

**Item 9:****Consider and Take Appropriate Action on Adoption of  
Proposed Revisions to 19 TAC Chapter 227, Provisions for  
Educator Preparation Candidates****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, proposed revisions to 19 TAC Chapter 227, Provisions for Educator Preparation Candidates. The proposed amendments to 19 TAC §§227.1, 227.5, 227.10, 227.15, and 227.20 and proposed new 19 TAC §227.17 and §227.19 would include changes as a result of House Bill (HB) 2012, 83rd Texas Legislature, Regular Session, 2013, which required the Texas Education Agency (TEA), the SBEC, and the Texas Higher Education Coordinating Board (THECB) to perform a joint review of the existing standards for preparation and admission that are applicable to educator preparation programs (EPPs). In addition, HBs 1300 and 2205, 84th Texas Legislature, Regular Session, 2015, would be addressed. The proposed revisions would update the rules to reflect current law, clarify minimum standards for all EPPs, allow for flexibility, and ensure consistency among EPPs in the state. The proposed amendments to 19 TAC §§227.103, 227.105, and 227.107 would reflect conforming technical edits. Changes are recommended to the proposed amendments to 19 TAC §227.10 and §227.17 as published.

**STATUTORY AUTHORITY:** The statutory authority for 19 TAC Chapter 227, Subchapter A, is the TEC, §§21.031; 21.044(a) and (g)(2) and (3), as amended by Senate Bill 1296, 84th Texas Legislature, Regular Session, 2015; 21.0441, as amended by HB 2205 and HB 1300, 84th Texas Legislature, Regular Session, 2015; 21.049; 21.050(a); and 21.051. The statutory authority for 19 TAC Chapter 227, Subchapter B, is the TEC, §21.041(b)(1) and (4), and Texas Occupations Code, §53.105.

**EFFECTIVE DATE:** The proposed effective date of the proposed amendments to 19 TAC §§227.1, 227.5, 227.10, 227.15, and 227.20 and proposed new 19 TAC §227.17 and §227.19 would be February 28, 2016 (20 days after filing as adopted with the *Texas Register*). The proposed effective date is also based on the SBEC and SBOE meeting schedules.

**PREVIOUS BOARD ACTION:** The SBEC discussed proposed revisions to 19 TAC Chapter 227 at the October 2014 and March 2015 meetings. The SBEC postponed taking action at the March 2015 meeting and directed TEA staff to bring this item back for discussion and possible action at the June 2015 SBEC meeting. The SBEC postponed taking action at the June 2015 meeting due to recent legislation and directed TEA staff to bring this item back for discussion of possible future rule changes at the August and October 2015 SBEC meetings.

At the October 2015 meeting, the SBEC approved the revisions to 19 TAC Chapter 227 for publication in the *Texas Register* as proposed rules.

**BACKGROUND INFORMATION AND SIGNIFICANT ISSUES:** The SBEC rules in 19 TAC Chapter 227 begin with Subchapter A, Admission to Educator Preparation Programs, which

provides for rules that establish requirements for admission to an EPP. Subchapter B, Preliminary Evaluation of Certification Eligibility, provides for rules for the implementation of a preliminary criminal history evaluation, as provided in the Texas Occupations Code, Chapter 53, Subchapter D. The TEC, §21.031, states that the SBEC is established to oversee all aspects of the certification and continuing education of public school educators and to ensure that all candidates for certification or renewal of certification demonstrate the knowledge and skills necessary to improve the performance of the diverse student population of this state. The TEC, §21.049, authorizes the SBEC to adopt rules providing for educator certification programs as an alternative to traditional EPPs.

The proposed revisions include changes as a result of HB 2012, 83rd Texas Legislature, Regular Session, 2013, and HBs 1300 and 2205, 84th Texas Legislature, Regular Session, 2015. The proposed revisions also reflect discussions held during stakeholder meetings with EPPs on January 14, 2014; February 18, 2014; and March 26, 2014, and regional stakeholder meetings held on February 27, 2014, and March 3-4, 2014, with district and regional administrators. The proposed revisions also reflect input received from staff at the THECB and the TEA. Additional stakeholder meetings were held with the Educator Preparation Advisory Committee (EPAC) on December 1, 2014; February 2, 2015; May 4, 2015; June 29, 2015; August 31, 2015; and November 2, 2015.

#### SBEC Input

At the January 2015 SBEC Work Session, the SBEC members received three presentations on educator quality. The Texas Teaching Commission, the Council for the Accreditation of Educator Preparation, and the National Council on Teacher Quality provided state and national perspectives on educator quality. SBEC members provided feedback to TEA staff on those presentations. Specifically, as it relates to 19 TAC Chapter 227, the SBEC requested policy options that focus on raising EPP standards, improving teacher preparation programs, and providing solutions to correct current problems in Texas EPPs. The proposed revisions to 19 TAC Chapter 227 address this request.

