

Minutes of the Meeting

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

May 4, 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 9:00 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  
Elissa Couch, Commissioner  
Dr. Nancy Sileo, Commissioner

COMMISSIONERS PRESENT IN CARSON CITY:

Brianne Thoreson, Vice President  
Dr. Cheryl Lau, Commissioner  
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:

Dr. James E. Irvin, Senior 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

AUDIENCE IN ATTENDANCE IN LAS VEGAS:

Andre Yates, Clark County School District – Director of Licensure and Recruitment

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

Commissioner Sileo led the pledge of allegiance.

### **Approval of Agenda**

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

### **Approval of Minutes: a) March 24, 2011 Meeting**

**MOTION:** Vice President Thoreson moved to approve the March 24, 2011 minutes as submitted, seconded by Commissioner Lau. 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 April 8, 2011. Dr. Barbee reported that revenues received to date total \$1,347,017. The Commission's expenditures total \$8,616 for an available funding of \$3,514; expenditures for the Licensure budget total \$954,645 for an available funding total of \$392,371.

Dr. Barbee reported that the imaging of all of the licensing files will be finished in the very near future.

Dr. Barbee stated that the Licensure Office's budget closed on May 2<sup>nd</sup> and the Licensure Office/Commission's budget is status quo for the next biennium; with a requirement to provide quarterly reports of revenue and the reserve funding balance.

President Owens complimented the Licensure Staff on the completion of the imaging project of all educators licensing files.

### **Update of Nevada Department of Education Activities**

Dr. Barbee stated that he will be attending a Legislative Regulation Committee hearing on May 5<sup>th</sup> in reference to the elementary education regulations adopted by the Commission.

Dr. Barbee advised that there is a "Team" representing the Nevada Department of Education reviewing teacher education effectiveness. A conference, sponsored by the Council of Chief State School Officers (CCSSO), was held in Washington D.C., this past week, wherein 28 states participated. This was a very intense review of teacher education, teacher preparation, and educator licensure, to include policy and data collection. The concept of revisiting educator evaluation/effectiveness and the utilization of student performance as a measure for teacher performance was discussed. Dr. Barbee will keep the Commission updated and informed regarding this subject.

### **2011 Legislative Report and Update**

Dr. Jerry Barbee provided a handout outlining Assembly and Senate Bills relating to education. The handout included the following information: 1) the Bill Number, 2) a brief description of the bill, and 3) where the bill is in the legislative process.

Commissioner Couch requested that the Commission's Position Paper regarding Alternative Routes to Licensure (ARL) be submitted and read into the record at the May 11, 2011 hearing for AB 230. Dr. Barbee stated that he will ensure that the Position Paper is submitted into the record.

**MOTION:** Commissioner Couch moved for Department of Education staff to ensure that the ARL Position Paper is submitted and read into the record as testimony for AB 230 at the May 11, 2011 hearing, seconded by Commissioner Zastawniak. The motion passed unanimously.

### **Review, Discuss and Possible Approval of 2011-2012 Meeting Calendar**

The Commission reviewed and discussed the following proposed meeting schedule:

August 17, 2011	Video
October 5, 2011	Video
December 7 or 8, 2011	Las Vegas – possible Joint Meeting with State Board
January 18, 2012	Video
March 14, 2012	Video
May 2, 2012	Carson City or Video
June 13, 2012	Video

**MOTION:** Vice President Thoreson moved to adopt the above referenced meeting schedule with the May 2<sup>nd</sup> location to be determined at a later date, seconded by Commissioner Lau. The motion passed unanimously.

### **Public Hearing to Consider Comments and Possible Adoption for Temporary Regulation to Delete NAC 391.350 – Qualifications for Teaching Pupils Who Have Serious Emotional Disturbances and Moderate to Intense Needs for Assistance and Intervention**

President Owens opened the public hearing at 9:34 A.M. There were four individuals present. There was public comment and written testimony.

President Owens read into the record written testimony from Rorie Fitzpatrick, Director of the Office of Special Education, Elementary and Secondary Education, and School Improvement Programs, Nevada Department of Education.

“When regulations are proposed that have a relationship to special education and related services in the State, the Nevada Department of Education has an obligation to allow the opportunity for the Special Education Advisory Committee (SEAC) to comment upon such changes. The membership of the SEAC is prescribed under the Individuals with Disabilities Education Act (IDEA) and includes representation from teachers and administrators in rural and urban school districts in Nevada, related agency personnel, parents of students with disabilities, and individuals who themselves have disabilities. The NDE is required to coordinate the work of the SEAC however NDE staff members are not voting members of the Committee.

