

xx. A new part 612 is added to read as follows:

PART 612—TITLE II REPORTING SYSTEM

Subpart A--Scope, Purpose and Definitions

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AUTHORITY: 20 U.S.C. 1022d, unless otherwise noted.

Subpart A--Scope, Purpose and Definitions

§612.1 Scope and purpose.

(a) This subpart establishes regulations related to the teacher preparation program accountability system under Title II of the HEA. These regulations include:

- (1) Institutional Report Card reporting requirements.

(2) State Report Card reporting requirements.

(3) Minimum outcome criteria for States to use to report on teacher preparation program performance.

(4) Minimum outcome criteria States must consider in identifying low-performing teacher preparation programs and at-risk teacher preparation programs.

(5) The consequences to a low-performing teacher preparation program that loses State approval or financial support.

(6) The conditions under which a low-performing teacher preparation program that has lost State approval or financial support may resume accepting and enrolling students who receive Title IV, HEA funds.

(Authority: 20 U.S.C. 1022d)

§612.2 Definitions.

(a) The following definitions used in this part are defined in the regulations for Institutional Eligibility under the Higher Education Act of 1965, as amended, 34 CFR part 600:
[this is a brain-storming list we may add or delete from]

Secretary

State

Title IV, HEA program

(b) The following definitions used in this part are

defined in subpart A of the Student Assistance General Provisions, 34 CFR part 668: [this is a brain-storming list we may add or delete from]

HEA

Payment Period

TEACH Grant

(c) The following definitions used in this part are defined in 34 CFR part 77.1:

Local educational agency (LEA)

(d) Other terms used in this part are:

Satisfactory Teacher Preparation Program: A teacher preparation program that does not meet the definition of high quality teacher preparation program, low-performing teacher preparation program, or at-risk teacher preparation program.

At-risk Teacher Preparation Program: A teacher preparation program that is identified as at-risk of being low-performing by a State based on the State's assessment of teacher preparation program performance under §612.5.

Customer Satisfaction Survey Outcomes: Customer satisfaction survey outcomes provide data on whether a teacher preparation program provided, to recent graduates who are teachers associated with the teacher preparation program and who are employed as teachers in the State where the teacher

preparation program is located, the skills needed to allow those teachers to succeed in their first three years in the classroom. Customer satisfaction is measured annually on a statewide basis using at least two surveys and must include both a teacher satisfaction survey and an employer satisfaction survey.

Employment Outcomes: Employment outcomes provide data on the effectiveness of a teacher preparation program in preparing, placing, and supporting teachers in alignment with school district needs and are measured using at least two rates: both the teacher placement rate and the teacher retention rate.

Employer Satisfaction Survey: Qualitative and quantitative data on employer or supervisor responses to an annual statewide survey of employers assessing whether teachers they employ, who have recently received a level of certification that allows them to serve as a teacher of record in the State as a result of their participation in the teacher preparation program in that State, were effectively prepared.

High Quality Teacher Preparation Program: A teacher preparation program that meets the requirements of §686.2. [as will be newly defined within the TEACH Grant Program]

Low-performing Teacher Preparation Program: A teacher preparation program that is identified as low-performing by a State, based on the State's assessment of teacher preparation

program performance under §612.5.

Recent Graduates: For the most recent cohort of program graduates, and in addition, at least the two preceding cohorts, all individuals who have completed the requirements of a teacher preparation program and have been recommended for licensure within the State by the teacher preparation program or have been licensed within the State.

Student Accepted into a Teacher Preparation Program: A student who has been admitted into a teacher preparation program but who has not yet enrolled in any coursework that the institution has determined to be part of that teacher preparation program.

Student Enrolled in a Teacher Preparation Program: A student who has been accepted into a teacher preparation program and is in the process of completing coursework but has not yet completed the teacher preparation program.

Student Growth: The change in student achievement for an individual student between two or more points in time. For the purpose of this definition, student achievement means—

(a) For grades and subjects in which assessments are required under section 1111(b)(3) of the Elementary and Secondary Education Act of 1965, as amended (ESEA): (1) a student's score on the State's assessments under section

1111(b) (3) of the ESEA and, as appropriate; (2) other measures of student learning, such as those described in paragraph (b) of this definition, provided they are rigorous and comparable across classrooms in a local educational agency.

(b) For other grades and subjects: alternative measures of student learning and performance (such as student results on pre-tests and end-of-course tests, and objective-performance-based assessments), student learning objectives, student performance on English language proficiency assessments, and other measures of student achievement that are rigorous and comparable across schools within a local educational agency and consistent with State protocols.

Student Learning Outcomes: Student learning outcomes provide data on the aggregate learning outcomes of K-12 students taught by recent graduates who are teachers associated with the teacher preparation program for each teacher preparation program in a State and are calculated by the State using at least one of the following: student growth or teacher evaluation measures.

Teachers Associated with the Preparation Program: For each teacher preparation program in a State, individuals who are employed as teachers and who, within a period of three consecutive years--

(a) For traditional route to certification programs, have completed the program requirements of the teacher preparation program and been recommended by the program for a level of State certification enabling them to serve as a teacher of record within the State; or

(b) For alternative route to certification programs, have, as a result of their association with the program, received a level of State certification enabling them to serve as a teacher of record.

Teacher Evaluation: By grade span and subject area, the percentage of recent graduates, rated at each performance level under a district teacher evaluation system consistent with statewide parameters that differentiates teachers on an annual basis using at least three performance levels, and use multiple valid measures in determining performance levels, including as a significant factor data on student growth for all students (including English Learners and students with disabilities), and other measures of professional practice (which may be gathered through multiple formats and sources, such as observations based on rigorous teacher performance standards, teacher portfolios, and student and parent surveys).

