ATTACHMENT II
Text of Proposed Revisions to 19 TAC

Chapter 239. Student Services Certificates

Subchapter C. Educational Diagnostician Certificate

§239.80. General Provisions.

(a) Because the educational diagnostician plays a critical role in campus effectiveness and student achievement, the rules adopted by the State Board for Educator Certification in this subchapter ensure that each candidate for the Educational Diagnostician Certificate is of the highest caliber and possesses the knowledge and skills necessary to improve the performance of the diverse student population of this state.

(b) An individual serving as an educational diagnostician is expected to actively participate in professional development activities to continually update his or her knowledge and skills. Currency in best practices and research as related to both assessment [~~campus leadership~~] and student learning is essential.

(c) The holder of the Educational Diagnostician Certificate issued under the provisions of this subchapter may serve as an educational diagnostician, including providing educational assessment and evaluation, as required by the Individuals with Disabilities Education Act (IDEA) or other applicable law, for students from birth through adulthood [~~Early Childhood-Grade 12~~] .

§239.82. Preparation Program Requirements.

(a) Structured, field-based training must be focused on actual experiences with each of the standards identified in §239.83 of this title (relating to Standards Required for the Educational Diagnostician Certificate) to include experiences with diverse types of students, grade levels, and campuses.

(b) An educator preparation program may [~~must~~] develop and implement specific criteria and procedures that allow a candidate to substitute related professional educational diagnostician training and/or experience directly related to the standards identified in §239.83 of this title for part of the preparation coursework or other program requirements.

§239.83. Standards Required for the Educational Diagnostician Certificate.

(a) Educational Diagnostician Certificate Standards. The knowledge and skills identified in this section must be used by an educator preparation program in the development of curricula and coursework and by the State Board for Educator Certification as the basis for developing the examination required to obtain the standard Educational Diagnostician Certificate. The standards also serve as the foundation for the professional growth plan and continuing professional education activities required by §239.85 of this title (relating to Requirements to Renew the Standard Educational Diagnostician Certificate).

(b) Standard I. The educational diagnostician understands and applies knowledge of the purpose, philosophy, and legal foundations of evaluation and special education.

(1) The [~~beginning~~] educational diagnostician knows and understands:

(A) state and federal regulations relevant to the role of the educational diagnostician;

(B) laws and legal issues related to the assessment and evaluation of individuals with educational needs;

(C) models, theories, and philosophies that provide the basis for special education evaluations;

(D) issues, assurances, and due process rights related to evaluation, eligibility, and placement in the least restrictive environment within a continuum of services; and

(E) rights and responsibilities of parents/guardians, schools, students, and teachers and other professionals in relation to individual learning needs.

(2) The [~~beginning~~] educational diagnostician is able to:

(A) articulate the purpose of evaluation procedures and their relationship to educational programming; and

(B) conduct evaluations and other professional activities consistent with the requirements of laws, rules and regulations, and local district policies and procedures.

(c) Standard II. The educational diagnostician understands and applies knowledge of ethical and professional practices, roles, and responsibilities.

(1) The [~~beginning~~] educational diagnostician knows and understands:

(A) ethical practices regarding procedural safeguards (e.g., confidentiality issues, informed consent) for individuals with disabilities;

(B) ethical practices related to assessment and evaluation;

(C) qualifications necessary to administer and interpret various instruments and procedures; and

(D) organizations and publications relevant to the field of educational diagnosis.

(2) The [~~beginning~~] educational diagnostician is able to:

(A) demonstrate commitment to developing quality educational opportunities appropriate for individuals with disabilities;

(B) demonstrate positive regard for the culture, gender, and personal beliefs of individual students;

(C) promote and maintain a high level of competence and integrity in the practice of the profession;

(D) exercise objective professional judgment in the practice of the profession;

(E) engage in professional activities that benefit individuals with exceptional learning needs, their families, and/or colleagues;

(F) comply with local, state, and federal monitoring and evaluation requirements;

(G) use copyrighted educational materials in an ethical manner; and

(H) participate in the activities of professional organizations in the field of educational diagnosis.

