34 CFR 612—Title II Reporting System


81 FR 75494, October 31, 2016 – Final Rule—The Secretary establishes new regulations to implement requirements for the teacher preparation program accountability system under title II of the Higher Education Act of 1965, as amended (HEA), that will result in the collection and dissemination of more meaningful data on teacher preparation program quality (title II reporting system). The Secretary also amends the regulations governing the Teacher Education Assistance for College and Higher Education (TEACH) Grant program under title IV of the HEA to condition TEACH Grant program funding on teacher preparation program quality and to update, clarify, and improve the current regulations and align them with title II reporting system data. [These regulations are effective on November 30, 2016.]

82 FR 21475, May 9, 2017 – Final Rule—Under the Congressional Review Act, Congress has passed, and the President has signed, a resolution of disapproval of the Teacher Preparation Issues final regulations that were published on October 31, 2016. Pursuant to the resolution, the Department of Education (Department) is removing applicable regulations from the Code of Federal Regulations. [Amendments made by 81 FR 75494, Oct. 31, 2016, have been revoked effective May 9, 2017.]

<table>
<thead>
<tr>
<th>Section</th>
<th>Federal Register</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>§612.4 What are the regulatory reporting requirements for the State Report Card? [Revoked] 81 FR 75494, October 31, 2016 – Final Rule 82 FR 21475, May 9, 2017 – Final Rule</td>
</tr>
<tr>
<td></td>
<td>§612.5 What indicators must a State use to report on teacher preparation program performance for purposes of the State report card? [Revoked] 81 FR 75494, October 31, 2016 – Final Rule 82 FR 21475, May 9, 2017 – Final Rule</td>
</tr>
<tr>
<td></td>
<td>§612.6 What must States consider in identifying low-performing teacher preparation programs or at-risk teacher preparation programs, and what actions must a State take with respect to those programs identified as low-performing? [Revoked] 81 FR 75494, October 31, 2016 – Final Rule 82 FR 21475, May 9, 2017 – Final Rule</td>
</tr>
<tr>
<td></td>
<td>§612.7 What are the consequences for a low-performing teacher preparation program that loses the State’s approval or the State’s financial support? [Revoked] 81 FR 75494, October 31, 2016 – Final Rule 82 FR 21475, May 9, 2017 – Final Rule</td>
</tr>
<tr>
<td></td>
<td>§612.8 How does a low-performing teacher preparation program regain eligibility to accept or enroll students receiving Title IV, HEA funds after loss of the State’s approval or the State’s financial support? [Revoked] 81 FR 75494, October 31, 2016 – Final Rule 82 FR 21475, May 9, 2017 – Final Rule</td>
</tr>
</tbody>
</table>
§612.1 Scope and purpose. [Revoked]

This part establishes regulations related to the teacher preparation program accountability system under title II of the HEA. This part includes:

(a) Institutional Report Card reporting requirements.

(b) State Report Card reporting requirements.

(c) Requirements related to the indicators States must use to report on teacher preparation program performance.

(d) Requirements related to the areas States must consider to identify low-performing teacher preparation programs and at-risk teacher preparation programs and actions States must take with respect to those programs.

(e) The consequences for a low-performing teacher preparation program that loses the State's approval or the State's financial support.

(f) The conditions under which a low-performing teacher preparation program that has lost the State's approval or the State's financial support may regain eligibility to resume accepting and enrolling students who receive title IV, HEA funds.

[81 FR 75614, Oct. 31, 2016; revoked at 82 FR 21475, May 9, 2017]
§612.2 Definitions. [Revoked]

(a) The following terms used in this part are defined in the regulations for Institutional Eligibility under the HEA, 34 CFR part 600:

Distance education

Secretary

State

Title IV, HEA program

(b) The following term used in this part is defined in subpart A of the Student Assistance General Provisions, 34 CFR part 668:

Payment period

(c) The following term used in this part is defined in 34 CFR 77.1:

Local educational agency (LEA)

(d) Other terms used in this part are defined as follows:

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 §612.4.

Candidate accepted into the teacher preparation program: An individual 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.

Candidate enrolled in the teacher preparation program: An individual 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.

