

Item 15:**Discussion of Proposed Amendment to 19 TAC Chapter 235,
Classroom Teacher Certification Standards, Subchapter G,
Special Education Certificate Standards****DISCUSSION**

SUMMARY: This item provides the State Board for Educator Certification (SBEC) an opportunity to discuss a proposed amendment to 19 TAC Chapter 235, Classroom Teacher Certification Standards, Subchapter G, Special Education Certificate Standards. The proposed amendment would implement the statutory requirements of House Bill 2256, 87th Texas Legislature, Regular Session, 2021. The proposed amendment would define the educator standards for the Bilingual Special Education certificate as recommended by the SBEC-approved educator standards advisory committee.

STATUTORY AUTHORITY: The statutory authority for the classroom teacher class certificate structure is Texas Education Code (TEC), §§21.003(a), 21.031, 21.041(b)(1), (2), and (4), and 21.04891.

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

TEC, §21.031, authorizes the SBEC to regulate and oversee all aspects of the certification, continuing education, and standards of conduct of public school educators, and states that in proposing rules under the TEC, Chapter 21, Subchapter B, the SBEC 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.

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

TEC, §21.041(b)(2), requires the SBEC to propose rules that specify the classes of educator certificates to be issued, including emergency certificates.

TEC, §21.041(b)(4), requires the SBEC to propose rules that specify the requirements for the issuance and renewal of an educator certificate.

TEC §21.04891, requires the SBEC to create a Bilingual Special Education certificate and specifies certification requirements for the certificate.

PREVIOUS BOARD ACTION: The SBEC last amended Subchapter G effective October 15, 2020.

BACKGROUND INFORMATION AND JUSTIFICATION: The SBEC rules in 19 TAC Chapter 235, Classroom Teacher Certification Standards, specify the standards for the classroom teacher class of certificates which includes Subchapter G, Special Education Certificate Standards. The SBEC is statutorily authorized to ensure that all candidates for certification or renewal demonstrate the knowledge and skills necessary to improve the performance of this state's diverse population, and the SBEC is required to appoint educator standards advisory committee members to recommend standards for each class of certificate. The educator standards advisory committees include practicing educators, school district personnel, experts, and EPP faculty. These individuals collaborate to draft educator standards or review existing educator standards to ensure that the educator standards align with the commissioner's educator standards, reflect best practices, and where applicable, align with the current versions of the Texas Essential Knowledge and Skills (TEKS) that are adopted by the State Board for Education (SBOE).

HB 2256 Bilingual Special Education Certification Requirements

HB 2256, 87th Legislative Session, Regular Session, 2021 requires the SBEC to implement a new Bilingual Special Education educator certificate. The intent of the certificate is to ensure that there are teachers with special training in providing instruction to students of limited English proficiency with disabilities. HB 2256 specifies that to be eligible for the certificate, a candidate must complete educator preparation program coursework, with skills-based course of instruction on providing instruction to students of limited English proficiency with disabilities, including:

- the foundations of bilingual, multicultural, and second language special education;
- providing individualized education programs for students of limited English proficiency with disabilities;
- providing assessment of students of limited English proficiency with and without disabilities;
- developing teaching methods to recognize the intellectual, developmental, and emotional needs of students in dual language and transitional bilingual education settings;
- teaching fundamental academic skills, including reading, writing, and mathematics, to students of limited English proficiency; and
- creating partnerships with families and school professionals.

Additionally, HB 2256 requires that candidates perform satisfactorily on a Bilingual Special Education Certification exam prescribed by the Board. The Board's Bilingual Special Education standards will serve as the foundation for this exam.

Previous SBEC Action to Implement HB 2256

The SBEC has previously taken action to implement HB 2256 across multiple chapters of the Board's rule:

Date	SBEC Action
July 2022	<ul style="list-style-type: none"> • SBEC approved the Bilingual Special Education Educator Standards Advisory Committee
February 2024	<ul style="list-style-type: none"> • SBEC adopted Bilingual Special Education:EC-12 as a new certificate category in Ch. 233

	<ul style="list-style-type: none"> • SBEC adopted certification exam requirements in Ch. 230 • SBEC adopted preparation program requirements in Ch. 228
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Currently, the SBEC is considering updates to personnel assignments in Chapter 231 to integrate the new certification category.

