Minutes of the Meeting

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

August 17, 2011

Call to Order; Roll Call; Pledge of Allegiance

President Thoreson 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 CARSON CITY:

Brianne Thoreson, President
Dr. Cheryl Lau, Commissioner
Mary Keith, Commissioner

COMMISSIONERS PRESENT IN LAS VEGAS:

Brian Boothe, Commissioner
Elissa Couch, Commissioner
Dr. Nancy Sileo, Commissioner

COMMISSIONER ABSENT:

Wendy Zastawniak, Commissioner – excused

STAFF PRESENT IN CARSON CITY:

Christina Harper, Commission Administrative Assistant
Donnell Barton, Acting Deputy Superintendent, Instructional, Research and Evaluative Services
Dr. Jerry Barbee, Director of Teacher Licensure

LEGAL COUNSEL PRESENT IN CARSON CITY:

Dr. James E. Irvin, Senior Deputy Attorney General

AUDIENCE IN ATTENDANCE IN CARSON CITY:

Tom Harrison, University of Nevada, Reno
Steve Harvey-Chapman, Washoe County School District
Laruen Jackson, Washoe County School District

AUDIENCE IN ATTENDANCE IN LAS VEGAS:

Jean King, Clark County School District

Clara Miranda, Clark County School District
Carol Foster, University of Phoenix
Melissa Scott, Nevada Department of Education
Vita Johnson, BGCLU

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

President Thoreson led the pledge of allegiance.

Approval of Agenda

MOTION: Commissioner Lau moved to approve the agenda as submitted, seconded by Commissioner Boothe. The motion passed unanimously.

Approval of Minutes: a) June 16, 2011 Meeting

MOTION: Commissioner Lau moved to approve the June 16, 2011 minutes with a correction on Page 7, 8th paragraph, 2nd line and confirm who seconded a motion, seconded by Commissioner Keith. The motion passed unanimously.

Public Comments

Dr. Irvin updated the Commission on amendments to the Open Meeting Law that requires "public comment". Pursuant to AB 319, the public comment provision, in each public meeting has changed so that one of two alternatives should occur: 1) public comment is before the first action item and after the last action item, or 2) public comment after each action item. An exception would if there is a contested matter under NRS 233B, then the public does not have to have an individualized public comment for that function.

ACTION: Dr. Irvin requested keeping an open agenda item for open meeting law compliance issues in order to report on open meeting law opinions.

President Thoreson called for public comments, there were no public comments.

Discussion of Open Meeting Law Compliance Issues

Dr. Irvin referred to his comments under "Public Comments".

Fiscal Report – Review of Current Budget Account Balance

Dr. Jerry Barbee, Director of Teacher Licensure, reviewed the budget status report dated July 22, 2011- the first fiscal report for Fiscal Year 2012. Dr. Barbee reported that revenues received to date total $412,407; with a carry forward balance of $392,184. The Commission's work program, funding available, for Fiscal Year 2012 is $8,027 and funding available in the Teacher Licensure budget of $382,433.17.

Dr. Barbee stated that at the October Commission meeting he will also present the closing report of Fiscal Year 2011.

Update of Nevada Department of Education Activities

Dr. Barbee reported that the teacher licensing website is undergoing a re-vamping in order to make the site more user-friendly, accessible and with the most up-to-date information. The "Find a Teacher" section of the website is almost complete and will enable a licensed teacher or the school district to obtain information on the status of the license of a teacher. The Department, working with the State of Nevada Information Technology Department, is in the process of creating PDF files for all licensed teachers, to allow a teacher to be able to print out their own license.

Dr. Barbee announced the Office of Teacher Licensure has a new data base that will provide increased security for the data, limit the amount of manual mistakes, streamline the reporting process, move to a paperless system, and improve maintenance of records.

Dr. Barbee reported that all of the licensure information has been scanned and is now on-line replacing hard copy files and file cabinets.

Dr. Barbee stated that the Department is working towards the capability for an individual to submit their application and pay the application fee, via credit card, on line; and also providing an opportunity to upload data from testing vendors, as well as from the Federal Bureau of Investigation (FBI) and the Department of Public Safety.

Dr. Barbee advised the Commission that the teacher licensure office is inundated with phone calls and as such it has inhibited the ability to process licenses in a timely manner; the solution is that the Teacher Licensure Offices does not answer the phones or return phone calls, but will answer an individual's questions via e-mail. Dr. Barbee anticipates that in the future all e-mails will be answered within a 24-hour time period. This system will increase the ability of the Teacher Licensure Office to issue licenses in a timely manner and the e-mail will generate a paper trail of the questions and answers.

