

Governing Texas Educator Preparation Programs: A Look at Accreditation, Accountability, and Assignment Policies

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Abstract

The preparation of effective educators to serve in Texas public schools remains a top priority for Texas policymakers and state agencies. In 2020, a team at the University of Houston Education Research Center documented the Texas legislature's extensive policy changes to the governance and regulation of educator preparation and certification from 1995 to 2019 (Templeton et al., 2020). This brief complements an update on the extensive changes to the Texas' educator preparation policies from 2019 to 2023. The longer update covers the revisions and additions made to chapters governing requirements for educator preparation programs, candidates, and certifications. This brief covers updates specific to accreditation and accountability systems, and public-school personnel assignment, focusing on parts of Chapter 228 and all of Chapters 229 and 231 of the Texas Administrative Code. For information on the background, data, and methods, please consult the primary update.

Keywords: policy, Texas education, legislative updates

A combination of state and federal laws passed in the mid-1990s to early 2000s set the groundwork for the current rules governing educator preparation and certification in Texas. In 2020, a team at the University of Houston Education Research Center documented the Texas legislature's extensive policy changes to the governance and regulation of educator preparation and certification from 1995 to 2019 (Templeton et al., 2020). This brief complements a new update on the extensive changes to Texas' educator preparation policies from 2019 to 2023 (Francis, forthcoming). Drawing on the Texas Administrative Code (TAC) and archived copies of the Texas Register, I turn in this policy review to examining the evolution of updates specific to policies governing accreditation and accountability systems and public-school personnel assignment. I focus specifically on parts of Chapter 228 and all of Chapters 229 and 231 of the TAC. A

full discussion of the background, data, and methods is available in the main update.

Chapter 228: Requirements for Educator Preparation Programs

Chapter 228 was established in 1999, laying out the rules and regulations for the governance of educator preparation programs (EPPs), including preparation, curriculum, coursework, training, assessment, and professional conduct (Templeton et al., 2020). The general provisions set forth in rule §228.1 acknowledged the need for joint responsibility of EPPs and the public and private schools providing early childhood education through Grade 12 in educator preparation. As such, the rules governing the requirements for EPPs were designed to foster collaboration in EPP development, delivery, and evaluation. Across the 13 rules of Chapter 228, policymakers fashioned a single set of program standards to promote consistency in educator

preparation and foster accountability for those programs through the Accountability System for Educator Preparation (ASEP), developed in Chapter 229. From 2019 to 2022, there were several revisions and updates to the rules of Chapter 228. The majority are covered in the main report. In this

brief, I examine only those related to program accreditation. Table 1 chronologically summarizes changes to Chapter 228 detailed in this brief.

Table 1
Chapter 228: Requirements for Educator Preparation Programs

Proposed Rule	Adopted Rule	Summary
May 31, 2019, 44 TexReg 2658	October 11, 2019, 44 TexReg 5903	New rules on change of ownership and name of EPPs
May 29, 2020, 45 TexReg 3563	October 9, 2020, 45 TexReg 7255	Added guidelines for closure and consolidation of programs
December 31, 2021, 46 TexReg 9155	May 6, 2022, 47 TexReg 2750	Add students with disabilities to preparation requirements; HB 159, 87 th Texas Legislature, 2021

Program Operations & Governance

The need to clarify, revise, and preserve the accreditation system for EPPs prompted many rule changes from 2019 to 2022. The first and most significant change was the repeal and replacement of §228.17, which was retitled *Change of Ownership and Name Change*. Collectively, these changes were adopted to maintain the integrity of the accreditation system and prevent programs from undergoing frequent name changes that might confuse the public (44 TexReg 5904). The retitled subsection included a new rule that allowed EPPs to change their name when a change of ownership occurred and specified the criteria and process for undergoing a name change. It also detailed the consequences for failing to adhere to the process, including the assignment of a status of “Accredited-Probation,” which, under Chapter 229, could lead the EPP to lose its accreditation after a year (44 TexReg 5903).

Program approval, closure, and consolidation rules underwent some change from 2019 to 2022.

