Comments on Proposed Commissioner's Rule

19 TAC 149.1001: Teacher Standards

January 28, 2014

The Association of Texas Professional Educators (ATPE) is the preeminent educator association in Texas and makes a positive difference in the lives of educators and schoolchildren. ATPE is a member-owned, member-governed professional association with more than 100,000 members, making it the leading educators' association in Texas and the largest independent association for public school educators in the nation. **ATPE appreciates this opportunity to provide public comments on proposed new 19 TAC Chapter 149, Commissioner's Rules Concerning Educator Standards, Subchapter AA, Teacher Standards, Rule 149.1001, Teacher Standards.**

The Texas Education Agency (TEA) notes that the proposed teaching standards have been developed pursuant to Section 21.351 of the Texas Education Code requiring the commissioner to adopt criteria that informs the state's teacher appraisal process. That statute, adopted by the Legislature in 1995, reads in part as follows:

> *Sec. 21.351. RECOMMENDED APPRAISAL PROCESS AND PERFORMANCE CRITERIA. (a) The commissioner shall adopt a recommended appraisal process and criteria on which to appraise the performance of teachers. The criteria must be based on observable, job-related behavior, including:*
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> *(1) teachers' implementation of discipline management procedures; and*
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> *(2) the performance of teachers' students.*
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> *(b) The commissioner shall solicit and consider the advice of teachers in developing the recommended appraisal process and performance criteria.*

Following the passage of that law, Texas launched the Professional Development and Appraisal System (PDAS) in 1997, and the majority of the state's school districts continue to use the PDAS instrument to evaluate their teachers. Sixteen years later, TEA is working on an overhaul of the state appraisal system, primarily because of pressure from the federal government. Specifically, the United States Department of Education has granted Texas a partial waiver of the No Child Left Behind Act and its strict federal accountability requirements known as "Adequate Yearly Progress" (AYP), but the waiver has been issued only on the condition that our commissioner create a new recommended teacher appraisal system by May 2014. To meet the expectations of President Obama's education administration, the new appraisal system must treat student growth "as a significant factor in determining a teacher's summative evaluation rating." If the state fails to uphold this promise, our NCLB waiver will expire at the end of the current school year, and districts will again be subject to AYP requirements.

ATPE appreciates that the commissioner has opted to propose a comprehensive set of professional teaching standards prior to developing a new appraisal system, and we hope that the new appraisal plans will be aligned with those standards once finally adopted. Equally important

will be the alignment of certification processes and the curriculum in teacher preparation programs to align with these new teacher standards; teacher training programs must be held accountable for adequately preparing future teachers to achieve the goals laid out for them by the commissioner. We are also grateful that the commissioner has solicited input from teachers by convening a committee of practitioners, including a number of ATPE members, to provide input on the standards and the future appraisal system

TEA describes the proposed rule as one that "would establish standards in the areas of instructional planning and delivery, knowledge of students and student learning, content knowledge and expertise, learning environment, data driven practice, and professional practices and responsibilities and would provide descriptors of success with regard to those standards." The agency adds that students will benefit from the rule insofar as it delineates "state performance standards defining the aspirational goals toward which teachers would progress, leading to improved instructional practices and improved student learning and achievement."

ATPE agrees that the proposed rule articulates aspirational standards that we believe are already embraced by most teachers. When we asked our membership for feedback on the proposed standards, the typical ATPE member's response was: "Isn't this what good teachers are already expected to do?" The one statement of caution we offer deals more with how the standards might inform the development of the new appraisal instrument—namely, that some of the standards might be insusceptible to measurement. The standards reflect several ideals that are dependent upon forces outside an individual teacher's control. For instance, teachers must rely upon district resources and support to ensure a safe physical learning environment; similarly, decisions about the physical classroom environment, including the number of students assigned to each teacher, are typically made at the district level by administrators and boards of trustees, not by teachers.

When designed with transparency and implemented with appropriate training and support, appraisals can be a powerful tool to help teachers fine-tune their instructional methods and grow as professionals. ATPE is hopeful that Texas will adopt an appraisal system that is neither too complex nor too simplistic and one that meets the federal criteria without being too heavily focused on measures of student performance using standardized test scores. We trust that any new system recommended by the commissioner this spring will build upon these proposed teaching standards and be comprehensive, transparent and fair.

ATPE supports the proposed rule as a first step in the process to develop a new, robust appraisal system, and we look forward to an opportunity to provide stakeholder input and guidance in that process going forward.

For additional information, contact ATPE Governmental Relations at (800) 777-2873 or government@atpe.org.