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August 23, 1999

Original: 2039
Harbison

The Honorable Eugene Hickok, Secretary
PA Department of Education
333 Market Street, 10th Floor
Harrisburg, PA 17126-0333

cc: Harris
McGinley
Nanorta
Markham
Sandusky
Legal
Notebook

Dear Secretary Hickok:

In accordance with Section 5(d) of the Regulatory Review Act (Act 181 of 1992), we are forwarding to your agency comments of the House Education Committee regarding proposed Rulemaking #6-264 (Chapter 354: General Standards and Procedures for Institutional Preparation of Professional Educators). These comments were gathered at the Committee's meeting held on August 17, 1999, at which time the members present reviewed the proposal and voted to submit these comments.

The Committee offers the following comments regarding proposed Rulemaking #6-264.

⇒ Terminology

Clarity in language is always desirable; in regulations it is absolutely essential. The Committee 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. (The Committee staff could not discover any use of the term in the body of the regulations.) Regarding this particular term, the Committee recommend its elimination. Because doing so would eliminate any definition of a basic education institution, the Committee recommends a new definition entitled "school entity" and the use of definition language common to the School Code (e.g. Section 1101-A of the School Code).

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LEGISLATIVE SERVICES DIVISION

In addition, the term “unit” appears to be unnecessary, especially in light of another existing term, “preparing institution”. The Committee 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.”

The Committee further believes there can be confusion in the definition of the term “General studies” (354.1) when compared to language in Section 354.24(b), which Section is also entitled “general studies”. Our recommendation is to eliminate “general studies” as the title of §354.24 in favor of a more appropriate label, such as “Academic rigor” or “Academic preparation”.

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). The Committee recommends that the Department change the word “student” to the word “candidate” in those instances.

The Committee further suggests that the phrase “institutions of higher education that prepare professional educators” in §354.2 (Purpose) 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. The Committee suggests that the specific reference to Chapter 4 be inserted throughout the text where needed.

D. Missing Definitions.

The Committee recommends that the following terms be defined, as their use within the text of the standards is significant and they need precise meanings:

“Cooperating teachers” (§354.27(a)(2)(iii))

“Novice Educators” (§354.27(c))

“Performance-based assessments” (§354.32(a)(I))

⇒ 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 professional expeditiously, the program is intended for limited use in certifying teacher candidates in hard-to-find disciplines, such as advanced math, the sciences, and foreign languages.

The Committee notes that it rejected a similar proposal for “equivalencies” by the State Board when that agency submitted proposed rulemaking on Chapter 49 in 1997, due to the Board’s lack of statutory authorization to create such programs.

Because the statutory or regulatory authority for this program is in question, the Committee recommends that the sole reference to alternative candidate certificate (§354.27(d)) be eliminated by final-form rulemaking.

⇒ “Specific professional educator program standards” (§354.1).

The Committee questions where these standards will be found? Will they accompany this chapter (in an appendix) or be incorporated as part of this chapter? The Committee requests that the Department include the references to these standards in its final rulemaking, citing specifically where such program standards may be found.

⇒ Program review (§354.12(b)).

The Committee recommends that the Department specify the procedures to be used in a program review, especially since an institution’s program might be reviewed at any time.

⇒ Evaluation teams §354.12(c).

Given that these teams have significant leeway to recommend program approval or disapproval to the Department, the Committee recommends that the Department show the specific composition of these appointed teams (e.g. 50% basic education professionals, 50% higher education faculty).

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? Clarification of these two questions is requested in final-form rulemaking.

- ⇒ The Committee 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 asks the Department to review and, where necessary, clarify the uses of the word “experience” throughout the entire chapter.

- ⇒ Formal acceptance into a program (§354.24(a)).
The Committee suggests that specific language should 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? The Committee asks that better delineation or clarification of this acceptance process be stated.

- ⇒ Minimum Test Scores (§354.31(a)(3)(ii) and (6)(i)).
The Committee 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, the Committee suggest that minimum scores on these tests is one way to do so and recommends such to the Department.

- ⇒ Curriculum-Based Flexibility (§354.31(a)(4)).
The Committee believes a one-size-fits-all standard (3.0) for academic achievement in general studies must be amended to include some flexibility to program admission. For instance, the general education requirements and required courses may be more rigorous for candidates majoring in science education or math education than for candidates in elementary education. A rigid standard might prevent the former from achieving the required g.p.a. and actually diminish that pool of possible teachers. The Committee recommends to the Department, as an alternative, that an aggregate 3.0 g.p.a. for all candidates at a preparing institution be used instead of individual 3.0 g.p.a’s.

