

Item 14:
Discussion of Proposed Amendments to 19 TAC Chapter
229, Accountability System for Educator Preparation
Programs

DISCUSSION

SUMMARY: This item provides the State Board for Educator Certification (SBEC) an opportunity to discuss proposed amendments to 19 Texas Administrative Code (TAC) Chapter 229, Accountability System for Educator Preparation Programs. Chapter 229 establishes the performance standards and procedures for educator preparation program (EPP) accountability. The topics to be addressed during this discussion item include examination pass rates, commendations for high performing EPPs, calculation of accreditation determination, the accreditation status of a certification class or category, action plans, and adopting the accountability manual into rule.

STATUTORY AUTHORITY: The statutory authority for 19 TAC Chapter 229 is the Texas Education Code (TEC), §§21.041, 21.0441(c) and (d), 21.0443, 21.045, 21.0451, and 21.0452.

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

TEC, §21.0441(c) and (d), requires the SBEC to adopt rules setting certain admission requirements for educator preparation programs (EPPs).

TEC, §21.0443, 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. 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. 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, states that the board shall propose rules establishing standards to govern the approval and continuing accountability of all EPPs.

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

TEC, §21.0452, states that to assist persons interested in obtaining teaching certification in selecting an EPP and 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.

The statutory authority for 19 TAC Chapter 229 is the Texas Education Code (TEC), §§21.041(a), (b)(1), and (d); 21.043(b) and (c), as amended by Senate Bill (SB) 1839, 85th Texas Legislature, Regular Session, 2017; 21.0441(c) and (d); 21.0443; 21.045, as amended SB 1839, 85th Texas Legislature, Regular Session, 2017; 21.0451; and 21.0452.

FUTURE ACTION EXPECTED: Texas Education Agency staff anticipates presenting proposed changes to 19 TAC Chapter 229 for discussion and action at a future meeting to clarify the rules and incorporate current SBEC policy and procedures. The TEA staff will be collecting stakeholder feedback prior to presenting proposed rule changes to the SBEC.

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 the October 2018 SBEC meeting, TEA staff informed the Board that staff would be working to explore opportunities for adjustments to the comprehensive accountability system to increase consistency and transparency.

Following is a description of the topics for the SBEC’s consideration for proposed amendments to 19 TAC Chapter 229. The topics are presented in two categories: those that need SBEC input and those that allow TEA staff to provide an update with rationale of potential proposed changes. The rules currently in effect in 19 TAC Chapter 229 are shown in Attachment II.

There are three specific areas that TEA staff would like to receive direction from the SBEC on prior to soliciting stakeholder feedback.

Area	Issue	SBEC Direction Needed
1. Examination Pass Rates	SBEC rules don’t align on which tests EPPs recommend candidates for and which tests they are responsible for in the SBEC accountability system.	Which of the tests that EPPs recommend candidates for should be included in the SBEC accountability system?
2. Commendations for EPPs	The SBEC has discussed a system to recognize high performing EPPs that need to be put into rule.	Which areas should be used for commendations and the process for recognizing EPPs?
3. Calculation of Accreditation Determination	Currently, all ASEP indicators are equally consequential for accreditation purposes.	Explore options to determine differential or conditional contributions of indicators for accreditation purposes.

There are three specific areas that TEA staff would like to update the SBEC and provide rationale of potential proposed changes that TEA staff will also engage additional stakeholder feedback.

Area	Issue	Proposed Changes
1. Accreditation Status of a Certification Class or Category	Any action the SBEC takes against an EPP may also be taken regarding a particular field. Current SBEC rules do not adequately conform these actions regarding a certification field and EPP.	Align the accreditation process the SBEC uses for a demographic group with that of a certification field.
2. Action Plans	EPPs are required to submit an action plan addressing program deficiencies for TEA approval.	Change the language to no longer require TEA staff to approve an action plan. Place the requirement alongside the assignment of a monitor.
3. ASEP Indicator Calculations Manual Adoption	Currently, ASEP calculations are defined in rule. This limits the space for explanatory figures, clarity on special cases, and examples that would provide transparency to the field	Similar to the K-12 system, adopt a manual into rule that more thoroughly describes all calculations related to ASEP indicators.

PUBLIC AND STUDENT BENEFIT: Proposed amendments to 19 TAC Chapter 229 will result in an accountability system that informs the public of the quality of educator preparation provided by each SBEC-approved EPP.

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 19 TAC Chapter 229, Accountability System for Educator Preparation Programs (including Figure: 19 TAC §229.3 (f)(1))

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 (excerpt):**

- (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, §21.043, Access to PEIMS Data, as amended by Senate Bill (SB) 1839, 85th Texas Legislature, Regular Session, 2017 (excerpts):

- (b) The agency shall provide educator preparation programs with data based on information reported through the Public Education Information Management System (PEIMS) that enables an educator preparation program to:

- (1) assess the impact of the program; and
 - (2) revise the program as needed to improve the design and effectiveness of the program.
- (c) The agency in coordination with the board shall solicit input from educator preparation programs to determine the data to be provided to educator preparation programs.

