

Item 12:**Consideration of Petition for Adoption of Rule Change
Concerning 19 TAC Chapter 228, Requirements for Educator
Preparation Programs, §228.35. Preparation Program
Coursework and/or Training****DISCUSSION AND ACTION**

SUMMARY: This item provides the State Board for Educator Certification (SBEC) an opportunity to consider a petition for rulemaking regarding 19 TAC Chapter 228, Requirements for Educator Preparation Programs, filed pursuant to Texas Government Code, §2001.021. The petitioner requests amendments to the rules regarding clinical teaching. The SBEC must either deny the petition or direct the Texas Education Agency (TEA) staff to initiate rulemaking proceedings.

STATUTORY AUTHORITY: Texas Government Code, §2001.021.

The full text of statutory citations can be found in the statutory authority section of this agenda.

PREVIOUS BOARD ACTION: The SBEC approved changes to §230.1 and §230.36, effective December 27, 2016, included in Attachment I.

BACKGROUND INFORMATION AND JUSTIFICATION: The SBEC requires educator candidates to complete clinical teaching or internship assignments to ensure educators are qualified and professionally prepared to instruct the schoolchildren of Texas.

This ensures that candidates have sufficient time to learn from actual, face-to-face experience in a physical classroom and can receive support and feedback from their educator preparation program as they observe and reflect on the art of teaching through the clinical teaching experience or perform and reflect on the role of teacher of record while completing an internship.

Patrick Gilbert, a resident of Texas, submitted a petition for rulemaking to the Board regarding Chapter 228, and submitted wording for consideration in §228.35. Preparation Program Coursework and/or Training, sections (e)(2)(A) related to Clinical Teaching and (e)(2)(B) related to Internship. Attachment II includes the submitted petition requesting the SBEC change current rules regarding clinical teaching and internship assignments to allow flexibility for candidates working part-time in a teaching position and to allow assignments (i.e., clinical teaching or internship) to be completed all or partially online if the school is approved by TEA.

In accordance with the Texas Government Code, §2001.021, the SBEC may deny the petition or direct the TEA staff to initiate rulemaking proceedings.

The table below summarizes the content of the petitioner's requests, the impact of the requests if granted, and TEA staff's recommendations based on prior actions of the SBEC.

Petition to Adopt Changes to Chapter 228**Requests:**

1. Change §228.35(e)(2)(A) to include the following proposed changes from the petitioner.”

(Proposed wording)

(v) An exception to the weekly hourly requirements for clinical teaching can be made if a candidate is working part-time in a teaching position and the EPP informs TEA.

(vi) A clinical teaching assignment may be completed all or partially online if the school is approved by TEA.

2. Change §228.35(e)(2)(B) to include the following proposed changes from the petitioner.”

(Proposed wording)

(xii) An exception to the weekly hourly requirements for an internship can be made if a candidate is working part-time in a teaching position and the EPP notifies TEA.

(xiii) An internship teaching assignment may be completed all or partially online if the school is approved by TEA.

Impact of Requests:

The addition of the exception to the weekly hourly requirement in #1 (v) is not necessary because currently per 19 TAC §228.35(e)(2)(A)(i)(I)(-b) a candidate may complete 28 weeks of half day clinical teaching which allows the candidate to be employed elsewhere during the remaining half of the day.

Suggestion #1 (vi) is requesting to complete all or part of a clinical teaching assignment online if the online school is approved by TEA. This request would change the SBEC's long standing belief in the value of face-to-face training for candidate clinical experiences and would change the related rule adopted by the SBEC at the October 8, 2010, effective December 26, 2010, regarding clinical teaching. Additionally, candidates must currently complete clinical experiences in schools approved by TEA.

The proposed change to the wording in #2 (xii) in the internship requirement is already existing in SBEC rule in that a candidate must teach at least 4 hours per day in the subject area and grade level of the certificate sought which is a part time teaching position if the candidate is only teaching half day.