With respect to program closure, new rule §228.15(3) curbed the ability of closing EPPs from admitting or recommending candidates for intern or probationary certificates within one year of their August 31 closure date, enabling EPPs and their candidates to focus on completing program requirements and an internship in the mandated one-year timeframe. New §228.15(e) also sought to focus the actions of closing EPPs on supporting currently enrolled candidates, rather than attracting new candidates, by prescribing that TEA staff revoke the continued approval of EPPs found in violation of any of the mandated actions when closing or consolidating. New §228.15(5) mandated that EPPs that are closing or consolidating pay the ASEP technology fee, to ensure closure or consolidation was not used as a means of fee evasion (45 TexReg 7255).

In addition to program closure rules, program governance rules were updated in 2020. New subsection (h) was added to §228.20, requiring that EPPs publish an exit policy that candidates review

and sign upon admissions. The purpose of this addition was to provide clarity for candidates and the program should a candidate be dismissed from an EPP (45 TexReg 7255).

Finally, the passage of HB 159 (87th Texas Legislature, 2021) amended TEC §21.0443 to

Chapter 229: Accountability System for Educator Preparation Programs

Chapter 229 was adopted in 1998 to hold EPPs accountable for the creation of a strong, qualified workforce capable of serving the state’s diverse student population. The chapter and its nine rules establish in the TAC the accreditation and accountability processes needed to enforce three key requirements from the Texas Education Code (TEC): the requirement of EPPs to adequately prepare candidates for certification; requirement of the State Board of Educator Certification (SBEC) to ensure candidates for certification demonstrate the knowledge and skills to improve student performance; and the requirement for the SBEC to establish standards to maintain the accountability of EPPs (45 TexReg 5772). Importantly, Chapter 229 sets forth the Accountability System for Educator Preparation (ASEP) and corresponding manual, which provides descriptions and examples of the analyses and calculations used in deriving the values for ASEP indicators for accreditation.

In addition to the passage of bills that necessitated amendments, including HB 159 and SB 2066 (87th Texas Legislature, 2021), two other major forces prompted changes to Chapter 229 from 2020 to 2022. First, from December 2018 to May 2021, the SBEC and TEA staff engaged in regular exchanges of feedback on the Chapter 229 rules and identified areas for revision to the comprehensive

mandate that EPP eligibility for approval and renewal of approval be contingent on the incorporation of proactive instructional planning techniques throughout course work and across content area, and the integration of inclusive practices for all students, including students with disabilities (47 TexReg 2750).

accountability system that would increase consistency and transparency. SBEC staff provided TEA staff with input and direction on possible changes. Such input was supplemented by multiple rounds of stakeholder feedback, which TEA staff solicited to inform options for the SBEC, and public testimony on proposed changes. In May 2020, the SBEC, in response to public comments, requested TEA staff solicit weighting of ASEP Indicator 1b, certification examination results for non-PPR exams, and the indexing system. In April 2021, the SBEC directed TEA staff to receive additional feedback on certificate category pass rates, which they collected at a May 2021 meeting held in conjunction with Educator Preparation Advisory Committee (EPAC). Feedback concluded in October 2021, with the conclusion of the public comment period.

Second, the public health crisis posed by COVID-19 prompted amendments to the yearly ASEP. Governor Greg Abbott’s disaster declaration prompted by the pandemic necessitated changes be made to the 2019-2020 ASEP and the determination of accreditation statuses to prevent EPPs from being subject to accountability ratings in 2019-20 when data could not be collected for the entirety of the school year (45 TexReg 5772). The continued impact of the pandemic in 2020-2021, including continuation of center closures and reverberating effects on data collection, required further amendments to the accreditation status and rating

process. The following paragraphs capture the changes prompted by legislation, the public health crisis, and the on-going feedback between stakeholder groups.

