

## Item 5:

# Update on the Coronavirus (COVID-19) Disaster Declaration and SBEC-Related Implications

### DISCUSSION

**SUMMARY:** This item provides the State Board for Educator Certification (SBEC) an update on the Coronavirus (COVID-19) Disaster Declaration and implications for candidates for educator certification, educator preparation programs (EPPs), and school districts.

**BACKGROUND INFORMATION AND JUSTIFICATION:** The Texas Education Agency (TEA) continues to work with the Office of the Governor, Texas Department of State Health Services (DSHS), and the Texas Division of Emergency Management (TDEM) to coordinate and plan the state's response to COVID-19. TEA's role in these efforts is to help coordinate the flow of information from the state to districts, help districts solve problems, and provide guidance that will aid in districts' decision-making.

TEA staff who administer SBEC requirements have been working diligently to support the Board's work and to provide guidance to all stakeholders during this time of uncertainty. There have been ongoing requests for guidance from stakeholders in implementing SBEC rules and ensuring SBEC compliance in a time of changing educational platforms and with the disaster declaration in place. TEA staff have focused on the shared goals of the safety of Texas students, both PK–12 and teacher candidates, and ensuring a well-prepared teacher workforce to meet the demands of the school districts across the state. TEA staff have had regular communication with candidates, EPPs, school districts, and organizations, including the Texas Association of Colleges for Teacher Education (TACTE), the Texas Alternative Certification Association (TACA), the Associate and Assistant Deans and Directors of Texas (ADoT), the Texas Association of Certification Officers (TACO), and the Texas Coordinators for Teacher Certification Testing (TCTCT). Some of the key activities related to SBEC issues are:

#### **March 13**

- Governor Abbott disaster declaration

#### **March 16–17**

- TEA staff transitioned to teleworking

#### **March 17**

- TEA staff provided guidance to EPPs
- TEA staff shared that information and Attorney General's guidance regarding open meetings with SBEC Board
- Pearson (testing vendor) suspended testing sites

#### **March 20**

- TEA staff updated SBEC Chair, Dr. Art Cavazos of communications and inquiries from the field

#### **March 25**

- Governor Abbott provided waivers for certain SBEC rules regarding educator preparation

**March 25**

- TEA staff conducted EPP Town Hall via Zoom to allow all interested parties to receive guidance from TEA staff regarding SBEC rule flexibility and the governor's waivers
- TEA staff shared the EPP Town Hall information with SBEC Board

This item updates the SBEC on the results of those efforts that are under the SBEC's purview. As this situation continues to develop, TEA staff will continue to update the Board and will be providing any additional information at the SBEC meeting. Additionally, all of the pertinent guidance information and frequently ask questions are located on the TEA's Coronavirus (COVID-19) Support and Guidance webpage: <https://tea.texas.gov/texas-schools/health-safety-discipline/coronavirus-covid-19-support-and-guidance>.

Although SBEC has provisions codified in rule regarding flexibility in the event of a disaster declaration issued by the governor, those rules do not adequately address the severity, timeframe, or statewide impact that COVID-19 has presented with schools, EPPs, and testing centers being closed until further notice. SBEC-related issues that have arisen from the COVID-19 pandemic generally fall into three categories:

1. SBEC rules or state law provide flexibility to meet the needs of candidates or EPPs.
2. SBEC rules or state law do not provide flexibility to meet the needs of candidates or EPPs, but the timeline does not require immediate action, and SBEC can address the issues through rulemaking on a normal schedule.
3. SBEC rules or state law do not provide flexibility to meet the needs of candidates or EPPs, and the timeline requires more immediate responses than the SBEC rulemaking process can accommodate.

The specific SBEC-related actions and guidance up to this point come from current SBEC rules that provide flexibility in implementation of rules or from waivers granted by Governor Greg Abbott.

The guidance provided to the field is provided below and categorized by topics:

- educator preparation
- educator certification and testing
- fingerprinting and educator discipline

**Educator Preparation:**

Clinical Teaching: With schools closing due to COVID-19, there are SBEC rules regarding clinical teaching requirements that candidates and EPPs cannot meet.

- In accordance with Governor Abbott's waiver, candidates completing clinical teaching during spring 2020 who meet the following criteria will be considered to have successfully met requirements for clinical teaching:
  1. Completed at least half of the required days of clinical teaching,
    - a. 35 days for full-day assignments or
    - b. 70 days for half-day assignments
  2. Demonstrated proficiency in each of the educator standards for their assignments (to be determined by the preparation program), and
  3. Received a recommendation from their field supervisor and cooperating teacher that the candidate should be recommended for a standard certificate.

- The requirements for candidates' clinical teaching experiences to be completed in an actual school setting are also waived. This means that these candidates may complete any additional requirements by supporting their cooperating teacher through non-traditional means and may demonstrate proficiency based on alternative arrangements established by the preparation program, such as simulated, remote, virtual, or video classroom experiences and reflection.
- All requirements related to field supervision of candidates have been waived, including the number, duration, timing, and format of the observation.

