

Item 13:
Review of 19 TAC Chapter 229, Accountability System for
Educator Preparation Programs

DISCUSSION AND ACTION

SUMMARY: Texas Government Code, §2001.039, establishes a four-year rule review cycle for all state agency rules, including State Board for Educator Certification (SBEC) rules. The SBEC adopted the review of 19 TAC Chapter 229, Accountability System for Educator Preparation Programs, in 2012. However, House Bill (HB) 2012, Section 9, 83rd Texas Legislature, Regular Session, 2013, requires a review of 19 TAC Chapter 227, Provisions for Educator Preparation Candidates, and Chapter 228, Requirements for Educator Preparation Programs. Due to its related nature, a review of Chapter 229 will be done in conjunction with the review required by HB 2012. The SBEC will review, discuss, and propose changes in the coming months for Chapter 229 based on the work of stakeholder meetings currently underway. Since Chapter 229 is likely to be rewritten, it is logical to reset the four-year rule review cycle of this chapter to begin February 2014. Therefore, this item presents for SBEC approval the review of Chapter 229, which provides requirements for the accountability system for educator preparation programs (EPPs), including the assignment of an EPP accreditation status, and allows the SBEC to intervene in cases of low performance.

STATUTORY AUTHORITY: Statutory authority for the rule review is Texas Government Code, §2001.039. The statutory authority for 19 TAC Chapter 229 is the Texas Education Code (TEC), §§21.041(c) and (d), 21.045, 21.0451, and 21.0452.

PREVIOUS BOARD ACTION: The SBEC last adopted the review of 19 TAC Chapter 229 in August 2012, finding that the reasons for initially adopting the rules continue to exist. The SBEC adopted 19 TAC Chapter 229 effective April 18, 2010.

FUTURE ACTION EXPECTED: The review of 19 TAC Chapter 229, Accountability System for Educator Preparation Programs, is scheduled to be presented to the SBEC for adoption at the May 2014 meeting. Any rule changes resulting from the rule review process will also be presented to the SBEC to consider as proposed rules for publication.

BACKGROUND INFORMATION AND SIGNIFICANT ISSUES: The SBEC rules in 19 TAC Chapter 229 provide for rules that establish the process used for issuing annual accreditation ratings for all EPPs based on certification test scores of completers and allow the SBEC to intervene in cases of low performance.

The rules currently in effect in 19 TAC Chapter 229 are shown in Attachment II.

ANTICIPATED REVISIONS TO RULES: It is anticipated that TEA staff will present proposed changes to 19 TAC Chapter 229 for discussion and action at the May 2014 meeting as a result of the review being conducted of this chapter in conjunction with the legislatively-required review of 19 TAC Chapters 227 and 228.

RULE REVIEW: The SBEC plans to file the notice of proposed review of 19 TAC Chapter 229, Accountability System for Educator Preparation Programs, with the *Texas Register* following the February 2014 SBEC meeting. The SBEC will accept comments as to whether reasons for adopting 19 TAC Chapter 229 continue to exist. The official comment period will begin with the publication of the notice of proposed review of 19 TAC Chapter 229 in the *Texas Register*.

The filing of the notice of proposed review soliciting comments as to whether the reasons for adoption continue to exist would not preclude any amendments that may be proposed at different dates through a separate rulemaking process.

FISCAL IMPACT: None.

PUBLIC AND STUDENT BENEFIT: The review of 19 TAC Chapter 229 will result in an accountability system for EPPs that would encourage rigorous educator preparation in all approved EPPs.

PROCEDURAL AND REPORTING IMPLICATIONS: None.

LOCALLY MAINTAINED PAPERWORK REQUIREMENTS: None.

PUBLIC COMMENTS: None.

ALTERNATIVES: None.

OTHER COMMENTS AND RELATED ISSUES: None.

ASSOCIATE COMMISSIONER'S RECOMMENDATION: I recommend that the State Board for Educator Certification:

Approve the review of 19 TAC Chapter 229, Accountability System for Educator Preparation Programs, to be published as proposed with the *Texas Register*.

Respectfully submitted,

Michele Moore
Associate Commissioner
Educator Leadership and Quality

Staff Members Responsible: Von Byer, Deputy General Counsel
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Attachments: I. Statutory Citations
II. Text of 19 TAC Chapter 229, Accountability System for Educator Preparation Programs

ATTACHMENT I**Statutory Citations Relating to Review of 19 TAC Chapter 229, Accountability System for Educator Preparation Programs****Rule Review****Texas Government Code, §2001.039, Agency Review of Existing Rules:**

- (a) A state agency shall review and consider for readoption each of its rules in accordance with this section.
- (b) A state agency shall review a rule not later than the fourth anniversary of the date on which the rule takes effect and every four years after that date. The adoption of an amendment to an existing rule does not affect the dates on which the rule must be reviewed except that the effective date of an amendment is considered to be the effective date of the rule if the agency formally conducts a review of the rule in accordance with this section as part of the process of adopting the amendment.
- (c) The state agency shall readopt, readopt with amendments, or repeal a rule as the result of reviewing the rule under this section.
- (d) The procedures of this subchapter relating to the original adoption of a rule apply to the review of a rule and to the resulting repeal, readoption, or readoption with amendments of the rule, except as provided by this subsection. Publishing the Texas Administrative Code citation to a rule under review satisfies the requirements of this subchapter relating to publishing the text of the rule unless the agency readopts the rule with amendments as a result of the review.
- (e) A state agency's review of a rule must include an assessment of whether the reasons for initially adopting the rule continue to exist.

19 TAC Chapter 229, Accountability System for Educator Preparation Programs**Texas Education Code, §21.041, Rules; Fees (excerpts):**

- (c) The board shall propose a rule adopting a fee for the issuance and maintenance of an educator certificate that, when combined with any fees imposed under Subsection (d), is adequate to cover the cost of administration of this subchapter.
- (d) The board may propose a rule adopting a fee for the approval or renewal of approval of an educator preparation program, or for the addition of a certificate or field of certification to the scope of a program's approval. A fee imposed under this subsection may not exceed the amount necessary, as determined by the board, to provide for the administrative cost of approving, renewing the approval of, and appropriately ensuring the accountability of educator preparation programs under this subchapter.

Texas Education Code, §21.045, Accountability System for Educator Preparation Programs:

- (a) The board shall propose rules establishing standards to govern the approval and continuing accountability of all educator preparation programs based on the following information that is disaggregated with respect to sex and ethnicity:
 - (1) results of the certification examinations prescribed under Section 21.048(a);

- (2) performance based on the appraisal system for beginning teachers adopted by the board;
 - (3) achievement, including improvement in achievement, of students taught by beginning teachers for the first three years following certification, to the extent practicable; and
 - (4) compliance with board requirements regarding the frequency, duration, and quality of structural guidance and ongoing support provided by field supervisors to beginning teachers during their first year in the classroom.
- (b) Each educator preparation program shall submit data elements as required by the board for an annual performance report to ensure access and equity. At a minimum, the annual report must contain the performance data from Subsection (a), other than the data required for purposes of Subsection (a)(3), and the following information, disaggregated by sex and ethnicity:
- (1) the number of candidates who apply;
 - (2) the number of candidates admitted;
 - (3) the number of candidates retained;
 - (4) the number of candidates completing the program;
 - (5) the number of candidates employed in the profession after completing the program;
 - (6) the number of candidates retained in the profession; and
 - (7) any other information required by federal law.
- (c) The board shall propose rules establishing performance standards for the Accountability System for Educator Preparation for accrediting educator preparation programs. At a minimum, performance standards must be based on Subsection (a). The board may propose rules establishing minimum standards for approval or renewal of approval of:
- (1) educator preparation programs; or
 - (2) certification fields authorized to be offered by an educator preparation program.

Texas Education Code, §21.0451, Sanctions Under Accountability System for Educator Preparation Programs:

- (a) The board shall propose rules for the sanction of educator preparation programs that do not meet accountability standards and shall annually review the accreditation status of each educator preparation program. The rules:
- (1) shall provide for the assignment of the following accreditation statuses:
 - (A) not rated;
 - (B) accredited;
 - (C) accredited-warned;
 - (D) accredited-probation; and
 - (E) not accredited-revoked;
 - (2) may provide for the agency to take any necessary action, including one or more of the following actions:

- (A) requiring the program to obtain technical assistance approved by the agency or board;
 - (B) requiring the program to obtain professional services under contract with another person;
 - (C) appointing a monitor to participate in and report to the board on the activities of the program; and
 - (D) if a program has been rated as accredited-probation under the Accountability System for Educator Preparation for a period of at least one year, revoking the approval of the program and ordering the program to be closed, provided that the board or agency must provide the opportunity for a hearing before the effective date of the closure; and
- (3) shall provide for the agency to revoke the approval of the program and order the program to be closed if the program has been rated as accredited-probation under the Accountability System for Educator Preparation for three consecutive years, provided that the board or agency must provide the opportunity for a hearing before the effective date of the closure.
- (b) Any action authorized or required to be taken against an educator preparation program under Subsection (a) may also be taken with regard to a particular field of certification authorized to be offered by an educator preparation program.
 - (c) A permissive revocation under Subsection (a)(2) or required revocation under Subsection (a)(3) must be effective for a period of at least two years. After two years, the program may seek renewed approval to prepare educators for state certification.
 - (d) The costs of technical assistance required under Subsection (a)(2)(A) or the costs associated with the appointment of a monitor under Subsection (a)(2)(C) shall be paid by the sponsor of the educator preparation program.

