accrediting agency for health professionals; and at least two years of wage earning experience utilizing the licensure requirement when proposing rules under TEC, §21.044, for a person to obtain a certificate to teach a health science technology education course.

TEC, §21.044(f), requires the SBEC to not propose rules for a certificate to teach a health science technology education course that specify that a person must have a bachelor's degree or that establish any other credential or teaching experience requirements that exceed the requirements under subsection (e).

TEC, §21.048(a), requires the SBEC to propose rules prescribing comprehensive examinations for each class of certificate issued by the SBEC.

TEC, §21.048(b), states that the SBEC 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.

TEC, §21.048(c), states that 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 SBEC determines, on the basis of appropriate field tests, that the examination complies with the standards specified in subsection (b) of this section.

TEC, §21.048(c-1), states that the results of an examination administered under this section are confidential and are not subject to disclosure under the Texas Government Code, Chapter 552, unless the disclosure is regarding notification to a parent of the assignment of an uncertified teacher to a classroom as required by the TEC, §21.057, or the educator has failed the examination more than five times.

TEC, §21.048(d), states the definitions for hearing impairment, reliability, and validity when used in the TEC, §21.048.

TEC, §21.0485, provides that all candidates for a certificate to teach students with visual impairments must complete an approved educator preparation program.

TEC, §21.0491, as added by HB 3349, 85th Texas Legislature, Regular Session, 2017, requires the SBEC to create a probationary and standard trade and industrial workforce training certificate and confirms there is no limit on the examination retake for this certificate.

TEC, §21.050(a), states that 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 TEC, Chapter 28, Subchapter A.

TEC, §21.050(b), states that the SBEC may not require more than 18 semester credit hours of education courses at the baccalaureate level for the granting of a teaching certificate.

TEC, §21.050(c), states that 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

Subchapter C, Assessment of Educators.

The purpose of Subchapter C, Assessment of Educators, is to provide the examination requirements for Texas educator certificate issuance. Proposed new §230.21(a)(1)(A) would clarify that canceled examination scores are not considered retakes for purposes of the five-time limit, so candidates would not be penalized when illness or other unexpected events cause them to have to cancel their results. Proposed new §230.21(a)(1)(B) would exempt piloted examinations from the retake limit to incentivize candidates to take the piloted examinations so that the agency can get the best data possible for purposes of developing and improving the examinations. Proposed new §230.21(a)(1)(C) would clarify that there is no test attempt/retake limit for the Trade and Industrial Workforce Training certificate as mandated through provisions in HB 3349, 85th Texas Legislature, Regular Session, 2017.

Proposed changes to the figure in §230.21(e) would add the new certificate and endorsement for Principal as Instructional Leader and would identify the required examinations for its issuance. A technical edit would also be made to the figure for ease of use and readability.

The proposed amendment to §230.21(g) would introduce a new heading to emphasize the importance of ethical behavior as it relates to all aspects of educator testing and to accommodate proposed new subsection (g)(4)(B) that would address failure to pay test costs and fees required by this chapter or the testing vendor. The proposed amendment to subsection (g)(1) would add scoring to the list of assessment activities that an educator or candidate should keep secure. The current subsection (g)(4)(B) has been relettered to subsection (g)(4)(C). Also, a technical edit would be made to §230.23(1), Testing Accommodations for Persons with Dyslexia, to update the statutory reference from TEC, §51.970, to TOC, §54.003.

Subchapter D, Types and Classes of Certificates Issued.

The purpose of Subchapter D, Types and Classes of Certificates Issued, is to identify types and classes of certificates issued in Texas. This subchapter also identifies some of the temporary credentials issued as individuals complete requirements to obtain a Texas standard certificate.

§230.36. Intern Certificates.

Due to the anticipated rigor of new assessments being developed to align with certification for Principal as Instructional Leader, proposed new §230.36(e)(4)(A) and (B) would provide a transition period of December 1, 2018 through September 1, 2019, before requiring successful completion of the new TExES Principal Examination (268) for issuance of the intern certificate. Effective September 1, 2019, candidates seeking issuance of the intern certificate for Principal as Instructional Leader would be required to pass the TExES Principal as Instructional Leader Examination (268).

§230.41. Visiting International Teacher Certificates.

