



Serving Learners

Comments to the U.S. Department of Education Regarding Implementation of Provisions in the Higher Education Opportunity Act

Statement of

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The American Association of Colleges for Teacher Education (AACTE) thanks the Department for the opportunity to submit comments on the Higher Education Opportunity Act. As the regulation process begins to get underway, we hope that this is a strong beginning to the partnership between the Department and the many stakeholders who will be impacted by the provisions in HEOA. The comments following will be focused on the provisions in HEOA impacting educator preparation programs.

Accountability Provisions

Recommendation #1: Develop Working Groups to Advise the Department on the provisions in Sec. 205 of HEOA.

Our first recommendation to the Department as it begins the regulating development process is to create some working or advisory groups around the accountability provisions in Sec. 205 of HEOA. There are numerous changes to the reports that institutions of higher education and states must submit to the Department regarding teacher preparation. There are significant differences across institutions of higher education and among states regarding the types of data on teacher preparation programs that they collect. When the accountability provisions were first enacted in 1998, the Department formed working groups and consulted closely with stakeholders about how to operationalize the accountability provisions. The regulations that resulted from these consultations reflected the abilities and limitations of IHEs and states to collect the data required by the Higher Education Act. A similar process for information gathering should be followed for this implementation of the provisions in Sec. 205 so that the Department has a good understanding of how information is collected and reported in the states and what kind of data is reasonable to expect IHEs and states to collect.

Recommendation #2: Regulations should maintain the current reporting deadlines for Sec. 205.

Current HEOA does not contain reporting deadlines. AACTE recommends maintaining the current reporting deadlines of April 7 for IHEs and October 7 for states. The current timeline allows for sufficient time for IHEs and states to collect and verify the data required by the institutional report cards and state report cards in Title II of HEOA.

Recommendation #3: Regulations should require that the same data reporting should be required of non higher-education based as are required of higher-education based educator preparation programs.

States must now report on non-higher education based teacher preparation programs. The regulations should require states to name each of these programs and to report on the pass rates and scaled scores of the teacher candidates who go through these programs. Additionally, as required of higher-education based educator preparation programs, these non-higher education based programs should report on how they ensure that their candidates are prepared to teach

children with special needs and English language learners and how the programs infuse technology into their curriculum and clinical experiences.

Recommendation #4: Regulations should define several terms in Sec. 205 of HEOA.

There are several definitions that need to be clarified or developed related to the accountability provisions in this section. The first recommendation is to clarify what is meant by “program” in the statute. Is it the entire teacher education program at the institution of higher education or does it refer to a specific program area such as special education or math education. Secondly, “student” should be defined as the teacher candidate. Third, regulations should allow the institution of higher education to define those candidates who have completed all of their nonclinical coursework. HEOA wants institutions to report on the pass rates for this category of candidates. As preparation programs are so differently structured – some offer a clinical internship after all coursework is completed and some offer simultaneous coursework and clinical internships – they should have the right to determine which of their candidates fall into the category of completing all nonclinical coursework. Fourth, the regulations should use the same definition or determination for “urban K-12 schools”, “rural K-12 schools” that is used for the No Child Left Behind Act. Fifth, regulations should define “alternate route”.

Recommendation #5: Regulations should allow for institutions to report on the goals and assurances required under Sec. 206 – Teacher Development in a narrative format.

Section 206 – Teacher Development: This is a new section in Title II that requires institutions to set goals for preparing teachers in shortage areas such as science, math, special education, and instruction of students who are English Language Learners and to assure the Secretary that teacher candidates are being prepared with certain knowledge and skills. AACTE recommends that this information be captured as a narrative on the Title II reports that institutions of higher education are required to complete. Regulations should reflect that the statute does not intend for preparation programs to create new programs in the shortage areas. Likewise, regulations should reflect the statute in that institutions of higher education are not required to prepare teachers for urban and/or rural schools if the program does not already have a focus in preparing students for those schools.

Recommendation #6: Regulations should clarify that Sec. 208 refers to all states that receive funds under HEOA, not just those states that receive funds under Title II.

