

Item 13:

TEC, §21.0489(c), as added by SB 1839 and HB 2039, 85th Texas Legislature, Regular Session, 2017, requires the SBEC to adopt rules establishing eligibility requirements for an Early Childhood: Prekindergarten-Grade 3 certificate.

TEC, §21.049(a), authorizes the SBEC to propose rules providing for educator certification programs as an alternative to traditional EPPs.

TEC, §21.050(a), requires a person who applies for a teaching certificate for which SBEC 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 the TEC, Chapter 28, Subchapter A.

TOC, §53.151, as added by HB 1508, 85th Texas Legislature, Regular Session, 2017, sets the definitions of "licensing authority" and "occupational license" to have the meanings assigned to those terms by the TOC, Section 58.001.

TOC, §53.152, as added by HB 1508, 85th Texas Legislature, Regular Session, 2017, requires EPPs to provide applicants and enrollees certain notice regarding potential ineligibility for a certificate based on convicted offenses, the SBEC rules regarding the certificate eligibility of an individual with a criminal history, and the right of the individual to request a criminal history evaluation letter.

TOC, §53.153, as added by HB 1508, 85th Texas Legislature, Regular Session, 2017, requires an EPP to refund tuition, application fees, and examination fees paid by an individual if the EPPTc 0.007 Tw 0.5

TEA staff from providing test approval through the PACT route if an individual is seeking admission to an EPP that had previously provided test approval for any certification examination within the same certification class. Classes of certification include superintendent, principal, classroom teacher, reading specialist, master teacher, school librarian, school counselor, and educational diagnostician. This proposed amendment would strengthen the Accountability System for Educator Preparation (ASEP) as it relates to the performance standard for certification examination results by requiring EPPs to be accountable for all tests for which they provided test approval.

Language would be added in proposed §227.10(a)(5) to require an EPP to check the credentials of an applicant who is seeking an initial certificate in a class other than classroom teacher to determine if the applicant already meets the admission requirements and the certification, experience, and/or degree requirements for issuance of a standard certificate. The EPP would need to inform an applicant in writing prior to admission of any deficiency that exists at the time of admission that would cause the individual to be ineligible for a standard certificate if the requirement is not met at the time the individual applies for a standard certificate. This proposed amendment would decrease the number of individuals who complete an EPP and pass the certification examination but are ineligible for a standard certificate because they do not meet the certification, experience, and/or degree requirement for the standard certificate.

Language would be amended in proposed new subsections (f) and (g) to incorporate the requirements of the TEC, §21.0489(c), as added by SB 1839 and HB 2039, 85th Texas Legislature, Regular Session, 2017. New subsection (f) would set an admission requirement for educators who want to add the Early Childhood: Prekindergarten-Grade 3 certificate to their credentials. An EPP may admit an educator to its program for the purpose of completing the course of instruction that is required for the issuance of an Early Childhood: Prekindergarten-Grade 3 certificate if the educator holds a valid standard, provisional, or one-year classroom teacher certificate that has been issued by the SBEC and allows them to teach all subjects in Prekindergarten, Kindergarten, Grade 1, Grade 2, or Grade 3. New subsection (g) would set admission requirements for educators who do not hold a certificate that allows them to teach all subjects in Prekindergarten, Kindergarten, Grade 1, Grade 2, or Grade 3. An educator who is not already certified to teach all subjects in these grades must complete the program requirements for an initial certificate, including clinical teaching or an internship, to be eligible for issuance of an Early Childhood: Prekindergarten-Grade 3 certificate. Provisional and professional certificates are lifetime certificates that were issued prior to September 1, 1999. Standard certificates are certificates that were issued on or after September 1, 1999, and are required to be renewed every five years.

§227.15. Contingency Admission

Based on EPP stakeholder input, language would be amended in §227.15(e) to allow an EPP at an IHE to contingently admit an applicant who had been provided courrai0 Tw5.ant

GOVERNMENT GROWTH IMPACT: The TEA staff has determined that the proposed amendments do have a government growth impact pursuant to Texas Government Code, §2001.0221, as follows.

The proposed rules in §227.1(d) and (e) would create a new regulation to incorporate the requirements of the TOC, §§53.151, 53.152, and 53.153, as added by HB 1508, 85th Texas Legislature, Regular Session, 2017. The proposed rule in §227.1(d) would require EPPs to notify applicants and admitted candidates about the potential ineligibility of an individual who had been convicted of an offense for issuance of a certificate upon completion of an EPP, the current SBEC rules regarding the eligibility of a person with a criminal history for a certificate, and their right to request a criminal history evaluation letter. The proposed rule in §227.1(e) would require an EPP to re1.2(ov)916.6()]TJ 26.424 0 Td [(T6(or)4ph a c)a(4.2(a)]TJ [(ppl)2.6(i)2.6(c)-2(a(T6(

of an EPP, the current SBEC rules regarding the eligibility of a person with a criminal history for a certificate, and their right to request a preliminary criminal history evaluation letter.

