

Minutes of the Meeting

STATE OF NEVADA
DEPARTMENT OF EDUCATION

COMMISSION ON PROFESSIONAL STANDARDS IN EDUCATION

March 26, 2010

Call to Order; Roll Call; Pledge of Allegiance

President Owens called the meeting of the Commission on Professional Standards in Education to order at 9:00 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 LAS VEGAS:

Dr. Terry Owens, President
Nicholas Ungaro, Vice President
Bill Mendenhall, Commissioner

COMMISSIONERS PRESENT IN CARSON CITY:

Dr. Vernon Luft, Commissioner
Brienne Thoreson, Commissioner
Karen Votraw, Commissioner
Wendy Zastawniak, Commissioner

COMMISSIONER ABSENT:

Ann O'Connell, Commissioner – excused

STAFF PRESENT IN CARSON CITY:

Gloria Dopf, Deputy Superintendent, Instructional, Research and Evaluative Services

STAFF PRESENT IN LAS VEGAS:

Dr. Jerry Barbee, Director of Teacher Licensure

LEGAL COUNSEL PRESENT:

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

AUDIENCE IN ATTENDANCE IN LAS VEGAS:

Andre Yates, Clark County School District
Peter Yeager, Educational Testing Service
Jerry DeLuce, Educational Testing Service

Brenda Jones, Sierra Nevada College
Nancy Sileo, University of Nevada, Las Vegas
Annie Amoia, Clark County School District
Ray Garubo, University of Phoenix

AUDIENCE IN ATTENDANCE IN CARSON CITY:

Anna Savala, Washoe County School District

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

The pledge of allegiance was led by President Owens.

Approval of Agenda

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

Approval of Minutes: a) February 5, 2010 Meeting

Commissioner Votraw moved to approve the February 5, 2010 meeting minutes as presented, seconded by Vice President Ungaro. The motion passed unanimously.

Fiscal Report – Review of Current Budget Account Balance

Dr. Barbee, Director of Teacher Licensure, reviewed the budget status report as of March 5, 2010. Dr. Barbee stated that total revenues received to date total \$1,395,330.25. Commission expenditures total \$5,002.70; expenditures for the Licensure budget total \$856,466.09; for an available funding total of \$538,864.16; and funding available from the Commission budget of \$7,139.30. Dr. Barbee stated that the budget is within the parameters of the work program for the remainder of the fiscal year.

Update of Nevada Department of Education Activities

Ms. Dopf updated activities that occurred during the Legislative Special Session.

- Senate Bill 3 was the bill that proposed amendments to the operations of State Agencies to include a four day/ten hour workday. This bill was vetoed by the Governor.
- Senate Bill 2 was passed by the Legislature and signed by the Governor. This bill eliminated the statutory barrier of using student achievement data for teacher evaluation. Senate Bill 2 will now allow Nevada to apply for Phase II Race To The Top funding. Governor Gibbons has selected a Blue Ribbon Task Force to help in the Race To The Top application process.

Ms. Dopf reported with regard to Race To The Top activities, the State Department of Education, School Districts, and key stakeholders (higher education, teacher associations, and the professional development centers) have been engaged in work for applying for Race To The Top funding. Ms. Dopf advised the Commission regarding

their involvement with the Race To The Top application; as there are some areas within teacher and administrator effectiveness, particularly in the alternate route to licensure for principals that are direct linkages to the Commission's responsibility.

Ms. Dopf stated that the Department anticipates an end of May submission of the application to the Governor and Blue Ribbon Task Force.

Upon questioning by Commissioner Votraw, Ms. Dopf responded that the potential funding that Nevada could receive in Tier 4 is approximately \$60–175 million over a four year period. Fifty percent of the funds allocated to Nevada will be distributed to the participating school districts based upon a Memorandum of Understanding between the State and the school districts.

Approval of a Foreign Transcript Evaluator

- Academic & Credential Records, Evaluation, & Verification Services (ACREVS) Incorporated

Dr. Barbee stated that Academic & Credential Records, Evaluation & Verification Services (ACREVS) Incorporated has requested to be added to the list of approved Foreign Transcript Evaluators. They provide a service of an evaluation of a foreign transcript or degree with United States Standards. Dr. Barbee recommended that the Commission approve Academic & Credential Records, Evaluation & Verification Services (ACREVS) Incorporated to be added as a foreign transcript evaluator.

Commissioner Luft moved to approve and add Academic & Credential Records, Evaluation & Verification Services (ACREVS) Incorporated to the list of approved foreign transcript evaluators, seconded by Commissioner Votraw. The motion passed unanimously.

