

Chapter 228. Requirements for Educator Preparation Programs

Subchapter C. Administration and Governance of Educator Preparation Programs

§228.21. Program Consolidation or Closure.

- (a) An educator preparation program (EPP) that is consolidating or closing, whether as an entire program or only for specific individual certification categories or classes and whether voluntarily or by order of the State Board for Educator Certification (SBEC), must comply with the following procedures to ensure that all issues relevant to EPP consolidation or closure have been addressed.
- (1) The EPP shall submit a letter on official letterhead to Texas Education Agency (TEA) staff signed by the legal authority of the EPP that contains a formal statement of consolidation or closure with a specified effective date for consolidation or closure at least 90 days and no more than 270 days after the date of the letter.
 - (2) The legal authority of the EPP shall meet with TEA staff weekly between the date of the notice letter required in paragraph (1) of this subsection and the date of closure.
 - (3) The EPP shall contact the following types of candidates, either in the entire program or in the impacted certification category or class depending on the scope of the closure, with notification of consolidation or closure and the steps candidates must take in relation to their status, and shall maintain evidence of the attempts to notify each candidate:
 - (A) currently enrolled candidates;
 - (B) candidates who have been enrolled within the previous five years; and
 - (C) completers within the previous five years.
 - (4) The EPP shall not admit candidates or recommend candidates for an intern or probationary certificate within one year of its closure date.
 - (5) The EPP shall identify approved EPPs to provide test approval and standard certification recommendations for completers at the closing EPP.
 - (A) The closing EPP shall provide its candidates with a list of approved EPPs that can continue to support completers through test approval and standard certification.
 - (B) To expedite the candidates' transfer to other programs, the closing EPP shall provide each candidate with appropriate documentation, such as a transcript or transfer form, reflecting all program requirements the candidate has met.
 - (6) For five years after an EPP's closure, the EPP must identify and keep current a representative's name, electronic mail address, and telephone number to provide access to candidate records and responses to former candidate's questions and/or issues. If an EPP is consolidating, the candidate records will transfer to the new EPP.
 - (7) The EPP must complete required SBEC and TEA actions, including required submissions of information, surveys, and other accountability data; removal of security accesses; reconciliation of certification recommendations; and payment of the Accountability System for Educator Preparation Programs technology fee as specified in §229.9 of this title (relating to Fees for Educator Preparation Program Approval and Accountability).
- (b) The chief operating officer, legal authority, or a member of the governing body of an EPP that fails to comply with the consolidation or closure procedures in this section is not eligible to apply for SBEC approval to offer an EPP.
- (c) The chief operating officer, legal authority, or a member of the governing body of an EPP that closes voluntarily due to pending TEA or SBEC action or involuntarily due to SBEC action is not eligible to apply for SBEC approval to offer an EPP.

- (d) If an EPP is consolidating or closing only individual certification classes or categories and fails to comply with the consolidation procedures in this section, TEA staff may make a recommendation that the SBEC impose sanctions affecting the new EPP's accreditation status in accordance with §229.5 of this title (relating to Accreditation Sanctions and Procedures) and/or continuing approval status in accordance with §229.6 of this title (relating to Continuing Approval).
- (e) If an EPP violates any of the requirements as prescribed in subsection (a)(1)-(7) of this section, TEA staff shall recommend revocation of the EPP's continuing approval to prepare and recommend candidates for certification in accordance with §229.6(c) of this title.

Statutory Authority: The provisions of this §228.21 issued under the Texas Education Code, §§21.003(a); 21.031; 21.041(b)(1)-(4); 21.044; 21.0441; 21.0442(c); 21.0443; 21.045(a); 21.0452; 21.0453; 21.0454; 21.0455; 21.046(b) and (c); 21.048(a); 21.0485; 21.0487(c); 21.0489(c); 21.04891; 21.049(a); 21.0491; 21.050(a)-(c); and 21.051; and the Texas Occupations Code, §55.007.

Source: The provisions of this §228.21 adopted to be effective September 1, 2024, 49 TexReg 3531.

§228.23. Change of Ownership and Name Change.