Commissioner Lau expressed questioned and expressed concern on how the Teacher Licensure Office is helping individuals with no computer access. Dr. Barbee responded that individuals can use computers at public libraries or use a friend's computer.

Commissioner Couch questioned the affect on the payment options and application process. Dr. Barbee responded that the affects have been both positive and negative. Currently, the Department only accepts money orders for the payment of the application fee and is considering accepting credit card payments. Applications are accepted as they are received, no matter how they are received; either mail, walk-in, or on-line.

WORKSHOPS

Workshop to Solicit Comments for Deletion of NAC 391.088-Qualifications for Teaching Pupils From Birth Through Kindergarten

President Thoreson opened the workshop at 9:34 A.M. There were eight individuals present. There being no public comments, President Thoreson closed the workshop at 9:35 A.M.

President Thoreson reminded the Commission that the workshops on the agenda are for regulations previously adopted by the Commission as "temporary regulations" and this is the process in which to make the amendments to regulations permanent.

MOTION: Commissioner Boothe moved for the deletion of NAC 391.088 to be posted for a public hearing in October, seconded by Commissioner Sileo. The motion passed unanimously.

Workshop to Solicit Comments for Regulation NAC 391.1306-Major or Minor in Social Studies

President Thoreson opened the workshop at 9:37 A.M. There were eight individuals present. There being no public comments, President Thoreson closed the workshop at 9:38 A.M.

MOTION: Commissioner Sileo moved for the amendments to NAC 391.1306 – Major or Minor in Social Studies be posted for a public hearing in October, seconded by Commissioner Lau. The motion passed unanimously.

Workshop to Solicit Comments for Career and Technical Education Regulations NAC 391.1301-Comprehensive Majors and Minors; NAC 391.131–Single-Subject Major and Minors; NAC 391.120-Qualifications for License; Delete NAC 391.13025-Major or Minor in Business; NAC 391.13066-Major or Minor in Business Education; NAC 391.13082-Major or Minor in Family and Consumer Sciences; NAC 391.13092-Major or Minor in Marketing Education; and NAC 391.1308-Major or Minor in Health Occupations

President Thoreson opened the workshop at 9:40 A.M. There were eight individuals present. There being no public comments, President Thoreson closed the workshop at 9:42 A.M.

MOTION: Commissioner Lau moved for the amendments to Career and Technical Education Regulations NAC 391.1301-Comprehensive Majors and Minors; NAC 391.131–Single-Subject Major and Minors; NAC 391.120-Qualifications for License; Delete NAC 391.13025-Major or Minor in Business; NAC 391.13066-Major or Minor in Business Education; NAC 391.13082-Major or Minor in Family and Consumer Sciences; NAC 391.13092-Major or Minor in Marketing Education; and NAC 391.1308-Major or Minor in Health Occupations be posted for a public hearing in October, seconded by Commissioner Keith. The motion passed unanimously.

Workshop to Solicit Comments for Regulation NAC 391.332-Endorsement as Substitute Teacher; Period for Which Substitute Teacher May Be Hired

President Thoreson opened the workshop at 9:45 A.M. There were eight individuals present. There being no public comments, President Thoreson closed the workshop at 9:46 A.M.

MOTION: Commissioner Lau moved for the amendments to NAC 391.332 – Endorsement as substitute teacher; period for which substitute teacher may be hired be posted for a public hearing in October, seconded by Commissioner Sileo. The motion passed unanimously.

