

Item 7:

Consider and Take Appropriate Action on Adoption of Proposed Amendment to 19 TAC Chapter 229, Accountability System for Educator Preparation Programs, §229.4, Determination of Accreditation Status

DISCUSSION AND ACTION

SUMMARY: This item provides the State Board for Educator Certification (SBEC) an opportunity to adopt, subject to State Board of Education (SBOE) review, a proposed amendment to 19 Texas Administrative Code (TAC) Chapter 229, Accountability System for Educator Preparation Programs, §229.4, Determination of Accreditation Status. The proposed amendment to 19 TAC §229.4 would adjust the performance standard for the accountability indicator for principal appraisals, would clarify performance standards, and would remove outdated provisions. An additional change is recommended to 19 TAC §229.4 since published as proposed.

STATUTORY AUTHORITY: The statutory authority for the proposed amendment to 19 TAC §229.4 is the Texas Education Code (TEC), §§21.041(a), (b)(1), and (d), 21.0441(c) and (d), 21.0443, 21.045, as amended by Senate Bill (SB) 1839, 85th Texas Legislature, Regular Session, 2017, 21.0451, and 21.0452(a)-(d).

TEC, §21.041(a), allows the SBEC to adopt rules as necessary for its own procedures.

TEC, §21.041(b)(1), states that the SBEC shall propose rules that provide for the regulation of educators and the general administration of TEC, Chapter 21, Subchapter B, in a manner consistent with TEC, Chapter 21, Subchapter B.

TEC, §21.041(d), allows the SBEC to propose a rule adopting a fee for the approval or renewal of approval of an educator preparation program (EPP), or for the addition of a certificate or field of certification to the scope of a program's approval. A fee imposed may not exceed the amount necessary, as determined by the SBEC, to provide for the administrative cost of approving, renewing the approval of, and appropriately ensuring the accountability of EPPs.

TEC, §21.0441(c) and (d), requires the SBEC to adopt rules setting admission requirements for EPPs pertaining to grade point averages.

TEC, §21.0443(a), states that the SBEC shall propose rules to establish standards to govern the approval or renewal of approval of EPPs and certification fields authorized to be offered by an EPP.

TEC, §21.0443(b), states that to be eligible for approval or renewal of approval, an EPP must adequately prepare candidates for educator certification and meet the standards and requirements of the SBEC.

TEC, §21.0443(c), states that the SBEC shall require that each EPP be reviewed for renewal of approval at least every five years. The SBEC shall adopt an evaluation process to be used in reviewing an EPP for renewal of approval.

TEC, §21.045(a), states that the SBEC shall propose rules establishing standards to govern the continuing accountability of all EPPs.

TEC, §21.045(b), states each EPP shall submit data elements as required by the SBEC for an annual performance report to ensure access and equity, and it states the minimum that the annual report must contain.

TEC, §21.045(c), states the SBEC shall propose rules necessary to establish performance standards for the Accountability System for Educator Preparation for accrediting educator preparation programs, and that, at a minimum, performance standards must be based on §21.045(a).

TEC, §21.045(d), as amended by SB 1839, 85th Texas Legislature, Regular Session, 2017, states that to assist an EPP in improving the design and effectiveness of the program in preparing educators for the classroom, the agency shall provide to each program data that is compiled and analyzed by the agency based on information reported through the Public Education Information Management System (PEIMS) relating to the program.

TEC, §21.0451(a), states that the SBEC shall propose rules for the sanction of EPPs that do not meet accountability standards, that the SBEC shall annually review the accreditation status of each EPP, and it states the parameters for the rules.

TEC, §21.0451(b), states that any action authorized or required to be taken against an EPP under §21.0451(a) may also be taken with regard to a particular field of certification authorized to be offered by an EPP.

TEC, §21.0451(c), states that a revocation must be effective for a period of at least two years, and that after two years, the EPP may seek renewed approval to prepare educators for state certification.

