Minutes of the Meeting

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

March 24, 2011

**Call to Order; Roll Call; Pledge of Allegiance**

President Owens called the meeting of the Commission on Professional Standards in Education to order at 9:05 A.M. via video conference in the Board Conference Room 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
Brian Boothe, Commissioner
Dr. Nancy Sileo, Commissioner
Elissa Couch, Commissioner
Dr. Cheryl Lau, Commissioner

COMMISSIONERS PRESENT IN CARSON CITY:

Brianne Thoreson, Vice President
Mary Keith, Commissioner
Wendy Zastawniak, Commissioner

STAFF PRESENT IN CARSON CITY:

Christina Harper, Commission Administrative Assistant
Katherine Rohrer, Licensure Office

STAFF PRESENT IN LAS VEGAS:

Dr. Jerry Barbee, Director of Teacher Licensure

LEGAL COUNSEL PRESENT IN LAS VEGAS:

Robert Whitney, Deputy Attorney General

AUDIENCE IN ATTENDANCE IN CARSON CITY:

Thomas Harrison, University of Nevada, Reno – College of Education
Francey Dennis, University of Phoenix, College of Education
MaryAnn Demchak, University of Nevada, Reno
Margaret Ferrara, University of Nevada, Reno – College of Education
Peter J. Ferrara, MPAT, LLC, Reno, Nevada
Anna Savala, Washoe County School District

AUDIENCE IN ATTENDANCE IN LAS VEGAS:

Andre Yates, Clark County School District – Director of Licensure and Recruitment
Brenda J. Jones, Sierra Nevada College
Carol Foster, University of Phoenix
Jerry DeLuca, Educational Testing Service
Jim LaBuda, NSC

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

Commissioner Boothe led the pledge of allegiance.

**Approval of Agenda**

**MOTION:** Vice President Thoreson moved to approve the agenda as presented, seconded by Commissioner Zastawniak. The motion passed unanimously.

**Approval of Minutes: a) February 9, 2011 and March 1, 2011 Meeting**

**MOTION:** Commissioner Lau moved to approve the February 9 and March 1, 2011 minutes as submitted, seconded by Vice President Thoreson. The motion passed unanimously.

**Fiscal Report – Review of Current Budget Account Balance**

Dr. Jerry Barbee, Director of Teacher Licensure, reviewed the budget status report dated March 4, 2011. Dr. Barbee reported that half way through the fiscal year, revenues received to date total $1,212.013. The Commission's expenditures total $6,699; expenditures for the Licensure budget total $791,837; for an available funding total of $420,175; funding available from the Commission budget of $5,431.

**Update of Nevada Department of Education Activities**

Dr. Barbee stated that there have been changes to the internal licensure office supervisory structure; work performance standards have been established for all of the positions in both Carson City and Las Vegas. Kyla Evans will now supervise all administrative assistant staff in the Las Vegas office; Dr. Katherine Rohrer will supervise all of the licensure analysts in both Carson City and Las Vegas; and Jim Kenyon will be responsible for providing reports and overseeing the testing and in-service programs.

Dr. Barbee advised that he will not be retiring and will be relocating to the Carson City office in June, but will be in the Las Vegas office twice monthly.

Dr. Jerry Barbee reported that the Licensure Office is in the process of implementing a new data base as a program improvement area for teacher licensing. Phase I, at no cost to the Department of Education through a grant from the Department of Information Technology, has an implementation date of May 1, 2011. The Department of Information Technology has streamlined the process for increased accuracy and

efficiency and for the issuance of licenses electronically. Phase II implementation will include an on-line application process with the allowance for credit card payments.

Dr. Barbee advised that the INTASC Standards are to be received by Monday, March 28th. Dr. Barbee stated that when the INTASC Standards are received they will be incorporated into the records manual for the university/college evaluation and will be forwarding the complete document to university representatives.

Dr. Barbee reported that there are currently 3,000 files remaining to be scanned/imaged; it is projected that by May 15th all of the existing files should be imaged into the system and then the Licensure Office will proceed to scan all 90-day files by June 30th; On July 1st, the Department of Education staff will be responsible for the scanning/imaging of files.

