

Item 9:
Proposed Revisions to 19 TAC Chapter 227, Provisions for
Educator Preparation Students

DISCUSSION AND ACTION

SUMMARY: This item provides the State Board for Educator Certification (SBEC) an opportunity to discuss and propose revisions to 19 TAC Chapter 227, Provisions for Educator Preparation Students. The proposed revisions would update the rules to reflect current law, add minimum standards for all educator preparation programs, while still allowing flexibility, and ensure consistency among educator preparation programs in the state. This item also proposes additional changes to incorporate recommendations following the May 9, 2008, SBEC meeting.

STATUTORY AUTHORITY: The statutory authority for 19 TAC Chapter 227, Subchapters A and B, is the Texas Education Code (TEC), §§21.031, 21.044, 21.045(a), 21.049, 21.050(a), and 21.051.

EFFECTIVE DATE: If approved for filing as proposed in July 2008, the proposed effective date of the proposed revisions to 19 TAC Chapter 227 would be December 21, 2008 (20 days after filing as adopted with the *Texas Register*). The proposed effective date is also based on the SBEC and State Board of Education meeting schedules.

PREVIOUS BOARD ACTION: At the May 2008 SBEC meeting, the SBEC adopted the review of 19 TAC Chapter 227, Subchapter A and Subchapter B, finding that the reasons for initially adopting the rules continue to exist. The SBEC last adopted 19 TAC Chapter 227, Subchapter A, to be effective July 11, 1999. The SBEC last adopted 19 TAC Chapter 227, Subchapter B, to be effective April 30, 2000.

A discussion item on the rule review of and proposed revisions to 19 TAC Chapter 227 was presented to the SBEC at the March 2008 meeting. At that time, the SBEC requested that staff address public input received at the March 2008 SBEC meeting. The public input was addressed and a discussion and action item on the adoption of the review and proposed revisions to 19 TAC Chapter 227 was presented to the SBEC at the May 2008 meeting. At the May 2008 meeting, the SBEC requested that staff address additional public input received at the meeting. The public input has been addressed, resulting in staff recommending consideration of this item for filing as proposed with the *Texas Register*.

BACKGROUND INFORMATION AND SIGNIFICANT ISSUES: The SBEC rules in 19 TAC Chapter 227 are organized as follows: Subchapter A, Admission to an Educator Preparation Program, and Subchapter B, Teach for Texas Pilot Program. These subchapters establish requirements for admission to an educator preparation program and the Teach for Texas Pilot Program. The TEC, §21.049, authorizes the SBEC to adopt rules providing for educator certification programs as an alternative to traditional educator preparation programs. The TEC, §21.031, states that the SBEC is established to oversee all aspects of the certification and continuing education of public school educators, and to 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.

The proposed revisions to 19 TAC Chapter 227, shown in Attachment II, would update the rules to reflect current law and provide minimum standards with flexibility for all educator program candidates. These

proposed revisions reflect discussions held during the January 9, 2008, Educator Preparation Advisory Committee meeting and the January 24, 2008, and June 12, 2008, stakeholder meetings. Additional changes also reflect public input received at the March 2008 and May 2008 SBEC meetings and comments received on the rule review of Chapter 227.

General Provisions

Language in §227.1 would be amended in subsection (a) to clarify "candidates for certification" as "educator preparation candidates." Also, in subsection (b) language would be updated to reflect TEC, §22.083.

Definitions

Proposed new §227.5 would add definitions for words and terms used in Chapter 227.

Language has been added in proposed new §227.5(3), (6), and (9) to specify that clinical teaching, internship, or student teaching would occur at a public school accredited by the Texas Education Agency (TEA) or a TEA-recognized private school.

