

By: Crownover, VanDeaver

H.B. No. 2205

A BILL TO BE ENTITLED

1 AN ACT

2 relating to educator preparation programs and appointment to the  
3 State Board for Educator Certification, including the appointment  
4 of a nonvoting member with experience and knowledge of alternative  
5 educator preparation programs.

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

7 SECTION 1. Section 21.033(a), Education Code, is amended to  
8 read as follows:

9 (a) The State Board for Educator Certification is composed  
10 of 15 [~~14~~] members. The commissioner of education shall appoint an  
11 employee of the agency to represent the commissioner as a nonvoting  
12 member. The commissioner of higher education shall appoint an  
13 employee of the Texas Higher Education Coordinating Board to  
14 represent the commissioner as a nonvoting member. The governor  
15 shall appoint two nonvoting members. The governor shall appoint a  
16 dean of a college of education in this state as one of the [~~a~~]  
17 nonvoting members [~~member~~]. The governor shall appoint a person who  
18 has experience working for and knowledge of an alternative educator  
19 preparation program and who is not affiliated with an institution  
20 of higher education as one of the nonvoting members. The remaining  
21 11 members are appointed by the governor with the advice and consent  
22 of the senate, as follows:

23 (1) four members must be teachers employed in public  
24 schools;

1 (2) two members must be public school administrators;

2 (3) one member must be a public school counselor; and

3 (4) four members must be citizens, three of whom are  
4 not and have not, in the five years preceding appointment, been  
5 employed by a public school district or by an educator preparation  
6 program in an institution of higher education and one of whom is not  
7 and has not been employed by a public school district or by an  
8 educator preparation program in an institution of higher education.

9 SECTION 2. Section [21.035](#), Education Code, is amended to  
10 read as follows:

11 Sec. 21.035. DELEGATION AUTHORITY; ADMINISTRATION BY  
12 AGENCY. (a) The board is permitted to make a written delegation of  
13 authority to the commissioner or the agency to informally dispose  
14 of a contested case involving educator certification.

15 (b) The agency [~~Texas Education Agency~~] shall provide the  
16 board's administrative functions and services.

17 SECTION 3. Section [21.044](#)(b), Education Code, is amended to  
18 read as follows:

19 (b) Any minimum academic qualifications for a certificate  
20 specified under Subsection (a) that require a person to possess a  
21 bachelor's degree must also require that the person receive, as  
22 part of the training required to obtain that certificate  
23 [~~curriculum for that degree~~], instruction in detection and  
24 education of students with dyslexia. [~~This subsection does not~~  
25 ~~apply to a person who obtains a certificate through an alternative~~  
26 ~~certification program adopted under Section [21.049](#).~~]

27 SECTION 4. Subchapter B, Chapter 21, Education Code, is

1 amended by adding Section 21.0443 to read as follows:

2 Sec. 21.0443. EDUCATOR PREPARATION PROGRAM APPROVAL AND  
3 RENEWAL. (a) The board shall propose rules to establish standards  
4 to govern the approval or renewal of approval of:

5 (1) educator preparation programs; and

6 (2) certification fields authorized to be offered by  
7 an educator preparation program.

8 (b) To be eligible for approval or renewal of approval, an  
9 educator preparation program must adequately prepare candidates  
10 for educator certification and meet the standards and requirements  
11 of the board.

12 (c) The board shall require that each educator preparation  
13 program be reviewed for renewal of approval at least every five  
14 years. The board shall adopt an evaluation process to be used in  
15 reviewing an educator preparation program for renewal of approval.

16 SECTION 5. Section 21.045, Education Code, is amended to  
17 read as follows:

18 Sec. 21.045. ACCOUNTABILITY SYSTEM FOR EDUCATOR  
19 PREPARATION PROGRAMS. (a) The board shall propose rules necessary  
20 to establish [~~establishing~~] standards to govern the [~~approval and~~]  
21 continuing accountability of all educator preparation programs  
22 based on the following information that is disaggregated with  
23 respect to race, sex, and ethnicity:

24 (1) results of the certification examinations  
25 prescribed under Section 21.048(a);

26 (2) performance based on the appraisal system for  
27 beginning teachers adopted by the board;

1           (3) achievement, including improvement in  
2 achievement, of students taught by beginning teachers for the first  
3 three years following certification, to the extent practicable;  
4 ~~[and]~~

