

Item 18:**Discussion of Proposed Amendments to 19 TAC Chapter 228,
Requirements for Educator Preparation Programs,
Subchapter A, General Guidance, Subchapter E, Educator
Candidate Clinical Experiences, and Subchapter F, Support
for Candidates During Required Clinical Experiences****DISCUSSION ONLY**

SUMMARY: This item provides the State Board for Educator Certification (SBEC) an opportunity to discuss proposed amendments to 19 Texas Administrative Code (TAC) Chapter 228, Requirements for Educator Preparation Programs, Subchapter A, General Guidance, Subchapter E, Educator Candidate Clinical Experiences, and Subchapter F, Support for Candidates During Required Clinical Experiences. The proposed amendments would further clarify requirements and definitions as applicable to support educator preparation programs (EPPs) and candidates in the successful implementation of these rules.

STATUTORY AUTHORITY: The statutory authority for 19 TAC Chapter 228 is the Texas Education Code (TEC), §§21.031; 21.041(b)(1) and (2); 21.044; 21.0441; 21.0442(c); 21.0443; 21.045(a); 21.0452, 21.0453; 21.0454; 21.0455; 21.046(b)-(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 (TOC), §55.007.

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, §21.041(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)-(4), requires the SBEC to propose 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, authorizes the SBEC to propose 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, requires the SBEC to set admission requirements for candidates entering educator preparation programs, and specifies certain requirements that must be included in the rules.

TEC, §21.0442(c), requires the SBEC to create an abbreviated educator preparation program 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, requires the SBEC to set standards for approval and renewal of approval for educator preparation programs, sets certain requirements for approval and renewal, and requires that the SBEC review each program at least every five years.

TEC §21.045(a), requires the SBEC to create an accountability system for educator preparation programs 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, requires the SBEC to make information about educator preparation programs 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, sets requirements for information that educator preparation programs must provide candidate, and gives the SBEC rulemaking authority to implement the provision and ensure that EPPs give candidates accurate information.

TEC, §21.0454, 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, gives the SBEC rulemaking authority to establish a process for a candidate for teacher certification to direct a complaint against an educator preparation program to the agency, requires that educator preparation programs 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), 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), 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), requires the SBEC to prescribe comprehensive certification examinations for each class of certificate issued by the Board.

TEC, §21.04891, sets out the requirements for the Bilingual Special Education Certification.

TEC, §21.049, requires the SBEC to create an Early Childhood certification and sets out certain requirements coursework, training and certification requirements for the certificate.

TEC, §21.050(a), requires an applicant for teacher certification to have a bachelor's degree in a relevant field, requires the SBEC to include hours of field-based experience in the hours of coursework required for certification.

TEC, §21.050(b), allows the Board to require additional credit hours for certification in bilingual education, English as a second language, early childhood education, or special education.

TEC, §21.050(c), 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.

TEC, §21.051, 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.

TOC, §55.007, requires all state agencies that issue licenses or certifications to credit military experience toward the requirements for the license or certification.

FUTURE ACTION EXPECTED: Texas Education Agency (TEA) staff anticipates presenting proposed changes to 19 TAC Chapter 228 for further discussion and action at the September 2024 SBEC meeting.

BACKGROUND INFORMATION AND JUSTIFICATION: The SBEC rules in 19 TAC Chapter 228, Requirements for Educator Preparation Programs, establish the requirements for educator preparation programs (EPPs) in the preparation of candidates for Texas educator certification.

The SBEC adopted the repeal and replacement of Chapter 228 during their February 2024 meeting and the SBOE reviewed and took no action on the update during their April 2024 meeting. During the final stages of the rulemaking process, additional stakeholder feedback and public testimony was received regarding certain sections of the new Chapter 228 rules, including how best to implement them as an EPP and consistently apply the requirements to candidates. TEA staff was asked by SBEC and SBOE Board Members to return with a Chapter 228 discussion item as soon as possible to explore options that would address some of the immediate concerns that were raised.

