



National Association
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Office of Information and Regulatory Affairs
Office of Management and Budget
Attn: Desk Officer for U. S. Department of Education
Submitted to OIRA_DOCKET@omb.eop.gov

Dear OIRA:

I am writing on behalf of the National Association of Independent Colleges and Universities (NAICU) in response to the request for comment on the estimated cost and burden of the Teacher Preparation regulations published in the December 3, 2014, *Federal Register* (Information Collection Request 1840-0744).

NAICU is the premier public policy association for the nation's private, non-profit colleges and universities. Our 963 member institutions include major research universities, religious-affiliated 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 our nation's larger public interests, including the teaching profession.

The diversity of our membership means there is wide variance among institutions on the economic impact of these regulations. The proportionate impact will be particularly great on small institutions and those that do not already have specialized programmatic accreditation, or reside in a state with parallel standards.

In general, we believe the economic impact of these regulations far exceeds the \$100 million threshold that determines a proposed regulation is economically significant. Even without conducting a detailed economic analysis of each affected institution in the short timeframe allowed for public comment, it is clear the Department of Education's estimate that the 10-year cost of this proposal, between \$42 million and \$42.1 million, is excessively low.

The attached comments provide more details regarding several areas in which the estimates fall far below actual costs.

Thank you for the consideration of our comments.

Sincerely,

A handwritten signature in black ink, appearing to read "David L. Warren". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

David L. Warren
President

**NAICU Comments on ICR 1840-0744
Cost and Burden of Teacher Preparation Regulations**

Assurance of Accreditation (proposed §612.5(a)(4): The proposed regulation would require that each teacher preparation program in a State either have specialized accreditation or provide teacher candidates with content and pedagogical knowledge and quality clinical preparation, and have rigorous entry and exit standards. The burden estimate assumes it will take 2 hours per teacher preparation program for a state to assure this requirement is met.

Comment: The 2-hour per program estimate might be reasonable if—as described in the notice—it were merely a matter of having States re-verify the specialized accreditation status of the 13,404 programs previously determined to have such accreditation. However, the estimate completely disregards the estimated 11,093 programs for which such a determination has not previously been made. There is a strong likelihood that a substantial number of these programs do not have specialized accreditation and would need to be evaluated under the alternative measure. Two hours would not be sufficient to conduct the review of each program’s content, clinical preparation, and entrance/exit standards that would be required to meet the alternative requirement.

Moreover, the estimate takes into account only the cost to a State of making the required assurance. It does not include any estimate of the cost of pursuing specialized accreditation if an institution does not already have it, or of the institutional costs for demonstrating compliance with the alternative measure.

Additional Comments from NAICU Member Institutions:

- “If a program does not have accreditation, it could cost at a minimum \$100,000 for initial accreditation.”
- “Our institution is currently undergoing state and national accreditation. We spend 2 hours per week meeting to discuss reports; we have hired a person to write the report; and we have added 80 hours each to two faculty members for reports and syllabi; we have a full time secretary who up-loads our information for the state. She spends 230 hours for national accreditation; and 114 hours for state accreditation collecting and uploading data.”
- “Two hours is unrealistic, as it would take a reviewer 7-10 hours to read through the material submitted, multiplied by 5 certification programs (for example), to total 35-50 hours.”

Institutional Report Card (IRC) Reporting Requirements: The proposed regulation would revise the current IRC requirements to require reporting at the individual program level, rather than at the entity level. The burden estimate assumes it would take 4 hours for an institution to adjust its recordkeeping in order to meet the new data requirements.

Comment: Four hours is an unrealistic estimate of time to adjust recordkeeping for the new data requirements in the regulation. The estimate does not take into account the magnitude of going from an institutional report card that reports on the teacher preparation entity as a whole, to an IRC that collects and reports data on each program within the entity. It takes 4 hours for the current process—which does not require adjustments to recordkeeping and reporting systems.

In addition, the new requirement that each program at the entity be reported separately will take additional programming and collection time by staff in the teacher preparation program and/or the institutional research office, depending on how schools are organized. Additional time will also be required for schools with decentralized institutional research systems, as complying will take more than one person to make the changes.

Additional Comments from NAICU Institutions:

- “There is no administrative staff, so the Department Chair spends 4-6 hours to comply with the current reporting requirement, thus new requirements would take additional time from faculty.”

Fair and Equitable Methods (proposed §612.4 (c) (1)): The proposed regulation would require states to consult with stakeholders to determine the procedures for assessing and reporting the performance of each teacher preparation program in the state. The estimate assumes the state will need to convene at least 3 meetings of 11 individuals representing the stakeholder interests, who will each spend 4 hours in each meeting, for a total of 12 hours at a cost of \$33,860. The department also assumes some states may have already established committees to meet these requirements, thus incurring no additional time or cost.

