

Item 9:

Proposed Repeal of and New 19 TAC Chapter 230, Professional Educator Preparation and Certification

DISCUSSION AND ACTION

SUMMARY: This item provides the State Board for Educator Certification (SBEC) an opportunity to discuss and propose the repeal of 19 TAC Chapter 230, Professional Educator Preparation and Certification, 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; and propose new 19 TAC Chapter 230, Professional Educator Preparation and Certification, Subchapter A, General Provisions; Subchapter B, General Certification Requirements; Subchapter C, Assessment of Educators; Subchapter D, Types and Classes of Certificates Issued; Subchapter E, Educational Aide Certificate; Subchapter F, Permits; Subchapter G, Certificate Issuance Procedures; and Subchapter H, Texas Educator Certificates Based on Certification and College Credentials from Other States or Territories of the United States. The proposed rule actions would be necessary as a result of the reorganization of the rules codified in Chapter 230. Proposed new 19 TAC Chapter 230, Subchapters A-H, would update statutory and administrative rule references and clarify and streamline the professional educator preparation and certification provisions to make them more accessible and understandable to the public. Proposed new 19 TAC Chapter 230, Subchapter C, would also include new statutory requirements as a result of Senate Bill (SB) 867, 82nd Texas Legislature, 2011. In addition, proposed new 19 TAC Chapter 230, Subchapter G, would include new statutory requirements as a result of SB 54, 82nd Texas Legislature, 2011.

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

The statutory authority for proposed new 19 TAC Chapter 230, Subchapter A, is the TEC, §§21.041(b)(1), (2) and (4), 21.044, 21.048, 21.050, and 22.082. The statutory authority for proposed new 19 TAC Chapter 230, Subchapter B, is the TEC, §§21.041(b)(2) and (4), 21.044, 21.048, 21.050, and 22.082. The statutory authority for proposed new 19 TAC Chapter 230, Subchapter C, is the TEC, §§21.031, 21.045(a)(1), and 21.048(a), and the Texas Occupations Code, §54.003. The statutory authority for proposed new 19 TAC Chapter 230, Subchapter D, is the TEC, §§21.003(a), 21.031, 21.041(b)(1)-(5) and (9), 21.051, and 22.0831(c) and (f). The statutory authority for proposed new 19 TAC Chapter 230, Subchapter E, is the TEC, §21.041(a) and (b)(1)-(4). The statutory authority for proposed new 19 TAC Chapter 230, Subchapter F, is the TEC, §§21.031(a), 21.041(b)(1), (2), and (4), 21.044, 21.045, and 21.048. The statutory authority for proposed new 19 TAC Chapter 230, Subchapter G, is the TEC, §§21.031(a), 21.041(b)(1)-(5) and (9) and (c), 21.048, 21.0485, 21.050, 21.054(a), 22.082, and 22.0831(f), and Texas Occupations Code, §53.105. The statutory authority for proposed new 19 TAC Chapter 230, Subchapter H, is the TEC, §§21.040(6), 21.041(b)(4) and (5) and (c), 21.048, 21.050, 21.052, and 21.054(a).

EFFECTIVE DATE: If approved for filing as proposed in February 2012, the proposed effective date of the proposed repeal of and proposed new 19 TAC Chapter 230 would be August 26, 2012 (20 days after filing as adopted with the *Texas Register*). The proposed effective date is also based on the SBEC and State Board of Education meeting schedules.

PREVIOUS BOARD ACTION: 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 230.436, 230.437, and 230.483 were last amended to be effective October 28, 2010. A discussion item on the proposed reorganization of and amendments to 19 TAC Chapter 230, Professional Educator Preparation and Certification; 19 TAC Chapter 232, General Certification Provisions; and 19 TAC Chapter 233, Categories of Classroom Teaching Certificates, was presented to the SBEC at the October 2011 meeting.

BACKGROUND INFORMATION AND SIGNIFICANT ISSUES: The current SBEC rules in 19 TAC Chapter 230 are currently 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 Texas Education Agency (TEA) staff held face-to-face stakeholder meetings on October 17, 2011, and November 17, 2011, to gather input on the proposed reorganization of and amendments to the rules currently codified in 19 TAC Chapter 230, Professional Educator Preparation and Certification. Following is a description of the proposed changes.

Proposed New Subchapter A, General Provisions

Proposed new 19 TAC §230.1 would specify that the definitions in this section also apply to proposed new 19 TAC Chapter 232, General Certification Provisions, and proposed new 19

TAC Chapter 233, Categories of Classroom Teaching Certificates, as a result of the reorganization of these chapters to establish continuity. In addition, proposed new §230.1 would reflect updated terms to be used by all programs to ensure effective communication among all educators and stakeholders in the state. Definitions would be updated for educator preparation program (EPP), examination, mentor, and private school, and new definitions would be added for accredited institution of higher education, classroom teacher, continuing professional education, field supervision, hearing impairment, high-quality professional development, initial certification, internship, professional class, State Board for Educator Certification, teacher of record, and Texas school district.

Proposed new 19 TAC §230.3 would include language to clarify that professionally prepared individuals would have demonstrated pedagogical and content proficiency.

Proposed New Subchapter B, General Certification Requirements

A majority of the rules in this subchapter would reflect rules renumbered and moved from current 19 TAC Chapter 230, Subchapter M, with only minor technical edits to the rule text such as updating administrative rule references due to the reorganization of the chapter. Proposed new 19 TAC §230.11 would not include the general certification and educational aide requirement for specialized program assignments since an educational aide no longer serves in specialized program assignments. Proposed new 19 TAC §230.13 would include language to address the submission of passing scores on comprehensive examinations for the issuance of a standard certification in the area of career and technical education based on experience and preparation in a skill area.

Proposed New Subchapter C, Assessment of Educators

This subchapter would reflect a rule renumbered and moved from current 19 TAC Chapter 230, Subchapter B, with only minor technical edits to the rule text such as updating administrative rule references due to the reorganization of the chapter. In addition, as a result of SB 867, 82nd Texas Legislature, 2011, proposed new 19 TAC §230.23 would specify requirements for testing accommodations for persons with dyslexia. Proposed new 19 TAC §230.25 would clarify requirements for persons with hearing impairments seeking an exemption for educator certification and provide additional guidance for EPPs.

Proposed New Subchapter D, Types and Classes of Certificates Issued

This subchapter would reflect rules renumbered and moved from current 19 TAC Chapter 232, Subchapter A, with changes and technical edits to the rule text such as updating administrative rule references due to the reorganization of the chapter. Proposed new 19 TAC §230.33 would not include instructional educator other than classroom teacher as a class of certificate. Proposed new 19 TAC §230.37 would be organized by requirements applicable to each type of educator preparation program when recommending a candidate for a probationary certificate. In subsection (c)(4), an EPP would be required to notify TEA immediately if the status of a holder of a probationary certificate changes because of a resignation, termination, or discharge or release from the EPP. In subsection (d), language would be included to address a traditional undergraduate preparation program internship. Proposed new 19 TAC §230.41 would not specify any country participating in the visiting teacher program.

