

Item 7:**Consider and Take Appropriate Action on Proposed Amendments to 19 TAC Chapter 227, Provisions for Educator Preparation Candidates, Subchapter A, Admission to Educator Preparation Programs****DISCUSSION AND ACTION**

SUMMARY: This item provides the State Board for Educator Certification (SBEC) an opportunity to discuss and propose amendments to 19 Texas Administrative Code (TAC) Chapter 227, Provisions for Educator Preparation Candidates, Subchapter A, Admission to Educator Preparation Programs. The proposed amendments would update the subject-matter-only assessments to be used for the Pre-Admission Content Test (PACT).

STATUTORY AUTHORITY: The statutory authority for 19 TAC Chapter 227, Subchapter A, is the Texas Education Code (TEC), §§21.031; 21.041(b)(1), (4), and (6); 21.044(a), (g)(2), and (g)(3); 21.0441; 21.0489(c), as added by Senate Bill (SB) 1839 and House Bill (HB) 2039, 85th Texas Legislature, Regular Session, 2017; 21.049(a); 21.050(a); 22.083; and 22.0835; and Texas Occupations Code (TOC), §§53.151–53.153, as added by HB 1508, 85th Texas Legislature, Regular Session, 2017.

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), (4), and (6), require the SBEC to propose rules that provide for the regulation of educators and the general administration of the TEC, Chapter 21, Subchapter B, in a manner consistent with the TEC, Chapter 21, Subchapter B; specify the requirements for the issuance and renewal of an educator certificate; and provide for special or restricted certification of educators, including certification of instructors of American Sign Language.

TEC, §21.044(a), requires the SBEC to propose rules establishing training requirements a person must accomplish to obtain a certificate, enter an internship, or enter an induction-year program.

TEC, §21.044(g)(2) and (3), require each educator preparation program (EPP) to provide certain information related to the effect of supply and demand forces on the educator workforce of the state and the performance over time of the EPP.

TEC, §21.0441, requires the SBEC to adopt rules setting certain admission requirements for EPPs, including allowing content certification examinations to substitute for required college classroom credit hours in the subject in which the candidate is seeking initial certification.

TEC, §21.0489(c), as added by SB 1839 and HB 2039, 85th Texas Legislature, Regular Session, 2017, requires the SBEC to adopt requirements that would establish an Early Childhood: Prekindergarten–Grade 3 certificate.

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

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, §22.083, requires a school district, open-enrollment charter school, or shared services arrangement to obtain criminal history record information that relates to a person who is not subject to a national criminal history record information review under this subchapter and who is an employee of the district or school; or a shared services arrangement, if the employee's duties are performed on school property or at another location where students are regularly present.

TEC, §22.0835, requires a school district, open-enrollment charter school, or shared services arrangement to obtain from the department and may obtain from any other law enforcement or criminal justice agency or a private entity that is a consumer reporting agency governed by the Fair Credit Reporting Act (15 U.S.C. Section 1681 et seq.), all criminal history record information that relates to a person participating in an internship consisting of student teaching to receive a teaching certificate; or a volunteer or person who has indicated, in writing, an intention to serve as a volunteer with the district, school, or shared services arrangement.

TOC, §53.151, as added by HB 1508, 85th Texas Legislature, Regular Session, 2017, sets the definitions of "licensing authority" and "occupational license" to have the meanings assigned to those terms by the TOC, §58.001.

TOC, §53.152, as added by HB 1508, 85th Texas Legislature, Regular Session, 2017, requires EPPs to provide applicants and enrollees certain notice regarding potential ineligibility for a certificate based on convicted offenses; the SBEC rules regarding the certificate eligibility of an individual with a criminal history; and the right of the individual to request a criminal history evaluation letter.

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

EFFECTIVE DATE: If approved for filing as proposed in May 2020, and if adopted, subject to State Board of Education (SBOE) review, at the July 24, 2020 SBEC meeting, the proposed effective date of the proposal would be October 15, 2020 (20 days after filing as adopted with the *Texas Register*). The proposed effective date is based on the SBEC and SBOE meeting schedules.

PREVIOUS BOARD ACTION: The SBEC last amended 19 TAC §227.10 effective December 22, 2019, and §227.15 effective June 3, 2018.

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

The following is a description of the proposed amendments to 19 TAC Chapter 227, Subchapter A, that are included in Attachment II.

§227.10. Admission Criteria.

The proposed amendment in Figure §227.10(a)(4)(C) would update the appropriate subject-matter content certification examinations for purposes of admission into an EPP. The additional certification areas that would be reflected in the figure are:

- §233.2, Early Childhood: Prekindergarten–Grade 3
- §233.2, Core Subjects with Science of Teaching Reading: Early Childhood–Grade 6
- §233.2, Core Subjects with Science of Teaching Reading: Grades 4–8
- §233.3, English Language Arts and Reading with Science of Teaching Reading: Grades 4–8
- §233.3, English Language Arts and Reading/Social Studies with Science of Teaching Reading: Grades 4–8

The proposed amendment in §227.10(a)(4)(C) would also strike the phrase, "for the calendar year during which the applicant seeks admission," to remove the restriction that PACT tests only be allowed for the calendar year in which a candidate seeks admission. This change would reduce the burden for candidates having to take the same test to determine subject-matter content knowledge, due to the timeline restriction that should be determined by the admission criteria of an EPP. The proposed amendment would also strike the outdated provision related to the January 27, 2020 implementation date for the content certification examination passage for admission into an EPP.