Content and pedagogical knowledge: An understanding of the central concepts and structures of the discipline in which a teacher candidate has been trained, and how to create effective learning experiences that make the discipline accessible and meaningful for all students, including a distinct set of instructional skills to address the needs of English learners and students with disabilities, in order to assure mastery of the content by the students, as described in applicable professional, State, or institutional standards.

Effective teacher preparation program: A teacher preparation program with a level of performance higher than a low-performing teacher preparation program or an at-risk teacher preparation program.

Employer survey: A survey of employers or supervisors designed to capture their perceptions of whether the novice teachers they employ or supervise who are in their first year of teaching were effectively prepared.

High-need school: A school that, based on the most recent data available, meets one or both of the following:

(i) The school is in the highest quartile of schools in a ranking of all schools served by a local educational agency (LEA), ranked in descending order by percentage of students from low-income families enrolled in such schools, as determined by the LEA based on one of the following measures of poverty:

(A) The percentage of students aged 5 through 17 in poverty counted in the most recent Census data approved by the Secretary.

(B) The percentage of students eligible for a free or reduced price school lunch under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.).

(C) The percentage of students in families receiving assistance under the State program funded under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.).

(D) The percentage of students eligible to receive medical assistance under the Medicaid program.

(ii) In the case of—

(A) An elementary school, the school serves students not less than 60 percent of whom are eligible for a free or reduced price school lunch under the Richard B. Russell National School Lunch Act; or

(B) Any school other than an elementary school, the school serves students not less than 45 percent of whom are eligible for a free or reduced price school lunch under the Richard B. Russell National School Lunch Act.

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 §612.4.

Novice teacher: A teacher of record in the first three years of teaching who teaches elementary or secondary public school students, which may include, at a State’s discretion, preschool students.
Quality clinical preparation: Training that integrates content, pedagogy, and professional coursework around a core of pre-service clinical experiences. Such training must, at a minimum—
(i) Be provided by qualified clinical instructors, including school and LEA-based personnel, who meet established qualification requirements and who use a training standard that is made publicly available;
(ii) Include multiple clinical or field experiences, or both, that serve diverse, rural, or underrepresented student populations in elementary through secondary school, including English learners and students with disabilities, and that are assessed using a performance-based protocol to demonstrate teacher candidate mastery of content and pedagogy; and
(iii) Require that teacher candidates use research-based practices, including observation and analysis of instruction, collaboration with peers, and effective use of technology for instructional purposes.

Recent graduate: An individual whom a teacher preparation program has documented as having met all the requirements of the program in any of the three title II reporting years preceding the current reporting year, as defined in the report cards prepared under §§612.3 and 612.4.

Documentation may take the form of a degree, institutional certificate, program credential, transcript, or other written proof of having met the program’s requirements. For the purposes of this definition, a program may not use either of the following criteria to determine if an individual has met all the requirements of the program:
(i) Becoming a teacher of record; or
(ii) Obtaining initial certification or licensure.

Rigorous teacher candidate exit qualifications: Qualifications of a teacher candidate established by a teacher preparation program prior to the candidate’s completion of the program using an assessment of candidate performance that relies, at a minimum, on validated professional teaching standards and measures of the candidate’s effectiveness in curriculum planning, instruction of students, appropriate plans and modifications for all students, and assessment of student learning.

Student growth: The change in student achievement between two or more points in time, using a student’s scores on the State’s assessments under section 1111(b)(2) of the ESEA or other measures of student learning and performance, such as student results on pre-tests and end-of-course tests; objective performance-based assessments; student learning objectives; student performance on English language proficiency assessments; and other measures that are rigorous, comparable across schools, and consistent with State guidelines.

Teacher evaluation measure: A teacher’s performance level based on an LEA’s teacher evaluation system that differentiates teachers on a regular basis using at least three performance levels and multiple valid measures in assessing teacher performance. For purposes of this definition, multiple valid measures must include data on student growth for all students (including English learners and students with disabilities) and other measures of professional practice (such as observations based on rigorous teacher performance standards, teacher portfolios, and student and parent surveys).

Teacher of record: A teacher (including a teacher in a co-teaching assignment) who has been assigned the lead responsibility for student learning in a subject or area.

