

**Item 8:****Consider and Take Appropriate Action on Adoption of  
Proposed Amendments to 19 TAC Chapter 228,  
Requirements for Educator Preparation Programs****DISCUSSION AND ACTION**

**SUMMARY:** This item provides the State Board for Educator Certification (SBEC) an opportunity to adopt, subject to State Board of Education (SBOE) review, proposed amendments to 19 Texas Administrative Code (TAC) Chapter 228, Requirements for Educator Preparation Programs. The proposed amendments would implement the statutory requirements of House Bill (HB) 18, 86th Texas Legislature, 2019; would provide specification for approval of teaching sites that are not Texas Education Agency (TEA)-accredited public schools; would provide guidance related to admitting and recommending candidates to programs that are closing or consolidating; would provide guidance for internships and clinical teaching in the summer; would add language for a dismissal policy for candidates; would simplify language relating to the reasons an educator preparation program (EPP) can stop supporting a candidate in an internship and the corresponding actions that must take place when a candidate leaves an internship; would provide clarification for the number of observations for practicums; and would provide clarification of and reorder provisions for technical formatting purposes throughout the rules. No changes are recommended since published as proposed, but additional changes may be recommended at the time of the meeting based on public comment.

**STATUTORY AUTHORITY:** The statutory authority for 19 TAC Chapter 228 is the Texas Education Code (TEC), §§21.031; 21.041(b)(1) and (2); 21.044, as amended by Senate Bills (SBs) 7, 1839, and 1963, 85th Texas Legislature, Regular Session, 2017, and HB 18, 86th Texas Legislature, 2019; 21.0442(c), as added by HB 3349, 85th Texas Legislature, Regular Session, 2017; 21.0443; 21.045(a); 21.0453; 21.0454; 21.0455; 21.046(b); 21.048(a); 21.0485; 21.0487(c); 21.0489(c), as added by SB 1839 and HB 2039, 85th Texas Legislature, Regular Session, 2017; 21.049(a); 21.0491, as added by HB 3349, 85th Texas Legislature, Regular Session, 2017; 21.050(a)–(c); and 21.051, as amended by SB 1839, 85th Texas Legislature, Regular Session, 2017; and the Texas Occupations Code (TOC), §55.007.

TEC, §21.031, authorizes the SBEC to regulate and oversee all aspects of the certification, continuing education, and standards of conduct of public school educators, and states that in proposing rules under the TEC, Chapter 21, Subchapter B, the SBEC shall ensure that all candidates for certification or renewal of certification demonstrate the knowledge and skills necessary to improve the performance of the diverse student population of this state.

TEC, §21.041(b)(1) and (2), require the SBEC to propose rules that provide for the regulation of educators and the general administration of the TEC, Chapter 21, Subchapter B, in a manner consistent with the TEC, Chapter 21, Subchapter B; and specify the classes of educator certificates to be issued, including emergency certificates.

TEC, §21.044, as amended by SBs 7, 1839, and 1963, 85th Texas Legislature, Regular Session, 2017, and HB 18, 86th Texas Legislature, 2019, requires the SBEC to propose rules establishing training requirements a person must accomplish to obtain a certificate, enter an internship, or enter an induction-year program.

TEC, §21.0442(c), as added by HB 3349, 85th Texas Legislature, Regular Session, 2017, requires the SBEC to ensure that an EPP requires at least 80 hours of instruction for a candidate seeking a Trade and Industrial Workforce Training certificate.

TEC, §21.0443, requires the SBEC to establish rules for the approval and renewal of EPPs.

TEC, §21.045(a), states that the board shall propose rules establishing standards to govern the approval and continuing accountability of all EPPs.

TEC, §21.0453, states that the SBEC may propose rules as necessary to ensure that all EPPs provide the SBEC with accurate information.

TEC, §21.0454, requires the SBEC to develop a set of risk factors to assess the overall risk level of each EPP and use the set of risk factors to guide the TEA in conducting monitoring, inspections, and evaluations of EPPs.

TEC, §21.0455, requires the SBEC to propose rules necessary to establish a process for complaints to be directed against an EPP.

TEC, §21.046(b), states that the qualifications for certification as a principal must be sufficiently flexible so that an outstanding teacher may qualify by substituting approved experience and professional training for part of the educational requirements.

TEC, §21.048(a), requires the SBEC to propose rules prescribing comprehensive examinations for each class of certificate issued by the SBEC. 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.

TEC, §21.0485, states the issuance requirements for certification to teach students with visual impairments.

TEC, §21.0487(c), states that because an effective principal is essential to school improvement, the SBEC shall ensure that each candidate for certification as a principal is of the highest caliber and that multi-level screening processes, validated comprehensive assessment programs, and flexible internships with successful mentors exist to determine whether a candidate for certification as a principal possesses the essential knowledge, skills, and leadership capabilities necessary for success.

TEC, §21.0489(c), as added by SB 1839 and HB 2039, 85th Texas Legislature, Regular Session, 2017, states the eligibility for an Early Childhood: Prekindergarten–Grade 3 certificate.

TEC, §21.049(a), authorizes the SBEC to adopt rules providing for educator certification programs as an alternative to traditional EPPs.

TEC, §21.0491, requires the SBEC to create a probationary and standard trade and industrial workforce training certificate.

TEC, §21.050(a), requires a person who applies for a teaching certificate for which SBEC rules require a bachelor's degree to possess a bachelor's degree received with an academic major or interdisciplinary academic major, including reading, other than education, that is related to the curriculum as prescribed under the TEC, Chapter 28, Subchapter A.

TEC, §21.050(b), states that the SBEC may not require more than 18 semester credit hours of education courses at the baccalaureate level for the granting of a teaching certificate.

TEC, §21.050(c), states that a person who receives a bachelor's degree required for a teaching certificate on the basis of higher education coursework completed while receiving an exemption from tuition and fees under the TEC, §54.363, may not be required to participate in any field experience or internship consisting of student teaching to receive a teaching certificate.

TEC, §21.051, as amended by SB 1839, 85th Texas Legislature, Regular Session, 2017, provides a requirement that before a school may employ a certification candidate as a teacher of record, the candidate must have completed at least 15 hours of field-based experience in which the candidate was actively engaged at an approved school in instructional or educational activities under supervision.

TOC, §55.007, provides that verified military service, training, and education be credited toward licensing requirements.

**EFFECTIVE DATE:** The proposed effective date of the proposed amendments to 19 TAC Chapter 228 would be October 15, 2020 (20 days after filing as adopted with the *Texas Register*). The proposed effective date is also based on the SBEC and SBOE meeting schedules.

**PREVIOUS BOARD ACTION:** At the May 1, 2020 SBEC meeting, the SBEC approved the proposed amendments to 19 TAC Chapter 228, Requirements for Educator Preparation Programs, for publication in the *Texas Register* as proposed rules.

**BACKGROUND INFORMATION AND JUSTIFICATION:** The SBEC rules in 19 TAC Chapter 228, Requirements for Educator Preparation Programs, establish the requirements for EPPs. The proposed amendments would (1) provide guidance related to admitting candidates to EPPs that are closing or consolidating; (2) add language for a dismissal policy for candidates; (3) include language from HB 18, 86th Texas Legislature, 2019, that allows accredited institutions of higher education (IHEs) to offer a course or component of a course to meet the requirement for mental health, substance abuse, and teen suicide; (4) clarify that the curriculum provided to candidates in both classroom teacher and principal preparation includes the standards adopted by the SBEC; (5) provide simplified rule text for the reasons an EPP can stop supporting a candidate in an internship and the corresponding actions that must take place when a candidate leaves an internship; (6) provide guidance for candidate practicums where a portion of the practicum needs to take place during summer months; (7) add language for out-of-state and out-of-country clinical teaching and practicum experiences; (8) provide reordering and clarification for the number of observations that must total at least 135 minutes; and (9) provide

guidance for EPPs on granting test approval for candidates where the standards and/or test has changed or five or more years have passed since the candidate was enrolled in the EPP.

The following is a description of the proposed amendments included in Attachment II.

**§228.2. Definitions.**

The proposed amendment in new §228.2(5) would define *campus supervisor* as a school administrator or designee responsible for the annual performance appraisal of an intern. This definition is necessary to ensure clarification of the role of a campus.

The proposed amendment in §228.2(5) would be renumbered to paragraph (6) for technical formatting purposes.

The proposed amendment in new §228.2(7) would define *candidate coach* in §228.33(b)(1)–(3) as one who participates in a minimum of four observation/feedback coaching cycles provided by program supervisors, completes a TEA-approved observation training or has completed a minimum of 150 hours of observation/feedback training, and has current certification in the class in which supervision is provided. This definition is necessary to ensure clarification of the role of a candidate coach as it relates to an intensive pre-service preparation program.

The proposed amendment in §228.2(6)–(33) would renumber the provisions to paragraphs (8)–(35) for technical formatting purposes.

**§228.10. Approval Process.**

Proposed new §228.10(g) would provide clarification to EPPs on how to add replacement certificates to their certification offerings due to the addition of the science of teaching reading requirement codified in HB 3, 86th Texas Legislature, 2019. EPPs interested in these replacement certificates would be required to submit an attestation letter by December 1, 2020 that the EPP’s curriculum would be updated by January 1, 2021 to prepare candidates for the replacement certificates that reflect the new science of teaching reading requirement. This would allow EPPs that are offering existing certificates to continue offering them in their new form without having to reapply and pay the application fee. EPPs that do not request authorization to issue replacement certificates by the deadline will have to apply as prescribed in §228.10 and candidates pursuing the current certificates who are in these programs and have not completed all program requirements by January 1, 2021 will be required to seek approval in an EPP that has requested the replacement certificates.

The current and replacement certificates are:

Current Certificates	Replacement Certificates Reflecting the Science of Teaching Reading
Core Subjects: Early Childhood–Grade 6	Core Subjects with Science of Teaching Reading: Early Childhood–Grade 6
Core Subjects: Grades 4–8	Core Subjects with Science of Teaching Reading: Grades 4–8
English Language Arts and Reading: Grades 4–8	English Language Arts and Reading with Science of Teaching Reading: Grades 4–8

English Language Arts and Reading/Social Studies: Grades 4–8	English Language Arts and Reading/Social Studies with Science of Teaching Reading: Grades 4–8
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**§228.15. Program Consolidation or Closure.**

Proposed new §228.15(3) would require that an EPP that is closing not admit candidates or recommend candidates for intern or probationary certificates within one year of the August 31 closure date, allowing candidates the necessary one-year minimum to complete program requirements and an internship.

Proposed new §228.15(5) would include payment of the Accountability System for Educator Preparation Program (ASEP) technology fee as part of the required actions by a program that is closing or consolidating to ensure that EPPs do not use consolidation or closure as a means to evade paying the required fee.

Proposed new §228.15(e) would prescribe that TEA staff will recommend the revocation of an EPP's continuing approval for violation of any of the required actions when closing or consolidating. This would ensure that EPPs focus on supporting currently enrolled candidates while going through the closure process rather than enrolling and admitting new candidates who will not be able to complete the program by the time of closure or consolidation.

The proposed amendment in §228.15(a)(3)–(4) would renumber the provisions to paragraphs (4)–(5) for technical formatting purposes.

**§228.20. Governance of Educator Preparation Programs.**

Proposed new §228.20(h) would require an EPP to have a published exit policy that candidates review and sign upon admission. This would provide clarity for the candidates and the program in the event an EPP dismisses a candidate from the program.

**§228.30. Educator Preparation Curriculum.**

The proposed amendment in §228.30(c)(3) would comply with the statutory requirements of HB 18, 86th Texas Legislature, 2019, that allow an accredited IHE or certain alternative certification programs to offer a course or component of a course to meet the mental health, substance abuse, and youth suicide training requirement as part of a degree program.

The proposed amendment in §228.30(d)(4) would clarify that the curriculum EPPs provide to candidates for the classroom teacher class of certifications must include the skills and competencies adopted by the SBEC, which are reflected in Chapter 235, Classroom Teacher Certification Standards. This would ensure alignment between EPP curriculum and the SBEC-approved standards for teachers and would provide consistency between different rule chapters.

