

The State Board for Educator Certification (SBEC) proposes amendments to §§227.1, 227.5, and 227.10, concerning admission to educator preparation programs (EPPs). The proposed amendments would implement the statutory requirements of Senate Bill (SB) 1839 and House Bills (HBs) 2039 and 3349, 85th Texas Legislature, Regular Session, 2017. The proposed amendments would add clarification for select definitions, would add language for admission requirements for the Early Childhood-Grade 3 (EC-3) and Trade and Industrial Workforce Training: Grades 6-12 certificates, and would clarify the implementation date in Subchapter A. The proposed amendments would implement subject-matter-only assessments to be used for the Pre-Admission Content Test (PACT) in lieu of the current examination that tests an applicant's knowledge of both content and pedagogy prior to admission to an EPP. The proposed amendments would also implement changes based on stakeholder input and Texas Education Agency (TEA) staff recommendations.

**BACKGROUND INFORMATION AND JUSTIFICATION:** The SBEC rules in 19 Texas Administrative Code (TAC) Chapter 227 are organized as follows: Subchapter A, Admission to Educator Preparation Programs, and Subchapter B, Preliminary Evaluation of Certification Eligibility. These subchapters provide for rules that establish requirements for admission to an EPP and preliminary evaluation of certification eligibility.

The following is a description of the proposed amendments to 19 TAC Chapter 227, Subchapter A.

*§227.1. General Provisions.*

The proposed amendment in §227.1(b) would change the word "should" to "shall" to clarify the responsibility of the program to inform all applicants that they must undergo a criminal history background check prior to employment as an educator and prior to clinical teaching. This change would ensure that all applicants are aware of these requirements before moving into a role with students. This change would also ensure that applicants are aware of their eligibility to serve in a role with students early in their teacher preparation process.

Technical edits would be made to define acronyms.

*§227.5. Definitions.*

The proposed amendment to §227.5(5) would delete the phrase, "also known as a certification field," from the definition of *certification category* and would add language to reference Title 19, Chapter 233, which is where the certificate categories (English Language Arts and Reading; Social Studies, Special Education, and Health) can be found.

The proposed amendment in §227.5(6) would add the phrase, "may contain one or more certification categories," and delete the phrase, "also known as a certification field," to clarify that a class of certificates may contain one or more categories within a certification area. This change would better distinguish between a class and a category since a category is a subgroup of a class.

The proposed amendment in §227.5(8) and §227.5(9) would update the definition for *content certification examination* and would create a new definition for *content pedagogy examinations* to distinguish that a standardized test or assessment required by statute or the SBEC that governs an individual's certification as an educator is different than the required standardized test or assessment required for EPP admission purposes.

These definitions would clarify that EPPs will use content certification examinations for admitting candidates into EPPs and content pedagogy examinations will be used for certificate issuance. These definitions would support the overall policy shift from using an examination that tests both pedagogy and subject matter knowledge for the PACT to using a subject-matter-only examination. This shift would allow the PACT to better mirror the coursework requirement for which it is a substitute and would make the PACT a more effective admission requirement because candidates should not be expected to understand pedagogy before they have begun their studies at an EPP. It is reasonable to assess only subject-matter

knowledge for EPP admission purposes because it is the role of the EPP to teach the candidate pedagogy through coursework and training.

The section would be renumbered accordingly for formatting purposes.

#### *§227.10. Admission Criteria.*

The proposed amendment in §227.10(a)(3)(B)(ii) and §227.10(a)(4)(C) would set admission criteria for applicants to pass an appropriate content certification examination. To meet admission eligibility requirements in an EPP, statute requires a candidate to have a 2.5 GPA and either 12 or 15 hours of subject-specific content area coursework in the area they are seeking certification, or to pass a content certification exam, known as the PACT option, to demonstrate content knowledge prior to preparation in that area. Currently, the exams used to satisfy the second option for admission purposes are the exams candidates take after receiving training in their EPP. The exams do not only cover content knowledge but also assess pedagogy (the "how to teach"), which is not appropriate since the candidates have not had the training or preparation in that area. The proposed rule text would replace these exams with subject-matter only exams to better reflect the statutory requirement of subject-specific coursework in the content area for certification and would remove the current requirement of testing a candidate's knowledge of pedagogy for PACT purposes. The designated content-only examinations would be set out in new Figure 19 TAC §227.10(a)(4)(C), which lists the appropriate subject-matter content certification examination for each certificate area, with an implementation date of January 1, 2020.

At the April 26, 2019 SBEC meeting, the Board requested additional information on the impact of the PACT implementation date. The following describes the impact of the implementation date on candidates, EPPs, data collection, and program accountability.

