

Item 6:**Adoption of Proposed Amendments to 19 TAC Chapter 228, Requirements for Educator Preparation Programs, Subchapter A, General Guidance, Subchapter D, Required Educator Coursework and Training, Subchapter E, Educator Candidate Clinical Experiences, and Subchapter F, Support for Candidates During Required Clinical Experiences****DISCUSSION AND ACTION**

SUMMARY: This item provides the State Board for Educator Certification (SBEC) an opportunity to adopt, subject to State Board of Education (SBOE) review, the proposed amendments to 19 Texas Administrative Code (TAC) Chapter 228, Requirements for Educator Preparation Programs, Subchapter A, General Guidance, Subchapter D, Required Educator Coursework and Training, Subchapter E, Educator Candidate Clinical Experiences, and Subchapter F, Support for Candidates During Required Clinical Experiences. The proposed amendments would further clarify requirements and definitions as applicable to support educator preparation programs (EPPs) and candidates in the successful implementation of these rules. No changes are recommended since published as proposed, but additional changes may be recommended at the time of the meeting based on public comment.

STATUTORY AUTHORITY: The statutory authority for 19 TAC Chapter 228, Subchapters A, D, E, and F, is the Texas Education Code (TEC), §§21.003(a), 21.031; 21.041(b)(1)-(4); 21.044; 21.0441; 21.0442(c); 21.0443; 21.045(a); 21.0452, 21.0453; 21.0454; 21.0455; 21.046(b) and (c); 21.048(a); 21.0485; 21.0487(c); 21.0489(c); 21.04891; 21.049(a); 21.0491; 21.050(a)-(c); and 21.051; and the Texas Occupations Code (TOC), §55.007.

TEC, §21.003(a), states that a person may not be employed as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, educational diagnostician, or school counselor by a school district unless the person holds an appropriate certificate or permit issued as provided by the TEC, Chapter 21, Subchapter B.

TEC, §21.031, authorizes the SBEC to regulate and oversee all aspects of the certification, continuing education, and standards of conduct of public school educators.

TEC, §21.041(b)(1), requires the SBEC to propose rules that provide for the regulation of educators and the general administration of the TEC, Chapter 21, Subchapter B, in a manner consistent with the TEC, Chapter 21, Subchapter B.

TEC, §21.041(b)(2)-(4), requires the SBEC to propose rules that specify the classes of educator certificates to be issued, including emergency certificates; the period for which each class of

educator certificate is valid; and the requirements for the issuance and renewal of an educator certificate.

TEC, §21.044, authorizes the SBEC to propose rules specifying what each educator is expected to know and be able to do, particularly with regard to students with disabilities, establishing the training requirements a person must accomplish to obtain a certificate, or enter an internship, and specifying the minimum academic qualifications required for a certificate. It also sets requirements for training, coursework and qualifications that the SBEC is required to include.

TEC, §21.0441, requires the SBEC to set admission requirements for candidates entering EPPs, and specifies certain requirements that must be included in the rules.

TEC, §21.0442(c), requires the SBEC to create an abbreviated EPP for a person seeking certification in trade and industrial workforce training with a minimum of 80 hours of classroom instruction in certain specified topics.

TEC, §21.0443, requires the SBEC to set standards for approval and renewal of approval for EPPs, sets certain requirements for approval and renewal, and requires that the SBEC review each program at least every five years.

TEC, §21.045(a), requires the SBEC to create an accountability system for EPPs based on the results of certification examinations, teacher appraisals, student achievement, compliance with the requirements for candidate support, and the results of a teacher satisfaction survey.

TEC, §21.0452, requires the SBEC to make information about EPPs available to the public through its internet website and gives the SBEC authority to require any person to give information to the Board for this purpose.

TEC, §21.0453, sets requirements for information that EPPs must provide candidates and gives the SBEC rulemaking authority to implement the provision and ensure that EPPs give candidates accurate information.

TEC, §21.0454, gives the SBEC rulemaking authority to set risk factors to determine the Board's priorities in conducting monitoring, inspections, and compliance audits and sets out certain factors that must be included among the factors.

TEC, §21.0455, gives the SBEC rulemaking authority to establish a process for a candidate for teacher certification to direct a complaint against an EPP to the agency, requires that EPPs notify candidates of the complaints process, states that the SBEC must post the complaint process on its website, and states that the SBEC has no authority to resolve disputes over contractual or commercial issues between programs and candidates.

TEC, §21.046(b), requires the SBEC to allow outstanding teachers to substitute approved experience and professional training for part of the educational requirements in lieu of classroom hours.

TEC, §21.046(c), requires the SBEC to ensure that principal candidates are of the highest caliber and that there is a multi-level screening process, along with assessment programs, and flexible internships to determine whether a candidate has the necessary skills for success.