Texas Education Code, §21.0452, Consumer Information Regarding Educator Preparation Programs:

- (a) To assist persons interested in obtaining teaching certification in selecting an educator preparation program and assist school districts in making staffing decisions, the board shall make information regarding educator programs in this state available to the public through the board's Internet website.
- (b) The board shall make available at least the following information regarding each educator preparation program:
 - (1) the information specified in Sections 21.045(a) and (b);
 - (2) in addition to any other appropriate information indicating the quality of persons admitted to the program, the average academic qualifications possessed by persons admitted to the program, including:
 - (A) average overall grade point average and average grade point average in specific subject areas; and
 - (B) average scores on the Scholastic Assessment Test (SAT), the American College Test (ACT), or the Graduate Record Examination (GRE), as applicable;

- (3) the degree to which persons who complete the program are successful in obtaining teaching positions;
 - (4) the extent to which the program prepares teachers, including general education teachers and special education teachers, to effectively teach:
 - (A) students with disabilities; and
 - (B) students of limited English proficiency, as defined by Section 29.052;
 - (5) the activities offered by the program that are designed to prepare teachers to:
 - (A) integrate technology effectively into curricula and instruction, including activities consistent with the principles of universal design for learning; and
 - (B) use technology effectively to collect, manage, and analyze data to improve teaching and learning for the purpose of increasing student academic achievement;
 - (6) the perseverance of beginning teachers in the profession, as determined on the basis of the number of beginning teachers who maintain status as active contributing members in the Teacher Retirement System of Texas for at least three years after certification in comparison to similar programs;
 - (7) the results of exit surveys given to program participants on completion of the program that involve evaluation of the program's effectiveness in preparing participants to succeed in the classroom; and
 - (8) the results of surveys given to school principals that involve evaluation of the program's effectiveness in preparing participants to succeed in the classroom, based on experience with employed program participants.
- (c) For purposes of Subsection (b)(7), the board shall require an educator preparation program to distribute an exit survey that a program participant must complete before the participant is eligible to receive a certificate under this subchapter.
 - (d) For purposes of Subsections (b)(7) and (8), the board shall develop surveys for distribution to program participants and school principals.
 - (e) The board may develop procedures under which each educator preparation program receives a designation or ranking based on the information required to be made available under Subsection (b). If the board develops procedures under this subsection, the designation or ranking received by each program must be included in the information made available under this section.
 - (f) In addition to other information required to be made available under this section, the board shall provide information identifying employment opportunities for teachers in the various regions of this state. The board shall specifically identify each region of this state in which a shortage of qualified teachers exists.
 - (g) The board may require any person to provide information to the board for purposes of this section.

House Bill 2012, Section 9, 83rd Texas Legislature, Regular Session, 2013:

Not later than September 1, 2014, the Texas Education Agency, the State Board for Educator Certification, and the Texas Higher Education Coordinating Board shall jointly review existing standards for preparation and admission that are applicable to educator preparation programs, including stakeholder input in the review and development of those standards, and develop and implement modifications necessary to reflect updated standards for the teaching profession.

ATTACHMENT II
Text of 19 TAC

Chapter 229. Accountability System for Educator Preparation Programs

Statutory Authority: The provisions of this Chapter 229 issued under the Texas Education Code, §§21.041(c) and (d), 21.045, 21.0451, and 21.0452.

§229.1. General Provisions and Purpose of Accountability System for Educator Preparation Programs.

- (a) The State Board for Educator Certification (SBEC) is responsible for establishing standards to govern the continuing accountability of all educator preparation programs (EPPs). The rules adopted by the SBEC in this chapter govern the accreditation of each EPP that prepares individuals for educator certification. No candidate shall be recommended for any Texas educator certification field except by an EPP that has been approved by the SBEC pursuant to Chapter 228 of this title (relating to Requirements for Educator Preparation Programs) and is accredited as required by this chapter.
- (b) The purpose of the accountability system for educator preparation is to assure that each EPP is held accountable for the readiness for certification of candidates completing the programs.
- (c) An accredited EPP may receive commendations for success in areas identified by the SBEC.

Source: The provisions of this §229.1 adopted to be effective April 18, 2010, 35 TexReg 2849.

§229.2. Definitions.

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

- (1) Academic year--A period of 12 consecutive months, starting September 1 and ending August 31.
- (2) ACT®--The college entrance examination from ACT®.
- (3) Administrator--For purposes of the surveys and information required by this chapter, an educator whose certification would entitle him or her to be assigned as a principal or assistant principal in Texas, whether or not he or she is currently working in such an assignment.
- (4) Alternative certification program--An approved educator preparation program, delivered by entities described in §228.20(a) of this title (relating to Governance of Educator Preparation Programs), specifically designed as an alternative to a traditional undergraduate certification program, for individuals already holding at least a baccalaureate degree.
- (5) Beginning teacher--For purposes of this chapter, a classroom teacher with less than three years experience.
- (6) Campus-based mentor--A certified educator assigned by the campus administrator who has completed mentor training; who guides, assists, and supports the beginning teacher; and who reports the beginning teacher's progress to that teacher's educator preparation program.
- (7) Candidate--An individual who has been admitted into an educator preparation program, including an individual who has been accepted on a contingency basis; also referred to as an enrollee or participant.
- (8) Certification field--Professional development (elementary and secondary) and delivery system fields, academic or career and technical content fields, special education fields, specializations, or professional fields in which an entity is approved to offer certification.
- (9) Clinical teaching--A 12-week full-day teaching practicum in an alternative certification program at a public school accredited by the Texas Education Agency or a Texas Education Agency-recognized private school that may lead to completion of a standard certificate.
- (10) Completer--According to the Higher Education Act, "A person who has met all the requirements of a state-approved educator preparation program." The term completer is no longer used to define

the class of educator preparation program candidates subject to a determination of certification examination pass rate.

- (11) Cooperating teacher--The campus-based mentor teacher for the student teacher or clinical teacher.
- (12) Demographic group--Male and female, as to gender; the aggregate reporting categories established by the Higher Education Act, as to race and ethnicity. Each educator preparation program will assign a candidate to one gender demographic group and at least one Higher Education Act-established race or ethnicity group.
- (13) Educator preparation program provider--An entity approved by the State Board for Educator Certification to recommend candidates in one or more educator certification fields.
- (14) Educator preparation program data--Data elements reported to meet requirements under the Texas Education Code, §21.045(b).
- (15) Examination--An examination or other test required by statute or State Board for Educator Certification rule that governs an individual's admission to an educator preparation program, certification as an educator, continuation as an educator, or advancement as an educator.
- (16) Field supervisor--A certified educator, preferably with advanced credentials, who is hired by the educator preparation program to observe candidates, monitor their performances, and provide constructive feedback to improve their effectiveness as an educator. A campus mentor or cooperating teacher, assigned as required by §228.35(e) of this title (relating to Preparation Program Coursework and/or Training), may not also serve as a field supervisor.
- (17) First year in the classroom--For purposes of the Texas Education Code, §21.045(a)(4), and its implementation in this chapter, the first year of employment as a classroom teacher.
- (18) GPA--Grade point average.
- (19) GRE®--Graduate Record Examinations®.
- (20) Higher Education Act--Federal legislation consisting of the Higher Education Act of 1965 (20 United States Code, §1070 et seq.) and its subsequent amendments, which requires reports of educator preparation program performance data.
- (21) Highly qualified teacher--A teacher who has a baccalaureate degree and full state certification and has demonstrated competency in all subjects in which he or she teaches. A highly qualified teacher has not had any certification requirements waived on an emergency certificate or permit.
- (22) Highly qualified teacher in an alternative certification program--A teacher who is participating in an alternative certification program may be considered to meet the certification requirements of the definition of a highly qualified teacher (and not be counted on a waiver) if he or she is issued a probationary certificate whereby he or she is permitted to assume functions as a regular classroom teacher for a specified period of time not to exceed three years and he or she demonstrates satisfactory progress toward full certification. The teacher's alternative certification program must provide high-quality professional development that is sustained, intensive, and classroom-focused in order to have a positive and lasting impact on classroom instruction before and while teaching. The teacher must receive intensive supervision that consists of structured guidance and regular ongoing support, as required by §228.35 of this title (relating to Preparation Program Coursework and/or Training).
- (23) IHE--Institution of Higher Education.
- (24) Institutional report--Educator preparation program data reported to the United States Department of Education and the Texas Education Agency as required under the Higher Education Act.
- (25) Internship--A one-year supervised professional assignment at a public school accredited by the Texas Education Agency or a Texas Education Agency-recognized private school that may lead to completion of a standard certificate.
- (26) Pass rate--For each academic year, the percent of tests passed by candidates who have finished all educator preparation program requirements for coursework; training; and internship, student

teaching, clinical teaching, or practicum by the end of that academic year. For purposes of determining the pass rate, candidates shall not be excluded because the candidate has not been recommended for certification, has not passed a certification examination, or is not considered a "completer" for purposes of the Higher Education Act or other applicable law. The pass rate is based solely on the examinations required to obtain certification in the field(s) for which the candidate serves his or her internship, student teaching, clinical teaching, or practicum.