Admission Criteria

The proposed revisions to §227.10 would include amending language in subsection (a) that would ensure that all candidates accepted into an educator preparation program meet the same minimum requirements for admission. Language would be added to specify the minimum requirements for admission to an educator preparation program. Specifically, the proposed revisions would allow an exception from minimum admission criteria for career and technology education certification candidates in subsection (a); add minimum standards for undergraduates in a university educator preparation program and include the regional accrediting agencies recognized by the Texas Higher Education Coordinating Board in proposed new subsection (a)(1); add minimum standards for an alternative certification program or post-baccalaureate program in proposed new subsection (a)(2); and, specify in proposed new subsection (a)(6) that the TEA-approved vendor list of specific instruments would be used for measuring critical-thinking skills of applicants. Subsection (b) would be amended to clarify preparation programs as educator preparation programs. Proposed new subsection (c) would specify that an educator preparation program may not admit a candidate who has either completed another educator preparation program in the same certification field or who has been employed for three years in a public school under a specified certificate. Proposed new subsection (d) would provide that the admission criteria for career and technology education candidates are specified in 19 TAC Chapter 230 and Chapter 233. Also, proposed new subsection (e) would specify requirements for educator preparation program candidates who have transcripts from outside the United States.

As a result of public input received at the May 2008 SBEC meeting and a June 12, 2008, stakeholder meeting, language in §227.10, as shown in Attachment II, has been modified to:

- specify in proposed new subsection (a)(3) a minimum GPA requirement and a minimum of 12 semester credit hours in the subject-specific content area or a passing score on a content examination for all educator preparation programs;
- remove oral communication from the basic skills test requirement and specify the Texas Academic Skills Program® (TASP®) test in rule since it was the former name of the Texas Higher Education Assessment® (THEA®) in proposed new subsection (a)(4);

- include in proposed new subsection (a)(5) the requirement of an oral communication skills test because oral communication is not covered in the basic skills assessment referenced in proposed new subsection (a)(4); and,
- clarify that a candidate who has been employed for three years in a public school would possess a "permit" not a "temporary certificate" in proposed new subsection (c).

Contingency Admission

Proposed new §227.15 would provide flexibility to alternative certification program or post-baccalaureate program candidates who are in the final semester of their degree plan and who have met all other program requirements. These program candidates could be admitted into a program to begin training pending degree conferred or having met all degree requirements. The contingency would be valid only for the semester for which the application was submitted. Language has been amended in proposed new §227.15 to clarify that the contingency admission applies only to an alternative certification program or post-baccalaureate program.

Implementation Date

Language would be revised in §227.20 to specify an implementation date of the 2009-2010 school year.

Teach for Texas Pilot Program

The rules for the Teach for Texas Pilot Program found in Chapter 227, Subchapter B, are proposed for repeal since the program no longer exists.

Technical Changes

Cross references to the SBEC rules would be updated to comply with *Texas Register* formatting requirements.

FISCAL IMPACT: The TEA staff has determined that for the first five-year period the revisions are in effect there will be no fiscal implications for educator preparation programs or persons as a result of enforcing or administering the proposed revisions, because the proposed rule revisions merely set out the types of tests and qualifications that programs must use in admitting candidates. There will be no anticipated economic cost to small businesses or microbusinesses that serve as educator preparation entities with alternative certification programs. There may be an unknown economic cost to persons required to comply with the proposed revisions, but it is impossible to estimate the cost since many candidates may have already taken examinations that meet the minimum standards.

The TEA staff assessed alternatives to the proposed rule actions that would diminish the impact on small businesses and microbusinesses; however, it is not possible to provide regulatory flexibility on this matter. One alternative would be to not adopt the proposed rules. This is not a viable option because establishment of minimum standards for admission to an educator preparation program is necessary to ensure that Texas certifies qualified educators who meet the standards of the federal No Child Left Behind Act. Another alternative would be to exempt small businesses or microbusinesses from the proposed rules. This is also not a viable option because the purpose of the proposed rules is to ensure that all educator preparation programs use the same minimum admission standards. A third alternative considered was to reduce compliance or reporting requirements for small businesses or microbusinesses. This is not a viable option because there are no burdensome requirements to reduce; rather the proposed rule revisions would merely establish minimum admission standards that are already used by many

educator preparation programs. Therefore, the TEA has considered several alternative methods and that analysis resulted in no viable alternatives.