Submission and Possible Approval of Recommendations From the Alternative Route to Licensure for Administrators Task Force

President Owens, Chair of this Task Force, stated that this Task Force held one very productive meeting and agreed on draft language for submission to the Commission for review and approval to move to a workshop.

Dr. Barbee reviewed the recommendations from the Task Force. Dr. Barbee stated that the proposal is patterned after the alternative route to licensure for teachers. This licensure application has to be initiated by the school district with a request that an individual be placed in this program based upon need; and would then have to be approved by the Superintendent of Public Instruction.

Upon questioning by Commissioner Luft, Dr. Barbee responded that the proposed language allows for flexibility for an analysis of mentoring needed during the three year period of the license.

Dr. Barbee agreed with Ms. Dopf that additional language is needed to clarify coursework verification that is to be submitted from the District to the Department.

Update of A.C.R. 2 Committee and Discussion of Potential Commission Activities Resulting from the A.C.R. 2 Committee Meeting

President Owens stated that she testified on March 11, 2010 before the A.C.R. 2 Interim Committee with a focus on Race To The Top, in addition to the Commission on Professional Standards in Education and A.C.R. 2 survey results. President Owens stated that there is a perception that the Commission is influenced by the Teacher's Union. President Owens advised that she denied this statement, as did Dr. Rheault.

Commissioner Luft stated that Senator Cegavske's comments regarding the influence of the Teacher's Union might have been in a response to the heavy lobbying done by the Teacher's Union with Legislators and Legislative Committees; but Commissioner Luft reiterated that that is not the case with the Commission.

Commissioner Luft stated that the results of the survey, with only a few individuals providing responses, the comments range from negative to positive and with only a few individuals providing responses one has to be cautious about how the results are interpreted. President Owens noted that the individuals providing those responses were not aware of the Commission's responsibilities.

President Owens stated that she felt her testimony went well. She also fielded questions from the Committee regarding the issue of the Commission being left out of the elimination of other Commissions. President Owens stated she was questioned if she thought the Commission should be under the State Board of Education and she responded that the Commission should remain a standalone commission.

Senator Woodhouse commended the Alternative Route to Licensure Task Force for moving quickly on this issue and effectiveness of developing language in an effort to move the Race To The Top application forward.

Submission and Possible Approval of Recommendations From the Alternative Route to Licensure for Administrators Task Force

Upon a recommendation by Deputy Attorney General Irvin, President Owens asked for a motion regarding the Task Force's recommendations before moving forward to workshop.

Commissioner Luft moved to approve the recommendations submitted by the Alternative Route to Licensure for Administrators Task Force and move to workshop, seconded by Vice President Ungaro. The motion passed unanimously.

Workshop to Solicit Comments for NAC 391.036 – Tests of Competency Required for Initial License; Exemptions; Failure to Comply; Administration of Tests; and a New Section Allowing an Individual Licensed to One Student Level Is Not Required to Participate in a Program of Student Teaching as a Condition To the Issuance of an Additional License in Another Student Level

President Owens opened the workshop at 10:00 A.M. There were six individuals present. There being no public comments, President Owens closed the public hearing at 10:02 A.M.

President Owens, as the Chair of the Task Force, stated that this Task Force was tasked with first the development of language to address student teaching for an individual with a current teaching license and could obtain a teaching license in another level without having to complete the student teaching component; and secondly develop language with regards to testing for individuals coming from other states with a non-provisional license.

Commissioner Luft questioned where in the proposal the language dealt with the elimination of student teaching when moving from one grade level to another. President Owens responded that this was an oversight and that language should have been included and stated that this language will be inserted into Section 1.

Upon questioning by Commissioner Luft, Deputy Attorney General Irvin stated that this language can move to a public hearing, as long as the discussed language will be clarified by Legislative Counsel Bureau and brought to a public hearing.

Vice President Ungaro moved to hold a public hearing for the subject matter of this workshop, including NAC 391.036, to public hearing at the next meeting including all of the discussions that occurred at this meeting, seconded by Commissioner Luft. The motion passed unanimously.

Public Hearing and Possible Permanent Adoption of R007-10; NAC 391.170 – Endorsement as Professional Administrator for School or Program

President Owens opened the public hearing at 10:15 A.M. There were six individuals present. There being no public comments, President Owens closed the public hearing at 10:16 A.M.

There being no further discussions, Commissioner Luft moved to adopt R007-10; NAC 391.170 Endorsement as Professional Administrator for School or Program, seconded by Commissioner Votraw. The motion passed unanimously.

