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**HOUSE EDUCATION COMMITTEE
REGULATIONS ANALYSIS
DEPARTMENT OF EDUCATION
PROPOSED RULEMAKING #6-264
GENERAL STANDARDS AND PROCEDURES
FOR INSTITUTIONAL PREPARATION OF
PROFESSIONAL EDUCATORS
(NEW CHAPTER 354)**

99 JUL 15 AM 10:00

Under the authority granted by Chapter 49 (Certificate) of the State Board of Education, the Department of Education submits for comment by the Committee the proposed rulemaking. Specific authority derives from Section 49.13(a) of the chapter, which states: "(a) The Board, through the Secretary, will provide standards for the guidance of the preparing institution in educating professional personnel for the schools of this Commonwealth." On March 12, 1999, the State Board approved for submission to the regulatory review process the draft document from which this proposed rulemaking is drawn.

BACKGROUND

At the present time, all teachers, educational specialists and administrators employed in the public schools of the Commonwealth and most of the professional staff in charter schools must be state-certified for the positions they hold (School Code, Sections 1201 and 1202). Section 1204 of the School Code establishes several criteria for the issuance of an initial certificate by the Department of Education ("Department"): evidence of a candidate's good moral character; holding a baccalaureate degree from an approved college or university; and completion of such preparation and training in the profession of education which the State Board of Education ("State Board") shall prescribe by regulation. Each of these criteria presumes the involvement of an institution of higher education where the training and assessment of the candidate is conducted. The institutional programs, therefore, are essential to the process and must themselves be assessed according to standards set and monitored by the appropriate state agency, namely, the Department.

Within its regulations (22 PA code §49.13(a)), the State Board has assigned to the Department the task of developing the standards by which the institutional programs and candidates for admission to those programs will be assessed. Section 49.13(b)(4) further gives the Department the specific responsibility to evaluate and approve teacher education programs leading to certification of professional personnel.

Moreover, Section 49.14(2) requires all teacher preparation institutions, including their branch campuses or outreach centers, to “be evaluated and approved as a teacher-preparing institution to offer the specific programs leading to certification in accordance with procedures established by the Department.” These proposed regulations are, then, the formal implementation of this portion of the State Board’s regulations as delegated to the Department.

Since 1995, when State Board work on revisions to Chapter 49 began, there have been discussions and public meetings by the Department on revising the standards used to evaluate institutions. In developing this chapter, the Department set out to establish more rigorous, more quantifiable standards by which to measure teacher-preparation programs. Representatives of the 90 teacher-training institutions in Pennsylvania provided input, along with the PA Association of Colleges and Teacher Educators (PACTE), PSEA and PaFt. The Department’s proposal reflects also the input of the State System of Higher Education (State System of Higher Education) whose teacher-preparation responsibilities hark back to the Commonwealth’s former “normal schools” and is the largest preparer of education majors in the Commonwealth.

Notably, the Department has had this regulatory authority (i.e. to develop general standards for teacher preparation programs) since 1980, when Chapter 49 was adopted in much of its current form. At that time the Department chose to issue general standards on institutional programs and certificate standards/policy guidelines as policy documents, not as regulation.

One recent factor has changed that arrangement. The revision of the Regulatory Review Act in 1997 added Section 7.1 (Classification of documents) which gives IRRC or the legislative committees the right to request a determination from the Joint Committee on Documents as to the regulatory nature of policy documents and guidelines issued by regulatory agencies. If determined to be regulatory in nature, an agency’s document would need to be submitted to the regulatory review process before it could be legally enforced.

In addition, the previous process to develop these standards and guidelines followed State Board directions and was relatively public, using informational meetings and input from affected parties. These characteristics are similar to the process used by agencies to prepare regulations for approval. Coupled with the likelihood that such standards and guidelines would eventually be subject to regulatory determination, the Department has submitted its revisions of those standards and guidelines as a new Chapter of proposed regulations.

