

SENATE AMENDMENTS

2nd Printing

By: Rose, Martinez Fischer

H.B. No. 4152

A BILL TO BE ENTITLED

1 AN ACT
2 relating to certification of an educator in Texas who is certified
3 in another state or country.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 21.052, Education Code, is amended by
6 amending Subsection (a) and adding Subsections (e), (f), (g), and
7 (h) to read as follows:

8 (a) The board may issue a certificate to an educator who
9 applies for a certificate and:

10 (1) holds:

11 (A) a degree issued by an institution accredited
12 by a regional accrediting agency or group that is recognized by a
13 nationally recognized accreditation board; or

14 (B) a degree issued by an institution located in
15 a foreign country, if the degree is equivalent to a degree described
16 by Paragraph (A);

17 (2) holds an appropriate certificate or other
18 credential issued by another state or country; and

19 (3) performs satisfactorily on:

20 (A) the examination prescribed under Section
21 21.048; or

22 (B) if the educator holds a certificate or other
23 credential issued by another state or country, an examination
24 similar to and at least as rigorous as that described by Paragraph

1 (A) administered to the educator under the authority of that state.

2 (e) An educator who receives a certificate as provided by
3 Subsection (a) must perform satisfactorily on the examination
4 prescribed under Section 21.048 not later than the first
5 anniversary of the date the certificate under Subsection (a) was
6 issued.

7 (f) The board shall post on the board's Internet website the
8 procedures for obtaining a certificate under Subsection (a).

9 (g) The commissioner shall provide guidance to school
10 districts that employ an educator certified as provided by
11 Subsection (a) on procedures to classify the educator as a highly
12 qualified teacher in a manner consistent with the No Child Left
13 Behind Act of 2001 (20 U.S.C. Section 6301 et seq.).

14 (h) This subsection applies only to an applicant who holds a
15 certificate or other credential issued by another state or country
16 in mathematics, science, special education, or bilingual
17 education, or another subject area that the commissioner determines
18 has a shortage of teachers. In any state fiscal year, the board
19 shall accept or reject, not later than the 14th day after the date
20 the board receives the completed application, at least 90 percent
21 of the applications the board receives for a certificate under this
22 subsection, and shall accept or reject all completed applications
23 the board receives under this subsection not later than the 30th day
24 after the date the board receives the completed application. An
25 applicant under this subsection must submit:

26 (1) a letter of good standing from the state or country
27 in which the teacher is certified on a form determined by the board;

- 1 (2) information necessary to complete a national
2 criminal history record information review; and
3 (3) an application fee as required by the board.

4 SECTION 2. This Act takes effect immediately if it receives
5 a vote of two-thirds of all the members elected to each house, as
6 provided by Section 39, Article III, Texas Constitution. If this
7 Act does not receive the vote necessary for immediate effect, this
8 Act takes effect September 1, 2009.

ADOPTED

MAY 26 2009

Atty Gen
Secretary of the Senate

By: *Patricia Vandeputte*

H.B. No. 4152

Substitute the following for H.B. No. 4152:

By: *Patricia Vandeputte*

C.S. H.B. No. 4152

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9 applies for a certificate and:

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11 (A) a degree issued by an institution accredited
12 by a regional accrediting agency or group that is recognized by a
13 nationally recognized accreditation board; or

14 (B) a degree issued by an institution located in
15 a foreign country, if the degree is equivalent to a degree described
16 by Paragraph (A);

17 (2) holds an appropriate certificate or other
18 credential issued by another state or country; and

19 (3) performs satisfactorily on:

20 (A) the examination prescribed under Section
21 21.048; or

22 (B) if the educator holds a certificate or other
23 credential issued by another state or country, an examination
24 similar to and at least as rigorous as that described by Paragraph

1 (A) administered to the educator under the authority of that state.

2 (e) An educator who has submitted all documents required by
3 the board for certification and who receives a certificate as
4 provided by Subsection (a) must perform satisfactorily on the
5 examination prescribed under Section 21.048 not later than the
6 first anniversary of the date the board completes the review of the
7 educator's credentials and informs the educator of the examination
8 or examinations under Section 21.048 on which the educator must
9 perform successfully to receive a standard certificate.

10 (f) The board shall post on the board's Internet website the
11 procedures for obtaining a certificate under Subsection (a).

12 (g) The commissioner shall provide guidance to school
13 districts that employ an educator certified as provided by
14 Subsection (a) on procedures to classify the educator as a highly
15 qualified teacher in a manner consistent with the No Child Left
16 Behind Act of 2001 (20 U.S.C. Section 6301 et seq.).