The following proposed amendments to 19 TAC §§227.1, 227.5, 227.10, 227.15, and 227.20 and proposed new 19 TAC §227.17 and §227.19, shown in Attachment II, are the result of legislation and input from the SBEC, stakeholders, THECB staff, and TEA staff.

#### General Provisions

The amendment to 19 TAC §227.1 would:

- amend the language to clarify the responsibility of the EPP to inform applicants of the background check requirement for clinical teaching and teaching;
- add language to require EPPs to inform applicants of admission and program completion requirements; and
- add language to require EPPs to inform applicants of the performance over time of the EPP and the effect of supply and demand on the educator workforce in the state, in accordance with TEC, §21.044, added by HB 2012, 83rd Texas Legislature, Regular Session, 2013.

### Definitions

The amendment to 19 TAC §227.5 would:

- add definitions of *accredited institution of higher education*, *applicant*, *formal admission*, and *post-baccalaureate program* for clarity;
- clarify that the bachelor's degree would need to be from an accredited institution of higher education (IHE);
- clarify and update the definitions of *candidate*, *clinical teaching*, and *semester credit hour*;
- remove a phrase from the definition of *contingency admission* to stay in alignment with the acceptance of accredited institutions of higher education;
- add the phrase "that must be" to the definition of *educator preparation program* for clarity;
- add a definition of *incoming class* in accordance with TEC, §21.0441, added by HB 2205, 84th Texas Legislature, Regular Session, 2015; and
- remove definitions for words and terms not used in Chapter 227 and renumber as necessary.

### Admission Criteria

The amendment to 19 TAC §227.10 would:

- clarify which requirements are for those who are seeking admission to an EPP for initial certification in each class of certificate;
- clarify the admission requirement for a candidate seeking admission to an undergraduate university program;
- align the acceptance of an accredited IHE;
- clarify that candidates seeking admission to an EPP for initial certification must have either a 2.5 grade point average (GPA) or a 2.5 in the last 60 semester credit hours in accordance with TEC, §21.0441, added by HB 2205, 84th Texas Legislature, Regular Session, 2015;
- clarify that the minimum GPA must be from the current accredited IHE or the IHE from which the most recent bachelor's degree or higher was conferred;
- require that an applicant to an EPP pass a content examination to be eligible for an extraordinary circumstances exception to the minimum GPA requirement, in accordance with TEC, §21.0441, added by HB 1300, 84th Texas Legislature, Regular Session, 2015;

- clarify that a content examination that is used as part of admission requirement must be passed by the applicant before the applicant is admitted to an EPP;
- clarify that an applicant is ineligible to register for a pre-admission content examination if the applicant had previously been admitted to an EPP. The phrase “do not meet the minimum GPA requirement and” was inadvertently included in the rule text that was published in the *Texas Register* though it was not addressed in the preamble as published in the *Texas Register*. An edit to correct the typographical error would be made in subsection (a)(4)(D), as published, to remove the phrase “do not meet the minimum GPA requirement and” so that the rule text reflects the discussion at the time this item was proposed at the October 2015 meeting and the preamble that was included with the rule text in the *Texas Register*;
- clarify that an applicant who has previously been enrolled in an EPP and does not meet the minimum GPA requirement may request permission to register for a pre-admission content examination under procedures developed by TEA staff;
- clarify that an applicant who is seeking a career and technical education certificate that does not require a degree from an accredited IHE is exempt from the minimum GPA requirement;
- clarify that a minimum of 12 semester credit hours in the subject-specific content area is required for an applicant who will be seeking an initial certificate in the classroom teacher class of certificate, unless certification is sought for mathematics or science at or above Grade 7;
- add a 15 semester credit hour prerequisite for those seeking admission for mathematics or science certification at or above Grade 7, in accordance with the TEC, §21.0441, added by HB 2012, 83rd Texas Legislature, Regular Session, 2013;
- clarify that an applicant who has previously enrolled in an EPP may request permission to register for a pre-admission content examination under procedures developed by TEA staff;
- amend the requirement for a basic skills assessment in reading, written communication, and mathematics to reflect current methods of meeting the requirement;
- require candidates with credentials from outside the United States to meet all of the English language proficiency requirements as specified in 19 TAC §230.11, General Requirements;
- clarify that an applicant who is seeking a career and technical education certificate that does not require a bachelor's degree from an accredited IHE may satisfy the English language proficiency requirement with an associate's degree or high school diploma that was earned at an accredited IHE or an accredited high school in the United States;
- clarify that an application and either an interview or other screening instrument are required to determine if an applicant's knowledge, experience, skills, and aptitude are appropriate for the certification sought;

- clarify that an applicant who has completed a program may enroll in another program for the purpose of receiving approval to take a certification examination; and
- clarify that an applicant who has been employed for three years on a probationary certificate or permit may enroll in another program for the purpose of completing a clinical teaching experience.