**ACTION:** The Department of Education Licensure Office will make a presentation to the Commission regarding the program completer reports and the electronic fingerprinting program at the July/August meeting.

**2011 Legislative Report and Update**

Dr. Jerry Barbee reported that currently (at the time of this meeting) the Department of Education's budget hearings are being heard.

Dr. Barbee stated that AB 39 revises NRS 391.042 to eliminate the requirement for the Nevada Department of Education to send notification by mail regarding a licensed individual's license expiration and is replaced with maintenance of a directory and information available on the Department's website. Dr. Barbee reported that approximately 35-40% of the licensure expiration notifications are returned as "undeliverable". The Department's website is updated daily with education licensure information with access to teachers, schools and school districts. If AB 39 is approved it would become effective July 1, 2011; with a cost savings of approximately $15,000 – $20,000.

Dr. Barbee stated that AB 230 would require that the Commission, prior to December 31, 2011 adopt regulations to the Alternative Route to Licensure program addressing the requirement that the education/training be provided by an institution, including institutions of higher education and other providers that operate independently of an institution of higher education, approved by the Commission; that the education/training is to be completed in two years or less; and upon completion of all education and training requirements the individual must be issued a regular teacher license. It was discussed that the Commission developed and submitted a Position Paper addressing the Alternative Route to Licensure program.

Upon questioning by Commissioner Couch regarding how the Commission could influence the outcome of AB 230; Dr. Barbee advised that the Commission has drafted and submitted a Position Paper and suggested that a Commission provide testimony at the Legislature during the hearing of AB 230.

President Owens questioned who the Position Paper was submitted to. Dr. Barbee responded that he would check with State Superintendent Dr. Rheault to determine if there was as response to the Commission's Position Paper.

Vice President Thoreson volunteered to attend the next Legislative hearing on AB 230 and provide testimony. Dr. Barbee will inform Vice President Thoreson of the next hearing for AB 230.

Commissioner Keith questioned Dr. Barbee regarding the teacher licensure data base; as she tried to access the data base for a particular teacher and that teacher did not show up in the data base, but there was paperwork for this teacher that indicated that this teacher was highly qualified. Commissioner Keith questioned if the data base will be consistently updated. Dr. Barbee responded that the current FoxPro system is not handling data effectively and the reason for updating to a new data base system. The data base is updated every morning and the new data base system will definitely be an improvement from the current FoxPro data base system. Dr. Barbee advised that there will be a 24 hour delay in the system update of information.

**Public Hearing to Consider Comments and Possible Adoption for Temporary Regulation NAC 391.378 – Qualifications for Teaching Pupils Who Have Autism**

President Owens opened the public hearing at 9:38 A.M. There were ten individuals present. There was public comment.

MaryAnn Demchak, University of Nevada, Reno-Special Education Department and Vice Chair of the Special Education Advisory Committee (SEAC), endorsed autism as a stand-alone endorsement. Dr. Demchak advised that the University of Nevada, Reno–Special Education Department endorses the proposal for autism as a stand-alone endorsement.

Andre Yates, Clark County School District, thanked the Commission, the Special Education Task Force and SEAC for their time and effort into the drafting and review of this proposal. Mr. Yates expressed support for this proposal for autism to be a stand-alone endorsement and is excited to utilize this endorsement to fill vacancies within autism classrooms.

President Owens closed the public hearing at 9:43 A.M.

**MOTION:** Commissioner Zastawniak moved to adopt proposed NAC 391.378 – Qualifications for Teaching Pupils Who Have Autism, seconded by Vice President Thoreson. The motion passed unanimously.