Comment: This estimate does not take into account a number of significant costs, including: any time spent in preparation for the stakeholders meeting; any communication in between meetings; or the cost to the state departments of education for identifying the stakeholders, planning, and convening the meetings. This estimate also fails to account for the time and expense involved in disseminating the decisions to the teacher preparation programs within the state. If the process were to mirror the experience of one state developing standards of learning 10 years ago, it would take five times as long as the proposed estimate--which would bring the cost to almost \$170,000 per state. If this figure were to be multiplied by 50 states, the total cost would come to \$8.5 million.

Additional comments from NAICU member institutions:

- “Recently revised state standards took over one year, multiple meetings, and fulltime staff.”
- “New York state has not yet formed a committee to discuss these issues . . . the number of hours is likely ten-fold and will involve representatives from the 120-plus such institutions in the state.”

Student Learning Outcomes (part of proposed §612.5): The proposed regulations would require states to assess the performance of teacher preparation programs based in part on data on learning outcomes of students taught by new teachers prepared by those programs. The

department assumes that because all states have provided the assurance that teachers are provided with student growth measures for reading and math through their applications for State Fiscal Stabilization Fund (2009 stimulus money), no additional costs will be incurred to measure student growth in “tested grades and subjects.” The estimate also asserts that the 43 states and D.C. with ESEA waivers would not incur additional costs to measure student growth in non-tested grades and subjects.

Comment: This estimate focuses on the cost to the state, not the cost to the teacher preparation program at the institution, or the cost to the public school district to collect, match, and coordinate data to make the connection between student test scores and teacher preparation program quality.

Linking Student Learning Outcomes to Teacher Preparation Programs (part of proposed §612.5): The proposed regulations would require states to link student learning outcomes data back to the teacher, and then back to that teacher’s preparation program. The Department estimates that the cost of this linkage will depend on the data available in each state’s Statewide Longitudinal Data System (SLDS). The Department assumes that, because 47 states, D.C. and Puerto Rico received \$575 million in grants for SLDS, they should be able to link student achievement to teachers--and the teachers to institutions.

Comment: It is unrealistic to assume that--simply because a state has an SLDS--it would not cost the state additional funds to make the linkages among student test scores, teachers, and their programs that would be required to make valid assessments of their quality. These funds may be used for other purposes, and—in fact—the estimate notes that only 9 states currently link K-12 teacher data to K-12 student data. Another 21 states are either in the process of making such linkages or planning to do so in the future. It is not at all clear that the SLDS funds received by these states are sufficient to cover these costs. The estimate for the remaining 20 states rests on even shakier ground, as the analysis notes that the Department has no way to know whether costs will fall at the higher or lower range of estimated costs to link and analyze data.

Employment outcomes (proposed §612.4 (b)): The proposed regulation requires states to report on employment outcomes for graduate teachers, which include: teacher placement rates, and teacher placement rates in high-need schools; and retention rates, and retention rates in high-need schools.

The Department assumes the 41 states with SLDS: (1) can link data on teachers with their programs and current certification status and placement; (2) are in the process of making these links; or (3) plan to add this capacity. The Department indicates that, if the 11 remaining states cannot make this link, they may need to obtain this information from the programs or teachers themselves. It would take an estimated 150 hours for each of these 11 states to do so.

Comment: It is unrealistic to assume that any state has this data because the employment outcome requirements in the proposed regulation are completely new. The estimate that one month of a full-time staff person’s time is all that is required to design the data request instrument, distribute the requests, get teachers to complete the request, collect and analyze the data is too low. It does not take into account the time, expense, and personnel needed to locate the teachers and to obtain information from their employers.

Additional comment from NAICU member institution:

“I have been collecting employment data on the teachers in our program since 1997, and the hardest group to get responses from is the principals and superintendents.”

Survey outcomes (proposed §612.5 (a)(3)): The proposed regulation requires states to report qualitative and quantitative data from surveys of new teachers and their employers to capture their perceptions of whether their teacher preparation programs prepared them to succeed in the classroom. Some states and IHEs survey their graduates. But, for states without teacher and employer surveys, the Department estimates it would cost about \$25,000 on average for a state to develop the survey instrument, for a total cost of \$1.3 million among all the states. The estimated cost of administering the surveys is \$8.6 million. The Department also assumes that, with the availability of online surveys, and the ability to fold teacher preparation questions into existing surveys, these costs could be over-estimates.

Comment: This is an unfunded mandate on states and institutions. The proposal outlines possible costs based on consultations with survey research experts, but does not discuss how states or institutions implementing these surveys will pay for them. The result would be increased staff time and reduced resources for other educational endeavors in order to conduct these surveys.