

From: [Sunset Advisory Commission](#)
To: [Dawn Roberson](#)
Subject: FW: Form submission from: Public Input Form for Agencies Under Review (Public/After Publication)
Date: Tuesday, October 28, 2014 5:22:41 PM

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From: sundrupal@capitol.local [<mailto:sundrupal@capitol.local>]
Sent: Tuesday, October 28, 2014 3:29 PM
To: Sunset Advisory Commission
Subject: Form submission from: Public Input Form for Agencies Under Review (Public/After Publication)

Submitted on Tuesday, October 28, 2014 - 15:29

Agency: TEXAS EDUCATION AGENCY TEA

First Name: Elaine

Last Name: Wiant

Title: President

Organization you are affiliated with: League of Women Voters of Texas

City: Dallas

State: Texas

Your Comments About the Staff Report, Including Recommendations Supported or Opposed:

The League of Women Voters of Texas Response to the Sunset Advisory Commission Staff Report for the Texas Education Agency October 28 , 2014

Below are the issues identified by the Sunset staff and the response of the League of Women Voters of Texas.

Issue 1: While TEA has improved oversight of its large and complex student assessment contract, further work is needed. The Key recommendations are as follows:

- a. TEA should provide comprehensive information online about the student assessment procurement process and contracts to improve transparency.
- b. TEA should allow sufficient time for vendors to submit proposals for major contracts.
- c. TEA should provide more centralized contract oversight and develop monitoring plans for all major contracts.

The League of Women Voters of Texas position on assessment states that assessment for students should be meaningful, diagnostic, and informative to students, teachers and parents. It should never be punitive. We believe that limited assessments can be helpful, but we applaud the efforts of HB 5 from the 83rd legislative session to limit the number of High School Exit tests. The League questions the tremendous amount of money that is spent on

state assessments when there are many, less costly ways to assess. In addition, the League believes that valuable information comes from NAEP to aid TEA in decisions of standards and outcomes for the state.

Issue 2: TEA does not effectively manage public involvement to obtain the greatest value from its stakeholder input. The Key recommendations are as follows:

- a. Require TEA to develop and implement a policy to guide and encourage more meaningful and comprehensive stakeholder involvement efforts.
- b. Require TEA to adopt rules for its use of advisory committees, ensuring the committees meet standard structure and operating criteria.

The League of Women Voters of the United States and Texas both believe that experts throughout the state are extremely capable of developing outstanding standards and effective teacher training. It is not necessary to bring in “experts” from other states. Texas has outstanding professional educators in all areas of education to be of great service to Texas educational processes.

Issue 3: Regulating the Private Driver Training Industry does not match TEA’s public education mission. Key recommendations are as follows:

- a. Transfer the regulation of private driver training from TEA to the Texas Department of Licensing and Regulations.
- b. Require the Commission of Licensing and Regulation to establish an advisory committee to provide technical expertise from the driver training industry.
- c. Remove the statutory requirement to license driver training school directors, assistant directors and administrative staff.
- d. Remove fixed driver training fee amounts and fee caps from statute.
- e. Increase the driver training statute’s maximum administrative penalty from \$1,000 to \$5,000 per day, per violation.

The League of Women Voters of Texas does not have a position on driver training, although we believe that all children in school should have the same opportunities to learn safety and health issues, and, that safety and health issues should be taught by professionals in these areas.

Issue 4: Outdated and unnecessary statutory provisions divert TEA’s focus from its Core functions. Key recommendations are as follow:

- a. Eliminate outdated statutory requirement regarding academic performance indicators and campus distinction designation committees.
- b. Restructure the open-enrollment charter school evaluation to provide flexibility for the agency.
- c. Limit TEA’s involvement in local affairs through changes to the selection of hearing examiners for teacher contract cases, approval of shared services arrangements for special education, site-based decision-making, and foreign exchange student waivers.
- d. Eliminate unnecessary TEA review of local depository contracts and superintendent severance payments, and require the agency to audit compensatory education funds using a risk-based approach.
- e. Eliminate the High School Completion and Success Initiative Council, whose job is completed, along with its related reporting requirements and programs, as well as four other unnecessary reports.

The League of Women Voters of Texas agrees that unnecessary reporting is a waste and should be eliminated. We also believe that local control is usually most effective. However, we believe that all children in Texas should have quality educational opportunities with excellent teachers and learning materials. It is TEA’s responsibility to oversee that rigorous standards are upheld for all children and that all children have equal opportunities to progress and learn based upon student needs.

