

**SELF-EVALUATION REPORT**  
**STATE BOARD FOR EDUCATOR CERTIFICATION**



**Presented To**  
**The Sunset Advisory Commission**

**August 2001**

# State Board for Educator Certification Self-Evaluation Report

## I. *Key Functions, Powers, and Duties*

The following section provides information about the overall operations of the State Board for Educator Certification. More detailed information about individual programs is in a later section.

### A. **Overview of the agency's mission, key functions, powers, and statutory duties.**

#### **Agency's Mission**

The mission of the State Board for Educator Certification is to ensure the highest level of educator preparation and practice to achieve student excellence.

#### **Key Functions, Powers, and Duties**

In general, the Board's main responsibilities fall under the broad areas of quality and accountability; educator preparation; educator assessment; retention and recruitment; continuing professional education; credentialing services; and enforcement of professional conduct.

According to the Texas Education Code Chapter 21, Subchapter B, the Board must:

- Provide for the regulation of educators;
- Specify the classes of educator certificates to be issued, including emergency certificates;
- Specify the qualifications for each certificate and the period for which it is valid;
- Propose rules prescribing comprehensive examinations for each class of certificate issued by the Board;
- Specify the requirements for the issuance and renewal of an educator certificate;
- Provide for the issuance of an educator certificate to a person who holds a similar certificate issued by another state or foreign country;
- Provide for disciplinary proceedings, including the suspension or revocation of certificates;
- Provide for the adoption, amendment, and enforcement of an educator's code of ethics;
- Provide for continuing education requirements;
- Propose rules establishing the training requirements a person must accomplish to obtain a certificate, enter an internship, or enter an induction-year program, as well as specify the minimum academic qualification required for a certificate; and
- Propose rules establishing standards to govern the approval and continuing accountability of all educator preparation programs.

Texas Education Code Section 21.004 and Chapter 21, Subchapter K, also require the Board to implement activities related to the recruitment and retention of teachers; the expansion and creation of preparation programs designed for postbaccalaureate individuals; and the provision of stipends for postbaccalaureate individuals attending teacher preparation programs.

In addition, Sections 21.0481, 21.0482A (*Act of 5-16-01*), and 21.0482B (*Act of 5-24-01*) of the Education Code require the Board to provide for certification of master reading, technology, and mathematics teachers.

**B. The extent to which the agency’s enabling law correctly reflects the agency’s mission, key functions, powers, and duties.**

In most respects, the Board’s enabling law correctly reflects the agency’s mission, key functions, powers, and duties. The statutory prohibition, however, against school districts’ employing educators who are not certified is not part of SBEC’s enabling law. (Tex. Educ. Code Ch. 21, Subch. A, § 21.003.) The Board’s enabling law (Tex. Educ. Code Ch. 21, Subch. B) does not expressly give SBEC the power or duty to enforce the statutory prohibition in Subchapter A of Chapter 21.

**C. Why the agency’s functions are needed and which of these functions are required by federal law.**

The Board’s certification functions are needed to ensure that public school educators have adequate knowledge and skills to perform the requirements of their assignments. Obtaining criminal history record information about certificate applicants affords public school students and professional colleagues a measure of safety from prospective educators who pose a risk of harm.

Federal law requires special education and bilingual teachers to be certified.

**D. In general, how other states carry out similar functions.**

In general, all states and the District of Columbia require public-school teachers to be certified or licensed (“credentialed”). Presently, Texas and 32 other states and the District of Columbia require teacher candidates to pass a credentialing exam that assesses subject matter knowledge or pedagogical competencies or both. Eleven states require passing only a basic skills test, and six states do not require any testing.

Requirements for other educators, including administrators, counselors, and librarians, vary. Florida and several other states, for example, do not require superintendents to hold a specific credential for that assignment.

Across the United States, the credentialing function is given to state boards or departments of education, to state boards of regents, or to stand-alone credentialing agencies like SBEC.

**E. Major agency functions that are outsourced.**

SBEC outsources two major functions: (1) test development and administration; and (2) information resource support services.

**F. Anticipated changes in federal law and outstanding court cases as they impact the agency’s key functions.**

Congressional reauthorization of the Elementary and Secondary Education Act (ESEA) of 1965 may affect some of SBEC’s key functions. The reauthorization bill is H.R. 1 by Rep. John A. Boehner and has been retitled in the Senate the “Better Education for Students and Teachers Act.” The pending reauthorization bill would establish a Teacher and Principal Quality formula grant program for state educational agencies to support teacher certification activities. SBEC could use such grant monies to maintain or to supplement funding for its functions related to technology certification, testing, teacher mentoring and support, and recruitment and retention.

H.R. 1 includes among authorized national teacher activities, to be administered by the Secretary of Education (the Secretary), support for: (1) teachers seeking advanced certification through the National Board for Professional Teaching Standards; and (3) a program supporting transition to teaching by mid-career professionals. Additionally, the bill includes the Teacher Mobility Act, which would add a new part to the ESEA called "Portability of Teacher Pensions and Credentials" and would establish a National Panel on Portability of Teacher Pensions and Credentials. The panel would have one year to study and report to the Secretary on issues related to teacher supply and demand, recruitment strategies, and certificate reciprocity among states.

The reauthorization bill would provide incentives, including bonus payments, to eligible educators who obtain information technology certification directly related to the curriculum or content area in which they provide instruction. SBEC is in the process of developing new standards and assessment for certification related to information technology, and adoption of this federal incentive program may encourage expedited development.

**G. The following chart lists citations for all state and federal statutes that grant authority to or otherwise significantly impact the agency. The chart also lists Attorney General opinions from FY 1997 – 2001.**

<b>State Board for Educator Certification)</b> <b>Exhibit 1: Statutes/Attorney General Opinions</b>	
<b>Statutes</b>	
<b>Citation/Title</b>	<b>Authority/Impact on Agency</b>
<b>EDUCATION CODE</b>	
TEX. EDUC. CODE § 5.001(2), (5). Definitions	Defines “classroom teacher” and “educator.”
TEX. EDUC. CODE § 7.056. Waivers and Exemptions	Authorizes the commissioner of education to waive statutory requirements related to certification, including the requirement that an educator hold a certificate issued by SBEC to be employed by a school district.
TEX. EDUC. CODE § 21.002. Teacher Employment Contracts	Requires a school district to employ each classroom teacher, principal, librarian, nurse, or counselor under a probationary, continuing, or term contract.
TEX. EDUC. CODE § 21.003. Certification Required	Requires a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, or counselor to hold a certificate issued by SBEC or a school district teaching permit to be employed by a school district.
TEX. EDUC. CODE § 21.004. Teacher Recruitment Program	Authorizes SBEC to join with the Texas Education Agency and the Texas Higher Education Coordinating Board in recruiting teachers.
<b>TEX. EDUC. CODE ch. 21, subch. B. Certification of Educators</b> (Agency Enabling Act)	Provides authority to regulate and oversee all aspects of the certification, continuing education, and standards of conduct of public school educators. Provides authority to govern the approval and continuing accountability of all educator preparation programs.
TEX. EDUC. CODE § 21.055. School District Teaching Permit	Authorizes school districts to issue “school district teaching permits” so they can employ as teachers eligible persons who do not hold a teaching certificate. Issuance is subject to approval by the commissioner of education.
TEX. EDUC. CODE § 21.057. Parental Notification	Requires school districts that assign an inappropriately certified or uncertified teacher to the same classroom for more than 30 consecutive instructional days during the same school year to notify the parent or legal guardian of each student in the affected classroom.
TEX. EDUC. CODE §§ 21.101, 21.151, and 21.201. Definitions (Probationary, Continuing, and Probationary Contract)	Links entitlement to a probationary, continuing, or term contract to educator certification.

<b>Statutes (cont'd)</b>	
<b>Citation/Title</b>	<b>Authority/Impact on Agency</b>
TEX. EDUC. CODE §§ 21.105, 21.160, and 21.210. Resignations Under Probationary, Continuing, or Probationary Contract	Authorizes SBEC to sanction the certificate of an educator who: (1) resigns while under a probationary, continuing, or term contract with a public school; (2) fails to comply with statutory resignation procedures without good cause; and (3) fails to perform the contract.
TEX. EDUC. CODE § 21.355. Confidentiality	Makes confidential a document evaluating the performance of a teacher or administrator. (Prevents SBEC from using employment evaluations to assess beginning teacher performance under the Accountability System for Educator Preparation Programs.)
TEX. EDUC. CODE ch. 21, subch. L (formerly subch. K). Teach for Texas Pilot Program Relating to Alternative Certification	Establishes the Teach for Texas Pilot Program to provide financial incentives to attract postbaccalaureate teacher certification candidates. (Unfunded to date.)
TEX. EDUC. CODE § 22.082. Access to Criminal History Records by State Board for Educator Certification	Authorizes SBEC to obtain from any law enforcement or criminal justice agency all criminal history record information that relates to an applicant for or holder of a certificate.
TEX. EDUC. CODE § 22.083. Access to Criminal History Records by Local and Regional Education Authorities	Requires superintendents and heads of certain other educational entities to notify SBEC if they know of a certificate holder or applicant with a criminal history. Also authorizes school districts but requires open-enrollment charter schools to obtain criminal histories on employees and volunteers.
TEX. EDUC. CODE § 22.085. Discharge of Employees Convicted of Offenses	School districts and certain other educational entities may discharge employees who do not disclose felony or misdemeanor-moral turpitude convictions to SBEC or the employing entity.
TEX. EDUC. CODE § 22.086. Liability for Reporting Offenses	Provides immunity from criminal and civil liability for making required reports of criminal histories.
TEX. EDUC. CODE §§ 29.054, 29.061. Exception; Bilingual Education and Special Language Program Teachers	Requires SBEC to issue teaching certificates for bilingual education and English as a second language (ESL). Provides exceptions to requirement that districts hire certified bilingual or ESL teachers.
TEX. EDUC. CODE § 29.902. Driver Education	Requires TEA to establish standards for SBEC certification of professional and paraprofessional personnel who conduct driver education and traffic safety programs in the public schools.
TEX. EDUC. CODE § 37.004. Placement of Students with Disabilities	Requires a teacher in a disciplinary alternative education program who has a special education assignment to hold an appropriate certificate or permit for that assignment.
TEX. EDUC. CODE § 37.007. Expulsion for Serious Offenses	Authorizes SBEC to revoke or to suspend the certificate of a teacher who intentionally reveals confidential information received from the district regarding the expulsion of a student for a serious offense.

<b>Statutes (cont'd)</b>	
<b>Citation/Title</b>	<b>Authority/Impact on Agency</b>
TEX. EDUC. CODE § 39.183(5). Regional and District Level Report	Requires TEA to report biennially the number of classes at each campus taught by individuals who are not certified in the content areas of their respective classes.
TEX. EDUC. CODE § 61.0514. Integrated Coursework	Consulting with SBEC, the Higher Education Coordinating Board must adopt educator preparation coursework guidelines for integrating subject matter knowledge with classroom teaching strategies and techniques.
<b>CODE OF CRIMINAL PROCEDURE</b>	
TEX. CRIM. PROC. CODE art. 15.27. Notification to Schools Required	Authorizes SBEC to revoke or to suspend the certification of school district staff who intentionally discloses confidential information received from a law enforcement agency about the arrest or juvenile-board referral of a student.
<b>FAMILY CODE</b>	
TEX. FAM. CODE § 261.101. Persons Required to Report; Time to Report	Requires certified teachers to report suspected child abuse or neglect.
TEX. FAM. CODE § 261.406. Investigations in Schools	Requires the Department of Protective and Regulatory Services to send SBEC written reports of child abuse or neglect investigations in the public schools.
<b>GOVERNMENT CODE</b>	
<i>Criminal History Record Information</i>	
TEX. GOV'T CODE § 411.082(2). Definitions	Defines "criminal history record information" to include arrests, detentions, indictments, information, and other formal criminal charges and their dispositions.
TEX. GOV'T CODE § 411.087(a). Access to Criminal History Record Information Maintained by Federal Bureau of Investigation or Local Criminal Justice Agency	Authorizes SBEC to obtain from the FBI or any Texas criminal justice agency criminal history record information.
TEX. GOV'T CODE § 411.088. Fees	Sets fees the Department of Public Safety (DPS) may charge to provide criminal history record information.
TEX. GOV'T CODE § 411.090. Access to Criminal History Record Information: State Board for Educator Certification	Authorizes SBEC to obtain from the DPS criminal history record information about certificate applicants and holders.
<i>Teacher Retirement System</i>	
TEX. GOV'T CODE § 821.103. Cancellation Of Teacher Certificate	Authorizes SBEC to cancel the certificate of a person who defrauds or converts funds of the Teacher Retirement System.
<b>OCCUPATIONS CODE</b>	
TEX. OCC. CODE ch. 53. Consequences of Criminal Conviction	Authorizes SBEC to deny or to sanction a certificate based on a felony or misdemeanor conviction related to the education profession.

<b>Attorney General Opinions</b>	
<b>Attorney General Opinion No.</b>	<b>Impact on Agency</b>
Morales Letter Opinion No. 97-105	Clarifies that SBEC must use the State Office of Administrative Hearings to conduct all contested case hearings involving educator discipline or hire in-house hearings officers whose sole duty must be the hearing of contested cases.
Opinion No. JC-0241	Rules that SBEC lacks authority to use its Internet website as a portal that may be used to directly access certification, continuing-education, or career-development courses offered by other entities. SBEC may not use its website to directly facilitate the sale of various courses to consumers.

**H. Please fill in the following chart:**

<b>State Board for Educator Certification Exhibit 2: Agency Contacts</b>			
	<b>Name</b>	<b>Address</b>	<b>Telephone Number Fax Number E-mail Address</b>
<b>Agency Head</b>	Pamela B. Tackett (Until 8-31-01)	1001 Trinity St. Austin, TX 78701-2603	469-3005 (voice) 469-3002 (fax) ptackett@mail.sbec.state.tx.us
<b>Agency's Sunset Liaison</b>	Dan Junell	1001 Trinity St. Austin, TX 78701-2603	469-3014 (voice) 469-3002 (fax) djunell@mail.sbec.state.tx.us

## II. History and Major Events

This section provides a timeline discussion of the agency's history, briefly describing the key events in the development of the agency.

- the date the agency was established;
- the original purpose and responsibilities of the agency;
- major changes in responsibilities or statutory authority;
- agency/policymaking body name and composition changes;
- the impact of state/federal legislation, mandates, and funding;
- the impact of significant state/federal litigation that specifically affects the agency's operations; and
- key organizational events and areas of change and impact on the agency's organization (e.g., a major reorganization of the agency's divisions or program areas).

The State Board for Educator Certification (SBEC) was created in 1995 by the 74<sup>th</sup> Legislature pursuant to the rewrite of the Education Code, Senate Bill 1. SBEC was created to give educators the statutory authority to govern the standards of their profession, similar to the regulation of other professionals in Texas. SBEC is statutorily responsible for regulating and overseeing all aspects of the preparation, certification, continuing education, and standards of conduct of public school educators. No major changes in responsibilities or statutory authority have occurred.

The 15-member Board is composed of 12 voting members who are appointed for terms of six years by the Governor with the advice and consent of the Senate: four teachers employed by the public schools, two public school administrators, a public school counselor, and five members who are citizens – three of whom have not been employed by a public school district or by an educator preparation program in an institution of higher education in the five years preceding appointment and two of whom have never been employed in these entities. The remaining three non-voting members are as follows: one employee of the Texas Education Agency appointed by the commissioner of education, one employee of the Texas Higher Education Coordinating Board appointed by the commissioner of higher education, and one dean of a college of education in this state appointed by the Governor with the advice and consent of the Senate.

The Texas Education Code (TEC) §21.042 stipulates that all rules proposed by the SBEC must be submitted to the State Board of Education (SBOE) for a 90-day review period. The SBOE during that 90 days may reject a proposed rule by a two-thirds vote, but may not approve or modify the rule.

Most of the functions now performed by the SBEC were once part of the Texas Education Agency. The authors of Senate Bill 1 felt that educators should govern the standards of their own profession and that the important functions of preparing and certifying educators were easily lost in a state agency with regulatory authority over a public school system with an annual budget of over \$17 billion.

The statute creating the SBEC became effective on May 20, 1995. The Governor appointed the first members to the Board in February 1996. The Board then selected its first Executive Director who began in that capacity in July of 1996. The SBEC was initially housed in the William B. Travis Building but leased space from the Teacher Retirement System Building in August of 1996 and continues to operate from that location. The SBEC was under the administrative umbrella of the Texas Education Agency for some legal, human resources, accounting, mail, and computer services until September 1, 1997. The agency's second and current Executive Director was selected in September 1998, but she is retiring from state government at the end of August 2001. As of the date this report is submitted, the Board has selected a successor.

**Recent State Legislation and Appropriations.** New laws passed by the recent 77<sup>th</sup> Legislature will have the most impact on: (1) certification of educators from other states or countries; and (2) test development.

- **House Bill 1721: Testing Exemption for Certain Out-of-State Educators.** House Bill 1721 amends the statute governing the certification of educators from other states or countries, section

21.052 of the Education Code. The new law provides for the certification of educators from outside Texas without further testing if the other jurisdiction's certification exams are similar to and as rigorous as Texas' certification exams. To determine which jurisdictions give tests that will qualify their educators for an ExCET test exemption, SBEC must conduct a comparability study of other jurisdictions' certification exams. To pay for the comparability study, the contingency appropriation rider for House Bill 1721 (IX-121, § 11.28) requires SBEC to increase certification fee revenue from out-of-state applicants.

To implement House Bill 1721, SBEC will have to change rules, fees, procedures, and computer programs to process applications and to issue certificates under the amended statute. The bill's effective date of June 16, 2001, and the interest shown by the Legislature, school districts, and out-of-state educators in offering the testing exemption give urgency to implementation. At the same time, SBEC must conscientiously perform the comparability study of other jurisdictions' certification exams to ensure fairness, validity, and legal defensibility. Gaining access to other states' exams to do the study may present a problem, for the exams may be confidential under state law or under a contract with a third-party testing vendor. The problem is compounded for other countries' exams.

On the one hand, the agency must also keep track of changes to other jurisdictions' tests, which later may become "similar to and at least as rigorous as" the Texas exams. On the other hand, SBEC will be introducing a new slate of certification exams during 2002-2003. Even if another state's test stays the same, it may not be comparable with the new Texas exam.

- **House Bill 1475: Master Technology Teacher Certification.** House Bill 1475 establishes the Master Technology Teacher Certificate, obtaining which requires passing an appropriate examination to be developed by SBEC and the Telecommunications Infrastructure Fund. SBEC believes administering the Master Technology Teacher Certificate exam over a secure computer-based testing system would be better than giving a paper and pencil test.

The examinee's using a computer to take the test would itself assess the person's computer knowledge and skills. SBEC, however, has not received state or federal funding to develop the infrastructure for such an automated testing system, which could not be web-based for reasons of test security. The challenge for the agency, then, is how to develop a meaningful exam that assesses master-level knowledge and skills in technology and its applications without requiring the examinee to actually apply any technology.

- **House Bill 1144: Master Mathematics Teacher Certification.** House Bill 1144 establishes the Master Mathematics Teacher Certificate as part of the Governor's Mathematics Initiative. Besides being recognized for their surpassing level of achievement in the teaching profession, holders of this new master teaching certificate will mentor other mathematics teachers, thereby improving student performance. SBEC is to implement the master certificate program with funds transferred from TEA, though SBEC was appropriated no new FTE.

**Federal Legislation and Funding.** Two federal initiatives under Title II of the Higher Education Act have significantly impacted SBEC's functions: (1) funding to pilot a beginning teacher support system; and (2) state report cards on the quality of educator preparation.

- **Beginning Teacher Support System.** SBEC received the largest award from the United States Department of Education under the Teacher Quality Enhancement Grants Program, Title II of the Higher Education Act. Almost \$10 million over a three-year period beginning with the 1999-2000 school year, coupled with a commitment of state matching funds, will allow SBEC to pilot a statewide support system for beginning teachers. This support structure, called the Texas Beginning Educator Support System (TxBESS), will be built over this three-year period during which the 20 education service centers, educator preparation entities, Texas schools, and the business community are collaborating to develop a statewide support network for all beginning teachers and their mentors.

TxBESS funds are dispersed by SBEC through a competitive grants process directly to regional collaboratives and are used to support training for the support team members, stipends for mentors, and professional development activities for the beginning teacher and support team members. To date, this

pilot program has served almost 3,000 first- and second-year teachers. The retention rate of TxBESS teachers after the first year was 88 percent, compared with a 73 percent retention rate among a sample of non-TxBESS supported teachers.

- **State Report Cards on Educator Preparation.** Title II of the Higher Education Act [20 U.S.C. § 1021, *et seq.*] supports teacher quality through higher education grants to states and institutions and financial assistance to students. For accountability, Title II mandates institutional and state report cards for educator preparation programs. Report cards comprise pass rates on assessments and additional information. The federal accountability system under Title II is in addition to SBEC's statutory Accountability System for Educator Preparation Programs (ASEP) (TEX. EDUC. CODE § 21.045) and the Legislative Budget Board's performance measures for educator preparation programs at public universities and colleges.

In August 2001, SBEC adopted criteria for identifying educator preparation programs as "low performing" and "at risk of being identified as low performing" as required under Title II. These criteria were developed with the aid of an advisory committee to the Board as well as with a good deal of staff effort. SBEC receives no federal funding to support the Title II accountability function.

## Chronology of Major Events.

- ❖ **1995:** The 74<sup>th</sup> Legislature rewrites the Education Code (Senate Bill 1) and creates the State Board for Educator Certification (SBEC or Board) by making the educator preparation and certification functions at the Texas Education Agency (TEA) a separate agency. The State Board of Education (SBOE), however, retains veto power over SBEC's proposed rules.

- ❖ **1996:** Governor George W. Bush appoints 13 members to the Board, Commissioner of Education Mike Moses appoints one member, and Commissioner of Higher Education Kenneth H. Ashworth appoints one member.

The Board holds its first meeting and elects James Nelson, an attorney from Odessa, its Chairman for a two-year term.

The Board hires its first Executive Director, Mark Littleton, a faculty member of the School of Education at Tarleton State University. The staff of certification-related functions at TEA is transferred to SBEC and Dr. Littleton hires other staff as needed.

SBEC's offices are relocated from the William B. Travis State Office Building, which houses TEA, to the Teacher Retirement System building complex. SBEC remains administratively attached to TEA for purposes of funding and performing business services.

- ❖ **1997:** The 75<sup>th</sup> Legislature authorizes a separate appropriation for SBEC for the 1998-1999 biennium. SBEC becomes administratively independent of TEA.

Development of the Integrated Technology System (ITS) begins. ITS is designed to process, issue, print and renew certificates as well as to integrate information processing needs of SBEC functions (certification, educator preparation, assessment, accountability, and investigations and enforcement).

Rules for implementation for the Accountability System for Educator Preparation (ASEP) are adopted.

Simplification of the certificate structure begins and will remain ongoing.

Note: The process of clearing out an accreted certificate structure will result in fewer certificates being offered, especially for Grades 8-12. Educator preparation and training programs will be standards-based and focus on the developmental characteristics of children at each certificate level.

The commissioner of education rules that his office does not have jurisdiction to hear or to decide cases involving the educator's code of ethics. The commissioner, however, decides he will, for the time being, continue to hear and to decide disciplinary cases other than those arising under the code of ethics.

Note: Generally, "disciplinary cases" are brought against educators accused or convicted of criminal conduct or other misconduct, including inappropriate behavior, or who pose a risk of some sort of harm to students, professional colleagues, or others. Again speaking broadly, "code of ethics cases" involve violations of professional standards that do not necessarily rise to the level of a criminal offense or present an immediate, serious threat to others."

SBOE vetoes SBEC's proposed disciplinary proceedings rules, including those for enforcement of an educator's code of ethics.

- ❖ **1998:** As authorized by Senate Bill 1 (74<sup>th</sup> Legislature), SBOE adopts an educator's code of ethics but, having rejected SBEC's proposed disciplinary proceedings rules, leaves SBEC without the means to enforce the code.

Responsibility for conducting hearings in disciplinary cases is transferred from the commissioner of education to the State Office of Administrative Hearings (SOAH) under the authority of Senate Bill 1 (74<sup>th</sup> Legislature) and SOAH's enabling act and rules. The Commissioner continues to make final decisions in the cases, however.

James Nelson is re-elected Chairman of the Board for another two-year term.

*Who's Teaching in Texas*, SBEC's report on the demographics of the Texas teaching population and the credentials held by teachers in specific classroom assignments, is released.

Minimum acceptable levels of performance are established for accreditation of entities to prepare educators for Texas certification. The first accreditation ratings are issued and then annually hereafter.

Approval and funding of Centers for the Professional Development of Teachers (CPDTs) is assumed by SBEC from TEA, which had been performing the function since 1991.

Note: CPDTs are alliances of institutions of higher education, independent school districts, educational service centers, businesses and others in the community concerned with educational reform, that have facilitated the restructuring of PreK-12 schools and university educator preparation programs into a unified PreK-16 system to enhance the performance of students and educators across the continuum. SBEC funding for CPDTs ceases with the 2002-2003 biennium, and the CPDT strategy is removed from SBEC's budget pattern in the appropriations bill.

SBEC's first executive director, Mark Littleton, resigns, and the agency's second one, Pamela B. Tackett, is employed by the Board.

Continuing Professional Education (CPE) requirements for certificate renewal are established. Educators, who will be issued the renewable Standard Certificate beginning September 1, 1999, must satisfy CPE requirements.

Note: Holders of valid provisional ("lifetime"), professional, and other terminal certificates issued prior to that date are grandfathered and will not have to complete CPE requirements, though they may voluntarily opt in to renewal by obtaining a Standard Certificate.

The federal Higher Education Act Amendments of 1998 are approved. Title II of the amended act makes teacher quality enhancement grants available to states. Title II also requires states to issue state report cards on the quality of their educator preparation programs.

- ❖ **1999:** A standards-based certification system is created, delineating what the beginning educator should know and be able to do.

Note: The new certification system aligns K-16 education by requiring that new standards for Texas educators be based on the statewide student curriculum—the Texas Essential Knowledge and Skills (TEKS)—and that these standards serve as the foundation for designing educator preparation programs and developing certification examinations.

A results-based system for preparation programs for educator certification is introduced. This approach replaces the former system that regulated preparation processes, *e.g.*, detailed requirements for admission, course or training program content, and satisfaction of semester or contact hours.

Note: The new system gives preparation entities greater flexibility in designing their programs. They have increased freedom to determine admission requirements and to structure their programs to accommodate candidates who are changing careers. The results-based approach better prepares beginning educators, many of whom do not enter the profession or leave it after a few years, for service in the public schools. Programs are also better able to cultivate the types of teachers the schools need.

The Texas Beginning Educator Support System (TxBESS) is created, utilizing a \$10 million, three-year federal grant from the U.S. Department of Education. The purpose of TxBESS is to provide training and support to new teachers. The pilot program involves about 2,500 new teachers, or about 10 percent of the teachers who have entered public schools statewide since 1998.

SBOE rejects proposed SBEC rules requiring that parents be notified when their child is taught for more than 30 instructional days by an uncertified person.

SBOE allows SBEC to adopt disciplinary proceedings rules, which include procedures for administering complaints brought under the educator's code of ethics. In contrast to the vetoed rules, the new ones grant privileged standing and expedited processing for code of ethics complaints. Under the new rules, SOAH will go on conducting the hearings in all cases.

The Board decides its first disciplinary cases. As provided for under the new disciplinary rules, review committees made up of Board members meet for the first time to decide appeals filed by code of ethics complainants. The appeals ask the review committees to reinstate complaints rejected by the executive director.

Timely application for emergency permits is required of school districts and assignments out of field are restricted. Individuals serving as teacher of record for more than 30 consecutive days must be placed on a permit.

Procedures for issuing Texas certificates to educators certified by another jurisdiction are simplified. The process for reviewing credentials from other states is streamlined.

SBEC's Chairman, James Nelson, is appointed Commissioner of Education by Governor Bush. To fill his unexpired term as Chairman, SBEC elects James Harris, a teacher from Lubbock, to the post.

Certificates for certain administrative positions are eliminated. The action gives school districts greater flexibility in staffing administrative positions other than assistant principal, principal, and superintendent.

Non-renewable or "lifetime" certificates cease being issued and are replaced by the renewable Standard Certificate.

❖ **2000:** Rules to recognize persons certified in other countries adopted.

Pursuant to House Bill 2307 (76<sup>th</sup> Legislature, 1999), the Board approves the knowledge and skills required for issuance of the Master Reading Teacher (MRT) certificate. This action provides the foundation for the MRT certification program. The first MRT certificates are issued to holders of reading-specialist certificates who have completed an SBEC-approved MRT program. The first MRT certification exam will be administered in January 2001.

The Federal Bureau of Investigation (FBI) and the Texas Department of Public Safety (DPS) approve SBEC's using the FBI's national criminal history database to run background checks on out-of-state educators who apply for Texas certification.

Note: Without access to the FBI's national criminal data base, SBEC would not otherwise have a reliable method of checking criminal histories of out-of-state certificate applicants. Fingerprints must be submitted, so the FBI provides SBEC with 60,000 blank fingerprint cards. The Legislature, however, must give SBEC authority to collect an increased fee to pay the FBI and DPS for the cost of the national criminal history checks.

The Texas Examination of Current Administrators and Teachers (TECAT) is eliminated.