No substantive changes are recommended to proposed new §§230.31, 230.35, and 230.39.

Proposed New Subchapter E, Educational Aide Certificate

This subchapter would reflect rules renumbered and moved from current 19 TAC Chapter 230, Subchapter S, with the exception of 19 TAC §230.559, with technical edits to the rule text such as updating an administrative rule reference due to the reorganization of the chapter. Section 230.559, Assignments in Specialized Areas, is proposed for repeal. Proposed new 19 TAC §230.53 would include more specific guidance for school districts when recommending a qualified candidate for an educational aide certificate.

No substantive changes are recommended to proposed new §§230.51, 230.55, 230.57, 230.59, and 230.61.

Proposed New Subchapter F, Permits

This subchapter would reflect rules renumbered and moved from current 19 TAC Chapter 230, Subchapter Q, with changes and technical edits to the rule text such as updating administrative rule references due to the reorganization of the chapter. Proposed new 19 TAC §230.77 would require, in subsection (g)(3), that the assignment for instructional support personnel would increase the number of completed semester hours directly related to the basic competencies required of school librarians from 6 to 12 hours and, in subsection (g)(4)(B), that the issuance of an emergency permit would require Reserve Officers' Training Corps (ROTC) instructors to be reissued a permit every year.

No substantive changes are recommended to proposed new §§230.71, 230.73, 230.75, 230.79, 230.81, 230.83, and 230.85.

Proposed New Subchapter G, Certificate Issuance Procedures

This subchapter would reflect rules renumbered and moved from current 19 TAC Chapter 230, Subchapter N, with the exception of 19 TAC §230.433, with changes. Section 230.433, Duplicate Certificates, is proposed for repeal. Proposed new 19 TAC §230.91 would specify the issuance of an online, printable certificate as the official record provided to the holder of the certificate. Proposed new 19 TAC §230.101 would include a fee for correcting a certificate or permit when the error is not made by the TEA. In addition, no fee would be included for the issuance of a duplicate certificate since TEA no longer provides printed or duplicate certificates. As a result of SB 54, 82nd Texas Legislature, 2011, proposed new 19 TAC §230.105 would include the Teacher of Students with Visual Impairments Supplemental certificate, which would not be allowed to be added through certification by examination.

No substantive changes are recommended to proposed new §§230.93, 230.97, 230.99, and 230.103.

Proposed New Subchapter H, Texas Educator Certificates Based on Certification and College Credentials from Other States or Territories of the United States

This subchapter would reflect rules renumbered and moved from current 19 TAC Chapter 230, Subchapter O, with changes and technical edits to the rule text such as updating administrative rule references due to the reorganization of the chapter. Proposed new 19 TAC §230.111 would clarify in subsection (e) that the SBEC does not offer teacher certificates outside of the Early

Childhood-Grade 12 levels for out-of-state educators. In addition, the proposed new section would clarify in subsection (f) that if a Texas examination or certification is scheduled for elimination, an individual requesting certification and examination comparability must ensure that all review documentation, including test scores, is received by TEA staff 60 calendar days before the application submission deadline for the test and or certification sought. Proposed new 19 TAC §230.117 would clarify in subsection (a) that a review of credentials will only be valid for the existing standards at the time of the review for the certificate and would specify in subsection (b) that individuals who do not submit all required documents for the review at the time of the application will have one year to submit all required documents or will be required to reapply and resubmit the application fee.

No substantive changes are recommended to proposed new §230.113 and §230.115.

Proposed Repeal of 19 TAC Chapter 230

As shown in Attachment II, this item also presents the proposed repeal of rules in 19 TAC Chapter 230, 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, due to the reorganization of the rules.

FISCAL IMPACT: The TEA staff have determined that there are no additional costs to persons or entities required to comply with the proposed rule actions. However, it should be noted that this proposal clarifies that a person must pay a fee for correcting a certificate or permit when the error is not made by the TEA. The fee for correcting a certificate or permit would be equal to the fee for the original certificate or permit. There is no direct adverse economic impact for small businesses or microbusinesses; therefore, no regulatory flexibility analysis, specified in Texas Government Code, §2006.002, is required.

PUBLIC AND STUDENT BENEFIT: The proposed rule actions would result in the reorganization and clarification of the certification requirements, fees, procedures, permits, and criteria for professional educator preparation and certification to make those requirements and procedures more accessible to the public.

PROCEDURAL AND REPORTING IMPLICATIONS: The TEA staff have determined that there are no procedural and reporting implications for school districts and educators.

LOCALLY MAINTAINED PAPERWORK REQUIREMENTS: The TEA staff have determined that there are no locally maintained paperwork requirements for school districts and educators.

PUBLIC COMMENTS: The official public comment period will begin once the rule actions have been published as proposed in the *Texas Register*.

ALTERNATIVES: None.

OTHER COMMENTS AND RELATED ISSUES: Separate items are presented for discussion and action in this agenda to propose rule actions to 19 TAC Chapter 232, General Certification

Provisions, and 19 TAC Chapter 233, Categories of Classroom Teaching Certificates, resulting from the reorganization of the rules.

ASSOCIATE COMMISSIONER'S RECOMMENDATION: I recommend that the State Board for Educator Certification:

Approve the proposed repeal of 19 TAC Chapter 230, Professional Educator Preparation and Certification, 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, for filing as proposed with the *Texas Register*, and

Approve proposed new 19 TAC Chapter 230, Professional Educator Preparation and Certification, Subchapter A, General Provisions; Subchapter B, General Certification Requirements; Subchapter C, Assessment of Educators; Subchapter D, Types and Classes of Certificates Issued; Subchapter E, Educational Aide Certificate; Subchapter F, Permits; Subchapter G, Certificate Issuance Procedures; and Subchapter H, Texas Educator Certificates Based on Certification and College Credentials from Other States or Territories of the United States, for filing as proposed with the *Texas Register*.

