

Item 13.
Discuss Proposed New 19 TAC, Chapter 245,
Certification of Educators from Other States or Countries

March 26, 1999

DISCUSSION ITEM

SUMMARY: This item allows the Board to discuss proposed rules that will provide for the issuance of a Texas educator certificate to individuals holding a degree and a similar certificate from another state or country. This item will also allow the Board to discuss the repeal of current 19 Texas Administrative Code (TAC), Chapter 230, Subchapter O, relating to Texas Educator Certificates Based on Certification and College Credentials from Other States, which is being transferred with minor revisions to the new Chapter 245.

STATUTORY AUTHORITY: Texas Education Code (TEC), §21.041(b)(5) and §21.052 require the Board to propose rules that provide for the issuance of an educator certificate to a person holding a degree and a similar certificate or other credential issued by another state or country.

EFFECTIVE DATE: September 1, 1999, subject to review by the State Board of Education.

IMPLEMENTATION DATE: September 1, 1999.

SUNSET REVIEW DATE: September 1, 2003

PREVIOUS BOARD ACTION: The Board adopted the current rules relating to Texas educator certificates based on certification and college credentials from other states contained in 19 TAC Chapter 230, Subchapter O at its November 1, 1996 meeting. The rules became effective on December 5, 1996.

BACKGROUND AND SIGNIFICANT ISSUES: Current rule provides for the issuance of a Texas educator certificate to a person holding a degree and certification issued by another state. The out-of-state certificate must be considered “standard” by the issuing state and must be equivalent to a certificate issued by the SBEC. A standard certificate is a credential issued by another state department of education for which no academic deficiencies are indicated. Under current procedures, once the review of credentials is completed by SBEC staff, the individual holding a standard out-of-state educator certificate must then pass the appropriate certification examinations to receive the Texas certificate. A temporary certificate, valid for one year, may be issued to an individual who has completed all requirements except the appropriate examinations.

Under current rule, individuals who complete a degree and an educator preparation program outside of the United States and who do not hold a standard certificate issued by another state must complete a Texas educator preparation program to qualify for a Texas certificate. The proposed rule would give the degree and educator credential issued by another country the same standing as a credential issued by another state or territory of the United States.

There are two significant issues relating to applicants from other countries that need to be addressed. The first issue concerns whether or not to require evidence of English language proficiency for foreign applicants. While the proposed rule does not specifically require verification of proficiency in the English language for foreign applicants, it does require all applicants to meet appropriate certification requirements. This broad statement captures all existing and future requirements for the various certificates issued by the Board, including the current requirement under §230.413 which specifies that all applicants for a Texas educator certificate must be able to speak and understand the English language sufficiently to use it easily and readily in conversation and teaching. In many cases, graduates of colleges and universities in other states are assessed for oral English language proficiency as part of their educator preparation programs. At its January 1999 meeting, the Board proposed rules establishing requirements for admission to a Texas educator preparation program that include a determination of college-level skills in oral and written communication.

Above and beyond the standard initial requirements, many states require that applicants from other countries provide verification of passing scores on an English language proficiency exam if the primary language of the applicant is not English. The Alabama State Department of Education uses the Test of Spoken English (TSE) to verify English language proficiency. The TSE is administered twelve times each year at test sites throughout the world. The TSE score is reported on a scale of 20-60. While there is no absolute passing or failing score on the TSE, Alabama requires a score of 50 for certification. The Test of English as a Foreign Language (TOEFL) is another test used to verify English proficiency. The TOEFL is also administered several times each year at sites throughout the world. There are no specific passing or failing scores on the TOEFL – an acceptable score on the TOEFL depends entirely on the requirements of the user.

If verification of English proficiency is required for the issuance of an initial certificate, applicants from other countries will have to pay for the assessment used to verify English proficiency in addition to the fees for review of credentials, certificate issuance, and the ExCET exams. Additionally, because it takes at least five weeks to receive score reports for most language tests, applicants from other countries might experience delays in the SBEC application process.

