Minutes of the Meeting

STATE OF NEVADA
DEPARTMENT OF EDUCATION

COMMISSION ON PROFESSIONAL STANDARDS IN EDUCATION

October 5, 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 9:08 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
Mary Keith, Commissioner
Wendy Zastawniak, Commissioner

COMMISSIONERS PRESENT IN LAS VEGAS:

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

COMMISSIONER ABSENT:

Dr. Cheryl Lau, Commissioner – excused

STAFF PRESENT:

Christina Harper, Commission Administrative Assistant
Donnell Barton, Interim Deputy Superintendent, Instructional, Research and Evaluative Services – Las Vegas
Dr. Jerry Barbee, Director of Teacher Licensure
Dr. Katherine Rohrer, Office of Teacher Licensure

LEGAL COUNSEL PRESENT IN CARSON CITY:

Dr. James E. Irvin, Senior Deputy Attorney General

AUDIENCE IN ATTENDANCE IN CARSON CITY:

Dr. Tom Harrison, University of Nevada, Reno
Keli Brown, Sierra Nevada College
Les McCallum, Pearson Evaluation Systems
Beth Bouchard, Sierra Nevada College

AUDIENCE IN ATTENDANCE IN LAS VEGAS:

Clara Miranda, Clark County School District
Jerry DeLuca, Educational Testing Service
Peter Yeager, Educational Testing Service
Jim LaBuda, NSC
Andre Yates, Clark County School District

It was determined that a quorum of the Commission was present. President Thoreson led the pledge of allegiance.

President Thoreson welcomed new Commissioner Bonnie Townsend.

Approval of Agenda

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

Approval of Minutes: a) August 17, 2011 Meeting

Commissioner Couch requested an amendment on Page 3, 6th paragraph, 2nd line, "…phone calls and as such it has [inhabited] *inhibited* the ability to process licenses…"

MOTION: Commissioner Keith moved to approve the August 17, 2011 minutes as amended, seconded by Commissioner Couch. The motion passed unanimously.

Public Comments

There were no public comments.

Discussion of Open Meeting Law Compliance Issues

Dr. Irvin had no comments for Open Meeting Law compliance issues.

Fiscal Report – Review of Current Budget Account Balance

Dr. Jerry Barbee, Director of Teacher Licensure, reviewed the budget status report dated September 16, 2011 for Fiscal Year 2011 and indicated that the budget was closed on June 30, 2011; revenues received total $1,278,268, with obligations of $1,278,267 for an ending balance of 97 cents. Funding was transferred from FY 2011 to FY 2012 in the amount of $392,184.

Dr. Barbee reviewed the budget status report dated September 16, 2011 for Fiscal Year 2012; revenue received to date total $641,781, carry forward revenue of $392,184, with obligations to date of $214,186 for a balance of funding available of $427,594.

Dr. Barbee stated that the Commission's budget work program is $8,027; expenditures to date of $741 for an available balance on September 16, 2011 of $7,285.

Update of Nevada Department of Education Activities

Dr. Barbee reported that the Office of Teacher Licensure has implemented the new data base and currently working out the glitches. Dr. Barbee thanked the IT Department for all of their help and assistance in this process.

Dr. Barbee reported that his office has completed approximately 50% of the review, alignment, and interpretation of NAC 391 and NRS 391. Following this review, Dr. Barbee stated that he will assemble the NAC 391 Standing Task Force to review the outcomes of this review for further recommendations to the Commission on any amendments to NAC 391. Dr. Barbee stated that he currently has four individuals that have volunteered to be a part of this Task Force and would like to add three more individuals for a total of seven task force members.

Dr. Barbee stated due to multiple amendments to Alternative Route to Licensure program the Office of Teacher Licensure has started the process of revising the list of non-traditional programs from other states that Nevada would accept for ARL licensure. It is anticipated that this will be ready by the time the ARL Task Force makes recommendations to the Commission.

Dr. Barbee stated that at the next Commission meeting in December, he will have a recommendation for a fingerprinting policy per AB 393, in which every licensee at the time of licensure renewal must be re-fingerprinted.

Dr. Barbee reported that all Nevada Department of Education offices are involved in the Department's strategic planning process with a deadline of December 31, 2011.

