

**Item 10:****Adoption of Proposed Amendments to 19 TAC Chapter 233,  
Categories of Classroom Teaching Certificates,  
§§233.1, 233.2, 233.6, 233.7, and 233.13****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 TAC Chapter 233, Categories of Classroom Teaching Certificates, §§233.1, General Authority; 233.2, Generalist; 233.6, Bilingual Education; 233.7, English as a Second Language, and 233.13, Career and Technical Education (Certificates not requiring experience and preparation in a skill area). The proposed amendment to 19 TAC §233.2 would add new certificates for Core Subjects: Early Childhood-Grade 6 and Core Subjects: Grades 4-8 to be issued no earlier than January 1, 2015. The proposed amendments to 19 TAC §§233.2, 233.6, and 233.7 would add deadlines for completion and submission requirements for the last group of Generalist certificates the SBEC will issue. The proposed amendment to 19 TAC §233.13 would remove language relating to expiration of certain sections of the rule and, instead, would provide deadlines for completion and submission requirements for the last group of Agricultural Science and Technology: Grades 6-12 and Business Education: Grades 6-12 certificates the SBEC will issue. The proposed amendments to 19 TAC §233.1 and §233.13 would update administrative rule references. No changes are recommended since published as proposed.

**STATUTORY AUTHORITY:** The statutory authority for 19 TAC §§233.1, 233.2, 233.6, 233.7, and 233.13 is the Texas Education Code (TEC), §§21.003(a), 21.031, 21.041(b)(1)-(4) and (6), 21.048(a), 21.050, and 22.0831(f).

**EFFECTIVE DATE:** The proposed effective date of the proposed amendments would be December 28, 2014 (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:** Sections 233.1, 233.2, and 233.6 were adopted effective June 9, 2002, and last amended effective August 12, 2012. Section 233.7 was adopted effective February 6, 2003, and last amended effective August 12, 2012. Section 233.13 was adopted effective August 12, 2012.

At the August 2014 meeting, the SBEC approved the amendments to 19 TAC §§233.1, 233.2, 233.6, 233.7, and 233.13 for publication in *Texas Register* as proposed rules.

**BACKGROUND INFORMATION AND SIGNIFICANT ISSUES:** The TEC, §21.041(b)(1), authorizes the SBEC to propose rules that provide for the regulation of educators. Sections 233.1, General Authority; 233.2, Generalist; 233.6, Bilingual Education; 233.7, English as a Second Language; and 233.13, Career and Technical Education (Certificates not requiring experience and preparation in a skill area), address the source of general authority for 19 TAC Chapter 233, Categories of Classroom Teaching Certificates, and establish teaching assignment certificates for Generalist, Bilingual Education, English as a Second Language, and

Career and Technical Education (Certificates not requiring experience and preparation in a skill area). The following changes, shown in Attachment II, would provide new grade level certifications.

In 19 TAC §233.1(h) and §233.13(c) and (d), language would be amended to update cross-references to assignments for holders of the certificates in 19 TAC Chapter 233 that are codified in 19 TAC Chapter 231, Requirements for Public School Personnel Assignments. In addition, 19 TAC §233.13(e) and (g) would be amended to remove provisions for expiration of those subsections of the rule and, instead, provide deadlines for completion and submission requirements for the last group of Agricultural Science and Technology: Grades 6-12 and Business Education: Grades 6-12 certificates the SBEC will issue.

In 19 TAC §233.2, language would be amended to establish new certificates for Core Subjects: Early Childhood-Grade 6 and Core Subjects: Grades 4-8. In addition, a deadline of August 31, 2017, for candidates to complete all requirements for issuance of the Generalist: Early Childhood-Grade 6 and Generalist: Grades 4-8 certificates and a deadline of October 30, 2017, for candidates and EPPs to submit completed applications to the TEA, would be added.

In 19 TAC §233.6(a) and (b) and §233.7(a) and (b), language would be added to establish a deadline of August 31, 2017, for candidates to complete all requirements for issuance of the Bilingual Generalist: Early Childhood-Grade 6, Bilingual Generalist: Grades 4-8, English as a Second Language Generalist: Early Childhood-Grade 6, and English as a Second Language Generalist: Grades 4-8 certificates and a deadline of October 30, 2017, for candidates and EPPs to submit completed applications to the TEA.

The proposed amendments would also include technical edits to update the section title and reletter the subsections accordingly.

No changes are recommended to §§233.1, 233.2, 233.6, 233.7, and 233.13 since published as proposed.

