Minutes of the Meeting

STATE OF NEVADA – DEPARTMENT OF EDUCATION

COMMISSION ON PROFESSIONAL STANDARDS IN EDUCATION

February 15, 2008

New Member Orientation

1. Welcome/Introductions

President Luft called the meeting of the Commission on Professional Standards in Education to order at 10:00 A.M. in 2nd Floor Board Conference Room of the Nevada Department of Education Office, Las Vegas, Nevada.

Commissioners introduced themselves and the entity they represent. Roll call showed the following Commissioners present:

COMMISSIONERS PRESENT:

Dr. Vernon Luft, President – higher education
Carol Lark, Vice President – administrators
Bill Mendenhall, Commissioner – special education
Rhogenia McMillan, Commissioner – elementary education
Dr. Hardy McNew, Commissioner – private schools
Ann O'Connell, Commissioner – general public
Karen Votraw, Commissioner – counselors
Nicholas Ungaro, Commissioner – middle schools

COMMISSIONER ABSENT:

Fred Perdomo, Commissioner – secondary education – excused

STAFF PRESENT:

Christina Harper, Administrative Assistant to the Commission
Dr. Jerry Barbee, Director of Teacher Licensure
Gloria Dopf, Deputy Superintendent, Instructional, Research and Evaluative Services
Frankie McCabe, Director of Special Education, Elementary and Secondary Education and School Improvement

LEGAL COUNSEL PRESENT:

Dr. James E. Irvin, Deputy Attorney General

AUDIENCE IN ATTENDANCE:

Mary Ann Gibbs, Clark County School District
Byron Green, Clark County School District
Nancy M. Sileo, Department of Special Education, University of Nevada, Las Vegas

Pam Salazar, University of Nevada, Las Vegas
Marilyn Sue Ford, Curriculum and Instruction for University of Nevada, Las Vegas

It was determined that a quorum of the Commission was present.

2. Approval of Agenda

Commissioner O'Connell moved to approve the agenda, seconded by Vice President Lark. The motion passed unanimously.

3. Overview of Department of Education – a) Organizational Chart

Ms. Dopf provide a brief overview of the Department of Education's organizational structure and where the Commission fits into this structure. Ms. Dopf stated that the primary role and responsibility of the Commission is to develop regulations for licensure. The Department provides support to the Commission, in order for the Commission to operate and perform their primary role.

4. Method of Operations – a) Meetings and Procedures; b) Nevada Open Meeting Law – NRS 241; and c) Ethics

President Luft provided an overview of how the agenda is developed, and stated that a meeting is held with the Commission President, Vice President, Deputy Superintendent, Deputy Attorney General, Director of Licensure, and the Commission Secretary to develop the meeting agenda from previous items requested and any issues that have arisen that need Commission attention. President Luft stated that the meeting materials are sent out usually two weeks prior the meeting and suggested for the expeditiousness of the Commission meetings, it is very helpful if each Commissioner reviews the meeting materials prior to the meeting in order to enter into informed discussions at the time of the meeting.

President Luft reviewed the anatomy of the agenda and outlined the procedure of the meeting. Dr. Luft encouraged Commissioners to write out their motion, on the motion forms provided, which are then included in the permanent record. Dr. Luft stated that the Commission's primary responsibility is to develop teacher licensure regulations for the Nevada Administrative Code (NAC). This process requires a workshop and public hearings. Dr. Luft stated the Commission has the authority to appoint a Task Force, which holds a public meeting to receive input from many different sources, reviews the information, and provides a recommendation to the Commission for consideration.

Dr. Irvin, in a review of the Open Meeting Law, stated that the Commission can request legal advice in the form of a formal legal opinion and the Nevada Attorney General's office shall provide a written response. Dr. Irvin stated that he represents the Commission and the Attorney General Office enforces the Open Meeting Law, and his function, at these meetings, is to assist the Commission in following the Open Meeting Law. Dr. Irvin stated that his function is not to prosecute violations, report violations, or investigation violations of complaint regarding the Open Meeting Law. Dr. Irvin stated that he does review the agenda and attempts to improve the agenda, if necessary.

