

The State Board for Educator Certification (SBEC) proposes amendments to 19 Texas Administrative Code (TAC) §§229.1, 229.2, 229.4, 229.5, and 229.9, concerning the performance standards and procedures for educator preparation program (EPP) accountability. The proposed amendments would provide for adjustments to the Accountability System for Educator Preparation (ASEP) Manual; would clarify and streamline language and definitions; would provide an updated approach for the implementation of the student growth indicator; would provide additional flexibility for small programs; would clarify closure procedures; and would include technical updates.

BACKGROUND INFORMATION AND JUSTIFICATION: EPPs are entrusted to prepare educators for success in the classroom. The Texas Education Code (TEC), §21.0443, requires EPPs to adequately prepare candidates for certification. Similarly, TEC, §21.031, requires the SBEC to ensure candidates for certification demonstrate the knowledge and skills necessary to improve the performance of the diverse student population of this state. The TEC, §21.045, also requires SBEC to establish standards to govern the continuing accountability of all EPPs. The SBEC rules in 19 TAC Chapter 229 establish the process used for issuing annual accreditation ratings for all EPPs to comply with these provisions of the TEC and to ensure the highest level of educator preparation, which is codified in the SBEC Mission Statement.

The following is a description of the proposed amendments to 19 TAC Chapter 229 and the ASEP Manual (Figure: 19 TAC §229.1(c)).

Subchapter A. Accountability System for Educator Preparation Program Procedures

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

Update of ASEP Manual:

The proposed amendment to Figure: 19 TAC §229.1(c) would update the ASEP manual to do the following:

Updates to the title page would reflect the updated table of contents.

Updates to the table of contents would provide consistent descriptive language for the Principal Survey and Teacher Survey throughout the manual.

Updates to Chapter 2 would add process language and a diagram explaining the modified small group aggregation procedure described in proposed new 19 TAC §229.4(c)(6) and simplify references to demographic categories to refer to the definitions in the rule chapter.

Updates to Chapter 3 would clarify the contents of the chapter, remove expired language, and add language to specify the inclusion of Texas Assessment of Sign Communication (TASC 072) and the Texas Assessment of Sign Communication - American Sign Language (TASC-ASL 073) in the calculations for certification category evaluation, along with clarifying the evaluation procedure. Updates would also remove repetitive language and streamline the methodological language. The worked examples would be updated to remove repetitive language, point to the methods described elsewhere in the chapter, include broader examples of included tests, and match the description with the example.

Updates to Chapter 4 would streamline and remove repetitive information, add the enhanced standard certificate to the certificate list, more clearly align with practice and provide additional transparency for what individuals are included in the population, clarify the use of the certificate effective date when identifying individuals, and clarify the practice for when teachers are at multiple campuses. Updates to the worked example would add a step to further describe current practice, remove repetitive language, and correct a number to match the description with the example.

Updates to Chapter 5 would modify the individuals included section to align with practice and provide additional transparency to the field about the time span of data used, add a reference to existing definitions, and add the enhanced standard certificate to the list of certificates. Updates to the scoring approach section would provide additional clarity on the process when there are multiple subject areas for one teacher, better describe the individual

standard aligned with the measurement definition of STAAR annual growth points, and correct for grammar and usage. Updates to the worked example would remove repetitive language.

Updates to Chapter 6 would add the residency experience as an evaluated field experience, clarify that, beginning in the 2025-2026 academic year, individuals completing clinical teaching would be identified using the clinical experience record, and add the enhanced standard certificate to the list of certificates. Updates would also point to existing definitions, add specificity to the observation frequency requirements used as the standard for the 2024-2025 academic year, generalize the reference to 19 TAC Chapter 228, Requirements for Educator Preparation Programs, Subchapter F, Support for Candidates During Required Clinical Experiences, to simplify future rulemaking, and use the language of reporting year. Updates would also move the description of the scoring approach from the worked example to the main section of the chapter without modifying the process and would align language about the small group aggregation throughout the manual. Updates to the worked example would remove repetitive language.

Updates to Chapter 7 would align the approach of providing the alternative name of the survey with the approach in Chapter 4, add the enhanced standard certificate to the certificate list, provide more aligned descriptions of practice and provide additional transparency for what individuals are included in the sample, clarify the use of the certificate effective date when identifying individuals, and clarify the practice for when teachers are at multiple campuses. Updates to the worked example would add a step to further describe current practice and remove repetitive language.

