

Item 15:**Discussion and Update on Advisory Committee for 19 TAC Chapter 239, Student Services Certificates, Subchapter A, School Counselor Certificate and Subchapter C, Educational Diagnostician Certificate****DISCUSSION**

SUMMARY: This item provides the State Board for Educator Certification (SBEC) with an update on the work of the advisory committees for Chapter 239, Student Services Certificates, Subchapter A, School Counselor Certificate and Subchapter C, Educational Diagnostician Certificate.

STATUTORY AUTHORITY: The statutory authority for the appointment of advisory committee members is Texas Education Code, §§21.031(b), 21.040(3-4), and 21.041(b)(4). The statutory authority for Subchapter A is Texas Education Code, §§21.031(a), 21.040(4), 21.041(b)(1)-(5), 21.044, 21.048(a), 21.054, and 22.0831(f). The statutory authority for Subchapter C is Texas Education Code, §21.031(a) and §21.041(a) and (b)(1)-(4).

PREVIOUS BOARD ACTION: The SBEC adopted the four-year rule review of 19 TAC Chapter 239, Student Services Certificates, and appointed advisory committee members for the School Counselor and Educational Diagnostician Certificates at the June 10, 2016 meeting.

BACKGROUND INFORMATION AND JUSTIFICATION: The SBEC is statutorily authorized to appoint the members of any advisory committee to the Board. Advisory committees for the School Counselor Certificate and Educational Diagnostician Certificate have been convened to provide feedback on the current rules and processes related to preparation, testing, certification, and renewal for both certificate areas. Prior to the completion of their advisory work, committee members will also explore recommended alternatives or changes for consideration by the SBEC at a future meeting.

Prior to meeting as a group, members of both advisory committees completed independent reviews of the current rule text and indicated their level of satisfaction using one of three options (Very, Somewhat, or Not at All). In addition, committee members were asked to provide feedback on how to improve current rule text with rationales for their suggested revisions. The very thoughtful and thorough work completed on this initial task by both committees is included in Attachment II (School Counselor Certificate) and Attachment III (Educational Diagnostician Certificate). The feedback captured in this side-by-side format will help inform the actual recommended changes to rule text for future consideration by the Board.

Webinars for both committees were conducted on February 8 (School Counselor) and February 9 (Educational Diagnostician). An additional webinar was scheduled later in February to allow the School Counselor committee to finish their discussion of the compiled edits and provide additional feedback for improvement of the rules. Texas Education Agency (TEA) staff will update the board on those activities and provide a high-level overview of key issues relevant to

each certificate as this item is discussed during the meeting. Attachment IV includes an updated action plan/timeline of activities for both committees.

PUBLIC AND STUDENT BENEFIT: The public and student benefit anticipated as a result of the work of both advisory committees would be more rigorous requirements for the preparation, certification, testing, and renewal of School Counselor and Educational Diagnostician certificates that result in highly effective certified School Counselors and Educational Diagnosticians upon entry into the profession, and retention of these qualified professionals for years to come.

OTHER COMMENTS AND RELATED ISSUES: Advisory committee members will advise and make recommendations to TEA staff about relevant program issues and potential rule changes for consideration by the SBEC at a future meeting.

Staff Members Responsible: Marilyn Cook, Director
Educator Certification and Testing

Tim Miller, Director
Educator Preparation

Attachments:

- I. Statutory Citations
- II. Advisory Committee Feedback on 19 TAC Chapter 239, Student Services Certificates, Subchapter A, School Counselor Certificate
- III. Advisory Committee Feedback on 19 TAC Chapter 239, Student Services Certificates, Subchapter C, Educational Diagnostician Certificate
- IV. Updated Action Plan/Timeline of Activities for Advisory Committee for 19 TAC Chapter 239, Student Services Certificates, Subchapter A, School Counselor Certificate and Subchapter C, Educational Diagnostician Certificate
- V. Advisory Committee Member List

ATTACHMENT I
Statutory Citations**Texas Education Code §21.031, Certification of Educators:**

- (a) The State Board for Educator Certification is established to recognize public school educators as professionals and to grant educators the authority to govern the standards of their profession. The board shall regulate and oversee all aspects of the certification, continuing education, and standards of conduct of public school educators.
- (b) In proposing rules under this subchapter, the board 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.

Texas Education Code §21.040, General Powers and Duties of Board (excerpt):

The board shall:

- (3) appoint the members of any advisory committee to the board;
- (4) for each class of educator certificate, appoint an advisory committee composed of members of that class to recommend standards for that class to the board;

Texas Education Code, §21.041, Rules; Fees (excerpt):

- (a) The board may adopt rules as necessary for its own procedures.
- (b) The board shall propose rules that:
 - (1) provide for the regulation of educators and the general administration of this subchapter in a manner consistent with this subchapter;
 - (2) specify the classes of educator certificates to be issued, including emergency certificates;
 - (3) specify the period for which each class of educator certificate is valid;
 - (4) specify the requirements for the issuance and renewal of an educator certificate;
 - (5) 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 Section 21.052;

Texas Education Code, §21.044, Educator Preparation:

- (a) The board shall propose rules establishing the training requirements a person must accomplish to obtain a certificate, enter an internship, or enter an induction-year program. The board shall specify the minimum academic qualifications required for a certificate.
- (b) Any minimum academic qualifications for a certificate specified under Subsection (a) that require a person to possess a bachelor's degree must also require that the person receive, as part of the training required to obtain that certificate, instruction in detection and education of students with dyslexia.
- (c) The instruction under Subsection (b) must:
 - (1) be developed by a panel of experts in the diagnosis and treatment of dyslexia who are:

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- (A) employed by institutions of higher education; and
 - (B) approved by the board; and
 - (2) include information on:
 - (A) characteristics of dyslexia;
 - (B) identification of dyslexia; and
 - (C) effective, multisensory strategies for teaching students with dyslexia.
 - (c-1) Any minimum academic qualifications for a certificate specified under Subsection (a) that require a person to possess a bachelor's degree must also require that the person receive, as part of the training required to obtain that certificate, instruction regarding mental health, substance abuse, and youth suicide. The instruction required must:
 - (1) be provided through a program selected from the list of recommended best practice-based programs established under Section 161.325, Health and Safety Code; and
 - (2) include effective strategies for teaching and intervening with students with mental or emotional disorders, including de-escalation techniques and positive behavioral interventions and supports.
 - (c-2) Repealed by Acts 2015, 84th Leg., R.S., Ch. 1157 , Sec. 2, eff. September 1, 2015.
 - (d) In proposing rules under this section, the board shall specify that to obtain a certificate to teach an "applied STEM course," as that term is defined by Section 28.027, at a secondary school, a person must:
 - (1) pass the certification test administered by the recognized national or international business and industry group that created the curriculum the applied STEM course is based on; and
 - (2) have at a minimum:
 - (A) an associate degree from an accredited institution of higher education; and
 - (B) three years of work experience in an occupation for which the applied STEM course is intended to prepare the student.
 - (e) In proposing rules under this section for a person to obtain a certificate to teach a health science technology education course, the board shall specify that a person must have:
 - (1) an associate degree or more advanced degree from an accredited institution of higher education;
 - (2) current licensure, certification, or registration as a health professions practitioner issued by a nationally recognized accrediting agency for health professionals; and
 - (3) at least two years of wage earning experience utilizing the licensure requirement.
 - (f) The board may not propose rules for a certificate to teach a health science technology education course that specify that a person must have a bachelor's degree or that establish any other credential or teaching experience requirements that exceed the requirements under Subsection (e).
 - (g) Each educator preparation program must provide information regarding:

- (1) the skills that educators are required to possess, the responsibilities that educators are required to accept, and the high expectations for students in this state;
- (2) the effect of supply and demand forces on the educator workforce in this state;
- (3) the performance over time of the educator preparation program;
- (4) the importance of building strong classroom management skills; and
- (5) the framework in this state for teacher and principal evaluation, including the procedures followed in accordance with Subchapter H.

Texas Education Code, §21.048, Certification Examinations (excerpt):

- (a) The board shall propose rules prescribing comprehensive examinations for each class of certificate issued by the board. The commissioner shall determine the satisfactory level of performance required for each certification examination. For the issuance of a generalist certificate, the commissioner shall require a satisfactory level of examination performance in each core subject covered by the examination.

Texas Education Code, §21.054, Continuing Education:

- (a) The board shall propose rules establishing a process for identifying continuing education courses and programs that fulfill educators' continuing education requirements.
- (b) Continuing education requirements for an educator who teaches students with dyslexia must include training regarding new research and practices in educating students with dyslexia.
- (c) The training required under Subsection (b) may be offered in an online course.
- (d) Continuing education requirements for a classroom teacher must provide that not more than 25 percent of the training required every five years include instruction regarding:
 - (1) collecting and analyzing information that will improve effectiveness in the classroom;
 - (2) recognizing early warning indicators that a student may be at risk of dropping out of school;
 - (3) integrating technology into classroom instruction; and
 - (4) educating diverse student populations, including:
 - (A) students with disabilities, including mental health disorders;
 - (B) students who are educationally disadvantaged;
 - (C) students of limited English proficiency; and
 - (D) students at risk of dropping out of school.
- (e) Continuing education requirements for a principal must provide that not more than 25 percent of the training required every five years include instruction regarding:
 - (1) effective and efficient management, including:
 - (A) collecting and analyzing information;
 - (B) making decisions and managing time; and

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- (C) supervising student discipline and managing behavior;
 - (2) recognizing early warning indicators that a student may be at risk of dropping out of school;
 - (3) integrating technology into campus curriculum and instruction; and
 - (4) educating diverse student populations, including:
 - (A) students with disabilities, including mental health disorders;
 - (B) students who are educationally disadvantaged;
 - (C) students of limited English proficiency; and
 - (D) students at risk of dropping out of school.
 - (f) Continuing education requirements for a counselor must provide that not more than 25 percent of training required every five years include instruction regarding:
 - (1) assisting students in developing high school graduation plans;
 - (2) implementing dropout prevention strategies; and
 - (3) informing students concerning:
 - (A) college admissions, including college financial aid resources and application procedures; and
 - (B) career opportunities.
 - (g) The board shall adopt rules that allow an educator to fulfill up to 12 hours of continuing education by participating in a mental health first aid training program offered by a local mental health authority under Section 1001.203, Health and Safety Code. The number of hours of continuing education an educator may fulfill under this subsection may not exceed the number of hours the educator actually spends participating in a mental health first aid training program.