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 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.
 - (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.

ATTACHMENT II
Text of 19 TAC**Chapter 229. Accountability System for Educator Preparation Programs****§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 class or category 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.

Statutory Authority: The provisions of this §229.1 issued under the Texas Education Code, §§21.041(a), (b)(1), and (d), 21.0441(c) and (d), 21.0443, 21.045, 21.0451, and 21.0452.

Source: The provisions of this §229.1 adopted to be effective April 18, 2010, 35 TexReg 2849; amended to be effective December 27, 2016, 41 TexReg 10302.

§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--If not referring to the academic year of a particular public, private, or charter school or institution of higher education, September 1 through August 31.
- (2) Accredited institution of higher education--An institution of higher education that, at the time it conferred the degree, was accredited or otherwise approved by an accrediting organization recognized by the Texas Higher Education Coordinating Board.
- (3) ACT®--The college entrance examination from ACT®.
- (4) 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.
- (5) Beginning teacher--For purposes of the Texas Education Code, §21.045(a)(3), and its implementation in this chapter, a classroom teacher with less than three years experience.
- (6) Candidate--An individual who has been formally or contingently admitted into an educator preparation program; also referred to as an enrollee or participant.
- (7) Certification category--A certificate type within a certification class; also referred to as certification field.
- (8) Certification class--A certificate, as described in §230.33 of this title (relating to Classes of Certification), that has defined characteristics; also referred to as certification field.
- (9) Clinical teaching--An assignment, as described in §228.35 of this title (relating to Preparation Program Coursework and/or Training).
- (10) Completer--A person who has met all the requirements of an approved educator preparation program. In applying this definition, the fact that a person has or has not been recommended for a standard certificate or passed a certification examination shall not be used as criteria for determining who is a completer; also referred to as finisher.

- (11) Consecutively measured years--Consecutive years for which a group's performance is measured, excluding years in which the small group exception applies, in accordance with §229.4(g) of this title (relating to Determination of Accreditation Status).
- (12) Cooperating teacher--An individual, as described in §228.2 of this title (relating to Definitions), who guides, assists, and supports a candidate during a candidate's clinical teaching assignment.
- (13) 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.
- (14) Educator preparation program--An entity that must be approved by the State Board for Educator Certification to recommend candidates in one or more educator certification classes or categories.
- (15) Educator preparation program data--Data elements reported to meet requirements under the Texas Education Code, §21.045(b) and §21.0452.
- (16) Examination--An examination or other test required by statute or any other State Board for Educator Certification rule codified in the Texas Administrative Code, Title 19, Part 7, that governs an individual's admission to an educator preparation program, certification as an educator, continuation as an educator, or advancement as an educator.
- (17) Field supervisor--An individual, as described in §228.2 of this title (relating to Definitions), who is hired by an educator preparation program to observe candidates, monitor their performance, and provide constructive feedback to improve their effectiveness as educators.
- (18) First-year teacher--For purposes of the Texas Education Code, §21.045(a) (2), and its implementation in this chapter, the first year of employment as a classroom teacher.
- (19) GPA--Grade point average.
- (20) GRE®--Graduate Record Examinations®.
- (21) 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.
- (22) Incoming class--Individuals contingently or formally admitted between September 1 and August 31 of each year by an educator preparation program.
- (23) Internship--An assignment, as described in §228.35 of this title (relating to Preparation Program Coursework and/or Training).
- (24) Mentor--An individual, as described in §228.2 of this title (relating to Definitions), who guides, assists, and supports a candidate during a candidate's internship assignment.
- (25) New teacher--For purposes of the Texas Education Code, §21.045(a)(5), and its implementation in this chapter, the first year of employment as a classroom teacher under a standard certificate.
- (26) Practicum--An assignment, as described in §228.35 of this title (relating to Preparation Program Coursework and/or Training).
- (27) SAT®--The college entrance examination from the College Board.
- (28) Site supervisor--An individual, as described in §228.2 of this title (relating to Definitions), who guides, assists, and supports a candidate during a candidate's practicum assignment.
- (29) Texas Education Agency staff--Staff of the Texas Education Agency assigned by the commissioner of education to perform the State Board for Educator Certification's administrative functions and services.

Statutory Authority: The provisions of this §229.2 issued under the Texas Education Code, §§21.041(a), (b)(1), and (d), 21.0441(c) and (d), 21.0443, 21.045, 21.0451, and 21.0452.

Source: The provisions of this §229.2 adopted to be effective April 18, 2010, 35 TexReg 2849; amended to be effective October 26, 2014, 39 TexReg 8395; amended to be effective December 27, 2016, 41 TexReg 10302.

