

## **BILL ANALYSIS**

C.S.S.B. 174  
By: Shapiro  
Higher Education  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Parents, students, and policy makers need to make informed decisions regarding higher education in Texas, whether the decisions are personal matters regarding which institution best meets the needs and circumstances of a particular student or the decisions involve matters of state funding and public policy issues. Regardless of the nature of such decision making, parents, students, and policy makers alike lack an easily accessible and comprehensive list of information regarding Texas institutions of higher education.

An education system cannot exceed the quality of its teachers. Therefore, it is critical that Texas have a selective process for entry into teacher training programs and require that educator preparation programs deliver the type of instruction and support necessary to ensure quality classroom teachers for all of our students.

C.S.S.B. 174 requires the State Board for Educator Certification to assign educator preparation programs an accreditation status and allows the Texas Education Agency (TEA) to intervene in cases of low-performance, and increases transparency by requiring TEA to develop a website with consumer information to assist teacher candidates in selecting a teacher training program and districts in hiring decisions. The bill requires the Texas Higher Education Coordinating Board, in consultation with each institution of higher education, to develop and maintain online resumes for each of those institutions for the benefit of parents, students, and the legislature.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that rulemaking authority is expressly granted to the State Board for Educator Certification in SECTIONS 1 and 2 of this bill.

It is the committee's opinion that rulemaking authority is expressly granted to the Texas Higher Education Coordinating Board in SECTION 3 of this bill.

### **ANALYSIS**

C.S.S.B. 174 amends the Education Code to authorize the State Board for Educator Certification to 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. The bill prohibits this fee from exceeding 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.

C.S.S.B. 174 requires the board to propose rules establishing standards to govern the approval and continuing accountability of all educator preparation programs based on information that includes, in addition to existing requirements, achievement, including improvement in achievement, of students taught by beginning teachers for the first three years following certification, to the extent practicable, and that includes compliance with board requirements regarding the frequency, duration, and quality of structural guidance and ongoing support

provided by field supervisors to beginning teachers during their first year in the classroom. The bill establishes that the annual performance report comprising the data elements submitted by each educator preparation program is not required to include data relating to the achievement of students taught by beginning teachers for the first three years following certification and adds a requirement for the inclusion of information required by federal law in the annual report.

C.S.S.B. 174 authorizes the board to propose rules establishing minimum standards for approval or renewal of educator preparation programs or of certification fields authorized to be offered by an educator preparation program. The bill clarifies that the board is required to propose rules for the sanction of educator preparation programs that do not meet accountability standards. The bill requires the rules to provide for the assignment of the following accreditation statuses: not rated, accredited, accredited-warned, accredited-probation, and not accredited-revoked. The bill authorizes the rules to provide for the Texas Education Agency (TEA) to take any one or more necessary actions as enumerated in the bill. The bill requires the rules to provide for TEA 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 and requires the board or TEA to provide the opportunity for a hearing before the effective date of the closure. The bill authorizes any action authorized or required to be taken against an educator preparation program to be taken also with regard to a particular field of certification authorized to be offered by an educator preparation program. The bill requires a permissive or required revocation of approval of a program to be effective for a period of at least two years and authorizes the program, after two years, to seek renewed approval to prepare educators for state certification. The bill requires the sponsor of an educator preparation program to pay the costs of technical assistance that TEA requires the program to obtain or the costs associated with the appointment of a monitor.

C.S.S.B. 174 removes provisions authorizing the executive director of the board to appoint an oversight team of educators to make recommendations and provide assistance to educator preparation programs that do not meet accreditation standards.

C.S.S.B 174 requires the board to make consumer information regarding educator preparation programs available in Texas available through the board's Internet website to assist persons interested in obtaining teaching certification in selecting a program and to assist school districts in making staffing decisions. The bill sets forth the minimum information the board is required to make available regarding each educator preparation program. The bill requires the board to require an educator preparation program to distribute an exit survey that a program participant must complete before the participant is eligible to receive a certificate and to develop surveys for distribution to program participants and school principals. The bill authorizes the board to develop procedures under which each educator preparation program receives a designation or ranking based on the information the board is required to make available regarding each program and, if the board develops such procedures, requires the inclusion of the designation or ranking received by each program in the information made publicly available under these provisions. The bill requires the board, in addition to other information required to be made available, to provide information identifying employment opportunities for teachers in the various regions of Texas and to specifically identify each region in which a shortage of qualified teachers exists. The bill authorizes the board to require any person to provide it the information necessary for purposes of preparing consumer information.

C.S.S.B 174 requires the Texas Higher Education Coordinating Board, in consultation with each institution of higher education, to develop and maintain online resumes for each of those institutions. The bill requires the coordinating board to:

- request from each institution any information the coordinating board considers necessary for the coordinating board to include information or calculate data required to be included in the institution's resume;
- establish for each institution a list of representative in-state and out-of-state peer

institutions and maintain that list on the coordinating board's website;

- ensure that each of an institution's online resumes is available to the public on the coordinating board's website, in a one-page format if possible, and is accessible through a link that appears in a prominent place on the coordinating board's website home page, uses enhanced, user-friendly search capabilities to ensure that the information required to be included in the resume is easily accessible to the persons for whom the resume is designed, and includes a clearly identifiable link to information on the coordinating board's website regarding the coordinating board's higher education accountability system; and
- ensure that the information provided in each resume is accurate and up to date and includes the most recent data available for out-of-state peer institutions.