The proposed amendment in §228.30(e) would clarify that the curriculum EPPs provide to candidates for the principal class of certificates include the skills and competencies adopted by the SBEC, which are reflected in Chapter 241, Certification as Principal. This would ensure alignment between the EPP curriculum and the SBEC-approved standards for principals.

The proposed amendment in §228.30(f) would update a cross reference for technical formatting purposes.

§228.35. Preparation Program Coursework and/or Training.

The proposed amendment in §228.35(b)(2) would clarify that the 150 clock-hours of coursework and/or training that are required prior to a candidate's clinical teaching or internship reflect the subject-matter curriculum prescribed in §228.30(d)(4) to ensure alignment with the SBEC-adopted classroom teacher standards.

The proposed amendment in §228.35(e)(2)(B)(vi) and (vii) would provide simplified rule text with a limited set of reasons that an EPP can stop supporting a candidate during an internship and what must happen if a candidate leaves an internship assignment. The proposed amendment to §228.35(e)(2)(B)(vi)(II)–(IV) would provide technical edits to remove duplicative language.

The proposed amendment in §228.35(e)(2)(B)(vii) and (viii) would renumber the provisions to clauses (ix)–(x) for technical formatting purposes.

Proposed new §228.35(e)(8)(B) would specify that a practicum may not take place exclusively during a summer recess. This would ensure that candidates for certification in a class other than classroom teacher (i.e., superintendent, principal, reading specialist, school librarian, school counselor, educational diagnostician) receive experience with the standards that include students, faculty, parents, and special committees that occur during the regular academic year.

The proposed amendment in §228.35(e)(8)(D) would update a cross reference for technical formatting purposes.

The proposed amendment in §228.35(e)(9)(C) and (D) would provide guidance for candidates who must complete requirements for clinical teaching or a practicum outside of the state of Texas, in subparagraph (C), and outside the United States, in subparagraph (D), as a result of specific circumstances. For clinical teaching or practicum outside of Texas, a candidate may be approved for placement at a specific site based on the military assignment of the candidate or spouse; an illness of the candidate or a family member for whom the candidate is the primary caretaker; the candidate becoming the primary caretaker of a family member residing out of state; or the candidate's or spouse's transfer of employment. This change is necessary to provide flexibility to candidates who undergo major life changes and clarity to TEA staff, candidates, and EPPs. This provides flexibility with an emphasis on Texas-based clinical teaching and practicum experiences.

The proposed amendment in §228.35(h) would re-order paragraphs (1)–(3) to provide clarity regarding the number of minutes required for observations for practicum candidates.

The proposed amendment in §228.35(i)(2) and (3) would update cross references for technical formatting purposes.

§228.40. Assessment and Evaluation of Candidates for Certification and Program Improvement.

The proposed amendment in §228.40(d) comes at the request of EPPs and would provide guidance for EPPs and candidates in instances where a candidate completed a certification program but did not take the appropriate certification examination in a timely fashion. If the candidate returns to test after the standards and/or certification examination(s) have changed or

after five or more years have passed following completion of the program, both the candidate and program would be at a disadvantage in terms of preparation. This revision would allow a program to determine examination readiness of the candidate and make test approval contingent on completing additional coursework and/or training as needed for the candidate to show he or she is prepared to pass the test following time away from the preparation.

Attachment II reflects the proposed rule text changes.

No changes are recommended to the proposed amendments to 19 TAC Chapter 228, Requirements for Educator Preparation Programs, but additional changes may be recommended at the time of the meeting based on public comment.

**FISCAL IMPACT:** No changes have been made to this section since published as proposed. The TEA staff has determined that there is no additional fiscal impact on state and local governments and there are no additional costs to entities required to comply with the proposal.

**LOCAL EMPLOYMENT IMPACT:** No changes have been made to this section since published as proposed. The proposal has no effect on local economy; therefore, no local employment impact statement is required under Texas Government Code (TGC), §2001.002.

**SMALL BUSINESS, MICROBUSINESS, AND RURAL COMMUNITY IMPACT:** No changes have been made to this section since published as proposed. The proposal has no direct adverse economic impact for small businesses, microbusinesses, or rural communities; therefore, no regulatory flexibility analysis, specified in TGC, §2006.002, is required.

**COST INCREASE TO REGULATED PERSONS:** No changes have been made to this section since published as proposed. The proposal does not impose a cost on regulated persons, another state agency, a special district, or a local government and, therefore, is not subject to TGC, §2001.0045.

**TAKINGS IMPACT ASSESSMENT:** No changes have been made to this section since published as proposed. The proposal does not impose a burden on private real property and, therefore, does not constitute a taking under Texas Government Code, §2007.043.

**GOVERNMENT GROWTH IMPACT:** No changes have been made to this section since published as proposed. The TEA staff prepared a Government Growth Impact Statement assessment for this proposed rulemaking. During the first five years the proposed rulemaking would be in effect, it would not create or eliminate a government program; would not require the creation of new employee positions or elimination of existing employee positions; would not require an increase or decrease in future legislative appropriations to the agency; would not require an increase or decrease in fees paid to the agency; would not create a new regulation; would not expand, limit, or repeal an existing regulation; would not increase or decrease the number of individuals subject to its applicability; and would not positively or adversely affect the state's economy.

**PUBLIC BENEFIT AND COST TO PERSONS:** No changes have been made to this section since published as proposed. The public benefit anticipated as a result of the proposal would be clear guidance to EPPs on requirements for providing preparation to an individual seeking certification as an educator. The TEA staff has determined there is no anticipated cost to persons required to comply with the proposal.

**DATA AND REPORTING IMPACT:** No changes have been made to this section since published as proposed. The proposal would have no new data and reporting impact.

**PRINCIPAL AND CLASSROOM TEACHER PAPERWORK REQUIREMENTS:** No changes have been made to this section since published as proposed. The TEA staff has determined that the proposal would not require a written report or other paperwork to be completed by a principal or classroom teacher.

**PUBLIC COMMENTS:** The public comment period on the proposal began May 29, 2020 and ended June 29, 2020. Any comments received will be provided to the SBEC under separate cover prior to the July 24, 2020 meeting. The SBEC will take registered oral and written comments on the proposal at the July 24, 2020 meeting in accordance with the SBEC board operating policies and procedures.

**ASSOCIATE COMMISSIONER'S RECOMMENDATION:**

Approve for adoption, subject to the State Board of Education (SBOE) review, proposed amendments to 19 TAC Chapter 228, Requirements for Educator Preparation Programs, with an effective date of 20 days after filing the adoption notice with the *Texas Register*.

**Staff Member Responsible:**

Tam Jones, Director, Educator Preparation

**Attachments:**

- I. Statutory Citations
- II. Text of Proposed Amendments to 19 TAC Chapter 228, Requirements for Educator Preparation Programs

**ATTACHMENT I****Statutory Citations Relating to Proposed Revisions to 19 TAC Chapter 228, Requirements for Educator Preparation Programs****Texas Education Code, §21.031, Purpose:**

- (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, §21.041, Rules; Fees (excerpts):**

- (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;

**Texas Education Code, §21.044, Educator Preparation, as amended by Senate Bills 7, 1839, and 1963, 85th Texas Legislature, Regular Session, 2017 and House Bill (HB) 18, 86th Texas Legislature, 2019:**

- (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 the 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:
    - (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) a program selected from the list of recommended best practice-based programs and research-based practices established under Section 38.351; or
    - (B) a course offered by any accredited public or private postsecondary educational institution as part of a degree program; and
  - (2) include effective strategies, including de-escalation techniques and positive behavioral interventions and supports, for teaching and intervening with students with mental health conditions or who engage in substance abuse.
- (c-2) 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 digital learning, including a digital literacy evaluation followed by a prescribed digital learning curriculum. The instruction required must:
- (1) be aligned with the International Society for Technology in Education's standards for teachers;
  - (2) provide effective, evidence-based strategies to determine a person's degree of digital literacy; and
  - (3) include resources to address any deficiencies identified by the digital literacy evaluation.
- (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 specifies 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).
- (f-1) Board rules addressing ongoing educator preparation program support for a candidate seeking certification in a certification class other than classroom teacher may not require that an educator preparation program conduct one or more formal observations of the candidate on the candidate's site in a face-to-face setting. The rules must permit each required formal observation to occur on the candidate's site or through the use of electronic transmission or other video-based or technology-based methods.
- (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; and
  - (6) appropriate relationships, boundaries, and communications between educators and students.

**Texas Education Code, §21.0442, Educator Preparation Program for Probationary and Standard Trade and Industrial Workforce Training Certificates, as added by HB 3349, 85th Texas Legislature, Regular Session, 2017 (excerpts):**

- (c) In proposing rules for an educator preparation program under this section, the board shall ensure that the program requires at least 80 hours of classroom instruction in:
- (1) a specific pedagogy;
  - (2) creating lesson plans;
  - (3) creating student assessment instruments;
  - (4) classroom management; and
  - (5) relevant federal and state education laws.

**Texas Education Code, §21.0443, Educator Preparation Program Approval and Renewal:**

- (a) The board shall propose rules to establish standards to govern the approval or renewal of approval of:
- (1) educator preparation programs; and
  - (2) certification fields authorized to be offered by an educator preparation program.
- (b) To be eligible for approval or renewal of approval, an educator preparation program must adequately prepare candidates for educator certification and meet the standards and requirements of the board.
- (c) The board shall require that each educator preparation program be reviewed for renewal of approval at least every five years. The board shall adopt an evaluation process to be used in reviewing an educator preparation program for renewal of approval.

**Texas Education Code, §21.045, Accountability System for Educator Preparation Programs (excerpt):**

- (a) The board shall propose rules necessary to establish standards to govern the continuing accountability of all educator preparation programs based on the following information that is disaggregated with respect to race, sex, and ethnicity:

**Texas Education Code, §21.0453, Information for Candidates for Teacher Certification:**

- (a) The board shall require an educator preparation program to provide candidates for teacher certification with information concerning the following:
- (1) skills and responsibilities required of teachers;
  - (2) expectations for student performance based on state standards;
  - (3) the current supply of and demand for teachers in this state;
  - (4) the importance of developing classroom management skills; and
  - (5) the state's framework for appraisal of teachers and principals.
- (b) The board may propose rules as necessary for administration of this section, including rules to ensure that accurate and consistent information is provided by all educator preparation programs.

**Texas Education Code, §21.0454, Risk Factors for Educator Preparation Programs; Risk-Assessment Model:**

- (a) The board shall propose rules necessary to develop a set of risk factors to use in assessing the overall risk level of each educator preparation program. The set of risk factors must include:
- (1) a history of the program's compliance with state law and board rules, standards, and procedures, with consideration given to:
    - (A) the seriousness of any violation of a rule, standard or procedure;
    - (B) whether the violation resulted in an action being taken against the program;
    - (C) whether the violation was promptly remedied by the program;
    - (D) the number of alleged violations; and
    - (E) any other matter considered to be appropriate in evaluating the program's compliance history; and
  - (2) whether the program meets the accountability standards under Section 21.045.
- (b) The set of risk factors developed by the board may include whether an educator preparation program is accredited by other organizations.
- (c) The board shall use the set of risk factors to guide the agency in conducting monitoring, inspections, and compliance audits of educator preparation programs, including evaluations associated with renewals under Section 21.0443.

**Texas Education Code, §21.0455, Complaints Regarding Educator Preparation Programs:**

- (a) The board shall propose rules necessary to establish a process for a candidate for teacher certification to direct a complaint against an educator preparation program to the agency.
- (b) The board by rule shall require an educator preparation program to notify candidates for teacher certification of the complaint process adopted under Subsection (a). The notice must include the name, mailing address, telephone number, and Internet website address of the agency for the purpose of directing complaints to the agency. The educator preparation program shall provide for that notification:
  - (1) on the Internet website of the educator preparation program, if the program maintains a website; and
  - (2) on a sign prominently displayed in program facilities.
- (c) The board shall post the complaint process adopted under Subsection (a) on the agency's Internet website.
- (d) The board has no authority to arbitrate or resolve contractual or commercial issues between an educator preparation program and a candidate for teacher certification.