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

- (a) Educator preparation programs (EPPs), EPP candidates, first-year teachers, new teachers, beginning teachers, field supervisors, administrators, mentors, site supervisors, and cooperating teachers shall provide to the Texas Education Agency (TEA) staff all data and information required by this chapter, as set forth in subsections (e) and (f) of this section.
- (b) Any individual holding a Texas-issued educator certificate who 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, may 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 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, may 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 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, may 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 by September 15 following the end of that academic year. All surveys and information required to be submitted pursuant to this chapter by principals shall be submitted by June 15 of any academic year in which an administrator has had experience with a first-year teacher who was a participant in an EPP. All surveys and information required to be submitted pursuant to this chapter by new teachers shall be submitted by June 15 of the first full academic year after the teacher completed the requirements of an EPP. All surveys and information required to be submitted pursuant to this chapter by EPP candidates shall be submitted by August 31 of the academic year in which the candidate completed the requirements of an EPP.
- (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) Candidates 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 TEA of the survey is a requirement for completion of an EPP.
 - (3) 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.
 - (4) 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 based on experience with first-year teachers who were participants in an EPP.
 - (5) New teachers in a Texas public school, including an open-enrollment charter school, shall complete surveys, in a form to be approved by the SBEC, evaluating the effectiveness of preparation for classroom success.

Statutory Authority: The provisions of this §229.3 issued under the Texas Education Code, §§21.041(a), (b)(1), and (d), 21.0441(c) and (d), 21.0443, 21.045, 21.0451, and 21.0452.

Source: The provisions of this §229.3 adopted to be effective April 18, 2010, 35 TexReg 2849; amended to be effective October 26, 2014, 39 TexReg 8395; amended to be effective December 27, 2016, 41 TexReg 10302.

§229.4. Determination of Accreditation Status.

- (a) Accountability performance indicators. 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 performance standard of certification examinations of EPP candidates:
 - (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;
 - (B) for the 2017-2018 academic year, the performance standard shall be the percent of individuals who passed an examination within the first two attempts. For purposes of determining the pass rate, individuals shall not be excluded because the 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 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 who have passed an examination on their first or second attempt divided by the number of individuals who passed an examination on their first attempt plus those who passed or failed on their second attempt:
 - (i) for examinations of pedagogy and professional responsibilities (PPR), the pass rate will be calculated as described in subparagraph (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);
 - (II) a pass rate of 85% for the 2017-2018 academic year; and
 - (III) a pass rate of 90% for the 2018-2019 academic year and beyond; and
 - (ii) for non-PPR examinations, the pass rate will be calculated as described in subparagraph (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);

- (II) a pass rate of 75% for the 2017-2018 academic year;
 - (III) a pass rate of 80% for the 2018-2019 academic year;
 - (IV) a pass rate of 85% for the 2019-2020 academic year; and
 - (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 shall be:
- (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(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.
- (A) The performance standard as to the frequency, duration, and required documentation of field supervision shall be:
 - (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:
 - (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 2016-2017 academic year.
- (b) Accredited status. 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) Accredited-Not Rated status. 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.
- (1) An EPP shall be assigned Accredited-Warned status if the EPP:
 - (A) fails to meet the performance standards set by the SBEC for the overall performance of all its candidates on any of the indicators set forth in subsection (a) of this section in any one year;
 - (B) fails to meet the performance standards in any two gender, race, or ethnicity demographic groups on any of the indicators set forth in subsection (a) of this section in any one year; or
 - (C) fails to meet the performance standards for a gender, race, or ethnicity demographic group on any of the indicators set forth in subsection (a) of this section for two consecutively measured years, regardless of whether the deficiency is in the same demographic group or standard.
 - (2) An EPP may be assigned Accredited-Warned status if the SBEC determines that the EPP has violated SBEC rules and/or Texas Education Code (TEC), Chapter 21.
- (e) Accredited-Probation status.
- (1) An EPP shall be assigned Accredited-Probation status if the EPP:
 - (A) fails to meet the performance standards set by the SBEC for the overall performance of all its candidates on any of the indicators set forth in subsection (a) of this section for two consecutively measured years;
 - (B) fails to meet the performance standards in any three gender, race, or ethnicity demographic groups on any of the indicators set forth in subsection (a) of this section in any one year; or
 - (C) fails to meet the performance standards for a gender, race, or ethnicity demographic group on any of the indicators set forth in subsection (a) of this section for three consecutively measured years, regardless of whether the deficiency is in the same demographic group or standard.
 - (2) An EPP may be assigned Accredited-Probation status if the SBEC determines that the EPP has violated SBEC rules and/or TEC, Chapter 21.
- (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 consecutively measured years.
 - (2) An EPP may be assigned Not Accredited-Revoked status if the EPP has been on Accredited-Probation status for one year, 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) 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 in the group exceeds 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 ten or fewer 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 preceding year's EPP candidate group, aggregated or disaggregated by gender, race, or ethnicity, contained ten or fewer individuals, that group performance shall be combined with the current year's group performance, and if the two-year cumulated group contains more than ten individuals, then the two-year cumulated group performance must be measured against the standards in that second year.
 - (4) If the two-year cumulated EPP candidate group, aggregated or disaggregated by gender, race, or ethnicity, contains ten or fewer individuals, then the two-year cumulated group performance shall be combined with the current year's group performance. The three-year cumulated group performance must be measured against the standards in 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 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.