Note: Pursuant to House Bill 72 (68<sup>th</sup> Legislature, 1984), educators certified prior to May 1986 had to revalidate their lifetime certificate by passing the TECAT or other approved professional development certification exam. The Board decides to allow the use of any current certification exam under the Examination for the Certification of Educators in Texas program (ExCET) for revalidation. Educators may also pass the reading and writing portions of the Texas Academic Skills Program test (TASP) to revalidate a lifetime certificate.

The educational secretary certificate is eliminated.

The code of ethics enforcement rules are amended to give accused educators the opportunity to respond to COE allegations prior to disposition by Exec. Director

A statewide \$550,000 grant program to recruit and to retain teachers is implemented in collaboration with TEA and the Coordinating Board. The initiative provides money to qualified entities for starting teacher preparation and training programs.

New standards and requirements for superintendents, principals, counselors, and librarians are created.

Note: Beginning September 1, 2000, SBEC discontinues issuing administrator certificates based on 1972 Standards and begins issuing new Principal and Superintendent Certificates. Beginning September 1, 2002, SBEC will discontinue issuing other administrative certificates. SBEC will begin issuing the new School Counselor and School Librarian Certificates beginning Sept. 1, 2002.

Internship requirements for certification by exam eliminated and related fee decreased.

After a year in development, the Board proposes a new Transitional Permit, which collapses the various and complex types of permits and nonstandard certificates into a single temporary permit.

Note: Since 1911, when the State of Texas ended the county examination/certification process and resumed issuing certificates that were valid throughout the state, persons without an educator's credential have been teaching in public school classrooms: They teach as substitutes, sometimes for years in the same assignment. Certified teachers have been assigned to classes for which they do not hold the appropriate certification. They may or may not have been on a temporary credential issued by the state or a school district.

The Transitional Permit is intended to bring uncertified teachers onto a meaningful credential that assures them of support and their students of adequate instruction. This new temporary credential addresses staffing issues and improves public education by: (1) focusing teacher training on the immediate needs of students; (2) ensuring that the transitional permit holder has a positive beginning teaching experience through a quality mentoring and support system; (3) providing school districts with the flexibility to hire quality individuals with subject matter knowledge and life experiences relevant to the needs of the students and the teaching assignment; and (4) encouraging qualified individuals to become and to remain teachers, thereby helping provide the state a stable supply of certified educators.

- ❖ **2001:** SBOE vetoes SBEC's proposed Transitional Permit rules.

Advisory committee convened to recommend changes to the Board, if any, for the improvement of the educator's code of ethics and related disciplinary proceedings rules.

House Bill 1721, which provides exemption from Texas certification exams for certain educators certified by other jurisdictions, is approved. (See discussion at beginning of section.)

House Bills 1144 and 1475, which provide for master mathematics and technology teacher certification passed. (See discussion at beginning of section on H.B. 1475.)

Rule ensuring that, at the latest, certificate candidates could take certification exams upon completion of an educator preparation program.

Note: Before the rule change, candidates could not take certification tests without approval from their preparation program. The amendment allows candidates who have completed their preparation requirements to take the test at their discretion.

Internal audit of agency operations done.

Federal Title II accountability requirements implemented based on recommendations of an advisory committee.

Major revisions to accountability system for educator preparation programs proposed, base on recommendations of the ASEP advisory committee.

### III. Policymaking Structure

**A. The following chart identifies the members of the State Board for Educator Certification:**

State Board for Educator Certification Exhibit 3: Policymaking Body				
Member Name	Term/ Appointment Dates/ Appointed by ____ (e.g., Governor, Commissioner)	Qualification (e.g., public member, professional representative)	Address	Telephone Number Fax Number E-mail Address
James Harris, <i>Chair</i>	<ul style="list-style-type: none"> <li>6 yrs</li> <li>2-3-97 to 2-1-03</li> <li>Governor</li> </ul>	Teacher, Lubbock ISD	State Board for Educator Certification 1001 Trinity St. Austin, TX 78701-2603	(512) 469-3005 (v) (512) 469-3002 (f) ledwards@mail.sbec.state. tx.us
Xavier Rodriguez, <i>Vice Chair</i>	<ul style="list-style-type: none"> <li>6 yrs</li> <li>5-10-99 to 2-1-05</li> <li>Governor</li> </ul>	Citizen, San Antonio	State Board for Educator Certification 1001 Trinity St. Austin, TX 78701-2603	(512) 469-3005 (v) (512) 469-3002 (f) ledwards@mail.sbec.state. tx.us
Arturo Almendarez, Ph.D.	<ul style="list-style-type: none"> <li>At will of Commissioner of Education</li> <li>3-1-00</li> <li>Commissioner of Education</li> </ul>	Texas Education Agency, Austin	State Board for Educator Certification 1001 Trinity St. Austin, TX 78701-2603	(512) 469-3005 (v) (512) 469-3002 (f) ledwards@mail.sbec.state. tx.us
John J. Beck, Jr., Ph.D.	<ul style="list-style-type: none"> <li>6 yrs (filled unexpired term)</li> <li>7-24-00 to 2-1-05</li> <li>Governor</li> </ul>	Dean of College of Education, Southwest Texas State University	State Board for Educator Certification 1001 Trinity St. Austin, TX 78701-2603	(512) 469-3005 (v) (512) 469-3002 (f) ledwards@mail.sbec.state. tx.us
Annette Griffin, Ph.D.	<ul style="list-style-type: none"> <li>6 yrs</li> <li>5-10-99 to 2-1-05</li> <li>Governor</li> </ul>	Administrator, Carrollton- Farmers Branch ISD	State Board for Educator Certification 1001 Trinity St. Austin, TX 78701-2603	(512) 469-3005 (v) (512) 469-3002 (f) ledwards@mail.sbec.state. tx.us
Art Lacy	<ul style="list-style-type: none"> <li>6 yrs</li> <li>2-3-97 to 2-1-03</li> <li>Governor</li> </ul>	Citizen, McKinney	State Board for Educator Certification 1001 Trinity St. Austin, TX 78701-2603	(512) 469-3005 (v) (512) 469-3002 (f) ledwards@mail.sbec.state. tx.us

Ed Patton	<ul style="list-style-type: none"> <li>• 5 yrs</li> <li>• 5-22-96 to 2-1-01</li> <li>• Governor</li> </ul>	Citizen, Abilene	State Board for Educator Certification 1001 Trinity St. Austin, TX 78701-2603	(512) 469-3005 (v) (512) 469-3002 (f) ledwards@mail.sbec.state.tx.us
Cynthia Phillips	<ul style="list-style-type: none"> <li>• 5 yrs</li> <li>• 1-18-96 to 2-1-01</li> <li>• Governor</li> </ul>	Teacher, Eanes ISD	State Board for Educator Certification 1001 Trinity St. Austin, TX 78701-2603	(512) 469-3005 (v) (512) 469-3002 (f) ledwards@mail.sbec.state.tx.us
James Price	<ul style="list-style-type: none"> <li>• 6 yrs</li> <li>• 2-3-97 to 2-1-03</li> <li>• Governor</li> </ul>	Citizen, Cooper	State Board for Educator Certification 1001 Trinity St. Austin, TX 78701-2603	(512) 469-3005 (v) (512) 469-3002 (f) ledwards@mail.sbec.state.tx.us
Mary Resendez	<ul style="list-style-type: none"> <li>• 6 yrs (filled unexpired term)</li> <li>• 2-3-97 to 2-1-01</li> <li>• Governor</li> </ul>	Teacher, Alamo Heights ISD	State Board for Educator Certification 1001 Trinity St. Austin, TX 78701-2603	(512) 469-3005 (v) (512) 469-3002 (f) ledwards@mail.sbec.state.tx.us
Mary Margaret Rucker	<ul style="list-style-type: none"> <li>• 6 yrs</li> <li>• 2-3-97 to 2-1-03</li> <li>• Governor</li> </ul>	Counselor, Clear Creek ISD	State Board for Educator Certification 1001 Trinity St. Austin, TX 78701-2603	(512) 469-3005 (v) (512) 469-3002 (f) ledwards@mail.sbec.state.tx.us
Antonio Sanchez	<ul style="list-style-type: none"> <li>• 6 yrs</li> <li>• 5-10-99 to 2-1-05</li> <li>• Governor</li> </ul>	Teacher, Mission ISD	State Board for Educator Certification 1001 Trinity St. Austin, TX 78701-2603	(512) 469-3005 (v) (512) 469-3002 (f) ledwards@mail.sbec.state.tx.us
Keith Sockwell	<ul style="list-style-type: none"> <li>• 6 yrs</li> <li>• 2-3-97 to 2-1-03</li> <li>• Governor</li> </ul>	Administrator, Northwest ISD	State Board for Educator Certification 1001 Trinity St. Austin, TX 78701-2603	(512) 469-3005 (v) (512) 469-3002 (f) ledwards@mail.sbec.state.tx.us
Leticia Hinojosa, Ph.D.	<ul style="list-style-type: none"> <li>• At will of Commissioner of Higher Education</li> <li>• 8-1-01</li> <li>• Commissioner of Higher Education</li> </ul>		State Board for Educator Certification 1001 Trinity St. Austin, TX 78701-2603	(512) 469-3005 (v) (512) 469-3002 (f) ledwards@mail.sbec.state.tx.us

**B. How the SBEC Board appoints its presiding officer.**

The Board elects one of its members to serve as presiding officer for a two-year term. By practice, the election has been held in January of every even-numbered year, unless the need to fill the unexpired term of a departed chairman arises.

**C. Description of the primary role and responsibilities of the Board.**

The Board's statutory powers and duties have been listed in Section I of this SER ("Key Functions, Powers, and Statutory Duties"). Most of the Board's statutory roles and responsibilities are found in Chapter 21, Subchapter B, of the Education Code.

SBEC's operating policies and procedures state that, in exercising its powers and duties, the Board shall:

- establish major, visionary guiding policies and principles;
- establish the mission and goals that define the end results the Board wants to achieve;
- serve as a link between the agency and state policymakers;
- accept accountability for decisions and actions;
- establish an effective relationship with the Executive Director and direct him or her with one voice;
- maintain objectivity in reviewing facts in the process of making decisions; act in the best interests of the schoolchildren and their parents, the education profession, and the public; and not respond merely to pressure; and
- continually learn and be willing to take risks within the boundaries of statutory authority and appropriated resources.

**D. Special circumstances or unique features about the Board or its responsibilities.**

In exercising its rulemaking powers, the Board operates under an unusual, if not unique, statutory scheme. Section 21.042 of the Education Code requires SBEC to submit all its proposed rules to the State Board of Education (SBOE) for review. The SBOE has 90 days to reject an SBEC rule, but the SBOE cannot approve the proposed rule in advance of the 90-day deadline and thereby allow the rule to move forward sooner. Further, the SBOE cannot modify a proposed rule and does not have to explain or to provide a reasoned justification for rejection.

In addition to the statutory requirements, the SBOE asks SBEC to submit a proposed rule and start the 90-day clock running on a date that will give the SBOE two opportunities to review the rule. SBEC can comply with SBOE's request in most cases, but to do so requires precisely coordinating the timing of submitting proposed rules with the meetings of SBEC and SBOE, the staff production schedules for both boards' agenda items, submission deadlines for publication of the proposed rules in the *Texas Register*, and the need to have a rule take effect at a certain time because of the effective date of a new law or critical dates for implementation during the school year.

**E. The Board's meeting schedule.**

SBEC normally meets six times a year. In FY 2000 and FY 2001, the Board met six times each year.

#### **F. Training received by Board members.**

SBEC's operating policies and procedures provide for new Board members to receive the following training, which the executive director conducts with help from the human resources department and general counsel:

- SBEC mission, goals, objectives, and strategic plan.
- SBEC organization, function, and powers and duties.
- Board member responsibilities, including the proper role of the member in policy making, deliberations, communications, and relations with the Executive Director and agency staff.
- Standards of conduct as public officials.
- Board meetings and other Board functions.
- Legislative and rule-making processes.
- Texas open government laws, including the open meetings and public information acts.
- Disciplinary proceedings and code-of-ethics enforcement laws, including pertinent Board rules and the Texas Administrative Procedure Act.
- Fiscal activities.
- Agency staff functions (certification, accountability, professional discipline, recruitment & retention, general administration)
- Major issues facing the Board.
- Travel reimbursement/*per diem* procedures and state benefits and regulations.

In addition, Board members are encouraged to attend the annual "Government Law & Liability Conference for Board Members and Agency Administrators" put on by the Office of the Attorney General.

#### **G. SBEC's policies describing the respective roles of the Board and agency staff in running the agency.**

In addition to the Board's primary roles and responsibilities outlined in Paragraph C of this section, SBEC's operating policies and procedures provide the following guidance in describing the respective roles of the Board and agency staff, mainly the executive director, in running the agency:

"The Board primarily employs the Executive Director to implement Board policies and to hire other staff. Although the relationship between the Executive Director and individual Board members is collegial, the relationship of the Board to the Executive Director is hierarchical. Under such an arrangement, the Executive Director is accountable only to the Board as a whole. This arrangement avoids having the Executive Director try to implement conflicting policies or directives from individual Board members. The following policies are intended to clarify the roles and relationships of Board members to the Executive Director."

*(See Paragraph C of this section for a description of the manner in which the Board is to exercise its powers and duties.)*

**"The Executive Director.** Set out in Section 21.039 of the Texas Education Code, the powers and duties of the Executive Director include the following:

- performing duties as assigned by the Board or specified by law;
- administering and enforcing all laws and rules implemented by the Board;

- issuing the certificates authorized under Chapter 21, Subchapter B, of the Education Code; and
- hiring and dismissing agency employees.

“In addition to these statutory powers and duties, the Board assigns the Executive Director to serve as the SBEC's secretary and to maintain the vital records of the agency. The Executive Director may designate other staff to aid in this function.

“In exercising these powers and duties, the Executive Director shall:

- be accountable to the full Board for achievement of policies;
- be open to all points of view and learning;
- provide all material information relevant to Board decision-making;
- lead the agency and its staff;
- implement Board policies through specific objectives and strategies; and
- consider multiple points of view expressed by agency staff and persons outside the agency as needed to facilitate fully informed Board decisions.

“The Board annually evaluates the performance of the Executive Director in accordance with the separate procedure the Board has approved for that purpose.”

SBEC's operating policy and procedure regarding evaluation of the executive director provides as follows:

“Job Description. The executive director of the State Board for Educator Certification shall:

- “a. Perform duties as assigned by the Board or specified by law or rule. Specifically, these responsibilities include:
  - (1) Coordinate Board meetings.
  - (2) Assist the Board in the development of an operating budget.
  - (3) Implement an operating budget.
  - (4) Provide for advisory committees to the Board.
  - (5) Assist the Board in the development of policy.
  - (6) Assist the Board in the development of rules related to educator preparation, certification, and discipline.
  - (7) Develop required annual reports on the behalf of the Board.
  - (8) Develop interagency contracts on the behalf of the Board.
  - (9) Submit rules to the State Board of Education and the Secretary of State on behalf of the Board.
  - (10) Communicate Board policies to the public.
  - (11) Other duties as assigned by the Board.
- “b. Oversee the administration and enforcement of all laws and rules related to the State Board for Educator Certification.
- “c. Oversee the administration, issuance, renewal, and sanction of certificates.
- “d. Hire and dismiss employees of the agency with the Board being informed of the action.”

**H. SBEC committees and advisory committees used to help carry out the Board’s duties—  
See Exhibit 4.**

State Board for Educator Certification Exhibit 4: Subcommittees and Advisory Committees			
Name of Subcommittee or Advisory Committee	Size/Composition/How members are appointed	Purpose/Duties	Legal Basis for Committee
Finance Committee	<ul style="list-style-type: none"> <li>• <b>Size:</b> Determined by Board Chairman. Currently, 3 members.</li> <li>• <b>Composition:</b> Board members: 1 citizen, 1 teacher, and 1 administrator.</li> <li>• <b>How appointed:</b> By Board Chairman.</li> </ul>	<ul style="list-style-type: none"> <li>• Review operating budget and recommend approval or amendment.</li> <li>• Review internal audit findings.</li> <li>• Review and make recommendations for Legislative Appropriations Request.</li> </ul>	TEX. EDUC. CODE §§21.040(2), requiring the Board to approve an operating budget and make a request for appropriations; 21.041(a), authorizing the Board to adopt rules as necessary for its own procedures.  <i>SBEC General Operating Policies &amp; Procedures:</i> “Committees of the Board.”
Legislative Committee	<ul style="list-style-type: none"> <li>• <b>Size:</b> Determined by Board Chairman. Currently, 4 members.</li> <li>• <b>Composition:</b> Board members: 2 citizens, 1 counselor, and 1 administrator.</li> <li>• <b>How appointed:</b> By Board Chairman</li> </ul>	<ul style="list-style-type: none"> <li>• Review and make recommendations for Strategic Plan.</li> </ul>	TEX. EDUC. CODE §21.041(a) ( <i>Id.</i> ). <i>SBEC Oper. Pol. &amp; Proc.:</i> “Cmtes” ( <i>Id.</i> ).  TEX. GOV’T CODE §2056.002, requiring a state agency to make a strategic plan for its operations.

<p>Long-range Planning Committee</p>	<ul style="list-style-type: none"> <li>• <b>Size:</b> Determined by Board Chairman. Currently, 4 members.</li> <li>• <b>Composition:</b> Board members: 1 citizen, 2 teachers, and 1 administrator.</li> <li>• <b>How appointed:</b> By Board Chairman.</li> </ul>	<ul style="list-style-type: none"> <li>• Review and recommend actions related to the educator credential structure and assignment rules in light of teacher supply and demand.</li> <li>• Review and make recommendations related to the long-term mission and goals of the agency, as determined by the Board Chairman.</li> </ul>	<p>TEX. EDUC. CODE §21.041(a) (<i>Id.</i>). SBEC <i>Oper. Pol. &amp; Proc.</i>: “Cmtes” (<i>Id.</i>).</p>
<p>Code of Ethics Review Committee</p>	<ul style="list-style-type: none"> <li>• <b>Size:</b> 3 members.</li> <li>• <b>Composition:</b> Board members: 1 citizen, 1 teacher, and 1 administrator or counselor.</li> <li>• <b>How appointed:</b> By Board Chairman.</li> </ul>	<ul style="list-style-type: none"> <li>• Decide appeals of executive director’s decision whether to pursue a code of ethics complaint against an educator.</li> </ul>	<p>TEX. EDUC. CODE §21.041(b)(7), (8), requiring the Board to propose rules that provide for disciplinary proceedings and adoption / enforcement of an educator’s code of ethics.  19 TEX. ADMIN. CODE ch. 247 and ch. 249, subch. F, relating to adoption and enforcement of an educator’s code of ethics.</p>
<p>Code of Ethics / Disciplinary Proceedings Advisory Committee</p>	<ul style="list-style-type: none"> <li>• <b>Size:</b> 19 members.</li> <li>• <b>Composition:</b> 5 Board members (representing the public, teachers, counselors, and administrators); 5 teachers; 3 administrators; 1 counselor; 1 educational diagnostician; 1 librarian; 1 representative of an educator preparation program; and 2 school-law attorneys (1 who mainly represents teachers &amp; 1 who mainly represents administrators / school districts).</li> <li>• <b>How appointed:</b> By Board member nominations and majority vote.</li> </ul>	<ul style="list-style-type: none"> <li>• Review rules related to the educator’s code of ethics and disciplinary proceedings and make recommendations to the Board for any changes.</li> </ul>	<p>TEX. EDUC. CODE §§21.040(3), authorizing the Board to appoint advisory committees; 21.041(a) (<i>Id.</i>); 21.041(b)(7), (8) (<i>Id.</i>).  SBEC <i>Advisory Committee Procedures</i>.  TEX. GOV’T CODE ch. 2110, relating to state agency advisory committees.</p>

<p>Accountability System for Educator Preparation Programs (ASEP) Advisory Committee</p>	<ul style="list-style-type: none"> <li>• <b>Size:</b> 22 members.</li> <li>• <b>Composition:</b> 3 Board members (representing educator preparation entities, teachers, and Tex. Higher Educ. Coord. Bd); 3 university presidents; 6 deans of university schools / colleges of education; 3 directors of alternative certification programs; 3 executives of college, teacher education, or business &amp; education organizations; 1 educator preparation professor; 1 public school principal; 1 school district asst. director of personnel; 1 representative of Tex. Educ. Agency.</li> <li>• <b>How appointed:</b> By Board member nominations and majority vote.</li> </ul>	<ul style="list-style-type: none"> <li>• Provide ongoing advice concerning accountability and related issues.</li> <li>• Complete tasks related to ASEP, as assigned by the executive director or the Board (<i>e.g.</i>, review accountability standards in light of new certificates and exams).</li> <li>• Review appeals of ASEP ratings and advise the executive director on disposition (proposed rule).</li> </ul>	<p>TEX. EDUC. CODE §§21.040(3) (<i>Id.</i>); 21.041(a) (<i>Id.</i>); 21.045, authorizing SBEC to rate and to approve educator preparation programs. SBEC Adv. Cmte Proc. (<i>Id.</i>). TEX. GOV'T CODE ch. 2110 (<i>Id.</i>).</p>
<p>Title II Advisory Committee</p>	<ul style="list-style-type: none"> <li>• <b>Size:</b> 19 members.</li> <li>• <b>Composition:</b> 1 university president; 1 university system asst vice-chancellor; 8 deans of university schools / colleges of education; 3 asst/assoc deans of schools of education or undergraduate studies; 1 director of an alternative certification programs; 1 education service center teacher preparation &amp; certification program director; 1 executive director of a business &amp; education organization; 1 representative of Tex. Higher Educ. Coord. Bd; 1 representative of Tex. Educ. Agency; 1 school &amp; public law attorney.</li> <li>• <b>How appointed:</b> By Board member nominations and majority vote.</li> </ul>	<ul style="list-style-type: none"> <li>• Recommend criteria for identifying educator preparation programs as “low performing” and “at risk of being identified as low performing” as required under Title II of the Higher Education Act.</li> </ul>	<p>Title II of the Higher Education Act (20 U.S.C. §1021, <i>et seq.</i>). TEX. EDUC. CODE §§21.040(3) (<i>Id.</i>); 21.041(a) (<i>Id.</i>); 21.045 (<i>Id.</i>). SBEC Adv. Cmte Proc. (<i>Id.</i>). TEX. GOV'T CODE ch. 2110 (<i>Id.</i>).</p>

**I. How SBEC obtains input from the public regarding issues under the jurisdiction of the agency and how this input is incorporated into the operations of the agency.**

The public is represented on the Board by five citizen members appointed by the Governor with the advice and consent of the Texas Senate. The public outside the Board may provide input to SBEC’s Board in a variety of ways, including, but not limited to, by:

- testifying at public meetings;
- submitting written comments via regular mail, fax, or e-mail;
- participating on an advisory committee; or
- responding to a customer satisfaction survey.

Opportunity for public testimony is provided at each regularly scheduled meeting of the Board. Meetings are posted in accordance with the Open Meetings Act and on the Board's website. According to Board policy and procedures, the Board Chairman takes appropriate action to assure that different members of the public with differing points of view have reasonable access to Board members. To the extent possible, speaking priority is given to new speakers. New speakers are those individuals who have not spoken before the board at the prior regularly scheduled meeting of the board. Appropriate physical arrangements for taking testimony are prepared.

Members of the public are encouraged to bring written copies of their testimony to the meeting for distribution. Those who wish to testify and who are unable to do so because of time constraints may provide copies of their testimony for distribution to board members and executive staff. Those who are unable to travel to the committee meeting, but wish to convey their views, may forward copies of their testimony for distribution to board members and executive staff. The public may also submit written comments to SBEC in response to the agency's publication of proposed rules in the *Texas Register*. Further, the public may testify before or provide written comments to the State Board of Education, which has statutory authority to review and to reject SBEC's proposed rules.

SBEC's online subscription news and communications (e-mail) service alerts the public to "hot topics" regarding the agency. The agency's website and the communications service often solicit public input about pending issues or initiatives. Currently, draft educator standards for a variety of new certificates are posted on the agency's website for public comment (through September 12, 2001).

The way in which this input is incorporated into SBEC's operations depends on the nature of the issue. Public comments about rules the Board is considering for proposal have led to changes in the rules before the Board voted to propose them and send them to the State Board of Education for review. Participants on advisory committees have made recommendations that shaped the drafting of rules for the Board to consider proposing. Responses to customer satisfaction surveys are reflected in the agency's performance measures, which the Board reviews at every regular meeting. The executive director, however, is responsible for implementing operational changes derived from customer input.

#### IV. Funding

**A. The agency's process for determining budgetary needs and priorities.**

SBEC works from the agency's budget pattern in the current appropriations bill and the strategies included in it. The strategies in the budget pattern are arranged in order of funding priority, with the first or lowest numbered strategies receiving higher priority. Within strategies, the Board decides what projects and activities should receive priority in funding to most effectively and appropriately promote the agency's mission and goals.

**B. The agency's sources of revenue, including all local, state, and federal sources. See Exhibit 5.**

State Board For Educator Certification Exhibit 5: Sources of Revenue – Fiscal Year 2000 (Actual)	
Source	Amount
Fund 0001: General Revenue Fund	\$14,463,130
Fund 0148 : Federal Funds/CFDA 84.336.000 Teacher Quality Enhancement Grant	2,808,550
Fund 0193: Interagency Contracts—Transfer from Foundation School Fund	1,205,948
<b>TOTAL</b>	\$18,477,629

**C. Funds received from multiple federal programs, with the types of federal funding sources shown. See Exhibit 6.**

(State Board For Educator Certification) Exhibit 6: Federal Funds — Fiscal Year 2000 (Actual)				
Type of Fund	State/Federal Match Ratio	State Share	Federal Share	Total Funding
TxBESS/Federal Fund 0148	33% : 67%	588,001*	2,808,550	3,396,551
		*Does not include in-kind match		
<b>TOTAL</b>				3,396,551

**D. The agency's expenditures by strategy. See Exhibit 7.**

State Board for Educator Certification Exhibit 7: Expenditures by Strategy — Fiscal Year 2000 (Actual)	
Goal/Strategy	Amount
<b>A. Goal:</b> Educator Certification	
<b>A.1.1. Strategy:</b> Educator Certification/Development	\$14,355,109
<b>A.1.2. Strategy:</b> Educator Professional Conduct	680,888
<b>A.1.3. Strategy:</b> Professional Development Centers	3,441,632
<b>GRAND TOTAL, GOAL A: EDUCATOR CERTIFICATION</b>	<b>\$18,477,629</b>

**E. The agency's expenditures and FTEs by program. See Exhibit 8.**

State Board for Educator Certification Exhibit 8: Expenditures and FTEs by Program — Fiscal Year 2000 (Actual)					
Program	Budgeted FTEs, FY 2000	Actual FTEs as of August 31, 2000	Federal Funds Expended	State Funds Expended	Total Actual Expenditures
Educator Certification/Development	36.0	33.25	\$2,808,550	\$11,546,559	\$14,355,109
Educator Professional Conduct	13.0	10.0	- 0 -	680,888	680,888
Professional Development Centers	3.0	2.5	- 0 -	3,441,632	3,441,632
<b>TOTAL</b>	<b>52.0</b>	<b>45.75</b>	<b>\$2,808,550</b>	<b>\$15,669,079</b>	<b>\$18,477,629</b>

**F. Information on fees collected by the agency. See Exhibit 9.**

State Board for Educator Certification Exhibit 9: Fee Revenue and Statutory Fee Levels — Fiscal Year 2000				
Description/ Program/ Statutory Citation	Current Fee/ Statutory maximum	Number of persons or entities paying fee	Fee Revenue	Where Fee Revenue is Deposited (e.g., General Revenue Fund)
<ul style="list-style-type: none"> <li>• <b>Fund 0751:</b> Certification (Cert) and Assessment (Assess) Fees.</li> <li>• Levied by Educator Certification/Development. Funds all programs.</li> <li>• TEX. EDUC. CODE §21.041(c).</li> </ul>	<ul style="list-style-type: none"> <li>• <u>Cert:</u> \$75</li> <li>• <u>Assess:</u> \$72</li> <li>• No statutory maximum (cover costs of administration)</li> </ul>	<ul style="list-style-type: none"> <li>• <u>Cert:</u> 58,335</li> <li>• <u>Assess:</u> 83,578</li> </ul>	<ul style="list-style-type: none"> <li>• <u>Cert:</u> \$4,713,863</li> <li>• <u>Assess:</u> \$6,572,258</li> </ul>	General Revenue Fund

**G. Information about Purchases from Historically Underutilized Businesses. See Exhibit 10.**

State Board for Educator Certification				
Exhibit 10: Purchases from HUBs				
FISCAL YEAR 1998				
Category	Total \$ Spent	Total HUB \$ Spent	Percent	Statewide Goal
Heavy Construction	\$ -0-	\$ -0-	n/a	11.9%
Building Construction	-0-	-0-	n/a	26.1%
Special Trade	-0-	-0-	n/a	57.2%
Professional Services	-0-	-0-	n/a	20.0%
Other Services	709,805	8,006	1.12%	33.0%
Commodities	136,021	33,950	25%	12.6%
<b>TOTAL</b>				
FISCAL YEAR 1999				
Category	Total \$ Spent	Total HUB \$ Spent	Percent	Statewide Goal
Heavy Construction	\$ -0-	\$ -0-	n/a	11.9%
Building Construction	-0-	-0-	n/a	26.1%
Special Trade	-0-	-0-	n/a	57.2%
Professional Services	2,872	-0-	0.0%	20.0%
Other Services	1,315,674	151,394	11.5%	33.0%
Commodities	236,221	148,945	63.0%	12.6%
<b>TOTAL</b>	1,554,768	300,339	19.3%	
FISCAL YEAR 2000				
Category	Total \$ Spent	Total HUB \$ Spent	Percent	Statewide Goal
Heavy Construction	\$ -0-	\$ -0-	n/a	11.9%
Building Construction	-0-	-0-	n/a	26.1%
Special Trade	10,279	-0-	0.0%	57.2%
Professional Services	3,451	-0-	0.0%	20.0%
Other Services	8,972,531	267,052	2.97%	33.0%
Commodities	122,665	28,895	23.5%	12.6%
<b>TOTAL</b>	9,108,926	295,947	3.24%	

**H. SBEC's HUB policy and how the agency addresses performance shortfalls related to the policy.**

By rule (19 TEX. ADMIN. CODE §250.1), the agency has adopted the rules of the General Services Commission relating to the Historically Underutilized Business (HUB) Program at 1 TEX. ADMIN. CODE §§111.11-111.16. Accordingly, SBEC adheres to established state policies governing the purchasing and contracting of products and services that encompass full utilization of HUB identification and inclusion in these processes. The agency complies with state purchasing measures in offering HUBs access to SBEC's purchasing process and in notifying HUBs of bid proposals. SBEC grants priority to HUBs for contract awards if their bid proposal complies with state purchasing measures and meet bid specifications. Finally, in following state policy, SBEC endeavors to award a fair percentage of the dollar value of bids for products and services to HUBs.

