officer of an institution of higher education approved to prepare career and technical education teachers, verifying appropriate work experience in the occupation or trade area to be taught. For the purpose of approving work experience, 12 months of wage-earning experience consisting of at least 40 hours per week shall equal one year of full-time experience. Wage-earning experience consisting of less than 40 hours per week, but at least 20 hours per week, shall be calculated at a 50% rate in determining years of full-time experience. Wage-earning experience consisting of less than 20 hours per week shall not be considered acceptable in determining full-time experience;
 - (3) a deficiency plan from an approved Texas educator preparation program for the career and technical education certificate appropriate for the assignment; and
 - (4) the appropriate fee (payable by the school district).

Source: The provisions of this §230.505 adopted to be effective December 5, 1996, 21 TexReg 11480; amended to be effective July 11, 1999, 24 TexReg 5013; amended to be effective June 21, 2009, 34 TexReg 3930.

§230.506. Renewal Requirements.

- (a) General provisions.
 - (1) The employing superintendent or his or her designee or authorized representative of a public school district may renew an emergency permit for the same assignment in the same school district for which the initial emergency permit was activated.
 - (2) No individual may continue in the same assignment for more than three years of service on an emergency permit, except as provided in paragraph (4) of this subsection.
 - (3) The total of semester credit hours or the equivalent contact hours required to obtain certification appropriate for the assignment shall determine the number of emergency permit renewals for which the individual may be eligible. The following schedule shall determine eligibility for emergency permit renewal.

- (A) For six semester credit hours or less plus appropriate examination requirements, an individual is not eligible for renewal.
 - (B) For six semester credit hours or less, appropriate examination requirements, and teaching two years on an emergency permit in lieu of student teaching, an individual is eligible for one renewal, provided the individual completes all coursework during the first year.
 - (C) For 7-12 semester credit hours plus appropriate examination requirements, an individual is eligible for one renewal.
 - (D) For more than 12 semester credit hours plus appropriate examination requirements, an individual is eligible for two renewals.
- (4) An emergency permit used fewer than 85 calendar days may be renewed for one additional year of service, provided renewal requirements have been met each year. Effective with the 1998-1999 school year, emergency permits used fewer than 90 calendar days may be renewed for one additional year of service.
- (b) Renewal procedures.
- (1) Before an emergency permit for a noncertified individual is renewed for the first time, the superintendent or his or her designee or authorized representative must verify that a noncertified teacher has satisfied the admission requirements of an educator preparation program in the areas of reading, written communication, and mathematics.
 - (2) No emergency permit renewal will be authorized for a teacher who does not satisfy the admission requirements of an educator preparation program specified in paragraph (1) of this subsection.
 - (3) The superintendent or his or her designee or authorized representative may renew an emergency permit provided the following requirements and procedures are met.
 - (A) The emergency permit must be renewed for the same assignment in the same school district.
 - (B) Official transcripts verifying completion of a minimum of six semester credit hours or documentation of completion of equivalent contact hours toward the appropriate target certificate must be placed in the individual's personnel file.
 - (C) The appropriate renewal section of the original emergency permit application must be completed prior to the beginning date of duties for the current school year.
 - (4) Requests for emergency permit renewal must be submitted for authorization when:
 - (A) an individual has failed to demonstrate progress toward correcting a deficiency by completing the appropriate renewal requirements specified in subsection (a) of this section;
 - (B) the renewal is for a change of assignment or school district; or
 - (C) the renewal is for nonconsecutive years.
 - (5) The following information must be submitted when requesting authorization for emergency permit renewal from the Texas Education Agency (TEA) staff:
 - (A) an emergency permit application, indicating the appropriate renewal, completed before the continued assignment;
 - (B) verification of all course work or equivalent contact hours completed since authorization of the initial emergency permit; and
 - (C) the appropriate fee (payable by the school district).

Source: The provisions of this §230.506 adopted to be effective December 5, 1996, 21 TexReg 11480; amended to be effective July 11, 1999, 24 TexReg 5013; amended to be effective June 7, 2000, 25 TexReg 5332; amended to be effective June 21, 2009, 34 TexReg 3930.

§230.507. Nonrenewable Permits.

