§ 1027. Accountability for programs that prepare teachers

(a) Development of definitions and reporting methods

Within 9 months of October 7, 1998, the Commissioner of the National Center for Education Statistics, in consultation with States and institutions of higher education, shall develop key definitions for terms, and uniform reporting methods (including the key definitions for the consistent reporting of pass rates), related to the performance of elementary school and secondary school teacher preparation programs.

(b) State report card on quality of teacher preparation

Each State that receives funds under this chapter shall provide to the Secretary, within 2 years of October 7, 1998, and annually thereafter, in a uniform and comprehensible manner that conforms with the definitions and methods established in subsection (a) of this section, a State report card on the quality of teacher preparation in the State, which shall include at least the following:

(1) A description of the teacher certification and licensure assessments, and any other certification and licensure requirements, used by the State.

(2) The standards and criteria that prospective teachers must meet in order to attain initial teacher certification or licensure and to be certified or licensed to teach particular subjects or in particular grades within the State.

(3) A description of the extent to which the assessments and requirements described in paragraph (1) are aligned with the State's standards and assessments for students.

(4) The percentage of teaching candidates who passed each of the assessments used by the State for teacher certification and licensure, and the passing score on each assessment that determines whether a candidate has passed that assessment.

(5) The percentage of teaching candidates who passed each of the assessments used by the State for teacher certification and licensure, disaggregated and ranked, by the teacher preparation program in that State from which the teacher candidate received the candidate's most recent degree, which shall be made available widely and publicly.

(6) Information on the extent to which teachers in the State are given waivers of State certification or licensure requirements, including the proportion of such teachers distributed across high- and low-poverty school districts and across subject areas.

(7) A description of each State's alternative routes to teacher certification, if any, and the percentage of teachers certified through alternative certification routes who pass State teacher certification or licensure assessments.

(8) For each State, a description of proposed criteria for assessing the performance of teacher preparation programs within institutions of higher education in the State, including indicators of teacher candidate knowledge and skills.
§ 1027 TITLE 20—EDUCATION

(9) Information on the extent to which teachers or prospective teachers in each State are required to take examinations or other assessments of their subject matter knowledge in the area or areas in which the teachers provide instruction, the standards established for passing any such assessments, and the extent to which teachers or prospective teachers are required to receive a passing score on such assessments in order to teach in specific subject areas or grade levels.

c) Initial report

(1) In general

Each State that receives funds under this chapter, not later than 6 months of 1 October 7, 1998, and in a uniform and comprehensible manner, shall submit to the Secretary the information described in paragraphs (1), (5), and (6) of subsection (b) of this section. Such information shall be compiled by the Secretary and submitted to the Committee on Labor and Human Resources of the Senate and the Committee on Education and the Workforce of the House of Representatives not later than 9 months after October 7, 1998.

(2) Construction

Nothing in this subsection shall be construed to require a State to gather information that is not in the possession of the State or the teacher preparation programs in the State, or readily available to the State or teacher preparation programs.

d) Report of Secretary on quality of teacher preparation

(1) Report card

The Secretary shall provide to Congress, and publish and make widely available, a report card on teacher qualifications and preparation in the United States, including all the information reported in paragraphs (1), (5), and (6) of subsection (b) of this section. Such information shall identify States for which eligible States and eligible partnerships received a grant under this subchapter. Such report shall be so provided, published and made available not later than 2 years 6 months after October 7, 1998, and annually thereafter.

(2) Report to Congress

The Secretary shall report to Congress—

(A) a comparison of States’ efforts to improve teaching quality; and

(B) regarding the national mean and median scores on any standardized test that is used in more than 1 State for teacher certification or licensure.

(3) Special rule

In the case of teacher preparation programs with fewer than 10 graduates taking any single initial teacher certification or licensure assessment during an academic year, the Secretary shall collect and publish information with respect to an average pass rate on State certification or licensure assessments taken over a 3-year period.

e) Coordination

The Secretary, to the extent practicable, shall coordinate the information collected and published under this subchapter among States for individuals who took State teacher certification or licensure assessments in a State other than the State in which the individual received the individual’s most recent degree.

(f) Institutional report cards on quality of teacher preparation

(1) Report card

Each institution of higher education that conducts a teacher preparation program that enrolls students receiving Federal assistance under this chapter, not later than 18 months after October 7, 1998, and annually thereafter, shall report to the State and the general public, in a uniform and comprehensible manner that conforms with the definitions and methods established under subsection (a) of this section, the following information:

(A) Pass rate

(i) For the most recent year for which the information is available, the pass rate of the institution’s graduates on the teacher certification or licensure assessments of the State in which the institution is located, but for those students who took those assessments within 3 years of completing the program.

(ii) A comparison of the program’s pass rate with the average pass rate for programs in the State.

(iii) In the case of teacher preparation programs with fewer than 10 graduates taking any single initial teacher certification or licensure assessment during an academic year, the institution shall collect and publish information with respect to an average pass rate on State certification or licensure assessments taken over a 3-year period.

(B) Program information

The number of students in the program, the average number of hours of supervised practice teaching required for those in the program, and the faculty-student ratio in supervised practice teaching.

(C) Statement

In States that approve or accredit teacher education programs, a statement of whether the institution’s program is so approved or accredited.

(D) Designation as low-performing

Whether the program has been designated as low-performing by the State under section 1028(a) of this title.

(2) Requirement

The information described in paragraph (1) shall be reported through publications such as school catalogs and promotional materials sent to potential applicants, secondary school guidance counselors, and prospective employers of the institution’s program graduates.

(3) Fines

In addition to the actions authorized in section 1094(c) of this title, the Secretary may impose a fine not to exceed $25,000 on an institution of higher education for failure to provide the information described in this subsection in a timely or accurate manner.

1 So in original. Probably should be “after”.
shall include representatives of States, institutional higher education, and educational and religious organizations. The Secretary shall submit such proposed regulations to a negotiated rulemaking process, which shall include representatives of States, institutions of higher education, and educational and religious organizations.

(a) Methods

In complying with sections 1027 and 1028 of this title, the Secretary shall ensure that States and institutions of higher education use fair and equitable methods in reporting and that the reporting methods protect the privacy of individuals.

(b) Special rule

For each State in which there are no State certification or licensure assessments, or for States that do not set minimum performance levels on those assessments—

1. The Secretary shall, to the extent practicable, collect data comparable to the data required under this subchapter from States, local educational agencies, institutions of higher education, or other entities that administer such assessments to teachers or prospective teachers; and

2. Notwithstanding any other provision of this subchapter, the Secretary shall use such data to carry out requirements of this subchapter related to assessments or pass rates.

(c) Limitations

(1) Federal control prohibited

Nothing in this subchapter shall be construed to permit, allow, encourage, or authorize any Federal control over any aspect of any private, religious, or home school, whether or not a home school is treated as a private school or home school under State law.

(2) No change in State control encouraged or required

Nothing in this subchapter shall be construed to encourage or require any change in a State's treatment of any private, religious, or home school, whether or not a home school is treated as a private school or home school under State law.

(3) National system of teacher certification prohibited

Nothing in this subchapter shall be construed to permit, allow, encourage, or authorize the Secretary to establish or support any national system of teacher certification.