

# Compliance Audit Report 2010-2011 University of Phoenix at San Antonio Educator Preparation Program

According to TAC §228.10(c) An entity approved by the SBEC under this chapter...shall be reviewed at least once every five years under procedures approved by the TEA staff; however, a review may be conducted at any time at the discretion of the TEA staff. Per TAC §228.1(c) all educator preparation programs are subject to the same standards of accountability, as required under Chapter 229 of this title. The Texas Education Agency administers Texas Administrative Code rules required by the Texas legislature for the regulation of all educator preparation programs in the state. Please see the complete Texas Administrative Code rules at [www.tea.state.tx.us](http://www.tea.state.tx.us) for details contained in each rule.

**Contact Information:** Sandra L. McCarty, Ed.D., Regional Associate Dean, College of Education, University of Phoenix at San Antonio

**County-District Number:** 015-705

## Accredited-Not Rated

Texas Education Agency (TEA) program specialists Vanessa Alba and Dr. Mary Black conducted a Texas Education Agency post-approval compliance audit on July 19-21, 2011 at the University of Phoenix in San Antonio (UOPX), Texas, in compliance with Texas Administrative Code (TAC) §228.10(c). The University of Phoenix at San Antonio's Educator Preparation Program is the focus of this report.

## Data Analysis:

Information concerning compliance with Texas Administrative Code governing educator preparation programs was collected by various qualitative means for this audit. A self-report submitted by the University of Phoenix to TEA on June 21, 2011, documents, syllabi, and curriculum correlation charts provided evidence regarding compliance. In addition, electronic questionnaires were sent to the University of Phoenix at San Antonio's (UOPX-SA) educator preparation program participants by TEA staff prior to the visit in July, 2011. There was some confusion with the email lists of participants sent to TEA by UOPX; therefore not all participants actually received a questionnaire. Twelve members of the UOPX-SA advisory committee (out of 12 sent) responded to the questionnaires. Of 10 student teachers identified by UOPX to receive questionnaires, only three responded. Of the eight cooperating teachers, one responded. Four of the seven principals identified by UOPX as having student teachers at their campuses responded. All three UOPX-SA field supervisors responded to the questionnaires. Because of the limited responses, data from the questionnaires is not included in this report. Qualitative methods of content analysis, cross-referencing, and triangulation of data were used to evaluate the evidence reviewed for this audit.

## Background Information

The University of Phoenix submitted a proposal to offer initial teacher certification in Texas to TEA in September, 2008. This proposal stated that the program would be delivered in San Antonio in a face-to-face format, contrary to the usual image of the University of Phoenix

(UOPX) as an online-only program. Marla La Rue, then Dean of the UOPX College of Education, signed assurances on page 5 of the proposal that the university would 1) comply with and implement all rules of the Texas Administrative Code; 2) send appropriate personnel to training for the Texas Accountability System for Educator Preparation (ASEP); 3) use the knowledge and skills identified by the standards and competencies of the State Board for Educator Certification in the curriculum; and 4) conduct on-going program evaluation for improvement.

A pre-approval review was held in San Antonio on January 28, 2009. That meeting was attended by UOPX administrators, including Dr. Sandra McCarty, and Dr. Marla La Rue, and TEA program specialists Dr. Mary S. Black and Mary Gawron. The University of Phoenix at San Antonio was approved to operate as an educator preparation program in Texas on February 6, 2009 by the State Board for Educator Certification (SBEC). Generally a new program would have a one-year post approval review by TEA to ensure all necessary requirements had been implemented smoothly. Because of low enrollment however, this review was postponed until July 19-21, 2011.

The University of Phoenix submitted a self-report on their Texas educator certification program to TEA dated January 11, 2011. According to this report, only three on-ground or face-to-face candidates were enrolled in the San Antonio program. This self-report was also used as the basis for discussion of the five components of educator preparation governed by Texas Administrative Code at the January 25, 2011 interim meeting at TEA in Austin

An interim meeting between UOPX staff and TEA was conducted on January 25, 2011 in Austin. University of Phoenix personnel attending this meeting included Dr. Michael Phillips, Regional Director for the San Antonio office; Dr. Sharon Michael-Chadwell, Campus College Chair, College of Education, San Antonio; Dr. Deborah Cross, Associate Director of Academic Affairs; Dr. Jackie Mangiere, then College of Education Regional Assistant Dean; and Dr. Sandra McCarty, also Regional Assistant Dean, College of Education. Vanessa Alba and Sandra Nix, TEA Program Specialists, and Dr. Janice Lopez, then TEA Director of Educator Standards and Tabita Gutierrez, then TEA Director of Certification, also attended. Each representative from the University of Phoenix received a copy of the TEA “Rubric for Programs with Online/Hybrid Programs” and a copy of the “Initial Certification Audit Rubric” at that time.

