

Item 13:

Discussion of A+ Texas Teachers Educator Preparation Program's Agreed Order

DISCUSSION AND ACTION

SUMMARY: This item provides the State Board for Educator Certification (SBEC) an update on A+ Texas Teachers' (ATT) educator preparation program (EPP).

STATUTORY AUTHORITY: The continuing approval of EPPs is authorized by the Texas Education Code (TEC), §§21.0443, 21.041, 21.0452, and 21.061, closure of EPPs is authorized by TEC §21.0451, and the informal disposition of contested cases is authorized by the Texas Government Code (TGC) §2001.056.

BACKGROUND INFORMATION AND JUSTIFICATION: The Board approved and entered a second agreed order with A+ Texas Teachers on September 19, 2024, that reflected settlement terms agreed upon by all parties. TEA staff and the assigned monitor, Dr. Pamela Wells, have been in consistent communication and collaboration with ATT to carry out requirements identified in the Agreed Order and bring improvements to their program.

On December 20, 2024, the monitor confirmed the first data set specific to ATT's compliance with mentor requirements for interns met the minimum requirements set forth by the SBEC, as identified in the Agreed Order. The monitor's review of the second data set specific to ATT's compliance with SBEC rules established for field-based experiences was still in progress at the time this meeting agenda was being finalized.

The terms of the Agreed Order require the monitor to provide a final report and recommendation to TEA and ATT by February 13, 2025. During the February SBEC meeting, TEA staff will present an update on the ATT agreed order status and discuss next steps.

The Board may take action pending the outcome of the monitor's final report.

PUBLIC AND STUDENT BENEFIT: The public and student benefit anticipated as a result of the Agreed Order will be to ensure this educator preparation program is meeting minimum requirements set forth by the SBEC and is therefore adequately preparing educators for Texas classrooms.

Staff Members Responsible:

Sarah Wolfe, Senior Director, EPCE Law and Policy
Lorrie Ayers, Director, EPP Management

Attachment:

ATT Second Agreed Order

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IN THE MATTER	§	BEFORE THE STATE BOARD
	§	
OF	§	FOR
	§	
A+ TEXAS TEACHERS EDUCATOR PREPARATION PROGRAM	§ §	EDUCATOR CERTIFICATION

SECOND AGREED FINAL ORDER

On the 19th day of September, 2024, the State Board for Educator Certification (“Board” or “SBEC”) considered the matter of the accreditation of the Respondent, A+ Texas Teachers Educator Preparation Program (“ATT”).

This Second Agreed Order is executed pursuant to the authority of the Administrative Procedure Act, TEX. GOV’T. CODE §2001.056, which authorizes the informal disposition of contested cases. In a desire to conclude this matter without further delay and expense, the Board and Respondent agree to resolve this matter by this Second Agreed Final Order.

The Board makes the following Findings of Fact and Conclusions of Law:

FINDINGS OF FACT

1. On March 30-April 1, 2021, the Texas Education Agency (“TEA”) staff conducted a five-year continuing approval review of the ATT.
2. On January 27, 2022, TEA staff provided notice to ATT that its proposed recommendation to the SBEC following the five-year continuing approval review was revocation of approval to recommend candidates for educator certification.
3. On July 22, 2022, the SBEC and ATT (collectively, “Parties”) reached an agreement (“First Agreed Order”), setting out a process for ATT to prove its compliance with SBEC rules by October 19, 2022, by presenting evidence of compliance to a third-party monitor, Calvin Stocker (“Monitor Stocker”).
4. On November 18, 2022, Monitor Stocker completed his review of ATT’s records. He found evidence that ATT was in compliance with SBEC rules in six of the agreed areas for review. TEA Staff reviewed Monitor Stocker’s findings and determined that ATT complied with the terms of the First Agreed Order and demonstrated compliance in those areas for review.
5. TEA asserts that Monitor Stocker determined that Respondent was not in compliance with SBEC rules for more than 10% of candidates in three areas. TEA Staff reviewed Monitor Stocker’s findings and asserted that Respondent did not comply with the First Agreed Order. ATT disputes those conclusions.
6. On January 25, 2023, TEA staff sent an Original Petition to ATT, setting out its claims regarding ATT’s compliance with the First Agreed Order. ATT disputes those claims.

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7. ATT retained a third-party consultant to review its compliance with the First Agreed Order. That third-party consultant found that ATT was in compliance with the First Agreed Order. TEA disputes those findings.
8. On March 21, 2023, ATT filed suit in Travis County district court, cause number D-1-GN-23-001504. ATT challenged the validity and applicability of SBEC rules and rules applied by Monitor Stocker and TEA in their review of the First Agreed Order. The trial court entered a temporary restraining order enjoining TEA from noticing a hearing at the State Office of Administrative Hearings (“SOAH”) regarding ATT that involved the challenged rules.
9. On May 10, 2023, after a hearing, the trial court found that ATT had a likelihood of success on the merits of its claims and entered a temporary injunction restraining TEA from noticing a hearing or otherwise initiating proceedings with SOAH against ATT until the suit is resolved.
10. TEA appealed the temporary injunction and the court’s denial of TEA’s plea to the jurisdiction to the Austin Court of Appeals. The Austin Court of Appeals issued an order on August 4, 2023, prohibiting TEA/SBEC from initiating SOAH proceedings or contested cases at SOAH that concern ATT’s compliance with or performance under the terms of the First Agreed Order, including any rules, codes, or statutes related to the First Agreed Order. The appeal remains pending in the Austin Court of Appeals.
11. The parties wish to enter this Second Agreed Order to resolve outstanding litigation, avoid the burdens and expenses of litigation, and so that ATT can prove its continuing compliance with the SBEC rules.