Section 208 – Release of Information to Teacher Preparation Programs: The statute makes clear the expectations of data sharing between the states and institutions of higher education. This provision is very important to AACTE members. It requires that all states that receive funds under the Higher Education Opportunity Act (not just Title II) must release any data requested to allow the educator preparation programs to evaluate their effectiveness – including information about their graduates who have become teachers. This data is essential for educator preparation programs so that they can track their graduates and assess their effectiveness in the classroom.

TEACH Grant Amendments

Recommendation #1: The Agreement to Serve should include a place where the applicant can indicate in what field he/she intends to teach, if that field is on the state-listed shortage list.

Sec. 412(d)(1) – Change of High-Need Designation -of HEOA amends the TEACH Grant program so that a recipient can teach in a state-listed shortage field regardless of whether that field remains on the shortage list. AACTE recommends that the Department’s Agreement to Serve have a place where the applicant can - if he or she plans to teach in a field on the state-designated shortage list - indicate in what field he/she intends to teach. So that the recipient can adequately satisfy the service obligation, this will provide some documentation for that applicant should that field fall off the shortage list.

Recommendation #2: Regulations should expand the extenuating circumstances under which a recipient does not have to fulfill the service obligation.

Sec. 412 (d)(2) Extenuating Circumstances – The current regulations for the TEACH Grant program already cite death and total and permanent disability as conditions under which the Secretary would discharge the recipients’ service obligation. The current regulations also cite conditions under which a recipient’s service obligation would be suspended such as conditions included in the FMLA or a call to active duty. AACTE recommends that, at a minimum, current regulations be amended regarding the suspension rules so that if one of the conditions cited under the suspension rules exceeds three years that the service obligation would be waived. This would mirror the practice in the “total and permanent disability” policy in current regulations.

Recommendation #3: The data the Department must report on in Sec. 420P should be the sole responsibility of the Department to collect, not the institution of higher education.

Sec. 420P Program Report – AACTE recommends that the data that will be included in the Program Report be the responsibility of the U.S. Department of Education not the TEACH Grant institutions to collect.

Teach for America

Recommendation #1: Regulations should require Teach for America to report on the same data required of IHEs in Sec. 205.

Section 806 – Teach for America: This is a new section that authorizes the Teach for America Program. In terms of the data that Teach for America is required to report to the Secretary, AACTE believes the required data should mirror the data that higher education-based educator preparation programs must report in Sec. 205. Thus, AACTE recommends that the Department should collect data on the average scaled scores and pass rates on the certification/licensure

exams taken by Teach for America candidates or report that Teach for America members did not take such tests. Teach for America should set goals toward preparing teachers in shortage areas. Teach for America should provide assurances to the Secretary that its candidates are prepared to teach children with special needs and to teach English language learners . Additionally, Teach for America should report not only the number of teachers it has provided to LEA's but also the fields in which those teachers are teaching.

Recommendation #2: The comparison study should accurately compare student achievement in classes taught by Teach for America teachers and non-Teach for America teachers who were fully prepared and are fully state certified.

Section 806 – Teach for America: HEOA requires a study to be conducted comparing student achievement gains in classrooms with Teach for America teachers and non-Teach for America teachers. AACTE recommends that the study compare the achievement gains in reading and mathematics made by students taught by Teach for America teachers with those of comparably experienced teachers working in the same or similar schools who are fully state certified, who are highly qualified and who have completed a state approved teacher preparation program (either alternate or traditional route).

Teacher Quality Partnership Grants

Recommendation #1: Regulations need to address how institutions define the “living stipend” that partnerships are required to provide to teaching residents in Sec. 202(e)

AACTE is very pleased with the restructured Teacher Quality Partnership Grant program in HEOA. Grants can either be used to strengthen pre-baccalaureate preparation programs - with a focus on building the clinical components such as induction and the pre-service field experiences - or to create teacher residency programs at the graduate level that would provide intensive clinical experiences and induction support for new teachers. The teacher residency program is a new component to the grant program that holds significant promise for preparing highly-effective teachers. As the U.S. Department of Education develops regulations to address this component of the Teacher Quality Grants, we ask that the Department think carefully about how it defines the “living stipend” requirement in the teacher residency program. This may be the most expensive part of the residency programs.

Negotiated Rulemaking

Recommendation #1: Include AACTE and its members on the negotiated rulemaking committee for provisions in Title IV and Title II.