### **July 19-21, 2011 Post-Approval Audit**

#### **Opening and Closing Sessions July 19 and 21, 2011:**

The opening session of the TEA post-approval audit in San Antonio on July 19, 2011 was attended by 22 people, including these administrators from the University of Phoenix: Dr. Meredith Curley, Dean of the UOPX nationwide College of Education; Dr. Sandra McCarty, Regional Associate Dean, College of Education; Dr. Deborah Cross, Director of Academic Affairs; Rachel Williams, Curriculum Director for Initial Certification; Jayme Cross, Credentialing Analyst; Dr. Charity Jennings, College Campus Chair for Online; Becky Loedwick, Regional Director of Academic Affairs; Melinda Chiodi, Online Field Placement Manager; Wally Hedgecock, Vice-President and Director of the University of Phoenix San Antonio Campus;

Jeanie Murphy, Director of Academic Affairs of the San Antonio campus; and Dr. Sharon Michael-Chadwell, San Antonio Campus College Chair. The only ones headquartered in San Antonio are Dr. Michael-Chadwell, Jeanie Murphy, and Wally Hedgecock. The university flew in all the others from their home campus in Phoenix.

Texas advisory committee members present at the opening session were: Fernando Mesa, Dean of San Antonio School of Excellence; Mark Gottsberger, Director of Hallmark College; Thomas Seaberry, Garland ISD secondary special education teacher; Beth Nesbeth, Region VI Education Service Center; Buddy Echols, Executive Director, Region X ESC; and Cynthia Kennedy, East Central ISD Middle School Teacher.

During the opening session on July 19, TEA program specialists offered to train members of the advisory committee in their duties and responsibilities as mandated by Texas Administrative Code (TAC). This offer was declined by Dr. Curley. TEA program specialists left the advisory committee training presentation for Dr. Michael-Chadwell. Dr. Curley presented a PowerPoint overview of the UOPX program including information specific to Texas and San Antonio.

A debriefing session was held at the end of the day on July 20, due to the fact that several UOPX staff had to leave. Dr. Curley, Dr. McCarty, Dr. Cross, Jeanie Murphy, Dr. Michael-Chadwell, Dr. Jennings, Kathy Cook, Jayme Cross, Becky Loedwick, Rachel Williams, Melinda Chiodi, and Wally Hedgecock attended. Dr. Black and Ms. Alba expressed concerns related to the Texas Administrative Code findings and the University of Phoenix staff had an opportunity to ask questions and provide any further evidence available.

The closing session for the audit was held on July 21, 2011. Dr. Meredith Curley, Dr. Sandra McCarty, Dr. Sharon Michael-Chadwell, Jeanie Murphy, Becky Loedwick, Rachel Williams, and Michael Phillips attended. All the others had returned to Arizona. TEA program specialists reviewed the compliance audit rubric and noted issues Phoenix had with TAC rules.

The following report concerns the initial teacher certification in Texas offered by the UOPX-SA.

## **COMPONENT I: COMMITMENT AND COLLABORATION - Texas Administrative Code (TAC) §228.20 – GOVERNANCE OF EDUCATOR PREPARATION PROGRAMS**

### **Findings:**

Component One concerns governance of an educator preparation program as prescribed by Texas Administrative Code (TAC) §228.20. The original proposal for a teacher certification program in Texas submitted by UOPX to TEA in September, 2008 states on page 8 that the local advisory board will include individuals from the community: “P-12 classroom teachers and administrators from public or private schools, personnel director of a school district, school district superintendent or designee, etc.” At the time of the January 2011 interim visit to TEA, UOPX staff reported that membership in the Texas advisory committee consisted of nine people. TEA program specialists recommended that UOPX expand the advisory committee to include more members and specifically some that are not directly affiliated with the UOPX to

ensure a balanced group of representatives per Texas Administrative Code (TAC) §228.20(b). UOPX staff also stated that they could not document that the advisory committee determined or approved of on-going and relevant field-based experiences as per TAC §228.35(d). At that time TEA suggested ways to document this and suggested that a template for advisory committee meeting agendas containing this element be implemented. The University of Phoenix was responsive to the advisory committee recommendations, and according to the self report of June 21, 2011, added three people to the committee, making 12 representatives. The advisory committee now includes four representatives from public/private school; three members from regional education service centers; three members from institutions of higher education; and two members from local businesses and communities.

The advisory committee met three times during the 2010-2011 academic year. This was verified by TEA program specialists by reviewing minutes and meeting agendas. According to the minutes, the January 13, 2011 advisory committee meeting discussed the following: TEA Annual Reporting per SB 174 and TAC 229; the small number of candidates in University of Phoenix overall program; pilot year principal survey data; tuition costs for the program; marketing challenges; advisory committee expectations in Texas; and changes to the by-laws. Topics discussed at the February 16, 2011 meeting according to the minutes included: TEA rubrics that are used to determine whether or not educator preparation programs are in compliance with Texas Administrative Code (TAC); changes to ensure complete compliance with TAC; recommendations made by TEA to bring the University of Phoenix into full compliance; the format for future advisory committee meetings, which will include one formal face-to-face meeting, one teleconference, newsletter updates, and a requirement of two meetings from September 1–August 31 of each academic year. The last advisory committee meeting of the year was a June 24, 2011 teleconference. Minutes documented discussion on the following: the upcoming TEA visit; the five components of the compliance audit; expansion of advisory committee; and issues facing the University of Phoenix at San Antonio College of Education; and the TEA questionnaires that were sent out to stakeholders. The minutes specifically noted that UOPX-SA staff were unable to answer all the questions on the TEA electronic questionnaires.