Updates to the ASEP Manual

There were extensive changes to the ASEP manual from 2020 to 2023. Table 2 details all rule changes to the ASEP manual from 2020 to 2023, which were adopted in addition to several overarching changes to the text of §229.1. In 2020, the scope of the manual as described in §229.1 was updated to include a broad reference to the rules on the determination of accreditation status and to make clear that the manual contains the relevant criteria, formulas, and calculations to determine commendations under §229.1 and §229.4 (45 TexReg 9180). A variety of revisions to the manual were adopted in 2020, most notably the addition of Chapter 9, which described the determination of the ASEP index score (45 TexReg 9180). In 2021,

updates to the *ASEP Manual* focused on adjustments required in response to the on-going public health crisis and the passage of legislation that added students with disabilities to ASEP student achievement performance indicators. Changes also corrected date references and minor technical errors to provide transparency regarding the calculations used to determine accreditation statuses (46 TexReg 8721).

In 2022, updates to the ASEP manual focused primarily on implementing SB 2066 (87th Texas Legislature, 2021) and providing clarity, transparency, and fairness of processes to the field. The changes made were also intended to provide alignment with adopted updates to §229.4. To bring other rules and graphics (Figure: 19 TAC §230.21(e)) in line with ASEP Manual changes, definitions for *content pedagogy test* and *pedagogy test* were added to §229.2 (47 TexReg 8663).

Table 2
Revisions to the ASEP Manual from 2020 to 2023

Chapter	Year	Rule changes
Chapter 1 – Accountability Overview	2020	Added information on new Chapter 9 content; removed content on Educator Preparation Advisory Committee and Educator Preparation Data Workgroup
	2022	Simplified and streamlined language of Indicator 1a (Certification examination results for pedagogy tests) and Indicator 1b (Certification examination results for content pedagogy tests)
Chapter 2 – Methodological Considerations	N/A	No changes
Chapter 3 – Certification Exam Pass Rate	2021	Brought into alignment with §229.4 changes - adopted language to exclude candidates issued a probationary certificate without appropriate certification exams, as allowed under the condition of the waiver issued by the governor for the 2020-2021 academic year, from calculation of EPP scores; new section Disaggregation at the Certification or Category Level added, and Disaggregation at the Test Level was removed
	2022	Updated the descriptions of Indicators 1a and 1b to match updates in §229.4, including clarifying exclusion procedures related to the Performance Assessment for School Leaders, removal of reference to the Core Subjects Adjustments, added clarification about the procedure to identify how candidates with results for tests 291 Core Subjects EC-6 and 391 Core Subjects EC-6 are counted in pass rates, modified work examples for PASL and the named tests
Chapter 4 – Appraisal of First-year Teachers	2020	Updated the description of calculations of the appraisal of first-year teachers by administrators, including removal of information on the pilot year and description of the development of the scoring approach
	2022	Changed the term "English language learners" to "emergent bilingual students" to implement SB 2066 (87 th Texas Legislature, 2021); updated worked example of the rounding rule; detailed procedure for EPPs to complete review of included candidates' roster
Chapter 5 – Improvement in Student Achievement of Students Taught by Beginning Teachers	2020	Updated the description calculations for the student achievement indicator, including methodology and a worked example
	2021	Based on HB 159 (87 th Texas Legislature, 2021), clarification that all students including students with disabilities used in calculation of the indicator
	2022	Updated text to clarify that teachers who exit the teacher workforce and then being employed for three years and then return to the workforce are not included in the calculation for the EPP following re-entry; clarified that a threshold of more students for a teacher's subject area is needed to be included for Indicator 5 (Improvement in student achievement of students taught by beginning teachers)
Chapter 6 – Frequency, Duration, and Quality of Field Supervision	2020	Updated the description of calculations related to the field supervision indicator, including updates to the worked example