Statutory Authority: The provisions of this §229.4 issued under the Texas Education Code, §§21.041(a), (b)(1), and (d), 21.0441(c) and (d), 21.0443, 21.045, 21.0451, and 21.0452.

Source: The provisions of this §229.4 adopted to be effective April 18, 2010, 35 TexReg 2849; amended to be effective October 26, 2014, 39 TexReg 8395; amended to be effective March 22, 2015, 40 TexReg 1375; amended to be effective December 27, 2016, 41 TexReg 10302.

§229.5. Accreditation Sanctions and Procedures.

- (a) The State Board for Educator Certification (SBEC) may assign an educator preparation program (EPP) Accredited-Warned or Accredited-Probation status if the SBEC determines that the EPP has violated SBEC rules and/or Texas Education Code, Chapter 21.
- (b) If an EPP has been assigned Accredited-Warned or Accredited-Probation status, or if the 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.
- (c) Notwithstanding the accreditation status of an EPP, if the performance of all candidates admitted to an individual certification class or category 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 class or category shall be revoked. Any candidates already admitted for preparation in that class or category may continue in the EPP and be recommended for certification after program completion, but no new candidates shall be admitted for preparation in that class or category unless and until the SBEC reinstates approval for the EPP to offer that certification class or category.
- (d) For purposes of determining compliance with subsection (c) of this section, candidate performance in individual certification classes or categories in only the 2016-2017 academic year and subsequent academic years will be considered.
- (e) Performance indicators by gender, race, and ethnic groups shall not be counted for purposes of subsection (c) of this section, relating to performance standards for individual certification classes or categories. If the aggregated number of individuals counted for a certification class or category is ten or fewer, and the certification class or category fails to meet any of the standards in §229.4(a) of this title, the certification class or category shall not count that year, but shall be cumulated and counted in the same manner as provided in §229.4 (g) of this title.
- (f) An EPP shall be notified in writing regarding any action proposed to be taken pursuant to this section, or proposed assignment of an accreditation status of Accredited-Warning, Accredited-Probation, or Not Accredited-Revoked. The notice shall state the basis on which the proposed action is to be taken or the proposed assignment of the accreditation status is to be made.
- (g) 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.

Statutory Authority: The provisions of this §229.5 issued under the Texas Education Code, §§21.041(a), (b)(1), and (d), 21.0441(c) and (d), 21.0443, 21.045, 21.0451, and 21.0452.

Source: The provisions of this §229.5 adopted to be effective April 18, 2010, 35 TexReg 2849; amended to be effective October 26, 2014, 39 TexReg 8395; amended to be effective March 22, 2015, 40 TexReg 1375; amended to be effective December 27, 2016, 41 TexReg 10302.

§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(b) 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-approval components specified in §228.10(a) of this title (relating to Approval Process).
- (b) After a continuing approval review pursuant to §228.10(b) of this title, if the Texas Education Agency (TEA) staff finds that an EPP is in compliance with SBEC rules and/or Texas Education Code (TEC), Chapter 21, the TEA staff shall issue a proposed recommendation for SBEC to approve the renewal of an EPP. After a continuing approval review pursuant to §228.10(b) of this title or a complaint investigation pursuant to §228.70 of this title (relating to Complaints and Investigations Procedures), if the TEA staff finds that an EPP has failed to comply with SBEC rules and/or the TEC, Chapter 21, and the EPP does not obtain compliance within the timelines established by TEA staff, the TEA staff shall recommend that the SBEC sanction the EPP. The TEA staff may recommend that the SBEC action 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 proposed recommendation 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 Informal Review of Texas Education Agency Recommendations), and an EPP shall be entitled to an informal review of the proposed recommendation, under the conditions and procedures set out in §229.7 of this title, prior to the submission of the recommendation for action to either the SBEC or the State Office of Administrative Hearings (SOAH). If the EPP fails to request an informal review in a timely manner, the proposed recommendation will become a final recommendation.

- (d) Following the informal review, a final recommendation will be issued by the TEA staff. The final recommendation may include changes or additions to the proposed recommendation and such modifications are not subject to another informal review procedure.
- (e) If the final recommendation proposes revocation of approval of an EPP to recommend candidates for educator certification, within 14 calendar days of receipt of the final recommendation, the EPP may agree in writing to accept the final revocation without further proceedings or may request that TEA staff schedule the matter for a hearing before an administrative law judge at the SOAH, as provided by §229.8 of this title (relating to Contested Cases for Accreditation Revocation).
- (f) If the final recommendation does not propose revocation of approval of an EPP to recommend candidates for educator certification, the final recommendation will be submitted to SBEC for consideration and entry of a final order.

