Minutes of the Meeting

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

October 23, 2009

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

President Lark called the meeting of the Commission on Professional Standards in Education to order at 9:05 A.M. via video conference in the Board Conference Rooms of the Nevada Department of Education Offices in Carson City and Las Vegas, Nevada.

Roll call showed the following Commissioners present:

COMMISSIONERS PRESENT IN CARSON CITY:

Carol Lark, President
Karen Votraw, Vice President
Dr. Vernon Luft, Commissioner
Brianne Thoreson, Commissioner
Wendy Zastawniak, Commissioner

COMMISSIONERS PRESENT IN LAS VEGAS:

Bill Mendenhall, Commissioner Dr. Terry M. Owens, Commissioner Nicholas Ungaro, Commissioner

COMMISSIONER ABSENT:

Ann O'Connell, Commissioner – excused

STAFF PRESENT:

Christina Harper, Administrative Assistant to the Commission – Carson City Gloria Dopf, Deputy Superintendent, Instructional, Research and Evaluative Services – Carson City

Dr. Jerry Barbee, Director of Teacher Licensure – Las Vegas Katherine Rohrer, Supervisor of Teacher Licensure – Carson City

LEGAL COUNSEL PRESENT:

Marta Adams, Chief Deputy Attorney General on behalf of Dr. James E. Irvin, Senior Deputy Attorney General – Carson City

AUDIENCE IN ATTENDANCE:

Anna Savala, Washoe County School District – Carson City Kate Greysen, Sierra Nevada College – Carson City

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Steve Huy-Chagswan, Washoe County School District – Carson City Francey Dennis, University of Phoenix – Carson City Andre Yates, Clark County School District - Las Vegas Craig Stevens, Nevada State Education Association – Las Vegas Brenda J. Jones, Sierra Nevada College – Las Vegas Nancy Sileo, University of Nevada, Las Vegas – Las Vegas Lori Navarete, Nevada State College – Las Vegas James Yoder, Clark county School District – Las Vegas

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

The pledge of allegiance was led by Commissioner Ungaro.

Approval of Agenda

Commissioner Luft moved to approve the agenda as presented, seconded by Vice President Votraw. The motion passed unanimously.

3. Approval of Minutes: a) September 11, 2009

Vice President Votraw moved to approve the September 11, 2009 minutes as submitted, seconded by Commissioner Luft. The motion passed unanimously.

4. Fiscal Report – Review of Current Budget Account Balance

Dr. Barbee, Director of Teacher Licensure, reviewed the budget status report as of September 30, 2009. Dr. Barbee stated that total revenues received to date total \$911,052.00. Commission expenditures total \$441.13; expenditures for the Licensure budget total \$199,116.64; for an available funding total of \$711,935.36; and funding available from the Commission budget of \$11,700.87.

5. Update of Nevada Department of Education Activities

Ms. Dopf provided a follow up report for the Title II monitoring of Teacher Quality and No Child Left Behind funding which occurred September 15 and 16th. The feedback was positive and the letter of closure was received on October 21, 2009 with only two minor items to be corrected. One of the items noted was that Nevada does not have 100% of highly qualified teachers, but accepted that current actions by the school districts as a good faith effort in working towards obtaining 100% and the Department continues to move forward with highly qualified teacher efforts.

Ms. Dopf advised that the public hearings on this agenda represent regulations that the Commission previously adopted during the temporary regulation period and in order for regulations to become permanent, the Commission is required to hold another public hearing and permanently adopt the regulations.

Ms. Dopf stated that the State Improvement Plan is being finalized on November 15th, with final adoption by the State Board at the December 3rd meeting; with availability to

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the public by December 15th. At a future meeting the critical strategies relating to teacher educator quality areas will be brought forth for consideration by the Commission.

Ms. Dopf stated that the joint meeting between the Commission and the State Board of Education is scheduled for the morning of December 4th in Las Vegas; and the Commission will hold their regular meeting in the afternoon of December 4th.

Ms. Dopf advised the Commission that the ACR 2 Interim Study Group is reviewing the educational governance structure and is currently engaged in activities related to the collection of information. Ms. Dopf stated that the Commission may want to include ACR 2 on the December agenda for discussion and possible action.

Ms. Dopf reported that the Department of Education Staff has been very involved in the support of the three task forces constructed at the last meeting.

15. Future Agenda Items

The following items were discussed to be placed on the December meeting agenda:

- ACR 2 Discussion and Recommendations on the gathering of information;
- Election of Officers;
- Career and Technical Education request for individuals holding a Business and Industry Endorsement to be allowed to pursue an Administrative Endorsement;
- Elementary Education Licensure public hearing;
- Joint Meeting with State Board: Overview and Highlights of the State Board, Commission, and Department of Education.