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

- Teachers of Diverse Populations Task Force

Commissioner Couch submitted the information that the Task Force collected and reviewed. Commissioner Couch reported that the Task Force at their last meeting agreed that the Task Force had collected and reviewed the research regarding Teachers of Diverse Populations as requested by the Legislature and thus this Task Force has completed their assignment. This Task Force will not be holding any further meetings, unless there is further direction from the Legislature

- Standing Task Force on Review of Regulations Task Force

Dr. Barbee reported that the review, alignment, and interpretation of NRS NAC 391 are 50% complete. Once this is 100% complete, Dr. Barbee will assemble the Task Force to review this information and make recommendations to the Commission regarding amendments to NAC 391. Dr. Barbee, at the next Commission meeting, will submit a list of potential Task Force members for approval by the Commission.

- Parental Involvement Task Force

Commissioner Couch stated that this Task Force held a meeting on September 13, 2011. The Task Force reviewed coursework currently being offered at the University of

Nevada, Reno and Las Vegas involving parental involvement. Commissioner Couch stated that the next meeting of the Task Force is scheduled for October 11, 2011. The Task Force determined that it was necessary to have Rorie Fitzpatrick in attendance in order for her to respond to questions related to the Office of Parental Involvement/Family Engagement and the hiring of the Director of that office.

Commissioner Couch stated that the Task Force anticipates presenting recommendations at the December meeting.

MOTION: Vice President Sileo moved to send a letter to the appropriate personnel at the Nevada State Legislature providing them an update on both the Teachers of Diverse Populations Task Force, Rigorous Professional Standards and their Effect on Student Achievement, and the Parental Involvement Task Force indentifying the tasks that have been completed, where we are in the process, our product, and the next steps we need to take or waiting on to take based on other requirements that must be in place, such as the Parental Involvement Office, seconded by Commissioner Zastawniak. The motion passed unanimously.

- Alternative Route to Licensure Task Force

Dr. Barbee reported that the Alternative Route to Licensure (ARL) Task Force met on October 3rd, but there was no quorum to hold the meeting. The Task Force has scheduled two additional meetings on October 17 and November 7, 2011 to begin at 9:00 A.M. via video conference. Dr. Barbee stated that he anticipates submitting recommendations to the Commission following the November 7th meeting.

PUBLIC HEARINGS

Public Hearing and Possible Adoption to Consider Comments to Regulations NAC 391.036-Tests of Competency Required for Initial License; Exemptions; Failure to Comply; Administration of Tests; NAC 391.087-Requirements for Teaching in Program of Instruction for Prekindergarten Pupils; Exception; Deletion of NAC 391.088-Qualifications for Teaching Pupils From Birth Through Kindergarten

President Thoreson opened the public hearing at 9:34 A.M. There were eleven individuals present. There was public comment.

Dr. Tom Harrison, Associate Dean of the College of Education for the University of Nevada, Reno and on behalf of Melissa M. Burnham, Associate Professor of Early Childhood Education, read into the record the following:
"I am writing this letter in opposition to the complete elimination of the Teaching License for Birth-Kindergarten (NAC 391.088). Although I was a member of the Early Childhood Education Licensure State Task Force that originally proposed the recommendation to eliminate the 0-K license, upon additional thought and discussion with early childhood colleagues from around the state, I have reconsidered my agreement with this decision. I am writing to strongly suggest that we revise the 0-K license rather than completely eliminating it, for the following reasons:

1. The College of Education at the University of Nevada, Reno has recently revised its elementary teacher preparation program so that there are no longer stand-

alone programs in Elementary Education, Special Education, or Early Childhood Education. Instead, all students who successfully complete the more rigorous revised program will be eligible to apply for an Elementary Education license *in addition to* their choice of a mandatory secondary area of specialization (in Early Childhood, Special Education, and/or English Language Learners). These programmatic revisions will greatly strengthen the quality of our teacher preparation graduates. The gains are particularly strong for pre-service teachers who wish to teach at the Elementary level.

2. Currently, those teachers interested in teaching in state-funded pre-K programs need to have the Early Childhood Education license. Teachers in Head Start and Early Head Start programs also are encouraged to obtain early childhood licensure, even though they will not be teaching in the elementary school environment. Under the proposed elimination of the 0-K license, such teachers would need to apply for the license from birth through second grade, even if they have no intention of ever teaching in the early elementary grades. It would make sense to have an alternative for those pre-service teachers who do not wish to teach in a traditional elementary school classroom, but do wish to use their unique skill set with younger children only. A revised 0-K license would provide such an alternative.

A revised 0-K license would provide a licensing option for those teachers whose skill set best aligns with teaching very young children and who do not wish to teach in an early elementary grade classroom. Although the current 0-K license overlaps almost entirely with the birth-second grade license, a revision would eliminate this overlap and instead focus on the skills and knowledge areas necessary to work most effectively with children from birth to age 5.