**Texas Education Code, §21.046, Qualifications for Certification as Superintendent or Principal (excerpts):**

- (b) The qualifications for certification as a principal must be sufficiently flexible so that an outstanding teacher may qualify by substituting approved experience and professional training for part of the educational requirements. Supervised and approved on-the-job experience in addition to required internship shall be accepted in lieu of classroom hours. The qualifications must emphasize:
  - (1) instructional leadership;
  - (2) administration, supervision, and communication skills;
  - (3) curriculum and instruction management;
  - (4) performance evaluation;
  - (5) organization; and
  - (6) fiscal management.

**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, §21.0485, Certification to Teach Students with Visual Impairments:**

- (a) To be eligible to be issued a certificate to teach students with visual impairments, a person must:
  - (1) complete either:

- (A) all course work required for that certification in an approved educator preparation program; or
- (B) an alternative educator certification program approved for the purpose by the board;
- (2) perform satisfactorily on each examination prescribed under Section 21.048 for certification to teach students with visual impairments, after completing the course work or program described by Subdivision (1); and
- (3) satisfy any other requirements prescribed by the board.
- (b) Subsection (a) does not apply to eligibility for a certificate to teach students with visual impairments, including eligibility for renewal of that certificate, if the application for the initial certificate was submitted on or before September 1, 2011.

**Texas Education Code, §21.0487, Junior Reserve Officer Training Corps Teacher Certification (excerpts):**

- (c) The board shall propose rules to:
  - (1) approve educator preparation programs to prepare a person as a teacher for certification under this section; and
  - (2) establish requirements under which:
    - (A) a person's training and experience acquired during the person's military service serves as proof of the person's demonstration of subject matter knowledge if that training and experience is verified by the branch of service in which the person served; and
    - (B) a person's employment by a school district as a Junior Reserve Officer Training Corps instructor before the person was enrolled in an educator preparation program or while the person is enrolled in an educator preparation program is applied to satisfy any student teaching, internship, or field-based experience program requirement.

**Texas Education Code, §21.0489, Early Childhood Certification, as added by SB 1839 and HB 2039, 85th Texas Legislature, Regular Session, 2017 (excerpt):**

- (c) To be eligible for a certificate established under this section, a person must:
  - (1) either:
    - (A) satisfactorily complete the course work for that certificate in an educator preparation program, including a knowledge-based and skills-based course of instruction on early childhood education that includes:
      - (i) teaching methods for:
        - (a) using small group instructional formats that focus on building social, emotional, and academic skills;
        - (b) navigating multiple content areas; and
        - (c) managing a classroom environment in which small groups of students are working on different tasks; and

- (ii) strategies for teaching fundamental academic skills, including reading, writing, and numeracy; or
  - (B) hold an early childhood through grade six certificate issued under this subchapter and satisfactorily complete a course of instruction described by Paragraph (A);
- (2) perform satisfactorily on an early childhood certificate examination prescribed by the board; and
- (3) satisfy any other requirements prescribed by the board.

**Texas Education Code, §21.049, Alternative Certification (excerpt):**

- (a) To provide a continuing additional source of qualified educators, the board shall propose rules providing for educator certification programs as an alternative to traditional educator preparation programs. The rules may not provide that a person may be certified under this section only if there is a demonstrated shortage of educators in a school district or subject area.

**Texas Education Code, §21.0491, Probationary and Standard Trade and Industrial Workforce Training Certificates:**

- (a) To provide a continuing additional source of teachers to provide workforce training, the board shall establish a probationary trade and industrial workforce training certificate and a standard trade and industrial workforce training certificate that may be obtained through an abbreviated educator preparation program under Section 21.0442.
- (b) To be eligible for a probationary certificate under this section, a person must:
  - (1) satisfactorily complete the course work for that certificate in an educator preparation program under Section 21.0442; and
  - (2) satisfy any other requirements prescribed by the board.
- (c) To be eligible for a standard certificate under this section, a person must:
  - (1) hold a probationary certificate issued under this section;
  - (2) be employed by:
    - (A) a public or private primary or secondary school; or
    - (B) an institution of higher education or an independent or private institution of higher education as those terms are defined by Section 61.003; and
  - (3) perform satisfactorily on a standard trade and industrial workforce training certificate examination prescribed by the board.
- (d) The limitation imposed by Section 21.048(a-1) on the number of administrations of an examination does not apply to the administration of the standard trade and industrial workforce training certificate examination prescribed by the board.
- (e) Notwithstanding any other law, the board may administer the standard trade and industrial workforce training certificate examination to a person who satisfies the requirements of Subsections (c)(1) and (2).
- (f) The board shall propose rules to:

- (1) specify the term of a probationary certificate and a standard certificate issued under this section; and
- (2) establish the requirements for renewal of a standard certificate.

**Texas Education Code, §21.050, Academic Degree Required for Teaching Certificate; Internship (excerpts):**

- (a) A person who applies for a teaching certificate for which board rules require a bachelor's degree must possess a bachelor's degree received with an academic major or interdisciplinary academic major, including reading, other than education, that is related to the curriculum as prescribed under Chapter 28, Subchapter A.
- (b) The board may not require more than 18 semester credit hours of education courses at the baccalaureate level for the granting of a teaching certificate. The board shall provide for a minimum number of semester credit hours of internship to be included in the hours needed for certification. The board may propose rules requiring additional credit hours for certification in bilingual education, English as a second language, early childhood education, or special education.
- (c) A person who receives a bachelor's degree required for a teaching certificate on the basis of higher education coursework completed while receiving an exemption from tuition and fees under Section 54.363 may not be required to participate in any field experience or internship consisting of student teaching to receive a teaching certificate.

**Texas Education Code, §21.051, Rules Regarding Field-Based Experience and Options for Field Experience and Internships, as amended by SB 1839, 85th Texas Legislature, Regular Session, 2017:**

- (a) In this section, "teacher of record" means a person employed by a school district who teaches the majority of the instructional day in an academic instructional setting and is responsible for evaluating student achievement and assigning grades.
- (b) Before a school district may employ a candidate for certification as a teacher of record and, except as provided by Subsection (b-1), after the candidate's admission to an educator preparation program, the candidate must complete at least 15 hours of field-based experience in which the candidate is actively engaged in instructional or educational activities under supervision at:
  - (1) a public school campus accredited or approved for the purpose by the agency; or
  - (2) a private school recognized or approved for the purpose by the agency.
- (b-1) A candidate may satisfy up to 15 hours of the field-based experience requirement under Subsection (b) by serving as a long-term substitute teacher as prescribed by board rule. Experience under this subsection may occur after the candidate's admission to an educator preparation program or during the two years before the date the candidate is admitted to the program. The candidate's experience in instructional or educational activities must be documented by the educator preparation program and must be obtained at:
  - (1) a public school campus accredited or approved for the purpose by the agency; or
  - (2) a private school recognized or approved for the purpose by the agency.
- (c) Subsection (b) applies only to an initial certification issued on or after September 1, 2012. Subsection (b) does not affect:

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- (1) the validity of a certification issued before September 1, 2012; or
  - (2) the eligibility of a person who holds a certification issued before September 1, 2012, to obtain a subsequent renewal of the certification in accordance with board rule.
- (d) Subsection (b) does not affect the period within which an individual must complete field-based experience hours as determined by board rule if the individual is not accepted into an educator preparation program before the deadline prescribed by board rule and is hired for a teaching assignment by a school district after the deadline prescribed by board rule.
  - (e) The board shall propose rules relating to the field-based experience required by Subsection (b). The commissioner by rule shall adopt procedures and standards for recognizing a private school under Subsection (b)(2).
  - (f) The board shall propose rules providing flexible options for persons for any field-based experience or internship required for certification.

**Texas Occupations Code, §55.007, License Eligibility Requirements for Applicants with Military Experience:**

- (a) Notwithstanding any other law, a state agency that issues a license shall, with respect to an applicant who is a military service member or military veteran, credit verified military service, training, or education toward the licensing requirements, other than an examination requirement, for a license issued by the state agency.
- (b) The state agency shall adopt rules necessary to implement this section.
- (c) Rules adopted under this section may not apply to an applicant who:
  - (1) holds a restricted license issued by another jurisdiction; or
  - (2) has an unacceptable criminal history according to the law applicable to the state agency.

ATTACHMENT II  
Text of Proposed Amendments to 19 TAC**Chapter 228. Requirements for Educator Preparation Programs****§228.2. Definitions.**

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

- (1) Academic year--If not referring to the academic year of a particular public, private, or charter school or institution of higher education, September 1 through August 31.
- (2) Accredited institution of higher education--An institution of higher education that, at the time it conferred the degree, was accredited or otherwise approved by an accrediting organization recognized by the Texas Higher Education Coordinating Board.
- (3) Alternative certification program--An approved educator preparation program, delivered by entities described in §228.20(a) of this title (relating to Governance of Educator Preparation Programs), specifically designed as an alternative to a traditional undergraduate certification program, for individuals already holding at least a bachelor's degree from an accredited institution of higher education.
- (4) Benchmarks--A record similar to a transcript for each candidate enrolled in an educator preparation program documenting the completion of admission, program, certification, and other requirements.
- (5) Campus supervisor--A school administrator or designee responsible for the annual performance appraisal of an intern.
- (6) ~~(5)~~ Candidate--An individual who has been formally or contingently admitted into an educator preparation program; also referred to as an enrollee or participant.
- (7) Candidate coach--A person as defined in §228.33(b)(1)-(3) of this title (relating to Intensive Pre-Service) who participates in a minimum of four observation/feedback coaching cycles provided by program supervisors, completes a Texas Education Agency-approved observation training or has completed a minimum of 150 hours of observation/feedback training, and has current certification in the class in which supervision is provided.
- (8) ~~(6)~~ Certification category--A certificate type within a certification class, as described in Chapter 233 of this title (relating to Categories of Classroom Teaching Certificates).
- (9) ~~(7)~~ Certification class--A certificate, as described in §230.33 of this title (relating to Classes of Certificates), that has defined characteristics; may contain one or more certification categories, as described in Chapter 233 of this title.
- (10) ~~(8)~~ Classroom teacher--An educator who is employed by a school or district and who, not less than an average of four hours each day, teaches in an academic instructional setting or a career and technical instructional setting. This term does not include an educational aide or a full-time administrator.
- (11) ~~(9)~~ Clinical teaching--A supervised educator assignment through an educator preparation program at a public school accredited by the Texas Education Agency (TEA) or other school approved by the TEA for this purpose that may lead to completion of a standard certificate; also referred to as student teaching.
- (12) ~~(10)~~ Clock-hours--The actual number of hours of coursework or training provided; for purposes of calculating the training and coursework required by this chapter, one semester credit hour at an accredited institution of higher education is equivalent to 15 clock-hours. Clock-hours of field-based experiences, clinical teaching, internship, and practicum are actual hours spent in the required educational activities and experiences.