As a result of the June 24, 2011 advisory committee meeting, UOPX decided that until further notice, enrollment in Texas certification programs would be suspended. After reviewing the minutes, during a debrief on the second day of the July 2011 audit, TEA program specialists advised Dr Curley that she submit a letter to Dr. Janice Lopez, currently TEA Director of Educator Certification, Standards, and Fingerprinting, stating that the University of Phoenix at San Antonio has stopped enrolling candidates. This letter was received by TEA on July 26, 2011.

Even though the advisory committee had met twice since the interim visit to TEA in January 2011, and TEA personnel had suggested ways of doing so, UPOX staff were unable to provide evidence that the advisory committee discussed and approved field-based experiences as required per TAC §228.35(d) at the July 19-21, 2011 post-approval compliance audit. TEA program specialists were likewise unable to determine whether or not advisory committee members are aware of their duties and responsibilities, per TAC §228.20.

The university demonstrated support for the initial teacher certification program in Texas by flying in seven people from Arizona for the compliance audit. Dr. Curley, Dr. McCarty, and Dr. Michael-Chadwell participated in all aspects of the audit July 19-21, 2011. The facilities for face-to-face classes in San Antonio are adequate, but no longer used for teacher certification candidates because of low enrollment. Instead, all candidates are now enrolled in the online certification program. The online infrastructure observed by TEA program specialists during this visit was inadequate to the task. These observations will be discussed in more detail in Components 2 and 4 below. The insufficient online record-keeping and curriculum delivery systems demonstrate a lack of support for the program by the governing body and the chief operating officer of the Texas educator preparation program (see TAC §228.20 (c)).

Because of 1) lack of evidence that the advisory committee understood their roles and duties; 2) lack of evidence that the advisory committee discusses or approves of field-based experience; and 3) insufficient support for the teacher education program by the university as demonstrated by inadequate computer infrastructure, the University of Phoenix at San Antonio is out of compliance with TAC §228.20.

**Based on the evidence presented above, University of Phoenix at San Antonio is in NOT in compliance with Texas Administrative Code (TAC) §228.20 – GOVERNANCE OF EDUCATOR PREPARATION PROGRAMS.**

## **COMPONENT II: ADMISSION CRITERIA - Texas Administrative Code (TAC) §227.10 - ADMISSION CRITERIA**

### **Findings:**

Component Two concerns admission criteria into an initial teacher certification program as prescribed by TAC §227.10. According to the self-report of June 24, 2011, UOPX admission criteria include 1) a four-year degree from a regionally accredited university; 2) a minimum grade point average of 2.5; 3) successful scores on a basic skills examination; 4) an application to the university; 5) a successful background check; and 6) a successful score on the Test of English as a Foreign Language (TOEFL) for applicants whose first language is not English or who attended a non-English-speaking university. In addition, a UOPX policy document states that applicants with degrees from universities outside the United States must have their credentials verified by an approved evaluation service. Application to the university is made for the specific master's program desired, such as Master of Arts in Special Education, so only one online application is necessary.

Texas Administrative Code §227.10 also requires that all applicants for initial teacher certification 1) have a minimum of 12 semester hours in their desired teaching content area; 2) complete a successful interview in English with university staff; 3) or be successful on some other type of screening instrument. On page 11 of the original proposal of September 2008, UPOX states that applicants must complete dispositions assessments as a screening tool for admission. During the July, 2011 visit, however, no documentation was provided to TEA

program specialists to validate that these steps were being done by UOPX. Upon questioning by Mary Black, Dr. Michael-Chadwell said she thought applicants were interviewed by telephone through the main Phoenix office. Dr. Curley indicated that this was not the case, however.

There is some confusion as to the candidates actually enrolled currently in the UOPX-SA initial certification program. Only three on-ground or face-to-face candidates in the San Antonio program could be verified, and because of the small number, even these have recently been moved into the online program by UOPX. The self-report of June 24, 2011 indicates a total of 175 candidates enrolled in both the online and face-to-face programs for initial teacher certification. In a PowerPoint during the opening session, Dr. Curley indicated there were 192 candidates in the program. When asked for a definitive list, none was forthcoming. A list of 27 candidates having attempted Texas certification testing through recommendation by UOPX was presented to university staff by TEA specialists on July 19, 2011 for enrollment verification. These names were found in the Accountability System for Educator Preparation (ASEP) data on the TEA "green screen." After several hours of online research by UOPX staff, 14 of these 27 were found not to be enrolled in the Texas program at all, and one had graduated from the University of Phoenix but had not completed certification. It was evident that no one person currently has both the training and the necessary access to online UOPX data to successfully follow candidate enrollment and progress; therefore TEA program specialists encouraged the university to keep accurate records and to make sure someone at the San Antonio location was trained in ASEP procedures and had access to all necessary data.

TEA program specialists requested to see a random sampling of admissions records for UOPX-SA candidates on July 19, 2011. Dr. Charity Jennings, Dr. Sharon Michael-Chadwell, and Jayme Cross tried for two and one-half hours to retrieve that data from the UOPX online system in the presence of Vanessa Alba and Mary Black. Seven principal program candidate records were retrieved and one for initial certification.

On July 21, Mary Black asked again for admission records for the initial program. One and one-half hours later, during the closing session, Vada Wilson, UOPX-SA Teaching Education Specialist, brought paper copies of records for 11 candidates. Dr. Black reviewed these and found the records to contain an application for admission, THEA scores, and transcripts with cumulative GPAs.

