

By: VanDeaver

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 may delegate to the commissioner any power or duty granted to or imposed on the board by law, including the authority to propose rules and make final orders and decisions. The delegation of any authority to the commissioner must be in writing.

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

SECTION 2. Section 21.0441(a), Education Code, is amended to read as follows:

(a) Rules of the board proposed under this subchapter must provide that a person, other than a person seeking career and technology education certification, is not eligible for admission to an educator preparation program, including an alternative educator preparation program, unless the person:

(1) except as provided by Subsection (b), satisfies minimum grade point average requirements prescribed by the board, including [~~not to exceed the following~~]:

(A) an overall grade point average of at least 2.75 on a four-point scale or the equivalent on any course work

1 previously attempted at a public or private institution of higher
2 education; or

3 (B) a grade point average of at least 2.75 on a
4 four-point scale or the equivalent for the last 60 semester credit
5 hours attempted at a public or private institution of higher
6 education; and

7 (2) if the person is seeking initial certification:

8 (A) has successfully completed at least:

9 (i) 15 semester credit hours in the
10 subject-specific content area in which the person is seeking
11 certification, if the person is seeking certification to teach
12 mathematics or science at or above grade level seven; or

13 (ii) 12 semester credit hours in the
14 subject-specific content area in which the person is seeking
15 certification, if the person is not seeking certification to teach
16 mathematics or science at or above grade level seven; or

17 (B) has achieved a satisfactory level of
18 performance on a content certification examination, which may be a
19 content certification examination administered by a vendor
20 approved by the commissioner for purposes of administering such an
21 examination for the year for which the person is applying for
22 admission to the program.

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

25 Sec. 21.0443. EDUCATOR PREPARATION PROGRAM APPROVAL AND
26 RENEWAL. (a) The board may propose rules to establish standards to
27 govern the approval or renewal of approval of:

1 (1) educator preparation programs; and
2 (2) certification fields authorized to be offered by
3 an educator preparation program.

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

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

12 SECTION 4. Section 21.045, Education Code, is amended to
13 read as follows:

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

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

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

25 (3) achievement, including improvement in
26 achievement, of students taught by beginning teachers for the first
27 three years following certification, to the extent practicable; and

1 (4) results from a teacher satisfaction survey of new
2 teachers performed at the end of the teacher's first year of
3 teaching after completing an educator preparation program
4 ~~[compliance with board requirements regarding the frequency,~~
5 ~~duration, and quality of structural guidance and ongoing support~~
6 ~~provided by field supervisors to beginning teachers during their~~
7 ~~first year in the classroom]~~.

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

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

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

17 (3) the following information, disaggregated by race,
18 [sex and] ethnicity, and other factors as determined by the board:

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

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

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

22 (D) ~~[(4)]~~ the number of candidates completing
23 the program;

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

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

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

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

10 [~~(1) educator preparation programs; or~~
11 [~~(2) certification fields authorized to be offered by~~
12 ~~an educator preparation program.~~]

13 SECTION 5. The heading to Section 21.0451, Education Code,
14 is amended to read as follows:

15 Sec. 21.0451. SANCTIONS [~~UNDER ACCOUNTABILITY SYSTEM~~] FOR
16 EDUCATOR PREPARATION PROGRAMS.

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

19 (a) The board may [~~shall~~] propose rules necessary for the
20 sanction of educator preparation programs that do not meet
21 accountability standards or comply with state law or rules and
22 shall at least annually review the accreditation status of each
23 educator 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
15 approval of the program and ordering the program to be closed,
16 provided that the board or agency must provide the opportunity for a
17 contested case hearing [~~before the effective date of the closure~~];
18 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 must provide
24 the opportunity for a contested case hearing [~~before the effective~~
25 ~~date of the closure~~].

26 (c) A [~~permissive~~] revocation [~~under Subsection (a)(2) or~~
27 ~~required revocation under Subsection (a)(3)~~] must be effective for

1 a period of at least two years. After two years, the program may
2 seek renewed approval to prepare educators for state certification.

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

7 SECTION 7. Subchapter B, Chapter 21, Education Code, is
8 amended by adding Sections 21.04511, 21.0454, and 21.0455 to read
9 as follows:

10 Sec. 21.04511. SPECIAL ACCREDITATION INVESTIGATION. (a)
11 The board may propose rules necessary to implement this section.

12 (b) The board may authorize an investigation of an educator
13 preparation program if:

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

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

21 (c) Based on the results of an investigation, the board may
22 take any action regarding the educator preparation program allowed
23 under Section 21.0451(a)(2) or another provision of this chapter,
24 including:

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

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

27 (3) requiring the program to obtain technical

1 assistance approved by the agency or board;

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

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

6 (d) If the board revokes approval or denies renewal of
7 approval for an educator preparation program, the educator
8 preparation program must have the opportunity for a contested case
9 hearing.

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

14 (f) The board may take action under this section regardless
15 of an educator preparation program's performance on the measures
16 listed in Section 21.045 or accreditation status under Section
17 21.0451.

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

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

25 (2) whether the program meets the accountability
26 standards under Section 21.045; and

27 (3) whether the program is accredited by other

1 organizations.

2 (b) The board shall use the set of risk factors developed
3 under Subsection (a) to guide the agency in conducting monitoring,
4 inspections, and compliance audits of educator preparation
5 programs, including evaluations associated with renewals under
6 Section 21.0443.

7 Sec. 21.0455. COMPLAINTS REGARDING EDUCATOR PREPARATION
8 PROGRAMS. (a) The board may propose rules necessary to establish a
9 process for a candidate for teacher certification to direct a
10 complaint against an educator preparation program to the agency.

11 (b) The board by rule shall require an educator preparation
12 program to notify candidates for teacher certification of the
13 complaint process adopted under Subsection (a). The notice must
14 include the name, mailing address, telephone number, and Internet
15 website address of the agency for the purpose of directing
16 complaints to the agency. The educator preparation program shall
17 provide for that notification:

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

20 (2) on a sign prominently displayed in program
21 facilities.

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

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

27 SECTION 8. This Act takes effect September 1, 2015.