Texas Education Code, §22.0831, National Criminal History Record Information Review of Certificated Educators (excerpt):

- (f) The board may propose rules to implement this section, including rules establishing:
 - (1) deadlines for a person to submit fingerprints and photographs in compliance with this section; and
 - (2) sanctions for a person's failure to comply with the requirements of this section, including suspension or revocation of a certificate or refusal to issue a certificate.

ATTACHMENT II

**Advisory Committee Feedback on 19 TAC Chapter 239, Student Services Certificates,
Subchapter A, School Counselor Certificate**

§239.1. General Provisions.

Rule Text	Advisory Committee Feedback
<p>(a) Because the school counselor plays a critical role in campus effectiveness and student achievement, the rules adopted by the State Board for Educator Certification in this subchapter ensure that each candidate for the School Counselor Certificate is of the highest caliber and possesses the knowledge and skills necessary to improve the performance of the diverse student population of this state.</p>	<p>How satisfied are you with this rule text as currently presented? Very <u>9</u> Somewhat <u>1</u> Not at all _____</p> <p>Comment/Revision:</p> <p>Suggested revision: add “credentials” to the list of items necessary to improve the performance of the diverse student population of this state</p>
<p>(b) An individual serving as a school counselor is expected to actively participate in professional development activities to continually update his or her knowledge and skills. Currency in best practices and research as related to both campus leadership and student learning is essential.</p>	<p>How satisfied are you with this rule text as currently presented? Very <u>6</u> Somewhat <u>3</u> Not at all <u>1</u></p> <p>Comment/Revision:</p> <p>Suggested revision: add “credentials” to the list of items necessary to improve the performance of the diverse student population of this state; also incorporate the importance of staying current with ethics, best practices, and evidence-based research as related to service delivery, campus leadership, and student educational, career, personal and social development</p> <p>Suggested new rule text: “Currency in best practices and research as related to developing a quality comprehensive school counseling program which includes both campus leadership and student learning is essential for all students.”</p> <p>Suggested rule text: “Currency in best practices and research in counseling-related topics (e.g., crisis-intervention, career development), campus leadership, and student learning are essential.”</p> <p>Comment: “Many school counselors are also licensed, so those CEUs should also count toward school counselor hours. Most licensure courses are basically the same as courses for school counselors.”</p> <p>Comment: “The last sentence is very limiting. School counselors do so much more and need to be</p>

§239.1. General Provisions.

Rule Text	Advisory Committee Feedback
	<i>up-to-date in areas of academic, social, emotional, career, etc.”</i>
<p>(c) The holder of the School Counselor Certificate issued under the provisions of this subchapter may provide counseling services to all students in Prekindergarten-Grade 12.</p>	<p>How satisfied are you with this rule text as currently presented? Very <u>10</u> Somewhat _____ Not at all _____</p> <p>Comment/Revision:</p> <p>Suggested revision: <i>change to “shall” provide counseling services to all students in Prekindergarten-Grade 12</i></p> <p>Comment related to “guidance and counseling programs” referenced later on and as we present a comprehensive program that INCLUDES a guidance program, it does not need to be listed separately. And, we are school counselors, emphasis on counselors, not “guidance counselors.” The rule here clearly states that we provide “counseling services,” not “guidance and counseling services,” which provides precedence for NOT having “guidance” listed separately in the remaining portions of the text.</p>

§239.5. Minimum Requirements for Admission to a School Counselor Preparation Program.

Rule Text	Feedback
<p>(a) Prior to admission to an educator preparation program leading to the School Counselor Certificate, an individual must:</p> <p>(1) hold a baccalaureate degree from an accredited institution of higher education that at the time was accredited or otherwise approved by an accrediting organization recognized by the Texas Higher Education Coordinating Board; and</p> <p>(2) meet the requirements for admission to an educator preparation program under Chapter 227 of this title (relating to Provisions for Educator Preparation Candidates).</p>	<p>How satisfied are you with this rule text as currently presented? Very <u>5</u> Somewhat <u>5</u> Not at all _____</p> <p>Comment/Revision:</p> <p>Comment on (1): “If a student is in their last semester of their baccalaureate program, dual program enrollment should not be an issue. When the teacher gets her two years of experience, he or she can also be pursuing school counselor certification and be ready to begin their school counselor program. Many teachers choose teaching so they can become school counselors, their desired career.”</p> <p>Comment on (1): “Seems to be in line with requirements.”</p>

§239.5. Minimum Requirements for Admission to a School Counselor Preparation Program.

Rule Text	Feedback
	<p>Comment on (2): <i>“Yes, they should meet the admission requirements for universities and for programs.”</i></p>
<p>(b) An educator preparation program may adopt requirements for admission in addition to those required in subsection (a) of this section.</p>	<p>How satisfied are you with this rule text as currently presented? Very <u>10</u> Somewhat _____ Not at all _____</p> <p>Comment/Revision:</p> <p>Comment: <i>“Meeting state requirements is essential, but extra program requirements prepare students even more for a career in school counseling.”</i></p> <p>Comment: <i>“This is an important inclusion!”</i></p>

§239.10. Preparation Program Requirements.

Rule Text	Feedback
<p>(a) Structured, field-based training must be focused on actual experiences with each of the standards identified in §239.15 of this title (relating to Standards Required for the School Counselor Certificate) to include experiences with diverse types of students, grade levels, and campuses.</p>	<p>How satisfied are you with this rule text as currently presented? Very <u>5</u> Somewhat <u>5</u> Not at all _____</p> <p>Comment/Revision:</p> <p>Comment that this allows room for school counseling practicum students to NOT be placed at a school. While implied with the statement “to include experience with diverse types of students, grade levels, and campuses”; however, this could be interpreted as a community based counseling center which services multiple levels of students and has multiple locations or “campuses.”</p> <p>Consider adding the verbiage “to include school experiences with diverse types of students, grade levels, and campuses”; however, this could be interpreted as a community based counseling center which services multiple levels of students and has multiple locations or “campuses.”</p> <p>Consider adding the verbiage “to include school experiences with diverse types of students, grade levels, and campuses.”</p> <p>Comment: <i>“Ideally the student would be able to experience different grade levels. The reality is many of them are already employed as a school counselor and are unable to gain field experience at different grade</i></p>

§239.10. Preparation Program Requirements.

Rule Text	Feedback
	<p><i>levels.”</i></p> <p><i>Comment: “It is ideal for students to get experience on different campuses; however, in reality, administrators are not keen on the idea of teachers leaving campus and restrict students. They are typically not supportive and some even make it very difficult to do.”</i></p> <p><i>Comment: “The part about diverse students, grade levels, and campuses is vague. I have also had candidates in the past who struggle with getting in different campuses.”</i></p>
<p>(b) An educator preparation program must develop and implement specific criteria and procedures that allow a candidate to substitute related professional counselor training and/or experience directly related to the standards identified in §239.15 of this title for part of the preparation coursework or other program requirements.</p>	<p>How satisfied are you with this rule text as currently presented? Very <u>3</u> Somewhat <u>4</u> Not at all <u>3</u></p> <p>Comment/Revision:</p> <p><i>Comment: “From my interpretation of this rule, a university may take on-campus experience in place of coursework. This needs to be identified more clearly. I understand the need for flexibility; however, I do not agree with not specifically listing which courses CANNOT be replaced with experience. For example, Counseling Theories and Techniques should not be a course able to be replaced with experience – I feel the same about Ethics.”</i></p> <p><i>Suggested rule text: (b) “An individual who undergoes structured, field-based training must be under the supervision of a site supervisor (as defined in §228.2 of this title) who has at least 3 years of experience with the grade level and who has completed a minimum of 40 clock-hours of training specifically in counselor supervision. This training must include a component on counselor supervision ethics.”</i></p> <p><i>Comment: “I object to allowing experience as a substitute for training. Just because you have been employed as a school counselor does not mean your experience should substitute for appropriate training. The experience may have been in a setting in which you were assigned inappropriate duties and you may not have been appropriately supervised. This has the potential to allow administrators to develop the professional identify of the school counselor rather than a well-qualified school counseling with appropriate experience. Counseling should not be an on the job training profession.”</i></p>

§239.10. Preparation Program Requirements.

