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# 4G

## Action

### *Educator Preparation Committee*

### **Appeal of the Accreditation Decision by Summit Preparatory Charter High School**

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## **AGENDA INSERT**

**Executive Summary: Executive Summary:** This agenda item is an appeal made by Summit Preparatory Charter High School as to an accreditation decision made by the Committee on Accreditation. By statute, the Commission has the responsibility to hear and resolve any appeals of a Committee decision.

**Recommended Action: Recommended Action:** That the Commission review the appeal from Summit Preparatory Charter High School and either uphold or set aside the Committee on Accreditation's decision.

**Presenter:** Teri Clark, Director, Professional Services Division

#### **Strategic Plan Goal:**

#### ***II. Program Quality and Accountability***

- b) Effectively and efficiently monitor program implementation and outcomes, hold all approved educator preparation programs to high standards and require continuous improvement through the accreditation process.

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## **Appeal of the Accreditation Decision by Summit Preparatory Charter High School**

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This insert provides a response from the Co-Chairs of the Committee on Accreditation (Committee), Dr. Anna Moore and Dr. Robert Frelly, to the Appeal submitted by Summit Preparatory Charter High School.

## **Committee Co-Chairs Response to the Summit Preparatory Charter High School Program Appeal of Committee Decision**

The Co-Chairs of the Committee offer for Commission consideration the following information on each of the points Summit identified in its appeal to the Commission.

In the appeal, Summit states “[This appeal] ...is in no way signaling an unwillingness or inability to bring its Intern program into full compliance with the requirements of intern credential programs.” As Co-Chairs of the Committee we are supportive of this as our goal is always to ensure high quality teacher preparation programs.

### **1. The COA Arbitrarily and Without Legal Basis Concluded Summit is Not Permitted to Under the Law to Operate a Residency Program**

Historically, teacher preparation in California was embodied only within institutions of higher education. The Education Code reflects this fundamental understanding in 44227(a):

*The Commission may approve any institution of higher education to recommend to the commission the issuance of credentials to persons who have successfully completed a teacher education program of the institution if the program meets the standards approved by the commission.*

Education Section 44320 entitled “Professional Preparation” discusses the role of postsecondary education institutions in teacher preparation and only in limited instances mentions the involvement of LEAs, reflecting the context in which teacher preparation programs have been offered. The role of the LEA in preparing teachers is included in specific Education Code sections, such as Education Code section 44325 for district interns and Education Code section 44259 (c)(2)(a) for Teacher Induction. The Committee has never approved an LEA to sponsor a student teaching based teacher preparation program. A teacher residency program is not defined in statute, but has been understood by the Committee to be a type of student teaching preparation program.

**Conclusion:** The Committee acted on its understanding of the law at the time of the decision. The Co-Chairs of the Committee suggest that the Commission seek clarification from the legislature as to what entities may offer student teaching based residency programs.

### **2. The COA acted in a Manner Contrary to its Own Procedural Guidelines by Imposing a Stipulation that Summit’s Current Intern Program Be Closed.**

Summit is correct that Chapter 8: Accreditation Decisions: Options and Implications, Page 9 states the following:

*In some instances, the review team may find that a specific credential program does not meet more than one-half of the standards and determine that the program should be closed.*

The Accreditation Handbook includes language indicating that decisions need to be made by the Committee after considering all information provided and using the professional expertise and judgment of the members. Nevertheless, the Handbook is not as clear on this topic as it could be.

**Conclusion:** The Co-Chairs of the Committee agree that the January 31, 2019 decision is contrary to the language in the Accreditation Handbook. Therefore, the Co-Chairs of the Committee concede this point and agree with the recommendation in the appeal that the Summit program not be closed and that Summit be allowed time to bring the program into compliance with the Intern requirements.