Bilingual Special Education Standards Advisory Committee Drafting Timeline

Since the Board’s approval of the 8-member Bilingual Special Education Educator Standards Advisory Committee at the July 2022 SBEC, committee members have worked to:

- address and incorporate requirements for providing instruction to students of limited English proficiency with disabilities, as identified in HB 2256, 87th Legislative Session, Regular Session, 2021;
- address the need for educators and related service providers to meet the needs of dually identified students across the state;
- reflect the need for educators to establish and maintain high academic and behavioral expectations for students in accordance with their IEP; and
- support efforts to address timely identification and appropriate placement for dually identified students.

The table below provides a timeline of committee work sessions.

Date	Action	Outcome(s)
August 31, 2022	TEA staff met with Bilingual Special Education Educator Standards Advisory Committee for an initial work session	Initial vision setting work completed
September 21, 2022	TEA staff facilitated second standards work session	Committee members identified key components of current Bilingual and Special Education standards for inclusion in BSE standards
October 26, 2022	TEA staff facilitated third standards work session	Committee members continued revisions to BSE standards
November 28, 2022	TEA staff facilitated work session focused on development of Standard III: Language and Literacy Development	Committee members developed standards specific to the bilingual special educator’s knowledge, skills, and methodologies specific to this standard
November 29, 2022	TEA staff facilitated work session focused on development of Standard IV: Eligibility, Program Placement, and Assessment	Committee members developed standards specific to the bilingual special educator’s knowledge, skills, and methodologies necessary to support the timely and appropriate identification of student eligibilities, as well as equitable practices for the assessment of dually identified students

November 3, 2023	TEA staff facilitated review session of draft BSE standards	Feedback collected from committee members
February 10, 2023	Initial discussion item presented to the SBEC	
Spring 2023-Spring 2024	Internal standards revisions in alignment with newly developed technical assistance guide	
May 28, 2024	TEA staff facilitated review session of revised BSE standards to align with guidance within Dual Identified TA guide	Committee members provided initial feedback on revised standards
June 10- June 18, 2024	TEA staff hosted series of five office hours sessions	Committee members provided feedback on and proposed revisions to revised BSE standards
July 10, 2024	TEA staff facilitated final work session	Committee members provided additional feedback on revised BSE standards
August 2-August 9, 2024	Asynchronous review and approval of BSE standards	Committee members completed final, asynchronous review on updated draft of BSE standards
December 6, 2024	Discussion item presented to the SBEC	
January 14, 2025	TEA staff facilitated BSE Educator Standards Advisory Committee Office Hours Session	ESAC committee members debriefed December SBEC meeting and reviewed and discussed additional stakeholder feedback

Additional Stakeholder Engagement

Following the SBEC’s December 2024 discussion of the draft Bilingual Special Education standards, TEA facilitated additional engagement opportunities for stakeholders to review and provide feedback on the draft standards.

Date	Action	Outcome(s)
January 10, 2025	Staff facilitated EPP Roundtable	Roundtable participants reviewed and provided feedback on draft BSE standards
January 10, 2025	Staff presented draft BSE standards at EPCE Stakeholder Meeting	EPCE stakeholders reviewed and provided feedback on draft BSE standards

Staff will present the most recent version of the Bilingual Special Education standards to the Board during the February 2025 meeting for input and discussion.

PUBLIC BENEFIT AND STUDENT BENEFIT: The public benefit anticipated as a result of the proposed standards would be that there are teachers with special training in providing instruction to students of limited English proficiency with disabilities.