Rule Text	Feedback
	<p>Comment: <i>“Since there is such a similarity of counseling programs, this is a positive statement. I do believe from my experiences that course work should have a time limit, such as no older than 5 years. Practicums/internships should remain in a public school setting.”</i></p> <p>Comment: <i>“Will there be greater clarification on this? We have done deficiency plans in the past and that has worked well, but this seems more specific. It is hard to substitute experience for coursework (how do you determine for transcript and degree audits?).”</i></p> <p>Suggested new (c) rule text: <i>An educator preparation program must prepare students to understand and implement the state model, the Texas Model for Comprehensive School Counseling Programs OR An educator preparation program for the school counselor certificate must prepare students to understand and implement the Texas Model Guide for Comprehensive School Counseling Programs (relating to Chapter 33 of the TEC)</i></p> <p>Suggestion to make current b the new c</p>

§239.15. Standards Required for the School Counselor Certificate.

Rule Text	Feedback
<p>(a) School Counselor Certificate Standards. The knowledge and skills identified in this section must be used by an educator preparation program in the development of curricula and coursework and by the State Board for Educator Certification as the basis for developing the examination required to obtain the School Counselor Certificate. The standards also serve as the foundation for the professional growth plan and continuing professional education activities required by §239.25 of this title (relating to Requirements to Renew the Standard School Counselor Certificate).</p>	<p>How satisfied are you with this rule text as currently presented? Very <u>10</u> Somewhat <u> </u> Not at all <u> </u></p> <p>Comment/Revision:</p> <p>Comment: <i>“This is pretty straightforward.”</i></p>
<p>(b) Standard I. Learner-Centered Knowledge: The certified school counselor has a broad knowledge base. The certified school counselor must know and understand:</p> <p>(1) the history of counseling;</p> <p>(2) counseling and consultation theories and practices;</p>	<p>How satisfied are you with this rule text as currently presented? Very <u>4</u> Somewhat <u>6</u> Not at all <u> </u></p> <p>Comment/Revision:</p> <p>Comment: <i>“look at Texas graduation requirements/House Bill 5; using school data to devise</i></p>

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Rule Text	Feedback
<p>(3) career development theories and practices;</p> <p>(4) assessment principles and procedures, including the appropriate use of tests and test results;</p> <p>(5) changing societal trends, including demographic, economic, and technological tendencies, and their relevance to school counseling;</p> <p>(6) environmental, social, and cultural factors that affect learners' development and the relevance of those factors to guidance and counseling programs;</p> <p>(7) learners' developmental characteristics and needs and their relevance to educational and career choices;</p> <p>(8) legal and ethical standards, practices, and issues;</p> <p>(9) the characteristics and educational needs of special populations;</p> <p>(10) theories and techniques in pedagogy and classroom management;</p> <p>(11) the integration of the guidance and academic curricula;</p> <p>(12) the roles and responsibilities of the counselor in a developmental guidance and counseling program that is responsive to all students; and</p> <p>(13) counseling-related research techniques and practices.</p>	<p><i>campus goals and measure the goals' effectiveness"</i></p> <p><i>Suggested revisions to the following:</i></p> <p><i>(1) Add "and philosophy" after history</i></p> <p><i>(4) add "assessment principles and procedures, including the appropriate use of test, test interpretation, and results"</i></p> <p><i>(6) add "environmental, abnormal, social, and cultural factors that affect learners' development and the relevance of those factors to educational, career, personal, and social development, along with comprehensive school counseling programs"</i></p> <p><i>(10) add "theories and techniques in pedagogy, differentiated instruction, multicultural considerations, and classroom management"</i></p> <p><i>(11) add "the integration of school counseling and academic curricula"</i></p> <p><i>(12) add "the roles and responsibilities of a comprehensive school counseling program that is responsive to all students"</i></p> <p><i>Suggested new additions:</i></p> <p><i>(14) "critical situations or incidents that require prevention, remediation, and crisis responses (e.g., suicide risk or threat assessments, or trauma)</i></p> <p><i>(15) "that leadership, advocacy, and collaboration are inherent roles for the school counselor"</i></p> <p><i>(16) "how cultural factors, group membership, and layering identities impact individual students"</i></p> <p><i>(17) "the comprehensive school counseling program model"</i></p> <p><i>(18) "how to utilize various forms of technology and how inappropriate use could be professionally and personally harmful"</i></p> <p><i>(19) "the importance of commitment and implementation of ethical principles"</i></p> <p><i>(20) "the importance of wellness and self-care. (TCA)"</i></p> <p><i>Suggested new additions:</i></p> <p><i>(14) Developing and teaching best practices on leadership skills</i></p> <p><i>(15) Knowing the campus data and developing a school counseling program based on data</i></p> <p><i>Comment: change "guidance and counseling program" to "school counseling program"</i></p> <p><i>Comment: Learner-Centered Knowledge needs to include accountability, post-secondary options, and leadership skills</i></p> <p><i>Comment: "A consideration should be made for the addition of intervention listed as a part of a broad</i></p>

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Rule Text	Feedback
	<p><i>knowledge base. While (12) states that “the roles and responsibilities of the counselor in a developmental guidance and counseling program that is responsive to all students,” it does not meet the requirements of a knowledge base of intervention. Current “changing societal trends” speaks to a knowledge of HOW students are different, but not a curriculum knowledge of intervention and appropriate interventions. (4) “assessment principles” is for testing, not for the follow-up interventions. My suggestion is to add language that speaks to needing the knowledge of student intervention, not simply academic and career knowledge.”</i></p> <p><i>Suggested revisions to the following:</i></p> <ul style="list-style-type: none"> <i>(1) the history and philosophy of the counseling profession</i> <i>(8) legal and ethical standards of professional counseling organizations and credentialing bodies, practices, and issues;</i> <i>(14) counselors’ roles and responsibilities as members of emergency management response teams;</i> <i>(15) professional counseling organizations, including membership benefits, activities, services to members, and current issues</i> <i>(16) self-care strategies appropriate to the counselor role</i> <i>(17) the role of counseling supervision in the profession</i> <i>(18) the principles of understanding dysfunction and psychopathology in human behavior</i> <i>(19) effects of crisis, disasters, and trauma on diverse individuals</i> <i>(20) crisis intervention, trauma-informed, and community-based strategies</i> <i>(21) an understanding of systems, including family dynamics and school environments</i> <p><i>Suggested revisions to the following:</i></p> <ul style="list-style-type: none"> <i>(6) delete “guidance and” from the latter portion of the statement</i> <i>(7) revise to read “learners’ normal and abnormal developmental characteristics and the impact on academic achievement”</i> <p><i>Comment: “Strike the word guidance when referring to a developmental counseling program. Guidance is a delivery system within the program and should not be a primary focus within the title.”</i></p> <p><i>Comment: “Counselors are often the only mental</i></p>

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Rule Text	Feedback
	<p><i>health professional with whom a student may come in contact. As such, an understanding of normal and abnormal development is critical. In addition, the school counselor should be knowledgeable about how a diagnosis may impact performance in school. Career choices is covered in 3.”</i></p> <p>Comment: “<i>Very comprehensive and diverse.</i>”</p>
<p>(c) Standard II. Learner-Centered Skills: The certified school counselor applies the knowledge base to promote the educational, personal, social, and career development of the learner. The certified school counselor must:</p> <ol style="list-style-type: none"> (1) develop processes and procedures for planning, designing, implementing, and evaluating a developmental guidance and counseling program; (2) provide a proactive, developmental guidance program based on the needs of students; (3) counsel individuals and small groups using appropriate counseling theories and techniques in response to students' needs; (4) consult with parents/guardians, teachers, administrators, and other individuals as appropriate to enhance their work with students; (5) coordinate resources for students within the school and community; (6) demonstrate proficiency in teaching small and large groups by actively engaging students in the learning process; (7) participate in the selection, use, and interpretation of assessments and assessment results; (8) use varied sources of information about students for assessment purposes; (9) use counseling-related research techniques and practices to address student needs; and (10) advocate for a developmental guidance and counseling program that is responsive to all students. 	<p>How satisfied are you with this rule text as currently presented? Very <u> 3 </u> Somewhat <u> 6 </u> Not at all <u> 1 </u></p> <p>Comment/Revision:</p> <p><i>reverse order of “personal, social, and career” to “career, personal, and social” development of the learner</i></p> <ol style="list-style-type: none"> (1) <i>Add “develop processes and procedures for planning, designing, implementing, and evaluating a comprehensive school counseling program (move to standard III)</i> (2) <i>Add “provide a proactive, comprehensive developmental school counseling program based on the needs of students, as set forth in the Texas Model Guide for Comprehensive School Counseling Programs (merged with TCA)</i> (5) <i>Add “coordinate resources, referrals, and follow-up procedures for students within the school and community”</i> (8) <i>Add “use multiple sets of information and data to make decisions about students, programs, and services”</i> (9) <i>Add “use counseling-related research, techniques, and evidence-based practices to address student needs”</i> (10) <i>Add “advocate for a comprehensive school counseling program that is responsive to all students”</i> <p>Suggested new:</p> <ol style="list-style-type: none"> (11) <i>“Develop processes and procedures for implementation of the state model’s conceptual cube: domains, service delivery components, developmental stages, and student competency areas</i> (12) <i>“Collaborate with others in the school and community to implement a guidance curriculum</i>