CONTENT

These new regulations provide the standards used by the Department to evaluate the program design, the candidate evaluation process, and quality of the faculty for approval of educator-training programs at PA institutions. The standards are applied to programs training education majors at the undergraduate level (initial level) and education professionals at the post-baccalaureate level (advanced level). Programs designed by institutions to assist non-education graduates move into the teaching professional are covered also. In addition, frequent attempt is made to coordinate the standards for institutional approval with the state's academic standards, the induction of novice teachers, and the ongoing continuing education programs of professionals in public education.

Within these new regulations are the following provisions:

Key Definitions (Section 354.1). Included are definitions of “advanced preparation program”; “candidate”; “department”; “education institution”; “educational specialty”; “field experiences”; “general standards”; “general studies”; “initial preparation program”; “Pennsylvania academic standards”; “preparing institution”; “professional educator”; “professional educator courses”; “specific professional educator program standards”; and “unit”.

Minimum requirements (§354.11) and *procedures* (§354.12) for the approval of an institution's teacher-training program include any off-campus sites. These provisions allow the Department, among other things, to withdraw approval of any programs failing to meet the standards, to review programs at any time (usually every five years), and to approve all new programs or modification to existing programs.

Standards for various program categories, such as Program Design, Candidate Admission, and Faculty, are generalized in §354.13, with a specific sub-chapter for each.

Program Design (§354.21 - §354.27).

The *mission section* (§354.21) calls for a clearly articulated, need-based mission statement for each unit (college, school, or department of education at a postsecondary institution) developed by stakeholders of the program, with particular attention to coherence with the PA Academic Standards and all other aspects of teacher preparation.

Field Experiences, one of those aspects of teacher preparation, are sequential and developmental in nature and may begin with the student's initial semester in college.

The system, as a whole, is evaluated through the use of numerous data sources, with the results used to improve the program (§354.23). Placement of graduates, calculated by percentage, will be available to future and current teacher candidates and to the Department and the State Board.

Academic achievement is one standard emphasized repeatedly throughout these regulations. Section 354.24 affirms the need for units to verify compliance with standards for academic, college level *general studies* courses (6 or more semester hours in mathematics and 6 or more hours in English composition/literature), experience in liberal arts and sciences, and appropriate theoretical and practical knowledge prior to formal acceptance into a program.

A unit assures *academic competence* (§354.25) by providing a planned, thorough procedure for a student to meet academic standards within his/her professional subject discipline or in discipline related to his/her educational specialty (e.g. psychology for guidance counselors). A candidate completes a sequence of courses or experiences designed to develop his/her professional knowledge and subject knowledge (related to State Academic Standards) while maintaining an above average grade-point average (g.p.a.) of 3.0 (on a 4.0 scale) in his/her academic discipline. Also, to assure academic rigor, the English and math courses in the teacher preparation programs must be the same for the BA or BS degree programs. Similarly, the academic content area courses for teacher preparation programs must include the same core courses and required electives for either the BA or BS degree programs. (This rule applies to each area of certification sought by the candidate.)

The unit's *preparation program curriculum* (§354.26) should be designed to teach a candidate how students learn, not merely how to teach. As such, the program must:

- ⇒ be derived from research and sound professional practice and be of high quality.
- ⇒ avoid unnecessary duplication or course repetition and create efficient professional preparation.
- ⇒ contain a well-planned, efficient sequence of courses or experiences in both professional and pedagogical studies.
- ⇒ encourage interdisciplinary cooperation to permit a candidate to graduate within four years of enrollment.
- ⇒ integrate all studies so as to provide candidate with skills to help students achieve State Academic Standards.
- ⇒ ensure that candidates become competent educators.

Examples:

- a) Programs build upon current knowledge and experiences to extend knowledge and learning-support practices.
- b) State Academic Standards and professional education program standards are factors in the development of the programs.