Public Hearing and Possible Permanent Adoption of R047-09; NAC 391.015 – Location of State Offices; Acquisition of Forms for Licensure

President Lark opened the public hearing at 9:30 A.M. There were three individuals present. There being no public comments, President Lark closed the public hearing at 9:32 A.M.

Commissioner Luft moved to adopt R047-09 as submitted, seconded by Commissioner Zastawniak. The motion passed unanimously.

7. Public Hearing and Possible Permanent Adoption of R017-09 - NAC 391.075 – Renewal of License: Credits and Courses

President Lark opened the public hearing 9:33 A.M. There were three individuals present. There being no public comments, President Lark closed the public hearing at 9:34 A.M.

Commissioner Ungaro moved to adopt R017-09 as submitted, seconded by Commissioner Luft. The motion passed unanimously.

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8. Public Hearing and Possible Permanent Adoption of R018-09 - NAC 391.425 –
Business and Industry Endorsement: Qualifications for Receipt and First
Renewal – Ethnic Music and Ethnic Dance

President Lark opened the public hearing at 9:36 A.M. There were three individuals present. There being no public comments, President Lark closed the public hearing at 9:37 A.M.

Vice Chair Votraw moved to adopt R018-09 as submitted, seconded by Commissioner Luft. The motion passed unanimously.

9. Public Hearing and Possible Permanent Adoption of R048-09 - NAC 391.057 – Conditional Licensure: Categories; Qualifications; Validity; Requirements Following Issuance; NAC 391.058 – Conditional Licensure: Prerequisites to Employment of Person; Assistance, Guidance, Training, Orientation and Evaluation of Person; Cooperation with Commission and Department; and New Sections for Out-of-State License; Out-of-State Categories; Qualifications, Validity; Requirements Following Issuance; and Conditional License: Out-of-State Categories, Qualifications, Validity; Requirements Following Issuance for the Alternative Route to Licensure Program

President Lark opened the public hearing at 9:38 A.M. There were four individuals present.

Craig Stevens, Nevada State Education Association (NSEA), expressed opposition to the proposed regulations, specifically Section 5 which would allow programs, such as ABCTE, to qualify an individual for a Nevada teaching license with just the act of passing an exam. NSEA does not feel that this is sufficient to obtain a teaching license in Nevada. Mr. Stevens suggested that wording, as in Section 4(6), be included in Section 5 to ensure the individual has prior classroom experience. Mr. Stevens stated that all applicants need pre-training and prior classroom experience.

Commissioner Owens expressed that she is in favor of amending the proposal to reflect the concerns of NSEA and inquired as to that process.

President Lark advised that the language received from the Legislative Counsel Bureau (LCB) is different from what the original intent submitted to LCB and adopted as a temporary regulation by the Commission.

Dr. Barbee further clarified that the language differs from the original intent in the new sections with new references and the addition of the wording, 'Special Qualifications License'. Dr. Barbee stated that the 'special qualifications' language was not submitted by the Commission and LCB's response was that they were told that language, 'special qualifications' was supposed to include.

Dr. Barbee stated that in Section 5 – ABCTE/school district approved programs is appropriate, in which the license is valid for three years, is not renewable, and the

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applicant must provide proof that they are being hired by the school district. Dr. Barbee stated that the issue in Section 4, is the wording 'special qualification license' was added and changes the intent of the regulation. Dr. Barbee advised that the proposed language in NAC 391.057 and 391.058 is correct.

Ms. Dopf reviewed the regulation process and the options and possible actions the Commission could take regarding the adoption or non-adoption of this regulation.

Commissioner Luft provided history and stated that the 2007 Nevada Legislature recommended that the Commission consider approving the ABCTE Passport to Teaching Certificate as an alternative avenue to receive a teaching license in Nevada. The Commission formed a task force, which found that the ABCTE Passport to Teaching program had shortcomings and did not contain the requirements the task force felt were necessary to obtain a Nevada teaching license. The 2009 Legislature again strongly recommended that the Commission reconsider ABCTE as an alternative avenue to licensure; the Commission convened a new task force and developed language for a conditional licensure to accept alternative education programs from other states. The conditional license includes an additional requirement that the individual must have a promise of employment by the school district in order to receive the conditional license.

It was explained that the Special Qualifications License can be obtained, by an individual, prior to being hired by a school district.

