

The State Board for Educator Certification (SBEC) adopts amendments to 19 Texas Administrative Code (TAC) §§228.2, 228.6, 228.33, 228.67, 228.73, and 228.103, concerning requirements for educator preparation programs (EPPs). The amendments are adopted without changes to the proposed text as published in the October 18, 2024 issue of the *Texas Register* (49 TexReg 8457) and will not be republished. The adopted amendments would further clarify requirements and definitions as applicable to support EPPs and candidates in the successful implementation of these rules.

REASONED JUSTIFICATION: The SBEC rules in 19 TAC Chapter 228, Requirements for Educator Preparation Programs, establish the requirements for EPPs in the preparation of candidates for Texas educator certification.

As a follow-up to the July 2024 SBEC meeting discussion on proposed changes to the new Chapter 228 rules, Texas Education Agency (TEA) staff completed additional work on draft proposed rule changes and conducted a stakeholder meeting on August 9, 2024. The information from the August stakeholder meeting informed the final version of proposed rules to be presented for the Board's review and action at the September SBEC meeting.

The following is a description of the adopted amendments to Chapter 228.

Subchapter A. General Guidance

§228.2. Definitions.

The adopted new definition of *extracurricular activities* mirrors the language of the definition of this term established in 19 TAC Chapter 76, Extracurricular Activities, Subchapter AA, Commissioner's Rules. In addition, defining the term in this manner provides EPPs and candidates with additional clarity and support around the types of activities that should be considered acceptable to meet preparation program requirements.

The adopted new definition of *Legacy Chapter 228* rules provides a reference to the EPP rules that were in effect on August 31, 2024, and ensures that EPPs and candidates have a place to anchor their use of those rules as they support candidates who began their preparation prior to September 1, 2024, through the rest of the preparation and certification process.

The adopted amendment to the definition of *school day* acknowledges that school days may be extended for some subject areas that have duties outside of the regular school day and strikes the reference to clinical teaching and allows guidance on meeting those requirements to be addressed in §228.67, Clinical Teaching.

Some definitions in this section are renumbered due to the addition of two new definitions in adopted §228.2(26) and §228.2(37).

§228.6. Implementation Date.

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

Adopted new §228.6(1)(A) reinforces the expectation for candidates who have not started their clinical experience prior to September 1, 2024, to comply with the current rules in Chapter 228, Subchapter E, Educator Candidate Experiences.

Adopted new §228.6(1)(B) establishes a clear deadline to ensure that EPPs and candidates completing requirements under the Legacy Chapter 228 rules do so by August 31, 2026.

Adopted new §228.6(2) reinforces for EPPs and candidates that anyone admitted into an EPP on or after September 1, 2024, is 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 technical edit to §228.33(d)(3) strikes the outdated rule reference that was repealed in February 2024 and replaces it with an updated reference to the alternative rules, Part 1, Chapter 2, Subchapter J, Rule §2.204 (relating to Approval of Distance Education Courses and Programs for Public Institutions).

Subchapter E. Educator Candidate Experiences

§228.67. Clinical Teaching.

A technical edit to §228.67(a) changes the introductory rule text from "A candidate for initial certification" to "A candidate seeking initial certification" for clarity.

The adopted amendment to §228.67(b)(1) changes the time spent in the subject area of the certificate sought from 4 hours per day to a total of 280 hours across the clinical teaching experience and provides flexibility for candidates to complete the remaining 210 clinical teaching hours in other aspects of an educator's duties.

The adopted amendment to §228.67(b)(3) adds "medical" and strikes "illness" to more broadly represent things that could impact a candidate's ability to complete the required total number of clinical teaching hours.

The adopted amendment to §228.67(c) changes the time spent in the subject area of an additional certificate area sought by the candidate that cannot be taught concurrently with the primary certificate area sought from 5 hours per week to a total of 70 hours during the clinical teaching experience, providing flexibility to candidates and EPPs to structure the clinical teaching experience as needed and still comply with requirements.

§228.73. Internship.

The adopted amendment to §228.73(h) further clarifies that subsection (g)(2)-(6) outlines the applicable options under which an EPP should cease with providing additional support to a candidate and proceed with the required steps to deactivate the candidate's intern or probationary certificate.

Subchapter F. Support for Candidates During Required Clinical Experiences

§228.103. Formal Observations for Candidates in Residency Assignments.