**Public Hearing to Consider Comments and Possible Adoption for Temporary Regulations for Amendments to Special Education Regulations: NAC 391.054 – Licensure of Person Licensed or Certified in Another State; NAC 391.343 – Generalist Endorsement; NAC 391.347 – Limited Endorsement to Teach Pupils Who Have Specific Learning Disabilities, Emotional Disturbances or Mild to Moderate Mental Retardation; Delete NAC 391.350 – Qualifications for Teaching**

**Pupils Who Have Serious Emotional Disturbances and Moderate to Intense Needs for Assistance and Intervention; Delete NAC 391.356 – Qualifications for Teaching Pupils Who Have Specific Learning Disabilities and Moderate to Intense Needs for Assistance and Intervention; Delete NAC 391.360 – Qualifications for Teaching Pupils Who Have Intellectual Disabilities and Moderate to Intense Needs for Assistance and Intervention; Delete NAC 391.363 – Qualifications for Teaching Pupils Who Have Disabilities and Who are Under 8 Years of Age; Delete NAC 391.376 – Endorsement as Professional Teacher of Pupils Who Have Disabilities; Delete NAC 391.380 – Qualifications for Teaching Pupils Who Have Orthopedic Impairments; Delete NAC 391.381 – Qualifications for Teaching Pupils, Who Have Health Impairments, Other Than Orthopedic, That Adversely Affect Educational Performance; and Delete NAC 391.383 – Qualifications for Teaching Pupils Who Have Traumatic Brain Injury**

President Owens opened the public hearing at 9:48 A.M. There were ten individuals present. There was public comment. President Owens stated that the proposal is a result of recommendations of a Special Education Task Force that met over an eleven month period of time.

MaryAnn Demchak, University of Nevada, Reno-Special Education Department and Vice Chair of the Special Education Advisory Committee (SEAC), expressed support for the proposed amendments to the special education regulations, except for NAC 391.350 as this is recognized as a unique population of students and their unique needs. Dr. Demchak recommended retaining NAC 391.350 as written to meet the needs of this population of students who have serious emotional disturbances and moderate to intense needs for assistance and intervention.

President Owens closed the public hearing at 9:53 A.M.

Commissioner Keith commented as the Special Education Representative on the Commission, that she appreciates and agrees with the recommendation to retain NAC 391.350 as this is a unique population of students and this endorsement is necessary in order to adequately address their needs.

Commissioner Couch stated that she is in favor of deleting NAC 391.350, as the course requirements are covered in NAC 391.340, 391.343 and 391.347. Commissioner Keith responded and expressed concern that the coursework requirements in NAC 391.340, 391.343, 391.347 are not sufficient for a teacher to be properly prepared to handle a student with serious emotional disturbances.

**MOTION:** Commissioner Sileo moved to approve the proposed temporary special education regulations; NAC 391.054 – Licensure of Person Licensed or Certified in Another State; NAC 391.343 – Generalist Endorsement; NAC 391.347 – Limited Endorsement to Teach Pupils Who Have Specific Learning Disabilities, Emotional Disturbances or Mild to Moderate Mental Retardation; Delete NAC 391.356 – Qualifications for Teaching Pupils Who Have Specific Learning Disabilities and Moderate to Intense Needs for Assistance and Intervention; Delete NAC 391.360 – Qualifications for Teaching Pupils Who Have Intellectual Disabilities and Moderate to

Intense Needs for Assistance and Intervention; Delete NAC 391.363 – Qualifications for Teaching Pupils Who Have Disabilities and Who are Under 8 Years of Age; Delete NAC 391.376 – Endorsement as Professional Teacher of Pupils Who Have Disabilities; Delete NAC 391.380 – Qualifications for Teaching Pupils Who Have Orthopedic Impairments; Delete NAC 391.381 – Qualifications for Teaching Pupils, Who Have Health Impairments, Other Than Orthopedic, That Adversely Affect Educational Performance; and Delete NAC 391.383 – Qualifications for Teaching Pupils Who Have Traumatic Brain Injury; except for NAC 391.350 – Qualifications for Teaching Pupils Who Have Serious Emotional Disturbances and Moderate to Intense Needs for Assistance and Intervention and to hold a second public hearing for NAC 391.350 at the May Commission meeting to allow for additional public input, seconded by Vice President Thoreson. The motion passed unanimously.

**Public Hearing to Consider Comments and Possible Adoption for Temporary Regulation NAC 391.1306 – Major or Minor in Social Studies**

President Owens opened the public hearing at 10:05 A.M. There were ten individuals present. There was public comment.

