

By: Eissler

H.B. No. 3421

Substitute the following for H.B. No. 3421:

By: Patrick

C.S.H.B. No. 3421

A BILL TO BE ENTITLED

AN ACT

relating to accountability systems for public school educator preparation programs.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 21.041, Education Code, is amended by amending Subsection (c) and adding Subsection (d) to read as follows:

(c) The board shall propose a rule adopting a fee for the issuance and maintenance of an educator certificate that, when combined with any fees imposed under Subsection (d), is adequate to cover the cost of administration of this subchapter.

(d) The board may propose a rule adopting a fee for the approval or renewal of approval of an educator preparation program, or for the addition of a certificate or field of certification to the scope of a program's approval. A fee imposed under this subsection may not exceed the amount necessary, as determined by the board, to provide for the administrative cost of approving, renewing the approval of, and appropriately ensuring the accountability of educator preparation programs under this subchapter.

SECTION 2. Section 21.043, Education Code, is amended to read as follows:

Sec. 21.043. ACCESS TO INFORMATION [~~PEIMS DATA~~]. (a) The agency shall provide the board with access to data obtained under

1 the Public Education Information Management System (PEIMS).

2 (b) Notwithstanding Section 21.355, a document evaluating
3 the performance of a teacher or administrator shall be provided to
4 the agency or board for purposes of this subchapter on request by
5 the agency or board. The agency or board, as appropriate, shall
6 take appropriate measures to maintain confidentiality of the
7 document.

8 SECTION 3. Subchapter B, Chapter 21, Education Code, is
9 amended by amending Section 21.045 and adding Sections 21.0451 and
10 21.0452 to read as follows:

11 Sec. 21.045. ACCOUNTABILITY SYSTEM FOR EDUCATOR
12 PREPARATION PROGRAMS. (a) The board shall propose rules
13 establishing standards to govern the approval and continuing
14 accountability of all educator preparation programs based on
15 information that is disaggregated with respect to sex and ethnicity
16 and that includes:

17 (1) results of the certification examinations
18 prescribed under Section 21.048(a); and

19 (2) performance based on the appraisal system for
20 beginning teachers adopted by the board.

21 (b) Each educator preparation program shall submit data
22 elements as required by the board for an annual performance report
23 to ensure access and equity. At a minimum, the annual report must
24 contain the performance data from Subsection (a) and the following
25 information, disaggregated by sex and ethnicity:

26 (1) the number of candidates who apply;

27 (2) the number of candidates admitted;

1 (3) the number of candidates retained;

2 (4) the number of candidates completing the program;

3 (5) the number of candidates employed in the
4 profession after completing the program; and

5 (6) the number of candidates retained in the
6 profession.

7 (c) The board shall propose rules establishing performance
8 standards for the Accountability System for Educator Preparation
9 for accrediting educator preparation programs. At a minimum,
10 performance standards must be based on Subsection (a). The board
11 may propose rules establishing minimum standards for approval or
12 renewal of approval of:

13 (1) educator preparation programs;

14 (2) certification fields authorized to be offered by
15 an educator preparation program; or

16 (3) physical locations at which an educator
17 preparation program operates.

18 (d) The board shall propose rules establishing standards
19 for the designation of high-performance educator preparation
20 programs as exemplary.

21 Sec. 21.0451. SANCTIONS UNDER ACCOUNTABILITY SYSTEM FOR
22 EDUCATOR PREPARATION PROGRAMS. (a) The board shall propose rules
23 for the sanction of educator preparation programs that do not meet
24 accountability standards and shall annually review the
25 accreditation status of each educator preparation program. The
26 rules:

27 (1) may provide for the agency to take any necessary

1 action, including one or more of the following actions:

2 (A) requiring the program to obtain technical
3 assistance approved by the agency or board;

4 (B) requiring the program to obtain professional
5 services under contract with another person;

6 (C) appointing a monitor to participate in and
7 report to the board on the activities of the program;

8 (D) appointing a conservator to direct the
9 operations of the program;

10 (E) if a program is rated as unacceptable under
11 the Accountability System for Educator Preparation, appointing a
12 board of managers to exercise the powers and duties of the governing
13 body of the program with respect to the program; and

14 (F) if a program has been rated as unacceptable
15 under the Accountability System for Educator Preparation for two
16 consecutive rating periods, revoking the approval of the program
17 and ordering the program to be closed, provided that the board or
18 agency must provide the opportunity for a hearing before the
19 effective date of the closure; and

20 (2) shall provide for the agency to revoke the
21 approval of the program and order the program to be closed if the
22 program has been rated as unacceptable under the Accountability
23 System for Educator Preparation for three consecutive rating
24 periods, provided that the board or agency must provide the
25 opportunity for a hearing before the effective date of the closure.

26 (b) Any action authorized or required to be taken against an
27 educator preparation program under Subsection (a) may also be taken

1 with regard to a particular field of certification authorized to be
2 offered by an educator preparation program.

3 (c) A conservator or board of managers appointed under
4 Subsection (a) may:

5 (1) direct any action to be taken by the educator
6 preparation program;

7 (2) disapprove any action taken by the educator
8 preparation program; or

9 (3) take any action on behalf of the educator
10 preparation program.

11 (d) A permissive revocation under Subsection (a)(1) or
12 required revocation under Subsection (a)(2) must be effective for a
13 period of at least two years. After two years, the program may seek
14 renewed approval to prepare educators for state certification.

15 (e) The costs of technical assistance required under
16 Subsection (a)(1)(A) or the costs associated with the appointment
17 of a monitor, conservator, or board of managers under Subsections
18 (a)(1)(C), (D), or (E) shall be paid by the sponsor of the educator
19 preparation program.

20 Sec. 21.0452. REVIEW OF EDUCATOR PREPARATION PROGRAMS. (a)
21 The board and the Texas Higher Education Coordinating Board
22 biennially shall conduct a review and assessment of the performance
23 of educator preparation programs and issue reports of the resulting
24 evaluations of the programs. The review and assessment may be
25 conducted in conjunction with an independent entity with experience
26 and expertise in research regarding effective instructional
27 techniques and the preparation of educators.

1 (b) The commissioner shall adopt rules necessary to
2 implement this section. [~~(d) The executive director of the board~~
3 ~~shall appoint an oversight team of educators to make~~
4 ~~recommendations and provide assistance to educator preparation~~
5 ~~programs that do not meet accreditation standards. If, after one~~
6 ~~year, an educator preparation program has not fulfilled the~~
7 ~~recommendations of the oversight team, the executive director shall~~
8 ~~appoint a person to administer and manage the operations of the~~
9 ~~program. If the program does not improve after two years, the board~~
10 ~~shall revoke the approval of the program to prepare educators for~~
11 ~~state certification.~~]

12 SECTION 4. This Act takes effect immediately if it receives
13 a vote of two-thirds of all the members elected to each house, as
14 provided by Section 39, Article III, Texas Constitution. If this
15 Act does not receive the vote necessary for immediate effect, this
16 Act takes effect September 1, 2007.