



Virginia Department of Planning and Budget **Economic Impact Analysis**

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

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Department of Education

June 1, 2014

Summary of the Proposed Amendments to Regulation

The Board of Education (Board) proposes to repeal the current regulation (8 VAC 20-542) and replace it with a new regulation (8 VAC 20-543). In doing so, the Board proposes numerous amendments to the rules including:

- Revising definitions for accredited program, biennial accountability measures, biennial report, field experiences, professional education program, and regional accrediting agency.
- Adding definitions for Annual Report Card, education endorsement program, program completers, and program non-completers.
- Eliminating definitions for candidates completing a program, candidates exiting a program, distance learning, education program, exceptionalities, full-time faculty, general education, governance, part-time faculty, pedagogical studies, professional education faculty, scholarly activities, and school faculty.¹
- Removing the professional studies coursework cap.
- Allowing professional studies coursework and methodology to include field experiences to be designated for completion within a baccalaureate degree program.²

¹ DOE indicated that presently, these definitions primarily refer to terms used in the Board-approved accreditation process. Since that option for accreditation is being eliminated, these terms would become obsolete and are therefore being repealed.

² Field experiences are currently excluded.

- Requiring education programs to ensure that candidates complete training or certification in emergency first aid, cardiopulmonary resuscitation, and the use of automated external defibrillators.³
- Eliminating the option for the Board to approve the professional education process and require all professional education programs to be accredited by a national organization.⁴
- Revising the biennial standards for candidate progress and performance on Board licensure assessments.
- Modifying the student teaching requirements to stipulate continuous, systematic supervised clinical experiences comprised of early field experiences with a minimum of ten weeks of full-time student teaching under the supervision of a cooperating teacher with demonstrated effectiveness in the classroom, as indicated by a proficient or exemplary evaluation rating.
- Expanding indicators for evidence of employer job satisfaction with candidates completing the program to require documentation to address teacher performance, including student academic progress.
- Mandating that ratings for education endorsement programs include national accreditation of professional education programs as a prerequisite to education endorsement program approval and a description of education endorsement program candidates' biennial passing rates, reported by percentages.
- Expanding the “approved with stipulations” rating to more clearly define consequences for education endorsement programs that fall below the 80 percent biennial passing rate for program completers and non-completers.
- Amending the “approval denied” rating to more clearly define how this standard is applied.
- Requiring accredited professional education programs to submit a new Annual Report Card that includes yearly data on the preparation of professional school personnel.
- Amending the competencies language for all educational endorsement programs to include general and specific competencies and requirements for education endorsement programs.

³ This change was mandated by Chapter 498 of the 2013 *Acts of Assembly*.

⁴ According to DOE, this change is expected to affect nine institutions of higher education.

- Deleting language describing education program endorsements in career and technical education-industrial cooperative training (ICT) and special education-speech-language disorders preK-12.⁵
- Adding education program endorsements in engineering; special education-general curriculum K-6, middle grades 6-8, and secondary education grades 6-12; and mathematics specialist for middle education.

Result of Analysis

The benefits likely exceed the costs for some changes. For other amendments, whether the benefits exceed the costs depend on the policy views of the observer.

Estimated Economic Impact

First Aid, CPR, and AED Training

The legislatively mandated proposal to specify that education programs ensure that candidates complete training or certification in emergency first aid, cardiopulmonary resuscitation, and the use of automated external defibrillators will introduce significant benefits and costs. Having all (or nearly all) teachers educated in the Commonwealth trained in emergency first aid, cardiopulmonary resuscitation, and the use of automated external defibrillators will increase the likelihood that someone with potentially lifesaving skills will be on hand during medical emergencies in the classroom. To the extent that the future teachers absorb and retain the knowledge they gain in this training, the long-run benefits may be quite significant.

For onsite training in emergency first aid, cardiopulmonary resuscitation, and the use of automated external defibrillators, the American Red Cross charges \$250 plus \$72 per student if there at least 20 students. So for example, an education program with 50 students the fees would total \$3,850.⁶ If done all in person, the Red Cross training would take 5.5 hours. Alternatively, the students could do 2 hours of online training ahead of time. In that case the in-person training

⁵ According to DOE, the ICT program was never used so it was eliminated from the regulatory text. The change to the special education program resulted from a joint effort with the Department of Health Professions (DHP) to eliminate confusion as to whether these individuals should be licensed by DHP or DOE. Chapter 781 of the 2014 *Acts of Assembly* clarified that DHP would issue the licenses; therefore DOE is eliminating references to the program from its regulations.

would last 1.5 hours. The fees would be the same in either case, but the amount of time that potentially could have been used for other subjects differs.

