

ATTACHMENT I
Text of Proposed Amendments to 19 TAC

Chapter 234. Military Service Members, Military Spouses, and Military Veterans

§234.1. Purpose.

- (a) The purpose of identifying military service members, military spouses, and military veterans is to establish a process to count applicable military service for timely admission into educator preparation programs, expedite the completion of certification credential reviews, support certification examination and licensure application fee exemptions as applicable, and support certification renewal of members of the military community.
- (b) Effective September 1, 2023, in support of House Bill 621 and Senate Bill 544 [legislation] passed by the 88th Texas Legislature, Regular Session, 2023, this chapter has been updated to include military veterans, peace officers, fire protection personnel, emergency medical services personnel, who meet the qualifications outlined in this chapter to be issued a three-year temporary certificate to be placed in a career and technology education assignment, and to include qualified instructors for the Community College of the Air Force to be issued a one-year temporary certificate upon enrollment in a Texas-approved educator preparation program.
- (c) Effective January 5, 2023, Title 50--War and National Defense, Chapter 50--Servicemembers Civil Relief, Subchapter VII--Further Relief, was amended to add Section 4025a, which states in any case in which a servicemember or the spouse of a servicemember has a covered license and such servicemember or spouse relocates his or her residency because of military orders for military service to a location that is not in the jurisdiction of the licensing authority that issued the covered license, such covered license shall be considered valid at a similar scope of practice and in the discipline applied for in the jurisdiction of such new residency for the duration of such military orders. The servicemember's or spouse's covered license or certificate must be in good standing with the licensing authority that issued such professional license or certificate and has been actively used during the two years immediately preceding the relocation. Requirements to have a specific number of years of experience in roles other than classroom teacher do not apply to applicants eligible for certification via provisions of the Servicemembers Civil Relief Act.
- (d) ~~(e)~~ In the event of conflict with any other rule in the Texas Administrative Code, Title 19, Part 7, this chapter shall supersede with regard to the certification of military service members, military spouses, and military veterans.

§234.3. Definitions.

The following words and terms, when used in this chapter, shall have the following meanings, unless the context clearly indicates otherwise.

- (1) Active duty--Current full-time military service in the armed forces of the United States or active duty military service as a member of the Texas military forces, as defined by the Texas Government Code (TGC), §437.001, or similar military service of another state.
- (2) Armed forces of the United States--The army, navy, air force, space force, coast guard, or marine corps of the United States or a reserve unit of one of those branches of the armed forces.
- (3) Emergency medical services personnel--As defined by Health and Safety Code, §773.003.
- (4) Fire protection personnel--As defined by TGC, §419.021.

- (5) License--A license, certificate, registration, permit, or other form of authorization required by law or a state agency rule that must be obtained by an individual to engage in a particular business, occupation, or profession.
- (6) ~~[(1)]~~ Military service member--A person who is on active duty.
- (7) ~~[(2)]~~ Military spouse--A person who is married to a military service member.
- (8) ~~[(3)]~~ Military veteran--A person who has served on active duty and who was discharged or released from active duty.
- ~~[(4) — Active duty — Current full time military service in the armed forces of the United States or active duty military service as a member of the Texas military forces, as defined by the Texas Government Code (TGC), §437.001, or similar military service of another state.]~~
- ~~[(5) — Armed forces of the United States — The army, navy, air force, space force, coast guard, or marine corps of the United States or a reserve unit of one of those branches of the armed forces.]~~
- ~~[(6) — Permanent change of station order — United States armed forces active duty member document ordering a permanent change of station.]~~
- ~~[(7) — Texas Education Agency staff — an employee of the Texas Education Agency (TEA) who performs administrative functions on behalf of the State Board for Educator Certification.]~~
- ~~[(8) — Review of credentials — the licensure process completed by TEA staff for individuals certified to teach in other states or countries as specified in Chapter 230, Subchapter H, of this title (relating to Texas Educator Certificates Based on Certification and College Credentials from Other States or Territories of the United States) and Chapter 245 of this title (relating to Certification of Educators from Other Countries).]~~
- (9) Peace officer--As [as] defined by Texas Code of Criminal Procedure, Article 2.12.
- (10) Permanent change of station order--United States armed forces active duty member document ordering a permanent change of station.
- ~~[(10) — Fire protection personnel — as defined by TGC, §419.021.]~~
- (11) Review of credentials--The licensure process completed by Texas Education Agency (TEA) staff for individuals certified to teach in other states or countries as specified in Chapter 230, Subchapter H, of this title (relating to Texas Educator Certificates Based on Certification and College Credentials from Other States or Territories of the United States) and Chapter 245 of this title (relating to Certification of Educators from Other Countries).
- ~~[(11) — Emergency medical services personnel — as defined by Health and Safety Code, §773.003.]~~
- ~~[(12) — License — a license, certificate, registration, permit, or other form of authorization required by law or a state agency rule that must be obtained by an individual to engage in a particular business, occupation, or profession.]~~
- (12) ~~[(13)]~~ State agency--A [a] department, board, bureau, commission, committee, division, office, council, or agency of the state.
- (13) Texas Education Agency staff--An employee of TEA who performs administrative functions on behalf of the State Board for Educator Certification.