Respectfully submitted,

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- Attachments:**
- I. Statutory Citations
 - II. Text of Proposed Repeal of 19 TAC Chapter 230, Professional Educator Preparation and Certification, 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
 - III. Text of Proposed New 19 TAC Chapter 230, Professional Educator Preparation and Certification, Subchapter A, General Provisions; Subchapter B, General Certification Requirements; Subchapter C, Assessment of Educators; Subchapter D, Types and Classes of Certificates Issued; Subchapter E, Educational Aide Certificate; Subchapter F, Permits; Subchapter G, Certificate Issuance Procedures; and Subchapter H, Texas Educator Certificates Based on Certification and College Credentials from Other States or Territories of the United States

Attachment I**Statutory Citations Relating to Proposed Repeal of and New 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, as amended by Senate Bill (SB) 1179, 82nd Texas Legislature, 2011 (excerpt):

The board shall:

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

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, as amended by SB 866 and SB 1620, 82nd Texas Legislature, 2011 (excerpt):

- (a) 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, §21.0485, Certification to Teach Students with Visual Impairments, as added by SB 54, 82nd Texas Legislature, 2011:

- (a) To be eligible to be issued a certificate to teach students with visual impairments, a person must:
- (1) complete either:
 - (A) all course work required for that certification in an approved educator preparation program; or
 - (B) an alternative educator certification program approved for the purpose by the board;
 - (2) perform satisfactorily on each examination prescribed under Section 21.048 for certification to teach students with visual impairments, after completing the course work or program described by Subdivision (1); and
 - (3) satisfy any other requirements prescribed by the board.
- (b) Subsection (a) does not apply to eligibility for a certificate to teach students with visual impairments, including eligibility for renewal of that certificate, if the application for the initial certificate was submitted on or before September 1, 2011.

Texas Education Code, §21.050, Academic Degree Required for Teaching Certificate; Internship, as amended by SB 32, 82nd Texas Legislature, 2011:

- (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 ~~54.363~~ [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, §21.051, Rules Regarding Field-Based Experience and Options for Field Experience and Internships, as amended by SB 8, 82nd Texas Legislature, First Called Session, 2011:

- (a) In this section, "teacher of record" means a person employed by a school district who teaches the majority of the instructional day in an academic instructional setting and is responsible for evaluating student achievement and assigning grades.
- (b) Before a school district may employ a candidate for certification as a teacher of record, the candidate must complete at least 15 hours of field-based experience in which the candidate is actively engaged in instructional or educational activities under supervision at:
 - (1) a public school campus accredited or approved for the purpose by the agency; or
 - (2) a private school recognized or approved for the purpose by the agency.
- (c) Subsection (b) applies only to an initial certification issued on or after September 1, 2012. Subsection (b) does not affect:
 - (1) the validity of a certification issued before September 1, 2012; or
 - (2) the eligibility of a person who holds a certification issued before September 1, 2012, to obtain a subsequent renewal of the certification in accordance with board rule.
- (d) Subsection (b) does not affect the period within which an individual must complete field-based experience hours as determined by board rule if the individual is not accepted into an educator preparation program before the deadline prescribed by board rule and is hired for a teaching assignment by a school district after the deadline prescribed by board rule.
- (e) The board shall propose rules relating to the field-based experience required by Subsection (b). The commissioner by rule shall adopt procedures and standards for recognizing a private school under Subsection (b)(2).

- (f) The board shall propose rules providing flexible options for persons for any field-based [~~field~~] experience or internship required for certification.

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:

- (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 Education Code, §51.970, Instructional Material for Blind and Visually Impaired Students and Students with Dyslexia (excerpt):

- (a) In this section:
- (3) "Dyslexia" means a condition of dyslexia considered to be a disability under the Americans with Disabilities Act (42 U.S.C. Section 12101 et seq.) or Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. Section 794).

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.

Texas Occupations Code, §54.003, Examination Accommodations for Person with Dyslexia, as added by SB 867, 82nd Texas Legislature, 2011:

- (a) In this section, "dyslexia" has the meaning assigned by Section 51.970, Education Code.
- (b) For each licensing examination administered by a state agency, the agency shall provide reasonable examination accommodations to an examinee diagnosed as having dyslexia.
- (c) Each state agency shall adopt rules necessary to implement this section, including rules to establish the eligibility criteria an examinee must meet for accommodation under this section.

ATTACHMENT II
Text of Proposed Repeal of 19 TAC**[Chapter 230. Professional Educator Preparation and Certification]****[Subchapter A. Definitions]****§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.]~~

[Subchapter B. Assessment of Educators]**[§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.]~~

[Subchapter M. Certification of Educators in General]**§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.]~~

§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.]~~

§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).]~~

[Subchapter N. Certificate Issuance Procedures]**[\$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.]~~

[\$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.]~~

[\$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.]~~

[\$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.]~~

~~[\$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.]~~

~~[\$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.]~~

§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.]~~

~~§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.]~~

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

§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.]~~

§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.]~~

~~§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.]~~

~~§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.]~~

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

[§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.]~~

[§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.]~~

[§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.]~~

[Subchapter Q. Permits]**[§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.]~~

§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.]~~

§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.]~~

§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.]~~

§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).]~~

§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).]~~

~~§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).]~~

~~**[§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.]~~

[Subchapter S. Educational Aide Certificate]**§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.]~~

§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).]~~

§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.]~~

§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.]~~

§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.]~~

§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.]~~

§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.]~~

[Subchapter V. Induction Training for Beginning Teachers]

[\$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.]~~

ATTACHMENT III
Text of Proposed New 19 TAC

Chapter 230. Professional Educator Preparation and Certification

Subchapter A. General Provisions

§230.1. Definitions.

The following words and terms, when used in this chapter, Chapter 232 of this title (relating to General Certification Provisions), and Chapter 233 of this title (relating to Categories of Classroom Teaching Certificates), shall have the following meanings, unless the context clearly indicates otherwise.

- (1) Accredited institution of higher education--An institution of higher education that at the time was accredited or otherwise approved by an accrediting organization recognized by the Texas Higher Education Coordination Board.
- (2) Certificate--Any credential issued by the State Board for Educator Certification under the authority of the Texas Education Code, Chapter 21, Subchapter B.
- (3) Classroom teacher--An educator who is employed by a school district approved by the Texas Education Agency or by an open-enrollment charter school approved by the State Board of Education and who teaches, not less than four hours each day, in an academic instructional setting or a career and technical education instructional setting. This term does not include a teacher's aide, Reserve Officers' Training Corps (ROTC) instructors, substitute, or a full-time or part-time administrator.
- (4) Continuing professional education--Professional development required for the renewal of educator and professional certificates that is designed to ensure improvement in both the performance of the educator and achievement of his or her students.
- (5) Educator--A person who is required to hold a certificate issued under the Texas Education Code, Chapter 21, Subchapter B.
- (6) Educator preparation program--An entity approved by the State Board for Educator Certification to offer training and coursework to prepare candidates for an educator certificate.
- (7) Examination--A standardized test or assessment required by statute or State Board for Educator Certification 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.
- (8) Field supervision--An educator preparation program is responsible for the supervision of a candidate during student teaching, clinical teaching, internship, or a practicum. The supervision includes monitoring candidates and providing them with constructive feedback to improve their professional performance based on the standards associated with the certificate being sought.
- (9) Hearing impairment--As defined in the Texas Education Code, §21.048(d)(1), a hearing impairment so severe that the person cannot process linguistic information with or without amplification.
- (10) High-quality professional development--Professional development that meets the requirements of the No Child Left Behind Act of 2001, 20 United States Code, §7801 (2001, as amended) and its subsequent amendments.
- (11) Initial certification--The first Texas certificate issued to an individual based on participation in an approved educator preparation program.
- (12) Internship--A one academic year (or 180 school days) supervised educator assignment at a public school accredited by the Texas Education Agency (TEA) or other school approved by the TEA for internships, which may lead to completion of a standard certificate.