Proposed new §230.41(a) would replace the current wording and would define the Visiting International Teacher (VIT) Program as a J-1 Visa Exchange Visitor Program officially approved by the United States Department of State (DoS). The DoS has specific requirements to allow organizations from approved countries to apply for designation of sponsorship to administer an exchange visitor program for the teacher category. The application fee for designation or re-

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fiscal impact on VIT program sponsors. Texas school districts and charter schools are necessary partners to employ VIT certificate holders as teachers of record during the validity period of the VIT certificate. This partnership has been in place for years so the costs for employing teachers was not included in the fiscal note because school districts are already employing teachers in their positions and would not encounter a fiscal impact as a result of this rule.

Subchapter E, Educational Aide Certificate.

The purpose of Subchapter E, Educational Aide Certificate, is to outline the general requirements for the recommendation, issuance, and renewal of educational aide certificates. Most of the rules in this subchapter remain the same and, therefore, are not included in Attachment II. The proposed amendment to §230.53(c) and (e) would clarify that the determination of English language proficiency should be the responsibility of the employing school district. This clarification is needed because individuals are recommended for certificate issuance by the local school district, and the employing district should retain flexibility to identify staff best suited to meet the needs of districts and the students that they serve.

A proposed amendment would be made to subsection (e) to update the reference to §230.11.

Subchapter G, Certificate Issuance Procedures.

The purpose of Subchapter G, Certificate Issuance Procedures, is to identify the general procedures for issuance of certificates; to confirm the roles of educator preparation programs (EPPs) in the recommendation of their candidates for certification; to highlight the process for dating and issuing certificates and permits; to establish in rule the fees for various certification services; to outline the process for submitting fees for correction of a certificate or permit issued in error; and to identify requirements for issuance of additional certificates based on examination only.

Most of the rules in this subchapter would remain the same; however, language would be proposed in 19 TAC §230.101, Schedule of Fees for Certification Services, to add new

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GOVERNMENT GROWTH IMPACT: The TEA staff prepared a Government Growth Impact Statement assessment for this proposed rulemaking. During the first five years the proposed rulemaking would be in effect, it would require a decrease in fees paid to the agency. The TEA will forfeit the $11 fee per test administered for one component of the new Principal as Instructional Leader certificate. It is estimated that 300 individuals will take the vendor-owned national test, PAS (ov)8.6 (,)4.,S (o) Td S.ttr6tr6iiii Ii I mmmwwwhnoo,S ,,S Sttrtriiii Ii I mmmwwwh

Attachments:

I. Statutory Citations

II. Text of Proposed Amendments to 19 TAC Chapter 230, Professional Educator Preparation and Certification, Subchapter C, Assessment of Educators; Subchapter D, Types and Classes of Certificates Issued; Subchapter E, Educational Aide Certificate; 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, including Figure: 19 TAC §230.21(e)

Texas Education Code, §21.044, Educator Preparation (excerpts):

(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.

(e) In proposing rules under this section for a person to obtain a certificate to teach a health science technology education course, the board shall specify that a person must have:

(1) an associate degree or more advanced degree from an accredited institution of higher education;

(2) current licensure, certification, or registration as a health professions practitioner issued by a nationally recognized accrediting agency for health professionals; and

(3) at least two years of wage earning experience utilizing the licensure requirement.

(f) The board may not propose rules for a certificate to teach a health science technology education course that specify that a person must have a bachelor's degree or that establish any other credential or teaching experience requirements that exceed the requirements under Subsection (e).

Texas Education Code, §21.048, Certification Examinations (excerpt):

(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:

(d) The limitation imposed by Section 21.048(a-1) on the number of administrations of an examination does not apply to the administration of the standard trade and industrial workforce training certificate examination prescribed by the board.

(e) Notwithstanding any other law, the board may administer the standard trade and industrial workforce training certificate examination to a person who satisfies the requirements of Subsections (c)(1) and (2).

(f) The board shall propose rules to:

(1) specify the term of a probationary certificate and a standard certificate issued under this section; and

(2) establish the requirements for renewal of a standard certificate.

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

(a) A person who applies for a teaching certificate for which board rules require a bachelor's degree must possess a bachelor's degree received with an academic major or interdisciplinary academic major, including reading, other than education, that is related to the curriculum as prescribed under Subchapter A, Chapter 28.

(b) The SBEC may not require more than 18 semester credit hours of education courses at the baccalaureate level for the granting of a teaching certificate. The board shall provide for a minimum number of semester credit hours of internship to be included in the hours needed for certification. The board may propose rules requiring additional credit hours for certification in bilingual education, English as a second language, early childhood education, or special education.

