

Discussion of New General Preconditions and Possible Process for Requiring Immediate Action for Noncompliance

November 2016

Overview of this Report

This agenda item presents the new General Preconditions adopted by the Commission in September 2016 and opens a conversation about possible procedural changes should institutions be not in compliance with all relevant preconditions.

Background

All Commission approved institutions and programs must be in compliance with the Commission's preconditions at all times. Preconditions are grounded in either California state statute, regulations, or adopted Commission policy and specify requirements of program compliance. Currently, there are the following types of preconditions:

- 1) General Preconditions – The 12 General Preconditions are applicable to all Commission approved program sponsors and educator preparation programs.
- 2) Program Preconditions – These preconditions are associated with a specific credential type (Multiple/Single Subject, General Education Induction, for examples) and apply to only those programs.
- 3) Initial Program Preconditions – These are required only when institutions are submitting a new program.

Each institution (college, university, school district, county office of education, or other approved sponsor) must meet the Commission's preconditions in order to demonstrate institutional compliance with state statute, regulations, and Commission policies. In the revised accreditation system's seven year cycle, all institutions sponsoring an educator preparation program will submit evidence in years one and four related to the General Preconditions and all appropriate preconditions for the programs it offers. In addition, at any time when an institution submits a new program proposal, it is required to submit responses to all applicable program preconditions prior to approval by the Committee on Accreditation. Because preconditions are largely ministerial, staff is responsible for reviewing documentation submitted by an institution and determining whether an institution has satisfactorily addressed the preconditions.

Because Preconditions are a matter of compliance, the COA has taken very seriously any information that an institution/program may be out of compliance.

Revised General Preconditions

At the September 2016 Commission meeting, the Commission approved revisions to the General Preconditions. The agenda item providing more depth of context for the changes is available at: <http://www.ctc.ca.gov/commission/agendas/2016-09/2016-09-3B.pdf>. These are included in this item as Appendix A. Staff will review these Preconditions with the COA.

Credential Program Specific Preconditions

As the Commission is reviewing and approving revisions to various program standards, the Commission is also reviewing and approving new preconditions that are specific to those credential areas. For example, the Commission has approved new preconditions for both General Education Induction and Special Education Induction preparation programs in recent months. Submission of Program Specific Preconditions are required at the time that the institution is proposing a new program and in Years 1 and 4 of the accreditation cycle.

Review and Approval of Preconditions

In the past accreditation system, preconditions were reviewed by staff in the days preceding the site visit before the accreditation team arrived on campus for the review. If deficiencies were identified, typically they were addressed by the consultant and the accreditation team communicating the issues with the institution in the days leading up to and including the accreditation site visit. If any issues remained or were identified by the site visit team in its review of the standards, it was included in the team report to the COA.

Under the new accreditation system, and pursuant to the Accreditation Task Group recommendation to increase the oversight of preconditions, the preconditions will be required to be submitted by all institutions and programs in Years 1 and 4. Staff will review these documents, however, the timing is such that waiting for the site visit to report on findings and to require correction is no longer an option. If a deficiency is discovered in Year 1, it is not feasible to wait 5 more years to require action, or two more years if it is discovered in Year 4. It would be more timely to bring the deficiency forward at the next regularly scheduled COA meeting, however, because preconditions are matters in which the institution and program must be in compliance with at all times, even waiting a matter of weeks or months to require corrective action seems unacceptable.

Currently, the COA has no explicit procedures that would address the change in timing of the review of the preconditions nor procedures for handling any deficiencies that are discovered on a timelier basis. Staff proposes the Committee consider and discuss the following possibilities.

Discovery of Deficiencies in Years 1 and 4 or Outside of the Accreditation Process

If during staff review of preconditions in Years 1 and 4, or as a result of either communication with the institution/program or a stakeholder, including survey results, there are issues raised that cause a question about whether the institution/program is operating in compliance with the adopted preconditions, staff will take the following action:

- 1) Communicate the concern or issue with appropriate institutional personnel first to request additional information. Assign a consultant to follow up with the institution to ensure that its personnel understands what is required.
- 2) Allow 15 working days for the institution to respond to the inquiry.

