

**TEXAS A&M UNIVERSITY – KINGSVILLE  
COLLEGE OF EDUCATION AND HUMAN PERFORMANCE**



**Educational Diagnostician Certification Program  
CANDIDATE HANDBOOK**



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## **Educational Diagnostician Certification Program Overview**

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Educational Diagnosticians are a type of special education professional who assesses, diagnoses, and works with children with learning problems. These professionals operate under a number of titles. They may be called a diagnostic learning consultant, or learning disabilities teacher, but their duties are the same. They work as part of a team of administrators to advise and determine appropriate learning strategies for struggling learners. This team usually includes school counselors, psychologists, and district social workers operating in conjunction with the parents. The goal is to evaluate the student fully and individually to get a complete picture of why and how the child is under performing and to make instructional decisions to support student success. Their solutions depend on student and campus environmental factors and the district's resources, but may include environmental changes, all the way to instructional accommodations or modifying test conditions or recommending remedial classes, special education programs or tutoring.

### **Key Responsibilities:**

- Keeping up with state and federal regulations for special education programs.
- Receive student recommendations from teachers and perform diagnostic evaluations
- Understand and select testing and assessment tools
- Evaluate test results and communicate the findings to appropriate people
- Review and document student progress from teachers, parents and administrators, as well as evaluations obtained through one-on-one interviews and observations
- Understand district resources and produce individual plans for student success
- Act as a case manager and ombudsman between teachers, parents, the student, and sometimes community organizations
- Assist teachers in implementing the student education plan
- Monitor the program's success and make changes as appropriate

### **Necessary Skills:**

Educational Diagnosticians must possess an analytical understanding of people, especially children. They must be detail-oriented and able creative, innovative thinkers. They will spend a lot of time explaining test results, resources, and education plans, so they must have great of interpersonal and communication skills. They will work closely with others as a member of an educational assessment team. They must be open to receiving feedback, and taking other's

thought into consideration. They will also create and maintain case documentation, so they must have excellent written skills, and great organizational skills. Many of their interactions deal with children with multiple and severe disabilities, so they must have great patience, and be able to handle emotional stress. They are also highly educated and certified professionals.

### **Degree and Education Requirements:**

To become an educational diagnostician, you must receive a professional certification. To receive this, you must first be a certified teacher with experience, and have at least a Master's degree in education. In your master's program, you can pursue an Educational Diagnostician certification track. Our program's coursework includes, but is not limited to- Accommodating Diverse Populations in the Classroom; Classroom Organization & Management; Designing Instructional & Behavioral Programs; Individual Psychological & Educational Testing; Identification of Young Child with Special Needs; Legislation, Litigation, & Advocacy; Educational Psychological Measurement; Assessment of Individuals with Severe Disabilities; Development & Disability; and, the Advanced Practicum in Special Education.

If you have a graduate degree in another track, or a master's degree in another discipline, you may apply for admission to our certification program. Your program adviser will evaluate your previous coursework and come up with a deficiency plan (typically 18-24 credit hours of assessment coursework); you will also be required to take any required pre-requisite courses, as well as the educational diagnostician's certification exam following a minimum of three years classroom teaching experience.

### **Pros and Cons of an Educational Diagnostician Career:**

A career as an educational diagnostician can be highly rewarding. It can allow you to change the lives of children with special needs and their families. You will also help struggling children find their way toward bright futures they didn't even know they could attain. Like many careers in education, you are working with the next generation of your community. How they are shaped, supported, and mentored, particularly the struggling ones can have an impact for decades. Further, this is a highly specialized in-demand position commanding good pay from the start. After a few years, you can enter into higher levels of district work, leading to higher salaries.

Unfortunately, because of the highly specialized nature of the job, you do have to spend a lot of time in preparation to move into this field. You must spend at least three or more years working as a teacher to even begin pursuing the training. The graduate coursework can be costly as well, although many school districts offer tuition reimbursement programs for teachers pursuing graduate work. Further, many of the students will have high needs that your district may or may not be able to meet. Trying to work around these limitations can be stressful, in addition to the everyday challenges of working with children with special needs, and their families. While the overall shortage of educational diagnosticians can lead to job security, it also means districts

and communities are understaffed in this area. This can mean you may have heavy caseloads and may work with multiple schools and districts. Further, the regulations regarding special education can be complex, and change frequently. This requires constantly learning the new parameters that may or may not seem to be practical but are required for program and district compliance. Overall, this is a highly satisfying career with countless rewards and security!

## MASTER OF EDUCATION in SPECIAL EDUCATION (M.Ed.) With Educational Diagnostician Certification

This handbook reflects several policies that directly impact students enrolled in the program. The purpose of this handbook is to provide students with information concerning the nature and progression of the program. Changes to the handbook may occur at any time at the discretion of the program administration or Office of Graduate Studies. The current version is posted on the website. As a general rule, these policies will be uniformly applied. However, the faculty recognizes that from time to time exceptional circumstances may arise that necessitate an exception. In such cases the core faculty reserves the right to review the matter and make a final determination.

This degree offers individualized preparation for students who have completed undergraduate programs in special education or related areas. The program stresses field-based learning and experiences while offering ample opportunities to participate in teaching, research, and service. Basic requirements include a core of courses common to all areas of special education, including an investigation of best educational practice for high incidence and low incidence disabilities, current legal issues, collaboration models, transition issues, and inclusion.

Texas A&M University-Kingsville offers a Master of Education (M.Ed.) in Special Education with Certification as an Educational Diagnostician as well as Certification Only Option program. The Master of Education in Special Education with Educational Diagnostician Certification is a professional degree designed to prepare leaders throughout the state as Diagnostic and Educational Professionals. Courses emphasizing special education assessment as well as special educational theory, philosophy, and special education law, as well as courses in curriculum and instruction, and evaluation interpretation, are required in the program. The degree program has been approved by the Texas Higher Education Coordinating Board and Texas State Board for Educator Certification. Our program is delivered completely and fully online. The degree is designed primarily for persons who desire to attain or who aspire to hold positions of leadership in Special Education. The term "positions of leadership" is broadly construed to include evaluation professionals and teacher collegial leaders. The certification only program is designed for students already in possession of a Master's Degree and want to become certified as an educational diagnostician in the state of Texas.

Students may apply to be accepted for a Master of Education in Special Education with Educational Diagnostician certification program. Students may also apply to be accepted for the

Master of Education in Special Education only (without becoming certified as an Educational Diagnostician). Application must be made through [www.applytexas.org](http://www.applytexas.org). Once student has been accepted to the College of Graduate Studies, the application is sent to the program level for the graduate coordinator's decision. The student may or may not be accepted at the program level. Just because the student has been accepted by the College of Graduate Studies, that doesn't necessarily mean the student will be accepted at the program level, as there are different requirements at the program level for admission. For specific admission requirements at the program level see the section below titled, "Admittance to a Specific Program."