Teacher placement rate: (i) The percentage of recent graduates who have become novice teachers (regardless of retention) for the grade level, grade span, and subject area in which they were prepared.
(ii) At the State’s discretion, the rate calculated under paragraph (i) of this definition may exclude one or more of the following, provided that the State uses a consistent approach to assess and report on all of the teacher preparation programs in the State:
(A) Recent graduates who have taken teaching positions in another State.
(B) Recent graduates who have taken teaching positions in private schools.
(C) Recent graduates who have enrolled in graduate school or entered military service.
(iii) For a teacher preparation program provided through distance education, a State calculates the rate under paragraph (i) of this definition using the total number of recent graduates who have obtained certification or licensure in the State during the three preceding title II reporting years as the denominator.

Teacher preparation entity: An institution of higher education or other organization that is authorized by the State to prepare teachers.

Teacher preparation program: A program, whether traditional or alternative route, offered by a teacher preparation entity that leads to initial State certification or licensure in a specific field. Where some participants in the program are in a traditional route to certification or licensure in a specific field, and others are in an alternative route to certification or licensure in that same field, the traditional and alternative route components are considered to be separate teacher preparation programs.
§612.2 Definitions. [Revoked]

The term teacher preparation program includes a teacher preparation program provided through distance education.

Teacher preparation program provided through distance education: A teacher preparation program at which at least 50 percent of the program’s required coursework is offered through distance education.

Teacher retention rate: The percentage of individuals in a given cohort of novice teachers who have been continuously employed as teachers of record in each year between their first year as a novice teacher and the current reporting year.

(i) For the purposes of this definition, a cohort of novice teachers includes all teachers who were first identified as a novice teacher by the State in the same title II reporting year.

(ii) At the State’s discretion, the teacher retention rates may exclude one or more of the following, provided that the State uses a consistent approach to assess and report on all teacher preparation programs in the State:

(A) Novice teachers who have taken teaching positions in other States.

(B) Novice teachers who have taken teaching positions in private schools.

(C) Novice teachers who are not retained specifically and directly due to budget cuts.

(D) Novice teachers who have enrolled in graduate school or entered military service.

Teacher survey: A survey administered to all novice teachers who are in their first year of teaching that is designed to capture their perceptions of whether the preparation that they received from their teacher preparation program was effective.

Title II reporting year: A period of twelve consecutive months, starting September 1 and ending August 31.

[81 FR 75614, Oct. 31, 2016; 82 FR 21475, May 9, 2017]
§612.2 Definitions.

(a) The following terms used in this part are defined in the regulations for Institutional Eligibility under the HEA, 34 CFR part 600:

Distance education

Secretary

State

Title IV, HEA program

(b) The following term used in this part is defined in subpart A of the Student Assistance General Provisions, 34 CFR part 668:

Payment period

(c) The following term used in this part is defined in 34 CFR 77.1:

Local educational agency (LEA)

(d) Other terms used in this part are defined as follows:

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 §612.4.

Candidate accepted into the teacher preparation program: An individual 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.

Candidate enrolled in the teacher preparation program: An individual 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.

Content and pedagogical knowledge: An understanding of the central concepts and structures of the discipline in which a teacher candidate has been trained, and how to create effective learning experiences that make the discipline accessible and meaningful for all students, including a distinct set of instructional skills to address the needs of English learners and students with disabilities, in order to assure mastery of the content by the students, as described in applicable professional, State, or institutional standards.

Effective teacher preparation program: A teacher preparation program with a level of performance higher than a low-performing teacher preparation program or an at-risk teacher preparation program.

Employer survey: A survey of employers or supervisors designed to capture their perceptions of whether the novice teachers they employ or supervise who are in their first year of teaching were effectively prepared.

High-need school: A school that, based on the most recent data available, meets one or both of the following:

(i) The school is in the highest quartile of schools in a ranking of all schools served by a local educational agency (LEA), ranked in descending order by percentage of students from low-income families enrolled in such schools, as determined by the LEA based on one of the following measures of poverty:

(A) The percentage of students aged 5 through 17 in poverty counted in the most recent Census data approved by the Secretary.

