

By: VanDeaver

H.B. No. 2566

Substitute the following for H.B. No. 2566:

By: Aycock

C.S.H.B. No. 2566

A BILL TO BE ENTITLED

AN ACT

relating to educator preparation programs.

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

SECTION 1. Section 21.035, Education Code, is amended to read as follows:

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

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

SECTION 2. Section 21.044(b), Education Code, is amended to read as follows:

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

SECTION 3. Subchapter B, Chapter 21, Education Code, is amended by adding Section 21.0443 to read as follows:

Sec. 21.0443. EDUCATOR PREPARATION PROGRAM APPROVAL AND

1 RENEWAL. (a) The board shall propose rules to establish standards
2 to govern the approval or renewal of approval of:

3 (1) educator preparation programs; and

4 (2) certification fields authorized to be offered by
5 an educator preparation program.

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

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

14 SECTION 4. Section 21.045, Education Code, is amended to
15 read as follows:

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

22 (1) results of the certification examinations
23 prescribed under Section 21.048(a);

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

26 (3) achievement, including improvement in
27 achievement, of students taught by beginning teachers for the first

1 three years following certification, to the extent practicable;
2 [~~and~~]

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

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

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

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

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

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

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

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

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

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

27 the program;

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

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

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

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

13 [~~(1) educator preparation programs; or~~

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

16 SECTION 5. The heading to Section [21.0451](#), Education Code,
17 is amended to read as follows:

18 Sec. 21.0451. SANCTIONS [~~UNDER ACCOUNTABILITY SYSTEM~~] FOR
19 EDUCATOR PREPARATION PROGRAMS.

20 SECTION 6. Sections [21.0451](#)(a), (c), and (d), Education
21 Code, are amended to read as follows:

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

27 (1) shall provide for the assignment of the following

1 accreditation statuses:

- 2 (A) not rated;
- 3 (B) accredited;
- 4 (C) accredited-warned;
- 5 (D) accredited-probation; and
- 6 (E) not accredited-revoked;

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

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

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

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

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

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

1 ~~the effective date of the closure].~~

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

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

10 SECTION 7. Subchapter B, Chapter 21, Education Code, is
11 amended by adding Section 21.04511 to read as follows:

12 Sec. 21.04511. SPECIAL ACCREDITATION INVESTIGATION. (a)
13 The board shall propose rules necessary to implement this section.

14 (b) The board may authorize an investigation of an educator
15 preparation program if:

16 (1) the risk factors adopted in accordance with
17 Section 21.0454 indicate that an educator preparation program
18 presents a significant level of risk; or

19 (2) a complaint, including a complaint received under
20 the process established under Section 21.0455, indicates that an
21 educator preparation program may have violated a provision of this
22 chapter or a rule adopted under this chapter.

23 (c) If the board investigates a complaint against an
24 educator preparation program as provided by Subsection (b)(2), the
25 board may consider:

26 (1) the seriousness of the alleged violation;

27 (2) the timeliness of the complaint;

1 (3) the program's history of compliance with board
2 rules and complaints filed against the program;

3 (4) the source of the complaint;

4 (5) the feasibility of investigating the complaint;

5 and

6 (6) any other reasonable matter considered
7 appropriate.

8 (d) Based on the results of an investigation, the board may
9 take any action regarding the educator preparation program allowed
10 under Section 21.0451(a)(2) or another provision of this chapter,
11 including:

12 (1) revoking approval or denying renewal of approval;

13 (2) lowering the program's accreditation status;

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

16 (4) requiring the program to obtain professional
17 services under contract with another person; and

18 (5) appointing a monitor to participate in and report
19 to the board on the activities of the program.

20 (e) Any action authorized or required to be taken against an
21 educator preparation program under this section may also be taken
22 with regard to a particular field of certification that the program
23 is authorized to offer.

24 (f) An educator preparation program must have the
25 opportunity for a contested case hearing if the board revokes
26 approval or denies renewal of approval for:

27 (1) the educator preparation program; or

1 (2) a particular field of certification that the
2 educator preparation program is authorized to offer.

3 (g) The board may take action under this section regardless
4 of an educator preparation program's performance on the measures
5 listed in Section 21.045 or accreditation status under Section
6 21.0451.

7 SECTION 8. Section 21.0452(b), Education Code, is amended
8 to read as follows:

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

11 (1) the information specified in Sections 21.045(a)
12 and (b);

13 (2) in addition to any other appropriate information
14 indicating the quality of persons admitted to the program, the
15 average academic qualifications possessed by persons admitted to
16 the program, including:

17 (A) average overall grade point average and
18 average grade point average in specific subject areas; and

19 (B) average scores on the Scholastic Assessment
20 Test (SAT), the American College Test (ACT), or the Graduate Record
21 Examination (GRE), as applicable;

22 (3) the degree to which persons who complete the
23 program are successful in obtaining teaching positions;

24 (4) the extent to which the program prepares teachers,
25 including general education teachers and special education
26 teachers, to effectively teach:

27 (A) students with disabilities; and

1 (B) students of limited English proficiency, as
2 defined by Section 29.052;

3 (5) the activities offered by the program that are
4 designed to prepare teachers to:

5 (A) integrate technology effectively into
6 curricula and instruction, including activities consistent with
7 the principles of universal design for learning; and

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

11 (6) the perseverance of beginning teachers in the
12 profession, as determined on the basis of the number of beginning
13 teachers who maintain status as active contributing members in the
14 Teacher Retirement System of Texas for at least three years after
15 certification in comparison to similar programs;

16 (7) the results of exit surveys given to program
17 participants on completion of the program that involve evaluation
18 of the program's effectiveness in preparing participants to succeed
19 in the classroom; ~~and~~

20 (8) the results of surveys given to school principals
21 that involve evaluation of the program's effectiveness in preparing
22 participants to succeed in the classroom, based on experience with
23 employed program participants; and

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

27 SECTION 9. Subchapter B, Chapter 21, Education Code, is

1 amended by adding Sections 21.0454 and 21.0455 to read as follows:

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

7 (1) a history of the program's compliance with state
8 law and board rules, standards, and procedures; and

9 (2) whether the program meets the accountability
10 standards under Section 21.045.

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

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

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

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

1 provide for that notification:

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

4 (2) on a sign prominently displayed in program
5 facilities.

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

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

11 SECTION 10. This Act takes effect September 1, 2015.