## Master of Education Degree Program in Special Education Features:

The Master of Education in Special Education degree is a 36-hour online program (see degree plan below):

### **Fall Semester**

|               |  |
|---------------|--|
| EDSE 5360-600 | Accommodating Diverse Populations in the Classroom |
| EDSE 5362-600 | Classroom Organization & Management                |
| EDSE 5364-600 | Designing Instructional & Behavioral Programs      |
| EDSE 5365-600 | Advanced Practicum in Special Education            |
| EDSE 5366-600 | Individual Psychological & Educational Testing     |
| EDSE 5370-600 | Identification of Young Child with Special Needs   |

### **Spring Semester**

|               |  |
|---------------|--|
| EDSE 5313-600 | Legislation, Litigation, & Advocacy                |
| EDSE 5360-600 | Accommodating Diverse Populations in the Classroom |
| EDSE 5361-600 | Educational Psychological Measurement              |
| EDSE 5365-600 | Advanced Practicum in Special Education            |
| EDSE 5367-600 | Assessment of Individuals with Severe Disabilities |

### **Summer I & II**

|               |  |
|---------------|--|
| EDSE 5360-600 | Accommodating Diverse Populations in the Classroom |
| EDSE 5304-600 | Research in Special Education                      |
| EDSE 5373-600 | Development & Disability                           |

EDSE 5320-600/601 Special Education: Special Problems (Topics will vary - Bilingual Special Education, Early Childhood Special Education, Inclusion Strategies, Autism Spectrum Disorders, Intellectual/Developmental Disabilities, etc.)

**SPECIAL EDUCATION (EDSE)** The 36 semester hour M.Ed. degree in special education includes a supporting field and/or combined studies which provide eligibility for certification in Texas in the following areas: Special Education Teacher, Educational Diagnostician, Special Education Director, Special Education Supervisor or Special Education Consulting Teacher. Special Education Courses and Descriptions:

**EDSE 5304.** Research in Special Education. 3(3-0) Presents the principles and methodology of conducting research in special education; reviews and evaluates pertinent research studies and recent trends in the field; facilitates the preparation for a proposal for a research project.

**5313.** Special Populations: Legislation, Litigation and Advocacy. 3(3-0) State and federal legislation and litigation ensuring the rights of special populations for full participation in American society. Effective lifespan advocacy with and for individuals from special populations and their families. Prerequisite: EDSE 5360 or instructor permission.

**5320.** Special Education: Special Problems. 3(3-0) Study of designated areas in special education as approved by the university. May be repeated for credit when topics change. Prerequisite: EDSE 5360.

**5360.** Accommodating Diverse Populations in the Classroom. 3(3-0) Introduction to the characteristics and education of exceptional learners. Emphasizes classroom practices and psychological, sociological and medical aspects of disabilities. Inclusionary practices in various educational contexts are investigated.

**5361.** Educational and Psychological Measurement and Evaluation. 3(3-0) Diagnostic and instructional assessment of individuals with handicaps for collaborative education decision making. Selection and administration of measures for comprehensive evaluation of individuals within their environments. A minimum of 15 hours of field experience is required. Prerequisite: EDSE 5360.

**5362.** Behavioral Aspects of Classroom Organization and Management. 3(3-0) Development of a broadened perspective on socioemotional disorders. Educational translation and synthesis of psychoeducational theoretical approaches and classroom application into the most viable alternatives to meet the educational needs of special populations. A minimum of 15 hours of field experience is required. Prerequisite: EDSE 5360.

**5364.** Designing Instructional and Behavioral Programs 3(3-0) for Special Populations. Major program designs, curricular goals, content and instructional strategies effective with persons identified as having a range of handicapping conditions and provision of a supportive rationale



for these strategies based upon current literature, research and practice. A minimum of 15 hours of field experience is required. Prerequisite: EDSE 5360.

**5365.** Advanced Practicum in Special Education. 3(3-0) Individualized field experiences providing opportunity for observation, research and intervention with persons who are handicapped. Experiences in direct and indirect service in professional settings. This course should be the last in the special education and educational diagnostician sequence. Prerequisite: EDSE 5360, EDSE 5361, and EDSE 5366.

**\*\*This course has additional requirements specified by Texas State Board for Educator Certification (SBEC)**

**5366.** Individual Psychological and Educational Testing. 3(3-0) Focuses on opportunities for gaining extensive field experience in the administration of standardized individual psychological and educational batteries to children and youth, ages 3-21. Prerequisites: EDSE 5360, EDSE 5361.

**5367.** Assessment of Individuals with Severe Disabilities. 3(3-0) Presents a variety of assessment techniques and tools designed specifically for individuals teaching or assessing students with severe disabilities. A minimum of 15 hours of field experience is required. Prerequisites: EDSE 5360, EDSE 5361.

**5370.** Identification of Young Children with Special Needs. 3(3-0) Process of identifying young children, ages birth to six, who have disabilities. Assessment strategies and techniques will be emphasized. Fifteen hours of field work are included. Prerequisites: EDSE 5360, EDSE 5361.

**5373.** Development and Disability. 3(3-0) Emphasizes development from the prenatal period through early adulthood. Considers various theories and factors affecting human differences. Explores the cognitive, affective and psychomotor development of persons having a range of disabilities, from mild to multiple and severe. Prerequisite: EDSE 5360.

**NOTE: SBEC rule prohibits students from taking educator preparation program coursework without formal admission to the educator preparation program.**

- Our program will ensure that the students being permitted into coursework have met all eligibility requirements for admission to teacher preparation and are formally admitted.

**\*\*Additional Requirements for EDSE 5365- Advanced Practicum in Special Education:**

19 TAC §228.35(h) Field Supervision – All Classes except Classroom Teacher

- 160 Hour Practicum

- 3 Observations:
  - Observation 1 – First third of practicum
  - Observation 2 – Second third of practicum
  - Observation 3 – Last third of practicum
- Minimum 135 total Observation Minutes
- One observation must be on-site in face-to-face format (Effective 1/1/2017)

#### 19 TAC §228 Field Supervisor Credentials

- (16) Field Supervisor Credential Requirements:
- At least three years' experience in certification class being supervised
- Currently certified in class being supervised
- Completed TEA-approved Field Supervisor training (Can be a slide presentation)

#### \* If not currently certified:

- Minimum of Master's degree in academic area or field related to class being supervised
- Must comply with CPE requirements for class being supervised

#### 19 TAC §228.2 Definitions

##### A Note about Field Supervisors:

- Cannot be employed at the same school where the candidate being supervised is completing clinical teaching, internship, or practicum.
- Field Supervisor for a candidate may not also be that candidate's cooperating teacher, mentor teacher, or site supervisor.

## PROGRAM DESCRIPTION AND REQUIREMENTS

### Special Education Program Policy

The following policies apply to all students unless otherwise stated.

### Degree Plan

The Graduate Coordinator must file a signed initial degree plan for the student with the College of Graduate Studies, through the graduate coordinator/adviser, before or during the first semester of graduate course work. A final degree plan must be submitted by the graduate coordinator for review and signatures when the student files for graduation candidacy and a copy of the signed final degree plan with any revisions must also be forwarded to the graduate dean at the time of candidacy, along with transcripts, diploma cards, and candidacy application. The student is responsible for knowing and meeting all university policy and deadlines.

## Transfer of credits to Master's Degree Program

Up to six credit hours of previous work from an accredited university may be transferred in to substitute for credit hours in the current degree plan. The credit hours may not have been used from a previously completed degree. The grade must be a "B" or better to be considered. The coursework will not be older than 7 years old. The course content of the course being considered for substitution must be very similar to the content of the class in the Educational Diagnostician Program. It is at the program coordinator's discretion as to whether or not the course(s) will or will not be transferred into the student's Educational Diagnostician Program degree plan.

