Division 400: State Approval Process for Educator Preparation Providers (EPPs) – New Division

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584-400-0010 Purpose of Educator Preparation Providers (EPP) State Approval Processes

(1) The Oregon Legislative Assembly has delegated to the Teacher Standards and Practices Commission the authority to establish standards for approval of education preparation providers and education preparation programs pursuant to ORS 342.147 and 342.165.

(2) The scope of the state approval process includes review and approval of programs leading to licensure, including endorsement and specialization programs. Pursuant to ORS 342.147 (4), the scope of the state approval process does not include establishing degree requirements, review of degree programs that do not lead to licensure, or the authority of the institution to grant degrees.

(3) The Commission has established Oregon standards for Educator Preparation Providers (Unit), as provided in Chapter 584, Chapter 410.

(4) The Commission has established Oregon standards for licensure, endorsement, and specialization programs (Programs) within the Unit, as provided in Chapter 584, Division 420.

(5) The Commission has adopted the Program Review and Standards Handbook (Handbook), which governs procedures for program implementation, Program Review, and Unit Review. The Handbook may only be amended upon official action by the Commission.

Stat. Auth.: ORS 342
Stats. Implemented: ORS 342.120 - 342.430, 342.455 - 342.495 & 342.533
Hist.:

EPP input on Purpose: Staff did not bring any specific issues on this rule in the webinar. The EPP representatives also did not bring up any issues with this rule.

Staff Response: No changes to draft rule at this time.

Fiscal Impact or Cost of Compliance:
Other state agencies: The rule mostly restates existing purpose provisions. The agency does not anticipate fiscal impact or cost of compliance to state agency related to this rulemaking.
Local governments: The rule mostly restates existing purpose provisions. The agency does not anticipate fiscal impact or cost of compliance to local government related to this rulemaking.
Public: The rule mostly restates existing purpose provisions. The agency does not anticipate fiscal impact or cost of compliance to the public related to this rulemaking.
Small Business: The agency does not anticipate small business, as defined by the Oregon Administrative Procedures Act, to be affected by this rulemaking.

584-400-0015 Transition to National Accreditation

(1) The Oregon Legislative Assembly has delegated to the Teacher Standards and Practices Commission the authority to establish standards for approval of Educator Preparation Providers (EPPs) through Oregon Revised Statutes 342.147 and 342.165.
(2) The Oregon Legislative Assembly has required all EPPs to be nationally accredited by July 1, 2022, pursuant to Sections 2 through 6, chapter 756, Oregon Laws 2015 (Enrolled SB 78).

(3) Purpose of the rule: In order to facilitate the implementation of the national accreditation requirement, the agency is establishing transition provisions for the state approval process. The purpose of the transition provisions is to provide guidance and flexibility to EPPs in the state approval process as they pursue new or renewing national accreditation.

(4) **State Approval of Unit**: Effective July 1, 2016, the Commission established the Council for the Accreditation of Educator Preparation (CAEP) 2013 Accreditation Standards as the Oregon standards for state approval of units.

(5) In accordance with subsection (4) of this rule, the Unit will not be required to meet the following standards for the state approval process:

(a) 584-017-1008 Conceptual Framework;

(b) 584-017-1015 Knowledge Skills and Professional Dispositions;

(c) 584-017-1022 Assessment System and Unit Evaluation;

(d) 584-017-1038 Field Experience and Clinical Practice;

(e) 584-017-1052 Faculty Qualifications, Performances and Development; and

(f) 584-017-1055 Unit Governance and Resources.

(6) **Single-Subject Endorsements**: The Unit may aggregate all single-subject endorsement areas into one program report, unless the endorsement requires completion of a Commission-adopted program as provided in Chapter 584, Division 220. The Commission will provide state recognition of the aggregated single-subject programs in accordance with state standards for educator preparation (InTASC).

(7) **Program Review Templates**: The Unit may submit a program report in any of the following forms:

(a) TSPC Program Review Template;

(b) Specialized Professional Association (SPA) template;

(c) Modified Specialized Professional Association (SPA) template; or

(d) Any other template that meets the needs of the Unit and provides the required information for TSPC program review.

(8) **State-Specific Standards (State Addendum Report)**: The Units must submit a state addendum report for review of state-specific standards.
(a) The report must include evidence of meeting following state standards:

(A) Request for Waiver of State Standards (OAR 584-017-1010);

(B) Waivers of Academic Requirements and Appeals on Academic Decisions (OAR 584-017-1012);

(C) Knowledge of School Law for Licensed Educators (OAR 584-017-1020);

(D) Cultural Competency and Equity in the Classroom (OAR 584-410-0070);

(E) Candidate Recommendations (OAR 584-400-0130);

(F) Clinical Practices (OAR 584-400-0140);

(G) Internship Agreements (OAR 584-400-0150);

(H) Reading Instruction: Program Standards (584-420-0015);

(I) Dyslexia Instruction: Program Standards (584-420-0016); and

(J) English Language Learners: Program Standards (584-410-0080).

(b) The state addendum report may be submitted in conjunction with the program review process or with the state approval of unit process.

(c) The state addendum report may be submitted in the form and manner that best meets the needs of the Unit, especially in regard to its national accreditation process.

(9) Applicability: Unless otherwise stated, all requirements and procedures set forth in this rule become effective July 1, 2016. This rule supersedes any provisions contained in OAR Chapter 584, Division 10 and 17 relating to the continuing state approval process and any conflicting rule requirements will be resolved accordingly. This rule and all provisions included therein will sunset on July 1, 2018.

**EPP input on transition rule sunset date of July 1, 2018:** EPP would like to remove this sunset date and include an effective date for each rule separately.

**Staff Response:** Based on comments from EPP representatives at the webinar, agency staff has removed the proposed sunset date of the draft changes to the transition rule. The EPP representatives would prefer that an effective date be assigned to each new rule, as the appropriate timing of rule implementation will depend on the provisions of each rule. For example, rule changes that will require major curriculum changes could take up to two years for the EPPs to implement. Minor changes to process could be implemented by the EPPs immediately.

**Fiscal Impact or Cost of Compliance:**
Other state agencies: The rule mostly restates existing transition provisions. The agency does not anticipate fiscal impact or cost of compliance to state agency related to this rulemaking.

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Classified 1 - Published:
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Date: 9/15/17
Local governments: The rule restates existing transition provisions. The agency does not anticipate fiscal impact or cost of compliance to local government related to this rulemaking.

Public: The rule mostly restates existing transition provisions. The agency does not anticipate fiscal impact or cost of compliance to the public related to this rulemaking.

Small Business: The agency does not anticipate small business, as defined by the Oregon Administrative Procedures Act, to be affected by this rulemaking.

Stat. Auth.: ORS 342
Stats. Implemented: ORS 342.120 - 342.430, 342.455- 342.495 & 342.553
Hist.: TSPC 3-2016(Temp), f. 6-30-16, cert. ef. 7-1-16 thru 12-27-16; TSPC 1-2017, f. & cert. ef. 2-1-17

584-400-0020 Definitions

(1) “Approved Institution:” A U.S. regionally accredited or internationally accredited institution of higher education approved to prepare licensed personnel by the governmental jurisdiction in which the institution is located.

(2) “Approved Educator Preparation Program:” A licensure, endorsement or specialization program that is offered by an approved educator preparation provider and meets the standards of the Teacher Standards and Practices Commission. As it applies to out-of-state or international programs, a program approved by the licensure body of the governmental jurisdiction authorized to approve licensure, endorsement, or specialization programs.

(3) “Area for Improvement (AFI):” A statement cited by the Commission that identifies a weakness in the evidence for a standard. A single AFI is usually not of sufficient severity that it leads to an unmet standard. AFIs should be remediated by the end of the state’s term of approval.

(4) “At-Risk Unit:” A determination that the Commission finds a Unit to be “at risk” of becoming “low performing.” The Commission may designate a Unit to be “at-risk” if it finds multiple AFIs. Such Unit is required to respond to Commission-imposed conditions and stipulations and must provide evidence within the time indicated by the Commission that the Commission’s concerns have been addressed. Units receiving an “at-risk” designation will be subject to a follow-up review site visit that focuses on the AFIs noted by the Commission. Additionally, if the Commission finds a Unit has not corrected multiple AFIs within the time indicated, it may designate a Unit to be “at-risk.”

(5) “Candidate:” Candidate are people admitted to and enrolled in Commission-approved programs, including, but not limited to, people preparing to teach, teachers continuing their professional development, and people preparing for other professional roles in PreK-12 schools, such as administrators, school counselors, school psychologists, and school social workers.

(6) “Clinical Practices:” All supervised field experiences, student teaching, or practicum opportunities necessary to complete a preparation program that provide candidates with an intensive and extensive field-based set of responsibilities, assignments, tasks, activities, and assessments that demonstrate candidates’ progressive development of the professional knowledge, skills, and dispositions to be
effective educators. This definition does not apply to supervised practica, as provided in OAR Chapter 584, Division 220.


(8) “Conceptual Framework:’’ An underlying structure in a professional education unit that gives conceptual meaning to the Unit’s operations through an articulated rationale and provides direction for programs, courses, teaching, candidate performance, faculty scholarship and service, and Unit accountability.

(9) “Director of Program Approval:’’ The Commission staff member responsible for coordinating program approval within the agency.

(10) “Educator Preparation Providers:’’ Providers that prepare teachers, personnel service specialists, and/or administrators.

(11) “Executive Director:’’ The Executive Director of the Commission.

(12) “In-service candidate:’’ A candidate who has completed an initial educator preparation program and has been issued a non-provisional teaching license in Oregon or another NASDTEC jurisdiction. for the program area in which they are currently enrolled.

EXAMPLE: An in-service candidate includes a licensed teacher completing a program to add an endorsement to an existing license.

EXAMPLE: An in-service candidate includes a licensed administrator completing a professional administrator program.

EXAMPLE: An in-service candidate does not include a licensed teacher completing a preliminary administrator or personnel program.