**FISCAL IMPACT:** The TEA staff has determined that there is no fiscal impact on state and local governments and there are no costs to persons or entities required to comply with the proposed amendments. In addition, there is no direct adverse economic impact for small businesses and microbusinesses; therefore, no regulatory flexibility analysis, specified in Texas Government Code, §2006.002, is required.

**PUBLIC AND STUDENT BENEFIT:** The public and student benefit anticipated as a result of the proposed amendments would be the continuation of guidelines for categories of classroom teaching certificates and clarification of the courses that can be taught by the holders of these certificates.

**PROCEDURAL AND REPORTING IMPLICATIONS:** The proposed amendments would have no procedural and reporting implications.

**LOCALLY MAINTAINED PAPERWORK REQUIREMENTS:** The proposed amendments would have no locally maintained paperwork requirements.

**PUBLIC COMMENTS:** Following the August 2014 SBEC meeting, the proposed amendments to §§233.1, 233.2, 233.6, 233.7, and 233.13 were filed with the *Texas Register*, initiating the official public comment period. Any public comments received will be provided to the SBEC under separate cover prior to the October 2014 meeting.

**ALTERNATIVES:** None.

**OTHER COMMENTS AND RELATED ISSUES:** None.

**ASSOCIATE COMMISSIONER'S RECOMMENDATION:** I recommend that the State Board for Educator Certification:

Approve for adoption, subject to State Board of Education review, the proposed amendments to 19 TAC Chapter 233, Categories of Classroom Teaching Certificates, §§233.1, General Authority; 233.2, Generalist; 233.6, Bilingual Education; 233.7, English as a Second Language; and 233.13, Career and Technical Education (Certificates not requiring experience and preparation in a skill area), with an effective date of 20 days after filing the adoption notice with the *Texas Register*.

Respectfully submitted,

Ryan Franklin  
Interim Associate Commissioner  
Educator Leadership and Quality

**Staff Member Responsible:** Marilyn Cook, Interim Director  
Educator Testing and Certification

**Attachments:** I. Statutory Citations  
II. Text of Proposed Amendments to 19 TAC Chapter 233, Categories of Classroom Teaching Certificates, §§233.1, General Authority; 233.2, Generalist; 233.6, Bilingual Education; 233.7, English as a Second Language; and 233.13, Career and Technical Education (Certificates not requiring experience and preparation in a skill area)

**ATTACHMENT I****Statutory Citations Relating to Proposed Amendments to 19 TAC Chapter 233,  
Categories of Classroom Teaching Certificates, §§233.1, 233.2, 233.6, 233.7, and 233.13****Texas Education Code, §21.003, Certification Required (excerpt):**

- (a) A person may not be employed as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, educational diagnostician, or school counselor by a school district unless the person holds an appropriate certificate or permit issued as provided by Subchapter B.

**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;
  - (2) specify the classes of educator certificates to be issued, including emergency certificates;
  - (3) specify the period for which each class of educator certificate is valid;
  - (4) specify the requirements for the issuance and renewal of an educator certificate;
  - (6) provide for special or restricted certification of educators, including certification of instructors of American Sign Language;

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

- (a) [2 Versions: As amended by Acts 2013, 83rd Leg., ch. 1282] The board shall propose rules prescribing comprehensive examinations for each class of certificate issued by the board. The board shall determine the satisfactory level of performance required for each certification examination. For the issuance of a generalist certificate, the board shall require a satisfactory level of examination performance in each core subject covered by the examination.

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

- (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 Subchapter A, Chapter 28.

- (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, §22.0831, National Criminal History Record Information Review of Certified Educators (excerpt):**

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

**ATTACHMENT II**  
**Text of Proposed Amendments to 19 TAC**

**Chapter 233. Categories of Classroom Teaching Certificates**

**§233.1. General Authority.**

- (a)-(g) (No change.)
- (h) The general assignment descriptions in this chapter are subject to the specific provisions for the assignment of a holder of a certificate in Chapter 231 [~~§231.1~~] of this title (relating to Requirements for [~~Criteria for Assignment of~~] Public School Personnel Assignments ), and in the event of any conflict with this chapter, Chapter 231 [~~§231.1~~] of this title shall prevail.

