

**Item 17:****Discussion of Proposed Revisions to 19 TAC Chapter 230,  
Professional Educator Preparation and Certification,  
Subchapter B, General Certification Requirements, §230.11.  
General Requirements****DISCUSSION ONLY**

**SUMMARY:** This item provides the State Board for Educator Certification (SBEC) an opportunity to discuss proposed revisions to the English language proficiency requirements outlined in 19 Texas Administrative Code (TAC) Chapter 230, Professional Educator Preparation and Certification, Subchapter B, General Certification Requirements, §230.11. General Certification Requirements.

**STATUTORY AUTHORITY:** The statutory authority for 19 TAC Chapter 230 is the Texas Education Code (TEC), §§ 21.003(a), 21.031, 21.041(b)(1), (4), and (5), 21.041 (b)(2) and (4), 21.044(a), 21.048, 21.050, and 22.082, for Subchapter B.

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 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.

TEC §§21.041(b)(1),(2), and (4), require 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 TEC, Chapter 21, Subchapter B; specify the classes of educator certificates to be issued, including emergency certificates; and specify the requirements for the issuance and renewal of an educator certificate.

TEC §21.041(b)(5), requires the SBEC to provide for the issuance of an educator certificate to a person who holds a similar certificate issued by another state or foreign country, subject to TEC §21.052.

TEC §21.044(a), requires the SBEC to make rules specifying what each educator is expected to know and be able to do, particularly with regard to students with disabilities.

TEC §21.048, states the SBEC shall propose rules prescribing comprehensive examinations for each class of certificate issued by the board that includes not requiring more than 45 days elapsing between examination retakes and that starting January 1, 2021, all candidates teaching prekindergarten through grade six must demonstrate proficiency in the science of teaching reading on a certification examination.

TEC §21.050, states a person who applies for a teaching certificate must possess a bachelor's degree, states that the SBEC shall provide for a minimum number of semester credit hours of field-based experience or internship, and states a person who receives a bachelor's degree required for a teaching certificate on the basis of higher education coursework completed while receiving an exemption from tuition and fees under TEC, §54.363, may not be required to participate in any field experience or internship consisting of student teaching to receive a teaching certificate.

TEC §22.082, requires the SBEC to subscribe to the criminal history clearinghouse as provided by Texas Government Code (TGC), §411.0845, and may obtain any law enforcement or criminal history records that relate to a specific applicant for or holder of a certificate issued under TEC Chapter 21, Subchapter B.

**FUTURE ACTION EXPECTED:** TEA staff will present proposed changes to 19 TAC Chapter 230, Professional Educator Preparation and Certification, for consideration and action at a future SBEC meeting.

**BACKGROUND INFORMATION AND JUSTIFICATION:** The SBEC rules in 19 TAC Chapter 230 are organized as follows: Subchapter A, General Provisions, Subchapter B, General Certification Requirements, Subchapter C, Assessment of Educators, Subchapter D, Types and Classes of Certificates Issued, Subchapter E, Educational Aide Certificate, Subchapter F, Permits, Subchapter G, Certificate Issuance Procedures, and Subchapter H, Texas Educator Certificates Based on Certification and College Credentials from Other States or Territories of the United States. These subchapters provide for rules that establish issuance of educator certificates and permits, the testing requirements and associated fees, and the types and classes of certificates issued.

This discussion item is focused on Subchapter B, General Certification Requirements.

At the February 2024 SBEC meeting, TEA staff provided the Board with an overview of the history of the English Language Proficiency (ELP) Requirement and confirmed that regardless of the pathway to certification in Texas, demonstration of English language proficiency is required for all candidates. TEA staff also posed key questions for the Board's consideration regarding current requirements in rule and possible updates for the demonstration of ELP. TEA staff anchored the conversation with the Board around required performance on the TOEFL-iBT, the list of countries approved by the SBEC to satisfy demonstration of ELP, the addition of U.S. Territories to exempt individuals from the ELP requirement, and the potential use of standard certification obtained in another state by individuals licensed to teach in other countries.

TEA staff received great guidance from the Board during the February meeting and look forward to a continued discussion at the April SBEC meeting that will inform plans for proposed rules to be presented for consideration and action by the Board at the July SBEC meeting.

