

## Chapter 227. Provisions for Educator Preparation Candidates

### Subchapter A. Admission to Educator Preparation Programs

#### §227.1. General Provisions.

- (a) It is the responsibility of the education profession as a whole to attract candidates and to retain educators who demonstrate the knowledge and skills necessary to improve the performance of the diverse student population of this state.
- (b) Educator preparation programs should inform all candidates that, [collaborate with local school districts] pursuant to the Texas Education Code, §22.083, candidates must undergo a criminal history background check [to examine the criminal history of all educator preparation candidates] prior to employment by local or regional education authorities [participation in educator preparation activities that occur in a school] .

#### §227.5. Definitions.

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

- (1) Accredited institution of higher education--An institution of higher education that at the time was accredited or otherwise approved by an accrediting organization recognized by the Texas Higher Education Coordination Board.
- (2) ~~(1)~~ 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 [baccalaureate] degree.
- (3) ~~(2)~~ Candidate--A participant in an educator preparation program seeking certification.
- ~~(3) Clinical teaching--A 12-week full-day teaching practicum in an alternative certification program at a public school accredited by the Texas Education Agency (TEA) or a TEA-recognized private school that may lead to completion of a standard certificate.~~
- (4) Contingency admission--Conditional admission to an educator preparation program, pending graduation and degree conferred from an accredited institution of higher education [a recognized regional accrediting organization as specified in Chapter 230, Subchapter Y, of this title (relating to Definitions); or an accrediting organization recognized by the Texas Higher Education Coordinating Board] .
- (5) 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 fields.
- ~~(6) Post-baccalaureate program--An approved educator preparation program that is designed for individuals who already hold at least a bachelor's degree and that is approved by the State Board for Educator Certification to recommend candidates for certification.~~
- ~~(6) Internship--A one-year supervised professional assignment at a public school accredited by the TEA or a TEA-recognized private school that may lead to completion of a standard certificate.~~
- ~~(7) Practicum--Practical work in a particular field; refers to student teaching, clinical teaching, internship, or practicum for a professional certificate that is in the school setting.~~
- (7) ~~(8)~~ Semester credit hour--One semester credit hour is equal to 15 clock-hours at an accredited university.
- ~~(9) Student teaching--A 12-week full-day teaching practicum in a program provided by an accredited university at a public school accredited by the TEA or a TEA-recognized private school that may lead to completion of a standard certificate.~~

**§227.10. Admission Criteria.**

- (a) The educator preparation program (EPP) delivering educator preparation shall require the following minimum criteria of all candidates prior to admission to the program, except candidates for career and technology education certification:
- (1) for an undergraduate university program, a candidate shall be enrolled in an EPP [educator preparation program] from an accredited institution of higher education [~~that is accredited by a regional accrediting agency, as recognized by the Texas Higher Education Coordinating Board (THECB)~~];
  - (2) for an alternative certification program or post-baccalaureate program, a candidate shall have a bachelor's [baccalaureate] degree earned from and conferred by an accredited institution of higher education [~~that is recognized by one of the regional accrediting agencies by the THECB, specified in paragraph (1) of this subsection~~];
  - (3) for an undergraduate university program, alternative certification program, or post-baccalaureate program, a candidate seeking initial certification shall meet the following criteria in order to be eligible to enter an EPP, unless otherwise indicated by specific certification requirements indicated in the appropriate State Board for Educator Certification rule codified in the Texas Administrative Code, Title 19, Part 7 [educator preparation program] :
    - (A) an overall grade point average (GPA) of at least 2.5 or at least 2.5 in the last 60 semester credit hours; or
    - (B) documentation and certification from the program director that a candidate's work, business, or career experience demonstrates achievement equivalent to the academic achievement represented by the GPA requirement. This exception to the minimum GPA requirement will 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 cohort of candidates; and
    - (C) [~~for a program candidate who will be seeking an initial certificate,~~] a minimum of 12 semester credit hours in the subject-specific content area for the certification sought or 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, a passing score on a content certification examination, or a passing score on a content examination administered by a vendor on the Texas Education Agency [~~(TEA)~~] -approved vendor list published by the commissioner of education for the calendar year during which the candidate seeks admission;
  - ~~[(4) for a program candidate who will be seeking an initial certificate, the candidate shall demonstrate basic skills in reading, written communication, and mathematics or by passing the Texas Academic Skills Program® (TASP®) test or the Texas Higher Education Assessment® (THEA®) with a minimum score of 230 in reading, 230 in mathematics, and 220 in writing. In the alternative, a candidate may demonstrate basic skills by meeting the requirements of the Texas Success Initiative (Texas Education Code, §51.3062) under the rules established by the Texas Higher Education Coordinating Board in Part 1, Chapter 4, Subchapter C of this title (relating to Texas Success Initiative);]~~
  - (4) ~~[(5)]~~ for an EPP [~~a program~~] candidate who will be seeking an initial certificate, the candidate shall demonstrate oral communication skills as specified in §230.11 [§230.413] of this title (relating to General Requirements);
  - (5) ~~[(6)]~~ an application and either an interview or other screening instrument to determine the EPP [~~educator preparation~~] candidate's appropriateness for the certification sought; and
  - (6) ~~[(7)]~~ any other academic criteria for admission that are published and applied consistently to all EPP [~~educator preparation~~] candidates.
- (b) An EPP [educator preparation program] may adopt requirements in addition to those explicitly required in this section.

- (c) An EPP ~~[educator preparation program]~~ may not admit a candidate who has completed another EPP ~~[educator preparation program]~~ in the same certification field ~~[or who has been employed for three years in a public school under a permit or probationary certificate as specified in Chapter 232, Subchapter A, of this title (relating to Types and Classes of Certificates Issued)]~~ .
- (d) An EPP ~~[educator preparation program]~~ may admit a candidate for career and technology education 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 ~~[educator preparation program]~~ may admit a candidate 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).