The adopted change to §228.103(a) clarifies that an EPP must provide the first formal observation with the first six weeks of all residency assignments. This change restores the original intent of the requirements for formal observations specific to candidates in residency assignments.

SUMMARY OF COMMENTS AND RESPONSES: The public comment period on the proposal began October 18, 2024, and ended November 18, 2024. The SBEC also provided an opportunity for registered oral and written comments on the proposal at the December 6, 2024 meeting's public comment period in accordance with the SBEC board operating policies and procedures. The following public comments were received on the proposal.

Comment: One commenter from an EPP recommended that the SBEC adopt the revisions to include definitions for "extracurricular" and "school day."

Response: The SBEC agrees.

Comment: A Texas administrator requested that Texas principal candidates not be required to take both the 368 Performance Assessment for School Leaders (PASL) and the 268 examination. The commenter stated that the video requirement component of the 368 PASL can be an insincere exercise for administrators who may work in a central administrative role, and that this component should not be a requirement to gain principal certification. The commenter noted that only one test is required for superintendent certification and recommended a similar pathway for principals.

Response: This comment is outside the scope of the rulemaking. TEA staff contacted this commenter directly and positively resolved the commenter's concerns specific to the transfer of out-of-state certification to Texas.

The State Board of Education (SBOE) took no action on the review of the amendments to §§228.2, 228.6, 228.33, 228.67, 228.73, and 228.103 at the January 31, 2025 SBOE meeting.

STATUTORY AUTHORITY. The amendments are adopted under Texas Education (TEC), §21.003(a), which 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, which authorizes the State Board for Educator Certification (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), which requires the SBEC to adopt 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), which requires the SBEC to adopt 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, which authorizes the SBEC to adopt 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, which requires the SBEC to set admission requirements for candidates entering educator preparation programs (EPPs), and specifies certain requirements that must be included in the rules; TEC, §21.0442(c), which 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, which 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), which 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, which 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, which 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, which 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, which 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), which 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), which 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), which requires the SBEC to prescribe comprehensive certification examinations for each class of certificate issued by the Board; TEC, §21.0485, which 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), which requires the SBEC to adopt 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), which sets out the requirements for Early Childhood certification; TEC, §21.04891, which sets out the requirements for the Bilingual Special Education certification; TEC, §21.049(a), which requires the SBEC to adopt rules providing for EPPs as an alternative for traditional preparation programs; TEC, §21.0491, which requires the SBEC to create a probationary and standard trade and industrial workforce training certificate; TEC, §21.050(a), which requires an applicant for teacher certification to have a bachelor's degree in a relevant field; TEC, §21.050(b), which 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; and TEC, §21.050(c), which 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; and TEC, §21.051, which 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; and Texas Occupations Code (TOC), §55.007, which requires all state agencies that issue licenses or certifications to credit military experience toward the requirements for the license or certification.

CROSS REFERENCE TO STATUTE. The amendments implement Texas Education Code, §§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, §55.007.

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§228.2. Definitions.

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

- (1) Academic year--If not referring to the academic year of a particular public, private, or charter school or institution of higher education (IHE), September 1 through August 31.
- (2) Accredited institution of higher education--An IHE 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.
- (3) Alternative certification program--An approved educator preparation program, delivered by entities described in §228.25(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 degree from an accredited IHE.
- (4) Analysis--examining teaching and/or instructional resources (e.g., student work samples, a video of teaching practices) to recognize key teaching practices enacted in a variety of ways, build understanding of the practice through repeated review, develop a shared vision for a teacher practice, and compare their own practice for improvement.
- (5) Assignment start date--For an internship, clinical teaching, or residency, the first day of instruction with students. For a nonteacher practicum experience, the first day of the window in which the candidate is authorized by the EPP to begin the practicum experience.
- (6) Authentic school setting--For the purpose of field-based experiences, during the school day and the school year and including summer school; not to include professional development, extracurricular activities, workdays when students are not present, and before- or after-school childcare or tutoring.
- (7) Benchmarks--Reference points throughout the preparation process where candidates are assessed for progress toward completing EPP requirements (e.g., admission, passing a specific course or courses, passing a certification exam, completing preservice requirements).
- (8) Campus supervisor--A school administrator or designee responsible for the annual performance appraisal of an intern or a candidate pursuing a residency certificate.
- (9) Candidate--An individual who has been formally or contingently admitted into an EPP; also referred to as an enrollee or participant.
- (10) Candidate coach--A person as defined in §228.39(b)(1)-(3) of this title (relating to Intensive Pre-Service) who participates in a minimum of four observation/feedback coaching cycles provided by program supervisors, completes a Texas Education Agency (TEA)-approved observation training or has completed a minimum of 150 hours of observation/feedback training, and has current certification in the class in which supervision is provided.
- (11) Certification category--A certificate type within a certification class, as described in Chapter 233 of this title (relating to Categories of Classroom Teaching Certificates).
- (12) Certification class--A certificate, as described in §230.33 of this title (relating to Classes of Certificates), that has defined characteristics; may contain one or more certification categories, as described in Chapter 233 of this title.
- (13) Classroom teacher--An educator who is employed by a school or district and who, not less than an average of four hours each day, teaches in an academic instructional setting or a career and technical instructional setting. This term does not include an educational aide, a full-time administrator, or a substitute teacher.
- (14) Clinical experience--A supervised educator assignment through an EPP at a public school accredited by the TEA or other school approved by the TEA for this purpose where candidates