Commissioner Luft expressed concern with the 'special qualifications' license being included as an alternative avenue to licensure within this regulation.

Commissioner Ungaro stated that the currently active AB 428 Special Qualifications Task Force reviewed the ABCTE Program issue and the Task Force was advised by the Department of Education, that the ABCTE Program could be referred back as a conditional license. Dr. Barbee responded that the ABCTE issue or certificates from other sources needs to be addressed in only one area of the regulations and is currently being proposed in the alternative route the licensure area.

Commissioner Owens proposed the Commission hold another workshop to work out these discrepancies.

Mr. Stevens stated that the issue is that the ABCTE Program does not include teaching experience and suggested for consideration inserting a requirement that the individual have previous classroom experience and hold a license from another state.

Commissioner Ungaro pointed out that the proposal does include guidelines and requirements for a mentoring program for individuals with the ABCTE Passport to Teaching Certificate.

Mr. Stevens stated that it is the student who will suffer when taught by an individual, with an inappropriate education, for one to three years. Teachers in the classroom also need classroom management skills in order to be successful.

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Commissioner Owens added that classroom experience does not equal competence and questioned what rights the school district has with regard to terminating an individual with a conditional license if their work performance is not sufficient. Dr. Barbee clarified that for an individual with a conditional license to move forward to a renewal license, the individual must have five satisfactory evaluations. If an individual with a conditional license leaves the employment of the school or their employment is terminated their license is invalidated immediately.

Commissioner Zastawniak stated that professionally and personally she agrees with the views of NSEA; however feels that there are sufficient safe guards within the regulation to guarantee that the students will not be negatively affected.

President Lark stated that there are other programs, not only ABCTE, that qualify under this regulation.

Mr. Stevens stated that under the Alternative Route to Licensure regulation an individual must complete 120 hours of training and orientation prior to entering the classroom; and the issue is classroom experience. Mr. Stevens suggested that the Commission consider adding a training/orientation prior to entering the classroom.

Commissioner Luft expressed concern that ABCTE program completers have very limited exposure to special need learners and expressed concern that if the Commission does not move forward with the adoption of the proposed regulations, it will be legislatively mandated and then the Commission will not have the latitude to make amendments as the Commission determines are necessary.

Commissioner Luft stated that as the higher education representative, he feels that there is a definite value of higher education learning and individuals who obtain the Business and Industry Endorsement must take university coursework within the first three years. There was a discussion as to where these individuals might obtain the teaching experience.

Upon questioning by Commissioner Mendenhall, Dr. Barbee responded that the Department of Education staff will prepare a list of programs for the Commission to approve.

President Lark closed the public hearing at 10:35 A.M.

Commissioner Luft moved to adopt R048-09 with amendments presented by Dr. Barbee, seconded by Vice President Votraw. The motion passed unanimously.

10. Workshop to Solicit Comments for NAC 391.131 - – Single- Subject Majors and Minors. Adding Korean, Filipino (Tagalog), and Hebrew under Foreign Languages

President Lark opened the workshop at 10:40 A.M. There were six individuals present. There being no public comments, President Lark closed the workshop at 10:41 A.M.

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The proposed amendments would add foreign languages Korean, Hebrew, and Filipino/Tagalog to the Single-Subject Major and Minors.

Commissioner Mendenhall moved to post NAC 391.131 for a public hearing at the December meeting for possible adoption, seconded by Commissioner Luft.

11. Staff Report on the Review of Special Endorsements in Administration, Physical Education, Art, And Music to be Added to a K-12 License

Dr. Barbee reported that in a review of the K-12 License, the only special endorsement specifically for a K-12 license is physical education with the other areas listed in reference to teaching experience in K-12.

Dr. Barbee stated that the documentation distributed by the Office of Teacher Licensure indicates that the Special K-12 endorsement is available in the areas of physical education, administration, art, and music. Dr. Barbee stated that there is a K-12 reference made to grade levels that covers the entire K-12 scenario.

Dr. Barbee offered to perform a parallel comparison of the Nevada Revised Statutes with the Nevada Administrative Code and then identify what the Office of Teacher Licensing is doing in that reference to interpret and report back to the Commission to ensure that the Teacher Licensure Office is following statute and in line with what the Commission desires.

Ms. Dopf commended Dr. Barbee's recommendation for wanting to review and compare the statutes and regulations, but indicated that this probably will not be ready for a report at the next meeting. A holistic review of the basic teacher licensure framework is appropriate and welcomed information in clarifying the teacher licensure process.