TEA staff have continued to receive stakeholder feedback and most recently had an opportunity to have a discussion with the Educator Preparation Stakeholder Group (EPSG) during their June 21st meeting. Following that EPSG meeting, TEA staff sent a Chapter 228 mini survey to EPSG members and other key stakeholders. The July SBEC meeting agenda went to print before the survey response deadline, and TEA staff will share the survey responses and additional stakeholder feedback received with the Board during the July SBEC meeting.

TEA staff has developed some draft rule text as a starting point for discussion with the Board. It is important to emphasize that the draft text does not yet reflect what is anticipated to be incredibly helpful feedback via responses to the Chapter 228 mini survey and additional comments received through additional outreach to stakeholders.

The following is a description of draft proposed changes for Chapter 228.

Subchapter A. General Guidance

The proposed update to §228.2(45) definition of “School Day” was revised to acknowledge that school days may be extended for some subject areas that have duties outside of the regular school day.

Subchapter E. Educator Candidate Experiences

TEA staff recommends the Board consider one technical edit and two amendments to §228.67. Clinical Teaching that would address feedback and concerns raised during adoption of these rules at the SBEC February 2024 meeting and during the final review of these rules at the SBOE April 2024 meeting. The technical edit to §228.67(a) would change the introductory rule text from “A candidate *for* initial certification” to “A candidate *seeking* initial certification. All remaining text in subsection (a) would remain the same. The recommended minor change in wording would align with formatting of rule text utilized in other sections of the rule.”

The proposed update to §228.67(b) would retain the duration of clinical teaching in hours but changes the structure of time spent in the subject area of the certificate sought from 4 hours per day to a 280-hour total across the experience. The revision additionally addresses stakeholder requests for flexibility for candidates to complete clinical teaching hours in other aspects of an educator’s duties such as in planning and professional development and in extended day duties such as in TEKS-based extracurricular activities.

The proposed update to §228.67(c) would change the structure of 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 70 hours total during the clinical experience. This update parallels the update in §228.67 and provides flexibility to candidates and programs to structure the clinical experience as needed.

Subchapter F. Support for Candidates During Required Experiences

TEA staff recommends the Board consider an amendment to §228.103. Formal Observations for Candidates in Residency Assignments. The proposed update to §228.103(a) would clarify that an EPP must provide the first formal observation with the first “six weeks” of all residency assignments. TEA staff is seeking the Board’s support in approving this change to restore the original intent of the requirements for formal observations specific to candidates in residency assignments.

Staff Members Responsible:

Marilyn Cook, Senior Director, Educator Preparation and Certification

Lorrie Ayers, Director of EPP Management, Educator Preparation and Certification

Attachment:

Text of Proposed Amendments to 19 TAC Chapter 228, Requirements for Educator Preparation Programs

ATTACHMENT I
Text of Proposed New 19 TAC

Chapter 228. Requirements for Educator Preparation Programs

Subchapter A. General Guidance

§228.2. Definitions.

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

- (45) 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. For the purpose of completing clinical experiences, the school day must be at least four hours, including intermissions and recesses, but not including conference or lunch periods, professional development, or extracurricular activities.

Subchapter E. Educator Candidate Clinical Experiences

§228.67. Clinical Teaching.

- (a) A candidate ~~[for]~~ 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 that is ~~[not less than an average of 4 hours each day]~~ at least 280 hours in the subject area and grade level of certification sought, including planning periods but not including duty-free lunch periods. Additional clinical teaching hours may be accrued through additional instructional hours during the school day, extended day TEKS-based extracurricular activities, and planning and professional development days that occur within the assignment start and end date. The candidate must work with a cooperating teacher throughout the experience. The minimum 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, illness, 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 ~~[five hours per week]~~ 70 hours of the clinical teaching requirement in subsection (b) 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.

Subchapter F. Support for Candidates During Required Clinical Experiences**§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 [~~four~~] 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.