At a SEAC meeting held in Reno on January 4, 2011, the agenda included a discussion on upcoming proposed changes to special education teacher licensure that were to be heard by the Commission on Professional Standards in Education. The comments provided here are shared at the request of the SEAC per the discussion held during that meeting.

At the January 4, 2011 meeting, a robust conversation was had with regard to the recommendations of the Special Education Teacher Licensure Task Force which met during the course of 2009-2010 to address the charge from the State Legislature under Assembly Bill 425 from the 2009 Legislative Session. The SEAC was concerned that teaching students with significant emotional disturbance requires a specialized set of skills, similar to the way that specialized skills are needed to serve students with moderate to profound intellectual disabilities (i.e., mental retardation) or autism. The SEAC discussed that the current regulation under NAC 391.350 may not necessarily best meet the needs to the educational field at this time, because there is not currently an eligibility process in place to identify students with emotional disturbance on a continuum, as is the case for intellectual disabilities. That is to say, no student is actually classified as having emotional disturbances that are deemed “moderate to intense”. Under the category of emotional disturbance, a student either is eligible for special education and related services, or is not, without any stipulation as to degree of severity. However, the SEAC believes that the needs of students with emotional disturbances could perhaps be better met if the teachers responsible for serving those students were required to have substantial coursework in the area of behavior management and wrap around services for mental health concerns.

Accordingly, the SEAC discussed that keeping NAC 391.350 as a stand-alone license could serve as a “placeholder” to be able to revisit the coursework required to serve students identified as having serious emotional disturbance. On January 4, 2011, the SEAC passed a motion recommending the Commission retain NAC 391.350 as currently written.”

Andre Yates, Clark County School District, expressed support for the elimination of NAC 391.350, as the requirements in NAC 391.350 are a duplication of the requirements within the Generalist Endorsement.

President Owens closed the public hearing at 9:40 A.M.

The Commission held further discussion regarding the duplication of requirements under the Generalist Endorsement and NAC 391.350.

**MOTION:** Vice President Thoreson moved to approve the deletion of NAC 391.350 – Qualifications for Teaching Pupils Who Have Serious Emotional Disturbances and Moderate to Intense Needs for Assistance and Intervention, seconded by Commissioner Lau. The motion passed unanimously.

**Report from Commissioners on Demonstrations Involving Compliance with Letter from Bonnie Parnell, Chair of the ACR 2 Committee dated September 30, 2011**

President Owens stated that this item is in response to a letter from the ACR 2 Committee and discussion at the last Commission meeting. President Owens presented a draft letter to be distributed to various stakeholder groups/organizations to solicit interest in upcoming task forces.

A break was granted at 10:00 A.M., due to technical difficulty. The meeting reconvened at 10:11 A.M.

There was a discussion regarding the letter from the ACR 2 Committee and what the Commission was asked to do by the Committee. The Commission agreed that there is a need for further clarification on the “recommendations” from the ACR 2 Committee.

President Owens stated that the letter was an attempt to form a list/database of individuals willing to participate on task forces in the future. It was further discussed and agreed that the Commission complies with the Nevada Open Meeting Laws, to include public meetings, agendas being publicly posted, and providing the opportunity for public input at all Commission and task force meetings.

President Owens proposed sending a letter to the ACR 2 Committee thanking them for their comments and recommendations; and outlining the Commission’s process for compiling with the Open Meeting Law and public input.

President Owens stated that the intent of this agenda item was to show, politely, that the Commission was complying with their recommendations.

It was discussed that the comments provided via the survey; were few and sometimes negative with no proof behind the negative comments.

It was discussed to place on the agenda wording; the Commission invites comments from the public and listing the Commission’s website address. It was discussed that the

Commission invites public input at every meeting by virtue of a posted meeting schedule and posted agendas physically at various locations and on the website.

The Commission further discussed and agreed that the Commission is in compliance with the Open Meeting Law for meeting notification.

The Commission took no further action on this issue.

Commissioner Couch requested clarification on how to establish the membership of the task force and who to invite. Staff was directed to assist Commissioner Couch in this part of the task force formation process.

Commissioner Boothe stated that all groups/individuals are welcome to participate and provide input at any Commission meeting and/or task force meetings.