Updates to Chapter 8 would remove the EPP commendations. Commendations would be introduced in 19 TAC Chapter 228 related to the Continuing Approval Review. This provides clarity by removing potentially conflicting language.

Updates to Chapter 9 would modify the examples to data for Indicator 3, since it would no longer be report only. This would provide clarity to the field. The updates would also align language with the definitions section of 19 TAC Chapter 229.

Subchapter A. Accountability System for Educator Preparation Program Procedures

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

Update to Commendations

The proposed amendment to §229.1(d) would remove the language related to commendations. Commendations would be introduced in 19 TAC Chapter 228 related to the Continuing Approval Review. This update would provide clarity by removing potentially conflicting language.

§229.2. Definitions.

The proposed amendment to §229.2(2), (3), (20)-(23), and (28) would remove definitions of terms not included in the chapter. The remaining definitions would be renumbered accordingly.

The proposed amendment to §229.2(7) "Clinical experience" would provide a new definition that aligns with the definition in 19 TAC Chapter 228.

The proposed amendment to §229.2(23) "Reporting Year" would include a definition for the term of September 1-August 31.

The proposed amendment to §229.2(24) "Residency" would provide a new definition to align with the definition in 19 TAC Chapter 228.

Subchapter B. Accountability System for Educator Preparation Accreditation Statuses

§229.4. Determination of Accreditation Status.

The proposed amendment to §229.4(a)(3) would provide a timeline for the introduction of the performance standard. The amendment would allow for the 2024-2025 and 2025-2026 academic years to have a standard of 60%, the 2026-2027 academic year to have a standard of 65%, and the 2027-2028 academic year to have a standard of 70%. This rolled-in standard was recommended by EPP stakeholders to allow programs the opportunity to adjust to the implementation of the new standard and make programmatic improvements.

The proposed amendment to §229.4(a)(4) would add residencies to the list of evaluated field experiences in the observation indicator. This would include these similar experiences and ensure that they are included in the accountability system.

The proposed amendment to §229.4(a)(4)(i) would remove the specific reference to 19 TAC Chapter 228, Subchapter F, because the organization of 19 TAC Chapter 228 by subchapter was not in effect August 31, 2024. This would provide clarity to the field about which observation requirements are actionable for which evaluation year.

Proposed new §229.4(b)(2)(B) would provide an accreditation status of Accredited - Not Rated in any years when an EPP does not generate enough data for the recommendation of a status by the ASEP Index system. In cases where this status is assigned immediately following a year where the EPP had a status of Accredited - Probation, any associated sanctions would continue and the count of years on Accredited - Probation would not be reset. This would ensure alignment with statutory requirements.

The proposed amendment to §229.4(b)(5)(F) would provide clarification of the two-year revocation period. This is responsive to questions from the field.

The proposed amendment to §229.4(b)(5)(G) would require EPPs subject to closure due to revocation to submit a letter to TEA within 14 days after the revocation, identifying a closure date aligned with 19 TAC §228.21(a)(1). If the EPP fails to provide the letter, the closure date would be the last day of the current academic year. This would provide clarity to candidates about closure procedures and time frames.

Proposed new §229.4(b)(5)(H) would further provide specific alignment with closure procedures in 19 TAC Chapter 228. This amendment would provide a definitive closure date and fully cease preparation activities at the revoked EPP. EPPs closed as such would be able to reapply as specified, providing additional clarity for candidates and EPPs about revocation under ASEP.

The proposed amendment to §229.4(c)(5) would remove language about the process when there is no data for measurement. This case would be handled under proposed new §229.4(b)(2)(B). The updated language would allow for an alternative evaluation under the small group aggregation procedure. If the aggregated group fails to meet the standard, the current year group would also be evaluated against the standard. If the current year group met the standard, then the count of consecutive years would not advance, for the purposes of the ASEP index or the count of years of failing to meet the standard for a certification class or category. This would provide flexibility for small programs or certificate categories. This was recommended by stakeholders to provide additional time for small improving programs to continue their improvement without additional negative impacts on their index scores or certification category offerings.

Subchapter C. Accreditation Sanctions

§229.5. Accreditation Sanctions and Procedures.

