

# Item 10:

## COVER PAGE

### Type of Agenda Board Item:

- Discussion Only:** TEA staff will present board items with an update, potential future items, and/or seek SBEC direction on potential future board action items. TEA staff will draft future action items from the board's discussion and direction.
- Board Action:** SBEC members will take action on the agenda item and the effective date will be immediately upon board approval.

### Summary:

This item is for the approval of the 2014-2015 Accountability System for Educator Preparation Programs (ASEP) accreditation statutes for TeacherBuilder.com (TBC). The Board assigned TBC at 2013-2014 ASEP status of "Accredited Warned" at the August 2015 meeting. Attachments II, III and IV of the item provide a historical summary of the Board's actions and staff's proposed recommendation.

### Statutory Authority:

All of the relevant statutes, if applicable, pertaining to this item are listed for you on the agenda title page and the entire statutory language is on Attachment I. This is always helpful in referencing the law the TEA staff was working under when preparing this item.

### TEA Staff Recommendation:

To approve the accreditation status as presented.

### Relevant SBEC Core Principles:

- *We believe well-prepared educators are essential.*
- *We believe high certification standards measured by rigorous and reliable assessments are essential.*
- *We believe flexible and accessible certification programs, held to the same standards of accountability, are essential.*
- *We believe we must ensure consistency and effectiveness among educator preparation programs.*

**Item 10:****Consider and Take Appropriate Action on Request to Approve 2014-2015 Accountability System for Educator Preparation Programs (ASEP) Accreditation Status for TeacherBuilder.com****DISCUSSION AND ACTION**

**SUMMARY:** This item provides the State Board for Educator Certification (SBEC) the opportunity to approve a 2014-2015 Accountability System for Educator Preparation Programs (ASEP) Accreditation Status for TeacherBuilder.com (TBC).

**STATUTORY AUTHORITY:** ASEP accreditation statuses and sanctions for Educator Preparation Programs (EPPs) are authorized by the Texas Education Code (TEC), §21.045 and §21.0451.

**EFFECTIVE DATE:** Upon SBEC approval.

**PREVIOUS BOARD ACTION:** The SBEC assigned TBC a 2013-2014 ASEP status of “Accredited-Warned” at the August 2015 meeting.

**BACKGROUND INFORMATION AND SIGNIFICANT ISSUES:** The SBEC is responsible for establishing standards to govern the continuing accountability of all EPPs that prepare individuals for certification. The TEC, §21.045 describes the accountability system for EPPs and the TEC, §21.0451 describes sanctions under this accountability system.

To meet the statutory requirements, the SBEC adopted 19 TAC Chapter 229, which states that accreditation statuses of an EPP will be determined annually based on performance standards and compliance with SBEC rules and/or the TEC, Chapter 21. An EPP is assigned the status of “Accredited” if the EPP has met all the accountability performance standards and is in compliance with SBEC rules and/or the TEC, Chapter 21.

An EPP is assigned the status of “Accredited-Warned” if (1) the program fails to meet the performance standards for the overall performance of its candidates on any one of the four performance indicators, (2) fails to meet the standards in any two gender or ethnicity demographic groups, (3) fails to meet the standards for a gender or ethnicity demographic group for two consecutively measured years, regardless of whether the deficiency is in the same demographic group or standard, or (4) if the SBEC determines that the EPP has violated SBEC rules and/or the TEC, Chapter 21.

At the August 2015 SBEC meeting, TEA staff recommended that the Board assign TBC an accreditation status of “Accredited-Warned.” The TEA staff recommendation was based on TBC’s continued failure to correct serious program deficiencies, despite repeated notices and offers of assistance from TEA staff over a period of ten years, which constituted failure to comply with SBEC rules. A summary of these deficiencies is included as Attachment II. In addition to the assignment of the “Accredited-Warned” status, the TEA staff also recommended

that the Board impose conditions upon the continuing program approval of TBC. A copy of the SBEC's formal order is included as Attachment III. TBC may request the SBEC to re-evaluate its accreditation rating after TBC has participated in a discretionary continuing approval review and has shown that it is in compliance with all SBEC rules.

As of April 26, 2015, TBC had not fully complied with the conditions of the August 2015 SBEC order and was given notice that TEA staff would be recommending a continuation of the "Accredited-Warning" status. A copy of this notice is included as Attachment IV. Pursuant to 19 TAC §229.7, TBC was entitled to an informal review of the proposed recommendation prior to submission of the proposed recommendation to the SBEC. If an informal review is requested, the proposed recommendation may be amended or sustained by TEA staff at the conclusion of the informal review. More information will be provided to the SBEC prior to the June 2015 meeting.

**PUBLIC AND STUDENT BENEFIT:** The public and student benefit anticipated as a result of the proposed revised accountability status will be to ensure qualified educator preparation programs, teachers and professionals in Texas.

**ASSOCIATE COMMISSIONER'S RECOMMENDATION:** I recommend that the State Board for Educator Certification:

Approve the 2014-2015 Accountability System for Educator Preparation Programs accreditation status for TeacherBuilder.com as presented.

**Staff Member Responsible:** Tim Miller, Director  
Educator Preparation

Sandra Jo Nix, Manager  
Educator Preparation

**Attachments:**

- I. Statutory Citations
- II. August 2015 Summary for Proposed Recommendation of Action Related to TeacherBuilder.com
- III. August 2015 SBEC Order of Action Related to TeacherBuilder.com
- IV. April 2016 Notice of Proposed Recommendation of Action Related to TeacherBuilder.com

---

**ATTACHMENT I****Statutory Citations Relating to Accreditation Statuses and Sanctions for Educator Preparation Programs****Texas Education Code, §21.045, Accountability System for Educator Preparation Programs:**