The proposed amendment to §227.10(a)(5) would have an additional locally maintained paperwork requirement because an EPP would be required to check the credentials of an applicant who is seeking an initial certificate in a class other than classroom teacher to determine if the applicant already meets the certification, experience, and/or degree requirements for issuance of a standard certificate.

PUBLIC COMMENTS: The public comment period on the proposal begins January 5, 2018, and ends February 5, 2018. The SBEC will take registered oral and written comments on this item at the March 2, 2018 meeting in accordance with the SBEC board operating policies and procedures.

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

Approve the proposed amendments to 19 TAC Chapter 227, Provisions for Educator Preparation Candidates, Subchapter A, Admission to Educator Preparation Programs, and Subchapter B, Preliminary Evaluation of Certification Eligibility, to be published as proposed in the *Texas Register*.

Staff Member s Responsible: Tim Miller, Director
Educator Preparation and Program Accountability

Tam Jones, Director
Educator Preparation

Attachments: I. Statutory Citations
II. Text of Proposed Amendments to 19 TAC Chapter 227, Provisions for Educator Preparation Candidates, Subchapter A, Admission to Educator Preparation Programs, and Subchapter B, Preliminary Evaluation of Certification Eligibility

- (A) satisfactorily complete the course work for that certificate in an educator preparation program, including a knowledge-based and skills-based course of instruction on early childhood education that includes:
- (i) teaching methods for:
 - (a) using small group instructional formats that focus on building social, emotional, and academic skills;
 - ~~(b)~~ navigating multiple content areas; and
 - (c) managing a classroom environment in which small groups of students are working on different tasks; and
 - (ii) strategies for teaching fundamental academic skills, including reading, writing, and numeracy; or
- (B)

ATTACHMENT II
Text of Proposed Amendments to 19 TAC

Chapter 227. Provisions for Educator Preparation Candidates

Subchapter A. Admission to Educator Preparation Programs

§227.1. General Provisions.

- (a) It is the responsibility of the education profession as a whole to attract applicants and to retain educators who demonstrate the knowledge and skills necessary to improve the performance of the diverse student population of this state.
- (b) Educator preparation programs should inform all applicants that:
 - (1) pursuant to the Texas Education Code (TEC), §22.083, candidates must undergo a criminal history background check prior to employment as an educator; and
 - (2) pursuant to the TEC, §22.0835, candidates must undergo a criminal history background check prior to clinical teaching.
- (c) Educator preparation programs (EPPs) shall inform all applicants, in writing, of the following:
 - (1) the admission requirements as specified in this chapter;
 - (2) the requirements for program completion as specified in Chapter 228 of this title (relating to Educator Preparation Requirements); and
 - (3) in accordance with TEC, §21.044(e)(3):
 - (A) the effect of supply and demand forces on the educator workforce in this state; and
 - (B) the performance over time of the EPP for the past five years.
- (d) EPPs shall notify, in writing by mail, personal delivery, facsimile, email, or an electronic notification, each applicant to and enrollee in the EPP of the following regardless of whether the applicant or enrollee has been convicted of an offense:
 - (1) the potential ineligibility of an individual who has been convicted of an offense for issuance of a certificate on completion of the EPP;
 - (2) the current State Board for Educator Certification (SBEC) rules prescribed in §249.16 of this title (relating to Eligibility of Persons with Criminal History for a Certificate under Texas Occupations

requirement and have previously been admitted into an EPP may request
permission to reg

(b) The eff

- (c) A person who is enrolled or planning to enroll in a State Board for Educator Certification-approved educator preparation program or planning to take a certification examination may request a preliminary criminal history evaluation letter regarding the person's potential ineligibility for certification due to a conviction or deferred adjudication for a felony or misdemeanor offense.

§227.103. Application.

- (a) A request for preliminary criminal history evaluation must be preceded by payment of the required criminal history evaluation fee specified in §230.101 (a)(19) [~~(a)(20)~~] of this title (relating to Schedule of Fees for Certification Services).
- (b) A request.1(r)-5.3(e)-2.8(q)-7..

- (b) The preliminary criminal history evaluation letter will be strictly limited to the facts stated and the documents submitted by the requestor, as of the date of the request. Any documents or information not provided by the requestor will not be considered reasonably available for purposes of evaluating the request. In the event that the requestor subsequently applies for certification by the State Board for Educator Certification, complete fingerprint-based national criminal history information will be required. The TEA staff may conduct a criminal history investigation at that time regarding the offense(s) that were the subject of the request, based on any misstatements, incomplete information, or missing documentation in the request for preliminary criminal history evaluation; additional or subsequent criminal history or inappropriate conduct; or changed circumstances.
- (c) The preliminary criminal history evaluation letter relates only to whether the specific information submitted constitutes grounds for ineligibility. The evaluation letter is not a guarantee of educator certification,