- (13) Mentor--A certified educator who is assigned by the campus administrator and who has completed, within the past three years, mentor training provided by an educator preparation program, regional education service center, campus, or school district. Responsibilities of the mentor include, but are not limited to:
- (A) guiding, assisting, and supporting the beginning teacher in areas such as acquisition of instructional materials, classroom management, curriculum and instruction, district policy, parent involvement, and student assessment; and
- (B) providing information to the educator preparation program regarding the progress of the beginning teacher seeking new certification.
- (14) Private school--A non-public school whose educational program has been evaluated by a regional accrediting agency and whose program has met and is maintaining certain educational standards.
- (15) Professional class--A term that refers to certificates for duties other than classroom teacher (e.g., superintendent, principal, school counselor, school librarian, educational diagnostician, reading specialist, and master teachers).
- (16) State Board for Educator Certification--The State Board for Educator Certification acting through its voting members in a decision-making capacity.
- (17) Teacher of record--An educator employed by a school district who teaches the majority of the instructional day in an academic instructional setting and is responsible for evaluating student achievement and assigning grades.
- (18) 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.
- (19) Texas Education Agency staff--Staff of the Texas Education Agency assigned by the commissioner of education to perform the State Board for Educator Certification's administrative functions and services.
- (20) Texas school district--A school district accredited and approved by the Texas Education Agency under the Texas Education Code, Chapter 11.

§230.3. Purpose.

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

Subchapter B. General Certification Requirements**§230.11. General Requirements.**

- (a) The only credits and degrees acceptable for certification of educators are those earned from and conferred by accredited institutions of higher education. 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 of age;
 - (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 communicate, listen, read, write, and comprehend the English language sufficiently to use it easily and readily in daily communication and teaching. English language proficiency shall be evidenced by one of the following:
 - (A) completion of an undergraduate or graduate degree at an accredited 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; or
 - (C) verification of satisfactory scores on an English language proficiency examination(s) approved by the State Board for Educator Certification (SBEC);
 - (6) successfully complete appropriate examinations prescribed in §230.21 of this title (relating to Educator Assessment) for the educator certificate sought; and
 - (7) satisfy one or more of the following requirements:
 - (A) complete the requirements for certification specified in this chapter, Chapter 233 of this title (relating to Categories of Classroom Teaching Certificates), Chapter 239 of this title (relating to Student Services Certificates), Chapter 241 of this title (relating to Principal Certificate), or Chapter 242 of this title (relating to Superintendent Certificate), and be recommended for certification by an approved educator preparation program;
 - (B) qualify under Subchapter H 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 §230.105 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 §233.14 of this title (relating to Career and Technical Education (Certificates requiring experience and preparation in a skill area));
 - (E) qualify under Chapter 245 of this title (relating to Certification of Educators from Other Countries); or
 - (F) qualify for certification under §230.39 of this title (relating to Temporary Teacher Certificates).

§230.13. Standard Certificate Requirements.

- (a) Initial standard classroom teacher certificates that are not based on experience and preparation in a skill area shall require:
- (1) a bachelor's degree from an accredited institution of higher education;
 - (2) completion of and recommendation by an approved educator preparation program (EPP); and
 - (3) submission of passing scores on comprehensive examinations prescribed by the State Board for Educator Certification (SBEC) as specified in §230.21 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) a bachelor's degree from an accredited institution of higher education. In the case of the trade and industrial education certificates, experience may be substituted for a bachelor's degree;
 - (2) preparation, experience, and/or licensure, certification, or registration in a skill area as described in §233.14 of this title (relating to Career and Technical Education (Certificates requiring experience and preparation in a skill area));
 - (3) completion of and recommendation by an approved EPP; and
 - (4) submission of passing scores on comprehensive examinations prescribed by the SBEC as specified in §230.21 of this title.

Subchapter C. Assessment of Educators**§230.21. Educator Assessment.**

- (a) An individual seeking admission to an approved educator preparation program (EPP) for initial certification must be assessed for basic skills in reading, written communication, and mathematics, unless the individual holds a bachelor's degree or higher from an accredited institution of higher education.
- (b) A candidate seeking certification as an educator must pass the examination(s) 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 EPP may take the appropriate certification examination(s) required by subsection (b) of this section only at such time as the EPP determines the candidate's readiness to take the examinations, or upon successful completion of the EPP, whichever comes first.
- (d) The holder of a lifetime 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 EPP from which the examinee will seek a recommendation for certification.
- (g) 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.

§230.23. Testing Accommodations for Persons with Dyslexia.

The Texas Education Agency (TEA) shall provide examination accommodations for persons with dyslexia.

- (1) For each licensing examination administered, the TEA and its testing vendor shall provide reasonable examination accommodations to an examinee diagnosed as having dyslexia as that term is defined in the Texas Education Code, §51.970.
- (2) The TEA and its testing vendor shall provide examination accommodations to an examinee diagnosed with dyslexia, provided acceptable medical or diagnostic documentation has been received and reviewed by the vendor prior to the administration of the examination.

§230.25. Test Exemptions for Persons with a Hearing Impairment.

- (a) A candidate who has a hearing impairment may request exemption from educator certification and competence examinations that have not been field-tested for appropriateness, reliability, and validity as applied to persons with hearing impairments.
- (b) A request for such an exemption shall include:
 - (1) a report by a licensed audiologist documenting that the candidate has a hearing impairment so severe that the person cannot process written linguistic information. The report may not be dated more than one year from the date of the request for the exemption and should address the relationship between the candidate's age at the onset or diagnosis of hearing loss and the candidate's ability to process written linguistic information; and
 - (2) a recommendation for exemption and certification of the candidate by an approved Texas educator preparation program (EPP). The recommendation shall be based on the EPP's determination of the candidate's qualification for the exemption and competency in each certification class and content field in which certification is sought. The EPP shall make and document its determination of content field competency, as follows:
 - (A) by reviewing and approving transcripts from an accredited institution of higher education that demonstrate that the candidate has completed 24 semester credit hours in the content field, including 12 semester credit hours of upper division coursework, and documenting that the coursework is aligned to the Texas educator content field standards;
 - (B) if an EPP uses an alternative assessment to measure competency in any certification class and content field in which a certification is being sought, by documenting the method and validity of the means of assessment, the results of the assessment, and the alignment of the assessment to the applicable Texas educator content field standards; and
 - (C) for the Texas pedagogy and professional responsibilities examination, by documenting successful completion of EPP coursework and training covering educator standards for the grade level for which certification is sought.