TEC, §21.0451(d), states that the costs of technical assistance required under TEC, §21.0451(a)(2)(A), or the costs associated with the appointment of a monitor under TEC, §21.0451(a)(2)(C), shall be paid by the EPP.

TEC, §21.0452(a) and (b), state that to assist persons interested in obtaining teaching certification in selecting an EPP and to assist school districts in making staffing decisions, the SBEC shall make certain specified information regarding educator programs in this state available to the public through the SBEC's Internet website.

TEC, §21.0452(c) requires that the Board develop an exit survey for educator preparation program participants to complete before the participant may receive an educator certification.

TEC, §21.0452(d) requires the Board to develop surveys for distribution to educator program participants and school principals.

EFFECTIVE DATE: The proposed effective date of the proposed amendment to 19 TAC §229.4 would be March 10, 2019 (20 days after filing as adopted with the *Texas Register*). The proposed effective date is also based on the SBEC and SBOE meeting schedules.

PREVIOUS BOARD ACTION: At the October 5, 2018 SBEC meeting, the SBEC approved the proposed amendment to 19 TAC Chapter 229, Accountability System for Educator Preparation Programs, §229.4, Determination of Accreditation Status, for publication in the *Texas Register* as proposed rules.

BACKGROUND INFORMATION AND JUSTIFICATION: The SBEC rules in 19 TAC Chapter 229 establish the process used for issuing annual accreditation ratings for all EPPs. The TEC, §21.045, states that the SBEC shall propose rules establishing standards to govern the approval and continuing accountability of all EPPs.

At its October 2016 meeting, the SBEC adopted rules to phase in new performance standards for certification examinations and principal appraisals to be used as indicators in the accountability system for EPPs. Under the current rules, principal appraisals were not used for accountability determinations during the 2016-2017 academic year (AY) and were calculated for reporting purposes only. In summer 2018, Texas Education Agency (TEA) staff provided EPPs with completed reports using the 2016-2017 AY data reflecting their candidates' performance on principal appraisals. After TEA staff reviewed the reported 2017-2018 AY data for those indicators, the SBEC proposed changes to the performance standards as described below to clarify, simplify, and update the standards.

The proposed amendment to §229.4 is intended to reflect the performance standards for the 2017-2018 AY and beyond, so the amendment includes removing all references to the performance standards for the 2016-2017 AY.

Certification Examinations of EPP Candidates

The proposed amendment to §229.4(a)(1) would clarify that the performance indicators for the pedagogy and professional responsibilities (PPR) examinations and the non-PPR examinations are separate performance indicators within the accountability system. The examinations assess different performance standards and, therefore, are measured independently. This amendment does not reflect a change in interpretation of the rule but instead provides a clarification.

The proposed amendment to subsection (a)(1)(B), re-lettered as subsection (a)(1)(A), would add language to indicate that the performance standard for both PPR and non-PPR examinations would be the percentage of individuals admitted after December 26, 2016, who passed an examination within the first two attempts. This is not intended as a substantive change to the meaning of the rule but simply a clarification of the impact that the effective date of previous rulemaking had on the method for calculating pass rates.

The performance indicator of certification examinations is based on the percentage of candidates who passed an examination that was approved by the EPP and required for the certification field in which the EPP is preparing or has prepared the candidate within the first two attempts. The pass rates in subsection (a)(1)(B)(i), reorganized as subsection (a)(1)(B), for PPR exams are currently structured to increase at a rate of 5% each year, with an 85% rate for 2017-

2018 AY, as shown in renumbered subsection (a)(1)(B)(i), and a 90% rate for 2018-2019 AY and beyond, as shown in renumbered subsection (a)(1)(B)(ii).

The pass rates in subsection (a)(1)(B)(ii), reorganized as subsection (a)(1)(C), for non-PPR exams are currently structured to increase at a rate of 5% each year, with a 75% rate for 2017-2018 AY, as shown in renumbered subsection (a)(1)(C)(i); an 80% rate for 2018-2019 AY, as shown in renumbered subsection (a)(1)(C)(ii); an 85% rate for 2019-2020 AY, as shown in renumbered subsection (a)(1)(C)(iii); and a 90% rate for 2020-2021 AY and beyond, as shown in renumbered subsection (a)(1)(C)(iv).