- (a) The board shall propose rules necessary to establish standards to govern the continuing accountability of all educator preparation programs based on the following information that is disaggregated with respect to race, sex, and ethnicity:
- (1) results of the certification examinations prescribed under Section 21.048(a);
  - (2) performance based on the appraisal system for beginning teachers adopted by the board;
  - (3) achievement, including improvement in achievement, of students taught by beginning teachers for the first three years following certification, to the extent practicable;
  - (4) compliance with board requirements regarding the frequency, duration, and quality of structural guidance and ongoing support provided by field supervisors to candidates completing student teaching, clinical teaching, or an internship; and
  - (5) results from a teacher satisfaction survey, developed by the board with stakeholder input, of new teachers performed at the end of the teacher's first year of teaching.
- (b) Each educator preparation program shall submit data elements as required by the board for an annual performance report to ensure access and equity. At a minimum, the annual report must contain:
- (1) the performance data from Subsection (a), other than the data required for purposes of Subsection (a)(3);
  - (2) data related to the program's compliance with requirements for field supervision of candidates during their clinical teaching and internship experiences;
  - (3) the following information, disaggregated by race, sex, and ethnicity:
    - (A) the number of candidates who apply;
    - (B) the number of candidates admitted;
    - (C) the number of candidates retained;
    - (D) the number of candidates completing the program;
    - (E) the number of candidates employed as beginning teachers under standard teaching certificates by not later than the first anniversary of completing the program;
    - (F) the amount of time required by candidates employed as beginning teachers under probationary teaching certificates to be issued standard teaching certificates;
    - (G) the number of candidates retained in the profession; and
    - (H) any other information required by federal law;

- (4) the ratio of field supervisors to candidates completing student teaching, clinical teaching, or an internship; and
  - (5) any other information necessary to enable the board to assess the effectiveness of the program on the basis of teacher retention and success criteria adopted by the board.
- (c) The board shall propose rules necessary to establish performance standards for the Accountability System for Educator Preparation for accrediting educator preparation programs. At a minimum, performance standards must be based on Subsection (a).

**Texas Education Code, §21.0451, Sanctions under Accountability System for Educator Preparation Programs:**

- (a) The board shall propose rules necessary for the sanction of educator preparation programs that do not meet accountability standards or comply with state law or rules and shall at least annually review the accreditation status of each educator preparation program. The rules:
- (1) shall provide for the assignment of the following accreditation statuses:
    - (A) not rated;
    - (B) accredited;
    - (C) accredited-warned;
    - (D) accredited-probation; and
    - (E) not accredited-revoked;
  - (2) may provide for the agency to take any necessary action, including one or more of the following actions:
    - (A) requiring the program to obtain technical assistance approved by the agency or board;
    - (B) requiring the program to obtain professional services under contract with another person;
    - (C) appointing a monitor to participate in and report to the board on the activities of the program; and
    - (D) if a program has been rated as accredited-probation under the Accountability System for Educator Preparation for a period of at least one year, revoking the approval of the program and ordering the program to be closed, provided that the board or agency has provided the opportunity for a contested case hearing;
  - (3) shall provide for the agency to revoke the approval of the program and order the program to be closed if the program has been rated as accredited-probation under the Accountability System for Educator Preparation for three consecutive years, provided that the board or agency has provided the opportunity for a contested case hearing; and
  - (4) shall provide the board procedure for changing the accreditation status of a program that:

- (A) does not meet the accreditation standards established under Section 21.045(a); or
  - (B) violates a board or agency regulation.
- (b) Any action authorized or required to be taken against an educator preparation program under Subsection (a) may also be taken with regard to a particular field of certification authorized to be offered by an educator preparation program.
  - (c) A revocation must be effective for a period of at least two years. After two years, the program may seek renewed approval to prepare educators for state certification.
  - (d) The costs of technical assistance required under Subsection (a)(2)(A) or the costs associated with the appointment of a monitor under Subsection (a)(2)(C) shall be paid by the educator preparation program.

## Summary for Proposed Recommendation of Action Related to TeacherBuilder.com

On May 20, 2015, TeacherBuilder.com, an educator preparation program, was provided with written notice by Tim Miller, Texas Education Agency (TEA) Director of Educator Preparation, that the TEA was proposing a recommendation that the State Board for Educator Certification (SBEC) impose conditions on the continuing approval of TeacherBuilder.com to provide educator preparation pursuant to 19 Texas Administrative Code (TAC) §§ 228.10(b) and 229.6(b). The proposed recommendation was made after examining the most recent continuing approval site visit of October 2014 and the March 2015 desk review of admission procedures and issuance of probationary certificates, as well as the previous site visits and desk reviews. The following documents were reviewed in making the proposed recommendation:

1. 2005 Pre-Approval Visit Documents, February 10, 2005
2. 2006 Post-Approval Visit Action Plan, April 27, 2006
3. 2007 Oversight Visit Report, August 28, 2007
4. 2009 Desk Audit Report, November 23, 2009
5. 2010 Technical Compliance Audit Report, May 23, 2011
6. 2012 Technical Compliance Audit Report, November 15, 2012
7. 2014 Technical Compliance Audit Report with Action Plan, October 7-9, 2014
8. 2015 Desk Review in Response to February 16, 2015, Records Request, March 2015

The TEA found that TeacherBuilder.com's continued failure to correct serious program deficiencies, despite repeated notices and offers of assistance over a period of ten years, constituted failure to comply with SBEC rules. These issues included:

- I. Failure to review certification fields to identify and eliminate fields for which there is no preparatory curriculum;
- II. Failure to properly admit out-of-country candidates with respect to the oral language proficiency requirement; and
- III. Failure to properly issue probationary certificates.

Pursuant to 19 TAC §229.6, the notice included the following proposed recommendation for action to impose the following conditions on the continuing approval of TeacherBuilder.com to deliver an educator preparation program:

- A. Each candidate's transcript, content examination results, and Statement of Eligibility must be reviewed and approved by TEA staff prior to issuing a probationary certificate.
- B. Each out-of-country applicant's transcript review by an evaluating service and TOEFL results must be reviewed and approved by TEA staff prior to admission to the program.
- C. The addition of new certificate classes or new certification fields is prohibited.
- D. The admission of candidates into certification fields for which TeacherBuilder.com does not have a TEA-approved curriculum matrix is prohibited.
- E. A continuing approval review by TEA staff will be conducted in February of 2016 at TeacherBuilder.com's expense as provided by 19 TAC §229.9. At the time of the review, TeacherBuilder.com must show compliance with all SBEC rules.
- F. Upon a successful continuing approval review visit report, TeacherBuilder.com may request the SBEC to rescind the imposed conditions.