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- (c) The TEC, §21.048, provides that the SBEC may not administer a certification examination that has not been field-tested for appropriateness, reliability, and validity to a person who is unable to process linguistic information. An educator who has been granted such an exemption may not subsequently take any other such certification examination without submitting a new audiologist's report that addresses the prior audiologist's report and documents that the educator is now able to process written linguistic information.
- (d) This section does not affect the procedures for one-year certificates, extensions, and permits based on out-of-state credentials pursuant to §230.113 of this title (relating to Requirements for Texas Certificates Based on Certification from Other States or Territories of the United States), but, to be issued a standard certificate, a person must either satisfy the applicable examination requirements or be recommended for certification by an EPP.
- (e) As with other EPP completion and admission documentation under §228.40 of this title (relating to Assessment and Evaluation of Candidates for Certification and Program Improvement), all documentation required under this section shall be retained by an EPP for five years and is subject to audit by Texas Education Agency staff.

Subchapter D. Types and Classes of Certificates Issued**§230.31. Types of Certificates.**

- (a) "Type of certificate" means a designation of the period of validity for a certificate and includes the following certificate designations:
- (1) standard, as specified in subsection (c) of this section;
 - (2) provisional, as specified in subsection (b) of this section;
 - (3) professional, as specified in subsection (b) of this section;
 - (4) one year, as specified in §230.113 of this title (relating to Requirements for Texas Certificates Based on Certification from Other States or Territories of the United States) and Chapter 245 of this title (relating to Certification of Educators from Other Countries);
 - (5) probationary, as specified in §230.37 of this title (relating to Probationary Certificates);
 - (6) temporary, as specified in §230.39 of this title (relating to Temporary Teacher Certificates); and
 - (7) emergency, as specified in §230.73 of this title (relating to Validity of Emergency Permits).
- (b) All provisional and professional educator certificates issued prior to September 1, 1999, shall be valid for the life of the individual unless suspended, surrendered in lieu of revocation, or revoked by lawful authority.
- (c) Effective September 1, 1999, the standard certificate shall be issued for all classes of certificates and shall be valid for five years, subject to the requirements of Chapter 232, Subchapter A, of this title (relating to Certificate Renewal and Continuing Professional Education Requirements). The standard certificate is issued to individuals who have met all requirements for a given subject area or class of certification.

§230.33. Classes of Certificates.

- (a) "Class of certificates" means a certificate with the following characteristics:
- (1) specific job duties or functions associated with the certificate;
 - (2) standards established by the State Board for Educator Certification (SBEC) for the issuance of the certificate; and
 - (3) comprehensive examination(s) prescribed by the SBEC for the certificate.
- (b) Classes of certificates include the following:
- (1) superintendent;
 - (2) principal;
 - (3) classroom teacher (categories of classroom teaching certificates are described in Chapter 233 of this title (relating to Categories of Classroom Teaching Certificates));
 - (4) reading specialist;
 - (5) master teacher;
 - (6) school librarian;
 - (7) school counselor;
 - (8) educational diagnostician; and
 - (9) educational aide.

§230.35. Development, Approval, Implementation, and Evaluation of Teacher Certification Standards.

- (a) Purpose. The purpose of the certification standards shall be to ensure the highest level of educator preparation and practice to achieve student excellence.

- (b) Objectives. The objectives of the certification standards are:
- (1) to establish the knowledge and skills required of an individual seeking certification in a particular subject area;
 - (2) to guide the design and delivery of educator preparation programs (EPPs); and
 - (3) to direct the development of certification examinations and other requirements for issuance of the certificate.
- (c) Policy. The State Board for Educator Certification (SBEC) shall approve certification standards that are based on the applicable Texas essential knowledge and skills (TEKS) adopted by the State Board of Education (SBOE) and reflect current research-based practices and knowledge of the developmental stages of learning to promote successful outcomes and academic achievement from Early Childhood-Grade 12.
- (d) Development. The SBEC shall develop the certification standards based on information provided by Texas educators, EPP representatives, parents, and citizens. Before approving standards for a certificate, the SBEC shall make the proposed standards available for comment from the public, the SBOE, and the commissioner of education.
- (e) Implementation. The Texas Education Agency (TEA) staff shall be primarily responsible for implementing the certification standards approved by the SBEC by having certification examinations developed or recommended to the SBEC on the basis of such standards.
- (f) Evaluation. The TEA staff shall periodically evaluate approved certification standards based, at a minimum, on any changes to the TEKS or the job functions and duties of the related certificate.

§230.37. Probationary Certificates.

- (a) General provisions.
- (1) Certificate classes. A probationary certificate may be issued for any class of certificate except educational aide.
 - (2) Requirement to hold a probationary certificate. A candidate seeking certification as an educator must hold a probationary certificate while participating in an internship through an approved educator preparation program (EPP).
- (b) Requirements for issuance. A probationary certificate may be issued to a candidate seeking certification as an educator who meets the conditions and requirements prescribed in this subsection.
- (1) Bachelor's degree. Except as otherwise provided in rules of the SBEC related to certain career and technical education certificates based on skill and experience, the candidate must hold at least a bachelor's degree from an accredited institution of higher education.
 - (2) General certification requirements. The candidate must meet the general certification requirements prescribed in §230.11 of this title (relating to General Requirements).
 - (3) Preparation program and assignment. The candidate must have been accepted and enrolled to participate in an internship supervised by an approved Texas EPP in the subject area and received an assignment at the grade level of certification sought in a Texas school district, open-enrollment charter school, or, pursuant to §228.35 of this title (relating to Preparation Program Coursework and/or Training), other school approved by TEA for this purpose. If applicable, a candidate must also have met the requirements specified in the Texas Education Code (TEC), §21.051.
 - (4) Fee. The candidate must pay the fee prescribed in §230.101 of this title (relating to Schedule of Fees for Certification Services).
 - (5) Fingerprints. The candidate must submit fingerprints in accordance with §232.35(c) of this title (relating to Submission of Required Information) and the TEC, §22.0831.
- (c) Conditions. The validity and effectiveness of a probationary certificate is subject to the following conditions.