CONCLUSIONS OF LAW

1. ATT is subject to the jurisdiction of the SBEC and is required to comply with 19 Texas Administrative Code (“TAC”), Chapters 227, 228, 229, 230, 231, 234, 241, and 247 and Texas Education Code (“TEC”) §§21.044, 21.0441, 21.0443, 21.045, 21.0451, 21.0452, 21.0454, 21.0455, 21.046, 21.048, and 21.049.
2. The Board is authorized pursuant to 19 TAC Chapter 229 and TEC §21.0443 to revoke or refuse to renew its approval of an educator preparation program, and to put conditions on the continuing approval of a program.
3. The SBEC and ATT agree to the actions set forth herein in order to avoid the time and burden of further litigation.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED THAT:

1. Pam Wells is appointed as a monitor for ATT (hereinafter, “Monitor”). ATT shall submit a copy of its contract with the Monitor to TEA within 5 days of the execution of the contract. ATT will, in accordance with its contract with the Monitor, pay all costs, including fees for services as well as any costs incurred by the Monitor directly related to the Monitor’s duties. The Monitor shall submit her monthly expense reports to TEA at the

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time of submission to ATT. ATT shall promptly pay the Monitor within 30 days of receipt of the Monitor's expense report and shall submit proof of payment to TEA within 5 business days of payment. Beginning September 20, 2024, but excluding September 27, 2024 through October 8, 2024, the Monitor, ATT, and TEA shall meet and confer regarding the requirements of this Agreed Order and conduct any training necessary for the Monitor.

2. The Monitor, beginning on October 9, 2024, and concluding no later than October 21, 2024, for each of the areas in which TEA determined that ATT satisfied the First Agreed Order, as set forth in Exhibit B, will review ATT's processes and procedures in place at the time of this Second Agreed Order in order to confirm such processes and procedures are consistent with the application of the TAC rules as set forth in Exhibit B for candidates enrolled prior to September 1, 2024.
3. The Monitor, TEA, and ATT shall use the formulas described in Exhibits C-1 and C-2 to calculate the 80% threshold in this Second Agreed Order. In determining that threshold, the Monitor shall apply the standards in the Agreed Compliance Requirement and Agreed Monitor Review in Exhibits A-1 and A-2, and shall not use any other standards.
4. The Monitor, for a period of 6 weeks beginning on October 21, 2024, and ending December 6, 2024, (excluding the week of November 25-29, 2024), will review a weekly sample of an equal amount of candidates in their initial internship year who were employed and held an intern certificate that was issued between August 1, 2023, and March 31, 2024, for the current mentor's compliance with the mentor requirements as set forth in Exhibit A-1. TEA staff will extract the population of candidates from the Educator Certification Online System ("ECOS") who meet the requirement above as the population of interest. TEA staff will use proportionate sampling stratified by admission date to identify a total representative sample of up to 160 candidates or 10%, whichever is greater, of the candidate population and provide that list of candidates to the Monitor and ATT. ATT will directly provide the selected candidate files to the Monitor by 9 a.m. every Monday during the 6 week period. The Monitor will have 5 business days to review the weekly sample and provide an initial compliance determination to ATT.¹ If the Monitor initially determines that a candidate file does not meet the mentorship requirements, the Monitor will describe each area in which a candidate file failed to meet the mentorship requirements as set forth in Exhibit A-1. ATT shall then have 10 business days to confer with the Monitor about the initial determination and to clarify or identify previously existing documentation to demonstrate compliance. If, after the 6-week review process, the Monitor reports to TEA staff that ATT did not ensure that, for each of the enumerated mentorship requirements as set forth in Exhibit A-1, at least 80% of candidates met the requirement, then SBEC approval to recommend candidates will be immediately revoked with an accreditation status of "Not Accredited—Revoked," without any further review, due process, board action or possibility of appeal. The Monitor's conclusion with respect to the 80% threshold shall be determinative for purposes of this Agreed Order.

¹ Days excluded from the review period are not considered "business days" in this Second Agreed Final Order.