14. Update of Task Forces

AB 425 Sections 1 & 5

Task Force Chair Owens reported that the Task Force met on October 15th and the next video conference meeting is scheduled for November 5th at 2:30 p.m. Task Force Chair Owens stated that the Task Force discussed Sections 1 and 5 of AB 425 and made inquiries. At the November 5th meeting those inquiries and questions will be answered and the Task Force anticipates moving forward to a discussion regarding possible amendments to regulations.

AB 425 Special Education

Task Force Chair Mendenhall reported that this Task Force has held two meetings and discussed special education licensure and reciprocity. The next video conference meeting is scheduled for November 4th at 2:30 p.m. Task Force Chair Mendenhall stated that the Task Force anticipates submitting the legislative report to the Commission for approval at the December 4th meeting,

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and will be reviewing the categorical special education licensure at future Task Force meetings.

AB 428 Special Qualifications

Task Force Chair Ungaro reported that the Task Force has held two meetings and the next meeting is scheduled for November 18th at 2:00 p.m. The Task Force will be discussing possible regulation amendments in detail and anticipate presenting a proposal to the Commission at the December meeting.

13. Future Agenda Items

The following items were noted to be on the December 4, 2009 agenda:

- Public Hearings for Elementary Licensure proposed changes and amendments to NAC 391.131 – adding Korean, Filipino, and Hebrew language endorsements.
- Election of Officers:
- Submission and Approval of Report to Legislature of the AB 425 Special Education Task Force;
- Discussion of a Business and Industry Endorsement Holder to be Allowed to Pursue an Administrative Endorsement;
- ACR 2 Discussion, Response to Survey, and Development of Recommendations;
- Update from Task Forces for AB 425 Sections 1& 5; AB 425 Special Education; and AB 428 – Special Qualifications;
- Department of Education Update.

Commissioner Thoreson stated that in reference to Commissioner Luft's request and withdrawal for a secondary math endorsement task force, she is requesting reconsideration and the formation of a secondary math endorsement task force to determine if teachers who teach remedial classes for individuals who need to pass the high school proficiency exam should have additional coursework in order to teach these classes. Commissioner Luft responded that this is not necessarily a licensure issue, but the responsibility of the school and school district to ensure that the individual has the skills necessary to teach a remedial class. Commissioner Thoreson stated that it was her intent to determine if the Commission can provide those teachers with additional tools to teach remedial classes.

Ms. Dopf requested that Mrs. Harper develop and provide a listing of the date of the major revisions of regulation cycle.

Commissioner Thoreson withdrew her request for a secondary math endorsement task force at this time following a review of the regulation cycle listing.

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14. Comments From Public

Mindy Martini, Legislative Counsel Bureau and Lead Staff for the ACR 2 Interim Study and on behalf of Assemblywoman Bonnie Parnell, briefly reviewed the ACR 2 Interim Study. Ms. Martini stated that during the 2009 Legislature approved ACR 2 which directs the Legislative Commission to perform an interim study to review education governance structure. The Interim Study Group is comprised of Chair Bonnie Parnell, Vice Chair Senator Woodhouse, Senator Cegavske, Senator Horsford, Assemblyman Aizley and Assemblyman Stewart.

There will be three full day meetings scheduled for January 21, March 11, and May 13. The first two meetings will be discussion on commissions, councils and board. Ms. Martini stated that data collection includes a web-based survey addressing the effectiveness of commissions, councils and boards and recommendations to improve such commissions, councils and boards. The survey is approximately 35 pages in length and the deadline for survey completion will be mid-December accessible through a link and on the Legislative website. An individual can complete specific portions of the survey or the entire survey; and the survey can be completed individually or as a group.

Ms. Martini stated that the ACR 2 Interim Study Group would like to see a lot of input to determine trends, findings and recommendations from individuals. The Interim Study Group will be asking specific questions based upon the information received from the surveys. The Commission will be invited to speak to the Interim Study Group and respond to questions by the Group.

(Commissioner Mendenhall left the meeting at 11:15 A.M.)

15. Comments from Staff

Ms. Dopf introduced Katherine Rohrer as the new Northern Nevada Teacher Licensure Office Program Officer III. Ms. Rohrer stated that she is looking forward to working for the Nevada Department of Education Licensure Office and the Commission.

16. Comments from Commissioners

Upon an inquiry by Commissioner Luft, Ms. Dopf responded that the Regional Professional Development Programs by law submit reports to the Commission and no action is required by the Commission, but the Commission may discuss if necessary.

17. Adjournment of Commission Meeting

Vice President Votraw moved to adjourn the meeting at 11:33 A.M., seconded by Commissioner Ungaro. The motion passed unanimously.