## Summary for Proposed Recommendation of Action Related to TeacherBuilder.com

Pursuant to 19 TAC §229.7, TeacherBuilder.com was entitled to an informal review of this proposed recommendation prior to its submission to the SBEC. The chief operating officer of TeacherBuilder.com, Noe Saucedo, submitted a request for an informal review on June 2, 2015. TEA staff reviewed the materials and documents provided by TeacherBuilder.com and amended the proposed recommendation to include a change in accreditation status and the assignment of a monitor.

At the June 12, 2015 SBEC meeting, the TEA made no recommendation for sanctions to allow additional time for TEA staff and TeacherBuilder.com to complete the informal review process required by rule. The SBEC did take action to change the accreditation status of TeacherBuilder.com from Accredited to Pending.

On June 19, 2015, TeacherBuilder.com was provided with written notice by Tim Miller to clarify the program deficiencies and amend the proposed recommendation for action. The following documents were reviewed in making the amended proposed recommendation:

1. 2005 Pre-Approval Visit Documents, February 10, 2005
2. 2006 Post-Approval Visit Action Plan, April 27, 2006
3. 2007 Oversight Visit Report, August 28, 2007
4. 2009 Desk Audit Report, November 23, 2009
5. 2010 Technical Compliance Audit Report, May 23, 2011
6. 2012 Technical Compliance Audit Report, November 15, 2012
7. 2014 Technical Compliance Audit Report, December 19, 2014
8. 2015 Desk Audit Report, May 26, 2015
9. 2015 Request for Informal Review, June 2, 2015

These deficiencies, the Texas Administrative Code (TAC) rules related to these deficiencies, and the evidence of these deficiencies included:

- I. Failure to provide curriculum that relies on scientifically based research to ensure teacher effectiveness and aligns to the Texas Essential Knowledge and Skills (TEKS). 19 TAC §228.30(b); and**
- II. Failure to provide coursework and training that is sustained, rigorous, interactive, student-focused, and performance-based. 19 TAC §228.30(b)**

TeacherBuilder.com has received curriculum compliance citations in 2005, 2006, 2009, 2010, 2012, and 2014. Since the October 2014 Technical Compliance Audit, TEA staff have worked with TeacherBuilder.com staff to address issues with the reading, ethics, dyslexia, and mental health curricula.

## Summary for Proposed Recommendation of Action Related to TeacherBuilder.com

Since the October 2014 Technical Compliance Audit, TEA staff have also worked with TeacherBuilder.com staff to improve its existing curriculum modules for Pedagogy and Professional Responsibilities (Grades EC-12) and the following certification fields:

- Generalist (Grade 4-8)
- Core Subjects (Grade 4-8)
- Mathematics (Grade 4-8)
- Science (Grade 4-8)
- Social Studies (Grade 4-8)
- English Language Arts and Reading (Grade 4-8)
- Special Education (Grades EC-12)
- Special Education Supplemental (Grades NA)

As of August 5, TeacherBuilder.com is still out of compliance with the curriculum component because there is no curriculum for the remaining 63 certification fields that it is currently approved to offer. According to the Program Action Plan that was developed as a result of the October 2014 Technical Compliance Audit, TeacherBuilder.com was to review its current certification fields and submit a letter to TEA staff by October 31, 2015, identifying certification fields that would be removed by the program due to inadequate support. As of August 5, TEA has not received a letter from TeacherBuilder.com. The certification fields that TeacherBuilder.com is currently approved to offer and the status of the curriculum compliance for each field is included as Exhibit A.

### **III. Failure to establish structured assessments of candidates' progress throughout the educator preparation program to ensure that candidates for educator certification are prepared to receive a standard certificate. 19 TAC §228.40(a)**

TeacherBuilder.com has received assessment compliance citations in 2010, 2012, and 2014. On February 16, 2015, TEA staff requested the records of thirty-three candidates who had been issued probationary certificates based upon the recommendation of TeacherBuilder.com. After reviewing the records, TEA staff determined that twenty-four of the records did not meet the probationary certificate criteria required by 19 TAC §230.37. Issues with the probationary certificates included:

1. No verification of satisfactory scores on English language proficiency examination;
2. No official transcript to verify degree or coursework;
3. No content exam or coursework required for the placement; and
4. Inappropriate assignment based on content exam, coursework, and/or certificate.

As part of the Program Action Plan that was developed as a result of the October 2014 Technical Compliance Audit, TeacherBuilder.com was to complete an audit of records for candidates who were on a probationary certificate to ensure proper issuance. Based on the number of discrepancies related to the issuance of probationary certificates, TeacherBuilder.com staff has not established a structured assessment of candidates' progress throughout the educator preparation program to ensure that candidates for educator certification are prepared to receive a standard certificate. In accordance with 19 TAC §230.37, demonstration of English language

## Summary for Proposed Recommendation of Action Related to TeacherBuilder.com

proficiency and passing a content exam or completing required coursework is required for the issuance of a probationary certificate. In accordance with 19 TAC §§ 230.11 and 230.13, demonstration of English language proficiency and completion of an educator preparation program, which includes the completion of a successful internship in an appropriate assignment, is required for the issuance of a standard certificate.

**IV. Failure to properly admit out-of-country candidates with respect to the oral language proficiency requirement. 19 TAC §227.10(e)**

TeacherBuilder.com has received out-of-country candidate compliance citations in 2006, 2010, 2012, and 2015. Prior to December 14, 2008, it was acceptable for TeacherBuilder.com to use an oral language proficiency policy that included but may not have required TOEFL exam results. When amendments to 19 TAC 227.10(e) became effective on December 14, 2008, TeacherBuilder.com was required to use TEA procedures for demonstrating oral language proficiency that included a passing score of 26 on the oral language component of the TOEFL exam. While TEA staff did not find any out-of-country candidate admission records to be out-of-compliance during the October 2014 Technical Compliance Audit sampling of records, the results of the 2015 Desk Audit Report and the information provided by TeacherBuilder.com in both of its requests for informal reviews indicate that TeacherBuilder.com has been out-of-compliance with this rule for the past seven years despite being cited for non-compliance in 2010 and 2012.