## Participation

A vital part of each student's success is regular and active participation in all asynchronous courses and all online synchronous class meetings. Faculty members will keep a current attendance record on all students. A lack of participation or frequent absences tend to lower the quality of a student's work in a course, and frequent or persistent absences may preclude a passing grade or cause a student to be dropped from one or more courses upon the request of a faculty member.

The administration of the Special Education Program defines certain types of absences as "official" or "excused" absences. These are absences due to confining illness, serious illness or death in the family, and documented participation in an officially approved class activity. Students wishing to be excused for any other reason are advised to obtain the approval of each instructor concerned. It is strongly recommended that these should be kept to a minimum. A student will not be penalized for official or excused absences provided the work missed is made up in a manner satisfactory to the faculty member. In the case of unexcused absences, the faculty member concerned will determine whether or not the student will be permitted to make up the missed work. Students with excessive unexcused absences may be dropped from the course regardless of whether or not they are passing.

## Required Grades

A minimum grade point average of 3.25 on a 4.0 scale is required to be maintained while in the program. Grades of *D* or *F* do not apply toward the graduate degree but are used to calculate grade point averages. Courses may be repeated for credit, in which case the last grade of record is the official grade.

## Scholastic Probation

A student may be placed on scholastic probation if, at the end of either long semester or the second summer session, the student's cumulative graduate grade point average falls below 3.25. If the probationary status is not removed during the next full semester for which the student enrolls (combined summer terms count as one full semester), the student must be

reinstated through Graduate Studies before registering for further graduate work.

## Reinstatement

The graduate student who is dismissed for any reason may request reinstatement through the Graduate Dean, who will consult with the graduate program coordinator and program advisee.

## Professionalism when Communicating with Faculty

Communication between faculty and students through email, text, courses learning management system, or phone is expected to be professional and courteous, as expected of educational professionals.

## Academic Misconduct

See TAMUK Student Handbook at <http://osa.tamuk.edu/dean/studenthandbook.pdf>.

## Full-Time Status

A full-time graduate student is one registered for 9 semester credit hours in a fall or spring semester, and 6 hours in each of the two summer terms. Students wishing to register an overload, first obtain permission from the Dean of the College of Education and Human Performance.

## Course Longevity

A student must complete all requirements for the Special Education degree, within *seven consecutive years* of initial registration for that degree. Graduate credits older than those stipulated are not applicable toward the graduate degree without written approval from the Graduate Dean. Further information can be found at the office of Graduate Studies website: <http://www.tamuk.edu/grad/>

## Graduation under a Particular Catalog

Students receive the graduate degree when they satisfy the requirements of the first or any subsequent catalog under which they earned credit for the degree, as long as that catalog is not more than five years old.

## Continuous Enrollment

Continuous enrollment consists of fall, spring semesters and summer semesters.

## Graduate Readmission

Students who have been inactive in the program for two long semesters (fall and spring) must resubmit an application via [www.applytexas.org](http://www.applytexas.org). Students returning for certification must

complete another application for admission ([www.applytexas.org](http://www.applytexas.org)) to be admitted to the certification program.

## Admittance to a Specific Program

Admittance to the College of Graduate Studies does not guarantee acceptance into the Special Education and Educational Diagnostician Certification graduate program. Standards for admittance to the program are set by the coordinator of the program. The graduate coordinator for the program is responsible for acceptance or denial of admission of the student to the program. The program adviser will direct the degree plan. Students must therefore check the admission requirements to the program before they seek admission to the College of Graduate Studies.

Advanced study in Special Education provides an opportunity for individuals to prepare for professional positions in the field of education and educational diagnostics. Degrees and/or certification are available in Special Education and Educational Diagnostician. The Educational Diagnostician certification program requires completion of the Advanced Practicum in Special Education. This course has some additional requirements from TEA and these are stipulated in this handbook. All GPA requirements for a master's degree apply. Admission to the master's program requires the following:

- Full Admission: This status is assigned to entering students who have earned a baccalaureate degree from a recognized college or university and who meet one of the following College of Graduate Studies minimum requirement sets:
  - 1. Have an undergraduate cumulative grade point average between 2.3-2.59 and a minimum GRE composite (Q+V) score of 294 or minimum MAT score of 398 (optional test to the GRE for Education majors only).
  - 2. Have an undergraduate cumulative grade point average between 2.6 and above or an undergraduate grade point average of 3.00 or higher for the last 60 semester credits (or 90 quarter credits) and a minimum GRE composite (Q+V) score of 284 or minimum MAT score of 388.
- Additional admission requirements may be required by the Graduate Programs. Full Admission with Stipulations: Students who have earned a baccalaureate degree from a recognized college or university, but do not satisfy Full Admission Requirements, may be fully admitted with stipulations on a case by case basis. To be accepted in this status, a student's credentials will have to be reviewed and accepted by the graduate program to which the student is applying and approved by the graduate dean. Students are fully admitted, but may have additional stipulations to be met during the course of their study. Stipulations will be specified in writing by the graduate program to which the students have been admitted. These stipulations must be satisfied within the period indicated by the admitting graduate program. Failure to satisfy stipulations may result in the student being dismissed from the program.
- There are admission requirements specific to the Educational Diagnostician Certificate program. The requirements listed in code are provided below:

- **§239.81. Minimum Requirements for Admission to an Educational Diagnostician Preparation Program.**
- (a) Prior to admission to an educator preparation program leading to the Educational Diagnostician Certificate, an individual must:
- (1) hold a baccalaureate degree from an accredited institution of higher education that at the time was accredited or otherwise approved by an accrediting organization recognized by the Texas Higher Education Coordinating Board;
- (2) hold a valid classroom teaching certificate
- Additionally, a 2.5 minimum GPA is required for admission to any certificate program universally, and a 3.0 is required as the average GPA for cohort. As such, the applicant must have a minimum 2.5 GPA for admission into the Educational Diagnostician Certification program.
- Once admitted into the graduate special education program, the applicant will need to complete the Application for Admission to Non-Teaching Professional Class Certification Programs to be considered for admission into the Educational Diagnostician Certification Program.
- A letter of interest to the Educational Diagnostician Certification must be submitted at the time the Application for Admission to Non-Teaching Professional Class Certification Programs is submitted to be considered for admission into the Educational Diagnostician Certification Program.
- Once the Application for Admission to Professional Class Certification Programs is completed and the candidate is accepted for admission into the Educational Diagnostician Certification Program, a second separate offer for admission will be extended to the candidate.

### **Formal Admission to Educational Diagnostician Certification Preparation Program**

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Enrollment and participation in the program suggests you have met criteria for admission according to the Texas Administrative Code, and internal policy consistently applied to all applicants related to standards for admission

For an applicant to be formally admitted to an educator preparation program, the applicant must:

- ✓ meet all the admission requirements
- ✓ successfully receive formal offer admission in writing by email from the educator preparation program
- ✓ accept the offer of formal admission in writing by email to the educator preparation program

The effective date of the candidate's admission to the program is provided on the acceptance notice (via email). All state and local level rules pertinent to certificate preparation will apply according to the formal date of admission.