#### *Impact of the Implementation on Candidates*

The proposed PACT change would impact candidates in alternative certification or post-baccalaureate programs by not requiring them to take a content pedagogy exam prior to admission beginning January 1, 2020. Every time a candidate takes one of these tests for admission purposes, it counts against the five-time limit and a test fee is assessed for each retake. A candidate would only take an additional exam if the EPP requires it or if a candidate did not meet minimum requirements for GPA or semester credit hours in the subject-specific content area for the certification sought. This change would only adjust the timing and support for candidates and would not change the requirement that a candidate passes the content pedagogy assessment before becoming the teacher of record.

The proposed amendment would not impact candidates already admitted to EPPs. TEA staff also believes that there will be a positive impact on both candidates and districts as potential teachers will now be given support on their content pedagogy examinations. This should not impact district staffing because it does not add an additional requirement before a candidate can enter the classroom as the teacher of record.

#### *Impact of the Implementation Date on EPPs*

For preparation purposes, TEA staff believes that the proposed PACT would not require EPPs to provide additional curriculum. As prescribed in SBEC rule, the curricula that EPPs are expected to provide for each specific certification category include: the relevant Texas Essential Knowledge and Skills (TEKS), including the English Language Proficiency Standards (ELPS) and the skills and competencies in the Texas teacher standards in 19 TAC Chapter 149, Commissioner's Rules Concerning Educator Standards, that include the standards of Instructional Planning and Delivery and Content Knowledge and Expertise.

EPPs submit aligned curriculum when requesting to offer a certification category. All EPPs that are approved to offer certification categories have already created and submitted their curricula for staff approval.

Staff does anticipate that some EPPs may need to increase the amount of time between EPP admission and recommending candidates for intern certifications to allow for content pedagogy alignment with coursework and training.

#### *Impact of the Implementation Date on Data Collection*

TEA staff does not believe there would be an impact on the internal processes for data collection with this change. TEA staff already collects and calculates pass rates for certification examinations.

#### *Impact of the Implementation Date on Program Accountability*

The only impact to EPPs would be for SBEC accountability purposes. As required in statute and under SBEC rule, EPPs are currently held accountable for the candidates' pass rates on certification examinations. The examinations are categorized as either PPR (pedagogy and professional responsibilities) or non-PPR (content/content-pedagogy exams). EPPs are only held accountable for examinations after a candidate has been admitted as opposed to if they choose to require their candidates to take the PACT. The table below indicates where there might be a change to program accountability by type of program and assessment.

Figure in 227 Preamble

Traditional programs currently do not have the option of requiring the PACT for admission purposes and therefore, would not be impacted by the rule change. The proposed PACT change would only impact post-baccalaureate and alternative certification programs (ACP) that currently utilize the PACT route. In those cases, the programs will be held accountable for the content pedagogy test that they previously required for admission purposes. Programs currently utilizing PACT provide candidates support for the PPR test and also for the content pedagogy test when candidates change fields.

The proposed amendments would implement policy changes regarding the PACT, which is currently an examination testing both content and pedagogy that a candidate takes prior to admission into either an ACP or post-baccalaureate certification program. Negative consequences of the current PACT route pathway include:

A candidate testing through the PACT route would not have obtained the required training to successfully complete questions that contain content pedagogy (the method and practice of teaching). For example, during the 2017-2018 reporting year, candidates in traditional routes passed the English Language Arts, EC-6 test at an 84% pass rate; candidates in alternative routes passed at an 86% pass rate; and candidates through the PACT route passed at a 67% pass rate. Candidate support provided by EPPs increases the likelihood of success on certification assessments. An increase in the number of candidates that are successful on certification assessments can lead to an increase in the number of qualified teachers.

Every test attempt through the PACT route counts toward a candidate's five-time test attempt limit since it is also the exam that a candidate takes at the end of his or her educator preparation to determine whether he or she is eligible for certification by the SBEC.

Traditional preparation programs do not currently have the option to use PACT, which means they are accountable for candidate scores on *both* the content pedagogy test and the PPR test, whereas some alternative and post-baccalaureate preparation programs are accountable **only** for the PPR test since the content pedagogy test was taken before candidates were admitted into the program.

To address these concerns, this proposed amendment to §227.10 would provide all programs, including traditional preparation programs, with the opportunity to use the PACT, now that it is a subject-matter-only examination, because traditional programs are also accepting students who are being prepared in their chosen content subject outside of the EPP. The requirements in TEC, §21.0441, provide the basis for the PACT examination as a substitute for a candidate completing hours of college coursework in the subject in which the candidate is seeking initial certification. Converting the PACT into a subject-matter-only examination would better mirror the statutorily required coursework for which it is intended as a substitute and would better reflect the skills a candidate should possess prior to entry into an EPP.