Chapter	Year	Rule changes
	2022	Removed the term "field experience" and replaced with "internship c teaching;" clarified exception procedure; updated worked examples for In 4a (Frequency and duration of field observations) and 4b (Quality of field supervision)
Chapter 7 – New Teacher Satisfaction	2020	Updated the description of calculations related to new teacher satisfa including removal of reference to the pilot year
	2022	Changed the term "English language learners" to "emergent bilingua to implement SB 2066 (87 th Texas Legislature, 2021); detailed procedure to complete review of included candidates roster
Chapter 8 – Educator Preparation Program Commendations	2020	Language added to align description of calculations of EPP commen with new language detailing General Provisions and Purpose of Accounta System for Educator Preparation Programs
	2021	Added the Innovative EPP commendation, approved in 2021
	2022	Shifted the performance standard for retention as a teacher and for re any public-school role from 95% to 85%; aligned language and procedure changes for §229.4; clarified that the calculations are based on the numbe candidates with certificates, not the number of certificates; clarified that e are identified as retained when they are continuously employed; added ne commendation (Innovative Educator Preparation) recommended by the E Commendation Committee; clarified that the percentage of candidates in shortage areas are calculated by shortage area, the percentage of teachers identify as African American or Hispanic are calculated separately, and th commendation is awarded separately for these results
Chapter 9 – Determination of ASEP Index Score	2020	Added to the manual and contains description of calculations of the , index system and a worked example
	2021	Date reference removed from text
	2022	Provided specification to use the most recent prior year for which the data for prior year performance; aligned language and procedure with cha §229.4

Determination of Accreditation Status

The on-going public health crisis posed by COVID-19 necessitated several changes to the determination of accreditation status. The closure of campuses, facilities, and services during the pandemic impacted the collection of data needed to calculate EPP accountability measures. To prevent the EPPs from receiving accountability ratings based on incomplete data, several amendments were approved in 2020 and 2021. As such, the rules determining accreditation status were amended to

specify that academic year data from 2019-2020 and 2020-2021 needed for performance indicators would be reported to EPPs but would not be used for accountability purposes (45 TexReg 9180; 46 TexReg 8721). In addition, candidates granted a probationary certificate without the appropriate certification exams would be exempted from the calculation of ASEP pass rates for 2020-21, per the governor's waiver (45 TexReg 9180).

Several changes were intended to update the ASEP indicators and their corresponding

calculations including: updating the rule text concerning the implementation of the ASEP Indicator derived from student growth, including the methodology and performance standard; specifying the need for two years of “report only” data before the changes to the student growth indicator can be actionable; announcement that during 2020-2021, an EPP’s accreditation status would be the more favorable outcome of the index system; and the description of the new system for determination of accreditation status assignment (45 TexReg 9180; 46 TexReg 8721). As per the governor’s declaration of disaster, the accreditation status of *Not Rated: Declared State of Disaster* would be applied to EPPs for the 2019-2020 and 2020-2021 academic years and the ASEP status by the SBEC in 2018-2019 would be the operative status (45 TexReg 9180; 46 TexReg 8721). Changes were also made to the assignment of commendation to enable EPPs that made program improvements during the pandemic or would have received an Accredited rating in 2020-2021 to receive commendations (46 TexReg 8721). Technical edits and clean-up of the text were also undertaken during the period.

Accreditation Status, Sanctions, and Procedures

In 2021, the Educator Preparation Advisory Committee (EPAC) made extensive recommendations to the procedures determining sanctions, in addition to the Chapter 229 changes already discussed. This included clarification that when determining examination pass rates at the level of a certification class or category offered by an EPP, the rate would be calculated at the exam level and that all EPPs would need to reach the performance standard for all content pedagogy exams (non-PPR exams) required for certification (46 TexReg 8721).

In 2022, a rule was added allowing the SBEC to immediately revoke an EPPs accreditation if SBEC rules were not followed. The rules at that time required that the program be Accredited-Probation for a year before revoking accreditation. Also, a rule was added giving SBEC the authority to order EPPs to provide TEA staff with verification of continued compliance with SBEC rules and TEC. The goal was that the SBEC would be able to target sanction orders based on an EPP’s violations, creating more enforceable and effective accountability mechanisms than just revocation of accreditation. To foster transparency for potential EPP candidates, new rules allowed SBEC to require EPPs with an accreditation of “Accredited-Warned” or “Accredited-Probation” and EPPs with conditional approval to post information on their websites about their accreditation status or conditions for approval and to share the documents detailing SBEC’s rationale for that status (47 TexReg 8662). Other technical formatting changes were applied.