Examinations not required for certification in that field or fields, whether taken before or after admission to an educator preparation program, are not included. The rate reflects a candidate's success only on the last attempt made on the examination by the end of the academic year in which the candidate finishes the coursework; training; and internship, student teaching, clinical teaching, or practicum program requirements, and does not reflect any attempts made after that year. The formula for calculation of pass rate is the number of successful (i.e., passing) last attempts made by candidates who have finished the specified educator preparation program requirements divided by the total number of last attempts made by those candidates.

- (27) Practicum--Practical work in a particular field; refers to student teaching, clinical teaching, internship, or practicum for a professional certificate that is in the school setting.
- (28) SAT®--The college entrance examination from the College Board.
- (29) Scaled score--A conversion of a candidate's raw score on an examination or a version of the examination to a common scale that allows for a numerical comparison between candidates.
- (30) Student teaching--A 12-week full-day teaching practicum in a program provided by an accredited university at a public school accredited by the Texas Education Agency or a Texas Education Agency-recognized private school that may lead to completion of a standard certificate.
- (31) Texas Education Agency staff--Staff of the Texas Education Agency assigned by the commissioner of education to perform the SBEC's administrative functions and services.
- (32) Willfully or recklessly--With conscious disregard for the requirements of complete and accurate reporting imposed by this chapter.

Source: The provisions of this §229.2 adopted to be effective April 18, 2010, 35 TexReg 2849.

§229.3. Required Submissions of Information, Surveys, and Other Data.

- (a) Educator preparation programs (EPPs), educator preparation candidates, beginning teachers, field supervisors, school principals and administrators, campus mentors, and cooperating teachers shall provide to the Texas Education Agency (TEA) staff all data and information required by this chapter, as set forth in subsection (e) of this section and the Texas Education Code (TEC), §21.045 and §21.0452.
- (b) Any individual holding a Texas-issued educator certificate who willfully or recklessly fails to provide information required by this chapter and the TEC, §21.045 and §21.0452, as set forth in subsection (e) of this section, shall be subject to sanction of his or her certificate, including the placement of restrictions, inscribed or non-inscribed reprimand, suspension, or revocation.
- (c) Any Texas public school that willfully or recklessly fails to provide information required by this chapter and the TEC, §21.045 and §21.0452, as set forth in subsection (e) of this section, shall be referred to the commissioner of education with a recommendation that sanctions upon its accreditation status be imposed for failure to comply with this section and the TEC, §21.0452.
- (d) Any open-enrollment charter school that willfully or recklessly fails to provide information required by this chapter and the TEC, §21.045 and §21.0452, as set forth in subsection (e) of this section, shall be referred to the commissioner of education with a recommendation that sanctions be imposed for failure to comply with this section and the TEC, §21.0452.
- (e) All required EPP data for an academic year shall be submitted to the TEA staff annually on September 15 following the end of that academic year. All surveys and information required to be submitted pursuant to this chapter by school administrators and principals shall be submitted by June 15 of any academic year in which the school administrator and principal have had experience with a candidate or beginning teacher

who was a participant in an EPP. All surveys and information required to be submitted pursuant to this chapter by EPP candidates shall be submitted by August 1 of each academic year in which it is required.

- (f) The following apply to data submissions required by this chapter.
- (1) EPPs shall provide data for all candidates as specified in the figure provided in this paragraph.
Figure: 19 TAC §229.3(f)(1)
 - (2) Participants in an EPP shall complete a survey, in a form approved by the State Board for Educator Certification (SBEC), evaluating the preparation he or she received in the EPP. Completion and submission to the SBEC of the survey is a requirement for issuance of a standard certificate.
 - (3) Principals or designated administrators in Texas public schools and open-enrollment charter schools shall complete individual teacher performance surveys, in a form to be approved by the SBEC, for each beginning teacher under the supervision of an EPP.
 - (4) Principals or designated administrators in Texas public schools and open-enrollment charter schools shall complete surveys, in a form to be approved by the SBEC, evaluating the effectiveness of preparation for classroom success for each EPP with which the principals or designated administrators have had experience in the previous year.

Source: The provisions of this §229.3 adopted to be effective April 18, 2010, 35 TexReg 2849.

§229.4. Determination of Accreditation Status.

- (a) The accreditation status of an educator preparation program (EPP) shall be determined at least annually, based on performance standards established in rule by the State Board for Educator Certification (SBEC), with regard to the following EPP accountability performance indicators, disaggregated with respect to gender and ethnicity (according to the aggregate reporting categories for ethnicity established by the Higher Education Act), and other requirements of this chapter:
- (1) the pass rate performance standard of certification examinations of EPP candidates shall be:
 - (A) 70% for the 2009-2010 academic year;
 - (B) 75% for the 2010-2011 academic year; and
 - (C) 80% for the 2011-2012 academic year;
 - (2) the results of appraisals of beginning teachers by school administrators, based on an appraisal document and standards that must be independently developed by the Texas Education Agency (TEA) staff and approved by the SBEC;
 - (3) to the extent practicable, as valid data become available and performance standards are developed, the improvement in student achievement of students taught by beginning teachers for the first three years following certification; and
 - (4) the results of data collections establishing EPP compliance with SBEC requirements specified in §228.35(f) of this title (relating to Preparation Program Coursework and/or Training), regarding the frequency, duration, and quality of field supervision of beginning teachers during their first year in the classroom.
 - (A) The 2009-2010 academic year will be a pilot year for these data collections.
 - (B) For the 2010-2011 academic year, the performance standard will be a 90% compliance rate with SBEC requirements as to the frequency, duration, and required documentation of field supervision for each EPP candidate.
 - (C) For the 2011-2012 academic year, the performance standard will be a 95% compliance rate with SBEC requirements as to the frequency, duration, and required documentation of field supervision for each EPP candidate.

- (b) An EPP shall be assigned an Accredited status if the EPP has met the accountability performance standards described in subsection (a) of this section and has been approved by the SBEC to prepare, train, and recommend candidates for certification.
- (c) An EPP shall be assigned Accredited-Not Rated status upon initial approval to offer educator preparation, until the EPP can be assigned a status based on the performance standards described in subsection (a) of this section. An EPP is fully accredited and may recommend candidates for certification while it is in Accredited-Not Rated status.
- (d) Accredited-Warned status. An EPP shall be assigned Accredited-Warned status if the EPP:
- (1) fails to meet the performance standards set by the SBEC for the overall performance of all its candidates on any of the four performance indicators set forth in subsection (a) of this section in any one year;
 - (2) fails to meet the standards in any two gender or ethnicity demographic groups on any of the four performance indicators set forth in subsection (a) of this section in any one year; or
 - (3) fails to meet the standards for a gender or ethnicity demographic group on any of the four performance indicators set forth in subsection (a) of this section for two consecutive years, regardless of whether the deficiency is in the same demographic group or standard.
- (e) Accredited-Probation status. An EPP shall be assigned Accredited-Probation status if the EPP:
- (1) fails to meet the performance standards set by the SBEC for the overall performance of all its candidates on any of the four performance indicators set forth in subsection (a) of this section for two consecutive years;
 - (2) fails to meet the standards in any three gender or ethnicity demographic groups on any of the four performance indicators set forth in subsection (a) of this section in any one year; or
 - (3) fails to meet the standards for a gender or ethnicity demographic group on any of the four performance indicators set forth in subsection (a) of this section for three consecutive years, regardless of whether the deficiency is in the same demographic group or standard.
- (f) Not Accredited-Revoked status.
- (1) An EPP shall be assigned Not Accredited-Revoked status and its approval to recommend candidates for educator certification revoked if it is assigned Accredited-Probation status for three consecutive years.
 - (2) An EPP may be assigned Not Accredited-Revoked status if the EPP is assigned Accredited-Probation status for two consecutive years, and the SBEC determines that revoking the EPP's approval is reasonably necessary to achieve the purposes of the TEC, §21.045 and §21.0451.
 - (3) An assignment of Not Accredited-Revoked status and revocation of EPP approval to recommend candidates for educator certification is subject to the requirements of notice, record review, and appeal as described in this chapter.
 - (4) A revocation of an EPP approval shall be effective for a period of two years, after which a program may reapply for approval as a new EPP pursuant to Chapter 228 of this title (relating to Requirements for Educator Preparation Programs).
 - (5) Upon revocation of EPP approval, the EPP may not admit new candidates for educator certification, but may complete the training of candidates already admitted by the EPP and recommend them for certification. If necessary, TEA staff and other EPPs shall cooperate to assist the previously admitted candidates of the revoked EPP to complete their training.
- (g) Small group exception.
- (1) If any EPP candidate group subject to the performance standards described in this chapter, including groups disaggregated by gender, ethnicity, and certification field, fails to meet the required academic year aggregate standard for any applicable class of performance indicators, and

the group contains ten or fewer individuals, the failure to meet the performance standard shall not be counted for purposes of accreditation status determination for that academic year.