Principal Appraisals of First-Year Teachers from EPPs

The performance standard is based on the percentage of first-year teachers from EPPs who were appraised as "sufficiently prepared" or "well prepared." The performance standard in §229.4(a)(2) is currently structured to increase at a rate of 5% each year as illustrated below:

- 70% for 2016-2017 AY
- 75% for 2017-2018 AY
- 80% for 2018-2019 AY
- 85% for 2019-2020 AY
- 90% for 2020-2021 AY and beyond.

The proposed amendment to §229.4(a)(2) would establish the performance standard for principal appraisals at 70% beginning with the 2017-2018 AY without annual increase, thus the proposed striking of subsection (a)(2)(A)-(E). This sustained performance standard would allow for consistency and stability over time. It would also be in keeping with the changes that have been made to performance standards in the Kindergarten-Grade 12 accountability system. Moreover, the actual data for the 2017-2018 AY shows that a 70% pass rate is sufficient to identify EPPs with a significant number of low-performing candidates as evaluated by principals or other instructional leaders.

Field Supervision Observation

The proposed amendment to §229.4(a)(4) would clarify that the frequency and duration of field supervision shall provide one accountability performance indicator, and the quality of field supervision shall provide a separate accountability performance indicator for accountability purposes. The proposed amendment would also strike the reference to §228.35(f) and reference §228.35(g) instead.

The proposed amendment to subsection (a)(4)(A)(iii) would move current language establishing the 95% compliance rate for performance standard frequency, duration, and required documentation for the 2017-2018 academic year to subsection (a)(4)(A).

The proposed amendment to subsection (a)(4)(B)(ii) would move current language establishing the 90% performance standard for quality of field supervision for the 2017-2018 academic year to subsection (a)(4)(B).

The frequency/duration and quality components of field supervision assess different performance standards and, therefore, are measured independently. This amendment would

not reflect a change in interpretation of the rule, but instead would provide clarity of the existing interpretation.

Small Group Exception for the Performance of an EPP Candidate Group

The proposed amendment to §229.4(g) is intended to clarify the mechanics of the small group exception but is not intended to change the meaning or interpretation of the rule.

The proposed amendment to subsection (g)(3) would indicate that if the current year's EPP candidate group has between one and 10 candidates, then the current performance of the group would be combined with the prior year's group performance.

The proposed amendment to subsection (g)(4) would indicate that if the two-year cumulated EPP candidate group has between one and 10 candidates, then the two-year group performance would be combined with the group performance from the year preceding the prior year, and that the three-year cumulated group performance must be measured against the standards in the current year, regardless of how small the cumulated number of group members.

The years in which an EPP has no candidates in a candidate group are not counted for purposes of calculating group performance under the small group exception.

Action Plan for EPPs That Fail to Meet a Required Performance Standard

The amendment would strike §229.4(h) to remove the requirement that an EPP that fails to meet a performance standard develop and send to TEA an action plan to address the deficiencies to improve. There are many factors that can lead to an EPP failing required performance standards, and it is TEA staff's position that how a program chooses to address deficiencies is a matter for the EPP director/legal authority. This proposed amendment would remove TEA staff from internal workings of EPPs and allow more time to support programs and respond to direct inquiries.

TEA staff recommends that the SBEC not adopt the language that was proposed in this section that changed the word "individual" or "individuals" to "candidate" or "candidates," but revert to the original text to clarify that for accountability purposes, an individual does not have to be considered a candidate to be included in the performance standard.

No other changes are recommended to the proposed amendment to 19 TAC Chapter 229, Accountability System for Educator Preparation Programs, §229.4, Determination of Accreditation Status, but additional changes may be recommended at the time of the meeting based on public comment.