Issue 5: TEA lacks authority and flexibility in annexing a school district, especially an imminently insolvent district. Key recommendations follow:

- a. Authorize the Commissioner of Education to work with county commissioners’ courts to ensure the timely annexation of an insolvent school district.
- b. Grant the commissioner greater flexibility in annexing districts and clarify conflicting provisions to ensure that the commissioner may annex a school district for financial or

accreditation problems.

The League of Women Voters of Texas agrees there should be oversight of school districts and charter schools and that both public and charter districts must uphold rigorous accountability of standards and finances. However, leaving this up to the political entities of county commissioners and the state education commissioner can sometimes pose political constraints rather than fiscal responsibility and responsibility to strong student standards. A state credentialing body would be more responsive to high standards representing high student outcomes as well as fiscal accountability.

Issue 6: Educator certification can be overseen by the Commissioner of Education without the need for a separate board.

- a. Abolish the State Board of Educator Certification and transfer its powers and duties to the Commissioner of Education.
- b. Remove the State Board of Education's authority to reject proposed educator certification and educator preparation rules.
- c. Require the commissioner to establish an advisory committee to assist with the regulation of educators and educator preparation programs.

The League of Women Voters Texas believes strongly in the professionalism of teachers. SBEC has done an outstanding job of monitoring and regulating teacher certification. The Commissioner is a political appointee whose role of the Commissioner is to carry out those laws of the legislature and not regulate the professionalism of teachers. Just as lawyers and doctors monitor their own professionals, so should teachers. The State Board of Education Certification (SBEC) has done an exceptional job in the past.

Issue 7: Elements of Teacher Certification do not conform to commonly-applied licensing practices. Key recommendations are as follows:

- a. Clarify the statutory requirements for school administrators to report misconduct by certified educators to TEA.
- b. Grant the commissioner administrative subpoena power to fully investigate certified educator misconduct cases.
- c. Require the commissioner to establish a disciplinary matrix to guide the application of sanctions to certified educators for violations of law or rule.

The League of Women Voters Texas believes that teachers are professionals, that the certification process and teacher professional development evaluations should uphold high standards for the teaching profession. SBEC sets the standards for teachers and should uphold those standards. The Commissioner's role is to support that authority.

Issue 8: Elements of the regulation of educator preparation programs do not conform to commonly applied licensing practices. Key recommendations are as follows:

- a. Establish a 5 year renewal process for educator preparation programs.
- b. Require the commissioner to adopt rules to make information about how to file a complaint about an EPP accessible to EPP students and the public.
- c. Require the commissioner to establish a comprehensive risk-assessment model to guide the monitoring of EPPs.
- d. Strengthen and clarify the commissioner's authority to sanction EPPs for violations of law or rules.

The League of Women Voters believes that teachers are professionals and should be treated as such. We also believe that professionals are the best monitors of professionals. NCATE (National Council for Accreditation of Teacher Education) is a highly professional and effective monitoring organization advised by extremely professional educators in all fields (English, mathematics, science, social studies etc.) Universities who have NCATE ratings are highly effective with their teacher preparation and should be applauded and recognized for the high quality of teacher preparation.

Issue 9: TEA's statute does not reflect standard elements of Sunset Reviews. Key recommendations are as follows:

- a. Apply across-the-board recommendations to the Texas Education Agency regarding conflicts of interest,

complaint information, and negotiated rulemaking and alternative dispute resolution.

The League of Women Voters of Texas believes that TEA must maintain the highest integrity always keeping in mind that they oversee student education for all children in Texas.

Issue 10: Texas has a continuing need for the Texas Education Agency.

Recommendations are as follows

- a. Continue the Texas Education Agency for 12 years.
- b. Redefine the commissioner's and TEA's powers and duties in statute to reflect their roles in the public education system.

The League of Women Voters believes that the Texas Education Agency's role is to maintain excellent education standards for student learning. We urge the continuation of SBEC's role to oversee and maintain high standards for teacher training and certification in Texas.

Any Alternative or New Recommendations on This Agency:

The League questions the tremendous amount of money that is spent on state assessments when there are many, less costly ways to assess. In addition, the League believes that valuable information comes from NAEP to aid TEA in decisions of standards and outcomes for the state.

The League of Women Voters of the United States and Texas both believe that experts throughout the state are extremely capable of developing outstanding standards and effective teacher training. It is not necessary to bring in "experts" from other states.

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My Comment Will Be Made Public: I agree