I strongly recommend that the Commission consider keeping the 0-K license and appointing a Task Force to revise it appropriately. I would be happy to volunteer to be on this revision-oriented Task Force. Thank you for your consideration."

Dr. Harrison also volunteered to be a member of this task force.

There being no further public comments, President Thoreson closed the public hearing at 9:40 A.M. It was requested that the Commissioners receive a copy of Dr. Burnham's letter.

Upon questioning by Commissioner Boothe regarding the history of the amendment, Commissioner Zastawniak stated that the Task Force determined that the requirements in NAC 391.088 are embedded within NAC 391.089.

Commissioner Couch felt that there is a built in marketability for a teacher within this proposal.

Commissioner Keith expressed concern and questioned if the coursework in NAC 391.089 is diluted from NAC 391.088. Commissioner Keith stated that early childhood education is very important. Commissioner Keith also pointed out that the information submitted in the letter by Dr. Burnham was discovered following the decision of the Task Force and strongly recommended that the Commission consider her comments.

Vice President Sileo remarked that while it is necessary for anyone teaching in a kindergarten, first or second grade classroom in the State of Nevada to hold a valid endorsement or license, but it is not necessary for individuals working neither in a private pre-K nor in federally funded pre-K programs, such as Head Start to hold a license/endorsement. Therefore, while the 0-K license played a part and was a guide for those working in private or federally funded pre-kindergarten programs, it was not required; and because the content of the 0-2 license incorporates the content of the 0-K, that content is still available to those working in private or federally funded programs. Individuals have the option to apply for the 0-2 license and apply it towards a pre-K program.

Commissioner Zastawniak stated that she feels that the decision of the Task Force is correct in deleting NAC 391.088.

MOTION: Vice President Sileo moved to approve for permanent regulation R020-11; amendments to NAC 391.036, NAC 391.087 and deletion of NAC 391.088, seconded by Commissioner Couch. The motion passed, with Commissioner Keith in opposition.

Public Hearing and Possible Adoption to Consider Comments to Regulation NAC 391.1306 - Major or Minor in Social Studies

President Thoreson opened the public hearing at 9:48 A.M. There were eleven individuals present. There being no public comments, President Thoreson closed the public hearing at 9:49 A.M.

MOTION: Commissioner Keith moved to approve R048-11 as submitted for amendments to NAC 391.1306 – Major or Minor in Social Studies, seconded by Commissioner Boothe. The motion passed unanimously.

Public Hearing and Possible Adoption to Consider Comments for Regulations NAC 391.332 - Endorsement as Substitute Teacher; Period for Which Substitute Teacher May Be Hired and NAC 391.398 – Substitute Teacher of Special Education: Application for Additional Extension of Period of Hire

President Thoreson opened the public hearing at 9:50 A.M. There were eleven individuals present. There being no public comments, President Thoreson closed the public hearing at 9:51 A.M.

Upon questioning by Commissioner Couch, Dr. Barbee responded that the special license is the area or category in which the substitute license has been placed. An individual who applies for a substitute license cannot add additional endorsements to that license, that individual would have to apply for a standard license; as the substitute license becomes a stand-alone license.

MOTION: Commissioner Zastawniak moved to approve R017-11; amendments to NAC 391.332 and NAC 391.398–Endorsement as substitute teacher; period for which substitute teacher may be hired, seconded by Vice President Sileo. The motion passed unanimously.

Public Hearing and Possible Adoption to Consider Comments for Career and Technical Education Regulations; NAC 391.120-Qualifications For License; NAC 391.1301-Comprehensive Majors and Minors; NAC 391.13066-Major or Minor in Business Education; NAC 391.1308-Major or Minor in Health Occupations; NAC 391.13082-Major or Minor in Family and Consumer Sciences; NAC 391.13092-Major or Minor in Marketing Education; NAC 391.131–Single-Subject Major and Minors; NAC 391.558-Procedure and Requirements for Review of Applications and Approval of Courses; Provisional and Final Approval; Denial, Expiration and Renewal of Approval; Review of Course; Annual Reports by School District; Fee; Delete NAC 391.13025-Major or Minor in Business; and Delete NAC 391.13084-Major or Minor in Housing and Home Furnishings

President Thoreson opened the public hearing at 9:58 A.M. There were eleven individuals present. There being no public comments, President Thoreson closed the public hearing at 10:00 A.M.