(13) “Low-Performing Unit:’’ A Unit is determined to be “low performing’’ by the Commission if, following a Unit site visit, the imposition of conditions or stipulations and a subsequent follow-up on-site visit, the institution failed to meet the Commission’s standards of quality and effectiveness. Units found to be “low performing’’ are denied TSPC approval to offer educator licensure programs. A Unit denied approval is prohibited from offering EPPs in Oregon and denied from recommending educators for licensure for a minimum of two years. At the end of such time, the Unit may apply for program approval and is required to submit a formal application and demonstrate that the problems identified in the original Unit review have been addressed and that the provider meets all current requirements for Unit approval and educator licensure in effect at the time of application for approval.

(14) “Pre-service candidate:’’ A candidate enrolled in an initial educator teaching license preparation program or a candidate who has completed an initial teaching preparation program but has not applied for and been issued a non-provisional teaching license in Oregon or another NASDTEC jurisdiction. This includes licensed teachers enrolled in a preliminary administrator program.
(15) "Program:" A program includes, but is not limited to, an academic program that results in eligibility for a license, endorsement, or specialization.

(16) "Regional Accrediting Associations:" Colleges and universities approved for teacher education must be accredited by the appropriate regional association at the time the degree or program is completed. The regional associations are: New England Association of Schools and Colleges; Commission on Institutions of Higher Education; North Central Association of Colleges and Schools; The Higher Learning Commission; Northwest Commission on Colleges and Universities; Middle States Association of Colleges and Schools; Commission on Higher Education; Southern Association of Colleges and Schools; Commission on Colleges; or Western Association of Schools and Colleges; Accrediting Commission for Senior Colleges and Universities.

(17) “Self-Study:” The process and document that an Educator Preparation Provider (EPP) creates and undergoes to evaluate its practices against Unit standards.

(18) “Single-subject endorsement:” Includes content endorsements, as follows:
(a) Advanced Mathematics (including Foundational Mathematics)
(b) Agricultural Science
(c) Art
(d) Biology
(e) Business: Generalist
(f) Business: Marketing
(g) Career Trades: Generalist
(h) Chemistry
(i) Drama
(j) English Language Arts (including Foundational English Language Arts)
(k) Family and Consumer Studies
(l) Health
(m) Integrated Science (including Foundational Science)
(n) Library Media
(o) Music
(p) Physical Education
(q) Physics
(r) Social Studies (including Foundational Social Studies)
(s) Speech (Forensics)
(t) World Languages

(19) "Site Visit Review Team:" The team appointed by the Commission to conduct a site visit review for purposes of approval of Units.

(20) “Specialized Professional Associations or SPAs:” The national organizations that represent teachers, professional education faculty, and other school professionals who teach a specific subject matter (e.g., mathematics or social studies), teach students at a specific developmental level (i.e., early childhood, elementary, middle level, or secondary), teach students with specific needs (e.g., bilingual education or special education), administer schools (e.g., principals or superintendents), or provide services to students (e.g., school counselors or school psychologists).
"Unit:" Also known as the Educator Preparation Providers (EPPs). The college, school, or department or other administrative body in colleges, universities, or other organizations recognized by the Commission as having the responsibility for managing or coordinating all programs offered for the preparation of teachers and other school professionals regardless of where these programs are housed in an institution. In its site visit review, the Unit must include all programs offered by the institution for the purpose of preparing teachers and other school personnel to work in PreK-12 settings.

Stat. Auth.: ORS 342
Stats. Implemented: ORS 342.120 - 342.430; 342.455 - 342.495; 342.533
Hist.: TSPC 2-2008, f. & cert. ef. 4-15-08; TSPC 9-2012, f. & cert. ef. 9-14-12; TSPC 1-2015, f. & cert. ef. 2-10-15

**EPP input on definition:** Staff asked EPP representatives to help with defining preservice and in-service. There has been some confusion over the exact definition of preservice.

**Staff Response:** Based on comments from EPP representatives at webinar, agency staff has defined preservice candidate as follows, “A candidate enrolled in an initial educator teaching license preparation program or a candidate who has completed an initial teaching preparation program but has not applied for and been issued a non-provisional teaching license in Oregon or another NADSTEC jurisdiction.”

**Fiscal Impact or Cost of Compliance:**
Other state agencies: The rule mostly restates or clarifies existing definition provisions. The agency does not anticipate fiscal impact or cost of compliance to state agency related to this rulemaking.
Local governments: The rule mostly restates or clarifies existing definition provisions. The agency does not anticipate fiscal impact or cost of compliance to local government related to this rulemaking.
Public: The rule mostly restates or clarifies existing definition provisions. The agency does not anticipate fiscal impact or cost of compliance to the public related to this rulemaking.
Small Business: The agency does not anticipate small business, as defined by the Oregon Administrative Procedures Act, to be affected by this rulemaking.

584-400-0030 State Approval: New Units

(1) **Pre-Conditions:** An Educator Preparation Provider (EPP) must meet the following pre-conditions prior to requesting state approval of a new Unit. To satisfy the pre-conditions, the EPP must:

(a) Obtain full regional accreditation from the Northwest Commission on Colleges and Universities or another appropriate institutional regional accrediting agency recognized by the U.S. Department of Education;

(b) Obtain approval by the Oregon Office of Degree Authorization or its equivalent authorizing body. If the requesting Unit is an Oregon public institution, it must obtain approval by the Oregon Higher Education Coordinating Commission or its equivalent authorizing body;

(c) Submit an institution letter attesting that the institution has granted the EPP the responsibility and authority to prepare licensed educators.
(d) Have national accreditation or be seeking national accreditation, with the expectation that they will obtain national accreditation by July 1, 2022.

(e) Placeholder for other Commissioner ideas about pre-conditions.

(f) Submit evidence that a dean, director, or chair has been officially designated as head of the Unit and is assigned the authority and responsibility for its overall administration and operation;

(g) Submit written policies and procedures that will guide Unit operations, including, but not limited to, student handbooks, procedures on admission, program waivers, and student appeal rights;

(h) Provide evidence the Unit has established a conceptual framework that provides a shared vision for the Unit’s efforts to prepare educators to work in PreK-12 schools and that provides direction for programs, courses, teaching, candidate performance, scholarship, leadership, service, and Unit accountability and additional information, as provided in the Program Review and Standards Handbook;

(i) Provide evidence that the Unit regularly monitors and evaluates its operations, the quality of its offerings, the performance of its candidates, and the effectiveness of its graduates; and

(j) Provide evidence the Unit has published criteria for admission to and exit from all initial teacher preparation and advanced programs and can provide summary reports of candidate performance at exit from the program.

(2) Commission-approval of Pre-Conditions: The Commission must approve the pre-conditions in subsection (1) of this rule prior to the Unit’s request for state approval and state recognition of licensure, endorsement, and specialization programs.

(3) After approval of pre-conditions in subsection (1) of this rule, the Unit may petition the Commission for state approval of the Unit and state recognition of licensure, endorsement, and specialization programs intended to be offered, as provided in the Program Review and Standards Handbook.

(4) State Approval of Unit: In order to receive state approval of the Unit, the Unit must:

(a) Meet Oregon standards for Units, as provided in Chapter 584, Division 410.

(b) Obtain state recognition of all requested licensure, endorsement, and specialization programs, as provided in OAR 584-400-0060, State Recognition: New Programs.

(5) The Executive Director or designee shall review the request for state approval of Unit and state recognition of programs and shall make recommendations to the Commission. The Commission may accept or reject the findings of the Executive Director or designee.

(6) By a public vote of its members, the Commission must take one of the following actions on state approval of the Unit:
(a) Unconditional approval. All standards met. The Commission approves the Unit without AFIs, conditions or stipulations.

(b) Approval with conditions. All standards met. The Commission approves the Unit with conditions, AFIs and/or stipulations. The EPP must meet the requirements for removal of the conditions, AFIs or stipulations, as required by the Commission.

(c) Provisional approval: One or more standards is not met. The Commission approves the Unit for a provisional period to enable the EPP to meet the standard(s). The EPP must meet the requirements for removal of the provisions prior to the end of the provisional term, as required by the Commission. If the EPP meets the requirements for removal of the provisional status, the EPP will be granted the remainder of the seven-year term of state approval.

(d) Denial of state approval. The EPP may reapply for state approval of the new Unit two years from the date of denial.

(7) Unless otherwise determined by a vote of the Commission, the term of the first state approval of a new Unit is two years of provisional state approval.

(a) New Units and programs are subject to a focused site visit review during the first eighteen to twenty-four months of operation.

(b) The state approval of a new Unit expires on August 31 of the final year of the approved period.

(8) If the EPP was previously issued a provisional state approval of the new Unit (two years), the second term for state approval of the new Unit is the remainder of a seven-year state approval term (five years).

(9) **Previously Closed Units:** If an EPP is seeking to re-establish state approval of a closed Unit, it must meet the provisions for approval of a new Unit, as provided in this rule.

Stat. Auth.: ORS 342
Stats. Implemented: ORS 342.120 - 342.430; 342.455 - 342.495; 342.533
Hist.:

**EPP input on definition:** Staff asked EPP representatives if they had ideas for pre-conditions for new units wanting to be approved in Oregon. The EPPs didn’t have any specific to suggest, but liked the idea of looking into pre-conditions for previous financial issues, lawsuits and issues related to student financial aid.

**Staff Response:** The EPPs said that they will email the agency with suggestions for pre-conditions. Staff is looking at what others states use as pre-conditions.

**Fiscal Impact or Cost of Compliance:**

*Other state agencies:* The rule mostly restates or clarifies existing new unit process. The agency does not anticipate fiscal impact or cost of compliance to state agency related to this rulemaking.
Local governments: The rule mostly restates or clarifies existing new unit process. The agency does not anticipate fiscal impact or cost of compliance to local government related to this rulemaking.

Public: The rule mostly restates or clarifies existing definition provisions. If the Commission adds preconditions, there may be additional costs to colleges or universities that may want to prepare teachers in Oregon. These costs could be associated with gathering evidence and reporting for the new precondition. In addition, the rule requires previously closed unit to re-apply under the new unit rules. This requirement may require the previously closed unit to incur costs of applying and meeting the preconditions.

Small Business: The agency does not anticipate small business, as defined by the Oregon Administrative Procedures Act, to be affected by this rulemaking.