FISCAL IMPACT: The proposed amendment represents clarification and stabilization of the accountability system for EPPs in rule and does not include any new increases to the rigor of performance standards or accountability indicators beyond what already exist. Therefore, the TEA staff has determined that there is no additional fiscal impact on state and local governments and there are no additional costs to entities required to comply with the proposed amendment. There is no direct adverse economic impact for small businesses, microbusinesses, and rural communities; therefore, no regulatory flexibility analysis, specified in

Texas Government Code (TGC), §2006.002, is required. There is no effect on local economy; therefore, no local employment impact statement is required under TGC, §2001.022. The proposed amendment does not impose a cost on regulated persons, another state agency, a special district, or a local government and, therefore, is not subject to TGC, §2001.0045.

GOVERNMENT GROWTH IMPACT: The TEA staff prepared a Government Growth Impact Statement assessment for this proposed rulemaking. During the first five years the proposed rulemaking would be in effect, it would not create or eliminate a government program; would not require the creation of new employee positions or the elimination of existing employee positions; would not require an increase or decrease in future legislative appropriations to the agency; would not create a new regulation; would not require an increase or decrease in fees paid to the agency; would not expand an existing regulation, but does limit the impact of certain aspects of regulation by repealing an anticipated increase in standards that could have negatively affected certain EPPs; would not increase or decrease the number of individuals subject to its applicability; and would not positively or adversely affect the state's economy.

PUBLIC AND STUDENT BENEFIT: The public and student benefit anticipated as a result of the proposed rule action would be additional clarity, stability, and predictability regarding the accountability performance standards for EPPs, and an accountability system that informs the public of the quality of educator preparation provided by each SBEC-approved EPP.

PROCEDURAL AND REPORTING IMPLICATIONS: The proposed amendment would have no reporting or procedural implications.

LOCALLY MAINTAINED PAPERWORK REQUIREMENTS: The proposed amendment would have no additional locally maintained paperwork requirements.

PUBLIC COMMENTS: The public comment period on the proposal began October 26, 2018, and ended November 26, 2018. Any comments received will be provided to the SBEC under separate cover prior to the December 7, 2018 meeting. The SBEC will take registered oral and written comments on this item at the December 7, 2018 meeting in accordance with the SBEC board operating policies and procedures.

ASSOCIATE COMMISSIONER'S RECOMMENDATION:

Approve for adoption, subject to State Board of Education review, the proposed amendment to 19 TAC Chapter 229, Accountability System for Educator Preparation Programs, §229.4, Determination of Accreditation Status, with an effective date of 20 days after filing the adoption notice with the *Texas Register*.

Staff Members Responsible:

Mark Olofson, Director, Educator Data and Program Accountability
Christie Pogue, Director, EPP Accreditation and Policy Development

Attachments:

- I. Statutory Citations
- II. Text of Proposed Amendment to 19 TAC Chapter 229, Accountability System for Educator Preparation Programs, §229.4, Determination of Accreditation Status

ATTACHMENT I**Statutory Citations Relating to Proposed Amendment to 19 TAC Chapter 229,
Accountability System for Educator Preparation Programs****Texas Education Code, §21.041, Rules; Fees (excerpts):**

- (a) The board may adopt rules as necessary for its own procedures.
- (b) The board shall propose rules that:
 - (1) provide for the regulation of educators and the general administration of this subchapter in a manner consistent with 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, §21.0441, Admission Requirements for Educator Preparation Programs (excerpts):

- (c) The overall grade point average of each incoming class admitted by an educator preparation program, including an alternative educator preparation program, may not be less than 3.00 on a four-point scale or the equivalent or a higher overall grade point average prescribed by the board. In computing the overall grade point average of an incoming class for purposes of this subsection, a program may:
 - (1) include the grade point average of each person in the incoming class based on all course work previously attempted by the person at a public or private institution of higher education; or
 - (2) include the grade point average of each person in the incoming class based only on the last 60 semester credit hours attempted by the person at a public or private institution of higher education.
- (d) A person seeking career and technology education certification is not included in determining the overall grade point average of an incoming class under Subsection (c).