Staff Members Responsible:

DeMarco Pitre, Director Educator Standards and Test Development
Kelly Torrey, Test Development Specialist

Attachments:

- I. Bilingual Special Education Educator Standards Advisory Committee Members
- II. Draft Bilingual Special Education Educator Standards

ATTACHMENT I**Bilingual Special Education Educator Standards Advisory Committee Members**

Name	Title/Role	District/Program	Region
Alma Contreras-Vanegas	Assistant Professor	Sam Houston State University	Region 6
Chara Christopher	EL/Sped Instructional Specialist	Dallas ISD	Region 10
Christa Schouweiler	English II / PAP English II / ESL Teacher	Comal ISD	Region 20
Leslie Correa	2 nd Grade Bilingual Teacher	Dallas ISD	Region 10
Dr. Lizdelia Pinon	Emergent Bilingual Education Associate	Intercultural Development Research Association (IDRA)	Region 11
Minkowan Goo	Associate Professor of Special Education	Texas Woman's University	Region 10
Noemi Arnal Villalba	3 rd Grade Teacher	Dallas ISD	Region 10
Steve Przymus	Assistant Professor of Bilingual/Multicultural Education	Texas Christian University	Region 11

ATTACHMENT II
Text of Proposed Amendment to 19 TAC

Chapter 235. Classroom Teacher Certification Standards Subchapter

G. Special Education Certificate Standards

§235.137. Bilingual Special Education Standards: Early Childhood–Grade 12.

- (a) Bilingual Special Education Standards. The standards identified in this section are targeted for teachers of students of limited English proficiency with disabilities. The standards address the discipline associated with the theory and practice of teaching students of limited English proficiency who receive special education services, referred to throughout the standards as dually identified students. The standards inform appropriate teaching techniques, methods, and teacher actions, judgments, and decisions by taking into consideration philosophical, historical, and legal foundations of special education, characteristics of students of limited English language proficiency who receive special education services, understandings of the needs and strengths of students of limited English proficiency who receive special education services, and the backgrounds and interests of individual students.
- (b) Legal and Ethical Guidelines. The Bilingual Special Educator integrates bilingual and special education pedagogies to demonstrate knowledge of:
- (1) major state and federal legislation and Supreme Court cases that provide and uphold the rights of students receiving special education and/or language-related services (e.g., 1947 Méndez vs Westminster, 1968 Bilingual Education Act, 1974 Lau v Nichols, 1981 Castañeda v Pickard, 1982 Plyler v Doe, IDEA, Section 504, ADA, ADAAA, etc.);
 - (2) the Individuals with Disabilities Education Act (IDEA) eligibility categories for special education and related services, knowledge regarding the role of bilingual assessment in eligibility processes as well as considerations for emergent bilingual students in each category;
 - (3) federal- and state-mandated policies and statutes related to emergent bilingual students, including the roles, responsibilities, and processes for participating in the Language Proficiency Assessment Committee (LPAC) for identification, recommendation of program services, delivery of services, reclassification and monitoring as a dual-identified student in Texas;
 - (4) policies and procedures for providing families with all relevant special education and bilingual education documentation in the parent or guardian’s native language, in accordance with 19 TAC §89.1050;
 - (5) the confidentiality, components, and maintenance of special education eligibility and LPAC folders, including documentation of receipt of Individualized Education Programs (IEPs) by required staff, use of original home language survey, updated parental permission for current program, and storage of folders according to local and state requirements;
 - (6) the components of Individualized Family Service Plans (IFSPs) for dually identified students and procedures for developing, implementing, and amending IFSPs in collaboration with the Early Childhood Intervention team;
 - (7) the components of IEPs and procedures for developing, implementing, and amending IEPs for dually identified students in collaboration with the Admission, Review, and Dismissal (ARD) committee and the LPAC;