Education Program Accreditation

Under the current regulations, “Professional education programs in Virginia shall obtain and maintain national accreditation from the National Council for the Accreditation of Teacher Education (NCATE) and the Teacher Education Accreditation Council (TEAC), or a process approved by the Board of Education.” Of the 37 Virginia colleges with professional education programs, 28 have national accreditation and 9 have accreditation via the Board-approved process. The proposal to eliminate the option for the Board to approve the professional education process and require all professional education programs to be accredited by a national organization will increase costs for the 9 colleges whose professional education programs are not yet nationally accredited.

On July 1, 2013, the NCATE and TEAC merged, creating the Council for the Accreditation of Educator Preparation (CAEP), the new sole national accreditor for educator preparation.⁷ The CAEP accreditation visit fee ranges from \$5,250 to \$14,000, depending on the size of the required visit team. The annual CAEP fee is based upon the number of program completers in the professional education program. The following table displays the CAEP annual fee range:

2014-2015 CAEP EPP Fees <i>(July 1, 2014–June 30, 2015)</i>	
Completers	Annual Fees
1–50	\$2,320
51–150	\$2,575
151–300	\$2,935
301–500	\$3,400
501–1000	\$4,480
1000+	\$5,200

Since 28 out of the 37 Virginia colleges with professional education programs have already opted to have national accreditation, it appears that there is significant benefit associated with having national accreditation. Thus taking into account this benefit, the net cost to the 9

⁶ $\$250 + (50 \times \$72) = \$3,850$

⁷ Source: Council for the Accreditation of Educator Preparation website (<http://caepnet.org/about/history/>)

colleges whose professional education programs are not yet nationally accredited will likely be significantly less than just considering their additional financial cost. The proposal to eliminate the option for the Board to approve the professional education process and require all professional education programs to be accredited by a national organization also enables the Virginia Department of Education to reallocate staff resources to be used in other productive ways. This produces an additional benefit.

Businesses and Entities Affected

The proposed amendments affect the 37 colleges and universities in Virginia that have education programs, the 132 public school divisions in the Commonwealth, current and future teachers, and businesses or organizations that provide training in emergency first aid, cardiopulmonary resuscitation, and the use of automated external defibrillators.

Localities Particularly Affected

The proposed amendments do not disproportionately affect particular localities.

Projected Impact on Employment

The requirement that education programs ensure that candidates complete training or certification in emergency first aid, cardiopulmonary resuscitation, and the use of automated external defibrillators will increase demand for these services from businesses and organizations that provide such training. The increase in demand may be enough to create additional jobs.

Effects on the Use and Value of Private Property

The requirement that education programs ensure that candidates complete training or certification in emergency first aid, cardiopulmonary resuscitation, and the use of automated external defibrillators will likely increase business for firms that provide such training.

Small Businesses: Costs and Other Effects

The proposed amendments are unlikely to significantly affect costs for small businesses. The requirement that education programs ensure that candidates complete training or certification in emergency first aid, cardiopulmonary resuscitation, and the use of automated external defibrillators will increase demand for small firms that provide such training.

Small Businesses: Alternative Method that Minimizes Adverse Impact

The proposed amendments will not adversely affect small businesses.

Real Estate Development Costs

The proposed amendments are unlikely to significantly affect real estate development costs.

Legal Mandate

General: The Department of Planning and Budget (DPB) has analyzed the economic impact of this proposed regulation in accordance with § 2.2-4007.04 of the Code of Virginia and Executive Order Number 14 (2010). Section 2.2-4007.04 requires that such economic impact analyses determine the public benefits and costs of the proposed amendments. Further the report should include but not be limited to:

- the projected number of businesses or other entities to whom the proposed regulatory action would apply,
- the identity of any localities and types of businesses or other entities particularly affected,
- the projected number of persons and employment positions to be affected,
- the projected costs to affected businesses or entities to implement or comply with the regulation, and
- the impact on the use and value of private property.

Small Businesses: If the proposed regulatory action will have an adverse effect on small businesses, § 2.2-4007.04 requires that such economic impact analyses include:

- an identification and estimate of the number of small businesses subject to the proposed regulation,
- the projected reporting, recordkeeping, and other administrative costs required for small businesses to comply with the proposed regulation, including the type of professional skills necessary for preparing required reports and other documents,
- a statement of the probable effect of the proposed regulation on affected small businesses, and
- a description of any less intrusive or less costly alternative methods of achieving the purpose of the proposed regulation.

Additionally, pursuant to § 2.2-4007.1, if there is a finding that a proposed regulation may have an adverse impact on small business, the Joint Commission on Administrative Rules (JCAR) is notified at the time the proposed regulation is submitted to the *Virginia Register of Regulations* for publication. This analysis shall represent DPB's best estimate for the purposes of public review and comment on the proposed regulation.

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