TEA program specialists asked Dr. McCarty and Dr. Curley if any out-of-state or out-of-country applicants were admitted to the Texas program. "Absolutely not," replied Dr. McCarty. She then explained that a candidate's geographic "home" was determined by "where they put their head on the pillow at night," and proceeded to demonstrate how the computer software utilized by UOPX tracks this by marking a "TX" next to the candidate's program. A review of 30 candidate records from the 2009-2010 ASEP data by TEA program specialists revealed that all 30 listed Texas addresses in their official TEA profiles. Geographic location of candidates was discussed by Dr. Janice Lopez, then TEA Director of Educator Standards, and Tabita Guitierrez, then TEA Director of Certification, with UOPX staff at the January 2011 meeting in Austin. Dr. Lopez and Ms. Guitierrez asked at that time that UOPX ensure a systematic process be put in place so that all candidates enrolled in the University of Phoenix at San Antonio (#015705) know that it is their "home campus". Because incorrect candidates were entered into the Texas

Educator Certification Online System “green screen,” it became evident to TEA program specialists that the “home campus” issue that was discussed during the interim visit of January 2011 had not been rectified.

On July 19, 2011, TEA program specialists asked for a copy of the UOPX policy concerning out-of-state/out-of-country applicants to the Texas program in writing from the website, catalog, or handbook. This could not be produced, but on July 21, a copy of UOPX admission requirements for all candidates to the College of Education was presented. These university policies do not mention out-of-state residency issues for the Texas program.

The self-report of June 24, 2011 states that no candidates have been admitted to the Texas program with GPAs below 2.5. This proved not to be the case, however. The university does allow such admissions as “provisional candidates,” according to Dr. Sandra McCarty. When 11 candidate admission records were reviewed by Dr. Mary Black, one candidate was found to be admitted with a GPA of 2.13. Texas Administrative Code 227.10 (B) says “this exception to the minimum GPA requirement will be granted by the program director only in extraordinary circumstances and may not be used...to admit more than 10% of any cohort of candidates.” Two problems face UOPX in this case: 1) no director for the program can be determined; and 2) the 10% rule cannot be determined since actual enrollment and cohorts could not be verified.

TEA program specialist Vanessa Alba trained Jayme Cross, UOPX certification analyst, in procedures for the Texas Accountable System for Educator Preparation (ASEP) during the July 2011 visit. Ms. Cross said she had not attended the specialized ASEP training TEA offers each summer. In 2010 James Oldfield from UOPX-SA attended this training in Austin, and Dr. Michael-Chadwell attended the webinar portion of the training in 2011. Mr. Oldfield and Dr. Michael-Chadwell do not presently enter data into ASEP for UOPX; according to Ms. Cross, she is the only one currently authorized to do that.

Specifically, in July 2011 Ms. Alba showed Ms. Cross how to locate candidates in the “green screen” and how to remove them from the green screen if they are not enrolled in UOPX-SA. Three persons had applied for principal certification in Texas, but were not candidates in the University of Phoenix at San Antonio principal preparation program. It was determined that one of those candidates was a University of Phoenix candidate in another state, and that candidate was removed from the Texas “green screen” by Ms. Cross. Ms. Cross stated that she would verify whether or not the other candidates were a part of the University of Phoenix at San Antonio program before deleting them from the green screen since she was unable to verify that at the time. The University of Phoenix at San Antonio has not maintained consistency in staff ASEP training, as proposed by them in the September 2008 proposal to operate in Texas. This lack of consistency has likely contributed to errors in ASEP data, and perhaps in required federal reporting.

The University of Phoenix at San Antonio is not in compliance with TAC §227.10 because of 1) lack of an admission’s interview; 2) lack of any other admission’s screening instrument for teacher certification; 3) lack of verifiability of screening for 12 semester hours of undergraduate work in the desired teaching area; 4) incorrect record keeping for admission to the Texas teacher certification program; 5) lack of written policy concerning out-of-state/out-of-country

admissions to the Texas program; and 6) lack of verifiable compliance with the 10% rule for low GPAs.

**Based on the evidence presented above, University of Phoenix at San Antonio is NOT in compliance with Texas Administrative Code (TAC) §227.10 -- Admission Criteria**

### **COMPONENT III: CURRICULUM - Texas Administrative Code (TAC) §228.30-- EDUCATOR PREPARATION CURRICULUM**

#### **Findings:**

Component Three pertains to the state mandated curriculum for initial teacher preparation, as found in Texas Administrative Code §228.30. Dr. Marla La Rue, then Dean of the UOPX College of Education, signed assurances on page 5 of the original proposal of September 2008 that state “the entity understands the rules and expectations and agrees to comply with and implement all future revisions of the Texas Administrative Code rules relating to educator preparation programs approved by the State Board of Educator Certification (SBEC).” Texas Administrative Code §228.30 was amended to be effective December 14, 2008. The University of Phoenix was approved to operate an educator certification program in Texas by SBEC on February 6, 2009. Therefore, TAC §228.30 has been in effect for the duration of UOPX’s operation in Texas.