- (8) auditing student class schedules to ensure compliance with least restrictive environment and schedule of services in the IEP as well as placement in appropriate courses to support language development;
 - (9) the roles and responsibilities related to preparing for an ARD and/or LPAC committee meeting including collecting required data, interpreting the results of progress monitoring and classroom assessment data, visually representing and interpreting data to show student progress, and preparing LPAC data on linguistic growth and progress;
 - (10) the legal responsibility of all school staff to fully implement an IEP for the dually identified student, to provide instruction in the ELPS, and to incorporate linguistically accommodated instruction based on language proficiency level;
 - (11) applying legal requirements and ethical guidelines relevant to individualized behavioral interventions that consider individual student characteristics;
 - (12) roles and responsibilities related to implementing the IEP that addresses both linguistic and disability related needs with fidelity, including monitoring student linguistic progress, implementing data collection of IEP goal progress, and reporting progress to the student and parents/guardians throughout the school year in plain language, English, and the language of the program;
 - (13) the roles and responsibilities regarding Child Find obligations as outlined in 34 CFR §300.300 through §300.306 and 19 TAC §89.1011;
 - (14) the roles and responsibilities of the required members of the LPAC as well as the roles and responsibilities of the ARD committee, including a representative of the LPAC;
 - (15) the required components of an LPAC meeting agenda and ARD committee meeting agenda for a dually identified student;
 - (16) the types and purposes of LPAC meetings throughout the school year;
 - (17) the local processes and supports to arrange for a home language interpreter/translator to attend the ARD meeting to ensure access for all stakeholders and to allow all LPAC/ARD committee members to have a single role, except in cases where a dual role is permissible under federal and state requirements; and
 - (18) the relevant special education and emergent bilingual laws and policies that facilitate families' full participation in their students' education.
- (c) Knowledge of Students and Factors that Influence Learning. The Bilingual Special Educator integrates bilingual and special education pedagogies in order to demonstrate knowledge of:
- (1) relevant development from birth through adolescence for dually identified students;
 - (2) the impact disability, stress, trauma, protective factors, resilience, and supportive relationships may have on the learning, behavior, and development of dually identified students;
 - (3) evidence-based strategies to support dual identified students' development and independence given IEP and relevant grade level expectations for academic progress, language proficiency growth, and behavior from birth through adolescence;
 - (4) individual learner characteristics and specialized curricula knowledge to accommodate, modify, and/or customize the curricula across contexts for dually identified students;
 - (5) utilizing present levels of academic achievement and functional performance to select and implement appropriate specially designed instruction for dually identified students;
 - (6) barriers to accessibility and learning for dually identified students and evidence-based methods to mitigate those barriers;
 - (7) evidence-based, individualized student behavioral support theories and strategies based on local policies and student needs;

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- (8) leveraging the familial, educational, linguistic, and developmental experiences of dually identified learners to support learning across instructional settings
 - (9) differences in language across various groups to design and implement appropriate instructional practices;
 - (10) the impact of behavior on student learning and the learning of their classmates, factors that impact dually identified student behavior, and application of this knowledge to create a safe, effective, and linguistically responsive learning environment;
 - (11) applying the concept of funds of knowledge to improve academic outcomes for dually identified students;
 - (12) transition planning and available transition services aligned to student characteristics and needs; and
 - (14) leveraging student use of formal and informal registers to promote academic and linguistic development.
- (d) Language and Literacy Development. The Bilingual Special Educator integrates bilingual and special education pedagogies to demonstrate knowledge of:
- (1) using children's or grade appropriate literature and high quality, authentic materials developed in the primary language and not translated or adapted;
 - (2) applying language components, including oracy, phonics, phonology, morphology, syntactic features, semantics, and pragmatics, authentic to English and the language of instruction;
 - (3) developing and customizing lesson plans that use theoretical concepts and evidence-based methodology related to biliteracy development including bi-directional transfer, use of cognates, contrastive analysis, translanguaging, and assessment for biliteracy;
 - (4) applying literal, inferential, and interpretive reading skills to text in the language of instruction and English;
 - (5) applying content-based language instruction (CBLI) practices in the language of instruction and English;
 - (6) creating and adapting lessons with both academic and linguistic objectives, and differentiating based on the IEP of the dually identified student;
 - (7) relevant standards, with biliteracy and disability-related considerations for instruction and assessment (e.g. Science of Teaching Reading, English Language Proficiency Standards, Spanish Language Arts and Reading),
 - (8) planning and delivering linguistically accommodated instruction and evaluating and monitoring the progress of dually identified students in their English language proficiency using connections between the English Language Proficiency Standards and the Texas English Language Proficiency Assessment System (TELPAS);
 - (9) assessing and monitoring language proficiency levels in all four language domains—listening, speaking, reading, and writing;
 - (10) applying holistic linguistic practices to support learners' language and literacy development in English and the language of instruction;
 - (11) using oracy to improve comprehension through bilingual storytelling and content-based story retelling;
 - (12) the application of language and literacy development in the content areas to support targeted lesson planning across all areas of the curriculum; and