#### Contingency Admission

The amendment to 19 TAC §227.15 would:

- add language that would require an EPP to extend an offer of contingency admission in writing and require an applicant to accept an offer of contingency admission in writing;
- clarify the effective date of contingency admission;
- add language that, except as allowed by §227.10, would prohibit an alternative certification program or post-baccalaureate program from providing coursework, training, pre-admission content examination preparation, and/or examination approval that leads to initial certification in any class of certificate to applicants prior to contingency admission; and
- clarify that a semester is based on the common calendar established by the THECB.

#### Formal Admission

Proposed new 19 TAC §227.17 would:

- clarify and document when an applicant is considered formally admitted to an EPP;
- add language that would require an EPP to extend an offer of formal admission in writing and require an applicant to accept an offer of formal admission in writing; and
- add language that would prohibit an alternative certification program or post-baccalaureate program from providing coursework, training, pre-admission content examination preparation, and/or examination approval that leads to initial certification in any class of certificate to applicants prior to formal admission. The phrase “prior to formal admission” was inadvertently not included in the rule text that was published as proposed in the *Texas Register* though it was addressed in the preamble as published in the *Texas Register*. An edit to correct the typographical error would be made in subsection (e), as published, to add the phrase “prior to formal admission” so that the rule text reflects the explanation and the rule text that were provided at the time this item was proposed at the October 2015 meeting and the preamble that was published with the rule text in the *Texas Register*.

#### Incoming Class Grade Point Average

Proposed new 19 TAC §227.19 would be added as a result of the TEC, §21.0441, amended by HB 2205, 84th Texas Legislature, Regular Session, 2015. The new section would:

- require the overall GPA of each incoming class admitted by an EPP to be not less than 3.00 on a four-point scale or the equivalent; and
- clarify that admitted candidates' GPAs must be from the current accredited IHEs or the IHEs from which the most recent bachelor's degrees or higher were conferred.

Implementation Date

The amendment to 19 TAC §227.20 would update the implementation date to reflect when the rules in Subchapter A, Admission to Educator Preparation Programs, apply to applicants.

Technical Changes

The proposed revisions to 19 TAC Chapter 227, Subchapters A and B, would include minor technical edits such as updating cross references and conforming to *Texas Register* style and format requirements.

**FISCAL IMPACT:** The TEA staff has determined that there is no additional fiscal impact on state and local governments and there are no additional costs to persons or entities required to comply with the proposed revisions. In addition, there is no direct adverse economic impact for small businesses and microbusinesses; therefore, no regulatory flexibility analysis, specified in Texas Government Code, §2006.002, is required.

**PUBLIC AND STUDENT BENEFIT:** The public and student benefit anticipated as a result of the proposed revisions to Chapter 227 would be the development of clear, minimum EPP admission criteria that would ensure educators are prepared to positively affect the performance of the diverse student population of this state.

**PROCEDURAL AND REPORTING IMPLICATIONS:** The proposed revisions would have no additional procedural and reporting implications.

**LOCALLY MAINTAINED PAPERWORK REQUIREMENTS:** The proposed revisions would have no additional locally maintained paperwork requirements.

**PUBLIC COMMENTS:** The public comment period on the proposal began November 6, 2015, and ended December 7, 2015. Any comments received will be provided to the SBEC under separate cover prior to the December 11, 2015 meeting. The SBEC will take registered oral and written comments on this item at the December 11, 2015 meeting in accordance with the SBEC board operating policies and procedures.

**ALTERNATIVES:** None.

**OTHER COMMENTS AND RELATED ISSUES:** None.

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

Approve for adoption the proposed revisions to 19 TAC Chapter 227, Provisions for Educator Preparation Candidates, with changes and subject to State Board of Education review.