- (2) The next year's performance indicators of a group not counted the previous year shall be combined with the group's preceding year performance indicators, and if the cumulated performance indicators fail to meet the required aggregate standard for any applicable class of performance indicators, the group shall be counted as failing to meet performance standards for that academic year, as long as the cumulative number of individual performance indicators exceeds ten.
 - (3) If the two-year cumulated performance indicators fail to meet performance standards but still do not exceed ten individual performance indicators, the group shall not be counted again that year. The two-year cumulated performance indicators shall then be combined with the following year performance indicators of the group. The three-year cumulated performance indicators of the group must be measured against the standards in that third year, regardless of how small the cumulated number of individual performance indicators may be.
 - (4) The performance indicators of a group shall be measured against performance standards described in this chapter in any one year in which the number of individual performance indicators or cumulated number of individual performance indicators as provided herein exceeds ten.
 - (5) After a year in which a group has been counted as failing to meet a performance standard, the individual performance indicators of the group related to that standard shall be counted in each subsequent consecutive year thereafter in which the performance indicators of the group fail to meet the standard, regardless of how small the number of individual performance indicators in the group may continue to be.
 - (6) An EPP shall develop and file with TEA an action plan as required in subsection (h) of this section after one of its candidate groups fails to meet a performance standard regardless of whether the group contains less than ten performance indicators and is not counted for accreditation status purposes as failing to meet a performance standard.
- (h) An EPP that fails to meet a required performance standard shall develop an action plan addressing the deficiencies and describing the steps the program will take to improve the performance of its candidates, especially regarding the performance standard that was not met. TEA staff may prescribe the information that must be included in the action plan. The action plan must be sent to TEA staff no later than 45 calendar days following notification to the EPP of the failure to meet a performance standard.

Source: The provisions of this §229.4 adopted to be effective April 18, 2010, 35 TexReg 2849.

§229.5. Accreditation Sanctions and Procedures.

- (a) If an educator preparation program (EPP) has been assigned Accredited-Warned or Accredited-Probation status, or if the State Board for Educator Certification (SBEC) determines that additional action is a necessary condition for the continuing approval of an EPP to recommend candidates for educator certification, the SBEC may take any one or more of the following actions, which shall be reviewed by the SBEC at least annually:
 - (1) require the EPP to obtain technical assistance approved by the Texas Education Agency (TEA) or SBEC;
 - (2) require the EPP to obtain professional services approved by the TEA or SBEC; and/or
 - (3) appoint a monitor to participate in the activities of the EPP and report the activities to the TEA or SBEC.
- (b) Notwithstanding the accreditation status of an EPP, if the performance of all candidates admitted to an individual certification field offered by an EPP fail to meet any of the standards in §229.4(a) of this title (relating to Determination of Accreditation Status) for three consecutive years, the approval to offer that certification field shall be revoked. Any candidates already admitted for preparation in that field may continue in the EPP and be recommended for certification after program completion, but no new candidates shall be admitted for preparation in that field unless and until the SBEC reinstates approval for the EPP to offer that certification field.

- (c) Performance indicators by gender and ethnic groups shall not be counted for purposes of subsection (b) of this section, relating to performance standards for individual certification fields. If the number of counted performance indicators for a certification field is ten or fewer, and the performance indicators fail to meet any of the standards in §229.4(a) of this title, those performance indicators shall not count that year, but shall be cumulated and counted in the same manner as provided in §229.4(c) and (d) of this title.
- (d) An EPP shall be notified in writing regarding any action taken pursuant to this section, or the assignment of an accreditation status of Accredited-Warned, Accredited-Probation, or Not Accredited-Revoked. The notice shall state the basis on which the action is taken or the assignment of the accreditation status is made.
- (e) All costs associated with providing or requiring technical assistance, professional services, or the appointment of a monitor pursuant to this section shall be paid by the EPP to which the services are provided or required, or its sponsor.

Source: The provisions of this §229.5 adopted to be effective April 18, 2010, 35 TexReg 2849.

§229.6. Continuing Approval.

- (a) The continuing approval of an educator preparation program (EPP) to recommend candidates for educator certification, which shall be reviewed pursuant to §228.10(c) of this title (relating to Approval Process), will be based upon the EPP's accreditation status and compliance with the State Board for Educator Certification (SBEC) rules regarding program admissions, operations, coursework, training, recommendation for certification, and the integrity of required data submissions.
- (b) After a continuing approval review pursuant to §228.10(c) of this title, if the Texas Education Agency (TEA) staff finds that an EPP has willfully or recklessly failed to comply with SBEC rules relating to the qualifications of candidates recommended for certification or to the integrity of reported program data, the TEA staff may issue a proposal for SBEC action relating to the EPP's approval to recommend candidates for educator certification. The proposal for SBEC action may include, but is not limited to, public reprimand, revocation of program approval, or the imposition of conditions upon continuing program approval.
- (c) TEA staff shall provide notice of the proposal for SBEC action relating to the EPP's continuing approval to recommend candidates for educator certification in the manner provided by §229.7 of this title (relating to Record Review of Certain Decisions), and an EPP shall be entitled to a record review of the proposal, under the conditions and procedures set out in §229.7 of this title, prior to the submission of the proposal for action to the SBEC.
- (d) Following the record review, a proposal for decision will be issued by the TEA representative and submitted to the SBEC for entry of a final order. The final order may include changes or additions to the proposed order and such modifications are not subject to another record review procedure. This order may be appealed only if the final order issued by the SBEC orders revocation of approval of an EPP to recommend candidates for educator certification, as provided by §229.8 of this title (relating to Accreditation Revocation Appeals).

Source: The provisions of this §229.6 adopted to be effective April 18, 2010, 35 TexReg 2849.

§229.7. Record Review of Certain Decisions.

- (a) Applicability. This section applies only to a notice required under §229.5(d) of this title (relating to Accreditation Sanctions and Procedures) or under §229.6(c) of this title (relating to Continuing Approval) proposing to:
 - (1) require an educator preparation program (EPP) or a particular field of certification offered by an EPP to obtain technical assistance as provided by the Texas Education Code (TEC), §21.0451(a)(2)(A);
 - (2) require an EPP or a particular field of certification offered by an EPP to obtain professional services as provided by the TEC, §21.0451(a)(2)(B);

- (3) appoint a monitor for an EPP or a particular field of certification offered by an EPP as provided by the TEC, §21.0451(a)(2)(C);
 - (4) assign an accreditation status of Accredited-Warned, Accredited-Probation, or Not Accredited-Revoked, as specified in §229.4 of this title (relating to Determination of Accreditation Status);
 - (5) issue a public reprimand or impose conditions on the continuing approval of an EPP to recommend candidates for certification pursuant to §229.5(d) of this title;
 - (6) revoke the approval of an EPP to recommend candidates for certification in a particular field of certification; or
 - (7) revoke the approval of an EPP to recommend candidates for certification.
- (b) Notice. Notice of a proposed order or change in accreditation status, subject to this section, shall be made as provided by §229.5(d) and §229.6(c) of this title, and this section.
- (1) The notice shall attach or make reference to all information on which the proposed order is based.
 - (A) Information maintained on the Texas Education Agency (TEA) and State Board for Educator Certification (SBEC) websites may be referenced by providing a general citation to the information.
 - (B) The TEA and SBEC reports previously sent to the EPP may be referenced by providing the title and date of the report.
 - (C) On request, the TEA shall provide copies of, or reasonable access to, information referenced in the notice.
 - (2) The notice shall state the procedures for requesting a record review of the proposed order or change in accreditation status under this section, including the name and department of the TEA representative to whom a request for record review may be addressed.
 - (3) The notice shall set a deadline for requesting a record review, which shall not be less than ten calendar days from the date of receipt of the notice. The notice may be delivered by mail, personal delivery, facsimile, or email.
- (c) Request. The chief operating officer of the EPP may request, in writing, a record review under this section.
- (1) The request must be properly addressed to the TEA representative identified in the notice under subsection (b)(2) of this section and must be received by the TEA representative on or before the deadline specified in subsection (b)(3) of this section.
 - (2) A timely and sufficient request for record review is a prerequisite for any appeal of the proposed order under §229.8 of this title (relating to Accreditation Revocation Appeals).
- (d) Preliminary matters.
- (1) In response to a request under subsection (c) of this section, the TEA representative shall provide written notice to the EPP of the date, time, and place for the record review.
 - (A) In the written notice, the TEA representative may:
 - (i) set time limits for presentations on the record review;
 - (ii) set deadlines for exchanging documents prior to the record review;
 - (iii) set deadlines for identifying participants who may present information or ask questions during the record review; and
 - (iv) provide any other instructions on the conduct of the record review.
 - (B) The TEA representative may consider reasonable requests to reschedule the record review and associated deadlines, but shall give primary importance to the need for a timely resolution of the matter under record review.