Prior to finalization of formal admission, the program cannot provide coursework, training, and/or examination approval to an applicant that leads to initial certification in any class of certificate. Thus, candidates may not be permitted to register for coursework designated as educator preparation program training without verification that the above has been met.

### **Institutional Transfer or Program Release Requirement**

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As a formally admitted candidate, in the event you decide to transfer to another institution of higher education, you must request a formal release. Your participation in this program and intent for certification candidacy is immediately filed with the Texas Education Agency. If you have determined any need causing your departure from enrollment as a student at Texas A&M University-Kingsville and/or the certificate program, you must not only inform your advisor, also the Certification Coordinator (Rhode Hall 112).

### **Expiration of Educator Preparation Program Coursework and Training**

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Texas A&M University-Kingsville imposes a 5-year term of expiration on coursework completed for certificate eligibility. Thus, candidates for certificate are highly encouraged to complete all certification requirements as early as possible upon program completion to avoid the need for additional coursework, training, examinations, fees, etc. in the event new standards are imposed under state rule.

### **Educator Preparation Program Disclosures**

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Texas A & M University- Kingsville expressly discloses the following:

1. As a provider of educator preparation programs, TAMUK must ensure its students demonstrate adherence to the Code of Ethics and Standard Practices for Texas Educators, which requires the observance of federal and state law. An arrest, indictment, conviction, and/or deferred adjudication may result in a candidate being dismissed from the program. When applying for state certification, you will be subject to a criminal history background and fingerprint check by the State Board for Educator Certification. An applicant with a criminal history may be denied certification.
2. While TAMUK does not perform criminal history background checks, Texas public schools are required by state law to conduct criminal history background checks on a person intended for hire or a person who has requested a volunteer position. As a participant in field experiences or practicum in a Texas public school, you may be subject to a criminal history background check.
3. Admission into a TAMUK Educator Preparation Program and participation in the program does not constitute any guarantee that the candidate will be accepted into a field experience or practicum placement in a Texas public school or that the candidate will earn a certificate. Failure to complete any portion of the Educator Preparation Program may prevent a candidate from obtaining

certification issued by the State Board for Educator Certification.

Your acceptance of the admittance offer suggests you agree to all statements listed above. A copy of your signed agreement is on file in Rhode Hall 112.

### **Preliminary Criminal History Review for Certificate Eligibility**

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Per HB 1508 effective September 1, 2017, all applicants to certificate preparation should be aware of that any individual who has been convicted of an offense may be ineligible for issuance of an occupational license upon completion of an educational program.

A person may request a criminal history evaluation letter regarding the personal eligibility for a license issued by the licensing authority. To request a preliminary evaluation of teacher certificate eligibility, please contact the Texas Education Agency or visit <http://ritter.tea.state.tx.us/sbecrules/tac/chapter227/ch227b.html>

### **FERPA Consent to Release Educational Records and Information**

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Upon your application to the Educational Diagnostician Certification Preparation Program, and with your subsequent acceptance of the Educational Diagnostician Certification Preparation Program admission offer, you have agreed to the terms of the Consent to Release Educational Records and Information, including the following:

- A. To disclose the following records:
  - Records relating to any of my field-based experiences
  - Records relating to my performance in the field
  - TExES test score results
- B. To the following person(s):
  - School districts or other agencies associated with field-based experiences
  - School-based/Agency-based administrators
  - School-based/Agency-based cooperating teachers/mentors
  - Program faculty
- C. These records are being released for the purpose of:
  - Conversing and reviewing performance
  - Acquiring feedback
  - Procuring required signatures

Your agreement implies that you understand that under the Family Educational Rights and Privacy Act of 1974 (“FERPA” 20 USC 123g; 34 CFR §99; commonly known as the “Buckley Amendment”) no disclosure of your records can be made without your written consent unless otherwise provided for in legal statutes and judicial decisions. You also understand that you may revoke this consent at any time (via written request to the educator preparation program) except to the extent that action has already been taken upon this release. Further, without such a release,



you are unable to participate in any field-based experiences including 30 clock hours of observation, clinical teaching, student teaching, or internship.

Your acceptance of the admittance offer suggests you agree to all statements listed above. A copy of your signed agreement is on file in the Center for Educator Preparation Services.

### **Code of Ethics for Educators**

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Upon your application to the Educator Preparation Program, and with your subsequent acceptance of the Educator Preparation Program admission offer, you have agreed to the terms of the Educator's Code of Ethics (see Appendix A).

Your acceptance of the admittance offer suggests you agree to all statements listed above. A copy of your signed agreement is on file in the Center for Educator Preparation Services.

### **Eligibility for Internship/Practicum**

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According to the Texas Administrative Code, Chapter 228.30, for certification in a class other than classroom teacher, each candidate shall complete a practicum for a minimum of 160 clock hours whereby he/she must demonstrate proficiency in each of the educator standards for the certificate class being sought. Additionally:

- (A) A practicum experience must take place in an actual school setting rather than a distance learning lab or virtual school setting.
- (B) A practicum shall not take place in a setting where the candidate:
  - (i) has an administrative role over the site supervisor; or
  - (ii) is related to the field supervisor or site supervisor by blood (consanguinity) within the third degree or by marriage (affinity) within the second degree.

Additionally, students in the Educational Diagnostician Certification Preparation Program must have successfully completed the required prerequisite courses prior to enrollment in EDSE 5365 Advanced Practicum. The prerequisite courses for EDSE 5365 are: EDSE 5360, EDSE 5361, and EDSE 5366.

### **Eligibility for TExES Exam**

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#### **Qualifications**

Texas A & M University, Kingsville Graduate Special Education program will approve certification examination to its teachers who meet the criteria for Educational Diagnostician Certification program completion, as well as SBEC criteria for Educational Diagnostician certification:

Hold, at a minimum, a master's degree from an accredited institution of higher education that at the time was accredited or otherwise approved by an accrediting organization recognized by the Texas Higher Education Coordinating Board

Hold a valid classroom teaching certificate

Three (3) years (minimum) of creditable teaching experience (may be obtained concurrently during program coursework)

To be eligible to receive the standard Educational Diagnostician Certificate, a candidate must also:

Successfully complete an educational diagnostician preparation program that meets the requirements of TAC §239.82 (complete all requirements on the TAMUK certification plan)

Successfully complete the examination based on the standards identified in TAC §239.83 (TExES 153)

### Eligibility for Certification

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Upon verification that all coursework and/or training has been successfully completed, and with evidence of passing scores on all examinations required for the certificate sought, the Certification Coordinator will provide instructions for application to the State Board for Educator Certification for the Standard Certificate.