**V. Failure to assign candidates to internship assignments that match the certification fields for which the individuals are prepared by the educator preparation program. 19 TAC §228.35(d)(2)(B)**

TeacherBuilder.com has received internship assignment compliance citations in 2010, 2012, 2014, and 2015. 19 TAC §228.35(d)(2) requires TeacherBuilder.com to provide a clinical teaching or internship experience as part of the requirements for an initial certificate. 19 TAC §228.2 defines an internship as a minimum of one full school year assignment that matches the certification field for which the individual is prepared by TeacherBuilder.com. 19 TAC §228.35(f) requires certification candidates in clinical teaching or internship experiences to be provided with structured guidance and regular ongoing support by experienced educators who have been trained by TeacherBuilder.com as field supervisors. The initial contact between the field supervisor and the assigned candidate must occur within the first three weeks of assignment. After the initial contact, the field supervisor is required to conduct at least three observations of the candidate throughout the remainder of the clinical teaching or internship experience. In accordance with 19 TAC § 228.35(d)(2)(B), TeacherBuilder.com is responsible for determining that an internship assignment is appropriate prior to approving the internship. In accordance with 19 TAC § 228.35(f), TeacherBuilder.com is also responsible for determining if there are any changes to the assignment through field supervisor contacts and observations.

## Summary for Proposed Recommendation of Action Related to TeacherBuilder.com

On February 16, 2015, TEA staff requested the records of thirty-three candidates who had been issued probationary certificates based upon the recommendation of TeacherBuilder.com. After reviewing the records, TEA staff determined that nineteen of the records did not meet probationary certificate assignment criteria required by 19 TAC §230.37. Issues with the probationary certificate assignments included:

1. No official transcript to verify coursework;
2. No content exam or coursework required for the placement; and
3. Inappropriate assignment based on content exam, coursework, and/or certificate.

As part of the Program Action Plan that was developed as a result of the October 2014 Technical Compliance Audit, TeacherBuilder.com was to complete an audit of candidate records who were on a probationary certificate to ensure proper issuance. Based on the number of discrepancies related to the issuance of probationary certificates, TeacherBuilder.com failed to assign candidates to internship assignments that match the certification fields for which the individuals are prepared by TeacherBuilder.com.

**VI. Failure to properly issue probationary certificates. 19 TAC §§ 230.37(b)(1), 230.37(b)(2), 230.37(b)(3)(B), 230.37(e)(1)(A), 230.37(e)(1)(B)(i), 230.37(e)(1)(B)(ii), 230.37(e)(2)(A), 230.37(e)(2)(B)(i)(I), and 230.37(e)(2)(B)(i)(II)**

TeacherBuilder.com has received probationary certificate compliance citations in 2014 and 2015. On February 16, 2015, TEA staff requested the records of thirty-three candidates who had been issued a probationary certificate based upon the recommendation of TeacherBuilder.com. After reviewing the records, TEA staff determined that twenty-four of the records did not meet the probationary certificate criteria required by 19 TAC §230.37. Issues with the probationary certificates included:

1. No verification of satisfactory scores on English language proficiency examination;
2. No official transcript to verify degree or coursework;
3. No content exam or coursework required for the placement; and
4. Inappropriate assignment based on content exam, coursework, and/or certificate.

As part of the Program Action Plan that was developed as a result of the October 2014 Technical Compliance Audit, TeacherBuilder.com was to complete an audit of candidate records who were on a probationary certificate to ensure proper issuance. Based on the number of discrepancies related to the issuance of probationary certificates in the 2015 desk review audit, the procedural and personnel changes that TeacherBuilder.com made as a result of the October 2014 Technical Compliance Audit failed to prevent similar issues. The discrepancies found in the 2015 desk review included:

- Candidates listed with TOEFL discrepancies did not meet general requirements listed in 19 TAC §230.11.

## Summary for Proposed Recommendation of Action Related to TeacherBuilder.com

- Special education teaching candidates who were seeking a special education supplemental certificate were not listed as being a discrepancy, but special education teaching candidates who were seeking the special education EC-12 certificate and had not passed the exam prior to placement were listed as being a discrepancy.
- Several candidates were listed as a discrepancy because they were the teacher of record and they did not have the proper certificate, coursework, or sufficient transcript records to determine coursework.

In accordance with 19 TAC § 228.35(d)(2)(B), TeacherBuilder.com is responsible for providing an internship assignment that matches the certification field for which the individual is being prepared by TeacherBuilder.com. In accordance with 19 TAC § 228.35(f), TeacherBuilder.com is also responsible for determining if there are any changes to the assignment through field supervisor contacts and observations.

The TEA found that these seven deficiencies required prompt correction because they had resulted in complaints and the cancelation of certificates based on the program's recommendation of unqualified candidates. Pursuant to 19 TAC §§ 229.5(f) and 229.6(c), the June 19 notice included the following amended proposed recommendation:

- A. Assign TeacherBuilder.com an Accredited-Warned status due to violations of SBEC rules. 19 TAC §§ 229.4(d) and 229.5(a)
- B. Based on the assignment of the Accredited-Warned status and as a condition of continuing approval, appoint a monitor to participate in the activities of TeacherBuilder.com and report the activities to the TEA. All costs associated with the appointment of the monitor shall be paid by TeacherBuilder.com. 19 TAC §§ 229.5(b)(3), 229.5(g), and 229.6(b)
- C. TeacherBuilder.com be required to have each candidate's transcript, content examination results, and/or Statement of Eligibility reviewed and approved by the appointed monitor prior to recommending a probationary certificate. TEA staff will review and approve probationary certificate recommendations until a monitor is assigned. 19 TAC §§ 229.5(b)(3), 229.5(g), and 229.6(b)
- D. TeacherBuilder.com be required to have each out-of-country applicant's transcript review by an evaluating service and TOEFL results reviewed and approved by the appointed monitor prior to admission to the program. TEA staff will review and approve out-of-country applications until a monitor is assigned. 19 TAC §§ 229.5(b)(3), 229.5(g), and 229.6(b)
- E. As a condition of continuing program approval, TeacherBuilder.com be prohibited from the addition of new certificate classes or new certification fields. 19 TAC §229.6(b)
- F. As a condition of continuing program approval, TeacherBuilder.com be prohibited from the admission of candidates into certification fields for which TeacherBuilder.com does not have a TEA-approved curriculum matrix. Access to the TeacherBuilder.com online curriculum shall be granted to TEA staff. 19 TAC §229.6(b)

## Summary for Proposed Recommendation of Action Related to TeacherBuilder.com

- G. TeacherBuilder.com be required to participate in a discretionary continuing approval review by TEA staff at a time recommended by the appointed monitor. At the time of the review, TeacherBuilder.com must show compliance with all SBEC rules as a condition of continuing program approval. TeacherBuilder.com shall pay the applicable fee for the review. 19 TAC §§ 228.10(b) and 229.9
- H. Upon a successful discretionary continuing approval review visit report, TeacherBuilder.com may request the SBEC to lift the conditions of continuing approval and re-evaluate its accreditation rating.