- c) Programs ensure candidates can research information, use research methods and acquire knowledge about relevant issues and trends in public education.
- ⇒ develop field experiences, student teaching, internships and clinical experiences which allow the candidate to apply principles and theories to actual classroom practices, create meaningful learning experiences, and study in a variety of situations with diverse populations.
- ⇒ provide faculty support to the candidate throughout the learning experience, with feedback from the candidate, cooperating teacher, school officials, and other involved parties.
- ⇒ commence field experience the first semester of enrollment and make experiences appropriately intensive and extensive (e.g. minimum of 12 weeks of student teaching) to permit proper educational development and demonstrate competence.

Much of the Department's proposal relies upon *collaborative programs*, described in §354.27. The unit is expected to enhance its own program and improve the quality of public school education through collaboration with other higher education faculty members (i.e. in the development of academic standards for education curriculum); public school personnel (e.g. in placement of candidates for student teaching, internships); and other members of the education community (e.g. in critique and evaluation of placement policies, performance on state teacher exam, etc.). In addition, the institutions and local schools are to provide partnership support to novice teachers as well as to cooperate in the implementation of appropriate alternative certificate programs.

Candidates (§354.31 - §354.33).

Except for statistical information regarding the successful completion of the State's assessment of a candidate's competence and knowledge (National Teacher's Exam, Praxis I Series), most of the emphasis in this chapter is placed on requirements for admission to a preparation program. This entrance-based process is weighted heavily toward a student's achievement rather than his/her aptitude and attitude for teaching. This is apparent in the section on *admission*, §354.31. The standard for admission to a program requires the unit to document that it recruits, admits and retains candidates with potential for success as a professional educator. This includes:

- ⇒ a comprehensive system of assessment for candidate qualifications prior to formal admission.
- ⇒ a minimum of three semester (48 credit hours) of full-time collegiate study prior to admission to an initial baccalaureate degree preparation program.
- ⇒ criteria for formal admission to be based on numerous sources of data (assessment of academic proficiency, college board scores, faculty recommendations, biographical data).

- ⇒ phase-in academic standard for initial program candidates set at 3.0 g.p.a. for all non-professional courses or, as an alternative standard, a 2.8 g.p.a. on all non-professional courses and minimum qualifying scores on the Praxis I, Pre-Professional Skills Test Series.
- ⇒ authority to admit up to 10% of undergraduate candidates who do not meet the minimum standards, if circumstances justify.
- ⇒ admission to advanced program based upon academic proficiency (MAT or GRE scores), a 3.0 g.p.a. for undergraduate work, faculty and professional recommendation, a record of professional competence and effectiveness, and graduation for a regionally-accredited institution.
- ⇒ the authority to accept into the advanced program up to 10% of candidates who do not meet the criteria above, if circumstances justify.
- ⇒ admissions procedures for all post-baccalaureate candidates which confirm that candidates possess appropriate depth and breadth in general and academic studies; that candidates have high qualifications; that all candidates are measured by the same criteria; and that candidates reflect a broad and diverse student body.

Monitoring and assessment of candidates (§354.32) obligates the unit to assure the Commonwealth that the candidate receives appropriate academic and professional counseling and advice throughout the professional education program. The unit will accomplish this task by monitoring and assessing the progress of the candidate in his/her mastery and competence of 14 specified areas, with assessment coming from multiple sources providing various types of information for the assessment.

Candidates will be advised as to future career plans and eligibility for student teaching/professional internships, and will be given information about the institution's policies and requirements needed to complete their program, achieve professional certificate, obtain social and psychological counseling, and explore job opportunities.

Professional competency (§354.33) provides for a pre-exit evaluation of the candidate's ability to work successfully in the public school system. Such an evaluation shall be based upon the PA Academic Standards and standards specific to the candidate's program. A variety of sources contributing various information will be used in the evaluation process, including input from professionals in the public school system. Candidates must have compiled a 3.0 g.p.a. in all professional studies and in all academic courses related to his/her educational discipline. Statistical data on pass-fail rates for an institution's candidates on the State Assessment (NTE, Praxis I Series) will be measured against a state standard established by the State Board.