The proposed amendment in §227.10(a)(5) would update the cross reference to 19 TAC Chapter 241 to reflect the title change.

The proposed amendment in §227.10(b) would add the word, "admission," to clarify that the additional requirements that EPPs may adopt are for admission requirements, which align with the provisions of this chapter.

The proposed amendment to §227.10(c)(2) would add the word, "intern," to clarify that the requirements for admission related to a probationary certificate also include the intern certificate.

§227.15. Contingency Admission.

The proposed amendment to §227.15(d) would add the word, "intern," to clarify that the requirements for recommendation of a probationary certificate also are applicable to an intern certificate.

FISCAL IMPACT: The TEA staff has determined that there is an anticipated fiscal impact on state government (TEA) required to comply with the proposal. The TEA estimates a cost of

\$1,782 for each of the next five fiscal years (FYs) from FYs 2021–2025 in the loss of \$11 for each exam at an average of 162 exams a year for candidates not being required to take a pre-admission exam twice for entrance into a program. Based on 2014–2019 testing data, it is estimated that 162 candidates will not be required to take additional exams with the time provision eliminated per academic year starting in FY 2021. There is no additional fiscal impact on local governments or entities required to comply with the proposal.

LOCAL EMPLOYMENT IMPACT: The proposal would have no effect on local economy; therefore, no local employment impact statement is required under Texas Government Code (TGC), §2001.022.

SMALL BUSINESS, MICROBUSINESS, AND RURAL COMMUNITY IMPACT: The proposal has no direct adverse economic impact for small businesses, microbusinesses, or rural communities; therefore, no regulatory flexibility analysis, specified in TGC, §2006.002, is required.

COST INCREASE TO REGULATED PERSONS: 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: The proposal does not impose a burden on private real property and, therefore, does not constitute a taking under TGC, §2007.043.

GOVERNMENT GROWTH IMPACT: The TEA staff prepared a Government Growth Impact Statement assessment for this proposed rulemaking. During the first five years the proposed rulemaking would be in effect, it would decrease fees paid to the agency, limit an existing regulation, and decrease the number of individuals subject to the rule by removing the regulation requiring that candidates who take and pass a pre-admission content test must re-take the same test if they are not admitted to a program within a year. There is an average of 162 candidates that fall into this category every year; therefore, the number of candidates subject to the rule will be reduced along with the \$11 that TEA receives for each test administered.

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

PUBLIC BENEFIT AND COST TO PERSONS: The public benefit anticipated as a result of the proposal would be clarified admission requirements for candidates entering EPPs. There is no anticipated cost to persons who are required to comply with the proposal. The TEA anticipates a cost savings for persons of \$17,172 for each of the next five FYs from FYs 2021–2025. The cost savings reflects \$106 for each exam at an average of 162 exams a year for candidates not being required to take a pre-admission exam twice for entrance into an EPP. Based on 2014–2019 testing data, it is estimated that 162 candidates will not be required to take additional exams with the time provision eliminated per academic year starting in FY 2021.

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

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

PUBLIC COMMENTS: The public comment period on the proposal begins May 29, 2020, and ends June 29, 2020. 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 the proposed amendments to 19 TAC Chapter 227, Provisions for Educator Preparation Candidates, Subchapter A, Admission to Educator Preparation Programs, to be published as proposed in the *Texas Register*.

Staff Members Responsible:

Mark Olofson, Director, Educator Data and Preparation Program Management
Tam Jones, Director, Educator Preparation

Attachments:

- I. Statutory Citations
- II. Text of Proposed Amendments to 19 TAC Chapter 227, Provisions for Educator Preparation Candidates, Subchapter A, Admission to Educator Preparation Programs

ATTACHMENT I**Statutory Citations Relating to Proposed Amendments 19 TAC Chapter 227, Provisions for Educator Preparation Candidates, Subchapter A, Admission to 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 (excerpt):

- (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;
 - (4) specify the requirements for the issuance and renewal of an educator certificate;
 - (6) provide for special or restricted certification of educators, including certification of instructors of American Sign Language;

Texas Education Code, §21.044, Educator Preparation (excerpts):

- (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.
- (g) Each educator preparation program must provide information regarding:
 - (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;

Texas Education Code, §21.0441, Admission Requirements for Educator Preparation Programs:

- (a) Rules of the board proposed under this subchapter must provide that a person, other than a person seeking career and technology education certification, is not eligible for admission to an educator preparation program, including an alternative educator preparation program, unless the person:
 - (1) except as provided by Subsection (b), satisfies the following minimum grade point average requirements:
 - (A) an overall grade point average of at least 2.50 on a four-point scale or the equivalent on any course work previously attempted at a public or private institution of higher education; or