Pursuant to 19 TAC §229.7, TeacherBuilder.com was entitled to an informal review of the proposed recommendation prior to submission of the amended proposed recommendation to the SBEC. A TeacherBuilder.com representative submitted a request for an informal review on July 29, 2015.

TEA staff reviewed the materials and documents provided by TeacherBuilder.com in the July 29 informal review request and made no changes to the amended proposed recommendation. A summary of TeacherBuilder.com compliance issues that have been reported over the past ten years is included as Exhibit B. The proposed recommendation includes sanctions that are appropriate for the compliance issues. TEA staff has applied the same rules to all programs that were reviewed in the 2014-2015 academic year. For those programs that were not in compliance with one or more areas, TEA staff is working with the programs to assist them with coming into compliance. In the event that a program is not successful in coming into compliance, TEA staff will address the compliance issues through the processes described in SBEC rule.

## Exhibit A

<b>Curriculum</b>	<b>Approved Certificate Areas for TeacherBuilder.com</b>
No	Agricultural Science and Technology (Grades 6-12)
No	Art (Grades EC-12)
No	Bilingual Education Supplemental-Spanish (Grades NA)
No	Bilingual Generalist-Spanish (Grades 4-8)
No	Bilingual Generalist-Spanish (Grades EC-6)
No	Business Education (Grades 6-12)
No	Chemistry (Grades 7-12)
No	Chemistry (Grades 8-12)
No	Computer Science (Grades 8-12)
Yes	Core Subjects (Grades 4-8)
No	Core Subjects (Grades EC-6)
No	Dance (Grades 8-12)
No	Deaf and Hard of Hearing (Grades EC-12)
Yes	English Language Arts and Reading (Grades 4-8)
No	English Language Arts and Reading (Grades 7-12)
No	English Language Arts and Reading (Grades 8-12)
No	English Language Arts and Reading/Social Studies (Grades 4-8)
No	English as a Second Language Generalist (Grades 4-8)
No	English as a Second Language Generalist (Grades EC-6)
No	English as a Second Language Supplemental (Grades NA)
No	Family and Consumer Sciences (Grades 6-12)
Yes	Generalist (Grades 4-8)
No	Generalist (Grades EC-6)
No	Gifted and Talented Supplemental (Grades NA)
No	Health (Grades EC-12)
No	Health Science Technology Education (Grades 8-12)
No	History (Grades 7-12)
No	History (Grades 8-12)
No	Hospitality, Nutrition and Food Sciences (Grades 8-12)
No	Human Development and Family Studies (Grades 8-12)
No	Journalism (Grades 7-12)
No	Journalism (Grades 8-12)
No	Languages Other Than English - Arabic (Grades EC-12)
No	Languages Other Than English - French (Grades EC-12)
No	Languages Other Than English - German (Grades EC-12)
No	Languages Other Than English - Japanese (Grades EC-12)
No	Languages Other Than English - Mandarin Chinese (Grades EC-12)
No	Languages Other Than English - Russian (Grades EC-12)
No	Languages Other Than English - Spanish (Grades EC-12)
No	Languages Other Than English - Vietnamese (Grades EC-12)
No	Life Science (Grades 7-12)
No	Life Sciences (Grades 8-12)
No	Marketing Education (Grades 8-12)
Yes	Mathematics (Grades 4-8)

## Exhibit A

<b>Curriculum</b>	<b>Approved Certificate Areas for TeacherBuilder.com</b>
No	Mathematics (Grades 7-12)
No	Mathematics (Grades 8-12)
No	Mathematics/Science (Grades 4-8)
No	Music (Grades EC-12)
No	Physical Education (Grades EC-12)
No	Physical Science (Grades 6-12)
No	Physical Science (Grades 8-12)
No	Physical Science/Mathematics/Engineering (Grades 6-12)
No	Physical Science/Mathematics/Engineering (Grades 8-12)
No	Physics/Mathematics (Grades 7-12)
No	Physics/Mathematics (Grades 8-12)
Yes	Science (Grades 4-8)
No	Science (Grades 7-12)
No	Science (Grades 8-12)
Yes	Social Studies (Grades 4-8)
No	Social Studies (Grades 7-12)
No	Social Studies (Grades 8-12)
Yes	Special Education (Grades EC-12)
Yes	Special Education Supplemental (Grades NA)
No	Speech (Grades 7-12)
No	Teacher of Students with Visual Impairments (Grades EC-12)
No	Technology Applications (Grades 8-12)
No	Technology Applications (Grades EC-12)
No	Technology Education (Grades 6-12)
No	Theatre (Grades EC-12)
No	Trade and Industrial Education (Grades 6-12)
No	Trade and Industrial Education (Grades 8-12)

## Exhibit B

The five major educator preparation program components addressed by SBEC rules are governance (19 TAC §§228.20 and 228.35), admission criteria (19 TAC §227.10), curriculum (19 TAC §228.30), program delivery and on-going support (19 TAC §228.35), and performance-based evaluation of candidate readiness and program effectiveness (19 TAC §228.40). Texas Education Agency (TEA) staff monitoring of educator preparation programs focuses on these five areas but may include other areas. Since its original approval to provide educator preparation, TEA staff have made six site visits (2005, 2006, 2007, 2010, 2012, and 2014) to TeacherBuilder.com and conducted two desk reviews (2009 and 2015).

**2005 pre-approval site visit.** After conducting a site visit on February 10, 2005, TEA staff found that TeacherBuilder.com needed to improve in the following components:

*Component I Governance*

- Plan for advisory board financial, planning, and time investment; development of website and chat rooms; actions that are going to be/have been taken by Board of Directors.
- Responsibilities of stakeholders in program evaluation.