TEC, §21.048(a), requires the SBEC to prescribe comprehensive certification examinations for each class of certificate issued by the Board.

TEC, §21.0485, states that to be eligible for certification to teach students with visual impairments, a person must complete all coursework required for that certification in an approved EPP or alternative EPP, perform satisfactorily on required certification exams, and satisfy other requirements established by the SBEC.

TEC, §21.0487(c), requires the SBEC to propose rules related to approval of EPPs to offer the Junior Reserve Officer Training Corps (JROTC) teacher certification and to recognize applicable military training and experience and prior employment by a school district as a JROTC instructor to support completion of certification requirements.

TEC, §21.0489(c), sets out the requirements for Early Childhood certification.

TEC, §21.04891, sets out the requirements for the Bilingual Special Education certification.

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

TEC, §21.0491, requires the SBEC to create a probationary and standard trade and industrial workforce training certificate.

TEC, §21.050(a), requires an applicant for teacher certification to have a bachelor's degree in a relevant field.

TEC, §21.050(b), requires the SBEC to include hours of field-based experience in the hours of coursework required for certification and allows the Board to require additional credit hours for certification in bilingual education, English as a second language, early childhood education, or special education.

TEC, §21.050(c), exempts people who receive a bachelor's degree while receiving an exemption from tuition and fees under TEC, §54.363, from having to participate in field-based experiences or internships as a requirement for educator certification.

TEC, §21.051, requires that candidates complete at least 15 hours of field-based experiences in which the candidate is actively engaged in instructional or educational activities under supervision involving a diverse student population at a public-school campus or an approved private school, allows 15 hours of experience as a long-term substitute to count as field-based experience, and gives the SBEC rulemaking authority related to field-based experiences.

TOC, §55.007, requires all state agencies that issue licenses or certifications to credit military experience toward the requirements for the license or certification.

EFFECTIVE DATE: The proposed effective date would be March 11, 2025 (20 days after filing as adopted with the Texas Register). The proposed effective date is based on the SBEC and SBOE meeting schedules.

PREVIOUS BOARD ACTION: At the September 19-20, 2024 meeting, the SBEC voted to approve the proposed amendments to 19 TAC Chapter 228, Requirements for Educator Preparation Programs, Subchapter A, General Guidance, Subchapter D, Required Educator Coursework and Training, Subchapter E, Educator Candidate Clinical Experiences, and Subchapter F, Support for Candidates During Required Clinical Experiences, to be published in the Texas Register as proposed rules.

The proposed amendment to §228.6, Implementation Date, would create new paragraphs (1) and (2) to more formally codify the implementation structures understood in the field. These additions to the rules would provide clarification and consistency to support EPPs with candidates admitted prior to September 1, 2024.

Proposed new §228.6(1)(A) would reinforce the expectation for candidates who have not started their clinical experience prior to September 1, 2024, to comply with the current rules in d .6 (r)-5in

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- ~~(53)~~ ~~(54)~~ Teacher of record. An educator who is employed by a school or district and who teaches in an academic instructional setting or a career and technical instructional setting not less than an average of four hours each day and is responsible for evaluating student achievement and assigning grades.
- ~~(54)~~ ~~(52)~~ Texas Education Agency staff. Staff of the TEA assigned by the commissioner of education to perform the SBEC's administrative functions and services.
- ~~(55)~~ ~~(53)~~ Texas Essential Knowledge and Skills (TEKS). The Kindergarten-Grade 12 state curriculum in Texas adopted by the State Board of Education and used as the foundation of all state certification examinations.

§2286. Implementation Date.

The provisions of this chapter are effective September 1, 2024, unless otherwise specified in rule.

- (1) ~~At the determination of the educator preparation program (EPP), candidates admitted into an EPP prior to September 1, 2024, are eligible to finish preparation program requirements under the Legacy Chapter 228 rules or may complete requirements under the new rules and credit requirements completed under the Legacy Chapter 228 rules.~~
- (A) ~~Regardless of the preparation program requirements approved by an EPP via provisions in paragraph (1) of this subsection for the purposes of formal observational clinical experiences in Subchapter E of this chapter (relating to Educator Candidate Clinical Experiences), that begin on or after September 1, 2024, must meet the frequency and duration requirements in §§228.103(b)(1) of this title (relating to Formal Observations for Candidates in Residency Assignments), 228.105(b) of this title (relating to Formal Observations for All Candidates for Initial Classroom Teacher Certification), 228.105(c)(1) of this title, 228.107(b) of this title (relating to Formal Observations for Candidates in Clinical Teaching Assignments), 228.107(d) of this title, 228.109(b)(1) of this title (relating to Formal Observations for Candidates in Internship Assignments), 228.109(b)(2) of this title, 228.109(c)(1) of this title, 228.109(c)(2) of this title, and 228.111 of this title (relating to Formal Observations for Candidates Employed as Educational Aides)~~
- (B) ~~Candidates must complete all requirements under Legacy Chapter 228 rules by August 31, 2026.~~
- (2) ~~Candidates admitted into an EPP on or after September 1, 2024, are subject to all requirements in this chapter.~~