17 (h) This subsection applies only to an applicant who holds a
18 certificate or other credential issued by another state in
19 mathematics, science, special education, or bilingual education,
20 or another subject area that the commissioner determines has a
21 shortage of teachers. In any state fiscal year, the board shall
22 accept or reject, not later than the 14th day after the date the
23 board receives the completed application, at least 90 percent of
24 the applications the board receives for a certificate under this
25 subsection, and shall accept or reject all completed applications
26 the board receives under this subsection not later than the 30th day
27 after the date the board receives the completed application. An

1 applicant under this subsection must submit:

2 (1) a letter of good standing from the state in which
3 the teacher is certified on a form determined by the board;

4 (2) information necessary to complete a national
5 criminal history record information review; and

6 (3) an application fee as required by the board.

7 SECTION 2. This Act takes effect immediately if it receives
8 a vote of two-thirds of all the members elected to each house, as
9 provided by Section 39, Article III, Texas Constitution. If this
10 Act does not receive the vote necessary for immediate effect, this
11 Act takes effect September 1, 2009.

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

May 27, 2009

TO: Honorable Joe Straus, Speaker of the House, House of Representatives

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB4152 by Rose (Relating to certification of an educator in Texas who is certified in another state or country.), **As Passed 2nd House**

No significant fiscal implication to the State is anticipated.

The bill would authorize the State Board for Educator Certification (SBEC) to issue a certificate to certain applicants who are certified to teach in another state or country.

The bill would require acceptance or rejection of 90 percent of completed applications within 14 days of receipt and would require acceptance or rejection of all completed applications within 30 days of receipt. If a large influx of applications was received within a limited time period, the Agency estimates that temporary costs for contracted staff could be incurred to meet the required timelines. The Agency indicates that such costs could be absorbed with existing resources.

The Texas Education Agency would be required to develop procedures and guidance for school districts hiring teachers concerning classification of the teachers as highly qualified teachers for the purposes of federal requirements under No Child Left Behind.

Modifications to the automated system to issue certificates would be required. These activities could be accomplished with existing resources.

Local Government Impact

School districts would be authorized to hire teachers holding certificates issued under the provisions of this bill.

Source Agencies: 701 Central Education Agency

LBB Staff: JOB, SD, JSp, JGM, JSc

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

May 14, 2009

TO: Honorable Florence Shapiro, Chair, Senate Committee on Education

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB4152 by Rose (relating to certification of an educator in Texas who is certified in another state or country.), **Committee Report 2nd House, Substituted**

No significant fiscal implication to the State is anticipated.

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Local Government Impact

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Source Agencies: 701 Central Education Agency

LBB Staff: JOB, JSp, JGM, JSc

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

May 5, 2009

TO: Honorable Florence Shapiro, Chair, Senate Committee on Education

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB4152 by Rose (Relating to certification of an educator in Texas who is certified in another state or country.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

The bill would permit the State Board for Educator Certification (SBEC) to issue a certificate to an applicant who meets degree requirements, passes the certification examination or a similar examination administered in another state or country, and who holds a credential from another state or country to teach mathematics, science, special education, bilingual education, or another subject area identified as a shortage area. Individuals issued certificates under the provisions of the bill would be required to pass the appropriate certification exam required for certification in Texas within two years of the date the initial certificate was issued.

The bill would require acceptance or rejection of completed applications within 14 days of receipt. If a large influx of applications was received within a limited time period, the Agency estimates that temporary costs for contracted staff could be incurred to meet the required timelines. The Agency indicates that such costs could be absorbed with existing resources.

The Texas Education Agency would be required to develop procedures and guidance for school districts hiring teachers concerning classification of the teachers as highly qualified teachers for the purposes of federal requirements under No Child Left Behind.

Modifications to the automated system to issue certificates would be required. These activities could be accomplished with existing resources.

Local Government Impact

School districts could hire teachers who were issued certificates under the provisions of this bill.

Source Agencies: 701 Central Education Agency

LBB Staff: JOB, JSp, JGM, JSc

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

April 6, 2009

TO: Honorable Rob Eissler, Chair, House Committee on Public Education

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB4152 by Rose (Relating to certification of an educator in Texas who is certified in another state or country.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would require the State Board for Educator Certification (SBEC) to issue a certificate to an applicant who meets degree requirements, passes the certification examination or a similar examination administered in another state or country, and who holds a credential from another state or country to teach mathematics, science, special education, bilingual education, or another subject area identified as a shortage area. Individuals issued certificates under the provisions of the bill would be required to pass the appropriate certification exam required for certification in Texas within two years of the date the initial certificate was issued.

The Texas Education Agency would be required to develop procedures and guidance for school districts hiring teachers based on the provisions of this bill. Modifications to the automated system to issue certificates would be required. These activities could be accomplished with existing resources.

Local Government Impact

School districts could hire teachers who were issued certificates under the provisions of this bill and count them as highly qualified teachers for NCLB purposes.

Source Agencies: 701 Central Education Agency

LBB Staff: JOB, JSp, JGM, JSc