### **Recommendation for required performance on the TOEFL-iBT**

TEA staff recommends allowing a score within the range of the High-Intermediate Level in each section of the TOEFL-iBT for individuals to meet the English language proficiency requirement.

Attachment III provides an overview of the TOEFL-iBT, including the current requirements and the range of scores within the High-Intermediate Level, including performance descriptors for each section.

In 2017, the SBEC adopted, informed by the results of a standard-setting process and committee recommendations, the following minimum passing scores on all four sections of the TOEFL-iBT: 24 for Speaking, 22 for Listening, 22 for Reading, and 21 for Writing.

The TOEFL-iBT uses integrated tasks to measure the following skills:

- Reading: assesses how well an individual can read and understand materials used in an academic environment (2 reading passages, each approximately 700 words long; 10 questions per passage; takes about 35 minutes to complete the section).
- Listening: measures the ability to understand conversations and lectures in English and includes listening for basic comprehension, understanding the speaker's attitude and degree of certainty, and connecting information (3 lectures, 3-5 minutes each, some with classroom discussion; 6 questions per lecture; 2 conversations, 3 minutes each; 5 questions per conversation; takes about 36 minutes to complete)
- Speaking: measures the ability to speak English effectively in academic settings (4 questions/tasks resembling real-life situations; 15-30 seconds of preparation time before each response, response will be 45 or 60 seconds long; takes about 16 minutes to complete)
- Writing: measures the ability to write in English in an academic setting, and to present ideas in a clear, well-organized way (2 writing tasks, integrated writing task 20 minutes, writing for an academic discussion task 10 minutes; takes about 29 minutes to complete the section)

Transitioning to a score within the High-Intermediate Level would maintain the high expectation that was established by the original standard-setting committee, while also affording applicants more flexibility in meeting English language proficiency to continue the credentials review application process on the path to a Texas standard certificate. Although the current score requirement for the Listening section falls within the Advanced Level, it is the lowest score of that level. Allowing a score within the High-Intermediate Level for the Listening section will continue in the spirit of meeting the high expectation previously established.

TEA staff reviewed TOEFL-iBT scores of out-of-country credentials review applicants submitted between January 1, 2023, and March 15, 2024. Of the 343 score reports reviewed, 125 applicants met the current ELP requirement. If adopted, allowing a score that falls within the range identified for performance at the High-Intermediate Level for all four sections of the test would allow an additional 114 applicants to meet the ELP requirement and continue the application process to be issued the one-year certificate while completing exam requirements for issuance of the Texas five-year standard certificate.

**Recommendation related to U.S. Territories and the ELP Requirement**

TEA staff recommends adding the statement, “or one of its territories”, to the rule text to confirm that completion of an undergraduate or graduate degree at one of the U.S. territories (i.e., American Samoa, Guam, Northern Mariana Islands, Puerto Rico, and U.S. Virgin Islands) would also satisfy the ELP requirement.

TEA staff believes this addition to the rules would allow the general certification requirement of meeting ELP to be applied in a consistent manner to all U.S. Territories, along with the 50 states.

The impact of adopting this recommendation would be that about 29 current applicants would meet the ELP requirement and be allowed to continue the credentials review application process to be issued the one-year certificate while completing exam requirements for issuance of the Texas five-year standard certificate.

**Recommendation on Countries to be Added to the List Approved by the SBEC for Exemption from ELP Requirement.**

TEA staff recommends adding Cameroon, Kenya, Philippines, South Africa, Uganda, Zambia, and Zimbabwe to the list of countries approved for exemption from the ELP requirement.

Figure: 19 TAC §230.11(b)(5)(C) in Attachment II, currently includes a total of 32 countries approved by the SBEC to qualify for an exemption from the ELP requirement. Individuals seeking certification in Texas with an undergraduate or graduate degree earned at an institution of higher education in one of the countries on the list are exempt from the TOEFL-iBT requirement.

The countries recommended to be added are those from which credentials review applications have been received, based on TEA staff’s review of application data. Using multiple sources such as other state departments of education, college and university data, the CIA World Factbook and World Population Review, it was determined that, in these countries, English is one of the official languages and the language of instruction in grade school and/or higher education. Adding these countries to the list would allow approximately 106 applicants to continue the credentials review application process to be issued the one-year certificate while completing exam requirements for issuance of the Texas five-year standard certificate.