- (13) the recursive nature of assessment and the need to use multiple data points to assess and monitor biliteracy development across language domains when planning and delivering responsive instruction aligned with the student's IEP and when providing opportunities to develop biliteracy skills.
- (e) Eligibility, Program Placement, and Assessment. The Bilingual Special Educator integrates bilingual and special education pedagogies to demonstrate knowledge of:
- (1) all aspects of special education services (Child Find, evaluation, identification, IEP development, ARD committee processes) and the role of language development throughout for purposes of eligibility, evaluation, assessment, and placement;
 - (2) all steps in the LPAC process and the role of disability-related needs throughout for purposes of identification, placement, services, review and reclassification, and monitoring;
 - (3) using data from a variety of formative, Dynamic & summative assessments and language proficiency levels to inform pre-referral processes, appropriate placement, and ongoing appropriate evaluation for dually identified students;
 - (4) components and purposes of a Functional Behavioral Assessment and the collection, analysis and utilization of student data to design responsive behavior interventions;
 - (5) the key components and purposes of a Behavior Intervention Plan (BIP) that takes into account individual student characteristics and variance and analyze progress monitoring data as defined in the BIP to evaluate the effects of behavioral interventions;
 - (6) research-based de-escalation strategies, trauma-related behavior and positive behavioral supports, to effectively address individual student behavior;
 - (7) supporting students to use language proficiency development and academic progress data to articulate and communicate their academic and non-academic needs;
 - (8) using a variety of assessment data and language proficiency levels to write annual measurable IEP goals and present levels of academic achievement and functional performance, monitor linguistic development, and identify appropriate accommodations designated supports (state testing) and modifications based on dually identified student needs, and contribute to developing the IEP;
 - (9) identifying, recommending, and implementing appropriate linguistic and disability related accommodations and/or modifications including academic and/or behavioral, for classroom, behavior, state, and district testing or other assessments as determined by the LPAC and/or ARD committee;
 - (10) state testing requirements and criteria for participation and accommodation for dually identified students;
 - (11) utilizing and documenting ongoing formative and summative assessment for language development, academic and behavioral progress;
 - (12) collaboration with campus stakeholders to accurately analyze, interpret, and discuss the results of a variety of evaluation data for a dually identified student;
 - (13) accurately interpreting the results of various forms of assessment for an individual student to determine linguistic growth and academic progress toward measurable outcomes, and
 - (14) communicating present levels of student achievement and progress on IEP goals, progress in the ELPS, and mastery of grade-level TEKS to all relevant stakeholders.
- (f) Content Knowledge and Instructional Practices. The Bilingual Special Educator integrates bilingual and special education pedagogies to demonstrate knowledge of:

- (1) all domains of the Texas Prekindergarten Guidelines and specific knowledge of early numeracy, early literacy, and pre-academic skills in the primary language of the program and English;
- (2) developing individualized goals and objectives for IEPs aligned to appropriate grade-level TEKS, ELPS, and/or the Texas Prekindergarten Guidelines that identify appropriate language of instruction for the student, as well as language(s) appropriate for the student to demonstrate mastery;
- (3) integrating language development and content-area instruction to meet the cognitive, linguistic, and affective needs of students in accordance with Chapter 89, Subchapter BB, of Part II of this title (relating to Commissioner's Rules Concerning State Plan for Educating Emergent Bilingual Students);
- (4) applying second language acquisition methodologies (e.g., Total Physical Response, Sheltered Instruction Observation Protocol) and CBLI methodologies in language of instruction and English;
- (5) differentiated methodologies and strategies for instructing a wide variety of learners, including heritage language learners, simultaneous bilinguals, recent arrivals, long-term emergent bilingual students, and program language learners in a two-way dual language immersion program, within different school-based configurations and program models;
- (6) applying content-specific knowledge and language development knowledge to routinely collaborate, co-teach, modify, and adapt curriculum with general education teachers, special education teachers and related service providers;
- (7) using explicit, differentiated, scaffolded, and systematic instruction to teach content, strategies, and skills designed for the student's language proficiency level and aligned with IEP goals;
- (8) providing linguistically appropriate modified access to subject-specific instructional materials to address individual learner needs in different contexts such as center-based, home based, and school-based classrooms, including specialized and general classrooms;
- (9) utilizing assessments and language proficiency levels to develop Specially Designed Instruction including accommodations, modifications, and adaptations as well as appropriately differentiated lessons;
- (10) planning instruction according to the requirements of an IEP, including supplementary aids, assistive technology, and related services;
- (11) providing specific, appropriate, and explicit feedback to students during instruction to engage, motivate, and support students toward language proficiency development and content mastery;
- (12) specialized curricula that may include curriculum for social skills, life skills, transition, orientation and mobility, independence, and self-advocacy;
- (13) proficient use of various forms of assistive technology (low, middle, and high-tech) and plan for the strategic integration of assistive technology into daily teaching practices based on student developmental, learning, and linguistic needs;
- (14) planning for and the integration of school-to-school and school-to-community transition-focused activities into classroom instruction related to the student's post-secondary goals;
- (15) using evidence-based practices to design and implement appropriate interventions when dually identified students are not making expected progress in linguistic, functional, academic, or behavioral goals;
- (16) building positive relationships with students based on understanding of individual strengths and needs, high expectations, and mutual respect and rapport;
- (17) appropriate accommodations, modifications, and differentiation strategies to meet the needs of dual identified students, as well as providing, adapting, and/or creating appropriate instructional materials and resources;

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- (18) utilizing knowledge of language development and learning processes of dual identified students to select and use appropriate engagement strategies (bilingual pairs, language stations, strategic groupings, etc.) that meet the linguistic and learning needs of all students; and
- (19) the key differences between accommodations (language and disability related) and modified curriculum.
- (g) Student Support, Collaboration, and Professional Responsibilities. The Bilingual Special Educator integrates bilingual and special education pedagogies in order to demonstrate knowledge of:
- (1) the academic and non-academic benefits of multilingualism and bilingualism for students with disabilities;
 - (2) misconceptions related to bilingualism and disability, such as bilingual education causes confusion, hinders academic progress, causes speech delays, or impedes English acquisition, and avoid practices based on these misunderstandings;
 - (3) providing rigorous learning opportunities that support the development of a student's first language and English, and challenge dually identified students through high expectations, individualized student supports, and inclusive participation opportunities that promote positive learning outcomes;
 - (4) effective communication with parents and guardians around all aspects of the LPAC and/or ARD process to support participation in activities designed to support student achievement and growth;
 - (5) supporting access to services for dually identified students and their families as well as programmatic considerations/practices, particularly those with high support needs, recognizing students' multiple identified linguistic and disability related needs and how needs may change over time;
 - (6) collaborating with general education teachers to deliver, adapt, and differentiate instruction to address students' academic and non-academic needs;
 - (7) collaboration strategies to support all relevant stakeholders to effectively serve dually identified students across instructional settings and ensure an integrated service plan that meets their needs;
 - (8) coordination with related service providers and community agencies to identify and access services, resources, and supports to meet the needs of dually identified students;
 - (9) supervising and collaborating with paraprofessionals to identify the responsibilities and skills needed for their roles; and
 - (10) setting short-term and long-term professional goals based on ongoing analysis of student learning, self-reflection, advocacy, and professional standards.