



Overview of the Final Rule for Teacher Preparation Program Regulations Released by the U.S. Department of Education

January 2017

The U.S. Department of Education released its final rule for teacher preparation program regulations in October 2016, requiring states receiving funds under the Higher Education Act (HEA) to create a rating system for *all teacher preparation programs* in the state. Programs rated as effective are eligible to participate in the federal student financial aid program called TEACH grants. Ratings are to be included in the institutional and state report cards required by Title II of HEA. While both traditional and alternate routes are covered by the ratings, states may apply different thresholds of employment outcomes for the two groups.

The requirement to rate programs through a variety of metrics including tests or assessments in all grades and all subjects or teacher evaluations is not in concert with the Every Student Succeeds Act. In enacting that law a year ago, Congress explicitly moved away from expanding PK-12 testing. In addition, the final rule includes modified or new definitions of critical importance to the educator preparation profession and to the implementation of the regulations.

Rating System Required

The mandated rating system **MUST** include these 3 levels (p. 75617):

- Low Performing
- At Risk of Becoming Low Performing
- Effective

States must use at least these four indicators to determine the rating:

1. **Student Learning Outcomes** (p. 75618)

The regulations require the aggregate student learning outcomes of all students taught by novice teachers. A state must use student growth (as defined on p. 75616); or a teacher evaluation measure (as defined on p. 75616); or another state-determined measure that is relevant to calculating student learning outcomes, including academic performance, and that meaningfully differentiates among teachers; or any combination of the three. States have the discretion to exclude the student learning outcomes for a novice teacher teaching in another state or in a private school.

2. **Employment Outcomes** *including retention and placement rates* (pp. 75618)

States can calculate employment placement and retention rates differently for traditional programs and alternative route programs.

- Teacher *placement* rate (as defined on p. 75616, *disaggregated for high-need schools*, is calculated as the percentage of recent graduates (as defined on p. 75616) who have become novice teachers (as defined on p. 75615), regardless of retention, for the grade level, grade span, and subject area in which they were prepared. The following clarifications are offered:
 - No placement rate is required for alternative-route programs.
 - The state may, at its discretion, exclude:
 - Novice teachers teaching in another state
 - Novice teachers teaching in private schools
 - Novice teachers who have enrolled in graduate school or entered military service
 - The state may, at its discretion, assess distance education teacher preparation programs (as defined on p. 75616) differently.
- Teacher *retention* rate (as defined on p. 75616), *disaggregated for high-need schools*, beginning in the 2018 Title II reporting year, is calculated as follows:
 - The state reports a retention rate for the three cohorts of novice teachers (as defined on p. 75618).
 - The state may, at its discretion, assess traditional and alternative-route teacher preparation programs (as defined on p. 75618) differently.
 - The state may, at its discretion, exclude:
 - Novice teachers teaching in another state
 - Novice teachers teaching in private schools
 - Novice teachers who are not retained specifically and directly due to budget cuts
 - Novice teachers who have enrolled in graduate school or entered military service

3. **Survey Outcomes** *including qualitative and quantitative data* (p. 75618)

The outcomes of at least two separate surveys are required – a teacher survey and an employer survey. Each survey is designed to capture the perception of whether or not the novice teacher employed in her or his first year of teaching possesses the academic content knowledge and teaching skills needed to succeed in the classroom.

NOTE: The state may, at its discretion, exclude from its reporting of student learning outcomes, employment outcomes, and survey results of individuals who have not become novice teachers after 3 years of becoming recent graduates (as defined on p. 75616).

4. Professional Accreditation or State Program Approval (p. 75618)

A teacher preparation program is required to either:

- Be accredited by a specialized accrediting agency recognized by the Secretary of Education for the accreditation of professional teacher education programs **or**
- Produce teacher candidates with content and pedagogical knowledge, with quality clinical preparation, and who have met rigorous teacher candidate exit qualifications.

The state may, at its discretion, include as indicators of academic content knowledge and teaching skills other indicators of a teacher's effect on student performance such as student survey results, provided these indicators are used uniformly for all teacher preparation programs.

Connecting the Rating of a Teacher Preparation Program to Federal Student Financial Aid: TEACH Grants

Access to the TEACH grants—federal student financial aid of \$4,000/year in return for service in a high-need school and a high-need field—is determined by the mandated rating system as follows:

In order to be a TEACH grant-eligible institution, an institution of higher education (IHE) is required to provide at least one teacher preparation program at the baccalaureate or master's degree level that is a high-quality (as defined 20 USC 1070 g) teacher preparation program as determined through the new mandated rating system and metrics (p. 75620).

However, student access to TEACH grants depends on the rating of the program he or she is attending. *In order for students to have access to the TEACH grants, their program would be required to be rated as "effective" for 2 out of the last 3 reporting years (p. 75620).*

Reporting Requirements

Each state is required to report on all teacher preparation programs in the state that produce 25 or more new teachers per year. States may lower the threshold of 25 but not increase it (p. 75617).

Should a program NOT produce 25 new teachers per year, the threshold could be met by the following (p. 75617):

- Aggregating similar programs operated by the same entity
- Aggregating data for a program over multiple years, up to a maximum of 4 years
- A combination of the two above

Institutional Report Cards

In addition to what is currently required to be reported by HEA, these regulations require that institutions report the quality of their teacher preparation programs as determined through the new metrics and rating system, *and* make the information available on their websites (p. 75616).

State Report Cards

In addition to what is currently required to be reported by HEA, these regulations require that states report the quality of all teacher preparation programs in the state, including distance education

programs, as determined through the mandated metrics and rating system. This information is required to be posted on the state’s website (p. 75617).

Consequences of Being Designated Low Performing (pp. 75618-75619)

- States are required to provide technical assistance to “low-performing” programs.
- “Low-performing” programs that lose state approval and/or state financial support are subject to the following requirements:
 - Programs must provide transitional and remedial support to students for a period of time not longer than 150% of the published length of the program.
 - IHEs must inform the Secretary within 30 days of the loss of funding or approval.
 - IHEs must notify students about the loss of Title IV funding due to the loss of state funding or approval.
 - Support can be regained by programs upon evidentiary improvement.

NOTE: Programs identified as “at risk” or “low performing” for 2 out of any 3 reporting years are unable to accept students using TEACH grant funding (p. 75620).

Implementation Timeline

2016-2017	States design, establish, and troubleshoot data systems necessary for the mandated performance rating systems
2017-2018	Pilot year
2018-2018 2019-2020 2020-2021	Reporting years
2021-2022	First year of consequence for TEACH grant eligibility