



Economic Impact Analysis Virginia Department of Planning and Budget

8 VAC 20-542 – Regulations Governing the Review and Approval of Education Programs in Virginia

Department of Education

Revised:¹ July 24, 2006

Original: January 6, 2006

The Department of Planning and Budget (DPB) has analyzed the economic impact of this proposed regulation in accordance with Section 2.2-4007.H of the Administrative Process Act and Executive Order Number 21 (02). Section 2.2-4007.H requires that such economic impact analyses include, but need not be limited to, the projected number of businesses or other entities to whom the regulation would apply, the identity of any localities and types of businesses or other entities particularly affected, the projected number of persons and employment positions to be affected, the projected costs to affected businesses or entities to implement or comply with the regulation, and the impact on the use and value of private property. The analysis presented below represents DPB's best estimate of these economic impacts.

Summary of the Proposed Regulation

The Board of Education (board) proposes to concurrently repeal the text of the current regulations, Regulations Governing Approved Programs for Virginia Institutions of Higher Education (8 VAC 20-541), and promulgate new regulations (8 VAC 20-542) with the title Regulations Governing the Review and Approval of Education Programs in Virginia. The board's proposed amendments include: 1) exempting professional education units that obtain national accreditation from state review, and 2) rating individual education programs for approval. Also, the board proposes to add text on endorsement/education program competencies to these regulations and repeal this language from the Licensure Regulations for School Personnel in a concurrent action.

¹ This Economic Impact Analysis was revised to reflect amendments to the board's proposals that were made in July 2006.

Estimated Economic Impact

Under the current regulations the Department of Education (department) visits and evaluates the professional education unit every 5 years for all 37 institutions in Virginia that have a professional education unit. The professional education unit is defined as “the institution, college, school, department, or other administrative body within the institution that is primarily responsible for the initial and advanced preparation of teachers and other professional school personnel.” Current department staff are not aware of any Virginia professional education unit having ever been denied approval.

Under the proposed regulations the department will no longer evaluate professional education units² if the professional education unit has obtained and maintained national accreditation from the National Council for the Accreditation of Teacher Education (NCATE) or the Teacher Education Accreditation Council (TEAC). This will save these units preparation and meeting time as well as the cost of materials. There are 27 professional education units in the Commonwealth that currently have or are seeking national accreditation from NCATE or TEAC.³ The remaining 10 professional education units will continue to be evaluated by the department.

Additionally under the proposed regulations, the department will rate individual education programs. Education programs are defined as “a planned sequence of courses and experiences leading to a degree, a state license, or preparation to provide professional education services in schools.” Education programs coincide with endorsement categories.⁴ Every two years the department will rate each education program as either approved, approved with stipulations, or approval denied.

In order to receive an approved rating, education programs will be required to be part of a professional education unit that is accredited by NCATE, TEAC, or by a process approved by the board, and demonstrate achievement of the following seven accountability measures: #1) candidate progress and performance on prescribed board licensure assessments, #2) candidate progress and performance on an assessment of basic skills as prescribed by the board for

² In the proposed regulations professional education units are called professional education programs. In order to avoid confusion with education programs, this report continues to use the term professional education unit.

³ Source: Department of Education

⁴ Ibid

individuals seeking entry into an approved education preparation program, #3) structured and integrated field experiences to include student teaching requirements, #4) evidence of opportunities for candidates to participate in hard-to-staff schools throughout the program experiences, #5) evidence of contributions to prek-12 student achievement by candidates completing and exiting the program, #6) evidence of employer job satisfaction with candidates completing and exiting the program, and #7) partnerships and collaborations based on prek-12 school needs.

Accountability measure #1 is specified to require that candidate passing rates, reported by percentages, shall not fall below 70 percent biennially for individuals completing and exiting the program. Achievement of an 80 percent biennial passing rate shall be required by July 1, 2010. Education programs will be denied approval if these concrete pass rates are not met. This represents a very significant change from the current regulations. As stated earlier, current department staff are not aware of any professional education unit (and thus education program) having been denied approval at any time in the past. The introduction of a credible threat to state approval of education programs will give professional education units much greater incentive to make changes to try to achieve state minimum requirements. The current (8 VAC 20-21) and proposed (8 VAC 20-22) Licensure Regulations for School Personnel both state that individuals seeking licensure with endorsements in early/primary education, elementary education, middle education, preK-12, special education, secondary grades 6-12, or adult education “may meet requirements through the completion of an approved program or, if employed by a Virginia public or nonpublic school, through the alternative route to licensure.” Thus, completing education programs that are not approved by the state will not enable students of those programs to obtain license to teach in those education program fields. To the extent that increased compliance with the Commonwealth’s minimum requirements for education programs leads to better teachers, the proposal to introduce this binding credible threat will be beneficial.

If the education program is part of a professional education unit that is accredited and accountability measure #1 is met, and the education program is making documented progress toward meeting accountability measures #2 thru #7, then the program is rated approved with stipulations. If the education program is either part of a professional education unit that is not accredited, or accountability measure #1 is not met, then the program is rated approval denied. The proposed regulations do not address the situation where an education program is part of a

professional education unit that is accredited and accountability measure #1 is met, but the education program is not making documented progress toward meeting all of or a subset of accountability measures #2 thru #8.

Since according to the department the education program ratings will be posted on the Internet, the proposal to rate individual education programs will also be beneficial in that the public will become better informed concerning the performance of education programs. College and program applicants and perhaps their parents can use this information to potentially make superior choices on which colleges and programs to apply to and ultimately attend.

Businesses and Entities Affected

The proposed regulations affect Virginia's 37 professional education units, other institutions considering offering education programs, 132 school divisions, approximately 110,000 instructional personnel, and students in the Commonwealth.⁵

Localities Particularly Affected

The proposed regulations affect all Virginia localities.

Projected Impact on Employment

The proposal to deny approval for education programs that cannot meet concrete requirements such as accountability measure #1 may reduce employment at institutions that have programs that are unable to meet these requirements.

Effects on the Use and Value of Private Property

Private institutions that have education programs that do not meet concrete requirements such as accountability measure #1 will likely take new actions to meet these requirements. Those that cannot meet the requirements will likely no longer offer those programs. The value of these private institutions may moderately decrease as a result. Other institutions that have education programs that are approved may obtain students that otherwise would have attended one of the programs that cannot obtain approval. The value of these institutions would moderately increase commensurately.

⁵ Number source: Department of Education

Small Businesses: Costs and Other Effects

The proposed regulations do not significantly affect small businesses.

Small Businesses: Alternative Method that Minimizes Adverse Impact

The proposed regulations do not significantly affect small businesses.