To address performance shortfalls, the agency first monitors use of HUBs. SBEC maintains and compiles monthly information relating to the agency's use, and the use by each operating division of the agency, of HUBs, including information regarding subcontractors. On a quarterly basis, SBEC requires each contractor to whom the agency has awarded a contract to report to the agency the identity and the amount paid to each HUB to whom the contractor has awarded a subcontract for the purchase of supplies,

materials, and equipment. SBEC provides large contractors, like the testing contractor, with lists of HUBs for subcontracts and includes a contract provision requiring the contractor to subcontract with HUBs whenever possible.

SBEC's procurement procedures are designed to encourage participation in agency contracts by all businesses. For any purchase requiring bids, the agency asks a minimum of three HUB vendors to submit bids. To find qualified HUBs to submit bids, the agency relies on GSC's website that provides vendor and commodity listings of certified HUBs. When SBEC has been unable to obtain bids from a satisfactory number of HUBs, the agency has sought out women and/or minority-owned businesses that have not been certified as HUBs and has encouraged them to obtain HUB certification.

Further, SBEC ensures that contract specifications, terms, and conditions reflect the agency's actual requirements, were clearly stated, and do not impose unreasonable or unnecessary barriers to contracting with HUBs.

## V. Organization

**A. Exhibit 11 below provides the address of the agency's headquarters and the number of employees working there.**

(State Board for Educator Certification Exhibit 11: FTEs by Location — Fiscal Year 2000			
Headquarters	Location	Number of Budgeted FTEs, FY 2000	Number of Actual FTEs as of August 31, 2000
Austin, Texas (Teacher Retirement System Building)	1001 Trinity St.	52	45.75
<b>TOTAL</b>		52	45.75

**B. The agency's FTE cap for FY 2000.**

SBEC's FTE cap for FY 2000 was 52.

**C. The number of temporary or contract employees SBEC had as of August 31, 2000.**

As of the end of FY 2000, SBEC had 16 temporary or contract employees. Counting against SBEC's FTE cap are three FTE from its contract workforce.

**D. Exhibit 12 below provides minority workforce data for SBEC.**

State Board for Educator Certification Exhibit 12: Equal Employment Opportunity Statistics FISCAL YEAR 1998							
Job Category	Total Positions	Minority Workforce Percentages					
		Black		Hispanic		Female	
		Agency %	Civilian Labor Force %	Agency %	Civilian Labor Force %	Agency %	Civilian Labor Force %
Officials/Administration	1	0%	5%	0	8%	100.00%	26%
Professional	7	14.29%	7%	57.14%	7%	42.86%	44%
Technical	11	9.09%	13%	9.09%	14%	54.55%	41%
Protective Services	-0-	n/a	13%	n/a	18%	n/a	15%
Para-Professionals	12	25.00%	25%	8.33%	30%	66.66%	55%
Administrative Support	24	25.00%	16%	20.83%	17%	91.67%	84%
Skilled Craft	-0-	n/a	11%	n/a	20%	n/a	8%
Service/Maintenance	-0-	n/a	19%	n/a	32%	n/a	27%

**State Board for Educator Certification  
Exhibit 12: Equal Employment Opportunity Statistics (cont.)**

**FISCAL YEAR 1999**

Job Category	Total Positions	Minority Workforce Percentages					
		Black		Hispanic		Female	
		Agency %	Civilian Labor Force %	Agency %	Civilian Labor Force %	Agency %	Civilian Labor Force %
Officials/Administration	11	18.18%	5%	0%	8%	63.63%	26%
Professional	12	16.66%	7%	16.66%	7%	41.66%	44%
Technical	9	11.11%	13%	0%	14%	100.00%	41%
Protective Services	-0-	n/a	13%	n/a	18%	n/a	15%
Para-Professionals	5	40.00%	25%	40.00%	30%	80.00%	55%
Administrative Support	16	25.00%	16%	18.75%	17%	100.00%	84%
Skilled Craft	-0-	n/a	11%	n/a	20%	n/a	8%
Service/Maintenance	-0-	n/a	19%	n/a	32%	n/a	27%

**FISCAL YEAR 2000**

Job Category	Total Positions	Minority Workforce Percentages					
		Black		Hispanic		Female	
		Agency %	Civilian Labor Force %	Agency %	Civilian Labor Force %	Agency %	Civilian Labor Force %
Officials/Administration	9	22.22%	5%	0%	8%	66.66%	26%
Professional	17	11.76%	7%	11.76%	7%	41.17%	44%
Technical	10	10.00%	13%	0%	14%	100.00%	41%
Protective Services	-0-	n/a	13%	n/a	18%	n/a	15%
Para-Professionals	3	0%	25%	33.33%	30%	100.00%	55%
Administrative Support	17	23.52%	16%	11.76%	17%	88.23%	84%
Skilled Craft	-0-	n/a	11%	n/a	20%	n/a	8%
Service/Maintenance	-0-	na/	19%	n/a	32%	n/a	27%

**E. The agency's equal employment opportunity policy and how the agency addresses performance shortfalls related to the policy.**

SBEC has an equal employment opportunity policy prohibiting discrimination on the basis of race, color, national origin, sex, religion, age, or disability in employment or the provision of services. Despite advertising job openings in different venues intended to attract minority candidates, the agency has found that almost all applicants—including minorities, women, persons with disabilities, and older persons—have used the website of the agency or the Texas Workforce Commission (Governor's Job Bank).

The main stride SBEC has made to maintain workforce diversity is to revise the agency's selection procedures to ensure all applicants are judged on the basis of objective, consistently applied criteria directly related to the knowledge, skills, and experience the position requires.

## VI-A. Guide to Agency Programs--Office of Accountability

### A. SBEC Functional Area

STATE BOARD FOR EDUCATOR CERTIFICATION Exhibit 13: Program Information—Fiscal Year 2000	
Name of Program	Accountability
Location / Division	Office of Accountability
Contact Name	Patricia Porter
Number of Budgeted FTEs, FY 2000	12
Number of Actual FTEs as of August 31, 2000	12

### B. Key services and functions of the Office of Accountability and major program activities:

#### Office of Accountability—Key Services and Functions

SBEC provides leadership to the education profession and serves public citizens and the public school students of Texas by striving to “ensure the highest level of educator preparation and practice to achieve student excellence.” Though SBEC serves multiple clients, its major clients are the public school educators of Texas.

The Office of Accountability is responsible for implementing practices to assure the public that quality educators are licensed by the State of Texas. Functional areas are defined and the myriad tasks associated with each function are implemented by staff task forces. A description of each major function is provided below.

##### 1. Creation of Educator Standards and Tests

TEC §21.031(b) requires that SBEC “...shall ensure that all candidates for certification or renewal of certification demonstrate the knowledge and skills necessary to improve the performance of the diverse student population of this state...” In 1999, SBEC began developing new standards for Texas educators that delineate what the beginning educator should know and be able to do. The new standards form the basis for new ExCETs. New content-area standards were required to ensure that teacher knowledge was grounded in the Texas Essential Knowledge and Skills (TEKS), the state's required curriculum for public school students. These standards serve as the catalyst for the alignment of Texas education from kindergarten through college.

TEC §21.048 requires that individuals pass examinations prior to certification. The Office of Accountability manages the development and administration of the 55 content area Examinations for the Certification of Educators in Texas (ExCETs), Texas Oral Proficiency Test (TOPT), the Texas Assessment of Sign Communication and Texas Assessment of Sign Communication – American Sign Language (TASC and TASC-ASL), and the Master Teacher Program, including Master Reading Teacher (MRT). Individuals must take the ExCET Professional Development Test and at least one content test in the area(s) in which they seek certification. These tests measure the prospective educator's knowledge of the content area and pedagogy. During the 2000-2001 school year, nearly 90,000 certification examinations were administered to approximately 86,000 candidates.

Standards representing the knowledge and skill necessary to be awarded a certificate in a specific area are developed by committees of educators selected for their expertise and background. Tests are then created to measure the standards. The process takes approximately two years, including pilot testing of

test items. The process is implemented by a contractor, National Evaluation Systems, Inc., one of only two companies in the U.S. that develops certification exams for educators.

The chart on the following page displays the relationship among the functions performed by the Office of Accountability and the K-16 initiative.

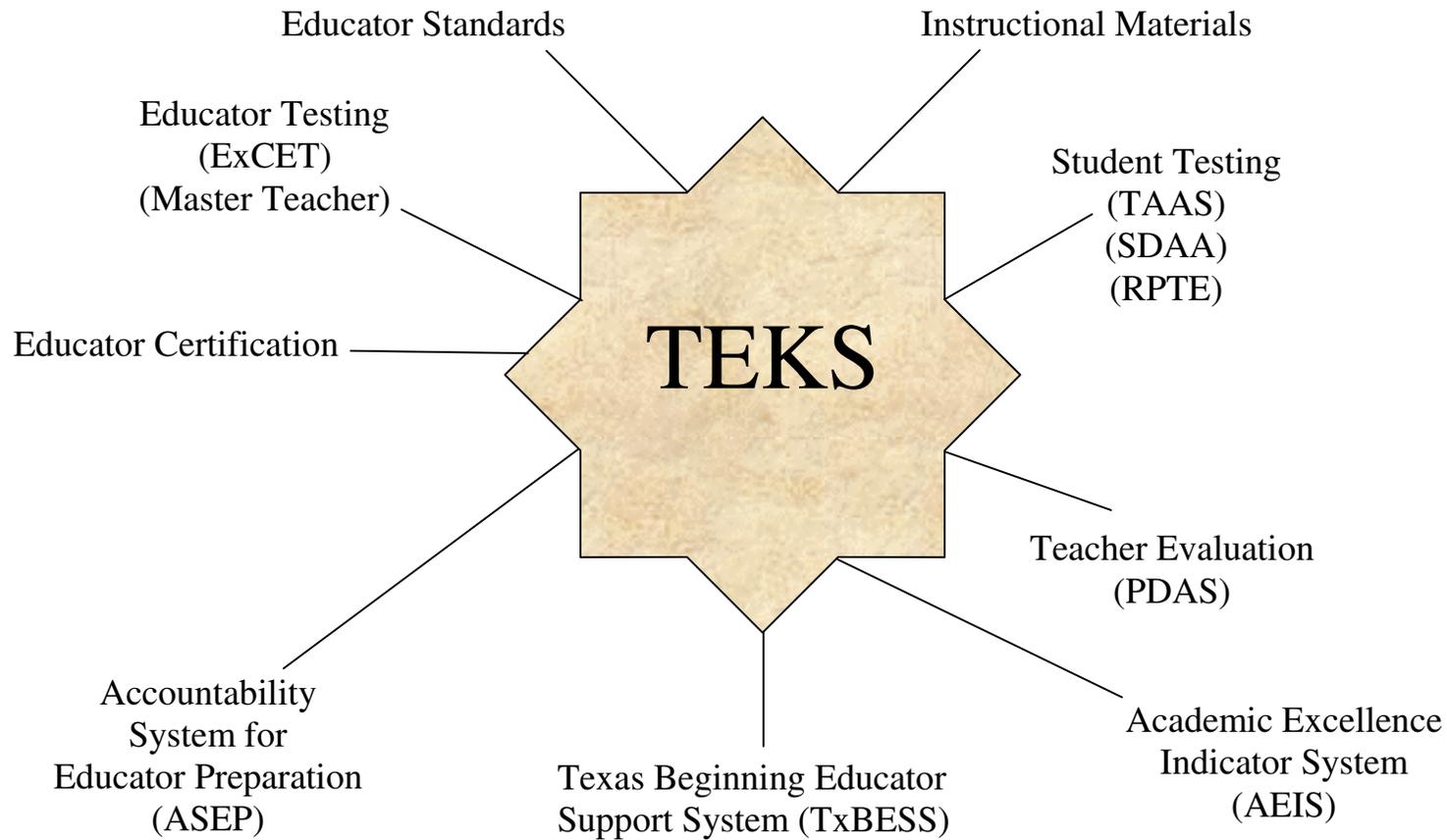
The Legislature charged SBEC with the responsibility of creating new certificates for Master Reading Teacher (1999), Master Mathematics Teacher (2001), and Master Technology Teacher (2001). The statutes currently define the master teacher role as both a teacher and a mentor to other staff. Those newly certified individuals are or will be eligible for a \$5,000 stipend. Although SBEC works in conjunction with the Texas Education Agency on the grants and stipends associated with these new certificates, SBEC is the agency responsible for developing and implementing the new certificates by creating standards and completing the test development process culminating in a new certification exam, as well as approving new programs. SBEC completed the development of Master Reading Teacher Standards and administered the first certification test in January 2001. There are currently 52 SBEC-approved standards-based Master Reading Teacher Certification programs around the state. Currently, work is beginning on the newly approved Master Mathematics and Master Technology Teacher programs. The steps for a certified teacher to become a master teacher have been clearly defined and offer the teacher the opportunity for advancement without leaving the classroom.

The TxBESS was created by an advisory committee representing educators in both public and higher education. All 20 education service centers provide training for mentors, principals, educator preparation programs, faculty, and, in some cases, beginning teachers. Stipends can be paid to mentors from the federal grant. An external evaluation is responsible for reporting the effectiveness of the induction program.

# Texas Education Initiatives K-16

## Educator Preparation

## Public Schools



## **2. Approval of Educator Preparation Programs**

TEC §21.044 requires SBEC to “...propose rules establishing the training requirements a person must accomplish to obtain a certificate...” and TEC §21.049 authorizes alternative certification programs. As of August 2001, Texas had 97 entities approved to deliver educator preparation. Of those entities, 68 are university-based. Ten of those universities are also approved to deliver alternative routes to certification, and 36 also offer newly approved Master Reading Teacher programs. Other entities delivering alternative programs include 15 regional education service centers, 5 community colleges, 4 independent school districts, and 2 private providers. Of these non-university programs, 11 of the education service centers, 2 independent school districts, and 1 private entity are approved to deliver Master Reading Teacher programs.

A significant departure from past practice occurred when the Board adopted a standards-based certification system in lieu of a system driven by the number of semester credit hours earned by an individual. This change has provided an opportunity for more non-traditional entities to seek approval to train persons for certification.

Alternative routes to certification are accelerated training models designed for degreed individuals who desire to become teachers. These programs place teachers in a classroom setting with mentor support and program supervision while they are completing certification requirements.

Entities seeking initial approval to deliver educator preparation must submit a proposal to SBEC which describes how the program meets applicable rules and, in particular, how the curriculum is aligned with standards and how candidates are assessed in terms of having requisite knowledge and skills. The Process for Initial Approval of an Entity to Prepare Educators for Certification (included on the following page) delineates what must be included in program proposals. These proposals are reviewed by staff and are submitted to the Board for approval.

Staff has been working with community colleges to assist them in creating teacher preparation programs for several subject areas, including career and technology fields. In many cases, certification in these areas requires work experience rather than a baccalaureate degree, and community colleges are well positioned to offer the pedagogical training necessary to certify experienced trade workers and prepare them to teach in public school classrooms. All other certificate areas require baccalaureate degrees.

At every opportunity, staff is also encouraging school districts to consider creating their own preparation programs. During this time of teacher shortages, most districts are forced to hire individuals to teach who then must be placed on an emergency permit. These individuals typically hold a baccalaureate degree and need training only in the knowledge and skills of teaching children. Through professional development and mentoring programs, Texas school districts are providing focused high quality training and are being urged to consider formalizing this training by being approved by SBEC to recommend individuals for certification.

To assist interested community colleges, school districts, and other entities in seeking approval as preparation programs in summer 2000, SBEC awarded funds through a competitive grants process to help offset the start-up costs for personnel and materials for a preparation program. It is expected that these initiatives will increase the number of fully certified teachers working in Texas public schools.

## **3. Results-Based Performance Reporting**

The Board has developed a system to monitor the quality of all Texas educator preparation programs, whether offered through universities, education service centers, school districts, or other entities. The Accountability System for Educator Preparation (ASEP). ASEP – the only program of its kind in the nation – uses data from certification examinations to determine program quality. As stated in TEC §21.045, the Board adopts rules for ASEP and minimum standards for acceptable performance of Texas educator preparation programs. TEC §21.045(b) also mandates that educator preparation

programs annually report indicator data to SBEC. Indicator data provide information about educator preparation entities but are not used to determine an entity's accreditation status. Presently, certification examination results, disaggregated by gender and ethnicity, are the sole criteria for determining whether the entity is "Accredited," "Accredited-Under Review," or "Not Accredited." Programs rated "Accredited-Under Review" will lose authority to prepare educators if, after three years, state performance standards are not met.

Performance reporting under ASEP began in September 1998 for the 1997-98 academic year. The Board, in compliance with TEC §21.045, had established that at each entity approved to deliver educator preparation, all groups-disaggregated by gender and ethnicity-must achieve a passing rate that either meets an established first-year testing standard (70%) or a cumulative two-year standard (80%) or else that preparation program would be placed under review.

Oversight teams composed of teacher educators who are trained by SBEC staff are sent to entities under review to assist them in meeting standards. The performance report issued in the fall of 1998 listed 16 entities under review. In the second year of ASEP the number of entities under review was reduced to eight; and, by fall 2000, six institutions were under review. New ratings will be released in fall 2001.

SBEC has developed a second reporting (accountability) system to meet federal requirements specified under Title II, of the Higher Education Act. Each fall SBEC will be required to submit to the U.S. Secretary of Education a state report card that contains institutional and state pass rates on certification exams, rankings of educator preparation programs by test performance, and designations of levels of performance.

The ASEP is supported by software created by contracted staff. Candidates for certification are verified by preparation programs and the database is continuously updated throughout the year so that each program has access to performance data on its candidates for certification. This system is labor intensive to manage because of the quantity of data and the treatment of the data necessary to implement the Board's accountability rules.

## 19 TAC Chapters 227, 228

### Process for Initial Approval of an Entity to Prepare Educators for Certification

All approved programs are accountable under 19 Texas Administrative Code (TAC) Chapter 229. Accountability System for Educator Preparation (ASEP), for the success of its candidates for certification. Each approved program will be subject annually to the rating issued under this rule. An entity must meet requirements of all other appropriate governing bodies (e.g., Texas Education Agency, Texas Higher Education Coordinating Board, and Southern Association of Colleges and Schools).

<b>Component 1</b>	<b>SBEC Requirements</b>	<b>Sample Indicators and Measures</b>
<p><b>Entity Commitment and Collaboration to Promote Educator Certification</b></p> <p>19 TAC Chapter 228, §228.20.</p> <p>The entity shows commitment to support and promote educator certification, including other stakeholders when appropriate.</p>	<p>The entity shall adequately prepare candidates to meet certification standards and shall be accountable for the quality of programs so that the candidates will be certified.</p> <p>An advisory committee with members representing stakeholders shall assist in the following:</p> <ul style="list-style-type: none"> <li>• Design and delivery of the preparation program</li> <li>• Major policy decisions of the preparation program</li> <li>• Program evaluation</li> </ul>	<p>Evidence of commitment to providing a quality certification program may include a description of:</p> <ul style="list-style-type: none"> <li>• Issues and needs evidenced during planning process.</li> <li>• Management and stakeholder roles and responsibilities.</li> </ul>

<b>Component 2</b>	<b>SBEC Requirements</b>	<b>Sample Indicators and Measures</b>
<p><b>Admission to an Educator Preparation Program</b></p> <p>19 TAC Chapter 227, §227.10.</p> <p>The entity shall develop procedures to determine the candidate's appropriateness for the certification sought.</p>	<p>The entity delivering educator preparation shall establish policies and procedures for the following:</p> <ul style="list-style-type: none"> <li>• Screening for admission to include but not be limited to appropriate knowledge and skills in reading, oral and written communication, critical thinking, and mathematics.</li> <li>• Screening activities to determine candidates' appropriateness for certification and evidence of Subject- matter knowledge.</li> <li>• Academic criteria for admission that are published and applied consistently to all candidates.</li> <li>• Recruitment strategies for the program.</li> <li>• Evidence of degree or other academic and/or job- related credentials. (These may relate directly to criteria used during an employment screening process.)</li> </ul>	<p>Description of recruitment procedures, goals and objectives as related to state/regional needs:</p> <p>Admission criteria may include, but are not limited to:</p> <ul style="list-style-type: none"> <li>• Tests</li> <li>• Letters of recommendation</li> <li>• Portfolios</li> <li>• Written assessments</li> <li>• Interviews</li> <li>• Successful classroom performance</li> </ul> <p>Evidence that policies and procedures for admission are disseminated and applied consistently.</p>

Component 3	SBEC Requirements	Sample Indicators and Measures
<p style="text-align: center;"><b>Curriculum</b></p> <p>19 TAC Chapter 228, §228.30.</p> <p>The educator proficiencies and standards adopted by the Board shall be the curricular basis for educator preparation and must address the relevant TEKS for each certificate.</p> <p>19 TAC Chapter 228, §228.40 (a)(b).</p> <p>Entities shall establish benchmarks and structured assessments of the candidate's progress throughout the program.</p>	<p>The preparation program will identify levels and areas of certification to be delivered.</p> <p>The preparation entity will:</p> <ul style="list-style-type: none"> <li>• Describe procedures for ensuring that the curriculum is aligned with the certification standards and the Texas Essential Knowledge and Skills (TEKS)</li> <li>• Describe benchmarks to show how the candidates' progress toward the mastery of standards will be assessed.</li> </ul>	<p>Provide an example of the curriculum's alignment with the appropriate content and pedagogy certification standards and TEKS. Also provide a sample benchmark to show how the program will determine that candidates for certification are meeting the standards required to be certified.</p>

Component 4	SBEC Requirements	Sample Indicators and Measures
<p style="text-align: center;"><b><i>Program Delivery, Evaluation, and On-going Support</i></b></p> <p>19 TAC Chapter 228, §228.30 (b). 19 TAC Chapter 228, §228.40.</p> <p>The entity shall establish a system for program delivery and improvement. On-going support of the certification candidates must be a part of the program design.</p>	<p>The preparation entity will describe how the program will be delivered. Describe support efforts [such as the Texas Beginning Educator Support System (TxBESS)], that will be provided to beginning educators.</p> <p>The preparation program will provide indicators of:</p> <ul style="list-style-type: none"> <li>• Systematic use of data, follow-up of candidates' teaching success, and retention in the profession for continuous program improvement</li> <li>• Ongoing, relevant teaching experiences in a variety of educational settings with diverse student populations</li> <li>• Program evaluation procedures using internal and external criteria.</li> </ul>	<p>Evidence of the quality of program delivery to be examined in program evaluations may include:</p> <ul style="list-style-type: none"> <li>• Improved student achievement</li> <li>• ASEP data</li> <li>• Evaluation of training, including alignment with curriculum</li> <li>• Field-based training designed to integrate elements of the standards</li> <li>• Written reflections of current research and promising practices</li> <li>• Use of portfolios</li> <li>• Classroom performance</li> <li>• Evidence of support efforts such as TxBESS</li> </ul> <p>The preparation entity will provide evidence of involvement in beginning educator support efforts, such as TxBESS.</p>

#### 4. Recruitment of New Teachers

TEC §21.004 authorizes the agency to engage in a number of activities directly related to the recruitment of individuals into the teaching profession. SBEC is working with the Texas Education Agency (TEA) and the Texas Higher Education Coordinating Board (THECB) to identify, develop, and implement programs to recruit and retain teachers. Additionally, this statute authorizes the agency to facilitate the creation and expansion of teacher preparation programs for post-baccalaureate individuals and to provide financial incentives to these individuals to become certified teachers.

The three state education-related agencies are creating and promoting strategies for the recruitment and retention of educators in the public school system. A statewide recruitment coordinating committee includes representatives from the three state agencies, the Texas A&M University System, the University of Texas System, the Texas State University System, Texas Business and Education Coalition, education associations, school districts, and business and community members. These committee members serve on four interrelated sub-committees.

- Recruitment and Retention Subcommittee will develop statewide recruiting materials that can be used by various entities to encourage interest in and provide precise information for those who will enter the teaching profession. This committee will also explore ways to retain more teachers in Texas schools.
- Public Relations/Marketing Subcommittee will help design, develop and contract services and products for a multi-year, sustained, statewide campaign to attract people to teaching, as well as to promote the importance of the teaching profession and improve the self-image of teachers.
- Engagement Subcommittee will research and develop a collaborative statewide network of relationships with key people and groups geared toward discussing the value of teaching and the importance of a supportive school climate to sustain the teachers' efforts in educating children.
- Fund Raising/Policy Subcommittee will seek fiscal or in-kind resources to support the efforts of the various subcommittees for the Recruitment Campaign.

The campaign is supported solely by grants from two prominent Texas foundations, the Meadows Foundation and the Sid W. Richardson Foundation. These grants will underwrite research and design for a statewide plan of action to recruit and retain teachers. The planning phase of the campaign should be completed by late fall 2001 with a complete marketing/communications plan targeted to begin after the Mid-Winter Conference for Texas School Administrators in January 2002.

As the teacher certification entity, SBEC has unique responsibilities to the state and the educators. The agency provides information on the SBEC web site to address "How to Become a Teacher in Texas." This web site identifies the target audience and directs them to the appropriate avenue of certification. In addition to the routes to certification, the web site provides links to opportunities for loans and financial aid administered by the Texas Higher Education Coordinating Board. The web site provides links to every teacher preparation program and employment opportunities for teachers, organized by geographical regions and regional education service centers throughout the state.

#### 5. Retention of New Teachers

In 1999 the Office of Accountability began the creation of a beginning teacher support system, known as the Texas Beginning Educator Support System (TxBESS), that is designed to support new teachers through collaboration among school district staff, campus administrators, beginning teachers, education service center staff, and educator preparation program faculty. Funding for this pilot initiative was made available through a competitive federal Teacher Quality Enhancement Grant, with Texas receiving \$10 million over a 3-year period. To date this pilot program has served almost 3,000 first- and second-year teachers. The retention rate of TxBESS teachers after the first year was 88%, compared with a 73% retention rate among a sample of non-TxBESS supported teachers.

The goals of TxBESS are to:

- develop effective models of beginning teacher support and disseminate the models to the wider educational community;
- provide each participating beginning teacher with a local support team consisting of an experienced teacher-mentor, the principal of the beginning teacher’s campus, and representation from teacher preparation entities and ensure that the local support team is backed by a regional partnership;
- provide each team member, including the beginning teacher, with a clear framework of effective teaching practices and ongoing training and support as beginning teachers internalize this framework and implement it routinely in practice;
  - provide beginning teachers with specific feedback through the TxBESS Activity Profile and other assessments for the purpose of professional growth;
  - improve the ability of beginning teachers to work successfully with diverse students and communities;
  - provide a rich program of job-embedded, extended professional development for support team members (experienced teacher-mentors, teacher educators, and principals) that includes developing expertise in coaching and assessing beginning teacher performance;
  - enhance principals’ abilities to establish a school climate that supports beginning teacher growth and retention; and
  - stabilize the teaching force by reducing beginning teacher transfer and attrition rates within and across school districts.

**6. Renewal of Educator Certificates via Continuing Professional Education**

Beginning on September 1, 1999, SBEC began issuing the Standard Certificate, which must be renewed every five years (TEC §21.054). All provisional and professional lifetime certificates issued prior to that date are exempted from the renewal requirement; however, educators holding those credentials may voluntarily choose to opt into the renewable certificate system. The renewal process has created, for the first time, an ongoing relationship between the state’s certification agency and certified educators. In conjunction with the Agency’s Information Resources Office, the Office of Accountability is developing an infrastructure to administer the renewal function.

The agency currently registers providers of continuing education and maintains a list of approved providers on its website.

**C. Purpose for Program and When Created (statutory requirements)**

See Section B.

**D. Important History Related to Office of Accountability**

**1. Development of New Certificate Structure**

Beginning in fall 1996, the Board convened an advisory committee to consider the types of certificates to be offered by the State of Texas to future educators. After two years of study a new structure, reflecting both the student learning outcomes for K-12 and the developmental needs of students across their years in the public school system, was created. New classes of certificates were created and teacher certificates were distinguished by four unique levels: Early Childhood-Grade 4, Grades 4-8, Grades 8-12, and All-Level. These levels were defined to drive teacher training to more closely match K-12 students’ learning needs.