(c) A person who receives a bachelor's degree required for a teaching certificate on the basis of higher education coursework completed while receiving an exemption from tuition and fees under Section 54.214 may not be required to participate in any field experience or internship consisting of student teaching to receive a teaching certificate.

Texas Education Code, §21.051, Rules Regarding Field-Based Experience and Options for Field Experience and Internships, as amended by Senate Bill 1839, 85th Texas Legislature, Regular Session, 2017:

(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, and, except as provided by Subsection (b-1), after the candidate's admission to an educator preparation program, 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.

(b-1) A candidate may satisfy up to 15 hours of the field-based experience requirement under Subsection (b) by serving as a long-term substitute teacher as prescribed by board rule. Experience under this subsection may occur after the candidate 's admission to an educator preparation program or during the two years before the date the candidate is

admitted to the program. The candidate 's experience in instructional or educational activities must be documented by the educator preparation program and must be obtained 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.

(b) For purposes of Subsection (a)(2), a person is considered to hold a certificate or other

Texas Occupations Code, §54.003, Examination Accommodations for Person With Dyslexia:

(a) In this section, "dyslexia" has the meaning assigned by Section 51.970, Education Code.

(b) For each licensing examination administered by a statd.i (r.5 (s),T0)2.6 ,10.5 (s)-2 ( )11J [(by)8.6 (t)

(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.

(4) An educator, candidate, or other test taker shall not:

(A) solicit information about the contents of test items on an examination that]TJ 0 Tc 0 T6p3 fdgusta

(1) An applicant for an intern certificate in a certification class other than classroom teacher 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 an intern certificate in that class.

(2) The individual must have also 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 certificate area being 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 the TEA.

(3) The holder of an intern certificate in a certification class other than classroom teacher is subject to all terms and conditions of an intern certificate prescribed in subsection (c) of this section.

(4) The following provisions apply to the intern certificate for Principal as Instructional Leader.

(A) During the transition period of December 1, 2018 through September 1, 2019, the SBEC may issue an intern certificate to a candidate who meets the requirements specified in paragraphs (1)-(3) of this subsection.

(B) Effective September 1, 2019, the SBEC may issue an intern certificate to a candidate who meets requirements specified in paragraphs (1)-(3) of this subsection and has passed the Principal as Instructional Leader examination specified in Subchapter C of this chapter.

(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) School districts [Participating school districts] that recommend educators for visiting international teacher certificates agree to provide the visiting international teachers with intensive supervision consisting of structured guidance and regular ongoing support through a mentoring program.

(d) The Texas Education Agency (TEA) [TEA] staff shall establish reasonable procedures to implement this section.

(e) The visiting international teacher certificate is valid for three years and may be extended two additional years, for a maximum total of five years, for all candidates actively enrolled in and in good standing with a

(8)

Figure: 19 TAC §230.21(e)

Certificate TAC Reference	Certificate Name	Required Content Test(s)	Pedagogy and Professional Responsibilities (PPR) Requirements
Art			
§233.10	Art EC-12	178 Art EC-12 Texas Educator Certification Examinations (TECES)	160 PPR EC-12 TECES
Bilingual Education			
§233.6	Bilingual Spanish	164 Bilingual Spanish TECES and [or] 190 BTLPT – Spanish TECES	Not Applicable
§233.6	Bilingual Spanish American Sign Language	164 Bilingual Spanish TECES and [or] 184 American Sign Language (ASL) EC-12 TECES and [or] 073 Texas American Sign Language Certification System - American Sign Language (TASC-ASL)	Not Applicable

Certificate TAC Reference	Certificate Name	Required Content Test(s)	Pedagogy and Professional Responsibilities (PPR)

Certificate TAC Reference	Certificate Name	Required Content Test(s)	Pedagogy and Professional Responsibilities (PPR) Requirements
Languages Other Than English			
§233.15	German: EC-12	611 LOTE German: EC-12 TExES	160 PPR EC-12 TExES
§233.15	Hindi: EC-12		

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Certificate TAC Reference	Certificate Name	Required Content Test(s)	Pedagogy and Professional Responsibilities (PPR) Requirements
Speech Communications			
233.3	-12	129 -12 TEXES	160 PPR EC-12 TEXES
Special Education			
233.8	-Grade 12	161 EC-12 TEXES	160 PPR EC-12 TEXES
233.8		163 TEXES	
233.8			