The second significant issue relating specifically to foreign applicants concerns the review process for foreign credentials. SBEC does not currently have the resources to evaluate foreign credentials. The proposed rule would require foreign applicants to use a credential evaluation service approved by the Board. SBEC staff will use the credential evaluation in lieu of transcripts and a certificate as the basis for a review of credentials. Many state departments of education certify applicants whose degree and credentials were issued by a foreign country. Most of the states that accept foreign applicants do not interpret foreign credentials; rather, they require foreign applicants to have their credentials reviewed and equated by a credential evaluation service that has been approved by the state department of education. The credential evaluation is then considered in place of the transcript evaluation that is the basis for certification.

Within the United States, no governmental agency monitors the establishment of foreign credential evaluation services. Many states accept reviews of foreign credentials from evaluation services that are members of national organizations such as the National Association of Credential Evaluation Services (NACES), or the American Association of Collegiate Registrars and Admissions Officers (AACRAO). Other states require that the evaluation services follow the

standards of evaluation approved by the National Council on the Evaluation of Foreign Educational Credentials. The cost for detailed or course-by-course evaluations performed by a credential evaluation service ranges from \$90 to \$150. Additional fees are assessed for rush service. Attachment I lists all of the known credential evaluation services and their affiliations.

There are other significant issues relating to the proposed rule that should be discussed.

- The proposed rule deletes the provision in current rule [§230.462(e)] that allows a school district to activate a nonrenewable permit for an out-of-state teacher who does not pass the professional development portion of the ExCET, but does pass the appropriate content exam during the validity of the one-year temporary certificate issued by SBEC. The provision is not widely utilized by school districts. During the 1995-96, 1996-97 and 1997-98 school years, an average of 44 nonrenewable permits were activated under this provision each year. This provision also appears in Chapter 230, Subchapter Q. Permits. If the Board approves the recommendation to delete this provision, amendments to Subchapter Q will be necessary.
- The proposed rule also deletes the provision in current rule [§230.463] that allows a school district to request that SBEC evaluate an applicant's credentials for an area not listed on the certificate from outside the state, provided it is part of the applicant's initial assignment area in Texas. This provision was approved many years ago before the availability of certification by exam. It was provided as a service to school districts to give them an option to requesting college deficiency plans for their out-of-state teachers serving on permits in other areas. Again, this option is not widely used. Most out-of-state applicants choose to add certification based on passing the appropriate exam rather than completing additional college coursework from a deficiency plan. The few initial assignment evaluations prepared by SBEC staff are time consuming and are done at no additional charge if combined with the request for review of out-of-state credentials.
- The proposed rule retains in §245.5(c) the provision in current rule [§230.462 (g)] that allows an individual who satisfies appropriate testing requirements for a standard certificate to have a second one-year certificate in a new area(s) or an area(s) previously authorized on a one-year certificate. The individual must not have been employed in the area(s) and must not have attempted the examination(s) required for the area(s). This is another provision of current rule that is underutilized by applicants. If the Board decides to delete this provision, employment on an emergency certificate might be an employment option for these individuals. However, the emergency certificate would serve the same purpose as a second one-year certificate by giving the individual another year to complete the appropriate examinations.

FISCAL IMPACT: Educators from other countries will have increased costs due to the credential review and verification of English proficiency. These costs will be in addition to SBEC fees for review of credentials, examinations, and certificate application. However, these costs will be less than the fees the educator would pay to complete a Texas educator preparation certification program as is currently required.

BENEFIT STATEMENT: School districts will have a larger pool of certified applicants to fill vacant positions.