Online curriculum was reviewed at the pre-approval visit January 28, 2009 in San Antonio by TEA program specialists Dr. Mary Black and Mary Gawron. At that time UOPX identified the following mandated topics of instruction as required by TAC §228.30: 1) Texas Educators’ Code of Ethics in MTE 501; 2) motivation in MTE 501; 3) learning theories in MTE 508; 4) Texas Essential Knowledge and Skills (TEKS) organization, structure and skills covered in all courses; 5) TEKS in the content areas covered in all courses; and 6) six hours of certification test preparation held all the time during the week and on weekends.

Curriculum for Math 4-8, Math 8-12, and Special Education was the focus for the TEA post-approval visit of July 19-21, 2011. UOPX submitted charts showing the correlation of courses for these certification areas to Texas standards for educator certification. On the Pedagogy and Professional Responsibilities Standards Correlation Chart for each of these three certification areas, one standard is left completely blank, perhaps by accident. The standard omitted is “All teachers identify task requirements, apply search strategies and use current technology to efficiently acquire, analyze and evaluate a variety of electronic information.” Since UOPX is an online program, it is likely that this standard is included in their curriculum, even though it is not marked on the chart.

The Standards Correlation Charts for the Math 4-8 Certificate, Math 8-12 Certificate, and Special Education have all standards marked as correlated with UOPX courses, including standards that refer to the Texas Essential Knowledge and Skills (TEKS). The Curriculum

Correlation Chart for the 17 Topics (TAC §228.30) for all three certification fields also show all topics correlated with UOPX education courses.

TEA program specialists requested online access to curriculum about six weeks prior to the July 19-21, 2011 visit to San Antonio from Dr. Judy Mangieri, then serving as Regional Assistant Dean. No access was forthcoming for several weeks. Dr. Janice Lopez, TEA Director of Education Certification and Standards, then telephoned Dr. Michael Phillips, Director of Academic Affairs in the San Antonio office to request access again, but no access was provided. Sandra Nix, TEA program specialist, also left a message for Dr. William Pepicello, President of the University of Phoenix, but received no reply. About 10 days prior to the visit, Dr. Meredith Curley, current Dean of the UOPX College of Education, called TEA to provide online access. TEA program specialists were unable to open several of the online documents however, due to technology issues. TEA program specialist Vanessa Alba pointed this out to UOPX staff at the July 19-21, 2011 visit, and UPOX staff were also unable at that time to open the documents.

During the July 19-21, 2011 visit, a review of paper course syllabi for each of the three certification fields by Dr. Mary Black, TEA program specialist, revealed that no Texas standards, domains, or competencies were designated. No links to web resources such as the TEKS or the Texas Educators' Code of Ethics (TAC 247) on the TEA website were listed on the syllabi. The online syllabi and other course information also omitted designation of the Texas curriculum standards, TEKS, and Texas Educators' Code of Ethics.

Rachel Williams, UOPX Curriculum Director for Initial Certification, and Dr. Charity Jennings, UOPX College Campus Chair for Online, led Mary Black through a review of online curriculum for initial teacher certification. Required courses for the Math 4-8 and Math 8-12 sequence are built using robust standards from the National Council for Mathematics Teachers. The special education courses are built around nationally recognized standards as well. The courses are built to accommodate students nationally in each certification field. There is a statement online that says that education students should find the standards for their particular state and understand them. No links to various state standards are provided, however. This statement is not adequate to comply with TAC 228.30 (a). The original 2008 proposal indicated however, that all courses would be built on Texas standards, but this has not been implemented.

In addition to not incorporating Texas standards in curriculum, more difficulty for Phoenix in Texas arises from the specific rules concerning curriculum in the Texas Administrative Code, particularly TAC §228.30, which lists 17 specific topics that must be taught to all beginning educators.

For example, TAC §228.30 (a) states that "The educator standards adopted by the State Board for Educator Certification (SBEC) shall be the curricular basis for all educator preparation and, for each certificate, address the relevant Texas Essential Knowledge and Skills (TEKS)." TAC §228.30 (b) (6) and (7) also says that "the following subject matter shall be included in the curriculum for candidates seeking initial certification:...TEKS organization, structure, and skills; and TEKS in the content areas." From the evidence reviewed, Phoenix does not point Texas

candidates to the TEKS in their courses, nor require that candidates use the TEKS to create lesson plans or student assessments. TEA program specialists were told at the July 2011 meeting that instructing candidates to use the TEKS was the responsibility of the each online instructor. There is no way to verify whether each instructor for these courses is actually doing so, since this is not listed in the syllabi or labeled as a part of the course. The original proposal of 2008 indicated that TEKS would be infused “in all courses.” Also, assurances were signed by Phoenix staff in the 2008 proposal that all courses would follow TAC rule; but that has not been implemented.

Another example is the Texas Educators’ Code of Ethics, which is explicitly mandated in TAC §228.30 (2). The curriculum correlation chart indicates that this topic is presented in MTE 501, the Art and Science of Teaching, as indicated in the original 2008 proposal. This course was reviewed online by Dr. Mary Black with the help of Rachel Williams. While there is a reference to the Code of Ethics for the Teaching Profession in this course, there is no instruction about the specific Texas Educators’ Code of Ethics (TAC §247.2). Nor is there any link or instructions for how to find the Texas Educators’ Code of Ethics on the TEA website. The National Educators’ Association has a “Code of Ethics for the Education Profession,” and the state of Nebraska has a “Code of Ethics for the Teaching Profession”, so it may be that the UOPX is referencing one of these. There is no evidence that the Texas Educators’ Code of Ethics is being taught by the University of Phoenix initial teacher certification program.