Only initial certifications that are subject-matter specific would have the option for PACT. For example, special education is a specialized pedagogical skill set that applies to all subject areas, so it does not lend itself to having a subject-matter only test. Additionally, due to the broad but basic content knowledge required in elementary education, the proposed amendment would use a basic skills assessment as the PACT assessment for those seeking elementary certifications. For the purposes of language assessments that draw a low number of test takers (e.g., Portuguese, Hindi, etc.), SBEC proposes retaining the use of the current content pedagogy assessments as there was not a cost-effective alternative available.

Proposed new Figure §227.10(a)(4)(C) would provide the list of PACT assessments for their related certification area. The list would include assessments aligned to the TEKS in the related certification areas. The content certification (subject-matter only) examination would be open to all interested candidates, therefore, §227.10(a)(4)(D) would no longer be needed because the scores would carry over from one program to another. If a candidate wants to change content, they would take a different content exam for purposes of admission into the new EPP. The current testing vendor would provide the proposed assessments, which align with the TEKS. Standard setting committees were conducted in Spring of 2019 to determine the acceptable passing standard for admission purposes.

Proposed new §227.10(e) would create new admission requirements for the Trade and Industrial Workforce Training: Grades 6-12 certification to implement the statutory requirements prescribed in HB 3349, 85th Texas Legislature, Regular Session, 2017. This language would ensure a pathway is available for industry members to transition into an EPP.

Proposed new §227.10(g) would add requirements for currently certified educators to enroll in an Early Childhood: Prekindergarten-Grade 3 preparation program to implement the statutory requirements prescribed in SB 1839 and HB 2039, 85th Texas Legislature, Regular Session, 2017. This amendment would ensure that candidates currently certified to teach a grade level between early childhood and Grade 3 are required to enroll in an EPP if they would like to pursue the Early Childhood: Prekindergarten-Grade 3 certification. In addition, proposed new §227.10(g) would reference the specific course of instruction in §228.35(i)(2) to clarify that the Early Childhood-Grade 3 certification is offered for initial certification.

**FISCAL NOTE.** Ryan Franklin, associate commissioner for educator leadership and quality, has determined that for the first five-year period the proposal is in effect, there is an additional fiscal impact on state government required to comply with the proposal. The TEA estimates a cost of \$128,909 for each of the next five fiscal years (FYs) from FYs 2020-2024 for the development and ongoing administrative costs needed to maintain assessments. However, the TEA will receive an \$11 remittance for each PACT taken for an estimated total of \$128,909 for FYs 2020-2024 to offset the costs. Based on the 2017-2018 testing data, the TEA estimated 11,719 test attempts under the PACT route. In most cases, because an EPP has a choice in their admission requirements, estimated costs to state government, local government, and other entities in this analysis do not include EPPs. There is no additional fiscal impact on local government and other entities.

**LOCAL EMPLOYMENT IMPACT:** The proposal has no effect on local economy; therefore, no local employment impact statement is required under Texas Government Code (TGC), §2001.002.

**SMALL BUSINESS, MICROBUSINESS, AND RURAL COMMUNITY IMPACT:** The proposal has no direct adverse economic impact for small businesses, microbusinesses, or rural communities; therefore, no regulatory flexibility analysis, specified in TGC, §2006.002, is required. The TEA staff does not anticipate an adverse effect for EPPs as a result of this proposal, including EPPs that qualify as small businesses or microbusinesses. The TEA staff expects that these proposed rule changes may allow more candidates to qualify for admission into EPPs as a result of the new admission test requiring only subject-matter knowledge. If EPPs have been relying on the PACT for admission purposes, the increased revenue brought by more candidates may be offset to some extent by increased instructional costs. Even for these EPPs, the increase in instructional costs is not expected to be so significant as to negate the increase in revenue from the additional qualified candidates. The educator standards on which the EPPs' curriculum is based have not changed with these proposed amendments. Moreover, EPPs can implement their own admission

screening requirements for those candidates who meet admission requirements for grade point average and the required hours of coursework.

**COST INCREASE TO REGULATED PERSONS:** The proposal does impose a cost on regulated persons (teacher candidates), another state agency, a special district, or a local government, and, therefore, is subject to TGC, §2001.0045. However, the proposal is exempt from TGC, §2001.0045, as provided under that statute, because the proposal is necessary to reduce the burden or responsibilities imposed on regulated persons. In addition, the proposal is necessary to ensure that certified Texas educators are competent to educate Texas students and, therefore, necessary to protect the safety and welfare of the residents of this state.