PROCEDURAL AND REPORTING IMPLICATIONS: None

Respectfully submitted,

Pamela B. Tackett
Executive Director

Staff Member Responsible: Mary Charley, Certification Official

- Attachments:**
- I. List of Foreign Credential Evaluation Services
 - II. Proposed New 19 TAC Chapter 245. Certification of Educators from Other States or Countries.
 - III. 19 TAC Chapter 230, Subchapter O. Texas Certificates Based on Certification and College Credentials from Other States (provided for information purposes only)

Attachment I**Foreign Credential Evaluation Services**

- Center for Applied Research, Evaluation & Education, Inc.
Location: Long Beach, California
Affiliations: NACES
- Educational Credential Evaluators, Inc.
Location: Milwaukee, Wisconsin
Affiliations: NACES, NAFSA, AACRAO
- Educational Evaluators International, Inc.
Location: Los Alamitos, California
Affiliations: NACES
- Education International, Inc.
Location: Wellesley, Massachusetts
Affiliations: NACES
- Educational Records Evaluation Services.
Location: Sacramento, California
Affiliations: NACES
- Evaluation Services, Inc.
Location: Albany, New York
Affiliations: NACES
- Foreign Academic Credential Services, Inc.
Location: Glen Carbon, Illinois
Affiliations: NACES
- Foreign Credential Evaluations Services of America
Location: Austin, Texas
Affiliations: NCEFEC
- The Foreign Educational Document Service
Locations: Stockton, California
Affiliations: NACES
- Global Credential Evaluators, Inc.
Location: Chesterfield, Virginia
Affiliations: NAFSA, AACRAO, NCEFEC
- Global Education Group, Inc.
Location: Miami Beach, Florida
Affiliations: NAFSA, AACRAO

- Globe Language Services
Location: New York, New York
Affiliations: NAFSA, AACRAO, NCEFEC
- Foundation for International Services, Inc.
Location: Bothell, Washington
Affiliations: NACES
- International Consultants of Delaware, Inc.
Location: Newark, New Jersey
Affiliations: NACES
- International Education Research Foundation, Inc.
Location: Los Angeles, California
Affiliations: NACES
- Lincoln International Educational Associates
Location: Lawrence, Kansas
Affiliations: NCEFEC
- Josef Silney & Associates, Inc. International Education Consultants
Location: Coral Gables, Florida
Affiliations: NACES
- SpanTran Educational Services, Inc.
Location: Houston, Texas
Affiliations: NACES
- World Educational Services, Inc.
Location: New York, New York
Affiliations: NACES, AACRAO

AACRAO	American Association of Collegiate Registrars and Admissions Officers
NACES	National Association of Credential Evaluation Services
NAFSA	National Association of International Educators
NCEFEC	National Council on the Evaluation of Foreign Educational Credentials

Attachment II.**Discuss Proposed New 19 TAC****Chapter 245. Certification of Educators from Other States or Countries**

This chapter is proposed under the Texas Education Code (TEC), §21.041(b)(5) and §21.052 which require the State Board for Educator Certification to propose rules that provide for the issuance of an educator certificate to a person holding a degree and a similar certificate or other credential issued by another state or country.

§245.1. General Provisions.

- (a) A Texas educator certificate may be issued to an individual who holds a college degree and an appropriate certificate or credential issued by the authorized licensing agency in another state or territory of the United States, or a foreign country.
- (b) The degree held by:
 - (1) an applicant from another state or territory of the United States must be issued by an accredited institution of higher education, as defined in Chapter 230, Subchapter Y of this title, relating to Definitions.
 - (2) an applicant from a foreign country must be equivalent to a degree described in paragraph (1) of this subsection.
- (c) The certificate or other credential issued by the authorized licensing agency in another state or territory of the United States or in a foreign country may not be a temporary credential, a credential issued by a city or school district, or a certificate for which academic deficiencies are indicated. Specific examination or renewal requirements shall not be considered academic deficiencies.
- (d) A statement, approval letter, or certification entitlement card issued by the authorized licensing agency in another state or territory of the United States or in a foreign country specifying eligibility for full certification upon employment or completion of specified examination requirements shall have the same standing as a certificate.
- (e) The certificate and areas of certification issued by the authorized licensing agency in another state or territory of the United States or in a foreign country presented by an applicant for Texas certification must be equivalent to a certificate issued by the State Board for Educator Certification. The agency shall identify the Texas certificate(s) for which the applicant qualifies.

§245.5. Requirements for Issuance of a Texas Certificate Based on Certification from Another State or Territory of the United States or a Foreign Country.