TAC §228.30 (4) mandates that “motivation” be taught to all beginning teachers. Dr. Black asked Ms. Williams in which courses motivation was taught. Ms. Williams explained that motivation was covered in the lesson planning course by teaching candidates to use the Hunter model of lesson planning which includes a step known as “anticipatory set.” This step basically provides the motivation for the lesson. No other explicit instruction concerning academic motivation for K-12 students could be identified by Ms. Williams or is evident in any UOPX courses reviewed by TEA. Since Texas is unfortunately near the bottom of the 50 states in high school graduation by various counts, strategies for motivating K-12 students for academic learning is of high importance.

The topic of learning theories is also mandated by TAC §228.30 (5). Ms. Williams indicated that this topic was taught in MTE 508, Models, Theories and Instructional Strategies. Upon close examination of the online course, however, this class did not in fact explicitly address recognized theories of learning. Instead the course covered general lesson planning, including the Hunter model of lesson design, and general strategies for instruction and classroom management. Ms. Williams indicated that Piaget’s stage theory of child development and Kohlberg’s theory of moral development were taught in the Child and Adolescent Development course, MTE 506. No socio-cultural learning theories, multiple talents or intelligences theories, experiential learning theories, or neurobiological learning theories are taught in the Phoenix teacher preparation curriculum.

The final example of curriculum mandates by TAC §228.30 concerns six clock-hours of test preparation for all candidates. The need to incorporate this was discussed by UOPX and TEA representatives at the January, 2011, meeting at TEA in Austin. UOPX responded by adding an

online test preparation module, which candidates are not, however, required to take. TEA program specialist Dr. Mary Black reviewed the module for Math 4-8 with the help of Rachel Williams, UPOX Director of Curriculum for Initial Certification, during the July 2011 visit to San Antonio. Unfortunately the module offers candidates incorrect information. For example the module directs candidates to the Texas Assessment of Knowledge and Skills (TAKS) test preparation materials for K-12 students instead of to the TExES Math 4-8 test preparation manual for teacher certification housed at [www.texas.ets.org](http://www.texas.ets.org). The six hours of test preparation was not implemented when the program began in Texas and when it finally was, it was not done correctly. This may account for the low passing rates on the TExES exams, as discussed in Component 5.

The University of Phoenix at San Antonio initial educator certification program is out of compliance with TAC rules concerning curriculum that must be based on Texas standards, incorporate the TEKS, and teach the 17 mandated topics of TAC §228.30.

Based on the evidence presented above, University of Phoenix at San Antonio is NOT in compliance with Texas Administrative Code (TAC) §228.30– EDUCATOR PREPARATION CURRICULUM

#### **COMPONENT IV: PROGRAM DELIVERY AND ONGOING SUPPORT – Texas Administrative Code (TAC) § 228.35 – PREPARATION PROGRAM COURSEWORK AND/OR TRAINING**

##### **Findings:**

Component Four concerns program hours, delivery, field-based experiences, and student teaching. Since the University of Phoenix program offers a master's degree in education, the program consists of over 600 required college hours, certainly complying with the required minimum of 300 clock hours (TAC §228.35 (a)(3)). Phoenix requires 100 clock hours of guided field-based experience embedded in coursework, nearly triple the minimum of 30 clock hours mandated by TAC §228.35 (A). The program does not allow any substitution for face-to-face field-based experience in Texas schools. Because these field-based hours are part of coursework throughout the program, no out-of-state/out-of-country applicants can be admitted. The UOPX program also requires 12-weeks of full-time student teaching with a cooperating teacher on campus and a field supervisor from the university.

The original proposal of September 2008 anticipated the program would be delivered in San Antonio face-to-face. Three candidates for initial certification were enrolled in the face-to-face classes until May 2011, when all were transferred to online courses. All candidates now receive online curriculum delivery. TEA was not notified of this until the July 2011 post-approval compliance audit; therefore Phoenix needs to send TEA an official letter concerning this major change in delivery from what was originally proposed in 2008. The online courses follow recognized standards for such courses from the International Society for Technology in

Education (ISTE) and the International Association for K-12 Online Learning (iNACOL). TEA program specialist Dr. Mary Black reviewed the Math 4-8 curriculum to confirm that these standards for online learning are present during the July 2011 visit.

TAC §228.35 (e) requires that the educator preparation program train the cooperating teacher or document that such training was provided by the school district. No evidence of training for cooperating teachers was discovered by TEA during the post-approval compliance audit, however. In addition TAC §228.35 (f) requires training for field supervisors by the program. Again, no evidence of this was found, even though the self-report of June 24, 2011 indicates that the program provides such training.

Only two records for candidates who have entered student teaching were made available to TEA during the July 19-21, 2011 post-approval compliance audit. TAC §228.35 (f) requires three formal observations of the student teacher by the field supervisor. Observation records are all kept online by the program. TEA program specialists requested student teaching observation files on the morning of July 19, but they were not made available until 10:30 A.M. July 21 because no one person on the UOPX staff could access them online.