Dr. Irvin stated that there is an Open Meeting Law Manual 10th Edition, which can be accessed on line at the Attorney General Office's website. Dr. Irvin stated that the Open Meeting Law is a complaint driven process and once a complaint has been filed, an investigation will ensue.

Dr. Irvin advised that the Commission may hold a closed meeting to discuss character, alleged misconduct, professional competence, or physical/mental health of a person, and this occurs on a rare occasion. Dr. Irvin stated that the Nevada State Board of Education holds their teacher revocation hearings in an open public meeting, but the individual could request a closed session.

Dr. Irvin recommended that Commissioners disclose, disclose, and disclose when it comes to ethics. Dr. Irvin stated that the disclosure needs to be a commitment and provided examples of those commitments. If there is a potential violation, the Attorney General's office does not defend a Commissioner against the Ethics Commission, but can be called as a witness. Dr. Irvin stated that he can assist the Commission in responses to the Ethics Commission.

Dr. Irvin stated that he provides guidance to the Commission, and when asked a legal question, he will direct the Commission in the right direction.

5. State Statutes and Regulations

Ms. Dopf stated that Nevada State Statute NRS 391 and Nevada State Regulation NAC 391 are the areas that the Commission is responsible to. The Commission is a nine (9) member governing body, with a limit of two (2) terms and the terms are a period of three (3) years. The composition of the Commission includes four (4) teachers (three teachers appointed by the Governor from a list from the appropriate associations and one teacher appointed by the Governor); one (1) individual to represent the public; one (1) higher education representative (this term is not limited); and two (2) school administrators.

The Commission has two major responsibilities by statute:

1. Set the qualifications for those individuals seeking licensure, the field of specialization, the endorsement, and the alternate route; and
2. Set the regulations governing examination on initial licensure for the Praxis, Nevada School Law, Nevada Constitution and United States Constitution.

Ms. Dopf advised that the State Board of Education can disapprove a regulation, adopted by the Commission, only if it threatens the efficient operation of the school district or creates a financial hardship on the school district and/or teachers; this must occur within ninety (90) days of the Commission's action to adopt or it is automatically approved.

The Commission has the responsibility to the following types of licensure: elementary, middle school, secondary, and special licenses.

6. Commission Travel – a) Travel Arrangements/Reimbursement and b) Business Cards

Mrs. Harper reviewed the travel claim and reimbursement process. Mrs. Harper provided forms for any Commissioner that would like to have business cards printed up.

A lunch break was granted at 11:54 A.M.

1:00 P.M. – REGULAR MEETING

7. Call to Order; Roll Call; Pledge of Allegiance

President Luft reconvened the meeting at 1:25 P.M.

Roll call showed the following Commissioners present:

COMMISSIONERS PRESENT:

Dr. Vernon Luft, President – higher education
Carol Lark, Vice President – administrators
Bill Mendenhall, Commissioner – special education
Rhogenia McMillan, Commissioner – elementary education
Dr. Hardy McNew, Commissioner – private schools
Ann O'Connell, Commissioner – general public
Karen Votraw, Commissioner – counselors
Nicholas Ungaro, Commissioner – middle schools

COMMISSIONER ABSENT:

Fred Perdomo, Commissioner – secondary education – excused

STAFF PRESENT:

Christina Harper, Administrative Assistant to the Commission
Dr. Jerry Barbee, Director of Teacher Licensure
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AUDIENCE IN ATTENDANCE:

Mary Ann Gibbs, Clark County School District
Byron Green, Clark County School District
Nancy M. Sileo, Department of Special Education, University of Nevada, Las Vegas

Pam Salazar, University of Nevada, Las Vegas
Marilyn Sue Ford, Curriculum and Instruction for University of Nevada, Las Vegas

It was determined that a quorum of the Commission was present.