584-400-0040 State Approval: Continuing Units (Site Visit Process)

(1) Program Recognition Prior to State Approval of Unit: Prior to requesting continuing state approval of the Unit, an Educator Preparation Provider (EPP) must complete the state recognition process (program review) for all current licensure, endorsement, and specialization programs, as provided in OAR 584-400-0070, State Recognition: Continuing Programs (Program Review Process);

(2) State Approval of Unit: If an EPP meets the program review requirement in subsection (1), the EPP must submit a petition for:

(a) Continuing state approval of the Unit, as provided in the Program Review and Standards Handbook; or

(b) An extension of state approval of the Unit. The request for extension must occur prior to the expiration of the Unit’s approval period, as provided in the Program Review and Standards Handbook.

(3) Site Visit Process: To obtain continuing state approval of the Unit, the EPP must complete the site visit process, as provided in the Program Review and Standards Handbook.

(4) Site Visit Report: After completion of the site visit, the visitor team will provide a written report to the Executive Director that:

(a) Includes a summary of the team’s evaluation of the completeness, quality, and strength of evidence for each standard; and

(b) Assigns areas for improvement and/or stipulations.

(5) Executive Director Recommendation: Upon receipt of the site visit report, the Executive Director, or designee, shall review the findings and make recommendations to the Commission on:

(a) AFIs or other conditions;

(b) If Unit standards are met or not met;

(c) Finding(s) on state approval of the Unit.

NOTE: The Executive Director, or designee, must determine recommendations on state approval of the Unit pursuant to Chapter 584, Division 410, Standards for EPPs.
(6) **Commission Findings:** The Commission may accept or reject the findings, recommendations, areas for improvement, and stipulations of:

(a) The site visit report; and/or
(b) The TSPC Executive Director or designee.

(7) **After consideration of the Executive Director’s recommendations,** the Commission, by a public vote of its members, the Commission must take one of the following actions for state approval of the Unit:

(a) Unconditional approval;

(b) Approval with conditions. All standards met. The Commission approves the Unit with conditions, AFIs, and/or stipulations. The EPP must meet the requirements for removal of the conditions, AFIs, or stipulations, as required by the Commission.

(c) Probationary approval: One or more standards is not met. The Commission approves the Unit for a probationary period to enable the EPP to meet the standard(s). The EPP must meet the standard(s) prior to the end of the probationary term, as required by the Commission. If the EPP meets the requirements for removal of the probationary status, the EPP will be granted the remainder of the seven-year term of state approval.

(d) Denial of state approval. If the Commission denies Unit approval, the Commission may grant limited continuance of identified programs or grant sufficient time for candidates in a program to complete work that is underway for a reasonable period of time.

(8) **Term of State Approval Period:** The Commission may grant a state approval period that does not align with the CAEP accreditation cycle.

(9) Unless otherwise determined by a vote of the Commission, the term of the state approval of a Unit is:

(a) Seven years for full state approval;
(b) Five years if the EPP was previously issued a two-year probationary state approval period;
(c) Two years for a probationary state approval.

(10) The state approval of a Unit expires on August 31 of the final year of the approved period;

(11) The EPP must apply for continuing state approval prior to the expiration of their current state approval period.

(12) **Extension of the State Approval Period:** The EPP may apply for an extension of their current state approval period by written request to the Commission. The Commission may grant an extension of current state approval period with or without conditions.
13 Field Operations Audit: The Commission will conduct a field audit of student records for verification of candidate recommendations for each Unit, in conjunction with their site visit, as provided in the Program Review and Standards Handbook.

**EPP input on Commission Unit Approval/CAEP findings:** The EPPs discussed at length whether the Commission should accept the CAEP accreditation findings on unit approval or write the rules to allow the Commission to have its own determination of state approval of the unit.

The EPPs expressed mixed feelings on this subject, but a strong majority of EPPs felt that the Commission should simply accept the CAEP Accreditation Council report for the unit standards that are not state-specific standards. The EPPs also suggested that the Commission could create an appeals process on AFIs if the unit felt the CAEP-assigned AFI was not substantiated. Under an appeals process, the EPPs could come to the Commission and have that removed under the state approval process.

The new CAEP process includes stipulations. Stipulations are more serious than AFIs. Stipulations are required to be noticed to the public and removed within two years. The Commission’s current process does not include stipulations, only AFIs. The EPPs do not recommend the Commission adopt stipulations for the state unit or program approval process.

**Staff Response:** The Commission will begin to see CAEP accreditation reports and will need to decide how it wants to handle the findings of these reports: Does the Commission want to just accept the findings for state approval or do they want to consider the findings (AFIs and stipulations) and make their own findings on state approval? After July 1, 2022, the Commission will need to require CAEP accreditation before providing state approval. But even after that date, the Commission could still assign its own AFIs. Staff recommends that the Commission review this decision carefully prior to making any rule changes. Staff can simply move the current language into the new rule divisions and allow the Commission to discuss the role of CAEP findings in the state approval process with the new Executive Director.

**Fiscal Impact or Cost of Compliance:**

Other state agencies: The rule mostly restates or clarifies existing Unit approval provisions. The agency does not anticipate fiscal impact or cost of compliance to state agency related to this rulemaking.

Local governments: The rule mostly restates or clarifies existing Unit approval provisions. The agency does not anticipate fiscal impact or cost of compliance to local government related to this rulemaking.

Public: The rule mostly restates or clarifies existing Unit approval provisions. The agency does not anticipate fiscal impact or cost of compliance to the public related to this rulemaking.

Small Business: The agency does not anticipate small business, as defined by the Oregon Administrative Procedures Act, to be affected by this rulemaking.

584-400-0050 State Approval: Closure of the Unit

(1) If an Educator Preparation Provider (EPP) is closing its Unit and eliminating all its educator preparation programs, the EPP must provide to the Commission, in writing:

(a) The name of the governing body with authority to close the Unit;

(b) The date the decision was made to close the Unit;
(c) The exact date programs will end

(d) The reasons for the closure;

(e) Assurances that enrolled candidates will be able to complete their programs; and

(f) A teach-out and student transition plan that details how enrolled candidates will complete their programs, including:

(A) Staffing plans that detail the major areas of responsibility for staff members;

(B) For each academic year (September 1 to August 31), details must be provided for each program, including the date each program will close, the expected number of impacted students, and the courses that will be offered;

(C) Transfer plans for students, including:

(i) Plans for students who have declared Education as their major but who have not been formally admitted;

(ii) Plans for enrolled students who will stay with the institution;

(iii) Plans for enrolled students who choose to transfer to another EPP;

(iv) Which institution(s) have been consulted about a potential transfer of students and plans that have been made for a transition of students.

(D) Plans for maintaining academic records after the education program is closed.

(2) The Commission will accept recommendations from the EPP for a period of one year after programs have closed. No recommendations for licensure will be accepted from the EPP after that date.

(3) Within three months of the closure, the EPP must provide the Commission with an update on the transition, including any major changes that have occurred to the teach-out and student transition plan and to provide any lessons learned in the close-out process.

**EPP input on Closure of Unit:** Staff did not bring any specific issues on this rule in the webinar. The EPP representatives also did not bring up any issues with this rule.

**Staff Response:** No changes to draft rule at this time.

**Fiscal Impact or Cost of Compliance:**

*Other state agencies:* The rule places into rule the current agency process for Closure of the Unit. The agency does not anticipate fiscal impact or cost of compliance to state agency related to this rulemaking.
Local governments: The rule places into rule the current agency process for Closure of the Unit. The agency does not anticipate fiscal impact or cost of compliance to local government related to this rulemaking.

Public: The rule places into rule the current agency process for Closure of the Unit. Educator preparation programs will incur costs associated with compliance, such as: developing and implement plans for students finishing their programs, reporting requirements and record retention.

Small Business: The agency does not anticipate small business, as defined by the Oregon Administrative Procedures Act, to be affected by this rulemaking.

584-400-0055 Denial of Unit Approval and Appeal

(1) A Unit denied approval of its program is entitled to a contested case hearing. However, in an effort to adjudicate the matter short of a formal hearing, the Commission will inform the Unit of:

(a) The Commission's intent to deny approval before taking formal action; and

(b) The time and place the matter will come before the Commission and make provisions in the agenda for institutional representatives to address the Commission.

(2) Should the Unit not accept Commission denial of approval, the Unit may request a contested case hearing pursuant to ORS Chapter 183.

(3) Unless the decision of the Commission is accompanied by a finding that immediate withdrawal of approval is necessary to protect the safety and well-being of students in the Unit’s programs, an appeal in a proceeding to withdraw approval shall operate as a stay of the Commission’s determination to deny or withdraw approval until final determination of the appeal.

Stat. Auth.: ORS 342
Stats. Implemented: ORS 342.120 - 342.430; 342.455 - 342.495; 342.533
Hist.: TS 14, f. 12-20-76, ef. 1-1-77; TSPC 1-1998, f. & cert. ef. 2-4-98; TSPC 2-2008, f. & cert. ef. 4-15-08; TSPC 3-2012, f. & cert. ef. 3-9-12

EPP input on Denial of Unit: Staff did not bring any specific issues on this rule in the webinar. The EPP representatives also did not bring up any issues with this rule.

Staff Response: No changes to draft rule at this time.

Fiscal Impact or Cost of Compliance:
Other state agencies: The rule restates existing denial provisions. The agency does not anticipate fiscal impact or cost of compliance to state agency related to this rulemaking.
Local governments: The rule mostly restates or clarifies existing denial provisions. The agency does not anticipate fiscal impact or cost of compliance to local government related to this rulemaking.
Public: The rule mostly restates or clarifies existing denial provisions. The agency does not anticipate fiscal impact or cost of compliance to the public related to this rulemaking.
Small Business: The agency does not anticipate small business, as defined by the Oregon Administrative Procedures Act, to be affected by this rulemaking.

584-400-0060 State Recognition: New Programs

(1) An Educator Preparation Provider (EPP) must receive state recognition of a new licensure, endorsements, and specialization programs prior to recommending program completers for licenses, endorsements, or specializations.