- (B) a grade point average of at least 2.50 on a four-point scale or the equivalent for the last 60 semester credit hours attempted at a public or private institution of higher education; and
- (2) if the person is seeking initial certification:
 - (A) has successfully completed at least:
 - (i) 15 semester credit hours in the subject-specific content area in which the person is seeking certification, if the person is seeking certification to teach mathematics or science at or above grade level seven; or
 - (ii) 12 semester credit hours in the subject-specific content area in which the person is seeking certification, if the person is not seeking certification to teach mathematics or science at or above grade level seven; or
 - (B) has achieved a satisfactory level of performance on a content certification examination, which may be a content certification examination administered by a vendor approved by the commissioner for purposes of administering such an examination for the year for which the person is applying for admission to the program.
- (b) The board's rules must permit an educator preparation program to admit in extraordinary circumstances a person who fails to satisfy a grade point average requirement prescribed by Subsection (a)(1)(A) or (B), provided that:
 - (1) not more than 10 percent of the total number of persons admitted to the program in a year fail to satisfy the requirement under Subsection (a)(1)(A) or (B);
 - (2) each person admitted as described by this subsection performs, before admission, at a satisfactory level on an appropriate subject matter examination for each subject in which the person seeks certification; and
 - (3) for each person admitted as described by this subsection, the director of the program determines and certifies, based on documentation provided by the person, that the person's work, business, or career experience demonstrates achievement comparable to the academic achievement represented by the grade point average requirement.
- (c) The overall grade point average of each incoming class admitted by an educator preparation program, including an alternative educator preparation program, may not be less than 3.00 on a four-point scale or the equivalent or a higher overall grade point average prescribed by the board. In computing the overall grade point average of an incoming class for purposes of this subsection, a program may:
 - (1) include the grade point average of each person in the incoming class based on all course work previously attempted by the person at a public or private institution of higher education; or
 - (2) include the grade point average of each person in the incoming class based only on the last 60 semester credit hours attempted by the person at a public or private institution of higher education.
- (d) A person seeking career and technology education certification is not included in determining the overall grade point average of an incoming class under Subsection (c).

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, §21.050, Academic Degree Required for Teaching Certificate; Internship (excerpt):

- (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.

Texas Education Code, §22.083, Access to Criminal History Records of Employees by Local and Regional Education Authorities (excerpt):

- (a) A school district, open-enrollment charter school, or shared services arrangement shall obtain criminal history record information that relates to a person who is not subject to a national criminal history record information review under this subchapter and who is an employee of:
 - (1) the district or school; or

- (2) a shared services arrangement, if the employee's duties are performed on school property or at another location where students are regularly present.

Texas Education Code, §22.0835, Access to Criminal History Records of Student Teachers and Volunteers by Local and Regional Education Authorities (excerpt):

- (a) A school district, open-enrollment charter school, or shared services arrangement shall obtain from the department and may obtain from any other law enforcement or criminal justice agency or a private entity that is a consumer reporting agency governed by the Fair Credit Reporting Act (15 U.S.C. Section 1681 et seq.), all criminal history record information that relates to:
 - (1) a person participating in an internship consisting of student teaching to receive a teaching certificate; or
 - (2) a volunteer or person who has indicated, in writing, an intention to serve as a volunteer with the district, school, or shared services arrangement.

Texas Occupations Code, §53.151, Definitions, as added by HB 1508, 85th Texas Legislature, Regular Session, 2017:

Notwithstanding Section 53.001, in this subchapter, "licensing authority" and "occupational license" have the meanings assigned to those terms by Section 58.001.

Texas Occupations Code, §53.152, Notice by Entities Providing Educational Programs, as added by HB 1508, 85th Texas Legislature, Regular Session, 2017:

- (a) An entity that provides an educational program to prepare an individual for issuance of an initial occupational license shall notify each applicant to and enrollee in the educational program of:
 - (1) the potential ineligibility of an individual who has been convicted of an offense for issuance of an occupational license on completion of the educational program;
 - (2) the current guidelines issued under Section 53.025 by any licensing authority that may issue an occupational license to an individual who completes the educational program;
 - (3) any other state or local restriction or guideline used by a licensing authority described by Subdivision (2) to determine the eligibility of an individual who has been convicted of an offense for an occupational license issued by the licensing authority; and
 - (4) the right to request a criminal history evaluation letter under Section 53.102.
- (b) The entity shall provide the notice required under Subsection (a) to each applicant and enrollee regardless of whether the applicant or enrollee has been convicted of an offense.

Texas Occupations Code, §53.153, Refunds and Ordered Payments, as added by HB 1508, 85th Texas Legislature, Regular Session, 2017:

A licensing authority that determines that an entity regulated by the licensing authority has failed to provide the notice required by Section 53.152 to an individual entitled to receive the notice and that the individual's application for an occupational license for which the entity's educational program prepares the individual was denied because the individual has been convicted of an offense shall order the entity to:

- (1) refund the amount of any tuition paid by the individual to the entity; and
- (2) pay to the individual an amount equal to the total of the following, as applicable:
 - (A) the amount of any application fees paid by the individual to the licensing authority; and
 - (B) the amount of any examination fees paid by the individual to the licensing authority or an examination provider approved by the licensing authority.

ATTACHMENT II
Text of Proposed Amendments to 19 TAC

Chapter 227. Provisions for Educator Preparation Candidates

Subchapter A. Admission to Educator Preparation Programs

§227.10. Admission Criteria.