Texas Education Code, §21.0443, Educator Preparation Program Approval and Renewal:

- (a) The board shall propose rules to establish standards to govern the approval or renewal of approval of:
 - (1) educator preparation programs; and
 - (2) certification fields authorized to be offered by an educator preparation program.
- (b) To be eligible for approval or renewal of approval, an educator preparation program must adequately prepare candidates for educator certification and meet the standards and requirements of the board.
- (c) The board shall require that each educator preparation program be reviewed for renewal of approval at least every five years. The board shall adopt an evaluation process to be used in reviewing an educator preparation program for renewal of approval.

Texas Education Code, §21.045, Accountability System for Educator Preparation Programs, as amended by SB 1839, 85th Texas Legislature, Regular Session, 2017:

- (a) The board shall propose rules necessary to establish standards to govern the continuing accountability of all educator preparation programs based on the following information that is disaggregated with respect to race, 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;
 - (4) compliance with board requirements regarding the frequency, duration, and quality of structural guidance and ongoing support provided by field supervisors to candidates completing student teaching, clinical teaching, or an internship; and
 - (5) results from a teacher satisfaction survey, developed by the board with stakeholder input, of new teachers performed at the end of the teacher's first year of teaching.
- (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:
- (1) the performance data from Subsection (a), other than the data required for purposes of Subsection (a)(3);
 - (2) data related to the program's compliance with requirements for field supervision of candidates during their clinical teaching and internship experiences;
 - (3) the following information, disaggregated by race, sex, and ethnicity:
 - (A) the number of candidates who apply;
 - (B) the number of candidates admitted;
 - (C) the number of candidates retained;
 - (D) the number of candidates completing the program;
 - (E) the number of candidates employed as beginning teachers under standard teaching certificates by not later than the first anniversary of completing the program;
 - (F) the amount of time required by candidates employed as beginning teachers under probationary teaching certificates to be issued standard teaching certificates;
 - (G) the number of candidates retained in the profession; and
 - (H) any other information required by federal law;
 - (4) the ratio of field supervisors to candidates completing student teaching, clinical teaching, or an internship; and

- (5) any other information necessary to enable the board to assess the effectiveness of the program on the basis of teacher retention and success criteria adopted by the board.
- (c) The board shall propose rules necessary to establish 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).
- (d) To assist an educator preparation program in improving the design and effectiveness of the program in preparing educators for the classroom, the agency shall provide to each program data that is compiled and analyzed by the agency based on information reported through the Public Education Information Management System (PEIMS) relating to the program.

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

- (a) The board shall propose rules necessary for the sanction of educator preparation programs that do not meet accountability standards or comply with state law or rules and shall at least 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 has provided the opportunity for a contested case hearing;
 - (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 has provided the opportunity for a contested case hearing; and

- (4) shall provide the board procedure for changing the accreditation status of a program that:
 - (A) does not meet the accreditation standards established under Section 21.045(a); or
 - (B) violates a board or agency regulation.
- (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 revocation 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 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) for each semester, the average ratio of field supervisors to candidates completing student teaching, clinical teaching, or an internship in an educator preparation program;
 - (7) the percentage of teachers employed under a standard teaching certificate within one year of completing the program;
 - (8) 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;
 - (9) 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;
 - (10) 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; and
 - (11) the results of teacher satisfaction surveys developed under Section 21.045 and given to program participants at the end of the first year of teaching.
- (c) For purposes of Subsection (b)(9), 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)(9) and (10), the board shall develop surveys for distribution to program participants and school principals.