PUBLIC AND STUDENT BENEFIT: The public and student benefit anticipated as a result of the proposed revisions would be the development of clear, minimum educator preparation program admission criteria that would ensure educators are prepared to positively impact the performance of the diverse student population of this state.

PROCEDURAL AND REPORTING IMPLICATIONS: Educator preparation programs would be responsible for tracking the admission requirements of educator preparation candidates.

LOCALLY MAINTAINED PAPERWORK REQUIREMENTS: None.

PUBLIC COMMENTS: The official public comment period for the proposed revisions to 19 TAC Chapter 227 will begin when the revisions are published as proposed in the *Texas Register* following SBEC approval of the revisions for filing as proposed.

ALTERNATIVES: No viable alternatives.

OTHER COMMENTS AND RELATED ISSUES: None.

ACTING DEPUTY COMMISSIONER'S RECOMMENDATION: I recommend that the State Board for Educator Certification:

Approve the proposed revisions to 19 TAC Chapter 227, Provisions for Educator Preparation Students, for filing as proposed with the *Texas Register*.

Respectfully submitted,

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Attachments: I. Statutory Citations
II. Text of Proposed Revisions to 19 TAC Chapter 227, Provisions for Educator Preparation Students

ATTACHMENT I

Statutory Citations Relating to Proposed Revisions to 19 TAC Chapter 227, Provisions for Educator Preparation Students**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, §21.044, Educator Preparation:

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.

Texas Education Code, §21.045, Accountability System for Educator Preparation Programs (excerpts):

- (a) The board shall propose rules establishing standards to govern the approval and continuing accountability of all educator preparation programs based on information that is disaggregated with respect to sex and ethnicity and that includes:
 - (1) results of the certification examinations prescribed under Section 21.048(a); and
 - (2) performance based on the appraisal system for beginning teachers adopted by the board.

Texas Education Code, §21.049, Alternative Certification:

- (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.
- (b) The board may not require a person employed as a teacher in an alternative education program under Section 37.008 or a juvenile justice alternative education program under Section 37.011 for at least three years to complete an alternative educator certification program adopted under this section before taking the appropriate certification examination.

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 Subchapter A, Chapter 28.

Texas Education Code, §21.051, Options for Field Experience and Internships:

The board shall propose rules providing flexible options for persons for any field experience or internship required for certification.

ATTACHMENT II
Text of Proposed Revisions to 19 TAC

Chapter 227. Provisions for Educator Preparation Candidates ~~[Students]~~

[Subchapter A. Admission to an Educator Preparation Program]

§227.1. General Provisions.

- (a) It is the responsibility of the education profession as a whole to attract candidates and to retain educators ~~[candidates for certification]~~ who demonstrate the knowledge and skills necessary to improve the performance of the diverse student population of this state.
- (b) Educator preparation programs should collaborate with local school districts ~~[and education service centers]~~ pursuant to the Texas Education Code, §22.083, to examine the criminal history of all educator preparation candidates ~~[students]~~ prior to participation in educator preparation activities that occur in a school ~~[field-based setting]~~.