Other Changes

In 2022, amendments were made to the list of data that EPPs had to collect as part of the accountability system. To allow for better monitoring and connection to campus and district-level data, data related to clinical teaching, internship, and practicum experiences already collected in-house by EPPs was now required for accountability purposes. Information retained locally could now be reported using the Educator Certification Online System to ensure proper record retention, simplifying the review process for EPPs (47 TexReg 8662). Finally, “internships” was removed from the fee list of types of applications for out-of-state and out-of-country school sites as out-of-state internships ceased to be allowed under Chapter 228 (47 TexReg 8662).

Table 3 chronologically summarizes changes to Chapter 229.

Table 3

Chapter 229: Accountability System for Educator Preparation Programs

Proposed Rule	Adopted Rule	Summary
August 21, 2020, 45 TexReg 5772	December 18, 2020; 45 TexReg 9180	<i>ASEP Manual</i> updates and accountability pause due to COVID-19
August 20, 2021, 46 TexReg 5157	December 17, 2021, 46 TexReg 8721	<i>ASEP Manual</i> updates, implement HB 159, 87 th Texas Legislature, 2021 adding students with disabilities to ASEP performance indicators; accountability pause and implementation delays approved due to COVID-19; clarification of pass rate calculations;
August 19, 2022, 47 TexReg 4916	December 23, 2022, 47 TexReg 8662	<i>ASEP Manual</i> update; update data collection; new definitions for content pedagogy tests and pedagogy tests added; changes to accreditation and sanctions protocols; changes to application fees for out-of-state and out-of-country school sites

Chapter 231: Requirements for Public School Personnel Assignments

Chapter 231 serves as the primary link between teaching certifications and classroom assignments (Templeton et al., 2020). The chapter provides a guide to school districts by listing courses by grade level and subject area indicating the certificates eligible for placement into each classroom assignment or administrative role. Such information is essential for districts to make hiring and personnel assignment decisions. From 2012 to 2019, there were eight subchapters, A through H, organized by grade level teaching assignments and role-related assignments, which was revised to seven subchapters in 2019 with the removal of Subchapter H (44 TexReg 5907).

As noted in Templeton et al. (2020), Chapter 231 changes frequently and extensively, as all changes in curricular offerings or certifications require changes to the respective rules and the assignment table. Any changes to grade level assignments, required certification combinations,

and additions, deletions, or revisions to course certifications prompted by legislation require changes to Chapter 231. State Board of Education (SBOE) course additions and updates also prompt chapter updates, which, over this time period, required amendments across many rules. This included, for example, the addition of new SBOE-approved Texas Essential Knowledge and Skills (TEKS)-based course, English Language Development and Acquisition (ELDA), Grades 9-12, to the section English as a Second Language, Grades 9-12 (44 TexReg 5908), the addition of SBOE-approved course, Ethnic Studies: African American Studies, Grades 9-12, to the list of course offerings in the Ethnic Studies section (45 TexReg 9185), and course title changes for Bilingual and English as a Second Language (47 TexReg 4320). Finally, recognition of boundaries of statutory authority also prompt changes, such as, in this instance, a couple changes to Subchapter D in 2019, when changes were made to provisions pertaining to student course credit for Reserve Officer Training Corps and Athletics, Cheerleading, Drill

Team, and Marching Band classes were amended because student course credit was outside the jurisdiction of the SBEC and fell under the purview of SBOE or TEA (45 TexReg 9184).

Legislative Priorities

The passage of HB 963 (86th Legislature, 2019) required the SBOE to conduct a review of the Texas Essential Knowledge and Skills (TEKS) for Career and Technical Education (CTE) and technology application courses for Grades 9-12 and to consolidate courses and eliminate duplicates. This review led to the repeal of Division 8 Technology Applications in Subchapter E, Grades 9-12 Assignments. Rules under that division were deleted, consolidated, or moved to Division 24 Science, Technology, Engineering, and Mathematics (STEM). It also led to the introduction of new courses, Computer Science, Fundamentals of Computer Science, Game Programming and Design, and Mobile Application Development, amongst others (45 TexReg 9183).