The proposed amendment to §229.5(c) would remove the alternative closure procedure. This would allow for the language in proposed new subsection (c)(3) and (4) to be salient. Without removal this would be conflicting language in the rule.

Proposed new §229.5(c)(3) would align the closure procedures for an individual certification class or category with the closure procedures for the entire program and the closure procedures offered in 19 TAC Chapter 228. This amendment would allow EPPs subject to closure of a certification class or category to submit a letter identifying a

closure date within a specific timeframe, aligned with the procedure in §228.21(a)(1). If the EPP were to fail to provide such a letter a default closure date of the last day of the current academic year would be specified. This would provide clarity to candidates about closure procedures and time frames.

Proposed new §229.5(c)(4) would further provide specific alignment with closure procedures in 19 TAC Chapter 228 with the closure of a certification class or category. Current rule allows for EPPs revoked under §229.5(c) to continue to teach out candidates indefinitely, misaligned with voluntary closure procedures in 19 TAC Chapter 228 that contain a specific end date. This amendment would provide a definitive closure date for the certification class or category and fully cease preparation activities for that certificate. Certificates closed as such would be able to be re-added as specified in 19 TAC Chapter 228. This would align the closure procedures and provide clarity for candidates and EPPs about certificate class or category revocation.

Subchapter F. Required Fees

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

The proposed amendment to §229.9(6) would add applications for the residency route to the existing fee schedule.

FISCAL IMPACT: Jessica McLoughlin, associate commissioner for educator preparation, certification, and enforcement, has determined that for the first five years enforcing or administering the rules does not have foreseeable implications relating to cost or revenues of the state or local governments. There are no additional costs to entities required to comply with the proposal.

LOCAL EMPLOYMENT IMPACT: The proposal has no effect on local economy; therefore, no local employment impact statement is required under TGC, §2001.022.

SMALL BUSINESS, MICROBUSINESS, AND RURAL COMMUNITY IMPACT: The proposal has no direct adverse economic impact for small businesses, microbusinesses, or rural communities; therefore, no regulatory flexibility analysis, specified in TGC, §2006.002, is required.

COST INCREASE TO REGULATED PERSONS: The proposal 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.

TAKINGS IMPACT ASSESSMENT: The proposal does not impose a burden on private real property and, therefore, does not constitute a taking under TGC, §2007.043.

GOVERNMENT GROWTH IMPACT: 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 elimination of existing employee positions; would not require an increase or decrease in future legislative appropriations to the agency; would not require an increase or decrease in fees paid to the agency; would not create a new regulation; would not expand, limit, or repeal an existing regulation; 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 BENEFIT AND COST TO PERSONS: Ms. McLoughlin has determined that for the first five years the proposal is in effect, the public benefit anticipated would be aligning the rules with statute and reflecting current procedures. There is no anticipated economic cost to persons who are required to comply with the proposal.

DATA AND REPORTING IMPACT: The proposal would have no new data and reporting impact.

ENVIRONMENTAL IMPACT: The proposal does not require an environmental impact analysis because the proposal does not include major environmental rules under TGC, §2001.0225.

PRINCIPAL AND CLASSROOM TEACHER PAPERWORK REQUIREMENTS: TEA staff has determined the proposal would not require a written report or other paperwork to be completed by a principal or classroom teacher.

PUBLIC COMMENTS: The public comment period on the proposal begins August 15, 2025, and ends September 15, 2025. A form for submitting public comments is available on the TEA website at [https://tea.texas.gov/About_TEA/Laws_and_Rules/SBEC_Rules_\(TAC\)/Proposed_State_Board_for_Educator_Certification_Rules/](https://tea.texas.gov/About_TEA/Laws_and_Rules/SBEC_Rules_(TAC)/Proposed_State_Board_for_Educator_Certification_Rules/). Comments on the proposal may also be submitted by calling (512) 475-1497. The SBEC will also take registered oral and written comments on the proposal during the September 2025 meeting's public comment period in accordance with the SBEC board operating policies and procedures.