(2) New programs include adding the following programs to an existing Unit:

(A) Art Program;
(B) Elementary Multiple-Subjects Program;
(C) English for Speakers of Other Languages Program;
(D) Music Program;
(E) Physical Education Program
(D) Reading Intervention Program;
(E) All special education programs;
(F) All World Language programs;
(G) All specialization programs;
(H) All administrator programs;
(I) All school counselor programs;
(j) All school social worker programs; and
(K) All school psychologist programs.

(3) To receive state recognition of a new licensure, endorsement, or specialization program, an EPP must:

(a) Submit evidence that all program standards, as provided in Chapter 584, Division 420, will be met upon implementation of the program; and

(b) Complete the State Recognition of New Program process, as provided in the Program Review and Standards Handbook.

(4) The TSPC Executive Director, or designee, will review the submitted materials and make a recommendation for state recognition to the Commission. The Commission may accept or reject the recommendation of the Executive Director or designee.

(5) By a public vote of its members, the Commission must take one of the following actions on state recognition of a new licensure, endorsement, or specialization program:

(a) State recognition;

(b) State recognition with conditions;
(c) Non-approval.

(6) New programs may be subject to a focused program review at the discretion of the Commission.

Stat. Auth.: ORS 342
Stats. Implemented: ORS 342.120 - 342.430; 342.455 - 342.495; 342.533
Hist.:

**EPP feedback on New Programs:** EPP would like clear definition of new programs, major modifications and minor modifications. In general, EPPs suggest if EPP is adding an area that has its own program standards (e.g. Elementary, Art, Music, ESOL, TAG specialization etc.) then it is a new program. If the EPP is changing a current program but has significant changes (new curriculum path, etc.) it is a major modification. If the EPP is adding a single-subject area to an existing Preliminary Teaching License, it may be a minor modification. If the core stays the same and the EPP is just adding one course, it may be a minor modification and simply reported in the annual report.

**Staff Response:** We added a list of programs that are always new programs. We also need to decide if certain curriculum changes are at such a magnitude they would be considered new programs, even though the EPP has an approved program in that area. In the alternative, the Commission could decide that any changes to an existing program, no matter how great, is considered a major modification.

**Fiscal Impact or Cost of Compliance:**

*Other state agencies:* The rule is seeking to provide more guidance of process for New Programs. The agency does not anticipate fiscal impact or cost of compliance to state agency related to this rulemaking.

*Local governments:* The rule is seeking to provide more guidance of process for New Programs. The agency does not anticipate fiscal impact or cost of compliance to local government related to this rulemaking.

*Public:* The rule is seeking to provide more guidance of process for New Programs. The agency anticipates that the educator preparation programs may incur some increased costs of compliance if the process for new programs requires more changes to be considered new programs, rather than major modifications. In the alternative, the new rule may allow educator preparation programs to forgo the new program process and submit their changes as major modifications. The agency is unable to determine the amount of costs associated with program changes, because of the many variables associated with an educator preparation program seeking to change its preparation offerings.

*Small Business:* The agency does not anticipate small business, as defined by the Oregon Administrative Procedures Act, to be affected by this rulemaking.

584-400-0070 State Recognition: Continuing Programs (Program Review Process)

(1) An Educator Preparation Provider (EPP) must receive continuing state recognition of programs in order to:

(a) Submit a petition to the Commission for continued approval of the Unit; and

(b) Continue recommending program completers for licenses, endorsements, or specializations.
(2) To receive state recognition of continuing programs, an EPP must complete the Program Review process, as provided in the Program Review and Standards Handbook. EPPs may select from the following program review options:

(a) National Recognition through the Specialized Professional Association (SPA option);

(b) Program Review with Feedback; and/or

(c) The State Program Review process.

(3) Regardless of the option(s) selected, programs must meet state program standards, as provided in Chapter 584, Division 420.

(4) The Commission shall consider State Recognition of Programs based on the following documentation:

(a) SPA Review option: SPA program reports and recommendations; and

(b) Program Review with Feedback option: The EPP’s Self-Study report.

(c) State Program Review option: The Program Review report, including recommendations of the TSPC Program Review Team, and the Institutional Rejoinder, if submitted by the institution.

(5) The Commission may accept or reject the findings of the TSPC Program Review team (for state program reviews), the SPA review team (for SPA program reviews), or the Self-Study report and/or response to that report (for Program Review with Feedback reviews).

(6) By a public vote of its members, the Commission must take one of the following actions on state recognition of programs:

(a) State recognition;

(b) State recognition with conditions;

(c) Non-approval.

**EPP input on Continuing State Recognition (Program Review Process):** Staff did not bring any specific issues on this rule in the webinar. The EPP representatives also did not bring up any issues with this rule.

**Staff Response:** No changes to draft rule at this time.

**Fiscal Impact or Cost of Compliance:**

**Other state agencies:** The rule mostly restates existing Program Review provisions. The agency does not anticipate fiscal impact or cost of compliance to state agency related to this rulemaking.

**Local governments:** The rule mostly restates or clarifies existing Program Review provisions. The agency does not anticipate fiscal impact or cost of compliance to local government related to this rulemaking.
Public: The rule mostly restates or clarifies existing Program Review provisions. The agency does not anticipate fiscal impact or cost of compliance to the public related to this rulemaking.
Small Business: The agency does not anticipate small business, as defined by the Oregon Administrative Procedures Act, to be affected by this rulemaking.

584-400-0080 Unit or Program Modifications

(1) **Major Modifications:** An Educator Preparation Provider (EPP) must report major modifications to the Unit or licensure, endorsement, or specialization programs to the Commission within three months of institutional approval of the modification.

(2) A major modification is a change that substantively alters the Unit or program, as approved by the Commission.

(3) Major modifications include, but are not limited to, changes to substantive changes to the:

(a) The Unit's core mission and goals;

(b) The degree level of the program, as approved by the Commission during the previous state recognition process.

(c) The core curriculum of the program, as provided in the Program Review and Standards Handbook;

(d) The legal status, form of control, or ownership of the EPP;

(e) Unit's administration, if the change is a result of the Unit head's termination by the institution;

(f) Offerings of academic programs for credit through contractual relationships with external organizations;

(g) Clinical practices requirements;

(h) Delivery of program, such as an addition of an off-campus, online, hybrid, distance learning, or any other alternate route program;

(h) Offering of subject-matter, content area endorsements within an existing Preliminary Teaching License program, such as additions of mathematics, health, world language, etc., endorsement areas; and/or

(i) Structure or content of a Unit or a program that results in the EPP no longer meeting Oregon statutes or administrative rules

**NOTE:** Program-required endorsement areas (Elementary – Multiple Subjects, ESOL, Reading, Music, Art, PE, and Special Education) may be considered new programs and subject to OAR 584-400-0060–State Recognition: New Programs. Please refer to the Program Review and Standards Handbook for information on the differences between new program and modifications.

DO: Dykeman | Robbecke
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Date: 9/15/17
NOTE: An elimination of a program is not considered a major modification; instead it is subject to the provisions of OAR 584-400-0090 - Elimination of Programs.

(4) To request a program modification, EPPs must complete the program modification process, as provided in the Program Review and Standards Handbook.

(5) If the EPP is unclear whether a modification must be submitted to the Commission, the EPP will request clarification from the Executive Director or designee.

(6) Modifications must comply with the provisions of OAR 584-410-0010, Standards for State Approval: General Provisions.

(7) Minor Modification: For minor program modifications, the EPP must report minor modifications in their annual report, as provided in the Program Review and Standards Handbook.

(8) Modifications not reported to the Commission: The Commission may require a report from the Unit upon evidence that the EPP has undergone a major modification to the Unit or a program that has not been reported to the Commission.

(9) If the Commission determines the Unit or program experienced a major modification that was not reported to the Commission, the Commission may require the EPP to undergo an interim visit.

EPP feedback on Modifications: EPPs would like clear definitions of differences between new programs, major modifications and minor modifications. In general, EPPs suggest if an EPP is adding an area that has its own program standards (e.g. Elementary, Art, Music, ESOL, TAG specialization, etc.) then it is a new program. If the EPP is changing a current program but has significant changes (new curriculum path, etc.), it is a major modification. If the EPP is adding a single-subject area to an existing Preliminary Teaching License, it may be a minor modification. If the core stays the same and the EPP is just adding one course, it may be a minor modification and simply reported in the annual report.

Staff Response: We will draft a set of criteria for new programs, major modifications and minor modifications.

Fiscal Impact or Cost of Compliance:
Other state agencies: The rule is seeking to provide more guidance of process for Major Modification. The agency does not anticipate fiscal impact or cost of compliance to state agency related to this rulemaking.
Local governments: The rule is seeking to provide more guidance of process for Major Modification. The agency does not anticipate fiscal impact or cost of compliance to local government related to this rulemaking.
Public: The rule is seeking to provide more guidance of process for Major Modification. The agency anticipates that the educator preparation programs may incur some increased costs of compliance if the process for major modification requires more staffing time, reporting or other compliance factors. In the alternative, the new rule may allow educator preparation programs to forgo the major modification process and submit their changes as minor modifications in the annual report. The agency is unable to
determine the amount of costs associated with program changes, because of the many variables associated with an educator preparation program seeking to change its preparation offerings. 

Small Business: The agency does not anticipate small business, as defined by the Oregon Administrative Procedures Act, to be affected by this rulemaking.

584-400-0090 Elimination of Programs

(1) The Educator Preparation Provider (EPP) must notify the Commission if it plans to eliminate a state recognized licensure, endorsement, or specialization program. The notification must include:

(a) The exact date the licensure, endorsement, or specialization program will (or did) end;

(b) The reasons for the elimination of the program; and

(c) Teach-out plans, to assure enrolled candidates are able to complete the program.

(2) If an EPP has an approved program and does not make any candidate recommendations for licensure, endorsement, or specialization for five continuous years, the Commission may require the EPP to show cause to the Commission why state recognition for that program area should not be removed.

(a) The Commission will notify the EPP of any programs at risk for losing state recognition of a program due to inactivity.

(b) The EPP may petition the Commission to retain state recognition for the inactive program. The EPP must provide an explanation for the inactivity and identify reasons for continued state recognition of the program.