- (a) An applicant for a Texas certificate based on certification and college credentials as specified in §245.1 of this chapter must satisfy all preparation and experience requirements for the certificate(s) being sought. Applicants must also successfully complete the appropriate examination(s) required for the certificate(s) being sought.
- (b) If all certification requirements are met except successful completion of the appropriate examination(s), the applicant may request issuance of a one-year certificate in one or more of the certification areas authorized by the out-of-state certificate.
 - (1) After satisfying the examination requirements, the applicant is eligible to receive the Standard Certificate issued under Chapter 232, Subchapter M of this title, relating to the Types and Classes of Certificates Issued.

- (2) An applicant issued a one-year certificate under this section who does not satisfy the examination requirements is not eligible for any type of certificate or permit authorizing employment for any level or area until he or she has satisfied the examination requirements.
- (c) An applicant issued a one-year certificate under this section who, during or subsequent to the validity of the certificate, satisfies the appropriate examination requirements and establishes eligibility for a standard certificate may apply under §245.10 or §245.15 of this chapter for:
 - (1) a new one-year certificate in another certification area based on a certificate issued by another state or territory of the United States or a foreign country; or
 - (2) a second one-year certificate in an area previously authorized on a one-year certificate, provided the applicant has neither been assigned to nor attempted the appropriate examination requirements for that area.

§245.10. Application Procedures for Individuals Holding a Certificate from Another State or Territory of the United States.

- (a) Individuals who have been issued an appropriate certificate by the authorized licensing agency in another state or territory of the United States or in a foreign country may apply for a review of credentials by submitting the following items to the agency:
 - (1) a completed application form;
 - (2) the original of all out-of-state educator certificates or true copies of the original certificate properly verified by the superintendent or designee of a Texas public school district;
 - (3) official transcripts of all college credits or true copies of official transcripts properly verified by the superintendent or designee of a Texas public school district; and
 - (4) a nonrefundable credential review fee.
- (b) Pursuant to §245.5(b) of this chapter, applicants may apply for a one-year certificate by submitting the appropriate fee to the State Board for Educator Certification.

§245.15. Application Procedures for Individuals Holding a Certificate from a Foreign Country.

- (a) Individuals who have been issued an appropriate certificate by the authorized licensing agency in a foreign country may apply for a review of credentials by submitting the following items to the agency:
 - (1) a completed application form;
 - (2) the original detailed report or course-by-course evaluation for professional licensing of all college-level credits prepared by a credential evaluation service recognized by the State Board for Educator Certification. The evaluation must verify that the individual:
 - (A) holds, at a minimum, a degree equivalent to a bachelor's degree granted by an accredited institution of higher education in the United States;
 - (B) has completed an educator preparation program, including student teaching; and
 - (C) holds an appropriate certificate or credential issued by another country as specified in §245.1 of this chapter which specifies teaching area(s) and grade level(s); and
 - (3) a nonrefundable review fee.
- (b) Pursuant to §245.5(b) of this chapter, applicants may apply for a one-year certificate by submitting the appropriate fee to the State Board for Educator Certification

§245.20. Evaluation of College Credentials for Individuals Holding a Certificate from Another State or Territory of the United States or a Foreign Country.

- (a) Requests to evaluate an applicant's credentials for areas of certification that are not identified on the certificate issued in accordance with §245.1 of this chapter must be directed to an approved Texas educator preparation program. The appropriate Texas certificate will be issued upon recommendation by the program.
- (b) An individual who does not hold a certificate issued in accordance with §245.1 of this chapter must have his or her credentials evaluated through an approved Texas educator preparation program and be recommended by the program for certification.

Attachment III.**Subchapter O. Texas Educator Certificates Based on Certification and College Credentials from Other States**

These sections are issued under the Texas Education Code (TEC), §21.041(b)(5) and §21.052 which require the State Board for Educator Certification to propose rules that provide for the issuance of an educator certificate to a person holding a similar certificate issued by another state.

§230.461. General Provisions.

