

Chapter 230. Professional Educator Preparation and Certification

Subchapter C. Assessment of Educators

§230.21. Educator Assessment.

(a) An educator who fails an examination (relating to General Authority) and shall not retake an examination more than four times, unless the limitation is waived for good cause. The burden of proof shall be upon the candidate to demonstrate good cause.

- (1) For the purposes of the retake limitation described by TEC, §21.048, an examination retake is defined as a second or subsequent attempt to pass any examination required for the issuance of a certificate, including an individual core subject examination that is part of the overall examination required for the issuance of a Core Subjects certificate as described in §233.2 of this title (relating to Early Childhood; Core Subjects).
 - (A) A canceled examination score is not considered an examination retake.
 - (B) An examination taken by an educator during a pilot period is not considered part of an educator's five-time test attempt limit.
 - (C) Pursuant to TEC, §21.0491(d), the limit on number of test attempts does not apply to the trade and industrial workforce training certificate examination prescribed by the SBEC.
 - (D) A candidate who fails a computer- or paper-based examination cannot retake the examination before 30 days have elapsed following the candidate's last attempt to pass the examination.
- (2) Good cause is:
 - (A) the candidate's highest score on an examination is within one conditional standard error of measurement (CSEM) of passing, and the candidate has completed 50 clock-hours of educational activities. CSEMs will be published annually on the Texas Education Agency (TEA) website;
 - (B) the candidate's highest score on an examination is within two CSEMs of passing, and the candidate has completed 100 clock-hours of educational activities;
 - (C) the candidate's highest score on an examination is within three CSEMs of passing, and the candidate has completed 150 clock-hours of educational activities;
 - (D) the candidate's highest score on an examination is not within three CSEMs of passing, and the candidate has completed 200 clock-hours of educational activities;
 - (E) if the candidate needs a waiver for more than one of the individual core subject examinations that are part of the overall examination required for the issuance of a Core Subjects certificate, the candidate has completed the number of clock-hours of educational activities required for each individual core subject examination as described in this section, and the candidate's performance on the five most recent examinations, identify the deficit competency or competencies, and determine the number of clock-hours of educational activities required.

- (3) Educational activities are defined as:
 - (A) institutes, workshops, seminars, conferences, interactive distance learning, video conferencing, online activities, undergraduate courses, graduate courses, training programs, in-service, or staff development given by an approved continuing professional education provider or sponsor, pursuant to §232.17 of this title (relating to Pre-Approved Continuing Professional Education Provider or Sponsor) and §232.19 of this title (relating to Approval of Private Companies, Private Entities, and Individuals as Continuing Professional Education Providers), or an approved educator preparation program (EPP), pursuant to Chapter 228, Subchapter B, of this title (relating to Approval of Educator Preparation Programs); and
 - (B) being directly related to the knowledge and skills included in the certification examination competency or competencies in which the candidate answered less than 70

- (i) 30 calendar days after an unsuccessful attempt at the fourth retake of an examination as defined in TEC, §21.048; or
 - (ii) 90 calendar days after the date of the most recent unsuccessful examination attempt that was the result of the most recently approved request for waiver of the limitation.
- (6) The TEA staff shall administratively approve each application that meets the criteria specified in paragraphs (2)-(5) of this subsection.
- (7) An applicant who does not meet the criteria in paragraphs (2)-(5) of this subsection may appeal to the SBEC for a final determination of good cause. A determination by the SBEC is final and may not be appealed.
- (b) A candidate seeking a standard certificate as an educator based on completion of an approved EPP may take the appropriate certification examination(s) required by subsection (a) of this section only at such time as the EPP determines the candidate's readiness to take the examinations, or upon successful completion of the EPP, whichever comes first.
- (c) The holder of a lifetime Texas certificate effective before February 1, 1986, must pass examinations prescribed by the SBEC to be eligible for continued certification, unless the individual has passed the Texas Examination of Current Administrators and Teachers (TECAT).
- (d) The commissioner of education approves the satisfactory level of performance required for certification examinations, and the SBEC approves a schedule of examination fees and a plan for administering the examinations.
- (e) The appropriate examination(s) required for certification are specified in the figure provided in this subsection. For issuance of a probationary or standard certificate in more than one certification category, a candidate must pass the appropriate pedagogy examination specified in the figure provided in this subsection for any one of the certificates sought.
[Figure: 19 TAC §230.21\(e\)](#)
- (f)

- (A) copy, reproduce, or cause to be copied or reproduced any test item contained in the examination;
 - (B) provide assistance with any response to a test item contained in the examination, or cause assistance to be provided;
 - (C) solicit or accept assistance with any response to a test item contained in the examination;
 - (D) deviate from the rules governing administration of the examination; or
 - (E) otherwise engage in conduct that amounts to cheating, deception, or fraud.
- (4) An educator, candidate, or other test taker shall not:
- (A) solicit information about the contents of test items on an examination that the educator, candidate, or other test taker has not already taken from an individual who has had access to those items, or offer information about the contents of specific test items on an examination to individuals who have not yet taken the examination;
 - (B) fail to pay all test costs and fees as required by this chapter or the testing vendor; or
 - (C) otherwise engage in conduct that amounts to violations of test security or confidentiality integrity, including cheating, deception, or fraud.
- (5) A person who violates this subsection is subject to:
- (A) sanction, including, but not limited to, disallowance and exclusion from future examinations either in perpetuity or for a period of time that serves the best interests of the education profession, in accordance with the provisions of TEC, §21.041(b)(7), and Chapter 249 of this title (relating to D9 (ons)9.5 (of)13.6799 (de)4xlinar prnceei s,danctions, a5 (C)10.on2
 - B)

e a36.R2me

§230.25. Test Exemptions for Persons with a Hearing Impairment.

(a)