

BILL ANALYSIS

Senate Research Center

H.B. 2205
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Higher Education
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

In order for Texas children to receive the best possible education, teachers must receive the best training. The goal of H.B. 2205 is to strengthen the standards of educator preparation programs and hold them accountable for the quality of training they provide.

H.B. 2205 amends current law relating to educator preparation programs and appointment to the State Board for Educator Certification, including the appointment of a nonvoting member with experience and knowledge of alternative educator preparation programs.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the State Board of Education on behalf of the State Board for Educator Certification in SECTION 4 (Section 21.0443, Education Code), SECTION 5 (Section 21.045, Education Code), SECTION 6 (Section 21.0451, Education Code), SECTION 8 (Section 21.0454 and Section 21.0455, Education Code), and SECTION 9 (Section 21.0461, Education Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 21.033(a), Education Code, as follows:

(a) Provides that the State Board for Educator Certification (SBEC) is composed of 15 members, rather than 14 members. Requires the commissioner of education (commissioner) to appoint an employee of the Texas Education Agency (TEA) to represent the commissioner as a nonvoting member. Requires the commissioner of higher education to appoint an employee of the Texas Higher Education Coordinating Board (THECB) to represent the commissioner as a nonvoting member. Requires the governor of the State of Texas (governor) to appoint two nonvoting members. Requires the governor to appoint a dean of a college of education in this state as one of the nonvoting members. Requires the governor to appoint a person who has experience working for and knowledge of an alternative educator preparation program and who is not affiliated with an institution of higher education as one of the nonvoting members. Provides that the remaining 11 members are appointed by the governor with the advice and consent of the senate, as set forth. Makes nonsubstantive changes.

SECTION 2. Amends Section 21.035, Education Code, as follows:

Sec. 21.035. New heading: DELEGATION AUTHORITY; ADMINISTRATION BY AGENCY. (a) Provides that SBEC is permitted to make a written delegation of authority to the commissioner or TEA to informally dispose of a contested case involving educator certification.

(b) Creates this subsection from existing text. Requires TEA to provide the SBEC's administrative functions and services, rather than requires the Texas Education Agency to provide the SBEC's administrative functions and services.

SECTION 3. Amends Section 21.044(b), Education Code, as follows:

(b) Requires that any minimum academic qualifications for a certificate specified under Subsection (a) that require a person to possess a bachelor's degree also require that the person receive, as part of the training required to obtain that certificate, instruction in detection and education of students with dyslexia, rather than requires that any minimum academic qualifications for a certificate specified under Subsection (a) that require a person to possess a bachelor's degree also require that the person receive, as part of the curriculum for that degree instruction in detection and education of students with dyslexia. Deletes existing text providing that this subsection does not apply to a person who obtains a certificate through an alternative certification program adopted under Section 21.049.

SECTION 4. Amends Subchapter B, Chapter 21, Education Code, by adding Section 21.0443, as follows:

Sec. 21.0443. EDUCATOR PREPARATION PROGRAM APPROVAL AND RENEWAL. (a) Requires SBEC to propose rules to establish standards to govern the approval or renewal of approval of:

(1) educator preparation programs; and

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

(b) Requires an educator preparation program to adequately prepare candidates for educator certification and meet the standards and requirements of SBEC to be eligible for approval or renewal of approval.

(c) Requires SBEC to require that each educator preparation program be reviewed for renewal of approval at least every five years. Requires SBEC to adopt an evaluation process to be used in reviewing an educator preparation program for renewal of approval.

SECTION 5. Amends Section 21.045, Education Code, as follows:

Sec. 21.045. ACCOUNTABILITY SYSTEM FOR EDUCATOR PREPARATION PROGRAMS. (a) Requires SBEC to propose rules necessary to establish standards to govern the continuing accountability of all educator preparation programs based on the following information that is disaggregated with respect to race, sex, and ethnicity:

(1) and (2) Makes no change to these subdivisions;

(3) Makes a nonsubstantive change;

(4) compliance with SBEC requirements regarding the frequency, duration, and quality of structural guidance and ongoing support provided by field supervisors to candidates completing student teaching, clinical teaching, or an internship rather than to beginning teachers during their first year in the classroom; and

(5) results from a teacher satisfaction survey, developed by SBEC with stakeholder input, of new teachers performed at the end of the teacher's first year of teaching.