(d) Standard III. The educational diagnostician develops collaborative relationships with families, educators, the school, the community, outside agencies, and related service personnel.

(1) The [~~beginning~~] educational diagnostician knows and understands:

(A) strategies for promoting effective communication and collaboration with others, including parents/guardians and school and community personnel, in a culturally responsive manner;

(B) concerns of parents/guardians of individuals with exceptional learning needs and appropriate strategies to help parents/guardians address these concerns;

(C) strategies for developing educational programs for individuals through collaboration with team members;

(D) roles of individuals with disabilities, parents/caregivers, teachers, and other school and community personnel in planning educational programs for individuals; and

(E) family systems and the role of families in supporting student development and educational progress.

(2) The [~~beginning~~] educational diagnostician is able to:

(A) use collaborative strategies in working with individuals with disabilities, parents/caregivers, and school and community personnel in various learning environments;

(B) communicate and consult effectively with individuals, parents/guardians, teachers, and other school and community personnel;

(C) foster respectful and beneficial relationships between families and education professionals;

(D) encourage and assist individuals with disabilities and their families to become active participants in the educational team;

(E) plan and conduct collaborative conferences with individuals who have exceptional learning needs and their families or primary caregivers;

(F) collaborate with classroom teachers and other school and community personnel in including individuals with exceptional learning needs in various learning environments;

(G) communicate with classroom teachers, administrators, and other school personnel about characteristics and needs of individuals with disabilities;

(H) use appropriate communication skills to report and interpret assessment and evaluation results;

(I) provide assistance to others who collect informal and observational data;

(J) effectively communicate to parents/guardians and professionals the purposes, methods, findings, and implications of assessments; and

(K) keep accurate and detailed records of assessments, evaluations, and related proceedings (e.g., admission, review, and dismissal/individualized education program (ARD/IEP) meetings, parent/guardian communications and notifications).

(e) Standard IV. The educational diagnostician understands and applies knowledge of student assessment and evaluation, program planning, and instructional decision making.

(1) The [~~beginning~~] educational diagnostician knows and understands:

(A) the characteristics, needs, and rights of individual students in relation to assessment and evaluation for placement in the least restrictive environment within a continuum of services;

(B) the relationship between evaluation and placement decisions; and

(C) the role of team members, including the student when appropriate, in planning an individualized program.

(2) The [~~beginning~~] educational diagnostician is able to:

(A) use assessment and evaluation information to plan individualized programs, establish measurable annual goals and objectives, and make instructional decisions that result in appropriate services for individuals with disabilities, including those from culturally and/or linguistically diverse backgrounds;

(B) interpret and use assessment and evaluation data for targeted instruction and ongoing review; and

(C) assist in identifying realistic expectations for educationally relevant behavior (e.g., vocational, functional, academic, social) in various settings.

(f) Standard V. The educational diagnostician knows eligibility criteria and procedures for identifying students with disabilities and determining the presence of an educational need.

(1) The [~~beginning~~] educational diagnostician knows and understands:

(A) characteristics of individuals with disabilities, including those with different levels of severity and with multiple disabilities;

(B) educational implications of various disabilities; and

(C) the variation in ability exhibited by individuals with particular types of disabilities.

(2) The [~~beginning~~] educational diagnostician is able to:

(A) access information on the cognitive, communicative, physical, social, and emotional characteristics of individuals with disabilities and the assistive technology needs of those students;

(B) gather background information regarding the academic, medical, and family history of individuals with disabilities; and

(C) use various types of assessment and evaluation procedures appropriately to identify students with disabilities and to determine the presence of an educational need.

(g) Standard VI. The educational diagnostician selects, administers, and interprets appropriate formal and informal assessments and evaluations.