- (C) The record review shall be completed on or before the expiration of 30 calendar days following receipt of the request under subsection (c) of this section.
 - (D) Timely completion of the record review under subsection (c) of this section is a prerequisite for an appeal of the proposed order under §229.8 of this title.
 - (2) The EPP shall submit any written information to the TEA representative in advance of the record review. To be considered part of the record, such information must also be presented during the record review.
 - (3) In its request for record review, or within a reasonable time thereafter, the EPP may request that specific TEA staff attend the record review to assist the TEA representative in reviewing the information presented.
 - (A) Such request shall be limited to TEA staff directly involved in the development of the information identified in the notice under subsection (b) of this section.
 - (B) If reasonable and practicable, the TEA representative shall schedule the record review so as to allow the requested TEA staff to attend.
 - (4) At all times prior to the record review, the EPP is encouraged to contact the office of the TEA representative to discuss the process and to facilitate preliminary matters. However, such communications will not be recorded and will not be considered part of the record.
 - (5) The EPP identification number of the affected entity must be included in all written correspondence on the record review, as well as the date the notice was issued under subsection (b) of this section. Correspondence relating to the record review may be made part of the record.
 - (6) All deadlines under this section shall be calculated from the date of actual receipt. No mailbox rule applies.
- (e) Record review.
- (1) The TEA representative shall meet with the chief operating officer and/or representatives of the EPP at the TEA headquarters in Austin, Texas, to receive oral and written information.
 - (2) The proceedings shall be recorded by audiotape or similar means. The audiotape and all written information presented during the record review shall comprise the official record of the proceedings.
 - (3) The EPP may have legal counsel present during the proceedings.
 - (4) The EPP may present information verbally and in writing and may rebut information presented by the TEA staff.
 - (5) The rules of evidence do not apply. Presentations need not follow question-and-answer format.
 - (6) The EPP may ask questions of the TEA staff. The TEA representative may designate a specific portion of the meeting for this purpose.
 - (7) The TEA representative may ask questions of any participant directly or through the TEA staff.
 - (8) The TEA representative shall strictly confine presentations and questions to the matters set forth in the notice and shall exclude information that is irrelevant, immaterial, or unduly repetitious.
 - (9) On request, the TEA representative shall include in the record a brief written proffer describing any information excluded under paragraph (8) of this subsection. In lieu of a written proffer, an oral statement may be recorded on a separate audiotape. If the excluded information is in writing, the document shall be identified as excluded and preserved with the record.
 - (10) The TEA representative may take official notice of generally recognized information within the TEA staff's area of specialized knowledge.
 - (A) Each party shall be notified, either before or during the record review, of the material officially noticed, including TEA staff memoranda or information.

- (B) Any participant may present information to rebut information that is officially noticed.
- (11) The special skills and knowledge of the TEA representative and staff shall be used in evaluating all information presented during the record review.
- (12) At the request of the EPP, a record review may be conducted by telephone or similar means.
- (13) A participant may present information via telephone or similar means during any record review.
- (f) Final order. Following the record review, a proposal for decision will be issued by the TEA representative and submitted to the SBEC for entry of a final order. The final order may include changes or additions to the proposed order and such modifications are not subject to another record review procedure. This order may be appealed only as provided by §229.8 of this title.
- (g) No request. If no record review is requested by the deadline specified in subsection (b)(3) of this section, a final order may be issued without record review. An order issued without record review may not be appealed under §229.8 of this title, or otherwise.
 - (1) The approval of an EPP to provide educator preparation is automatically:
 - (A) revoked, void, and of no further force or effect on the effective date of a final decision by the SBEC ordering the EPP closed under this subsection; and
 - (B) modified to remove authorization for an individual certification field on the effective date of a final decision by the SBEC ordering the EPP closed under this subsection.
 - (2) If sanctions other than revocation of approval and EPP closure are imposed on an EPP under the procedures provided by this subsection, an EPP is not entitled to any additional hearing or appeal.
- (h) Other law. Texas Government Code, Chapter 2001, and the TEC, §7.057, do not apply to a record review under this section.

Source: The provisions of this §229.7 adopted to be effective April 18, 2010, 35 TexReg 2849.

§229.8. Accreditation Revocation Appeals.

- (a) Applicability. This section applies only to a final order issued under §229.5 of this title (relating to Accreditation Sanctions and Procedures) or §229.6 of this title (relating to Continuing Approval) that orders revocation of approval and closure of an educator preparation program (EPP) and does not apply to a final decision or order assigning Accredited-Warned or Accredited-Probation status or ordering any other sanction, including, without limitation, withdrawing approval to offer a specific certification field, public reprimand, imposing conditions upon continuing approval, requiring technical assistance, requiring professional services, or appointing a monitor.
- (b) Applicability of other law. An appeal under this section shall be governed by the contested case procedures provided by Chapter 157, Subchapter EE, of this title (relating to Review by State Office of Administrative Hearings: Certain Accreditation Sanctions) and Texas Government Code, Chapter 2001. To the extent that a provision of this section conflicts with a rule or practice of the State Office of Administrative Hearings (SOAH), this section shall prevail.
- (c) Petition for review. An EPP subject to a decision (final order), made applicable to this section by subsection (a) of this section, may file with the State Board for Educator Certification (SBEC) a petition for review of that decision not later than 30 calendar days after the date the decision to be reviewed is received by the EPP. The decision may be delivered by mail, personal delivery, facsimile, or email.
 - (1) The petition for review shall include a copy of the challenged decision and any attachments or exhibits and incorporated documents.
 - (2) The petition for review shall concisely state, in numbered paragraphs:
 - (A) if alleging the decision was made in violation of a statutory provision, the statutory provision violated and the specific facts supporting a conclusion that the statute was violated by the decision;

- (B) if alleging the decision was made in excess of the SBEC's statutory authority, the SBEC's statutory authority and the specific facts supporting a conclusion that the decision was made in excess of this authority;
 - (C) if alleging the decision was made through unlawful procedure, the lawful procedure and the specific facts supporting a conclusion that the decision was made through unlawful procedure;
 - (D) if alleging the decision was affected by other error of law, the law violated and the specific facts supporting a conclusion that the decision violated that law;
 - (E) if alleging the decision was not reasonably supported by substantial evidence considering the reliable and probative evidence in the record as a whole, each finding, inference, conclusion, or decision that was unsupported by substantial evidence in the record;
 - (F) if alleging the decision was arbitrary or capricious or characterized by abuse of discretion or clearly unwarranted exercise of discretion, each finding, inference, conclusion, or decision affected and the specific facts supporting a conclusion that each was so affected; and
 - (G) for each violation, error, or defect alleged under subparagraphs (A)-(F) of this paragraph, the substantial rights of the EPP that were prejudiced by such violation, error, or defect.
- (3) A petition for review shall further contain:
- (A) a concise statement of the relief sought by the EPP (petitioner); and
 - (B) the name, mailing address, telephone number, and facsimile number of the petitioner's representative.
- (4) A request for relief in a review under this section may not be made orally or as part of the record at a record review, prehearing conference, or hearing.
- (5) Failure to comply with the requirements of this subsection shall result in dismissal of the petition for review. A petition for review may not be amended or supplemented after the deadline for filing a petition for review.
- (6) The SBEC shall transmit the petition for review to the SOAH with a request that it be docketed.
- (7) If the SBEC chooses to file an answer, the answer must be filed by the date the record is filed under subsection (l) of this section.
- (d) Standard of review. A challenge under this section shall be governed by the substantial evidence rule as provided by the Texas Government Code, §2001.174 and §2001.175, and judicial case precedents construing those provisions.
- (e) Matters within SBEC's discretion. The SOAH may not substitute the SOAH judgment for the judgment of the SBEC on questions committed to the SBEC's discretion. Questions committed to the SBEC's discretion include, but are not limited to, the following:
- (1) any questions arising under a statute, rule, or other legal standard that requires or permits the SBEC to make a decision within general legal guidelines that do not mandate a specific result under the circumstances; and
 - (2) the execution of any act authorized or required to be taken by the SBEC.
- (f) Weight of evidence. The SOAH may not substitute the SOAH judgment for the judgment of the SBEC on the weight to be assigned the evidence before the SBEC.
- (g) SOAH decisions. The SOAH may affirm the SBEC decision in whole or in part. The SOAH shall reverse and remand the decision for further proceedings if substantial rights of the EPP have been prejudiced because the administrative findings, inferences, conclusions, or decisions of the SBEC are:
- (1) in violation of a statutory provision;