demonstrate proficiency in the standards for the certificate sought and that may lead to completion of a standard certificate. Clinical experience includes clinical teaching, internship, practicum, and residency.

- (15) Clinical teaching--A supervised teacher assignment through an EPP in the classroom of a cooperating teacher at a public school accredited by the TEA or other school approved by the TEA for this purpose that may lead to completion of a standard certificate; also referred to as student teaching.
- (16) Clock-hours--The actual number of hours of coursework or training provided; for purposes of calculating the training and coursework required by this chapter, one semester credit hour at an accredited IHE is equivalent to 15 clock-hours. Clock-hours of field-based experiences, clinical teaching, internship, residency, and practicum are actual hours spent in the required educational activities and experiences.
- (17) Contingency admission--Admission as described in §227.15 of this title (relating to Contingency Admission).
- (18) Completer--A person who has met all the requirements of an approved EPP; also referred to as finisher. In applying this definition, the fact that a person has or has not been recommended for a standard certificate or passed a certification examination shall not be used as criteria for determining who is a completer.
- (19) Cooperating teacher--For a clinical teacher candidate, an educator who is collaboratively assigned by the EPP and campus administrator who supports the candidate during the clinical teaching experience.
- (20) Co-teaching--A practice in which two or more teachers share instructional responsibility for a single group of students to address specific content and related learning objectives through a variety of approaches that best support the students' learning needs.
- (21) Educator--An individual who is required to hold a certificate issued under TEC, Chapter 21, Subchapter B.
- (22) Educator preparation program--An entity that is approved by the SBEC to prepare and recommend candidates for certification in one or more educator certification classes.
- (23) Enactments--Opportunities to engage teacher candidates in sheltered/protected practice to develop a skill through such examples as doing student work, role playing student interactions, coached lesson rehearsals, and peer run throughs of a proposed lesson. Candidates should have the opportunity to receive feedback on current practice and integrate feedback into future practices.
- (24) Enhanced standard certificate--A type of certificate issued to an individual who has met all requirements as specified in §230.39(b) of this title (relating to Enhanced Standard Certificates) under the teacher class of certificates.
- (25) Entity--The individual, corporation, partnership, IHE, public school or school district that is approved to deliver an EPP.
- (26) Extracurricular activities--Activities sponsored by the University Interscholastic League (UIL), the school district board of trustees, or an organization sanctioned by resolution of the board of trustees as specified in Chapter 76, Subchapter AA, of Part 2 of this title (relating to Commissioner's Rules).
- (27) Field-based experiences--Introductory experiences for a classroom teacher certification candidate, incorporated with preparation coursework that involve, at the minimum, reflective observation of and interaction with Early Childhood-Grade 12 students, teachers, and faculty/staff members engaging in educational activities in an authentic school setting.
- (28) Field supervisor--A currently certified educator, who preferably has advanced credentials, hired by the EPP to observe candidates, monitor their performance, and provide constructive feedback to improve their effectiveness as educators.