Statutory Authority: The provisions of this §229.6 issued under the Texas Education Code, §§21.041(a), (b)(1), and (d), 21.0441(c) and (d), 21.0443, 21.045, 21.0451, and 21.0452.

Source: The provisions of this §229.6 adopted to be effective April 18, 2010, 35 TexReg 2849; amended to be effective October 26, 2014, 39 TexReg 8395; amended to be effective March 22, 2015, 40 TexReg 1375; amended to be effective December 27, 2016, 41 TexReg 10302.

§229.7. Informal Review of Texas Education Agency Recommendations.

- (a) **Applicability.** This section applies only to a notice required under §229.5 (f) 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 class or category 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 class or category 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 class or category of certification offered by an EPP as provided by the TEC, §21.0451(a)(2)(C);
 - (4) assign a change in 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 §229.6(b) of this title;
 - (6) revoke the approval of an EPP to recommend candidates for certification in a particular class or category of certification; or
 - (7) revoke the approval of an EPP to recommend candidates for certification.
- (b) **Notice.** Notice of a proposed recommendation for an order or change in accreditation status, subject to this section, shall be made as provided by §229.5 (f) 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 recommendation 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 an informal review of the proposed recommendation or change in accreditation status under this section, including the name and department of the TEA staff to whom a request for an informal review may be addressed.
- (3) The notice shall set a deadline for requesting an informal review, which shall not be less than 14 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 or designee of the EPP may request, in writing, an informal review under this section.
- (1) The request must be properly addressed to the member of the TEA staff identified in the notice under subsection (b)(2) of this section and must be received by TEA staff on or before the deadline specified in subsection (b)(3) of this section.
 - (2) The request must set out the reasons the EPP believes the proposed recommendation or change in accreditation status is incorrect, with citations to include supporting evidence. The EPP may submit any written information to TEA as evidence to support its request, without regard to admissibility under the Texas Rules of Evidence. The request for review shall concisely state, in numbered paragraphs:
 - (A) if alleging the proposed recommendation would violate a statutory provision, the statutory provision violated and the specific facts supporting a conclusion that the statute was violated by the proposed recommendation;
 - (B) if alleging the proposed recommendation would be in excess of the SBEC's statutory authority, the SBEC's statutory authority and the specific facts supporting a conclusion that the proposed recommendation would be in excess of this authority;
 - (C) if alleging the proposed recommendation was made through unlawful procedure, the lawful procedure and the specific facts supporting a conclusion that the proposed recommendation was made through unlawful procedure;
 - (D) if alleging the proposed recommendation is affected by other error of law, the law violated and the specific facts supporting a conclusion that the proposed recommendation violated that law;
 - (E) if alleging the proposed recommendation is not reasonably supported by a preponderance of the evidence, each finding, inference, or conclusion of the proposed recommendation that is unsupported by a preponderance of the evidence, and the evidence that creates a preponderance against the specific finding, inference, or conclusion at issue;
 - (F) if alleging the proposed recommendation is arbitrary or capricious or characterized by abuse of discretion or clearly unwarranted exercise of discretion, each finding, inference, conclusion, or proposed recommendation affected and the specific facts supporting a conclusion that each is so affected;
 - (G) for each violation, error, or defect alleged under subparagraphs (A)-(F) of this paragraph, the substantial rights of the EPP that are prejudiced by such violation, error, or defect;
 - (H) a concise statement of the relief sought by the EPP (petitioner); and
 - (I) the name, mailing address, telephone number, facsimile number, and email address of the petitioner's representative.

- (3) Failure to comply with the requirements of this subsection may result in dismissal of the request for informal review.
- (d) No review requested. If the TEA staff does not receive the EPP's request for an informal review by the deadline set in accordance with subsection (b)(3) of this section, the proposed recommendation will become a final recommendation and will proceed in accordance with subsection (f) of this section.
- (e) Informal review. In response to a request under subsection (c) of this section, TEA staff will review the materials and documents provided by the EPP and issue a final recommendation. The final recommendation may include changes or additions to the proposed recommendation and such modifications are not subject to another informal review.
- (f) Final recommendation.
 - (1) If the final recommendation proposes revocation of approval of an EPP to recommend candidates for educator certification, within 14 calendar days of receipt of the final recommendation, the EPP may agree in writing to accept the final revocation without further proceedings or may request that TEA staff schedule the matter for a hearing before an administrative law judge at the State Office of Administrative Hearings (SOAH), as provided by §229.8 of this title (relating to Contested Cases for Accreditation Revocation).
 - (2) If the final recommendation does not propose revocation of approval of an EPP to recommend candidates for educator certification, the final recommendation will be submitted to SBEC for consideration of a final order.
- (g) Other law. Texas Government Code, Chapter 2001, and the TEC, §7.057, do not apply to an informal review under this section.