- (a) The educator preparation program (EPP) delivering educator preparation shall require the following minimum criteria of all applicants seeking initial certification in any class of certificate, unless specified otherwise, prior to admission to the program.
- (1) For an undergraduate university program, an applicant shall be enrolled in an accredited institution of higher education (IHE).
 - (2) For an alternative certification program or post-baccalaureate program, an applicant shall have, at a minimum, a bachelor's degree earned from and conferred by an accredited IHE.
 - (3) For an undergraduate university program, alternative certification program, or post-baccalaureate program, to be eligible for admission into an EPP, an applicant shall have a grade point average (GPA) of at least 2.5 before admission.
 - (A) The GPA shall be calculated from an official transcript as follows:
 - (i) 2.5 on all coursework previously attempted by the person at an accredited IHE:
 - (I) at which the applicant is currently enrolled (undergraduate university program formal admission, alternative certification program contingency admission, or post-baccalaureate program contingency admission); or
 - (II) from which the most recent bachelor's degree or higher from an accredited IHE was conferred (alternative certification program formal admission or post-baccalaureate program formal admission); or
 - (ii) 2.5 in the last 60 semester credit hours on all coursework previously attempted by the person at an accredited IHE:
 - (I) at which the applicant is currently enrolled (undergraduate university program formal admission, alternative certification program contingency admission, or post-baccalaureate program contingency admission). If an applicant has less than 60 semester credit hours on the official transcript from the accredited IHE at which the applicant is currently enrolled, the EPP shall use grades from all coursework previously attempted by a person at the most recent accredited institution(s) of higher education, starting with the most recent coursework from the official transcript(s), to calculate a GPA for the last 60 semester credit hours; or
 - (II) from which the most recent bachelor's degree or higher from an accredited IHE was conferred. If an applicant has hours beyond the most recent degree, an EPP may use grades from the most recent 60 hours of coursework from an accredited IHE (alternative certification program formal admission or post-baccalaureate program formal admission).
 - (B) In accordance with the Texas Education Code, (TEC), §21.0441(b), an exception to the minimum GPA requirement may be granted by the program director only in extraordinary circumstances and may not be used by a program to admit more than 10% of any incoming class of candidates. An applicant is eligible for this exception if:

- (i) documentation and certification from the program director that an applicant's work, business, or career experience demonstrates achievement equivalent to the academic achievement represented by the GPA requirement; and
 - (ii) in accordance with the TEC, §21.0441(a)(2)(B), an applicant must pass an appropriate content certification examination as specified in paragraph (4)(C) of this subsection for each subject in which the applicant seeks certification prior to admission. In accordance with the TEC, §21.0441(b), applicants who do not meet the minimum GPA requirement and have previously been admitted into an EPP may request permission to register for an appropriate content certification examination if the applicant is not seeking admission to the same EPP that previously granted test approval for a certification examination in the same certification class.
- (C) An applicant who is seeking a career and technical education (CTE) certificate that does not require a degree from an accredited IHE is exempt from the minimum GPA requirement.
- (D) An applicant who does not meet the minimum GPA requirement and is seeking certification in a class other than classroom teacher must perform at or above a score equivalent to a 2.5 GPA on the Verbal Reasoning, Quantitative Reasoning, and Analytic Writing sections of the GRE® (Graduate Record Examinations) revised General Test. The State Board for Educator Certification will use equivalency scores established by the Educational Testing Service, and the Texas Education Agency (TEA) will publish those equivalency scores annually on the TEA website.
- (4) For an applicant who will be seeking an initial certificate in the classroom teacher class of certificate, the applicant shall have successfully completed, prior to admission, at least:
- (A) a minimum of 12 semester credit hours in the subject-specific content area for the certification sought, unless certification sought is for mathematics or science at or above Grade 7; or
 - (B) 15 semester credit hours in the subject-specific content area for the certification sought if the certification sought is for mathematics or science at or above Grade 7; or
 - (C) a passing score on the appropriate content certification examination as specified in the figure provided in this subparagraph [~~for the calendar year during which the applicant seeks admission. The applicant will not be required to successfully complete a passing score on the appropriate content certification examination until January 27, 2020~~].
- Figure: 19 TAC §227.10(a)(4)(C) [Figure: 19 TAC §227.10(a)(4)(C)]
- (5) For an applicant who will be seeking an initial certificate in a class other than classroom teacher, the applicant shall meet the minimum requirements for admission described in Chapter 239 of this title (relating to Student Services Certificates); Chapter 241 of this title (relating to Certification as Principal [Certificate]); and Chapter 242 of this title (relating to Superintendent Certificate). If an applicant has not met the minimum certification, degree, and/or experience requirement(s) for issuance of a standard certificate prior to admission, the EPP shall inform the applicant in writing of any deficiency prior to admission.
- (6) An applicant must demonstrate basic skills in reading, written communication, and mathematics by meeting the requirements of the Texas Success Initiative under the rules established by the Texas Higher Education Coordinating Board (THECB) in Part 1, Chapter 4, Subchapter C, of this title (relating to Texas Success Initiative), including one of the requirements established by §4.54 of this title (relating to Exemptions, Exceptions, and Waivers).
- (7) An applicant must demonstrate the English language proficiency skills as specified in §230.11 of this title (relating to General Requirements).
- (A) An applicant for CTE certification that does not require a bachelor's degree from an accredited IHE may satisfy the English language proficiency requirement with an