*Component II Admission*

- Insufficient information on delineation of admission criteria in regards to test scores and use of past course grades for admission; use of letters of recommendation, or other evidence of past performance in the field.

*Component III Curriculum*

- Insufficient details on course objectives; insufficient benchmark information specific to courses/coursework; publishing benchmarks.
- Insufficient details on course make-up.
- Insufficient frequency of pre-service training.
- Insufficient information such as names and credentials of personnel grading the modules.

*Component IV Program Delivery*

- Insufficient information about testing and certificate application procedure.
- Insufficient evidence of clear indications of a support system.

*Component V Program Evaluation*

- Lack of timelines for evaluations.
- Lack of specific procedures for evaluation.

After the pre-approval visit, TeacherBuilder.com made amendments to its proposal. TEA staff reviewed the proposal and recommended for TeacherBuilder.com for approval at the March 4, 2005 SBEC meeting.

## Exhibit B

**2006 post-approval site visit.** After conducting a site visit April 27, 2006, TEA staff found TeacherBuilder.com to be out of compliance in the following components:

*Component I Governance*

- Collaboration with an advisory committee was not evident; establish an advisory committee.

*Component II Admission*

- Candidates must prove language proficiency before admission to the program.

*Component III Curriculum*

- Interviews revealed that candidates who were able to pass both the content and PPR exams were exempt from completing instructional modules in classroom management, ethics, school law, pedagogy, and other basic educator preparation areas; discontinue the practice of recommending candidates for certification without the required preparation.
- Ensure all modules are accessible and updated as needed; continue to enhance the student support availability on the website and create a student handbook.

*Component IV Program Delivery*

- Interns did not have mentors for the entire internship; develop and distribute guidelines for mentors to help ensure that interns receive the best possible assistance and also develop a plan for staff members were not provided.

TeacherBuilder.com was required to develop an action plan to address the issues.

**2007 Oversight Visit.** After conducting a site visit June 14, 2007, TEA staff found TeacherBuilder.com had addressed each compliance item and recommendation outlined in the 2006 post-approval visit.

**2009 Desk Review.** After conducting a desk review on November 23, 2009, TEA staff found TeacherBuilder.com to be out of compliance in four components. The final report noted the following issues:

*Component II Admission*

- Need to ensure all student folders contain all materials required for admission: interview record, written assessment, passing score on the screening instrument, screening instrument, and letters of recommendation, field-based experience.

*Component III Curriculum*

- Need to adequately address the Pedagogy and Professional Responsibilities curriculum and assessments.
- Need to have authentic assessments to evaluate mastery of skills and knowledge.

## Exhibit B

*Component IV Program Delivery*

- Need to add curriculum to have 300 clock hours of coursework.
- Need better documentation of the 30 clock hours of field-based experiences.
- Observation documentation was not complete due to missing observation forms.

*Component V Program Evaluation*

- Need to add evaluation instruments for program.

TeacherBuilder.com was required to implement the recommendations and/or action plan as listed in the final report.

**2010 Compliance Audit.** After conducting a site visit November 8-10, 2010, TEA staff found TeacherBuilder.com to be out of compliance in five components. The final report noted the following issues:

*Component II Admission*

- Establish a method of documenting test scores in candidates' records reflecting PACT scores (if applicable), basic skills, content, and PPR.
- For out of country candidates, require transcript review, TOEFL, and basic skills test scores and place these documents in the candidates' folders.
- Place evidence of candidate interview documentation (questions, responses, and scoring rubric) indicating adequate oral communication skills in candidates' records.
- Establish verifiable documentation signed by the program director to approved candidate's admission under the 10% cohort rule and document the limitation of the cohort group to 10%.

*Component III Curriculum*

- Revise curriculum to add more content methodology coverage for each specific content area offered.
- Increase content covering the 17 curriculum topics in the online modules including reading methodology across the four core content areas and add an instructional technology integration module.
- Include content coverage of the TEKS in the online modules.
- Provide a certified content instructor who is the instructor of record for each certification area offered until the passing of the content PACT is required for all potential candidates (Science, Math, Social Studies, Generalist EC-6, English, Spanish, and Bilingual).

*Component IV Program Delivery*

- Make provisions in the online program for students with disabilities.
- Provide verifiable documentation that coursework and training for each candidate is completed prior to recommending them for a standard certificate (Field-based 30 hours; documented 50 clock hours from the school district, 220 clock hours of online or face-to-face

## Exhibit B

coursework, and internship time period of an academic year or 180 days or a minimum of 12 weeks of clinical teaching).

- Establish procedures to verify documentation of the 50 clock hours of staff development provided by the school district and place documentation in each candidate's folder.
- Place in each candidate's folder verifiable evidence that initial contact was made by the field supervisor within the first three weeks of assignment (face-to-face, phone call, email, etc.).
- Establish verifiable evidence that three formal observations per academic year for first, second, and third year probationary interns is provided. The observation form should include the field supervisor's feedback, signatures of both field supervisor and intern, date of observation, time or duration of observation, and class content area observed, and identify a start and stop time for the interactive conference following the observation.
- Require a field-based observation log verifying the minimum 30 clock hours for all candidates and place it in the candidates' records. Should video be used for 15 hours, the hours and reflections of the videos should also be documented on the observation logs.
- Require verifiable focused field-based observation activities to be completed during the 30 clock hours that are completed in private and public schools.
- Modify the observation form or create a modified observation report that can be provided to the campus administrator.
- Provide verifiable evidence that the first observation is completed within the first six weeks of the intern's assignment.

*Component V Program Evaluation*

- Establish multiple assessments and benchmarks to determine the candidates' mastery of the content and skills.
- Establish and implement a verifiable systematic method of curriculum evaluation.
- Review on a yearly basis overall pass rates, demographic pass rates and certification area pass rates and report this information in a verifiable manner to your advisory committee members.
- Create an annual formal written program evaluation report for the advisory committee members and other interested parties that includes ASEP information, stakeholder (principals, mentors, human resource directors, etc.) input, and other pertinent data.

TeacherBuilder.com was required to initiate actions to correct the issues and submit a compliance status report every sixty days until the program had met the requirements of the Texas Administrative Code.