Faculty (§354.41)

Faculty quality (§354.41) is an essential component of any teacher-education program. Each unit will confirm that its faculty are qualified education scholars who participate in the professional education community. The unit must attempt to recruit, hire and retain a diverse education faculty, with unit plans to provide opportunities for professional development, for assessment of competence and intellectual vitality of the faculty.

STAFF COMMENTS

Committee staff reviewed the proposed Chapter 354 regulations at a 7/8/99 meeting with the Department and the staff of the Independent Regulatory Review Commission (IRRC). During and after meeting, several salient issues emerged as items for consideration by the Committee.

1. Terminology

Clarity in language is always desirable; in regulations it is absolutely essential. Staff found several areas of concern regarding terminology used.

A. Vague or Unnecessary Definitions

Although the chapter provides good clarification for certain definitions used in the chapter, one definition proved particularly confusing: "Educational institutions". Apparently intended to be a catch-all for both basic and higher education, both public and private entities, it is instead, a stumbling block for clear delineation of higher education's role as teacher-preparers. Perhaps that is why it is used sparingly in the text. (Staff could not discover any use of the term in the body of the regulations.) Regarding this particular term, **staff suggests that the Committee recommend its elimination.** Because doing so would eliminate any definition of a basic education institution, **the Committee might recommend a new definition entitled "school entity" and use language common to the School Code (e.g. Section 1101-A of the School Code).** In fact, the text makes reference (§354.27(d)) to "local school entities).

In addition, the term "unit" appears to be unnecessary, especially in light of another existing term, "preparing institution". Staff believes those two terms could be combined under the latter's title with a definition to read: "The department, college, school or other administrative unit, within a PA college or university, which has been approved to conduct programs for the initial or advanced preparation of professional educators or the preparation of vocational instructional certificated personnel."

Staff further believes there can be confusion in the definition of the term "General studies" when compared to language in Section 354.24(b), which Section is also

entitled “general studies”. Our suggestion is to **eliminate “general studies” as the title of §354.24 in favor of a more appropriate label.**

B. Misused terminology.

In §354.26(c)(3) the term “students” is used when the context of the provision clearly indicates that the programs described refer to the candidate or professional educator. It is obvious that the intent of the language is to refer to the higher education student enrolled in the teacher preparation program, but since the term “candidate” is properly defined in §354.1 (Definitions) and used elsewhere in these regulations that term should be used here as well. That same concern exists for the use of the term “student” in §354.23(c) and §354.26(c)(i). Staff suggests that the Committee **request the Department to change the word “student” to the word “candidate” in those instances.**

Staff also suggests that the phrase “institutions of higher education that prepare professional educators” in §354.2(Purpose) could be replaced with the defined term “preparing institution”.

C. Missing Reference in Definition.

The definition of “PA academic standards” should include reference to 22 PA Code, Chapter 4, for sake of clarity.

D. A list of typographical corrections will be appended to the comments submitted by the Committee.

2. Alternative Certification.

In late April 1999 the Department, without legislative consultation, introduced a program commonly referred to as “fast-track certification”. Designed as an alternative pathway for people with real-world experience (engineers, lawyers, doctors, chemists, etc.) to enter the teaching profession expeditiously, the program is intended for limited use in certifying teacher candidates in hard-to-find disciplines, such as advanced math and the sciences.

Staff notes that:

- ⇒ the Committee rejected a similar scheme by the State Board when it submitted proposed rulemaking on Chapter 49 in 1997, due to the Board’s lack of statutory authorization.
- ⇒ this proposal intends to implement a similar program under the apparent authorization of regulation, 22 PA Code §49.15.
- ⇒ the Department’s alternative certificate program could be in conflict or competition with the certification programs contained in the Committee-approved regulations of Chapter 49.
- ⇒ the alleged authority for the Department to issue this program is 22 PA Code §49.15 which deals with experimental programs at individual institutions. Most of the Department’s materials (guidelines, press releases) suggest a statewide approval of all candidates for such a program.