Fees for the certificate and fingerprinting and background check are established by the Texas Education Agency/State Board for Educator Certification. Candidates for certification will use the Educator Certification Online System to submit the application and pay fees directly to the state agency. The Certification Coordinator cannot recommend issuance of the certificate until all requirements are verified as complete.

| Certificate Area                        | Degree Required             | Exam(s) Required            | Practicum/Internship  | Years of Creditable Teaching Experience Required |
|---|-----------------------------|-----------------------------|---|--|
| Principal as Instructional Leader EC-12 | Master's Degree             | TExES 268 PASL              | 160 clock hours in an accredited, authentic school setting; supervised; recommendation by site supervisor and university supervisor required for completion | 2 years  |
| Superintendent                          | Master's Degree             | TExES 195                   |   | --Principal Certificate required--               |
| School Counselor                        | Master's Degree (48+ hours) | TExES 152                   |   | 2 years  |
| Reading Specialist                      | Master's Degree             | TExES 151                   |   | 2 years  |
| Educational Diagnostician               | Master's Degree             | TExES 253 Effective 01/2021 |   | 3 years  |

## **Grounds for Dismissal from the Educator Preparation Program**

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A candidate may be removed from the program in the event he/she demonstrates behavior not consistent with the professional and ethical expectations of an educator in Texas. Dismissal from the program may be based on grounds including but not limited to:

1. Failure to meet coursework requirements;
2. Failure to abide by policies and/or procedures established Texas A&M University-Kingsville Educator Preparation Program and/or program requirements established by the State Board for Educator Certification as published in the Texas Administrative Code;
3. Any action deemed a violation of the Code of Ethics and Standard Practices for Texas Educators, and/or;
4. Any action deemed a violation of the Texas A&M University Student Code of Conduct; and/or,
5. Any action deemed a violation of school district and/or campus policy during internship/practicum experience.

## **Educator Preparation Program Candidate Due Process**

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Texas A&M University-Kingsville encourages candidates to discuss their concerns and grievances through informal conferences with appropriate staff and/or faculty. Concerns should be expressed as soon as possible to allow early resolution at the lowest possible administrative level.

If an informal communication regarding a concern fails to reach the outcome requested by the candidate, he or she may initiate a formal appeal. A formal appeal must be submitted by email to the Certification Coordinator using Appeal Form- Level One (see Appendix B).

After the candidate has exhausted all attempts at the program level to resolve a concern that occurred within the past two years and has not received the relief sought, the candidate may file a grievance with the Texas Education Agency (TEA). The official TEA grievance process can be found at [www.tea.texas.gov](http://www.tea.texas.gov) in the banner located at the bottom of the page (select “Educator Preparation Programs”).

*TEXAS ADMINISTRATIVE CODE §228. 70*

## **APPENDIX A**

### **Chapter 247. Educators' Code of Ethics**

#### **§247.1. Purpose and Scope; Definitions.**

- (a) In compliance with the Texas Education Code, §21.041(b)(8), the State Board for Educator Certification (SBEC) adopts an Educators' Code of Ethics as set forth in §247.2 of this title (relating to Code of Ethics and Standard Practices for Texas Educators). The SBEC may amend the ethics code in the same manner as any other formal rule.

- (b) The Texas educator shall comply with standard practices and ethical conduct toward students, professional colleagues, school officials, parents, and members of the community and shall safeguard academic freedom. The Texas educator, in maintaining the dignity of the profession, shall respect and obey the law, demonstrate personal integrity, and exemplify honesty and good moral character. The Texas educator, in exemplifying ethical relations with colleagues, shall extend just and equitable treatment to all members of the profession. The Texas educator, in accepting a position of public trust, shall measure success by the progress of each student toward realization of his or her potential as an effective citizen. The Texas educator, in fulfilling responsibilities in the community, shall cooperate with parents and others to improve the public schools of the community. This chapter shall apply to educators and candidates for certification.
- (c) The SBEC is solely responsible for enforcing the Educators' Code of Ethics for purposes related to certification disciplinary proceedings. The Educators' Code of Ethics is enforced through the disciplinary procedure set forth in Chapter 249 of this title (relating to Disciplinary Proceedings, Sanctions, and Contested Cases) pursuant to the purposes stated therein.
- (d) As provided in §249.5 of this title (relating to Purpose; Policy Governing Disciplinary Proceedings), the primary goals the SBEC seeks to achieve in educator disciplinary matters are:
  - (1) to protect the safety and welfare of Texas schoolchildren and school personnel;
  - (2) to ensure educators and applicants are morally fit and worthy to instruct or to supervise the youth of the state; and
  - (3) to fairly and efficiently resolve educator disciplinary proceedings at the least expense possible to the parties and the state.
- (e) The following words, terms, and phrases, when used in this chapter, shall have the following meanings, unless the context clearly indicates otherwise.
  - (1) Abuse--Includes the following acts or omissions:
    - (A) mental or emotional injury to a student or minor that results in an observable and material impairment in the student's or minor's development, learning, or psychological functioning;
    - (B) causing or permitting a student or minor to be in a situation in which the student or minor sustains a mental or emotional injury that results in an observable and material impairment in the student's or minor's development, learning, or psychological functioning;
    - (C) physical injury that results in substantial harm to a student or minor, or the genuine threat of substantial harm from physical injury to the student or minor, including an injury that is at variance with the history or explanation given and excluding an accident or reasonable discipline; or
    - (D) sexual conduct harmful to a student's or minor's mental, emotional, or physical welfare.
  - (2) Applicant--A party seeking issuance, renewal, or reinstatement of a certificate from the Texas Education Agency staff or the State Board for Educator Certification.
  - (3) Code of Ethics--The Educators' Code of Ethics codified in this chapter.

- (4) Complaint--A written statement submitted to the Texas Education Agency staff that contains essential facts alleging improper conduct by an educator, applicant, or examinee, the complainant's verifiable contact information, including full name, complete address, and phone number, which provides grounds for sanctions.
- (5) Contested case--A proceeding under this chapter in which the legal rights, duties, and privileges related to a party's educator certificate are to be determined by the State Board for Educator Certification and/or the State Office of Administrative Hearings commencing when a petition is properly served under this chapter.
- (6) Disciplinary proceedings--Any matter arising under this chapter or Chapter 249 of this title (relating to Disciplinary Proceedings, Sanctions, and Contested Cases) that results in a final order or finding issued by the Texas Education Agency staff, the State Office of Administrative Hearings, or the State Board for Educator Certification relating to the legal rights, duties, privileges, and status of a party's educator certificate.
- (7) Educator--A person who is required to hold a certificate issued under the Texas Education Code, Chapter 21, Subchapter B.
- (8) Endanger--Exposure of a student or minor to unjustified risk of injury or to injury that jeopardizes the physical health or safety of the student or minor without regard to whether there has been an actual injury to the student or minor.
- (9) Good moral character--The virtues of a person as evidenced by patterns of personal, academic, and occupational behaviors that, in the judgment of the State Board for Educator Certification, indicate honesty, accountability, trustworthiness, reliability, and integrity. Lack of good moral character may be evidenced by the commission of crimes relating directly to the duties and responsibilities of the education profession as described in §249.16(b) of this title (relating to Eligibility of Persons with Criminal History for a Certificate under Texas Occupations Code, Chapter 53, and Texas Education Code, Chapter 21), or by the commission of acts involving moral turpitude, but conduct that evidences a lack of good moral character is not necessarily limited to such crimes or acts.
- (10) Intentionally--An educator acts intentionally, or with intent, with respect to the nature of his or her conduct or to a result of his or her conduct when it is his or her conscious objective or desire to engage in the conduct or cause the result.
- (11) Knowingly--An educator acts knowingly, or with knowledge, with respect to the nature of his or her conduct or to circumstances surrounding his or her conduct when he or she is aware of the nature of the conduct or that the circumstances exist. A person acts knowingly, or with knowledge, with respect to a result of his or her conduct when he or she is aware that the conduct is reasonably certain to cause the result.
- (12) Minor--A person under 18 years of age.
- (13) Moral turpitude--Improper conduct, including, but not limited to, the following: dishonesty; fraud; deceit; theft; misrepresentation; deliberate violence; base, vile, or depraved acts that are intended to arouse or to gratify the sexual desire of the actor; drug or alcohol related offenses as described in §249.16(b) of this title (relating to Eligibility of Persons with Criminal History for a Certificate under Texas Occupations Code, Chapter 53, and Texas Education Code, Chapter 21); or acts constituting abuse or neglect under the Texas Family Code, §261.001.