**TAKINGS IMPACT ASSESSMENT:** The proposal does not impose a burden on private real property and, therefore, does not constitute a taking under TGC, §2007.043.

**GOVERNMENT GROWTH IMPACT:** The TEA staff prepared a Government Growth Impact Statement assessment for this proposed rulemaking. During the first five years the proposed rulemaking would be in effect, it would require an increase in fees paid to the agency for each PACT taken (\$11 per assessment), but those fees would be offset by the increased costs to the agency of developing and administering the new PACT. A new regulation in proposed §227.1(b) would require an EPP to inform all applicants that they must undergo a criminal history background check prior to employment as an educator and prior to clinical teaching. A new regulation in proposed new §227.10(a)(3)(B)(ii) and §227.10(a)(4)(C) would set admission criteria for applicants to pass an appropriate content certification examination, which would replace the certification examinations currently used for the PACT that tests a candidate's knowledge of both content and pedagogy. A new regulation in proposed new §227.10(e) would create new admission requirements for Trade and Industrial Workforce Training: Grade 6-12 certification program, and §227.10(g) would add requirements for currently certified educators to enroll in an Early Childhood: Prekindergarten-Grade 3 preparation program for candidates who want to pursue the Early Childhood: Prekindergarten-Grade 3 certification.

The proposed rulemaking would not create or eliminate a government program; would not require the creation of new employee positions or elimination of existing employee positions; would not require an increase or decrease in future legislative appropriations to the agency; would not require a decrease in fees paid to the agency; would not expand, limit, or repeal an existing regulation; would not increase or decrease the number of individuals subject to its applicability; and would not positively or adversely affect the state's economy.

**PUBLIC BENEFIT AND COST TO PERSONS:** Mr. Franklin has determined that for each year of the first five years the proposal is in effect, the public benefit anticipated as a result of enforcing the proposal would be broadening the pool of potential educators in Texas by allowing EPPs to admit educator candidates who are competent in the subject they wish to teach but are not already well-versed in pedagogy. It would also offer continued and clear guidance on processes and procedures for testing and certificate issuance.

The TEA staff has determined that there is a cost to individuals required to comply with the proposal. For admission to an EPP, candidates who have neither a 2.5 undergraduate grade point average nor the required number of hours of college coursework in the specific content area in which the candidate is seeking certification would have to take a new, additional content certification examination prior to admission. Previously, these candidates could simply take the examination required for final certification as an educator prior to admission. Under the proposed rules, these candidates take three examinations in the course of the educator preparation process: (1) a content certification examination before admission to an EPP and after completion of the EPP for certification as an educator, (2) the content pedagogy examination, and (3) the PPR EC-12 examination. The total estimated cost to persons to take the new PACT examination in addition to tests they currently have to take would be \$1,242,214 for each of the next five FYs from FY 2020-2024. The cost is based on 11,719 possible examinees estimated to take the tests (using 2017-2018 data) at the price of \$106 per test. The \$106 total testing fee will be required from each candidate applying to take the content certification examination. The fee is needed to cover the administrative and maintenance cost.

DATA AND REPORTING IMPACT: The proposal would have no new data and reporting impact.

PRINCIPAL AND CLASSROOM TEACHER PAPERWORK REQUIREMENTS: The TEA staff has determined that the proposal would not require a written report or other paperwork to be completed by a principal or classroom teacher.

PUBLIC COMMENTS: The public comment period on the proposal begins August 23, 2019 and ends September 23, 2019. A form for submitting public comments is available on the TEA website at [https://tea.texas.gov/About\\_TEA/Laws\\_and\\_Rules/SBEC\\_Rules\\_\(TAC\)/Proposed\\_State\\_Board\\_for\\_Educator\\_Certification\\_Rules/](https://tea.texas.gov/About_TEA/Laws_and_Rules/SBEC_Rules_(TAC)/Proposed_State_Board_for_Educator_Certification_Rules/). The SBEC will take registered oral and written comments on the proposal at the October 4, 2019 meeting in accordance with the SBEC board operating policies and procedures. All requests for a public hearing on the proposal submitted under the Administrative Procedure Act must be received by the Department of Educator Leadership and Quality, Texas Education Agency, 1701 North Congress Avenue, Austin, Texas 78701, Attention: Mr. Ryan Franklin, associate commissioner for educator leadership and quality, not more than 14 calendar days after notice of the proposal has been published in the *Texas Register* on August 23, 2019.