- (a) A Texas educator certificate may, based on college credentials and standard certification issued by another state department of education, be issued to an individual who meets appropriate requirements specified in §230.413 of this chapter (relating to General Requirements) and elsewhere in this subchapter.
- (b) The degree and certificate from another state presented by an applicant for Texas certification must be considered standard by the issuing state department of education and may not be a temporary permit, a substandard certificate, or a credential issued by a city or school district. In this subchapter, the phrase "standard certificate" means certification issued by another state department of education for which no academic deficiencies are indicated. Specific examination or renewal requirements shall not be considered academic deficiencies.
- (c) A statement, approval letter, or certification entitlement card issued by another state department of education specifying eligibility for full certification upon employment or completion of specified examination requirements shall have the same standing as a standard certificate.
- (d) The certificate and areas of certification from another state presented by an applicant for Texas certification must be equivalent to a credential and certification areas approved by the State Board for Educator Certification. The board shall identify the certification areas for which the applicant qualifies in Texas.

§230.462. Requirements for Texas Certificates Based on Certification from Other States.

- (a) An applicant for a Texas certificate based on certification and college credentials from another state must pass the appropriate examination requirements specified in §230.5 of this Chapter (relating to Educator Assessment).
- (b) If all certification requirements are met except the appropriate examination requirements, the applicant may request issuance of a temporary certificate, valid for 12 months, in one or more certification areas authorized on the out-of-state certificate.
- (3) (1) An applicant who holds a standard out-of-state special subject certificate may be issued the equivalent Texas certificate in that special subject area.
- (4) (2) An applicant who holds a standard out-of-state professional service certificate may be issued the equivalent Texas certificate in that professional service area. The preparation program upon which the out-of-state professional service certificate is based must require the individual to have completed requirements for a basic classroom teaching certificate.
- (c) A temporary certificate authorized under this subchapter may be converted to the appropriate certificate class after all requirements, including examination requirements, have been satisfied.
- (d) An applicant issued a temporary certificate under this section who does not complete the appropriate portions of the Examination for the Certification of Educators in Texas (ExCET) or establish eligibility for a provisional or professional certificate during the validity of the temporary certificate, is not eligible for any type of certificate or permit authorizing employment

- for the same certified level or areas until he or she has satisfied the appropriate examination requirements.
- (e) An employing superintendent may apply for continued employment eligibility for a teacher on a nonrenewable permit if the teacher does not pass the professional development portion of the ExCET but does pass the appropriate content specialization portions of the exam during the validity of the temporary certificate. The nonrenewable permit shall be valid for no more than 12 months from the date the individual first attempts the professional development portion of the ExCET.
 - (f) An applicant shall not be required to complete the content specialization portion of the ExCET in a certification area for which he or she does not seek continued Texas certification.
 - (g) An applicant issued a temporary certificate under this section who, during or subsequent to the validity of the certificate, establishes eligibility for a provisional or professional certificate may:
 - (5) (1) request a new temporary certificate in another certification area based on a certificate from another state; or
 - (6) (2) reapply for another temporary certificate in an area previously authorized on a temporary certificate, provided the applicant was not assigned to the area or has not attempted the appropriate ExCET requirements for that area.

§230.463. Requests for Evaluation of College Credentials.

- (a) At the request of an employing local school district, the State Board for Educator Certification (SBEC) will evaluate an applicant's credentials for an area that is not identified on the certificate from another state, provided it is the applicant's initial assignment area in a Texas public school. The SBEC will issue the Texas certificate when the applicant completes the deficiencies outlined and passes the appropriate Examination for the Certification of Educators in Texas (ExCET).
- (b) Requests to evaluate an applicant's credentials for areas of certification that are not identified on the out-of-state certificate or are not initial assignment areas in a Texas public school must be directed to a college or university with an approved preparation program for the certificate sought. The Texas certificate will be issued upon recommendation by the institution.
- (c) An individual who does not hold a standard certificate issued by another state department of education must have his or her credentials evaluated through a college or university approved for professional educator preparation and be recommended by the institution for certification.