**Staff Members Responsible:** Tim Miller, Director  
Educator Preparation, Testing, and Program Accountability

Sandra Jo Nix, Manager  
Educator Preparation

**Attachments:** I. Statutory Citations  
II. Text of Proposed Revisions to 19 TAC Chapter 227, Provisions for Educator Preparation Candidates

**ATTACHMENT I****Statutory Citations Relating to Proposed Revisions to 19 TAC Chapter 227, Provisions for Educator Preparation Candidates****Texas Education Code, §21.031, Purpose:**

- (a) The State Board for Educator Certification is established to recognize public school educators as professionals and to grant educators the authority to govern the standards of their profession. The board shall regulate and oversee all aspects of the certification, continuing education, and standards of conduct of public school educators.
- (b) In proposing rules under this subchapter, the board shall ensure that all candidates for certification or renewal of certification demonstrate the knowledge and skills necessary to improve the performance of the diverse student population of this state.

**Texas Education Code, §21.041, Rules; Fees (excerpt):**

- (b) The board shall propose rules that:
  - (1) provide for the regulation of educators and the general administration of this subchapter in a manner consistent with this subchapter;
  - (4) specify the requirements for the issuance and renewal of an educator certificate;

**Texas Education Code, §21.044, Educator Preparation, as amended by Senate Bill 1296, 84th Texas Legislature, 2015 (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.
- (g) Each educator preparation program must provide information regarding:
  - (2) the effect of supply and demand forces on the educator workforce in this state;
  - (3) the performance over time of the educator preparation program;

**Texas Education Code, §21.0441, Admission Requirements for Educator Preparation Programs, as amended by House Bill 2205, 84th Texas Legislature, Regular Session, 2015:**

- (a) Rules of the board proposed under this subchapter must provide that a person, other than a person seeking career and technology education certification, is not eligible for admission to an educator preparation program, including an alternative educator preparation program, unless the person:
  - (1) except as provided by Subsection (b), satisfies the following minimum grade point average requirements [prescribed by the board, not to exceed the following]:
    - (A) an overall grade point average of at least 2.50 [2.75] on a four-point scale or the equivalent on any course work previously attempted at a public or private institution of higher education; or

- (B) a grade point average of at least 2.50 [2.75] on a four-point scale or the equivalent for the last 60 semester credit hours attempted at a public or private institution of higher education; and
- (2) if the person is seeking initial certification:
- (A) has successfully completed at least:
- (i) 15 semester credit hours in the subject-specific content area in which the person is seeking certification, if the person is seeking certification to teach mathematics or science at or above grade level seven; or
- (ii) 12 semester credit hours in the subject-specific content area in which the person is seeking certification, if the person is not seeking certification to teach mathematics or science at or above grade level seven; or
- (B) has achieved a satisfactory level of performance on a content certification examination, which may be a content certification examination administered by a vendor approved by the commissioner for purposes of administering such an examination for the year for which the person is applying for admission to the program.
- (c) The overall grade point average of each incoming class admitted by an educator preparation program, including an alternative educator preparation program, may not be less than 3.00 on a four-point scale or the equivalent or a higher overall grade point average prescribed by the board. In computing the overall grade point average of an incoming class for purposes of this subsection, a program may:
- (1) include the grade point average of each person in the incoming class based on all course work previously attempted by the person at a public or private institution of higher education; or
- (2) include the grade point average of each person in the incoming class based only on the last 60 semester credit hours attempted by the person at a public or private institution of higher education.
- (d) A person seeking career and technology education certification is not included in determining the overall grade point average of an incoming class under Subsection (c).

**Texas Education Code, §21.0441, Admission Requirements for Educator Preparation Programs, as amended by House Bill 1300, 84th Texas Legislature, Regular Session, 2015:**

- (b) The board's rules must permit an educator preparation program to admit in extraordinary circumstances a person who fails to satisfy a grade point average requirement prescribed by Subsection (a)(1)(A) or (B), provided that:
- (1) not more than 10 percent of the total number of persons admitted to the program in a year fail to satisfy the requirement under Subsection (a)(1)(A) or (B);
- (2) each person admitted as described by this subsection performs, before admission, at a satisfactory level on an appropriate subject matter examination for each subject in which the person seeks certification; and
- (3)[(2)] for each person admitted as described by this subsection, the director of the program determines and certifies, based on documentation provided by the

person, that the person's work, business, or career experience demonstrates achievement comparable to the academic achievement represented by the grade point average requirement.

**Texas Education Code, §21.049, Alternative Certification:**

- (a) To provide a continuing additional source of qualified educators, the board shall propose rules providing for educator certification programs as an alternative to traditional educator preparation programs. The rules may not provide that a person may be certified under this section only if there is a demonstrated shortage of educators in a school district or subject area.
- (b) The board may not require a person employed as a teacher in an alternative education program under Section 37.008 or a juvenile justice alternative education program under Section 37.011 for at least three years to complete an alternative educator certification program adopted under this section before taking the appropriate certification examination.

**Texas Education Code, §21.050, Academic Degree Required for Teaching Certificate; Internship (excerpt):**

- (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.