STATUTORY AUTHORITY. The amendments are proposed under the Texas Education Code (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, 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), (4), and (6), which 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 the TEC, Chapter 21, Subchapter B; specify the requirements for the issuance and renewal of an educator certificate; and provide for special or restricted certification of educators, including certification of instructors of American Sign Language; TEC, §21.044(a), which requires the SBEC to propose rules establishing training requirements a person must accomplish to obtain a certificate, enter an internship, or enter an induction-year program; TEC, §21.044(g)(2) and (3), which require each educator preparation program (EPP) to provide certain information related to the effect of supply and demand forces on the educator workforce of the state and the performance over time of the EPP; TEC, §21.0441, which requires the SBEC to adopt rules setting certain admission requirements for EPPs, including allowing content certification examinations to substitute for required college classroom credit hours in the subject in which the candidate is seeking initial certification; TEC, §21.0489(c), as added by Senate Bill (SB) 1839 and House Bill (HB) 2039, 85th Texas Legislature, Regular Session, 2017, which requires the SBEC to adopt requirements that would establish an Early Childhood: Prekindergarten-Grade 3 certificate; TEC, §21.049(a), which authorizes the SBEC to propose rules providing for educator certification programs as an alternative to traditional EPPs; TEC, §21.050(a), which requires a person who applies for a teaching certificate for which SBEC rules require a bachelor's degree to possess a bachelor's degree received with an academic major or interdisciplinary academic major, including reading, other than education, that is related to the curriculum as prescribed under the TEC, Chapter 28, Subchapter A; TEC, §22.083, which requires a school district, open-enrollment charter school, or shared services arrangement to obtain criminal history record information that relates to a person who is not subject to a national criminal history record information review under this subchapter and who is an employee of the district or school; or a shared services arrangement, if the employee's duties are performed on school property or at another location where students are regularly present; TEC, §22.0835, which requires a school district, open-enrollment charter school, or shared services arrangement to obtain from the department and may obtain from any other law enforcement or criminal justice agency or a private entity that is a consumer reporting agency governed by the Fair Credit Reporting Act (15 U.S.C. Section 1681 et seq.), all criminal history record information that relates to a person participating in an internship consisting of student teaching to receive a teaching certificate; or a volunteer or person who has indicated, in writing, an intention to serve as a volunteer with the district, school, or shared services arrangement; Texas Occupations Code (TOC), §53.151, as added by HB 1508, 85th Texas Legislature, Regular Session, 2017, which sets the definitions of "licensing authority" and "occupational license" to have the meanings assigned to those terms by the TOC, Section 58.001; TOC, §53.152, as added by HB 1508, 85th Texas Legislature, Regular Session, 2017, which requires EPPs to provide applicants and enrollees certain notice regarding potential ineligibility for a certificate based on convicted offenses; the SBEC rules regarding the certificate

eligibility of an individual with a criminal history; and the right of the individual to request a criminal history evaluation letter; and TOC, §53.153, as added by HB 1508, 85th Texas Legislature, Regular Session, 2017, which requires an EPP to refund tuition, application fees, and examination fees paid by an individual if the EPP failed to provide the required notice under the TOC, §53.152, to an individual who was denied a certificate because the individual was convicted of an offense.

CROSS REFERENCE TO STATUTE. The proposed amendments implement the Texas Education Code (TEC), §§21.031; 21.041(b)(1), (4), and (6); 21.044(a), (g)(2), and (g)(3); 21.0441; 21.0489(c), as added by Senate Bill 1839 and House Bill (HB) 2039, 85th Texas Legislature, Regular Session, 2017; 21.049(a); 21.050(a); 22.083; and 22.0835; and Texas Occupations Code (TOC), §§53.151 -53.153, as added by HB 1508, 85th Texas Legislature, Regular Session, 2017.

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### **§227.1. General Provisions.**

- (a) It is the responsibility of the education profession as a whole to attract applicants and to retain educators who demonstrate the knowledge and skills necessary to improve the performance of the diverse student population of this state.
- (b) Educator preparation programs (EPPs) shall ~~should~~ inform all applicants that:
  - (1) pursuant to the Texas Education Code (TEC), §22.083, candidates must undergo a criminal history background check prior to employment as an educator; and
  - (2) pursuant to the TEC, §22.0835, candidates must undergo a criminal history background check prior to clinical teaching.
- (c) EPPs ~~[Educator preparation programs]~~ shall inform all applicants, in writing, of the following:
  - (1) the admission requirements as specified in this chapter;
  - (2) the requirements for program completion as specified in Chapter 228 of this title (relating to Requirements for Educator Preparation Programs ~~[Requirements]~~); and
  - (3) in accordance with TEC, §21.044(e)(3):
    - (A) the effect of supply and demand forces on the educator workforce in this state; and
    - (B) the performance over time of the EPP for the past five years.
- (d) EPPs shall notify, in writing by mail, personal delivery, facsimile, email, or an electronic notification, each applicant to and enrollee in the EPP of the following regardless of whether the applicant or enrollee has been convicted of an offense:
  - (1) the potential ineligibility of an individual who has been convicted of an offense for issuance of a certificate on completion of the EPP;
  - (2) the current State Board for Educator Certification (SBEC) rules prescribed in §249.16 of this title (relating to Eligibility of Persons with Criminal History for a Certificate under Texas Occupations Code, Chapter 53, and Texas Education Code, Chapter 21); and
  - (3) the right to request a criminal history evaluation letter as provided in Chapter 227, Subchapter B, of this title (relating to Preliminary Evaluation of Certification Eligibility).
- (e) If the SBEC determines that an EPP has failed to provide the notice required by subsection (d) of this section to an individual entitled to receive the notice and that the individual's application for a certificate for which the EPP prepares the individual was denied because the individual has been convicted of an offense prior to the EPP providing notice, the SBEC shall order the EPP to:
  - (1) refund the amount of any tuition paid by the individual to the EPP; and
  - (2) pay to the individual an amount equal to the total of the following, as applicable:

- (A) the amount of any application fees paid by the individual to the SBEC; and
  - (B) the amount of any examination fees paid by the individual to the SBEC and/or to a provider of examinations required for certification. An EPP is not liable for examination fees if the examination was not required to be passed to meet the admission requirements of the EPP and/or the EPP did not provide test approval for the examination.
- (f) If the governor of Texas declares a state of disaster consistent with the Texas Government Code, §418.014, Texas Education Agency [~~TEA~~] staff may extend deadlines in this chapter for up to 90 days as necessary to accommodate persons in the affected disaster areas.

**§227.5. Definitions.**

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

- (1) Accredited institution of higher education--An institution of higher education 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.
- (2) Alternative certification program--An approved educator preparation program, delivered by entities described in §228.20(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 institution of higher education.
- (3) Applicant--An individual seeking admission to an educator preparation program for any class of certificate.
- (4) Candidate--An individual who has been formally or contingently admitted to an educator preparation program; also referred to as an enrollee or participant.
- (5) Certification category--A certificate type within a certification class as described in Chapter 233 of this title (relating to Categories of Classroom Teaching Certificates) [2] .
- (6) Certification class --A certificate, as described in §230.33 of this title (relating to Classes of Certificates [~~Certification~~]), that has defined characteristics; may contain one or more certification categories [also known as certification field] .
- (7) Clinical teaching--An assignment, as described in §228.35 of this title (relating to Preparation Program Coursework and/or Training).
- (8) Content certification examination--A standardized test or assessment required by statute or State Board for Educator Certification rule that governs an individual's admission to an educator preparation program [~~or certification as an educator~~] .
- ~~(9) Content pedagogy examinations--A standardized test or assessment required by statute or State Board for Educator Certification rule that governs an individual's certification as an educator.~~
- (10) ~~[9]~~ Contingency admission--Conditional admission to an educator preparation program when an applicant meets all admission requirements specified in §227.10 of this title (relating to Admission Criteria) except graduation and degree conferred from an accredited institution of higher education.
- (11) ~~[10]~~ Educator preparation program--An entity that must be approved by the State Board for Educator Certification to recommend candidates in one or more classes of certificates.
- (12) ~~[11]~~ Formal admission--Admission to an educator preparation program when an applicant meets all admission requirements specified in §227.10 of this title (relating to Admission Criteria).

- (13) ~~(12)~~ Incoming class--Individuals contingently or formally admitted between September 1 and August 31 of each year by an educator preparation program.
- (14) ~~(13)~~ Post-baccalaureate program--An educator preparation program, delivered by an accredited institution of higher education and approved by the State Board for Educator Certification to recommend candidates for certification, that is designed for individuals who already hold at least a bachelor's degree from an accredited institution of higher education and are seeking an additional degree.
- (15) ~~(14)~~ Semester credit hour--One semester credit hour is equal to 15 clock-hours at an accredited institution of higher education.
- (16) ~~(15)~~ Undergraduate degree--A bachelor's degree earned from and conferred by an accredited institution of higher education.

