

Chapter 230. Professional Educator Preparation and Certification

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) Effective with the 2017-2018 school year, an emergency permit will limit an individual to one year of service and no renewal will be allowed.
- (c) The one-year limitation on permits referenced in subsection (b) of this section does not apply to individuals serving in the position of Junior Reserve Officer Training Corps (JROTC) instructor or teachers of students with visual impairments. As indicated in §230.77(g)(4)(B) of this title (relating to Specific Requirements for Initial Emergency Permits), emergency permits for JROTC instructors must be reissued every year. Emergency permits for visual impairments referenced in §230.77(f)(2)(B) of this title may be renewed a maximum of two years.
- (d) 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 Requirements for Public School Personnel Assignments). The superintendent or his or her designee must:
 - (1) document locally the efforts the school district or open-enrollment charter school has taken to employ an appropriately 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

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 certification 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 or higher from an accredited institution of higher education and is placed in an assignment requiring a different classroom teaching certificate.
- (i) 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.

- (g) Effective with the 2017-2018 school year, to continue employment in the assignment beyond the validity of the initial emergency permit, the individual must hold the appropriate certificate, in accordance with Chapter 231 of this title (relating to Requirements for Public School Personnel Assignments). 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.

Statutory Authority: The provisions of this §230.73 issued under the Texas Education Code, §§21.031(a), 21.041(b)(1), (2), and (4), 21.044(a), and 21.048.

Source: The provisions of this §230.73 adopted to be effective August 12, 2012, 37 TexReg 5753; amended to be effective December 27, 2016, 41 TexReg 10309.

§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 or higher from an accredited institution of higher education.

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,

- (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 approved Texas educator preparation program (EPP).
- (f) Assignments for special populations.
 - (1) English language learners (ELLs).
 - (A) Bilingual education.
 - (i) An individual who holds a bachelor's degree or higher from an accredited institution of higher education and is certified at the appropriate level must:
 - (I) have completed six semester credit hours in the language of the approved bilingual education program; or
 - (II) demonstrate proficiency in comprehension and expression in the language of the target population by having a passing score on an appropriate State Board for Educator Certification (SBEC)-approved examination.
 - (ii) An individual who holds a bachelor's degree or higher from an accredited institution of higher education but is not certified must:
 - (I) meet the requirements for the grade level of assignment, as described in subsections (b)-(d) of this section;
 - (II) be currently enrolled in an approved Texas EPP for bilingual education; and
 - (III) have satisfied one of the following requirements:
 - (-a-) completed 12 semester credit hours in the language of the target population, bilingual education, or a combination of the two subject areas; or
 - (-b-) demonstrated proficiency in comprehension and expression in the language of the target population by having a passing score on an appropriate

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- (iii) have demonstrated competence in the specific communication method used in the classroom setting with students with auditory impairments; 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) hold a valid Texas classroom teaching certificate based on a bachelor's degree or higher from an accredited institution of higher education;
 - (ii) have satisfied the following requirements:
 - (I) have completed six semester credit hours directly related to teaching students with visual impairments; and
 - (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 bachelor's 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 bachelor's degree or higher from an accredited institution of higher education and is certified at the appropriate grade 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 bachelor's degree or higher from an accredited institution of higher education, but is not certified must:
 - (I) for elementary assignments (Early Childhood-Grade 6), 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 (Grades 7-12), have completed 24 semester credit hours directly related to teaching children with special learning

- (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 bachelor's degree or higher 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 or higher 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) Junior Reserve Officer Training Corps (JROTC) instructor.
- (A) An individual must verify that he or she has satisfied the requirements and been approved to serve by the appropriate military branch.
 - (B) A JROTC instructor permit may not be renewed, but must be reissued every year.

Statutory Authority: The provisions of this §230.77 issued under the Texas Education Code, §§21.031(a), 21.041(b)(1), (2), and (4), 21.044(a), and 21.048.

Source: The provisions of this §230.77 adopted to be effective August 12, 2012, 37 TexReg 5753; amended to be effective December 27, 2016, 41 TexReg 10309.

§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

- (i) holds a bachelor's degree or higher from an accredited institution of higher education;
 - (ii) is already certified in another classroom teaching 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 online emergency permit application;
 - (2) a copy of the individual's statement of qualifications, approved by the certification officer of a Texas EPP 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)