STATUTORY AUTHORITY. The amendments are proposed under Texas Education Code (TEC), §21.041(a), which allows the State Board for Educator Certification (SBEC) to adopt rules as necessary for its own procedures; TEC, §21.041(b)(1), which requires the SBEC to propose rules that provide for the regulation of educators and the general administration of the TEC, Chapter 21, Subchapter B, in a manner consistent with the TEC, Chapter 21, Subchapter B; TEC, §21.041(d), which states that the SBEC may adopt a fee for the approval and renewal of approval of an educator preparation program (EPP), for the addition of a certificate or field of certification, and to provide for the administrative cost of appropriately ensuring the accountability of EPPs; TEC, §21.043(b) and (c), which require SBEC to provide EPPs with data, as determined in coordination with stakeholders, based on information reported through PEIMS that enables an EPP to assess the impact of the program and revise the program as needed to improve; TEC, §21.0441(c) and (d), which require the SBEC to adopt rules setting certain admission requirements for EPPs; TEC, §21.0443, which 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, which states that the board shall propose rules establishing standards to govern the approval and continuing accountability of all EPPs; TEC, §21.0451, which 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; and TEC, §21.0452, which 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.

CROSS REFERENCE TO STATUTE. The amendments implement Texas Education Code (TEC), §§21.041(a), (b)(1), and (d); 21.043(b) and (c); 21.0441(c) and (d); 21.0443; 21.045; 21.0451; and 21.0452.

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§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) The relevant criteria, formulas, calculations, and performance standards relevant to subsection (d) of this section and §229.4 of this title (relating to Determination of Accreditation Status) are prescribed in the *Texas Accountability System for Educator Preparation (ASEP) Manual* provided as a figure in this subsection.

Figure: 19 TAC §229.1(c) [Figure: 19 TAC §229.1(e)]

~~[(d) An accredited EPP that is not under an active SBEC order or otherwise sanctioned by the SBEC may receive commendations for success as prescribed in the figure in subsection (c) of this section. Commendations will not be awarded for the 2023-2024 reporting year.]~~

§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®.]~~
- (2) ~~[(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.
- (3) ~~[(5)]~~ Beginning teacher--For purposes of the Texas Education Code, §21.045(a)(3), and its implementation in this chapter, a classroom teacher with fewer than three years of experience as a certified classroom teacher.
- (4) ~~[(6)]~~ Candidate--An individual who has been formally or contingently admitted into an educator preparation program (EPP) who has not yet completed or exited the EPP.
- (5) ~~[(7)]~~ Certification category--A certificate type within a certification class, as described in Chapter 233 of this title (relating to Categories of Classroom Teaching Certificates).
- (6) ~~[(8)]~~ Certification class--A certificate, as described in §230.33 of this title (relating to Classes of Certificates), that has defined characteristics; may contain one or more certification categories, as described in Chapter 233 of this title.
- (7) Clinical experience--An assignment, as described in §228.2 of this title (relating to Definitions).
- (8) ~~[(9)]~~ Clinical teaching--An assignment, as described in §228.2 of this title (relating to Definitions).
- (9) ~~[(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.
- (10) ~~[(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(c) of this title (relating to Determination of Accreditation Status).
- (11) ~~[(12)]~~ Content Pedagogy Test--Examination listed in the column labeled "Required Content Pedagogy Test(s)" in Figure 19 TAC §230.21(e).
- (12) ~~[(13)]~~ Cooperating teacher--An individual, as described in §228.2 of this title (relating to Definitions), who supports a candidate during a candidate's clinical teaching experience.
- (13) ~~[(14)]~~ Demographic group--Male and female, as to gender; and African American, Hispanic, White, and Other, as to race and ethnicity.
- (14) ~~[(15)]~~ Educator preparation program--An entity approved by the State Board for Educator Certification to recommend candidates in one or more educator certification classes or categories.
- (15) ~~[(16)]~~ Educator preparation program data--Data reported to meet requirements under the Texas Education Code, §21.045(b) and §21.0452.