Workshop to Solicit Comments for a New Regulation for The Alternative Route to Licensure for Administrators

President Owens opened the workshop at 10:18 A.M. There were six individuals present. There being no public comments, President Owens closed the workshop at 10:19 A.M.

Commissioner Luft started the discussion regarding the number of hours needed prior to applying for this endorsement, currently proposed at 80 hours. Commissioner Luft suggesting reducing the number of hours required prior to beginning the administrator duties, but increase the training hours after they begin their administrative duties to 60/60 or 40/80. President Owens supported the idea to reduce the number of hours prior to duties.

Commissioner Zastawniak supported a 60/60 hour split due to the extensive duties of an administrator.

Commissioner Votraw questioned if the 80 hour requirement could be completed through the District such as in a conference setting to allow the Districts flexibility.

Dr. Barbee stated that when the Licensing Office receives and reviews an ARL application, it does not specify the orientation, but the Licensure Office does review the orientation program in order to ensure it addresses specific areas, but leaves the decision up to the District based upon the District's specific needs. The Districts are to provide an outline of the training and activities.

Ms. Dopf suggested adding "course work" into Section 8.

Deputy Attorney General Irvin, speaking as a member of the public, noted in a previous litigation regarding a teacher who was provided the training prior to school starting and then had a difficult classroom situation in which the teacher was not qualified to handle; in that litigation it became very important that the teacher had the training, because the issue was whether the teacher was competent at the time school started and whether the School District had looked into the issue to provide the systemic process to make it appear that the teacher was qualified when the children came into the room. The suggestion of 40 hours at the beginning as opposed to a total of 120 hours, based upon that experience, would be much more defensible and would be a better showing of compliance with the standard of care.

Commissioner Luft suggested amending the wording in Section 6, to add "a minimum of 40 hours" following the wording ...private school is required to offer and [80] *a minimum of 40 hours* of orientation and training...; and in Section 7(a), ...Receive an additional [40] hours of orientation and training as provided by the school district, charter school, or private school *for a total of 120 minimum hours*.

Commissioner Luft moved to hold a public hearing on the New Regulation for the Alternative Route to Licensure for Administrators with the amendments suggested, seconded Vice President Ungaro. The motion passed unanimously.

A break was granted 10:40 A.M.
The meeting reconvened at 10:56 A.M.

Submission and Possible Approval of Recommendations From the AB 428 Special Qualifications Task Force

Vice President Ungaro, as the Task Force Chair, stated that the Task Force held their last meeting on March 10, 2010 and developed recommendations for the Commission. Vice President Ungaro reviewed the recommendation and reiterated that AB 428 mandated that the Commission develop regulations to allow individuals with a bachelor's degree to obtain a teaching endorsement in specific fields of study to qualify for a Special Qualification License.

Commissioner Luft moved to accept the recommendations of the Task Force and move to hold a workshop, seconded by Vice President Ungaro. The motion passed unanimously.

Possible Appointment of Task Force to Review Career and Technical Teacher Preparation Regulations

Commissioner Luft stated that the specified course work for a Career and Technical Education (CTE) teacher preparation have not been updated since 1992, but the Business and Industry general requirements were updated about three years ago. The CTE regulations need to be updated in order for the coursework to be aligned with licensing requirements.

Commissioner Luft stated that in his opinion the CTE requirements are antiquated and need to be updated. Commissioner Luft also added that with the proposed cutbacks and elimination of programs at the University of Nevada Reno; the Family Consumer Science and Agriculture Education programs will not be able to prepare teachers in those licensing areas.

Commissioner Luft recommended that the Commission appoint a task force to review the current regulations for CTE and the Business Education area and to make recommendations for amendments. Commissioner Luft volunteered to chair the task force.

Commissioner Luft moved to appoint a task force to review the Career and Technical Education licensure regulations for individuals going through the regular teacher education programs and develop recommendations, seconded by Vice President Votraw. The motion passed unanimously.

Commissioner Luft volunteered to chair this Task Force and Commissioner Votraw will be a member.

Update From Task Forces

- AB 425 – Special Education

Commissioner Mendenhall stated that this Task Force continues to meet looking at reciprocity and possible collapsing of the special education licensing

categories into a smaller framework. Commissioner Mendenhall stated that a meeting has been scheduled for April and requested that the Commission provide and approve travel funding for this Task Force to meet face to face in Las Vegas for a full day meeting to work out the final language recommendations for submission to the Commission.

Upon questioning by President Owens regarding the financial impact on the Commission's budget of this request, Dr. Barbee stated that it has been the policy of the Commission that any task force meetings would be on a voluntary basis and not financially supported by the Commission budget.