(B) The percentage of students eligible for a free or reduced price school lunch under the Richard B. Russell National School Lunch Act [42 U.S.C. 1751 et seq.].

(C) The percentage of students in families receiving assistance under the State program funded under part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.).

(D) The percentage of students eligible to receive medical assistance under the Medicaid program.

(E) A composite of two or more of the measures described in paragraphs (i)(A) through (D) of this definition.

(ii) In the case of—

(A) An elementary school, the school serves students not less than 60 percent of whom are eligible for a free or reduced price school lunch under the Richard B. Russell National School Lunch Act; or

(B) Any school other than an elementary school, the school serves students not less than 45 percent of whom are eligible for a free or reduced price school lunch under the Richard B. Russell National School Lunch Act.

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 §612.4.

Novice teacher: A teacher of record in the first three years of teaching who teaches elementary or secondary public school students, which may include, at a State’s discretion, preschool students.
Quality clinical preparation: Training that integrates content, pedagogy, and professional coursework around a core of pre-service clinical experiences. Such training must, at a minimum—

(i) Be provided by qualified clinical instructors, including school and LEA-based personnel, who meet established qualification requirements and who use a training standard that is made publicly available;

(ii) Include multiple clinical or field experiences, or both, that serve diverse, rural, or underrepresented student populations in elementary through secondary school, including English learners and students with disabilities, and that are assessed using a performance-based protocol to demonstrate teacher candidate mastery of content and pedagogy; and

(iii) Require that teacher candidates use research-based practices, including observation and analysis of instruction, collaboration with peers, and effective use of technology for instructional purposes.

Recent graduate: An individual whom a teacher preparation program has documented as having met all the requirements of the program in any of the three title II reporting years preceding the current reporting year, as defined in the report cards prepared under §§612.3 and 612.4.

Documentation may take the form of a degree, institutional certificate, program credential, transcript, or other written proof of having met the program’s requirements. For the purposes of this definition, a program may not use either of the following criteria to determine if an individual has met all the requirements of the program:

(j) Becoming a teacher of record; or

(ii) Obtaining initial certification or licensure.

Rigorous teacher candidate exit qualifications: Qualifications of a teacher candidate established by a teacher preparation program prior to the candidate’s completion of the program using an assessment of candidate performance that relies, at a minimum, on validated professional teaching standards and measures of the candidate’s effectiveness in curriculum planning, instruction of students, appropriate plans and modifications for all students, and assessment of student learning.

Student growth: The change in student achievement between two or more points in time, using a student’s scores on the State’s assessments under section 1111(b)(2) of the ESEA or other measures of student learning and performance, such as student results on pre-tests and end-of-course tests; objective performance-based assessments; student learning objectives; student performance on English language proficiency assessments; and other measures that are rigorous, comparable across schools, and consistent with State guidelines.

Teacher evaluation measure: A teacher’s performance level based on an LEA’s teacher evaluation system that differentiates teachers on a regular basis using at least three performance levels and multiple valid measures in assessing teacher performance. For purposes of this definition, multiple valid measures must include data on student growth for all students (including English learners and students with disabilities) and other measures of professional practice (such as observations based on rigorous teacher performance standards, teacher portfolios, and student and parent surveys).

Teacher of record: A teacher (including a teacher in a co-teaching assignment) who has been assigned the lead responsibility for student learning in a subject or area.

Teacher placement rate: (i) The percentage of recent graduates who have become novice teachers (regardless of retention) for the grade level, grade span, and subject area in which they were prepared.

(ii) At the State’s discretion, the rate calculated under paragraph (i) of this definition may exclude one or more of the following, provided that the State uses a consistent approach to assess and report on all of the teacher preparation programs in the State:

(A) Recent graduates who have taken teaching positions in another State.

(B) Recent graduates who have taken teaching positions in private schools.

(C) Recent graduates who have enrolled in graduate school or entered military service.

(iii) For a teacher preparation program provided through distance education, a State calculates the rate under paragraph (i) of this definition using the total number of recent graduates who have obtained certification or licensure in the State during the three preceding title II reporting years as the denominator.

Teacher preparation entity: An institution of higher education or other organization that is authorized by the State to prepare teachers.