§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) 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 baccalaureate degree.
- (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 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 approved by the State Board for Educator Certification to recommend candidates in one or more educator certification fields.
- (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.
- (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 ~~[entity]~~ 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 ~~[establish policies for the following]~~ :

- (1) for an undergraduate university program, a candidate shall be enrolled in an educator preparation program from an institution of higher education that is recognized by one of the following regional accrediting agencies by the Texas Higher Education Coordinating Board (THECB):
 - (A) Middle States Association of Colleges and Schools, Commission on Higher Education (MSA-CHE);
 - (B) New England Association of Schools and Colleges, Commission on Institutions of Higher Education (NEASC-CIHE);
 - (C) North Central Association of Colleges and Schools, Higher Learning Commission (NCA-HLC);
 - (D) Northwest Commission on Colleges and Universities (NWCCU);
 - (E) Southern Association of Colleges and Schools (SACS);
 - (F) Western Association of Schools and Colleges, Accrediting Commission for Community and Junior Colleges (WASC-ACCJC);
 - (G) Western Association of Schools and Colleges, Accrediting Commission for Senior Colleges and Universities (WASC-ACSCU);
 - (H) Association for Biblical Higher Education (ABHE); and
 - (I) Association of Theological Schools in the United States and Canada (ATS);
- (2) for an alternative certification program or post-baccalaureate program, a candidate shall have a baccalaureate degree earned from and conferred by an institution of higher education that is recognized by one of the regional accrediting agencies by the THECB, specified in subsection (a)(1) of this section;
- (3) for an undergraduate university program, alternative certification program, or post-baccalaureate program, a candidate shall meet the following criteria in order to be eligible to enter an 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; and
 - (B) 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 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 pass the basic skills test in reading, written communication, and mathematics or demonstrate equivalent performance on a college entrance examination, valid for five years, using one of the following assessment instruments:
 - (A) 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;
 - (B) the Accuplacer® test with a minimum score of 78 on Reading Comprehension, 63 on Elementary Algebra, 80 on Sentence Skills, and 6 on the Written Essay;
 - (C) the SAT® test with a minimum score of 500 on the verbal test and 500 on the mathematics test; or
 - (D) the ACT® test with a minimum score of 19 on the English test and 19 on the mathematics test;
- (5) for a program candidate who will be seeking an initial certificate, the candidate shall demonstrate oral communication skills as specified in §230.413 of this title (relating to General Requirements);

- (6) for a program candidate who will be seeking an initial certificate, the candidate shall demonstrate critical-thinking skills measured by acceptable scores on an instrument listed on the TEA-approved vendor list published by the commissioner for the calendar year during which the candidate seeks admission;
- (7) an application and either an interview or other screening instrument to determine the educator preparation candidate's appropriateness for the certification sought; and
- ~~[(1) screening activities to determine the candidate's appropriateness for the certification sought.]~~
- ~~[(2) screening for admission to include but not limited to college level skills in reading, oral and written communication, critical thinking, and mathematics.]~~
- (8) ~~[(3)]~~ any other academic criteria for admission that are published and applied consistently to all educator preparation candidates.
- (b) An educator preparation program [Preparation programs] may adopt requirements in addition to those explicitly required in this section.
- (c) An educator preparation program may not admit a candidate who has completed another 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 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 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).
- ~~[(c) Each preparation program must develop and implement specific criteria and procedures that allow admitted individuals to substitute experience and/or professional training directly related to the certificate being sought for part of the preparation requirements.]~~

§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 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, but shall not be approved to take a certification examination or be recommended for a probationary certificate until the candidate has been awarded a 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.

§227.20. Implementation Date.

All educator preparation programs must implement this chapter for all candidates participating in clinical teaching, student teaching, internship, or practicum for the 2009-2010 school year [no later than Fall Semester 2000] .

[Subchapter B. Teach for Texas Pilot Program]**§227.30. Purposes.**

~~[The purposes of the Teach for Texas Pilot Program are to:]~~

- ~~[(1) — attract to the teaching profession persons who have expressed interest in teaching and to support the preparation and certification of those persons as teachers;]~~
- ~~[(2) — recognize the importance of the certification process governed by the State Board for Educator Certification under Subchapter B, which requires verification of competence in subject area and professional knowledge and skills;]~~
- ~~[(3) — encourage the creation and expansion of educator preparation programs that recognize the knowledge and skills gained through previous educational and work-related experiences and that are delivered in a manner that recognizes individual circumstances, including the need to remain employed full-time while enrolled in the Teach for Texas Pilot Program; and]~~
- ~~[(4) — provide stipends to postbaccalaureate teacher certification candidates to aid those persons in becoming certified as teachers.]~~

§227.32. Definitions.