⇒ the Committee, under the authorization provided in Section 7.1 of the Regulatory Review Act (Act 181 of 1982), as amended, could request a determination by the Joint Committee on Documents as to whether such a blanket program for approval of alternative certification constitutes a regulation subject to submission to the regulatory review process.

Staff believes the Department could and should have published its alternative program of certification as regulations, possibly within these standards. (The Department references the alternative certification in these regulations in §354.27(d).) As that is not the case, staff suggests that **the Committee initiate steps to have all relevant information on the Department's alternative program of certification submitted to the Joint Committee on Documents for a determination as to its regulatory nature.**

3. "Specific professional educator program standards" (§354.1).

Staff questions where these standards will be found? Will they accompany this chapter (in an appendix) or be incorporated as part of this chapter? Staff suggests that **the Committee require the Department to make available to the Committee an opportunity to review the standards by final rulemaking approval.**

4. Program review (§354.12(b)).

Staff believes that the Department should specify the procedures to be used in a program review, especially if **an institution's program might be reviewed at any time.**

5. Evaluation teams §354.12(c)).

Given that these teams have significant leeway to recommend approval or disapproval to the Department, staff suggests that **the Committee require the Department to show the composition of these appointed teams** (e.g. 50% basic education professionals, 50% higher education faculty) should be specified. Also, is disapproval of one part of a program disapproval of the whole teacher-training program? What is the appeals method or the process to reacquire approval?

6. General studies (§354.24).

The title seems to be misused. Staff suggests a better title, such as "Academic rigor" or "Academic preparation".

Also, staff questions what constitutes "experiences in the liberal arts and sciences"? (§354.24(a)). We believe that "course", "studies", or even "activities" are more tangible nouns to use than "experience". **The Committee should ask the Department to clarify the use of this phrase.**

7. Formal acceptance into a program (§354.24(a)).

Staff suggests that specific language be inserted to clarify which action or procedure indicates “formal acceptance” into a program. If candidates must begin field experiences as early as the first semester, freshman year (§354.26(d)(3)) does that signify some acceptance into a program? Staff believes **that the Committee should ask that better delineation of this acceptance process be stated.**

8. Collaborative programs (§354.27(b)).

Staff believes that further clarification is needed of the educational programs to be improved. Is it the public school system’s educational program or the teacher-training program?

9. Minimum Test Scores (§354.31(a)(3)(ii) and (6)(i)).

Staff notes that the minimum qualifying scores for the Praxis I, Pre-Professional Series tests have been stated. The minimum qualifying scores on the college entrance exams (SAT or ACT), the Miller Analogies Test (MAT) and the Graduates Record Exam (GRE), however, have not been stated. If the Department intends to add quantifiable rigor to its standards, staff believes **minimum test scores is one way to do so and suggests that the Committee recommend it to the Department.**

10. Curriculum-Based Flexibility (§354.31(a)(4)).

Staff believes a one-size-fits-all standard for academic achievement in general studies should be amended to include some flexibility. The general education requirements and required courses may be more rigorous for candidates majoring in science education or math education than for candidates in social studies education. A rigid standard might prevent the former from achieving the required g.p.a. and diminishing the pool of possible teachers. The staff suggests that **the Committee consider recommending such flexibility to the Department.**

11. Discretionary Factor in Admissions (§354.31(a)(5) and (7)).

The regulations permit a preparing institution to admit up to 10% of its education candidates from students who do not meet the minimum requirements, if exceptional circumstances justify admission. Staff believes this phrase is too open-ended and needs to be limited by further clarification. What sorts of circumstances might justify admission? How will that be decided? Who will make the decision? Staff suggests to the Committee, that **exceptional circumstances is an area for additional clarification.**

12. Lack of any technology training. Nowhere in the regulations is there any mention of standards of technology knowledge for the candidates who will staff classrooms of the future. Staff suggests that **the Committee recommend that the Department provide for the inclusion of courses or training in educational technology along with an assessment for technology**

competence as an exit requirement, for the approval of program for teacher preparation.