(1) The [~~beginning~~] educational diagnostician knows and understands:

(A) basic terminology used in assessment and evaluation;

(B) standards for test reliability;

(C) standards for test validity;

(D) procedures used in standardizing assessment instruments;

(E) possible sources of test error;

(F) the meaning and use of basic statistical concepts used in assessment and evaluation (e.g., standard error of measurement, mean, standard deviation);

(G) uses and limitations of each type of assessment instrument;

(H) uses and limitations of various types of assessment data;

(I) procedures for screening, prereferral, <u>including RTI (e.g., response to intervention/multi-tiered support)</u>, referral, and eligibility;

(J) the appropriate application and interpretation of derived scores (e.g., standard scores, percentile ranks, age and grade equivalents, stanines);

(K) the necessity of monitoring the progress of individuals with disabilities;

(L) methods of academic and nonacademic (e.g., vocational, <u>transition,</u> developmental, assistive technology) assessment and evaluation; and

(M) methods of motor skills assessment.

(2) The [~~beginning~~] educational diagnostician is able to:

(A) collaborate with families and other professionals in the assessment and evaluation of individuals with disabilities;

(B) select and use assessment and evaluation materials based on technical quality and individual student needs;

(C) score assessment and evaluation instruments accurately;

(D) create and maintain assessment reports;

(E) select or modify assessment procedures to ensure nonbiased results;

(F) use a variety of observation techniques;

(G) assess and interpret information using formal/informal instruments and procedures in the areas of cognitive/adaptive behavior and academic skills;

(H) determine the need for further assessment in the areas of language skills, physical skills, social/emotional behavior, and assistive technology;

(I) determine a student's needs in various curricular areas [~~,~~] and make intervention, instructional, and transition planning recommendations based on assessment and evaluation results;

(J) make recommendations based on assessment and evaluation results;

(K) prepare assessment reports; and

(L) use performance data and information from teachers, other professionals, individuals with disabilities, and parents/guardians to make or suggest appropriate modifications and/or accommodations within learning environments.

(h) Standard VII. The educational diagnostician understands and applies knowledge of ethnic, linguistic, cultural, and socioeconomic diversity and the significance of student diversity for evaluation, planning, and instruction.

(1) The [~~beginning~~] educational diagnostician knows and understands:

(A) issues related to definition and identification procedures for individuals with disabilities, including individuals from culturally and/or linguistically diverse backgrounds;

(B) characteristics and effects of the cultural and environmental backgrounds of students and their families, including cultural and linguistic diversity, socioeconomic diversity, abuse/neglect, and substance abuse;

(C) issues related to the representation in special education of populations that are culturally and linguistically diverse;

(D) ways in which native language and diversity may affect evaluation; and

(E) strategies that are responsive to the diverse backgrounds and particular disabilities of individuals in relation to evaluation, programming, and placement.

(2) The [~~beginning~~] educational diagnostician is able to:

(A) apply knowledge of cultural and linguistic factors to make appropriate evaluation decisions and instructional recommendations for individuals with disabilities; and

(B) recognize how student diversity and particular disabilities may affect evaluation, programming, and placement [~~,~~] and use procedures that ensure nonbiased results.

(i) Standard VIII. The educational diagnostician knows and demonstrates skills necessary for scheduling, time management, and organization.

(1) The [~~beginning~~] educational diagnostician knows and understands:

(A) time-management strategies and systems appropriate for various educational situations and environments;

(B) legal and regulatory timelines, schedules, deadlines, and reporting requirements; and

(C) methods for organizing, maintaining, accessing, and storing records and information.

(2) The [~~beginning~~] educational diagnostician is able to:

(A) select, adapt, or design forms to facilitate planning, scheduling, and time management;

(B) maintain eligibility folders; and

(C) use technology appropriately to organize information and schedules.

(j) Standard IX. The educational diagnostician addresses students' behavioral and social interaction skills through appropriate assessment, evaluation, planning, and instructional strategies.