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Rule Text	Feedback
	<p><i>that promotes learners’ development in all domains, including cognitive, behavioral, and emotional areas (moved from standard III)</i></p> <p><i>(13) “Facilitate learners’ ability to achieve their potential by helping them set and attain challenging educational, career, personal, and social goals based on various types of information (moved from standard III)</i></p> <p><i>(14) “Use both preventive, crisis, and intervention strategies to address the concerns of learners and to help them understanding decision making processes like clarify problems and situations, set goals, explore options, and implement change (move from standard III)</i></p> <p><i>(15) “Implement effective referral procedures for learners to facilitate the use of special programs and services”</i></p> <p><i>(16) “Act as a consultant and/or coordinator to help learners achieve success inside and outside of school (moved from standard III)</i></p> <p><i>(17) “Maintain proficiency in counseling and campus-related technology (TCA)</i></p> <p><i>Suggested revision for (1) – develop processes and procedures for planning, designing, implementing, and evaluating a comprehensive, developmental school counseling program</i></p> <p><i>Comment: “The categories of “educational, personal, social, and career development of the learner” should be adjusted to state “academic, social, emotional, and career development of the learner” to match the current trends of social/emotional learning as well as match ASCA and TEA language. Does (2) mean a guidance program – as in lessons? If so, it’s sufficient as written; however, if it means a comprehensive counseling program to include responsive services and individual planning, it should state “comprehensive counseling program” which inherent in its name would include a guidance program. (10) states, “advocate for a developmental guidance and counseling program that is responsive to all students;” but again, should state “advocate for a comprehensive counseling program that is responsive to all students” to follow ASCA and TEA language. Again as stated above, we are school counselors. Please take out the “guidance” language in any place that is discussing the comprehensive</i></p>

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Rule Text	Feedback
	<p><i>program. The “guidance” terminology is appropriate when speaking of the TEA component related to guidance lessons.</i></p> <p><i>Suggestion to revise (2) to read: “provide a proactive, guidance curriculum based on the developmental needs of students;”</i></p> <p><i>Comment: “These are essential for any successful counseling program.”</i></p> <p><i>Suggestion to revise c to read: “The certified school counselor applies the knowledge base to promote the educational, personal, social, and career development of the learner as outlined in the Texas Model for Comprehensive School Counseling Programs. The certified school counselor must:”</i></p> <p><i>Comment: “Skills seem to tie into knowledge needed in (b).”</i></p>
<p>(d) Standard III. Learner-Centered Process: The certified school counselor participates in the development, monitoring, and evaluation of a developmental school guidance and counseling program that promotes learners' knowledge, skills, motivation, and personal growth. The certified school counselor must:</p> <p>(1) collaborate with others in the school and community to implement a guidance curriculum that promotes learners' development in all domains, including cognitive, social, and emotional areas;</p> <p>(2) facilitate learners' ability to achieve their potential by helping them set and attain challenging educational, career, and personal/social goals based on various types of information;</p> <p>(3) use both preventive and intervening strategies to address the concerns of learners and to help them clarify problems and situations, set goals, explore options, and implement change;</p> <p>(4) implement effective referral procedures to facilitate the use of special programs and services; and</p>	<p>How satisfied are you with this rule text as currently presented? Very <u>4</u> Somewhat <u>5</u> Not at all <u>1</u></p> <p>Comment/Revision:</p> <p><i>Suggestion to revise standard to read: “The certified school counselor participates in the development, monitoring, revision, and evaluation of a comprehensive school counseling program. The certified school counselor must:”</i></p> <p><i>Suggested new text:</i></p> <p>(1) <i>“Develop processes for planning, designing, implementing, revising, and evaluating a comprehensive school counseling program (moved to standard II)</i></p> <p>(2) <i>“Develop procedures for program management and system support”</i></p> <p>(3) <i>“Advocates for a comprehensive school counseling program and recognizes the required time commitment to fully apply the program implementation cycle</i></p> <p>(4) <i>“Creates a program mission, goal, and services in alignment with the school mission and campus improvement plan</i></p>

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<p>(5) act as a consultant and/or coordinator to help learners achieve success inside and outside of school.</p>	<p>(5) <i>“Creates and disseminates literature or newsletters to all stakeholders that describe the comprehensive school counseling program and reduces negative stigmas associated with receiving counseling services in a school-based program”</i></p> <p>(6) <i>“Establish an advisory council or board with membership of all stakeholders (student, parent, teacher, administrator, community member, other personnel, and support specialists)”</i></p> <p>(7) <i>“Demonstrates program accountability through needs assessments, the aggregation and disaggregation of all forms of data, and through evaluation to effectively conduct annual comprehensive school counseling program audits with measurable approaches</i></p> <p>(8) <i>“Understands how to conceptualize and interpret campus data, along with integrating research and statistics to use as a basis for implementation, revision, discontinuation, or creation of programs and services”</i></p> <p>(9) <i>“Increase public relation and awareness through community outreach, such as fundraising, grant writing, donations, volunteerism, local businesses, and use of public or guest speakers</i></p> <p>(10) <i>“Provide school-wide professional development and parent workshops throughout the school year”</i></p> <p>(11) <i>“Supports participating in fair-share responsibilities versus non-counseling related duties”</i></p> <p>(12) <i>“Knows district, state, and federal initiatives that are to be reflected in a comprehensive school counseling program”</i></p> <p><i>Question about (4) – “Is this addressing programs like SPED, 504, or RTI? If so, wouldn’t you have to follow your district’s procedures?”</i></p> <p><i>Comment: “Please change the language to state “developmental comprehensive school counseling program” and take out the guidance and counseling as guidance is inherent in a comprehensive program as it is a component of the TEA model. We also need to look at each area of this – there is confusing language regarding educational versus cognitive, and personal/social versus social/emotional and career. Please specifically look at the differences listed in (1) and (2). (4) Should have added referral procedures for</i></p>

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	<p><i>special programs, services, and “outside counseling services.”</i></p> <p><i>Comment: “In order to best serve all students, each of these is necessary.”</i></p>
<p>(e) Standard IV. Learner-Centered Equity and Excellence for All Learners: The certified school counselor promotes academic success for all learners by acknowledging, respecting, and responding to diversity while building on similarities that bond all people. The certified school counselor must:</p> <ol style="list-style-type: none"> (1) understand learner differences, including those related to cultural background, gender, ethnicity, and learning styles, and know ways to create and maintain a positive school environment that is responsive to all learners; (2) advocate for a school environment in which diversity is acknowledged and respected, resulting in positive interactions across cultures; and (3) facilitate learning and achievement for all students, including special populations, by promoting a cooperative, inclusive, and purposeful learning environment. 	<p>How satisfied are you with this rule text as currently presented? Very <u>5</u> Somewhat <u>5</u> Not at all _____</p> <p>Comment/Revision:</p> <p><i>Add “accepting” after “respecting” in standards text</i></p> <p>Suggested new:</p> <ol style="list-style-type: none"> (1) <i>“Take a positive, strength-based approach that builds on commonalities versus differences in all learners”</i> (2) <i>“Understand how environment, behavior, and style of life may impact or influence individual learners”</i> (3) <i>“Ensure equitable access to programs and services for all students”</i> (4) <i>“Understands how family values, layering identities, group membership, preferences, and culture intersect”</i> (5) <i>“Acknowledge learners gifts, strengths, extra-curricular talents, and musical inclinations when considering programs and services</i> (6) <i>“Increase students awareness and include their voice regarding educational and individualized plans”</i> <p>Suggested revision to (1) to read: <i>“understand learner differences, including those related to cultural background, gender, gender identity, race, ethnicity, socio-economic levels, academic ability, and learning styles, and know ways to create and maintain a positive school environment that is responsive to all learners;”</i></p> <p>Comment: <i>“(2) Should be revised to include the language to include “positive interactions across all cultures, genders, ethnicities, and learning styles” to echo the language written in (1) to show not just an “understanding” but that school counselors will advocate for all of these groups as well.”</i></p> <p>Comment: <i>“I am aware that universities have a socio-cultural class and even a human</i></p>

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Rule Text	Feedback
	<p><i>development course for school counselors; however, I am concerned that special populations such as special education students and gifted students' needs are not addressed enough. A great deal of focus is on multicultural issues and that is infused into almost all courses, but these two populations need more attention as well.</i></p> <p>Comment: <i>“(2) diversity includes more than just cultures. The line “across cultures” could be removed.”</i></p>
<p>(f) Standard V. Learner-Centered Communications: The certified school counselor, an advocate for all students and the school, demonstrates effective professional and interpersonal communication skills. The certified school counselor must:</p> <ol style="list-style-type: none"> (1) demonstrate effective communication through oral, written, and nonverbal expression; (2) use knowledge of group dynamics and productive group interaction; (3) support responsive interventions by effectively communicating with parents/guardians, teachers, administrators, and community members; (4) facilitate learners' access to community resources; (5) develop and implement strategies for effective internal and external communications; (6) facilitate parent/guardian involvement in their children's education; (7) develop partnerships with parents/guardians, businesses, and other groups in the community to facilitate learning; and (8) work effectively as a team member to promote positive change for individuals, groups, and the school community. 	<p>How satisfied are you with this rule text as currently presented? Very <u>7</u> Somewhat <u>3</u> Not at all _____</p> <p>Comment/Revision:</p> <p>Suggest new:</p> <ol style="list-style-type: none"> (1) <i>“Take a positive, strength-based approach that verbalizes commonalities versus differences in all learners”</i> (2) <i>“Effectively communicate their roles and responsibility and counselor identity to all stakeholders to reduce confusion about the duties of a school counselor”</i> (3) <i>“Maintain ethical and legal considerations around appropriate use of technology and email, documentation, record-keeping, privileged communication, and informed consent processes”</i> <p>Comment: <i>“I am in total agreement.”</i></p> <p>Comment: <i>“Feel like there should be inclusion of technology here as that is primary means of communication for many interactions.”</i></p>
<p>(g) Standard VI. Learner-Centered Professional Development: The certified school counselor continues professional development, demonstrating a commitment to learn, to</p>	<p>How satisfied are you with this rule text as currently presented? Very <u>5</u> Somewhat <u>5</u> Not at all _____</p>