Teacher preparation program: A program, whether traditional or alternative route, offered by a teacher preparation entity that leads to initial State teacher certification or licensure in a specific field. Where some participants in the program are in a traditional route to certification or licensure in a specific field, and others are in an alternative route to certification or licensure in that same field, the traditional and alternative route components are considered to be separate teacher preparation programs.
§612.2 Definitions.

The term teacher preparation program includes a teacher preparation program provided through distance education.

Teacher preparation program provided through distance education: A teacher preparation program at which at least 50 percent of the program’s required coursework is offered through distance education.

Teacher retention rate: The percentage of individuals in a given cohort of novice teachers who have been continuously employed as teachers of record in each year between their first year as a novice teacher and the current reporting year.

(i) For the purposes of this definition, a cohort of novice teachers includes all teachers who were first identified as a novice teacher by the State in the same title II reporting year.

(ii) At the State’s discretion, the teacher retention rates may exclude one or more of the following, provided that the State uses a consistent approach to assess and report on all teacher preparation programs in the State:

(A) Novice teachers who have taken teaching positions in other States.

(B) Novice teachers who have taken teaching positions in private schools.

(C) Novice teachers who are not retained specifically and directly due to budget cuts.

(D) Novice teachers who have enrolled in graduate school or entered military service.

Teacher survey: A survey administered to all novice teachers who are in their first year of teaching that is designed to capture their perceptions of whether the preparation that they received from their teacher preparation program was effective.

Title II reporting year: A period of twelve consecutive months, starting September 1 and ending August 31.
§612.3 What are the regulatory reporting requirements for the Institutional report card? [Revoked]

Beginning not later than April 30, 2018, and annually thereafter, each institution of higher education that conducts a teacher preparation program and that enrolls students receiving title IV HEA program funds—

(a) Must report to the State on the quality of teacher preparation and other information consistent with section 205(a) of the HEA, using an institutional report card that is prescribed by the Secretary;

(b) Must prominently and promptly post the institutional report card information on the institution’s Web site and, if applicable, on the teacher preparation program portion of the institution’s Web site; and

(c) May also provide the institutional report card information to the general public in promotional or other materials it makes available to prospective students or other individuals.

[81 FR 75614, Oct. 31, 2016; 82 FR 21475, May 9, 2017]
§612.4 What are the regulatory reporting requirements for the State report card? [Revoked]

(a) General. Beginning not later than October 31, 2018, and annually thereafter, each State that receives funds under the HEA must—

(1) Report to the Secretary, using a State report card that is prescribed by the Secretary, on—

(i) The quality of all teacher preparation programs in the State consistent with paragraph (b)(3) of this section, whether or not they enroll students receiving Federal assistance under the HEA; and

(ii) All other information consistent with section 205(b) of the HEA; and

(2) Make the State report card information widely available to the general public by posting the State report card information on the State’s Web site.

(b) Reporting of information on teacher preparation program performance. In the State report card, beginning not later than October 31, 2019, and annually thereafter, the State—

(1) Must make meaningful differentiations in teacher preparation program performance using at least three performance levels—low-performing teacher preparation program, at-risk teacher preparation program, and effective teacher preparation program—based on the indicators in §612.5.

(2) Must provide—

(i) For each teacher preparation program, data for each of the indicators identified in §612.5 for the most recent title II reporting year;

(ii) The State’s weighting of the different indicators in §612.5 for purposes of describing the State’s assessment of program performance; and

(iii) Any State-level rewards or consequences associated with the designated performance levels;

(3) In implementing paragraph (b)(1) through (2) of this section, except as provided in paragraphs (b)(3)(i)(D) and (b)(5) of this section, must ensure the performance of all of the State’s teacher preparation programs are represented in the State report card by—

(i) Annually reporting on the performance of each teacher preparation program that, in a given reporting year, produces a total of 25 or more recent graduates, as described in this paragraph (b)(3)(i), that meet or exceeds this threshold; and

(ii) For any teacher preparation program that does not meet the program size threshold in paragraph (b)(3)(i)(A) or (B) of this section, annually reporting on the program’s performance by aggregating data under paragraph (b)(3)(ii)(A), (B), or (C) of this section in order to meet the program size threshold except as provided in paragraph (b)(3)(ii)(D) of this section.