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5. The Monitor, for a period of 6 weeks beginning on December 9, 2024, and ending January 31, 2025, (excluding the two weeks of December 23, 2024 through January 3, 2025), will review a weekly sample of an equal amount of candidates enrolled after August 1, 2023 and before August 31, 2024, who are recommended for or hold an active intern certificate as of September 30, 2024, for compliance with the Field-Based Experience (“FBE”) requirements as set forth in Exhibit A-2. TEA staff will extract the population of candidates from ECOS who meet the requirement above as the population of interest. TEA staff will use proportionate sampling stratified by admission date to identify a total representative sample of the candidate population of up to 160 candidates or 10%, whichever is greater, and provide that list of candidates to the Monitor and ATT. ATT will directly provide the selected candidate files to the Monitor by 9 a.m. every Monday during the 6 week period. The Monitor will have 5 business days to review the weekly sample and provide an initial compliance determination to ATT. If the Monitor initially determines that a candidate file does not meet the FBE requirements, the Monitor will describe each area in which a candidate file failed to meet the FBE requirements as set forth in Exhibit A-2. ATT shall then have 10 business days to confer with the Monitor about the initial determination and to clarify or identify previously existing documentation to demonstrate compliance. If, after the 6-week review process, the Monitor reports to TEA staff that ATT did not ensure that, for each of the enumerated FBE requirements as set forth in Exhibit A-2, at least 80% of candidates met the requirement, then SBEC approval to recommend candidates will be immediately revoked with an accreditation status of “Not Accredited—Revoked,” without any further review, due process, board action or possibility of appeal. The Monitor’s conclusion with respect to the 80% threshold shall be determinative for purposes of this Agreed Order.
6. The Monitor will provide a monthly status report to TEA and ATT regarding the review of candidate files, as set forth in Exhibit A-1 and A-2. By February 13, 2025, the Monitor will report to TEA staff and ATT the results of the candidate file review and any alleged non-compliance by ATT with this Second Agreed Order that occurs after the effective date of this Second Agreed Order. ATT will provide templates for the monthly and final reports to the Monitor. The Monitor may also include in such report any other identified violation of SBEC rules, but such violation shall not be considered a violation of this Second Agreed Order. TEA staff will investigate any alleged non-compliance the Monitor identifies and determine whether ATT has complied with the Second Agreed Order.
7. Beginning January 1, 2025, and continuing for one year from the effective date of this Second Agreed Order, the Monitor may, on a quarterly basis, review ATT’s processes and procedures in place at that time in order to confirm such processes and procedures are consistent with the application of TAC rules as described Exhibits A-1 and A-2, or are being updated to comply with the revised TAC rules then in effect. The Monitor will provide the results of each quarterly review to TEA and ATT.
8. ATT will participate in the SBEC continuing approval redesign pilot program beginning in 2025, and will be evaluated under the same standards (if applicable to alternative certification programs) as other EPPs participating in the pilot program. Calvin Stocker will have no contact with ATT during the pilot program, and will have no contact with the TPI-US staff conducting the pilot program regarding ATT’s participation in the pilot program. The parties intend for this program to benefit all EPPs, and this program will not be a ground for a punitive action or sanction and shall not be considered a violation of this

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Second Agreed Order as this process is designed to inform ATT's continuous improvement efforts.

9. While this Second Agreed Order is in effect, the Monitor will meet monthly with ATT's CEO and ATT's Chief Compliance and Regulatory Officer and will also meet separately each month with ATT's Chief Compliance and Regulatory Officer.
10. The Monitor will confirm that all late hires, as described in 19 TAC §228.35, qualify as late hires under the compliance criteria described in Exhibit A-3, who receive an intern certification while this Second Agreed Order is in effect. The Monitor will confirm late hire candidates within five business days of ATT's request for a compliance determination.
11. While this Second Agreed Order is in effect, other than for the limited purpose of the ongoing quarterly review described in paragraph 7, ATT will continue to post a notice on the webpage <https://www.teachersoftomorrow.org/texas/> with the title "Under SBEC Board Order," including a link to this executed Second Agreed Order and the text "A+ Texas Teachers (d/b/a Texas Teachers of Tomorrow) has entered into a settlement with the State Board for Educator Certification to address areas of noncompliance with state requirements for educator preparation programs. ATT is working in collaboration with the Texas Education Agency to bring new improvements to its program and is committed to serving the needs of our aspiring teachers through continuous improvements."
12. While this Second Agreed Order is in effect, other than for the limited purpose of the ongoing quarterly review described in paragraph 7, unless or until ATT's approval from the SBEC to recommend candidates is revoked for failure to meet the 80% threshold in paragraphs 4 and 5 with an accreditation status of "Not Accredited—Revoked," ATT's accreditation status will be "Accredited-Probation." If the Monitor reports in the final report on February 13, 2025, that ATT meets the 80% threshold in paragraphs 4 and 5, SBEC agrees that ATT's accreditation status for the 2023-2024 accreditation year shall be "Accredited—Not Rated" until the SBEC approves a new accreditation status for it under 19 TAC §229.4(b). As under the First Agreed Order, this Agreed Order overrides the process for assigning accreditation status and revocation described in 19 TAC §229.4(b).
13. ATT will remove from its list of enrolled candidates all individuals who have not been active in the program within the last two years.
14. This Second Agreed Order will remain in effect until February 13, 2025, except for the limited purpose of the Monitor's ongoing quarterly review described in paragraph 7, which shall continue for one year from the effective date of this Second Agreed Order. This Second Agreed Order may be terminated at an earlier time if the Monitor determines, and TEA staff agrees, that ATT's processes and procedures are in compliance with the Second Agreed Order, and that it is appropriate to end the Second Agreed Order early.
15. ATT waives all rights to a hearing on any issue other than its compliance with the terms of the Second Agreed Final Order, any right to seek removal or modification of the sanctions and conditions imposed by this Second Agreed Final Order, and any right to seek judicial review of this Second Agreed Final Order. TEA and SBEC agree not to initiate SOAH proceedings or any other hearing in relation to the First Agreed Final Order. TEA and

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SBEC agree that the First Agreed Final Order is terminated as of the effective date of this Second Agreed Order. ATT will dismiss the action currently pending in the Austin Court of Appeals, No. 03-23-00318-CV against TEA, SBEC, Mike Morath, Emily Garcia, and Calvin Stocker.