Internships: With schools closing due to COVID-19, there are SBEC rules regarding internship requirements that allow some flexibility for candidates and EPPs, but there are other requirements that candidates and EPPs cannot meet.

- Per SBEC rule, 19 TAC §228.35(e)(2)(B), an internship is, at minimum, one full school year for the classroom teacher. As defined in 19 TAC §228.2(30), a school year may be defined by a particular public or private school. This means that as districts adapt the definition of a school year based on the situation, the school year associated with active internships will also adapt. Because interns are district employees and subject to the requirements of that district, what qualifies as a full year will depend on what the district establishes as its modified calendar. Interns who complete the year in the district, even if shortened, will have completed the year according to the rule. Further, for candidates who began their internship in January, the completion of this semester according to the district's schedule will count as half of the year.
- In accordance with Governor Abbott's waiver, all requirements related to field supervision of candidates have been waived, including the number, duration, timing, and format of the observation.

Practicums: With schools closing due to COVID-19, there are SBEC rules regarding practicum requirements that candidates and EPPs cannot meet.

- In accordance with Governor Abbott's waiver, candidates engaging in a practicum during spring 2020 who meet the following criteria will be considered to have successfully met requirements for the practicum:
  1. Completed at least half of the required hours of the practicum (80 hours)
  2. Demonstrated proficiency in each of the educator standards for their assignments (to be determined by the preparation program), and
  3. Received a recommendation from their field supervisor and site supervisor that the candidate should be recommended for a standard certificate.
- All requirements related to field supervision of candidates have been waived, including the number, duration, timing, and format of the observation.

EPP Accountability: With schools, EPPs, and testing centers closing due to COVID-19, there are SBEC rules regarding EPP accountability that prevent the collection of adequate data to assign accreditation statuses.

- A separate agenda item includes potential changes to Chapter 229, regarding EPP accountability ratings, to allow flexibility for EPPs to meet the unique needs of their candidates, institutions, and partner school districts during this crisis. Given that any accountability ratings would not be calculated until much later in the year, there is time for SBEC to follow the rulemaking schedule and make changes before programs have any impact related to accountability.

- Governor Abbott has waived the requirements for principals and teachers to complete the surveys that are normally required to be completed during the spring and early summer and are used for EPP accountability purposes.

Field Experience: With schools closing due to COVID-19, there are SBEC rules regarding field-based experience requirements that candidates and EPPs are not able to meet.

- Governor Abbott has waived the requirement that 15 clock-hours of field-based experiences must be completed on a school campus for those completing field-based experience requirements in spring or summer 2020. All field-based experiences may be completed by use of electronic transmission or other video or technology-based method.

### **Educator Certification and Testing:**

With mandates to close all non-essential businesses and functions, the two educator testing vendors have been unable to provide testing to educator candidates. Consequently, candidates who have not completed all testing requirements are unable to meet the requirements in rule for certification. TEA staff anticipates providing additional guidance to candidates, districts, and EPPs prior to the Board meeting about individuals in the following situations:

- Candidates without an existing certification who are completing a program in Spring 2020, who have met all requirements but have not completed testing (both teacher and non-teacher)
- Candidates on intern certificates that are expiring in Spring 2020, who have met all requirements but have not completed testing (both teacher and non-teacher)
- Candidates pursuing enrollment in a program for Summer or Fall 2020, who have not completed PACT or content pedagogy assessments.
- Candidates on one-year emergency permits
- Teachers from out of state serving on one-year certificates

### **Fingerprinting and Educator Discipline:**

With the move to “at-home” learning, which may involve the use of digital and online materials, there are more opportunities for electronic communication between educators and students. To prevent and deter inappropriate communication or other educator misconduct, schools can:

- Utilize the transparency features offered in online learning platforms that allow administrators and parents to view educator-student communications,
- Closely monitor the nature and frequency of communications between educators and students,
- Remind staff of relevant policy on communications and potential consequences for violation,
- Adhere to their local district electronic communication policy required by TEC, §38.027.

Should a school find evidence that an employee engaged in misconduct pertaining to inappropriate communications, solicitation of a romantic relationship, or solicitation of sexual contact with a student, the superintendent must report this information to TEA within seven business days following the termination or resignation of the employee. (19 TAC §249.14(d)(2)(F), TEC §21.006, 19 TAC §153.1203, and TEC §22.093.) TEA recently created an online Misconduct Reporting Portal (Portal) to make reporting to TEA easier and more

efficient for superintendents. Public and private schools can now submit reports of misconduct electronically through the new Portal.

IdentoGO, the fingerprinting vendor for the Texas Department of Public Safety (DPS), has closed or reduced operating hours in nearly half of its locations in Texas due to the COVID-19 pandemic. The closures have resulted in a decrease in fingerprinting appointment availability within certain regions. However, in the interest of student safety, TEA is not planning to modify fingerprinting requirements for certificate applicants, non-certified employees, or any other individuals required to fingerprint for TEA or SBEC. The agency will continue to monitor the situation and notify school districts and educator preparation programs if there is a change in policy.

**Staff Responsible:**

Educator Leadership and Quality Department Staff