(A) The State may report on the program’s performance by aggregating data that determine the program’s performance with data for other teacher preparation programs that are operated by the same teacher preparation entity and are similar to or broader than the program in content.

(B) The State may report on the program’s performance by aggregating data that determine the program’s performance over multiple years for up to four years until the program size threshold is met.

(C) If the State cannot meet the program size threshold by aggregating data under paragraph (b)(3)(ii)(A) or (B) of this section, it may aggregate data using a combination of the methods under both of these paragraphs.

(D) The State is not required under this paragraph (b)(3)(ii) of this section to report data on a particular teacher preparation program for a given reporting year if aggregation under paragraph (b)(3)(ii)(D) of this section would not yield the program size threshold for that program; and

(4) Must report on the procedures established by the State in consultation with a group of stakeholders, as described in paragraph (c)(1) of this section, and on the State’s examination of its data collection and reporting, as described in paragraph (c)(2) of this section, in the State report card submitted—

(i) No later than October 31, 2019, and every four years thereafter; and

(ii) At any other time that the State makes a substantive change to the weighting of the indicators or the procedures for assessing and reporting the performance
§612.4 What are the regulatory reporting requirements for the State report card? [Revoked]

(5) The State is not required under this paragraph (b) to report data on a particular teacher preparation program if reporting these data would be inconsistent with Federal or State privacy and confidentiality laws and regulations.

(c) Fair and equitable methods—(1) Consultation. Each State must establish, in consultation with a representative group of stakeholders, the procedures for assessing and reporting the performance of each teacher preparation program in the State under this section.

(i) The representative group of stakeholders must include, at a minimum, representatives of—

(A) Leaders and faculty of traditional teacher preparation programs and alternative routes to State certification or licensure programs;

(B) Students of teacher preparation programs;

(C) LEA superintendents;

(D) Small teacher preparation programs (i.e., programs that produce fewer than a program size threshold of 25 recent graduates in a given year or any lower threshold set by a State, as described in paragraph (b)(3)(i) of this section);

(E) Local school boards;

(F) Elementary through secondary school leaders and instructional staff;

(G) Elementary through secondary school students and their parents;

(H) IHEs that serve high proportions of low-income students, students of color, or English learners;

(I) English learners, students with disabilities, and other underserved students;

(J) Officials of the State's standards board or other appropriate standards body; and

(K) At least one teacher preparation program provided through distance education.

(ii) The procedures for assessing and reporting the performance of each teacher preparation program in the State under this section must, at minimum, include—

(A) The weighting of the indicators identified in §612.5 for establishing performance levels of teacher preparation programs as required by this section;

(B) The method for aggregation of data pursuant to paragraph (b)(3)(ii) of this section;

(C) Any State-level rewards or consequences associated with the designated performance levels; and

(D) Appropriate opportunities for programs to challenge the accuracy of their performance data and classification of the program.

(2) State examination of data collection and reporting. Each State must periodically examine the quality of the data collection and reporting activities it conducts pursuant to paragraph (b) of this section and §612.5, and, as appropriate, modify its procedures for assessing and reporting the performance of each teacher preparation program in the State using the procedures in paragraph (c)(1) of this section.

(D) Inapplicability to certain insular areas. Paragraphs (b) and (c) of this section do not apply to American Samoa, the Commonwealth of the Northern Mariana Islands, the freely associated States of the Republic of the Marshall Islands, the Federated States of Micronesia, the Republic of Palau, Guam, and the United States Virgin Islands.