**Update and Submission of Report and Recommendations from Appointed Task Forces:**

- Teachers of Diverse Populations Task Force

Commissioner Couch stated that the Task Force has been established; there is currently one volunteer and in the process of appointing additional individuals to the task force. Once the membership is finalized, the meeting date will be scheduled before the June Commission meeting. Commissioner Couch requested assistance from the staff.

- Effect of Rigorous Standards on Teachers and Student Outcomes Task Force

Commissioner Zastawniak stated that the membership of this task force includes herself as Chair, Vice President Thoreson, and Francey Dennis. This task force has held one meeting via telephone conference call and completed research. Vice President Thoreson performed research of states that have professional standards for their teachers and look for possible correlation with academic achievement in students; and developed a spreadsheet with approximately 15 different states; with no correlation to academic achievement.

Chair Zastawniak then compiled additional research and examined teacher standards, placed into various categories (a handout was provided with this information) and used the National Board for Professional Teaching Standards as a base as to how each state's specific standards fit within those categories. The only conclusion reached was the difference with the National Board Certification is that those are requirements and expectations to become certified. The typical state standards are more expectations and policies. This document has not yet been compared to latest CCSSO teacher standards.

President Owens suggested that Chair Zastawniak coordinate efforts with Rorie Fitzpatrick, the Department's contact with the CCSSO in this endeavor, for better communication and in an effort to not duplicate efforts.

Commissioner Zastawniak, noted for the record, that the one correlation that was noted was that the “per pupil expenditure” (providing resources to students and teachers) makes the biggest difference for student achievement.

- Standing Task Force on Review of Regulations Task Force

Dr. Barbee stated that this task force will be ongoing and will serve based upon need. Dr. Barbee stated that he will not begin a review of Nevada Administrative Code 391 until after the conclusion of the 2011 Legislative Session.

Dr. Barbee stated that Dr. Katherine Rohrer will assist with this task force.

**MOTION:** Vice President Thoreson moved to draft a letter to Assemblywoman Parnell and address and reiterate how the Commission utilizes the Open Meeting Law process, the composition of task forces and how often task forces are utilized and comply with the element of researching teaching pupils with diverse populations and the effects of rigorous standards on teachers and student achievement, seconded by Commissioner Lau.

Following discussion regarding that the Commission already replied to the directives of the ACR 2 Committee letter and will respond if there is a further request from the ACR 2 Committee.

Based upon the comments, Vice President Thoreson withdrew her motion and Commissioner Lau withdrew her second to the motion.

### **Future Agenda Items**

The following items were noted to be on the June 16, 2011 agenda:

- Department of Education Update;
- Legislative Update;
- Review and Possible Adoption of Replacement Praxis Exams ;
- Update from Task Forces: Teachers of Diverse Populations, Effect of Rigorous Standards on Teachers and Student Outcomes, and Standing Task Force on Review of Regulations Task Force; and
- Review and Discussion of coursework required for the renewal of an educator license.

### **2011 Legislative Report and Update**

Craig Stevens, Nevada State Education Association (NSEA), stated that NSEA wanted the Commission to be informed that they will be submitting an amendment to SB 315, the alternative route to licensure bill, which will require the Commission to track individuals, who attend a pre-service school, as to where the educator came from, the school they attended, what was the pre-service (either alternative route to licensure or

university program ) and then with this data be able to track how the educator is doing and their progress as an ARL participant.

NSEA is concerned with where the best educators are coming from. NESA is making sure that Nevada is attracting and hiring the best educators for Nevada students.

### **Comments From Public**

There were no further comments from public.

### **Comments from Staff**

There were no further comments from staff.

### **Comments from Commissioners**

Commissioner Lau thanked Deputy Attorney Irvin for his explanation regarding the ACR 2 Committee letter of September 30, 2010 and reminding the Commission that prior to that letter, the Commission was already implementing such action plans in a manner that invites all relevant stakeholders and associations to become a part of the licensing standards, regulations, and guidelines. However, in the spirit of cooperation with the Legislature in bringing policy makers together to support education, the Commission did respond to the letter.

Commissioner Boothe announced he was just promoted to the K-12 Social Studies Project Facilitator in Clark County.

Commissioner Sileo congratulated Commissioner Boothe on his promotion as the Social Studies Project Facilitator.

### **Adjournment of Commission Meeting**

President Owens adjourned the meeting at 11:16 A.M.