**§233.2. Core Subjects; Generalist.**

- (a) Core Subjects: Early Childhood-Grade 6. The Core Subjects: Early Childhood-Grade 6 certificate may be issued no earlier than January 1, 2015. The holder of the Core Subjects: Early Childhood-Grade 6 certificate may teach the following content areas in a prekindergarten program, in kindergarten, and in Grades 1-6:
- (1) Art;
  - (2) Health;
  - (3) Music;
  - (4) Physical Education;
  - (5) English Language Arts and Reading;
  - (6) Mathematics;
  - (7) Science;
  - (8) Social Studies;
  - (9) Technology Applications; and
  - (10) Theater.
- (b) Core Subjects: Grades 4-8. The Core Subjects: Grades 4-8 certificate may be issued no earlier than January 1, 2015. The holder of the Core Subjects: Grades 4-8 certificate may teach the following content areas in Grades 4-8:
- (1) English Language Arts and Reading;
  - (2) Mathematics;
  - (3) Science; and
  - (4) Social Studies.
- (c) [~~(a)~~] Generalist: Early Childhood-Grade 6. The Generalist: Early Childhood-Grade 6 certificate may be issued no earlier than September 1, 2008. A candidate must meet the requirements for a Generalist: Early Childhood-Grade 6 certificate by August 31, 2017. All applications must be complete and received by the Texas Education Agency (TEA) by October 30, 2017. The holder of the Generalist: Early Childhood-Grade 6 certificate may teach the following content areas in a prekindergarten program, in kindergarten, and in Grades 1-6:
- (1) Art;
  - (2) Health;
  - (3) Music;

- (4) Physical Education;
- (5) English Language Arts and Reading;
- (6) Mathematics;
- (7) Science;
- (8) Social Studies;
- (9) Technology Applications; and
- (10) Theater.

(d) ~~(b)~~ Generalist: Grades 4-8. The Generalist: Grades 4-8 certificate may be issued no earlier than September 1, 2002. A candidate must meet the requirements for a Generalist: Grades 4-8 certificate by August 31, 2017. All applications must be complete and received by the TEA by October 30, 2017. The holder of the Generalist: Grades 4-8 certificate may teach the following content areas in Grades 4-8:

- (1) English Language Arts and Reading;
- (2) Mathematics;
- (3) Science; and
- (4) Social Studies.

#### **§233.6. Bilingual Education.**

- (a) Bilingual Generalist: Early Childhood-Grade 6. The Bilingual Generalist: Early Childhood-Grade 6 certificate may be issued no earlier than September 1, 2008. The holder of the Bilingual Generalist: Early Childhood-Grade 6 certificate may teach in a bilingual prekindergarten program, a bilingual kindergarten program, and a bilingual program in Grades 1-6. The holder of the Bilingual Generalist: Early Childhood-Grade 6 certificate may teach the same content areas, in either a bilingual or general education program, as the holder of the Generalist: Early Childhood-Grade 6 certificate may teach under §233.2(a) of this title (relating to Generalist). The holder of the Bilingual Generalist: Early Childhood-Grade 6 certificate may also teach in an English as a second language program in Early Childhood-Grade 6. A candidate must meet the requirements for a Bilingual Generalist: Early Childhood-Grade 6 certificate by August 31, 2017. All applications must be complete and received by the Texas Education Agency (TEA) by October 30, 2017.
- (b) Bilingual Generalist: Grades 4-8. The Bilingual Generalist: Grades 4-8 certificate may be issued no earlier than September 1, 2002. The holder of the Bilingual Generalist: Grades 4-8 certificate may teach in a bilingual program in Grades 4-8. The holder of the Bilingual Generalist: Grades 4-8 certificate may teach the same content areas, in either a bilingual or a general education program, as the holder of the Generalist: Grades 4-8 certificate may teach under §233.2(b) of this title. The holder of the Bilingual Generalist: Grades 4-8 certificate may also teach in an English as a second language program in Grades 4-8. A candidate must meet the requirements for a Bilingual Generalist: Grades 4-8 certificate by August 31, 2017. All applications must be complete and received by the TEA by October 30, 2017.
- (c) Bilingual Education Supplemental. The Bilingual Education Supplemental certificate may be issued no earlier than September 1, 2009. The holder of the Bilingual Education Supplemental certificate may teach in a bilingual program at the same grade levels and in the content area(s) of the holder's base certificate. The holder of the Bilingual Education Supplemental certificate may also teach in an English as a second language program at the same grade levels and in the content area(s) of the holder's base certificate.
- (d) The State Board for Educator Certification shall determine the target languages for bilingual education certificates based on the student population in the Texas public schools.

