

Minutes of the Meeting

STATE OF NEVADA – DEPARTMENT OF EDUCATION COMMISSION ON PROFESSIONAL STANDARDS IN EDUCATION

February 27, 2009

1. Welcome/Introductions

President Lark called the meeting of the Commission on Professional Standards in Education to order at 9:36 A.M. in the Board Conference Room of the Nevada Department of Education Office in Carson City, Nevada.

Roll call showed the following Commissioners present:

COMMISSIONERS PRESENT:

Carol Lark, President
Karen Votraw, Vice President
Dr. Vern Luft, Commissioner
Bill Mendenhall, Commissioner
Dr. Terry M. Owens, Commissioner
Brienne Thoreson, Commissioner
Nicholas Ungaro, Commissioner
Wendy Zastawniak, Commissioner

COMMISSIONER ABSENT:

Ann O'Connell, Commissioner – excused

STAFF PRESENT:

Christina Harper, Administrative Assistant to the Commission
Gloria Dopf, Deputy Superintendent, Instructional, Research and Evaluative Services
Dr. Jerry Barbee, Director of Teacher Licensure
Jim Kenyon, Las Vegas Teacher Licensure Office

LEGAL COUNSEL PRESENT:

Dr. James E. Irvin, Deputy Attorney General – Carson City Location

AUDIENCE IN ATTENDANCE:

Andre Yates, Clark County School District
Meg Nigro, Clark County School District
Dena Durish, Clark County School District
Jennifer Caldwell, Washoe County School District
Steve Haj Chapman, Washoe County School District

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

NEW MEMBER ORIENTATION

2. Approval of Agenda

The Commission agreed to a flexible agenda.

3. Overview of Department of Education

a. Organizational Chart

Ms. Dopf provided copies and reviewed the Department of Education organizational chart and the K-12 Educational Governance Structure chart.

Ms. Dopf provided a brief overview of the Department of Education's website and stated that there is a wealth of information regarding programs within the Department available on the web site.

Ms. Dopf stated that the Commission on Professional Standards in Education has the authority to promulgate regulations for teacher licensure. The Commission is appointed by the Governor, independent of the State Board of Education, although the State Board of Education does have the authority to veto a regulation if that regulation causes undue hardships/complications on the school districts or individuals involved.

4. Methods of Operations

a. Meetings and Procedures

b. Nevada Open Meeting Law – NRS 241

c. Ethics

d. Conflict of Interest

e. Public Records Request

Deputy Attorney General James E. Irvin provided training and an overview of the Nevada Open Meeting Law and the responsibility of the Commission as it relates to the Open Meeting Law – which applies to public bodies and public meetings.

Dr. Irvin stated that the Commission's meetings are recorded and that recordings of the meeting can be requested by the public and must be available until the written minutes are available. The written minutes are the official record of public meetings. Dr. Irvin stated that groups appointed by the Commission, such as task forces, subcommittees, or workgroups must also follow the Open Meeting Law which includes postings of agendas and the requirements for meeting quorums in order for the group to take action.

5. State Statutes and Regulations

Ms. Dopf highlighted the critical parts of the Nevada Revised Statutes (NRS) 391 that deal with the licensure of educational personnel. The Commission is a statutorily authorized body by the Legislature with very specific responsibilities in statute attached to the promulgation of regulations dealing with the licensure and re-licensure of educational personnel.

The Commission is a nine member commission, with members appointed by the Governor and specific authority over the teacher licensing regulations. Ms. Dopf reviewed the specific educational positions of each member on the Commission. Commission members are limited to two terms; may meet once a month; a majority of the Commission constitutes a quorum; staff serves as the non-voting secretary; and may receive per diem for travel expenses. Commissioners do not receive a meeting stipend for their services.

The Commission has the authority to modify regulations in Nevada Administrative Code (NAC) 391.

Ms. Dopf reviewed the process and time frames required under the Open Meeting Law for notification of workshops and public hearing for new regulations or amendments to existing regulations. Workshops and public hearings may not be held on the same day. Ms. Dopf reviewed the various types of educational licenses that the Commission is responsible for: elementary, middle school, secondary, conditional/special qualifications, and alternative route to licensure programs.