AACTE and its members should be included in the negotiated rulemaking committee that will be developed to address the provisions in Title IV and Title II. AACTE was at the table during the negotiations for the TEACH Grant program earlier this year. Our expertise in the area of educator preparation informed the committee's development of regulations, and the resulting

regulations are fairly easy to implement and are responsive to the structure of higher education-based educator preparation. Given the expertise that AACTE brought to bear on the initial regulations for the TEACH Grant program, AACTE would like to be at the table again as regulations are developed for the TEACH Grant amendments, the loan forgiveness program impacting teachers and other school personnel, and for the new Title II provision requiring institutions to provide transitional assistance to students in teacher preparation programs whose state approval has been rescinded. These provisions impact our members significantly, and our perspectives will contribute to the negotiated rulemaking process.

AACTE Responds to Westat/ED Questions

1. The cost impact on states to change their data collection systems to meet the data requirements of the new law, both in terms of making changes and the annual fiscal burden of maintaining the new data systems. Any states that can estimate these costs can send the information to HEOAComments@westat.com.

The cost is mainly in staff time to amend the data collection systems. At this time, that "cost" is unknown as it hasn't been determined yet, what new data elements need to be incorporated into the data collection systems.

2. HEOA does not contain any reporting deadlines. Do the April 7th and October 7th deadlines work for IHEs and states? Should the deadlines be changed? If so, to when?

General consensus is that the current reporting deadlines are fair and sufficient for IHEs and states to collect and verify the needed data.

3. The Secretary of Education has the authority to establish the reporting definitions under the new law. Which data collection elements need a standard definition? Which data collection elements should be defined by state?

Need definitions for "program", "alternate route", "candidates who have completed all nonclinical coursework", "student", "scaled score", "urban school", "rural school".

4. Currently, data are collected at the IHE level (e.g., University of Delaware) and not at the individual program or endorsement level (e.g., elementary education, secondary education, special education). The new law asks for data at the program level. Should the data collection continue at the IHE level (for both traditional and alternative routes)? What is the feasibility of collecting data at the individual program level?

Data collection systems at the institutional level vary. Often, the information on endorsement levels and certification areas of teacher candidates is maintained at the state level, not the institutional level as it is the state that certifies teachers. Furthermore, institutions are now being asked to report on how they prepare teachers to use technology effectively in the classroom and on how they prepare all teacher candidates to teach students with special needs and English language learners. Institutions that are NCATE accredited already have to meet standards in this area. Institutions, in reporting to the Department on this, should be able to list their NCATE accreditation as sufficient in meeting the reporting requirements in these areas of section 205(a)(F) and (G). Likewise, many states have program standards in these areas, and an institution in such state should be able to report that by being a state-approved preparation program, they sufficiently prepare candidates in these areas.

5. Will the states be able to modify their IHE data collection tool(s) to collect the additional data needed under HEOA? If so, what would be the cost? If a centralized, uniform data collection

tool was developed for the IHEs to use to report under *HEOA*, would the state want the IHEs to use the centralized data collection tool rather than the state's data collection tool?

Yes, states will be able to modify their IHE data collection tools, but cost is unknown at this point. There is some reluctance regarding the possibility of a “centralized data collection tool” as states would like to maintain their own data categories. In most cases, states and IHEs have a strong, established system for collecting the Title II data.

6. The law calls for IHEs to report the total number of students who have been certified or licensed as teachers, disaggregated by subject and area of certification or licensure. States must report on the number of teachers prepared by area of certification, major and subject area for the state as a whole and for each teacher preparation program. How can IHEs and states share information about subject areas teachers are prepared to teach and certification status of completers? What types of linkages currently exist? How will IHEs and states be able to provided these data?

Currently, this is information that the states collect. It is very hard for IHEs to track their graduates once they leave the institution. States do have the data on the area of certification or licensure for each candidate. It could be harder for some states to collect information on majors and the actual subjects in which teachers teach.

7. What is the feasibility of collecting the new, required data elements, especially pass rates for students who have completed 100 percent of their nonclinical coursework? What are the data collection capabilities of the IHEs and states?

Regulations should allow the institution of higher education to define those candidates who have completed all of their nonclinical coursework. As preparation programs are so differently structured – some offer a clinical internship after all coursework is completed and some offer simultaneous coursework and clinical internships – they should have the right to determine which of their candidates fall into the category of completing all nonclinical coursework.