Workshop to Solicit Comments for Special Education Regulations NAC 391.054-Licensure of Person Licensed or Certified in Another State; NAC 391.340–Qualifications for Teaching Pupils Who Have Hearing Impairments; NAC 391.343-Qualifications for Teaching Pupils Who Have Specific Learning Disabilities, Emotional Disturbances, Mild to Moderate Intellectual Disabilities, Health Impairments, Orthopedic Impairments, or Traumatic Brain Injuries; NAC 391.347-Limited Endorsement to Teach Pupils Who Have Specific Learning Disabilities, Emotional Disturbances or Mild to Moderate Intellectual Disabilities, Health Impairments, Orthopedic Impairments, or Traumatic Brain Injuries; 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; NAC 391.360-Qualifications for Teaching Pupils Who Have Intellectual Disabilities and Moderate to Intense Needs for Assistance and Intervention; NAC 391.363-Qualifications for Teaching Pupils Who Have Disabilities and Who Are Under 8 Years of Age; NAC 391.367-Qualifications for Teaching Adapted Physical Education to Pupils Who Have Disabilities; NAC 391.370-Qualifications for Teaching Pupils Who Have Speech and Language Impairments; NAC 391.376-Endorsement as Professional Teacher of Pupils Who Have Disabilities; NAC 391.378-Qualifications for Teaching Pupils Who Have Autism; 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; Delete NAC 391.383-Qualifications for Teaching Pupils Who Have Traumatic Brain Injury; NAC 391.386-Requirement for Approval of Field Experience; NAC 391.390-Qualifications for Teaching Pupils Who Have Visual Impairments; NAC 391.391-Endorsement to Teach Pupils In Program of Orientation and Mobility; NAC 391.392-Endorsement to Teach Program of Alternative Education; NAC 391.393-Limited Endorsement to Teach Core Academic Subjects Exclusively to Pupils with Disabilities; NAC 391.394-Endorsement to Teach in Program for Gifted and Talented Pupils; and NAC 391.398-Substitute Teacher of Special Education: Application for Additional Extension of Period of Hire

President Thoreson opened the workshop at 9:50 A.M. There were eight individuals present. There being no public comments, President Thoreson closed the workshop at 9:53 A.M.

It was pointed out that there are additional revisions to NAC 391.378, in order to allow an individual with an elementary or secondary license to be able to apply to the Autism Options Program.

MOTION: Commissioner Sileo moved for the amendments to the Special Education Regulations, with the additional amendments to NAC 391.378, be posted for a public hearing in October, seconded by Commissioner Lau. The motion passed unanimously.

Discussion and Development of Commission Work Plan, Goals and Objectives and Possible Creation of Task Force or Scheduling of a Separate Meeting Date

President Thoreson stated that this task was assigned to the Commission from The Legislature and requires that the Commission develop a work plan and evaluate the Commission's goals and objectives.

President Thoreson recommended that the newly elected President and Vice President work with Staff to develop a draft Work Plan, Goals and Objectives for review and discussion by the Commission at the October meeting for possible approval.

The Commission unanimously supported this recommendation.

MOTION: Commissioner Lau moved for the newly elected President and Vice President to meet with Staff to draft a Work Plan, Goals and Objectives for review and discussion by the Commission at the October meeting for possible approval, seconded by Commissioner Keith. The motion passed unanimously.

Report on AB 393-Adoption of a Policy Which Requires the Self-Reporting of a School District or Charter School of an Arrest or Conviction of a Crime; and AB 39-Elminates the Requirement of the Nevada Department of Education to Provide Written Notices of the Expiration of a License and Possible Creation of a Task Force

Dr. Barbee provided an update on AB 39, effective July 1, 2011, which replaces the written notification requirement by the Nevada Office of Teacher Licensure of the expiration of a license via first class mail; this information is available on the Bighorn Information computer system. School districts can access this information, updated monthly, via the Bighorn Information System. School districts are now required to notify their employees within six (6) months of the license expiration.

Dr. Barbee stated that AB 393 addresses the criminal investigation of all licensees within our State. Currently, the State of Nevada requires that all initial applicants to submit fingerprint cards which are submitted to the Nevada Department of Public Safety through the Central Repository and then to the FBI for analysis; with reports received from each of the mention entities.

AB 393 addresses the issue of when the Nevada Department of Education is notified anytime an educator is arrested; school districts are required to notify the Nevada Department of Education of such arrest. AB 393 allows for the investigation into criminal history related to a renewal application for self disclosure of arrests and convictions, allows for a criminal background check, and a continual requirement for the individual to self report. In reference to this part of AB 393, the Department currently receives notification, based upon current policies, from the Department of Public Safety.

Dr. Barbee stated that currently the Department has a tracking system from application to either the issuance or denial of an educator license. Once the individual is licensed there is another tracking system to maintain the record until action is taken by the State Board of Education for possible revocation of a license. The new focus of AB 393 requires that an individual with a current license with renewal will be required to submit to the fingerprinting process.

Dr. Barbee stated that he anticipates by January 1, 2012 to implement an electronic fingerprint system "Life Scan". The process for the electronic fingerprinting will require the approval of a policy, by the Commission. Dr. Barbee will bring a draft of the policy before the Commission for possible approval at the next meeting.

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

- Teachers of Diverse Populations Task Force

Commissioner Couch reported that the Task Force at their first meeting on May 25, 2011 assigned Task Force Members to research what is happening in other states and report back. The Task Force also discussed the intent of the Task Force and whether the Task Force should be discussing teachers teaching diverse populations or teachers from diverse populations. There has been an attempt to hold two additional Task Force meetings, but failed to have a quorum. The next meeting of the Task Force has been scheduled for mid-September and the Task Force will discuss if this Task Force has completed their assignment and if they should continue or not.