16. Each of the undersigned representatives of a party to this Agreed Final Order certifies that he or she is fully authorized to enter into the terms and conditions of the order and to legally execute and bind that party to this order.

SIGNED this 19 day of September, 2024



ATT Legal Authority

On behalf of the State Board for Educator Certification:

SIGNED this 19 day of September, 2024



BOARD CHAIR
State Board for Educator Certification

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EXHIBIT A-1²
Embedded Compliance Review Procedures For Mentorship (Paragraph 4)

No.	TAC Provision	Agreed Compliance Requirement	Agreed Monitor Review ³
1.	<p>19 TAC § 228.2(26): For an internship candidate, an educator . . . who has at least three years of teaching experience; who is an accomplished educator as shown by student learning . . . who is currently certified in the certification category in which the internship candidate is seeking certification.</p>	<p>For each candidate, ATT will maintain documentation confirming the mentor’s experience, accomplishment, and certification; or documentation that the school or district has attested that the candidate’s mentor:</p> <ul style="list-style-type: none"> <input type="checkbox"/> has at least three years of teaching experience; <input type="checkbox"/> is an accomplished educator as shown by student learning; and <input type="checkbox"/> is currently certified in the certification category in which the internship candidate is seeking certification. <p>If an experienced mentor certified in the same certification category as the candidate is not available, a campus or district administrator must provide a narrative explaining the reason for selecting an individual that does not meet the criteria.</p> <p>ATT will ensure that school districts provide evidence of mentor qualification. If there is a change in mentor assignment, ATT will ensure the school district provides evidence of the mentor qualification after</p>	<p>The Monitor will confirm that each candidate file has documentation confirming the mentor’s experience, accomplishments, and certification; or documentation that the school or district has attested that the candidate’s mentor:</p> <ul style="list-style-type: none"> <input type="checkbox"/> has at least three years of teaching experience; <input type="checkbox"/> is an accomplished educator as shown by student learning; and <input type="checkbox"/> is currently certified in the certification category in which the internship candidate is seeking certification. <p>Or, if an experienced mentor certified in the same certification category as the candidate is not available, a campus or district administrator must provide a narrative explaining the reason for selecting an individual that does not meet the criteria.</p>

² ATT agrees that it will comply with the Agreed Compliance Requirement(s) in Exhibits A-1 through A-3 for purposes of settlement of this dispute, but does not agree that such Agreed Compliance Requirement(s) are required under Texas law and reserves (and does not waive) its right to challenge any requirements imposed on ATT other than those agreed to by ATT for purposes of this Agreed Order.

³ ATT is entitled to rely on any school or district attestation for purposes of the Agreed Compliance Requirements in this Agreed Order. The same certificate category includes any certificate for which the mentor would be qualified to hold the same assignment as the candidate, as listed in 19 TAC Chapter 231.

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No.	TAC Provision	Agreed Compliance Requirement	Agreed Monitor Review ³
		ATT is notified of the change by the district or the school. ⁴	
2.	<p>19 TAC §§ 228.2(26): For an internship candidate, an educator . . . who has completed mentor training, including training in how to coach and mentor teacher candidates, by an EPP within three weeks of being assigned to the intern . . .</p> <p>228.35(f): The EPP is responsible for providing mentor, cooperating teacher, and/or site supervisor training that relies on scientifically-based research, but the program may allow the training to be provided by a school, district, or regional education service center if properly documented.</p>	<p>For each candidate, ATT will maintain appropriate documentation, such as (1) a document from a campus or district administrator attesting that the mentor has been trained, or (2) documentation demonstrating that ATT provided training materials to the candidate’s mentor, such as an email or other communication/documentation providing the training materials to the mentor no later than three weeks after assignment.⁵</p> <p>“Assignment” means the date ATT approves the qualifications of the mentor the school district has assigned to the candidate.</p>	<p>The Monitor will confirm that each candidate file contains appropriate documentation, such as (1) a document from the school or district verifying that the mentor has been trained, or (2) documentation demonstrating that ATT provided training materials to the candidate’s mentor, such as an email or other communication/documentati on providing the training materials to the mentor no later than three weeks after assignment.</p>

⁴ For purposes of settlement only, ATT agrees to ensure that school districts submit documentation, or otherwise maintain evidence of mentor qualification, even though ATT does not believe that it is required to do so under Texas law. If there is a change in mentor assignment for a particular candidate, the current mentor for that candidate will be the only mentor reviewed for purposes of this Agreed Order.

⁵ For purposes of settlement only, ATT agrees to maintain documentation regarding mentor training – even though ATT does not believe that it is required to do so under Texas law. If there is a change in mentor assignment for a particular candidate, the current mentor for that candidate will be the only mentor reviewed for purposes of this Agreed Order.