(1) The [~~beginning~~] educational diagnostician knows and understands:

(A) requirements and procedures for functional behavioral assessment, manifestation determination review, and behavioral intervention plans that incorporate positive behavioral supports and interventions ;

(B) applicable laws, rules and regulations, and procedural safeguards regarding the planning and implementation of behavioral intervention plans for individuals with disabilities;

(C) ethical considerations inherent in behavior interventions;

(D) teacher attitudes and behaviors that influence the behavior of individuals with disabilities;

(E) social skills needed for school, home, community, and work environments;

(F) strategies for crisis prevention, intervention, and management;

(G) strategies for preparing individuals to live productively in a multiclass, multiethnic, multicultural, and multinational world; and

(H) key concepts in behavior intervention (e.g., least intrusive accommodations/ modifications within the learning environment, reasonable expectations for social behavior, social skills curricula, cognitive behavioral strategies).

(2) The [~~beginning~~] educational diagnostician is able to:

(A) conduct functional behavioral assessments;

(B) assist in the development of behavioral intervention plans; and

(C) participate in manifestation determination review.

(k) Standard X. The educational diagnostician knows and understands appropriate curricula and instructional strategies for individuals with disabilities.

(1) The [~~beginning~~] educational diagnostician knows and understands:

(A) instructional strategies, technology tools and applications, and curriculum materials for students with disabilities within the continuum of services;

(B) varied learning styles of individuals with disabilities;

(C) curricula for the development of motor, cognitive, academic, social, language, affective, career, and functional skills for individuals with disabilities;

(D) techniques for accommodating and/or modifying instructional methods and materials for individuals with disabilities;

(E) functional skills instruction relevant to transitioning across environments (e.g., preschool to elementary school, school to work);

(F) supports needed for integration into various program placements; and

(G) individualized assessment strategies for instruction (e.g., authentic assessment, contextual assessment, curriculum-based assessment).

(2) The [~~beginning~~] educational diagnostician is able to:

(A) interpret and use assessment and evaluation data for instructional planning; and

(B) use assessment and evaluation, planning, and management procedures that are appropriate in relation to student needs and the instructional environment.

§239.84. Requirements for the Issuance of the Standard Educational Diagnostician Certificate.

To be eligible to receive the standard Educational Diagnostician Certificate, a candidate must:

(1) successfully complete an educational diagnostician preparation program that meets the requirements of §239.82 of this title (relating to Preparation Program Requirements) and §239.83 of this title (relating to Standards Required for the Educational Diagnostician Certificate);

(2) successfully complete the examination based on the standards identified in §239.83 of this title;

(3) hold, at a minimum, a master's degree from an accredited institution of higher education that at the time was accredited or otherwise approved by an accrediting organization recognized by the Texas Higher Education Coordinating Board;

(4) hold a valid classroom teaching certificate; and

(5) have three [~~two~~] creditable years of teaching experience as a classroom teacher, as defined in Chapter 153, Subchapter CC, of this title (relating to Commissioner's Rules on Creditable Years of Service) and the Texas Education Code, §5.001(2).

§239.85. Requirements to Renew the Standard Educational Diagnostician Certificate.

(a) An individual issued the standard Educational Diagnostician Certificate under this title is subject to Chapter 232, Subchapter A [~~B~~] , of this title (relating to Certificate Renewal and Continuing Professional Education Requirements).

(b) An individual who holds a valid Texas educational diagnostician certificate issued prior to September 1, 1999, may voluntarily comply with the requirements of this section under procedures implemented by the Texas Education Agency staff under §232.3 [~~§232.810~~] of this title (relating to Voluntary Renewal of Current Texas Educators).

§239.86. Implementation Date.

The provisions of this subchapter apply to an applicant who is admitted to an educator preparation program for the Educational Diagnostician Certificate on or after September 1, 2018.

[~~§239.86. Transition and Implementation Dates.~~]

[~~Section 239.84 of this title (relating to Requirements for the Issuance of the Standard Educational Diagnostician Certificate) shall be implemented and shall supersede all conflicting provisions in this title on September 1, 2003. All other sections of this subchapter shall take effect pursuant to the Texas Government Code, §2001.036.~~]