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Rule Text	Feedback
<p>improve the profession, and to model professional ethics and personal integrity. The certified school counselor must:</p> <ol style="list-style-type: none"> (1) use reflection, self-assessment, and interactions with colleagues to promote personal professional development; (2) use counseling-related research techniques and practices as well as technology and other resources to facilitate continued professional growth; (3) strive toward the highest level of professionalism by adhering to and modeling professional, ethical, and legal standards; (4) apply research-based practice to improve the school guidance and counseling program; and (5) continue professional development to improve the school guidance and counseling program. 	<p>Comment/Revision:</p> <p>(1) Add “use reflection, self-assessment, feedback, and interactions with colleagues to promote personal professional development”</p> <p>(4) Suggestion to delete</p> <p>(5) Add “continue professional development to improve the comprehensive school counseling program”</p> <p>Newly proposed text:</p> <ol style="list-style-type: none"> (1) “Seek professional training, development, and areas of specialization to fulfill continuing education requirements” (2) “Maintain ethical and legal considerations that outline responsibilities to students, parents, self, colleagues, school and community” (3) “Maintain membership to professional organizations in the field of counseling” <p>Comment: “(5) Should be changed to reflect ASCA and TEA language of a “comprehensive school counseling program.” I also feel like we should consider putting specificity in the language regarding how often a school counselor should “continue professional development.” Consider adding “yearly” so we are growing as professionals.</p> <p>Suggestion to strike the word “guidance” from (4) and (5)</p>

§239.20. Requirements for the Issuance of the Standard School Counselor Certificate.

Rule Text	Feedback
<p>To be eligible to receive the standard School Counselor Certificate, a candidate must:</p> <ol style="list-style-type: none"> (1) successfully complete a school counselor preparation program that meets the requirements of §239.10 of this title (relating to Preparation Program Requirements) and §239.15 of this title (relating to Standards Required for the School Counselor Certificate); (2) successfully complete the examination based on the standards identified in §239.15 of this title; 	<p>How satisfied are you with this rule text as currently presented? Very <u>8</u> Somewhat <u>1</u> Not at all <u>1</u></p> <p>Comment/Revision:</p> <p>Add provisions for Out-of-State School Counselor with experience coming from state that do not require School Counselors to having teaching experience</p>

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Rule Text	Feedback
<p>(3) hold, at a minimum, a master's degree from an accredited institution of higher education that at the time was accredited or otherwise approved by an accrediting organization recognized by the Texas Higher Education Coordinating Board; and</p> <p>(4) have two creditable years of teaching experience as a classroom teacher, as defined in Chapter 153, Subchapter CC, of this title (relating to Commissioner's Rules on Creditable Years of Service) and the Texas Education Code, §5.001(2).</p>	<p><i>(3) Add “48 hour master’s degree in counseling”</i></p> <p><i>Comment: “The teaching aspect is an important piece of this, please do NOT take it away. Is this an appropriate place to list what those students who are coming outside the state of Texas must do to have a certificate in Texas? I am not sure where that language should be.”</i></p> <p><i>Comment: (3) “hold, at a minimum, a 48-hour master’s degree in counseling from an accredited institution of higher education that at the time was accredited or otherwise approved by an accrediting organization recognized by the Texas Higher Education Coordinating Board; and (4) have either two creditable years of teaching experience as a classroom teacher, as defined in Chapter 153, Subchapter CC, of this title (relating to Commissioner’s Rules on Creditable Years of Service) and the Texas Education Code, §5.001(2) or graduate from a program accredited by the Council for the Accreditation of Counseling and Related Educational Programs (CACREP)</i></p> <p><i>Comment: The reason I most often hear for requiring two years of teaching experience is to help future counselors familiarize themselves with school settings and situations. Since Texas only requires 150 hours of practicum, this has some merit. CACREP program graduates, however, must earn a minimum of 700 clock hours of practicum and internship. They engage in a 60 credit-hour program and must also explicitly study how systems work. These stipulations require those graduates to become fully immersed in school culture for an extended period of time. The current CACREP standards are included as a separate document. General academic requirements are on pages 9-15. School counseling specific requirements are on pages 32-33.</i></p> <p><i>Comment: “A great deal of discussion has taken place the last few years concerning the two years teaching experience. As a school counselor educator, I firmly believe this experience</i></p>

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Rule Text	Feedback
	<p><i>is essential. More experienced teachers make the best school counselors in my experience.”</i></p> <p>Comment: <i>“I believe all of these requirements are necessary, and that the 2 years of teaching better enable the school counselor to navigate the educational setting and allow them to better serve their student clients.”</i></p> <p>Comment: <i>“Pretty consistent with current requirements.”</i></p>

§239.25. Requirements to Renew the Standard School Counselor Certificate.

Rule Text	Feedback
<p>(a) An individual issued a standard counselor certificate under this title from September 1, 1999, to August 31, 2000, is subject to Chapter 232, Subchapter B, of this title (relating to Certificate Renewal and Continuing Professional Education Requirements), except that only 150 clock-hours of continuing professional education must be completed during the first five-year renewal period. During subsequent renewal periods, the holder of such an active standard counselor certificate must satisfy the most current requirements for renewal.</p>	<p>How satisfied are you with this rule text as currently presented? Very <u>9</u> Somewhat _____ Not at all <u>1</u>_____</p> <p>Comment/Revision:</p> <p>Suggested revision: <i>“An individual issued a standard counselor certificate under this title must complete 24 clock-hours of continuing education related to the practice of counseling during each 24 month period. A clock-hour shall be 60 minutes of attendance and participation in an acceptable continuing education experience.”</i></p> <p>Comment: <i>“Decreasing the number of years to complete continuing education requirements will help encourage more continuous learning rather than waiting until just before certification renewal.”</i></p> <p>Comment: <i>“It seems that §232.810 no longer exists in the current Texas Administrative Code.”</i></p> <p>Comment: <i>“Such continuing education requirements facilitate the professional growth of better counselors and promote a higher level of student success, emotionally, socially, and academically.”</i></p>
<p>(b) An individual issued the standard School Counselor Certificate on or after September 1, 2000, is subject to Chapter 232, Subchapter B, of this title.</p>	<p>How satisfied are you with this rule text as currently presented? Very <u>10</u> Somewhat _____ Not at all _____</p> <p>Comment/Revision:</p>

§239.25. Requirements to Renew the Standard School Counselor Certificate.

Rule Text	Feedback
<p>(c) An individual who holds a valid Texas counselor certificate issued prior to September 1, 1999, may voluntarily comply with the requirements of this section under procedures implemented by the Texas Education Agency staff under §232.810 of this title (relating to Voluntary Renewal of Current Texas Educators).</p>	<p>How satisfied are you with this rule text as currently presented? Very <u>8</u> Somewhat _____ Not at all <u>2</u></p> <p>Comment/Revision:</p> <p>Add <i>“An individual holding a standard counselor certificate and/or a standard school counselor certificate in addition to the requirements set forth in chapter 232, subchapter b of this title (relating to certificate renewal and continuing education professional requirements) shall complete and document a minimum of 20 hours of continuing education within 24 months of their date of renewal, including no less than 4 hours of continuing education in ethics. (TCA)</i></p> <p>Comment: <i>“Other than a date change, this rule is sufficient as written.”</i></p> <p>Comment: <i>“While professional growth is important for school counselors who have less experience, it has been my experience that those with more experience get such training through their educational service centers, their school districts, and also many choose to go to the state counseling conferences.”</i></p>

§239.30. Transition and Implementation Dates.

Rule Text	Feedback
<p>(a) Section 239.20 of this title (relating to Requirements for the Issuance of the Standard School Counselor Certificate) shall be implemented September 1, 2002, and shall supersede all conflicting provisions in this title on September 1, 2003. All other sections of this subchapter shall take effect pursuant to the Texas Government Code, §2001.036.</p>	<p>How satisfied are you with this rule text as currently presented? Very <u>8</u> Somewhat _____ Not at all <u>2</u></p> <p>Comment/Revision:</p> <p>Suggestion: <i>delete current text and replace with “Section 239.10 as amended by these rules will apply only to students entering educator preparation programs for school counselor certification after (committee should decide a date). TCA recommended 2019; I recommend January of 2018.”</i></p> <p>Comment: <i>“The sections in this subchapter shall take effect on September 1, 2018, unless otherwise specified.”</i></p> <p>Suggestion to also add <i>“The continuing education requirement set forth in Section 239.25 as amended by</i></p>

§239.30. Transition and Implementation Dates.

