



TO: Governor Abbott  
Lieutenant Governor Patrick



## ATTACHMENT I

## Recommendation for Eligibility Requirements Related to Applicant's Criminal History

Certificate Type	Eligibility Requirement	Recommendation
Standard Classroom Teacher/Provisional Teaching	Texas Admin. Code 19 §230.11(b)(2) General Requirements	Retain all eligibility requirements
Standard Other Than Classroom Teacher/Professional	Texas Admin. Code 19 §249.12(b) Administrative Denial; Appeal	
Emergency Permit		
Educational Aide/Paraprofessional/Educational Secretary		
One Year Certificate		
Probationary/Intern		

## ATTACHMENT II

## Statutory Citations Relating to the Review of Occupational License Criteria:

Texas Admin. Code 19 §230.11(b)(2)

- (b) An applicant for a Texas educator certificate must
- (2) submit to the criminal history review required by the Texas Education Code (TEC) §22.0831, not be disqualified by the TEC, §21.058, §21.060, or other Texas statute, and not be subject to administrative denial pursuant to §249.12 of this title (relating to Administrative Denial; Appeal) or a pending proceeding under Chapter 249 of this title (relating to Disciplinary Proceedings, Sanctions, and Contested Cases).

Texas Admin. Code 19 §249.12(b)

- (b) The Texas Education Agency (TEA) staff may administratively deny any of the matters set out in subsection (a) of this section based on satisfactory evidence that:
- (1) the person filed a fraudulent application;
  - (2) the person assisted another person in obtaining employment at a school district or open-enrollment charter school, other than by the routine transmission of administrative or personnel files when the person knew that the other person had previously engaged in an inappropriate relationship with a minor or student in violation of the law;
  - (3) the person has committed an act that would make them subject to required revocation under the Texas Education Code, §21.058;
  - (4) the person has committed an act that would make them subject to mandatory permanent revocation or denial under §249.17(i) of this title (relating to Decision-Making Guidelines);
  - (5) the person has engaged in conduct or committed a crime or an offense that:
    - (A) demonstrates that the person lacks good moral character;
    - (B) demonstrates that the person is unworthy to instruct or to supervise the youth of this state; or
    - (C) constitutes the elements of a crime or offense relating directly to the duties and responsibilities of the education profession; or
  - (6) the person failed to comply with the terms or conditions of an order issued by or on behalf of the State Board for Educator Certification or the TEA staff.