- (14) Neglect--The placing or leaving of a student or minor in a situation where the student or minor would be exposed to a substantial risk of physical or mental harm.
- (15) Recklessly--An educator acts recklessly, or is reckless, with respect to circumstances surrounding his or her conduct or the results of his or her conduct when he or she is aware of but consciously disregards a substantial and unjustifiable risk that the circumstances exist or that the result will occur.
- (16) Sanction--A disciplinary action by the State Board for Educator Certification, including a restriction, reprimand, suspension, revocation of a certificate, or a surrender in lieu of disciplinary action.
- (17) Sexual harassment--Unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature.
- (18) State Board for Educator Certification--The State Board for Educator Certification acting through its voting members in a decision-making capacity.
- (19) State Board for Educator Certification member(s)--One or more of the members of the State Board for Educator Certification, appointed and qualified under the Texas Education Code, §21.033.
- (20) Student--A person enrolled in a primary or secondary school, whether public, private, or charter, regardless of the person's age, or a person 18 years of age or younger who is eligible to be enrolled in a primary or secondary school, whether public, private, or charter.
- (21) Texas Education Agency staff--Staff of the Texas Education Agency assigned by the commissioner of education to perform the State Board for Educator Certification's administrative functions and services.
- (22) Under the influence of alcohol--A blood alcohol content of .04% or greater and/or lacking the normal use of mental or physical faculties by reason of the introduction of alcohol.
- (23) Worthy to instruct or to supervise the youth of this state--Presence of those moral, mental, and psychological qualities that are required to enable an educator to render the service essential to the accomplishment of the goals and mission of the State Board for Educator Certification policy and this chapter.

*Statutory Authority: The provisions of this §247.1 issued under the Texas Education Code, §21.031(a) and §21.041(a) and (b)(1), (7), and (8); and Every Student Succeed Act, 20 United States Code, §7926.*

*Source: The provisions of this §247.1 adopted to be effective March 1, 1998, 23 TexReg 1022; amended to be effective December 26, 2010, 35 TexReg 11242; amended to be effective December 19, 2011, 36 TexReg 8530; amended to be effective December 27, 2016, 41 TexReg 10329; amended to be effective October 21, 2018, 43 TexReg 6839.*

## **§247.2. Code of Ethics and Standard Practices for Texas Educators.**

Enforceable Standards.

### **(1) Professional Ethical Conduct, Practices and Performance.**

- (A) Standard 1.1. The educator shall not intentionally, knowingly, or recklessly engage in deceptive practices regarding official policies of the school

district, educational institution, educator preparation program, the Texas Education Agency, or the State Board for Educator Certification (SBEC) and its certification process.

- (B) Standard 1.2. The educator shall not intentionally, knowingly, or recklessly misappropriate, divert, or use monies, personnel, property, or equipment committed to his or her charge for personal gain or advantage.
  - (C) Standard 1.3. The educator shall not submit fraudulent requests for reimbursement, expenses, or pay.
  - (D) Standard 1.4. The educator shall not use institutional or professional privileges for personal or partisan advantage.
  - (E) Standard 1.5. The educator shall neither accept nor offer gratuities, gifts, or favors that impair professional judgment or that are used to obtain special advantage. This standard shall not restrict the acceptance of gifts or tokens offered and accepted openly from students, parents of students, or other persons or organizations in recognition or appreciation of service.
  - (F) Standard 1.6. The educator shall not falsify records, or direct or coerce others to do so.
  - (G) Standard 1.7. The educator shall comply with state regulations, written local school board policies, and other state and federal laws.
  - (H) Standard 1.8. The educator shall apply for, accept, offer, or assign a position or a responsibility on the basis of professional qualifications.
  - (I) Standard 1.9. The educator shall not make threats of violence against school district employees, school board members, students, or parents of students.
  - (J) Standard 1.10. The educator shall be of good moral character and be worthy to instruct or supervise the youth of this state.
  - (K) Standard 1.11. The educator shall not intentionally, knowingly, or recklessly misrepresent his or her employment history, criminal history, and/or disciplinary record when applying for subsequent employment.
  - (L) Standard 1.12. The educator shall refrain from the illegal use, abuse, or distribution of controlled substances, prescription drugs, and toxic inhalants.
  - (M) Standard 1.13. The educator shall not be under the influence of alcohol or consume alcoholic beverages on school property or during school activities when students are present.
- (2) Ethical Conduct toward Professional Colleagues.
- (A) Standard 2.1. The educator shall not reveal confidential health or personnel information concerning colleagues unless disclosure serves lawful professional purposes or is required by law.
  - (B) Standard 2.2. The educator shall not harm others by knowingly making false statements about a colleague or the school system.

- (C) Standard 2.3. The educator shall adhere to written local school board policies and state and federal laws regarding the hiring, evaluation, and dismissal of personnel.
  - (D) Standard 2.4. The educator shall not interfere with a colleague's exercise of political, professional, or citizenship rights and responsibilities.
  - (E) Standard 2.5. The educator shall not discriminate against or coerce a colleague on the basis of race, color, religion, national origin, age, gender, disability, family status, or sexual orientation.
  - (F) Standard 2.6. The educator shall not use coercive means or promise of special treatment in order to influence professional decisions or colleagues.
  - (G) Standard 2.7. The educator shall not retaliate against any individual who has filed a complaint with the SBEC or who provides information for a disciplinary investigation or proceeding under this chapter.
  - (H) Standard 2.8. The educator shall not intentionally or knowingly subject a colleague to sexual harassment.
- (3) Ethical Conduct toward Students.
- (A) Standard 3.1. The educator shall not reveal confidential information concerning students unless disclosure serves lawful professional purposes or is required by law.
  - (B) Standard 3.2. The educator shall not intentionally, knowingly, or recklessly treat a student or minor in a manner that adversely affects or endangers the learning, physical health, mental health, or safety of the student or minor.
  - (C) Standard 3.3. The educator shall not intentionally, knowingly, or recklessly misrepresent facts regarding a student.

Standard 3.4. The educator shall not exclude a student from participation in a program, deny benefits to a student, or grant an advantage to a student on the basis of race, color, gender, disability, national origin, religion, family status, or sexual orientation.

- (E) Standard 3.5. The educator shall not intentionally, knowingly, or recklessly engage in physical mistreatment, neglect, or abuse of a student or minor.
- (F) Standard 3.6. The educator shall not solicit or engage in sexual conduct or a romantic relationship with a student or minor.
- (G) Standard 3.7. The educator shall not furnish alcohol or illegal/unauthorized drugs to any person under 21 years of age unless the educator is a parent or guardian of that child or knowingly allow any person under 21 years of age unless the educator is a parent or guardian of that child to consume alcohol or illegal/unauthorized drugs in the presence of the educator.
- (H) Standard 3.8. The educator shall maintain appropriate professional educator-student relationships and boundaries based on a reasonably prudent educator standard.