Rule Text	Feedback
	<i>these rules will apply only for renewals due on or after August 2018</i>
<p>(b) Not later than September 1, 2003, the following provisions shall no longer apply to the School Counselor Certificate:</p> <p>(1) Section 245.5(a)(2) of this title (relating to Requirements for Issuance of a Texas Certificate Based on Certification from Another Country), as it existed on May 5, 2000; and</p> <p>(2) the "teaching practicum" requirement in §245.10(a)(2)(B) of this title (relating to Application Procedures), as it existed on May 5, 2000.</p>	<p>How satisfied are you with this rule text as currently presented? Very <u>5</u> Somewhat <u>3</u> Not at all <u>1</u></p> <p>Comment/Revision: 1 responder commented "Not Sure"</p> <p><i>Suggestion to delete all text</i></p> <p>Comment: "What is meant by the teaching practicum?"</p> <p>Comment: "This section is no longer relevant."</p> <p>Comment: "This is over ten years ago. Is it still an issue?"</p>

ATTACHMENT III

**Advisory Committee Feedback on 19 TAC Chapter 239, Student Services Certificates,
Subchapter C, Educational Diagnostician Certificate**

§239.80. General Provisions.

Rule Text	Feedback
<p>(a) Because the educational diagnostician plays a critical role in campus effectiveness and student achievement, the rules adopted by the State Board for Educator Certification in this subchapter ensure that each candidate for the Educational Diagnostician Certificate is of the highest caliber and possesses the knowledge and skills necessary to improve the performance of the diverse student population of this state.</p>	<p>How satisfied are you with this rule text as currently presented? Very <u>4</u> Somewhat _____ Not at all _____</p> <p>Comment/Revision:</p>
<p>(b) An individual serving as an educational diagnostician is expected to actively participate in professional development activities to continually update his or her knowledge and skills. Currency in best practices and research as related to both campus leadership and student learning is essential.</p>	<p>How satisfied are you with this rule text as currently presented? Very <u>3</u> Somewhat <u>1</u> Not at all _____</p> <p>Comment/Revision:</p> <p>Comment: <i>“Not all diagnosticians are in a position of leadership and few keep up with leadership best practices as I would define them (in line with administration since administration is leadership on most campuses). Clarification or deletion of leadership?”</i></p>
<p>(c) The holder of the Educational Diagnostician Certificate issued under the provisions of this subchapter may serve as an educational diagnostician, including providing educational assessment and evaluation, as required by the Individuals with Disabilities Education Act (IDEA) or other applicable law, for students from Early Childhood-Grade 12.</p>	<p>How satisfied are you with this rule text as currently presented? Very <u>1</u> Somewhat <u>2</u> Not at all <u>1</u></p> <p>Comment/Revision:</p> <p>Comment: <i>“We are trained to give educational assessments from Birth to Adulthood. I would like to see this changed to include this age range.”</i></p> <p>Comment: <i>“Would recommend Birth-Adulthood. We are trained in administration and cognitive instruments that evaluate birth-90.”</i></p> <p>Comment: <i>“Under new state provision, students are allowed to graduate and still receive services, therefore diagnosticians are serving students beyond grade 12. Grade 12 limits the diagnostician’s ability</i></p>

§239.80. General Provisions.

Rule Text	Feedback
	<p><i>to serve students who graduate and still need services both in public schools and in higher education settings.”</i></p> <p><i>Comment: “IDEA parts B and C allow us to provide services to students birth through 21. I strongly feel that this should be reflected in the certification, as it is not uncommon for a diagnostician to be called on to test students who are PK yet and/or who are still receiving services through the public school setting even after grade 12.”</i></p>

§239.81. Minimum Requirements for Admission to an Educational Diagnostician Preparation Program.

Rule Text	Feedback
<p>(a) Prior to admission to an educator preparation program leading to the Educational Diagnostician Certificate, an individual must:</p> <p>(1) hold a baccalaureate degree from an accredited institution of higher education that at the time was accredited or otherwise approved by an accrediting organization recognized by the Texas Higher Education Coordinating Board;</p> <p>(2) hold a valid classroom teaching certificate; and</p> <p>(3) meet the requirements for admission to an educator preparation program under Chapter 227 of this title (relating to Provisions for Educator Preparation Candidates).</p>	<p>How satisfied are you with this rule text as currently presented? Very <u>4</u> Somewhat _____ Not at all _____</p> <p>Comment/Revision:</p>
<p>(b) An educator preparation program may adopt requirements for admission in addition to those required in subsection (a) of this section.</p>	<p>How satisfied are you with this rule text as currently presented? Very <u>4</u> Somewhat _____ Not at all _____</p> <p>Comment/Revision:</p>

§239.82. Preparation Program Requirements.

Rule Text	Feedback
(a) Structured, field-based training must be	How satisfied are you with this rule text as currently

§239.82. Preparation Program Requirements.

Rule Text	Feedback
<p>focused on actual experiences with each of the standards identified in §239.83 of this title (relating to Standards Required for the Educational Diagnostician Certificate) to include experiences with diverse types of students, grade levels, and campuses.</p>	<p>presented? Very <u>4</u> Somewhat _____ Not at all _____</p> <p>Comment/Revision:</p>
<p>(b) An educator preparation program must develop and implement specific criteria and procedures that allow a candidate to substitute related professional educational diagnostician training and/or experience directly related to the standards identified in §239.83 of this title for part of the preparation coursework or other program requirements.</p>	<p>How satisfied are you with this rule text as currently presented? Very <u>2</u> Somewhat <u>2</u> Not at all _____</p> <p>Comment/Revision:</p> <p>Comment: <i>“As long as the person determining the substituted course is knowledgeable in the arena.”</i></p> <p>Comment: <i>“Would like to see specific examples listed here. “experience directly related to the standards identified in 239.83, such as ...”</i></p> <p>Comment: <i>“This should be left up to the educator training program as a may not a must”</i></p>

§239.83. Standards Required for the Educational Diagnostician Certificate.

Rule Text	Feedback
<p>(a) Educational Diagnostician Certificate Standards. The knowledge and skills identified in this section must be used by an educator preparation program in the development of curricula and coursework and by the State Board for Educator Certification as the basis for developing the examination required to obtain the standard Educational Diagnostician Certificate. The standards also serve as the foundation for the professional growth plan and continuing professional education activities required by §239.85 of this title (relating to Requirements to Renew the Standard Educational Diagnostician Certificate).</p>	<p>How satisfied are you with this rule text as currently presented? Very <u>4</u> Somewhat _____ Not at all _____</p> <p>Comment/Revision:</p>
<p>(b) Standard I. The educational diagnostician understands and applies knowledge of the purpose, philosophy, and legal foundations of evaluation and special education.</p> <p>(1) The beginning educational diagnostician knows and understands:</p> <p>(A) state and federal regulations relevant to</p>	<p>How satisfied are you with this rule text as currently presented? Very <u>4</u> Somewhat _____ Not at all _____</p> <p>Comment/Revision:</p>

§239.83. Standards Required for the Educational Diagnostician Certificate.

Rule Text	Feedback
<p>the role of the educational diagnostician;</p> <p>(B) laws and legal issues related to the assessment and evaluation of individuals with educational needs;</p> <p>(C) models, theories, and philosophies that provide the basis for special education evaluations;</p> <p>(D) issues, assurances, and due process rights related to evaluation, eligibility, and placement within a continuum of services; and</p> <p>(E) rights and responsibilities of parents/guardians, schools, students, and teachers and other professionals in relation to individual learning needs.</p> <p>(2) The beginning educational diagnostician is able to:</p> <p>(A) articulate the purpose of evaluation procedures and their relationship to educational programming; and</p> <p>(B) conduct evaluations and other professional activities consistent with the requirements of laws, rules and regulations, and local district policies and procedures.</p>	<p><i>Comment: "Satisfied with the rule text, just unsure why it says beginning diagnostician."</i></p>
<p>(c) Standard II. The educational diagnostician understands and applies knowledge of ethical and professional practices, roles, and responsibilities.</p> <p>(1) The beginning educational diagnostician knows and understands:</p> <p>(A) ethical practices regarding procedural safeguards (e.g., confidentiality issues, informed consent) for individuals with disabilities;</p> <p>(B) ethical practices related to assessment and evaluation;</p> <p>(C) qualifications necessary to administer and interpret various instruments and procedures; and</p>	<p>How satisfied are you with this rule text as currently presented? Very <u>4</u> Somewhat _____ Not at all _____</p> <p>Comment/Revision:</p> <p><i>Comment: "Again, why only a beginning diagnostician, should it not just be educational diagnostician?"</i></p>

§239.83. Standards Required for the Educational Diagnostician Certificate.