5           (4) compliance with board requirements regarding the  
6 frequency, duration, and quality of structural guidance and ongoing  
7 support provided by field supervisors to candidates completing  
8 student teaching, clinical teaching, or an internship; and

9           (5) results from a teacher satisfaction survey,  
10 developed by the board with stakeholder input, of new teachers  
11 performed at the end of the teacher's first year of teaching  
12 ~~[beginning teachers during their first year in the classroom].~~

13           (b) Each educator preparation program shall submit data  
14 elements as required by the board for an annual performance report  
15 to ensure access and equity. At a minimum, the annual report must  
16 contain:

17           (1) the performance data from Subsection (a), other  
18 than the data required for purposes of Subsection (a)(3);

19           (2) data related to the program's compliance with  
20 requirements for field supervision of candidates during their  
21 clinical teaching and internship experiences; [7] and

22           (3) the following information, disaggregated by race,  
23 sex, and ethnicity:

24                   (A) ~~[(1)]~~ the number of candidates who apply;

25                   (B) ~~[(2)]~~ the number of candidates admitted;

26                   (C) ~~[(3)]~~ the number of candidates retained;

27                   (D) ~~[(4)]~~ the number of candidates completing

1 the program;

2                   (E) [~~(5)~~] the number of candidates employed in  
3 the profession after completing the program;

4                   (F) [~~(6)~~] the number of candidates retained in  
5 the profession; and

6                   (G) [~~(7)~~] any other information required by  
7 federal law.

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

14                   [~~(1) educator preparation programs; or~~  
15                   [~~(2) certification fields authorized to be offered by~~  
16 ~~an educator preparation program.~~]

17           SECTION 6. Sections 21.0451(a), (c), and (d), Education  
18 Code, are amended to read as follows:

19           (a) The board shall propose rules necessary for the sanction  
20 of educator preparation programs that do not meet accountability  
21 standards or comply with state law or rules and shall at least  
22 annually review the accreditation status of each educator  
23 preparation program. The rules:

24                   (1) shall provide for the assignment of the following  
25 accreditation statuses:

26                               (A) not rated;

27                               (B) accredited;

- 1 (C) accredited-warned;
- 2 (D) accredited-probation; and
- 3 (E) not accredited-revoked;

4 (2) may provide for the agency to take any necessary  
5 action, including one or more of the following actions:

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

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

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

12 (D) if a program has been rated as  
13 accredited-probation under the Accountability System for Educator  
14 Preparation for a period of at least one year, revoking the approval  
15 of the program and ordering the program to be closed, provided that  
16 the board or agency has provided ~~[must provide]~~ the opportunity for  
17 a contested case hearing ~~[before the effective date of the~~  
18 ~~closure]~~; ~~[and]~~

19 (3) shall provide for the agency to revoke the  
20 approval of the program and order the program to be closed if the  
21 program has been rated as accredited-probation under the  
22 Accountability System for Educator Preparation for three  
23 consecutive years, provided that the board or agency has provided  
24 ~~[must provide]~~ the opportunity for a contested case hearing; and

25 (4) shall provide the board procedure for changing the  
26 accreditation status of a program that:

27 (A) does not meet the accreditation standards

1 established under Section 21.045(a); or

2 (B) violates a board or agency regulation [~~before~~  
3 ~~the effective date of the closure~~].

4 (c) A [~~permissive~~] revocation [~~under Subsection (a)(2) or~~  
5 ~~required revocation under Subsection (a)(3)~~] must be effective for  
6 a period of at least two years. After two years, the program may  
7 seek renewed approval to prepare educators for state certification.

8 (d) The costs of technical assistance required under  
9 Subsection (a)(2)(A) or the costs associated with the appointment  
10 of a monitor under Subsection (a)(2)(C) shall be paid by the  
11 [~~sponsor of the~~] educator preparation program.