**§227.15. Contingency Admission.**

- (a) A candidate 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 candidate is currently enrolled in and expects to complete the courses and other requirements for obtaining a bachelor's ~~[baccalaureate]~~ degree at the end of the semester in which admission to the program is sought; and
  - (2) all other program admission requirements have been met.
- (b) A candidate admitted on a contingency basis may begin program training and may be approved to take a certification examination, but shall not be recommended for a probationary certificate until the candidate has been awarded a bachelor's ~~[baccalaureate]~~ degree.
- (c) The contingency admission will be valid for only the semester for which the contingency admission was granted and may not be extended for another semester.

**§227.17. Formal Admission.**

- (a) For an applicant to be formally admitted to an educator preparation program (EPP), the program must notify the applicant by email, letter, or an electronic notification of the offer of admittance.
- (b) The applicant must accept the offer of admission through written or electronic confirmation for the applicant to be considered admitted to the EPP.
- (c) The requirements of this section apply to applications received by an EPP beginning January 1, 2015.

**§227.20. Implementation Date.**

This subchapter, except for §227.17 of this title (relating to Formal Admission), applies to an educator preparation program's candidates that begin their first course through that program on or after March 1, 2015. [This chapter applies to an educator preparation program candidate who is admitted to an educator preparation program on or after January 1, 2009.]

## Subchapter B. Preliminary Evaluation of Certification Eligibility

### §227.103. Application.

- (a) A request for preliminary criminal history evaluation must be preceded by payment of the required criminal history evaluation fee specified in §230.101(a)(20) [~~§230.436(22)~~] of this title (relating to Schedule of Fees for Certification Services).
- (b) A request for preliminary criminal history evaluation must include the following:
  - (1) a signed and dated application, in the form provided on the Texas Education Agency (TEA) website, containing contact information and the date and description of each offense requested to be evaluated;
  - (2) an attached statement of the circumstances upon which the arrest is based and the disposition relating to each offense to be evaluated;
  - (3) court documentation relating to each offense, including, at a minimum, the formal disposition of the offense(s) and related charge(s) (e.g., Judgment, Order of Probation, Sentence, Deferred Adjudication Order, etc.); and
  - (4) a copy of the receipt for the request for preliminary criminal history evaluation fee.
- (c) All required documents and information specified in subsection (b) of this section must be provided with the request for preliminary criminal history evaluation. Any documents or information not provided in the original request will not be considered reasonably available.
- (d) The preliminary criminal history evaluation will be based solely on the application and court or law enforcement documents provided. Any information not provided by the requestor shall be considered not reasonably available at the time of the request and may be considered at the time the requestor subsequently applies for a certificate issued by the State Board for Educator Certification. Additional documentation that should be provided, if possible, includes the following:
  - (1) the formal charge(s) (e.g., indictment, information, or complaint);
  - (2) evidence that the condition(s) of the court have been met (e.g., completion of probation, receipt for restitution, etc.); and
  - (3) any available law enforcement report(s) describing the offense or the investigation of the offense.
- (e) The application, the statement of circumstances, the required court documentation, and a copy of the receipt for the request for preliminary criminal history evaluation fee must be submitted to the TEA division responsible for educator investigations by United States certified mail, return receipt requested, to the address provided on the application or by facsimile to the facsimile number provided on the application.
- (f) A request for preliminary criminal history evaluation is incomplete unless it includes a copy of the receipt for the request for preliminary criminal history evaluation fee, a completed application, a statement of circumstances, and the required court documentation. The TEA staff will take no action on a request that is incomplete.
- (g) All documents submitted in connection with a request for preliminary criminal history evaluation, whether complete or incomplete, will not be returned to the requestor. All documents will be retained or destroyed by the TEA in accordance with the TEA records retention schedule.

### §227.105. Preliminary Criminal History Evaluation Letter.

- (a) Within 90 calendar days of receipt of a complete request for a preliminary criminal history evaluation, the Texas Education Agency (TEA) staff will notify the requestor, by email [~~e-mail~~] to the email [~~e-mail~~] address provided on the requestor's application, of the TEA's determination with regard to the requestor's potential ineligibility based on the matters described in the request for preliminary criminal history evaluation.

- (b) The preliminary criminal history evaluation letter will be strictly limited to the facts stated and the documents submitted by the requestor, as of the date of the request. Any documents or information not provided by the requestor will not be considered reasonably available for purposes of evaluating the request. In the event that the requestor subsequently applies for certification by the State Board for Educator Certification, complete fingerprint-based national criminal history information will be required. The TEA staff may conduct a criminal history investigation at that time regarding the offense(s) that were the subject of the request, based on any misstatements, incomplete information, or missing documentation in the request for preliminary criminal history evaluation; additional or subsequent criminal history or inappropriate conduct; or changed circumstances.
- (c) The preliminary criminal history evaluation letter relates only to whether the specific information submitted constitutes grounds for ineligibility. The evaluation letter is not a guarantee of educator certification, admission to an educator preparation program, or employment as an educator.

**§227.107. Fee for Request for Preliminary Criminal History Evaluation.**

- (a) The fee to request a preliminary criminal history evaluation under this subchapter shall be in an amount sufficient to cover the cost of administration of the evaluation process and as provided in §230.101 [~~§230.436~~] of this title (relating to Schedule of Fees for Certification Services).
- (b) A new fee will be required to reactivate a request that is incomplete because of failure to submit the required documentation within 90 calendar days of receipt by the Texas Education Agency of the initial fee.