- (2) in excess of the SBEC's authority;
 - (3) made through unlawful procedure;
 - (4) affected by other error of law;
 - (5) not reasonably supported by substantial evidence considering the reliable and probative evidence in the record as a whole; or
 - (6) arbitrary or capricious or characterized by abuse of discretion or clearly unwarranted exercise of discretion.
- (h) Remand. An order of remand may not direct or control the SBEC's exercise of discretion on a matter committed to the SBEC's discretion by the Texas Education Code (TEC), Chapter 21, Subchapter B, and the SBEC shall continue to exercise that discretion after remand. On remand, the SBEC shall apply the facts and law as determined by the SOAH to reach a new decision in light of all the circumstances of the case.
- (i) Scope of review. The administrative law judge (ALJ) is confined to the SBEC record, except that the ALJ may receive evidence of procedural irregularities alleged to have occurred before the SBEC that are not reflected in the record.
- (j) Additional evidence. A party may apply to the ALJ to present additional evidence of procedural irregularities alleged to have occurred before the SBEC that are not reflected in the record. If the additional evidence is material to the outcome of the review, and if there were good reasons for the failure to present it in the proceeding before the SBEC, the ALJ may order that the additional evidence be taken before the SBEC or its TEA representative on conditions determined by the ALJ. The SBEC shall file the additional evidence and any changes, new findings, or decisions with the ALJ. The ALJ may not take testimony, question witnesses, administer oaths, rule on questions of evidence, or compel discovery or disclosure of evidence in any form.
- (k) Components of SBEC record. The SBEC record of proceedings shall include the following components, as specified under §229.7 of this title (relating to Record Review of Certain Decisions):
- (1) the notice of proposed order, including all information referenced in the notice;
 - (2) the request for record review, including any request for the attendance of specific TEA staff under §229.7(d)(3) of this title;
 - (3) any written correspondence made a part of the record by the TEA representative under §229.7(d)(5) of this title;
 - (4) any audiotapes or similar recordings made a part of the record by the TEA representative under §229.7(d) of this title;
 - (5) all audiotapes or similar recordings of the record review and any recorded telephone conferences, proffers of excluded information, or other recorded proceedings before the TEA representative under §229.7 of this title;
 - (6) all written information presented to the TEA representative during the record review;
 - (7) a description of all matters officially noticed; and
 - (8) the final order issued under §229.7(f) of this title.
- (l) Proceedings regarding SBEC record. The SBEC shall file the original or a certified copy of the entire record of the proceeding under review not later than 20 calendar days after the date the petition for review is filed, unless additional time is allowed by the ALJ. The record may be shortened by stipulation of all parties to the review proceedings. The ALJ may assess costs against a party who unreasonably refuses to stipulate to limit the record, unless that party is required to pay all costs of record preparation. The petitioner shall offer, and the ALJ shall admit, the TEA record into evidence as an exhibit. The ALJ may require or permit later corrections or additions to the record.

- (m) Enforcement of decision pending review. The pendency of a review under this section does not stay or otherwise affect the enforcement of the SBEC decision challenged under this chapter.
- (n) Expedited review. The SOAH shall expedite its review of a challenge under this section. The ALJ shall issue a pre-hearing order initially setting a date for closure of the record that is not later than 30 calendar days after the date the petition for review is filed. The ALJ may grant a continuance of the record closure date only for good cause shown. The ALJ may not order a settlement conference, mediation, or other form of alternative dispute resolution. The ALJ shall issue a final order not later than 30 calendar days after the date on which the record is finally closed.
- (o) Final decision. The decision of the ALJ is final and may not be appealed. The decision of the ALJ:
 - (1) must rule on any mandatory sanction required by the TEC, §21.0451;
 - (2) may not order a sanction or relief that the SBEC is not authorized to order under applicable law; and
 - (3) may not change an accreditation status.

Source: The provisions of this §229.8 adopted to be effective April 18, 2010, 35 TexReg 2849.

§229.9. Fees for Educator Preparation Program Approval and Accountability.

An educator preparation program requesting approval and continuation of accreditation status shall pay the applicable fee from the following list.

- (1) New educator preparation program application (nonrefundable; includes pre-approval visit)--\$1,000.
- (2) New educator preparation program approval (includes post-approval visit)--\$1,000.
- (3) Ten-year reapplication for an educator preparation program approved after August 31, 2008 (includes approval visit)--\$2,000.
- (4) Five-year continuing approval visit pursuant to §228.10(c) of this title (relating to Approval Process)--\$1,500.
- (5) Monitoring or technical assistance visit--\$1,500.
- (6) Addition of new certification field or addition of clinical teaching--\$500.
- (7) Addition of each new class of certificate--\$1,000.

Source: The provisions of this §229.9 adopted to be effective April 18, 2010, 35 TexReg 2849.

Figure: 19 TAC §229.3(f)(1)

Accountability System: Standards disaggregated by gender and ethnicity (see demographics chart)	Report by Program	Report by State	Description of Data	Required Submission Date and Method of Reporting
				19 TAC §229.4, <u>Determination of Accreditation Status</u>
1. Certification examinations		√	<u>Pass Rate</u> --As defined in 19 TAC §229.2(26).	Certification scores will be uploaded into the accountability system for educator preparation (ASEP) system and calculated by academic year (September 1-August 31).
2. Beginning teacher performance		√	Results of beginning teacher appraisals by school administrators.	Online survey will be completed by school administrators by June 15 of each applicable year.
3. Student achievement		√	Improvement of student performance taught by beginning teachers for the first three years.	Date and method of collection when available.
4. Ongoing support by field supervisors to beginning teachers during their first year in the classroom	√	√	Data collections regarding frequency, duration, and quality of field supervision	EPP will enter information in the ASEP system by September 15 of each year, documenting each field supervision contact by entering the following information: 1) teacher; 2) date of contact with teacher; 3) time of contact; and 4) documentation provided.

Annual Performance Report disaggregated by gender and ethnicity: (Appendix - demographics chart)	Report by Program	Report by State	Description of Data	Required Submission Date and Method of Reporting
				19 TAC §229.3, <u>Required Submissions of Information, Surveys, and Other Data</u>
1. Number of EPP applicants	√		Report submitted by the EPP and included on the consumer information section of the TEA website.	EPP will upload a data file or enter all elements of this section into ASEP system by September 15 for the preceding academic year.
2. Number of EPP candidates admitted	√		Report submitted by the EPP and included on the consumer information section of the TEA website.	EPP will upload a data file or enter all elements of this section into ASEP system by September 15 for the preceding academic year.
3. Number of candidates retained in the EPP	√		Report submitted by the EPP and included on the consumer information section of the TEA website.	EPP will upload a data file or enter all elements of this section into ASEP system by September 15 for the preceding academic year.
4. Number of candidates completing all EPP requirements		√	Report submitted by the EPP and included on the consumer information section of the TEA website.	EPP will upload a data file or enter all elements of this section into ASEP system by September 15 for the preceding academic year.
5. Number of EPP candidates retained in the profession		√	Report submitted by the EPP and included on the consumer information section of the TEA website.	EPP will upload a data file or enter all elements of this section into ASEP system by September 15 for the preceding academic year.
6. Number of EPP candidates employed		√	Report included on the consumer information section of the TEA website.	TEA staff will generate a report utilizing ASEP system and Public Education Information Management System (PEIMS) data.
7. All information required by federal law	√		Report submitted by the EPP and included on the consumer information section of the TEA website.	EPP will upload a data file or enter all elements of this section into ASEP system by September 15 for the preceding academic year.