### **3. That COA's interpretation of Precondition for Internship Programs #11 is Contrary to the Plain Language of the Precondition**

*Precondition 11: Justification of an Intern Program* addresses the underlying need for an intern program. It reads:

*When an institution submits a program for initial or continuing accreditation, the institution must explain why the internship is being implemented. Programs that are developed to meet shortages must include a statement from the participating district(s) about the availability of qualified certificated persons holding the credential. The exclusive representative of certificated employees in the credential area (when applicable) is encouraged to submit a written statement to the Committee.*

The Summit appeal suggests that the precondition language allows an intern program to be developed for reasons other than teacher shortage. This was not an understanding that the Committee had previously considered.

**Conclusion:** The Co-Chairs of the Committee recognize that there is a lack of clarity in the language of this precondition and concede this point of the appeal. The Co-Chairs of the Committee recommend that the Commission clarify this precondition in the future.

### **4. The COA Acted Contrary to the Provisions of the CTC's Accreditation Handbook by Reviewing a Precondition at the January 31 Hearing and Basing Its Decisions on Alleged Noncompliance with Such Preconditions.**

Both the *Accreditation Framework* and the *Accreditation Handbook* contain several statements that demonstrate that programs must adhere to preconditions at all times. While staff complete a paper review, if the site visit team finds that during the implementation of the program there is a violation of the precondition, it is included in the site visit report. Once a violation is discovered, it becomes part of the information used to determine the accreditation decision and part of the corrective action that needs to be taken by the institution. The following excerpts from the *Framework* and the *Handbook* regarding preconditions illustrate this point.

**Accreditation Handbook, Chapter 2, Page 1 Preconditions, Common and Program Standards** states the following:

There are foundational requirements that institutions and credential programs that prepare professional educators in California **are expected to address at all times: 1) Preconditions, 2) Common Standards, and 3) Program Standards.**

**Preconditions** are requirements grounded in statute, regulations, and/or commission policy. Programs must provide a response to each precondition and include appropriate supporting evidence and/or documentation.

**Accreditation Handbook Chapter 4, Page 4** states the following:

*Site visits take place in Year 6 of the accreditation cycle. The site visit allows a BIR team to verify information from the institution's annual data analysis, **Preconditions**, Common Standards, and Program Review processes for the purpose of making findings about the extent to which an institution and its programs meet the **Preconditions**, Common Standards and Program Standards and to generate an accreditation recommendation. The team performs interviews with samples of stakeholders from each of an institution's programs and completes limited document reviews to confirm or refute information from the other sources. The team also examines evidence about the institution's policies and practices as they impact educator preparation programs. Based upon the findings of these activities, an accreditation recommendation is made to COA.*

**Accreditation Handbook Chapter 7, Page 1** states the following:

*Accreditation visits occur during the sixth year of the accreditation cycle. The Committee on Accreditation (COA) also **retains the right to schedule more frequent site visits** as a stipulation of institutional accreditation or **based on reviews** of annual data submissions, **preconditions**, or Program Review.*

**Accreditation Handbook, Chapter 10, page 1** states the following:

***Accreditation teams** convene at educator preparation institutions **to confirm the findings** of the BIR review **of Common and Program Standards, and Preconditions**, examine additional program documents and evidence, and interview a variety of individuals representing stakeholders of the institution's educator preparation programs. The purpose of the team's work is to provide the Committee on Accreditation (COA) with sufficient information so that **the COA can determine** whether the educator preparation program sponsors fulfill adopted standards for the preparation of professional educators. Accreditation teams are expected to focus on issues of quality and effectiveness across the educator preparation portion of the institution (the unit) as well as within all credential programs that it offers. A site visit accreditation team determines whether the institution and its programs are effectively implementing standards. An accreditation team is expected to make its professional recommendation to the COA on the basis of the preponderance of evidence collected from multiple sources (e.g., Program Review and Common Standards Institutional Response, Program Summaries, Survey Data and other outcomes measures), and supporting documentation and related evidence; implementation is verified through interviews across stakeholder groups during the site visit. Site visits include off-campus programs as well as those on the main campus.*

**Conclusion:** The Committee is required to ensure that all entities sponsoring educator preparation meet the preconditions at all times and the Committee did not act contrary to the Accreditation Handbook.