- (29) Formal admission--Admission as described in §227.17 of this title (relating to Formal Admission).
- (30) Head Start Program--The federal program established under the Head Start Act (42 United States Code (USC), §9801 et seq.) and its subsequent amendments.
- (31) Host teacher--For a teacher resident candidate, an educator who is jointly assigned by the EPP and the campus administrator who supports the candidate through co-teaching and coaching during their teacher residency field placement.
- (32) Initial certification--The first Texas certificate in a class of certificate issued to an individual based on participation in an approved EPP.
- (33) Intensive pre-service--An educator assignment supervised by an EPP accredited and approved by the SBEC prior to a candidate meeting the requirements for issuance of intern and probationary certificates.
- (34) Intern certificate--A type of certificate as specified in §230.36 of this title (relating to Intern Certificates) that is issued to a candidate who has passed all required content pedagogy certification examinations and is completing requirements for initial certification through an approved EPP.
- (35) Internship--A paid supervised classroom teacher assignment for one full school year at a public school accredited by the TEA or other school approved by the TEA for this purpose that may lead to completion of a standard certificate.
- (36) Late hire--An individual who is both accepted into an EPP after the 45th day before the first day of instruction and hired for a teaching assignment by a school after the 45th day before the first day of instruction or after the school's academic year has begun.
- (37) Legacy Chapter 228 rules--The version of State Board for Educator Certification rules in Chapter 228 that were in effect on August 31, 2024.
- (38) Long-term substitute--An individual that has served in place of a teacher of record in a classroom for at least 30 consecutive days; also referred to as a permanent substitute.
- (39) Mentor--For an internship candidate, an educator who is employed as a classroom teacher on the candidate's campus and who is assigned to support the candidate during the internship experience.
- (40) Pedagogy--The art and science of teaching that incorporates instructional methods that are developed from scientifically based research.
- (41) Performance task--An assessment in which the teacher candidate applies learning and demonstrates a discrete set of skills, resulting in a tangible product or performance that serves as evidence of learning. The assessment must be evaluated using a standard rubric or set of criteria and must not include multiple-choice questions.
- (42) Post-baccalaureate program--An EPP, delivered by an accredited IHE and approved by the SBEC to recommend candidates for certification, that is designed for individuals who already hold at least a bachelor's degree and are seeking an additional degree.
- (43) Practicum--A supervised educator assignment at a public school accredited by the TEA or other school approved by the TEA for this purpose that is in a school setting in the particular class for which a certificate in a class other than classroom teacher is sought.
- (44) Probationary certificate--A type of certificate as specified in §230.37 of this title (relating to Probationary Certificates) that is issued to a candidate who has passed all required certification examinations and is completing requirements for certification through an approved EPP.
- (45) Representations--Artifacts and illustrations of instruction used to help teacher candidates see and analyze strong teaching practices. Representations expose teacher candidates to and build understanding of specific criteria of effective teacher practices, as well as deepen their content knowledge for teaching. May include teacher educator modeling, student work, videos and transcripts.

- (46) Residency--A supervised educator assignment for an entire school year through a partnership between an EPP and a public school accredited by the TEA or other school approved by the TEA for this purpose that may lead to completion of an enhanced standard certificate.
- (47) School day--Actual school attendance days during the regular academic school year, including a partial day or extended day that students attend school for instructional purposes as adopted by the district or governing body of the school, excluding weekends, holidays, summer school, etc.
- (48) School year--The period of time starting with the first instructional day for students through the last instructional day for students as identified on the calendar of the campus or district for the school year in which the candidate is completing the clinical experience.
- (49) Site supervisor--For a practicum candidate, an educator who is assigned collaboratively by the campus or district administrator and the EPP and who supports the candidate during the practicum experience.
- (50) Standard certificate--A type of certificate issued to an individual who has met all requirements for a given class of certification, as specified in §230.33 of this title.
- (51) Students with disabilities--A student who is eligible to participate in a school district's special education program under Texas Education Code, §29.003, is covered by Section 504, Rehabilitation Act of 1973 (29 USC Section 794), or is covered by the Individuals with Disabilities Education Act (20 USC Section 1400 et seq.).
- (52) Substitute teacher--An individual who serves in place of a teacher of record in a classroom in an accredited public or private school.
- (53) 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) Texas Education Agency staff--Staff of the TEA assigned by the commissioner of education to perform the SBEC's administrative functions and services.
- (55) 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.

§228.6. 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 observations, 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.