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EXHIBIT A-2
Embedded Compliance Review Procedures for FBEs (Paragraph 5)

No.	TAC Provision	Agreed Compliance Requirement	Agreed Monitor Review
1.	<p>19 TAC § 228.35(e)(1)(B): Up to 15 clock-hours of field-based experience may be provided by use of electronic transmission or other video or technology-based method. Field-based experience provided by use of electronic transmission or other video or technology-based method</p>	<p>For candidates that choose to complete electronic FBEs, ATT’s learning management system will maintain electronic FBE logs that contain the hours associated with each electronic FBE and documents containing completed reflections for each electronic FBE.⁶</p>	<p>For each candidate that chooses to complete electronic FBEs, ATT will provide documentation of the following:</p> <ul style="list-style-type: none"> <input type="checkbox"/> The number of clock hours associated with each individual electronic FBE. <input type="checkbox"/> The total number of electronic FBE clock hours credited to the candidate. <input type="checkbox"/> A copy of each electronic FBE reflection. <p>The Monitor will review the provided documentation to confirm that the candidate answered all reflection questions for each electronic FBE and to confirm that the total hours credited matches the number of FBEs completed.</p>
2.	<p>19 TAC § 228.35(e)(1)(A): Field-based experiences must include 15 clock-hours in which the candidate, under the direction of the EPP, is actively engaged in instructional or educational activities that include:</p> <ul style="list-style-type: none"> i. authentic school settings in a public school accredited by the TEA or other school 	<p>ATT will have all candidates complete at least 15 clock-hours of FBEs where the candidate is actively engaged in instructional or educational activities, or where the candidate qualifies as a long-term substitute.</p> <p>“Actively engaged in instructional or</p>	<p>For each candidate, ATT will provide the candidate’s reflection for each in-person FBE or documentation showing the candidate is a long-term substitute. Each reflection document will contain:</p> <ul style="list-style-type: none"> <input type="checkbox"/> The campus where the observation occurred;

⁶ For purposes of settlement only, ATT agrees to keep FBE logs that contain the hours associated with each electronic FBE, even though ATT does not believe that it is required to do so under Texas law.

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No.	TAC Provision	Agreed Compliance Requirement	Agreed Monitor Review
	<p>approved by the TEA for this purpose;</p> <p>ii. instruction by content certified teachers;</p> <p>iii. actual students in classrooms/instructional settings with identity-proof provisions;</p> <p>iv. content or grade-level specific classrooms/instructional settings; and</p> <p>v. written reflection of the observation.</p>	<p>educational activities” means the student’s FBE occurs live at an in-person educational setting with the opportunity to closely observe instructional or educational opportunities.</p> <p>ATT will require candidates to submit at least one FBE reflection and log per day observed.</p> <p>ATT will only accept in-person FBE hours after the educator observed or school/district personnel verified the date and duration.⁷</p> <p>For each candidate who qualifies as a long-term substitute, ATT will maintain documentation from the school or district verifying the candidate’s status as a long-term substitute.</p>	<ul style="list-style-type: none"> <input type="checkbox"/> The date of the observation; <input type="checkbox"/> The number of observation hours; <input type="checkbox"/> The subjects observed; <input type="checkbox"/> The teachers observed; <input type="checkbox"/> The grades observed; <input type="checkbox"/> The verification of observation hours; and <input type="checkbox"/> An answer to each reflection question. <p>For each reflection document, the Monitor will confirm that (1) the candidate showed active engagement in educational activities by answering all reflection questions; and (2) that the educator observed or school/district personnel verified the date and duration.</p> <p>If the candidate is a long-term substitute, the Monitor will confirm that the candidate file contains documentation verifying the candidate’s status, such as a Long-Term Substitute Verification Form or other documentation from the district or school verifying the candidate’s long-term substitute status.</p>

⁷ For purposes of settlement only. ATT agrees to keep FBE logs that contain one log per day observed and accept only hours verified by the educator observed or school/district personnel, even though ATT does not believe that it is required to do so under Texas law.

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No.	TAC Provision	Agreed Compliance Requirement	Agreed Monitor Review
3.	<p>19 TAC § 228.35(e)(1): For initial certification in the classroom teacher certification class, each EPP shall provide field-based experiences, as defined in §228.2 of this title (relating to Definitions), for a minimum of 30 clock-hours. The field-based experiences must be completed prior to assignment in an internship or clinical teaching.</p>	<p>ATT will not issue intern certificates with a certificate effective date prior to the date of the last completed FBE unless the candidate qualifies as a late hire.</p> <p>The “date of the last completed FBE” is the actual date of the FBE, as verified by the educator observed or school/district personnel.</p>	<p>The Monitor will confirm that, if issued, the certificate effective date is no earlier than the verified date of the last completed FBE, except for candidates that qualify as a late hire.</p>
4.	<p>19 TAC § 228.35(e): An EPP shall provide evidence of ongoing and relevant field-based experiences throughout the EPP in a variety of educational settings with diverse student populations, including observation, modeling, and demonstration of effective practices to improve student learning.</p>	<p>ATT will have each candidate participate in FBEs in a “variety of educational settings.”⁸</p> <p>A “variety of educational settings” means that the candidate has participated in a field-based experience in at least two:</p> <ul style="list-style-type: none"> <input type="checkbox"/> educator classrooms; or <input type="checkbox"/> Grade levels (e.g., grade 2, 3, 4, etc.); or <input type="checkbox"/> content areas; or <input type="checkbox"/> schools; or <input type="checkbox"/> classrooms with diverse student populations. 	<p>The Monitor will confirm that the candidate has completed FBEs (either in-person or electronic) in at least two:</p> <ul style="list-style-type: none"> <input type="checkbox"/> educator classrooms; or <input type="checkbox"/> Grade levels (e.g., grade 2, 3, 4, etc.); or <input type="checkbox"/> content areas; or <input type="checkbox"/> schools; or <input type="checkbox"/> classrooms with diverse student populations.