**5. The COA Arbitrarily and Without Legal Basis Interpreted Education Code section 44325 (c) (3) to Require All Summit Candidates Pass the CSET Prior to Admission to the Program**

Although Education Code Section 44325(c)(3) does not require all candidates to satisfy subject matter prior to admission to the program, Education Code Section 44453 (a) states the following:

*For admission to all teaching internship programs authorized by this article, an applicant shall have a baccalaureate or higher degree from a regionally accredited institution of postsecondary education and shall pass a subject matter examination as provided in Section 44280 or complete a commission approved subject matter program as provided in Section 44310.*

**Conclusion:** Education Code 44453(a) requires that interns meet the subject matter requirement at the point of admission to an intern program. If the Commission decides to set aside the Committee’s accreditation decision and allow Summit to continue to operate its intern program, the Co-Chairs suggest that Summit be required to ensure that all admitted candidates have met the subject matter requirement.

**6. The COA Acted in an Unfair Manner for Failing to Comply with a Legal Requirement that Had Been Clarified Less than a Week Prior to the January Hearing.**

Education Code Section 44325(a) sets forth the fact that interns must be employed. It states:

*(a) The commission shall issue district intern credentials authorizing persons **employed by a school district** that maintains kindergarten and grades 1 to 12, inclusive, or that maintains classes in bilingual education to provide classroom instruction to pupils in those grades and classes in accordance with the requirements of Section 44830.3. The commission shall issue district intern credentials authorizing persons employed by a school district to provide classroom instruction to pupils in special education classes, in accordance with requirements of Section 44830.3.*

Beginning in Fall 2017, staff communicated the need for Summit to meet the statutory requirement that interns must be employed. During these conversations Summit personnel raised concerns about implementing a full time employment requirement for candidates in their program and requested information on whether it was possible for interns to be employed part time and whether that would still meet the intern requirements. Commission staff noted that it was possible, and at Summit’s request, additional conversations were held to discuss this topic further.

In Summit’s appeal it noted that CTC staff “conceded that the employment issue was not resolved internally by CTC staff until two days before the January 31 hearing.” What was clarified in the week prior to the January 2019 COA meeting was language provided by Summit on January 16, 2019 that referenced Education Code 44384. This section of the Education Code

referred to when intern programs were state funded grant programs which is no longer the case and is not applicable to the Summit program.

**Conclusion:** The Co-Chairs of the Committee suggest that if the Commission decides to allow Summit time to bring its program into compliance with the Intern requirements, the Commission consider a stipulation that Summit ensure that all interns are employed by an LEA.

**Final Conclusion:** The Co-Chairs of the Committee suggest that the Commission set aside the Committee's action and take action on the following:

1. That Summit Preparatory Charter High School's Accreditation decision be **Accreditation with Major Stipulations**, as was recommended by the site visit team, and that Summit be allowed to continue to operate its Preliminary Single Subject program as an intern program.
2. That within one year of this action, Summit host a revisit focusing on all standards and preconditions found by the site visit team to be Not Met or Met with Concerns. The Accreditation Handbook specifies that one year is the standard time frame for an institution to address stipulations. In the event that additional time is needed to address all stipulations, the Committee may specify the additional amount of time (Accreditation Handbook, Chapter 8, pages 5-7).
3. That Summit not be permitted to propose new credential programs for approval until the stipulations have been addressed.
4. That beginning with the 2019-20 year, Summit only admit candidates who have met the subject matter requirement.
5. That beginning with the 2019-20 year, Summit shall ensure that all interns are employed by an LEA.
6. That Summit submit Quarterly Reports documenting its progress in bringing its intern program into full compliance with the requirements of intern credential programs. Submitting periodic Follow-up Reports is an option for any of the accreditation with stipulation findings and allows the Committee to monitor and support the processes the institution is taking to address the stipulations (Accreditation Handbook, Chapter 8, page 2).