Stat. Auth.: ORS 342
Stats. Implemented: ORS 342.120 - 342.430; 342.455 - 342.495; 342.533
Hist.: TS 14, f. 12-20-76, ef. 1-1-77; TSPC 2-2008, f. & cert. ef. 4-15-08; TSPC 3-2012, f. & cert. ef. 3-9-12

EPP input on Elimination of Programs: Staff did not bring any specific issues on this rule in the webinar. The EPP representatives also did not bring up any issues with this rule.

Staff Response: No changes to draft rule at this time.

Fiscal Impact or Cost of Compliance:
Other state agencies: The rule places into rule the current agency process for Elimination of Program. The agency does not anticipate fiscal impact or cost of compliance to state agency related to this rulemaking.
Local governments: The rule places into rule the current agency process for Elimination of Program. The agency does not anticipate fiscal impact or cost of compliance to local government related to this rulemaking.
Public: The rule places into rule the current agency process for Elimination of Program. Educator preparation programs will incur costs associated with compliance, such as: reporting requirements, staffing time and other compliance costs.
Small Business: The agency does not anticipate small business, as defined by the Oregon Administrative Procedures Act, to be affected by this rulemaking.
584-400-0100: Annual Reports

(1) Educator Preparation Providers (EPPs) must submit an Oregon EPP Annual Report to the Commission by April 15 of each year. When April 15 falls on a Saturday or Sunday, the Oregon EPP Annual Report is due the following Monday.

(a) If an EPP is not able to submit an annual report by this date, the Commission must be notified in the manner and form provided in the TSPC Program Review and Standards Handbook.

(b) Failure to submit, or notify delay of, annual reports may result in Commission sanctions.

(2) The purpose of the Oregon EPP Annual Report is to:

(a) Monitor conditions, areas for improvement (AFIs), or stipulations that the Commission placed on the EPP in the preceding state approval process;

(b) Monitor whether the EPP continues to meet Oregon standards and requirements, as provided in Oregon Administrative Rules and Oregon Revised Statutes;

(c) Collect completer data, including for distance learning programs; and

(d) Provide an opportunity for the EPPs and the Commission to annually review programs within a continuous improvement environment.

(3) The EPP must submit the Oregon EPP Annual Report in the form and manner as provided in the TSPC Program Review and Standards Handbook.

(4) An EPP is not required to submit an annual report for the reporting year in which the EPP underwent a site visit.

(5) For the purposes of the Oregon EPP Annual Report, a reporting year is from September 1 through August 31.

Stat. Auth.: ORS 342.147
Stats. Implemented: ORS 342.120 - 342.430; 342.455 - 342.495; 342.533
Hist.:

EPP input on Annual Report: Staff did not bring any specific issues on this rule in the webinar. The EPP representatives also did not bring up any issues with this rule.

Staff Response: No changes to draft rule at this time.

Fiscal Impact or Cost of Compliance:
Fiscal Impact or Cost of Compliance:
Other state agencies: The rule restates existing annual report provisions. The agency does not anticipate fiscal impact or cost of compliance to state agency related to this rulemaking.
Local governments: The rule restates existing annual report provisions. The agency does not anticipate fiscal impact or cost of compliance to local government related to this rulemaking.
Public: The rule restates annual report provisions. The agency does not anticipate fiscal impact or cost of compliance to the public related to this rulemaking.

Small Business: The agency does not anticipate small business, as defined by the Oregon Administrative Procedures Act, to be affected by this rulemaking.

584-400-0120: Teacher Candidate Performance Assessments

(1) Oregon Educator Preparation Providers (EPPs) must require pre-service teacher candidates to successfully complete a teacher candidate performance assessment prior to recommending candidates for initial licensure, as provided in this rule and the TSPC Program Review and Standards Handbook.

(2) Pre-service Candidates: Between September 1, 2015, and August 31, 2018, the results of the Commission-approved teacher performance assessment are non-consequential. Oregon pre-service teacher candidates will not be required to have a passing score on the assessment for program completion, as defined in OAR 584-010-0100. Candidates are subject to the EPP-developed requirements for completion.

(3) Effective September 1, 2018, all Oregon pre-service teacher candidates must receive a passing score on a Commission-approved teacher performance assessment for program completion, as defined in OAR 584-400-0130, Candidate Recommendations, if the Commission has adopted a performance assessment for the endorsement area.

(4) If the Commission has not adopted a teacher performance assessment for a subject-matter area, EPPs may use one of the following assessments to evaluate the teaching performance of pre-service candidates in the endorsement area:
   (a) Oregon Work Sample, as provided in subsection (7); or
   (b) A teacher performance assessment that is developed, delivered, and evaluated by the EPP.

(5) Two or More Endorsements (Pre-service Candidates): If a pre-service candidate is completing two or more separate endorsement programs, the pre-service candidate is required to complete only one teacher performance assessment and the candidate is not required to complete a teacher performance assessment for the additional endorsement(s).

(6) Adding Endorsements (Licensed Teachers): Licensed teachers adding endorsements to existing licenses are not required to complete a teacher performance assessment.

(7) Oregon Work Samples: To qualify as an Oregon Work Sample, a teacher performance assessment must include the following:
(a) Context of the school and classroom is explained; learners with special needs, TAG learners, ESOL learners, and learners from diverse cultural, linguistic, and social backgrounds are described; adaptations for their learning needs are discussed; and prerequisite skills required for the Unit are considered;

(b) Goals for the unit of study that vary in kind and complexity but that include concept attainment and application of knowledge and skills;

(c) Instructional plans to accomplish the learning goals for all groups of students that includes differentiation of instruction for all students listed in subsection (7)(a) of this rule;

(d) Data on learning gains resulting from instruction, analyzed for each student, and summarized in relation to students' levels of knowledge prior to instruction;

(e) Interpretation and explanation of the learning gains, or lack thereof;

(f) A description of the uses to be made of the data on learning gains in planning subsequent instruction and in reporting student progress to the students and their parents; and

(g) Purposeful attention to literacy instruction based upon content requirements, appropriate authorization levels, and student needs in at least one subject.

Stat. Auth.: ORS 342
Stats. Implemented: ORS 342.127, ORS 342.135, ORS 342.140, ORS 342.143, ORS 342.147, ORS 342.165, ORS 342.175 & ORS 342.176
Hist.: TSPC 1-2016, f. & cert. ef. 2-10-16; TSPC 1-2016, f. & cert. ef. 2-10-16

**EPP input on Teacher Candidate Performance Assessment:** Staff did not bring any specific issues on this rule in the webinar. The EPP representatives also did not bring up any issues with this rule.

**Staff Response:** No changes to draft rule at this time.

**Fiscal Impact or Cost of Compliance:**
*Other state agencies:* The rule restates existing teacher candidate performance assessment provisions. The agency does not anticipate fiscal impact or cost of compliance to state agency related to this rulemaking.

*Local governments:* The rule restates existing teacher candidate performance assessment provisions. The agency does not anticipate fiscal impact or cost of compliance to local government related to this rulemaking.

*Public:* The rule restates existing candidate performance assessment provisions. The agency does not anticipate fiscal impact or cost of compliance to the public related to this rulemaking.

*Small Business:* The agency does not anticipate small business, as defined by the Oregon Administrative Procedures Act, to be affected by this rulemaking.
584-400-0130: Candidate Recommendations

(1) The Educator Preparation Providers (EPPs) may only recommend candidates for licensure, endorsements, or specializations if the EPP has received state recognition for the corresponding licensure, endorsements, or specialization programs.

NOTE: For example, if a program does not have a state recognized Social Studies endorsement program, it may not recommend a candidate for the Social Studies or Foundational Social Studies endorsement.

(2) To recommend a candidate for a license, endorsement, or specialization, an EPP must verify the candidate has:

(a) Acquired the skills and demonstrated the competencies required for the license, endorsement, and/or specialization;

(b) Completed the approved program(s), as provided in Chapter 584, Division 420, including:

(A) Clinical practices requirements, as provided in OAR 584-400-0140, Clinical Practices;

(B) All required exams, including:

(i) Subject matter tests, if required; and

(ii) A teacher performance assessment, if required.

(c) Complied with the Standards for Competent and Ethical Performance of Oregon Educators, as provided in Chapter 584, Division 20.

(3) The EPP shall retain evidence of program completion in each student’s file, including a copy of the Program Completion form filed with the Commission.

(4) The EPP is responsible for the quality of all school personnel prepared at the institution regardless of where the program is administratively located within the institution.

(5) Pre-service Candidate Recommendations: To recommend a pre-service candidate for licensure, endorsement, or specialization, the EPP must submit a Program Completion Form, as provided in the Program Review and Standards Handbook.

(a) The EPP may only recommend pre-service candidates for licenses, endorsements, or specializations if the EPP has a state recognized endorsement program in that licensure, endorsement, or specialization area.

(b) The EPP must recommend pre-service candidates for a Preliminary Teaching License in one or more endorsement areas.
(c) Pre-service candidates must receive an EPP recommendation in order to be issued an endorsement or specialization on their initial Preliminary Teaching License.

(A) The EPP recommendation must be verified on a Program Completion Form;

(B) Notwithstanding this subsection, a pre-service candidate may be issued a Bilingual Specialization on their Preliminary Teaching License without an EPP recommendation, as this specialization does not require completion of a program.

(6) In-service Candidate Recommendations: To recommend an in-service candidate for licensure, endorsement, or specialization, the EPP must submit a Program Completion Form, as provided in the Program Review and Standards Handbook.

(a) The EPP may only recommend in-service candidates for licenses, endorsements, or specializations if the EPP has a state recognized endorsement program in that licensure, endorsement, or specialization area.

(b) If completion of a program is not required to add an endorsement or specialization to an existing license, the in-service candidate must complete the requirements provided in Chapter 584, Division 220 and Division 225, and the Program Review and Standards Handbook.

(7) Title II Reporting: All candidates that complete an approved initial teacher preparation program must be reported to the Commission, whether or not the candidate intends to apply for licensure with TSPC.

(8) Program completion: Program completion is defined as follows:

(a) For Title II, program completion refers to the date the candidate met all of the teacher preparation program requirements, regardless of whether or not an individual has been recommended to the Commission.

(b) For Commission purposes, program completion refers to the date the candidate met all licensing requirements, including program completion and completion of all examinations, etc., that the candidate is required to complete in order to be eligible for licensure.