- (16) ~~(17)~~ 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) ~~(18)~~ 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) ~~(19)~~ First-year teacher--For purposes of the Texas Education Code, §21.045(a)(2), and its implementation in this chapter, an individual in his or her first year of employment as a classroom teacher.
- ~~(20) GPA--Grade point average.~~
- ~~(21) GRE®--Graduate Record Examinations®.~~
- ~~(22) 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.~~
- ~~(23) Incoming class--Individuals contingently or formally admitted between September 1 and August 31 of each year by an educator preparation program.~~
- (19) ~~(24)~~ Internship--An assignment, as described in §228.2 of this title (relating to Definitions).
- (20) ~~(25)~~ Mentor--An individual, as described in §228.2 of this title (relating to Definitions), who supports a candidate during a candidate's internship experience.
- (21) ~~(26)~~ Pedagogy Test--Examination listed in the column labeled "Pedagogical Requirement(s)" in Figure: 19 TAC §230.21(e).
- (22) ~~(27)~~ Practicum--An assignment, as described in §228.2 of this title (relating to Definitions).
- ~~(28) SAT®--The college entrance examination from the College Board.~~
- (23) Reporting Year--September 1 through August 31.
- (24) Residency--A supervised educator assignment, as described in §228.2 of this title (relating to Definitions).
- (25) ~~(29)~~ Site supervisor--An individual, as described in §228.2 of this title (relating to Definitions), who supports a candidate during a candidate's practicum experience.
- (26) ~~(30)~~ 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 amendment is proposed under Texas Education Code (TEC), §21.041(a), which allows the State Board for Educator Certification (SBEC) to adopt rules as necessary for its own procedures; TEC, §21.041(b)(1), which requires the SBEC to propose rules that provide for the regulation of educators and the general administration of the TEC, Chapter 21, Subchapter B, in a manner consistent with the TEC, Chapter 21, Subchapter B; TEC, §21.041(d), which states that the SBEC may adopt a fee for the approval and renewal of approval of an educator preparation program (EPP), for the addition of a certificate or field of certification, and to provide for the administrative cost of appropriately ensuring the accountability of EPPs; TEC, §21.043(b) and (c), which require SBEC to provide EPPs with data, as determined in coordination with stakeholders, based on information reported through PEIMS that enables an EPP to assess the impact of the program and revise the program as needed to improve; TEC, §21.0441(c) and (d), which require the SBEC to adopt rules setting certain admission requirements for EPPs; TEC, §21.0443, which 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, which states that the board shall propose rules establishing standards to govern the approval and continuing accountability of all EPPs; TEC, §21.0451, which 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; and TEC, §21.0452, which 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.

CROSS REFERENCE TO STATUTE. The amendment implements Texas Education Code (TEC), §§21.041(a), (b)(1), and (d); 21.043(b) and (c); 21.0441(c) and (d); 21.0443; 21.045; 21.0451; and 21.0452.

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§229.4. Determination of Accreditation Status.

- (a) Accountability performance indicators. The State Board for Educator Certification (SBEC) shall determine the accreditation status of an educator preparation program (EPP) at least annually, based on the following accountability performance indicators, disaggregated by demographic group and other requirements of this chapter and determined with the formulas and calculations included in the figure provided in §229.1(c) of this title (relating to General Provisions and Purpose of Accountability System for Educator Preparation Programs). Data will be used only if the following indicators were included in the accountability system for that academic year. Except for the 2019-2020 and 2020-2021 academic years, when the data described in paragraphs (1)-(5) of this subsection will be reported to EPPs and will not be used to determine accreditation statuses, EPP accreditation statuses shall be based on:
 - (1) the EPP candidates' performance on pedagogy tests and content pedagogy tests. The EPP candidates' performance on pedagogy tests and content pedagogy tests shall provide separate accountability performance indicators for EPPs;
 - (A) For both pedagogy tests and content pedagogy tests, the performance standard shall be the percent of individuals admitted after December 26, 2016, who passed an examination within the first two attempts, including those examinations attempted after the individual has completed the EPP or when the EPP has not recommended the individual for a standard certificate. The pass rate is based solely on the examinations approved by the EPP. Examinations taken before admission to the EPP or specific examinations taken for pilot purposes are not included in the pass rate.
 - (B) For pedagogy tests, the performance standard shall be a pass rate of 85%.
 - (C) For content pedagogy tests, the performance standard shall be a pass rate of 75%.