Rule Text	Feedback
<p>(D) organizations and publications relevant to the field of educational diagnosis.</p> <p>(2) The beginning educational diagnostician is able to:</p> <p>(A) demonstrate commitment to developing quality educational opportunities appropriate for individuals with disabilities;</p> <p>(B) demonstrate positive regard for the culture, gender, and personal beliefs of individual students;</p> <p>(C) promote and maintain a high level of competence and integrity in the practice of the profession;</p> <p>(D) exercise objective professional judgment in the practice of the profession;</p> <p>(E) engage in professional activities that benefit individuals with exceptional learning needs, their families, and/or colleagues;</p> <p>(F) comply with local, state, and federal monitoring and evaluation requirements;</p> <p>(G) use copyrighted educational materials in an ethical manner; and</p> <p>(H) participate in the activities of professional organizations in the field of educational diagnosis.</p>	
<p>(d) Standard III. The educational diagnostician develops collaborative relationships with families, educators, the school, the community, outside agencies, and related service personnel.</p> <p>(1) The beginning educational diagnostician knows and understands:</p> <p>(A) strategies for promoting effective communication and collaboration with others, including parents/guardians and school and community personnel, in a culturally responsive manner;</p> <p>(B) concerns of parents/guardians of individuals with exceptional learning</p>	<p>How satisfied are you with this rule text as currently presented?</p> <p>Very <u>4</u></p> <p>Somewhat _____</p> <p>Not at all _____</p> <p>Comment/Revision:</p> <p>Comment: "Same: beginning educational diagnostician"</p>

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Rule Text	Feedback
<p>needs and appropriate strategies to help parents/guardians address these concerns;</p> <p>(C) strategies for developing educational programs for individuals through collaboration with team members;</p> <p>(D) roles of individuals with disabilities, parents/caregivers, teachers, and other school and community personnel in planning educational programs for individuals; and</p> <p>(E) family systems and the role of families in supporting student development and educational progress.</p> <p>(2) The beginning educational diagnostician is able to:</p> <p>(A) use collaborative strategies in working with individuals with disabilities, parents/caregivers, and school and community personnel in various learning environments;</p> <p>(B) communicate and consult effectively with individuals, parents/guardians, teachers, and other school and community personnel;</p> <p>(C) foster respectful and beneficial relationships between families and education professionals;</p> <p>(D) encourage and assist individuals with disabilities and their families to become active participants in the educational team;</p> <p>(E) plan and conduct collaborative conferences with individuals who have exceptional learning needs and their families or primary caregivers;</p> <p>(F) collaborate with classroom teachers and other school and community personnel in including individuals with exceptional learning needs in various learning environments;</p> <p>(G) communicate with classroom teachers, administrators, and other school personnel about characteristics and needs of individuals with disabilities;</p>	

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<p>(H) use appropriate communication skills to report and interpret assessment and evaluation results;</p> <p>(I) provide assistance to others who collect informal and observational data;</p> <p>(J) effectively communicate to parents/guardians and professionals the purposes, methods, findings, and implications of assessments; and</p> <p>(K) keep accurate and detailed records of assessments, evaluations, and related proceedings (e.g., admission, review, and dismissal/individualized education program (ARD/IEP) meetings, parent/guardian communications and notifications).</p>	
<p>(e) Standard IV. The educational diagnostician understands and applies knowledge of student assessment and evaluation, program planning, and instructional decision making.</p> <p>(1) The beginning educational diagnostician knows and understands:</p> <p>(A) the characteristics, needs, and rights of individual students in relation to assessment and evaluation for placement within a continuum of services;</p> <p>(B) the relationship between evaluation and placement decisions; and</p> <p>(C) the role of team members, including the student when appropriate, in planning an individualized program.</p> <p>(2) The beginning educational diagnostician is able to:</p> <p>(A) use assessment and evaluation information to plan individualized programs and make instructional decisions that result in appropriate services for individuals with disabilities, including those from culturally and/or linguistically diverse backgrounds;</p>	<p>How satisfied are you with this rule text as currently presented? Very <u>4</u> Somewhat _____ Not at all _____</p> <p>Comment/Revision:</p>

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Rule Text	Feedback
<p>(B) interpret and use assessment and evaluation data for targeted instruction and ongoing review; and</p> <p>(C) assist in identifying realistic expectations for educationally relevant behavior (e.g., vocational, functional, academic, social) in various settings.</p>	
<p>(f) Standard V. The educational diagnostician knows eligibility criteria and procedures for identifying students with disabilities and determining the presence of an educational need.</p> <p>(1) The beginning educational diagnostician knows and understands:</p> <p>(A) characteristics of individuals with disabilities, including those with different levels of severity and with multiple disabilities;</p> <p>(B) educational implications of various disabilities; and</p> <p>(C) the variation in ability exhibited by individuals with particular types of disabilities.</p> <p>(2) The beginning educational diagnostician is able to:</p> <p>(A) access information on the cognitive, communicative, physical, social, and emotional characteristics of individuals with disabilities;</p> <p>(B) gather background information regarding the academic, medical, and family history of individuals with disabilities; and</p> <p>(C) use various types of assessment and evaluation procedures appropriately to identify students with disabilities and to determine the presence of an educational need.</p>	<p>How satisfied are you with this rule text as currently presented? Very <u>3</u> Somewhat <u>1</u> Not at all _____</p> <p>Comment/Revision:</p> <p>Comment: “2a should include assistive technology needs of the student.”</p>

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Rule Text	Feedback
<p>(g) Standard VI. The educational diagnostician selects, administers, and interprets appropriate formal and informal assessments and evaluations.</p> <p>(1) The beginning educational diagnostician knows and understands:</p> <p>(A) basic terminology used in assessment and evaluation;</p> <p>(B) standards for test reliability;</p> <p>(C) standards for test validity;</p> <p>(D) procedures used in standardizing assessment instruments;</p> <p>(E) possible sources of test error;</p> <p>(F) the meaning and use of basic statistical concepts used in assessment and evaluation (e.g., standard error of measurement, mean, standard deviation);</p> <p>(G) uses and limitations of each type of assessment instrument;</p> <p>(H) uses and limitations of various types of assessment data;</p> <p>(I) procedures for screening, prereferral, referral, and eligibility;</p> <p>(J) the appropriate application and interpretation of derived scores (e.g., standard scores, percentile ranks, age and grade equivalents, stanines);</p> <p>(K) the necessity of monitoring the progress of individuals with disabilities;</p> <p>(L) methods of academic and nonacademic (e.g., vocational, developmental, assistive technology) assessment and evaluation; and</p> <p>(M) methods of motor skills assessment.</p> <p>(2) The beginning educational diagnostician is able to:</p> <p>(A) collaborate with families and other professionals in the assessment and evaluation of individuals with disabilities;</p>	<p>How satisfied are you with this rule text as currently presented?</p> <p>Very <u>3</u></p> <p>Somewhat <u>1</u></p> <p>Not at all _____</p> <p>Comment/Revision:</p> <p>Comment: “Response to intervention should be included within (g)(1)”</p>

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Rule Text	Feedback
(B) select and use assessment and evaluation materials based on technical quality and individual student needs;	
(C) score assessment and evaluation instruments accurately;	
(D) create and maintain assessment reports;	
(E) select or modify assessment procedures to ensure nonbiased results;	
(F) use a variety of observation techniques;	
(G) assess and interpret information using formal/informal instruments and procedures in the areas of cognitive/adaptive behavior and academic skills;	
(H) determine the need for further assessment in the areas of language skills, physical skills, social/emotional behavior, and assistive technology;	
(I) determine a student's needs in various curricular areas, and make intervention, instructional, and transition planning recommendations based on assessment and evaluation results;	
(J) make recommendations based on assessment and evaluation results;	
(K) prepare assessment reports; and	
(L) use performance data and information from teachers, other professionals, individuals with disabilities, and parents/guardians to make or suggest appropriate modifications and/or accommodations within learning environments.	

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<p>(h) Standard VII. The educational diagnostician understands and applies knowledge of ethnic, linguistic, cultural, and socioeconomic diversity and the significance of student diversity for evaluation, planning, and instruction.</p> <p>(1) The beginning educational diagnostician knows and understands:</p> <p>(A) issues related to definition and identification procedures for individuals with disabilities, including individuals from culturally and/or linguistically diverse backgrounds;</p> <p>(B) characteristics and effects of the cultural and environmental backgrounds of students and their families, including cultural and linguistic diversity, socioeconomic diversity, abuse/neglect, and substance abuse;</p> <p>(C) issues related to the representation in special education of populations that are culturally and linguistically diverse;</p> <p>(D) ways in which diversity may affect evaluation; and</p> <p>(E) strategies that are responsive to the diverse backgrounds and particular disabilities of individuals in relation to evaluation, programming, and placement.</p> <p>(2) The beginning educational diagnostician is able to:</p> <p>(A) apply knowledge of cultural and linguistic factors to make appropriate evaluation decisions and instructional recommendations for individuals with disabilities; and</p> <p>(B) recognize how student diversity and particular disabilities may affect evaluation, programming, and placement, and use procedures that ensure nonbiased results.</p>	<p>How satisfied are you with this rule text as currently presented? Very <u>4</u> Somewhat _____ Not at all _____</p> <p>Comment/Revision:</p>
<p>(i) Standard VIII. The educational diagnostician knows and demonstrates skills necessary for scheduling, time</p>	<p>How satisfied are you with this rule text as currently presented? Very <u>4</u></p>

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Rule Text	Feedback
<p>management, and organization.</p> <p>(1) The beginning educational diagnostician knows and understands:</p> <p>(A) time-management strategies and systems appropriate for various educational situations and environments;</p> <p>(B) legal and regulatory timelines, schedules, deadlines, and reporting requirements; and</p> <p>(C) methods for organizing, maintaining, accessing, and storing records and information.</p> <p>(2) The beginning educational diagnostician is able to:</p> <p>(A) select, adapt, or design forms to facilitate planning, scheduling, and time management;</p> <p>(B) maintain eligibility folders; and</p> <p>(C) use technology appropriately to organize information and schedules.</p>	<p>Somewhat ____</p> <p>Not at all _____</p> <p>Comment/Revision:</p>
<p>(j) Standard IX. The educational diagnostician addresses students' behavioral and social interaction skills through appropriate assessment, evaluation, planning, and instructional strategies.</p> <p>(1) The beginning educational diagnostician knows and understands:</p> <p>(A) requirements and procedures for functional behavioral assessment, manifestation determination review, and behavioral intervention plans;</p> <p>(B) applicable laws, rules and regulations, and procedural safeguards regarding the planning and implementation of behavioral intervention plans for individuals with disabilities;</p> <p>(C) ethical considerations inherent in behavior interventions;</p> <p>(D) teacher attitudes and behaviors that influence the behavior of individuals with disabilities;</p>	<p>How satisfied are you with this rule text as currently presented?</p> <p>Very <u>3</u></p> <p>Somewhat <u>1</u></p> <p>Not at all _____</p> <p>Comment/Revision:</p> <p>Comment: “Incorporate the term positive behavior support somewhere in this section”</p>