(9) At the end of each term or semester, including summer term, Units will submit Program Completion Reports for all candidates who have completed approved programs.

(10) By September 30 of each year, Commission staff will produce an electronic report for each Unit for the accounting year.

(a) The reports will list candidates recommended by the EPP on Program Completion Forms, the license type, and endorsement(s).

(b) The program completion accounting year is September 1 through August 31.
(c) EPPs have until November 1 to make corrections to the report.

(d) The revised report information will form the basis for Title II reporting requirements.

**From 584-010-0100:**
Stat. Auth.: ORS 342
Stats. Implemented: ORS 342.120 - 342.430; 342.455 - 342.495; 342.533
Hist.: TSPC 3-2000, f. 7-17-00, cert. ef. 9-1-00; TSPC 2-2008, f. & cert. ef. 4-15-08; TSPC 3-2012, f. & cert. ef. 3-9-12

**EPP feedback on candidate recommendations:** On the question of bilingual specialization for preservice candidates, the EPPs were split on whether or not to recommend the candidate for this specialization – even though it does not require a program. The EPP also requested that Bilingual not be called a specialization – because this term implies some sort of preparation. The Bilingual is simply passing an exam to indicate proficiency in speaking a language.

**Staff Response:** Staff will bring the issue of the name for Bilingual Specialization to the next PAC meeting.

**Fiscal Impact or Cost of Compliance:**
Other state agencies: The rule places into rule the current agency process for Recommending Candidates. The agency does not anticipate fiscal impact or cost of compliance to state agency related to this rulemaking.
Local governments: The rule places into rule the current agency process for Recommending Candidates. The agency does not anticipate fiscal impact or cost of compliance to local government related to this rulemaking.
Public: The rule places into rule the current agency process for Recommending Candidates. Educator preparation programs will incur costs associated with compliance, such as: reporting requirements, staffing time and other compliance costs.
Small Business: The agency does not anticipate small business, as defined by the Oregon Administrative Procedures Act, to be affected by this rulemaking.

**584-400-0140 Clinical Practices**

(1) The Educator Preparation Provider (EPP) must provide clinical practices for the purposes of instruction, assessment of competency, and integration of field work with academic study, as well as to ensure candidates are able to demonstrate the knowledge, skills, and abilities necessary to be successful candidates for educator licensure, endorsement, or specialization.

(2) Clinical practices may occur in the following education settings:

(a) Public PK-12 classrooms, including charter school classrooms;

(b) Private, regionally-accredited PK-12 classrooms; or
(c) Alternative education, post-secondary, or other similar teaching settings closely-related to PK-12 classroom instruction.

(3) Clinical practices must be developed and delivered, as provided in OAR 584-410-0030, Standard 2: Clinical Partnerships and Practice, and OAR 584-410-0090, Cultural Competency and Equity in the Classroom.

(4) EPPs must document that candidates have completed clinical practices, as required by the approved program.

(5) **Pre-service Candidates:** Except as provided in subsection (6) and (7), pre-service candidates must complete at least 15 weeks of clinical practice in their designated endorsement area within the Preliminary Teaching License program.

(a) Clinical practices must be at least nine consecutive weeks that are full-time in schools, during which the candidate assumes the full range of responsibilities of a classroom teacher for the purpose of developing and demonstrating the competencies required for initial licensure.

(b) During the remaining six weeks, the six-week requirement may be met either through full-time or the equivalent part-time experience.

(c) The assignment of responsibilities may be incremental in keeping with the objectives of the experience.

(d) Clinical practices must be supervised by a Cooperating Teacher, as provided in OAR 584-400-0145, Cooperating Teachers.

(e) The EPP must require the cooperating teachers and/or the EPPs’ supervising faculty to conduct at least six evaluations and/or observations of each pre-service candidate during their 15-week clinical practice. At least four of the six meetings must include observations of the candidate.

(6) **Dual-Enrolled Pre-service Candidates:** Pre-service candidates enrolled in two endorsement areas must complete clinical practices as follows:

(a) If both endorsement areas require a program, the candidate must complete requirements of each approved program at least:

(A) **15 full-time weeks of supervised clinical practice for one program-required area,** as provided in subsection (5)(a); and

(B) **60 hours of supervised clinical practice in the other program-required area.**

(b) If both endorsement areas are single-subject, content areas, the candidate must complete at least **90 hours of supervised clinical practice in each single-subject, content area.**
(c) If one endorsement area is a single-subject, content area and the other is a program-required area, the candidate must complete at least:

(A) **90** hours of supervised clinical practice in the single-subject, content area; and

(B) **15** full-time weeks of supervised clinical practice for the program-required area, as provided in subsection (5)(a); The clinical practices requirements for the approved program.

**EPP feedback on Dual Enrolled Candidate Provisions:** EPPs would like to see parity with the requirements for licensed candidates adding an additional endorsement.

**Staff Response:** Staff revised the draft rule to create parity between pre-service and in-service candidates adding an endorsement. Staff will take this revision to PAC for review.

(d) If the Commission has approved the program as a combined program of two endorsement areas, the candidate must complete the clinical practices requirements as approved by the Commission during the previous state recognition process.

**NOTE:** If the candidate is enrolled in more than two endorsement areas, the EPP should consult the agency for guidance on the clinical practice requirements.

(7) **Pre-service Candidates with Restricted Teaching Licenses:** If a school district has employed a pre-service candidate as a teacher under the provisions of the Restricted Teaching License, the EPP and employing school district must develop a plan to address the clinical practices requirements. The plan must be submitted to the Commission for approval, as provided in the TSPC Program Review and Standards Handbook.

**EPP feedback on the Restricted Teaching Provision:** EPPs are concerned about a slippery slope with this level of flexibility. They suggested that we revise the internship agreement rule to address the needs of the increasing number of Restricted Teaching License holders.

**Staff Response:** Eliminate the Restricted Teaching License provision in the clinical practices rule and revise the internship agreement rule.

(8) **In-service Candidates:** In-service candidates completing programs for endorsements or specializations must complete at least two semester or three quarter hours of clinical practices.

(a) The EPP must require supervisory faculty, mentor, or cooperating teacher to conduct at least four evaluations and/or observations of the in-service candidate during the clinical practice. At least two of the four meetings must include observations of the candidate;

(b) This subsection does not apply to supervised practicums for adding subject-matter (content area) endorsements to existing licenses, as provided in OAR 584, Division 220.
(9)(a) **Administrator Candidates:** The EPP must require supervisor faculty and/or mentors to conduct at least four evaluations and/or observations of the administrator candidate during the clinical practice. At least two of the four meetings must include observations of the candidate; and

(b) Administrator clinical practices must meet the requirements of 584-410-0030, Standard 2 – Clinical Partnerships and Practice.

(10)(a) **Personnel Service Candidates:** The EPP must require supervisor faculty and/or mentors to conduct at least four evaluations and/or observations of the personnel service candidate during the clinical practice. At least two of the four meetings must include observations of the candidate;

(b) Personnel clinical practices must meet the requirements of 584-410-0030, Standard 2 – Clinical Partnerships and Practice.

(11) **Background clearance prior to student contact:** Prior to candidate contact with PK-12 students, as part of their Commission-approved teacher preparation program, an EPP must verify the candidate has completed a background clearance through the Commission.

**EPP input on Clinical Practices on the Background Clearance Provision:** EPPs recommended that we add “Commission-approved teacher preparation” before the word “program.” Some undergraduate programs will have students in their first year of college go into schools – but they are not yet enrolled in a program. The Commission authority begins with enrollment into the teacher preparation program.

**Staff Response:** Staff added “Commission-approved teacher preparation” to the provision.

(a) EPPs may require candidates to obtain background clearance through the Commission any time after the candidates’ admission into the program.

(b) Prior to admitting candidates into an initial administrator or personnel service licensure program, the EPP must document the candidate has completed a background clearance through the Commission.

(12) **Knowledge of Civil Rights Prior to Formal Clinical Practice:** Prior to placement in the candidate’s formal clinical practice, an EPP must verify the candidate has demonstrated knowledge of civil rights and ethics, as provided in the Program Review and Standards Handbook.

(13) **Partial waivers of clinical practice requirements due to school or district closures:** An EPP may grant a partial waiver of the clinical practice requirement(s) if a candidate is unable to complete the clinical practice due to an unforeseen school or district closure.

(14) In order to grant a partial waiver, the EPP must submit information in the next annual report to the Commission as provided in the Program Review and Standards Handbook.

(15) EPPs that grant a waiver(s) pursuant to this rule shall not be considered to have made a minor or major modification to their approved program.

**Fiscal Impact or Cost of Compliance:**
Other state agencies: The rule places into rule the current agency process for clinical practices. The agency does not anticipate fiscal impact or cost of compliance to state agency related to this rulemaking.

Local governments: The rule places into rule the current agency process for clinical practices. If the rule requires school districts to participate in longer or more frequent clinical practices, the school district could incur costs associated with staff time, reporting requirements and other compliance costs.

Public: The rule places into rule the current agency process for clinical practices. If the rule requires programs to longer or more frequent clinical practices, the educator preparation program may incur costs associated with supervising and organizing clinical practices. Candidates may incur increased tuition or fees associated with new clinical practices requirements.

Small Business: The agency does not anticipate small business, as defined by the Oregon Administrative Procedures Act, to be affected by this rulemaking.

584-400-0145 Cooperating Teachers

(1) The Cooperating Teacher standards are established pursuant to Sections 3 and 4, chapter 279, Oregon Laws 2015 (Enrolled SB 83).

(a) The Cooperating Teacher standards apply to pre-service candidates enrolled in a Preliminary Teaching License program who are completing clinical practice requirements, as provided in 584-400-0140, Clinical Practices.

(b) The Cooperating Teacher standards do not apply to pre-service candidates who are completing an internship in accordance with 584-400-0150, Internship Agreements.

(2) Cooperating Teacher Qualifications: An educator preparation provider (EPP) may utilize an educator for supervising candidates in a Commission-required clinical practices if the educator:

(a) Holds a qualified license as provided in subsection (3) or (7);

(b) Meets the experience requirements as provided in subsection (5);

(c) Meets the endorsement requirements as provided in subsection (6) or (7);

(d) Meets the characteristic requirements as provided in subsection (9);

(e) Is co-selected with a partnering school district or other partnering entity as provided in subsection (10) or (11); and

(f) Completes program training from the EPP as provided in subsection (12).