- (13) ~~(11)~~ Contingency admission--Admission as described in §227.15 of this title (relating to Contingency Admission).
- (14) ~~(12)~~ Cooperating teacher--For a clinical teacher candidate, an educator who is collaboratively assigned by the educator preparation program (EPP) and campus administrator; who has at least three years of teaching experience; who is an accomplished educator as shown by student learning; who has completed cooperating teacher training, including training in how to coach and mentor teacher candidates, by the EPP within three weeks of being assigned to a clinical teacher; who is currently certified in the certification category for the clinical teaching assignment for which the clinical teacher candidate is seeking certification; who guides, assists, and supports the candidate during the candidate's clinical teaching in areas such as planning, classroom management, instruction, assessment, working with parents, obtaining materials, district policies; and who reports the candidate's progress to that candidate's field supervisor.
- (15) ~~(13)~~ Educator preparation program--An entity that must be approved by the State Board for Educator Certification to recommend candidates in one or more educator certification classes.
- (16) ~~(14)~~ Entity--The legal entity that is approved to deliver an educator preparation program.
- (17) ~~(15)~~ Field-based experiences--Introductory experiences for a classroom teacher certification candidate involving, at the minimum, reflective observation of Early Childhood-Grade 12 students, teachers, and faculty/staff members engaging in educational activities in a school setting.
- (18) ~~(16)~~ Field supervisor--A currently certified educator, hired by the educator preparation program, who preferably has advanced credentials, to observe candidates, monitor their performance, and provide constructive feedback to improve their effectiveness as educators. A field supervisor shall have at least three years of experience and current certification in the class in which supervision is provided. A field supervisor shall be an accomplished educator as shown by student learning. A field supervisor with experience as a campus-level administrator and who holds a current certificate that is appropriate for a principal assignment may also supervise classroom teacher, master teacher, and reading specialist candidates. A field supervisor with experience as a district-level administrator and who holds a current certificate that is appropriate for a superintendent assignment may also supervise principal candidates. If an individual is not currently certified, an individual must hold at least a master's degree in the academic area or field related to the certification class for which supervision is being provided and comply with the same number, content, and type of continuing professional education requirements described in §232.11 of this title (relating to Number and Content of Required Continuing Professional Education Hours), §232.13 of this title (relating to Number of Required Continuing Professional Education Hours by Classes of Certificates), and §232.15 of this title (relating to Types of Acceptable Continuing Professional Education Activities). A field supervisor shall not be employed by the same school where the candidate being supervised is completing his or her clinical teaching, internship, or practicum. A mentor, cooperating teacher, or site supervisor, assigned as required by §228.35(f) of this title (relating to Preparation Program Coursework and/or Training), may not also serve as a candidate's field supervisor.
- (19) ~~(17)~~ Formal admission--Admission as described in §227.17 of this title (relating to Formal Admission).
- (20) ~~(18)~~ Head Start Program--The federal program established under the Head Start Act (42 United States Code, §9801 et seq.) and its subsequent amendments.
- (21) ~~(19)~~ Initial certification--The first Texas certificate in a class of certificate issued to an individual based on participation in an approved educator preparation program.
- (22) ~~(20)~~ Intensive Pre-Service--An educator assignment supervised by an educator preparation program accredited and approved by the State Board for Educator Certification prior to a candidate meeting the requirements for issuance of intern and probationary certificates.
- (23) ~~(21)~~ Intern certificate--A type of certificate as specified in §230.36 of this title (relating to Intern Certificates) that is issued to a candidate who has passed all required content pedagogy

certification examinations and is completing initial requirements for certification through an approved educator preparation program.

- (24) [~~22~~] Internship--A paid supervised classroom teacher assignment for one full school year at a public school accredited by the Texas Education Agency (TEA) or other school approved by the TEA for this purpose that may lead to completion of a standard certificate.
- (25) [~~23~~] Late hire--An individual who has not been accepted into an educator preparation program before the 45th day before the first day of instruction and who is hired for a teaching assignment by a school after the 45th day before the first day of instruction or after the school's academic year has begun.
- (26) [~~24~~] Mentor--For an internship candidate, an educator who is collaboratively assigned by the campus administrator and the educator preparation program (EPP); who has at least three years of teaching experience; who is an accomplished educator as shown by student learning; who has completed mentor training, including training in how to coach and mentor teacher candidates, by an EPP within three weeks of being assigned to the intern; who is currently certified in the certification category in which the internship candidate is seeking certification; who guides, assists, and supports the candidate during the internship in areas such as planning, classroom management, instruction, assessment, working with parents, obtaining materials, district policies; and who reports the candidate's progress to that candidate's field supervisor.
- (27) [~~25~~] Pedagogy--The art and science of teaching, incorporating instructional methods that are developed from scientifically-based research.
- (28) [~~26~~] Post-baccalaureate program--An educator preparation program, delivered by an accredited institution of higher education and approved by the State Board for Educator Certification to recommend candidates for certification, that is designed for individuals who already hold at least a bachelor's degree and are seeking an additional degree.
- (29) [~~27~~] Practicum--A supervised educator assignment at a public school accredited by the Texas Education Agency (TEA) or other school approved by the TEA for this purpose that is in a school setting in the particular class for which a certificate in a class other than classroom teacher is sought.
- (30) [~~28~~] Probationary certificate--A type of certificate as specified in §230.37 of this title (relating to Probationary Certificates) that is issued to a candidate who has passed all required certification examinations and is completing requirements for certification through an approved educator preparation program.
- (31) [~~29~~] School day--If not referring to the school day of a particular public or private school, a school day shall be at least seven hours (420 minutes) each day, including intermissions and recesses.
- (32) [~~30~~] School year--If not referring to the school year of a particular public or private school, a school year shall provide at least 180 days (75,600 minutes) of instruction for students.
- (33) [~~31~~] Site supervisor--For a practicum candidate, an educator who has at least three years of experience in the aspect(s) of the certification class being pursued by the candidate; who is collaboratively assigned by the campus or district administrator and the educator preparation program (EPP); who is currently certified in the certification class in which the practicum candidate is seeking certification; who has completed training by the EPP, including training in how to coach and mentor candidates, within three weeks of being assigned to a practicum candidate; who is an accomplished educator as shown by student learning; who guides, assists, and supports the candidate during the practicum; and who reports the candidate's progress to the candidate's field supervisor.
- (34) [~~32~~] Texas Education Agency staff--Staff of the Texas Education Agency assigned by the commissioner of education to perform the State Board for Educator Certification's administrative functions and services.

- (35) [~~(33)~~] Texas Essential Knowledge and Skills (TEKS)--The kindergarten-Grade 12 state curriculum in Texas adopted by the State Board of Education and used as the foundation of all state certification examinations.

### §228.10. Approval Process.

- (a) New entity approval. An entity seeking initial approval to deliver an educator preparation program (EPP) shall submit an application and proposal with evidence indicating the ability to comply with the provisions of this chapter, Chapter 227 of this title (relating to Provisions for Educator Preparation Candidates), Chapter 229 of this title (relating to Accountability System for Educator Preparation Programs), and Chapter 230 of this title (relating to Professional Educator Preparation and Certification). The proposal will be reviewed by the Texas Education Agency (TEA) staff and a pre-approval site visit will be conducted. The TEA staff shall recommend to the State Board for Educator Certification (SBEC) whether the entity should be approved. A post-approval site visit will be conducted after the first year of the EPP's operation.
- (1) The proposal shall include the following program approval components:
- (A) ownership and governance of the EPP;
  - (B) criteria for admission to the EPP;
  - (C) EPP curriculum;
  - (D) EPP coursework and/or training, including ongoing support during clinical teaching, internship, and practicum experiences;
  - (E) certification procedures;
  - (F) assessment and evaluation of candidates for certification and EPP improvement;
  - (G) professional conduct of EPP staff and candidates;
  - (H) EPP complaint procedures; and
  - (I) required submissions of information, surveys, and other accountability data.
- (2) The proposal shall also include identification of the classes and categories of certificates proposed to be offered by the entity.
- (b) Continuing entity approval. An entity approved by the SBEC under this chapter shall be reviewed at least once every five years; however, a review may be conducted at any time at the discretion of the TEA staff.
- (1) At the time of the review, the entity shall submit to the TEA staff a status report regarding its compliance with existing standards and requirements for EPPs. An EPP is responsible for establishing procedures and practices sufficient to ensure the security of information against unauthorized or accidental access, disclosure, modification, destruction, or misuse prior to the expiration of the retention period. Evidence of compliance is described in the figure provided in this paragraph.
- Figure: 19 TAC §228.10(b)(1)
- (2) Unless specified otherwise, the entity must retain evidence of compliance described in the figure in paragraph (1) of this subsection for a period of five years.
- (3) TEA staff shall, at the minimum, use the following risk factors to determine the need for discretionary reviews and the type of five-year reviews:
- (A) a history of the program's compliance with state law and board rules, standards, and procedures, with consideration given to:
    - (i) the seriousness of any violation of a rule, standard, or procedure;
    - (ii) whether the violation resulted in an action being taken against the program;
    - (iii) whether the violation was promptly remedied by the program;

- (iv) the number of alleged violations; and
    - (v) any other matter considered to be appropriate in evaluating the program's compliance history;
  - (B) whether the program meets the accountability standards under Texas Education Code, §21.045; and
  - (C) whether a program is accredited by other organizations.
- (c) Approval of clinical teaching for an alternative certification program. An alternative certification program seeking approval to implement a clinical teaching component shall submit a description of the following elements of the program for approval by the TEA staff on an application in a form developed by the TEA staff that shall include, at a minimum:
  - (1) general clinical teaching program description, including conditions under which clinical teaching may be implemented;
  - (2) selection criteria for clinical teachers;
  - (3) selection criteria for cooperating teachers;
  - (4) description of support and communication between candidates, cooperating teachers, and the alternative certification program;
  - (5) description of program supervision; and
  - (6) description of how candidates are evaluated.
- (d) Addition of certificate categories and classes.
  - (1) An EPP that is rated "accredited," as provided in §229.4 of this title (relating to Determination of Accreditation Status), may request additional certificate categories be approved by TEA staff, by submitting an application in a form developed by the TEA staff that shall include, at a minimum, the curriculum matrix; a description of how the standards for Texas educators are incorporated into the EPP; and documentation showing that the program has the staff knowledge and expertise to support individuals participating in each certification category being requested. The curriculum matrix must include the standards, framework competencies, applicable Texas Essential Knowledge and Skills, course and/or module names, and the benchmarks or assessments used to measure successful program progress.
  - (2) An EPP rated "accredited" and currently approved to offer a certificate for which the SBEC is changing the grade level of the certificate may request to offer the preapproved category at different grade levels by submitting an application in a form developed by the TEA staff that shall include, at a minimum, a modified curriculum matrix that includes the standards, course and/or module names, and the benchmarks or assessments used to measure successful program progress. The requested additional certificate categories must be within the classes of certificates for which the EPP has been previously approved by the SBEC.
  - (3) An EPP that is not rated "accredited" may not apply to offer additional certificate categories or classes of certificates.
  - (4) An EPP that is rated "accredited" may request the addition of a certificate class that has not been previously approved by the SBEC, but must present a full proposal on an application in a form developed by the TEA staff for consideration and approval by the SBEC.
- (e) Addition of program locations. An EPP that is rated "accredited," may open additional locations, provided the program informs the SBEC of any additional locations at which the program is providing educator preparation 60 days prior to providing educator preparation at the location. Additional program locations must operate in accordance with the program components under which the program has been approved to operate.
- (f) Contingency of approval. Approval of an EPP by the SBEC, including each specific certificate class and category, is contingent upon approval by other lawfully established governing bodies such as the Texas

Higher Education Coordinating Board, boards of regents, or school district boards of trustees. Continuing EPP approval is contingent upon compliance with superseding state and federal law.

(g) Notwithstanding any other provisions of this section, a program that is approved to offer certificates that the SBEC has replaced with new certificates, which require a science of teaching reading assessment, may be approved to offer the certificates by submitting on or before December 1, 2020, a request to offer the new certificates in a form developed by the TEA staff. This request must include at a minimum an attestation signed by the program's legal authority of the program's intent to modify its curriculum by January 1, 2021, as necessary to prepare candidates for the new certificate. Programs may be approved to offer the new certificates only for the route(s) for which they are approved to offer the existing certificates. A program that does not file a request for approval to offer the new certificates on or before December 1, 2020, may apply for authorization using the process described in subsection (d) of this section. The eligible certificates are as follows:

- (1) a program approved to offer Core Subjects: Early Childhood-6 may request to offer Core Subjects with Science of Teaching Reading: Early Childhood-6;
- (2) a program approved to offer Core Subjects: Grades 4-8 may request to offer Core Subjects with Science of Teaching Reading: Grades 4-8;
- (3) a program approved to offer English Language Arts and Reading: Grades 4-8 may request to offer English Language Arts and Reading with Science of Teaching Reading: Grades 4-8; and
- (4) a program approved to offer English Language Arts and Reading/Social Studies: Grades 4-8 may request to offer English Language Arts and Reading/Social Studies with Science of Teaching Reading: Grades 4-8.