The pledge of allegiance was led by Vice President Lark.

8. Approval of Minutes: a) December 7, 2007

Vice President Lark moved to approve the December 7, 2007 minutes as submitted, seconded by Commissioner McMillan. The motion passed unanimously.

9. Fiscal Report – Review of Current Budget Account Balance

Dr. Barbee reviewed the fiscal report dated January 25, 2008; the total revenue received was $1,302,434.45, with Commission expenditures totaling $5,492.63; total expenditures for the Licensure budget of $711,745.31 for a total of funding available of $590,689.14. The balance of the Commission's budget is $3,361.37. Dr. Barbee stated that funding and expenditures are on track.

10. Update of Nevada Department of Education Activities

Ms. Dopf updated on the continuation work of the Teacher Quality Task Force looking at the issue of alignment on the pre-service, licensure, post-service, and professional development. The Task Force has come forth with a recommendation looking at the alignment through beginning dialogue regarding teacher standards and the alignment across the various entities. Ms. Dopf stated that the Task Force also recommended beginning dialogue regarding teaching standards and a review of the outcomes and looking at changes for those outcomes with licensure boards, the entities that provide professional development, and with the school districts.

Vice President Lark stated that Superintendents have expressed a real concern about students having to take remediation courses immediately following graduation from high school.

Ms. Dopf stated that the Task Force is also looking at the teacher preparation program outcomes.

Dr. Barbee provided an update on the facility for the Office of Teacher Licensure, with a 99% surety that the move is eminent. The new location will be on the 2nd Floor of a shopping center at Silverado Ranch and Maryland Parkway. The new facility will have a large board room that is dividable and two additional conference rooms. The move is anticipated for the second week in April.

Ms. Dopf stated that the meeting rooms will have improved video conferencing capability.

Dr. Barbee updated that the Department is in the process of finalizing the criminal investigation data base, this was developed to provide the Department's administrative offices with quarterly reports. The intent of this data base is to have the capability to identify how many licenses the Nevada Department of Education has denied, revoked, or suspended. Dr. Barbee stated that this will be tracked for information as it relates to licensing requirements as a whole.

Dr. Barbee stated that the Office of Teacher Licensure is developing their own web site and by mid-February the web site should be live. Dr. Barbee stated that the uniqueness of this web site is that a licensed individual, with internet access, will be able to access their own data and the site will provide information as to when their license will expire; provisions are on the license; and endorsements on the license.

11. Workshop to Solicit Comments to NAC 391.378 – Qualifications For Teaching Pupils Who Have Autism

President Luft opened the workshop at 1:47 P.M. There were eight individuals in attendance with two public comments.

Frankie McCabe stated that the Option Program is to sunset on June 30, 2008. Ms. McCabe provided the following statewide autism data: 85 autism units operating with fully licensed teachers; 240 autism programs; 2,559 students identified with autism; and the number of individuals who accessed the autism option program was 30 in 2005/06; 41 in 2006/07; and 60 in 2007/08.

Ms. McCabe stated that the Options Programs allows an individual with a teaching license in another content area, seek an additional endorsement to be able to teach students with autism and allows them to continue teaching in those units while they are completing the coursework for full endorsement. There are currently 43 substitute teachers currently teaching in autism units as there are an insufficient numbers of teachers, either fully certified or participating in an alternative route to licensure enrolled in those programs. Ms. McCabe stated that from 2005 to 2008 there has been an increase of 44% in the number of students identified with autism statewide. Ms. McCabe stated that it is the recommendation to extend the sunset clause for the Autism Options Program until June 30, 2012.

Ms. McCabe stated that the Special Education Advisory Committee, the seventeen Special Education District Directors, and the Special Education Advisory Committee recommended that the Autism Options Program to be extended to June 30, 2012. The Special Education Advisory Committee during their February 14, 2008 meeting unanimously passed a motion requesting that the Commission extend the sunset clause in NAC 391.378 – Qualifications for Teaching Pupils Who Have Autism until June 30, 2012.