(3) License Requirements: Educators who hold the following licenses may serve as Cooperating Teachers:

(a) Preliminary Teaching License;

(b) Professional Teaching License;
(c) Teacher Leader License;
(d) Legacy Teaching License;
(e) Basic Teaching License;
(f) Standard Teaching License;
(g) Initial I Teaching License;
(h) Initial II Teaching License;
(i) Continuing Teaching License;
(j) Distinguished Teaching License;
(k) Preliminary CTE Teaching License (May only supervise candidates pursuing CTE endorsements);
(l) Professional CTE Teaching License (May only supervise candidates pursuing CTE endorsements); and
(m) American Indian Language Teaching License (May only supervise candidates pursuing American Indian Language Teaching License and endorsements).

4. Educators who only hold the following licenses may not serve as Cooperating Teachers:

(a) Reciprocal Teaching License;
(b) Restricted Teaching License;
(c) Emergency Teaching License;
(d) Limited Teaching License;
(e) International Visiting Teaching License;
(f) Restricted Substitute Teaching License;
(g) Substitute Teaching License;
(h) Charter School Registrations (Teaching and Administrator);
(i) Restricted CTE License;
(j) Administrator Licenses, except as follows:

(A) May serve as mentors for candidates in administrative license preparation programs; or

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(B) May serve as a Cooperating Teacher if the educator also holds a current and valid teaching license and is assigned to a teaching position.

(k) Personnel Services Licenses (School Counselor, School Psychologists and School Social Workers), except as follows:

(A) May serve as mentors for candidates in the school counselor, school psychologist and school social worker preparation programs; or

(B) May serve as a Cooperating Teacher if the educator also holds a current and valid teaching license and is assigned to a teaching position.

(5) **Experience Requirements:** To qualify as a Cooperating Teacher, educators holding a Preliminary Teacher License, Basic Teaching License, Initial I Teaching License, Initial II Teaching License or Preliminary CTE Teaching License must:

(a) Have three full years of teaching experience; and

(b) No longer be in probationary contract status.

(c) Educators holding a Professional, Teacher Leader, Legacy, Professional CTE, Standard, Continuing, Distinguished, or American Indian Language teaching licenses have met all experience requirements.

(6) **Endorsement Requirements:** A Cooperating Teacher must hold the same endorsement that the teacher candidate is preparing for during the Commission-required clinical practices, unless the Cooperating Teacher is an alternative cooperating teacher, as provided in subsection (7).

(7) **Alternative Cooperating Teachers:** If an EPP and partnering school district are not able to find an educator that meets the experience, licensure or endorsement requirements to serve as a Cooperating Teacher, the EPP and partnering school district may:

(a) Use a Cooperating Teacher with a related licensure or endorsement area (e.g., a biology teacher supervising a teacher candidate for chemistry endorsement);

(b) Use an appropriately qualified provider-based clinical educator (e.g., adjunct faculty) as the Cooperating Teacher; or

(c) Use an appropriately qualified (non-school district) supervisor related to the endorsement area (e.g., a supervisor in a community-based early childhood program for a SPED early intervention program).

(d) The alternative Cooperating Teacher must meet the program training requirements as provided in subsection (12).

(e) The EPP must report the use of the alternative Cooperating Teacher, as provided in the TSPC Program Review and Standards Handbook.
(8) **Candidates with Restricted Teaching Licenses:** If a school district has employed a candidate as a teacher under the provisions of the Restricted Teaching License, the EPP and employing school district must develop a plan to address the cooperating teacher requirements within the Commission-required clinical practices. The plan must be submitted to the Commission for approval, as provided in the TSPC Program Review and Standards Handbook.

(9) **Characteristic Requirements for Cooperating Teachers:** To serve as a Cooperating Teacher, an educator must:

(a) Demonstrate effective instruction and assessment, including:

(A) Content knowledge related to subject area;

(B) Curriculum development and differentiation;

(C) Lesson planning and use of multiple instructional strategies;

(D) Assessment, including the use of formative assessment to support student learning;

(E) Academic language as it pertains to content delivery and support of student learning; and

(F) Classroom management.

(b) Demonstrate dispositions that support candidate growth, including:

(A) The ability to listen actively and respond constructively to teacher candidates;

(B) The ability to adapt and be flexible in response to changing circumstances;

(C) The capacity for empathy towards others and the ability to build trusting relationships;

(D) The ability to serve as a role model with respect to professional and ethical behavior;

(E) A commitment to inquiry in teaching and working with teacher candidates; and

(F) A commitment to ongoing professional development and learning.

(c) Employ equity principles and practices to support student learning by:

(A) Utilizing a strength-based approach that recognizes the learning potential of all students through the use of inclusive practices; and

(B) Engaging students through differentiated instruction and assessment practices.

(d) Understand adult learning and the professional growth of teacher candidates by:
(A) Demonstrating the ability to scaffold experiences in support of teacher candidates’ growth;

(B) Using a variety of strategies and resources to respond to teacher candidates;

(C) Demonstrating the ability to help others actively learn new knowledge and skills; and

(D) Demonstrating regard for multiple perspectives.

(e) Facilitate learning experiences that promote collaborative inquiry, analysis, and reflection by:

(A) Using data to engage the teacher candidate in examining and improving practice; and

(B) Guiding candidates effectively in collaborative problem solving and reflective thinking.

(f) Understands the teacher candidate’s program and requirements.

(g) Create an environment of professional and respectful communication with teacher candidates.

(h) Create effective collaborative time in support teacher candidates’ learning; and

(i) Demonstrate skill in collaborating with families and the broader education community.

(10) **Co-Selection of Cooperating Teachers**: The EPP and partnering school district(s) select Cooperating Teachers, as provided in OAR 584-410-0030 Standard 2: Clinical Partnerships and Practice.

(11) If the EPP is unable to find a partnering school district for a specific endorsement area, the EPP may use another partner in lieu of the school district. The EPP must develop a plan for utilizing a substitute partner as provided in the TSPC Program Review and Standards Handbook.

(12) **Program Training**: The EPP and the partnering school district must provide program training to educators supervising teacher candidates in the Commission-required clinical practices.

(a) The program training must provide the Cooperating Teacher with an understanding of program and licensure requirements of their teacher candidate; and

(b) The Cooperating Teacher must complete the program training prior to supervising a teacher candidate in Commission-required clinical practices.

(c) The Cooperating Teacher is required to complete the program training only once for each EPP, unless significant modifications have occurred with the program that affect the role of the Cooperating Teacher.

(13) **Annual Reports**: The EPP must report on the training of Cooperating Teachers, as provided in the TSPC Program Review and Standards Handbook.

Stat. Auth.: ORS 342
Stats. Implemented: ORS 342.120, ORS 342.147 & ORS 342.165
Hist.:

**EPP input on Cooperating Teachers:** Staff did not bring any specific issues on this rule in the webinar. The EPP representatives also did not bring up any issues with this rule.

**Staff Response:** No changes to draft rule at this time.

**Fiscal Impact or Cost of Compliance:**
- **Other state agencies:** The rule restates existing cooperating teacher provisions. The agency does not anticipate fiscal impact or cost of compliance to state agency related to this rulemaking.
- **Local governments:** The rule restates existing cooperating teacher provisions. The agency does not anticipate fiscal impact or cost of compliance to local government related to this rulemaking.
- **Public:** The rule restates existing cooperating teacher provisions. The agency does not anticipate fiscal impact or cost of compliance to the public related to this rulemaking.

**Small Business:** The agency does not anticipate small business, as defined by the Oregon Administrative Procedures Act, to be affected by this rulemaking.

### 584-400-0150 Internship Agreements

(1) Notwithstanding 584-400-0130, Clinical Practices, EPPs may permit a candidate to complete an internship as their clinical practice for the purposes of instruction, assessment of competency, and integration of field work with academic study, as well as to ensure candidates are able to demonstrate the knowledge, skills, and abilities necessary to be successful candidates for educator licensure, endorsement, or specialization.

(2) To qualify as an internship for a clinical practice, the EPP must:

(a) Require the internship to be a minimum of one public school semester;

(b) Establish an agreement between the employing school district or education service district and the EPP that stipulates:

   (A) An EPP supervisor has been identified and will conduct evaluations and observations of the candidate to ensure candidates are able to demonstrate the knowledge, skills, and abilities necessary to be a successful candidate for licensure;

   (B) A district supervisor has been identified and will supervise and evaluation the candidate, as required by the district’s policy;

   (C) The candidate will receive academic credit from the EPP and financial compensation from the school district or education service district;

   (D) Identifies the teaching assignment(s) included in the internship.
(3) The EPP must report internship agreements in the annual report, as provided in the Program Review and Standards Handbook.

Stat. Auth.: ORS 342
Stats. Implemented: ORS 342.120 – 342.430; 342.455-342.495; 342.553
Hist.: TSPC 3-2012, f. & cert. ef. 3-9-12

**EPP feedback on Internship Agreements:** Needs to be revised so it works well with all Restricted Teaching License holders.

**Staff Response:** Staff will revise this rule to meet the needs of Restricted Teaching License holders and bring to PAC for review.

**Fiscal Impact or Cost of Compliance:**
*Other state agencies:* The rule places into rule the current agency process for internship agreement practices. The agency does not anticipate fiscal impact or cost of compliance to state agency related to this rulemaking.

*Local governments:* The rule places into rule the current agency process for internship agreement. If the rule requires school districts to participate in longer or more frequent clinical practices, the school district could incur costs associated with staff time, reporting requirements and other compliance costs.

*Public:* The rule places into rule the current agency process for internship agreements. If the rule requires programs to longer or more frequent clinical practices, the educator preparation program may incur costs associated with supervising and organizing clinical practices. Candidates may incur increased tuition or fees associated with new clinical practices requirements.

*Small Business:* The agency does not anticipate small business, as defined by the Oregon Administrative Procedures Act, to be affected by this rulemaking.