#### **§228.15. Program Consolidation or Closure.**

- (a) An educator preparation program (EPP) that is consolidating or closing must comply with the following procedures to ensure that all issues relevant to EPP consolidation or closure have been addressed.
- (1) The EPP must submit a letter on official letterhead to Texas Education Agency (TEA) staff signed by the legal authority of the EPP that contains a formal statement of consolidation or closing with an effective date of August 31 for consolidation or closure.
  - (2) The EPP must contact candidates currently in the EPP with notification of consolidation or closure and the steps candidates must take in relation to their status. The EPP shall maintain evidence of the attempts to notify each candidate.
  - (3) The EPP shall not admit candidates or recommend candidates for an intern or probationary certificate within one year of the August 31 closure date.
  - (4) ~~(3)~~ The EPP must identify and keep current a representative's name, electronic mail address, and telephone number that will be valid for five years after an EPP's closure to provide access to candidate records and responses to former candidate's questions and/or issues. If an EPP is consolidating, the candidate records will transfer to the new EPP.
  - (5) ~~(4)~~ The EPP must complete required State Board for Educator Certification (SBEC) and TEA actions including ~~[such as]~~ required submissions of information, surveys, and other accountability data; removal of security accesses; ~~[and]~~ reconciliation of certification recommendations ; and payment of the Accountability System for Educator Preparation Programs technology fee as specified in §229.9(7) of this title (relating to Fees for Educator Preparation Program Approval and Accountability) .
- (b) The chief operating officer, legal authority, or a member of the governing body of an EPP that fails to comply with the consolidation or closure procedures in this section is not eligible to be recommended to the SBEC for approval as an EPP.
- (c) The chief operating officer, legal authority, or a member of the governing body of an EPP that closes voluntarily due to pending TEA or SBEC action or involuntarily due to SBEC action is not eligible to be recommended to the SBEC for approval as an EPP.

- (d) If an EPP is consolidating and fails to comply with the consolidation procedures in this section, TEA staff may make a recommendation that the SBEC impose sanctions affecting the new EPP's accreditation status in accordance with §229.5 of this title (relating to Accreditation Sanctions and Procedures) and/or continuing approval status in accordance with §229.6 of this title (relating to Continuing Approval).
- (e) If an EPP violates any of the requirements as prescribed in subsection (a)(1)-(5) of this section, TEA staff will recommend revocation of the EPP's continuing approval to recommend candidates in accordance with §229.6(c) of this title.

#### §228.20. Governance of Educator Preparation Programs.

- (a) Preparation for the certification of educators may be delivered by an institution of higher education, regional education service center, public school district, or other entity approved by the State Board for Educator Certification (SBEC) under §228.10 of this title (relating to Approval Process).
- (b) The preparation of educators shall be a collaborative effort among public schools accredited by the Texas Education Agency (TEA) and/or TEA-recognized private schools; regional education service centers; institutions of higher education; and/or business and community interests; and shall be delivered in cooperation with public schools accredited by the TEA and/or TEA-recognized private schools. An advisory committee with members representing as many as possible of the groups identified as collaborators in this subsection shall assist in the design, delivery, evaluation, and major policy decisions of the educator preparation program (EPP). The approved EPP shall inform each member of the advisory committee of the roles and responsibilities of the advisory committee and shall meet a minimum of once during each academic year.
- (c) The governing body and chief operating officer of an entity approved to deliver educator preparation shall provide sufficient support to enable the EPP to meet all standards set by the SBEC and shall be accountable for the quality of the EPP and the candidates whom the program recommends for certification.
- (d) All EPPs must be implemented as approved by the SBEC as specified in §228.10 of this title.
- (e) An EPP that is rated "accredited" or "accredited-not rated" may amend its program, provided the program informs TEA staff of any amendments 60 days prior to implementing the amendments. An EPP must submit notification of a proposed amendment to its program on a letter signed by the EPP's legally authorized agent or representative that explains the amendment, details the rationale for changes, and includes documents relevant to the amendment.
- (f) An EPP that is not rated "accredited" or "accredited-not rated" may amend its program, provided the program informs TEA staff of any amendments 120 days prior to implementing the amendments. An EPP must submit notification of a proposed amendment on a letter signed by the EPP's legally authorized agent or representative that explains the amendment, details the rationale for changes, and includes documents relevant to the amendment. The EPP will be notified in writing of the approval or denial of its proposal within 60 days following the receipt of the notification by the TEA staff.
- (g) Each EPP must develop and implement a calendar of program activities that must include a deadline for accepting candidates into a program cycle to assure adequate time for admission, coursework, training, and field-based experience requirements prior to a clinical teaching or internship experience. If an EPP accepts candidates after the deadline, the EPP must develop and implement a calendar of program activities to assure adequate time for admission, coursework, training, and field-based experience requirements prior to a clinical teaching experience or prior to or during an internship experience.
- (h) All EPPs shall have a published exit policy for dismissal of candidates that is reviewed and signed by candidates upon admission.

#### §228.30. Educator Preparation Curriculum.

- (a) The educator standards adopted by the State Board for Educator Certification shall be the curricular basis for all educator preparation and, for each certificate, address the relevant Texas Essential Knowledge and Skills (TEKS).

- (b) The curriculum for each educator preparation program shall rely on scientifically-based research to ensure educator effectiveness.
- (c) The following subject matter shall be included in the curriculum for candidates seeking initial certification in any certification class:
- (1) the code of ethics and standard practices for Texas educators, pursuant to Chapter 247 of this title (relating to Educators' Code of Ethics), which include:
    - (A) professional ethical conduct, practices, and performance;
    - (B) ethical conduct toward professional colleagues; and
    - (C) ethical conduct toward students;
  - (2) instruction in detection and education of students with dyslexia, as indicated in the Texas Education Code (TEC), §21.044(b);
  - (3) instruction regarding mental health, substance abuse, and youth suicide, as indicated in the TEC, §21.044(c-1). Instruction acquired from the list of recommended best practice-based programs or from an accredited institution of higher education or an alternative certification program as part of a degree plan [~~or research-based practices~~] shall be implemented as required by the provider of the best practice-based program or research-based practice;
  - (4) 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;
  - (5) the importance of building strong classroom management skills;
  - (6) the framework in this state for teacher and principal evaluation;
  - (7) appropriate relationships, boundaries, and communications between educators and students; and
  - (8) instruction in digital learning, including a digital literacy evaluation followed by a prescribed digital learning curriculum. The instruction required must:
    - (A) be aligned with the latest version of the International Society for Technology in Education's (ISTE) standards as appears on the ISTE website;
    - (B) provide effective, evidence-based strategies to determine a person's degree of digital literacy; and
    - (C) include resources to address any deficiencies identified by the digital literacy evaluation.
- (d) The following subject matter shall be included in the curriculum for candidates seeking initial certification in the classroom teacher certification class:
- (1) the relevant TEKS, including the English Language Proficiency Standards;
  - (2) reading instruction, including instruction that improves students' content-area literacy;
  - (3) for certificates that include early childhood and prekindergarten, the Prekindergarten Guidelines; and
  - (4) the skills and competencies as prescribed in Chapter 235 of this title (relating to Classroom Teacher Certification Standards) and captured in the Texas teacher standards in Chapter 149, Subchapter AA, of this title (relating to Teacher Standards).
- (e) For candidates seeking certification in the principal certification class, the curriculum shall include the skills and competencies as prescribed in Chapter 241 of this title (relating to Certification as Principal) and captured in the Texas administrator standards, as indicated in Chapter 149, Subchapter BB, of this title (relating to Administrator Standards).
- (f) The following educator content standards from Chapter 235 of this title [~~(relating to Classroom Teacher Certification Standards)~~] shall be included in the curriculum for candidates who hold a valid standard, provisional, or one-year classroom teacher certificate specified in §230.31 of this title (relating to Types of

Certificates) in a certificate category that allows the candidates who are seeking the Early Childhood: Prekindergarten-Grade 3 certificate to teach all subjects in Prekindergarten, Kindergarten, Grade 1, Grade 2, or Grade 3:

- (1) Child Development provisions of the Early Childhood: Prekindergarten-Grade 3 Content Standards;
- (2) Early Childhood-Grade 3 Pedagogy and Professional Responsibilities Standards; and
- (3) Science of Teaching Reading Standards.

**§228.35. Preparation Program Coursework and/or Training.**

- (a) Coursework and/or training for candidates seeking initial certification in any certification class.
  - (1) An educator preparation program (EPP) shall provide coursework and/or training to adequately prepare candidates for educator certification and ensure the educator is effective in the classroom.
  - (2) Coursework and/or training shall be sustained, rigorous, intensive, interactive, candidate-focused, and performance-based.
  - (3) All coursework and/or training shall be completed prior to EPP completion and standard certification.
  - (4) With appropriate documentation such as certificate of attendance, sign-in sheet, or other written school district verification, 50 clock-hours of training may be provided by a school district and/or campus that is an approved Texas Education Agency (TEA) continuing professional education provider to a candidate who is considered a late hire. The training provided by the school district and/or campus must meet the criteria described in the Texas Education Code (TEC), §21.451 (Staff Development Requirements) and must be directly related to the certificate being sought.
  - (5) Each EPP must develop and implement specific criteria and procedures that allow:
    - (A) military service member or military veteran candidates to credit verified military service, training, or education toward the training, education, work experience, or related requirements (other than certification examinations) for educator certification requirements, provided that the military service, training, or education is directly related to the certificate being sought; and
    - (B) candidates who are not military service members or military veterans to substitute prior or ongoing service, training, or education, provided that the experience, education, or training is not also counted as a part of the internship, clinical teaching, or practicum requirements, was provided by an approved EPP or an accredited institution of higher education within the past five years, and is directly related to the certificate being sought.
  - (6) Coursework and training that is offered online must meet, or the EPP must be making progress toward meeting, criteria set for accreditation, quality assurance, and/or compliance with one or more of the following:
    - (A) Accreditation or Certification by the Distance Education Accrediting Commission;
    - (B) Program Design and Teaching Support Certification by Quality Matters;
    - (C) Part 1, Chapter 4, Subchapter P, of this title (relating to Approval of Distance Education Courses and Programs for Public Institutions); or
    - (D) Part 1, Chapter 7 of this title (relating to Degree Granting Colleges and Universities Other than Texas Public Institutions).
- (b) Coursework and/or training for candidates seeking initial certification in the classroom teacher certification class. An EPP shall provide each candidate with a minimum of 300 clock-hours of coursework and/or training. An EPP shall provide a minimum of 200 clock-hours of coursework and/or training for a candidate seeking a Trade and Industrial Workforce Training certificate as specified by §233.14(e) of this title (relating to Career and Technical Education (Certificates requiring experience and preparation in a

skill area)). Unless a candidate qualifies as a late hire, a candidate shall complete the following prior to any clinical teaching or internship:

- (1) a minimum of 30 clock-hours of field-based experience. Up to 15 clock-hours of this field-based experience may be provided by use of electronic transmission or other video or technology-based method; and
  - (2) 150 clock-hours of coursework and/or training as prescribed in §228.30(d)(4) of this title (relating to Educator Preparation Curriculum) that allows candidates to demonstrate proficiency in:
    - (A) designing clear, well-organized, sequential, engaging, and flexible lessons that reflect best practice, align with standards and related content, are appropriate for diverse learners and encourage higher-order thinking, persistence, and achievement;
    - (B) formally and informally collecting, analyzing, and using student progress data to inform instruction and make needed lesson adjustments;
    - (C) ensuring high levels of learning, social-emotional development, and achievement for all students through knowledge of students, proven practices, and differentiated instruction;
    - (D) clearly and accurately communicating to support persistence, deeper learning, and effective effort;
    - (E) organizing a safe, accessible, and efficient classroom;
    - (F) establishing, communicating, and maintaining clear expectations for student behavior;
    - (G) leading a mutually respectful and collaborative class of actively engaged learners;
    - (H) meeting expectations for attendance, professional appearance, decorum, procedural, ethical, legal, and statutory responsibilities;
    - (I) reflect on his or her practice; and
    - (J) effectively communicating with students, families, colleagues, and community members.
- (c) Coursework and/or training for candidates seeking initial certification in a certification class other than classroom teacher. An EPP shall provide coursework and/or training to ensure that the educator is effective in the assignment. An EPP shall provide a candidate with a minimum of 200 clock-hours of coursework and/or training that is directly aligned to the educator standards for the applicable certification class.
- (d) Late hire provisions. A late hire for a school district teaching position may begin employment under an intern or probationary certificate before completing the pre-internship requirements of subsection (b) of this section, but shall complete these requirements within 90 school days of assignment.
- (e) Educator preparation program delivery. An EPP shall provide evidence of ongoing and relevant field-based experiences throughout the EPP in a variety of educational settings with diverse student populations, including observation, modeling, and demonstration of effective practices to improve student learning.
- (1) For initial certification in the classroom teacher certification class, each EPP shall provide field-based experiences, as defined in §228.2 of this title (relating to Definitions), for a minimum of 30 clock-hours. The field-based experiences must be completed prior to assignment in an internship or clinical teaching.
    - (A) Field-based experiences must include 15 clock-hours in which the candidate, under the direction of the EPP, is actively engaged in instructional or educational activities that include:
      - (i) authentic school settings in a public school accredited by the TEA or other school approved by the TEA for this purpose;
      - (ii) instruction by content certified teachers;
      - (iii) actual students in classrooms/instructional settings with identity-proof provisions;

- (iv) content or grade-level specific classrooms/instructional settings; and
    - (v) written reflection of the observation.
  - (B) Up to 15 clock-hours of field-based experience may be provided by use of electronic transmission or other video or technology-based method. Field-based experience provided by use of electronic transmission or other video or technology-based method must include:
    - (i) direction of the EPP;
    - (ii) authentic school settings in an accredited public or private school;
    - (iii) instruction by content certified teachers;
    - (iv) actual students in classrooms/instructional settings with identity-proof provisions;
    - (v) content or grade-level specific classrooms/instructional settings; and
    - (vi) written reflection of the observation.
  - (C) Up to 15 clock-hours of field-based experience may be satisfied by serving as a long-term substitute. A long-term substitute is an individual who has been hired by a school or district to work at least 30 consecutive days in an assignment as a classroom teacher. Experience may occur after the candidate's admission to an EPP or during the two years before the date the candidate is admitted to the EPP. The candidate's experience in instructional or educational activities must be documented by the EPP and must be obtained at a public or private school accredited or approved for the purpose by the TEA.
- (2) For initial certification in the classroom teacher certification class, each EPP shall also provide at least one of the following.
  - (A) Clinical Teaching. A candidate must have a clinical teaching assignment for each subject area in which the candidate is seeking initial certification.
    - (i) For a candidate seeking initial certification in only one subject area, the following provisions apply.
      - (I) Clinical teaching must meet one of the following requirements:
        - (-a-) a minimum of 14 weeks (no fewer than 70 full days), with a full day being 100% of the school day; or
        - (-b-) a minimum of 28 weeks (no fewer than 140 half days), with a half day being 50% of the school day.
      - (II) A clinical teaching assignment as described in subclause (I)(-a-) of this clause shall not be less than an average of four hours each day in the subject area and grade level of certification sought. The average includes intermissions and recesses but does not include conference and duty-free lunch periods.
    - (ii) For a candidate seeking initial certification in more than one subject area, the primary teaching assignment must meet the requirements of clause (i)(I)(-a-) of this subparagraph. Additional clinical teaching assignments in other subject areas may be less than an average of four hours each day during the 14 weeks of clinical teaching if:
      - (I) the primary assignment is not less than an average of four hours each day in the subject area and grade level of certification sought;
      - (II) the EPP is approved to offer preparation in the certification category required for the additional assignment;

- (III) the EPP provides ongoing support for each assignment as prescribed in subsection (g) of this section;
  - (IV) the EPP provides coursework and training for each assignment to adequately prepare the candidate to be effective in the classroom; and
  - (V) the campus administrator agrees to assign a qualified cooperating teacher appropriate to each assignment.
- (iii) Clinical teaching is successful when the candidate demonstrates proficiency in each of the educator standards for the assignment and the field supervisor and cooperating teacher recommend to the EPP that the candidate should be recommended for a standard certificate. If either the field supervisor or cooperating teacher do not recommend that the candidate should be recommended for a standard certificate, the person who does not recommend the candidate must provide documentation supporting the lack of recommendation to the candidate and either the field supervisor or cooperating teacher.
- (iv) An EPP may permit a full day clinical teaching assignment up to 5 full days fewer than the minimum and a half day clinical teaching assignment up to 10 half days fewer than the minimum if due to maternity leave, military leave, illness, or bereavement.
- (B) Internship. An internship must be for a minimum of one full school year for the classroom teacher assignment or assignments that match the certification category or categories for which the candidate is prepared by the EPP.
- (i) An EPP may permit an internship of up to 30 school days fewer than the minimum if due to maternity leave, military leave, illness, bereavement, or if the late hire date is after the first day of the school year.
  - (ii) The beginning date for an internship for the purpose of field supervision is the first day of instruction with students in the school or district in which the internship takes place.
  - (iii) An internship assignment shall not be less than an average of four hours each day in the subject area and grade level of certification sought. The average includes intermissions and recesses but does not include conference and duty-free lunch periods. An EPP may permit an additional internship assignment of less than an average of four hours each day if:
    - (I) the primary assignment is not less than an average of four hours each day in the subject area and grade level of certification sought;
    - (II) the EPP is approved to offer preparation in the certification category required for the additional assignment;
    - (III) the EPP provides ongoing support for each assignment as prescribed in subsection (g) of this section;
    - (IV) the EPP provides coursework and training for each assignment to adequately prepare the candidate to be effective in the classroom; and
    - (V) the employing school or district notifies the candidate and the EPP in writing that an assignment of less than four hours will be required.
  - (iv) A candidate must hold an intern or probationary certificate while participating in an internship. A candidate must meet the requirements and conditions, including the subject matter knowledge requirement, prescribed in §230.36 of this title (relating to Intern Certificates) and §230.37 of this title (relating to Probationary Certificates) to be eligible for an intern or probationary certificate.
  - (v) An EPP may recommend an additional internship if:

- (I) the EPP certifies that the first internship was not successful, the EPP has developed a plan to address any deficiencies identified by the candidate and the candidate's field supervisor, and the EPP implements the plan during the additional internship; or
  - (II) the EPP certifies that the first internship was successful and that the candidate is making satisfactory progress toward completing the EPP before the end of the additional internship.
- (vi) An EPP must provide ongoing support to a candidate as described in subsection (g) of this section for the full term of the initial and any additional internship, unless, prior to the expiration of that term:
- (I) a standard certificate is issued to the candidate during any additional internship under a probationary certificate;
  - (II) the candidate resigns, is non-renewed, or is terminated by the school or district [~~A candidate must provide the EPP the official notice of resignation or termination within seven calendar days after receipt of the notice from the employing school or district. Within seven calendar days after receipt of the official notice of resignation or termination, an EPP must notify a candidate in writing that the EPP will provide TEA with notice about the resignation or termination and that the intern or probationary certificate will be inactivated by the TEA 30 calendar days from the effective date of the resignation or termination. Within one business day after providing the notice to a candidate, an EPP must email the TEA a copy of the notice to the candidate and a copy of the official notice of the resignation or termination~~] ; or
  - (III) the candidate is discharged or is released from the EPP [~~An EPP must notify a candidate in writing that the candidate is being discharged or released, that the EPP will provide the employing school or district with notice of the discharge or release, that the EPP will provide TEA with notice about the discharge or release, and that the intern or probationary certificate will be inactivated by the TEA 30 calendar days from the effective date of the discharge or release. Within one business day after providing a candidate with notice of discharge or release, an EPP must provide written notification to the employing school or district of the withdrawal, discharge, or release. Within one business day of providing notice to the employing school or district, an EPP must email the TEA a copy of the notice of discharge or release and a copy of the notice to the employing school or district~~] ; or
  - (IV) the candidate withdraws from the EPP [~~A candidate must notify the EPP in writing that the candidate is withdrawing from the EPP. Within seven calendar days after receipt of the withdrawal notice, an EPP must notify a candidate in writing that the EPP will provide the employing school or district with notice of the withdrawal, that the EPP will provide TEA with notice about the withdrawal, and that the intern or probationary certificate will be inactivated by the TEA 30 calendar days from the effective date of the withdrawal. Within one business day after providing a candidate with notice of discharge or release, an EPP must provide written notification to the employing school or district of the withdrawal, discharge, or release. Within one business day of providing notice to the employing school or district, an EPP must email the TEA a copy of the notice of withdrawal and a copy of the notice to the employing school or district~~] ; or

- (V) the internship assignment does not meet the requirements described in this subparagraph. ~~[Within seven calendar days of knowing that an internship assignment does not meet requirements, an EPP must notify a candidate in writing; that the internship assignment does not meet the requirements; that the EPP will provide the employing school or district with notice; that the EPP will provide the TEA with notice; and that the intern or probationary certificate will be inactivated by the TEA 30 calendar days from the effective date the notice to the candidate was sent by the EPP. Within one business day after providing a candidate with notice, an EPP must provide written notification to the employing school or district that the internship assignment does not meet requirements and that the TEA will inactivate the certificate. Within one business day of providing notice to the employing school or district, an EPP must email the TEA a copy of the notice to the candidate and a copy of the notice to the employing school or district.]~~
- ~~(vii) If the candidate leaves the internship assignment for any of the reasons identified in clause (vi)(II)-(V) of this subparagraph:~~
- ~~(I) the EPP, the campus or district personnel, and the candidate must inform each other within one calendar week of the candidate's last day in the assignment; and~~
- ~~(II) TEA must receive the certificate deactivation request with all related documentation from the EPP within two calendar weeks of the candidate's last day of the assignment in a format determined by TEA.~~
- ~~(viii) The EPP must communicate the requirements in clause (vii) of this subparagraph to candidates and campus or district personnel prior to the assignment start date.~~
- ~~(ix) [(vii)] An internship is successful when the candidate demonstrates proficiency in each of the educator standards for the assignment and the field supervisor and campus supervisor recommend to the EPP that the candidate should be recommended for a standard certificate. If either the field supervisor or campus supervisor do not recommend that the candidate should be recommended for a standard certificate, the person who does not recommend the candidate must provide documentation supporting the lack of recommendation to the candidate and either the field supervisor or campus supervisor.~~
- ~~(x) [(viii)] An internship for a Trade and Industrial Workforce Training certificate may be at an accredited institution of higher education if the candidate teaches not less than an average of four hours each day, including intermissions and recesses, in a dual credit career and technical instructional setting as defined by Part 1, Chapter 4, Subchapter D of this title (relating to Dual Credit Partnerships Between Secondary Schools and Texas Public Colleges).~~
- (3) An EPP may request an exception to the clinical teaching option described in this subsection.
- (A) Submission of Exception Request. The request for an exception must include an alternate requirement that will adequately prepare candidates for educator certification and ensure the educator is effective in the classroom. The request for an exception must be submitted in a form developed by the TEA staff that shall include:
- (i) the rationale and support for the alternate clinical teaching option;
- (ii) a full description and methodology of the alternate clinical teaching option;
- (iii) a description of the controls to maintain the delivery of equivalent, quality education; and

- (iv) a description of the ongoing monitoring and evaluation process to ensure that EPP objectives are met.
  - (B) Review, Approval, and Revocation of Exception Request.
    - (i) Exception requests will be reviewed by TEA staff, and the TEA staff shall recommend to the State Board for Educator Certification (SBEC) whether the exception should be approved. The SBEC may:
      - (I) approve the request;
      - (II) approve the request with conditions;
      - (III) deny approval of the request; or
      - (IV) defer action on the request pending receipt of further information.
    - (ii) If the SBEC approves the request with conditions, the EPP must meet the conditions specified in the request. If the EPP does not meet the conditions, the approval is revoked.
    - (iii) If the SBEC approves the request, the EPP must submit a written report of outcomes resulting from the clinical teaching exception to the TEA by September 15 of each academic year. If the EPP does not timely submit the report, the approval is revoked.
    - (iv) If the SBEC does approve the exception or an approval is revoked, an EPP must wait at least six months from the date of the denial or revocation before submitting a new request.
- (4) Candidates participating in an internship or a clinical teaching assignment need to experience a full range of professional responsibilities that shall include the start of the school year. The start of the school year is defined as the first 15 instructional days of the school year. If these experiences cannot be provided through clinical teaching or an internship, they must be provided through field-based experiences.
- (5) An internship or clinical teaching experience for certificates that include early childhood may be completed at a Head Start Program with the following stipulations:
  - (A) a certified teacher is available as a trained mentor;
  - (B) the Head Start program is affiliated with the federal Head Start program and approved by the TEA;
  - (C) the Head Start program teaches three- and four-year-old students; and
  - (D) the state's prekindergarten curriculum guidelines are being implemented.
- (6) An internship or clinical teaching experience must take place in an actual school setting rather than a distance learning lab or virtual school setting.
- (7) An internship or clinical teaching experience shall not take place in a setting where the candidate:
  - (A) has an administrative role over the mentor or cooperating teacher; or
  - (B) is related to the field supervisor, mentor, or cooperating teacher by blood (consanguinity) within the third degree or by marriage (affinity) within the second degree.
- (8) For certification in a class other than classroom teacher, each EPP shall provide a practicum for a minimum of 160 clock-hours whereby a candidate must demonstrate proficiency in each of the educator standards for the certificate class being sought.
  - (A) A practicum experience must take place in an actual school setting rather than a distance learning lab or virtual school setting.
  - (B) A practicum may not take place exclusively during a summer recess.