- (a) The superintendent or his or her designee of a public school district may activate a nonrenewable permit for an individual who has not completed the appropriate examination requirements specified in §230.5 of this title (relating to Educator Assessment).
- (b) A nonrenewable permit may be activated for an individual in one or more of the following categories:
 - (1) an individual who has completed all course and degree requirements of a Texas educator preparation program specified in this chapter except for successful completion of all appropriate examination requirements. Nonrenewable permits activated for individuals in this category expire 12 months from the date of activation;
 - (2) an individual who holds a Texas teacher certificate with an effective date before February 1, 1986, but has not revalidated the certificate for employment purposes by passing an examination specified in this chapter. The individual must not have been employed in a Texas public school during the 1985-1986 school year or since. A nonrenewable permit activated for an individual in this category expires six months from the date of activation or at the end of the school year, whichever is less; or
 - (3) an individual who has served on a one-year certificate under Subchapter O of this chapter (relating to Texas Educator Certificates Based on Certification and College Credentials from Other States or Territories of the United States) and passed the appropriate content specialization portions of the certification examinations but did not pass the pedagogy and professional responsibilities portion of the examination while the one-year certificate was valid. A nonrenewable permit activated for an individual in this category expires 12 months from the date the individual first attempted the pedagogy and professional responsibilities portion of the certification examinations.
- (c) A nonrenewable permit may not be activated for an individual in the same assignment area for which another permit had previously been authorized.
- (d) The employing superintendent or his or her designee or authorized representative must verify that an individual is eligible for the permit under this section and submit the following information within 60 calendar days of assignment:
 - (1) an application for a nonrenewable permit completed before the effective date of the assignment; and
 - (2) the appropriate fee (payable by the school district).

Source: The provisions of this §230.507 adopted to be effective December 5, 1996, 21 TexReg 11480; amended to be effective July 11, 1999, 24 TexReg 5013; amended to be effective June 21, 2009, 34 TexReg 3930.

§230.512. Emergency Certificates.

The permits contained in this subchapter fulfill the provision stated in the Texas Education Code, §21.041(b)(2), concerning emergency certificates until rules relating to new classes of emergency certificates are adopted.

Source: The provisions of this §230.512 adopted to be effective March 1, 1998, 23 TexReg 1022; amended to be effective June 21, 2009, 34 TexReg 3930.

Subchapter S. Educational Aide Certificate

Statutory Authority: The provisions of this Subchapter S issued under the Texas Education Code, §21.041(a) and (b)(1)-(4), unless otherwise noted.

§230.551. Policy.

An individual employed in a Texas public school as an educational aide must be certified according to requirements established by the State Board for Educator Certification.

Source: The provisions of this §230.551 adopted to be effective December 5, 1996, 21 TexReg 11480; amended to be effective March 19, 2000, 25 TexReg 2059; amended to be effective June 21, 2009, 34 TexReg 3930.

§230.552. Procedures in General.

- (a) School district administrators have the authority and responsibility to determine the number of educational aides and level of job performance desired for the operation of the school district. The school district administrator is responsible for preparing accurate job descriptions for each assignment, classifying each assignment, and filling these assignments with individuals certified according to this subchapter.
- (b) An appropriate certificate shall be issued to a qualified individual who is recommended by the employing superintendent or his or her designee and who meets the requirements of this subchapter. The school district shall submit the following materials to the SBEC:
 - (1) a completed application and recommendation for an educational aide certificate; and
 - (2) the designated fee.
- (c) An individual with experience in other states must have that experience verified on a teacher service record when he or she is employed in a Texas school district.
- (d) An applicant for an Educational Aide certificate is subject to the provisions in §230.413(b)(1)-(5) of this title (relating to General Requirements).

Source: The provisions of this §230.552 adopted to be effective December 5, 1996, 21 TexReg 11480; amended to be effective March 19, 2000, 25 TexReg 2059; amended to be effective June 21, 2009, 34 TexReg 3930.

§230.553. Certification Requirements for Educational Aide I.

An applicant for an educational aide I certificate shall:

- (1) hold a high school diploma or the equivalent; and
- (2) have experience working with students or parents as approved by the employing superintendent. Experience may be work in church related schools, day camps, youth groups, private schools, licensed day-care centers, or similar experience.

Source: The provisions of this §230.553 adopted to be effective December 5, 1996, 21 TexReg 11480; amended to be effective March 19, 2000, 25 TexReg 2059; amended to be effective June 21, 2009, 34 TexReg 3930.

§230.554. Certification Requirements for Educational Aide II.

An applicant for an educational aide II certificate shall:

- (1) hold a high school diploma or the equivalent;
- (2) have satisfied one of the following requirements:
 - (A) have two creditable years of experience, as defined in Chapter 153, Subchapter CC, of this title (relating to Commissioner's Rules on Creditable Years of Service), as an educational aide I;
 - (B) have completed a minimum of 15 semester credit hours of college credit with some emphasis on child growth and development or related subject areas; or

- (C) have demonstrated proficiency in a specialized skill area as determined by the school district; and
- (3) have experience working with students or parents as approved by the employing superintendent.