- (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 70% of first-year teachers from the EPP who are appraised as "sufficiently prepared" or "well prepared";
 - (3) the growth of students taught by beginning teachers as indicated by the STAAR Annual Growth Points, determined at the student level as described in Figure: 19 TAC §97.1001(b) of Part II of this title (relating to Accountability Rating System), and aggregated at the teacher level as described in Figure: 19 TAC §229.1(c) of this title. For the 2024-2025 and 2025-2026 academic years, the performance standard shall be 60% of beginning teachers from the EPP reaching the individual performance threshold. For the 2026-2027 academic year, the performance standard shall be 65% of beginning teachers from the EPP reaching the individual performance threshold. Beginning in the 2027-2028 academic year, the [The] performance standard shall be 70% of beginning teachers from the EPP reaching the individual performance threshold [~~For the 2023-2024 academic year, this performance standard will be a reporting year only and will not be used to determine accreditation status~~];
 - (4) the results of data collections establishing EPP compliance with SBEC requirements regarding the frequency, duration, and quality of field supervision to candidates completing clinical teaching, residency, 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 for 95% of the EPP's candidates. EPPs that do not meet the standard of 95% for the aggregated group or for any disaggregated demographic group but have only one candidate not meet the requirement in the aggregated or any disaggregated group has met the standard for that group.
 - (i) For the 2023-2024 and 2024-2025 academic years, individuals will be evaluated against the frequency and duration requirements in Chapter 228, Requirements for Educator Preparation Programs, [Subchapter F, of this title (relating to Support for Candidates During Required Clinical Experiences)] that were effective August 31, 2024.
 - (ii) Beginning in the 2025-2026 academic year, individuals will be evaluated against the frequency and duration requirements in Chapter 228, Subchapter F, of this title that were effective beginning September 1, 2024.
 - (B) The performance standard for quality shall be 90% of candidates rating the field supervision as "frequently" or "always or almost always" providing the components of structural guidance and ongoing support; and
 - (5) the results from a teacher satisfaction survey, in a form approved by the SBEC, of first-year teachers administered at the end of the first year of teaching as a teacher of record. The performance standard shall be 70% of teachers responding that they were "sufficiently prepared" or "well prepared" by their EPP.
- (b) Accreditation status assignment. All approved EPPs may be assigned an accreditation status based on their performance in the Accountability System for Educator Preparation Programs (ASEP) Index system, as described in Figure: 19 TAC §229.1(c) of this title.
- (1) Accredited status. An EPP shall be assigned an Accredited status if the EPP has met the standard of 85% of the possible points in the ASEP Index system as described in Figure: 19 TAC §229.1(c) of this title and has been approved by the SBEC to prepare, train, and recommend candidates for certification.
 - (2) Accredited-Not Rated status.
 - (A) 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 ASEP Index

system as described in Figure: 19 TAC §229.1(c) of this title. An EPP is fully accredited and may recommend candidates for certification while it is in Accredited-Not Rated status.

- (B) An EPP shall be assigned Accredited-Not Rated status in any reporting year in which the EPP candidate group, aggregated or disaggregated by demographic group, does not meet the necessary number of individuals needed to measure against performance standards for that year, for all indicators.

 - (i) Any sanction assigned as a result of an Accredited-Warned or Accredited-Probation status in the prior year shall continue unless the SBEC modifies the sanction as deemed necessary based on subsequent performance.
 - (ii) If the EPP is assigned a status of Accredited-Not Rated this shall not break a count of consecutively measured years for the purpose of paragraph (5)(A) of this subsection.
- (3) Accredited-Warned status.

 - (A) An EPP shall be assigned Accredited-Warned status if the EPP accumulates 80% or greater but less than 85% of the possible points in the ASEP Index system as described in Figure: 19 TAC §229.1(c) of this title.
 - (B) An EPP may be assigned Accredited-Warned status if the SBEC determines that the EPP has violated SBEC rules, orders, and/or Texas Education Code (TEC), Chapter 21.
- (4) Accredited-Probation status.

 - (A) An EPP shall be assigned Accredited-Probation status if the EPP accumulates less than 80% of the possible points in the ASEP Index system as described in Figure: 19 TAC §229.1(c) of this title.
 - (B) An EPP may be assigned Accredited-Probation status if the SBEC determines that the EPP has violated SBEC rules, orders, and/or TEC, Chapter 21.
- (5) Not Accredited-Revoked status.

 - (A) 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.
 - (B) 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.
 - (C) An EPP may be assigned Not Accredited-Revoked status if the EPP fails to pay the required ASEP technology fee by the deadline set by TEA as prescribed in §229.9(7) of this title (relating to Fees for Educator Preparation Program Approval and Accountability).
 - (D) An EPP may be assigned Not Accredited-Revoked status if the SBEC determines that the EPP has violated SBEC rules, orders, and/or TEC, Chapter 21.
 - (E) 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.
 - (F) A revocation of an EPP approval shall be effective for a period of two years from the closure date , 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).
 - (G) Upon revocation of EPP approval, the EPP shall submit a letter as described in §228.21(a)(1) of this title (relating to Program Consolidation or Closure) no later than 14

days after the revocation identifying a closure date. If a letter is not submitted within 14 days after the revocation, the closure date shall be the last day of the current academic year [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] .