These new certificates have required many educator preparation programs to restructure their delivery of pedagogical training of teachers and reconfigure academic coursework taken by students who are simultaneously earning a BA degree.

**2. New Certificates Approved by the SBEC Board (as of April 3, 2001)**

LEVEL	CERTIFICATE	SCHEDULED IMPLEMENTATION DATE OF NEW TESTS
Early Childhood-Grade 4	Generalist Bilingual Generalist	Fall 2002
Grades 4-8	Generalist Bilingual Generalist English Language Arts and Reading English Language Arts and Reading/Social Studies Mathematics Mathematics/Science Science Social Studies	Fall 2002
Grades 8-12	English Language Arts and Reading History Life Sciences Mathematics Physical Sciences Sciences Social Studies	Fall 2002
	Technology Applications Computer Science	Fall 2003
	Journalism Speech Physical Sciences/Math Engineering	Fall 2004
All-Level	School Counselor School Librarian	Fall 2002
	Physical Education	Fall 2004
	Art	Fall 2005
	Music	

**3. Educator Testing Policy**

The Legislature made a critical policy decision in 1983 when funds were appropriated for the first time to implement an educator testing system to determine persons who should be certified in Texas. At that point, the Legislature determined that tests for educators should reflect the learning requirements of K-12 students. Custom-developed tests were created to assure the public that educators had the necessary knowledge to achieve student success. Since 1986, Texas curriculum-specific certification tests have been administered to educators seeking any Texas certificate.

The chronology for the creation of such examinations is listed below:

- 1981                      Legislation passed requiring certification testing and basic skills testing for persons entering educator preparation programs
- 1983                      Funds appropriated for certification tests
- 1984                      Development begun on certification tests (ExCETs)
- 1986-1987                ExCET tests administered for the first time
- 1989                      Development begun on the Texas Oral Proficiency Test (TOPT) in Spanish and French
- 1990                      ExCET redevelopment work begun on high-incidence fields and other selected fields
- 1991                      TOPT administered for the first time

1992-1995	Redeveloped ExCET tests administered
1993	Development begun on Texas Sign Communication Test (TASC)
1998	TASC administered for the first time

**4. Flexibility to Deliver Educator Preparation Programs**

The provisions of Texas Administrative Code, Title 19, Part 7, Chapters 227 (Provisions for Educator Preparation Students) and 228 (Requirements for Educator Preparation Programs) were adopted by SBEC to be effective July 11, 1999 [Source Note: 24 TexReg 5011].

Prior to adoption of the above-referenced chapters, educator preparation programs as well as entry requirements for teacher candidates into those programs, were differentiated according to route to certification: traditional university programs, Centers for the Professional Development of Teachers, alternative certification programs. In all cases, the rules not only differed but were prescriptive.

Through the adoption of Chapters 227 and 228, SBEC removed much of the prescription in prior rules and now allows entities the flexibility and creativity to develop their own programs for which they will be held accountable through ASEP and Title II.

All existing educator preparation programs were to implement Chapter 227 no later than fall semester 2000. And not later than January 1, 2000, all approved educator preparation programs were required to affirm compliance with the provisions of Chapter 228, under procedures approved by the executive director, i.e. Affidavits of Compliance.

**5. Results-Based Performance Reporting**

Prior to the 1997-98 academic year Texas did not have a system to evaluate the state’s programs to prepare educators. The institution of the ASEP system has resulted in programs’ heightened awareness of the need to better prepare pre-service teachers of the content they will be teaching and the pedagogy to deliver that content. As curriculum requirements change for Texas public school students, and as the student population itself changes, the need will remain to evaluate the state’s preparation programs to ensure that individuals completing the programs will have the requisite knowledge and skills to begin teaching in Texas public schools.

<b>E. Program Impact (number of people or entities served)</b>
--

The Office of Accountability is responsible for the following twelve major SBEC activities:

- New Certificate Structure—
- Educator Standards—43,300 persons issued a certificate annually
- TEKS-based ExCET tests—90,000 tests administered per year to 43,000 persons
- Master Teacher Tests—
- Study of the comparability of Texas tests to those of other states and countries—4,000 out-of-state educators annually
- Computer-Based Tests—43,300 persons tested
- TxBESS—3,000 new teachers supported
- ASEP—96 educator preparation programs impacted
- Title II—96 educator preparation programs impacted
- Recruitment Initiatives—public outreach to fill 40,000+ teacher vacancies
- Continuing Professional Education—Beginning in FY 2005, approximately 30,000 certificates renewed annually

## **F. Program Administration**

The Office of Accountability has four major areas of responsibility: Approval of Educator Preparation Programs, Performance Reporting, Recruitment and Retention of Educators, and Educator Standards and Testing. Within each area, task forces directed by a task force leader, are assigned to each major program function. Each Office of Accountability staff person serves as a task force leader on at least one task force and participates on multiple task forces. A task force structure for the myriad responsibilities of the Office of Accountability provides for redundancy of knowledge and the capacity for the continuance of tasks, irrespective of personnel changes and schedules. Additionally, the cross-strategy task force design fosters creative problem solving by bringing together individuals with diverse experiences and perspectives.

The Office of Accountability also manages the work of three contractors:

National Evaluation Systems, Inc. (NES) of Amherst, Massachusetts, and Austin, Texas, is the contractor for the development and administration of the certification examinations. NES' responsibilities include participating in the development of education standards, preparing draft test frameworks, developing test items, drafting test preparation manuals and registration bulletins, printing test booklets, securing and monitoring test administration sites, administering certification tests under secure conditions, scoring tests, reporting test results, and providing technical and psychometric advice to SBEC.

SBEC Office of Accountability staff works closely with NES staff on a daily basis as a team to ensure that the Texas educator testing program exceeds nationally accepted standards for licensure examinations.

Resources for Learning (RFL) of Manchaca, Texas, is the contractor for the project management/coordination of the Texas Beginning Educator Support System (TxBESS). RFL is responsible for coordinating TxBESS activities through 20 regional collaboratives and providing them with technical assistance; designing, and developing TxBESS materials for use with TxBESS teachers and mentors, school administrators and university faculty; and assisting the program evaluator in preparing required reports to the U.S. Department of Education.

The Charles A. Dana Center at The University of Texas at Austin is the contractor for the project evaluation of TxBESS. The Dana Center is responsible for assisting SBEC in identifying effective models for supporting beginning teachers, evaluating the effects of formal support systems on teacher attitudes and professional activities, assessing the effect of support at the entry level on retention in the teaching profession, and evaluating the effects of formal support systems on student academic performance.

SBEC is also in the process of selecting a contractor to coordinate and manage the comparability study that is required to implement HB 1721.

## **G. Interface with Federal Government Agencies and Local Units of Government**

### **1. Teacher Quality Enhancement Program, State Grant Award**

On July 20, 1999, the State Board for Educator Certification was notified by the United States Department of Education that it had been awarded a competitive Teacher Quality Enhancement grant by under Title II of the Higher Education Reauthorization Act.

This grant provides funding for a three-year period to enhance and build upon ongoing reforms by creating:

- (a) teacher standards that are aligned with the state-mandated student curriculum (Texas Essential Knowledge and Skills); and
- (b) a statewide infrastructure of support for beginning teachers so that student learning is enhanced and beginning teachers are retained in the teaching profession.

The funds received are matched by a 50% state contribution.

**2. Memorandum of Understanding among SBEC, TEA and the Ministry of Education and Culture of Spain**

A memorandum of understanding was established in Austin on August 12, 1997, so that in a spirit of mutual collaboration, the Ministry of Education, SBEC and TEA could put into effect, with the participation of interested school districts, educational programs designed to improve and expand the teaching of the Spanish language and culture in Texas as well as the teaching of English language and culture in Spain, setting high academic standards for students in both countries.

To date, a Texas/Spain Visiting Teacher Program has been established whereby approximately 200 teachers from Spain have taught in the Texas public schools in areas of high need such as Spanish, bilingual education, mathematics and science. Texas teachers of Spanish and of bilingual education are afforded the opportunity to study at Spanish universities during the summer. Another “post-to-post” form of the Visiting Teacher Program is also established whereby a Texas teacher and a teacher from Spain exchange classrooms for a year and continue to be paid by their respective schools.

SBEC has assisted in screening of candidates as well as in responding to questions related to certification.

**3. Memorandum of Understanding between SBEC and TEA for the Development of a Master Reading Teacher Placement Test**

Under this Memorandum of Understanding, TEA remitted funds to SBEC for the development of the Master Reading Teacher Placement Tests. The placement tests are provided free of charge to each SBEC-approved MRT program. Programs use the diagnostic information gleaned from placement test results to advise MRT candidates regarding the courses that the candidates should take.

**4. Memorandum of Understanding between SBEC and TEA for the Development of Educator Standards**

Under this Memorandum of Understanding TEA reimbursed SBEC for the development of teacher standards for the following areas:

- Health Science Technology,
- Family and Consumer Sciences,
- Technology Education, and
- Pedagogy and Professional Responsibilities for Trades and Industry.

**H. Funding Sources and Amounts by Program, Including Federal Grants and Pass-Through Monies**

<b>Educator Certification/Development Sources of Revenue Fiscal Year 2000</b>	<b>Amount</b>
Fund 0001: General Revenue Fund	\$10,340,611
Fund 0148 : Federal Funds/CFDA 84.336.000 Teacher Quality Enhancement Grant	2,808,550
Fund 0193: Interagency Contracts—Transfer from Foundation School Fund	1,205,948
<b>TOTAL</b>	<b>\$14,355,109</b>

**I. Future Funding Resources Needed to Achieve Program Mission, Goals, Objectives, and Performance Targets**

The program faces challenges in maintaining an educator assessment system that is aligned with what policymakers have decided Texas public school students should learn.

Since schools, teachers, and school administrators are held increasingly accountable for the academic performance of their students, it is critical that newly certified Texas teachers have sufficient content and pedagogical knowledge and skills to teach the Texas Essential Knowledge and Skills (TEKS), the state-required curriculum for students. To ensure that newly certified teachers possess these skills and knowledge, SBEC had begun implementing a comprehensive plan for developing standards for beginning educators that are aligned with the TEKS and new certification examinations that were to be based on these standards. Rider 9 of the 2002-2003 Appropriations Bill capped the amount to be expended on the redevelopment of the educator testing program during the next biennium at \$2.8 million, which is less than half of the amount requested to continue implementation of this comprehensive plan. This figure has been interpreted to include the development of standards as well as new tests. Rider 8 requires SBEC to consider the use of standard exams in lieu of custom-developed tests.

Additionally, Rider 9 specifies that if SBEC were to receive any federal grants for test development those monies would reduce the \$2.8 million in state funds for test development by the amount of the federal grants. For example, SBEC applied for a Federal grant – Preparing Tomorrows Teachers to use Technology (PT3) – for the development of new Technology Applications and Computer Science tests. SBEC did not receive the \$2.1 million PT3 grant, but had SBEC been offered the requested amount and accepted the award, the remainder of the biennial budget for test development projects would have been reduced to \$0.7 million. A reduction of this magnitude would have necessitated ceasing work on new tests already nearing completion and scheduled for implementation in fall 2002.

With regard to supporting new teachers through TxBESS, SBEC requested \$23.7 million to continue the pilot program begun under the federal Teacher Quality Enhancement Grant and to expand it to all of Texas' 22,000+ teachers with less than a year's experience. Rider 7 of the Appropriations Bill directed SBEC to seek additional federal funds for TxBESS in an amount not to exceed \$3 million annually. SBEC was appropriated \$700,000 for the biennium from the Texas Education Agency's budget for TxBESS. Data gathered from the pilot show that this standards-based support system for beginning teachers has had a notable impact on teacher retention. The retention rate among first-year teachers supported through TxBESS in 1999-2000 is 88 percent as compared with a retention rate of 73 percent from a sample of teachers who were not supported.

<b>J. Programs Internal or External to the Agency that Provide Identical or Similar Services or Functions</b>
---

SBEC creates certification exams that are aligned with the TEKS, thus assuring the state that educators have the content knowledge for their students to achieve success. Other certification tests may be available to assess the same content. (Note: Test comparability studies will be conducted beginning in fall 2001.)

The Texas Professional Educational Diagnosticians' Board of Registry may have an examination created under their auspices that could be used in lieu of the current ExCET required of educational diagnosticians.

National organizations exist for the purpose of accrediting educator preparation programs, but these rating systems are applied upon the request of the educator preparation program only and costs related to the accreditation process are paid by the program. The Texas Higher Education Coordinating Board has the responsibility of approving the semester credit hours offered by universities. Because SBEC has a standard-based certification system, university preparation programs must use the standards to create courses while staying within the academic degree requirements, including a limited number of semester credit hours that can be imposed by universities.

Teacher recruitment is one of three strategies approved in the agency's strategic plan and included in the appropriations bill. Both TEA and the Texas Higher Education Coordinating Board (THECB) also have recruitment responsibilities assigned to them by statute. Supported by state statute (TEC §7.021(6) and §21.004), the three agencies (TEA, SBEC, and THECB) are currently working on a collaborative initiative for a Teacher Recruitment Program in Texas. This initiative encourages the agencies to share the common goal of specifically addressing the teacher shortages of the state by creating and promoting strategies for the recruitment and retention of educators in the public school system.

**K. Coordination of Activities to Avoid Duplication or Conflict with the Other Programs Listed in Question J and With the Agency's Customers**

The accountability office of SBEC is not in conflict or duplicating activities of other organizations. In fact, current development of the new ExCET program, as one element of the restructuring of the state teacher certification system, will magnify the continuum of learning in Texas, K-16. The new standards are based fundamentally upon the TEKS, and all new ExCET test frameworks are being developed based upon the new standards. Since ASEP is a high stakes accountability system that can cause any program to lose its authority to prepare educators, the state is assured that the curriculum is aligned with the assessment.

Regarding the teacher recruitment program, SBEC avoids duplication of activities with TEA and THECB through regular communication and collaboration with the other agencies. Agencies' roles and responsibilities are defined in general terms in statute. In addition, SBEC staff serves with TEA and THECB staff on the teacher recruitment campaign committee. The committee is chaired by TEA, but SBEC staff serves on the various subcommittees as either chair or member. In this manner, the recruitment activities of the three agencies are coordinated both to avoid duplication or conflict and also to enhance the activities of the respective agencies.

**L. Additional Information Needed to Gain a Preliminary Understanding of the Program**

SBEC's responsibility is to assure the public that educators have the necessary knowledge and skills to achieve student excellence. This role is undertaken through the accountability function of the agency.

### **Need for the Regulation**

In Texas, there are 97 educator preparation programs approved by the SBEC to prepare and recommend candidates for certification. Texas was the first state in the country to implement continuing program accountability with the Accountability System for Educator Preparation (ASEP). The Texas Legislature established ASEP (TEC §21.045) in 1995 and the first annual accreditation ratings were issued in September 1998. With the advent of similar federal regulations in 2001, Texas now has two statutorily-mandated accountability systems: ASEP and federal accountability under Title II of the Higher Education Act.

**Accountability Under State Law:** The accountability of educator preparation programs is needed because it is important that programs produce high-quality educators to serve the schoolchildren of Texas. ASEP measures the quality of programs, which sustain consequences for not meeting the quality standards set by SBEC.

Recent SBEC rules and standards reflect a state philosophical shift to results-based accountability rather than oversight through the establishment of process-based regulations. Under ASEP, the institution is held accountable for meeting acceptable standards for performance established by SBEC (and, beginning in 2001, programs will also undergo public and state scrutiny under Title II reporting requirements). However, accompanying a rigorous accountability system must be rules and policies that allow programs the flexibility and responsibility to implement local strategies for achieving that performance.

For example, SBEC rules no longer specify that candidates take particular courses or complete a minimum number of semester credit hours of coursework in designated areas during their preparation – it is up to the professional judgment of the institution as to how to most effectively prepare the candidates. Staff at the institutional level can best judge the needs of each candidate and develop strategies to foster the candidate's success in becoming an educator. The shift to increased local control by programs underscores the need for a structured, results-based accountability system such as ASEP.

Historical and current evidence, such as reports from ASEP oversight teams, indicates that many problems prevalent at programs were brought to light and remedied through systemic changes because of state and institutional scrutiny under ASEP. For example, the curriculum in many preparation programs had not been aligned with the skills and knowledge required of classroom teachers in Texas; consequently, low performance on tests required for teacher certification – tests that are based on validated, job-related skills and knowledge – resulted at some institutions. For

many programs, that low performance had either never been identified or analyzed or, if known, had not been used to remedy program deficiencies prior to the time the institution was held accountable under ASEP.

In 2000-01, there are six educator preparation programs that are rated Accredited–Under Review and, by law, are being supported by the state through an oversight team and/or administrator. These educators are providing the programs with essential technical assistance through site visits and activities such as the evaluation of the program and its curriculum, data analysis, development of recommendations and benchmarks for improvement, and consultation with program staff.

**Accountability Under Federal Law:** Congress has determined that federal accountability is needed to measure the success of teacher education programs and state efforts to improve teacher quality. Title II of the Higher Education Act authorized new federal grant programs to improve the recruitment, preparation, and support of new teachers.

Under Title II, each regular teacher preparation program that enrolls candidates who receive federal assistance under Title IV of the Higher Education Act (Pell Grants and other financial aid) must submit an “institutional report card” to the state regulatory agency. Since SBEC has statutory authority to regulate and oversee the profession of educators, including accrediting educator preparation programs, it has been designated as the agency responsible for the implementation of Title II requirements in Texas.

The first annual Title II reporting by institutions to SBEC is occurring in spring and summer 2001. By October 7, 2001, SBEC must submit the first annual “state report card” to the U.S. Secretary of Education. About six months later, the Secretary will make the first annual report to Congress about the quality of teacher education in each state and territory.

**Mandate to Continue Accountability under Both Systems:** With ASEP and Title II, Texas now has two statutorily-mandated accountability systems. Although there are some similarities between ASEP and Title II requirements, there are very significant differences. Prior to implementing data collection and reporting processes to meet Title II requirements, SBEC requested from the Secretary of Education that Texas be permitted to use ASEP for accountability in lieu of meeting Title II requirements; however, the Secretary responded that federal law did not allow state-established systems to be used in lieu of Title II requirements.

Advisory committees of stakeholders from preparation programs at higher education institutions, education service centers, and school districts, as well as other stakeholders, have been meeting over the last two years to advise the Board and SBEC staff in implementing the two distinct systems. The advisory committees have also been evaluating the benefits and drawbacks of aligning the two systems more closely, as much as practicable. However, since there are important aspects of state accountability under ASEP – including key elements required by state statute – that are not part of accountability under Title II, annual accountability under both ASEP and Title II must continue to be implemented unless either the state or federal laws change.

On August 3, 2001, the SBEC proposed revisions to ASEP rules based on the recommendations of the ASEP Advisory Committee. Some of these changes will bring ASEP more into alignment with Title II reporting requirements and timelines.

<b>M. Regulatory Program Responsibilities</b>
---

## **The Scope of the Regulatory Program and Procedures for Inspections or Audits**

### **ASEP General Procedures and Rules**

Each September, ratings are issued for all educator preparation entities. Accreditation ratings are “Accredited” “Accredited—Under Review,” and “Not Accredited.”

- “Accredited” designates that the entity has met the ASEP accreditation standards.

- “Accredited—Under Review” means the entity did not meet accreditation standards. The law mandates that the SBEC executive director appoint an oversight team to assist entities that are Accredited—Under Review. If the entity has not met ASEP standards after two years of being under Accredited—Under Review, the law compels the executive director to appoint an administrator with full powers to supervise all aspects of that program. The executive director is also compelled to appoint an administrator after only one year of a program’s being rated Accredited—Under Review if the entity has not fulfilled the recommendations of the oversight team.
- “Not Accredited” means the entity did not meet accreditation standards after being rated Accredited—Under Review for three consecutive years. The entity may reapply in the future for reinstatement as a preparation program.

The law specifies that accreditation be based on information that is disaggregated with respect to sex and ethnicity. Accordingly, accreditation under ASEP is based on the demonstration of acceptable performance (i.e., pass rates on examinations required for certification) by each of seven demographic groups:

- “All” candidates tested, and
- Candidates within the following six ethnic or gender groups:
  - African American
  - Hispanic
  - Other (e.g., Native Americans, Pacific Islanders)
  - White
  - Male
  - Female

**Performance Standard:** To earn a designation of Accredited on annual ratings issued during September 1998 through September 2001, the following standard must be met:

To be accredited, an entity must demonstrate acceptable performance within each of the seven demographic groups (i.e., all students, African American, Hispanic, other, white, male, female) based on either:

- (1) a first-year pass rate of 70% or higher for that group, or
- (2) a cumulative pass rate of 80% or higher for that group.

In general, pass rates represent candidates’ success during the final year of their program (the “first-year pass rate” reflects performance during the year the tests are initially taken) and the subsequent year (“cumulative pass rate” is based on performance over the two-year period). Because the cumulative pass rate represents attempts over a two-year period, the acceptable ASEP cumulative criterion of 80% is set to reflect higher expectations than the acceptable first-year level of 70%.

**Data for Small Groups:** By law, accreditation must be based on data disaggregated with respect to ethnicity and gender. For most programs, the disaggregation of data results in a small number of individuals in one or more demographic groups. However, the evaluation of a program based on a small number of individuals in a group can sometimes be problematic, since these data may fluctuate to a greater degree than performance data from larger groups.

In order to glean richer data by which to evaluate a program’s success in preparing candidates in a small ethnic or gender group (less than 30 candidates), ASEP rules provide for current data which represent a small group to be

combined with data for the same demographic group from one or two previous ASEP reporting periods. After the current and past performances are combined, then either the 70% first-year or the 80% cumulative standard, as appropriate, is applied to determine whether acceptable performance was demonstrated by that group.

If the number of test-takers is still less than 30 after the numbers from three ASEP reporting periods have been combined and the entity would potentially be rated Accredited—Under Review based on the performance of this combined group, the entity may request that the executive director reconsider the accreditation status.

The provision for combining test takers across years applies to the ethnic and gender groups, but does not apply to the group of “All” candidates at the entity because, even though the number of candidates may be small, the performance represents the entire program. Performance for candidates in the “All” group is never combined over years; however, if the number of “All” candidates for the current reporting period is fewer than 10 and the entity would potentially be rated Accredited—Under Review because of the performance of the “All” group, the entity may request reconsideration of that status from the executive director.

**Approval to Continue to Offer Preparation in Specific Fields:** To help ensure quality preparation of candidates within all fields offered by an entity, ASEP rules specify that a program demonstrating unacceptable performance in a particular certification field for three consecutive years may no longer prepare candidates in that field. This rule will go into effect in the future.

**ASEP General Reporting Procedures:** SBEC has developed and supports a web-based ASEP reporting system called ASEP Online. ASEP Online was built to provide test data electronically to programs and to calculate entity performance according to ASEP rules and policies. During the academic year, SBEC adds results from each test administration to ASEP Online so that programs may access and track their data and ASEP pass rates. ASEP Online allows programs to disaggregate and sort the data as desired. For example, the data can be sorted by test so that faculty from various academic departments can monitor their candidates’ success and remediate those candidates who were not successful.

In August and September of each year, after data from all test administrations during the academic year have been received from the test contractor and loaded in ASEP Online, programs review their final data for the year, including the pass rates and resulting accreditation status. At that point, a program that would potentially be rated Accredited—Under Review based on the performance of a “small group” (see above) can request reconsideration of that status by the executive director based on additional evidence submitted by the program. Evidence may include, for example, information about recent systemic changes that have been made in order to more effectively prepare the group in the future or other substantive data that would demonstrate improvement for that group and all candidates in that program.

The final accreditation ratings are released publicly at the regular October meeting of the SBEC.

**Program Support:** Staff from both the new preparation programs added each year and current programs frequently contact SBEC staff for assistance. SBEC staff will continue to provide ongoing support and training for new and current program staff in understanding ASEP rules and policies, using assessment data to identify successes and problems in the program, and the effective use of ASEP Online to enhance utilization of the data.

## **Title II General Procedures and Rules**

Title II of the Higher Education Act specifies the reporting to be done by programs and states. The U.S. Secretary of Education developed administrative rules and policies for Title II reporting. Based on the recommendations of the Title II Advisory Committee, SBEC has adopted state policies relating to the implementation of Title II.

**Timeline and Report Cards:** Title II requires programs to submit an “institutional report card” to SBEC in the spring of each year, beginning in 2001. This report includes the success of the program’s candidates on the tests required for teacher certification according to pass rates on individual tests, aggregate pass rates, and summary pass rates. The program must also submit data about candidates and faculty participating in the program.

In addition to submitting the report to SBEC, programs at baccalaureate-degree granting colleges and universities must publish that information in their institutional materials. Also, those programs that are designated as “low-performing” (under criteria established by SBEC) must publish that designation in their materials. Title II mandates financial-aid consequences for programs from which state accreditation is withdrawn due to the criteria for designating programs as “low performing.”

Preparation programs at organizations that are not baccalaureate-degree colleges and universities must also submit annual performance data to SBEC, but are not required to publish the information or meet some of the other Title II requirements.

SBEC has installed a web-based reporting system, T2 Online, to enable programs electronically to submit complete data and program information and verify pass rates. As the federal reporting guide indicates, the responsibility for data verification rests with both the program and the state.

In the fall of each year, SBEC is required to submit a “state report card” to the Secretary containing institutional and state pass rates, rankings of programs by test performance, the designation of programs as “low performing” or “at risk of being identified as low performing,” and other information. T2 Online will also be used to transfer state and program data to the U.S. Department of Education for the state report card.

For the state report card, SBEC must also produce statewide data relating to the credentials and qualifications of public school teachers, disaggregated by content area and poverty level of the school districts. SBEC will match employment records from the Public Education Information Management System (PEIMS) with records from the SBEC database to generate the analysis.

**Program Support:** As with ASEP, SBEC staff will continue to provide ongoing support and training for new and current program staff in understanding Title II rules, policies, and data and using T2 Online effectively.

### **Sanctions Available to the Agency To Ensure Compliance**

**ASEP Sanctions for Non-Compliance:** To be rated Accredited, a program must demonstrate compliance with SBEC requirements by achieving acceptable levels of performance according to ASEP standards. Programs that do not achieve acceptable levels of performance according to ASEP standards are sanctioned for non-compliance by receiving an accreditation rating of Accredited—Under Review or Not Accredited.

By law and rule, the SBEC executive director must appoint an oversight team of educators to make recommendations and provide assistance to the program. If the entity has not met ASEP standards after two years of being rated Accredited—Under Review, the executive director must appoint an administrator with full powers to supervise all aspects of that program. The law and rule also compel the executive director to appoint an administrator after only one year of a program’s being rated Accredited—Under Review if the program has not fulfilled the recommendations of the oversight team. The program is responsible for the expenses of the oversight team and/or administrator.

If an administrator is appointed, under SBEC rules and based upon the type and severity of the problems of the program, the executive director shall inform the chief executive officer of the institution about the powers and duties of the administrator. Administrator responsibilities may include overseeing daily programmatic decisions; supervising staff, and/or budget, and making curriculum-related decisions. The administrator may disapprove actions proposed by the program staff.

In addition, at any time prior to revocation of an entity's accreditation the executive director may at any time prior to revocation of an entity's accreditation, request that the Board limit the entity under review to only preparing candidates for certification in specified fields and to collaborate with another entity to fully manage the program.

An entity becomes Not Accredited if it fails to meet accreditation standards after being rated Accredited—Under Review for three consecutive years. The entity may reapply in the future for reinstatement as a preparation program.

Approval to Continue to Offer Preparation in Specific Fields: Under ASEP rules, a program that demonstrates unacceptable performance in a certification field for three consecutive years may no longer prepare candidates in that field.

**ASEP Sanctions for Data Quality:** Under SBEC rules, the agency shall evaluate the accuracy of an entity's ASEP data. If there are reasonable grounds to believe the information has been inaccurately or fraudulently provided, the executive director may conduct an investigation. If it is determined that the data submitted by the program are inaccurate or fraudulent, the executive director is authorized to sanction the program, up to and including a reduction in the accreditation rating.

**Title II Sanctions:** Title II mandates states adopt criteria to identify programs that are "low-performing" or "at risk of being identified as low performing." In the annual "state report card," SBEC must identify programs that meet the criteria. In addition, programs at baccalaureate-degree granting institutions identified as "low performing" must publish that designation in their institutional materials. Title II mandates financial-aid consequences for programs from which state accreditation is withdrawn due to the criteria for designating programs as "low performing."

Title II also specifies that the Secretary of Education may impose fines and other sanctions on institutions that fail to meet Title II requirements in a timely or accurate manner.

### **Follow-Up Activities Conducted when Non-Compliance With Program Requirements Is Identified**

If a program does not meet ASEP standards and is rated Accredited—Under Review, an oversight team is appointed by the executive director to provide assistance. After one year, during the annual rating process the program is again assessed for compliance (i.e., acceptable performance according to ASEP standards) based on the performance of new candidates (the first-year pass rates) and updated cumulative performance of the previous year's new candidates (persons included in the previous year's first-year pass rates).

SBEC rules identify activities that occur during the year(s) of oversight by a team or administrator: With the cooperation of the entity, the team collects information about the program and develops strategies for improvement, providing the recommendations and reports of progress in writing to the entity and the executive director. No later than 30 days after receiving the team's recommendations, the entity must submit to the executive director an action plan for addressing the recommendations. The executive director must verify whether the program is attempting to implement the recommendations of the oversight team. No later than May 31 of the year that an entity is rated Accredited-Under Review, the entity must submit to the executive director a progress report related to the team's recommendations.