**584-400-0160 Program Completion (Fast Track)**

(1) Oregon EPPs are eligible for an expedited process or “fast-track” option for completers of their Commission-approved licensure programs. The fast-track option applies to completers of teaching, administrator, and personnel service license programs.

**NOTE:** The Fast-Track option is not available to licensed candidates completing an advanced endorsement program.

(2) To receive a fast-track process for a program completer, an EPP and candidate must provide:

(a) A Program Completion Form for the applicant;

(b) Official transcripts;

(c) All required test scores;

(d) Background clearance; and
(e) A complete and correct application in the form and manner required by the Commission, including payment of all required fees, as provided in OAR 584-200-0050.

Stat. Auth.: ORS 342
Stats. Implemented: ORS 342.120 – 342.430; 342.455-342.495; 342.553
Hist.: TSPC 3-2012, f. & cert. ef. 3-9-12

**EPP input on Fast Track:** Staff told EPPs that the agency is considering expanding fast track to all Oregon completers, if possible. EPPs agreed that this would be helpful to Oregon graduates.

**Staff Response:** No changes to the draft rule at this time. We will only change if NIC system is not able to do fast track.

**Fiscal Impact or Cost of Compliance:**
- **Other state agencies:** The rule restates existing program completion-fast track provisions, along with the expansion to all Oregon graduates. The agency does not anticipate fiscal impact or cost of compliance to state agency related to this rulemaking.
- **Local governments:** The rule restates existing program completion-fast track provisions, along with the expansion to all Oregon graduates. The agency anticipates that school districts may have some costs savings with the expansion of fast track to non-teaching licenses because it may be able to place graduates more quickly into open positions.
- **Public:** The rule restates existing program completion-fast track provisions, along with the expansion to all Oregon graduates. The agency anticipates that some candidates may incur costs savings if there license is process more quickly and they are more quickly able to be placed in an administrator position. The educator preparation programs may incur costs associated with processing all their graduates in the fast track process, which may require more staffing time to prepare documents.
- **Small Business:** The agency does not anticipate small business, as defined by the Oregon Administrative Procedures Act, to be affected by this rulemaking.

**584-400-0170 Experimental Programs**

(1) The purpose of experimental licensure, endorsement, or specialization programs is to allow Educator Preparation Providers (EPPs) to develop innovative and creative programs that respond to community, social, and educational needs. Furthermore, it is to encourage collaboration among EPPs and to foster partnerships between EPPs and other educational entities, such as school districts, education service districts, private schools, and non-profit organizations.

(2) Term of Experimental Programs: The Commission may provide state recognition for an experimental licensure, endorsement, or specialization program for a maximum of two years.

(3) Requirements for Experimental Programs: EPPs that wish to develop an experimental program must submit a proposal for state recognition of an experimental program to the Commission, which must include:

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(a) Rationale for the experimental program, which must include:

(A) Specific variations to Commission-adopted program requirements the EPP is seeking;

(B) Description of the innovative and creative program structure and how it will serve community, social, and education needs; and

(C) Description of any partnerships or collaborations involved with the experimental program.

(a) Descriptions of proposed educational experiences and settings;

(b) Arrangements for clinical practices;

(c) Evidence of institutional capacity to support the program; and

(d) Systematic efforts for evaluation of program completers.

(4) Requirements for Licensure: Candidates completing an experimental program must meet all Oregon licensure requirements.

(5) Annual Reports: EPPs must include data and information regarding any approved experimental programs in their annual report(s) to the Commission.

(6) Full State Recognition: EPPs must report to the Commission no later than two years following the date of the initial state recognition for the experimental program of the EPP’s intent to either:

(a) Request full state recognition of the licensure, endorsement, or specialization program, as provided in OAR Chapter 584, Division 400, State Approval Process for Educator Preparation Providers (EPPs); or

(b) Eliminate the experimental program, as provided in 584-400-0090 Elimination of Programs.

Stat. Auth.: ORS 342
Stats. Implemented: ORS 342.120, 342.147 & 342.165
Hist.: TSPC 3-2016(Temp), f. 6-30-16, cert. ef. 7-1-16 thru 12-27-16; TSPC 1-2017, f. & cert. ef. 2-1-17

**EPP input on Experimental Programs:** Staff did not bring any specific issues on this rule in the webinar. The EPP representatives also did not bring up any issues with this rule.

**Staff Response:** No changes to draft rule at this time.

**Fiscal Impact or Cost of Compliance:**
Other state agencies: The rule restates existing experimental program provisions. The agency does not anticipate fiscal impact or cost of compliance to state agency related to this rulemaking.

Local governments: The rule restates existing experimental program provisions. The agency does not anticipate fiscal impact or cost of compliance to local government related to this rulemaking.
Public: The rule restates existing experimental program provisions. The agency does not anticipate fiscal impact or cost of compliance to the public related to this rulemaking.

Small Business: The agency does not anticipate small business, as defined by the Oregon Administrative Procedures Act, to be affected by this rulemaking.

584-400-0180 Waiver of Program Requirements

(1) The Educator Preparation Provider (EPP) may waive licensure, endorsement, or specialization program requirements for individual candidates when competency is otherwise demonstrated, as provided in this rule and the Program Review and Standards Handbook. To be granted a waiver, the candidate must be able to demonstrate the knowledge, skills, competencies, and dispositions required by state and institutional standards.

(2) To waive coursework requirements, the EPP must document that the candidate demonstrates the competencies and knowledge that the coursework is intended to develop. The written documentation may include, but is not limited to:

(a) Letters from teachers or supervisors;

(b) Test data;

(c) Personal statements; and

(d) Observation reports.

(3) To waive clinical practice requirements for pre-service candidates, the EPP must document that the candidate has demonstrated the ability to foster students' learning through completion of a teacher performance assessment, as provided in 584-400-0120, Teacher Candidate Performance Assessments.

(4) To waive clinical practice requirements for in-service candidates, the EPP must document that the candidate demonstrates the ability to meet the clinical practice standards in the program area.

(5) The EPP may not waive the following program requirements:

(a) A teacher performance assessment for candidates in a Preliminary Teaching License program;

(b) Passage of the Protecting Student and Civil Rights in the Educational Environment exam; and

(c) Passage of the subject-matter exam related to the endorsement area.

(6) EPPs must have an official policy for waivers of program requirements. The waiver policy must include:
(a) Written policies and guidelines;

(b) A process for evaluating and granting requests;

(c) A process for including appropriate faculty and departmental staff in the evaluation of the waiver request; and

(d) An appeals procedure within the EPP for candidates who are denied waiver requests.

(7) EPPs must maintain records of all documentation relied upon for waivers granted.

(8) EPPs must report waivers of program requirements in the Oregon EPP annual reports, as provided in the Program Review and Standards Handbook.

(9) **Applicant Appeals of EPP Denial of Waiver Decisions:** The applicant may appeal a denial of a waiver decision of a Commission-approved EPP. The Commission will only consider appeals from applicants who have attempted to resolve the waiver issue through completing the EPP's appeal process.

(10) To request an appeal of an EPP’s waiver decision, an applicant must submit:

(a) Official transcripts of any preparation completed relevant to the waiver;

(b) A copy of the applicant’s planned program at the institution leading to the license, endorsement, or specialization;

(c) The applicant’s resume of work experience applicable to the license, endorsement, or specialization;

(d) Evidence that the applicant has exhausted the appeals process within the EPP; and

(e) If applicable, a written statement from a school district that indicates support for the application and the particular competency on which the applicant is seeking waiver of course requirements;

(f) A statement from the applicant that indicates:

(A) The reason(s) for appealing the matter to the Commission;

(B) The program requirement for which a waiver is requested;

(C) The applicant's qualifications to be considered by the Commission; and

(D) The effect that granting the appeal would have on the applicant's preparation program;

(g) A complete and correct application in the form and manner required by the Commission, including payment of all required fees, as provided in OAR 584-200-0050.

Stat. Auth.: ORS 342
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Stats. Implemented: ORS 342.127, 342.135, 342.140, 342.143, 342.147, 342.165, 342.175 & 342.176
Hist.:

**EPP feedback on waivers:** EPPs are fine with reporting in annual report. EPPs want clarity on what is considered a waiver. For example, substituting coursework should not be included in waivers.

**Staff Recommendation:** Staff will clarify specifically what is considered a waiver of program requirements.

**Fiscal Impact or Cost of Compliance:**
- **Other state agencies:** The rule consolidates and modifies waiver of program requirement provisions. The agency does not anticipate fiscal impact or cost of compliance to state agency related to this rulemaking.
- **Local governments:** The rule consolidates and modifies waiver of program requirement provisions. The agency does not anticipate fiscal impact or cost of compliance to local government related to this rulemaking.
- **Public:** The rule consolidates and modifies waiver of program requirement provisions. The agency anticipates that educator preparation programs may incur costs associated with new requirements for processing, recording and reporting on waiver requests.
- **Small Business:** The agency does not anticipate small business, as defined by the Oregon Administrative Procedures Act, to be affected by this rulemaking.

**584-400-0190 Waiver of State Standards**

(1) An Educator Preparation Provider (EPP) may petition the Commission for waiver of state standards.

(2) A petition must include information and reasons the EPP is seeking the waiver.

(3) In granting the petition, the Commission must determine that a waiver of state standards:

(a) Does not adversely impact the intent of the standards or rules; and

(b) Does not contradict any Oregon statutory requirements.

**EPP input on Waiver of State Standards:** Staff did not bring any specific issues on this rule in the webinar. The EPP representatives also did not bring up any issues with this rule.

**Staff Response:** No changes to draft rule at this time.

**Fiscal Impact or Cost of Compliance:**
- **Other state agencies:** The rule restates existing waiver of state standards provisions. The agency does not anticipate fiscal impact or cost of compliance to state agency related to this rulemaking.
- **Local governments:** The rule restates existing waiver of state standards provisions. The agency does not anticipate fiscal impact or cost of compliance to local government related to this rulemaking.
Public: The rule restates existing waiver of state standards provisions. The agency does not anticipate fiscal impact or cost of compliance to the public related to this rulemaking.

Small Business: The agency does not anticipate small business, as defined by the Oregon Administrative Procedures Act, to be affected by this rulemaking.