- ⇒ 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. The Committee 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? The Committee requests that "exceptional circumstances" be clarified or, if the alternative to individual g.p.a.'s suggested above is adopted, that the discretionary factor be eliminated as unnecessary.

- ⇒ 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. The Committee recommends 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 a program for teacher preparation.

- ⇒ Completion of program within four years (§354.26(a)(4)). Although the Committee commends the Department for its intention to minimize the time from initial college enrollment until completion of teacher-preparation program, there appears to be a conflict with the provisions on academic requirements. It would be difficult, if not impossible, for an education major to complete the general studies requirements (§354.24 and §354.25) expected of a liberal arts BA or BS major within the normal time frame and to complete the education program at the same time. In response, the Department offers an explanation indicating the flexibility in the word "allow". The Committee accepts the explanation and wishes to go on record in support of the flexibility embodied within the Department's position.

- ⇒ Majors for elementary and middle school candidates: Much of the regulations' language regarding academic disciplines and competence is well-suited to educators heading into subject-oriented secondary education, especially high school. There is no analogous framework peculiar to elementary and middle school educators. What, for example, is the BA or BS disciplinary equivalent to majoring in elementary education? In order to be equitable, the Committee suggests that, except for specialized subjects (such as music, art or physical education), elementary educators should have a general studies competence in an institution's liberal arts program. Similarly, it should be made clear that a middle school educator must major in an academic discipline with academic competence the same as his/her high school counterpart.

- ⇒ Courses on the education of special-needs children. As more children with special needs become mainstreamed, an ever greater number of teachers will need training on meeting those special needs. Consequently, to prepare future

⇒ teachers for this task, this Committee recommends that the Department require institutional programs to include courses on special-needs student learning for approval.

⇒ Unit reporting (§354.23).

A). As a standard of teacher preparation, passing scores on the Department's educational assessment required under 22 PA Code 49.18 can prove very helpful. The Committee recommends that the number of an institution's graduates, the number and percentage who take the Praxis tests, and the number and percentage of that group which passes the tests be included in the annual unit report. These results should include the number and % who passed qualifying exams in other states.

B). The Committee also recommends to the Department that institutions make some accounting in their reports for graduates who are not placed in jobs, due to further education.

C). Furthermore, since data from the report could have implications for public policymakers, the Committee recommends that the unit report be submitted to the General Assembly as well as students, parents, the Department and State Board.

⇒ Student teaching (§354.27(a)(2)(i))

For student teaching experience to be beneficial to the evaluators (cooperating teacher and institution's supervising faculty member) and the candidate, a direct connection must exist between this experience and what a candidate must know and do to be a good teacher. Consequently, this Committee believes that student teaching must be tied to specific performance objectives or standards (such as INTASC standards). We recommend that student teaching be segregated as a field experience with specific performance standards (e.g. candidate deals well in stressful situation; candidate displays creativity and diversity in teaching methods, etc.).

In addition, the State Board's Standards in the revision of Chapter 49 (specifically, Section 49.81(c)) should also be referenced to provide a connection to that agency's regulations.

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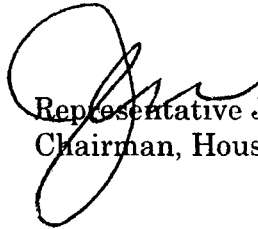
Technical Corrections

§354.23 (Unit Reporting)(a) - two different terms, "systematic" "systemic" are used in two different clauses to refer to the same evaluation. The Department needs to clarify which of the terms is appropriate.

§354.25 (Academic Competence)(a) - there must be a comma after "planned" as "planned" and "thorough" are series of modifiers for "procedure" and must be separated by a comma.

The Committee offers these comments for your consideration. I have asked members to submit their individual comments to the Department, along with the Committee's comments. A copy of those members' comments are enclosed. If you have questions or need additional information, please contact my office.

Sincerely,



Representative Jess M. Stairs
Chairman, House Education Committee

JMS/er
Enclosure

cc: Members of the House Education Committee
John R. McGinley, Chairman, Independent/Regulatory Review Commission
Robert Nyce, Executive Director, IRRC ✓
Peter Garland, Executive Director, State Board of Education