**§227.10. Admission Criteria.**

- (a) The educator preparation program (EPP) delivering educator preparation shall require the following minimum criteria of all applicants seeking initial certification in any class of certificate, unless specified otherwise, prior to admission to the program.
- (1) For an undergraduate university program, an applicant shall be enrolled in an accredited institution of higher education (IHE).
  - (2) For an alternative certification program or post-baccalaureate program, an applicant shall have, at a minimum, a bachelor's degree earned from and conferred by an accredited IHE.
  - (3) For an undergraduate university program, an alternative certification program, or post-baccalaureate program, to be eligible for admission into an EPP, an applicant shall have a grade point average (GPA) of at least 2.5 before admission.
    - (A) The GPA shall be calculated from an official transcript as follows:
      - (i) 2.5 on all coursework previously attempted by the person at an accredited IHE:
        - (I) at which the applicant is currently enrolled (undergraduate university program formal admission, alternative certification program contingency admission, or post-baccalaureate program contingency admission); or
        - (II) from which the most recent bachelor's degree or higher from an accredited IHE was conferred (alternative certification program formal admission or post-baccalaureate program formal admission); or
      - (ii) 2.5 in the last 60 semester credit hours on all coursework previously attempted by the person at an accredited IHE:
        - (I) at which the applicant is currently enrolled (undergraduate university program formal admission, alternative certification program contingency admission, or post-baccalaureate program contingency admission). If an applicant has less than 60 semester credit hours on the official transcript from the accredited IHE at which the applicant is currently enrolled, the EPP shall use grades from all coursework previously attempted by a person at the most recent accredited institution(s) of higher education, starting with the most recent coursework from the official transcript(s), to calculate a GPA for the last 60 semester credit hours; or
        - (II) from which the most recent bachelor's degree or higher from an accredited IHE was conferred. If an applicant has hours

beyond the most recent degree, an EPP may use grades from the most recent 60 hours of coursework from an accredited IHE (alternative certification program formal admission or post-baccalaureate program formal admission).

- (B) In accordance with the Texas Education Code, (TEC), §21.0441(b), an ~~An~~ exception to the minimum GPA requirement may be granted by the program director only in extraordinary circumstances and may not be used by a program to admit more than 10% of any incoming class of candidates. An applicant is eligible for this exception if:
- (i) documentation and certification from the program director that an applicant's work, business, or career experience demonstrates achievement equivalent to the academic achievement represented by the GPA requirement; and
  - (ii) in accordance with the TEC ~~[Texas Education Code]~~, §21.0441(a)(2)(B) ~~[§21.0441(b)]~~, an applicant must pass an appropriate content certification examination as specified in paragraph (4)(C) ~~[and (D)]~~ of this subsection for each subject in which the applicant seeks certification prior to admission. In accordance with the TEC, §21.0441(b), applicants ~~[Applicants]~~ who do not meet the minimum GPA requirement and have previously been admitted into an EPP may request permission to register for an appropriate content certification examination if the applicant is not seeking admission to the same EPP that previously granted test approval for a certification examination in the same certification class.
- (C) An applicant who is seeking a career and technical education (CTE) certificate that does not require a degree from an accredited IHE is exempt from the minimum GPA requirement.
- (D) An applicant who does not meet the minimum GPA requirement and is seeking certification in a class other than classroom teacher must perform at or above a score equivalent to a 2.5 GPA on the Verbal Reasoning, Quantitative Reasoning, and Analytic Writing sections of the GRE® (Graduate Record Examinations) revised General Test. The State Board for Educator Certification will use equivalency scores established by the Educational Testing Service, and the Texas Education Agency (TEA) will publish those equivalency scores annually on the TEA website.
- (4) For an applicant who will be seeking an initial certificate in the classroom teacher class of certificate, the applicant shall have successfully completed, prior to admission, at least:
- (A) a minimum of 12 semester credit hours in the subject-specific content area for the certification sought, unless certification sought is for mathematics or science at or above Grade 7; or
  - (B) 15 semester credit hours in the subject-specific content area for the certification sought if the certification sought is for mathematics or science at or above Grade 7; or
  - (C) a passing score on the appropriate ~~[a comparable]~~ content certification examination as specified in the figure provided in this subparagraph ~~[administered by a vendor on the TEA approved vendor list published by the commissioner of education on the TEA website]~~ for the calendar year during which the applicant seeks admission. ~~[; or]~~ The applicant will not be required to successfully complete a passing score on the appropriate content certification examination until January 1, 2020.

Figure: 19 TAC §227.10(a)(4)(C)

~~(D) — for an applicant who has not previously been admitted into an EPP, a passing score on a content certification examination administered by a TEA-approved vendor. An applicant who has previously been admitted into an EPP may request permission to register for a content certification examination if an applicant is not seeking admission to the same EPP that previously granted test approval for a certification examination in the same certification class.]~~