[81 FR 75614, Oct. 31, 2016; 82 FR 21475, May 9, 2017]
§612.5 What indicators must a State use to report on teacher preparation program performance for purposes of the State report card? [Revoked]

(a) For purposes of reporting under §612.4, a State must assess, for each teacher preparation program within its jurisdiction, indicators of academic content knowledge and teaching skills of novice teachers from that program, including, at a minimum, the following indicators:

(1) Student learning outcomes.
   (i) For each year and each teacher preparation program in the State, a State must calculate the aggregate student learning outcomes of all students taught by novice teachers.
   (ii) For purposes of calculating student learning outcomes under paragraph (a)(1)(i) of this section, a State must use:
      (A) Student growth;
      (B) A teacher evaluation measure;
      (C) Another State-determined measure that is relevant to calculating student learning outcomes, including academic performance, and that meaningfully differentiates among teachers; or
      (D) Any combination of paragraphs (a)(1)(ii)(A), (B), or (C) of this section.
   (iii) At the State's discretion, in calculating a teacher preparation program's aggregate student learning outcomes a State may exclude one or both of the following, provided that the State uses a consistent approach to assess and report on all of the teacher preparation programs in the State—
      (A) Student learning outcomes of students taught by novice teachers who have taken teaching positions in another State.
      (B) Student learning outcomes of all students taught by novice teachers who have taken teaching positions in private schools.

(2) Employment outcomes.
   (i) Except as provided in paragraph (a)(2)(v) of this section, for each year and each teacher preparation program in the State, a State must calculate:
      (A) Teacher placement rate;
      (B) Teacher placement rate in high-need schools;
      (C) Teacher retention rate; and
      (D) Teacher retention rate in high-need schools.
   (ii) For purposes of reporting the teacher retention rate and teacher retention rate in high-need schools under paragraph (a)(2)(ii)(C) and (D) of this section—
      (A) Except as provided in paragraph (B), the State reports a teacher retention rate for each of the three cohorts of novice teachers immediately preceding the current title II reporting year.
      (B)(1) The State is not required to report a teacher retention rate for any teacher preparation program in the State report to be submitted in October 2018.
      (2) For the State report to be submitted in October 2019, the teacher retention rate must be calculated for the cohort of novice teachers identified in the 2017–2018 title II reporting year.
      (3) For the State report to be submitted in October 2020, separate teacher retention rates must be calculated for the cohorts of novice teachers identified in the 2017–2018 and 2018–2019 title II reporting years.
   (iii) For the purposes of calculating employment outcomes under paragraph (a)(2)(i) of this section, a State may, at its discretion, assess traditional and alternative route teacher preparation programs differently, provided that differences in assessments and the reasons for those differences are transparent and that assessments result in equivalent levels of accountability and reporting irrespective of the type of program.
   (iv) For the purposes of the teacher placement rate under paragraph (a)(2)(i)(A) and (B) of this section, a State may, at its discretion, assess teacher preparation programs provided through distance education differently from teacher preparation programs not provided through distance education, based on whether the differences in the way the rate is calculated for teacher preparation programs provided through distance education affect employment outcomes. Differences in assessments and the reasons for those differences must be transparent and result in equivalent levels of accountability and reporting irrespective of where the program is physically located.
   (v) A State is not required to calculate a teacher placement rate under paragraph (a)(2)(i)(A) of this section for alternative route to certification programs.

(3) Survey outcomes. (i) For each year and each teacher preparation program on which a State must report a State must collect through survey instruments qualitative and quantitative data including, but not limited to, a teacher survey and an employer survey...
§612.5 What indicators must a State use to report on teacher preparation program performance for purposes of the State report card? [Revoked]

designed to capture perceptions of whether novice teachers who are employed in their first year of teaching possess the academic content knowledge and teaching skills needed to succeed in the classroom.

(ii) At the State’s discretion, in calculating a teacher preparation program’s survey outcomes the State may exclude survey outcomes for all novice teachers who have taken teaching positions in private schools provided that the State uses a consistent approach to assess and report on all of the teacher preparation programs in the State.

(A) Characteristics of teacher preparation programs. Whether the program—

(i) Is administered by an entity accredited by an agency recognized by the Secretary for accreditation of professional teacher education programs; or

(ii) Produces teacher candidates—

(A) With content and pedagogical knowledge;

(B) With quality clinical preparation; and

(C) Who have met rigorous teacher candidate exit qualifications.

(b) At a State’s discretion, the indicators of academic content knowledge and teaching skills may include other indicators of a teacher’s effect on student performance, such as student survey results, provided that the State uses the same indicators for all teacher preparation programs in the State.