(H) Upon revocation of EPP approval, the EPP shall adhere to the requirements for program closure contained in §228.21 of this title.

(c) Small group exception.

- (1) For purposes of accreditation status determination, the performance of an EPP candidate group, aggregated or disaggregated by demographic group, shall be measured against performance standards described in this chapter in any one year in which the number of individuals in the group exceeds 10. 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 demographic group, where the group contains 10 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 current year's EPP candidate group, aggregated or disaggregated by demographic group, contained between one and 10 individuals, that group performance shall be combined with the group performance from the next most recent prior year subsequent to the 2020-2021 academic year for which there was at least one individual, and if the two-year cumulated group contains more than 10 individuals, then the two-year cumulated group performance must be measured against the standards in the current year. The two-year cumulated group shall not include group performance from years prior to the 2021-2022 academic year.
- (4) If the two-year cumulated EPP candidate group described in subsection (c)(3) of this section, aggregated or disaggregated by demographic group, contains between one and 10 individuals, then the two-year cumulated group performance shall be combined with the next most recent group performance subsequent to the 2020-2021 academic year for which there was at least one individual. 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 may be. When evaluating a three-year cumulated group of fewer than 10 individuals, the candidate group will be measured against the performance standard of the current year, or a performance standard of up to one candidate failing to meet the requirement, whichever is more favorable. The three-year cumulated group performance shall not include group performance from years prior to the 2021-2022 academic year.
- (5) In any reporting year in which subsection (c)(3) or (4) of this section results in an evaluation against the standard and the evaluated cumulated group does not meet the performance standard, the current year candidate group is separately evaluated against the performance standard. If the current year candidate group meets the performance standard, then the failure does not count as an additional consecutively measured year for the purposes of the ASEP Index as described in Figure: 19 TAC §229.1(c) of this title or for §229.5(c) of this title (relating to Accreditation Sanctions and Procedures). If the current year candidate group does not meet the performance standard, then the failure does count as an additional consecutively measured year for the purposes of the ASEP Index and for §229.5(c) of this title.
- ~~(5) In any reporting year in which the EPP candidate group, aggregated or disaggregated by demographic group, does not meet the necessary number of individuals needed to measure against performance standards for that year, for all indicators, the accreditation status will continue from the prior 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. If an EPP has a status of Accredited Probation carried over as a result of this subsection, the year in which the EPP has the~~

~~carried over status will not count as a consecutively measured year for the purpose of subsection (b)(5)(A) of this section. 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.]~~

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STATUTORY AUTHORITY. The amendment is proposed under Texas Education Code (TEC), §21.041(a), which allows the State Board for Educator Certification (SBEC) to adopt rules as necessary for its own procedures; TEC, §21.041(b)(1), which requires the SBEC to propose rules that provide for the regulation of educators and the general administration of the TEC, Chapter 21, Subchapter B, in a manner consistent with the TEC, Chapter 21, Subchapter B; TEC, §21.041(d), which states that the SBEC may adopt a fee for the approval and renewal of approval of an educator preparation program (EPP), for the addition of a certificate or field of certification, and to provide for the administrative cost of appropriately ensuring the accountability of EPPs; TEC, §21.043(b) and (c), which require SBEC to provide EPPs with data, as determined in coordination with stakeholders, based on information reported through PEIMS that enables an EPP to assess the impact of the program and revise the program as needed to improve; TEC, §21.0441(c) and (d), which require the SBEC to adopt rules setting certain admission requirements for EPPs; TEC, §21.0443, which 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, which states that the board shall propose rules establishing standards to govern the approval and continuing accountability of all EPPs; TEC, §21.0451, which 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; and TEC, §21.0452, which 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.

CROSS REFERENCE TO STATUTE. The amendment implements Texas Education Code (TEC), §§21.041(a), (b)(1), and (d); 21.043(b) and (c); 21.0441(c) and (d); 21.0443; 21.045; 21.0451; and 21.0452.

<rule>

§229.5. Accreditation Sanctions and Procedures.