Commissioner Boothe commended the Task Force for their work on the proposed amendments, but expressed concern with NAC 391.13082 as there was controversy during the Task Force meetings and the temporary regulation public hearing regarding the removal of the requirement of coursework in the areas of clothing/textiles, housing/environment or interior design and added only as optional coursework. Commissioner Boothe expressed concern with the removal of these courses as a required course, and feels that teachers would not be properly prepared to teach in these areas.

President Thoreson reminded the Commission, that Dr. Luft during the temporary regulation public hearing stated that if all of the coursework was required then the University of Nevada, Reno would not be able to train individuals leading to licensure in family and consumer sciences; as the University cut these courses from their curriculum due to budget cuts.

Commissioner Boothe expressed concern regarding the issue of lowering standards based upon budget cuts at the university level as this may be setting a bad precedence.

Commissioner Couch also expressed concern regarding the lowering of standards based upon budget cuts at the university level.

Commissioner Keith agreed to keep standards high.

Interim Deputy Superintendent Barton stated she holds a degree in this area and she feels that these courses are important to have the background in these areas in order to convey the information and standards for this course to students.

Commissioner Zastawniak agreed to retain the requirements for NAC 391.13082 and stated that it is important to keep standards high regardless of budget cuts.

MOTION: Vice President Sileo moved to approve R018-11, with the exception of NAC 391.13082-Major or Minor in Family and Consumer Sciences, the amendments to Career and Technical Education Regulations NAC 391.120-Qualifications For License; NAC 391.1301-Comprehensive Majors and Minors; NAC 391.13066-Major or Minor in Business Education; NAC 391.1308-Major or Minor in Health Occupations; NAC 391.13092-Major or Minor in Marketing Education; NAC 391.131–Single-Subject Major and Minors; NAC 391.558-Procedure and Requirements for Review of Applications and Approval of Courses; Provisional and Final Approval; Denial, Expiration and Renewal of Approval; Review of Course; Annual Reports by School District; Fee; Delete NAC 391.13025-Major or Minor in Business; and Delete NAC 391.13084-Major or Minor in Housing and Home Furnishings, seconded by Commissioner Boothe. The motion passed unanimously.

Public Hearing and Possible Adoption to Consider Comments for Special Education Regulations New Section; NAC 391.010-Definitions; NAC 391.036-Tests of Competency Required for Initial License Exemptions; Failure to Comply; Administration of Tests; NAC 391.054-Licensure of Person Licensed or Certified in Another State; NAC 391.055-Provisional 1-Year Licensure of Person Who Holds Renewable License Issued in this State; NAC 391.056-Provisional Nonrenewable Licensure: Qualifications; Period of Validity; Addition of Endorsement; Restrictions; NAC 391.057-Conditional Licensure: Categories; Qualifications; Validity; Requirements Following Issuance; NAC 391.171- Conditional Endorsement as Professional Administrator of School; Authorized Employment; Validity; NAC 391.192-Endorsement to Teach Concepts, Skills and Basic Applications Regarding Computers; NAC 391.196-Endorsement to Teach Computer Programming or Computer Science; NAC 391.202-Endorsement to Teach Computer-Based Applications; NAC 391.237-Endorsements to Teach English as Second Language; Endorsement as Professional Teacher of English as Second Language; NAC 391.242-Endorsements to Teach Program of Bilingual Education; NAC 391.255-Endorsement as School Library Media Specialist; NAC 391.282-Endorsement to Teach Dance Education; NAC 391.285-Endorsement to Teach Reading; NAC 391.290-Endorsement as Specialist in Teaching Reading; 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; 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 391.376-Endorsement as Professional Teacher of Pupils Who Have Disabilities; NAC 391.378-Qualifications For Teaching Pupils Who Have Autism; 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 391.398-Substitute Teacher of Special Education: Application for Additional Extension of

Period of Hire; NAC 391.556-Adoption by Reference of Model Standards for Beginning Teaching Licensing and Development; NAC 391.558-Procedure and Requirements for Review of Applications and Approval of Courses; Provisional and Final Approval; Denial, Expiration and Renewal of Approval; Review of Course; Annual Reports by School District; Fee; Delete NAC 391.350-Qualifications for Teaching Pupils Who have Serious Emotional Disturbances and Moderate to Intense Needs for Assistance and Intervention; NAC 391.356-Qualifications for Teaching Pupils Who Have Specific Learning Disabilities and Moderate to Intense Needs for Assistance and Intervention; 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; Delete Section 5 of LCB File No. R103-03; Delete Section 6 of LCB File No. R103-03 as last amended by LCB File No. R038-08; 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

President Thoreson opened the public hearing at 10:16 A.M. There were eleven individuals present. There were public comments.