- (a) An educator preparation program (EPP) that changes ownership shall notify Texas Education Agency (TEA) staff of the change of ownership in writing within 10 days of the change.
- (b) A change of ownership is any agreement to transfer the control of an EPP. The control of an EPP is considered to have changed:
 - (1) in the case of ownership by an individual, when more than 50% of the EPP has been sold or transferred;
 - (2) in the case of ownership by a partnership or a corporation, when more than 50% of the owning partnership or corporation has been sold or transferred; or
 - (3) in the case of ownership by a board of directors, officers, shareholders, or similar governing body, when more than 50% of the ownership has changed.
- (c) An EPP that is not a college or university may not change its name unless it has notified the TEA of a change of ownership within the preceding 90 days and has a State Board for Educator Certification (SBEC) accreditation status of Accredited or Accredited-Not Rated. The EPP shall notify TEA staff of the name change in writing.
- (d) An EPP that is a college or university may change its name if the EPP has notified the TEA that the entire college or university has changed its name.
- (e) An EPP shall annually report to the SBEC all names that the EPP has done business as during the preceding year. The TEA shall make EPPs' doing-business-as names available to the public on the TEA website as consumer information.
- (f) TEA staff shall recommend an accreditation status of Accredited-Probation in accordance with §229.4(e)(2) of this title (relating to Determination of Accreditation Status) for any EPP that fails to timely notify TEA staff regarding a change in ownership or a change of program name.

Statutory Authority: The provisions of this §228.23 issued under the Texas Education Code, §§21.003(a); 21.031; 21.041(b)(1)-(4); 21.044; 21.0441; 21.0442(c); 21.0443; 21.045(a); 21.0452; 21.0453; 21.0454; 21.0455; 21.046(b) and (c); 21.048(a); 21.0485; 21.0487(c); 21.0489(c); 21.04891; 21.049(a); 21.0491; 21.050(a)-(c); and 21.051; and the Texas Occupations Code, §55.007.

Source: The provisions of this §228.23 adopted to be effective September 1, 2024, 49 TexReg 3531.

§228.25. Governance of Educator Preparation Programs.

- (a) The preparation of educators shall be a collaborative effort among public schools accredited by the Texas Education Agency (TEA) and/or TEA-recognized private schools; regional education service centers; institutions of higher education; and/or business and community interests; and shall be delivered in cooperation with public schools accredited by the TEA and/or TEA-recognized private schools.

- (b) An advisory committee with members representing at least three out of the five groups identified as collaborators in subsection (a) of this section shall assist in the design, delivery, evaluation, and major policy decisions of the educator preparation program (EPP) and shall meet a minimum of once during each academic year. The approved EPP shall inform each member of the advisory committee of the roles and responsibilities of the advisory committee.
- (c) The governing body and chief operating officer of an EPP shall provide sufficient support to enable the EPP to meet all standards set by the SBEC and shall be accountable for the quality of the EPP and the candidates whom the EPP recommends for certification.
- (d) For an EPP that the State Board for Educator Certification has approved to offer a residency program under §228.65 of this title (relating to Residency), the EPP must meet at least quarterly with district and campus administrators of the school district with which the EPP has partnered, including the campus supervisors of all the EPP's current residency candidates, to review data, including performance data, for the EPP's current residency candidates and to make programmatic decisions or changes to implement continuous improvement of the EPP's residency program.
- (e) For the purposes of EPP improvement, an EPP shall continuously evaluate the design and delivery of the EPP components based on performance data, scientifically based research practices, and the results of internal and external feedback and assessments.

Statutory Authority: The provisions of this §228.25 issued under the Texas Education Code, §§21.003(a); 21.031; 21.041(b)(1)-(4); 21.044; 21.0441; 21.0442(c); 21.0443; 21.045(a); 21.0452; 21.0453; 21.0454; 21.0455; 21.046(b) and (c); 21.048(a); 21.0485; 21.0487(c); 21.0489(c); 21.04891; 21.049(a); 21.0491; 21.050(a)-(c); and 21.051; and the Texas Occupations Code, §55.007.

Source: The provisions of this §228.25 adopted to be effective September 1, 2024, 49 TexReg 3531.