Source: The provisions of this §230.554 adopted to be effective December 5, 1996, 21 TexReg 11480; amended to be effective April 28, 1997, 22 TexReg 3586; amended to be effective March 19, 2000, 25 TexReg 2059; amended to be effective June 21, 2009, 34 TexReg 3930.

§230.555. Certification Requirements for Educational Aide III.

An applicant for an educational aide III certificate shall:

- (1) hold a high school diploma or the equivalent;
- (2) have satisfied one of the following requirements:
 - (A) have three creditable years of experience, as defined in Chapter 153, Subchapter CC, of this title (relating to Commissioner's Rules on Creditable Years of Service), as either an educational aide I or II; or
 - (B) have completed 30 semester credit hours of college credit with some emphasis on child growth and development or related subject areas; and
- (3) have experience working with students or parents as approved by the employing superintendent.

Source: The provisions of this §230.555 adopted to be effective December 5, 1996, 21 TexReg 11480; amended to be effective April 28, 1997, 22 TexReg 3586; amended to be effective March 19, 2000, 25 TexReg 2059; amended to be effective June 21, 2009, 34 TexReg 3930.

§230.559. Assignments in Specialized Areas.

An individual employed as an educational aide must hold an Educational Aide certificate. An educational aide assigned to a specialized area, such as vocational education, special education, and title programs, shall meet the eligibility requirements assigned to that area; however, no certification beyond an educational aide certificate will be required for assignment in a specialized area.

Source: The provisions of this §230.559 adopted to be effective December 5, 1996, 21 TexReg 11480; amended to be effective March 19, 2000, 25 TexReg 2059; amended to be effective June 21, 2009, 34 TexReg 3930.

§230.560. Role Descriptions.

School districts shall use the following guidelines to assign educational aides.

- (1) Educational Aide I: performs routine tasks under the direction and supervision of a certified teacher or teaching team; releases the teacher from routine tasks and participates in selecting, planning, organizing, and evaluating; helps the teacher with clerical operations; helps the teacher supervise students in routine movement from one recreational activity to another; helps supervise the playground, bus, and lunchroom; helps the teacher prepare and use instructional media; duplicates instructional materials for teachers; performs classroom clerical operations under the supervision of a certified teacher; or performs equivalent activities determined by the local school district.
- (2) Educational Aide II: performs tasks under the general supervision of a certified teacher or teaching team; releases the teacher from routine tasks and participates in selecting, planning, organizing, and evaluating; helps the teacher prepare and use instructional materials; conducts drills and exercises as directed by the teacher; helps administer and score objective measurement instruments; helps the teacher work with individual students and groups; duplicates materials; records grades and attendance; prepares instructional aids, including displays and mockups; assists with play area activities; helps operate and use educational media; assists with testing routines; works with individual students in drills and exercises; conducts group drills and exercises; assists

students with programmed or precise units of instruction; or performs equivalent activities determined by the local school district.

- (3) Educational Aide III: performs and assumes responsibility for tasks under the general guidance of a certified teacher or teaching team; releases the teacher from routine tasks and participates in selecting, planning, organizing, and evaluating; helps the teacher implement methodology and use instructional media to yield an educational environment for all students; assists the teacher with instructional activities; works with individuals or groups of students in a variety of educational experiences; relieves the teacher of selected exercises and instructional drills with students; or performs equivalent activities determined by the local school district.

Source: The provisions of this §230.560 adopted to be effective December 5, 1996, 21 TexReg 11480; amended to be effective March 19, 2000, 25 TexReg 2059; amended to be effective June 21, 2009, 34 TexReg 3930.

Subchapter V. Induction Training for Beginning Teachers

Statutory Authority: The provisions of this Subchapter V issued under the Texas Education Code, §21.044, unless otherwise noted.

§230.610. Induction Program for Beginning Teachers.

- (a) General provisions. Beginning teachers who do not have prior teaching experience shall be assigned a trained mentor teacher.
- (b) Induction training for beginning teachers. Beginning teachers shall participate in teacher orientation, which may include specialized induction year program activities.

Source: The provisions of this §230.610 adopted to be effective December 5, 1996, 21 TexReg 11480; amended to be effective June 21, 2009, 34 TexReg 3930.