Dr. Nancy Silo, University of Nevada – Las Vegas (UNLV), stated that the Special Education Department at UNLV supports the extension of the Autism Options Program to June 30, 2012. Dr. Silo stated that UNLV produced 150-200 individuals with degrees

in special education and currently there are 60 students in the Autism Options Program. There is definitely a need for more qualified teachers in the autism area.

Mary Ann Gibbs, Clark County School District, stated that Clark County School District strongly encourages the extension of the Autism Options Program until June 30, 2012.

President Luft closed the workshop at 2:07 P.M.

Vice President Lark moved for the Commission to conduct a public hearing at the next Commission meeting for the possible adoption of extending the sunset provision for the Autism Options Program until June 30, 2012, seconded by Commissioner O'Connell. The motion passed unanimously.

12. Public Hearing and Possible Adoption to Consider Comments to LCB File No. R187-07 - NAC 391.056 – Provisional Nonrenewable Licensure: Qualifications; Period of Validity; Addition of Endorsement; Restrictions

President Luft opened the public hearing at 2:09 P.M. There were eight individuals in attendance with no public comments.

It was stated that the amendment to NAC 391.056 is to extend the date for a provisional nonrenewable license from 2008 to 2010 to accommodate No Child Left Behind requirements.

President Luft closed the public hearing at 2:10 P.M.

Commissioner McMillan moved to adopt R187-07- NAC 391.056 – Provisional Nonrenewable Licensure: Qualifications; Period of Validity; Addition of Endorsement; Restrictions as proposed, seconded by Commissioner Ungaro. The motion passed unanimously.

13. Approval to Change the Early Childhood Praxis Test to Exam #0021 and #0022 and Approval of No-Fault Testing Period for Exams #0021 and #0022

President Luft stated that the Early Childhood Praxis Task Force had previously recommended that the Praxis exams for early childhood education teachers be changed from an elementary exam to early childhood education exams.

Commissioner McMillan stated that the Task Force recommended exams #0020 and #0022, but in a letter from ETS indicates that they are phasing out exam #0020 and replacing with #0021, a very similar exam. Commissioner McMillan recommended that the Commission approve exams #0021 and #0022 for Early Childhood Education.

Commission McMillan moved that the Commission approve the change to Early Childhood Praxis exam to exams #0021 and #0022 and approve the No-Fault Testing Period for exams #0021 and #0022 from birth to 2nd grade, seconded by Commissioner Mendenhall. The motion passed unanimously.

14. Report and Recommendations from the Business and Industry Substitute Teacher Endorsement Task Force

Dr. Barbee stated that the Task Force met on February 13, 2008 to discuss and develop criteria for the implementation of a business and industry substitute endorsement. The Task Force used the established business and industry endorsement requirements as a model to develop the criteria for this substitute endorsement. Dr. Barbee reviewed the recommendation of the Task Force.

Commissioner Mendenhall moved to hold a public hearing at the next Commission meeting for possible approval of the criteria for the Business and Industry Substitute Teacher Endorsement, seconded by Commissioner O'Connell. The motion passed unanimously.

15. Report and Recommendations from the Permanent Licensure of Retired Teacher Task Force

Dr. Barbee stated that the Task Force membership has been finalized and in the process of selecting a meeting date within the next two weeks. Dr. Barbee will provide an update at the next meeting.

16. Appoint a Task Force to Review Elementary Education Licensure

President Luft stated that it was suggested that the Commission appoint a Task Force to review the Elementary Education Licensure requirements for consistency, look at additional endorsements for elementary education, and discuss minimum requirements for math, science, and social studies content within the elementary education program.

Commissioner McMillan moved to appoint a task force to review the elementary education licensure requirements, seconded by Commissioner Votraw. The motion passed unanimously.

Commissioner McMillan was appointed as Chair of this Task Force and Commissioner Mendenhall volunteered to participate as a member on this Task Force. President Luft suggested that Commissioners provide name of individuals who would like to serve on this Task Force. Ms. Dopf stated that she will be the point of contact for Department of Education staff.