12 SECTION 7. Sections 21.0452(b), (c), and (d), Education  
13 Code, are amended to read as follows:

14 (b) The board shall make available at least the following  
15 information regarding each educator preparation program:

16 (1) the information specified in Sections 21.045(a)  
17 and (b);

18 (2) in addition to any other appropriate information  
19 indicating the quality of persons admitted to the program, the  
20 average academic qualifications possessed by persons admitted to  
21 the program, including:

22 (A) average overall grade point average and  
23 average grade point average in specific subject areas; and

24 (B) average scores on the Scholastic Assessment  
25 Test (SAT), the American College Test (ACT), or the Graduate Record  
26 Examination (GRE), as applicable;

27 (3) the degree to which persons who complete the

1 program are successful in obtaining teaching positions;

2 (4) the extent to which the program prepares teachers,  
3 including general education teachers and special education  
4 teachers, to effectively teach:

5 (A) students with disabilities; and

6 (B) students of limited English proficiency, as  
7 defined by Section 29.052;

8 (5) the activities offered by the program that are  
9 designed to prepare teachers to:

10 (A) integrate technology effectively into  
11 curricula and instruction, including activities consistent with  
12 the principles of universal design for learning; and

13 (B) use technology effectively to collect,  
14 manage, and analyze data to improve teaching and learning for the  
15 purpose of increasing student academic achievement;

16 (6) for each semester, the average ratio of field  
17 supervisors to candidates completing student teaching, clinical  
18 teaching, or an internship in an educator preparation program;

19 (7) the percentage of teachers employed under a  
20 standard teaching certificate within one year of completing the  
21 program;

22 (8) the perseverance of beginning teachers in the  
23 profession, as determined on the basis of the number of beginning  
24 teachers who maintain status as active contributing members in the  
25 Teacher Retirement System of Texas for at least three years after  
26 certification in comparison to similar programs;

27 (9) [~~7~~] the results of exit surveys given to program



1 participants on completion of the program that involve evaluation  
2 of the program's effectiveness in preparing participants to succeed  
3 in the classroom; ~~and~~

4 (10) [~~(8)~~] the results of surveys given to school  
5 principals that involve evaluation of the program's effectiveness  
6 in preparing participants to succeed in the classroom, based on  
7 experience with employed program participants; and

8 (11) the results of teacher satisfaction surveys  
9 developed under Section 21.045 and given to program participants at  
10 the end of the first year of teaching.

11 (c) For purposes of Subsection (b)(9) [~~(b)(7)~~], the board  
12 shall require an educator preparation program to distribute an exit  
13 survey that a program participant must complete before the  
14 participant is eligible to receive a certificate under this  
15 subchapter.

16 (d) For purposes of Subsections (b)(9) [~~(b)(7)~~] and (10)  
17 [~~(8)~~], the board shall develop surveys for distribution to program  
18 participants and school principals.

19 SECTION 8. Subchapter B, Chapter 21, Education Code, is  
20 amended by adding Sections 21.0454 and 21.0455 to read as follows:

21 Sec. 21.0454. RISK FACTORS FOR EDUCATOR PREPARATION  
22 PROGRAMS; RISK-ASSESSMENT MODEL. (a) The board shall propose  
23 rules necessary to develop a set of risk factors to use in assessing  
24 the overall risk level of each educator preparation program. The  
25 set of risk factors must include:

26 (1) a history of the program's compliance with state  
27 law and board rules, standards, and procedures, with consideration

1 given to:

2 (A) the seriousness of any violation of a rule,  
3 standard or procedure;

4 (B) whether the violation resulted in an action  
5 being taken against the program;

6 (C) whether the violation was promptly remedied  
7 by the program;

8 (D) the number of alleged violations; and

9 (E) any other matter considered to be appropriate  
10 in evaluating the program's compliance history; and

11 (2) whether the program meets the accountability  
12 standards under Section 21.045.

13 (b) The set of risk factors developed by the board may  
14 include whether an educator preparation program is accredited by  
15 other organizations.

16 (c) The board shall use the set of risk factors to guide the  
17 agency in conducting monitoring, inspections, and compliance  
18 audits of educator preparation programs, including evaluations  
19 associated with renewals under Section 21.0443.

20 Sec. 21.0455. COMPLAINTS REGARDING EDUCATOR PREPARATION  
21 PROGRAMS. (a) The board shall propose rules necessary to establish  
22 a process for a candidate for teacher certification to direct a  
23 complaint against an educator preparation program to the agency.

24 (b) The board by rule shall require an educator preparation  
25 program to notify candidates for teacher certification of the  
26 complaint process adopted under Subsection (a). The notice must  
27 include the name, mailing address, telephone number, and Internet

1 website address of the agency for the purpose of directing  
2 complaints to the agency. The educator preparation program shall  
3 provide for that notification:

4 (1) on the Internet website of the educator  
5 preparation program, if the program maintains a website; and

6 (2) on a sign prominently displayed in program  
7 facilities.