(C) ~~(B)~~ A practicum shall not take place in a setting where the candidate:

- (i) has an administrative role over the site supervisor; or
- (ii) is related to the field supervisor or site supervisor by blood (consanguinity) within the third degree or by marriage (affinity) within the second degree.

(D) ~~(C)~~ An intern or probationary certificate may be issued to a candidate for a certification class other than classroom teacher who meets the requirements and conditions, including the subject matter knowledge requirement, prescribed in §230.36 of this title ~~(relating to Intern Certificates)~~ and §230.37 of this title ~~(relating to Probationary Certificates)~~.

- (i) A candidate for an intern or probationary certificate in a certification class other than classroom teacher must meet all requirements established by the recommending EPP, which shall be based on the qualifications and requirements for the class of certification sought and the duties to be performed by the holder of a probationary certificate in that class.
- (ii) An EPP may recommend an additional practicum under a probationary certificate if:
  - (I) the EPP certifies that the first practicum was not successful, the EPP has developed a plan to address any deficiencies identified by the candidate and the candidate's field supervisor, and the EPP implements the plan during the additional practicum; or
  - (II) the EPP certifies that the first practicum was successful and that the candidate is making satisfactory progress toward completing the EPP before the end of the additional practicum.

(E) ~~(D)~~ A practicum is successful when the field supervisor and the site supervisor recommend to the EPP that the candidate should be recommended for a standard certificate. If either the field supervisor or site supervisor does not recommend that the candidate should be recommended for a standard certificate, the person who does not recommend the candidate must provide documentation supporting the lack of recommendation to the candidate and either the field supervisor or site supervisor.

- (9) Subject to all the requirements of this section, the TEA may approve a school that is not a public school accredited by the TEA as a site for field-based experience, internship, clinical teaching, and/or practicum.
- (A) All Department of Defense Education Activity (DoDEA) schools, wherever located, and all schools accredited by the Texas Private School Accreditation Commission (TEPSAC) are approved by the TEA for purposes of field-based experience, internship, clinical teaching, and/or practicum.
  - (B) An EPP may file an application, with the appropriate fee specified in §229.9(6) of this title (relating to Fees for Educator Preparation Program Approval and Accountability), with the TEA for approval, subject to periodic review, of a public school, a private school, or a school system located within any state or territory of the United States, as a site for field-based experience. The application shall be in a form developed by the TEA staff and shall include, at a minimum, evidence showing that the instructional standards of the school or school system align with those of the applicable Texas Essential Knowledge and Skills (TEKS) and SBEC certification standards.
  - (C) An EPP may file an application, with the appropriate fee specified in §229.9(6) of this title, with the TEA for approval, subject to periodic review, of a public or private school for a candidate's placement located within any state or territory of the United States, as a site for ~~an internship,~~ clinical teaching ~~and/or~~ or practicum required by this chapter. ~~The application shall be in a form developed by the TEA staff and shall include, at a minimum:~~

- (i) The clinical teaching or practicum site may be approved for a candidate who must complete requirements outside the state of Texas due to the following reasons if they occur following admission to the EPP:
- (I) military assignment of candidate or spouse;
  - (II) illness of candidate or family member for whom the candidate is the primary caretaker;
  - (III) candidate becomes the primary caretaker for a family member residing out of state; or
  - (IV) candidate or spouse transfer of employment.
- (ii) The application shall identify the circumstances that necessitate the request to complete clinical teaching or a practicum outside of the state of Texas and be in a form developed by the TEA staff and shall include, at a minimum:
- (I) ~~(i)~~ the accreditation(s) held by the school;
  - (II) ~~(ii)~~ a crosswalk comparison of the alignment of the instructional standards of the school with those of the applicable TEKS and SBEC certification standards;
  - (III) ~~(iii)~~ the certification, credentials, and training of the field supervisor(s) who will supervise candidates in the school; and
  - (IV) ~~(iv)~~ the measures that will be taken by the EPP to ensure that the candidate's experience will be equivalent to that of a candidate in a Texas public school accredited by the TEA.
- (D) An EPP may file an application, with the appropriate fee specified in §229.9(6) of this title, with the TEA for approval, subject to periodic review, of a public or private school for a candidate's placement located outside the United States, as a site for clinical teaching ~~[, internship,] or a practicum required by this chapter. [The application shall be in a form developed by the TEA staff and shall include, at a minimum, the same elements required in subparagraph (C) of this paragraph for schools located within any state or territory of the United States, with the addition of a description of the on-site program personnel and program support that will be provided and a description of the school's recognition by the U.S. State Department Office of Overseas Schools.]~~
- (i) The site may be approved for a candidate who must complete requirements outside the United States due to the following reasons if they occur following admission to the EPP:
- (I) military assignment of candidate or spouse;
  - (II) illness of candidate or family member for whom the candidate is the primary caretaker;
  - (III) candidate becomes the primary caretaker for a family member residing out of country; or
  - (IV) candidate or spouse transfer of employment.
- (ii) The application shall identify the circumstances that necessitate the request to complete clinical teaching or a practicum outside of the United States and be in a form developed by the TEA staff and shall include, at a minimum, the same provisions required in subparagraph (C)(ii) of this paragraph for schools located within any state or territory of the United States, with the addition of a description of the on-site program personnel and program support that will be provided and a description of the school's recognition by the U.S. State Department Office of Overseas Schools.

- (f) Mentors, cooperating teachers, and site supervisors. In order to support a new educator and to increase educator retention, an EPP shall collaborate with the campus or district administrator to assign each candidate a mentor during the candidate's internship, assign a cooperating teacher during the candidate's clinical teaching experience, or assign a site supervisor during the candidate's practicum. If an individual who meets the certification category and/or experience criteria for a cooperating teacher, mentor, or site supervisor is not available, the EPP and campus or district administrator shall assign an individual who most closely meets the criteria and document the reason for selecting an individual that does not meet the criteria. The EPP is responsible for providing mentor, cooperating teacher, and/or site supervisor training that relies on scientifically-based research, but the program may allow the training to be provided by a school, district, or regional education service center if properly documented.
- (g) Ongoing educator preparation program support for initial certification of teachers. Supervision of each candidate shall be conducted with the structured guidance and regular ongoing support of an experienced educator who has been trained as a field supervisor. Supervision provided on or after September 1, 2017, must be provided by a field supervisor who has completed TEA-approved observation training. The initial contact, which may be made by telephone, email, or other electronic communication, with the assigned candidate must occur within the first three weeks of assignment. For each formal observation, the field supervisor shall participate in an individualized pre-observation conference with the candidate, document educational practices observed; provide written feedback through an individualized, synchronous, and interactive post-observation conference with the candidate; and provide a copy of the written feedback to the candidate's cooperating teacher or mentor. Neither the pre-observation conference nor the post-observation conference need to be onsite. For candidates participating in an internship, the field supervisor shall provide a copy of the written feedback to the candidate's supervising campus administrator. Formal observations by the field supervisor conducted through collaboration with school or district personnel can be used to meet the requirements of this subsection. Informal observations and coaching shall be provided by the field supervisor as appropriate. In a clinical teaching experience, the field supervisor shall collaborate with the candidate and cooperating teacher throughout the clinical teaching experience. For an internship, the field supervisor shall collaborate with the candidate, mentor, and supervising campus administrator throughout the internship.
- (1) Each formal observation must be at least 45 minutes in duration, must be conducted by the field supervisor, and must be on the candidate's site in a face-to-face setting.
  - (2) An EPP must provide the first formal observation within the first third of all clinical teaching assignments and the first six weeks of all internship assignments.
  - (3) For an internship under an intern certificate or an additional internship described in subsection (e)(2)(B)(v)(I) of this section, an EPP must provide a minimum of three formal observations during the first half of the internship and a minimum of two formal observations during the last half of the internship.
  - (4) For a first-year internship under a probationary certificate or an additional internship described in subsection (e)(2)(B)(v)(II) of this section, an EPP must provide a minimum of one formal observation during the first third of the assignment, a minimum of one formal observation during the second third of the assignment, and a minimum of one formal observation during the last third of the assignment.
  - (5) If an internship under an intern certificate or an additional internship described in subsection (e)(2)(B)(v)(I) of this section involves certification in more than one certification category that cannot be taught concurrently during the same period of the school day, an EPP must provide a minimum of three observations in each assignment. For each assignment, the EPP must provide at least two formal observations during the first half of the internship and one formal observation during the second half of the internship.
  - (6) For a first-year internship under a probationary certificate or an additional internship described in subsection (e)(2)(B)(v)(II) of this section that involves certification in more than one certification category that cannot be taught concurrently during the same period of the school day, an EPP must provide a minimum of one formal observation in each of the assignments during the first half of

the assignment and a minimum of one formal observation in each assignment during the second half of the assignment.