The passage of HB 3 (86th Legislature, 2019) led to multiple changes in personnel assignments. The first set of changes involved the addition of the designation of “legacy” to all master teacher certificates, which would recognize master teacher certificates issued under newly-repealed

provisions of the education code (45 TexReg 9183). The second set of changes involved the addition of the following certificates in Subchapter B, Prekindergarten-Grade 6 Assignments: "Core Subjects with Science of Teaching Reading: Early Childhood-Grade 6," "Early Childhood: Prekindergarten-Grade 3," "Core Subjects with Science of Teaching Reading: Early Childhood-Grade 6," "Early Childhood: Prekindergarten-Grade 3 (Prekindergarten-Grade 3 only)," and "Core Subjects with Science of Teaching Reading: Grades 4-8 (Grades 4-6 only)" (47 TexReg 4319). The third set of changes involved the addition of the following certificates in Subchapter C, Grade 6-8 Assignments: "Core Subjects with Science of Teaching Reading: Early Childhood-Grade 6," "Core Subjects with Science of Teaching Reading: Grades 4-8," "Core Subjects with Science of Teaching Reading: Early Childhood-Grade 6," "Core Subjects with Science of Teaching Reading: Grades 4-8," "English Language Arts and Reading with Science of Teaching Reading: Grades 4-8," "English Language Arts and Reading/Social Studies with Science of Teaching Reading: Grades 4-8," and "English Language Arts and Reading/Social Studies with Science of Teaching Reading: Grades 4-8" (47 TexReg 4319).

Table 4 lists all rule changes to Chapter 231.

Table 4**Chapter 231: Requirements for Public School Personnel Assignments**

Proposed Rule	Adopted Rule	Summary
May 31, 2019, 44 TexReg 2684	October 11, 2019, 44 TexReg 5907	Removal of Subchapter H; Updates to Subchapters C, D, and E, including addition of Ethnic Studies: Mexican American Studies and Cybersecurity, Grades 9-12
August 21, 2020, 45 TexReg 5778	December 18, 2020, 45 TexReg 9183	HB 963, 86 th Texas Legislature, 2019, required repeal of Division 8 Technology Applications and deletion or relocation of courses into Division 24 STEM as CTE courses, also required introduction of new courses; HB 3, Texas Legislature, 2019, required removal of designation of master teacher certificates as “legacy”; Adopted new Independent Study in Evolving/Emerging Technologies, Independent Study in Technology Applications, Grades 9-12; Adopted new Division 25 and Division 26; Streamlined rules in Subchapter D, deleting provisions pertaining to student course credit; Reorganization of Subchapter F and G
March 18, 2022, 47 TexReg 1371	July 22, 2022, 47 TexReg 4319	HB 3, 86 th Texas Legislature, 2019, required addition of certificates to ensure educators demonstrate proficiency in the science of teaching reading to teach certain courses, focus on Subchapter B and Subchapter C; adds American Sign Language to list of courses for prekindergarten-grade 12; adopted new §231.31, "Health, Prekindergarten-Grade 6; add Trade and Industrial Workforce Training: Grades 6-12 to the list of certificates for appropriate divisions

Conclusion

Since 2019, the landscape of public education in Texas and across the United States has experienced significant changes. A continued emphasis on accountability, a desire to bring flexibility to the certification process while maintaining high standards, and a heightened focus on special education, bilingual education, and mental health necessitated an extensive set of changes in the rules governing educator preparation policies. Overall,

this paper builds on prior work documenting changes to the policies governing Texas EPPs, with the goal of continuing to provide a written record that might be used by researchers and policymakers. This supplementary document is intended as an accompaniment to the main review of policies guiding EPPs, focusing on changes to education preparation and certification accountability policies and personnel assignments.

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