⁸ For purposes of settlement only, ATT agrees to have each candidate participate in FBEs in a variety of educational settings, even though ATT does not believe that it is required to do so under Texas law.

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EXHIBIT A-3
Late Hire Approval Procedure (Paragraph 10)

TAC Provision	Agreed Compliance Requirement	Agreed Monitor Review
<p>19 TAC § 228.2(25): Late hire—An individual who has not been accepted into an educator preparation program before the 45th day before the first day of instruction and who is hired for a teaching assignment by a school after the 45th day before the first day of instruction or after the school’s academic year has begun.</p>	<p>ATT will only approve candidates as late hires if they have been admitted to ATT within 45 days of the first day of instruction and (1) were hired by a school district within 45 days of the first day of instruction or (2) were hired after the school year has begun.</p> <p>Candidates designated as “late hires” do not need to complete FBE or coursework requirements prior to placement in an internship.</p> <p>The “hire date” for purposes of approving late hire candidates is the candidate’s certificate effective date.</p>	<p>For each late hire candidate, ATT will provide the Monitor with the following information:</p> <ul style="list-style-type: none"> <input type="checkbox"/> The formal admission date of the candidate, as reported in ECOS. <input type="checkbox"/> The first day of instruction in the candidate’s school district, which, for purposes of late hires, is defined as the effective date listed on the candidate’s intern certificate. <input type="checkbox"/> The candidate’s certificate effective date, as reported in ECOS. <p>As described in Paragraph 10 above, the Monitor will review all late hires. The Monitor will approve any late hire candidate with: (1) a formal admission date no more than 45 days before the first day of instruction and (2) a certificate effective date after 45 days before the first day of instruction or after the start of the school’s academic year.</p>

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EXHIBIT B
One-Time Compliance Review for First Agreed Order (Paragraph 2)

TAC Provision Requirements	Agreed Monitor Review
<p>19 TAC § 227.17. Formal Admission 19 TAC §227.17(b) requires that for an applicant to be formally admitted to an EPP, the EPP must notify the applicant of the offer of formal admission in writing by mail, personal delivery, facsimile, email, or an electronic notification.</p> <p>19 TAC §227.17(d) requires that the <u>effective date</u> of formal admission was included in the offer of formal admission.</p> <p>19 TAC §227.17(e) requires that an EPP must notify the Texas Education Agency within <u>seven calendar days</u> of a candidate’s formal admission.</p>	<p>The Monitor will confirm that ATT has a process in place to notify its applicants of the offer of formal admission in writing by mail, personal delivery, facsimile, email, or an electronic notification.</p> <p>The Monitor will confirm that ATT has a process in place to provide an offer of formal admission that included an effective date of formal admission.</p> <p>The Monitor will confirm that ATT has a process in place to notify the Texas Education Agency within seven calendar days of the candidate’s formal admission.</p>
<p>19 TAC §227.10(a)(4) Admission Requirements: Minimum Subject-Specific Content Hours</p> <p>19 TAC §227.10(a)(4) requires that an applicant who will be seeking an initial certificate in the classroom teacher class of certificate, the applicant shall have successfully completed, prior to admission, at least:</p> <ul style="list-style-type: none"> • a minimum of <u>12 semester credit hours</u> in the subject-specific content area for the certification sought... or • <u>15 semester credit hours</u> in the subject-specific content area for the certification sought if the certification sought is for <u>mathematics or science at or above Grade 7; or a passing score on the appropriate content certification examination</u> ...The applicant will not be required to successfully content certification examination until January 27, 2020. 	<p>The Monitor will confirm that ATT has a process in place to review applicants seeking an initial certificate in the classroom teacher class of certificate for the minimum requirement for subject-specific content hours at admission.</p>