Consumer Information to be Posted on the TEA website:	Report by Program	Report by State	Description of Data	Required Submission Date and Method of Reporting
				19 TAC §229.3, <u>Required Submissions of Information, Surveys, and Other Data</u>
1. EPP status based on adherence to the standards		√	<u>Accountability Status:</u> standards disaggregated by gender and ethnicity. (see Appendix) To be posted on the TEA website in the consumer information section for each EPP.	All information will be posted annually on the TEA website in the consumer information section.
2. Annual Performance Report of each EPP	√	√	Seven data elements submitted by EPPs as required by TEC, §21.045(b). Information to be posted on the TEA website in the consumer information section for each EPP.	EPP will upload file or enter all elements of this section into ASEP system by September 15 for the preceding academic year. All information will be posted annually on the TEA website in the consumer information section.
3. Quality of persons admitted to the EPP:	√		To be posted on the TEA website in the consumer information section for each EPP.	All information will be posted on the TEA website in the consumer information section.
a. Individual overall GPA	√		Required and calculated by EPP.	EPP will enter into the ASEP system by September 15 for the preceding academic year. For assistance in calculating the GPA: http://www.onlineconversion.com/grade_point_average.htm . EPP will upload a data file or enter all elements of this section into ASEP system by September 15 for the preceding academic year.
b. Individual GPA in specific subject area	√		Required and calculated for core subject areas per No Child Left Behind (NCLB) requirements.	EPP will enter into the ASEP system by September 15 for the preceding academic year. For assistance in calculating the GPA: http://www.onlineconversion.com/grade_point_average.htm .
c. Average overall GPA for the EPP		√		ASEP system will calculate the overall average GPA by EPP by September 15 for the preceding academic year.
d. Average overall GPA in subject areas by EPP		√		ASEP system will calculate the overall average GPA by EPP.

Consumer Information to be Posted on the TEA website:	Report by Program	Report by State	Description of Data	Required Submission Date and Method of Reporting
* EPP will report ONE of the following of rows e through i for each candidate.				
e. Individual total GRE® score and date	√		EPP will need to report the total score and the date. The GRE® has been updated and will require dates.	EPP will enter into data fields in the ASEP system by September 15 for the preceding academic year.
f. Individual total SAT® score and date	√		EPP will need to report the total score and the date. The SAT® has been updated and will require dates.	EPP will enter into data fields in the ASEP system by September 15 for the preceding academic year.
g. Individual ACT® score and date	√		EPP will need to report the total score and the date. The ACT® has been updated and will require dates.	EPP will enter into data fields in the ASEP system by September 15 for the preceding academic year.
h. Individual Texas Academic Skills Program® (TASP®)/Texas Higher Education Assessment® (THEA®) score and date	√			EPP will enter into data fields in the ASEP system by September 15 for the preceding academic year.
i. <input type="checkbox"/> None of the above		√		EPP will enter the number of candidates who qualify under the Texas Success Initiative (Texas Education Code, §51.3062) into the ASEP system by September 15 for the preceding academic year.
j. Average total GRE® score per EPP		√		EPP will enter into the ASEP system by September 15 for the preceding academic year. ASEP system will calculate the overall average GRE® by date and by EPP
k. Average total SAT® score per EPP		√		EPP will enter into the ASEP system by September 15 for the preceding academic year. ASEP system will calculate the overall average SAT® by date and by EPP
l. Average total ACT® score per EPP		√		EPP will enter into the ASEP system by September 15 for the preceding academic year. ASEP system will calculate the overall average ACT® by date and by EPP
m. Average total TASP®/THEA® score per EPP		√		EPP will enter into the ASEP system by September 15 for the preceding academic year. ASEP system will calculate the overall average TASP®/THEA® by EPP.

Consumer Information to be Posted on the TEA website:	Report by Program	Report by State	Description of Data	Required Submission Date and Method of Reporting
4. Candidates who are counted as finishing the EPP for pass rate purposes and who are successful in obtaining teaching positions		√	To be posted on the TEA website in the consumer information section for each EPP.	TEA will report candidates by EPP who have been issued a certificate and are identified in PEIMS as teacher of record.
5. Preparation of general education and special education teachers to effectively teach:			To be posted on the TEA website in the consumer information section for each EPP.	EPP assurances of compliance and the number of training/coursework hours will be entered into the ASEP system by September 15 for the preceding academic year.
a. Students with disabilities	√			EPP will provide assurances of compliance in the ASEP system by September 15 for the preceding academic year.
b. Students of limited English proficiency	√			EPP will provide assurances of compliance in the ASEP system by September 15 for the preceding academic year.
6. Activities offered by EPP to prepare teachers:			To be posted on the TEA website in the consumer information section for each EPP.	Data will be entered annually for the preceding academic year.
a. Integrate technology effectively into curricula and instruction including activities consistent with the principles of universal design for learning	√			EPP will provide assurances of compliance and the number of training/coursework hours in the ASEP system by September 15 for the preceding academic year.
b. Integrate technology effectively to collect, manage, and analyze data to improve teaching and learning for the purpose of increasing student academic achievement	√			EPP will provide assurances of compliance and the number of training/coursework hours in the ASEP system by September 15 for the preceding academic year.

Consumer Information to be Posted on the TEA website:	Report by Program	Report by State	Description of Data	Required Submission Date and Method of Reporting
7. Perseverance of beginning teachers in the profession for at least three years after certification as active members in the Teacher Retirement System of Texas (TRS)		√	To be posted on the TEA website in the consumer information section for each EPP.	TEA will obtain candidates by EPP who have been issued a certificate and are identified in PEIMS as teacher of record and the TRS. Results will be posted annually for the preceding academic year.
8. Results of exit surveys from EPP participants at the completion of the program that evaluate the program's effectiveness in preparing participants to succeed in the classroom		√	To be posted on the TEA website in the consumer information section for each EPP.	EPP participants will respond to an online survey presented at the time they apply for certification. Results will be posted annually by August 1 for the preceding academic year.
9. Results of surveys from school principals that evaluate the EPP's effectiveness in preparing participants to succeed in the classroom		√	To be posted on the TEA website in the consumer information section for each EPP.	Principals or designated administrators will complete by June 15, for the preceding academic year, individual teacher performance surveys for each beginning teacher who participated in an EPP. The online survey will be administered and collected by TEA. Results will be posted on the TEA website under consumer information.
10. Identify employment opportunities for teachers in the various regions of the state including shortage areas		√		TEA will provide employment information in various regions of Texas. TEA will identify teacher shortage areas. The information will be provided on the TEA website. Information will be updated annually for the preceding academic year.

Data Elements Reported to the Higher Education Opportunity Act (HEOA):	Report by Program	Report by State	Description of Data	SB 174, Texas Education Code (TEC), §21.045(b)(7), Federal Reporting HEOA and Title II Reporting Web site https://title2.ed.gov/default.asp
Section I: Educator Preparation Program Information				
1. Admission Data:			EPPs report if they require the following criteria for admitting participants:	EPP will enter the data into a data field in the ASEP system. All data must be completed by October 1 for the preceding academic year.
a. Application	√			EPP will enter the data into a data field in the ASEP system. All data must be completed by October 1 for the preceding academic year.
b. Fee/payment	√			EPP will enter the data into a data field in the ASEP system. All data must be completed by October 1 for the preceding academic year.
c. Transcript	√	√		EPP will enter the data into a data field in the ASEP system. All data must be completed by October 1 for the preceding academic year.
d. Fingerprint check	√	√		EPP will enter the data into a data field in the ASEP system. All data must be completed by October 1 for the preceding academic year.
e. Background check	√	√		EPP will enter the data into a data field in the ASEP system. All data must be completed by October 1 for the preceding academic year.
f. Experience in a classroom working with students	√			EPP will enter the data into a data field in the ASEP system. All data must be completed by October 1 for the preceding academic year.
g. Minimum number of clock-hours completed	√	√		EPP will enter the data into a data field in the ASEP system. All data must be completed by October 1 for the preceding academic year.
h. Minimum high school GPA	√			EPP will enter the data into a data field in the ASEP system. All data must be completed by October 1 for the preceding academic year.
i. Minimum undergraduate GPA	√	√		EPP will enter the data into a data field in the ASEP system. All data must be completed by October 1 for the preceding academic year.
j. Minimum GPA in content area coursework	√			EPP will enter the data into a data field in the ASEP system. All data must be completed by October 1 for the preceding academic year.

Data Elements Reported to the Higher Education Opportunity Act (HEOA):	Report by Program	Report by State	Description of Data	SB 174, Texas Education Code (TEC), §21.045(b)(7), Federal Reporting HEOA and Title II Reporting Web site https://title2.ed.gov/default.asp
k. Minimum ACT® score	√	√		EPP will enter the data into a data field in the ASEP system. All data must be completed by October 1 for the preceding academic year.
l. Minimum SAT® score	√	√		EPP will enter the data into a data field in the ASEP system. All data must be completed by October 1 for the preceding academic year.
m. Minimum GRE® score	√	√		EPP will enter the data into a data field in the ASEP system. All data must be completed by October 1 for the preceding academic year.
n. Minimum basic skills test score	√	√		EPP will enter the data into a data field in the ASEP system. All data must be completed by October 1 for the preceding academic year.
o. Subject area/academic content test or other subject matter verification	√			EPP will enter the data into a data field in the ASEP system. All data must be completed by October 1 for the preceding academic year.
p. Minimum Miller Analogies Test score	√			EPP will enter the data into a data field in the ASEP system. All data must be completed by October 1 for the preceding academic year.
q. Recommendation(s)	√			EPP will enter the data into a data field in the ASEP system. All data must be completed by October 1 for the preceding academic year.
r. Essay or personal statement	√			EPP will enter the data into a data field in the ASEP system. All data must be completed by October 1 for the preceding academic year.
s. Interview	√			EPP will enter the data into a data field in the ASEP system. All data must be completed by October 1 for the preceding academic year.
t. Resume	√			EPP will enter the data into a data field in the ASEP system. All data must be completed by October 1 for the preceding academic year.
u. Baccalaureate degree or higher	√	√		EPP will enter the data into a data field in the ASEP system. All data must be completed by October 1 for the preceding academic year.
v. Job offer from school/district	√			EPP will enter the data into a data field in the ASEP system. All data must be completed by October 1 for the preceding academic year.