- (a) The State Board for Educator Certification (SBEC) may assign an educator preparation program (EPP) Accredited-Warning or Accredited-Probation status if the SBEC determines that the EPP has violated SBEC rules and/or Texas Education Code (TEC), Chapter 21.
- (b) If an EPP has been assigned Accredited-Warning 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;
 - (3) require the EPP to provide TEA staff with verification of the EPP's compliance with SBEC rules and/or the TEC;
 - (4) require the EPP to post on its website:
 - (A) accreditation status;
 - (B) notice that the SBEC has instated conditions on the EPP's continuing approval;
 - (C) TEA's continuing approval review report; and/or
 - (D) official notification of recommended status;
 - (5) appoint a monitor to participate in the activities of the EPP and report the activities to the TEA or SBEC; and/or

- (6) require the EPP to develop an action plan addressing the deficiencies and describing the steps the program will take to improve the performance of its candidates. 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 that SBEC has ordered the action plan.
- (c) Notwithstanding the accreditation status of an EPP, if the performance of candidates on an examination required for certification (as listed in Figure: 19 TAC §230.21(e) of this title (relating to Educator Assessment)) in an individual certification class or category offered by an EPP fails to meet the performance standard on the content pedagogy test as described in §229.4(a)(1)(D) 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.]~~
- (1) 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.
 - (2) Performance indicators by demographic group shall not be counted for purposes of subsection (c) of this section pertaining to performance standards for individual certification classes or categories. If the aggregated number of individuals counted for a certification class or category is 10 or fewer, the performance on the standard shall be cumulated and counted in the same manner as provided in §229.4(c) of this title.
 - (3) Upon revocation of certification class or category, the EPP shall submit a letter as described in §228.21(a)(1) of this title (relating to Program Consolidation or Closure) no later than 14 days after the revocation identifying a closure date. If a letter is not submitted within 14 days after the revocation, the closure date shall be the last day of the current academic year.
 - ~~[(3) For EPPs that failed to meet the standard described in subsection (c) of this section for a certification class or category in the 2018-2019 academic year that meet the requirements based on their 2020-2021 data, the 2020-2021 academic year shall represent a break in consecutively measured years for the purpose of subsection (c) of this section.]~~
 - (4) Upon revocation of the approval to offer the certification class or category, the EPP shall adhere to the requirements for program closure contained in §228.21 of this title.
- (d) 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.
- (e) All costs associated with providing or requiring technical assistance, professional services, or the appointment of a monitor pursuant to this section shall be paid by the EPP to which the services are provided or required, or its sponsor.

STATUTORY AUTHORITY. The amendment is proposed under Texas Education Code (TEC), §21.041(a), which allows the State Board for Educator Certification (SBEC) to adopt rules as necessary for its own procedures; TEC, §21.041(b)(1), which requires the SBEC to propose rules that provide for the regulation of educators and the general administration of the TEC, Chapter 21, Subchapter B, in a manner consistent with the TEC, Chapter 21, Subchapter B; TEC, §21.041(d), which states that the SBEC may adopt a fee for the approval and renewal of approval of an educator preparation program (EPP), for the addition of a certificate or field of certification, and to provide for the administrative cost of appropriately ensuring the accountability of EPPs; TEC, §21.043(b) and (c), which require SBEC to provide EPPs with data, as determined in coordination with stakeholders, based on information reported through PEIMS that enables an EPP to assess the impact of the program and revise the program as needed to improve; TEC, §21.0441(c) and (d), which require the SBEC to adopt rules setting certain admission requirements for EPPs; TEC, §21.0443, which 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, which states that the board shall propose rules establishing standards to govern the approval and continuing accountability of all EPPs; TEC, §21.0451, which 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; and TEC, §21.0452, which 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.

CROSS REFERENCE TO STATUTE. The amendment implements Texas Education Code (TEC), §§21.041(a), (b)(1), and (d); 21.043(b) and (c); 21.0441(c) and (d); 21.0443; 21.045; 21.0451; and 21.0452.

<rule>

§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 §228.13 of this title (relating to Continuing Educator Preparation Program Approval)--\$4,500.
- (3) Discretionary continuing approval review visit pursuant to §228.13 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, residency, and practicums--\$500.
- (7) Accountability System for Educator Preparation Programs technology fee--\$35 per admitted candidate.