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- (1) Internship. The holder of a probationary certificate must be a participant in good standing in an internship supervised by an approved EPP.
 - (2) Supervision and professional development. An EPP shall provide field supervision, as prescribed in §228.35 of this title, and high-quality professional development throughout the entire term of the internship, including all extensions of the initial term.
 - (3) Mentor. The EPP shall collaborate with the campus administrator to assign a campus mentor to each intern throughout his or her internship.
 - (4) Notice. An EPP must immediately notify TEA by email if the holder of a probationary certificate:
 - (A) resigns or is terminated from the school assignment for which a probationary certificate was issued; or
 - (B) is discharged or released from the EPP. In this case, the program must also notify the employing school district.
 - (5) Inactive status. A probationary certificate will become inactive 30 calendar days after the holder's termination from the school assignment or the EPP. The unexpired term of a probationary certificate may be reactivated if the holder satisfies the program enrollment and school assignment requirements specified in subsection (b)(3) of this section.
 - (6) Term of a probationary certificate. A probationary certificate shall be valid for a 12-month period from the date of issuance.
 - (7) Additional terms. A probationary certificate issued to an individual enrolled in a post-baccalaureate or alternative certification program for initial certification, or any program for professional class certification, may be extended for no more than two additional 12-month terms following the expiration of the initial term, subject to the following conditions.
 - (A) A probationary certificate may be issued for an additional 12-month term only if the Texas EPP recommends the additional term and certifies that the holder is making satisfactory progress toward standard certification.
 - (B) The EPP must provide supervision to the educator for the full term of any such additional probationary certificate, unless, prior to the expiration of that term, a standard certificate is issued to the educator.
 - (8) Limit on preliminary certifications and permits. Without obtaining standard certification, an individual may not serve for more than three 12-month periods while holding any combination of the following:
 - (A) probationary certificates as described in this subsection;
 - (B) emergency permits as specified in Subchapter F of this chapter (relating to Permits); or
 - (C) one-year certificates as specified in Subchapter H of this chapter (relating to Texas Educator Certificates Based on Certification and College Credentials from Other States or Territories of the United States) and Chapter 245 of this title (relating to Certification of Educators from Other Countries).
 - (9) Reduction in force exception. If an educator is employed under a probationary certificate and is terminated or resigns in lieu of termination before the end of the school year due to a reduction in force, that probationary term shall not count as one of the three allowed annual probationary terms.
- (d) Traditional undergraduate preparation program internship.
- (1) A candidate who has completed a bachelor's degree in a traditional teacher certification program at an accredited institution of higher education, but who has failed to meet the testing requirements necessary for issuance of a standard certification, may serve an internship under the supervision of the traditional undergraduate certification program.

- (2) Such a candidate may be issued a probationary certificate for a period of one year. The traditional undergraduate certification program may not recommend any extensions of this term.
- (e) Subject matter knowledge for classroom teaching assignments.
- (1) To obtain a probationary certificate for a classroom teaching assignment, a candidate must demonstrate knowledge of each subject area to be taught:
- (A) at the elementary school level (Early Childhood-Grade 6), by passing an appropriate certification examination as prescribed in Subchapter C of this chapter (relating to Assessment of Educators);
- (B) at the middle or high school level (Grades 7-12):
- (i) by passing an appropriate content area certification examination as prescribed in Subchapter C of this chapter;
- (ii) by completing coursework that complies with the TEC, §21.050, and comprised of not fewer than 24 semester credit hours, including 12 semester credit hours of upper division coursework in the subject area taught; or
- (iii) in the case of career and technical education assignments based on skill and experience, by satisfying the requirements for that subject area contained in §233.14 of this title (relating to Career and Technical Education (Certificates requiring experience and preparation in a skill area)); or
- (C) for professional class probationary certificates, by meeting requirements established by the recommending EPP, which shall be based on the qualifications and requirements relating to the class of certification sought and on the duties performed by the holder of a probationary certificate in that class.
- (2) The individual in a special education classroom teaching assignment must demonstrate both knowledge of special education and knowledge of each subject to be taught, as follows:
- (A) at the elementary school level (Early Childhood-Grade 6):
- (i) by passing a certification examination appropriate to the individual's grade level or subject matter assignment, as prescribed in Subchapter C of this chapter; and
- (ii) by passing a special education examination; or
- (B) at the middle or high school level (Grades 7-12):
- (i) by either:
- (I) passing a certification examination appropriate to the individual's subject matter assignment, as prescribed in Subchapter C of this chapter; or
- (II) completing coursework comprised of not fewer than 24 semester hours, including 12 semester hours of upper division coursework in the subject area taught; and
- (ii) by passing a special education examination.
- (f) Probationary certificate for professional class certificates. A probationary certificate may be issued for a professional class assignment to an individual who meets all the requirements prescribed in subsection (b) of this section and who also meets the requirements prescribed in this subsection.
- (1) An applicant for a professional class probationary certificate must meet all requirements established by the recommending EPP, which shall be based on the qualifications and requirements for the class of certification sought and the duties to be performed by the holder of a probationary certificate in that class.

- (2) The individual must have been:
 - (A) accepted and enrolled to participate in a Texas EPP that has been approved to prepare candidates for the certificate sought; and
 - (B) assigned in the professional class certification area being sought in a Texas school district, open-enrollment charter school, or, pursuant to §228.35 of this title, other school approved by TEA.
- (3) The holder of a professional class probationary certificate is subject to all the terms and conditions of a probationary certificate prescribed in subsection (c) of this section.

§230.39. Temporary Teacher Certificates.

- (a) A person may be temporarily certified to teach only in Grades 8-12 if the person:
 - (1) holds a bachelor's or advanced degree from an accredited institution of higher education received with an academic major or interdisciplinary academic major, including reading, other than education, that is related to at least one area of the curriculum as prescribed under the Texas Education Code (TEC), Chapter 28, Subchapter A;
 - (2) performs satisfactorily on the appropriate examinations prescribed under the TEC, §21.048;
 - (3) passes a criminal history background check by submitted fingerprints for review; and
 - (4) submits fingerprints in accordance with §232.35(c) of this title (relating to Submission of Required Information) and the TEC, §22.0831.
- (b) A certificate issued under this section is valid for a term not to exceed two academic years.
- (c) A person may receive a certificate to teach only in a subject area of the curriculum prescribed under the TEC, Chapter 28, Subchapter A, in which the person holds a bachelor's or advanced degree from an accredited institution of higher education with an academic major related to that area of the curriculum. Guidelines for determining the academic major related to the current Grades 8-12 certificate structure will be developed by the Texas Education Agency (TEA) staff.
- (d) A person who applies for a temporary teaching certificate under this section shall pay a fee equal to that required of applicants for a probationary certificate under §230.101 of this title (relating to Schedule of Fees for Certification Services).
- (e) A person who holds a certificate under this section may be employed by a school district only if the person and the school district agree that the person will be employed under a probationary contract for each year of the person's employment with the district.
- (f) A school district employing a person who holds a certificate issued under this section must provide the same coursework, mentoring, and training that is required by Chapter 228 of this title (relating to Requirements for Educator Preparation Programs), except that a certificate issued under this section shall require 380 total clock-hours of training.
- (g) A school district delivering the required intensive support for an educator holding the temporary teacher certificate must follow guidelines established by the TEA staff with evidence indicating the ability to comply with the provisions of this chapter.
- (h) A school district may require that a person who will be employed by the district and who holds a temporary teacher certificate issued under this section complete a teacher training program.
- (i) At the end of the two years of employment, the person must apply to the State Board for Educator Certification (SBEC) for a standard certificate. The person must also be recommended by the current employing school district for certification. All employing school districts must provide evidence to the SBEC that each district complied with the requirements of subsection (f) of this section.
- (j) A standard teaching certificate may be issued to a person under this section if:

- (1) the person held a temporary teacher certificate issued under this section;
 - (2) the person has been continuously employed as a teacher of record in a school district for two academic years; and
 - (3) the employing district(s) has (have) favorably reviewed the person's performance, including classroom performance and performance in any teacher training program(s). Each school district must predominately base the review of a person's performance on the increase in achievement of his or her students.
- (k) At the end of the two years of employment, if a person is granted a standard certificate, the person may not apply for or receive another temporary certificate under this section.