Data Elements Reported to the Higher Education Opportunity Act (HEOA):	Report by Program	Report by State	Description of Data	SB 174, Texas Education Code (TEC), §21.045(b)(7), Federal Reporting HEOA and Title II Reporting Web site https://title2.ed.gov/default.asp
w. Personality test (e.g. Myers-Briggs Assessment)	√			EPP will enter the data into a data field in the ASEP system. All data must be completed by October 1 for the preceding academic year.
x. Other (specify: _____)	√			EPP will enter the data into a data field in the ASEP system. All data must be completed by October 1 for the preceding academic year.
2. EPP Website	√			EPP will enter the data into a data field in the ASEP system. All data must be completed by October 1 for the preceding academic year.
3. Time when individuals are formally admitted to the initial teacher certification program (freshman, sophomore, junior or senior year)	√			EPP will enter the data into a data field in the ASEP system. All data must be completed by October 1 for the preceding academic year.
4. Does your EPP conditionally admit candidates?	√			EPP will enter the data into a data field in the ASEP system. All data must be completed by October 1 for the preceding academic year.
5. Number of candidates enrolled by gender and ethnicity	√			EPP will enter the data into a data field in the ASEP system. All data must be completed by October 1 for the preceding academic year.
6. Supervised clinical experience:	√			EPP will enter the data into a data field in the ASEP system. All data must be completed by October 1 for the preceding academic year.
a. Average number of clock-hours prior to student/clinical teaching	√	√		EPP will enter the data into a data field in the ASEP system. All data must be completed by October 1 for the preceding academic year.
b. Number of clock-hours required for student/clinical teaching	√	√		EPP will enter the data into a data field in the ASEP system. All data must be completed by October 1 for the preceding academic year.

Data Elements Reported to the Higher Education Opportunity Act (HEOA):	Report by Program	Report by State	Description of Data	SB 174, Texas Education Code (TEC), §21.045(b)(7), Federal Reporting HEOA and Title II Reporting Web site https://title2.ed.gov/default.asp
c. Number of full-time equivalent faculty in supervised clinical experience during this academic year (IHE and Pre K-12)	√			EPP will enter the data into a data field in the ASEP system. All data must be completed by October 1 for the preceding academic year.
d. Number of candidates in supervised clinical experience during the academic year	√	√		EPP will enter the data into a data field in the ASEP system. All data must be completed by October 1 for the preceding academic year.
7. Number of candidates who have been certified as teachers by subject and certification for three years	√	√		EPP will enter the data into a data field in the ASEP system. All data must be completed by October 1. TEA will extract the data and send to the certification testing vender.
8. Total number of initial teacher certification program completers for three years	√	√		EPP will enter the data into a data field in the ASEP system. All data must be completed by October 1. TEA will extract the data and send to the certification testing vender.

Section II: Goals and Assurances			EPPs will provide quantifiable goals with assurances.	EPP will enter the data into a data field in the ASEP system. All data must be completed by October 1 for the preceding academic year.
1. Annual quantifiable goals for increasing the number of prospective teachers trained in teacher shortage areas				EPP will enter the data into a data field in the ASEP system. All data must be completed by October 1 for the preceding academic year.
a. Math	√			
b. Science	√			
c. Special Education	√			
d. Instruction of limited English proficient (LEP) students	√			TEA will collect data regarding English language learner (ELL) students and also assurances of compliance. EPPs will enter this data into the ASEP system by October 1 for the preceding academic year.
e. Other (specify: _____)	√			
2. Assurances:				
a. Training provided to prospective teachers. Responds to the identified needs of the local educational agencies or States where the institution's graduates are likely to teach, based on past hiring and recruitment trends.	√			EPPs will enter data into the ASEP system by October 1 for the preceding academic year.
b. Training provided to prospective teachers is closely linked with the needs of schools and the instructional decisions new teachers face in the classroom.	√			EPPs will enter data into the ASEP system by October 1 for the preceding academic year.

Section II: Goals and Assurances			EPPs will provide quantifiable goals with assurances.	EPP will enter the data into a data field in the ASEP system. All data must be completed by October 1 for the preceding academic year.
c. Prospective special education teachers receive coursework in core academic subjects and receive training in providing instruction in core academic subjects.	√			EPPs will enter data into the ASEP system by October 1 for the preceding academic year.
d. General education teachers receive training in providing instruction to students with disabilities.	√			EPPs will enter data into the ASEP system by October 1 for the preceding academic year.
e. General education teachers receive training in providing instruction to limited English proficient students.	√			EPPs will enter data into the ASEP system by October 1 for the preceding academic year.
f. General education teachers receive training in providing instruction to students from low-income families.	√			EPPs will enter data into the ASEP system by October 1 for the preceding academic year.
g. Prospective teachers receive training on how to effectively teach in urban and rural schools, as applicable.	√			EPPs will enter data into the ASEP system by October 1 for the preceding academic year.

Section III: Pass rates and scaled scores			Based on only teacher certification tests.	
1. Assessment of pass rates for the academic year		√		Certification test vendor will provide reports by EPP.
2. Summary pass rates for three years		√		Certification test vendor will provide reports by EPP
Section IV: Statement and Designation as Low-Performing				
1. EPP approval		√	TEA will determine the status of an EPP.	TEA will determine the status of an EPP through the implementation of the standards specified in 19 TAC §229.4(a)(1)-(4), for the preceding academic year.
2. EPP accredited		√		TEA will determine the status of an EPP through the implementation of the standards specified in 19 TAC §229.4(a)(1)-(4),for the preceding academic year.
Section V: Use of Technology - Prepare teachers to:			TEA will collect data and post on the TEA website in the consumer information section of the website.	
1. Integrate technology effectively into curricula and instruction.	√	√		EPPs will enter data regarding the use of technology into the ASEP system by October 1 for the preceding academic year.
2. Use technology effectively to collect data to improve teaching and learning.	√	√		EPPs will enter data regarding the use of technology into the ASEP system by October 1 for the preceding academic year.
3. Use technology effectively to manage data to improve teaching and learning.	√	√		EPPs will enter data regarding the use of technology into the ASEP system by October 1 for the preceding academic year.
4. Use technology effectively to analyze data to improve teaching and learning.	√	√		EPPs will enter data regarding the use of technology into the ASEP system by October 1 for the preceding academic year.

Section VI: Teacher Training			TEA will collect data and post on the TEA website in the consumer information section of the website.	
1. Teach students with disabilities effectively.	√	√		EPPs will enter data regarding students with disabilities into the ASEP system by October 1 for the preceding academic year.
2. Participate as a member of an individualized education program team.	√	√		EPPs will enter data regarding students with disabilities into the ASEP system by October 1 for the preceding academic year.
3. Teach students who are limited English proficient effectively.	√	√		EPPs will enter data regarding the teaching of students who have limited English proficiency into the ASEP system by October 1 for the preceding academic year.
4. Teach students with disabilities effectively.	√	√		EPPs will enter data regarding teaching students who have learning disabilities into the ASEP system by October 1 for the preceding academic year.
5. Participate as a member of an individualized education program team.	√	√		EPPs will enter data regarding teaching students who have learning disabilities into the ASEP system by October 1 for the preceding academic year.
6. Teach students who are limited English proficient effectively.	√	√		EPPs will enter data regarding the teaching of students who have limited English proficiency into the ASEP system by October 1 for the preceding academic year.

Appendix

Demographics Guidelines

Starting with the 2009-2010 academic year, ASEP will collect ethnicity and race information for candidates using the 1977 categories as well as using the new federal categories developed in 1997 as required by the United States Department of Education (USDE). The new federal category system requires that ethnicity and race be collected separately. It allows individuals to select multiple races. It requires all responses to be collected, but when reporting aggregate data to the USDE, a different set of categories is used for aggregate reporting. In the 2010-2011 academic year, Educator Preparation programs will report this information using the new categories only. The new categories are as follows:

Ethnicity	Race
Hispanic or Latino	American Indian or Alaska Native
Not Hispanic or Latino	Asian
	Black or African American
	Hawaiian or other Pacific Islander
	White

Aggregate Reporting Categories
Hispanic or Latino
American Indian or Alaska Native
Asian
Black or African American
Hawaiian or Other Pacific Islander
White
Two or more races