Makes nonsubstantive changes.

(b) Requires each educator preparation program to submit data elements as required by SBEC for an annual performance report to ensure access and equity. Requires the annual report, at a minimum, to contain:

(1) Creates this subdivision from existing text;

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

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

(A)-(G) Creates these paragraphs from existing text. Redesignates Subdivisions (1)-(7) as Paragraphs (A)-(G). Makes no further changes to these paragraphs.

Makes nonsubstantive changes.

(c) Requires SBEC to propose rules necessary to establish performance standards for the Accountability System for Educator Preparation for accrediting educator preparation programs. Requires that performance standards, at a minimum, to be based on Subsection (a). Deletes existing text authorizing SBEC 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. Makes a nonsubstantive change.

SECTION 6. Amends Sections 21.0451(a), (c), and (d), Education Code, as follows:

(a) Requires SBEC to propose rules necessary for the sanction of educator preparation programs that do not meet accountability standards or comply with state law or rules and shall at least annually review the accreditation status of each educator preparation program. Provides that the rules:

(1) Makes no change to this subdivision;

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

(A)-(C) Makes no change to these paragraphs;

(D) if a program has been rated as accredited-probation under the Accountability System for Educator Preparation for a period of at least one year, revoking the approval of the program and ordering the program to be closed, provided that SBEC or TEA has provided the opportunity for a contested case hearing, rather than provided that SBEC or TEA is required to provide the opportunity for a hearing before the effective date of the closure;

Makes a nonsubstantive change.

(3) shall 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, provided that SBEC or TEA has provided the opportunity for a contested case hearing, rather than must provide the opportunity for a contested case hearing before the effective date of the closure.

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

(A) does not meet the accreditation standards established under Section 21.045(a) (requiring SBEC to propose rules establishing standards to govern the approval and continuing accountability of all educator preparation programs based on certain information); or

(B) violates a SBEC or TEA regulation.

(c) Requires that a revocation be effective for a period of at least two years, rather than requires that a permissive revocation under Subsection (a)(2) or required revocation under Subsection (a)(3) be effective for a period of at least two years. Authorizes the program to seek renewed approval to prepare educators for state certification after two years.

(d) Requires that the costs of technical assistance required under Subsection (a)(2)(A) or the costs associated with the appointment of a monitor under Subsection (a)(2)(C) be paid by the educator preparation program, rather than the sponsor of the educator preparation program.

SECTION 7. Amends Sections 21.0452(b), (c), and (d), Education Code, as follows:

(b) Requires SBEC to make available at least the following information regarding each educator preparation program:

(1)-(5) Makes no change to these subdivisions;

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

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

(8) Creates this subdivision from existing text. Makes no further change to this subdivision;

(9) Redesignates existing Subdivision (7) as Subdivision (9). Makes a nonsubstantive change.

(10) Redesignates existing Subdivision (8) as Subdivision (10); and

(11) the results of teacher satisfaction surveys developed under Section 21.045 (Accountability System for Educator Preparation Programs) and given to program participants at the end of the first year of teaching.

(c) Requires SBEC 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 under this subchapter for purposes of Subsection (b)(9), rather than (b)(7).

(d) Requires SBEC to develop surveys for distribution to program participants and school principals for purposes of Subsections (b)(9) and (10), rather than (b)(7) and (8).