- (5) For an applicant who will be seeking an initial certificate in a class other than classroom teacher, the applicant shall meet the minimum requirements for admission described in Chapter 239 of this title (relating to Student Services Certificates); Chapter 241 of this title (relating to Principal Certificate); and Chapter 242 of this title (relating to Superintendent Certificate). If an applicant has not met the minimum certification, degree, and/or experience requirement(s) for issuance of a standard certificate prior to admission, the EPP shall inform the applicant in writing of any deficiency prior to admission.
  - (6) An applicant must demonstrate basic skills in reading, written communication, and mathematics by meeting the requirements of the Texas Success Initiative under the rules established by the Texas Higher Education Coordinating Board (THECB) in Part 1, Chapter 4, Subchapter C, of this title (relating to Texas Success Initiative), including one of the requirements established by §4.54 of this title (relating to Exemptions, Exceptions, and Waivers).
  - (7) An applicant must demonstrate the English language proficiency skills as specified in §230.11 of this title (relating to General Requirements).
    - (A) An applicant for CTE certification that does not require a bachelor's degree from an accredited IHE may satisfy the English language proficiency requirement with an associate's degree or high school diploma or the equivalent that was earned at an accredited IHE or an accredited high school in the United States.
    - (B) An applicant to a university undergraduate program that leads to a bachelor's degree may satisfy the English language proficiency requirement by meeting the English language proficiency requirement of the accredited IHE at which the applicant is enrolled.
  - (8) An applicant must submit an application and participate in either an interview or other screening instrument to determine if the EPP applicant's knowledge, experience, skills, and aptitude are appropriate for the certification sought.
  - (9) An applicant must fulfill any other academic criteria for admission that are published and applied consistently to all EPP applicants.
- (b) An EPP may adopt requirements in addition to and not in conflict with those required in this section.
- (c) An EPP may not admit an applicant who:
- (1) has been reported as completing all EPP requirements by another EPP in the same certification category or class, unless the applicant only needs certification examination approval; or
  - (2) has been employed for three years in a public school under a permit or probationary certificate as specified in Chapter 230, Subchapter D, of this title (relating to Types and Classes of Certificates Issued), unless the applicant is seeking clinical teaching that may lead to the issuance of an initial standard certificate.
- (d) An EPP may admit an applicant for CTE certification who has met the experience and preparation requirements specified in Chapter 230 of this title (relating to Professional Educator Preparation and Certification) and Chapter 233 of this title (relating to Categories of Classroom Teaching Certificates).

- (e) An EPP may admit an applicant for the Trade and Industrial Workforce Training: Grades 6-12 certification who has met the following requirements:
- (1) has been issued a high school diploma or a postsecondary credential, certificate, or degree;
  - (2) has seven years of full-time wage-earning experience within the preceding 10 years in an approved occupation for which instruction is offered;
  - (3) holds with respect to that occupation a current license, certificate, or registration, as applicable, issued by a nationally recognized accrediting agency based on a recognized test or measurement; and
  - (4) within the period described by paragraph (2) of this subsection, has not been the subject of a complaint filed with a licensing entity or other agency that regulates the occupation of the person, other than a complaint that was determined baseless or unfounded by that entity or agency.
- (f) [e] An EPP may admit an applicant who has met the minimum academic criteria through credentials from outside the United States that are determined to be equivalent to those required by this section using the procedures and standards specified in Chapter 245 of this title (relating to Certification of Educators from Other Countries). An EPP at an entity that is accredited by an accrediting organization recognized by the THECB may use its own foreign credential evaluation service to meet the requirement described in §245.10(a)(2) of this title (relating to Application Procedures), if the entity is in good standing with its accrediting organization.
- (g) An applicant is eligible to enroll in an EPP for the purpose of completing the course of instruction, defined in §228.35(i)(2) of this title (relating to Preparation Program Coursework and/or Training), that is required for the issuance of an Early Childhood: Prekindergarten-Grade 3 certificate if the individual holds a valid standard, provisional, or one-year certificate specified in §230.31 of this title (relating to Types of Certificates) in one of the following certificate categories:
- (1) Bilingual Generalist: Early Childhood-Grade 4;
  - (2) Bilingual Generalist: Early Childhood-Grade 6;
  - (3) Core Subjects: Early Childhood-Grade 6;
  - (4) Early Childhood Education;
  - (5) Elementary--General;
  - (6) Elementary--General (Grades 1-6);
  - (7) Elementary--General (Grades 1-8);
  - (8) Elementary Early Childhood Education (Prekindergarten-Grade 6);
  - (9) Elementary Self-Contained (Grades 1-8);
  - (10) English as a Second Language Generalist: Early Childhood-Grade 4;
  - (11) English as a Second Language Generalist: Early Childhood-Grade 6;
  - (12) Generalist: Early Childhood-Grade 4;
  - (13) Generalist: Early Childhood-Grade 6;
  - (14) Kindergarten;
  - (15) Prekindergarten-Grade 5--General;
  - (16) Prekindergarten-Grade 6--General; or
  - (17) Teacher of Young Children--General.