(c) A State may, at its discretion, exclude from its reporting under paragraph (a)(1)–(3) of this section individuals who have not become novice teachers after three years of becoming recent graduates.

(d) This section does not apply to American Samoa, the Commonwealth of the Northern Mariana Islands, the freely-associated states of the Republic of the Marshall Islands, the Federated States of Micronesia, the Republic of Palau, Guam, and the United States Virgin Islands.

[81 FR 75614, Oct. 31, 2016; 82 FR 21475, May 9, 2017]
§612.6 What must a State consider in identifying low-performing teacher preparation programs or at-risk teacher preparation programs, and what actions must a State take with respect to those programs identified as low-performing? [Revoked]

(a)(1) In identifying low-performing or at-risk teacher preparation programs the State must use criteria that, at a minimum, include the indicators of academic content knowledge and teaching skills from §612.5.

(2) Paragraph (a)(1) of this section does not apply to American Samoa, the Commonwealth of the Northern Marianas, the freely associated states of the Republic of the Marshall Islands, the Federated States of Micronesia, the Republic of Palau, Guam, and the United States Virgin Islands.

(b) At a minimum, a State must provide technical assistance to low-performing teacher preparation programs in the State to help them improve their performance in accordance with section 207(a) of the HEA. Technical assistance may include, but is not limited to: Providing programs with information on the specific indicators used to determine the program's rating (e.g., specific areas of weakness in student learning, job placement and retention, and novice teacher and employer satisfaction); assisting programs to address the rigor of their exit criteria; helping programs identify specific areas of curriculum or clinical experiences that correlate with gaps in graduates' preparation; helping identify potential research and other resources to assist program improvement (e.g., evidence of other successful interventions, other university faculty, other teacher preparation programs, nonprofits with expertise in educator preparation and teacher effectiveness improvement, accrediting organizations, or higher education associations); and sharing best practices from exemplary programs.

[81 FR 75614, Oct. 31, 2016; 82 FR 21475, May 9, 2017]
§612.7 What are the consequences for a low-performing teacher preparation program that loses the State’s approval or the State’s financial support? [Revoked]

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

(1) Is ineligible for any funding for professional development activities awarded by the Department as of the date that the State withdrew its approval or terminated its financial support;

(2) May not include any candidate accepted into the teacher preparation program or any candidate enrolled in the teacher preparation program who receives aid under title IV, HEA programs in the institution’s teacher preparation program as of the date that the State withdrew its approval or terminated its financial support; and

(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 that is not less than the period of time a student continues in the program but no more than 150 percent of the published program length.

(b) Any institution administering a teacher preparation program that has lost State approval or financial support based on being identified as a low-performing teacher preparation program must—

(1) Notify the Secretary of its loss of the State’s approval or the State’s financial support due to identification as low-performing by the State within 30 days of such designation;

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

(3) Disclose on its Web site and in promotional materials that it makes available to prospective students that the teacher preparation program has been identified as a low-performing teacher preparation program by any State and has lost the State’s approval or the State’s financial support, including the identity of the State or States, and that students accepted or enrolled in the low-performing teacher preparation program may not receive title IV, HEA program funds.

[81 FR 75614, Oct. 31, 2016; 82 FR 21475 May 9, 2017]
§612.8 How does a low-performing teacher preparation program regain eligibility to accept or enroll students receiving Title IV, HEA program funds after loss of State's approval or the State's financial support? [Revoked]

(a) A low-performing teacher preparation program that has lost the State's approval or the State's financial support may regain its ability to accept and enroll students who receive title IV, HEA program funds upon demonstration to the Secretary under paragraph (b) of this section of—

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

(2) Reinstatement of the State's approval or the State's financial support, or, if both were lost, the State's approval and the State's financial support.

(b) To regain eligibility to accept or enroll students receiving title IV, HEA funds in a teacher preparation program that was previously identified by the State as low-performing and that lost the State's approval or the State's financial support, the institution that offers the teacher preparation program must submit an application to the Secretary along with supporting documentation that will enable the Secretary to determine that the teacher preparation program has met the requirements under paragraph (a) of this section.

[81 FR 75614, Oct. 31, 2016; 82 FR 21475, May 9, 2017]