~~[The following words and terms, when used in this subchapter, shall have the following meanings, unless the context clearly indicates otherwise:]~~

- ~~[(1) — Average cost — For purposes of determining the amount of a financial incentive under the pilot program only, the average cost, as determined by the executive director, of attending an authorized educator preparation program for one year.]~~
- ~~[(2) — Authorized entity, center, or educator preparation program — A regional education service center or educator preparation program approved by the executive director to help administer the pilot program. An educator preparation program whose students are eligible to participate in the pilot program.]~~
- ~~[(3) — Basic financial incentive — a financial incentive for participants seeking a standard teaching certificate under Chapter 21, Subchapter B, of the Education Code.]~~
- ~~[(4) — Board — The State Board for Educator Certification.]~~
- ~~[(5) — Certification preparation period — The period between the initial date of receipt of a financial incentive through the pilot program and the participant's obtaining standard teaching certification under Chapter 21, Subchapter B, of the Education Code.]~~
- ~~[(6) — Eligibility period — A 12-month period beginning on the date of a participant's acceptance of a financial incentive through the pilot program and during which the participant is eligible to receive the financial incentive.]~~
- ~~[(7) — Executive director — The chief executive officer of the board.]~~
- ~~[(8) — Financial incentive — A stipend or other form of monetary aid awarded to a participant in the pilot program. A basic or special financial incentive.]~~
- ~~[(9) — Funding officer — The individual at an entity approved under this subchapter who is designated by the chief executive officer of the entity to represent the Teach for Texas Pilot Program described in this subchapter.]~~
- ~~[(10) — Good cause — See §227.40 of this subchapter (relating to Hardship and Other Good Cause).]~~
- ~~[(11) — Hardship — See §227.40 of this subchapter (relating to Hardship and Other Good Cause).]~~
- ~~[(12) — Participant — An individual who has accepted a financial incentive under the pilot program.]~~
- ~~[(13) — Pilot program — The Teach for Texas Pilot Program described in this subchapter.]~~

- ~~[(14) — Special financial incentive — A financial incentive awarded to a participant who was previously awarded a basic financial incentive, who has obtained standard teacher certification under Chapter 21, Subchapter B, of the Education Code, and who agrees to teach in an underserved area.]~~
- ~~[(15) — Underserved area — A critical shortage of teachers in a subject area as defined by the Commissioner of Education or in a school district or on a campus as defined by the executive director.]~~

[§227.34. Available Funds.]

- ~~[(a) — Acceptance of applicants shall depend on the availability of appropriated and other funds designated to support the pilot program. Selection of applicants to participate in the pilot program shall be based upon criteria approved by the executive director in order to use limited funds effectively.]~~
- ~~[(b) — In any fiscal year in which the executive director determines that available funds are inadequate to meaningfully award financial incentives, the executive director may encumber funds budgeted for the pilot program and carry them over to the next fiscal year.]~~
- ~~[(c) — In any fiscal year in which the executive director determines that available funds exceed the maximum total amount of financial incentives accepted by eligible applicants, the executive director may encumber such excess funds budgeted for the pilot program and carry them over to the next fiscal year.]~~

[§227.36. Authorized Entity and Funding Officer.]

- ~~[(a) — Eligible entities. Eligible entities include Texas educator preparation programs approved by the board and accredited by the executive director under this title and regional education service centers as defined in Chapter 8 of the Education Code.]~~
- ~~[(b) — Maintaining accreditation status. If the entity is an educator preparation program placed under review by the executive director, applicants for program funding shall provide evidence of knowledge of the entity's accreditation status to the executive director as a condition to receiving the award.]~~
- ~~[(c) — Each authorized entity shall designate a funding officer to help administer the pilot program.]~~
- ~~[(d) — Financial incentives under this subchapter are available only through entities authorized by the executive director to help administer the pilot program.]~~
- ~~[(e) — All entities approved to administer the pilot program must meet reporting requirements under this subchapter in a timely fashion.]~~

[§227.38. Eligible Participants; Preferences.]