Statutory Authority: The provisions of this §229.7 issued under the Texas Education Code, §§21.041(a), (b)(1), and (d), 21.0441(c) and (d), 21.0443, 21.045, 21.0451, and 21.0452.

Source: The provisions of this §229.7 adopted to be effective April 18, 2010, 35 TexReg 2849; amended to be effective October 26, 2014, 39 TexReg 8395; amended to be effective December 27, 2016, 41 TexReg 10302.

§229.8. Contested Cases for Accreditation Revocation.

- (a) This section applies only to a final recommendation issued under §229.5 of this title (relating to Accreditation Sanctions and Procedures) or §229.6 of this title (relating to Continuing Approval) that proposes revocation of approval and closure of an educator preparation program (EPP) and does not apply to a final recommendation proposing the assignment of Accredited-Warned or Accredited-Probation status or ordering any other sanction, including, without limitation, withdrawing approval to offer a specific certification class or category, public reprimand, imposing conditions upon continuing approval, requiring technical assistance, requiring professional services, or appointing a monitor.
- (b) If an EPP declines to sign a final recommendation, or if the EPP fails to respond timely to a notice of a proposed recommendation, Texas Education Agency (TEA) staff may proceed with the filing of a contested case with the State Office of Administrative Hearings (SOAH) in accordance with the contested case procedures set out in §§249.19-249.40 of this title, and Texas Government Code, Chapter 2001.
- (c) Upon the finality of a decision from the State Board for Educator Certification (SBEC) under the Administrative Procedure Act ordering the EPP closed under this subsection in keeping with §249.39 of this title (relating to Final Decisions and Orders), the approval of an EPP to provide educator preparation is:
 - (1) automatically revoked, void, and of no further force or effect on the effective date of the SBEC final order; and
 - (2) automatically modified to remove authorization for an individual certification class or category on the effective date of the SBEC final order.
- (d) This section satisfies the hearing requirements of the Texas Education Code, §21.0451(a)(2)(D) and (a)(3).

Statutory Authority: The provisions of this §229.8 issued under the Texas Education Code, §§21.041(a), (b)(1), and (d), 21.0441(c) and (d), 21.0443, 21.045, 21.0451, and 21.0452.

Source: The provisions of this §229.8 adopted to be effective April 18, 2010, 35 TexReg 2849; amended to be effective October 26, 2014, 39 TexReg 8395; amended to be effective December 27, 2016, 41 TexReg 10302.

§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 and approval (nonrefundable)--\$9,000.
- (2) Five-year continuing approval review visit pursuant to §228.10(b) of this title (relating to Approval Process)--\$4,500.
- (3) Discretionary continuing approval review visit pursuant to §228.10(b) of this title--\$4,500.
- (4) Addition of new certification category or addition of clinical teaching--\$500.
- (5) Addition of each new class of certificate--\$1,000.
- (6) Applications for out-of-state and out-of-country school sites for field-based experiences, clinical teaching, internships, and practicums--\$500.
- (7) Accountability System for Educator Preparation Programs technology fee:
 - (A) on or after March 15, 2017, and before September 1, 2017--\$55 per admitted candidate; and
 - (B) for the 2017-2018 academic year--\$55 per admitted candidate; and
 - (C) for the 2018-2019 academic year and beyond--\$35 per admitted candidate.

Statutory Authority: The provisions of this §229.9 issued under the Texas Education Code, §§21.041(a), (b)(1), and (d), 21.0441(c) and (d), 21.0443, 21.045, 21.0451, and 21.0452.

Source: The provisions of this §229.9 adopted to be effective April 18, 2010, 35 TexReg 2849; amended to be effective September 1, 2015, 40 TexReg 5150; amended to be effective December 27, 2016, 41 TexReg 10302.

Figure: 19 TAC §229.3(f)(1)

Section A: Determination of Accreditation Status Data required to support Texas Education Code (TEC), §21.045(a), and 19 TAC §229.4, disaggregated by gender, race, and ethnicity			
Accountability System Data		Description of Data	Required Submission Date and Method of Reporting
1	Results of certification examinations prescribed under TEC, §21.048(a)	Pass rate as defined in 19 TAC §229.4(a)(1).	Certification test scores will be uploaded into the Accountability System for Educator Preparation (ASEP). Texas Education Agency (TEA) staff will analyze the data and report it on the TEA website.
2	Beginning teacher performance	The percentage of beginning teachers rated sufficiently prepared or well prepared on a survey completed by administrators.	Administrators of first-year teachers will complete a survey evaluating first-year teacher performance by June 15 of each year. TEA staff will analyze the data and report it on the TEA website.
3	Student achievement	The achievement, including the improvement of achievement, of students taught by beginning teachers for the first three years.	Date and method of collection when available. TEA staff will analyze the data and report it on the TEA website.
4	Frequency, duration, and quality of field supervisor guidance	The percentage of candidates who received the required number of field observations of the required duration. Percentage of teacher candidates indicating that their field support during clinical teaching and internships was satisfactory.	By September 15 of each year, each Educator Preparation Program (EPP) will document field supervision in a format determined by TEA staff. Teacher candidates will complete an exit survey indicating the quality of their preparation by August 31 of the year the candidate completed an EPP. TEA staff will analyze the data and report it on the TEA website.
5	Teacher Satisfaction Survey	By program and year, the percentage of new teachers at the end of their first year of teaching after earning a standard certificate who indicate they were sufficiently prepared for their first year in the classroom on a teacher satisfaction survey.	Teachers will complete a survey evaluating the quality of preparation from their EPP by August 31 of their first year as a teacher after earning a standard certificate. TEA staff will analyze the data and report it on the TEA website.