Prior to each academic year, SBEC staff identifies educators to serve as oversight team members or, if needed, as an administrator. As much as possible, team members and administrators represent educators who have been successful with programs similar to those that are under review. The strengths of members are matched with the characteristics and needs of the program. In addition, a person serving as an administrator will be an individual who has demonstrated successful leadership at a professional or executive level within an educational organization.

SBEC staff and oversight team members from the previous year train the new members on how to review and monitor the program and collaborate with program staff to foster improvement. The team members and administrators are provided access to ASEP Online to enable analysis of the program's ASEP data.

Follow-up Activities Required Under Title II: Federal law states that programs rated “low performing” (according to criteria established by SBEC for Title II purposes) must be provided technical assistance by the state. The executive director will determine the appropriate technical assistance for each low-performing program on an ad hoc basis according to the needs of the program. Technical assistance may include activities such as assignment of an oversight team of peers similar to the team assigned under ASEP or other less formal or structured activities to assist the program in addressing problems and implementing changes.

### **Procedures for Handling Consumer/Public Complaints Against Regulated Persons or Entities**

Complaints against educator preparation programs from consumers (i.e., candidates in their program) generally fall into two categories:

- (1) complaints related to state laws, rules, or policies; and
- (2) complaints related to the quality of the preparation received.

SBEC receives most complaints through telephone calls, although some individuals complain in writing. Depending on the nature and the severity of the complaint, and the manner in which it was received (telephone or through letter), SBEC staff responds either in conversation with the individual or in writing. SBEC staff is sensitive to the impact that state policies can have on individual candidates and attempt to handle these calls and letters in a sensitive, professional, and thoughtful manner.

**Complaints Related to State Laws, Rules, or Policies:** Some complaints against entities are actually the result of a state law, rule, or policy that prohibits the person from certain activities. In these cases, the SBEC staff member will reiterate the law, rule, or policy and explain to the complainant the underlying rationale for the law, rule, or policy. In many cases, clarifying information may be on the SBEC website, and the candidate can be directed to the information needed.

SBEC staff communicates with the candidates to help them understand the reason for the state testing and/or certification requirements and, if appropriate, the nature of the specific test(s) with which they are having difficulties.

In some cases, the complaint actually relates to the local policies of the institution and the candidate is then referred to the dean, certification officer, or other appropriate individual at the entity.

For example, under SBEC rules the entity may determine when the tests for certification may be taken by candidates who have not yet completed all preparation requirements of a program. Accordingly, most entities have established local criteria that must be met before the candidate is authorized to take the test by the entity. If a candidate who has not yet completed the program contacts SBEC for clarification, SBEC staff would explain that the rules allow the entity to determine his or her readiness to take the test and, consequently, the candidate should talk further with program staff and satisfy the local criteria of the program.

**Complaints Related to the Quality of Preparation Received:** Sometimes individuals are concerned because they are unsuccessful on the tests required for certification. Many blame their preparation program. Some of these complaints may be unfounded, while others may not.

SBEC staff communicates with the candidates to help them understand the reason for the state testing and/or certification requirements and, if appropriate, the nature of the specific test(s) with which they are having difficulties. The staff member may also suggest some preparation strategies or resources. In many cases, however, the SBEC staff must direct the individuals back to the preparation program to speak with program staff who can work with the candidate.

**Accountability System for Educator Preparation (ASEP)  
Accreditation Ratings and Performance Summary**

Annual accreditation ratings are based on performance standards established by the State Board for Educator Certification under the authority of TEC Section 21.045. Ratings are issued effective September 1 through August 31.

	<u>2000-01</u> (issued 9/00)	<u>1999-00</u> (issued 9/99)	<u>1998-99</u> (issued 9/98)
Educator Preparation Programs	86	87	86
Programs Rated "Accredited"	80	78	70
Programs Rated "Accredited– Under Review"	6	8	16
Accredited–Under Review 1 <sup>st</sup> Year	4	1	16
Accredited–Under Review 2 <sup>nd</sup> Year	1	7	N/A
Accredited–Under Review 3 <sup>rd</sup> Year	1	N/A	N/A
Programs Not Rated	0	1	0

## VII-A. Program Performance Evaluation--*Office of Accountability*

### A. Program's Most Significant Accomplishments

- Implementation of content and pedagogy standards for Texas teachers that set high expectations and align with the TEKS in direct support of the state's K-16 initiative.
- Redesign of the certification structure to align educator quality indicators to K-16 learning expectations.
- Redesign of the educator testing program to incorporate new standards and to be more user friendly in terms of access to test preparation manuals to simplify registration bulletins and procedures, to enhance customer service to examinees, expand access to testing sites, simplification of test score reports, and expand technical documentation to support the psychometric foundations of the exam system.
- Implementation of the nation's first accountability system for educator preparation programs (ASEP) and the alignment of that system with the new federal Title II accountability requirements.
- Implementation of the TxBESS program. Even though SBEC was not initially appropriated any state funding for TxBESS, the agency successfully secured the largest federal grant awarded as part of the Teachers Quality Enhancement Grant Program. The first two years of piloting have been successful, as noted in retention rate data highlighted in earlier sections. The standards-based TxBESS system is being touted as a national model for providing much needed instructional support to beginning teachers.
- Implementation of the Master Reading Teacher (MRT) program. Without additional FTEs, SBEC was able to design and implement a high quality program for MRTs. SBEC developed MRT standards; a test framework; test items; including case studies; a test preparation manual; MRT placement tests; and MRT exams within 1 ½ years. Development time for a testing program is normally at minimum 2 ½ years. The high quality MRT program has become the model for the new Master Mathematics and Master Technology Teacher programs, passed recently by the 77<sup>th</sup> Texas Legislature.
- Creation of 52 SBEC-approved MRT programs and the addition of 10 other new educator preparation programs. To facilitate the entry of individuals into the field of education, SBEC has assisted in the creation of a variety of new preparation programs across the state. Community colleges, education service centers, school districts, and private entities have been actively solicited to create new preparation programs.

### B. Internal processes used to evaluate program performance, including how often performance is formally evaluated and how the resulting information is used by the policymaking body, management, the public, and customers.

As noted previously, the Office of Accountability is responsible for the vast majority of products generated by SBEC. Each product is created by a task force, reviewed and approved by the task force leader, and discussed with the Director of Accountability for final sign-off.

- Thorough reviews of the processes used in the creation of each product are conducted by task force leaders, and finally by the director. All new products, such as the Registration Manual for the ExCET, contain evaluation forms for user comments.
- Performance measures are reviewed quarterly and analyzed with other managers' input.
- All draft educator standards are placed on SBEC's website for a minimum of 30 days for public comment.

- Texas educators participate in all stages of the test development process. This process is delineated in the document entitled Development of New Certification Standards and New ExCET Tests (included on the following page).
- Formal records of committee comments are collected at each meeting.
- Advisory committees created and delineated the components of both the ASEP and Title II systems for accountability.
- All new educator preparation program proposals are reviewed according to specific published criteria.
- Extensive evaluations, including survey and face-to-face interviews, have been conducted to evaluate TxBESS.
- In the area of assessment, industry standards are applied to assure the state of high quality tests. Every effort is made to create tests that are legally defensible in all respects, including content, item types, and psychometrically.

**C. Opportunities for Improvement**

The biggest opportunities for improvement lie in the capacity of the staff of the Office of Accountability to maintain its high level of productivity and quality within available resources. Accountability staff must continue to creatively accomplish myriad complex assignments to ensure that quality is not compromised.

**D. Non-Duplicative Services**

The most significant services provided by this unit of the agency (standards and test development) are not performed in any other organization, public or private sector. The unit collaborates with TEA and THECB to create recruitment strategies for the education profession.

**E. Other Entities that Could Perform the Program's Functions**

The functions assigned to the Office of Accountability are unique and statutorily based. These functions require expertise and leadership skills. The diversity of educational and work experience is important if high-quality products are to be produced. These functions are unique to the mission of SBEC.

**F. Processes the Program Uses to Determine Customer Satisfaction and Use of This Information**

Customer satisfaction is ensured in many ways, many of which have been delineated in previous sections. These include:

- surveys,
- comments and reviews from various educator committees,
- evaluation forms, and
- suggestions and comments from constituents

Each piece of aforementioned data is reviewed by the appropriate task force, and revisions to policies, procedures, and products are revised, as appropriate.

**G. Program's process for handling operational complaints against the program, including the maintenance of complaint files and procedures for keeping parties informed about the process.**

All correspondence, including complaints, to the Office of Accountability is logged in through one individual. The director reviews all correspondence and assigns the correspondence to the appropriate individual for response. Responses to sensitive correspondence are reviewed by the director prior to their being mailed. A file containing copies of all responses is maintained by date of receipt, date of response, author of the correspondence, author of the response, and the topic of the correspondence. Additionally the task force leader for test administration maintains a detailed telephone log of examinee comments, queries, and complaints. Further, examinees who have a concern about the content of a particular test or the administration of a test are urged to send concerns in writing to SBEC within 7 days of the test administration. Information about this process is described in each of the test registration bulletins. Each concern is investigated by staff and a written response of the findings is sent to the complainant.

Issues or concerns raised directly to the testing company are forwarded to SBEC staff for review and oversight of resolution.

<b>H. Program's practices for handling operational complaints (See Exhibit 15).</b>
---

The Office of Accountability receives numerous telephone calls, email messages, and letters of correspondence during the course of any given fiscal year. However, it is a bit challenging to provide an accurate count of the total number of complaints against the agency as they relate to the work of the Office of Accountability.

Individuals have the choice to contact our office, the SBEC Information and Support Center (SBEC ISC), or National Evaluation Systems, Inc. (NES), contractor for our certification testing programs to express their concerns about the policies and procedures related to the functions of the Office of Accountability.

During FY 1999 (September 1999 through August 2000), the SBEC ISC received 15, 835 telephone calls and 1,094 email messages related to the work of the Office of Accountability. Of that total, approximately 350 involved a complaint of some nature. The Office of Accountability received approximately 1,000 telephone calls, email messages, and letters of correspondence during FY 1999; and approximately 150 of those various forms of correspondence included a complaint on topics related to the policies and procedures for the work related to the Office of Accountability (for example, receiving authorization to register for and take certification tests or testing at a particular site).

During FY 2000 (September 2000 through August 2001), the SBEC ISC has received 12,278 telephone calls and 463 email messages related to the work of the Office of Accountability. ***These numbers reflect counts through July 2001.*** We anticipate that by the end of the fiscal year, August 31, 2001, the SBEC ISC will receive approximately 16,000 telephone calls and 600 email messages by the end of the fiscal year; and anticipate that of that total, approximately 150 will involve a complaint of some nature. The Office of Accountability anticipates receiving approximately 1,200 telephone calls, email messages, and letters of correspondence during FY 2000 and approximately 200 of those are expected to include a complaint on topics similar to those received during FY 1999.

**(Office of Accountability  
Exhibit 15: Complaints Against the Agency – Fiscal Years 1999 and 2000**

	<b>FY 1999</b>	<b>FY 2000</b>
<b>Number of complaints received</b>	500	350
<b>Number of complaints resolved</b>	500	350
<b>Number of complaints dropped/found to be without merit</b>	0	0
<b>Number of complaints pending from prior years</b>	0	0
<b>Average time period for resolution of a complaint</b>	Usually one to two days; but varies depending upon the nature of the complaint; most written responses to complaints are completed within one week from the receipt of the correspondence.	

**J. The following chart provides information about contacts who are important to the Office of Accountability:**

<b>Office of Accountability Exhibit 16: Contacts</b>		
<b>INTEREST GROUPS</b>		
(groups affected by program actions or that represent others served by or affected by program actions)		
<b>Group or Association Name/ Contact Person</b>	<b>Address</b>	<b>Telephone Number Fax Number E-mail Address</b>
Abilene Christian University Jerry Whitworth, Chair	ACU Station, P.O. Box 28228 Abilene, TX 79699	(915)674-2112 (915)674-2123 jerry.whitworth@acu.edu
Alamo Community College District	201 W. Sheridan Building C, Rm 6 San Antonio, TX 78204	(210)208-8133 (210)208-8004
Amber University Gary Studdard, Director	1700 Eastgate Drive Garland, TX 75041	(972)279-6511 ext. 131 studdard@amernet.amberu.edu
Angelo State University John Miazga, Dean	ASU Station, P.O. Box 10893 San Angelo, TX 76909	(915)942-2052 (915)942-2039 john.miazga@angelo.edu
Austin College Barbara Nelson Sylvester, Chair	900 N. Grand, Suite 6-E Sherman, TX 75090-4440	(903)813-2327 (903)813-2326 bsylvester@austinc.edu
Baylor University Robert J. Yinger, Dean	P.O. Box 97304 Waco, TX 76798	(254)710-3111 (254)710-3987 robert_yinger@baylor.edu
Clear Creek ISD John Wilson	P.O. Box 799 League City, TX 77574	(281)332-2828
Collin County Community College Brenda Kihl, Coordinator	300 Rivercrest Blvd. Allen, TX 75002	(214)495-3702 (214)495-5799 teachered@cccdd.edu
Concordia University at Austin Sandra Doering, Dean	3400 IH 35 North Austin, TX 78705	(512)452-7661 (512)459-8517 doerings@concordia.edu
Dallas Baptist University Michael Rosato, Dean	3000 Mt. Creek Parkway Dallas, TX 75211-9299	(214)333-5402 (214)333-5551 mike@dbu.edu
Dallas ISD Nell Ingram, Director	3434 S. R.L. Thronton Expwy, Ste 100 Dallas, TX 75224	(214)932-5008 (214)932-5039 ningram@dallasisd.org
East Texas Baptist University Donald Alford, Chair	1209 N. Grove Marshall, TX 75670	(903)935-2322 (903)938-1705 dalford@etbu.edu
Education Career Alternatives Program Sharon Fikes, Director	P.O. Box 162179 Ft. Worth, TX 76161	(817)222-3494 (817)222-3324 Sharonfikes1@aol.com
ESC Region I Sylvia Hatton	1900 W. Schunior Edinburg, TX 78539	(956)984-6000 (956)984-6299

<b>Group or Association Name/ Contact Person</b>	<b>Address</b>	<b>Telephone Number Fax Number E-mail Address</b>
ESC Region II Linda Gehman, Director	209 North Water Street Corpus Christi, TX 78401	(361)561-8400 (361)883-3442 lgehman@esc2.net
ESC Region III Judy Schilhab, Director	1905 Leary Lane Victoria, TX 77901	(361)573-0731 (361)576-4804 jschilha@esc3.net
ESC Region IV Sandra Petersen, Director	7145 W. Tidwell Houston, TX 77092-2096	(713)744-6517 (713)744-8118 spetersen@esc4.net
ESC Region V Robert Nicks	2295 Delaware St. Beaumont, TX 77703	(409)838-5555 (409)833-9755
ESC Region VI Connie Thornhill, Director	3332 Montgomery Road Huntsville, TX 77340	(936)293-3766 (936)293-3773 cthornell@esc6.net
ESC Region VII Eddie Little	818 East Main Street Kilgore, TX 75663	(903)984-3071 (903)984-9518
ESC Region VIII Scott Ferguson	2230 N. Edwards Avenue Mt. Pleasant, TX 75456	(903)572-8551 (903)575-2611
ESC Region IX Nancy Ritchey, Director	301 Loop 11 Wichita Falls, TX 76305	(940)322-6928 (940)767-3836 nancy.ritchey@esc9.net
ESC Region X Betty Wheeler, Coordinator	P.O. Box 831300 Richardson, TX 75083	(972)348-1680 (972)348-1565 wheelerb@esc10.ednet10.net
ESC Region XI Karen Loonam, Director	3001 N. Freeway Ft. Worth, TX 76106	(817)740-3680 (817)740-3669 kloonam@esc11.net
ESC Region XII Enka Cole, Director	P.O. Box 23409 Waco, TX 76702-3409	(254)666-0707 (254)666-0823 ecole@esc12.net
ESC Region XIII Eileen Reed, Director	5701 Springdale Road Austin, TX 78723-3646	(512)919-5313 (512)919-5374 eileen.reed@esc13.txed.net
ESC Region XIV John Stevens, Director	1850 Highway 351 Abilene, TX 79601-4750	(915)675-8630 (915)675-8659 jwstevens@esc14.net
ESC Region XV Clyde Warren	612 S. Irene St. San Angelo, TX 76902	(915)658-6571 (915)658-6571
ESC Region XVI Darrell Garrison	1601 S. Cleveland Amarillo, TX 79120	(806)376-5521 (806)373-3432
ESC Region XVII Kyle Wargo	1111 West Loop 289 Lubbock, TX 79416	(806)792-4000 (806)792-1523
ESC Region XVIII Ann McCabe-Way, Coordinator	P.O. Box 60580 Midland, TX 79711	(915)561-4345 (915)567-3290 amccabe@esc18.net

<b>Group or Association Name/ Contact Person</b>	<b>Address</b>	<b>Telephone Number Fax Number E-mail Address</b>
ESC Region XIX Karen Sherwood, Project Manager	6611 Boeing Dr. El Paso, TX 79925	(915)780-5354 (915)780-6537 ksherwood@esc19.k12.tx.us
ESC Region XX Stella Tenorio, Coordinator	1314 Hines Ave. San Antonio, TX 78208-1899	(210)370- 5200 (210)370-5753 stella.tenorio@esc20.k12.tx.us
Ft. Worth ISD Anita Castaneda, Administrator	100 N. University Drive Ft. Worth, TX 76107-1323	(817)871-2206 (817)871-2211 bavan@ftworth.isd.tenet.edu
Hardin-Simmons University Pam Williford, Dean	P.O. Box 16225 Abilene, TX 79698	(915)670-1347 (915)671-2173 pwillifo@hsutx.edu
Houston Baptist University William Borgers, Dean	7502 Fondren Road Houston, TX 77074	(281)649-3240 (281)649-3361 bborgers@hbu.edu
Houston ISD Karen Owen, Director	3830 Richmond Ave. Houston, TX 77027-5838	(713)892-6833 (713)892-7120 kowen@houstonisd.org
Howard Payne University Robert Peters, Dean	H.P.U. Station, P.O. Box 822 Brownwood, TX 76801	(915)649-8203 (915)649-8903 bpeters@hputx.edu
Huston-Tillotson College Judith Loreda, Chair	900 Chicon Street Austin, TX 78702	(512)505-3092 (512)505-3190 jgloreda@htc.edu
Jarvis Christian College Willie Barnes, Chair	P.O. Drawer G Hawkins, TX 75765	(903)769-2174 (903)769-4842 barnesw@jarvis.edu
Lamar University Carl Westerfield, Dean	Lamar Station-Box 10034 Beaumont, TX 77710	(409)880-8661 (409)880-8662 westerfirc@hal.lamar.edu
Lamar State College-Orange Ann Perry, Director	410 Front Street Orange, TX 77630	(409)882-3321 Jay.Trahan@lscso.lamar.orange.edu
Laredo Community College	West End Washington St. Laredo, TX 78040	(956)764-5758 (956)721-5829
Le Tourneau University Sherilyn Emberton, Chair	P.O. Box 7001 Longview, TX 75607	(903)233-3330 (903)233-3227 embertos@letu.edu
Lubbock Christian University Doyle Carter, Chair	5601 West 19th Street Lubbock, TX 79407	(806)792-3221 (806)796-0048 doyle.carter@lcu.edu
McMurry University Perry Kay Haley, Dean	P.O. Box 578 Abilene, TX 79697	(915)793-4894 (915)793-4889 haley@mc Curryadm.mcm.edu
Midwestern State University Emerson Capps, Division Director	3410 Taft Blvd. Wichita Falls, TX 76308	(940)397-4313 (940)397-4694 ecapps@nexus.mwsu.edu

<b>Group or Association Name/ Contact Person</b>	<b>Address</b>	<b>Telephone Number Fax Number E-mail Address</b>
Neuhaus Education Center Ms. Suzanne Carreker	4433 Bissonnet Bellaire, TX 77401	(713)664-7676 (713)664-4744 <a href="mailto:carreker@neuhaus.org">carreker@neuhaus.org</a>
Our Lady of the Lake University Jacquelyn Alexander, Dean	411 S.W. 24th Street San Antonio, TX 78207	(210)434-6711 (210)431-3927 <a href="mailto:alexj@lake.ollusa.edu">alexj@lake.ollusa.edu</a>
Pasadena ISD Darlene Mosty, Director	1515 Cherrybrook Lane Pasadena, TX 77502	(713)920-6910 (713)475-7913 <a href="mailto:dmosty@pasadena.isd.tenet.edu">dmosty@pasadena.isd.tenet.edu</a>
Paul Quinn College Robert Watkins, Dean	3837 Simpson-Stuart Road Dallas, TX 75241	(214)302-3554 (214)302-3613 <a href="mailto:rwatkins@pqc.edu">rwatkins@pqc.edu</a>
Prairie View A&M University M. Paul Mehta, Dean	P.O. Box 4049 Prairie View, TX 77446	(409)857-3820 (409)857-2911 <a href="mailto:pmehta@pvamu.edu">pmehta@pvamu.edu</a>
Rice University Meredith Skura, Chair	6100 Main Street Houston, TX 77005-1892	(713)348-4826 (713)348-5459 <a href="mailto:skura@rice.edu">skura@rice.edu</a>
Sam Houston State University Carl Harris, Dean	P.O. Box 2119 Huntsville, TX 77341-2119	(409)294-1111 (409)294-1102 <a href="mailto:edu_clh@shsu.edu">edu_clh@shsu.edu</a>
Schreiner College Evelyn Farmer, Director	2100 Memorial Blvd Kerrville, TX 78028	(830)792-7266 (830)792-7382 <a href="mailto:efarmer@schreiner.edu">efarmer@schreiner.edu</a>
Southern Methodist University Robert Patterson, Director	P.O. Box 750455 Dallas, TX 75275-0455	(214)768-2346 (214)768-2171 <a href="mailto:bpatters@mail.smu.edu">bpatters@mail.smu.edu</a>
Southwest Texas State University John Beck, Dean	SWTSU Station-Box 1002 San Marcos, TX 78666-4616	(512)245-2111 (512)245-8345 <a href="mailto:jb01@swt.edu">jb01@swt.edu</a>
Southwestern Adventist College Dee Anderson, Chair	P.O. Box 567 Keene, TX 76059	(817)645-3921 (817)556-4744 <a href="mailto:deeander@swau.edu">deeander@swau.edu</a>
Southwestern Assembly of God University Mary Campbell, Director	1200 Sycamore Waxahachie, TX 75165	(972)937-4010 (972)923-0488 <a href="mailto:mcampbell@sagu.edu">mcampbell@sagu.edu</a>
Southwestern University Nick Sikes, Chair	P.O. Box 770 Georgetown, TX 78627	(512)863-1476 (512)863-5788 <a href="mailto:adrians@southwestern.edu">adrians@southwestern.edu</a>
St. Edward's University Frank Smith, Dean	3001 South Congress St. Austin, TX 78704	(512)448-8400 (512)448-8492 <a href="mailto:jfranks@admin.stedwards.edu">jfranks@admin.stedwards.edu</a>
St. Mary's University Daniel J. Higgins, Chair	One Camino Santa Maria San Antonio, TX 78228-8533	(210)436-3121 (210)431-2246 <a href="mailto:dhiggins@alvin.stmarytx.edu">dhiggins@alvin.stmarytx.edu</a>

<b>Group or Association Name/ Contact Person</b>	<b>Address</b>	<b>Telephone Number Fax Number E-mail Address</b>
Stephen F. Austin State University Patsy Hallman, Dean	Box 13023-SFA Station Nacogdoches, TX 75962	(409)468-2901 (409)468-1475 phallman@sfasu.edu
Sul Ross State University-Alpine Chet Sample, Dean	P.O. Box C-201 Alpine, TX 79832	(915)837-8134 (915)837-8133 maw@sulross.edu
Sul Ross State University-Uvalde Elmer J. Ireton, Chair	400 Sul Ross Drive Uvalde, TX 78801	(830)279-3002 (830)279-3011 eireton@sulross.edu
Tarleton State University Joe Gillespie, Dean	P.O. Box T-0210, Tarleton Station Stephenville, TX 76402	(254)968-9089 (254)968-9525 jgilles@tarleton.edu
Texas A&M International University Rosa Maria R. Vida, Dean	5201 University Blvd. Laredo, TX 78041-1999	(956)326-2420 (956)326-2419 rmvida@tamiu.edu
Texas A&M University Jane Close Conoley, Dean	Office of the Dean College of Education College Station, TX 77843-4222	(409)845-5313 (409)845-6129 jane-conoley@tamu.edu
Texas A&M University-Commerce Jerry B Hutton, Interim Dean	ET Station Commerce, TX 75429-3011	(903)886-5181 (903)886-5156 jerry_hutton@tamu-commerce.edu
Texas A&M University-Corpus Christi Robert Maroney, Dean	6300 Ocean Drive Corpus Christi, TX 78412	(361)825-2662 (361)825-2732 rmaroney@falcon.tamucc.edu
Texas A&M University-Kingsville Freddie W. Litton, Dean	Campus P.O. Box 195 Kingsville, TX 78363	(361)593-2801 (361)593-2108 kffwl00@tamuk.edu
Texas A&M University-Texarkana Gene Mueller, Dean	P.O. Box 5518 Texarkana, TX 75505	(903)838-6514 (903)832-8890 gene.mueller@tamut.edu
Texas Christian University Samuel M. Deitz, Dean	TCU Box 297900 Ft. Worth, TX 76129	(817)257-7663 (817)257-7701 s.deitz@tcu.edu
Texas College Jean D. Fitts, Chair	2404 N. Grand Avenue Tyler, TX 75702	(903)593-8311 Ext: 235 (903)593-0588 jfitts@texascollege.edu
Texas Lutheran University Gary Short	1000 W. Court Seguin, TX 78155	(830)372-6050 (830)372-6065 kjongasma@txlutheran.edu
Texas Southern University S. Audean Allman, Dean	3100 Cleburne Avenue Houston, TX 77004	(713)313-7342 (713)313-7806 allman_sa@tsu.edu
Texas Tech University Greg Bowes, Dean	Box 41071 Lubbock, TX 79409-1071	(806)742-2377 (806)742-2179 greg.bowes@ttu.edu

<b>Group or Association Name/ Contact Person</b>	<b>Address</b>	<b>Telephone Number Fax Number E-mail Address</b>
Texas Wesleyan University Allen Henderson, Dean	1201 Wesleyan Ft. Worth, TX 76105	(817)531-4945 (817)531-4814 allenh@tenet.edu
Texas Woman's University Keith Swigger, Dean	P.O. Box 425769, TWU Station Denton, TX 76204	(940)898-2204 (940)898-2209 a_swigger@twu.edu
Trinity University John H. Moore, III, Chair	715 Stadium Drive San Antonio, TX 78212-7200	(210)999-7501 (210)999-7592 jmoore@trinity.edu
University of Dallas Cherie A Clodfelter, Chair	1845 East Northgate Dr. Irving, TX 75062	(972)721-5389 (972)721-5372 cherie@acad.udallas.edu
University of Houston Robert K. Wimpelberg, Dean	4800 Calhoun Houston, TX 77204	(713)743-5008 (713)743-9870 rwimpelberg@uh.edu
University of Houston-Clear Lake Dennis W. Spuck, Dean	2700 Bay Area Blvd. Houston, TX 77058	(281)283-3501 (281)283-3509 spuck@cl.uh.edu
University of Houston-Down Town Anjoo Sikka, Chair	One Main Street Houston, TX 77002	(713)221-8156 (713)226-5234 sikka@dt.uh.edu
University of Houston-Victoria Diane Prince, Chair	3007 North Ben Wilson Victoria, TX 77901	(361)570-4261 (361)570-4257 prnced@vic.uh.edu
University of the Incarnate Word Patricia Watkins, Chair	4301 Broadway San Antonio, TX 78209	(210)829-3190 (210)829-3169 watkins@universe.uiwtx.edu
University of Mary Hardin-Baylor Clarence Ham, Dean	UMHB Station, P.O. Box 8017 Belton, TX 76513-2599	(254)295-4572 (254)295-4480 CHam@UMHB.edu
University of North Texas Jean M. Keller, Dean	P.O. Box 311337 Denton, TX 76203-1337	(940)565-2235 (940)565-4415 keller@coefs.coe.unt.edu
University of St. Thomas Ruth Strudler, Dean	3800 Montrose Blvd. Houston, TX 77006	(713)525-3540 (713)525-3871 strudler@stthom.edu
University of Texas-Arlington Jeanne Gerlach, Director	P.O. Box 19227 Arlington, TX 76019	(817)272-2591 (817)272-2530 gerlach@uta.edu
University of Texas-Austin Manuel J. Justiz, Dean	Building #210 Austin, TX 78712	(512)471-7255 (512)471-0846 l.abraham@mail.utexas.edu
University of Texas-Brownsville Sylvia Pena, Dean	80 Fort Brown Brownsville, TX 78520	(956)982-0120 (956)982-0293 scpena@utb1.utb.edu