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TAC Provision Requirements	Agreed Monitor Review
<p>19 TAC §228.40(c) Assessment and Evaluation of Candidates for Certification and Program Improvement</p> <p>19 TAC §228.40(c) requires that <u>upon the written request of the candidate</u>, an EPP may prepare a candidate and grant test approval for a classroom teacher certificate category other than the category for which the candidate was initially admitted to the EPP.</p>	<p>The Monitor will confirm that ATT has a process in place to grant test approval to candidates in certificate area(s) other than the area(s) in which they were admitted upon the written request of the candidate.</p>
<p>19 TAC §227.10(a)(8) Admission Requirements Screen</p> <p>19 TAC §227.10(a)(8) requires that an applicant must... participate in either an <u>interview or other screening instrument</u> to determine if the EPP applicant's knowledge, experience, skills, and aptitude are appropriate for the certification sought.</p>	<p>The Monitor will confirm that ATT has a process in place to screen candidates using a formal admission screening instrument that identifies levels of performance, and which is auto scored against a cut score.</p>
<p>19 TAC §228.35(e)(2)(B)(vi) & (vii) Skills Implementation: Notification of Certificate Deactivation</p> <p>19 TAC §228.35(e)(2)(B)(vi) & (vii) requires that an EPP must provide ongoing support to a candidate... unless...</p> <p>(II) ...the candidate resigns, is non-renewed, or is terminated by the school or district...</p> <p>(III) ...the candidate is discharged or is released from the EPP...</p> <p>(IV) ...the candidate withdraws from the EPP...</p> <p>(V) ...the internship assignment does not meet the requirements...</p> <p>And that if the candidate leaves the internship assignment for any of the reasons identified in clause (vi)(II)-(V) of this subparagraph: the EPP, the campus or district personnel, and the candidate must inform each other within one calendar week of the candidate's last day in the assignment; and</p>	<p>The Monitor will confirm that ATT has a process in place to communicate the deactivation requirements via the statement of eligibility prior to the start of the candidate's internship to both the candidate and campus or district personnel.</p>

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TAC Provision Requirements	Agreed Monitor Review
<p>(II) TEA must receive the certificate deactivation request with all related documentation from the EPP within two calendar weeks of the candidate's last day of the assignment in a format determined by TEA.</p> <p>And that the EPP must communicate the requirements in clause (vii) of this subparagraph to candidates and campus or district personnel prior to the assignment start date.</p>	
<p>19 TAC §228.35(g) Field Supervision: Field Supervisor Initial Contact</p> <p>19 TAC §228.35(g) requires the field supervisor to make initial contact with the candidate within the first three weeks of the internship assignment.</p> <p>19 TAC §228.35(g), §228.35(h), & §228.35(j)(2)(C) Field Supervision: Information Observation & Ongoing Coaching</p> <p>19 TAC §228.35(g), §228.35(h), & §228.35(j)(2)(C) requires that informal observations and coaching shall be provided by the field supervisor as appropriate...</p>	<p>The Monitor will confirm that ATT has a process in place for field supervisors to make initial contact within the first three weeks of the candidates' assignment.</p> <p>The Monitor will confirm that ATT has a process in place to maintain field supervisor logs and capture evidence of ongoing coaching and support when appropriate.</p>
<p>19 TAC §228.35(g)(1) Field Supervision: Formal Observations-Duration & Format</p> <p>19 TAC §228.35(g)(1) requires that each formal observation must be at least 45 minutes in duration, must be conducted by the field supervisor, and must be on the candidate's site in a face-to-face setting.</p>	<p>The Monitor will confirm that ATT has a process in place to perform formal observations that meet location, duration, and assignment requirements and document educational practices observed and candidate demonstration of proficiency in the standards.</p>

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TAC Provision Requirements	Agreed Monitor Review
<p>19 TAC §229.3(a), §229.3(f)(1), & related graphic Figure 19 TAC §229.3(f)(1) Data Reported: Accurately</p> <p>19 TAC §229.3(a), §229.3(f)(1), & related graphic Figure 19 TAC §229.3(f)(1) requires that educator preparation programs (EPPs) ...field supervisors, administrators, mentors, site supervisors, and cooperating teachers shall provide to the TEA staff all data and information required by 19 TAC Chapter 229, as set forth in 19 TAC §229.3(e) and §229.3(f).</p>	<p>The Monitor will confirm that ATT has a process in place to update records in the Education Certification Online System for each change in certificate area or test approval requested by the candidates after admission.</p>

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EXHIBIT C-1

Mentorship Compliance Calculations (Paragraph 4)⁹		
No.	Agreed Compliance Requirement	Formula
1. 19 TAC § 228.2(26)	<p>The Monitor will confirm that each candidate file has documentation confirming the mentor’s experience, accomplishments, and certification; or documentation that the school or district has attested that the candidate’s mentor:</p> <ul style="list-style-type: none"> <input type="checkbox"/> has at least three years of teaching experience; <input type="checkbox"/> is an accomplished educator as shown by student learning <input type="checkbox"/> is currently certified in the certification category in which the internship candidate is seeking certification. <p>Or, if an experienced mentor certified in the same certification category as the candidate is not available, a campus or district administrator must provide a narrative explaining the reason for selecting an individual that does not meet the criteria.</p>	<p>[Candidates reviewed by the Monitor who met the agreed compliance requirements]</p> <hr/> <p>[Total candidates reviewed by the Monitor]</p>
2. 19 TAC §§ 228.2(26) and 228.35(f)	<p>The Monitor will confirm that each candidate file contains appropriate documentation, such as (1) a document from the school or district or mentor verifying that the mentor has been trained, or (2) documentation demonstrating that ATT provided training materials to the candidate’s mentor, such as an email or other communication/documentation providing the training materials to the mentor no later than three weeks after assignment.</p>	<p>[Candidates reviewed by the Monitor that met the agreed compliance requirements]</p> <hr/> <p>[Total candidates reviewed by the Monitor]</p>

⁹ Compliance percentages shall be calculated after the 6-week period is complete using the entire pool of candidates whose files were reviewed for compliance with the mentorship requirements in paragraph 4 and Exhibit A-1 of the Agreed Order. The Monitor shall remove candidates from the population where the circumstances create an impossibility for the candidate to comply with the agreed compliance requirements. For example, if the candidate or mentor resigned or went on leave before the agreed compliance requirements were due, those candidates or mentors shall be excluded.