Section B: Annual Performance Report			
Data required to support TEC, §21.045(b), disaggregated by gender, race, and ethnicity			
Accountability System Data		Description of Data	Required Submission Date and Method of Reporting
1	Acceptance Rate	The percentage of applicants who are admitted to the program each year.	TEA staff will analyze the data and report it on the TEA website.
2	Number of applicants	Report submitted by the EPP. This is the number of candidates who applied to be admitted to the program during the academic year.	By September 15 of each year, each EPP will submit data in a format designated by TEA staff for the preceding academic year. Data will be reported on the TEA website.
3	Number of candidates admitted	Report submitted by the EPP. This is the number of candidates who were admitted during the academic year.	By September 15 of each year, each EPP will submit data in a format designated by TEA staff for the preceding academic year. Data will be reported on the TEA website.
4	Number of candidates retained	Report submitted by the EPP. This is the number of candidates who have been admitted to the EPP but have not completed the EPP.	By September 15 of each year, each EPP will submit data in a format designated by TEA staff for the preceding academic year. Data will be reported on the TEA website.
5	Number of candidates completing all EPP requirements	Report submitted by the EPP.	By September 15 of each year, each EPP will submit data in a format designated by TEA staff for the preceding academic year. Data will be reported on the TEA website.
6	Number of candidates employed as beginning teachers under standard teaching certificates by no later than the first anniversary of completing the program	Number and percentage of completers who have earned a standard certificate and are employed in the school system.	TEA staff will use completer data as reported in B.5 with Educator Certification Online System (ECOS) and Public Education Information Management System (PEIMS) Fall Snapshot data. TEA staff will analyze the data and report it on the TEA website.
7	Time required for candidates with probationary teaching certificates to be issued standard teaching certificates	Number of days between the first probationary certificate effective date and the first standard certificate effective date.	TEA staff will analyze the data and report it on the TEA website.
8	Number of candidates retained in the profession	Number and percentage of persons who are still employed in the school system five (5) years after earning a standard certificate.	TEA staff will use completer data as reported in B.5 with ECOS and PEIMS Fall Snapshot data. TEA staff will analyze the data and report it on the TEA website.

Section B: Annual Performance Report Data required to support TEC, §21.045(b), disaggregated by gender, race, and ethnicity			
Accountability System Data		Description of Data	Required Submission Date and Method of Reporting
9	All information required by federal law	Reports submitted by the EPPs in accordance with federal law.	EPPs will submit data required by federal law to the U.S. Department of Education or its agents in accordance with deadlines set by those entities. TEA website will include a link to the Title II website to enhance access to the data.
10	Percentage of all tests passed	The number of candidates who passed a certification examination approved by an EPP divided by the number of attempts by candidates on examinations approved by an EPP.	Certification test scores will be uploaded into ASEP. TEA staff will analyze testing contractor or ASEP data and report it on the TEA website.

Section C: Consumer Information Regarding Educator Preparation Programs Data required to support TEC, §21.0452			
Accountability System Data		Description of Data	Required Submission Date and Method of Reporting
1	EPP status based on adherence to the standards	Accreditation Rating as described by TEC, §21.0451(a).	Determined annually by the State Board for Educator Certification (SBEC).
2	Optional EPP designation or ranking as provided by TEC, §21.0452(e)	Consumer Information designation or ranking based on data from TEC, §21.0452(b)(1).	If optional designations or ratings are determined by the SBEC, TEA staff will report it on the TEA website.
3	Annual Performance Report data	Data elements submitted or calculated as required by TEC, §21.045(b). See Section B.	TEA staff will analyze the data and report it on the TEA website.
4	Average overall grade point average of persons admitted to the program	The average overall grade point average of persons admitted to the program as required by 19 TAC §227.19.	By September 15 of each year, each EPP will submit data in a format designated by TEA staff for the preceding academic year. TEA staff will analyze the data and report it on the TEA website.
5	Average grade point average in specific subject areas	The average grade point average in courses that are related to the certificate class and/or category in which candidates were admitted to the program.	By September 15 of each year, each EPP will submit data in a format designated by TEA staff for the preceding academic year. TEA staff will analyze the data and report it on the TEA website.
6	Average admitted grade point average	The average grade point average used to admit persons to the program as required by 19 TAC §227.19.	By September 15 of each year, each EPP will submit data in a format designated by TEA staff for the preceding academic year. TEA staff will analyze the data and report it on the TEA website.