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Rule Text	Feedback
<p>(E) social skills needed for school, home, community, and work environments;</p> <p>(F) strategies for crisis prevention, intervention, and management;</p> <p>(G) strategies for preparing individuals to live productively in a multiclass, multiethnic, multicultural, and multinational world; and</p> <p>(H) key concepts in behavior intervention (e.g., least intrusive accommodations/modifications within the learning environment, reasonable expectations for social behavior, social skills curricula, cognitive behavioral strategies).</p> <p>(2) The beginning educational diagnostician is able to:</p> <p>(A) conduct functional behavioral assessments;</p> <p>(B) assist in the development of behavioral intervention plans; and</p> <p>(C) participate in manifestation determination review.</p>	
<p>(k) Standard X. The educational diagnostician knows and understands appropriate curricula and instructional strategies for individuals with disabilities.</p> <p>(1) The beginning educational diagnostician knows and understands:</p> <p>(A) instructional strategies, technology tools and applications, and curriculum materials for students with disabilities within the continuum of services;</p> <p>(B) varied learning styles of individuals with disabilities;</p> <p>(C) curricula for the development of motor, cognitive, academic, social, language, affective, career, and functional skills for individuals with disabilities;</p> <p>(D) techniques for modifying instructional methods and materials for individuals</p>	<p>How satisfied are you with this rule text as currently presented? Very <u>3</u> Somewhat <u>1</u> Not at all _____</p> <p>Comment/Revision:</p> <p>Comment: “Consider changing the term “modifying” to adapting (we made accommodations not modifications in most instances)”</p>

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Rule Text	Feedback
<p>with disabilities;</p> <p>(E) functional skills instruction relevant to transitioning across environments (e.g., preschool to elementary school, school to work);</p> <p>(F) supports needed for integration into various program placements; and</p> <p>(G) individualized assessment strategies for instruction (e.g., authentic assessment, contextual assessment, curriculum-based assessment).</p> <p>(2) The beginning educational diagnostician is able to:</p> <p>(A) interpret and use assessment and evaluation data for instructional planning; and</p> <p>(B) use assessment and evaluation, planning, and management procedures that are appropriate in relation to student needs and the instructional environment.</p>	

§239.84. Requirements for the Issuance of the Standard Educational Diagnostician Certificate.

Rule Text	Feedback
<p>To be eligible to receive the standard Educational Diagnostician Certificate, a candidate must:</p> <p>(1) successfully complete an educational diagnostician preparation program that meets the requirements of §239.82 of this title (relating to Preparation Program Requirements) and §239.83 of this title (relating to Standards Required for the Educational Diagnostician Certificate);</p> <p>(2) successfully complete the examination based on the standards identified in §239.83 of this title;</p> <p>(3) hold, at a minimum, a master's degree from an accredited institution of higher education that at the time was accredited or otherwise approved by an accrediting organization recognized by the Texas Higher Education Coordinating Board;</p> <p>(4) hold a valid classroom teaching</p>	<p>How satisfied are you with this rule text as currently presented? Very <u>2</u> Somewhat <u>2</u> Not at all _____</p> <p>Comment/Revision:</p> <p>Comment: <i>“(5) We need to have at least three (3) creditable years of teaching experience. Since we are making classroom suggestions, we need to be aware of the situations that arise in the classroom.”</i></p> <p>Comment: <i>“Would like to see (5) return to 3 creditable years of teaching experience. In order to make classroom and educational recommendations in our reports, teaching experience is very important. In order to support that knowledge needs to be relayed, 3 years is more appropriate. Many novice teachers are not prepared to make the change to advising and writing goals after only teaching for 2 years.”</i></p>

§239.84. Requirements for the Issuance of the Standard Educational Diagnostician Certificate.

Rule Text	Feedback
<p>certificate; and</p> <p>(5) have two creditable years of teaching experience as a classroom teacher, as defined in Chapter 153, Subchapter CC, of this title (relating to Commissioner's Rules on Creditable Years of Service) and the Texas Education Code, §5.001(2).</p>	<p>Comment: <i>“Please ensure that item 5 remains. This has been an area of concern in the past. I feel it is critical that diagnosticians have teaching experience.”</i></p>

§239.85. Requirements to Renew the Standard Educational Diagnostician Certificate.

Rule Text	Feedback
<p>(a) An individual issued the standard Educational Diagnostician Certificate under this title is subject to Chapter 232, Subchapter B, of this title (relating to Certificate Renewal and Continuing Professional Education Requirements).</p>	<p>How satisfied are you with this rule text as currently presented? Very <u>4</u> Somewhat _____ Not at all _____</p> <p>Comment/Revision:</p>
<p>(b) An individual who holds a valid Texas educational diagnostician certificate issued prior to September 1, 1999, may voluntarily comply with the requirements of this section under procedures implemented by the Texas Education Agency staff under §232.810 of this title (relating to Voluntary Renewal of Current Texas Educators).</p>	<p>How satisfied are you with this rule text as currently presented? Very <u>2</u> Somewhat <u>1</u> Not at all <u>1</u></p> <p>Comment/Revision:</p> <p>Comment: <i>“I’m not sure who would voluntarily do this. We are required by the school district to attend staff development. In addition, we are required to obtain training in new assessment instruments.”</i></p> <p>Comment: <i>“As professionals, we are expected to continue to gain training in order to stay current with new testing instruments and new evaluation theories. What would be the purpose of a Voluntary Renewal and would it not create more paperwork for an already overworked state agency?”</i></p>

§239.86. Transition and Implementation Dates.

Rule Text	Feedback
<p>Section 239.84 of this title (relating to Requirements for the Issuance of the Standard Educational Diagnostician Certificate) shall be implemented and shall supersede all conflicting provisions in this title on September 1, 2003. All other sections of this subchapter shall take effect pursuant to the Texas Government Code, §2001.036.</p>	<p>How satisfied are you with this rule text as currently presented? Very <u>3</u> Somewhat <u>1</u> Not at all _____</p> <p>Comment/Revision:</p> <p>Comment: <i>“Assuming this will be changed – dated 9/1/2003?”</i></p>

ATTACHMENT IV

Updated Action Plan/Timeline of Activities for Advisory Committee for 19 TAC Chapter 239, Student Services Certificates, Subchapter A, School Counselor Certificate and Subchapter C, Educational Diagnostician Certificate

April 15, 2016	SBEC proposes Chapter 239, <u>Student Services Certificates</u>, four-year rule review
May 2016	TEA staff sends notification of Chapter 239 public comment period to all individuals that submitted advisory committee nomination forms
May 2016	TEA staff finalizes nominations and selects advisory committee members for the SBEC for approval
June 10, 2016	SBEC adopts Chapter 239, <u>Student Services Certificates</u>, four-year rule review and approves advisory committee members for School Counselor Certificate and Educational Diagnostician Certificate
September 2016	TEA staff emails current rule text to advisory committee members for review and feedback
October 2016	Advisory committee members return feedback to TEA
Nov/December 2016	TEA staff compiles feedback from advisory committees
January 2017	TEA staff sends compiled feedback to advisory committees and additional pre-work for webinar
February 2017	TEA staff conducts advisory committee webinars, compiles discussion notes and sends information to advisory committee members for review and feedback
March 3, 2017	TEA staff presents advisory committee update to the SBEC and timeline for proposal and adoption of rule changes
June 9, 2017	TEA staff presents rule changes for proposal to the SBEC for Chapter 239, <u>Student Services Certificates</u>, Subchapter A, <u>School Counselor Certificate</u> and Subchapter C, <u>Educational Diagnostician Certificate</u>
August 4, 2017	TEA staff presents rule changes for adoption to the SBEC for Chapter 239, <u>Student Services Certificates</u>, Subchapter A, <u>School Counselor Certificate</u> and Subchapter C, <u>Educational Diagnostician Certificate</u>

ATTACHMENT V**Chapter 239, Student Services Certificates, Subchapter A, School Counselor Certificate
and Subchapter C, Educational Diagnostician Certificate
Advisory Committee Member List****SCHOOL COUNSELOR**

NAME	ENTITY
Lesley Casarez	Angelo State University
Sylvia Lopez	Dallas ISD
Summer Martin	Keller ISD
Twila Read	Grand Prairie ISD
Le'Ann Solmonson	Stephen F. Austin State University
Joan Strutton	East Texas Baptist University
Lisa Wines	Lamar University
Karl Witt	University of Texas at Tyler
Matt Smith	Humble ISD
Dana Jackson	Grand Prairie ISD
Tomeka McGee	Fort Worth ISD

EDUCATIONAL DIAGNOSTICIAN

NAME	ENTITY
Georgene Moon	Faith Charter, Alpha Charter, University of Texas at Tyler
Lori Harris	Crosby ISD
Renee Kwiatek	Houston Baptist University
Diane Broome	Lubbock ISD