Evidence for two observations for candidate #1 was presented at that time. Candidate # 1 had a formal observation evaluation by the field supervisor on March 22, 2011 and another on May 5, 2011. The observation form is divided into four domains: Planning and Preparation, Learning Environment, Instruction, and the Professional Educator. There are a number of specific behaviors within each domain, such as “demonstrates an understanding of similarities and differences of individual learning needs” under Domain One: Planning and Preparation for special education certification. The field supervisor then clicks either “advanced,” “proficient,” or “developing” to describe the student teacher’s behavior for that task. Room for narrative comments is provided at the end of each domain on the form. One comment from a field supervisor for Candidate #1 is “...is always looking for new and different ways to teach the content.” For each domain there is some narrative comment, but often it is not specific and does not speak to strategies for improvement. The cooperating teacher also completed an observation evaluation form following the same format on the same days for Candidate # 1.

For Candidate # 2, evidence for only one formal observation by the field supervisor on May 5, 2011 and one by the cooperating teacher on April 13, 2011 was presented. These observations followed the same format described above.

From the evidence presented, it seems that student teachers in the UOPX-SA program are not receiving three formal observations by the field supervisor as required by rule. It should be noted that the self-report of June 24, 2011 states that UOPX only provides two formal observations of student teachers, thus indicating lack of understanding and compliance with Texas rules. In addition, there is no evidence that each observation is a minimum of 45 minutes in duration as required by TAC §228.35 (f) (1). Nor is there any evidence that the first observation was completed during the first six weeks of a candidate’s student teaching assignment (TAC §228.35 (f) (2). Neither is there evidence of informal observations or coaching (TAC §228.35 (f), nor that written feedback of the candidate’s progress is provided to the

campus administrator (TAC §228.35 (f)). The self-report of June 24, 2011 indicates that indeed all these things are done, but that could not be confirmed by TEA program specialists.

**Based on the evidence presented above, University of Phoenix at San Antonio is NOT in compliance with Texas Administrative Code (TAC) §228.35 – PREPARATION PROGRAM COURSEWORK AND/OR TRAINING**

### **COMPONENT V: PROGRAM EVALUATION - Texas Administrative Code (TAC) §228.40 - ASSESSMENT AND EVALUATION OF CANDIDATES FOR CERTIFICATION AND PROGRAM IMPROVEMENT**

#### **Findings:**

Component Five addresses 1) issues of benchmarks for candidate progress; 2) determining the readiness of candidate's to test; 3) overall evaluation of curriculum and general program, and 4) record retention.

UOPX offers numerous benchmarks for candidates as they progress through their program. Some benchmarks are tracked online. According to the self-report, benchmarks include meeting minimum academic standards, course assessments, a dispositions self-evaluation, completion of field-based experience, student teaching, and a teacher work sample.

TEA program specialists found no evidence that the program determines candidate readiness for certification testing. Jayme Cross, Certification Analyst, commented that she was approving candidates for testing as they were admitted. Vanessa Alba, TEA program specialist, recommended that she delay testing approval until candidates have passed certain benchmarks in the program. Ms. Alba also recommended the use of a practice certification test, or representative form, available from the Education Testing Service (ETS), and the certification test preparation manuals available for free download from the ETS website. UOPX staff said they were unaware of these materials but would learn more about them right away.

A review of 60 candidate testing records in ASEP by TEA program specialists revealed that only 14 of the 60 candidates from years 2009-2010 and 2010-2011 had attempted the mandated TExES certification examinations for initial certification. Of these 14, only one person had passed both the TExES content exam and the Pedagogy and Professional Responsibilities exam. The other 13 had attempted the examinations several times, many without ever passing. Two people had attempted the same examination four times without success. Each attempt to test costs the candidate from \$75 to \$120, depending on the test. So some candidates have lost almost \$500.00 due to lack of adequate determination for testing readiness and lack of test preparation from the program. Figure 1 shows the success rate on the first attempt of the TExES for 2009-2010 by those UOPX candidates testing for initial teacher certification.

**Figure 1. Percent Passing on the First Attempt of the TExES for Initial Certification,  
2009-2010**

<b>TExES Test Taken</b>	<b>Number Tested</b>	<b># Passing on First Attempt</b>	<b>% Passing on First Attempt</b>
Math 4-8	4	1	25%
Math 8-12	3	1	33%
Sped EC-12	4	1	25%
PPR EC-12	4	3	75%

It must be noted that that an acceptable pass rate for program accountability purposes in 2009-2010 was 75%. That standard is rising in 2010-2011 to 80%, and by 2011-2012, the standard will be 85% in order for a program to be rated “accredited.” The 2009-2010 data indicates that the University of Phoenix program must take greater care in determining candidates’ readiness to test before recommending them, in order to receive an “accredited” rating.