University of Texas-Dallas Scherry F. Johnson, Director	P.O. Box 830688, FN 32 Richardson, TX 75083-0688	(972)883-2730 (972)883-4330 sjohnson@utdallas.edu
University of Texas-El Paso Arturo Pacheco, Dean	500 W. University Dr. El Paso, TX 79968-0569	(915)747-5572 (915)747-5755 apacheco@utep.edu
University of Texas-Pan American Hilda Medrano, Dean	1201 West University Dr. Edinburg, TX 78539	(956)381-3627 (956)381-2184 medrano@panam.edu
University of Texas-Permian Basin G. Peter Ienatsch, Dean	4901 E. University Blvd. Odessa, TX 79762-0001	(915)552-2120 (915)552-2125 ienatsch_p@utpb.edu
University of Texas-San Antonio Blandina Cardenas, Director	6900 N. Loop 1604 West San Antonio, TX 78249-0654	(210)458-4410 (210)458-5848 bcardenas@utsa.edu
University of Texas-Tyler J. Milfrod Clark, Dean	3900 University Blvd. Tyler, TX 75799	(903)566-7447 (903)566-8368 mclark@mail.uttyl.edu
Wayland Baptist University Jim Todd, Chair	1900 West 7th Street Plainview, TX 79072	(806)291-5005 (806)296-4580 toddj@mail.wbu.edu
Weatherford College Arlene Atkins	225 College Park Drive Weatherford, TX 76086	(817)598-6446 (817)598-6381
West Texas A&M University Ted Guffy, Dean	WTAMU Box 208 Canyon, TX 79016-0001	(806)651-2626 (806)651-2601 tguffy@mail.wtamu.edu
Wiley College Amanda Winter, Chair	711 Wiley Avenue Marshall, TX 75670	(903)927-3223 (903)927-2744 awinters@wileyc.edu

**INTERAGENCY, STATE, OR NATIONAL ASSOCIATIONS**  
(that serve as an information clearinghouse or regularly interact with the program)

<b>Group or Association Name/ Contact Person</b>	<b>Address</b>	<b>Telephone Number Fax Number E-mail Address</b>
Advocy, Inc.	7800 Schoal Creek #171E Austin, TX 78757	(512)545-4816
American Alliance for Health, Physical Education, Recreation and Dance/Association for the Advancement of Health Education	1900 Association Drive Reston, VA 22091	(703)476-3437
American Educational Research Association	1230 Seventeenth Street, NW Washington, DC 20036-3078	(202)223-9485 aera@gmu.edu
American Library Association/American Association of School Librarians	50 East Huron Street Chicago, IL 60611	(312)944-6780
Association for Childhood Education International	11501 Georgia Avenue, Suite 315 Wheaton, MD 20902	(301)942-2443
Association for Educational Communications and Technology	1025 Vermont Avenue, NW, Suite 820 Washington, DC 20005	(202)347-7834
Association of Retarded Children	1600 W. 38th St. #200 Austin, TX 79731	(512)454-6694
Association of Texas Professional Educators	305 E. Huntland Dr. #300 Austin, TX 78752	(512)467-0071
Coalition for Public Schools	1005 Congress #550 Austin, TX 78701	(512)474-9765
The Council for Exceptional Children	1920 Association Drive Reston, VA 22091	(703)620-3660
Equity Center	400 W. 15th St. #404 Austin, TX 78701	(512)478-7313
International Reading Association	800 Barksdale Road Newark, DE 19714-8139	
International Society for Technology in Education	1787 Agate Street Eugene, OR 97403-1923	(503)346-4414
International Technology Education Association/Council on Technology Teacher Education	1914 Association Drive Reston, VA 22091	(703)860-2100
Just For Kids	301 Congress #475 Austin, TX 78701	(512)320-4150
Learning Disabilities Association of Texas	1011 West 31st St. Austin, TX 78705	(512)458-8234
National Association for the Education of Young Children	1509 16th Street, NW Washington, DC 20036	(202)232-8777
National Council for Social Studies	3501 Newark Street NW Washington, DC 20016	(202)966-7840
National Association for Sport and Physical Education	1900 Association Drive Reston, VA 22091	(703)476-3410
National Association of Elementary School Principals	1615 Duke Street Alexandria, VA 22314	(703)684-3345
National Association of School Psychologists	8455 Colesville Road, Suite 1000 Silver Spring, MD 20910	(301)608-0500
National Council of Teachers of English	1111 Kenyon Road Urbana, IL 61801	(217)328-3870
National Council of Teachers of Mathematics	1906 Association Drive Reston, VA 22091	(703)620-9840

<b>Group or Association Name/ Contact Person</b>	<b>Address</b>	<b>Telephone Number Fax Number E-mail Address</b>
The National Middle School Association	2600 Corporate Exchange Drive, Suite 370 Columbus, OH 43231	(614)895-4730
National Science Teachers Association	1840 Wilson Boulevard Arlington, VA 22201-3000	(703)243-7100
National Staff Development Council	PO Box 240 Oxford, OH 45056	(513)523-6029 (513)523-0638 NSDCHavens@AOL.COM
Putting Children First	PO Box 1767 Austin, TX 78767-9886	(512)476-6195
Science Teachers Association of Texas	1930 Royston Lane Round Rock, TX 78664	(512)251-4531
Southwest Educational Research Association Vince Paredes	1510 West 34th St., Suite 200 Austin, TX 79703-1433	
Texas Alliance of Affiliated Private Schools	13077 Westella Houston, TX 77077	(281)496-7900
Texas Art Education Association	4020 McEwen #105 Dallas, TX 75244-5019	(972)233-9107
Texas Association for Bilingual Education	6323 Sovereign Dr. #178 San Antonio, TX 78229	(210)979-6390
Texas Association for Educational Technology	PO Box 8662 Tyler, TX 75711-8662	(903)510-2303
Texas Association for Gifted and Talented	406 E. 11th St. #310 Austin, TX 78701	(512)499-8248
Texas Association for Health, PE, Recreation & Dance	6300 LaCalma #100 Austin, TX 78752	(512)459-1299
Texas Association for Supervision and Curriculum Development	1601 Rio Grande #451 Austin, TX 78701	(512)477-8200
Texas Association for the Education of Young Children	818 East 53rd Austin, TX 78751	(512)451-2392
Texas Association of Community Schools	1515 IH35 South Austin, TX 78741-2502	(512)440-8227
Texas Association of Nonpublic Schools	10810 Dreamland Drive San Antonio, TX 78200	(800)343-0447
Texas Association of Partners in Education	400 West 15th St. #910 Austin, TX 78701	(512)473-8377
Texas Association of School Administrators	406 East 11th Austin, TX 78701	(512)477-6361
Texas Association of School Boards	PO Box 400 Austin, TX 78767-0400	(512)467-0222
Texas Association of School Business Officials	1701 Directors Blvd. #770 Austin, TX 78744	(512)462-1711
Texas Association of School Librarians	13503 Circle A Trail Helotes, TX 78023	(210)522-8190
Texas Association of School Personnel Administrators	PO Box 890906 Houston, TX 77289	(281)480-9201
Texas Association of Secondary School Principals	1833 South IH 35 Austin, TX 78741	(512)443-2100
Texas Association of Student Councils	1833 South IH 35 Austin, TX 78741	(512)443-2100

<b>Group or Association Name/ Contact Person</b>	<b>Address</b>	<b>Telephone Number Fax Number E-mail Address</b>
Texas Business and Education Coalition	400 West 15th St #910 Austin, TX 78701	(512)480-8232
Texas Career & Technology Educators	316 West 12th #317 Austin, TX 78701-1840	(512)478-0761
Texas Classroom Teachers Association	PO Box 1489 Austin, TX 78767-1489	(512)477-9415
Texas Computer Education Association	PO Box 9353 Lubbock, TX 79493	(800)282-8232
Texas Congress of Parents and Teachers	408 West 11th St Austin, TX 78701	(512)476-6769
Texas Council for Exceptional Children	2604 Ridgecrest Kilgore, TX 75662	(903)983-1441
Texas Council for Social Studies	2325 61st Lubbock, TX 79412	(806)795-2975
Texas Council of Administrators of Special Educators	406 East 11th St. #304 Austin, TX 78701	(512)474-4492
Texas Council of Teachers of English	7145 West Tidwell Houston, TX 77092	(713)462-7708
Texas Council of Teachers of Mathematics	4600 Gulf Freeway Suite 150M Houston, TX 77023	(713)967-5212
Texas Counseling Association	316 West 12th #402 Austin, TX 78701	(512)472-3403
Texas Educational Secretaries Association	PO Box 1565 Austin, TX 78701	(512)477-0724
Texas Educational Theatre Association	1400 College Drive Waco, TX 76708	(254)299-8177
Texas Elementary Principals and Supervisors Association	501 East 10th Street Austin, TX 78701	(512)478-5268
Texas Federation of Teachers	3000 South IH 35 #175 Austin, TX 78704	(512)448-0130
Texas Foreign Language Association	7502 Fonden Houston, TX 77074	(713)774-7661
Texas Freedom Alliance	PO Box 1624 Austin, TX 78767	(512)322-0545
Texas High School Coaches Association	1011 53rd 1/2 St. Austin, TX 78751	(512)454-6709
Texas Industrial Vocational Association	316 West 12th #317 Austin, TX 787011840	(512)478-0761
Texas Library Association	3355 Bee Caves Road #401 Austin, TX 78746	(512)328-1518
Texas Middle School Association	PO Box 18896 Austin, TX 78760	(512)462-1105
Texas Mid-Size School Association	1000 South Houston Street Kaufman, TX 75142	(972)932-2622
Texas Music Educator Association	PO Box 49469 Austin, TX 78765	(512)452-0710
Texas Network of Youth Services	2525 Wallingwood #1503 Austin, TX 78746	(512)328-6860
Texas Retired Teacher Association	406 East 11th St. #207 Austin, TX 78701-2695	(512)476-1622

<b>Group or Association Name/ Contact Person</b>	<b>Address</b>	<b>Telephone Number Fax Number E-mail Address</b>
Texas School Alliance	98 San Jancinto #380 Austin, TX 78701	(512)481-2080
Texas School Food Service Association	7701 North Lamar #518 Austin, TX 78752	(512)371-0087
Texas School Public Relations Association	1615 Guadalupe St. #203 Austin, TX 78701	(512)474-9107
Texas Speech Communication Association	Canyon, TX 79016	(806)651-2799
Texas State Reading Association	PO Box 4396 Austin, TX 78765-4396	(512)371-3826
Texas State Teachers Association	316 West 12th St. Austin, TX 78701	(512)476-5355
United Educators Association	4900 SE Loop 820 Fort Worth, TX 76140	(817)572-1082
University Interscholastic League	PO Box 8028 University Station Austin, TX 78713-8028	(512)471-5883
Vocational Agriculture Teachers Association of Texas	614 East 12th St. Austin, TX 78701	(512)472-3128
Vocational Home Economics Teachers Association of Texas	3737 Executive Court #210 Austin, TX 78731-1633	(512)794-8370
<b>LIAISONS AT OTHER STATE AGENCIES</b>		
(with which the program maintains an ongoing relationship, e.g., someone at another educational agency with whom the program regularly communicates or an attorney assigned to the program at the Attorney General's office)		
<b>Agency Name/ Relationship/ Contact Person</b>	<b>Address</b>	<b>Telephone Number Fax Number E-mail Address</b>
Texas Education Agency David Anderson	1701 North Congress Avenue Austin, TX 78701	(512)463-4318 (512)463-9838
Texas Higher Education Coordinating Board Leticia Hinojosa	1200 East Anderson Austin, TX 78711	(512)427-6100 (512)427-6169

## VI-B. Guide to Agency Programs—Credentialing Services

### A. SBEC Functional Areas

<b>STATE BOARD FOR EDUCATOR CERTIFICATION Exhibit 13: Program Information — Fiscal Year 2000</b>	
<b>Name of Program</b>	Credentialing Services
<b>Location/Division</b>	Office of Credentialing Services
<b>Contact Name</b>	Mary L. Charley
<b>Number of Budgeted FTEs, FY 2000</b>	12.5
<b>Number of Actual FTEs as of August 31, 2000</b>	12.5

### B. Key services and functions of the Office of Credentialing Services and major activities

The key services and functions of Credentialing Services are as follows:

- processing and issuing the appropriate educator credentials to individuals recommended by approved educator preparation programs in Texas, applicants who have completed appropriate degrees and have an acceptable credential from another state or country, or Texas certified applicants adding certification based on completion of appropriate examination(s);
- processing and issuing certificates to educational aides;
- processing the renewal of educator certificates beginning in 2004;
- advising school district administrators on certification and assignment criteria for hiring qualified individuals;
- directing education service center personnel in authorizing emergency certificates/permits for public school districts;
- providing to the general public information related to services and functions of SBEC and the Office of Credentialing Services;
- reviewing and approving emergency certificates/permits on a hardship basis;
- directing the efforts of the SBEC Information and Support Center; and
- coordinating applicant criminal history checks and investigations.

### C. Purpose of the Program and Statutory or Other Requirements

The State Board for Educator Certification (SBEC) was created in 1995 by the 74<sup>th</sup> Legislature (Senate Bill 1) to regulate and oversee all aspects of the certification, continuing education and standards of conduct of public school educators.

Texas Education Code §21.041 (b)(2)-(4) requires SBEC to specify:

- the classes of educator certificates issued, including emergency certificates;
- the period of validity of each certificate; and
- the requirements for issuance and renewal of an educator certificate.

Texas Education Code §21.041(b)(5) and Texas Education Code §21.052 require SBEC to provide for the issuance of an educator certificate to a person who holds a degree and an appropriate certificate issued by another state or country.

Texas Education Code §21.041(b)(6) requires SBEC to provide for special or restricted certification of educators, including certification of instructors of American Sign Language.

Texas Education Code §21.056 requires SBEC to provide for a certified educator to qualify for additional certification to teach at a grade level or in a subject area not covered by the educator's certificate upon satisfactory completion of an examination or other assessment of the educator's qualifications.

#### **D. Important History Related to the Office of Credentialing Services**

Prior to the creation of SBEC by the 74<sup>th</sup> Legislature in 1995, most of the functions now performed by the Office of Credentialing Services were part of the Texas Education Agency.

- November 1996, SBEC Board adopts rules related to the certification of educators in Texas.
- October 1997 the SBEC Information and Support Center was created to enhance services and improve response time to the large number of telephone calls received at the SBEC main office.
- September 1, 1999 SBEC discontinued issuing lifetime certificates and began issuing standard certificates that must be renewed every five years. Based on the five-year renewal cycle, the first group of educators issued standard certificates will be subject to renewal no earlier than September 2004.
- Fall 1999 SBEC implemented a new Integrated Technology System. The new computer system presented major problems for the Office of Credentialing Services during 1999 and 2000. Although the system is now stabilized and operating adequately, additional work remains to be accomplished.
- January 2000 SBEC adopted rules to allow issuance of Texas educator certificates to individuals holding degrees and certificates issued by other countries.
- January 2000 SBEC approved the creation of new certificate levels and standards for elementary, middle school and high school level certificates.
- October 2000 SBEC amended rules related to certification by examination to simplify the application process and to decrease the fee charged for the issuance of additional certification based on examination.
- March 2001 SBEC discontinued providing applicants and external entities with individually prepared letters of professional standing and encouraged use of the SBEC web site for verification of a Texas educator's official certification status.

The mission of SBEC is to ensure the highest level of educator preparation and practice to achieve student excellence. To accomplish this, one of the goals of SBEC is to certify high quality educators upon entry into the professional based on standards of performance measured by rigorous examinations. This is an ongoing and continuous effort.

#### **E. Program Impact (number of people or entities served)**

Though the Office of Credentialing Services serves multiple clients, its major clients are the future and current public school educators of Texas. Clients include:

- Deans/Directors of over 100 approved educator preparation programs
- Superintendents and personnel officers from over 1000 public school districts
- Certified educators
- Prospective educators, both uncertified and educators certified in other states and countries
- Certification examinees
- Certificate and permit applicants
- Representatives from professional organizations
- Other state departments of education
- Parents
- Legislative staff
- General public

Individuals seeking Texas educator certification must meet requirements established in Board rules, including successful performance on pedagogy and subject knowledge examinations. General information about SBEC rules, policies and procedures are provided to all clients upon request.

## **F. Program Administration**

### Steps in the Credentialing Process

1. Credentialing Mail Received
  - Application documents with fees are received by the Comptroller's Office and forwarded to SBEC
  - Documents without fees are received at main SBEC office
2. Document preparation
  - All documents are prepared for document scanning and imaging, including, but not limited to the following steps:
    - Remove staples
    - Tape tears
    - Unfold documents
    - Identify as "copy" vs. "original" document
3. Fee Assignment
  - Documents with fees are processed by the fee clerk, the fee is assigned to the appropriate educator and the documents are sorted by form type
  - Documents without fees are sorted by form type
4. Imaging Process
  - Documents are fed into scanner
  - Quality assurance for legibility of documents
  - Verification of Social Security Numbers
5. Importing
  - Images with fees imported by fee date into the Integrated Technology System (ITS)
  - Images without fees imported by receipt date into ITS
  - Document data loaded into ITS
6. Data Entry
  - Data entry of automated recommendation forms – this should cause certificate to print
  - Data entry of non-automated forms
7. Review of non-automated requests
  - Review credentials from certified educators from other states/foreign countries
  - Prepare certification plans identifying required certification examinations
  - Authorize appropriate Texas educator certificate

The SBEC Information and Support Center was created in 1997 to enhance services and improve response time to the large number of telephone calls received at the SBEC office. The services provided by the support center have been expanded to include processing applications for additional certification by examination using the SBEC integrated technology system. The support center is located at the Region 20 Education Service Center in San Antonio and can be reached via a toll-free number.

SBEC currently funds educator certification positions at each of the 20 regional education service centers throughout the state. The number of positions at each service center varies according to the volume of work. Individuals in these positions assist in determining eligibility for emergency certificates/permits, process applications for emergency certificates/permits using the SBEC integrated technology system and

provide technical assistance to school districts and educator preparation programs in the region, among other duties.

**Information Resources (IR) Department**

The IR Department provides quality and timely Information Resources support to the Office of Credentialing Services and across the agency. The IR Department also provides limited services to external users of SBEC systems. The IR Department’s major activities include network (servers and workstations) and Help Desk support, system analysis, design, development, and maintenance support of SBEC custom software systems, strategic technology planning, Information Resources Security Administration, Information Resources budget preparation and expenditure tracking. The IR Department publishes on the agency website the “Official Record of Educator Certificates” for every individual certified by SBEC. This information is used by the 500,000 active educators, 1,100 Independent School District (ISD) administrators, and 100 educator preparation institutions across Texas.

Almost immediately after the creation of the agency, a determination was made that a custom built integrated software system supporting the primary functions of the agency needed to be created. The initial effort [the Integrated Technology System (ITS)] to provide the needed functionality internally to staff has been completed. Now the goal is to extend the ITS via the Internet to Web enable many of the functions to empower individual educators and involved institutions across the state thereby reducing time delays, improving accuracy and overall quality of agency services to agency customers. IR support is integral to the performance of credentialing services, and IR’s importance will grow as the credentialing office’s demands for technology solutions and support increase.

**G. Interface with Federal Government Agencies and Local Units of Government**

Not Applicable.

**H. Funding Sources and Amounts by Program, Including Federal Grants and Pass-Through Monies**

SEE SECTION VII-A (H)—FUNDING SOURCES FOR THE OFFICE OF ACCOUNTABILITY.

*In FY 2000, the Office of Credentialing Services and the Office of Accountability were combined for funding purposes under “Educator Certification/Development.”*

SBEC collects fees for processing certificate applications. These fees fund the activities of the Office of Credentialing Services as well as the other functions of the agency.

**I. Future Funding Resources Needed to Achieve Program Mission, Goals, Objectives, and Performance Targets**

No. Funding resources would be adequate if SBEC were allowed to spend all revenue generated through collection of certification fees.

**J. Programs internal or external to the agency that provide identical or similar services or functions**

The SBEC Information and Support Center responds to large numbers of telephone calls and e-mails from inside and outside Texas, assisting in providing information to individuals interested in entering the teaching profession in Texas. The services provided by the support center have been expanded to include processing applications for additional certification by examination and simple conversions to Texas standard certificates of temporary certificates issued to educators from outside Texas.

The staff in the Austin office of SBEC respond to more complex telephone calls related to credentialing issues and advise visitors with credentialing problems. They also focus on processing the more complex applications that require reviews of educator credentials from other states and foreign countries.

SBEC representatives at each of the 20 regional education service centers throughout the state assist in determining eligibility for emergency certificates/permits, process applications for emergency certificates/permits and provide technical assistance, including training, to school districts and educator preparation programs in the region.

Staff at the SBEC office in Austin do not process applications for emergency permits, but do assist staff at the service centers in resolving difficult and complex issues related to issuance of permits and the assignment of public school personnel.

**K. Coordination of activities to avoid duplication or conflict with the other programs listed in question J and with the agency's customers.**

It is the general practice of SBEC and the Office of Credentialing Services to refer all calls of a routine nature to the toll free telephone number at the support center. This includes requests from applicants, school districts and educator preparation programs for general information related to SBEC functions, application procedures, application forms, test registration manuals or other SBEC publications. This practice frees SBEC staff to respond to calls of a more complex nature. All e-mails that come to the SBEC web site are forwarded to the support center for response. The SBEC Integrated Technology System is structured in such a way as to allow support center staff access to the less complicated certification application requests. The support center is responsible for processing these uncomplicated certificate applications, thus allowing SBEC staff in the Austin office to focus on more difficult and involved customer requests and to conduct the work of the agency.

**L. Please provide any additional information needed to gain a preliminary understanding of the program.**

None at this time.

**M. Description of Credentialing Services as a regulatory program.**

- **Why the regulation is needed.**

Regulation of educator credentials is needed to improve student performance in the public schools and to provide reasonable protection of students and professional colleagues from harm.

- **The scope of, and procedures for, inspections or audits of regulated persons or entities.**

The Office of Credentialing Services conducts no routine inspections or audits of credential holders or school districts. TEA monitors compliance with federal credentialing requirements for special education and bilingual education personnel.

- **Follow-up activities conducted when non-compliance with your program requirements is identified.**

Depending on the nature of the non-compliance, the Office of Credentialing Services may refer a complainant to SBEC's Professional Discipline Unit for follow-up activities if a certificate holder is responsible for a violation. SBEC is currently working with TEA on options for dealing with school districts that do not employ credentialed personnel as required by statute.

- **Sanctions available to the agency to ensure compliance.**

Again, if a certificate holder is responsible for a district's employing an uncredentialed educator in violation of statute, SBEC can sanction the person's certificate by reprimand, suspension, or revocation.

- **Procedures for handling consumer/public complaints against regulated persons or entities.**

The Office of Credentialing Services can usually satisfactorily address a complaint by providing information to the complainant. As appropriate, the complainant may be referred to SBEC's Professional Discipline Unit if a certificate holder is involved in a violation of the credentialing requirement.

**N. Please fill in the following chart for each regulatory program. The chart headings may be changed if needed to better reflect the agency's practices.**

Not applicable to Office of Credentialing Services, which has no independent enforcement authority. See related chart under this section for the Professional Discipline Unit below.

## ***VII-B. Program Performance Evaluation—Office of Credentialing Services***

### **A. Program's Most Significant Accomplishments**

- Discontinued issuing lifetime certificates
- Required timely application for emergency certificates/permits and limited assignments out of field
- Eliminated certificates and assignment requirements for certain administrative positions, thus providing school districts with the flexibility to staff administrative positions other than assistant principal, principal and superintendent
- Simplified rules related to processing and issuing certificates for educators from other states
- Adopted rules to recognize educators certified in other countries
- Eliminated the educational secretary certificate, thus providing school districts with the flexibility to hire qualified individuals to fill secretarial positions
- Eliminated the Texas Examination for the Certification of Educators in Texas (TECAT)
- Eliminated the internship requirements for additional certification by examinations and decreased the fee

### **B. Internal process used to evaluate program performance, including how often performance is formally evaluated and how the resulting information is used by the policymaking body, management, the public, and customers.**

Reports of program performance are produced from data gathered from the Integrated Technology System and are reviewed on a weekly basis. These reports include the following:

- number of applications received
- number of certificates processed (issued) by certificate type
- number of out-of-state/foreign credentials reviewed
- number of applications that need to be worked by staff
- number of incomplete application requests that are waiting on additional information from the applicant to process
- average number of days from the date an application was received to the day it was completed

Management uses the information gathered from these weekly reports to redirect staff activities to prevent/reduce backlogs and improve response time for customers. The agency's performance measures are reviewed quarterly and further inform management decisions related to processing of applications for certification

### **C. Opportunities for improvement**

- To ensure that information provided to the field is accurate, timely, reliable and easy to access by enhancing the information related to credentialing services available on the SBEC web site, including development of a manual to be used by school district personnel administrators.
- To decrease application processing time by use of a new web-based application system. The first phase of the new system is scheduled for release in spring 2002 and will allow for online

recommendation by educator preparation programs. The second phase is scheduled for release in summer 2002 and will allow public school districts to apply for emergency permits online.

- To decrease processing time for review of credentials from outside Texas by continuing to review and simplify policies and procedures and rules.

#### **D. Non-Duplicative Services**

The State Board for Educator Certification is the only agency with legislative authority to regulate and oversee all aspects of the certification of Texas public school educators.

#### **E. Other entities that could perform the program's functions**

For another entity to perform the functions of the Office of Credentialing Services, all technology support and institutional knowledge would need to be maintained.

#### **F. Processes the program used to determine customer satisfaction and use of this information**

SBEC mails customer satisfaction surveys with most correspondence and all certificate mailings. The surveys are used to gauge the effectiveness the services provided by SBEC, the Office of Credentialing Services and the SBEC Information and Support Center. The comments received from the surveys are used to improve agency services and the performance of agency staff in the following areas:

- amount of time necessary to receive information/written materials
- quality/accuracy/completeness of information/materials provided by SBEC staff
- quality of information provided on the SBEC web site
- telephone services

A recent e-mail from one of SBEC's Credentialing Services customers is worthy of replicating verbatim (except for the customer's name and other personally identifiable information):

-----Original Message-----

From: [NAME AND RETURN E-MAIL ADDRESS DELETED]  
Sent: Wednesday, August 22, 2001 5:38 PM  
To: Patricia.Stendahl@esc20.net; SBEC  
Cc: [NAME AND E-MAIL ADDRESS DELETED]  
Subject: Thank you!

To SBEC:

I am writing to say how impressed I am with this organization, its representatives, and its website! Today I realized I did not have my original Texas Teachers Certificate. I was given the website, logged on, pulled up my certificate! I also realized I had a name change and wanted to know how to update it. I looked on the site and there was the toll-free number! I called and a very nice lady gave me instructions for making the change. I received an email in response to the request from Ms. Patricia Stendahl as a conformation and follow-up. What a great gesture! Then I had one more question; I called after 5 pm when most places close, and a really nice, helpful man named Andrew answered my questions. Thanks for your help, courtesy, late hours of operation and expertise! I wish every business or organization could be as good as you are!

**G. Program’s process for handling operational complaints against the program, including the maintenance of complaint files and procedures for keeping parties informed about the process.**

Complaints are received in many forms (e.g., by telephone call, in person by a visitor, fax, e-mail, regular mail) and by many people (e.g., SBEC staff, support center staff and education service center representatives) .

All complaints received by staff in the Office of Credentialing Services are handled as expeditiously as possible by the staff member receiving the complaint. The majority of complaints are resolved in one to two working days. Complaints of a more complex nature may take longer to research and resolve. The staff member attempting to resolve the complaint seeks the assistance of his or her supervisor as necessary. The complainant is notified either verbally or in writing regarding the resolution of the complaint. If the complainant is a certified educator, a copy of the written notice or note about the verbal resolution is placed in the complainant’s file and maintained for easy access through the Integrated Technology System (ITS).

The numbers for FY 2000 represent a period of significant change in the technology system used by the agency to provide serves to clients. Services were severely impacted by a backlog of certificate applications resulting from the implementation of the agency’s new technology system and subsequent problems related to implementation.

**H. Exhibit 15 provides data about complaints lodged with the Office of Credentialing Services.**

<b>Credentialing Services</b>		
<b>Exhibit 15: Complaints Against the Program – Fiscal Years 1999 and 2000</b>		
	<b>FY 1999</b>	<b>FY 2000</b>
<b>Number of complaints received</b>	2000 (est.)	13,500 (est.)
<b>Number of complaints resolved</b>	2000 (est)	13,500 (est.)
<b>Number of complaints dropped/found to be without merit</b>	200 (est.)	1,300 (est.)
<b>Number of complaints pending from prior years</b>	0	0
<b>Average time period for resolution of a complaint</b>	1-2 days	1-60 days

**I. Process used for responding to Public Information requests**

The program’s open-records liaison processes all requests in accordance with the Public Information Act and in consultation with the program head and the agency’s general counsel. If a confidentiality issue exists, the general counsel works with the Open Records Division of the Office of the Attorney General and requests a ruling on disclosure, as appropriate.

