

## **BILL ANALYSIS**

Senate Research Center  
88R24949 PRL-F

H.B. 4656  
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Education  
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Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

There is currently a shortage of educators across Texas, and being able to hire highly qualified educators who have already been accredited in other states is critically important. The process and paperwork for hiring qualified educators from out of state is onerous—it can take up to a year for prospective teachers to complete the credential review process. School districts are losing out on many qualified candidates because the length of this process extends past the short hiring window that exists due to academic calendars and contract hiring requirements. Meanwhile, prospective candidates are unable to work while they complete the certification process. As a result, many out-of-state educators simply avoid taking jobs in Texas or they find work elsewhere. H.B. 4656 seeks to address this issue by providing for the immediate issuance of a one-year temporary certificate to out-of-state educators who apply for certification in Texas.

H.B. 4656 repeals certain Education Code provisions relating to the temporary educator certificates issued to certain educators certified by another state and amends the Education Code to instead require the State Board for Educator Certification (SBEC) to create a temporary educator certificate for educators certified by other states and to immediately issue such a certificate to a person who applies for permanent certification and meets the following eligibility requirements for the certificate:

- holds a valid, unexpired, non-temporary certificate or similar credential in another state that qualifies the person to be employed as an educator in that state; and
- holds a bachelor's degree from an institution of higher education that is, and at the time the person received the degree was, accredited.

The bill authorizes the SBEC to rescind a temporary educator certificate issued to a person if the SBEC determines as a result of a review of the person's credentials that the person does not meet the eligibility requirements.

H.B. 4656 prohibits the temporary educator certificate from being reissued or renewed and establishes that the certificate expires on one of the following dates:

- on the earlier of either the first anniversary of the date the temporary teaching certificate is issued or the date the person is issued a certification of educators from outside Texas; or
- for an educator who is the spouse of a person serving on active duty as a member of the U.S. armed forces, the third anniversary of the date the certificate is issued, or a later date specified by SBEC rule.

H.B. 4656 requires SBEC to adopt rules necessary to implement the temporary certification as soon as practicable after the bill's effective date.

H.B. 4656 repeals Sections 21.052(c), (d), (d-1), (e), and (i)(1) and (2), Education Code, relating to temporary certifications for educators from outside Texas.

H.B. 4656 amends current law relating to the creation of a temporary educator certificate for educators certified by other states.

## **RULEMAKING AUTHORITY**

Rulemaking authority is expressly granted to the State Board for Educator Certification in SECTION 3 of this bill.

## **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Subchapter B, Chapter 21, Education Code, by adding Section 21.0521, as follows:

Sec. 21.0521. TEMPORARY CERTIFICATION OF EDUCATORS FROM OUTSIDE THIS STATE. (a) Requires the State Board for Educator Certification (SBEC) to:

(1) establish a temporary educator certificate for educators certified by other states; and

(2) immediately issue a certificate described by Subdivision (1) to a person who applies for a certificate issued under Section 21.052 (Certification of Educators From Outside the State).

(b) Authorizes SBEC to rescind a temporary educator certificate issued to a person under this section if SBEC determines as a result of a review of the person's credentials that the person does not meet the eligibility requirements under Subsection (c).

(c) Requires a person, to be eligible for a temporary educator certificate issued under this section, to:

(1) hold a valid, unexpired, non-temporary certificate or similar credential in another state that qualifies the person to be employed as an educator in that state; and

(2) hold a bachelor's degree from an institution of higher education that is, and at the time the person received the degree was, accredited.

(d) Provides that a temporary educator certificate issued under this section, except as provided by Subsection (e), expires on the earlier of:

(1) the first anniversary of the date the certificate is issued; or

(2) the date the person is issued a certificate under Section 21.052.

(e) Provides that a temporary educator certificate issued under this section to an educator who is the spouse of a person serving on active duty as a member of the armed forces of the United States, as those terms are defined by Section 55.001 (Definitions), Occupations Code, expires on the third anniversary of the date the certificate is issued or a later date specified by SBEC rule.

(f) Prohibits a temporary educator certificate issued under this section from being reissued or renewed.

SECTION 2. Repealers: Sections 21.052(c) (relating to authorizing SBEC to issue a temporary certificate to an educator who holds certain certifications but who has not satisfied certain requirements) and (d) (relating to prohibiting certain temporary certificates issued under Subsection (c) to an educator employed by a school district from expiring before the first anniversary of the date which SBEC completes the review of the educator's credentials), Education Code.

Repealers: Sections 21.052(d-1) (relating to prohibiting certain temporary certificates issued to an educator who is a spouse of a person who is serving on active duty as a

member of the armed forces of the United States from expiring before the third anniversary of the date on which SBEC completes the review of the educator's credentials) and (e) (relating to requiring an educator who has submitted all documents required by SBEC for certification and who receives a temporary certificate to perform satisfactorily on the examination not later than the first anniversary of the date SBEC completes the review of the educator's credentials), Education Code.

Repealers: Sections 21.052(i)(1) (relating to defining "active duty") and (i)(2) (relating to defining "armed forces of the United States"), Education Code.

SECTION 3. Requires SBEC to adopt rules necessary to implement Section 21.0521, Education Code, as added by this Act, as soon as practicable after the effective date of this Act.

SECTION 4. Effective date: upon passage or September 1, 2023.