#### **§233.7. English as a Second Language.**

- (a) English as a Second Language Generalist: Early Childhood-Grade 6. The English as a Second Language Generalist: Early Childhood-Grade 6 certificate may be issued no earlier than September 1, 2008. The holder of the English as a Second Language Generalist: Early Childhood-Grade 6 certificate may teach in

- an English as a second language program in prekindergarten-Grade 6. The holder of the English as a Second Language Generalist: Early Childhood-Grade 6 certificate may teach the same content areas, in either an English as a second language or a general education program, as the holder of the Generalist: Early Childhood-Grade 6 certificate may teach under §233.2(a) of this title (relating to Generalist). A candidate must meet the requirements for an English as a Second Language Generalist: Early Childhood-Grade 6 certificate by August 31, 2017. All applications must be complete and received by the Texas Education Agency (TEA) by October 30, 2017.
- (b) English as a Second Language Generalist: Grades 4-8. The English as a Second Language Generalist: Grades 4-8 certificate may be issued no earlier than September 1, 2003. The holder of the English as a Second Language Generalist: Grades 4-8 certificate may teach in an English as a second language program in Grades 4-8. The holder of the English as a Second Language Generalist: Grades 4-8 certificate may teach the same content areas, in either an English as a second language or a general education program, as the holder of the Generalist: Grades 4-8 certificate may teach under §233.2(b) of this title. A candidate must meet the requirements for an English as a Second Language Generalist: Grades 4-8 certificate by August 31, 2017. All applications must be complete and received by the TEA by October 30, 2017.
- (c) English as a Second Language Supplemental. The English as a Second Language Supplemental certificate may be issued no earlier than September 1, 2003. The holder of the English as a Second Language Supplemental certificate may teach in an English as a second language program at the same grade levels and in the same content area(s) of the holder's base certificate.

**§233.13. Career and Technical Education (Certificates not requiring experience and preparation in a skill area).**

- (a) Technology Education: Grades 6-12. The Technology Education: Grades 6-12 certificate may be issued no earlier than September 1, 2004. The holder of the Technology Education: Grades 6-12 certificate may teach all technology education courses in Grades 6-12.
- (b) Family and Consumer Sciences, Composite: Grades 6-12. The Family and Consumer Sciences, Composite: Grades 6-12 certificate may be issued no earlier than September 1, 2004. The holder of the Family and Consumer Sciences, Composite: Grades 6-12 certificate may teach all family and consumer sciences courses in Grades 6-12.
- (c) Human Development and Family Studies: Grades 8-12. The Human Development and Family Studies: Grades 8-12 certificate may be issued no earlier than September 1, 2004. The holder of the Human Development and Family Studies: Grades 8-12 certificate may teach the specific courses in Grades 8-12 listed in Chapter 231 [~~§231.1~~] of this title (relating to Requirements for [~~Criteria for Assignment of~~] Public School Personnel Assignments ).
- (d) Hospitality, Nutrition, and Food Sciences: Grades 8-12. The Hospitality, Nutrition, and Food Sciences: Grades 8-12 certificate may be issued no earlier than September 1, 2004. The holder of the Hospitality, Nutrition, and Food Sciences: Grades 8-12 certificate may teach the specific courses in Grades 8-12 listed in Chapter 231 [~~§231.1~~] of this title.
- (e) Agricultural Science and Technology: Grades 6-12. The Agricultural Science and Technology: Grades 6-12 certificate may be issued no earlier than September 1, 2005. The holder of the Agricultural Science and Technology: Grades 6-12 certificate is eligible to teach all agricultural science and technology courses in Grades 6-12. A candidate must meet the requirements for an Agricultural Science and Technology: Grades 6-12 certificate by August 31, 2017. All applications must be complete and received by the Texas Education Agency (TEA) by October 30, 2017. [The provisions of this subsection shall expire on September 1, 2016.]
- (f) Agriculture, Food, and Natural Resources: Grades 6-12. The Agriculture, Food, and Natural Resources: Grades 6-12 certificate may be issued no earlier than September 1, 2014. The holder of the Agriculture, Food, and Natural Resources: Grades 6-12 certificate is eligible to teach all agricultural science and technology courses in Grades 6-12.
- (g) Business Education: Grades 6-12. The Business Education: Grades 6-12 certificate may be issued no earlier than November 8, 2006. The holder of the Business Education: Grades 6-12 certificate may teach all

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business education courses in Grades 6-12, excluding economics courses. A candidate must meet the requirements for a Business Education: Grades 6-12 certificate by August 31, 2017. All applications must be complete and received by the TEA by October 30, 2017. [The provisions of this subsection shall expire on September 1, 2016.]

- (h) Business and Finance: Grades 6-12. The Business and Finance: Grades 6-12 certificate may be issued no earlier than September 1, 2014. The holder of the Business and Finance: Grades 6-12 certificate may teach all business and finance courses in Grades 6-12.
- (i) Science, Technology, Engineering, and Mathematics: Grades 6-12. The Science, Technology, Engineering, and Mathematics: Grades 6-12 certificate may be issued no earlier than September 1, 2014. The holder of the Science, Technology, Engineering, and Mathematics: Grades 6-12 certificate may teach all science, technology, engineering, and mathematics cluster courses in Grades 6-12.