**J. The following chart provides information about contacts who are important to the Office of Credentialing Services**

<b>Credentialing Services Exhibit 16: Contacts</b>		
<b>INTEREST GROUPS</b>		
<b>Group or Association Name / Contact Person</b>	<b>Address</b>	<b>Telephone Number/Fax Number E-mail Address</b>
Texas Association of Certification Officers Carol Moore	P.O. Box 5518 Texarkana, Texas 75505	(903) 223-3000
Texas State Teachers Association Richard Kouri	316 W. 12 <sup>th</sup> Street Austin, Texas 78701	(512) 476-5355
Association of Texas Professional Educators Brock Gregg	305 E. Huntland Dr. Austin, Texas 78752	(512) 467-0071
Texas Classroom Teachers Association Holly Eaton	P.O. Box 1489 Austin, Texas 78767	(512) 477-9415
Texas Federation of Teachers Rene Lara	3000 South IH 35 # 175 Austin, Texas 78704	(512) 448-0130
Texas Association of School Personnel Administrators Barry Nettles	P.O. Box 890906 Houston, Texas 77289	1-800-346-4111
Texas Association of School Administrators LuAnn Martinez	406 E. 11 <sup>th</sup> Street Austin, Texas 78701	(512) 477-6361
Texas Association of School Boards Jo Wicker	P.O. Box 400 Austin, Texas 78767	(512) 467-0222
Texas Educational Diagnosticians' Association Brenda Taylor	11 Fall Brook Wimberley, Texas 78676	(512) 842-2203 TEDAPREZ@aol.com
Texas Professional Educational Diagnosticians' Board of Registry, Inc. Carolyn Gillum	1309 Hat Creek Tr. Southlake, Texas 76092	(817) 329-5669 gillum@gateway.southlakecarroll.com

<b>INTERAGENCY, STATE, OR NATIONAL ASSOCIATIONS</b> (that serve as an information clearinghouse or regularly interact with the program)		
<b>Group or Association Name / Contact Person</b>	<b>Address</b>	<b>Telephone Number Fax Number E-mail Address</b>
National Association of State Directors of Teacher Education and Certification (NASDTEC) Roy Einreinhofer	39 Nathan Hills Highway PMB#134 Mashpee, Massachusetts 02649	(509) 539-8844
Region 1 Education Service Center Annabel Pena	1900 W. Schunior Edinburg, Texas 78539	(956) 984-6019
Region 2 Education Service Center Linda Gehman	209 North Water Street Corpus Christi, Texas 78401	(361) 561-8410
Region 3 Education Service Center Margie Dickerson	1905 Leary Lane Victoria, Texas 77901	(361) 573-0731
Region 4 Education Service Center Kathleen Bowen	7145 West Tidwell Houston, Texas	(713) 744-6338
Region 5 Education Service Center Jack Gatewood	2295 Delaware Beaumont, Texas 77703	(409) 951-1837
Region 6 Education Service Center Nell Higgins	3323 Montgomery Rd, Huntsville, Texas 77340	(936) 293-3763
Region 7 Education Service Center Monet Brown	P.O. Box 1622 Kilgore, Texas 75663	(903) 984-3071
Region 8 Education Service Center Danny Durham	P.O. Box 1894 Mt. Pleasant, Texas 75456	(903) 572-8551
Region 9 Education Service Center Debbie Cummings	309 Loop 11 Wichita Falls, Texas 76306	(940) 322-6928
Region 10 Education Service Center Tom Parker	P.O. Box 831300 Richardson, Texas 75083	(972) 348-1030
Region 11 Education Service Center Ronnie Thompson	3001 North Freeway Fort Worth, Texas 76106	(817) 740-3668
Region 12 Education Service Center Katherine Ditto-Reeves	P.O. Box 23409 Waco, Texas 76702	(254) 666-0707
Region 13 Education Service Center Sandie Jacobson	5701 Springdale Road Austin, Texas 78723	(512) 919-5382
Region 14 Education Service Center Ray Simmons	1850 Hwy 351 Abilene, Texas 79601	(915) 675-8655
Region 15 Education Service Center Kelli Winkley	P. O. Box 5199 San Angelo, Texas 76902	(915) 658-6571
Region 16 Education Service Center Ronnie Teichelman	P.O. Box 30600 Amarillo, Texas 79120	(806) 373-3432
Region 17 Education Service Center Karen Lehn	1111 West Loop 289 Lubbock, Texas 79416	(806) 792-5468
Region 18 Education Service Center Gayle Dobbs	P.O. Box 60580 Midland, Texas 79711	(915) 567-3228
Region 19 Education Service Center Fred Liner	6611 Boeing Drive El Paso, Texas 79925	(915) 780-5010
Region 20 Education Service Center Debby Hewitt (ISC Supervisor)	1314 Hines Avenue San Antonio, Texas 78208	1-888-863-5880

**LIAISONS AT OTHER STATE AGENCIES**

<b>Agency Name / Relationship / Contact Person</b>	<b>Address</b>	<b>Telephone Number Fax Number E-mail Address</b>
Texas Education Agency • Nolan Wood • Bobby West	1701 N. Congress Avenue Austin, Texas 78701	(512) 475-1233

**VI-C. Guide to Agency Programs—Professional Discipline**

**A. SBEC Functional Areas**

<b>STATE BOARD FOR EDUCATOR CERTIFICATION Exhibit 13: Program Information—Fiscal Year 2000</b>	
<b>Name of Program</b>	Professional Discipline
<b>Location / Division</b>	Professional Discipline Unit
<b>Contact Name</b>	William M. Franz
<b>Number of Budgeted FTEs, FY 2000</b>	11
<b>Number of Actual FTEs as of August 31, 2000</b>	9

**B. Key services and functions of the Professional Discipline Unit and major activities**

Section 21.041 of the Education Code requires that the Board provide for disciplinary proceedings, including the suspension or revocation of an educator certificate, as provided by Chapter 2001 Government Code. That same provision further requires that the Board provide for the enforcement of an educator’s code of ethics. The Professional Discipline Unit was created to carry out the mandates of that statute. Accordingly, the Professional Discipline Unit investigates and prosecutes disciplinary matters before the Board. These matters include the following proceedings specified in 19 Texas Administrative Code § 249.4:

- (1) sanctions sought against a certificate holder;
- (2) enforcement of the code of ethics;
- (3) appeals of administrative denials;
- (4) appeals of the administrative cancellation or withholding of test scores for alleged violation of test administration rules;
- (5) reinstatement of a suspended certificate;
- (6) removal or modification of a sanction other than revocation, cancellation, or surrender;
- (7) complaints of contract abandonment filed with the agency pursuant to §§ 21.105(c), 21.160(c), or 21.210(c) of the Education Code; and
- (8) sanctions sought against a certificate for the holder’s knowing failure to report criminal history or other information required to be reported under Subchapter C, Chapter 22, of the Education Code, Subchapter B, Chapter 261 of the Texas Family Code, or Board rules.

The Professional Discipline Unit is responsible for reviewing and investigating complaints alleging that disciplinary proceedings are required against a certified educator. Those complaints are obtained from numerous sources. Pursuant to the Education Code § 22.082, SBEC is required to obtain criminal history record information on all applicants for Texas certification. Any applicant with a state criminal history, including an arrest, generates an internal referral that requires investigation. From January–December 1999, SBEC ran background checks on approximately 53,102 applicants and identified 2271 applicants (4.3%) with a Texas criminal history.

In addition to reports generated by criminal history checks, educators, parents, legal guardians, students, various arms of law enforcement, and the media also forward to SBEC allegations of educator misconduct

that must be investigated. Further, the Department of Protective and Regulatory Services is required by law to forward to SBEC all reports of child abuse or neglect involving an educator.

Under the Education Code § 22.083(c), the superintendent of a school district or the director of an open enrollment charter school must notify SBEC in writing if they obtain or have knowledge of information showing that an applicant for or holder of a certificate has a reported criminal history. Section 249.14 of the Board's rules require a superintendent and/or board president to report instances of educator misconduct when terminating a contract or accepting a resignation of a certified educator based on any of the following offenses: falsification or forgery of a certificate, sexual misconduct with a minor; an educator's possession, transfer, sale or distribution of a controlled substance; the illegal transfer or appropriation of school funds; or the commission of a crime on school property or at a school-sponsored event.

After a complaint has been received and investigated, the staff of the Professional Discipline Unit determines whether sufficient evidence exists to support sanctions against the educator through a contested case proceeding. If a formal petition for sanctions is filed against an educator, the educator is given the opportunity to be heard. Upon a finding that sufficient evidence exists to support disciplinary action against a certified educator, the Professional Discipline Unit conducts contested cases before the Board and the State Office of Administrative Hearings.

One of the responsibilities assigned to the SBEC Professional Discipline Unit is the enforcement of the Educator's Code of Ethics. In March 1999, SBEC began to enforce rules governing the procedures for filing and reviewing complaints filed by educators and parents that involved allegations of unethical conduct by certified educators. Very specific timelines and procedures were written into the rules to ensure that SBEC staff deals with these allegations in a timely manner. These cases are received, investigated and prosecuted under this separate set of procedural rules.

### **C. Purpose of the Unit and Statutory or Other Requirements**

The Professional Discipline Unit was created in response to the enactment of 19 Texas Administrative Code Ch. 249, which in turn was adopted pursuant to the authority granted to SBEC and the State Board of Education under Senate Bill 1, Acts 1995, 74<sup>th</sup> Legislature, Chapter 260, §§ 1, 63, 78, effective May 30, 1995. Its purposes, as outlined in 19 TAC § 249.5, are as follows:

- (1) to protect the safety and welfare of Texas schoolchildren and school personnel;
- (2) to ensure educators and applicants are morally fit and worthy to instruct or supervise the youth of the state;
- (3) to regulate and to enforce the standards of conduct of educators and applicants;
- (4) to provide for disciplinary proceedings in conformity with the APA and the rules of practice and procedure of the office;
- (5) to enforce an educator's code of ethics;
- (6) to fairly and efficiently resolve disciplinary proceedings at the least expense possible to the parties and the state;
- (7) to promote the development of legal precedents to the end that disciplinary proceedings may be justly resolved; and
- (8) to provide for regulation and general administration pursuant to the board's enabling statutes.

The Professional Discipline Unit operates under rules promulgated under the authority of the following statutes:

- (1) Senate Bill 1, Acts 1995, 74th Legislature, chapter 260, §§1, 63, 78, effective May 30, 1995.
- (2) Subchapter B, Chapter 21, Education Code: §21.031 (relating to the Board's Establishment to Regulate and Oversee All Aspects of the Certification, Continuing Education, and Standards of Conduct of Public School Educators); §21.039 (relating to the Powers and Duties of the Executive Director); §21.040(6) (relating to the Board's Duty to Develop and Implement Policies Defining the Respective Responsibilities of the Board and Board's Staff); §21.040(8) (relating to the Board's Duty to Execute Interagency Contracts to Perform Routine Administrative Functions); §21.041(a) (relating to the Board's Power to Adopt Rules as Necessary for its Own Procedures); §21.041(b)(1) (relating to the Board's Power and Duty to Propose Rules that Provide for the Regulation and General Administration of Subchapter B, Chapter 21, Education Code); §21.041(b)(4) (relating to the Board's Power and Duty to Propose Rules that Specify the Requirements for the Issuance and Renewal of an Educator Certificate); §21.041(b)(7) (relating to the Board's Power and Duty to Propose Rules that Provide for Disciplinary Proceedings, including the Suspension or Revocation of an Educator Certificate, as Provided by Chapter 2001, Government Code); §21.041(b)(8) (relating to the Board's Power and Duty to Propose Rules that Provide for the Enforcement of an Educator's Code of Ethics); §21.042 (relating to the State Board of Education's Review of Board Rules); §21.044 (relating to the Board's Power and Duty to Propose Rules Establishing Requirements for Educator Preparation);
- (3) Subchapter E, Chapter 21, Education Code: §21.105 (relating to Sanctions the Board May Impose Against an Educator Who Abandons a Probationary Contract); §21.160 (relating to Sanctions the Board May Impose Against an Educator Who Abandons a Continuing Contract); §21.210 (relating to Sanctions the Board May Impose Against an Educator Who Abandons a Term Contract);
- (4) Subchapter C, Chapter 22, Education Code (relating to Criminal History Records of Applicants for and Holders of Educator Certificates);
- (5) Subchapter C, Chapter 57, Education Code (relating to Nonrenewal of a Certificate Based on Student Loan Default);
- (6) Subchapter F, Chapter 411, Government Code: §411.090 (relating to the Board's Access to Criminal History Record Information);
- (7) Chapter 2001, Government Code (relating to Adoption of Agency Rules and Application of General Rules of Practice for Formal and Informal Proceedings Brought Pursuant to the Administrative Procedure Act);
- (8) Section 2051.001, Government Code (relating to Adoption of Seal by State Commissions and Boards);
- (9) Articles 6252-13c and 6252-13d, Revised Civil Statutes, (relating to the Denial or Sanction of a State Issued License Based on a Criminal Conviction); and
- (10) Chapter 232 (relating to Suspension of Certificate for Child Support Arrears) and Chapter 261, Family Code (relating to the Obligation of Educators to Report Child Abuse).

#### **D. Important History Related to Professional Discipline Unit**

The authority of the state of Texas to prescribe qualifications and name conditions under which the privilege of teaching may be exercised was first given by statute in 1918. That statute gave the state the authority to cancel a certificate for cause upon satisfactory evidence that the holder of the certificate is conducting school in violation of the laws of the state or a person is unworthy to instruct the youth of the state. Vernon's Ann. Civ. St. Supp. 1918, art. 2814. Texas courts upheld the validity of that statute in *Marrs v. Matthews*, 270 S.W. 586 (Tex. Civ. App.—Texarkana 1925 writ ref'd), which held that the statute

was not invalid as too vague and stated that a teaching certificate is a license revocable by the state at its pleasure.

Since that time, numerous state agencies have been charged with the duty of sanctioning the teaching certificates of those who have been determined to be unworthy to instruct or supervise the youth of the state. Prior to SBEC's creation in 1995, the Texas Education Agency bore that responsibility. The authors of Senate Bill 1 felt that educators should govern the standards of their own profession, and therefore assigned the authority to investigate and prosecute disciplinary matters to SBEC as part of that bill. Presumably, the need to investigate alleged misconduct and sanction teaching certificates will exist as long as teaching certificates are issued, therefore there is no discernible point at which the Professional Discipline Unit will no longer be needed.

#### **E. Unit Impact (number of people or entities served)**

The Professional Discipline Unit exists, in part, to protect the safety and welfare of Texas schoolchildren and school personnel, ensure that educators and applicants are morally fit and worthy to instruct or supervise the youth of the state, and to enforce an educator's code of ethics. Therefore, it serves all schoolchildren who attend public schools in Texas (as well as the parents of those schoolchildren), and all certified educators and applicants for a teaching certificate. There are no formal qualifications or eligibility requirements for receiving services or benefits, but as a practical matter, the Professional Discipline Unit serves schoolchildren who attend public Texas schools and certified educators and applicants.

#### **F. Administration**

The Professional Discipline Unit operates from SBEC's offices, housed in the Teacher Retirement System building, located at 1001 Trinity St., Austin, TX 78746. The staff of the Professional Discipline Unit currently consists of one legal assistant, one temporary clerical support person, three investigators, four attorneys (plus one attorney under contract to SBEC that is employed with the Attorney General's Office) and a Director.

SBEC's rules pertaining to receipt, investigation and prosecution of complaints may be found at 19 Texas Administrative Code Chapter 249. The required timeframes for handling complaints differ depending on the nature of the complaint. The three general timeframes are determined on whether the complaint is against an applicant for certification, is against an already-certified educator for alleged violations of SBEC's disciplinary rules found at 19 TAC §§ 249.15 and 249.16, or is a complaint that alleges a violation of the Educators' Code of Ethics. These three types of complaints will be addressed individually to the extent that their processes differ.

Complaints against applicants for certification are typically opened when information revealed during the application process indicates that they have a criminal history. Pursuant to the Education Code § 22.082, SBEC is required to obtain criminal history record information on all applicants for Texas certification. Any applicant with a state criminal history, including an arrest, generates an internal referral that requires investigation. From January–December 1999, SBEC ran background checks on approximately 53,102 applicants and identified 2271 applicants (4.3%) with a Texas criminal history.

SBEC's rules provide that SBEC may administratively deny an application for a teaching certificate upon satisfactory evidence that:

- (1) the person has committed a crime or an offense relating directly to the duties and responsibilities of the education profession;
- (2) the person lacks good moral character; or
- (3) the person is unworthy to instruct or to supervise the youth of this state.

If, upon review of information revealed in an applicant's criminal history, a question arises as to whether the applicant may be administratively denied based upon the above criteria, staff contacts the applicant. The applicant is given the opportunity to respond to concerns raised by information revealed in their

application, and staff conducts a full investigation. At the conclusion of this investigation, staff makes a determination as to whether sufficient evidence exists to administratively deny the applicant's request for a teaching certificate. In the event that a determination is made that the applicant is eligible for a teaching certificate, a teaching certificate is issued. If however, the decision is made to administratively deny the application, the applicant must be notified in writing of that denial, as well as the factual and legal reasons for it. *See* 19 TAC § 249.12(c).

Pursuant to 19 TAC § 249.12(c), a person may appeal an administrative denial. The appeal is initiated by filing a Notice of Appeal with SBEC no later than thirty (30) days after the applicant has received notice of SBEC's denial of the application. If the appeal is untimely, the executive director may dismiss the appeal pursuant to 19 TAC § 249.12(d). But if the appeal is timely filed, staff is required to refer the matter to the State Office of Administrative Hearings so that the applicant's appeal may be heard. Upon receiving a notice that the appeal has been referred to SOAH, the applicant has thirty (30) days to file a Petition with SOAH that complies in form and content with the requirements of the Board rules and SOAH's rules. 19 TAC § 249.12(e). Failure to comply with this requirement may subject the applicant's appeal to dismissal. If however, a petition is timely filed, the matter is set for a hearing. Hearings are conducted under the rules of the State Office of Administrative Hearings under the same rules as all contested case proceedings, with the applicant proceeding as Petitioner (and bearing the burden of proof) and SBEC as the Respondent.

The second type of complaint that SBEC investigates and prosecutes are complaints filed against certified educators that allege a violation of 19 TAC §§ 249.15 or 249.16. SBEC's rules at 19 TAC §§ 249.15 provide that SBEC may take disciplinary action against a person or certificate over which the Board has jurisdiction based on satisfactory evidence that:

- (1) the person has conducted school or education activities in violation of law;
- (2) the person is unworthy to instruct or to supervise the youth of this state;
- (3) the person has violated a provision of the educator's code of ethics;
- (4) the person has failed to report or has hindered the reporting of child abuse or the known criminal history of an educator as required by law and §249.14 of this title (relating to Complaint, Required Reporting, and Investigation; Agency's Filing of Petition);
- (5) the person has abandoned a contract in violation of §§21.105(c), 21.160(c), or 21.210(c), of the Act; or
- (6) the person has failed to cooperate as provided by law with the agency in an investigation commenced under this chapter.

Additionally, SBEC's rules provide that the board may suspend or revoke an existing valid certificate because of a person's conviction of a felony or misdemeanor if the crime directly relates to the duties and responsibilities of the education profession. Pursuant to 19 TAC § 249.16, crimes considered to relate directly to the duties and responsibilities of the education profession include:

- (1) the crime involves moral turpitude;
- (2) the crime involves any form of sexual or physical abuse of a minor or student or other illegal conduct with a minor or student;
- (3) the facts underlying the crime would support a felony conviction for possession, transfer, sale, distribution, or conspiracy to possess, transfer, sell, or distribute any controlled substance defined in Chapter 481, Health and Safety Code;
- (4) the crime involves school property or funds;
- (5) the crime involves any attempt by fraudulent or unauthorized means to obtain or alter any certificate or permit that would entitle any person to hold or obtain a position as an educator;
- (6) the crime occurs wholly or in part on school property or at a school-sponsored activity; or
- (7) two or more crimes are committed within any 12-month period that involve public intoxication, operating a motor vehicle while under the influence of alcohol, or disorderly conduct.

There are two significant timeframes that apply to complaints filed under 19 TAC §§ 249.15 or 249.16. The first time frame pertains to superintendents, and mandates that a superintendent must notify the board in writing within seven calendar days of the date that the superintendent first obtains or has knowledge that an applicant or certificate holder has a reported criminal history or has resigned or been terminated based on a determination that the educator engaged in certain types of inappropriate conduct. 19 TAC § 249.14(d). Failure to comply with this deadline can subject the superintendent to disciplinary action by the board. 19 TAC § 249.14(e). The second significant timeframe applies to complaints filed by school districts, alleging that an educator has abandoned their employment contract. Board rules provide that board staff may not pursue sanctions against an educator who is alleged to have abandoned his or her contract unless the board of trustees of the employing school district renders a finding that the educator did not have good cause to abandon his or her contract and submits a written complaint to board staff within thirty days after the educator separates from employment. 19 TAC § 249.14(f).

Once board staff has received a complaint, it is assigned to a staff person for investigation. Board staff will contact the accused educator and give them the opportunity to show compliance with the Board's rules. Board staff will also gather records from the school district or criminal courts and interview witnesses as necessary. After the investigation is completed, a recommendation is made as to whether or not sufficient evidence exists to support a finding that the accused educator's certification is subject to sanctions. If the evidence does not support disciplinary action, the case is closed. If however, the available evidence is sufficient to support disciplinary action, the educator is contacted and offered an opportunity to resolve the matter with an agreed-upon sanction. The educator may either choose to accept the sanction or to request a hearing with the State Office of Administrative Hearings. If the educator requests a hearing, staff files a petition with the State Office of Administrative Hearings and a hearing is conducted pursuant to the State Office of Administrative Hearings' rules at 1 TAC Ch. 155. There are no board rules that impose timeframes to complete investigations or file petitions for complaints alleging violations of 19 TAC §§ 249.15 or 249.16.

Following hearing, the Administrative Law Judge assigned to hear the case issues a Proposal for Decision that makes findings of fact and conclusions of law. Any party who is aggrieved by the Proposal for Decision may file exceptions within thirty days of the date of the Proposal for Decision. 19 TAC § 249.37. The board then reviews the record of the hearing and issues a final decision on the Proposal for Decision.

The final type of complaints commonly handled by the Professional Discipline Unit are complaints that allege that an educator has violated the Educators' Code of Ethics. These types of complaints have a separate set of procedural rules, and numerous timeframes apply to the receipt, review and investigation of these complaints. A code of ethics complaint may be filed either by an educator or by a parent or legal guardian on behalf of a student. Pursuant to 19 TAC § 249.48, a complaint must be filed with the Executive Director of the board no later than ninety calendar days after the date of the last act giving rise to the complaint. The complaint must include certain information specified in the Board's rules, must be verified by affidavit and must be served on the superintendent of the employer school district (or the president of the board of trustees if the superintendent is the educator named in the complaint), the accused educator, and the Executive Director of the board via certified mail. 19 TAC § 249.49.

Upon receipt of a code of ethics complaint, the agency is required by board rules to suspend any review of the complaint for fifty days. The purpose of this fifty-day suspension is to give the complainant and the accused educator time to attempt to resolve the complaint without SBEC's involvement. Within sixty days from the date the complaint is filed, the accused educator is also permitted to file a single response to the allegations made in the complaint with the Executive Director.

Following the expiration of the period of suspension, the Executive Director conducts a review of the complaint and any responses filed by the accused educator and makes a determination as to whether the complaint should be filed with the State Office of Administrative Hearings. This review must occur no later than 130 days after the complaint has been filed with the Executive Director. Following this review, the Executive Director may dismiss all or part of the complaint only based on a determination that:

- (1) the commissioner of education, executive director, review committee, office, or board or a court of competent jurisdiction has previously disposed of a similar complaint or petition based on the same alleged facts;

- (2) the complaint fails to comply with the requirements of §249.49 of this title (relating to Form of Complaint; Required Service; Local Resolution);
- (3) the complaint fails to state a violation of the code of ethics after, for purposes of determining jurisdiction only, accepting the facts relating to the alleged acts or omissions of the accused educator as stated on the face of the complaint as true;
- (4) the complaint was not timely filed; or
- (5) the complaint is frivolous as defined by §249.53 of this subchapter (relating to Frivolous Complaints).

If the Executive Director determines that dismissal of the complaint is not warranted because the facts as they are alleged on the face of the complaint constitute a violation of the code of ethics, then staff is directed to file an appropriate petition on behalf of the complainant with the State Office of Administrative Hearings within ninety days. The Executive Director then notifies the complainant and accused educator of the disposition of the complaint in writing.

In the event that the Executive Director dismisses all or part of the complaint, then the complainant has the right to appeal that dismissal with a review committee of the board. Any such appeal must be filed within thirty days after the complainant receives the notice that the complaint has been dismissed, and must be heard by the review committee before the adjournment of the next regularly scheduled board meeting following the expiration of thirty days after the deadline for filing an appeal and for which legal notice can be posted. On appeal, the review committee may consider the notice of appeal, the complaint, the accused educator’s response, the Executive Director’s notice of dismissal and any other related orders. It then may order that the complaint be dismissed in whole or in part, filed with the State Office of Administrative Hearings, or any other order necessary to accomplish its intended disposition. The decision of the review committee is final and is not subject to appeal.

In the event that the complaint is approved for filing with the State Office of Administrative Hearings, the accused educator is given the opportunity to resolve the matter by agreeing to a sanction. Should attempts at resolution prove unsuccessful, staff files a petition with the State Office of Administrative Hearings within ninety days from the date the complaint was approved for filing. A hearing is then requested and conducted according to the procedures of the State Office of Administrative Hearings, as described above.

**G. Interface with Federal Government Agencies and Local Units of Government**

The Professional Discipline Unit does not have any formal relationship to any federal government agency or local unit of government.

**H. Funding Sources and Amounts by Program, Including Federal Grants and Pass-Through Monies**

Educator Certification/Development Sources of Revenue Fiscal Year 2000	Amount
Fund 0001: General Revenue Fund	\$680,888
<b>TOTAL</b>	<b>\$680,888</b>

**I. Future Funding Resources Needed to Achieve Program Mission, Goals, Objectives, and Performance Targets**

The Professional Discipline Unit has sufficient funding to pay its current staff and to maintain its day-to-day operations. But additional funding is required to hire additional staff in order to operate more efficiently.

SBEC is also seeking funding to implement national fingerprinting of applicants. Currently, SBEC has the resource capability to check only Texas criminal histories through DPS. DPS itself advises that, without fingerprinting, such checks are truly incomplete. Furthermore, the National Association of State Directors of Teacher Education and Certification (NASDTEC) strongly recommends adopting such a complete background check. It has gone on record stating: "Each state or jurisdiction should require state and national fingerprinting prior to certification for licensed educators and prior to employment for non-certified personnel. There should be 'subsequent arrest notification' provided by which the licensing or employing agencies may be notified of arrests made subsequent to certification." (NASDTEC Critical Issue Paper, February 2000).

SBEC has been approved by the Federal Bureau of Investigation (FBI) to request fingerprint-based national criminal history information, but legislative approval is required to collect the fee required for the federal check and to hire the additional staff necessary to handle the increased caseload generated by the reports that would be forthcoming from the FBI. DPS has indicated that \$ 15 for each set of fingerprints is necessary for it to provide adequate support for SBEC's fingerprint initiative. An additional \$ 24 would be forwarded to the FBI. Such amounts would come out of a fee, estimated to range from \$42 - \$43, to be received from applicants to cover costs. SBEC requested the approval to collect this fee at the 77<sup>th</sup> Legislative Session, but was not given the approval required to implement the federal check. Approval was given by the Senate Finance Committee, but not by the House Appropriations Committee, and the measure was not approved by the Senate-House Conference Committee for the upcoming biennium.

Initiating federal criminal history checks is extremely important given the fact that thousands of teachers are recruited each year from other states to work in Texas public schools. The majority of states, including most other large states, have already adopted fingerprinting as part of a criminal history check. Absent such a check, the State of Texas would seem to be a natural recipient of applications from miscreant educators. They will know that Texas does not perform such a background check (this information is commonly available and can be obtained on NASDTEC's website), will likely falsify their applications in order to conceal a criminal history, and absent a nationwide criminal history check, will quite possibly be granted a certificate to teach in Texas. SBEC considers a national criminal history check to be the most efficient and comprehensive screening method currently available, and intends to continue to pursue the ability to fund this effort.

**J. Programs internal or external to the agency that provide identical or similar services or functions**

SBEC is the only entity authorized to take disciplinary action against the teaching certificate of a Texas educator. Therefore, the Professional Discipline Unit serves a unique function.

**K. Coordination of activities to avoid duplication or conflict with the other programs listed in question J and with the agency's customers**

The Professional Discipline Unit serves a unique function, therefore no duplication or conflict exists with any other programs or with the agency's customers.

**L. Additional information needed to gain a preliminary understanding of the program**

None at this time.

**M. Regulatory programs related to the accreditation, licensing, registration, certification, or permitting of a person, business, or other entity.**

**Why the regulation is needed;**

Regulation of applicants and certified educators is needed to ensure the safety of public school students and employees and to enforce standards of conduct for certified educators in Texas public schools.

The scope of, and procedures for, inspections or audits of regulated persons or entities;

All persons who apply for or hold a Texas teacher certificate are subject to the jurisdiction of the Professional Discipline Unit. Investigations are opened based on complaints that are received by the agency from a variety of sources. Please see the response to question B for a more detailed discussion of the sources of complaints filed with the agency. The Professional Discipline Unit does not conduct global audits or inspections simply on its own initiative due to *inter alia*, funding and personnel limitations.

**Follow-up activities conducted when non-compliance with your program requirements is identified;**

Once a complaint has been filed against an educator and the investigation has been opened, the educator is given the opportunity to respond to the allegation of misconduct. If the investigation does not produce sufficient evidence to support a finding that a violation of Board rules has occurred, the investigation is closed. If the investigation does produce sufficient evidence to support a finding that a violation of Board rules has occurred, then the educator is given the opportunity to resolve the matter by agreeing to a sanction to their teaching certificate. If the educator wishes to have a hearing on the matter, then the agency files a complaint with the State Office of Administrative Hearings and requests a hearing. Following a hearing before an Administrative Law Judge (“ALJ”), the ALJ issues a Proposal for Decision which makes findings of fact and conclusions of law. The Proposal for Decision is presented to the full Board for approval or rejection.