- associate's degree or high school diploma or the equivalent that was earned at an accredited IHE or an accredited high school in the United States.
- (B) An applicant to a university undergraduate program that leads to a bachelor's degree may satisfy the English language proficiency requirement by meeting the English language proficiency requirement of the accredited IHE at which the applicant is enrolled.
- (8) An applicant must submit an application and participate in either an interview or other screening instrument to determine if the EPP applicant's knowledge, experience, skills, and aptitude are appropriate for the certification sought.
- (9) An applicant must fulfill any other academic criteria for admission that are published and applied consistently to all EPP applicants.
- (b) An EPP may adopt admission requirements in addition to and not in conflict with those required in this section.
- (c) An EPP may not admit an applicant who:
- (1) has been reported as completing all EPP requirements by another EPP in the same certification category or class, unless the applicant only needs certification examination approval; or
 - (2) has been employed for three years in a public school under a permit, intern, or probationary certificate as specified in Chapter 230, Subchapter D, of this title (relating to Types and Classes of Certificates Issued), unless the applicant is seeking clinical teaching that may lead to the issuance of an initial standard certificate.
- (d) An EPP may admit an applicant for CTE certification who has met the experience and preparation requirements specified in Chapter 230 of this title (relating to Professional Educator Preparation and Certification) and Chapter 233 of this title (relating to Categories of Classroom Teaching Certificates).
- (e) An EPP may admit an applicant for the Trade and Industrial Workforce Training: Grades 6–12 certification who has met the following requirements:
- (1) has been issued a high school diploma or a postsecondary credential, certificate, or degree;
 - (2) has seven years of full-time wage-earning experience within the preceding 10 years in an approved occupation for which instruction is offered;
 - (3) holds with respect to that occupation a current license, certificate, or registration, as applicable, issued by a nationally recognized accrediting agency based on a recognized test or measurement; and
 - (4) within the period described by paragraph (2) of this subsection, has not been the subject of a complaint filed with a licensing entity or other agency that regulates the occupation of the person, other than a complaint that was determined baseless or unfounded by that entity or agency.
- (f) An EPP may admit an applicant who has met the minimum academic criteria through credentials from outside the United States that are determined to be equivalent to those required by this section using the procedures and standards specified in Chapter 245 of this title (relating to Certification of Educators from Other Countries). An EPP at an entity that is accredited by an accrediting organization recognized by the THECB may use its own foreign credential evaluation service to meet the requirement described in §245.10(a)(2) of this title (relating to Application Procedures), if the entity is in good standing with its accrediting organization.
- (g) An applicant is eligible to enroll in an EPP for the purpose of completing the course of instruction, defined in §228.35(i)(2) of this title (relating to Preparation Program Coursework and/or Training), that is required for the issuance of an Early Childhood: Prekindergarten–Grade 3 certificate if the individual holds a valid standard, provisional, or one-year certificate specified in §230.31 of this title (relating to Types of Certificates) in one of the following certificate categories:
- (1) Bilingual Generalist: Early Childhood–Grade 4;
 - (2) Bilingual Generalist: Early Childhood–Grade 6;

- (3) Core Subjects: Early Childhood–Grade 6;
- (4) Early Childhood Education;
- (5) Elementary--General;
- (6) Elementary--General (Grades 1–6);
- (7) Elementary--General (Grades 1–8);
- (8) Elementary Early Childhood Education (Prekindergarten–Grade 6);
- (9) Elementary Self-Contained (Grades 1–8);
- (10) English as a Second Language Generalist: Early Childhood–Grade 4;
- (11) English as a Second Language Generalist: Early Childhood–Grade 6;
- (12) Generalist: Early Childhood–Grade 4;
- (13) Generalist: Early Childhood–Grade 6;
- (14) Kindergarten;
- (15) Prekindergarten–Grade 5--General;
- (16) Prekindergarten–Grade 6--General; or
- (17) Teacher of Young Children--General.

§227.15. Contingency Admission.

- (a) An applicant may be accepted into an alternative certification program or post-baccalaureate program on a contingency basis pending receipt of an official transcript showing degree conferred, as specified in §227.10(a)(2) of this title (relating to Admission Criteria), provided that:
 - (1) the applicant is currently enrolled in and expects to complete the courses and other requirements for obtaining, at a minimum, a bachelor's degree at the end of the semester in which admission to the program is sought;
 - (2) all other admission requirements specified in §227.10 of this title have been met;
 - (3) the EPP must notify the applicant of the offer of contingency admission in writing by mail, personal delivery, facsimile, email, or an electronic notification; and
 - (4) the applicant must accept the offer of contingency admission in writing by mail, personal delivery, facsimile, email, or an electronic notification.
- (b) The effective date of contingency admission shall be included in the offer of contingency admission.
- (c) An EPP must notify the Texas Education Agency within seven calendar days of a candidate's contingency admission.
- (d) An applicant admitted on a contingency basis may begin program training and may be approved to take a certification examination, but shall not be recommended for an intern or a probationary certificate until the bachelor's degree or higher from an accredited institution of higher education (IHE) has been conferred.
- (e) Except as provided by this section, an alternative certification program or post-baccalaureate program, prior to admission on a contingency basis, shall not provide coursework, training, and/or examination approval to an applicant that leads to initial certification in any class of certificate. A post-baccalaureate or alternative certification program at an IHE may admit an applicant if coursework and training was provided by the same IHE as part of:
 - (1) the degree to be conferred;
 - (2) a prerequisite for a master's degree leading to initial certification; or
 - (3) a different post-baccalaureate program of study.