**Recommendation of an Additional Option to Meet the ELP Requirement**

TEA staff recommends adding a provision to allow an individual who is licensed to teach in another country and holds a standard certificate issued by the Department of Education in another state, where examinations were taken and passed, to meet the ELP requirement.

The following is a description of proposed revisions that are reflected in Attachment I.

Proposed new 230.11(b)(5)(A) would add the phrase, “or one of its territories”, to allow degrees obtained in the U.S. territories to also count towards meeting the ELP requirement.

The proposed revisions to 230.11(b)(5) would update TOEFL-iBT score requirements in subsection (B) and add a new subsection (D) to expand current options for demonstration of English language proficiency (ELP).

Proposed changes to current 230.11(b)(5)(B) would update TOEFL-iBT score requirements from a specific score for each of the four sections (24 for Speaking, 22 for Listening, 22 for Reading, and 21 for Writing) to any score that falls within the range identified for performance at the High-Intermediate Level for all four sections of the test. TEA staff believes this update to performance requirements by section still honors the work of the original standard setting committee while introducing flexibility within the targeted performance level for demonstration of ELP.

Proposed new 230.11(b)(5)(D) would allow an individual applying for the out-of-country credentials review who also holds a standard certificate issued in another state to be eligible for consideration of exemption from ELP requirements. Currently, there are about 41 out-of-state applicants for a credentials review who hold an out-of-state certificate, a foreign degree, and a license to teach in another country, which requires them to meet the English language proficiency requirement prior to issuance of an SBEC certificate. Adding this option would allow those individuals to complete the credentials review process and be issued the one-year certificate without needing to meet the ELP requirement as they complete testing for issuance of the Texas five-year standard certificate.

**NEXT STEPS:** Following a robust conversation with the Board at the April SBEC meeting, TEA staff anticipates continued conversations with stakeholders as needed to obtain helpful input prior to presenting proposed rules for the Board's consideration and approval at the July SBEC meeting.

**PUBLIC AND STUDENT BENEFIT:** The public and student benefit anticipated as a result of the proposed revisions to 19 TAC Chapter 230, Subchapter B, would be updated requirements relating to English language proficiency as a general requirement for Texas certification.

**Staff Member Responsible:**

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Marilyn Cook, Sr. Director, Educator Preparation and Certification

**Attachments:**

- I. Text of Proposed Revisions to 19 TAC Chapter 230, Educator Preparation and Certification, Subchapter B, General Certification Requirements, §230.11. General Requirements
- II. Text of Proposed Revisions to Figure: 19 TAC §230.11(b)(5)(C)
- III. TOEFL-iBT Overview

**ATTACHMENT I**  
**Text of Proposed Revisions to 19 TAC**

**Chapter 230. Professional Educator Preparation and Certification**

**Subchapter B. General Certification Requirements.**

**§230.11. General Requirements.**

- (a) The only credits and degrees acceptable for certification of educators are those earned from and conferred by accredited institutions of higher education. All credit hour requirements for certification are semester credit hours or their equivalent.
- (b) An applicant for a Texas educator certificate must:
- (1) be at least 18 years of age;
  - (2) submit to the criminal history review required by the Texas Education Code (TEC) §22.0831, not be disqualified by the TEC, §21.058, §21.060, or other Texas statute, and not be subject to administrative denial pursuant to §249.12 of this title (relating to Administrative Denial; Appeal) or a pending proceeding under Chapter 249 of this title (relating to Disciplinary Proceedings, Sanctions, and Contested Cases);
  - (3) not be disqualified by federal law;
  - (4) be willing to support and defend the constitutions of the United States and Texas;
  - (5) be able to communicate, listen, read, write, and comprehend the English language sufficiently to use it easily and readily in daily communication and teaching. English language proficiency shall be evidenced by one of the following:
    - (A) completion of an undergraduate or graduate degree at an accredited institution of higher education in the United States or one of its territories; or
    - (B) verification of a minimum scaled score that falls within the High-Intermediate level in each section on the Test of English as a Foreign Language internet-Based Test (TOEFL iBT); ~~minimum scaled scores on the Test of English as a Foreign Language internet-Based Test (TOEFL iBT) of 24 for speaking, 22 for listening, 22 for reading, and 21 for writing;~~ or
    - (C) an undergraduate or graduate degree that was earned at an institution of higher education in a country outside of the United States listed in the figure provided in this subparagraph.  
Figure: 19 TAC §230.11(b)(5)(C); or
    - (D) holds a standard certificate issued by the Department of Education in another state where examinations were taken and passed.
  - (6) successfully complete appropriate examinations prescribed in §230.21 of this title (relating to Educator Assessment) for the educator certificate sought; and
  - (7) satisfy one or more of the following requirements:
    - (A) complete the requirements for certification specified in this chapter, Chapter 233 of this title (relating to Categories of Classroom Teaching Certificates), Chapter 239 of this title (relating to Student Services Certificates), Chapter 241 of this title (relating to Certification as Principal), or Chapter 242 of this title (relating to Superintendent Certificate), and be recommended for certification by an approved educator preparation program (EPP);