**2012 Compliance Audit.** After conducting a site visit May 16-18, 2012, TEA staff found TeacherBuilder.com to be out of compliance in five components. The final report noted the following issues:

*Component I Governance*

- Need to conduct a minimum of two advisory committee meetings each academic year; verified by agendas, minutes, and attendance rosters.

## Exhibit B

*Component II Admission*

- Need uniform method to document test scores in candidates' records reflecting PACT scores (if applicable), basic skills, content, and PPR.
- No out-of-country candidates' TOEFL exam, basic skills testing in the candidates' folders.
- No evidence of a candidate interview (questions, responses, and scoring rubric) indicating adequate oral communication skills.

*Component III Curriculum*

- Need to add content methodology for each specific certification area offered.
- Need to Increase content coverage of the 17 curriculum topics especially reading methodology across the content areas.
- Need to include more use of the TEKS.
- Need certified content instructors to assist in content development, delivery, and assessment for each certification area offered until the passing of the Pre-Admission Content Text (PACT) is required for all potential candidates (Science, Math, Social Studies, Generalist EC-6, English, Spanish, and Bilingual).
- Need to Increase the amount of candidate interaction with the content in order for the candidate to practice the skills necessary for effective instruction.
- Need to add more performance assessments to modules to ensure the candidate has acquired the skills for effective instruction including projects, written response/reflections, case studies, hypothetical situations, lesson plan assignments, or modeling of effective instruction.

*Component IV Program Delivery*

- Need to make coursework suitable for students with disabilities
- Need documentation that coursework and training for each candidate is completed prior to recommending them for a standard certificate (Field-based 30 hours; documented 50 clock hours from the school district, 220 clock hours of online or face-to-face coursework, and internship time period of an academic year or 180 days or a minimum of 12 weeks of clinical teaching).
- Need establish procedures to verify documentation of the 50 clock hours of staff development provided by the school district.
- Need verifiable evidence that initial contact was made by the field supervisor within the first three weeks of assignment (face-to-face, phone call, email, etc.).
- Need to document dates for enrollment date, start date of internship, and first contact.
- Need to use a field-based observation log verifying the minimum 30 clock hours for all candidates; video used for 15 hours should also be documented on the observation logs.
- Need to utilize the observation form or create a modified observation report that can be provided to the campus administrator.
- Need to utilize the observation form to document that the first observation is completed within the first six weeks of the intern's assignment.

## Exhibit B

*Component V Program Evaluation*

- Need to establish multiple types of assessments to determine the candidates' mastery of the knowledge and skills in the educator standards for each certification area and PPR.
- Need to develop an annual formal written program evaluation report for the advisory committee members and other interested parties that include ASEP information, stakeholder (principals, mentors, human resource directors, etc.) input, and other pertinent data.

TeacherBuilder.com was required to initiate actions to correct the issues and submit a compliance status report every sixty days until the program had met the requirements of the Texas Administrative Code.

**2014 Compliance Audit.** After conducting a site visit October 7-9, 2014, TEA staff found TeacherBuilder.com to be out of compliance in five components. The final report noted the following issues:

*Component I Governance*

- Not enough depth in membership and attendance on Advisory Committee.
- No verification of training advisory committee members on their roles and responsibilities and insufficient evidence that members have input into program evaluation.

*Component II Admission*

- Discrepancies in admission requirements found on website.
- Approved to certify educators in fields for which there were no content specialists to provide support (i.e. Deaf and Hard or Hearing).
- No evidence that candidates were expected to abide by Educator Code of Ethics.

*Component III Curriculum*

- Coursework lacked content methodology for all certification fields; Coursework lacked appropriate instruction in the interpretation and use of TEKS to drive instruction and assessment.
- Need to increase number of performance-based activities as part of coursework updates to allow candidates more opportunity to practice skills and demonstrate mastery of the skills portion of the educator standards.
- Coursework contained limited assessments that effectively measured candidate mastery of educator standards; use existing hours as first 80 hours and add hours on that to increase to 300 hours.

*Component IV Program Delivery*

- Coursework lacked a significant number of the required 300 hours; discontinue use of 50 hours of district professional development as part of the coursework requirements.
- Significant number of candidates were inappropriately placed on probationary certificates.

## Exhibit B

*Component V Program Evaluation*

- No benchmarks exist to measure candidate progress through the program.
- Limited amount of feedback regarding program effectiveness.

An action plan was developed and a final report issued to TeacherBuilder.com. TeacherBuilder.com was required to initiate actions to correct the issues and submit a compliance status report every sixty days until the program had met the requirements of the Texas Administrative Code.

**2015 Desk Review.** After conducting a desk review in March, TEA staff found TeacherBuilder.com was out of compliance in the following two areas:

*Component II Admission*

- Out-of-Country candidates admitted without passing TOEFL scores.

*Component IV Program Delivery*

- Candidates improperly issued probationary certificates.

Several TeacherBuilder.com candidates were notified by TEA staff that their probationary certificate had been erroneously issued and would be cancelled. Final dispositions on the remaining candidates with admission and/or probationary certificate issues are still being determined.

IN THE MATTER OF TEACHERBUILDER.COM	§ § §	BEFORE THE STATE BOARD FOR EDUCATOR CERTIFICATION
---	-------------	---

### ORDER

On the 8<sup>th</sup> day of August, 2015, came on to be considered TEA staff's recommendation to impose conditions upon the continuing program approval of TeacherBuilder.com pursuant to 19 Tex. Admin. Code § 229.6, and the recommendation to assign TeacherBuilder.com the accreditation status of Accredited-Warned pursuant to 19 Tex. Admin. Code §§ 229.4 and 229.5.

Based on the recommendation of TEA staff, the Board hereby orders the following:

1. TeacherBuilder.com is assigned an Accredited-Warned status due to violations of SBEC rules.

2. Based on the assignment of the Accredited-Warned status and as a condition of continuing approval, TEA staff will appoint a monitor to participate in the activities of TeacherBuilder.com and report the activities to the TEA. All costs associated with the appointment of the monitor shall be paid by TeacherBuilder.com.