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

President Thoreson reported that this Task Force collected research from other states on the effect of rigorous standards and was unable to determine to come to a conclusion on the effect on rigorous standards. The Task Force determined that they had completed the task that was assigned by the Legislature.

- Standing Task Force on Review of Regulations Task Force

Dr. Barbee reported that to date the membership of this Task Force has not yet been established. Currently President Thoreson, Commissioner Sileo and Commissioner Keith have volunteered to be a part of this Task Force; and Dr. Barbee will present the

list of possible members for the Task Force at the next meeting. Dr. Barbee stated that his office has begun the process of identifying regulations that need to be reviewed.

- Parental Involvement Task Force

Commissioner Couch stated that this Task Force held their first meeting in July and reviewed the legislative bill. The Commission was directed to work with the Office of Parental and Family Engagement to adopt regulations with regard to teacher licensure. The timeline to adopt the regulations is December 31, 2011; the Office of Parental Involvement and Family Engagement has not yet been established and it is anticipated that a Director will be hired after October 1, 2011, when the funding is received. The Task Force scheduled their next meeting for September 13, 2011.

Commissioner Couch stated that the Task Force determined that there is a need to ensure outcome of the basic following areas: cultural responses of practices; navigating the system; and home support with regards to teacher preparation and licensure.

ACTION: President Thoreson requested that the Task Forces submit their findings in writing for each meeting to be distributed to Commissioners in the packets.

ACTION: Commissioner Sileo offered that all special education endorsements requires courses in family involvement and will send the syllabi for the University of Nevada, Las Vegas to Commission Secretary Christina Harper to distribute to Task Force members.

- Alternative Route to Licensure Task Force

Dr. Barbee submitted a list of possible Alternative Route Task Force members and stated that all of the individuals listed have agreed to serve. Dr. Barbee anticipates having the proposal, to submit to the Task Force, ready by August 19th. Dr. Barbee would like to send the proposal to the Task Force members for review prior to the first task force meeting. The deadline for adoption of regulations, by the Commission, is December 31, 2011.

The Alternative Route to Licensure Task Force was tasked with reviewing and recommending language for the qualifications and reciprocal licensure for licensing teachers and administrators pursuant to an alternative route to licensure which provides the required education and training may be provided by any qualified provider that has been approved by the Commission, including, without limitation, institutions of higher education and other providers that operate independently of an institution of higher education.

Election of President and Vice President

Deputy Superintendent Barton opened the nominations for President.

Commissioner Keith nominated Commissioner Brianne Thoreson for President, seconded by Commissioner Couch. There being no further nominations, Deputy Superintendent Barton closed the nominations.

Deputy Superintendent Barton opened the nomination for Vice President.

Commissioner Lau nominated Commissioner Nancy Sileo for Vice President, seconded by Commissioner Keith. There being no further nominations, Deputy Superintendent Barton closed the nominations.

VOTE: Deputy Superintendent Barton called for a vote for Brianne Thoreson as President and Nancy Sileo as Vice President. The vote was unanimous.

Future Agenda Items

The following items were noted to be on the October 5, 2011 agenda:

- Department of Education Update – Dr. Barbee;
- Review , Discussion and Possible Approval of the Commission Work Plan for 2011-2012 – President Thoreson;
- Public Hearings for Temporary Regulations to Permanent Regulation Status;
- Possible Policy approve for AB 393 – Dr. Barbee;
- Foreign Transcript Evaluator Approval – Dr. Barbee; and
- Update from Task Forces: Teachers of Diverse Populations, Alternative Route the Licensure Task Force; Parental Involvement Task Force; and Standing Task Force on Review of Regulations Task Force.

Mrs. Harper stated that the State Board of Education would like to meet jointly with the Commission on December 8, 2011; with the Commission meeting in the morning and a joint meeting with the Board in the afternoon.

Public Comments

There were no comments from public from either the Las Vegas or Carson City location.

Staff Comments

Dr. Barbee and Deputy Superintendent Barton congratulated President Thoreson and Vice President Sileo and offered the help and support of the Nevada Department of Education.

Commissioner Comments

Commissioners Keith, Lau, Couch, Boothe congratulated President Thoreson and Vice President Sileo.

Adjournment of Commission Meeting

President Thoreson adjourned the meeting at 10:45 A.M.