

Text of Proposed Amendments to 19 TAC

Chapter 230. Professional Educator Preparation and Certification

Subchapter C. Assessment of Educators

§230.21. Educator Assessment.

- (a) A candidate seeking certification as an educator must pass the examination(s) required by the Texas Education Code (TEC), §21.048, and the State Board for Educator Certification (SBEC) in §233.1(e) of this title (relating to General Authority) and shall not retake an examination more than four times, unless the limitation is waived for good cause. The burden of proof shall be upon the candidate to demonstrate good cause.
- (1) For the purposes of the retake limitation described by the TEC, §21.048, an examination retake is defined as a second or subsequent attempt to pass any examination required for the issuance of a certificate, including an individual core subject examination that is part of the overall examination required for the issuance of a Core Subjects certificate as described in §233.2 of this title (relating to Early Childhood; Core Subjects) ~~[Core Subjects; Generalist]~~ . ~~[An examination score that is cancelled is not considered an examination retake.]~~
- (A) A canceled examination score is not considered an examination retake.
- (B) An examination taken by an educator during a pilot period is not considered part of an educator's five-time test attempt limit.
- (C) Pursuant to TEC, §21.0491(d), the limit on number of test attempts does not apply to the trade and industrial workforce training certificate examination prescribed by the SBEC.
- (2)-(7) (No change.)
- (b)-(d) (No change.)
- (e) The appropriate examination(s) required for certification are specified in the figure provided in this subsection.
- Figure: 19 TAC §230.21(e) ~~[Figure: 19 TAC §230.21(e)]~~
- (f) (No change.)
- (g) The following provisions concern ethical obligations relating to examinations ~~[test security and confidentiality integrity]~~ .
- (1) An educator or candidate who participates in the development, design, construction, review, field testing, scoring, or validation of an examination shall not reveal or cause to be revealed the contents of the examination to any other person.
- (2) An educator or candidate who administers an examination shall not:
- (A) allow or cause an unauthorized person to view any part of the examination;
- (B) copy, reproduce, or cause to be copied or reproduced any part of the examination;
- (C) reveal or cause to be revealed the contents of the examination;
- (D) correct, alter, or cause to be corrected or altered any response to a test item contained in the examination;
- (E) provide assistance with any response to a test item contained in the examination or cause assistance to be provided; or
- (F) deviate from the rules governing administration of the examination.
- (3) An educator or candidate who is an examinee shall not:

- (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 the educator, candidate, or other test taker has not already taken from an individual who has had access to those items, or offer information about the contents of specific test items on an examination to individuals who have not yet taken the examination; ~~or~~
 - (B) fail to pay all test costs and fees as required by this chapter or the testing vendor; or
 - (C) ~~(B)~~ otherwise engage in conduct that amounts to violations of test security or confidentiality integrity, including cheating, deception, or fraud.
- (5) A person who violates this subsection is subject to:
- (A) sanction, including, but not limited to, disallowance and exclusion from future examinations either in perpetuity or for a period of time that serves the best interests of the education profession, in accordance with the provisions of the TEC, §21.041(b)(7), and Chapter 249 of this title (relating to Disciplinary Proceedings, Sanctions, and Contested Cases); and/or
 - (B) denial of certification in accordance with the provisions of the TEC, §21.041(b)(7), and Chapter 249 of this title; and/or
 - (C) voiding of a score from an examination in which a violation specified in this subsection occurred as well as a loss of a test attempt for purposes of the retake limit in subsection (a) of this section.

§230.23. Testing Accommodations for Persons with Dyslexia.

The Texas Education Agency (TEA) shall provide examination accommodations for persons with dyslexia.

- (1) For each licensing examination administered, the TEA and its testing vendor shall provide reasonable examination accommodations to an examinee diagnosed as having dyslexia as that term is defined in the Texas Occupations Code, §54.003 ~~[Texas Education Code, §51.970]~~ .
- (2) The TEA and its testing vendor shall provide examination accommodations to an examinee diagnosed with dyslexia, provided acceptable medical or diagnostic documentation has been received and reviewed by the vendor prior to the administration of the examination.