- ~~[(a) — To be eligible for a basic financial incentive under this subchapter a participant must]~~
- ~~[(1) — have a baccalaureate degree from an accredited four year institution of higher education;]~~
- ~~[(2) — be recommended by the funding officer at an authorized entity, as defined in this subchapter;]~~
- ~~[(3) — be admitted to an authorized educator preparation program, as defined in this subchapter; and]~~
- ~~[(4) — sign a written contract agreeing to teach full time for three years at the preschool, primary, middle, or secondary level in a public school in Texas, as provided by this subchapter.]~~
- ~~[(b) — In awarding financial incentives through the pilot program, preference will be given to participants who agree to teach full time for not less than three years in a Texas public school under one or both of the following conditions:]~~
- ~~[(1) — teaching in a subject or field certified by the commissioner of education as experiencing a critical shortage of teachers; or]~~
- ~~[(2) — teaching in a school district or on a campus certified by the executive director as experiencing a critical shortage of teachers.]~~

§227.40. Hardship and Other Good Cause.

~~[The executive director may extend eligibility or obligation periods by this subchapter Hardship and other good cause shall be determined by the executive director based upon documented circumstances. Such circumstances include, but are not limited to, the following:]~~

- ~~[(1) a severe illness or other debilitating condition that may affect the participant's ability to satisfy the obligation; or]~~
- ~~[(2) responsibility of the participant for the care of a temporarily disabled dependent that may affect the participant's ability to satisfy the obligation.]~~

§227.42. Amount of Basic Financial Incentive.

- ~~[(a) The maximum amount of a basic financial incentive shall equal the average annual cost of required tuition, books, and fees at an authorized educator preparation program. The executive director shall determine both the maximum amount of a basic financial incentive and the average annual cost of attending an authorized educator preparation program.]~~
- ~~[(b) The combination of the basic financial incentive and any other student financial aid may not exceed the average annual cost of attending an authorized educator preparation program, as determined by the executive director under this section.]~~

§227.44. Participant Obligations for Basic Financial Incentive.

- ~~[(a) To avoid repayment of a basic financial incentive as a loan from the State of Texas, the participant must:]~~
 - ~~[(1) complete all requirements to obtain standard teacher certification under Chapter 21, Subchapter B, of the Education Code not later than 24 months after accepting the financial incentive; and]~~
 - ~~[(2) teach full time for three years in a Texas public school in the subject or field for which standard teacher certification was obtained.]~~
- ~~[(b) A participant has four years in which to complete the three year service obligation required by this section. Because of hardship or for other good cause, the executive director may extend the four year service obligation period for up to 12 months to allow the participant to complete the teaching obligation.]~~
- ~~[(c) The service obligation period begins on the first day the participant begins qualified employment.]~~
- ~~[(d) During the service obligation period, the participant shall provide the appropriate funding officer with regular, periodic reports of his or her status.]~~

§227.46. Special Financial Incentives for Teaching in Underserved Areas.

- ~~[(a) The executive director may award a special financial incentive to a participant who was awarded a basic financial incentive under this subchapter, has obtained standard teacher certification under Chapter 21, Subchapter B, of the Education Code, and who agrees to teach full time for three years in a Texas public school under one or both of the following conditions:]~~
 - ~~[(1) teaching in a subject or field having a critical shortage of teachers as determined by the Commissioner of Education; or]~~
 - ~~[(2) teaching in a school district or on a campus experiencing a critical shortage of teachers as determined by the executive director.]~~
- ~~[(b) A special financial incentive may be awarded in an amount to be determined by the executive director based on available funds but shall be no more than 50% of the basic financial incentive initially awarded to the participant.]~~
- ~~[(c) In a form to be determined by the executive director, a participant accepting a special financial incentive under this section shall provide to the executive director proof of having obtained an assignment satisfying the conditions of subsection (a) of this section.]~~

~~[(d) — To avoid repayment of a special financial incentive, the participant must satisfactorily complete the service obligation agreed to under subsection (a) of this section and must meet any other applicable requirements of this subchapter.]~~

§227.48. Conversion of Financial Incentive Award to Loan.