§234.5. Certification of Military Service Members, Military Spouses, and Military Veterans.

- (a) The application for certification of a military service member, military veteran, or military spouse, including an application based upon certification by a jurisdiction other than Texas that has certification requirements substantially similar to the Texas certification requirements, shall be processed within 30 days of receipt of a complete application.
- (b) Following completion of the review of credentials, [As soon as practicable after the issuance of a one-year certificate,] Texas Education Agency (TEA) staff shall notify a military service member, a military spouse, and/or [and] a military veteran [, in writing or by email,] of the requirements for obtaining temporary and [a] standard Texas certificates [certificate].
- ~~(c) [A military spouse who has been issued a one-year certificate prior to September 1, 2017, under the provisions of this chapter, is eligible for two additional years from the date of issuance, not to exceed a total of three years maximum, to align with provisions for a military spouse referenced in subsection (d) of this section.]~~
- (c) ~~(d)~~ Effective September 1, 2017, a military spouse shall be issued a three-year temporary certificate upon completion of the review of credentials.
- (d) ~~(e)~~ Effective December 1, 2019, prior to beginning employment, a military spouse must declare his or her intent to teach in Texas with a license issued by another state department of education, by submitting an application and required documents for a review of credentials to the TEA and completing the criminal background check. TEA staff must provide approval for the military spouse to teach in Texas a maximum of three years with credentials issued by another state.
- (e) ~~(f)~~ Effective December 1, 2023, a military service member shall be issued a three-year temporary certificate upon completion of the review of credentials, or, prior to beginning employment, a military service member must declare his or her intent to teach in Texas with a license issued by another state department of education, by submitting an application and required documents for a review of credentials to the TEA and completing the criminal background check. TEA staff must provide approval for the military service member to teach in Texas a maximum of three years with credentials issued by another state.
- (f) ~~(g)~~ A military service member, a military veteran, or a military spouse shall be entitled to credit verified military service, training, clinical and professional experience, or education toward the training, education, work experience, or related requirements (other than certification examinations) for educator certification. TEA staff and educator preparation programs (EPPs) shall use information from the U.S. Department of Veterans Affairs or other reliable sources to assist in crediting applicable military service, training, or education to certification requirements.
- (g) ~~(h)~~ A military service member pursuing certification in career and technical education must meet requirements for the certificate, but for career and technical education certificate areas requiring experience and licensure, the military service member shall be entitled to substitute military experience in the trade for the required license or professional credential for the specific trade.
- (h) ~~(i)~~ A military service member, military spouse, and military veteran shall complete educator examination requirements for certificate issuance as outlined in Texas Education Code, Chapter 21, Subchapter B, and rules in the Texas Administrative Code, Title 19, Part 7, or qualify for an exemption from required Texas examinations through provisions in §152.1001 of Part 2 of this title (relating to Exceptions to Examination Requirements for Individuals Certified Outside the State).
- (i) ~~(j)~~ A military service member and a military veteran are exempt from certification application fees that are paid to the state that lead to initial certification. These members of the military

community are exempt from paying the portion of the examination registration fee that is paid to the TEA.

- (j) ~~(k)~~ A military service member and a military veteran are exempt from certification application fees that are paid to the state that lead to initial certification resulting from a review of credentials, one-year certificate, or out-of-state standard certificate. These members of the military community are exempt from paying the portion of the examination registration fee that is paid to the TEA.
- (k) ~~(l)~~ A military spouse is exempt from certification application fees that are paid to the state that lead to initial certification resulting from a review of credentials, three-year temporary certificate, or out-of-state standard certificate. This member of the military community is exempt from paying the portion of the examination registration fee that is paid to the TEA.
- (l) ~~(m)~~ As applicable to meet residency requirements and establish acceptable identification for military-related fee exemption and other provisions, a military service member, military spouse, or military veteran can submit a copy of the permanent change of station order for the military service member, military spouse, or military veteran.

§234.7. Renewal and Continuing Education Requirements for Military Service Members, Military Spouses, and Military Veterans.

- (a) Military service members, military spouses, and military veterans who hold a standard certificate(s) are responsible for certificate renewal and continuing professional education requirements pursuant to Chapter 232 of this title (relating to General Certification Provisions), except where specified in this chapter.
- (b) A military service member shall be exempted from any fee or penalty for failing to timely renew his or her Texas educator certificate if the delay occurred because the educator was serving as a military service member.
- (c) A military service member is entitled to two years of additional time to complete all continuing education requirements and any other requirements relating to the renewal of his or her Texas educator certificate.
- ~~(d) The standard Texas certificate of a military service member, military spouse, or military veteran may be renewed if that certificate has expired within five years preceding the Texas application date.~~