- (f) The contingency admission will be valid for only the fall, spring, or summer semester for which the contingency admission was granted and may not be extended for another semester. The end of each semester shall be consistent with the common calendar established by the Texas Higher Education Coordinating Board.

Figure: 19 TAC §227.10(a)(4)(C)

| Certificate TAC Reference | Certificate Name | Pre-Admission Content Test | Passing Standard |
|---|--|--|---------------------------------------|
| Art | | | |
| §233.10 | Art: Early Childhood–Grade 12 | 778 TX PACT Art: Early Childhood–Grade 12 | 63 out of 100 selected-response items |
| Career and Technical Education | | | |
| §233.13 | Technology Education: Grades 6–12 | 771 TX PACT: Technology Education: Grades 6–12 | 40 out of 80 selected-response items |
| §233.13 | Family and Consumer Sciences, Composite: Grades 6–12 | 721 TX PACT: Family and Consumer Sciences, Composite | 51 out of 100 selected-response items |
| §233.13 | Human Development and Family Studies: Grades 8–12 | 721 TX PACT: Family and Consumer Sciences, Composite | 51 out of 100 selected-response items |
| §233.13 | Hospitality, Nutrition, and Food Sciences: Grades 8–12 | 721 TX PACT: Family and Consumer Sciences, Composite | 51 out of 100 selected-response items |
| §233.13 | Agriculture, Food, and Natural Resources: Grades 6–12 | 772 TX PACT: Agriculture, Food, and Natural Resources: Grades 6–12 | 52 out of 100 selected-response items |
| §233.13 | Business and Finance: Grades 6–12 | 776 TX PACT: Business and Finance: Grades 6–12 | 64 out of 100 selected-response items |
| Computer Science and Technology Applications | | | |
| §233.5 | Computer Science: Grades 8–12 | 741 TX PACT Computer Science: Grades 8–12 | 52 out of 80 selected-response items |
| §233.5 | Technology Applications: Early Childhood–Grade 12 | 742 TX PACT Technology Applications: Early Childhood–Grade 12 | 52 out of 80 selected-response items |

| Certificate TAC Reference | Certificate Name | Pre-Admission Content Test | Passing Standard |
|---------------------------|--|--|---|
| Core Subjects | | | |
| <u>§233.2</u> | <u>Early Childhood: Prekindergarten–Grade 3</u> | <u>701 TX PACT: Essential Academic Skills (Subtest I: Reading) and 702 TX PACT: Essential Academic Skills (Subtest II: Writing) and 703 TX PACT: Essential Academic Skills (Subtest III: Mathematics) or</u> | <u>(701) 25 out of 35 selected-response items</u> <u>(702) 20 out of 30 selected-response items</u> <u>(702) 5 out of 8 score points (1 constructed-response item)</u> <u>(703) 23 out of 36 selected-response items</u> |
| §233.2 | Core Subjects: Early Childhood–Grade 6 | 701 TX PACT: Essential Academic Skills (Subtest I: Reading) and 702 TX PACT: Essential Academic Skills (Subtest II: Writing) and 703 TX PACT: Essential Academic Skills (Subtest III: Mathematics) or 790 TX PACT Core Subjects: Grades 4–8 | (701) 25 out of 35 selected-response items (702) 20 out of 30 selected-response items (702) 5 out of 8 score points (1 constructed-response item) (703) 23 out of 36 selected-response items (790) 94 out of 160 selected-response items |
| <u>§233.2</u> | <u>Core Subjects with Science of Teaching Reading: Early Childhood–Grade 6</u> | <u>701 TX PACT: Essential Academic Skills (Subtest I: Reading) and 702 TX PACT: Essential Academic Skills (Subtest II: Writing) and 703 TX PACT: Essential Academic Skills (Subtest III: Mathematics) or</u> <u>790 TX PACT Core Subjects: Grades 4–8</u> | <u>(701) 25 out of 35 selected-response items</u> <u>(702) 20 out of 30 selected-response items</u> <u>(702) 5 out of 8 score points (1 constructed-response item)</u> <u>(703) 23 out of 36 selected-response items</u> <u>(790) 94 out of 160 selected-response items</u> |