- (7) For a 14-week, full-day clinical teaching assignment, an EPP must provide a minimum of one formal observation during the first third of the assignment, a minimum of one formal observation during the second third of the assignment, and a minimum of one formal observation during the last third of the assignment. For an all-level clinical teaching assignment in more than one location or in an assignment that involves certification in more than one certification category that cannot be taught concurrently during the same period of the school day, a minimum of two formal observations must be provided during the first half of the assignment and a minimum of one formal observation must be provided during the second half of the assignment.
  - (8) For a 28-week, half-day clinical teaching assignment or a full-day clinical teaching assignment that exceeds 14 weeks and extends beyond one semester, an EPP must provide a minimum of two formal observations during the first half of the assignment and a minimum of two formal observations during the last half of the assignment.
- (h) Ongoing educator preparation program support for certification in a certification class other than classroom teacher. Supervision of each candidate shall be conducted with the structured guidance and regular ongoing support of an experienced educator who has been trained as a field supervisor. Supervision provided on or after September 1, 2017, must be provided by a field supervisor who has completed TEA-approved observation training. The initial contact, which may be made by telephone, email, or other electronic communication, with the assigned candidate must occur within the first quarter of the assignment. For each formal observation, the field supervisor shall participate in an individualized pre-observation conference with the candidate; document educational practices observed; provide written feedback through an individualized, synchronous, and interactive post-observation conference with the candidate; and provide a copy of the written feedback to the candidate's site supervisor. Neither the pre-observation conference nor the post-observation conference need to be onsite. Formal observations conducted through collaboration with school or district personnel can be used to meet the requirements of this subsection. Informal observations and coaching shall be provided by the field supervisor as appropriate. The field supervisor shall collaborate with the candidate and site supervisor throughout the practicum experience.
- (1) An EPP must provide a minimum of one formal observation within the first third of the practicum, one formal observation within the second third of the practicum, and one formal observation within the final third of the practicum.
  - (2) ~~(1)~~ The three required formal [Formal] observations must be at least 135 minutes in duration in total throughout the practicum and must be conducted by the field supervisor.
  - (3) ~~(2)~~ If a formal observation is not conducted on the candidate's site in a face-to-face setting, the formal observation may be provided by use of electronic transmission or other video or technology-based method. A formal observation that is not conducted on the candidates' site in a face-to-face setting must include a pre- and post-conference.
  - ~~(3) Regardless of the type of certificate held by a candidate during a practicum, an EPP must provide a minimum of one formal observation within the first third of the practicum, one formal observation within the second third of the practicum, and one formal observation within the final third of the practicum.~~
- (i) Coursework and/or training for candidates seeking Early Childhood: Prekindergarten-Grade 3 certification.
- (1) In support of the educator standards that are the curricular basis of the Early Childhood: Prekindergarten-Grade 3 certificate, an EPP shall integrate the following concepts and themes throughout the coursework and training:
    - (A) using planning and teaching practices that support student learning in early childhood, including:
      - (i) demonstrating knowledge and skills to support child development (birth-age eight) in the following areas:
        - (I) brain development;

- (II) physical development;
- (III) social-emotional learning; and
- (IV) cultural development;
- (ii) demonstrating knowledge and skills of effective, research supported, developmentally appropriate instructional approaches to support young students' learning, including, but not limited to:
  - (I) intentional instruction with clear learning goals;
  - (II) project-based learning;
  - (III) child-directed inquiry;
  - (IV) learning through play; and
  - (V) integration of knowledge across content areas;
- (iii) demonstrating knowledge and skills in implementing instruction tailored to the variability in learners' needs, including, but not limited to, small group instruction;
- (iv) demonstrating knowledge and skills in early literacy development and pedagogy, including:
  - (I) demonstrating effective ways to support language development, particularly oral language development, including, but not limited to, growth in academic vocabulary, comprehension, and inferencing abilities; and
  - (II) demonstrating effective ways to support early literacy development, including letter knowledge, phonological awareness, early writing, and decoding;
- (v) demonstrating knowledge and skills in early mathematics and science development and pedagogy;
- (vi) demonstrating knowledge and skills in developing and implementing pedagogical approaches for students who are English learners and/or bilingual; and
- (vii) demonstrating knowledge and skills in developing and implementing pedagogical approaches for students who have or are at risk for developmental delays and disabilities;
- (B) assessing the success of instruction and student learning through developmentally appropriate assessment, including:
  - (i) demonstrating knowledge of multiple forms of assessment, the information that each form of assessment can provide about a student's learning and development, and how to conceive, construct, and/or select an assessment aligned to standards that can demonstrate student learning to stakeholders;
  - (ii) demonstrating knowledge in how to use assessments to inform instruction to support student growth; and
  - (iii) demonstrating knowledge and application of children's developmental continuum in the analysis of assessment results utilizing a variety of assessment types to gain a full understanding of students' current development and assets;
- (C) creating developmentally appropriate learning environments, including:

- (i) demonstrating knowledge and skills in supporting learners' development of self-regulation and executive function (e.g., behavior, attention, goal setting, cooperation);
  - (ii) demonstrating knowledge and skills in designing, organizing, and facilitating spaces for learning, particularly small group learning, in both indoor and outdoor contexts; and
  - (iii) demonstrating knowledge and skills in developing learning environments that support English learners' development, including structures to support language development and communication;
- (D) working with families, students, and the community through:
- (i) teacher agency and teacher leadership;
  - (ii) research-based family engagement practices;
  - (iii) understanding the capabilities of students through parent and community input; and
  - (iv) the development and modeling of responsive relationships with children; and
- (E) using a diversity and equity framework, such as:
- (i) demonstrating knowledge and skills in creating early learning communities that capitalize on the cultural knowledge and strengths children bring to the classroom;
  - (ii) demonstrating knowledge and skills in creating an early learning environment that reflects the communities in which they work; and
  - (iii) demonstrating knowledge and skills in how to access the knowledge children and families bring to school.
- (2) An EPP shall provide each candidate who holds a valid standard, provisional, or one-year classroom teacher certificate specified in §230.31 of this title (relating to Types of Certificates) in a certificate category that allows the applicant to teach all subjects in Prekindergarten, Kindergarten, Grade 1, Grade 2, or Grade 3 with a minimum of 150 clock-hours of coursework and/or training that is directly aligned to the educator standards as specified in Chapter 235, Subchapter B, ~~[Division 1,]~~ of this title (relating to Elementary School Certificate Standards ~~[Early Childhood: Prekindergarten-Grade 3]~~) and that is based on the concepts and themes specified in subsection (i)(1) of this section. A clinical teaching, internship, or practicum assignment is not required for completion of program requirements.
- (3) An EPP shall provide each candidate who holds a valid standard, provisional, or one year classroom teacher certificate specified in §230.31 of this title ~~[(relating to Professional Educator Preparation and Certification)]~~ in a certificate category that does not allow the candidate to teach all subjects in Prekindergarten, Kindergarten, Grade 1, Grade 2, or Grade 3 coursework and/or training as specified in subsections (a) and (b) of this section that is directly aligned to the educator standards as specified in Chapter 235, Subchapter B, ~~[Division 1,]~~ of this title ~~[(relating to Early Childhood: Prekindergarten-Grade 3)]~~ and that is based on the concepts and themes specified in subsection (i)(1) of this section, a clinical experience as specified in subsection (e)(2) of this section, a mentor or cooperating teacher as specified in subsection (f) of this section, and ongoing support as specified in subsection (g) of this section.
- (j) Coursework and/or training for candidates seeking a Teacher of Students with Visual Impairments (TVI) Supplemental: Early Childhood-Grade 12 certification.
- (1) An EPP must provide a minimum of 300 hours of coursework and/or training related to the educator standards for that certificate adopted by the SBEC.
  - (2) An EPP shall provide a clinical experience of at least 350 clock-hours in a supervised educator assignment in a public school accredited by the TEA or other school approved by the TEA for this

purpose. A TVI certification candidate must demonstrate proficiency in each of the educator standards for the certificate being sought during the clinical experience. A clinical experience is successful when the field supervisor recommends to the EPP that the TVI certification candidate should be recommended for a TVI supplemental certification.

- (A) An EPP will provide guidance, assistance, and support for the TVI certification candidate by assigning a cooperating teacher and/or providing individual or group consultation. The EPP is responsible for providing training to cooperating teachers and/or consultation providers.
  - (B) An EPP will collaborate with the program coordinator for the Texas School for the Blind and Visually Impaired Statewide Mentor Program to assign a TVI mentor for the TVI certification candidate. The Texas School for the Blind and Visually Impaired Statewide Mentor Program is responsible for providing training for all TVI mentors.
  - (C) An EPP will provide ongoing support for the TVI certification candidate. Supervision of each candidate shall be conducted with the structured guidance and regular ongoing support of an experienced educator who has been trained as a field supervisor. Supervision must be provided by a field supervisor who has completed TEA-approved observation training. The initial contact, which may be made by telephone, email, or other electronic communication, with the assigned candidate must occur within the first quarter of the assignment. For each formal observation, the field supervisor shall participate in an individualized pre-observation conference with the candidate; document educational practices observed; and provide written feedback through an individualized, synchronous, and interactive post-observation conference with the candidate. Neither the pre-observation conference nor the post-observation conference need to be onsite. Formal observations conducted through collaboration with school or district personnel can be used to meet the requirements of this subsection. Informal observations and coaching shall be provided by the field supervisor as appropriate.
    - (i) Formal observations must be at least 135 minutes in duration in total throughout the clinical experience and must be conducted by the field supervisor.
    - (ii) If a formal observation is not conducted on the candidate's site in a face-to-face setting, the formal observation may be provided by use of electronic transmission or other video or technology-based method. A formal observation that is not conducted on the candidates' site in a face-to-face setting must include a pre- and post-conference.
    - (iii) An EPP must provide a minimum of one formal observation within the first third of the clinical experience, one formal observation within the second third of the clinical experience, and one formal observation within the final third of the clinical experience.
- (k) Candidates employed as certified educational aides.
- (1) Clinical Teaching Assignment. Candidates employed as certified educational aides may satisfy their clinical teaching assignment requirements through their instructional duties.
    - (A) If an EPP permits candidates employed as certified educational aides, as defined by Chapter 230, Subchapter E, of this title (relating to Educational Aide Certificate), to satisfy the clinical teaching assignment requirements through their instructional duties, the clinical teaching assignment must be for a minimum of 490 hours (14-week equivalent).
    - (B) An EPP may permit an educational aide employed in a clinical teaching to be excused from up to 35 of the required hours due to maternity leave, military leave, or illness.
    - (C) Clinical teaching is successful when the candidate demonstrates proficiency in each of the educator standards for the assignment and the field supervisor and cooperating teacher recommend to the EPP that the candidate should be recommended for a standard

certificate. If either the field supervisor or cooperating teacher do not recommend that the candidate should be recommended for a standard certificate, the person who does not recommend the candidate must provide documentation supporting the lack of recommendation to the candidate and either the field supervisor or cooperating teacher.

- (2) Coursework and Training. An EPP must provide coursework and/or training as specified in subsections (a) and (b) of this section, a clinical experience as specified in subsection (e) of this section, a cooperating teacher as specified in subsection (f) of this section, and ongoing support as specified in subsection (g) of this section. An EPP must provide a minimum of one formal observation during the first third of the assignment, a minimum of one formal observation during the second third of the assignment, and a minimum of one formal observation during the last third of the assignment.
- (l) Exemptions.
    - (1) Under the TEC, §21.050(c), a candidate who receives a bachelor's degree required for a teaching certificate on the basis of higher education coursework completed while receiving an exemption from tuition and fees under the TEC, §54.363, is exempt from the requirements of this chapter relating to field-based experience, internship, or clinical teaching.
    - (2) Under the TEC, §21.0487(c)(2)(B), a candidate's employment by a school or district as a Junior Reserve Officer Training Corps instructor before the person was enrolled in an EPP or while the person is enrolled in an EPP is exempt from any clinical teaching, internship, or field-based experience program requirement.

#### §228.40. Assessment and Evaluation of Candidates for Certification and Program Improvement.

- (a) To ensure that a candidate for educator certification is prepared to receive a standard certificate, the educator preparation program (EPP) shall establish benchmarks and structured assessments of the candidate's progress throughout the EPP.
- (b) An EPP is responsible for ensuring that each candidate is adequately prepared to pass the appropriate content pedagogy examination(s) required for certification, unless that content pedagogy test is used for admission purposes.
- (c) Upon the written request of the candidate, an EPP may prepare a candidate and grant test approval for a classroom teacher certificate category other than the category for which the candidate was initially admitted to the EPP.
- (d) An EPP shall determine the readiness of each candidate to take the appropriate certification examination of content, pedagogy, and professional responsibilities, including professional ethics and standards of conduct. An EPP shall not grant test approval for a certification examination until a candidate has met all of the requirements for admission to the EPP and has been contingently or formally admitted into the EPP. An EPP may make test approval contingent on a candidate completing additional coursework and/or training to show that the candidate is prepared to pass the test if the candidate is seeking test approval from the EPP in an area where the standards and/or test changed since the candidate completed the EPP or if the candidate has returned to the EPP for test approval five or more years following the academic year of completion.
- (e) For the purposes of EPP improvement, an entity shall continuously evaluate the design and delivery of the EPP components based on performance data, scientifically-based research practices, and the results of internal and external feedback and assessments.
- (f) An EPP shall retain documents that evidence a candidate's eligibility for admission to the program and evidence of completion of all program requirements for a period of five years after a candidate completes, withdraws from, or is discharged or released from the program.