3. TeacherBuilder.com is required to have each candidate's transcript, content examination results, and/or Statement of Eligibility reviewed and approved by the appointed monitor prior to recommending a probationary certificate. TEA staff will review and approve probationary certificate recommendations until a monitor is assigned.

4. TeacherBuilder.com is required to have each out-of-country applicant's transcript review by an evaluating service and TOEFL results reviewed and approved by the appointed monitor prior to admission to the program. TEA staff will review and approve out-of-country applications until a monitor is assigned.

5. As a condition of continuing program approval, TeacherBuilder.com is prohibited from the addition of new certificate classes or new certification fields.

6. As a condition of continuing program approval, TeacherBuilder.com is prohibited from the admission of candidates into certification fields for which TeacherBuilder.com does not have a TEA-approved curriculum matrix. TeacherBuilder.com is required to grant TEA staff access to the TeacherBuilder.com online curriculum.

7. TeacherBuilder.com is required to participate in a discretionary continuing approval review by TEA staff when recommended by the appointed monitor. At the time of the review, TeacherBuilder.com is required to show compliance with all SBEC rules as a condition of continuing program approval. TeacherBuilder.com is required to pay the applicable fee for the review.

8. Upon a successful discretionary continuing approval review visit report, TeacherBuilder.com may request the SBEC to lift the conditions of continuing approval and re-evaluate its accreditation rating.

On behalf of the State Board for Educator Certification:

SIGNED this 17<sup>th</sup> day of August, 2015



BONNY L. CAIN, Ed.D.

CHAIR, STATE BOARD FOR EDUCATOR CERTIFICATION



Commissioner Mike Morath

1701 North Congress Avenue • Austin, Texas 78701-1494 • 512 463-9734 • 512 463-9838 FAX • tea.texas.gov

April 26, 2016

Via Email, Fax, and CMRRR #70151730000198027119

Dr. Noe Saucedo  
nsaucedo@teacherbuilder.net  
2616 West Freddy Gonzalez Drive  
Edinburg, Texas 78539

Dear Dr. Saucedo,

Pursuant to 19 TAC §229.5(f) and §229.6(c), I am providing TeacherBuilder.com (TBC) with notice that TBC has been recommended by Texas Education Agency (TEA) staff to be assigned the following status under the Accountability System for Educator Preparation at the June 10, 2016 State Board for Educator Certification (SBEC) meeting:

**ACCREDITED - WARNED**

This accreditation status is based on the SBEC order of August 7, 2015 that assigned an Accredited - Warned status and imposed conditions upon the continuing program approval of TBC. The following documents were reviewed in taking the SBEC action:

2005 Pre-Approval Visit Documents, February 10, 2005  
2006 Post-Approval Visit Action Plan, April 27, 2006  
2007 Oversight Visit Report, August 28, 2007  
2009 Desk Audit Report, November 23, 2009  
2010 Technical Compliance Audit Report, May 23, 2011  
2012 Technical Compliance Audit Report, November 15, 2012  
2014 Technical Compliance Audit Report, December 19, 2014  
2015 Desk Audit Report, May 26, 2015  
2015 Request for Informal Review, June 2, 2015

The continued failure to correct serious program deficiencies, despite repeated notices and offers of assistance over a period of ten years, constituted failure to comply with SBEC rules. These deficiencies and the TAC rules related to these deficiencies included:

1. Failure to provide curriculum that relies on scientifically based research to ensure teacher effectiveness and aligns to the Texas Essential Knowledge and Skills. 19 TAC §228.30(b).

2. Failure to provide coursework and training that is sustained, rigorous, interactive, student-focused, and performance-based. 19 TAC §228.30(b).
3. Failure to provide structured assessments of candidates' progress throughout the educator preparation program to ensure that candidates for educator certification are prepared to receive a standard certificate. 19 TAC §228.40(a).
4. Failure to properly admit out-of-country candidates with respect to the oral language proficiency requirement. 19 TAC §227.10(a)(6).
5. Failure to assign candidates to internship assignments that match the certification fields for which the individuals are prepared by the educator preparation program. 19 TAC §228.35(d)(2)(B).
6. Failure to properly issue probationary certificates. 19 TAC §§230.37(b)(1), 230.37(b)(2), 230.37(b)(3)(B), 230.37(e)(1)(A), 230.37(e)(1)(B)(i), 230.37(e)(1)(B)(ii), 230.37(e)(2)(A), 230.37(e)(2)(B)(i)(I), and 230.37(e)(2)(B)(i)(II).

As of the date of this correspondence, TBC has not fully complied with the conditions from the August 7, 2015 SBEC order. These conditions include:

1. Submitting for TEA staff review and approval all probationary certificate recommendations;
2. Submitting for TEA staff review and approval all out-of-country applications for admission;
3. Submitting for TEA staff review and approval all curriculum matrixes;
4. Participating in a discretionary continuing approval review by TEA staff that shows compliance with all SBEC rules; and
5. Upon a successful discretionary continuing approval review, requesting the SBEC to lift the conditions of continuing approval and re-evaluate TBC's accreditation rating.

In addition to the failure of TBC to comply with the conditions from the August 7, 2015 SBEC order, TBC has granted test approval to at least six individuals who had not been admitted to TBC. This granting of test approval to non-candidates is in violation of 19 TAC §230.21(c). After TBC was contacted by TEA staff about this violation on March 15, 2016, TBC staff asserted on March 22, 2016 that changes had been made to TBC procedures so that no further violations of this rule would occur.

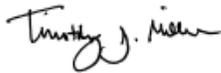
Pursuant to 19 TAC §229.7, TBC is entitled to an informal review of the proposed recommendations for SBEC action prior to submission of the recommendation to the SBEC. The chief operating officer of TBC may initiate an informal review by sending a written request to:

Tim Miller  
Division of Educator Preparation  
Texas Education Agency  
1701 North Congress Avenue  
Austin, Texas 78701

The rules and procedures governing an informal review may be found in 19 TAC §229.7. The TAC can be accessed at <http://www.sos.texas.gov/tac/>. The request for an informal review must be received no later than 5:00 pm on May 10, 2016.

If you have any questions regarding this notice, please contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Timothy J. Miller".

Tim Miller  
Director of Educator Preparation  
512-475-1476  
[tim.miller@tea.texas.gov](mailto:tim.miller@tea.texas.gov)