Ms. Dopf stated that the Commission has given the responsibility to the State Superintendent of Public Instruction to grant relief from the requirements of regulation for medical reasons which cannot be granted for more than six months.

The Commission also sets the requirements for initial examination which must include teaching skill subject matter and school law, Nevada Constitution, and United States Constitution.

Ms. Dopf stated that the Nevada State Board of Education has the responsibility for university program approval, which is completed by a group under the direction of the Director of Teacher Licensure. The Board also retains the approval/disapproval authority over regulations that the Commission approves but this is much prescribed in statute under two conditions: 1) creates an undue hardship to teachers or school districts; and 2) threatens the official operation of a school.

6. Commission Travel
a. Travel Arrangements/Reimbursement
b. Business Cards

Mrs. Harper advised that she makes all of the travel arrangements for Commission meetings. Mrs. Harper stated that she will send out an e-mail prior to the meeting with the proposed travel arrangements and for Commissioners to contact her if they need alternate travel arrangements. Commissioners are required to sign the travel reimbursement form and submit to Mrs. Harper to be processed. Mrs. Harper reminded Commissioner that a receipt is required for airport parking and hotel reimbursement.

Mrs. Harper provided a form for business cards and advised the Commission to complete the form and submit if they would like to have business cards printed.

Mrs. Harper requested that Commissioners contact her if they are planning on attending a task force meeting in order to complete and obtain approval for the prior travel authorization for payment of mileage.

A lunch break was granted at 12:03 P.M.

7. Call to Order

Chair Lark reconvened the meeting at 1:00 P.M.

8. Approval of Minutes: a) December 12, 2008

Commissioner Luft moved to approve the December 12, 2008 minutes as submitted, seconded by Vice President Votraw. The motion passed unanimously.

10. Update of Nevada Department of Education Activities

Ms. Dopf provided an update on Donna Brothers, Supervisor of the Carson City Teacher Licensure office. She is doing well following back surgery and will be out of the office for several weeks.

Ms. Dopf stated that the Department has already been involved in two budget hearings heard in joint committee meetings. The budget hearings will continue on March 6th. On Monday, Wednesday, and Friday afternoons are the Assembly Education and Senate Education standing committee meetings for education bills. Subsequent to those meetings, the Department receives a list of questions from the Committees, in which the Department is provided a week in which to respond to questions from legislators.

Ms. Dopf stated that the Department is just beginning to receive detail regarding the Stimulus funding which has a significant amount of targeted funding through the federal Department of Education and the Nevada Department of Education.

Ms. Dopf stated that a Coalition meeting is scheduled every Monday beginning at 11:00 A.M. with representatives of school districts, lobbyists for education groups, and other various education representatives to discuss what is happening that week in the Legislature. Ms. Dopf stated that mid-March is the cut-off date for bill draft requests to be introduced into Committees. Ms. Dopf stated that the Department tracks bills on a daily basis of all education and personnel related bills.

Ms. Dopf stated that the Education Mega Conference will be held April 24th – 26th in Las Vegas in conjunction with the NASA and International Center for Leadership in Education. There is a link on the Department's website to register for the conference; there are a limited number of travel stipends and conference registrations waivers that will be available to school districts based upon an application. The focus of the Conference will be on brain research and what brain research tells us about instructional practice as well as the needs of 21st Century Learning and practical application. There will be a large number of Nevada schools that will be presenting as Nevada models during the Conference.

11. 2009 Legislative Report and Update

Ms. Dopf stated that included in the packet is a list of bills that the Department of Education is tracking. There are currently two bills and two bill draft requests that Ms. Dopf wanted the Commission to be apprised of:

- SB 20 – is a multi-facet education bill to include personnel and teacher licensure; the two areas of particular interest to the Commission are: 1) Subsections 7 & 8 which require the Commission to adopt a program of training for substitute teachers; at a minimum the training program would require training in standards, curriculum, and class management through regulation; any substitute that is hired by a district must receive this training to be employed after July 1, 2011. 2) Subsection 9 amends the section dealing with reciprocity for teachers with a license from another state; the reciprocity would be based upon the standards of licensure in the state in which the individual received their license. The proposal eliminates teacher experience from the statute and reciprocity be determined by the Commission based upon the standard of licensure of that state.

Commissioner Zastawniak expressed that substitute teacher training is very important.