**Sanctions available to the agency to ensure compliance; and**

Pursuant to 19 TAC § 249.15, the agency may take any of the following actions:

- (1) require the withdrawal of a person from an educator preparation program;
- (2) place restrictions on the issuance, renewal, or holding of a certificate, either indefinitely or for a set term;
- (3) issue an inscribed or non-inscribed reprimand;
- (4) suspend a certificate for a set term; or
- (5) revoke or cancel, which includes accepting the surrender of, a certificate without opportunity for reapplication for a set term or permanently.

**Procedures for handling consumer/public complaints against regulated persons or entities**

Complaints received from consumers or the public are handled in the same manner as complaints from any other source.

**N. The following chart shows enforcement actions against educators.**

<b>STATE BOARD FOR EDUCATOR CERTIFICATION</b>		
<b>Professional Discipline</b>		
<b>Exhibit 14: Enforcement Actions Against Certificate Holders – Fiscal Years 1999 and 2000</b>		
	<b>FY 1999</b>	<b>FY 2000</b>
<b>Number of complaints resolved</b>	2,195	2,620
<b>Number of complaints resulting in disciplinary action</b>	75	202
<b>Number of complaints pending</b>	1,280	785
<b>Average time for resolving complaints (days)</b>	155	288
<b>Number of jurisdictional complaints received</b>	1,660	2,125
<b>Total number of entities regulated by the agency</b>	306,000	312,000

## **VII-C. Program Performance Evaluation--Professional Discipline**

### **A. Unit's Most Significant Accomplishments**

The most significant accomplishment of the Professional Discipline Unit is the reduction of a tremendous backlog of cases. In late March 2000, a new Director was hired to manage the unit. When the new Director began at SBEC, the backlog of open cases exceeded 1600, including both disciplinary and ethical complaints. That backlog has since been reduced by about 1,000 to approximately 600 open cases. Included in these open cases are about 70 certified educators that have been identified through a new initiative performed by staff, namely a comparison of registered sex offenders to certified Texas educators. This proactive approach of identifying and prosecuting sexual predators that are certified to teach in Texas was only possible due to the reduction of the backlog that existed just over a year ago. The aforementioned reduction in caseload has not been accomplished by sacrificing quality of work product. Indeed, the number of educators being disciplined has risen considerably, as has the percentage of cases resulting in disciplinary action.

### **B. Internal process used to evaluate program performance, including how often performance is formally evaluated and how the resulting information is used by the policymaking body, management, the public, and customers**

The staff of the Professional Discipline Unit maintains statistics to monitor various aspects of the unit's performance, including the number of complaints received and resolved, the length of time required to resolve cases, and the types of complaints received. Those statistics are compiled periodically (once per quarter) and are posted on the SBEC website so that they may be accessed by the public and customers.

### **C. Opportunities for Improvement**

The Professional Discipline Unit has been tremendously successful in reducing a backlog of open cases. But historically, the unit receives about 2000 new complaints a year. In order to continue to efficiently prosecute pending complaints and identify certified educators who may have engaged in misconduct, additional staff members will be required. This is particularly important if SBEC is successful in achieving another goal, namely national criminal history checks through FBI fingerprinting.

Additionally, a Board committee has been formed to review and revise the Educators' Code of Ethics and the rules pertaining to enforcement of the Code of Ethics. Those rules, as currently written, are difficult to enforce due to concerns about vagueness. It is anticipated that the potential revision of these rules will provide clarity and simplify the code to make it more understandable.

### **D. Non-Duplicative Services**

SBEC is the only state agency authorized to take disciplinary action against the teaching certificate of a Texas educator. Therefore, duplication of efforts is not something the Professional Discipline Unit should encounter.

### **E. Other Entities that Could Perform the Unit's Functions**

Under Texas law, no other entity is authorized to perform the function that the Professional Discipline Unit performs.

### **F. Processes the Unit Used to Determine Customer Satisfaction and Use of This Information**

SBEC makes a Customer Service Satisfaction Survey available to the public. Results obtained from those surveys are used to identify areas in which the agency may improve customer satisfaction.

**G. Unit's process for handling operational complaints against the program, including the maintenance of complaint files and procedures for keeping parties informed about the process**

Operational complaints against the Professional Discipline Unit are forwarded to the Division Director or Executive Director, who investigates and takes appropriate action. These types of complaints are exceedingly rare.

**H. Chart Reflecting Operational Complaints Received**

Professional Discipline Exhibit 15: Complaints Against the Agency—Fiscal Years 1999 and 2000		
	FY 1999	FY 2000
Number of complaints received		5
Number of complaints resolved		5
Number of complaints dropped/found to be without merit		2
Number of complaints pending from prior years		0
Average time period for resolution of a complaint		1 day

**I. Process Used to Respond to Public Information Requests**

The program's open-records liaison processes all requests in accordance with the Public Information Act and in consultation with the program head. If a confidentiality issue exists, the program head works with the Open Records Division of the Office of the Attorney General and requests a ruling on disclosure, as appropriate.

**J. Professional Discipline Unit Contacts**

**Interest Groups**

*(Groups affected by unit actions or that represent other served by or affected by unit actions)*

<b>Group or Association Name Contact Person</b>	<b>Address</b>	<b>Telephone Number Fax Number</b>
Association of Texas Professional Educators/ Jefferson Brim III	2525 Wallingwood, Bldg. 14 Austin, TX 78746	(512) 328-0048 (512) 328-4814
Texas Association of School Administrators/ Neal W. Adams	1903 Central Dr., Ste. 400 Bedford, TX 76021-5872	(817) 283-7742 (817) 571-2947
Texas Association of School Boards Martin DeLeon	P.O. Box 400 Austin, TX 78767	(512) 467-0222
Texas Classroom Teachers Association/ Dohn Larson	P.O. Box 1489 Austin, TX 78767	(512) 477-9415 (512) 469-9527
Texas Federation of Teachers A. Elizabeth Colvin	1004 West Ave. Austin, TX 78701	(512) 479-5017 (512) 479-0409

Texas State Teachers' Association Katherine Moore	316 W. 12 <sup>th</sup> St. Austin, TX 78701	(512) 476-5355
United Educators Association Tom Corbin	4900 S.E. Loop 820, Ste. 100 Fort Worth, TX 76140	(817) 572-1082 (817) 572-7736

**Interagency, State, or National Associations**

*(That serve as an information clearinghouse or regularly interact with the unit)*

<b>Group or Association Name</b>	<b>Address</b>	<b>Telephone Number</b>
<b>Contact Person</b>		<b>Fax Number</b>

Texas Department of Protective and Regulatory Services

**Liaisons at Other State Agencies**

<b>Group or Association Name</b>	<b>Address</b>	<b>Telephone Number</b>
<b>Contact Person</b>		<b>Fax Number</b>

Attorney General's Office Jeffrey Boyd	P.O. Box 12458 Austin, TX 78701	(512)463-2100
---	------------------------------------	---------------

## **VII. Agency Performance Evaluation**

### **A. The agency's most significant accomplishments.**

SBEC's most significant accomplishments are listed by strategy, as presented in the agency's budget pattern of the General Appropriations Act for the 2002-2003 biennium.

#### **Strategy 1—Educator Quality, Accountability, and Credentialing Services**

- Simplified and redesigned the certification structure to align educator quality indicators to K-16 learning expectations (beginning September 2002)
- Redesigned the educator testing program to incorporate new standards and to be more user friendly in terms of access to test preparation manuals to simplify registration bulletins and procedures, to enhance customer service to examinees, expand access to testing sites, simplification of test score reports, and expand technical documentation to support the psychometric foundations of the exam system
- Created the Accountability System for Educator Preparation (ASEP), the nation's first accountability system for educator preparation programs, and aligned that system with the new federal Title II accountability requirements.
- Created a standards-based certification system
- Implemented the statutory Master Reading Teacher (MRT) certification program and approved 52 MRT preparation programs
- Developed a results-based system for preparation programs for educator certification
- Discontinued issuing lifetime certificates
- Enforced timely application for emergency permits and limited assignments out of field
- Created new Standards and Requirements for Superintendents, Principals, Counselors, and Librarians
- Eliminated certificates for certain administrative positions, giving school districts flexibility in hiring certain central-office staff
- Simplified rules related to processing and issuance of out-of-state certified persons
- Adopted rules to recognize persons certified in other countries
- Eliminated the educational secretary certificate
- Eliminated the Texas Examination of Current Administrators and Teachers (TECAT)
- Eliminated internship requirements for certification by exam and decreased fee

#### **Strategy 2—Retention, Recruitment, and Continuing Professional Development**

- Continued approval and start-up funding for Centers for Professional Development of Teachers
- Established Continuing Professional Development (CPE) requirements for certificate renewal
- Implemented the Texas Beginning Educator Support System (TxBESS), securing the largest federal grant awarded as part of the Teachers Quality Enhancement Grant Program
- Approved a statewide initiative to reduce the teacher shortage in Texas through grants

### Strategy 3—Professional Discipline

- Adopted a Code of Ethics and Standard Practices for Texas Educators
- Adopted disciplinary rules, which included procedures for administering Code of Ethics complaints
- Code of Ethics Review Panels were implemented
- Adopted rules calling for the use of the State Office of Administrative Hearings to conduct all adjudicative hearings for disciplinary cases, including those involving enforcement of Code of Ethics and Standard Practices
- Appointed and held meetings of the Code of Ethics Revision Committee to review the educator's code of ethics and to recommend changes, if any, to SBEC

#### Support

- Implemented the development of the Integrated Technology System (ITS)
- Had an internal audit conducted on the agency's accounting procedures and scheduled an internal audit of the agency's contracting procedures for FY 2002

#### **B. Description of the internal processes used to evaluate agency performance, including how often performance is formally evaluated and how the resulting information is used by the policymaking body, management, the public, and customers.**

For the agency as a whole, the executive director takes the following actions to evaluate and to correct agency performance:

- Review agency performance measures with Board and with managers
- Review production data with the head of the Office of Credentialing Services weekly
- Identify performance/production issues and take appropriate actions through managers
- Within limits provided by law, shift resources to maximize efficiency and agency performance

#### **C. The agency's biggest opportunities for improvement.**

SBEC's biggest opportunities for advancement lie in the following areas:

- Create templates for reporting data available through SBEC and using these as the basis for internal and external reporting and research efforts.
- Streamline processes for granting certificates.
- Simplify rules related to temporary credentials.
- Create a system to track all complaints to the agency, including regular reporting to managers and ED (similar to certificate production reports).
- Improve monitoring of school districts' compliance with credentialing requirements and auditing of grantees' compliance with grant agreements.
- Generally, improve the agency's web site to make information and materials more accessible and timely for specific audiences and the public at large;
- Improve communication in the following areas:
  - *How to Become a Teacher*; and
  - *How to Create Teacher Certification Training Programs*.

- Work more closely with other education agencies (TEA and CB) to improve communication between all three agencies, *e.g.* requirements to become a special education teacher.
- Systematically assess beginning teacher performance for purposes of the accountability system for educator preparation programs, perhaps by having it integrated with school districts' employment performance evaluation process.

**D. How the agency ensures its functions do not duplicate those of other entities.**

To ensure non-duplication of functions between other entities, the agency engages in the following activities:

- Using the K–16 Council as a conduit for sharing of information related to policy changes and implementation of existing policies.
- Working with TEA staff to define standards for teachers and other educators based upon Texas Essential Knowledge and Skills (TEKS). This coordination ensures educator preparation programs appropriately train educators and relieves school districts from having to retrain educators to implement the TEKS. (The TEKS identify what Texas public school students should know and be able to do at every grade and in every course in the foundation and enrichment curricula.)
- Working with the Higher Education Coordinating Board to interpret standards-based certification in the context of university system based semester credit hours. This coordination identifies and translates differences between degree and certification requirements.
- Collaborating with the Work Force Commission to match school districts with certified educators seeking employment instead of working on such recruitment initiatives alone.
- Creating a data warehouse in collaboration with TEA. This project will help ensure the two agencies rely on the same data to produce consistent information for policymakers.

**E. Other entities that could perform the agency's functions.**

SBEC's functions were previously performed by TEA.

**F. What process does the agency use to determine customer satisfaction and how does the agency use this information?**

- SBEC uses customer-service surveys provided to persons who receive services from the agency. The executive director reviews tabulated survey results to assess agency services and takes appropriate corrective action.
- SBEC's website has a *Compact with Texans* page that provides customers wishing to express their satisfaction or dissatisfaction with SBEC's services with contact information, including a direct e-mail address, to a customer service representative.

**G. Describe the agency's process for handling complaints against the agency, including the maintenance of complaint files and procedures for keeping parties informed about the process. If the agency has a division or office, such as an ombudsman, for tracking and resolving complaints from the public or other entities, please provide a description.**

*Information related to paragraph G. is provided in the program sections VII-A through VII-C above.*

**H. Data about complaints against the agency.**

*Information related to paragraph H. is provided in the program sections VII-A through VII-C above.*

**I. What process does the agency use to respond to requests under the Public Information (Open Records) Act?**

The agency follows the procedures set out in the Public Information Act to respond to requests for information. SBEC's website now provides the public direct access to information that previously had to be requested, including official certification records of educators.

*Additional information related to paragraph I. is provided in the program sections VII-A through VII-C above.*

**J. Information about contacts who are important to the agency.**

*Information related to paragraph J. is provided in the program sections VII-A through VII-C above.*

## VIII. 77<sup>th</sup> Legislative Session Chart

Exhibit 17 below summarizes key legislation related to SBEC introduced or approved by the 77<sup>th</sup> Legislature (2001).

State Board for Educator Certification Exhibit 17: 77 <sup>th</sup> Legislative Session Chart		
Legislation Enacted in the 77 <sup>th</sup> Legislative Session		
Bill Number	Author	Summary of Key Provisions/Intent
H.B. 1144	Rep. Grusendorf	SBEC to issue a Master Mathematics Teacher Certificate.
H.B. 1475	Rep. Kitchen	SBEC to issue a Master Technology Teacher Certificate.
H.B. 1721	Rep. Martinez Fischer	Eligible educators certified by another jurisdiction are exempted from further testing in seeking Texas certification.
H.B. 3313	Rep. Dunnam	TEA must biennially report the number of classes being taught by individuals not certified in the subject area.
S.B. 273	Sen. Armbrister	SBEC rather than commissioner of education authorized to cancel certificates of educators who defraud the Teacher Retirement System.
S.B. 998	Sen. Madla	Persons with three years teaching experience at alternative education programs (AEP) or juvenile justice AEPs may take certification exams without going through an educator preparation program.
Legislation Not Passed in the 77 <sup>th</sup> Legislative Session		
Bill Number	Author	Summary of Key Provisions/Intent/Reason the Bill did not Pass
H.B. 1143	Rep. Grusendorf	A baccalaureate-degree holder could have taken certification exams without going through an educator preparation program. <ul style="list-style-type: none"> <li>• Opposition by interest groups to eliminating the teacher training requirement may have contributed to bill's not passing.</li> </ul>
H.B. 3167	Rep. R. Lewis	SBOE's veto power over SBEC would have been eliminated. SBEC executive director would have to have experience as teacher and administrator. Primary enforcement of the educator's code of ethics would have been shifted to the local level. Certification of educational aides would have been eliminated. Powers not statutorily delegated to SBEC would have been reserved to district boards of trustees. <ul style="list-style-type: none"> <li>• Opposition by interest groups to eliminating SBOE's veto power and local control over code of ethics enforcement may have contributed to bill's not passing.</li> </ul>

## **IX. Policy Issues**

This section is to briefly describe potential policy issues that would help the agency operate better and improve service delivery.

### **Policy Issue No. 1: *State Board of Education Veto Power***

#### **A. Brief Description of Issue**

Should the authority of the State Board of Education (SBOE) to review and to reject proposed rules of the State Board for Educator Certification (SBEC) be removed from statute?

#### **B. Discussion**

In creating the board in 1995, the Legislature partially transferred the SBOE's rulemaking authority to SBEC. The SBOE retained the power to review and to reject any rule proposed by SBEC. As long as SBOE is able to veto any of SBEC's rules, SBEC cannot function as an independent state agency. The SBOE does not participate in the development of SBEC's proposed rules. The SBOE is not privy to SBEC's deliberations about the issues and facts related to the rules. Yet, the SBOE may erase a year or more of SBEC's work and that of public participants for any reason or no reason, without limitation other than a 90-day deadline in which to exercise its veto power.

The SBOE has exercised the statutory privilege of rejection three times over proposed SBEC rules that would have:

- implemented disciplinary proceedings for sanctioning educator certificates and enforcing an educator's code of ethics;
- required that parents be notified when their child is taught for more than 30 instructional days by an uncertified individual; and
- created a new Transitional Permit designed to collapse various, confusing types of permits and nonstandard certificates into a single temporary credential.

Under the Administrative Procedure Act, other state agencies must wait at least 30 days before adopting proposed rules. SBEC's proposed rules, however, must undergo a statutory 90-day review period before they can be adopted, if the SBOE allows them to be.

#### **C. Possible Solutions and Impact**

**Recommendation:** Remove the statutory provision giving SBOE the power to review and to reject SBEC's proposed rules.

**Impact:** This recommendation would allow SBEC to function as an autonomous board and to efficiently achieve its legislative mission and goals. Further, by granting SBEC parity with other state agencies in how long proposed rules have to wait before adoption, SBEC could respond more quickly to the needs of its constituency.

## Policy Issue No. 2: *Compliance with Certification Requirement*

### A. Brief Description of Issue

Should the statute provide specific means of enforcing compliance with the requirement that public school teachers and other educators hold a proper credential?

### B. Discussion

The statute prohibits a school district from employing a person as a teacher, administrator, aide, counselor, or librarian without a certificate or school district teaching permit. But the statute does not provide an explicit mechanism for enforcing the prohibition. The statute does not state a specific penalty or consequence for violating it. SBEC does not exercise jurisdiction over uncertified persons or school districts. Further, the statutory certification requirement is not part of SBEC's enabling act.

SBEC's certification system makes it possible for school districts to comply with the statute. Yet, school districts pressure SBEC to provide exceptions to the statute, while teacher organizations pressure the agency not to. SBEC's role in enforcing or encouraging compliance with the certification requirement needs to be clarified in statute as matters of policy and procedure.

### C. Possible Solutions and Impact

**Alternative Recommendation 1:** Empower SBEC to enforce compliance with the certification requirement.

Impact: This approach would put SBEC in more of a regulatory role and place greater demands on the agency's professional discipline resources. Possibilities for enforcement may include, but are not limited to the following:

- sanctions against school districts, including perhaps monetary penalties, the revenue from which could be dedicated to programs for the recruitment, training, and/or retention of teachers; and/or
- sanctions against certified administrators responsible for assigning an uncertified person to a role requiring certification.

**Alternative Recommendation 2:** Require a teacher's credentials to be displayed in the classroom and publicly report school districts that violate the certificate requirement for employment.

Impact: This approach would put SBEC in more of a governance role and would place greater demands on public school students and their parents to ensure the district is employing a properly credentialed educator. Some other states have moved toward credential posting requirement. A new Texas law requires TEA to report the number of classes at each campus that are being taught by persons who are not certified in the content areas of their classes.

**Alternative Recommendation 3:** Improve auditing and enforcement of school districts' reporting to the Public Education Information Management System (PEIMS) maintained by TEA.

Impact: This recommendation would force school districts to accurately account for certified and uncertified personnel. Districts' reports to PEIMS affect their funding and are used to develop state educational policy. Complete, accurate reporting is thus essential.

**Alternative Recommendation 4:** Base funding for alternative certification programs (ACPs) on critical teaching shortage areas.

Impact: New legislation gives the Coordinating Board authority to provide financial incentives to degreed persons interested in switching careers and entering the teaching profession. This recommendation suggests directing the incentives to ACPs serving districts with the most critical needs, either in specific content or instructional areas (like math or science; special or bilingual education) or across the board because of geographic location.

### Policy Issue No. 3: *Educational Diagnostician Certification*

#### A. Brief Description of Issue

Should statute clarify that educational diagnosticians are credentialed by SBEC?

#### B. Discussion

Statute does not clearly provide that SBEC certifies educational diagnosticians. Educational diagnosticians provide diagnostic-prescriptive services to exceptional learners and are the only evaluation specialists still certified by SBEC. The Board of Examiners of Psychologists licenses school psychologists, while the State Board of Examiners of Speech-Language Pathology and Audiology licenses speech-language pathologists and audiologists employed in the public schools.

#### C. Possible Solutions and Impact

**Recommendation:** Add educational diagnosticians to the statutory list of educators required to hold an SBEC-issued certificate to be employed in the public schools.

**Impact:** This change would ensure that educational diagnosticians are treated as credentialed professionals for employment purposes, as other student-service and evaluation specialists are.

## Policy Issue No. 4: *Overlapping Governance of Educator Preparation*

### A. Brief Description of Issue

Should the respective powers and duties of SBEC and the Texas Higher Education Coordinating Board over university-based educator preparation programs be clarified in statute?

### B. Discussion

SBEC accredits all of the state's educator preparation programs, including those operated by public institutions of higher education. The Coordinating Board has overlapping jurisdiction in governing public colleges and universities. In overseeing educator preparation programs, SBEC uses a standards-based approach that holds certificate candidates and preparation programs alike accountable for performance, while allowing them flexibility in choosing the means to achieve the required results. The Coordinating Board's governance, by contrast, focuses on the course content and the number of semester-hour credits the university-based preparation programs offer.

The differences between SBEC's results-based approach and the Coordinating Board's process-oriented approach present challenges for preparation programs in complying with both. Further, community college programs and students experience issues in having their course work fully acknowledged by four-year institutions of higher education.

### C. Possible Solutions and Impact

**Recommendation 1:** In statute require SBEC, TEA, and the Coordinating Board to implement a cohesive system of standards for every area of study the three agencies have responsibility over.

Impact: This initiative would align the curriculum of public instruction from kindergarten through the last year of college (K-16). Such alignment would improve student performance, close the gap between different levels of student achievement, and ensure transferability of college credits among entities.

**Recommendation 2:** Authorize the SBEC Executive Director to appoint a non-voting member to the Coordinating Board.

Under statute, the commissioner of higher education presently appoints a non-voting member to SBEC.

Impact: Having an SBEC representative on the Coordinating Board would give each immediate access to the other's perspective during policy deliberations. Participation in the Coordinating Board deliberations would help SBEC understand the Coordinating Board's views on policy issues and priorities. SBEC has benefitted from having a Coordinating Board representative on its Board. Similarly, SBEC's having a voice on the Coordinating Board would accomplish the following:

- Raise the Coordinating Board's awareness of educator preparation issues.
- Ensure that the impact of proposed policies on educator preparation are considered.
- Promote articulation of the K-16 curriculum in deliberations on course standards, content, semester hour requirements, and transferability.

## Policy Issue No. 5: *Self-Reporting of Criminal History*

### A. Brief Description of Issue

Should the statute require certificate holders to report to SBEC when they incur a criminal history?

### B. Discussion

Certificate applicants are required to divulge any criminal history they may have. Once they are certified, however, the statute only requires employing superintendents and heads of certain other educational entities to report subsequently arising criminal history information. The certificate holder is not statutorily required to report a subsequently incurred criminal history. Further, the statute allows school districts to discharge a certified employee who fails to report the employee's conviction of a crime involving moral turpitude to the district or SBEC. But the statute does not expressly require the certificate holder to report the conviction or make the holder subject to certificate sanctions for failing to do so.

### C. Possible Solutions and Impact

**Recommendation 1:** Require certificate holders to report to SBEC when they incur a criminal history.

Impact: Reported criminal histories would increase slightly. Some educators may self-report in hopes of obtaining leniency from the Board in imposing a certificate sanction.

**Policy Issue No. 6: *Background Checks of Interns and Student Teachers***

**A. Brief Description of Issue**

Should statute authorize SBEC to obtain criminal history information on applicants to educator preparation programs?

**B. Discussion**

Now, SBEC can obtain criminal histories only on certificate applicants and holders, not on persons entering their educator preparation program. The state and the profession encourage field-based training of teachers through student teaching and internships in the public schools. But school districts are authorized but not required to run criminal histories on student teachers and interns. Educator preparation programs can only obtain what conviction information is available as an open record through the Department of Public Safety. To ensure the safety of students, SBEC should be able to deny a person with an unacceptable criminal history access to the classroom under the auspices of a teacher-training program.

Other states, in fact, currently have such authorization through their state statutes. For instance, California requires fingerprint clearance before any student intern is permitted on a public school campus. A Certificate of Clearance must be obtained first by the prospective California intern. Likewise, other states have similar statutory authorization for early criminal history checks on prospective teachers.

**C. Possible Solutions and Impact**

**Recommendation 1:** Authorize SBEC to conduct criminal history checks at the point a person is admitted to an educator preparation program.

Impact: Students would be protected from potentially dangerous student teachers and interns. Although the disciplinary caseload may temporarily increase, it will normalize and maybe even decrease for two reasons: (1) these candidates will not enter the disciplinary process after they complete their preparation program and apply for certification; and (2) knowing that their criminal history will be checked upon admission to a preparation program, persons with disqualifying criminal backgrounds will be dissuaded from entering or continuing a program.

In addition, certificate candidates with a potentially disqualifying criminal background would know sooner rather than later that they were ineligible for a certificate. They will not have spent time and money completing a preparation program only to find out they cannot be certified because of their criminal history.

## Policy Issue No. 7: *Investigative Subpoenas*

### A. Brief Description of Issue

Should the statute grant SBEC investigative subpoena power?

### B. Discussion

Because of federal law restricting the release of information about public-school students, SBEC has experienced difficulties getting needed information from school districts about students who are victims or witnesses of educator misconduct. Granting SBEC statutory investigative subpoena power would provide districts an exception under federal law under which they could release the information SBEC needs to do a thorough investigation.

### C. Possible Solutions and Impact

**Recommendation 1:** Grant SBEC investigative subpoena power.

Impact: School officials who want to help SBEC but are hindered by federal law would be given the exception they need to cooperate in the agency's investigation. The change would help protect students from harmful educators. Investigations and disciplinary actions would be expedited and bolstered, thereby allowing SBEC to act more swiftly and surely against certificate holders who pose a threat to children. An educator who committed misconduct would thus be prevented from moving undetected to another district and from repeating the offense there.

## Policy Issue No. 8: *Acceptance of Gifts and Grants*

### A. Brief Description of Issue

Should SBEC be allowed to accept gifts, grants, and donations for any purpose related to its statutory duties, subject to the general limitations placed on all state agencies for such acceptance?

### B. Discussion

The statute presently allows SBEC to accept gifts and non-federal grants only for the purposes of: (1) granting funds to Centers for the Professional Development of Teachers (CPDTs); and (2) giving financial incentives to postbaccalaureate certificate candidates under the Teach for Texas Pilot Program Relating to Alternative Certification. Beginning September 1, 2001, however, SBEC will no longer be issuing grants to CPDTs. Article IX of the current General Appropriations Act allows SBEC to accept federal grants related to one or more of the agencies budget strategies.

### C. Possible Solutions and Impact

**Recommendation:** Authorize SBEC to accept gifts, grants, and donations of money, goods, services, or personal property to be used only to accomplish the Board's duties under chapter 21, subchapter B, of the Education Code, subject to such limitations or conditions as may be provided by law.

**Impact:** SBEC could seek funding from private foundations and other entities to support its functions and serve its constituency.

## Policy Issue No. 9: *Out-of-State Educators*

### A. Brief Description of Issue

Should SBEC's ability to exempt out-of-state educators from Texas certification exam requirements be linked to available resources?

### B. Discussion

A new law provides for the certification of educators from outside Texas without further testing if the other jurisdiction's certification exams are similar to and as rigorous as Texas' certification exams. To determine which jurisdictions give tests that will qualify their educators for a test exemption, SBEC must conduct a comparability study of other jurisdictions' certification exams. To pay for the comparability study, SBEC must increase certification fee revenue from out-of-state applicants. SBEC cannot afford to purchase the other states' exams, though gaining access may cost something. The problem is compounded for other countries' exams.

SBEC is under pressure to immediately implement the new law. Because SBEC will have to adopt a rule to raise fees and because of the statutory 90-day review period at the SBOE, SBEC may not be able to access funds to pay for the comparability study until January 2002, assuming the SBOE does not reject the increased fee.

Further, the comparability review of other states' exams must be ongoing. On the one hand, the agency must keep track of changes to other jurisdictions' tests, which later may become "similar to and at least as rigorous as" the Texas exams. On the other hand, SBEC will be introducing a new slate of certification exams during 2002-2003. Even if another state's test that was comparable in 2001 stays the same, it may no longer be similar to the new Texas exam in 2002. No resources have been authorized for comparability studies beyond the 2002-2003 biennium.

SBEC is not allowed to keep all the fee revenue it collects, and the agency has returned sizeable amounts to the general revenue fund to support other state government functions. Giving SBEC significant additional duties and responsibilities without providing an appropriate source of funding to support those additional duties and responsibilities impedes not only the agency's ability to carry out its primary mission and goals but frustrates policymakers and customers who expect the new services to be delivered promptly and competently.

### C. Possible Solutions and Impact

**Recommendation 1:** Make the implementation of policy initiatives by SBEC contingent upon available resources.

Impact: Ensuring SBEC has adequate resources to accomplish its core functions as well as new policy initiatives that will lend predictability and stability to the agency's operations.

## **X. Comments**

Additional information needed to gain a preliminary understanding of the agency:

*[Presently blank.]*