

January 21, 2015

Ms. Sophia McArdle
U. S. Department of Education
1990 K Street, NW, Room 8017
Washington, DC 20006

Re: Docket ID ED – 2014 – OPE – 0057

Dear Ms. McArdle:

I write on behalf of the National Association of Independent Colleges and Universities (NAICU) in response to the notice of proposed rulemaking on Teacher Preparation Issues, published in the December 3, 2014, *Federal Register*.

NAICU is the national public policy association for the nation's private, non-profit colleges and universities. Our 963 member institutions include major research universities, church-related colleges, historically black colleges, art institutes, traditional liberal arts and science institutions, women's colleges, two-year colleges, and schools of law, medicine, engineering, business, and other professions. With over three million students attending independent colleges and universities, and 825 institutions with teacher preparation programs, the private, non-profit sector of American higher education has a dramatic impact on the teaching profession, as well as our nation's larger public interests.

Independent colleges and universities have a long history of preparing highly-qualified teachers for America's classrooms. Our education programs range from modest teacher education departments at relatively small institutions to large research institutions, with distinct colleges of education encompassing doctoral programs, and traditions of multi-disciplinary research in teaching, learning, and human development.

We agree that high quality and rigor are essential for effective professional teacher preparation programs. We believe that there should be appropriate accountability for teacher preparation programs at independent colleges and universities; that teacher preparation programs should be fairly evaluated, through multiple scientifically valid and reliable measures; and that providers should have access to the data on which they are being judged.

We also strongly believe that assessments are most effective when made at the institutional level; and that teacher licensure and certification should remain the responsibility of the state, not the federal government.

With these principles in mind, the core of our opposition to this regulatory package stems from the following concerns about the proposed regulations:

- The regulations require states to adopt a federally-mandated, four-tier rating system for teacher preparation programs based on federal quality standards that was not envisioned by the Higher Education Act. We believe the rating system violates Title II, Section 207 of the Higher Education Act, which states "levels of performance shall be determined solely by the state."

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- The rating system is based on value-added metrics that do not meet professional standards for validity and reliability when applied to teacher preparation programs. These metrics are then embedded throughout the regulations, as the definitions of “student learning outcomes,” “student growth,” and “student achievement” each link to children’s test scores on mandated standardized tests.
- This invalid and unreliable rating system would determine institutional eligibility for federal TEACH grants, and student eligibility for all Title IV student aid used in a teacher preparation program. Specifically, the rating system would be used to judge and potentially deny the use of Title IV aid for an individual academic program at an otherwise eligible institution by implying States must remove program approval based on federally mandated quality standards. It is inappropriate and unacceptable to use the regulatory process to fundamentally change Title IV eligibility requirements by expanding them to include the federal government’s assessment of a program’s academic quality.
- The proposed regulation sets a disturbing precedent by effectively mandating specialized accreditation as a requirement for demonstrating program quality. Specialized program accreditation should be voluntary, evolve from the profession, and be independent of the federal government.

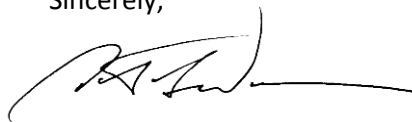
Overall, we believe this regulatory package is premised upon a questionable use of statutory authority and evaluates teacher preparation programs on the basis of invalid and unreliable metrics. Most importantly, it does not reflect cutting edge practices in the profession, and will undermine the significant progress being made in the field to reform teacher preparation programs.

We do appreciate the procedural improvements made in the Notice of Proposed Rulemaking (NPRM), including a 5-year implementation plan with the first rating linked to TEACH eligibility in July of 2020; an acknowledgement of student privacy concerns by increasing the reporting threshold from 10 to 25 students; the inclusion of institutions serving minority and low-income students in state stakeholders meetings; and the availability of technical assistance for low-performing programs.

However, we do not believe these modest improvements address the fundamental flaws in the proposal. We strongly recommend the department withdraw the proposed regulations.

More detailed comments about the sections of the NPRM with which we have concerns are attached.

Sincerely,

A handwritten signature in black ink, appearing to read "D. Warren", with a horizontal line extending to the right.

David L. Warren
President