Commissioner Boothe reviewed the proposed amendments to NAC 391.1306 as recommended by the Task Force.

Dr. Margaret Ferraro, Professor at the University of Nevada Reno and advisor for the Social Studies Department, thanked the Commission and the Task Force for their work on this proposal, as it sets out a clear set of requirements and expressed her support for the proposal.

President Owens closed the public hearing at 10:09 A.M.

**MOTION:** Commissioner Lau moved to adopt the temporary regulation proposal for NAC 391.1306 – Major or Minor in Social Studies, seconded by Vice President Thoreson. The motion passed unanimously.

**Discussion and Appointment of a Standing Task Force for Review and Analysis of Nevada Administrative Code 391 to Ensure Regulation Language And Interpretation Consistency**

Dr. Barbee stated that he would like to align the regulations with interpretation to issue licenses and to become more efficient and effective in the issuances of licenses. Dr. Barbee suggested appointing a Standing Task Force to meet for the purpose of reviewing regulations and clarifying interpretation over the next year.

The following Commissioners volunteered to be members of the Standing Task Force: Vice President Thoreson; Commissioners Keith and Sileo.

**Create and Appoint Task Forces:**

- Assembly Concurrent Resolution No. 2 (ACR 2) Action Plan Task Force

President Owens stated that per a request from the ACR 2 Committee and from the meetings of the ACR 2 Action Plan Task Force it was recommended to appoint two task forces to address 1) teachers of diverse populations (ELL, ethnic groups, poverty, and special education); and 2) the effect of rigorous standards on teachers and student outcomes.

- Teachers of Diverse Populations Task Force: Commissioner Couch volunteered to chair this task force and will set up a meeting prior the next Commission meeting in May.

- Effect of Rigorous Standards on Teachers and Student Outcomes Task Force: Commissioner Zastawniak volunteered to chair this task force; and Vice President Thoreson volunteered to be a member of this task force. Commissioner Zastawniak will schedule a meeting prior the next Commission meeting in May.

**Assignment of Commissioners to Solicit Input/Feedback from Stakeholders and National Educator Associations**

President Owens made the following assignments:

Nevada State Education Association (NSEA) – Commissioner Boothe;
Nevada Association of School Administrators (NASA) – President Owens;
Phi Delta Kappa (PDK) – President Owens;
Council for Chief State School Officers (CCSSO) – Commissioner Lau;
Association for American Educators (AAE) – Commissioner Boothe

Commissioner are to contact the appropriate organizations and report back to the Commission at the May meeting.

**Future Agenda Items**

The following items were noted to be on the May 4, 2011 agenda:

- Department of Education Update;
- Legislative Update;
- Public Hearing: 1) NAC 391.350 – Qualifications for Teaching Pupils Who have Serious Emotional Disturbances and Moderate to Intense Needs for Assistance and Intervention ;
- 2010-2011 Commission Meeting Schedule;
- Update from Task Forces: Teachers of Diverse Populations and Effect of Rigorous Standards on Teachers and Student Outcomes.

**Comments From Public**

There were no further comments from public.

**Comments from Staff**

Dr. Barbee reported that AB 39 was heard on March 7, 2011 and was amended and passed as amended; AB 230 was heard on March 2, March 7 with no action, March 21 was passed, and on March 23 a second reading was conducted.

Mrs. Harper updated regarding the appointment for the Administrator position, the nominees have been submitted to the Governor's Office and waiting for the Governor to make the appointment.

Mrs. Harper advised that there are a number of Commissioners whose first term will expire on June 30, 2011; she will contact those Commissioners to determine if they desire to seek a second term in order to begin the reappointment process.

**Comments from Commissioners**

Commissioner Keith thanked Mrs. Harper for keeping her on task with regards her Commission responsibilities.

President Owens also thanked Mrs. Harper for keeping the Commission on task and the details in the minutes.

President Owens stated that the next Commission meeting is scheduled for May 4, 2011 via video conference to begin 9:00 A.M.

**Adjournment of Commission Meeting**

President Owens adjourned the meeting at 10:32 A.M.