EXHIBIT C-2

FBE Compliance Calculations (Paragraph 5)¹⁰		
No.	Agreed Compliance Requirement	Formula
1. 19 TAC § 228.35(e)(1)(B)	<p>For each candidate that chooses to complete electronic FBEs, ATT will provide documentation of the following:</p> <ul style="list-style-type: none"> <input type="checkbox"/> The number of clock hours associated with each individual electronic FBE. <input type="checkbox"/> The total number of electronic FBE clock hours credited to the candidate. <input type="checkbox"/> A copy of each electronic FBE reflection. <p>The Monitor will review the provided documentation to confirm that the candidate answered all reflection questions for each electronic FBE and to confirm that the total hours credited matches the number of FBEs completed.</p>	<p>[Candidates reviewed by the Monitor who completed electronic FBEs and satisfied the agreed compliance requirements]</p> <hr/> <p>[Total candidates reviewed by the Monitor who completed electronic FBEs]</p>
2. 19 TAC § 228.35(e)(1)(A)	<p>For each candidate, ATT will provide the candidate’s reflection for each in-person FBE or documentation showing the candidate is a long-term substitute. Each reflection document will contain:</p> <ul style="list-style-type: none"> <input type="checkbox"/> The campus where the observation occurred; <input type="checkbox"/> The date of the observation; <input type="checkbox"/> The number of observation hours; <input type="checkbox"/> The subjects observed; <input type="checkbox"/> The teachers observed; 	<p>[Candidates reviewed by the Monitor whose in-person FBE logs and/or long-term substitute documentation met the agreed compliance requirements]</p> <hr/> <p>[Total candidates reviewed by the Monitor who completed in-person FBEs]</p>

¹⁰ Compliance percentages shall be calculated after the 6-week period is complete using the entire pool of candidates whose files were reviewed for compliance with the FBE requirements in paragraph 5 and Exhibit A-2 of the Agreed Order. The Monitor shall remove candidates from the population where the circumstances create an impossibility for the candidate to comply with the agreed compliance requirements. For example, late hires who have not completed their FBEs, but for whom 90 school days have not passed since their certificate effective date, shall be excluded from review. See 19 TAC §228.35(d).

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FBE Compliance Calculations (Paragraph 5)¹⁰		
No.	Agreed Compliance Requirement	Formula
	<ul style="list-style-type: none"> <input type="checkbox"/> The grades observed; <input type="checkbox"/> Verification of observation hours; and <input type="checkbox"/> An answer to each reflection question. <p>For each reflection document, the Monitor will confirm that (1) the candidate showed active engagement in educational activities by answering all reflection questions; and (2) that the educator observed or school/district personnel verified the date and duration.</p> <p>If the candidate is a long-term substitute, the Monitor will confirm that the candidate file contains documentation verifying the candidate’s status, such as a Long-Term Substitute Verification Form or other documentation from the district or school verifying the candidate’s long-term substitute status.</p>	
3. 19 TAC § 228.35(e)(1)	The Monitor will confirm that, if issued, the certificate effective date is no earlier than the verified date of the last completed FBE, except for candidates that qualify as a late hire.	<p>([Candidates reviewed by the Monitor who completed all FBEs and received an internship certificate with an effective date after the date of last completed FBE, excluding late hires]</p> <p><i>plus</i></p> <p>[Candidates reviewed by the Monitor who completed all FBEs and have not yet been issued an internship certificate, excluding late hires]</p> <hr/> <p>([Total candidates reviewed by the Monitor]</p> <p><i>minus</i></p> <p>[Candidates reviewed by the Monitor hired as late hires])</p>

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FBE Compliance Calculations (Paragraph 5)¹⁰		
No.	Agreed Compliance Requirement	Formula
4. 19 TAC § 228.35(e)	<p>The Monitor will confirm that the candidate has completed FBEs (either in-person or electronic) in at least two:</p> <ul style="list-style-type: none"> <input type="checkbox"/> educator classrooms; or <input type="checkbox"/> Grade levels (e.g., grade 2, 3, 4, etc.); or <input type="checkbox"/> content areas; or <input type="checkbox"/> schools; or <input type="checkbox"/> classrooms with diverse student populations. 	<p>[Candidates reviewed by the Monitor that met the agreed compliance requirement]</p> <hr/> <p>[Total candidates reviewed by the Monitor]</p>
5. 19 TAC § 228.35(e)	<p>The Monitor will confirm that the candidate has completed at least a minimum of 30 clock hours for FBEs, including at least 15 hours of in-person FBEs by adding any combination of the following:</p> <ul style="list-style-type: none"> A. The total number of hours associated with each in-person FBE reflection. B. If the candidate is a long-term substitute, 15 hours of in-person FBEs. C. If the candidate chooses to complete electronic FBEs, the total number of electronic FBEs credited to the candidate, up to 15 hours. 	<p>[Candidates reviewed by the Monitor that met the agreed compliance requirement]</p> <hr/> <p>[Total candidates reviewed by the Monitor]</p>