

## Item 16:

### Discussion of the Texas Educator Certification Examination Program Request for Proposal Process

#### DISCUSSION ONLY

**SUMMARY:** This item provides the State Board for Educator Certification (SBEC) with an opportunity to discuss the Texas Education Agency (TEA) plan to solicit proposals to provide development and administration of the Texas Educator Certification Examination Program (TECEP). This Request for Proposal (RFP) relates to activities conducted to test educators in Texas for certification, including the Texas Examinations of Educator Standards (TExES), Texas Assessment of Sign Communications (TASC), TASC-American Sign Language (TASC-ASL), Pre-Admission Content Test (PACT), edTPA<sup>®</sup>, and the American Association of Family & Consumer Sciences exams (AAFCS).

**STATUTORY AUTHORITY:** The statutory authority for this RFP is the Texas Education Code (TEC) §21.031; §21.048; §21.045 as they relate to improving student performance, educator certification testing, and accountability requirements.

TEC §21.031 mandates that SBEC shall ensure that all candidates for certification demonstrate the knowledge and skills necessary to improve the performance of the diverse student population of Texas.

TEC §21.048 requires the SBEC to propose rules prescribing comprehensive examinations for each class of certificate issued by the SBEC.

TEC, §21.045, states that the board shall propose rules establishing standards to govern the approval and continuing accountability of all EPPs.

The full text of statutory citations can be found in the statutory authority section of this agenda.

**FUTURE ACTION EXPECTED:** TEA staff plan to begin the RFP solicitation procurement process this summer and award the contract in early 2024 with an effective date of September 1, 2024. TEA staff plan to share the awarded contractor with the SBEC by April 2024.

**BACKGROUND INFORMATION AND JUSTIFICATION:** The [Texas Administrative Code §230.21\(a\)](#) requires every person seeking educator certification in Texas to perform satisfactorily on comprehensive tests. The purpose of these tests is to ensure that each educator has the prerequisite content and professional knowledge, skills, and abilities necessary for an entry-level position in Texas public schools and has the capability of becoming a highly effective educator.

*Background Context on the Texas Educator Certification Examination Program (TECEP):*

Texas Educator Certification Examination Program (TECEP) includes the development and ongoing administration of all SBEC certification examinations, including the Texas Examinations of Educator Standards (TExES), Texas Assessment of Sign Communications (TASC), TASC-American Sign Language (TASC-ASL), Pre-Admission Content Test (PACT), edTPA<sup>®</sup>, and the American Association of Family & Consumer Sciences exams (AAFCS).

The TEA oversees the TECEP on behalf of the SBEC, including the procurement and ongoing implementation and contract management processes with the vendor(s) who implement the program. The current vendors, Pearson and Education Testing Services (ETS) were originally awarded their respective contracts in 2018. Those contracts included a four-year term with the option of two one-year extensions, which come to a close as of August 31, 2024.

TEA staff plan to begin the RFP solicitation procurement process for the TECEP vendor this summer and award the contract early 2024, with an effective date of September 1, 2024.

There are no state funds allocated to the resulting contract. This certification examination program is supported entirely by fees paid by individual candidates/educators and educator preparation programs and school districts on behalf of the candidates/educators. TEA will not be obligated to pay any funds to the awarded contractor at any time during the initial term or any proposed amendments, extensions, or renewals of the contract.

TEA requires the selected vendor to be prepared to modify or broaden the scope, subject areas, and examination development or to implement other changes in this project as required by legislation or action by SBEC, the State Board of Education (SBOE), or the Commissioner of Education. The testing vendor is legally responsible to comply with all TEC requirements as they relate to any program or function that the vendor is to fulfill as part of the educator certification examination program contract.

#### *Background on TEA Procurement Processes:*

TEA must comply with procurement laws, which evolve every legislative session. All solicitation and contract activities are governed by a variety of Texas statutes, rules in the Texas Administrative Code, guidance contained in the code of federal regulations, as well as policies and best practices contained within the [Comptroller's State of Texas Procurement and Contract Management Guide v2.0](#) (TPCMG). Principles of public procurement are best understood through the key principles of transparency, integrity, compliance, and accountability.

The entire procurement process includes five separate phases:

- Planning: Identify a need, secure funding, develop project requirements, determine procurement method, and complete planning packet forms;
- Solicitation & Evaluation: Draft and publish solicitation (RFP), review and score responses, and award contract(s);
- Contract Formation: Negotiate contract terms and conditions, refine task plan, amend contracts, and execute renewals as needed;
- Contract Monitoring: Track vendor performance, enforce contract terms, and review change management requests (amendments and budget revisions); and
- Contract Close-Out: Complete administrative tasks after contract expiration, including reporting on vendor performance and ensuring vendors handle sensitive data appropriately.

Sections of an RFP include Introduction and Purpose, General Instructions and Standard Proposal Requirements, Proposal Format and Content, Review of Proposals, and Contractual Requirements.

*Discussion of TECEP RFP Components for SBEC Input:*

It is imperative for TEA to maintain the integrity of the procurement process by avoiding the appearance of impropriety, in this case, giving anyone an advantage over others with advance knowledge of any specifics contained in the procurement. Given these considerations, at the July 2023 SBEC meeting, TEA staff will present an overview of the RFP development process, content, and timeline, specifically the contract length, exam content buckets to be included, information on the evaluation committee, and selection criteria for SBEC member discussion and input as appropriate.

**Proposed Next Steps**

TEA staff are committed to ensuring fairness and access in all aspects of the Texas Educator Certification Examination Program. TEA staff will incorporate feedback received from SBEC into the upcoming solicitation and bring to the board information on the selected vendor in April 2024.

**PUBLIC AND STUDENT BENEFIT:** The public and student benefit anticipated as a result of the recommendations would be having a high quality, legally defensible examination program for TEA.

**Staff Member Responsible:**

Jessica McLoughlin, Senior Director, Educator Quality  
Beth Burkhart, Director, Educator Standards and Testing  
Jennifer Perez, Manager, Educator Testing