Teacher Placement Rate: Calculated annually, the percentage of recent graduates that have been hired in a full-

time teaching position for the grade level, span, and subject area in which the teacher trained. At the State's discretion, this measure may exclude or include either of the following: (1) teachers who have taken teaching positions in another State and (2) teachers who have taken teaching positions in private schools in the State, provided that the State takes a consistent approach for all preparation programs in the State.

Teacher Retention Rate: Calculated annually,--

(a) The percentage of recent graduates who--

(1) Were hired in full-time teaching positions; and

(2) Served for periods of at least two school years within four years of being granted a level of certification that allows them to serve as teachers of record, or another greater period of time as determined by the State.

(b) At the State's discretion, this measure may exclude or include either of the following: (1) teachers who have taken teaching positions in another State and (2) teachers who have taken teaching positions in private schools in the State, provided that the State takes a consistent approach for all preparation programs in the State.

Teacher Satisfaction Survey: Qualitative and quantitative data on teachers' responses to a statewide survey of recent graduates that is administered annually and assesses whether the

services teachers received from their teacher preparation programs, including alternative route programs, were effective in preparing them for their first three years in the classroom.

(Authority: 20 U.S.C. 1022d)

Subpart B--Reporting Requirements

§612.3 What are the reporting requirements for the Institutional Report Card?

Annually, each institution of higher education that conducts a traditional teacher preparation program or alternate routes to State certification or licensure programs that enrolls students receiving Federal assistance under the HEA must--

(a) Report to the State on the quality of teacher preparation using an institutional report card; [we will link to EDICS]

(b) Report to the general public using... [will fill this in later, would like to hear negotiator suggestions...]

(Authority: 20 U.S.C. 1022d)

§612.4 What are the reporting requirements for the State Report Card?

Annually, each State must--

(a) Report to the Secretary, using a State report card, on the quality of teacher preparation in the State, both for traditional teacher preparation programs and for alternative

routes to State certification or licensure programs; [we will link to EDICS]

(b) Make the State report card information widely available to the general public using...[will fill this in later, would like to hear negotiator suggestions..]

(c) In the State report card, make meaningful differentiations in teacher preparation program performance using at least four performance levels (low-performing teacher preparation program, at-risk teacher preparation program, satisfactory teacher preparation program, and high quality teacher preparation program) based on the outcome measures in §612.5, including in significant part student learning outcomes. (Authority: 20 U.S.C. 1022d)

§612.5 What outcome criteria must a State use to report on the teacher preparation program performance of a State's institutions of higher education?

(a) For each teacher preparation program within its jurisdiction, States must report to the Secretary on the following outcome indicators of academic content knowledge and teaching skills of recent graduates from those relevant programs, including --

- (1) At a minimum -
 - (i) Student learning outcomes;

(ii) Employment outcomes; and

(iii) Customer satisfaction survey outcomes; and

(2) At a State's discretion, other indicators predictive of a teacher's impact on student performance, such as student survey results that a State may reasonably establish.

(Authority: 20 U.S.C. 1022d)

§612.6 What outcome criteria must States consider in identifying low-performing teacher preparation programs or at-risk teacher preparation programs? What actions must a State take with respect to low-performing teacher preparation programs or at-risk teacher preparation programs?

(a) In identifying low-performing or at-risk teacher preparation programs, States must use criteria that, at a minimum, include the indicators of academic content knowledge and teaching skills from §612.5, including in significant part student learning outcomes.

(b) States must provide technical assistance to improve the performance of low-performing teacher preparation programs or at-risk teacher preparation programs.

(Authority: 20 U.S.C. 1022d)

Subpart C-- Consequences of Withdrawal of State Approval or Financial Support

§612.7 What are the consequences to a low-performing teacher preparation program that loses State approval or financial support?

(a) Any teacher preparation program from which the State has withdrawn the State's approval or terminated the State's financial support due to the State's identification of the program as low-performing--

(1) Is ineligible for any funding for professional development activities awarded by the Department; [need to determine how to handle currently-funded entities.]

(2) May not include any student accepted into the teacher preparation program or any student enrolled in the teacher preparation program who receives aid under title IV, HEA programs in the institution's teacher preparation program.

(3) Must provide transitional support, including remedial services, if necessary, to students enrolled at the institution at the time of termination of financial support or withdrawal of approval for a period of time no longer than 150 percent of the published length of the program.

(b) Any institution administering a teacher preparation program that has lost State approval or financial support based on low-performance must--

(1) Notify the Secretary of this designation; [will fill

in ED's procedures to let ED know program is low-performing]

(2) Notify each student who is enrolled or accepted into the low-performing teacher preparation program and who receives funding under Title IV, HEA programs that the institution is no longer eligible to provide such funding to students enrolled or accepted into the low-performing teacher preparation program commencing with the next payment period; and

(3) Disclose on its Web site that the teacher preparation program has been identified as a low-performing teacher preparation program by the State and has lost State approval or financial support and that students accepted or enrolled in the low-performing teacher preparation program may not receive Title IV, HEA funding. [we may add more disclosure requirements here]
(Authority: 20 U.S.C. 1022f)

§612.8 How does a low-performing teacher preparation program regain eligibility to accept or enroll students receiving Title IV, HEA funds after termination?

(a) A low-performing teacher preparation program may have its Title IV eligibility reinstated based upon--

(1) Improved teacher preparation program performance on the teacher preparation program performance outcome criteria in §612.5 as determined by the State;

(2) Reinstatement of State approval or financial support;

(b) Notwithstanding §612.8(a), to accept or enroll students receiving TEACH Grants, an institution must meet the TEACH Grant institutional participation requirements under §686.4.

(3) [For other Title IV aid-reapply? Other process? Will fill in the rest later]

(Authority: 20 U.S.C. 1022f)