Ms. Dopf stated that the operational budget for the Commission is a set amount and consequently the number of task forces and the number of task force members are not developed and included in the funding in the budget. In an effort to try and safe guard the travel budget; task forces have not been allowed travel funding in an effort to not deplete the Commission travel budget. With that said, with the addition of video conferencing of meetings there has been a savings in the Commission's travel budget and with only one Commission meeting remaining in the fiscal year, there is not a problem with attaching travel expenses to a task force meeting as long as the May meeting of the Commission is safe guarded for travel expenses.

Deputy Attorney General Irvin stated, as a caution, that there is an Attorney General Opinion that was authored regarding Washoe County and the Board of Trustees, who have very stringent travel requirements, which stated that no travel was to be authorized of less than a whole body of the group. Mr. Irvin stated that this Opinion does not exclude the payment of travel of task forces for the Commission, but cautioned the Commission during this state's budget crisis.

Commissioner Luft supported the request for the Special Education Task Force to meet face to face due to the extensive regulations governing special education and the amendments being proposed could be major. This type of major amendment should be reviewed by the entire Task Force face to face in order to save time; based upon a discussion with a UNR representative on the Task Force. Commissioner Luft also suggested that each Task Force member try first to secure travel funding from other resources and then for the Commission to pay for the remainder of Task Force members to attend the face to face meeting, if only one to two members. Commissioner Luft stated that this will set precedence for future task forces, but would like the work of the Task Force to move forward.

Commissioner Mendenhall stated that he will move forward with scheduling the next meeting and determine which Task Force Members could provide their own travel funding.

- Elementary Licensure

Commissioner Luft stated that the language that was received back from Legislative Counsel Bureau (LCB) needs to be completely redone and reviewed by the Elementary Licensure Task Force. Dr. Marilyn Ford has reviewed the LCB proposal with suggested amendments. The Elementary Licensure Task Force is scheduled to meet on April 14, 2010 to review the amendments to the LCB proposal to ensure that the intent of the Task Force is clear in the language.

Commissioner Luft will provide an update that the next Commission meeting.

Decide on Location or Video Conference For the May 21, 2010 Commission Meeting

President Owens suggested that the Commission meeting face to face in Carson City for the May 21, 2010 meeting.

Ms. Dopf recommended that the Commission continue to provide video conferencing for the public.

Commissioner Luft moved for the May 21, 2010 meeting to be a face to face meeting for Commissioners to be held in Carson City and continue with video conferencing availability for the public, seconded Vice President Ungaro. The motion passed unanimously.

It was requested for the meeting to begin approximately 9:00 A.M., based upon flight time availability.

Future Agenda Items

The following items were noted to be on the May 21, 2010 agenda:

- Public hearing for NAC 391.036 – Tests of Competency;
- Public hearing for Alternative Route to Licensure for Administrators;
- Workshop for NAC 391.0583 – Special Qualifications License;
- Recommendations from the AB 425 – Special Education Task Force;
- Workshop of Special Educations Regulations;
- Update from Task Forces for AB 425 – Special Education; Elementary Licensure; and CTE Licensure Task Force; and
- Department of Education Update

Comments From Public

Andre Yates, Clark County School District, requested that the Commission place the following two items on the May 21, 2010 agenda: 1) Review of NAC 391.392 – alternative education requirement with regard to the exclusion of Business and Industry endorsement holders in alternative sites; and 2) NAC 391.088 and 391.089 – Early Childhood endorsements with the possible appointment of a task force.

Comments from Staff

Ms. Dopf reminded the Commission that the temporary regulation period begins on July 1, 2010 with regard to recommendations from upcoming task forces. Any language submitted to LCB after July 1, 2010 will be considered a temporary regulation.

Dr. Barbee requested that the Commission, at the next meeting, review and clarify the current substitute license regulations. The current regulation does not specify that a license of higher standards would supersede a substitute license. Dr. Barbee stated that some Districts are requiring an individual have the substitute license even though they already hold a higher license in good standing.

Comments from Commissioners

Commissioner Luft stated that in regard to the University of Nevada, Reno budget cuts for 2011; the College of Education will be hit hard. In order to eliminate tenured staff, programs will have to be eliminated. The Provost's proposal is to include the elimination of counseling programs, the Teaching English to Speakers of Other Languages Master's degree, all doctoral programs and to reduce the College of Education to a single unit without departments. Commissioner Luft stated that he will be able to provide a final outlook of UNR's College of Education budget at the next Commission meeting.

The Commission expressed concern with the regard to the possible elimination of the school counselor program at UNR and the essential role that school counselors play in the schools.

20. Adjournment of Commission Meeting

President Owens adjourned the meeting at 11:58 A.M.