**Texas Education Code, §21.051, Rules Regarding Field-Based Experience and Options for Field Experience and Internships:**

- (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, 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.
- (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.

- (e) The board shall propose rules relating to the field-based experience required by Subsection (b). The commissioner by rule shall adopt procedures and standards for recognizing a private school under Subsection (b)(2).
- (f) The board shall propose rules providing flexible options for persons for any field-based experience or internship required for certification.

**Texas Occupations Code, §53.105, Fees:**

A licensing authority may charge a person requesting an evaluation under this subchapter a fee adopted by the authority. Fees adopted by a licensing authority under this subchapter must be in an amount sufficient to cover the cost of administering this subchapter.

**House Bill 2012, Section 9, 83rd Texas Legislature, Regular Session, 2013:**

Not later than September 1, 2014, the Texas Education Agency, the State Board for Educator Certification, and the Texas Higher Education Coordinating Board shall jointly review existing standards for preparation and admission that are applicable to educator preparation programs, including stakeholder input in the review and development of those standards, and develop and implement modifications necessary to reflect updated standards for the teaching profession.

**ATTACHMENT II**  
**Text of Proposed Revisions 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 [candidates] 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: [collaborate with local school districts]
  - (1) pursuant to the Texas Education Code (TEC), §22.083, candidates must undergo a [to examine the] criminal history background check [of all educator preparation candidates] prior to employment as an educator; and [participation in educator preparation activities that occur in a school.]
  - (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.

**§227.5. Definitions.**

The following words and terms, when used in this chapter, shall have the following meanings, unless the context clearly indicates otherwise.

- (1) Accredited institution of higher education--An institution of higher education that, at the time it conferred the degree, was accredited or otherwise approved by an accrediting organization recognized by the Texas Higher Education Coordinating Board.
- (2) [4] Alternative certification program--An approved educator preparation program, delivered by entities described in §228.20(a) of this title (relating to Governance of Educator Preparation Programs), specifically designed as an alternative to a traditional undergraduate certification program, for individuals already holding at least a bachelor's [baccalaureate] degree from an accredited institution of higher education .
- (3) Applicant--An individual seeking admission to an educator preparation program.
- (4) [2] Candidate-- An individual admitted to [A participant in] an educator preparation program seeking certification.
- (5) [3] Clinical teaching-- An assignment, as described in §228.35 of this title (relating to Preparation Program Coursework and/or Training) [A 12 week full day teaching practicum in an alternative certification program at a public school accredited by the Texas Education Agency (TEA) or a TEA recognized private school that may lead to completion of a standard certificate] .
- (6) [4] Contingency admission--Conditional admission to an educator preparation program, pending graduation and degree conferred from an accredited institution of higher education [a recognized

regional accrediting organization as specified in Chapter 230, Subchapter Y, of this title (relating to Definitions); or an accrediting organization recognized by the Texas Higher Education Coordinating Board] .

- (7) [§5] Educator preparation program--An entity that must be approved by the State Board for Educator Certification to recommend candidates in one or more classes of certificates [educator certification fields] .
- (8) Formal admission--Admission to an educator preparation program when an applicant meets all admission requirements specified in §227.10 of this title (relating to Admission Criteria).
- (9) Incoming class--Individuals contingently or formally admitted between September 1 and August 31 of each year by an educator preparation program.
- (10) Post-baccalaureate program--An educator preparation program, delivered by an accredited institution of higher education, that is designed for individuals who already hold at least a bachelor's degree from an accredited institution of higher education and that must be approved by the State Board for Educator Certification to recommend candidates for certification.
- (11) [§6] Internship--A one-year supervised professional assignment at a public school accredited by the TEA or a TEA-recognized private school that may lead to completion of a standard certificate.
- [§7] Practicum Practical work in a particular field; refers to student teaching, clinical teaching, internship, or practicum for a professional certificate that is in the school setting.]
- (12) [§8] Semester credit hour--One semester credit hour is equal to 15 clock-hours at an accredited institution of higher education [university] .
- [§9] Student teaching A 12 week full day teaching practicum in a program provided by an accredited university at a public school accredited by the TEA or a TEA-recognized private school that may lead to completion of a standard certificate.]