President Lark concurred with Commissioner Zastawniak, but expressed concern regarding the cost and logistics to provide that training.

Upon questioning by President Lark, Dr. Barbee stated that the impact of this proposed statute depends on the type of training and criteria required. Dr. Barbee questioned who would be responsible for providing this training and that he would need additional time to review, in detail, the proposed bill.

Commissioner Owens stated that there is a shortage of qualified substitutes, but there should be flexibility to meet this requirement, such as allowing the school district to determine who will provide the training.

Ms. Dopf stated that there is a provision in the bill for the RPDPs to provide the training, but the Governor's budget eliminates the funding for the RPDPs.

There was discussion of possibly requiring additional credits attached to coursework to qualify for a substitute license and the impact on staff time to review the additional coursework. There was also discussion regarding supplemental credits. There are conflicts with the grandfathering clause for existing substitute teachers that would need to be worked out.

Following discussion, Commissioner Owens moved to support SB 20, Sections 7, 8, & 9, seconded by Vice President Votraw. Following additional comments, Commissioner Ungaro suggested separate motions and for this motion to only support Section 9.

Commissioner Owens amended her motion to support SB 20, Section 9, seconded by Vice President Votraw. The motion passed unanimously.

Commission Owens moved to support SB 20, Sections 7 & 8 with the following notes and concerns to be provided as the Commission's position to the Legislature: 1) The Commission feels that additional training for substitute teachers is very important; 2) The Commission expressed concern about what entity will provide the training, the cost of the training, and the school district's ability to provide the training, especially in light of the elimination of the RPDPs and their role in providing this training; 3) The Commission expressed concern that there is a current shortage of quality substitutes and will this affect the number and quality of substitute teachers; and 4) The Commission would like to see flexibility included to meet the new requirements for substitute teachers. The motion passed by a vote of 5 to 3 with Commissioners Votraw, Ungaro, and Lark voting in opposition.

- AB 155 – Section 2 would require a course of multi-cultural education as a teacher licensure renewal credit. Many years ago the State Board of Education required for license renewal, course work be in five areas, to include multi-cultural. Subsequently this requirement was changed for renewal credits to be relative to the content area of the license. AB 155 would require specific coursework in order to renew a license.

Commissioner Owens stated that this requirement failed in the 1980's and does not meet the requirement of today's students.

Commissioner Luft stated that per NCATE and TEAC program approval requirements, approved programs must include coursework in multi-cultural.

Commissioner Thoreson stated that she supports AB 155, as she does not see this requirement as overbearing and most teachers have completed this requirement.

The Commission took no action on AB 155.

Ms. Dopf reported that the following two bill draft requests have no actual written language and are not yet a bill, but wanted to the Commission to be aware: 1) BDR 34-679 regarding alternative route to education certification – ABCTE; and 2) BDR 34-817 regarding amendments in teacher licensing.

9. Fiscal Report – Review of Current Budget Account Balance

Dr. Barbee reviewed the budget status report as of January 30, 2009. Dr. Barbee stated that the total revenue received to date of \$1,440,793.40, Commission expenditures totaling \$3,342.63; total expenditures for the Licensure budget of \$729,042.14; for an available funding total of \$711,751.26.

12. Review and Approval of Pass Rate for the Early Childhood Regular Education Praxis II Exams #0021 and #0022

James Kenyon, Teacher Licensure Consultant, provided a power point presentation on the process of selecting the proposed range of set scores for exams #0021 and #0022. Mr. Kenyon stated that for exams #0021 and #0022 there was a no-fault testing period

from February 2008 until February 2009 for the purpose of gathering data from early childhood majors. Mr. Kenyon reviewed the median and maximum scores nationally and for individuals who took the exams in Nevada during the no-fault period.

Following a review of all of the data provided by Mr. Kenyon, the Commission agreed on scores for exams #0021 and #0022.

Commissioner Mendenhall moved for the passing score for the Early Childhood Regular Education Praxis II Exam #0022 to be set at 158, seconded by Commissioner Luft. The motion passed unanimously.

Commissioner Luft moved for the passing score for the Early Childhood Regular Education Praxis II Exam #0021 to be set at 160, seconded by Commissioner Ungaro. The motion passed unanimously.