C.S.S.B. 174 authorizes the coordinating board to modify, as it considers necessary, national data regarding an institution's out-of-state peer institutions to ensure uniformity in the comparison of that data to data regarding the institution for which the resume is created and the institution's in-state peer institutions in a resume and establishes that the coordinating board is not required to include in the resume any category of information that is unavailable to the coordinating board. The bill requires each institution of higher education to submit to the coordinating board any information requested by the coordinating board as necessary for the coordinating board to include information or calculate data required to be included in the institution's resumes and requires each institution to ensure that the institution's website home page includes, in a prominent place, an accessible link to the institution's online resumes maintained on the coordinating board's website.

C.S.S.B. 174 requires the coordinating board to maintain for each general academic teaching institution other than a public state college an online resume that is designed for use by legislators and other interested policy makers. The bill requires the resume to identify the institutional grouping to which the institution is assigned under the coordinating board's higher education accountability system and the institution's in-state and out-of-state peer institutions. The bill requires information regarding the institution's in-state or out-of-state peer institutions to be listed in the form of the average of that information for those institutions unless otherwise prescribed by coordinating board rule and requires the resume to include specific information relating to enrollment, costs, student success, and funding as it relates to the institution for the most recent state fiscal year for which the information is available and to compare that information to the same information for the state fiscal year preceding the most recent state fiscal year for which the information is available and the state fiscal year preceding the most recent state fiscal year for which the information is available by five years.

C.S.S.B. 174 requires the coordinating board to maintain for each general academic teaching institution other than a public state college an online resume that is designed for use by prospective students of the institution, their parents, and other interested members of the public. The bill establishes that such a resume is not required to include information that the coordinating board considers to be substantially duplicative of information reported and available to the public through the Voluntary System of Accountability Program and requires the resume to identify the institutional grouping to which the institution is assigned under the coordinating board's higher education accountability system and the institution's in-state peer institutions. The bill requires the resume to include specific information relating to enrollment, degrees awarded, costs, financial aid, admissions, instruction, baccalaureate success, and first-time licensure or certification examination pass rates as it relates to the most recent state fiscal year for which the information is available.

C.S.S.B. 174 establishes similar requirements for the coordinating board to create and maintain two separate online resumes for each public junior college, public technical institute, and public state college, one for use by legislators and other interested policy makers and another for use by prospective students, their parents, and other interested members of the public, with the specific

information to be included on each resume tailored and appropriate both to the type of institution and the category of user for which or for whom the resume is created.

C.S.S.B. 174 establishes similar requirements for the coordinating board to create and maintain two separate online resumes for each medical and dental unit, one for use by legislators and other interested policy makers and another for use by prospective students, their parents, and other interested members of the public, with the specific information to be included on each resume tailored and appropriate both to the type of institution and the category of user for which or for whom the resume is created.

C.S.S.B. 174 requires the coordinating board to create the online institution resumes and provide the resumes on the coordinating board's website not later than February 1, 2010, and defines "coordinating board," "general academic teaching institution," "institution of higher education," "medical and dental unit," "public state college," and "public technical institute."

### **EFFECTIVE DATE**

On passage, or, if the act does not receive the necessary vote, the act takes effect September 1, 2009.

### **COMPARISON OF ORIGINAL AND SUBSTITUTE**

C.S.S.B. 174 adds provisions not in the original authorizing the State Board for Educator Certification to 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, and prohibiting this fee from exceeding a certain amount.

C.S.S.B. 174 adds provisions not in the original requiring the board's rules establishing standards to govern the approval and continuing accountability of all educator preparation programs to be based on information that includes information on the achievement of students taught by beginning teachers for the first three years following certification, to the extent practicable, and on compliance with board requirements regarding the frequency, duration, and quality of structural guidance and ongoing support provided by field supervisors to beginning teachers during their first year in the classroom. The substitute adds provisions not in the original establishing that the annual performance report comprising the data elements submitted by educator preparation programs is not required to include data relating to the achievement of students taught by beginning teachers for the first three years following certification but is required to include information required by federal law.

C.S.S.B. 174 adds provisions not in the original authorizing the board to propose rules establishing minimum standards for approval or renewal of approval of educator preparation programs or certification fields authorized to be offered by an educator preparation program.

C.S.S.B. 174 adds provisions not in the original requiring the board's rules for the sanction of educator preparation programs that do not meet accountability standards to provide for the assignment of an accreditation status as not rated, accredited, accredited-warned, accredited-probation, or not accredited-revoked; to authorize the board to take certain enumerated actions; and to provide for revocation of a program's approval and its closure under certain conditions. The substitute adds provisions not in the original authorizing any action authorized or required to be taken against an educator preparation program to be taken also with regard to a particular field of certification authorized to be offered by an educator preparation program; requiring a permissive or required revocation of approval of a program to be effective for a period of at least two years and authorizing the program, after two years, to seek renewed approval to prepare educators for state certification; and requiring the sponsor of an educator preparation program to pay the costs of technical assistance that TEA requires the program to obtain or the costs associated with the appointment of a monitor.

C.S.S.B. 174 differs from the original by striking a statutory provision authorizing the executive director of the board to appoint an oversight team of educators to make recommendations and provide assistance to educator preparation programs that do not meet accreditation standards, whereas the original does not amend this statute.

C.S.S.B. 174 adds provisions not in the original enumerating certain categories of information regarding educator preparation programs that the board is required to make publicly available to assist persons interested in obtaining teaching certification in selecting an educator preparation program and to assist school districts in making staffing decisions; requiring an exit survey to be distributed by an educator preparation program; and authorizing the board to develop procedures under which each educator preparation program receives a designation or ranking based on the information required to be made publicly available. The substitute adds provisions not in the original requiring the board to provide information identifying employment opportunities for teachers in the various regions of Texas and to specifically identify each region in which a shortage of qualified teachers exists. The substitute adds a provision not in the original authorizing the board to require any person to provide it the information necessary for purposes of preparing consumer information.