- (B) qualify under Subchapter H of this chapter (relating to Texas Educator Certificates Based on Certification and College Credentials from Other States or Territories of the United States);
  - (C) qualify under §230.105 of this title (relating to Issuance of Additional Certificates Based on Examination);
  - (D) qualify for a career and technical education certificate based on skill and experience specified in §233.14 of this title (relating to Career and Technical Education (Certificates requiring experience and preparation in a skill area)); or
  - (E) qualify under Chapter 245 of this title (relating to Certification of Educators from Other Countries).
- (c) An educator who has received a State Board for Educator Certification (SBEC)-issued standard certificate shall not be required to demonstrate English language proficiency as prescribed in subsection (b)(5)(B) and (C) of this section for purposes of admission into an EPP to obtain additional SBEC-issued certifications.

## Attachment II

### Text of Proposed Revisions

#### Figure: 19 TAC §230.11(b)(5)(C)

#### Countries in which English is an Official Language

The countries listed below have been approved by the State Board for Educator Certification (SBEC) to satisfy the English language proficiency requirement specified in 19 TAC §230.11(b)(5)(C). To be exempted from the Test of English as a Foreign Language internet-Based Test (TOEFL iBT) testing requirement specified in 19 TAC §230.11(b)(5)(B), a certification candidate must have earned an undergraduate or graduate degree from an institution of higher education on the SBEC-approved list of countries.

<p style="text-align: center;"><del><u>American Samoa</u></del></p> <p style="text-align: center;">Anguilla</p> <p style="text-align: center;">Antigua and Barbuda</p> <p style="text-align: center;">Australia</p> <p style="text-align: center;">Bahamas</p> <p style="text-align: center;">Barbados</p> <p style="text-align: center;">Belize</p> <p style="text-align: center;">Bermuda</p> <p style="text-align: center;">British Virgin Islands</p> <p style="text-align: center;"><u>Cameroon</u></p> <p style="text-align: center;">Canada (except Quebec)</p> <p style="text-align: center;">Cayman Islands</p> <p style="text-align: center;">Dominica</p> <p style="text-align: center;">Federated States of Micronesia</p> <p style="text-align: center;">Gambia</p> <p style="text-align: center;">Ghana</p> <p style="text-align: center;">Gibraltar</p> <p style="text-align: center;">Grand Cayman</p> <p style="text-align: center;">Grenada</p> <p style="text-align: center;">Guyana</p>	<p style="text-align: center;">India</p> <p style="text-align: center;">Ireland</p> <p style="text-align: center;">Jamaica</p> <p style="text-align: center;"><u>Kenya</u></p> <p style="text-align: center;">Liberia</p> <p style="text-align: center;">New Zealand</p> <p style="text-align: center;">Nigeria</p> <p style="text-align: center;"><u>Philippines</u></p> <p style="text-align: center;">Saint Kitts and Nevis</p> <p style="text-align: center;">Saint Lucia</p> <p style="text-align: center;">Singapore</p> <p style="text-align: center;"><u>South Africa</u></p> <p style="text-align: center;">Trinidad/Tobago</p> <p style="text-align: center;">Turks and Caicos Islands</p> <p style="text-align: center;">U.S. Pacific Trust</p> <p style="text-align: center;"><u>Uganda</u></p> <p style="text-align: center;">United Kingdom</p> <p style="text-align: center;"><u>Zambia</u></p> <p style="text-align: center;"><u>Zimbabwe</u></p>
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### Attachment III TOEFL-iBT Overview

The chart below reflects requirements currently in place to meet ELP in comparison with the TEA staff recommendation to allow a score within the range of the High-Intermediate Level in each section of the TOEFL-iBT. The table below also includes performance descriptors for each section of the test.

