

Item 11:

Consider and Take Appropriate Action on Agreed Order to Close 21st Century Leadership Principal Preparation Program

DISCUSSION AND ACTION

SUMMARY: This item provides the State Board for Educator Certification (SBEC) the opportunity to approve an agreed order to close the 21st Century Leadership Principal Preparation Program (21st Century Leadership).

STATUTORY AUTHORITY: Closure of educator preparation programs (EPPs) is authorized by the Texas Education Code (TEC) §21.0451, and the informal disposition of contested cases is authorized by the Texas Government Code §2001.056.

EFFECTIVE DATE: Upon Board approval.

BACKGROUND INFORMATION AND JUSTIFICATION: The SBEC is responsible for establishing standards to govern the continuing accountability of all EPPs that prepare individuals for certification. The TEC, §21.0451 and 19 Texas Administrative Code §229.4(f)(1) require revocation of the SBEC approval of any EPP that is rated Accredited-Probation for three consecutive academic years, after a contested case hearing. Texas Government Code §2001.056 allows informal disposition of a contested case by stipulation, agreed settlement, consent order, or default.

21st Century Leadership Principal Preparation Program Accreditation Status Timeline:

- May 2, 2014 – The SBEC assigned 21st Century Leadership an accreditation status of Accredited-Warning for the 2012-2013 academic year.
- June 12, 2015 – The SBEC assigned 21st Century Leadership an accreditation status of Accredited-Warning for the 2013-2014 academic year.
- April 15, 2016 – The SBEC assigned 21st Century Leadership an accreditation status of Accredited-Probation for the 2014-2015 academic year.
- March 3, 2017 – The SBEC assigned 21st Century Leadership an accreditation status of Accredited-Probation for the 2015-2016 academic year and appointed a monitor.
- March 2, 2018 – The SBEC assigned 21st Century Leadership an accreditation status of Accredited-Probation for the 2016-2017 academic year and continued the monitor appointment. **All accreditation statuses were the result of 21st Century Leadership not meeting certification examination performance standards.**
- March 2, 2018 – The SBEC also directed Martin Winchester, as a Board member, along with Board counsel and Texas Education Agency (TEA) legal counsel to discuss all legal options with 21st Century Leadership and their counsel regarding 21st Century Leadership's approval to prepare candidates for principal certification prior to the May 2018 Board meeting.
- March 7, 2018 – TEA staff notified 21st Century that TEA staff intended to recommend an accreditation status of Not Accredited—Revoked to the SBEC.
- March 21, 2018 – The 21st Century Leadership staff and legal counsel met with TEA staff, TEA legal counsel, Mr. Winchester, and Board counsel to discuss all legal options.

The three legal options that were presented to 21st Century Leadership were to voluntarily close, agree to the proposed revocation, or request that TEA staff schedule the matter for a hearing before an administrative law judge at the State Office of Administrative Hearings.

After the meeting, 21st Century Leadership decided to voluntarily close. An agreement was drafted that included the following conditions for closure:

- May 18, 2018 – 21st Century Leadership will cease admitting candidates.
- February 28, 2019 – Candidates who have completed the 21st Century Leadership program and met all requirements for certification must apply for a standard certificate.
- June 30, 2018 – 21st Century Leadership will notify in writing all currently enrolled candidates and candidates who have completed the program but who have not been recommended for a standard principal certificate. This notification will inform candidates and completers about deadlines for being recommended for a standard certificate before the program closes.
- March 31, 2019 – Last day 21st Century Leadership can recommend candidates for certification.

As part of the agreement, 21st Century Leadership waives its rights to a contested case hearing before the State Office of Administrative Hearings and all further appeals, and agrees that the SBEC will assign an accreditation status of Not Accredited-Revoked if the SBEC determines that 21st Century has failed to comply with the terms of the agreement. In addition, the 21st Century Leadership chief operating officer, the 21st Century Leadership legal authority, and members of the 21st Century Leadership governing body are ineligible to be recommended to the SBEC for approval as an EPP.

A copy of the entire agreed order was provided to the Board under separate cover prior to the meeting.

PUBLIC AND STUDENT BENEFIT: The public and student benefit anticipated as a result of the agreed order will be to ensure qualified educator preparation programs and educators in Texas.

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

Approve the agreed order to close the 21st Century Leadership Principal Preparation Program as presented.

Staff Members Responsible:

Tim Miller, Director, Educator Preparation and Program Accountability
Laura Moriaty, Director, Legal Services for Educator Leadership and Quality

Attachment:

Statutory Citations

ATTACHMENT**Statutory Citations Relating to an Agreed Order to Close 21st Century Leadership
Principal Preparation Program****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.

Texas Government Code, §2001.056, Informal Disposition of Contested Case:

Unless precluded by law, an informal disposition may be made of a contested case by:

- (1) stipulation;
- (2) agreed settlement;
- (3) consent order; or
- (4) default.