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STATUTORY AUTHORITY. The amendment is adopted under Texas Education (TEC), §21.003(a), which 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, which authorizes the State Board for Educator Certification (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), which requires the SBEC to adopt 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), which requires the SBEC to adopt 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, which authorizes the SBEC to adopt 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, which requires the SBEC to set admission requirements for candidates entering educator preparation programs (EPPs), and specifies certain requirements that must be included in the rules; TEC, §21.0442(c), which 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, which 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), which 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, which 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, which 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, which 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, which 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), which 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), which 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), which requires the SBEC to prescribe comprehensive certification examinations for each class of certificate issued by the Board; TEC, §21.0485, which 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), which requires the SBEC to adopt 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), which sets out the requirements for Early Childhood certification; TEC, §21.04891, which sets out the requirements for the Bilingual Special Education certification; TEC, §21.049(a), which requires the SBEC to adopt rules providing for EPPs as an alternative for traditional preparation programs; TEC, §21.0491, which requires the SBEC to create a probationary and standard trade and industrial workforce training certificate; TEC, §21.050(a), which requires an applicant for teacher certification to have a bachelor's degree in a relevant field; TEC, §21.050(b), which 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; and TEC, §21.050(c), which 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; and TEC, §21.051, which 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; and Texas Occupations Code (TOC), §55.007, which requires all state agencies that issue licenses or certifications to credit military experience toward the requirements for the license or certification.

CROSS REFERENCE TO STATUTE. The amendment implements Texas Education Code, §§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, §55.007.

<rule>

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

- (a) An educator preparation program (EPP) shall provide coursework and/or training to adequately prepare candidates for educator certification and ensure the educator is effective in the assignment.
- (b) Coursework and/or training shall be sustained, rigorous, intensive, interactive, candidate-focused, and must include multiple performance tasks and other evaluative tools that require candidates to demonstrate proficiency in the educator standards and test framework competencies related to the certificate class or category sought.
- (c) All coursework and/or training shall be completed prior to an EPP identifying a candidate as a completer and recommending standard or enhanced standard certification.
- (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
 - (4) Part 1, Chapter 7, of this title (relating to Degree Granting Colleges and Universities Other than Texas Public Institutions).

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STATUTORY AUTHORITY. The amendments are adopted under Texas Education (TEC), §21.003(a), which 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, which authorizes the State Board for Educator Certification (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), which requires the SBEC to adopt 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), which requires the SBEC to adopt 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, which authorizes the SBEC to adopt 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, which requires the SBEC to set admission requirements for candidates entering educator preparation programs (EPPs), and specifies certain requirements that must be included in the rules; TEC, §21.0442(c), which 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, which 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), which 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, which 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, which 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, which 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, which 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), which 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), which 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), which requires the SBEC to prescribe comprehensive certification examinations for each class of certificate issued by the Board; TEC, §21.0485, which 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), which requires the SBEC to adopt 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), which sets out the requirements for Early Childhood certification; TEC, §21.04891, which sets out the requirements for the Bilingual Special Education certification; TEC, §21.049(a), which requires the SBEC to adopt rules providing for EPPs as an alternative for traditional preparation programs; TEC, §21.0491, which requires the SBEC to create a probationary and standard trade and industrial workforce training certificate; TEC, §21.050(a), which requires an applicant for teacher certification to have a bachelor's degree in a relevant field; TEC, §21.050(b), which 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; and TEC, §21.050(c), which 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; and TEC, §21.051, which 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; and Texas Occupations Code (TOC), §55.007, which requires all state agencies that issue licenses or certifications to credit military experience toward the requirements for the license or certification.

CROSS REFERENCE TO STATUTE. The amendments implement Texas Education Code, §§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, §55.007.

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§228.67. Clinical Teaching.

- (a) A candidate seeking 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. For the purposes of satisfying this requirement, the 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 of this 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-based 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, 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 70 hours of the clinical teaching requirement in subsection (b)(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) The EPP must structure the clinical teaching assignment so that the candidate is provided opportunities for co-teaching and increased instructional responsibility over the course of the clinical teaching assignment and as the candidate demonstrates mastery of educator standards.
- (e) Clinical teaching is successful when the candidate demonstrates proficiency in each of the educator standards for the assignment and the field supervisor and cooperating teacher recommend to the EPP that the candidate should be recommended for a standard certificate. If either the field supervisor or cooperating teacher do not recommend that the candidate should be recommended for a standard certificate, the person who does not recommend the candidate must provide documentation (e.g., evidence of failure to demonstrate proficiency in educator standards, evidence of failure to meet program requirements, evidence

of failure to adhere to campus policies) supporting the lack of recommendation to the candidate and either the field supervisor or cooperating teacher.