The self-report of June 24, 2011 states that UOPX evaluates the overall performance of the program more than once every 12 months. Page 30 of the self-report lists numerous pieces of internal and external data used to analyze the program. During the July 2011 post-approval compliance audit, the University of Phoenix staff provided a document entitled “Plan for Program and Course Evaluation” as evidence of ongoing curriculum review and overall program evaluation. The plan consists of five parts: 1) an analysis of candidate assessment data; 2) the identification of strengths and weaknesses indicated by the data; 3) possible reasons for the candidates’ performance; 4) a analysis of the assessment data and program outcomes by the Faculty Council; and 5) data from each state’s approval process. This plan states that the university works on a five-year assessment plan and conducts an annual Academic Quality Review. No evidence of the five-year plan or an Academic Quality Review was available for TEA staff during the July 2011 post-approval visit however. As for an external review, the plan states that UOPX relies on individual state audits to review the program’s operations and curriculum. No evidence was apparent to TEA program specialists that the performance review described in the self-report had been undertaken.

TEA program specialists recommended that the University of Phoenix at San Antonio utilize initial certification candidate TExES data, ETS testing data, future ASEP data, and the standards and associated competencies of each certification area to evaluate the design and delivery of curriculum and overall program evaluation. The original proposal of 2008 indicates that the required evaluation would be implemented, but it has not.

Because of 1) lack of program determination of candidates readiness to test, and 2) lack of evaluation of curriculum and overall program effectiveness, the University of Phoenix at San Antonio is out of compliance with TAC §228.40.

**Based on the evidence presented above, University of Phoenix at San Antonio is NOT in compliance with Texas Administrative Code (TAC) §228.40 – ASSESSMENT AND EVALUATION OF CANDIDATES FOR CERTIFICATION AND PROGRAM IMPROVEMENT.**

## PROGRAM RECOMMENDATIONS

The following recommendations are based on the findings of the Texas Education Agency Post-Approval Compliance Audit. If the program is NOT in compliance with any component, please consult the Texas Administrative Code and initiate actions to correct the issue IMMEDIATELY. A Compliance Status Report will be required in sixty days on compliance recommendations.

**PROGRAM COMPLIANCE RECOMMENDATIONS:** Compliance Status Report required to TEA in 60 days. UOPX is required to provide evidence for each of the following:

### **Component 1: Governance of Educator Preparation Programs TAC §228.20**

- that the advisory committee understands their duties and responsibilities;
- that the advisory committee approves field-based experiences;
- adequate support for educator preparation by the chief operating officer, particularly for improved computer infrastructure.

### **Component 2: Admission Criteria TAC 227**

- that each applicant successfully passes a structured, oral interview in English with university staff that is graded objectively with a rubric;
- that each applicant is screened by some other validated instrument for teacher education;
- the process of screening each applicant's transcript for the required 12 semester hours of content courses in the teaching area;
- correct record keeping on the Texas Educator Certification Online System "green screen" and in ASEP for all persons admitted into UOPX-SA educator preparation;
- a written policy, published on the UOPX website for Texas applicants, concerning out-of-state and out-of-country applications;

- verify that the director of the UOPX program approves any applicants admitted with less than a 2.5 GPA, and that those candidates comprise no more than 10% of any cohort.

### **Component 3: Curriculum TAC §228.30**

- include the Texas standards, competencies, knowledge and skills in the curricula for all initial certification candidates. This includes the testing framework standards for each certificate area and all 17 mandated topics;
- that six clock-hours of appropriate certification test preparation for each content area and the Pedagogy and Professional Responsibilities TExES exam is provided for each candidate.

### **Component 4: Program Delivery and On-Going Support TAC §228.35**

- An official letter to Dr. Janice Lopez notifying TEA that the program is now delivered all online;
- Training for all cooperating teachers in the purposes and strategies of mentoring novice teachers;
- Training for all field supervisors in the purposes and strategies of mentoring novice teachers;
- Three formal observations with evaluation by the field supervisor for each candidate during the student teaching semester;
- Each formal observation for student teachers must be no less than 45 minutes long and must be documented by time in/time out on the evaluation form.
- The correct timing for student teacher evaluations is implemented;
- Copies of the completed student teacher evaluation forms are left for the campus administrator by the field supervisor.
- Documentation of any informal coaching or mentoring by the field supervisor of the student teacher.

### **Component 5: Assessment and Evaluation of Candidates for Certification and Program Improvement TAC §228.40**

- Use an appropriate method to determine every candidate's readiness to test;
- Implement a comprehensive plan of annual curriculum review and overall program effectiveness.

**GENERAL RECOMMENDATIONS: No progress report is necessary.** General program recommendations are suggestions for general program improvement and do not require follow-up.

- Appoint one person as director of educator preparation at the University of Phoenix at San Antonio. This person should have all necessary online access to track and enter candidates in the “green screen”, and should be able to follow candidate progress throughout their certification process. In addition this person should know all Texas Administrative Code that pertains to educator certification in Texas and be able to answer questions about program curriculum and delivery.
- Ensure that the one person appointed director of the Texas teacher preparation program participate in all TEA training offered educator preparation programs in the state, such as the annual Deans and Directors Meeting, scheduled training webinars and hands-on training, TEA Educator Standards newsletters and wiki, TEA website access, and online streaming of meetings of the State Board for Educator Certification and the State Board of Education.
- Ensure that the director of the San Antonio program participate in the Consortium of State Organizations for Texas Teacher Education (CSOTTE), and the certification officer participate in the Texas Association for Certification Officers (TACO).
- Align Texas program terminology with Texas Administrative Code definitions in order to avoid confusion in Texas.