#### §227.10. Admission Criteria.

- (a) The educator preparation program (EPP) delivering educator preparation shall require the following minimum criteria of all applicants seeking initial certification in any class of certificate, unless specified otherwise, [candidates] prior to admission to the program [, except candidates for career and technology education certification] :
- (1) for an undergraduate university program, an applicant [a candidate] shall be enrolled in an accredited [educator preparation program from an] institution of higher education [that is accredited by a regional accrediting agency, as recognized by the Texas Higher Education Coordinating Board (THECB)] ;
- (2) for an alternative certification program or post-baccalaureate program, an applicant [a candidate] shall have, at a minimum, a bachelor's [baccalaureate] degree earned from and conferred by an accredited institution of higher education [that is recognized by one of the regional accrediting agencies by the THECB, specified in paragraph (1) of this subsection] ;
- (3) for an undergraduate university program, alternative certification program, or post-baccalaureate program, to be eligible for admission, an applicant into an EPP shall have a grade point average (GPA) of at least 2.5 before admission. [a candidate shall meet the following criteria in order to be eligible to enter an educator preparation program:]
- (A) The GPA shall be calculated as follows [Calculation of GPA] : [an overall grade point average (GPA) of at least]
- (i) 2.5 on all coursework previously attempted by the person at an accredited institution of higher education: [or at least]
- (I) at which the applicant is currently enrolled (undergraduate university program formal admission, alternative certification program)

- contingency admission, or post-baccalaureate program contingency admission); or
- (II) from which the most recent bachelor's degree or higher from an accredited institution of higher education was conferred (alternative certification program formal admission or post-baccalaureate program formal admission); or
- (ii) 2.5 in the last 60 semester credit hours on all coursework previously attempted by the person at an accredited institution of higher education: [-or]
- (I) at which the applicant is currently enrolled (undergraduate university program formal admission, alternative certification program contingency admission, or post-baccalaureate program contingency admission); or
- (II) from which the most recent bachelor's degree or higher from an accredited institution of higher education was conferred (alternative certification program formal admission or post-baccalaureate program formal admission).
- (B) An exception to the minimum GPA requirement may be granted by the program director only in extraordinary circumstances and may not be used by a program to admit more than 10% of any incoming class of candidates. An applicant is eligible for this exception if:
- (i) (B) documentation and certification from the program director that an applicant's [a candidate's] work, business, or career experience demonstrates achievement equivalent to the academic achievement represented by the GPA requirement [- This exception to the minimum GPA requirement will be granted by the program director only in extraordinary circumstances and may not be used by a program to admit more than 10% of any cohort of candidates]; and
- (ii) in accordance with the Texas Education Code, §21.0441(b), an applicant must perform at a satisfactory level on an appropriate content matter examination as specified in paragraph (4)(C) and (D) of this subsection for each subject in which the applicant seeks certification prior to admission. Applicants who do not meet the minimum GPA requirement and have previously been admitted into an EPP may request permission to register for an appropriate content matter examination as specified in paragraph (4)(D) of this subsection under procedures approved by Texas Education Agency (TEA) staff.
- (C) An applicant who is seeking a career and technical education (CTE) certificate that does not require a degree from an accredited institution of higher education is exempt from the minimum GPA requirement.
- (4) (C) for an applicant [a program candidate] who will be seeking an initial certificate in the classroom teacher class of certificate, the applicant shall have successfully completed, prior to admission, at least: [-]
- (A) a minimum of 12 semester credit hours in the subject-specific content area for the certification sought, unless certification sought is for mathematics or science at or above Grade 7; or
- (B) 15 semester credit hours in the subject-specific content area for the certification sought if the certification sought is for mathematics or science at or above Grade 7; or
- (C) a passing score on a comparable content certification examination administered by a vendor on the TEA-approved vendor list published by the commissioner of education on the TEA website for the calendar year during which the applicant seeks admission: [-] or