8 (c) The board shall post the complaint process adopted under  
9 Subsection (a) on the agency's Internet website.

10 (d) The board has no authority to arbitrate or resolve  
11 contractual or commercial issues between an educator preparation  
12 program and a candidate for teacher certification.

13 SECTION 9. Subchapter B, Chapter 21, Education Code, is  
14 amended by adding Section 21.0461 to read as follows:

15 Sec. 21.0461. SCHOOL TURNAROUND SPECIALIST ENDORSEMENT TO  
16 PRINCIPAL CERTIFICATE. (a) The board shall propose rules  
17 establishing the training requirements and course work a principal  
18 must successfully complete to receive a school turnaround  
19 specialist endorsement as an addendum to a principal certificate.  
20 In proposing the rules, the board shall ensure that each person who  
21 receives the endorsement demonstrates the knowledge and skills  
22 necessary to significantly improve teacher and student performance  
23 at a campus assigned a performance rating of unacceptable under  
24 Section 39.054.

25 (b) The board shall solicit proposals for a school  
26 turnaround specialist endorsement program from appropriate  
27 educator preparation programs, including alternative education

1 preparation programs. From among school turnaround specialist  
2 endorsement programs proposed to the board that are capable of  
3 satisfying the requirements prescribed by Subsection (c), the board  
4 may select not more than three of the programs that may be offered  
5 to principals.

6 (c) A school turnaround specialist endorsement program  
7 under this section must:

8 (1) partner with one or more school districts that  
9 need principals with the training and education necessary to  
10 significantly improve teacher and student performance at one or  
11 more campuses assigned a performance rating of unacceptable under  
12 Section 39.054;

13 (2) have appropriately qualified faculty to:

14 (A) conduct a campus leadership-needs analysis;

15 (B) develop and provide the training and course  
16 work required by rules proposed under this section; and

17 (C) provide necessary support to program  
18 candidates;

19 (3) establish a selective admissions process to ensure  
20 that each principal admitted to the program:

21 (A) possesses a significant knowledge of  
22 educational organizations, educational instruction, and teacher  
23 professional development;

24 (B) demonstrates the ability to develop and  
25 implement campus-based systems that result in increased capacity  
26 for improving student learning; and

27 (C) demonstrates the attributes of principals

1 who have significantly improved teacher and student performance at  
2 underperforming campuses;

3 (4) offer a full-time internship that continues for at  
4 least one semester and provides meaningful interaction with the  
5 central administrative office of a school district; and

6 (5) collaborate with school districts to provide  
7 program participants who complete the program continued support for  
8 at least two years after the participants' initial assignment to a  
9 campus.

10 (d) To be eligible for admission to a school turnaround  
11 specialist endorsement program under this section, a principal  
12 must:

13 (1) hold a principal certificate;

14 (2) have served as a principal or assistant principal  
15 for at least three school years before applying to the program;

16 (3) demonstrate significant knowledge of educational  
17 organizations, educational instruction, and teacher professional  
18 development;

19 (4) demonstrate the attributes of principals who have  
20 significantly improved teacher and student performance at  
21 underperforming campuses; and

22 (5) provide evidence of the ability to develop and  
23 implement campus-based systems that result in increased capacity  
24 for improving student learning.

25 (e) The board shall periodically evaluate school turnaround  
26 specialist endorsement programs selected under this section. For  
27 purposes of evaluating the programs, the board shall require each

1 program to submit data, as determined appropriate by the board, for  
2 each year and at each five-year interval.

3 SECTION 10. As soon as practicable after the effective date  
4 of this Act, the governor shall appoint as a nonvoting member of the  
5 State Board for Educator Certification a person who has experience  
6 working for and knowledge of an alternative educator preparation  
7 program and who is not affiliated with an institution of higher  
8 education, as required by Section 21.033(a), Education Code, as  
9 amended by this Act.

10 SECTION 11. (a) Not later than January 1, 2016, the State  
11 Board for Educator Certification shall propose rules relating to  
12 the school turnaround specialist endorsement to the school  
13 principal certificate as provided by Section 21.0461, Education  
14 Code, as added by this Act.

15 (b) Not later than March 1, 2016, the State Board for  
16 Educator Certification shall solicit proposals for a school  
17 turnaround specialist endorsement program as provided by Section  
18 21.0461, Education Code, as added by this Act.

19 SECTION 12. This Act takes effect September 1, 2015.