| Certificate TAC Reference | Certificate Name | Pre-Admission Content Test | Passing Standard |
|--|--|---|--|
| §233.2 | Core Subjects: Grades 4–8 | 790 TX PACT Core Subjects: Grades 4–8 | 94 out of 160 selected-response items |
| <u>§233.2</u> | <u>Core Subjects with Science of Teaching Reading: Grades 4–8</u> | <u>790 TX PACT Core Subjects: Grades 4–8</u> | <u>94 out of 160 selected-response items</u> |
| Dance | | | |
| §233.10 | Dance: Grades 6–12 | 779 TX PACT Dance: Grades 6–12 | 53 out of 80 selected-response items |
| English Language Arts and Reading | | | |
| §233.3 | English Language Arts and Reading: Grades 4–8 | 717 TX PACT English Language Arts and Reading: Grades 4–8 | 71 out of 100 selected-response items |
| <u>§233.3</u> | <u>English Language Arts and Reading with Science of Teaching Reading: Grades 4–8</u> | <u>717 TX PACT English Language Arts and Reading: Grades 4–8</u> | <u>71 out of 100 selected-response items</u> |
| §233.3 | English Language Arts and Reading: Grades 7–12 | 731 TX PACT English Language Arts and Reading: Grades 7–12 | 59 out of 100 selected-response items |
| §233.3 | English Language Arts and Reading/Social Studies: Grades 4–8 | 717 TX PACT English Language Arts and Reading: Grades 4–8 and 718 TX PACT Social Studies: Grades 4–8 | (717) 71 out of 100 selected-response items (718) 57 out of 100 selected-response items |
| <u>§233.3</u> | <u>English Language Arts and Reading/Social Studies with Science of Teaching Reading: Grades 4–8</u> | <u>717 TX PACT English Language Arts and Reading: Grades 4–8 and 718 TX PACT Social Studies: Grades 4–8</u> | <u>(717) 71 out of 100 selected-response items</u> <u>(718) 57 out of 100 selected-response items</u> |

| Certificate TAC Reference | Certificate Name | Pre-Admission Content Test | Passing Standard |
|-------------------------------------|--|---|--|
| Health | | | |
| §233.11 | Health: Early Childhood–Grade 12 | 757 TX PACT Health: Early Childhood–Grade 12 | 57 out of 80 selected-response items |
| Journalism | | | |
| §233.3 | Journalism: Grades 7–12 | 756 TX PACT Journalism: Grades 7–12 | 45 out of 72 selected-response items |
| Languages Other Than English | | | |
| §233.15 | American Sign Language: Early Childhood–Grade 12 | 784 TX PACT American Sign Language: Early Childhood–Grade 12 (Subtest I) and 785 TX PACT: American Sign Language (ASL): Early Childhood–Grade 12 (Subtest II) | (784) 22 out of 40 selected-response items (785) 23 out of 40 selected-response items (785) 19 out of 32 score points (4 constructed-response items) |
| §233.15 | Arabic: Early Childhood–Grade 12 | ACTFL 605 OPI—Arabic and 600 WPT—Arabic | ACTFL 605 OPI—Arabic: Advanced Low; 600 WPT—Arabic: Advanced Low |
| §233.15 | Chinese: Early Childhood–Grade 12 | 714 TX PACT: LOTE Chinese: Early Childhood–Grade 12 | 58 out of 80 selected-response items 11 out of 16 score points (2 constructed-response items) |
| §233.15 | French: Early Childhood–Grade 12 | 710 TX PACT LOTE French: Early Childhood–Grade 12 | 57 out of 80 selected-response items 10 out of 16 score points (2 constructed-response items) |

| Certificate TAC Reference | Certificate Name | Pre-Admission Content Test | Passing Standard |
|---|------------------------------------|---|--|
| Languages Other Than English (continued) | | | |
| §233.15 | German: Early Childhood–Grade 12 | 711 TX PACT LOTE German: Early Childhood–Grade 12 | 59 out of 80 selected-response items 11 out of 16 score points (2 constructed-response items) |
| §233.15 | Hindi: Early Childhood–Grade 12 | ACTFL 622 OPI—Hindi and 623 WPT—Hindi | ACTFL 622 OPI—Hindi: Advanced Low; 623 WPT—Hindi: Advanced Low |
| §233.15 | Italian: Early Childhood–Grade 12 | ACTFL 624 OPI—Italian and 625 WPT—Italian | ACTFL 624 OPI—Italian: Advanced Low; 625 WPT—Italian: Advanced Low |
| §233.15 | Japanese: Early Childhood–Grade 12 | ACTFL 607 OPI—Japanese and 602 WPT—Japanese | ACTFL 607 OPI—Japanese: Intermediate High; 602 WPT—Japanese: Intermediate High |
| §233.15 | Korean: Early Childhood–Grade 12 | ACTFL 630 OPI—Korean and 631 WPT—Korean | ACTFL 630 OPI—Korean: Advanced Low; 631 WPT—Korean: Advanced Low |
| §233.15 | Latin: Early Childhood–Grade 12 | 712 TX PACT LOTE Latin: Early Childhood–Grade 12 | 31 out of 50 selected-response items 11 out of 16 score points (2 constructed-response items) |