- (D) for applicants who have not previously been admitted into an EPP, a passing score on a pre-admission content certification examination administered by a TEA-approved vendor. Applicants who [do not meet the minimum GPA requirement and] have previously been admitted into an EPP may request permission to register for a pre-admission content examination under procedures approved by TEA staff [vendor on the Texas Education Agency (TEA) approved vendor list published by the commissioner of education for the calendar year during which the candidate seeks admission] ;
- (5) [44] demonstration of [for a program candidate who will be seeking an initial certificate, the candidate shall demonstrate] basic skills in reading, written communication, and mathematics [or by passing the Texas Academic Skills Program® (TASP®) test or the Texas Higher Education Assessment® (THEA®) with a minimum score of 230 in reading, 230 in mathematics, and 220 in writing. In the alternative, a candidate may demonstrate basic skills] by meeting one of the requirements [of the Texas Success Initiative (Texas Education Code, §51.3062) under the rules] established by §4.54 [the Texas Higher Education Coordinating Board in Part 1, Chapter 4, Subchapter C] of this title (relating to Exemptions, Exceptions, and Waivers [Texas Success Initiative] );
- (6) [55] demonstration of the English language proficiency [for a program candidate who will be seeking an initial certificate, the candidate shall demonstrate oral communication] skills as specified in §230.11 [§230.413] of this title (relating to General Requirements). An applicant for CTE certification that does not require a bachelor's degree from an accredited institution of higher education may satisfy the English language proficiency requirement with an associate's degree or high school diploma that was earned at an accredited institution of higher education or an accredited high school in the United States ;
- (7) [66] an application and either an interview or other screening instrument to determine if the EPP applicant's knowledge, experience, skills, and aptitude are appropriate [educator preparation candidate's appropriateness] for the certification sought; and
- (8) [77] any other academic criteria for admission that are published and applied consistently to all EPP applicants [educator preparation candidates] .
- (b) An EPP [educator preparation program] may adopt requirements in addition to and that do not conflict with those explicitly required in this section.
- (c) An EPP [educator preparation program] may not admit an applicant [a candidate] who :
- (1) has been reported as completing all EPP requirements by [completed] another EPP [educator preparation program] in the same certification field , unless the applicant only needs certification examination approval; or
  - (2) [who] has been employed for three years in a public school under a permit or probationary certificate as specified in Chapter 230, Subchapter D [Chapter 232, Subchapter A] , of this title (relating to Types and Classes of Certificates Issued) , unless the applicant is seeking clinical teaching that may lead to the issuance of an initial standard certificate .
- (d) An EPP [educator preparation program] may admit an applicant [a candidate] for CTE [career and technology education] certification who has met the experience and preparation requirements specified in Chapter 230 of this title (relating to Professional Educator Preparation and Certification) and Chapter 233 of this title (relating to Categories of Classroom Teaching Certificates).
- (e) An EPP [educator preparation program] may admit an applicant [a candidate] who has met the minimum academic criteria through credentials from outside the United States that are determined to be equivalent to those required by this section using the procedures and standards specified in Chapter 245 of this title (relating to Certification of Educators from Other Countries).

#### §227.15. Contingency Admission.

- (a) An applicant [A candidate] may be accepted into an alternative certification program or post-baccalaureate program on a contingency basis pending receipt of an official transcript showing degree conferred, as specified in §227.10(a)(2) of this title (relating to Admission Criteria), provided that:

- (1) the applicant [candidate] is currently enrolled in and expects to complete the courses and other requirements for obtaining , at a minimum, a bachelor's [baccalaureate] degree at the end of the semester in which admission to the program is sought; [and]
- (2) all other [program] admission requirements specified in §227.10 of this title have been met ; [z]
- (3) the EPP must notify the applicant of the offer of contingency admission in writing by mail, personal delivery, facsimile, email, or an electronic notification; and
- (4) the applicant must accept the offer of contingency admission in writing by mail, personal delivery, facsimile, email, or an electronic notification.
- (b) The date of contingency admission shall be effective upon the applicant's acceptance of the offer of contingency admission.
- (c) [d] An applicant [A candidate] admitted on a contingency basis may begin program training and may be approved to take a certification examination, but shall not be recommended for a probationary certificate until the bachelor's degree or higher from an accredited institution of higher education [candidate] has been conferred [awarded a baccalaureate degree] .
- (d) Except as provided by this section, an alternative certification program or post-baccalaureate program, prior to admission on a contingency basis, shall not provide coursework, training, pre-admission content examination preparation, and/or examination approval to an applicant that leads to initial certification in any class of certificate.
- (e) [e] The contingency admission will be valid for only the fall, spring, or summer semester for which the contingency admission was granted and may not be extended for another semester. The end of each semester shall be consistent with the common calendar established by the Texas Higher Education Coordinating Board.

#### **§227.17. Formal Admission.**

- (a) For an applicant to be formally admitted to an educator preparation program (EPP), the applicant must meet all the admission requirements specified in §227.10 of this title (relating to Admission Criteria).
- (b) For an applicant to be formally admitted to an EPP, the EPP must notify the applicant of the offer of formal admission in writing by mail, personal delivery, facsimile, email, or an electronic notification.
- (c) For an applicant to be considered formally admitted to the EPP, the applicant must accept the offer of formal admission in writing by mail, personal delivery, facsimile, email, or an electronic notification.
- (d) The date of formal admission shall be effective upon the applicant's acceptance of the offer of formal admission.
- (e) Except as provided by §227.15 of this title (relating to Contingency Admission), an alternative certification program or post-baccalaureate program , prior to formal admission, shall not provide coursework, training, pre-admission content examination preparation, and/or examination approval to an applicant that leads to initial certification in any class of certificate.