SECTION 8. Amends Subchapter B, Chapter 21, Education Code, by adding Sections 21.0454 and 21.0455, as follows:

Sec. 21.0454. RISK FACTORS FOR EDUCATOR PREPARATION PROGRAMS; RISK-ASSESSMENT MODEL. (a) Requires SBEC to propose rules necessary to develop a set of risk factors to use in assessing the overall risk level of each educator preparation program. Requires the set of risk factor to include:

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

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

- (B) whether the violation resulted in an action being taken against the program;
- (C) whether the violation was promptly remedied by the program;
- (D) the number of alleged violations; and
- (E) any other matter considered to be appropriate in evaluating the program's compliance history; and

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

(b) Provides that the set of risk factors developed by SBEC may include whether an educator preparation program is accredited by other organizations.

(c) Requires SBEC to use the set of risk factors to guide TEA in conducting monitoring, inspections, and compliance audits of educator preparation programs, including evaluations associated with renewals under Section 21.0443.

Sec. 21.0455. COMPLAINTS REGARDING EDUCATOR PREPARATION PROGRAMS. (a) Requires SBEC to propose rules necessary to establish a process for a candidate for teacher certification to direct a complaint against an educator preparation program to TEA.

(b) Requires SBEC to require an educator preparation program to notify candidates for teacher certification of the complaint process adopted under Subsection (a). Requires the notice to include the name, mailing address, telephone number, and Internet website address of TEA for the purpose of directing complaints to TEA. Requires the educator program to provide for that notification:

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

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

(c) Requires SBEC to post the complaint process adopted under Subsection (a) on TEA's Internet website.

(d) Provides that SBEC has no authority to arbitrate or resolve contractual or commercial issues between an educator preparation program and a candidate for teacher certification.

SECTION 9. Amends Subchapter B, Chapter 21, Education Code, by adding Section 21.0461, as follows:

Sec. 21.0461. SCHOOL TURNAROUND SPECIALIST ENDORSEMENT TO PRINCIPAL CERTIFICATE. (a) Requires SBEC to propose rules establishing the training requirements and course work a principal must successfully complete to receive a school turnaround specialist endorsement as an addendum to a principal certificate. Requires SBEC, in proposing the rules, to ensure that each person who receives the endorsement demonstrates the knowledge and skills necessary to significantly improve teacher and student performance at a campus assigned a performance rating of unacceptable under Section 39.054 (Methods and Standards for Evaluating Performance).

(b) Requires SBEC to solicit proposals for a school turnaround specialist endorsement program from appropriate educator preparation programs, including alternative education preparation programs. Authorizes SBEC to select not more than three of the programs that may be offered to principals from among school

turnaround specialist endorsement programs proposed to SBEC that are capable of satisfying the requirements prescribed by Subsection (c).

(c) Requires a school turnaround specialist endorsement program under this section to:

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

(2) have appropriately qualified faculty to:

(A) conduct a campus leadership-needs analysis;

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

(C) provide necessary support to program candidates;

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

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

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

(C) demonstrates the attributes of principals who have significantly improved teacher and student performance at underperforming campuses;

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

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

(d) Requires a principal, to be eligible for admission to a school turnaround specialist endorsement program under this section, to:

(1) hold a principal certificate;

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

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

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

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

(e) Requires SBEC to periodically evaluate school turnaround specialist endorsement programs selected under this section. Requires SBEC to require each program to submit data, as determined appropriate by SBEC, for each year and at each five-year interval for purposes of evaluating the programs.

SECTION 10. Requires the governor to appoint as a nonvoting member of the State Board for Educator Certification a person who has experience working for and knowledge of an alternative educator preparation program and who is not affiliated with an institution of higher education, as required by Section 21.033(a) (providing that SBEC is composed of 14 members), Education Code, as amended by this Act, as soon as practicable after the effective date of this Act.

SECTION 11. (a) Requires SBEC to propose rules relating to the school turnaround specialist endorsement to the school principal certificate as provided by Section 21.0461, Education Code, as added by this Act, not later than January 1, 2016.

(b) Requires SBEC to solicit proposals for a school turnaround specialist endorsement program as provided by Section 21.0461, Education Code, as added by this Act, not later than March 1, 2016.

SECTION 12. Effective date: September 1, 2015.