

Item 15:

Discussion and Update on New Federal Regulations for Teacher Preparation Programs

DISCUSSION

SUMMARY: This item provides the State Board for Educator Certification (SBEC) an opportunity to discuss new federal teacher preparation regulations. According to the U.S. Department of Education (DOE), the intent of the new regulations is to bring transparency to the effectiveness of teacher preparation programs, provide programs with ongoing feedback to help them improve continuously, and respond to educators across the country who do not feel ready to enter the classroom after graduation.

STATUTORY AUTHORITY: The state statutory authority related to the federal teacher preparation regulations is the Texas Education Code (TEC), §21.045(b)(3)(H) and §21.0452(b). TEC §21.045(b)(1)(H) requires each educator preparation program (EPP) to submit data and information that is required by federal law for an annual performance report. TEC §21.0452(b) requires the SBEC to make the annual performance report available to the public through the SBEC's website. The federal statutory authority related to the federal teacher preparation regulations is the United States Code, Title 20, Chapter 28, Subchapter II, Part A, §1022d, Accountability for programs that prepare teachers. The regulations add Part 612 and amend Part 686 of Chapter VI of Title 34 of the Code of Federal Regulations.

PREVIOUS BOARD ACTION: At the October 2016 meeting, the SBEC approved revisions to 19 Texas Administrative Code (TAC) Chapter 229, Accountability System for Educator Preparation Programs. Texas statute and SBEC rule have already addressed the majority of the new federal requirements.

FUTURE ACTION EXPECTED: The Board will need to initiate rulemaking to determine performance standards for student achievement and teacher satisfaction indicators that are required by the federal teacher preparation regulations and are already referenced in statute and 19 TAC §229. The Board may need to initiate rulemaking to determine other elements that are included in the federal teacher preparation regulations. Board members may submit nominations for a stakeholder committee from the representative group below to Texas Education Agency (TEA) staff by December 19, 2016. Staff will bring a discussion item related to any recommended rule changes to the Board at its June 2017 meeting.

BACKGROUND INFORMATION: On December 3, 2014, the DOE published a notice of proposed rulemaking (NPRM) for Section 205 of Title II of the Higher Education Act of 1965, as amended. Section 205 requires states and institutions of higher education (IHEs) annually to report on various characteristics of their teacher preparation programs, including an assessment of program performance. In response to the NPRM, the DOE received public comments from approximately 4,800 parties, including the TEA. On October 31, 2016, the DOE published the final teacher preparation regulations in the Federal Register, and the regulations became effective on November 30, 2016. The regulations are available at <https://www.federalregister.gov/documents/2016/10/31/2016-24856/teacher-preparation-issues>.

Key provisions of the final regulations include:

1. Providing transparency around the effectiveness of all preparation programs by requiring states to report annually at the program level on the following measures:
 - Placement and retention rates of graduates in their first three years of teaching, including placement and retention in high-need schools;
 - Feedback from graduates and their employers on the effectiveness of program preparation;
 - Student learning outcomes measured by novice teachers' student growth, teacher evaluation results, and/or another state-determined measure that is relevant to students' outcomes and meaningfully differentiates amongst teachers; and
 - Other program characteristics, including assurances that the program has specialized accreditation or graduates candidates with content and pedagogical knowledge who received quality clinical preparation and have met rigorous exit requirements.
2. Allowing states flexibility in whether to report on additional measures, and how to weigh all outcome measures, while requiring states to categorize program effectiveness using at least three levels of performance (effective, at-risk, and low-performing). States must provide technical assistance to any program rated as low-performing to help it improve.
3. Requiring states to engage with a wide range of stakeholders, including educators and a wide range of program providers, in developing and/or improving their meaningful systems to identify effective, at-risk, and low-performing programs. The representative group of stakeholders must include, at a minimum, representatives of:
 - Leaders and faculty of traditional teacher preparation programs and alternative routes to State certification or licensure programs;
 - Students of teacher preparation programs;
 - Local education agency superintendents;
 - Small teacher preparation programs (i.e., programs that produce fewer than a program size threshold of 25 recent graduates in a given year or any lower threshold set by a State);
 - Local school boards;
 - Elementary through secondary school leaders and instructional staff;
 - Elementary through secondary school students and their parents;
 - Institutions of higher education that serve high proportions of low-income students, students of color, or English learners;
 - English learners, students with disabilities, and other underserved students;
 - Officials of the State's standards board or other appropriate standards body; and
 - At least one teacher preparation program provided through distance education.
4. Incentivizing aspiring teachers in a high-need field or in a low-income school to attend high-quality programs by limiting TEACH grants to only those programs that states determine to be effective for at least two of the previous three years. The TEACH grant program provides grants of up to \$4,000 a year to students who are completing or plan to complete coursework needed to begin a career in teaching.

The new regulations define a teacher preparation program as an IHE or other organization that is authorized by the State to prepare teachers. Components of the regulations that stakeholders, TEA staff, and the SBEC will need to consider include:

- Determining performance standards for student learning outcomes;
- Determining performance standards for graduate satisfaction;
- Weighting of performance measures;
- Determining levels of program effectiveness;
- Determining the definition of program (i.e., certification field, certification route); and
- Determining aggregation methods for programs with less than 25 annual graduates.

The regulations require states to design their reporting system, in consultation with stakeholders, during the 2016-17 academic year. TEA staff will be conducting stakeholder meetings in the upcoming months and will report to the SBEC at the June 2017 meeting. States may choose to use 2017-18 as a pilot year and will fully implement the system in 2018-19. Staff expects the DOE to provide additional guidance and support to implement these teacher preparation regulations.

Staff Members Responsible: Tim Miller, Director
Educator Preparation

Michael Vriesenga, Director
Data and Accountability

Attachment: I. Statutory Citations

ATTACHMENT I**Statutory Citations Relating to Proposed Revisions to the Accountability System for Educator Preparation Report****Texas Education Code, §21.045, Accountability System for Educator Preparation Programs (excerpt):**

- (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.

Texas Education Code, §21.0452, Consumer Information Regarding Educator Preparation Programs (excerpt):

- (a) To assist persons interested in obtaining teaching certification in selecting an educator preparation program and assist school districts in making staffing decisions, the board shall make information regarding educator programs in this state available to the public through the board's Internet website.
- (b) The board shall make available at least the following information regarding each educator preparation program:
 - (1) the information specified in Sections 21.045(a) and (b);