#### **§227.19. Incoming Class Grade Point Average.**

- (a) The overall grade point average (GPA) of each incoming class admitted between September 1 and August 31 of each year by an educator preparation program (EPP), including an alternative certification program, may not be less than 3.00 on a four-point scale or the equivalent. In computing the overall GPA of an incoming class, an EPP may include:
- (1) the GPA of each person in the incoming class based on all coursework previously attempted by the person at an accredited institution of higher education;
- (A) at which the applicant is currently enrolled (undergraduate university program formal admission, alternative certification program contingency admission, or post-baccalaureate program contingency admission); or

- (B) from which the most recent bachelor's degree or higher from an accredited institution of higher education was conferred (alternative certification program formal admission or post-baccalaureate program formal admission); or
- (2) the GPA of each person in the incoming class based only on the last 60 semester credit hours of all coursework attempted by the person at an accredited institution of higher education:
- (A) at which the applicant is currently enrolled (undergraduate university program formal admission, alternative certification program contingency admission, or post-baccalaureate program contingency admission); or
- (B) from which the most recent bachelor's degree or higher from an accredited institution of higher education was conferred (alternative certification program formal admission or post-baccalaureate program formal admission).
- (b) A person seeking career and technical education certification is not included in determining the overall GPA of an incoming class.

**§227.20. Implementation Date.**

This subchapter [chapter] applies to an applicant [educator preparation program candidate] who is admitted to an educator preparation program on or after March 1, 2016 [January 1, 2009].

## Subchapter B. Preliminary Evaluation of Certification Eligibility

### §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)(20) [~~§230.436(22)~~] of this title (relating to Schedule of Fees for Certification Services).
- (b) A request for preliminary criminal history evaluation must include the following:
  - (1) a signed and dated application, in the form provided on the Texas Education Agency (TEA) website, containing contact information and the date and description of each offense requested to be evaluated;
  - (2) an attached statement of the circumstances upon which the arrest is based and the disposition relating to each offense to be evaluated;
  - (3) court documentation relating to each offense, including, at a minimum, the formal disposition of the offense(s) and related charge(s) (e.g., Judgment, Order of Probation, Sentence, Deferred Adjudication Order, etc.); and
  - (4) a copy of the receipt for the request for preliminary criminal history evaluation fee.
- (c) All required documents and information specified in subsection (b) of this section must be provided with the request for preliminary criminal history evaluation. Any documents or information not provided in the original request will not be considered reasonably available.
- (d) The preliminary criminal history evaluation will be based solely on the application and court or law enforcement documents provided. Any information not provided by the requestor shall be considered not reasonably available at the time of the request and may be considered at the time the requestor subsequently applies for a certificate issued by the State Board for Educator Certification. Additional documentation that should be provided, if possible, includes the following:
  - (1) the formal charge(s) (e.g., indictment, information, or complaint);
  - (2) evidence that the condition(s) of the court have been met (e.g., completion of probation, receipt for restitution, etc.); and
  - (3) any available law enforcement report(s) describing the offense or the investigation of the offense.
- (e) The application, the statement of circumstances, the required court documentation, and a copy of the receipt for the request for preliminary criminal history evaluation fee must be submitted to the TEA division responsible for educator investigations by United States certified mail, return receipt requested, to the address provided on the application or by facsimile to the facsimile number provided on the application.
- (f) A request for preliminary criminal history evaluation is incomplete unless it includes a copy of the receipt for the request for preliminary criminal history evaluation fee, a completed application, a statement of circumstances, and the required court documentation. The TEA staff will take no action on a request that is incomplete.
- (g) All documents submitted in connection with a request for preliminary criminal history evaluation, whether complete or incomplete, will not be returned to the requestor. All documents will be retained or destroyed by the TEA in accordance with the TEA records retention schedule.

### §227.105. Preliminary Criminal History Evaluation Letter.

- (a) Within 90 calendar days of receipt of a complete request for a preliminary criminal history evaluation, the Texas Education Agency (TEA) staff will notify the requestor, by email [e-mail] to the email [e-mail] address provided on the requestor's application, of the TEA's determination with regard to the requestor's potential ineligibility based on the matters described in the request for preliminary criminal history evaluation.

- (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, admission to an educator preparation program, or employment as an educator.

**§227.107. Fee for Request for Preliminary Criminal History Evaluation.**

- (a) The fee to request a preliminary criminal history evaluation under this subchapter shall be in an amount sufficient to cover the cost of administration of the evaluation process and as provided in §230.101 [~~§230.436~~] of this title (relating to Schedule of Fees for Certification Services).
- (b) A new fee will be required to reactivate a request that is incomplete because of failure to submit the required documentation within 90 calendar days of receipt by the Texas Education Agency of the initial fee.