- 3) Once the response is received, staff will evaluate the response and any evidence submitted to ensure that it responds appropriately and that the institution is now in compliance. If no response is received by the 15 day deadline and there has been no compelling reason given for missing the deadline, the program/institution's ability to recommend be suspended immediately until such time as it is deemed in compliance.
- 4) If the response is received, but it does not satisfactorily demonstrate that the institution/program is now in compliance, the institution/program's ability to recommend is suspended until such time it can demonstrate that it is in compliance. A letter to that effect will be drafted and sent to the institution.
- 5) COA meetings, a summary of any actions taken with respect to preconditions will be included in an agenda item for COA and information presented to the COA at its next regularly scheduled meeting. COA may choose to take further action, such as act to prohibit the approval of any new programs by the institution or enroll new candidates in a particular program (if it is a program precondition).

Identification of Deficiencies by Accreditation Team

If at any point in the accreditation process – program review, annual data submission, or accreditation site visit, accreditation reviewers were to raise questions or concerns about whether an institution is in compliance with a site visit

- 1) If the deficiency or possible deficiency is identified in *Program Review*
 - a. Reviewers are to raise, in writing to the Commission staff, what evidence causes them to raise the question and which exact precondition or part of a precondition is in question.
 - b. Commission consultants will be asked to investigate the issue further by communicating with the institution/program as soon as possible after the possible deficiency is identified. The process listed above for Years 1 and 4 or Outside of the review process will be followed.
- 2) If the deficiency is discovered by staff during the *Annual Data* reporting process, the staff will follow the process listed above for Years 1 and 4 or outside of the review process.
- 3) If the accreditation *site visit* team is given information during the course of its review that cause it to question whether or not an institution is complying with a precondition, despite the fact that the staff review in Years 1 and 4 have determined compliance, the team will include this information in its report and will include a stipulation that ensures that the institution addresses the issue within 30 days of the conclusion of the site visit.

Regardless of when the report will be heard by the COA, the institution must respond to the site visit team report on the stipulation within the 15 working days. If the institution either does not respond in a timely manner or its response does not demonstrate that it is now in compliance with the precondition, the institution/program's ability to recommend candidates will be suspended until such time as it is deemed in compliance.

Since timing of site visits and COA meetings differ, staff and the institution must make its best faith effort to gather as much information as possible about the institution with respect to the precondition as is possible for the COA meeting. COA may take additional action, such as prohibiting institutions from accepting new candidates to the program or prohibiting the approval of new programs by that institution.

Possible Automatic Accreditation Status Finding

The COA might also consider whether, if at the time of the site visit, an institution is found to be not in compliance with a precondition, that this renders an automatic accreditation recommendation from the team, and decision by the COA, of Major or Probationary Stipulations. This would mean that even if all standards were found to be met, but a precondition was not being followed, that the institution would get an accreditation status of Major or Probationary stipulations with action required by the COA to remove the stipulations. There may be both benefits and challenges to this type of action.

Next Steps

The COA is asked to review these possible actions and to suggest modifications. At the next regularly scheduled COA meeting, staff will incorporate COA's comments and suggestions into proposed language for inclusion in the *Accreditation Handbook* for COA consideration and possible approval.

Appendix A
General Institutional Preconditions
Adopted September 2016

General Statement Applicable to all Preconditions for all Educator Preparation Programs

Pursuant to Education Code Section 44227 (and 44265 where applicable for Education Specialist Program) each program of professional preparation that leads to a teaching or services credential shall adhere continually to the following requirements of California State Law or Commission Policy. Each institution must respond to the general preconditions as well as all other applicable program specific preconditions.

(1) Accreditation and Academic Credit. The program(s) must be operated by

(a) **Institutions of higher education:** A college or university that (i) is fully accredited by the Western Association of Schools and Colleges or another of the six regional accrediting associations, and (ii) grants baccalaureate academic credit or post baccalaureate academic credit, or both. An institution approved to offer educator preparation in California must notify the Commission within 30 days if its regional accreditation status changes.

(b) **School districts or other non-regionally accredited entities:** The Superintendent or CEO of the district or entity shall submit verification of the governing board's approval of sponsorship of the program.