ATTACHMENT II
Text of Proposed Amendment to 19 TAC

Chapter 229. Accountability System for Educator Preparation Programs

- (a) Accountability performance indicators. The State Board for Educator Certification (SBEC) shall determine 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, race, and ethnicity (according to the aggregate reporting categories for ethnicity established by the Higher Education Act), and other requirements of this chapter:
- (1) the EPP candidates' performance on examinations of pedagogy and professional responsibilities (PPR) and non-PPR standard [of] certification examinations [of] beginning with the 2017-2018 academic year. The EPP candidates' [candidates:] performance on PPR and non-PPR examinations shall provide separate accountability performance indicators for EPPs.
- ~~[(A) — for the 2016-2017 academic year, the performance standard shall be a pass rate of 80% for all examinations for the academic year. The pass rate is the percent of tests passed by candidates who have finished all EPP requirements for coursework, training, and internship, 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, clinical teaching, or practicum. Examinations not required for certification in that field or fields, whether taken before or after admission to an EPP, 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, 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 EPP requirements divided by the total number of last attempts made by those candidates;]~~
- (A) ~~[(B)]~~ For both PPR and non-PPR examinations ~~[for the 2017-2018 academic year]~~, the performance standard shall be calculated based on the percentage ~~[percent]~~ of individuals ~~[candidates]~~ ~~[individuals]~~ admitted after December 26, 2016, who passed an examination within the first two attempts. For purposes of determining the pass rate, an individual [a candidate] [individuals] shall not be excluded because the individual [candidate:] [individual] has not been recommended for a standard certificate. The pass rate is based solely on the examinations approved by the EPP and required to obtain initial certification in the class or category for which the individual [candidate] [individual] serves his or her internship, clinical teaching, or practicum. Examinations not required for certification in that class or category, whether taken before or after admission to an EPP, are not included in the rate. [The rate reflects whether or not an individual passed an examination within the first two attempts made on the examination, including those attempted after the individual has completed the EPP.] The formula for calculation of pass rate is the number of individuals [candidates] [individuals] who have passed an examination on their first or second attempt, including any attempts after the candidate completed the EPP, divided by the number of individuals [candidates] [individuals] who passed an examination on their first attempt plus those who passed or failed on their second attempt . [.]
- ~~(B) [(+)]~~ For ~~[for]~~ examinations of PPR ~~[pedagogy and professional responsibilities (PPR)]~~, the pass rate will be calculated as described in subparagraph (A) ~~[(B)]~~ of this paragraph and the performance standard shall be:

- ~~[(I) — a pass rate of 80% for the 2016-2017 academic year (reporting year only using the percent of individuals who passed an examination within the first two attempts);]~~
- (i) ~~[(II)]~~ a pass rate of 85% for the 2017-2018 academic year; and
- (ii) ~~[(III)]~~ a pass rate of 90% for the 2018-2019 academic year and beyond. ~~;~~ ~~and]~~
- (C) ~~[(ii)]~~ For ~~for~~ non-PPR examinations, the pass rate will be calculated as described in subparagraph (A) ~~[(B)]~~ of this paragraph and the performance standard shall be:
- ~~[(I) — a pass rate of 70% for the 2016-2017 academic year (reporting year only using the percent of individuals who passed an examination within the first two attempts);]~~
- (i) ~~[(II)]~~ a pass rate of 75% for the 2017-2018 academic year;
- (ii) ~~[(III)]~~ a pass rate of 80% for the 2018-2019 academic year;
- (iii) ~~[(IV)]~~ a pass rate of 85% for the 2019-2020 academic year; and
- (iv) ~~[(V)]~~ a pass rate of 90% for the 2020-2021 academic year and beyond;
- (2) the results of appraisals of first-year teachers by administrators, based on a survey in a form to be approved by the SBEC. The performance standard shall be the percentage of first-year teachers from each EPP who are appraised as "sufficiently prepared" or "well prepared." The performance standard beginning with the 2017-2018 academic year shall be 70%; ~~;~~
- ~~[(A) — 70% for the 2016-2017 academic year (reporting year only);]~~
- ~~[(B) — 75% for the 2017-2018 academic year;]~~
- ~~[(C) — 80% for the 2018-2019 academic year;]~~
- ~~[(D) — 85% for the 2019-2020 academic year; and]~~
- ~~[(E) — 90% for the 2020-2021 academic year and beyond;]~~
- (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;
- (4) the results of data collections establishing EPP compliance with SBEC requirements specified in §228.35(g) [§228.35(f)] of this title (relating to Preparation Program Coursework and/or Training), regarding the frequency, duration, and quality of field supervision to candidates completing clinical teaching or an internship. The frequency and duration of field supervision shall provide one accountability performance indicator, and the quality of field supervision shall provide a separate accountability performance indicator.
- (A) The performance standard as to the frequency, duration, and required documentation of field supervision shall be that the EPP meets the requirements of documentation of §228.35(g) for 95% of the EPP's candidates, beginning with the 2017-2018 academic year. ~~;~~
- ~~[(i) — a 95% compliance rate with SBEC requirements for each EPP candidate completing an internship for the 2016-2017 academic year;]~~
- ~~[(ii) — a 95% compliance rate with SBEC requirements for each EPP candidate completing clinical teaching or an internship for the 2016-2017 academic year (reporting year only); and]~~
- ~~[(iii) — a 95% compliance rate with SBEC requirements for each EPP candidate completing clinical teaching or an internship for the 2017-2018 academic year and beyond; and]~~