Subchapter D. Required Educator Coursework and Training

§228.33. Preparation Program Coursework and/or Training for All Certification Classes

- (a)-(c) (No change.)
- (d) Coursework and training that is offered online must meet criteria set for accreditation, quality assurance, and/or compliance with one or more of the following:
- (1) Accreditation or Certification by the Distance Education Accrediting Commission;
 - (2) Program Design and Teaching Support Certification by Quality Matters;
 - (3) ~~Part 1, Chapter 2, Subchapter J, Rule §2.204 of this title (relating to Approval of Distance Education Courses and Programs for Public Institutions); or~~
~~Part 1, Chapter 4, Subchapter P, of this title (relating to Approval of Distance Education Courses and Programs for Public Institutions); or~~
 - (4) Part 1, Chapter 7, of this title (relating to Degree Granting Colleges and Universities Other than Texas Public Institutions).

Subchapter E. Educator Candidate Clinical Experiences

§228.67. Clinical Teaching.

- (a) A candidate ~~seeking for~~ initial certification as a classroom teacher must have a clinical teaching assignment for each subject area in which the candidate is seeking certification.
- (b) The required duration of a clinical teaching assignment shall be a minimum of 490 ~~hours not less than an average of 4 hours each day in the subject area and grade level of certification sought, including planning periods but not including lunch periods~~ ~~for the purposes of satisfying this requirement~~ ~~and~~ following provisions apply.
- (1) ~~At least 280 clinical teaching hours must be completed in the subject area and grade level of the certification sought, under the supervision of a cooperating teacher as specified in §228.91 title (relating to Mentors, Cooperating Teachers, Host Teachers, and Site Supervisors) including planning periods.~~
 - (2) ~~The remaining clinical teaching hours may be accrued through additional instructional hours during the school day, Texas Essential Knowledge and Skills extracurricular activities that directly relate to the grade level and subject area of the certification sought, and professional development hours that occur within the assignment start and end date. The candidate must be under the supervision of a certified educator for the remaining required hours of clinical teaching.~~
 - (3) ~~The minimum required clinical teaching hours may be reduced to no less than 455 hours if the candidate is absent from the clinical teaching assignment due to a documented instance of parental leave, military leave, medical, illness, or bereavement.~~
- (c) For certification in more than one subject area that cannot be taught concurrently during the same period of the school day as the primary teaching assignment, ~~at least five hours per week~~ of the clinical teaching requirement in subsection ~~(2)~~ of this section must be completed in each additional subject area if and only if:
- (1) the educator preparation program (EPP) is approved to offer preparation in the certification category required for the additional assignment;
 - (2) the EPP provides ongoing support for each assignment as prescribed in Subchapter F of this chapter (relating to Support for Candidates During Required Clinical Experiences);
 - (3) the EPP provides coursework and training for each assignment to adequately prepare the candidate to be effective in the classroom; and
 - (4) the campus administrator agrees to assign a qualified cooperating teacher appropriate to each assignment.
- (d)-(g) (No change.)

§228.73. Internship.

- (a)-(f) (No change.)
- (g) An EPP must provide ongoing support to a candidate as described in Subchapter F of this chapter (relating to Support for Candidates During Required Clinical Experiences) for the full term of the initial and any additional internship, unless, prior to the expiration of that term:
- (1) a standard certificate is issued to the candidate during any additional internship under an intern or probationary certificate;
 - (2) the candidate resigns, is ~~not~~ renewed, or is terminated by the school or district;
 - (3) the candidate is discharged or is released from the EPP;
 - (4) the candidate withdraws from the EPP;

- (5) the candidate is a late hire and fails to meet the internship requirements within 90 business days of assignment in accordance with §228.55 of this title (relating to Late Hire Candidates); or
 - (6) the internship assignment does not meet the requirements described in this subchapter.
- (h) If the candidate fails to complete the internship assignment for any of the reasons identified in subsection (i) of this section:
- (1) that the candidate is a late hire and fails to meet the internship requirements within 90 business days of assignment in accordance with §228.55 of this title (relating to Late Hire Candidates); or
 - (2) the internship assignment does not meet the requirements described in this subchapter.

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