~~[(a) — The pilot program financial incentive becomes a loan and shall be reported to credit reporting agencies when the participant fails to satisfy any or all of conditions or requirements prescribed under this subchapter, including the following:]~~

~~[(1) — make satisfactory progress in the educator preparation program;]~~

~~[(2) — be certified as a teacher within 24 months after the financial incentive is awarded;]~~

~~[(3) — complete the three year teaching obligation within four years of beginning the service obligation period; or]~~

~~[(4) — provide a regular, periodic report of employment status and location to the executive director within a reasonable period of time as determined by the executive director.]~~

~~[(b) — Participants must sign a contract with the board as provided by this subchapter and sign a promissory note acknowledging the conditional nature of the financial incentive and promising to repay the outstanding principal, interest, and reasonable collection costs.]~~

§227.50. Loan Interest.

~~[(a) — The interest rate charged on a financial incentive awarded through the pilot program shall be determined by the executive director and shall be a fixed, simple interest rate.]~~

~~[(b) — Interest begins to accrue upon the date the financial incentive becomes a loan.]~~

§227.52. Repayment of Loans.

~~[(a) — A financial incentive shall be repaid in installments over a period of not more than five years from the date the incentive becomes a loan.]~~

~~[(b) — A participant shall begin making payments within 60 days of the date on which the financial incentive becomes a loan.]~~

~~[(c) — The repayment amount shall be based upon the proportion of the remaining unfulfilled service obligation.]~~

~~[(d) — The minimum annual repayment amount is 20% of the amount determined under subsection (c) of this section.]~~

§227.54. Enforcement of Collection.

~~[(a) — Each participant who accepts a financial incentive and the State Board for Educator Certification must execute a contract between them under which the participant is obligated to teach in a public school in this state for a stated period after certification. The executive director may sign such a contract on behalf of the board.]~~

~~[(b) — When a participant in the pilot program shall have failed to make six monthly payments in accordance with the promissory note(s), then the full amount of remaining principal, interest, and/or late charges shall immediately become due and payable. The participant's name and last known address and other information as requested by the executive director shall be reported to the attorney general or any county or district attorney acting for him or her in the county of the participant's residence or in Travis County, unless the attorney general shall find reasonable justification for delaying suit and shall advise the executive director in writing.]~~

~~[(c) — Upon notification by the executive director of default on the loan, the authorized entity shall cause the records, including transcripts of the recipient, to become unavailable to him or her or any other person outside the entity until the executive director has notified the entity that the default has been corrected.]~~

~~[(d) — In all cases of default, the participant shall be responsible for the payment of principal and all accrued charges, including interest, late charges, any collections costs incurred, court costs, and attorney fees.]~~

§227.56. Provisions for Disability and Death.

~~[The board may cancel a recipient's repayment or service obligation if it determines:]~~

~~[(1) — on the basis of a sworn affidavit of a qualified physician, that the participant is unable to teach on a full time basis because the participant is permanently, totally disabled; or]~~

~~[(2) — on the basis of a death certificate, that the participant has died. In the case of death, the board may pursue collection from the participant's estate if the debt has been reduced to judgment before the death of the participant.]~~

§227.58. Dissemination of Information.

~~[The executive director is responsible for publishing and disseminating general information and program rules for the pilot program to eligible authorized entities, appropriate associations, and other interested entities.]~~