§230.41. Visiting International Teacher Certificates.

- (a) A teacher may be issued a visiting international teacher certificate valid for no more than three school years upon recommendation by a school district participating in an officially recognized foreign teacher exchange program. The program shall be based upon an agreement made between the State Board for Educator Certification and/or the Texas Education Agency (TEA) and a ministry of education in a foreign country.
- (b) The visiting international teacher certificate will be issued to an individual who meets conditions and requirements presented in this subsection. The individual must:
 - (1) meet appropriate requirements prescribed in §230.11 of this title (relating to General Requirements);
 - (2) hold valid teaching credentials from the country of origin based, at a minimum, on the equivalent of a bachelor's degree issued by an institution of higher education in the United States accredited or otherwise approved by an accrediting organization recognized by the Texas Higher Education Coordinating Board;
 - (3) demonstrate English language proficiency;
 - (4) have criminal activity clearance from country of origin;
 - (5) demonstrate subject matter competence in subject area(s) taught, as defined by the TEA in compliance with federal requirements;
 - (6) pay appropriate fee prescribed by §230.101 of this title (relating to Schedule of Fees for Certification Services); and
 - (7) submit fingerprints in accordance with §232.35(c) of this title (relating to Submission of Required Information) and the Texas Education Code, §22.0831.
- (c) Participating school districts agree to provide the visiting international teachers with intensive supervision consisting of structured guidance and regular ongoing support through a mentoring program.
- (d) The TEA staff shall establish reasonable procedures to implement this section.

Subchapter E. Educational Aide Certificate

§230.51. Policy.

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

§230.53. 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 educational aide 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 a completed application and recommendation for an educational aide certificate to Texas Education Agency (TEA) staff. The applicant shall pay the designated fee.
- (c) The applicant for an educational aide certificate must be able to communicate, listen, read, write, and comprehend the English language sufficiently to use it easily and readily in daily communication.
- (d) 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.
- (e) An applicant for an educational aide certificate is subject to the provisions in §230.11(b)(1)-(5) of this title (relating to General Requirements).

§230.55. Certification Requirements for Educational Aide I.

An applicant for an educational aide I certificate shall:

- (1) hold a high school diploma, the equivalent of a high school diploma, or higher; 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 daycare centers, or similar experience.

§230.57. Certification Requirements for Educational Aide II.

An applicant for an educational aide II certificate shall:

- (1) hold a high school diploma, the equivalent of a high school diploma, or higher;
- (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.

§230.59. Certification Requirements for Educational Aide III.

An applicant for an educational aide III certificate shall:

- (1) hold a high school diploma, the equivalent of a high school diploma, or higher;

- (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.

§230.61. 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 materials, 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.

Subchapter F. Permits

§230.71. 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 to the Texas Education Agency (TEA) 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 by email.
- (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 §§230.75, 230.77, and 230.81 of this title (relating to General Eligibility Requirements for Emergency Permits, Specific Requirements for Initial Emergency Permits, and Renewal Requirements and Procedures) only if approval has been granted and email notification received from the 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:
 - (A) that the individual will be enrolled in the first available course listed on the deficiency plan; or
 - (B) registration for the next available administration of the appropriate content specialization portion of the certification examination for an individual who holds a valid Texas

classroom teaching certificate and a bachelor's degree from an accredited institution of higher education and is placed in an assignment requiring a different classroom teaching certificate.

- (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.

§230.73. Validity of Emergency Permits.

- (a) The validity date of an emergency permit activated and authorized under this subchapter is specified in §230.97 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 school 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 §230.81 of this title (relating to Renewal Requirements and Procedures).
- (e) 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 school district for more than three school years without obtaining initial, standard certification.

§230.75. 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 bachelor's degree from an accredited institution of higher education.
- (A) For a career and technical education assignment requiring certification based on both a bachelor's degree and experience in the occupational area to be taught such as health science technology education, marketing education, or marketing, the individual must have completed the degree requirement and have specified work experience.
- (B) For a trade and industrial education assignment, the individual must have specified work experience in lieu of a bachelor's degree.
- (2) The individual must be at least 18 years of age.
- (3) The individual must be able to communicate and understand the English language sufficiently to use it easily and readily in daily communication and teaching, as specified in §230.11 of this title (relating to General Requirements).
- (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, applying the same standards that would be applied to the administrative denial of an applicant for certification under §249.12 of this title (relating to Administrative Denial; Appeal).

§230.77. 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). The individual must have completed 12 semester credit hours in a combination of subjects directly related to the elementary curriculum, 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, and theatre arts.
- (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 each class period taught by 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 bachelor's 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 bachelor's 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 specified in

§233.14 of this title (relating to Career and Technical Education (Certificates requiring experience and preparation in a skill area)).

- (3) Family and consumer sciences assignments. An individual must:
- (A) hold a bachelor's 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 or marketing assignments. An individual must:
- (A) hold a bachelor's 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 bachelor's 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 bachelor's 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's 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, the equivalent of a high school diploma, or higher; 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) An individual must hold a 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 or on passing the appropriate National Occupational Competency Testing (NOCTI) assessment.
 - (ii) A cosmetology teacher must:
 - (I) have three years of full-time wage-earning experience as a licensed cosmetologist; 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 bachelor's 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 bachelor's degree from an accredited institution of higher education;
 - (B) have completed 12 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) An ROTC instructor permit may not be renewed, but must be reissued every year.

§230.79. 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 §230.75 of this title (relating to General Eligibility Requirements for Emergency Permits) and §230.77 of this title (relating to Specific Requirements for Initial Emergency Permits) and submit online 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 (EPP) verifying that the individual meets the grade point average requirement for admission to the EPP 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) verification of registration for the next available administration of the appropriate content area certification examination for an individual who:
 - (i) holds a bachelor's degree from an accredited institution of higher education;
 - (ii) is already certified in another content area; and
 - (iii) is placed in an assignment requiring a different classroom teaching certificate; 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 §230.75 and §230.77 of this title and submit online 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 as specified in §233.14 of this title (relating to Career and Technical Education (Certificates requiring experience and preparation in a skill area));
 - (3) a deficiency plan from an approved Texas EPP for the career and technical education certificate appropriate for the assignment; and
 - (4) the appropriate fee (payable by the school district).

§230.81. Renewal Requirements and Procedures.

General provisions.