| Certificate TAC Reference | Certificate Name | Pre-Admission Content Test | Passing Standard |
|---|--------------------------------------|--|--|
| Languages Other Than English (continued) | | | |
| §233.15 | Portuguese: Early Childhood–Grade 12 | ACTFL 632 OPI—Portuguese and 633 WPT—Portuguese | ACTFL 632 OPI—Portuguese: Advanced Low; 633 WPT—Portuguese: Advanced Low |
| §233.15 | Russian: Early Childhood–Grade 12 | ACTFL 608 OPI—Russian and 603 WPT—Russian | ACTFL 608 OPI—Russian: Intermediate High; 603 WPT—Russian: Intermediate High |
| §233.15 | Spanish: Early Childhood–Grade 12 | 713 TX PACT LOTE Spanish: Early Childhood–Grade 12 | 55 out of 80 selected-response items 12 out of 16 score points (2 constructed-response items) |
| §233.15 | Turkish: Early Childhood–Grade 12 | ACTFL 626 OPI—Turkish and 627 WPT—Turkish | ACTFL 626 OPI—Turkish: Advanced Low; 627 WPT—Turkish: Intermediate High |
| §233.15 | Vietnamese: Early Childhood–Grade 12 | ACTFL 609 OPI—Vietnamese and 604 WPT—Vietnamese | ACTFL 609 OPI—Vietnamese: Advanced Mid; 604 WPT—Vietnamese: Advanced Low |
| Mathematics and Science | | | |
| §233.4 | Mathematics: Grades 4–8 | 715 TX PACT Mathematics: Grades 4–8 | 58 out of 100 selected-response items |
| §233.4 | Science: Grades 4–8 | 716 TX PACT Science: Grades 4–8 | 62 out of 100 selected-response items |

| Certificate TAC Reference | Certificate Name | Pre-Admission Content Test | Passing Standard |
|--|---|--|--|
| Mathematics and Science (continued) | | | |
| §233.4 | Mathematics/Science: Grades 4–8 | 715 TX PACT Mathematics: Grades 4–8 and 716 TX PACT Science: Grades 4–8 | (715) 58 out of 100 selected-response items (716) 62 out of 100 selected-response items |
| §233.4 | Mathematics: Grades 7–12 | 735 TX PACT Mathematics: Grades 7–12 | 52 out of 100 selected-response items |
| §233.4 | Science: Grades 7–12 | 736 TX PACT Science: Grades 7–12 | 48 out of 100 selected-response items |
| §233.4 | Life Science: Grades 7–12 | 738 TX PACT Life Science: Grades 7–12 | 63 out of 100 selected-response items |
| §233.4 | Physical Science: Grades 6–12 | 737 TX PACT Physical Science: Grades 6–12 | 61 out of 100 selected-response items |
| §233.4 | Physics/Mathematics Grades 7–12 | 735 TX PACT: Mathematics: Grades 7–12 and 739 TX PACT: Physics Grades 7–12 | (735) 52 out of 100 selected-response items (739) 52 out of 100 selected-response items |
| §233.4 | Mathematics/Physical Science/Engineering: Grades 6–12 | 735 TX PACT Mathematics: Grades 7–12 and 737 TX PACT Physical Science: Grades 6–12 | (735) 52 out of 100 selected-response items (737) 61 out of 100 selected-response items |
| §233.4 | Chemistry: Grades 7–12 | 740 TX PACT Chemistry: Grades 7–12 | 62 out of 100 selected-response items |
| Music | | | |
| §233.10 | Music: Early Childhood–Grade 12 | 777 TX PACT Music: Early Childhood–Grade 12 | 68 out of 100 selected-response items |

| Certificate TAC Reference | Certificate Name | Pre-Admission Content Test | Passing Standard |
|------------------------------|--|--|---|
| Physical Education | | | |
| §233.12 | Physical Education: Early Childhood–Grade 12 | 758 TX PACT Physical Education: Early Childhood–Grade 12 | 52 out of 80 selected-response items |
| Social Studies | | | |
| §233.3 | Social Studies: Grades 4–8 | 718 TX PACT Social Studies: Grades 4–8 | 57 out of 100 selected-response items |
| §233.3 | Social Studies: Grades 7–12 | 732 TX PACT Social Studies: Grades 7–12 | 62 out of 100 selected-response items |
| §233.3 | History: Grades 7–12 | 733 TX PACT History: Grades 7–12 | 57 out of 100 selected-response items |
| Speech Communications | | | |
| §233.3 | Speech: Grades 7–12 | 729 TX PACT Speech: Grades 7–12 | 40 out of 64 selected-response items 5 out of 8 score points (1 constructed-response item) |
| Special Education | | | |
| §233.8 | Special Education: Early Childhood–Grade 12 | 701 TX PACT: Essential Academic Skills (Subtest I: Reading) and 702 TX PACT: Essential Academic Skills (Subtest II: Writing) and 703 TX PACT: Essential Academic Skills (Subtest III: Mathematics) | (701) 25 out of 35 selected-response items (702) 20 out of 30 selected-response items (702) 5 out of 8 score points (1 constructed-response item) (703) 23 out of 36 selected-response items |

| Certificate TAC Reference | Certificate Name | Pre-Admission Content Test | Passing Standard |
|--------------------------------------|---|--|---|
| Special Education (continued) | | | |
| §233.8 | Teacher of the Deaf and Hard of Hearing: Early Childhood–Grade 12 | 701 TX PACT: Essential Academic Skills (Subtest I: Reading) and 702 TX PACT: Essential Academic Skills (Subtest II: Writing) and 703 TX PACT: Essential Academic Skills (Subtest III: Mathematics) | (701) 25 out of 35 selected-response items (702) 20 out of 30 selected-response items (702) 5 out of 8 score points (1 constructed-response item) (703) 23 out of 36 selected-response items |
| Theatre | | | |
| §233.10 | Theatre: Early Childhood–Grade 12 | 780 TX PACT Theatre: Early Childhood–Grade 12 | 48 out of 80 selected-response items |