- (f) The EPP may require additional hours of clinical teaching if the first experience was not successful.
- (g) An EPP must provide ongoing support to a candidate as described in Subchapter F of this chapter for the full term of the initial and any additional clinical teaching, unless, prior to the expiration of that term:
 - (1) a standard certificate is issued to the candidate;
 - (2) the candidate is discharged or is released from the EPP; or
 - (3) the candidate withdraws from the EPP.

§228.73. Internship.

- (a) While participating in an internship, a candidate must hold an intern or probationary certificate that is effective on or before the assignment start date of the internship and is valid for the entire duration of the internship. The educator preparation program (EPP) must verify and document that the candidate's intern or probationary certificate is active prior to the start of the internship assignment.
- (b) An internship must be for a minimum of one full school year for the classroom teacher assignment or assignments that match the certification category or categories for which the candidate is prepared by the EPP.
- (c) An EPP may permit an internship of up to 30 school days less than the required minimum for parental leave, military leave, illness, bereavement leave, or if the late hire date is after the first day of the school year.
- (d) The beginning date of an internship for the purpose of field supervision is the first day of instruction with students in the classroom for the school or district in which the internship takes place.
- (e) An internship assignment shall not be less than an average of four hours each day in the subject area and grade level of certification sought. The average includes intermissions and recesses but does not include conference and lunch periods. An EPP may permit an additional internship assignment of less than an average of four hours each day only if all of the following are met:
 - (1) the employing school or district notifies the candidate and the EPP in writing that an assignment of less than four hours will be required;
 - (2) the primary assignment is not less than an average of four hours each day in the subject area and grade level of certification sought;
 - (3) the EPP is approved to offer preparation in the certification category required for the additional assignment;
 - (4) 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); and
 - (5) the EPP provides coursework and training for each assignment to adequately prepare the candidate to be effective in the classroom.
- (f) An EPP may recommend an additional internship if:
 - (1) the EPP certifies that the first internship was not successful, the EPP has developed a plan to address any deficiencies identified by the candidate, the candidate's field supervisor, and/or the candidate's mentor, and the EPP implements the plan during the additional internship; or
 - (2) the EPP certifies that the first internship was successful and that the candidate is making satisfactory progress toward completing the EPP before the end of the additional internship.
- (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 non-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 pre-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 leaves the internship assignment for any of the reasons identified in subsection (g)(2)-(6) of this section:
- (1) the EPP, the campus or district personnel, and the candidate must inform each other within one calendar week of the candidate's last day in the assignment; and
 - (2) the TEA must receive the certificate deactivation request with all related documentation from the EPP within two calendar weeks of the candidate's last day of the assignment in a format determined by the TEA.
- (i) The EPP must communicate the requirements in subsection (h) of this section to candidates and campus or district personnel prior to the assignment start date.
- (j) An internship is successful when the candidate demonstrates proficiency in each of the educator standards for the assignment and the field supervisor and campus supervisor recommend to the EPP that the candidate should be recommended for a standard certificate. If either the field supervisor or campus supervisor do not recommend that the candidate should be recommended for a standard certificate, the person who does not recommend the candidate must provide documentation (e.g., evidence of failure to demonstrate proficiency in educator standards, evidence of failure to meet program requirements, evidence of failure to adhere to campus policies) supporting the lack of recommendation to the candidate and either the field supervisor or campus supervisor.
- (k) An internship for a Trade and Industrial Workforce Training certificate may be at an accredited institution of higher education if the candidate teaches not less than an average of four hours each day, including intermissions and recesses, in a dual credit career and technical instructional setting as defined by Part 1, Chapter 4, Subchapter D, of this title (relating to Dual Credit Partnerships Between Secondary Schools and Texas Public Colleges).

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STATUTORY AUTHORITY. 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CROSS REFERENCE TO STATUTE. The amendment implements Texas Education Code, §§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, §55.007.

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§228.103. Formal Observations for Candidates in Residency Assignments.

- (a) An educator preparation program (EPP) must provide the first formal observation within the first six weeks of all residency assignments.
- (b) For a residency described in §228.65 of this title (relating to Residency):
 - (1) an EPP must provide a minimum of two formal observations of 45 minutes each during the first semester of the residency and a minimum of two formal observations of 45 minutes each during the second semester of the residency. All formal observations must include a pre-observation and post-observation conference with the candidate; and
 - (2) all of the minimum formal observations must be in-person.