- (1) The employing superintendent or his or her designee or authorized representative of a 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 school 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 7-12 semester credit hours plus appropriate examination requirements, an individual is eligible for one renewal.
 - (C) For more than 12 semester credit hours plus appropriate examination requirements, an individual is eligible for two renewals.
- (4) Effective with the 1998-1999 school year, emergency permits used fewer than 90 calendar days may be renewed for one additional year of service, if needed.
- (5) 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) If the individual has not completed permit renewal requirements as indicated in paragraph (3) of this section, the superintendent or his or her designee must obtain hardship approval from the Texas Education Agency prior to continuation of the assignment.
 - (D) The appropriate renewal of the emergency permit application must be completed online prior to the beginning date of duties for the current school year.

(E) The school district shall pay the appropriate fee.

§230.83. Nonrenewable Permits.

- (a) The superintendent or his or her designee of a school district may activate a nonrenewable permit for an individual who has not completed the appropriate examination requirements specified in §230.21 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 school district since the start of the 1985-1986 school year. 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 been issued a one-year certificate under Subchapter H of this chapter (relating to Texas Educator Certificates Based on Certification and College Credentials from Other States or Territories of the United States), who passed the appropriate content specialization portions of the certification examinations, and who attempted, 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).

§230.85. Emergency Certificates.

The permits contained in this subchapter fulfill the provision stated in the Texas Education Code, §21.041(b)(2), concerning emergency certificates.

Subchapter G. Certificate Issuance Procedures

§230.91. 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 maintained in a printable format on the Texas Education Agency (TEA) website on behalf of the SBEC.
- (b) Permanent records of all certificates, permits, and supporting documentation shall be maintained by the TEA staff.
- (c) An applicant for or holder of an educator's certificate shall be responsible for maintaining his or her educator profile with current mailing and email addresses. The applicant for or holder of an educator's certificate must update his or her educator profile 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 TEA 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.

§230.93. 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 (EPP). The candidate must complete the appropriate application and pay the designated fee. The certification officer representing the approved EPP shall submit to the Texas Education Agency staff a recommendation for the issuance of the appropriate certificate, not earlier than the date on which all requirements were completed.

§230.97. 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 (EPP) shall be the date the recommending EPP 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 or authority documents his or her responsibility for the delay.

§230.99. 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 school district. 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, unless the term of the certificate has already expired.

§230.101. Schedule of Fees for Certification Services.

- (a) 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--\$75.
 - (3) Probationary certificate--\$50.
 - (4) Addition of certification based on completion of appropriate examination--\$75.
 - (5) Review of a credential issued by a jurisdiction other than Texas (nonrefundable)--\$175.
 - (6) Temporary credential based on a credential issued by a jurisdiction other than Texas--\$50.
 - (7) Emergency permit (nonrefundable)--\$55.
 - (8) National criminal history check (nonrefundable)--The fee, posted on the Texas Education Agency 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.
 - (9) Temporary teacher certificate based on recommendation by an approved Texas school district--\$50.
 - (10) Review of credentials requiring analysis and research of college or university transcript and degrees for issuance of a temporary certificate (nonrefundable)--\$175.
 - (11) On-time renewal of standard educational aide certificate--\$10.
 - (12) Additional fee for late renewal of standard educational aide certificate--\$5.
 - (13) Reactivation of an inactive standard educational aide certificate--\$15.
 - (14) Reinstatement following restitution of child support or student loan repayment for standard educational aide certificate--\$20.

- (15) On-time renewal of a standard certificate (to include any educational aide certificate if held)--\$20.
 - (16) Additional fee for late renewal of a standard certificate--\$10.
 - (17) Reactivation of an inactive standard certificate--\$40; except for an inactivation pursuant to §232.9 of this title (relating to Inactive Status and Late Renewal).
 - (18) Reinstatement following restitution of child support or student loan repayment--\$50.
 - (19) Visiting international teacher certificate--\$50.
 - (20) Request for preliminary criminal history evaluation (nonrefundable)--\$150.
- (b) The fee for correcting a certificate or permit when the error is not made by the Texas Education Agency shall be equal to the fee for the original certificate or permit.

§230.103. E-Pay Supplemental Fee.

An applicant for a certificate or a school district requesting a permit shall pay a supplemental fee in addition to the fees outlined in §230.101 of this title (relating to Schedule of Fees for Certification Services), for the purpose of recovering the costs of the state electronic Internet portal, with the exception of the following fees for certification services set forth in §230.101 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 a standard certificate (to include any educational aide certificate if held);
- (5) additional fee for late renewal of a standard certificate; and
- (6) reinstatement following restitution of child support or student loan repayment.

§230.105. Issuance of Additional Certificates Based on Examination.

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 H 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 bachelor's degree from an accredited institution of higher education may qualify for an additional teaching field or certification to teach at another level by passing the appropriate certification examination(s) for that subject. If a teacher holds multiple teaching certificates, all teaching certificates must be active before adding certification by examination. 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 or marketing certificates;
- (3) the Teacher of Students with Visual Impairments Supplemental: Early Childhood-Grade 12 certificate;
- (4) another class of certificate, as listed in Subchapter D of this chapter (relating to Types and Classes of Certificates Issued); or
- (5) certification for which no certification examination has been developed.

**Subchapter H. Texas Educator Certificates Based on Certification and College Credentials
from Other States or Territories of the United States****§230.111. 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 §230.11 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 bachelor's degree issued by an accredited institution of higher education.
- (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, a specific examination or renewal requirement, or a certificate for which academic or other program deficiencies are indicated.
- (d) A statement, approval letter, or certification entitlement card must be issued by the authorized licensing agency in another state or territory of the United States specifying eligibility for full certification upon employment.
- (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 or grade level that is within the early childhood-Grade 12 level and 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.
- (f) If a Texas examination or certification is scheduled to be eliminated, an individual requesting certification and examination comparability must ensure that the application and all review documentation, including test scores, are received by TEA staff 60 calendar days before the application submission deadline for the examination and/or certification sought.

§230.113. 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 §230.111 of this title (relating to General Provisions) must pass the appropriate examination requirements prescribed in the Texas Education Code (TEC), §21.048(a), and §230.21 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 §230.21 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 accredited private school 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 Subchapter D of this chapter (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 certificate 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.

§230.115. 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 §230.111 of this title (relating to General Provisions) must be directed to an approved Texas educator preparation program (EPP). The appropriate Texas certificate will be issued upon recommendation by the EPP.
- (b) An individual who does not hold a certificate issued in accordance with §230.111 of this title must have his or her credentials evaluated through an approved Texas EPP and be recommended by the EPP for certification.

§230.117. Application Procedures.

- (a) 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 (TEA) staff. A review of credentials and payment of related fees are required for all applicants. The review of credentials will only be valid for the standards existing at the time of the review.
- (b) An individual who does not submit all required documents for the review at the time of the application will have one year to submit all required documents or the individual will be required to reapply and resubmit the application fee.