- (I) Standard 3.9. The educator shall refrain from inappropriate communication with a student or minor, including, but not limited to, electronic communication such as cell phone, text messaging, email, instant messaging, blogging, or other social network communication. Factors that may be considered in assessing whether the communication is inappropriate include, but are not limited to:
- (i) the nature, purpose, timing, and amount of the communication;
  - (ii) the subject matter of the communication;
  - (iii) whether the communication was made openly, or the educator attempted to conceal the communication;
  - (iv) whether the communication could be reasonably interpreted as soliciting sexual contact or a romantic relationship;
  - (v) whether the communication was sexually explicit; and
  - (vi) whether the communication involved discussion(s) of the physical or sexual attractiveness or the sexual history, activities, preferences, or fantasies of either the educator or the student.

*Statutory Authority: The provisions of this §247.2 issued under the Texas Education Code, §21.031(a) and §21.041(a) and (b) (1), (7), and (8); Every Student Succeed Act, 20 United States Code, §7926.*

*Source: The provisions of this §247.2 adopted to be effective March 1, 1998, 23 TexReg 1022; amended to be effective August 22, 2002, 27 TexReg 7530; amended to be effective December 26, 2010, 35 TexReg 11242; amended to be effective December 27, 2016, 41 TexReg 10329; amended to be effective October 21, 2018, 43 TexReg 6839.*

## University and Program Information and Policies

### EDSE PROGRAM ASSESSMENTS

#### Course Assessments

Each course has student learning outcomes and assessments of those outcomes.

#### Comprehensive Examinations

Part of the candidacy process with our degree plan (Courses Only) is a Comprehensive Exam. This replaces the Thesis in other graduate plans. You will be required to pass a Comprehensive Exam for your Core Special Education courses (sent in this email) and once passed, you will complete a Comprehensive exam for your support field of graduate study in Assessment. The comprehensive examination should be completed no later than the first week of April (for May candidates), first two weeks of July (for August candidates) and first week of November (for December graduates). Comprehensive examinations are administered to ascertain whether the student is sufficiently prepared in professional knowledge, inquiry, and mastery of special education skills. Comprehensive examinations will be scheduled and administered to students seeking a Master's Degree in Special Education after they have completed all course work in the

program and are in the last semester enrolled.

### **The Written Comprehensive Examination**

The written phase of the examination consists of two parts. The core special education comprehensive exams are based on essay questions submitted by the program coordinator. When the core comprehensive exams have been passed, the student is given their support field questions from respective faculty and generally covers any course information ascertained in the Graduate Program while the student was enrolled. For the certification in Educational Diagnostician program, the comprehensive exams will be focused exclusively on educational assessment and diagnostic procedures.

Specific guidelines for the completion of the comprehensive examination questions are defined on each examination disseminated to the student. Strict adherences to these guidelines are the sole responsibility of the Special Education and Educational Diagnostician student completing the examination.

Papers received from students are marked as “Pass” or “Fail.” Grading of the comprehensive examination will be the responsibility of the Program Coordinator in conjunction with support field faculty and diagnostic professional faculty. Failing grades may be given an opportunity for revisions and/or accompanied by recommendations for additional course work, outside reading, or field experience prior to retaking the examination. This decision is made by the Program Coordinator. This policy remains effective as of August 2014.

### **Retaking Comprehensive Examination**

In the event of failure on any part of the written examination, the program coordinator may require a professional growth plan, which may include additional course work, a research paper, additional face to face meetings with faculty, or other plans to remediate area(s) of concern before repeating the examination. The student may retake the comprehensive examination, totally or in part, three times in writing within a minimum of one week and up to no more than six months from the time of first failure. If after three attempts student fails the retaken portion(s) of the examination, student will be removed from the program at such time.

### **Disability statement:**

The Americans with Disabilities Act (ADA) is a federal anti-discrimination statute that provides comprehensive civil rights protection for persons with disabilities. Among other things, this legislation requires that all students with disabilities be guaranteed a learning environment that provides for reasonable accommodation of their disability. If you believe you have a disability requiring an accommodation please contact the Disability Resource Center (DRC) as early as possible in the term at (361) 593-2904. DRC is located in the Life Service and Wellness building at 1210 Retama Drive.

### Six-drop policy:

The following provision does not apply to students with Texas public college or university credits prior to Fall 2007. The Texas Senate Bill 1231 specifies the number of course drops allowed to a student without penalty. After a student has dropped six courses, a grade of QF will normally be recorded for each subsequent drop. Additional information on Senate Bill 1231 is available at the Registrar's Office at (361) 593-2811 and at [http://www.tamuk.edu/registrar/drop\\_policy.html](http://www.tamuk.edu/registrar/drop_policy.html).

### Academic misconduct statement:

You are expected to adhere to the highest academic standards of behavior and personal conduct in this course and all other courses. Students who engage in academic misconduct are subject to university disciplinary procedures. Make sure you are familiar with your Student Handbook, especially the section on academic misconduct, which discusses conduct expectations and academic dishonesty rules.

### Forms of academic dishonesty:

- 1) Cheating: Using unauthorized notes or study aids, allowing another party to do one's work/exam and turning in that work/exam as one's own; submitting the same or similar work in more than one course without permission from the course instructors; deception in which a student misrepresents that he/she has mastered information on an academic exercise that he/she has not mastered; giving or receiving aid unauthorized by the instructor on assignments or examinations.
- 2) Aid of academic dishonesty: Intentionally facilitating any act of academic dishonesty. Tampering with grades or taking part in obtaining or distributing any part of a scheduled test.
- 3) Fabrication: Falsification or creation of data, research or resources, or altering a graded work without the prior consent of the course instructor.
- 4) Plagiarism: Portrayal of another's work or ideas as one's own. Examples include unacknowledged quotation and/or paraphrase of someone else's words, ideas, or data as one's own in work submitted for credit. Failure to identify information or essays from the Internet and submitting them as one's own work also constitutes plagiarism.
- 5) Lying: Deliberate falsification with the intent to deceive in written or verbal form as it applies to an academic submission.
- 6) Bribery: Providing, offering or taking rewards in exchange for a grade, an assignment, or the aid of academic dishonesty.
- 7) Threat: An attempt to intimidate a student, staff or faculty member for the purpose of receiving an unearned grade or in an effort to prevent reporting of an Honor Code violation.

Please be aware that the University subscribes to the Turn-it-in plagiarism detection service. Your paper may be submitted to this service at the discretion of the instructor.

### Other Forms of Academic Misconduct:

- 1) Failure to follow published departmental guidelines, professor's syllabi, and other posted academic policies in place for the orderly and efficient instruction of classes, including laboratories, and use of academic resources or equipment.
- 2) Unauthorized possession of examinations, reserved library materials, laboratory materials or other course related materials.
- 3) Failure to follow the instructor or proctor's test-taking instructions, including but not limited to not setting aside notes, books or study guides while the test is in progress, failing to sit in designated locations and/or leaving the classroom/ test site without permission during a test.
- 4) Prevention of the convening, continuation or orderly conduct of any class, lab or class activity. Engaging in conduct that interferes with or disrupts university teaching, research or class activities such as making loud and distracting noises, repeatedly answering cell phones/text messaging or allowing pagers to beep, exhibiting erratic or irrational behavior, persisting in speaking without being recognized, repeatedly leaving and entering the classroom or test site without authorization, and making physical threats or verbal insults to the faculty member, or other students and staff.
- 5) Falsification of student transcript or other academic records; or unauthorized access to academic computer records.
- 6) Nondisclosure or misrepresentation in filling out applications or other university records.
- 7) Any action which may be deemed as unprofessional or inappropriate in the professional community of the discipline being studied.