(2) Enrollment and Completion. Once a candidate is accepted and enrolls in an educator preparation program, the approved program sponsor must offer the approved program, meeting the adopted standards, until the candidate:

- i. completes the program;
- ii. withdraws from the program;
- iii. is dropped from the program based on established criteria; **or**
- iv. is admitted to another approved program to complete the requirements, with minimal disruption, for the authorization.

In the event the program closes, a teach out plan, which includes individual transition plans for each candidate as well as a plan for candidates and graduates to access their student records would need to be developed.

(3) Responsibility and Authority. To be granted continuing accreditation by the Committee on Accreditation, the entity shall provide the following information:

- (a) Identify the position within the organizational structure that is responsible for ongoing oversight of all educator preparation programs offered by the entity (including educator preparation programs offered by an extension division, if any).
- (b) Provide a description of the reporting relationship between the position described in (a) and the individual(s) who coordinate each educator preparation program offered by the entity. If a reporting relationship is indirect, describe the levels of authority and responsibility for each educator preparation program. Include an organizational chart for the institution as well as the division(s) within the institution responsible for the oversight of educator preparation programs; include any parent organization, outside organization(s), or partner(s) who will be involved in the oversight of the educator preparation unit and/or responsible for any aspect of program delivery.
- (c) Provide policies to ensure that duties regarding credential recommendations are provided solely by persons who are current employees of the Commission approved institution.

(4) Lawful Practices. To be granted continuing accreditation by the Committee on Accreditation, a program of professional preparation must be proposed and operated by an entity that makes all personnel decisions without unlawful discrimination. These decisions include decisions regarding the admission, retention or graduation of students, and decisions regarding the employment, retention or promotion of employees.

(5) Commission Assurances. To be granted continuing accreditation by the Committee on Accreditation, the program sponsor must: (a) assure that the sponsor will fulfill all of the applicable standards of program quality and effectiveness that have been adopted by the Commission, (b) assure that the approved program sponsor will cooperate in an evaluation of the program by an external team or a monitoring of the program by a Commission staff member, and (c) assure that the approved program sponsor will participate fully in the Commission's accreditation system, including the timely submission of documents required for accreditation.

(6) Requests for Data. To be granted continuing accreditation by the Committee on Accreditation, the entity must identify a qualified officer responsible for reporting and responding to all requests from the Commission for data including, but not limited to, program enrollments, program completers, examination results, including performance assessments, and state and federal reporting within the time limits specified by the Commission. Institutional contact information must be updated annually.

(7) Veracity in all Claims and Documentation Submitted. To be granted continuing accreditation by the Committee on Accreditation, the entity must positively affirm the veracity of all statements and documentation submitted to the Commission.

- (8) Grievance Process.** To be granted continuing accreditation by the Committee on Accreditation, the approved program sponsor must have a clearly delineated grievance process for candidates and applicants. The grievance process information must be accessible to all candidates and applicants and the institution must be prepared to provide documentation that candidates have been informed of the grievance process and that the process has been followed.
- (9) Faculty and Instructional Personnel Participation.** All faculty and instructional personnel employed by colleges and universities who regularly teach one or more courses in an educator preparation program leading to a credential, shall actively participate in the public school system at least once every three academic years, appropriate to their credential area. Faculty who are not in the Department, School or College of Education are exempt from this requirement. *Reference: Education Code Section 44227.5 (a) and (b).*
- (10) Communication and Information.** To be granted continuing accreditation by the Committee on Accreditation, the approved program sponsor must provide easily accessible and accurate information to the public, prospective educators, and enrolled candidates about the requirements for admission and successful completion for all its educator preparation programs.
- (11) Student Records Management, Access, and Security.** To be granted continuing accreditation by the Committee on Accreditation, the sponsor must demonstrate that it will maintain and retain student records in accordance with the institution's record retention policy. Institutions will provide verification that:
- (a) Candidates and graduates will have access to and be provided with transcripts and/or other documents for the purpose of verifying academic units and program completion.
 - (b) All candidate records will be maintained at the main institutional site or central location (paper or digital copies).
 - (c) Records will be kept securely in locked cabinets or on a secure server located in a room not accessible by the public.
- (12) Disclosure.** Institutions must disclose information regarding any outside organizations that will be providing any direct educational services as all or part of the educator preparation programs sponsored by the institution and identify the type of services the outside organization will provide.