Section C: Consumer Information Regarding Educator Preparation Programs Data required to support TEC, §21.0452			
Accountability System Data		Description of Data	Required Submission Date and Method of Reporting
7	Average GRE® scores and date	The overall and subject-specific GRE® scores used to admit candidates to the program.	If required for admission to the institution, programs will submit GRE® scores and test date for each candidate by September 15 of each year in a format determined by TEA staff. TEA staff will analyze the data and report it on the TEA website.
8	Average SAT® scores and date	The overall and subject-specific SAT® scores used to admit candidates to the program.	If required for admission to the institution, programs will submit SAT® scores and test date for each candidate by September 15 of each year in a format determined by TEA staff. TEA staff will analyze the data and report it on the TEA website.
9	Average ACT® scores and date	The overall and subject-specific ACT® scores used to admit candidates to the program.	If required for admission to the institution, programs will submit ACT® scores and test date for each candidate by September 15 of each year in a format determined by TEA staff. TEA staff will analyze the data and report it on the TEA website.
10	The degree to which persons who complete a program are successful in obtaining standard certification	The number and percentage of persons completing a program who earn their standard certificate.	TEA staff will use completer data as reported in B.5 with ECOS data. TEA staff will analyze the data and report it on the TEA website.
11	The extent to which the program prepares teachers to effectively teach students with disabilities	Percentage of new teachers in an academic year who report being sufficiently prepared to teach students with disabilities, or who are rated as being sufficiently prepared to teach students with disabilities.	TEA staff will use survey data from principals and new teachers to identify the percentage of teachers from each EPP who are sufficiently prepared. TEA staff will analyze the data and report it on the TEA website.
12	The extent to which the program prepares teachers to effectively teach students of limited English proficiency	Percentage of new teachers in an academic year who report being sufficiently prepared to teach students of limited English proficiency, or who are rated as being sufficiently prepared to teach students of limited English proficiency.	TEA staff will use survey data from principals and new teachers to identify the percentage of teachers from each EPP who are sufficiently prepared to teach students of limited English proficiency. TEA staff will analyze the data and report it on the TEA website.

Section C: Consumer Information Regarding Educator Preparation Programs Data required to support TEC, §21.0452			
Accountability System Data		Description of Data	Required Submission Date and Method of Reporting
13	Success preparing candidates to integrate technology effectively into curricula and instruction	Percentage of new teachers in an academic year who report being sufficiently prepared to integrate technology effectively into curricula and instruction, or who are rated as being sufficiently prepared to integrate technology effectively into curricula and instruction.	TEA staff will use survey data from principals and new teachers to identify the percentage of teachers from each EPP who are sufficiently prepared to integrate technology effectively into curricula and instruction. TEA staff will analyze the data and report it on the TEA website.
14	Success preparing candidates to use technology to collect, manage, and analyze data to improve teaching and learning	Percentage of new teachers in an academic year who report being sufficiently prepared to use technology to collect, manage, and analyze data to improve teaching and learning, or who are rated as being sufficiently prepared to use technology to collect, manage, and analyze data to improve teaching and learning.	TEA staff will use survey data from principals and new teachers to identify the percentage of teachers from each EPP who are sufficiently prepared to use technology to collect, manage, and analyze data to improve teaching and learning. TEA staff will analyze the data and report it on the TEA website.
15	Average ratio of field supervisors to candidates	The number of teacher candidates observed in the field per field supervisor observing candidates in the field, reported for the academic year, fall semester, and spring semester.	By September 15 of each year, each EPP will document field supervision in a format determined by TEA staff. TEA staff will analyze the data and report it on the TEA website.
16	Results of exit surveys given to program participants	The percentage of candidates who rate the field supervision as always or almost always providing the components of structural guidance and ongoing support.	TEA staff will administer an exit survey to interns and clinical teachers before they complete a program. TEA staff will analyze the data and report it on the TEA website.
17	Results of surveys given to school principals	The percentage of first-year teachers from each EPP who are appraised as sufficiently prepared.	TEA staff will administer a survey to principals of first year teachers. TEA staff will analyze the data and report it on the TEA website.
18	Results of satisfaction surveys given to beginning teachers	The percentage of new teachers who report they were sufficiently prepared or well prepared at the end of their first year of teaching with a standard certificate.	TEA staff will administer a satisfaction survey to new teachers near the end of their first year of teaching with a standard certificate. TEA staff will analyze the data and report it on the TEA website.

Appendix: Demographics Guidelines

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. Beginning with the 2016-2017 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