### Non-academic misconduct:

The university respects the rights of instructors to teach and of students to learn. Maintenance of these rights requires campus conditions that do not impede their exercise. Campus behavior that interferes with these rights will not be tolerated; examples include:

- 1) interfering with the instructor's ability to conduct the class,
- 2) causing inability of other students to profit from the instructional program, or
- 3) any interference with the rights of others.

An individual engaging in such disruptive behavior may be subject to disciplinary action. Such incidents will be adjudicated by the Dean of Students under non-academic procedures.

Ongoing behaviors or single behaviors considered distracting (e.g., coming late to class, performing a repetitive act that is annoying, sleeping or reading a newspaper in class, etc.) will be addressed by the faculty member initially either generally or individually. Cases in which such annoying behavior becomes excessive and the student refuses to respond to the faculty member's efforts can be referred to the Dean of Students. In the case of serious disruptive

behavior in a classroom the instructor may first request compliance from the student and if it is not received, an instructor has the authority to ask the student to leave the classroom or to be removed from an online course. If the student fails to leave after being directed to do so, assistance may be obtained from other university personnel, including University Police Department. An individual engaging in such disruptive behavior is subject to disciplinary action. Such incidents will be adjudicated by the Dean of Students under non-academic procedures to determine if the student should be allowed to return to the classroom.

### **Harassment /Discrimination:**

Texas A&M University-Kingsville does not tolerate discrimination on the basis of race, color, religion, national origin, age, disability, genetic information, gender, gender identity or sexual orientation (or any other illegal basis) and will investigate all complaints that indicate sexual harassment, harassment, or discrimination may have occurred. Sexual harassment and sexual assault are types of sex discrimination. Such sexual misconduct is unacceptable and will not be tolerated. Any member of the university community violating this policy will be subject to disciplinary action. A person who believes he/she has been the victim of sexual misconduct harassment, harassment, or discrimination may pursue either the informal or the formal complaint resolution procedure. A complaint may be initially made to the Office of Compliance at (361) 593- 4758, complainant's immediate supervisor, a department head, a supervisory employee, or the Dean of Students at (361)-593-3606 or the Office of Compliance at (361) 593- 4758. Regardless of who the complaint is filed with, the Compliance Office will be notified of the complaint so it can be investigated.

**Revised: 06/25/2019**

## **APPENDIX B**

### **TEXAS A&M UNIVERSITY-KINGSVILLE COLLEGE OF EDUCATION AND HUMAN PERFORMANCE EDUCATOR PREPARATION PROGRAM- CANDIDATE DUE PROCESS**

#### **INTRODUCTION**

The Educator Preparation Program encourages candidates to discuss their concerns and grievances through informal conferences with appropriate staff and/or faculty. Concerns should be expressed as soon as possible to allow early resolution at the lowest possible administrative level and should be submitted using the Informal Complaint Form.

#### **LEVEL ONE**

If an informal communication regarding a concern fails to reach the outcome requested by the candidate, he or she may initiate the formal appeal process described below using Appeal Form- Level One.

A formal appeal must be submitted by email to the Certification Coordinator. Program staff will acknowledge receipt of the email and forward it, within two (2) business days, to the appropriate office to address the issue or will respond to the candidate directly with further instructions. A response from the appropriate office will be sent to the candidate via email within five (5) business days of receipt of the appeal at that office.

Appeals arising from an event or a series of related events shall be addressed in one appeal. Candidates shall not bring separate or serial appeals arising from any event or series of events that have been or could have been addressed in a previous appeal. A candidate may withdraw a formal appeal at any time.

Formal appeals must be filed within fifteen (15) days of the date the candidate first knew, or with reasonable diligence should have known, of the decision or action giving rise to the appeal. If an appeal notice is not filed in a timely manner, the appeal may be dismissed, on written notice to the candidate, at any point during the appeal process.

The candidate must clearly identify the decision or action which is being contested and provide documentation to support how the decision violates a rule or policy. The burden of proof of the violation rests on the candidate. The appeal shall also identify the person who issued the decision. The Educator Preparation Program will respond to the candidate with a decision regarding the appeal, within ten (10) business days.

## LEVEL TWO

After the candidate has exhausted all attempts at the program level to resolve a concern that occurred within the past two years and has not received the relief sought, the candidate may file a grievance with the Texas Education Agency (TEA). The official TEA grievance process can be found at [www.tea.texas.gov](http://www.tea.texas.gov) in the banner located at the bottom of the page (select “Educator Preparation Programs”).

TEXAS ADMINISTRATIVE CODE §228. 70

### TEXAS A&M UNIVERSITY-KINGSVILLE COLLEGE OF EDUCATION AND HUMAN PERFORMANCE EDUCATOR PREPARATION PROGRAM

#### INFORMAL COMPLAINT

*Please complete this form and email it to the Certification Coordinator at [lucy.villarreal@tamuk.edu](mailto:lucy.villarreal@tamuk.edu) . The program staff will acknowledge receipt of the email and forward it, within two business days, to the appropriate office to address the issue. A response from the appropriate office will be sent to you via email within 5 business days of receipt of the complaint at the office.*

Name: \_\_\_\_\_ K# \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Email Address: \_\_\_\_\_

Date of submission of complaint/concern: \_\_\_\_\_

1. Please describe your concern/complaint. Be as specific as possible.

2. State the action you are requesting to resolve the issue.

TEXAS A&M UNIVERSITY-KINGSVILLE  
COLLEGE OF EDUCATION AND HUMAN PERFORMANCE  
EDUCATOR PREPARATION PROGRAM

APPEAL FORM – LEVEL ONE

*Please type the following information.*

Name: \_\_\_\_\_ K#: \_\_\_\_\_

Mailing address: \_\_\_\_\_

Phone number: \_\_\_\_\_

Email address: \_\_\_\_\_

Date of submission of appeal: \_\_\_\_\_

You must provide a detailed justification for your appeal, with all supporting evidence. Please scan this completed form, your explanation, and all the supporting evidence in one PDF document. Email the PDF document to the Certification Coordinator at [lucy.villarreal@tamuk.edu](mailto:lucy.villarreal@tamuk.edu).

Your concern will be directed to the appropriate office for response within two (2) business days. Please select the choice that best matches the nature of your concern:

**Educator Preparation Program**

- a. \_\_\_\_\_ Admission to Program
- b. \_\_\_\_\_ Internship/Practicum
- c. \_\_\_\_\_ TExES Exams
- d. \_\_\_\_\_ Certification
- e. \_\_\_\_\_ Other\*

**\*Other:** For appeals related to any matter other than those listed above, instructions are provided in the student handbook beginning on page 80:  
[http://www.tamuk.edu/dean/dean\\_files/studenthandbook.pdf](http://www.tamuk.edu/dean/dean_files/studenthandbook.pdf)