17. Update of Task Force Activities
Update from the Alternative Route to Licensure Task Force

Vice President Lark stated that she has been working with Co-Chair Commissioner Ungaro and the Alternative Route to Licensure Task Force first meeting is scheduled for March 5, 2008 beginning at 3:00 P.M. This meeting will be video conference between the Nevada Department of Education offices in Carson City and Las Vegas. Vice President Lark stated that fifteen (15) individuals from a broad base were selected to participate on this Task Force and invited anyone not selected to attend the meeting

and provide input. Commissioner Ungaro stated that he received his teaching license through an ARL program and it is one of the reasons for his interest in this area.

Following a review of the Alternative Route to Licensure Task Force membership, Deputy Attorney Irvin cautioned and recommended against the Commission having a quorum of Commissions as members of the Task Force. Commissioner Votraw withdrew her membership from the Task Force and suggested Dr. Steve Hull, Interim Principal at Technical High School in Washoe County, as her replacement.

Update from the Early Childhood Task Force Regard the Praxis for Individuals with an Endorsement in Special Education Early Childhood Education to Meet the Highly Qualified Requirement

Commissioner McMillan stated that this Task Force met on January 31, 2008 and determined that more information was necessary before any discussions could take place and is in the process of gathering that information and scheduling a second meeting to discuss the Special Education Early Childhood Education Praxis requirements. Dr. Silo will contact Christina Harper and provide the name of the representative from the University of Nevada, Las Vegas.

18. Review of Meeting Schedule for Possible Meeting Date Amendment to Meet with State Board of Education in Joint Meeting

Ms. Dopf stated that the April 25, 2008 Commission meeting date is the same date as the pre-conference of the Statewide Mega Conference at Lake Tahoe. This is a large training conference and other Commissioners and public may be attending this conference. Ms. Dopf suggested that the Commission may want to consider changing the meeting date from April 25, 2008 to May 2, 2008 and schedule a joint meeting with the State Board of Education in the afternoon of May 2, 2008, as the State Board is scheduled for a May 2 and 3, 2008 meeting in Carson City.

Following discussion, Commissioner Ungaro moved to change the April 25th meeting date to May 2, 2008 and to hold a joint meeting with the State Board of Education on May 2, 2008, seconded by Commissioners Votraw and Mendenhall. The motion passed unanimously.

19. Future Agenda Items

The following items were noted to be on the May agenda:

- Public Hearing for NAC 391.378 – Qualifications for Teaching Pupils with Autism;
- Public Hearing for NAC 391.400 – Business and Industry Substitute Teacher Endorsement;
- Report from the Alternative Route to Licensure Task Force;
- Report from the Elementary Education Licensure Task Force;
- Report from the Permanent Licensure for Retired Teachers Task Force; and

- Report from the Early Childhood Praxis Task Force on the early childhood special education Praxis exam.

20. Comments From Public

Marilyn Ford, University of Nevada Las Vegas, stated that she works with post baccalaureate licensure programs and last year she served on the task force for K-12 art endorsement and helped the music task force with their endorsement and indicated that the regulations on line are the old endorsement questioned when those regulations would be updated. Dr. Barbee responded that within three weeks when the new Licensure Office website is operational the regulations will be updated and current.

21. Comments from Staff

Ms. Dopf stated that the Praxis exam change for Early Childhood is not in regulation and the action taken today is effective upon Commission action.

President Luft questioned how institutions are notified of this type of change. Dr. Barbee responded that the Licensure Office notifies institutions, school districts and the change is also placed on the Department's website.

22. Comments from Commissioners

Commissioner McMillan thanked the Early Childhood Task Force for their work on the Praxis exam amendment.

23. Adjournment of Commission Meeting

Vice President Lark moved to adjourn the meeting at 2:54 P.M., seconded by Commissioner Mendenhall. The motion passed unanimously.