Andre Yates, Clark County School District, expressed concern regarding the speech and language endorsement as it relates to special education and feels that this should be identified as a non-core subject area and not subjected to the inability to issue a provisional license for speech and language teachers, as this is a critical shortage labor area in Clark County. Mr. Yates encouraged the Commission to include language in the regulations separating out speech and language and identifying it as a non-core area.

Dr. Barbee explained that even though the speech and language endorsement is a non-core subject area, it is an endorsement under the special education license which is a core subject area and thus a provisional license cannot be issued in a core subject area.

Dr. Rohrer stated that if a school district is having difficulties in hiring in a critical shortage area, they can submit a letter requesting an exception, and a license can be issued with provisions with the Superintendent of Public Instruction's approval for the completion of a one-year internship.

Mr. Yates requested that the speech and language endorsement be separated out as a non-core subject area in order for the individual to complete the competency testing provisions.

President Thoreson closed the public hearing at 10:20 A.M.

The Commission discussed and decided that the amendment requested by Mr. Yates is not a part of the proposed amendments and will need to be discussed in the future.

MOTION: Vice President Sileo moved to approve R028-11, amendments to the Special Education Regulations, seconded by Commissioner Zastawniak. The motion passed unanimously.

Discussion and Development of Commission Work Plan, Goals and Objectives

President Thoreson reviewed the requirements for the Commission to provide a current Work Plan, Goals and Objectives no later than December 31, 2011. The Legislature required that the Commission develop a work plan and evaluate the Commission's goals and objectives.

President Thoreson reviewed a draft 2011-2012 Work Plan, Goals and Objectives and Commission Mission and Facts. The Commission made various amendments to the Work Plan and Goals/Objectives.

Commissioner Couch suggested that the letter to the Legislature outline the work that has been accomplished by the various task forces to include: Teachers of Diverse Populations, Effects of Rigorous Standards on Student Achievement and Parental Involvement. Senior Deputy Attorney General Irvin suggested that the letter outline that the Commission has formed task forces, performed research, and gently request that mandates include specific objectives from the Legislature.

Vice President Sileo thanked President Thoreson for a job well done on the draft and suggested comments to the Commission's Mission Statement and Facts and suggested that this document needs to be updated.

ACTION: The Work Plan; Goals and Objectives; and Mission Statement and Facts will be revised and placed on the December meeting agenda for further review and possible approval. Mrs. Harper will make the appropriate amendments and e-mail out to Commissioners for review.

Approval of Foreign Transcript Evaluator

- **Worldwide Education Consultant Services**

Dr. Barbee provided a verbal summary of the qualifications of Worldwide Education Consultant Services and recommended that Worldwide Education Consultant Services be added the list of approved foreign transcript evaluators.

Following an inquiry, Dr. Barbee responded that the Commission approves foreign transcript evaluators to be added a list, which includes numerous providers (available on the Department of Education's website), who evaluate foreign transcripts which are then submitted to the Nevada Department of Education for teacher licensure.

The Commission must approve the individual evaluators in order for the transcripts to be evaluated and accepted by the Nevada Department of Education.

MOTION: Vice President Sileo moved to approve Worldwide Education Consultant Services as a foreign transcript evaluator, seconded by Commissioner Keith. The motion passed unanimously.

Future Agenda Items

The following items were noted to be on the December 8, 2011 agenda:

- Department of Education Update – Dr. Barbee;
- Review , Discussion and Possible Approval of the Commission Work Plan for 2011-2012; Goals and Objectives; and Mission Statement and Facts – President Thoreson;
- Possible approval of Fingerprinting Policy per AB 393 – Dr. Barbee;
- Possible Workshops for Parental Involvement and Alternative Route to Licensure regulations; and
- Update from Task Forces: 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 Commission will be meeting jointly with the State Board of Education in the afternoon of December 8, 2011.

Public Comments

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

Vice President Sileo updated that last year the University of Nevada, Las Vegas had eliminated the Department of Educational Leadership and the principal ship program; but is pleased to announce that the Board of Regents approved a principalship program, with faculty from the former Department of Educational Leadership, into the Environmental and Public Affairs for a seamless transition for students with a principalship program at UNLV.

Interim Deputy Superintendent Barton stated that it has been a pleasure working with the Commission and this will be her last meeting as her tenure will end on October 31, 2011 and Ms. Rorie Fitzpatrick will be the new Interim Deputy Superintendent effective November 1, 2011.

Adjournment of Commission Meeting

President Thoreson adjourned the meeting at 11:19 A.M.