- (B) The performance standard for quality shall be the percentage of candidates who rate the field supervision as "frequently" or "always or almost always" providing the components of structural guidance and ongoing support. The performance standard shall be 90% for the 2017-2018 academic year and beyond; and [±]
- ~~[(i) 85% for the 2016-2017 academic year (reporting year only); and]~~
- ~~[(ii) 90% for the 2017-2018 academic year and beyond; and]~~
- (5) the results from a teacher satisfaction survey, in a form approved by the SBEC, of new teachers administered at the end of the first year of teaching under a standard certificate. The performance standard shall be the percentage of teachers who respond that they were sufficiently prepared or well prepared by their EPP. The performance standard shall be set after a pilot study is completed during the 2017-2018 [2016-2017] academic year.
- (b)-(f) (No change.)
- (g) Small group exception.
- (1) For purposes of accreditation status determination, the performance of an EPP candidate group, aggregated or disaggregated by gender, race, or ethnicity, shall be measured against performance standards described in this chapter in any one year in which the number of individuals [candidates] ~~[individuals]~~ in the group exceeds 10 [ten] . The small group exception does not apply to compliance with the frequency and duration of field supervisor observations.
- (2) For an EPP candidate group, aggregated or disaggregated by gender, race, or ethnicity, where the group contains 10 [ten] or fewer individuals [candidates] ~~[individuals]~~ , the group's performance shall not be counted for purposes of accreditation status determination for that academic year based on only that year's group performance.
- (3) If the current [preceding] year's EPP candidate group, aggregated or disaggregated by gender, race, or ethnicity, contained between one and 10 individuals [candidates] ~~[ten or fewer individuals]~~ , that group performance shall be combined with the prior [current] year's group performance, and if the two-year cumulated group contains more than 10 [ten] individuals [candidates] ~~[individuals]~~ , then the two-year cumulated group performance must be measured against the standards in the current [that second] year.
- (4) If the two-year cumulated EPP candidate group, aggregated or disaggregated by gender, race, or ethnicity, contains between one and 10 individuals [candidates] ~~[ten or fewer individuals]~~ , then the two-year cumulated group performance shall be combined with the [current year's] group performance from the year preceding the prior year. The three-year cumulated group performance must be measured against the standards in the current [that third] year, regardless of how small the cumulated number of group members may be.
- (5) In any reporting year in which the EPP candidate group, aggregated or disaggregated by gender, race, or ethnicity, does not meet the necessary number of individuals [candidates] ~~[individuals]~~ needed to measure against performance standards for that year, any sanction assigned as a result of an accredited-warned or accredited-probation status in a prior year will continue if that candidate group has not met performance standards since being assigned accredited-warned or accredited-probation status. The SBEC may modify the sanction as the SBEC deems necessary based on subsequent performance, even though that performance is not measured against performance standards for a rating.
- ~~[(h) Action plan. 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.]~~