Suggestion #2 (xiii) is requesting to complete all or part of an internship assignment online if the online school is approved by TEA. This request would change the SBEC's long standing belief in the value of face-to-face training for candidate clinical experiences and would change the related rule adopted by the SBEC at the October 8, 2010, effective December 26, 2010, regarding clinical teaching. Additionally, candidates must currently complete clinical experiences in schools approved by TEA.

The language the petitioner recommends would directly conflict with the Board's decision that candidates must be trained in a face-to-face environment.

The petitioner's rationale for the proposed changes is that it would allow flexibility for educator preparation programs and those seeking standard certification by allowing candidates to be placed in an assignment that works for them and the employing school. The petitioner also stated that teaching online is not an easy assignment and that he proposed this as a placement because it takes time, skill, and attention to detail.

The petition for rulemaking also requests that the SBEC consider the following:

Placements in early college high schools must be given special consideration in that the teachers there may not have the same schedule as teachers in non-early college high schools. It is unclear whether placing a candidate there would satisfy the average of 240 minutes/4 hours per day placement as is required by the current rules.

Education has changed - especially post-COVID. Students are homeschooled, some are enrolled in early college high schools, some attend 4 days per week, and others attend schools virtually. However, for teacher preparation, the rules still only allow a candidate to complete the certification process by going in person and full-time. Some districts are seeking part-time teachers. The teacher shortage and changing times are causing us to think about what the new normal is. This must also extend to educator preparation programs.

Recommendation Based on SBEC Action:

Deny Petition

The petitioner's request for completing assignments on a part time basis are already in rule and SBEC's rule allows for flexibility with completing the assignments.

OTHER COMMENTS AND RELATED ISSUES: Under SBEC rule 19 TAC §250.20, Petition for Adoption of Rules or Rule Changes, the TEA must respond to a rule petition within 60 days even if it is not possible for the SBEC to act upon it within 60 days, as was the case with this petition. As a result, TEA staff notified the petitioner that the petition would be considered at the July 21, 2023, meeting.

ASSOCIATE COMMISSIONER'S RECOMMENDATION:

Deny the petition concerning clinical teaching and internship assignment requirements in 19 TAC Chapter 228, Requirements for Educator Preparation Programs

Staff Member Responsible:

Kameryn McCain, Director, EPCE Operations

Attachments:

- I. Text of 19 TAC Chapter 228, Requirements for Educator Preparation Programs,
- II. Petition to Amend 19 TAC Chapter 228, Requirements for Educator Preparation Programs,

ATTACHMENT I
Text of 19 TAC**Chapter 228. Requirements for Educator Preparation Programs****§228.35. Preparation Program Coursework and/or Training [Excerpts]**

- (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.

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;

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- (II) the candidate resigns, is non-renewed, or is terminated by the school or district; or
 - (III) the candidate is discharged or is released from the EPP; or
 - (IV) the candidate withdraws from the EPP; or
 - (V) the internship assignment does not meet the requirements described in this subparagraph.
- (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) 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) 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).

1. Patrick Gilbert

Updated at Jun 02, 2023

Submission Date

Jun 2, 2023

Your Name

Patrick Gilbert

Affiliation/Organization (if applicable):

N/A

Texas Government Code, §2001.021, specifies that an interested person must meet one of the following criteria...
resident of Texas

Phone Number

Email Address:

pgilb5@gmail.com

Date

Jun 2, 2023

Petitioner's Signature

Patrick Gilbert

Proposed rule text (indicate words to be added or deleted from the current text).

(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.

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(Proposed wording)

(v) An exception to the weekly hourly requirements for clinical teaching can be made if a candidate is working part-time in a teaching position and the EPP informs TEA.

(vi) A clinical teaching assignment may be completed all or partially online if the school is approved by TEA.

(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

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; or

(III) the candidate is discharged or is released from the EPP; or

(IV) the candidate withdraws from the EPP; or

(V) the internship assignment does not meet the requirements described in this subparagraph.

(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) 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) 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).

(xi) 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).

(Proposed wording)

(xii) An exception to the weekly hourly requirements for an internship can be made if a candidate is working part-time in a teaching position and the EPP notifies TEA.

(xiii) An internship teaching assignment may be completed all or partially online if the school is approved by TEA.