13. Public hearing and Possible Adoption to Consider Comments for Temporary Regulation to NAC 391.425 – Business and Industry License – Ethnic Music

President Lark opened the public hearing 2:52 P.M. There were four individuals present. There being no public comments, President Lark closed the public hearing at 2:52 P.M.

Vice President Votraw moved to adopt temporary regulation NAC 391.425, Business and Industry License – Ethnic Music as presented, seconded by Commissioner Luft. The motion passed unanimously.

14. Public hearing and Possible Adoption to Consider Comments for Temporary Regulation to NAC 391.075 – Renewal of License: Credits and Courses

President Lark opened the public hearing 2:54 P.M. There were four individuals present. There being no public comments, President Lark closed the public hearing at 2:57 P.M.

Ms. Dopf reviewed that this amendment proposes that the Nevada Department of Education will maintain the list of state or national governance entities specific to a discipline for approval of renewal in service credit. Currently, any of these courses have to be approved by the Commission.

Commissioner Mendenhall moved to adopt temporary regulation NAC 391.075, Renewal of License; Credits and Courses as presented, seconded by Vice President Votraw. The motion passed unanimously.

15. Workshop to Solicit Comments for NAC 391.420 – Business and Industry License to add “Ethnic Dance Endorsement”

President Lark opened the workshop at 2:58 P.M. There were four individuals present, and no public comments. President Lark closed the workshop at 2:59 P.M.

It was discussed to draft language to address the coursework issue and allow individuals with the Ethnic Dance Endorsement to take courses that will further enhance their education in the area of ethnic dance. The wording would be similar to the Ethnic Music Endorsement renewal course requirements.

Vice President Votraw moved to direct staff to review NAC 391.425 to reflect appropriate coursework for Business and Industry Endorsement in Ethnic Dance, seconded by Commissioner Luft. The motion passed unanimously.

16. Update of Task Force Activities

- Update from the Alternative Route to Licensure Task Force (ARL)

Co-Chair Ungaro stated that Dr. Barbee has put together and sent out a binder of information for the ARL Task Force to review and discuss at the next meeting. Due to a room scheduling conflict the meeting scheduled for March 11 has to be rescheduled. Staff will notify Task Force members regarding the new meeting date. At the next meeting the Task Force will be viewing amendments to regulations for the non-traditional approach to licensure and will be finalizing recommendations to be submitted to the Commission. It was indicated that Task Force welcomes any input.

Ms. Dopf expressed timeline concerns with the submission of recommendations from the Task Force to the Commission at the May meeting, as it relates to the Legislature. Ms. Dopf offered that should a bill draft request become a legislative bill, she will inform the Legislature that the Commission is working on revisions to the Alternative Route to Licensure regulations and more specifically to the inclusion of ABCTE into the ARL regulations. Ms. Dopf reminded the Commission that the 2007 Legislature requested that the Commission accept the ABCTE Program for teacher licensure.

- Report from the Task Force to Review Elementary Education Licensure

Commissioner Luft stated that the Elementary Education Licensure Task Force has met twice since December 2008 and will be submitting a proposal with amendments to the Elementary Education License at the May meeting.

Commissioner Luft stated that the Task Force is actively working on amending the wording in NAC 391.095 and 391.098, the requirements for an Elementary Education License. The Task Force is also looking at making the Physical Education requirements a separate regulation.

Commissioner Luft stated that the next Task Force meeting is scheduled for April 16, 2009 to begin at 2:30 p.m. and will be video conference at the Department of Education Offices, in Carson City and Las Vegas.

17. Future Agenda Items

The following items were noted to be on the May 1, 2009 agenda:

- Public Hearing to solicit comments NAC 391.425 - Business and Industry Ethnic Dance Endorsement;
- Legislative Report and Update;
- Set Meeting Schedule for 2009-2010;
- Report from the Alternative Route to Licensure Task Force; and
- Report from the Elementary Education Licensure Task Force.

18. Comments From Public

There were no comments from the public.

19. Comments from Staff

There were no comments from staff.

20. Comments from Commissioners

There were no comments from Commissioners.

21. Adjournment of Commission Meeting

Commissioner Luft moved to adjourn the meeting at 3:30 P.M., seconded by Commissioner Ungaro. The motion passed unanimously.