TOEFL-iBT Section	Current Requirement	TEA Staff Recommendation	Performance Descriptor
Speaking	Score of 24	High-Intermediate Level Score Range 20-24	<p><b>Test takers who score at the High-Intermediate level typically can:</b></p> <ul style="list-style-type: none"> <li>■ Speak clearly and without hesitancy on general or familiar topics, with overall good intelligibility; pauses and hesitations (to recall or plan information) are sometimes noticeable when more demanding content is produced, and any mispronunciations or intonation errors only occasionally cause problems for the listener.</li> <li>■ Produce stretches of speech that demonstrate control of some complex structures and a range of vocabulary, although occasional lapses in precision and accuracy may obscure meaning at times.</li> <li>■ Convey sufficient information to produce mostly complete summaries, explanations, and opinions, but some ideas may not be fully developed or may lack elaboration; any lapses in completeness and cohesion may at times affect the otherwise clear progression of ideas.</li> </ul>
Listening	Score of 22	High-Intermediate Level Score Range 17-21	<p><b>Test takers who score at the High-Intermediate level typically can:</b></p> <ul style="list-style-type: none"> <li>■ Understand main ideas and explicitly stated important details that are reinforced (by repetition, paraphrase, or indirect reference).</li> <li>■ Distinguish main ideas from other information.</li> <li>■ Keep track of information over an extended portion of an information-rich lecture or conversation, and recognize multiple, possibly conflicting, points of view.</li> <li>■ Understand how information or examples are being used (for example, to provide support for a claim), and how pieces of information are connected (for example, in a narrative explanation, a compare-and-contrast relationship, or a cause-effect chain)</li> <li>■ Understand, though perhaps not consistently, ways that speakers use language for purposes other than to give information (for</li> </ul>

			<p>example, to emphasize a point, express agreement or disagreement, express opinions, or convey intentions indirectly), especially when the purpose is supported by intonation.</p> <ul style="list-style-type: none"> <li>■ Synthesize information from adjacent parts of a lecture or conversation and make appropriate inferences on the basis of that information but may have difficulty synthesizing information from separate parts of a lecture or conversation.</li> </ul>
Reading	Score of 22	High-Intermediate Level Score Range 18-23	<p><b>Test takers who score at the High-Intermediate level typically can:</b></p> <ul style="list-style-type: none"> <li>■ Understand common academic vocabulary, but sometimes have difficulty with low-frequency words or less common meanings of words.</li> <li>■ Understand explicit connections among pieces of information and make appropriate inferences but may have difficulty in parts of a passage that contain low-frequency vocabulary or that are conceptually dense, rhetorically complex, or abstract.</li> <li>■ Distinguish important ideas from less important ones.</li> <li>■ Often recognize the expository organization of a passage and the purpose of specific information within a passage, even when such information is not explicitly marked.</li> <li>■ Synthesize information in a passage but may have difficulty doing so when the passage is conceptually dense, rhetorically complex, or abstract.</li> </ul>
Writing	Score of 21	High-Intermediate Level Score Range 17-23	<p><b>Test takers who score at the High-Intermediate level typically can:</b></p> <ul style="list-style-type: none"> <li>■ Produce summaries of multiple sources that include most of the main ideas; some important ideas from the sources may be missing, unclear, or inaccurate.</li> <li>■ Express an opinion on an issue clearly; some ideas and explanations may not be fully developed and lapses in cohesion may at times affect a clear progression of ideas.</li> <li>■ Write with some degree of facility; grammatical mistakes or vague/incorrect uses of words may make the writing difficult to follow in some places.</li> </ul>