

**NEVADA TEACHERS AND LEADERS COUNCIL MEETING
February 08, 2012**

**Hyatt Place Las Vegas
4520 Paradise Road
Las Vegas, NV 89169**

MINUTES OF THE REGULAR MEETING

February 08, 2012

COUNCIL MEMBERS PRESENT:

Pamela Salazar, Chair
Barbara Surritte-Barker, Vice Chair
Linda Archambault, Member
Christine Cheney, Member
Kathleen Galland-Collins, Member
Theresa Crowley, Member
Rorie Fitzpatrick, Member
Sharla Hales, Member
Robert McCord, Member
Theo McCormick, Member
Heath Morrison, Member
Dale Norton, Member
Theodore Small, Member

MEMBERS EXCUSED:

Mary Peterson, Member

MEMBERS ABSENT:

Kimberly Tate, Member

LEGAL STAFF PRESENT:

Ed Irvin, Senior Deputy Attorney General

DEPARTMENT STAFF PRESENT:

Leslie James, Title IIA Education Programs Professional
Laurie Thake, Assistant to the Council

GUESTS PRESENT:

Lynn Holdheide National Comprehensive Center for Teacher Quality

AUDIENCE IN ATTENDANCE:

Jerry Barbee Director of Teacher Licensing, Nevada Department of Education
Pam Hicks Clark County Association of School Administrators

Kristen McNeill	Washoe County School District
Judy Osgood	Office of the Governor
Paul LaMarca	Washoe County School District
Nicole Rourke	Clark County School District
Erin McMullen	Snell & Wilmer
Alaina Cowley	Snell & Wilmer
Craig Stevens	Nevada State Education Association
Jose Delfin	Carson City School District
William Rob Roberts	Nye County School District
Dotty Merrill	Nevada Association of School Boards

CALL TO ORDER; ROLL CALL; PLEDGE OF ALLEGIANCE

Chair Salazar called the meeting to order at 8:52 a.m., with attendance as reflected above.

PUBLIC COMMENT

Chair Salazar opened the floor for public comment. There was no public comment.

APPROVAL OF FLEXIBLE AGENDA

Member Norton motioned for a flexible agenda. Member Cheney seconded. The motion carried without objection.

APPROVAL OF DECEMBER 2011 AND JANUARY 2012 MINUTES

The Council reviewed the December 6-7, 2011 minutes. *Member Norton made a motion to accept the December minutes as presented. Member Archambault seconded.* During discussion of the motion, it was recommended the text of the minutes be changed to reflect the title of Dr., where appropriate, for the facilitators and presenters. *Member Norton amended his motion to reflect the requested change. Member Archambault seconded the amended motion. The motion carried with the requested changes without objection.*

The Council reviewed the January 20-21, 2012 minutes. Member Fitzpatrick stated sufficient work still needed to be done on the minutes to improve them and suggested after the work was done that the minutes be sent back out to the members for review and possible adoption during the March meeting. *Member McCormick motioned to table the minutes until the March meeting. Member Norton seconded. The motion carried without objection.*

CHAIR'S REPORT

Chair Salazar indicated there would be changes in the process for creating agendas for Council and Task Force work to better comply with the open meeting law. She expressed gratitude in the assistance from Dr. Irvin in continuing to help the Council explore how the open meeting law affects the Council's work.

REVIEW DELIVERABLE DUE TO STATE BOARD OF EDUCATION BY JUNE 1, 2012

Council members reviewed the deliverables timeline document and agreed it would assist them in moving through their work and would serve as a foundation for ongoing work on the *White Paper*. Council members recommended the deliverables timeline be added as a permanent part of the *White Paper*.

Chair Salazar stated during this meeting the Council would spend time working on the definitions of both teacher and administrator effectiveness. They would also spend some time on communications, as several members of the Council had been asked to speak at various functions.

FINALIZE AND ADOPT SYSTEM GUIDELINES WHITE PAPER

Dr. Holdheide facilitated a discussion on the *Systems Guidelines White Paper*. The Council systematically reviewed its prior work on the *White Paper* section-by-section and recommended minor revisions under *Introduction*, *The Need for Systems Change*, *Guiding Beliefs for a New Educator Evaluation System*, *Evaluation System Goals*, and *Main Purposes of the Evaluation Framework*.

The Council briefly discussed issues concerning local flexibility and statewide uniformity. Chair Salazar noted this issue would need to be decided soon, as districts were waiting for direction from the Council. Members discussed whether the creation of a specific tool for evaluation was envisioned. It was clarified the Council would establish minimum criteria, but districts could institute the tools and practices for implementation. It was noted there was some confusion in the field as to the role of the Council in developing and implementing an educator evaluation model. One recommendation was to put forward to the State Board that the Department of Education be responsible for providing samples or identifying a set of questions that districts could use to validate tools. This would give autonomy to those districts who want it and guidance for those districts that need it. It was agreed by the Council that alignment across all districts was of highest importance.

At this point, Dr. Irvin provided some comments regarding open meeting law. He noted the discussion was getting farther away from the agenda item. While working to achieve consensus is an allowable action via open meeting law, it must be stated explicitly in the agenda. He proposed including a specific agenda item for the next meeting related to activities necessary to finalize and adopt the *Systems Guidelines White Paper*, and limiting the current discussion to formulating that agenda item. He expressed that while the discussion was germane to the agenda item, the wording on the agenda did not make sufficiently clear that a decision was going to be made regarding this issue, and therefore excluded participation by the public.

Member McCormick inquired as to why the inclusion of the item regarding the adoption of the *White Paper*, which is a dynamic document, on the agenda did not provide enough oversight in making any related decisions as to the contents. Dr. Irvin answered that was specifically the

argument made in the most recent Supreme Court decision; while the topic was germane and case law was presented which would seem to support that argument, the Supreme Court did not agree. Any and all agenda items need to be specific when it comes to open meeting law. In this case, a discussion can be held now and but a specific item finalizing the content of the *White Paper* is required on the next agenda before any voting can take place. Any agenda item initiating action needs to contain wording that is specifically on point as opposed to germane to the discussion.

Members asked Dr. Irvin if, following that logic, they should list every section of the *White Paper* in the agenda separately. Dr. Irvin noted that the Council seemed to be approving the document in steps, which presents a problem in the open meeting law. If a document is changed, thereby amending an approval of that document that has already been granted, a specified process should be followed. He suggested that the Council approve the document only through a specified date, keeping in mind that they are changing the document. Including an agenda item such as “White Paper Improvement” would allow for greater flexibility and could cover any action steps involved in the process of gaining approval.

Member McCormick questioned why the agenda item stating “Approve the *White Paper*”, did not qualify it as being properly on the agenda. He expressed concern that members had been told they could not go to a different state to attend a conference relating to this work even though it was not a majority of the group, and they could not break into working groups to work on subsections of the *White Paper*. He stated that he understood the intention of the open meeting law as being to allow the public to participate, but felt that some of the current regulations could hinder the Council’s ability to complete their work. Specifically, not being able to work on the *White Paper* during this meeting, and waiting until the following meeting for a revised agenda item could undermine the Council’s ability to complete their work, which is on a tight timeline.

Dr. Irvin responded by stating that this illustrated the purpose of his representation in this group. Dr. Irvin explained that AB222 does not contain any language indicating that this Council is not subject to the open meeting law, although it could have been included. Because of this, the responsibility of the Attorney General’s Office is to assist the Council in following the open meeting law, and to ensure that no actions or statements are made which could be interpreted as trying to circumvent the open meeting law. He clarified that any previous suggestions were suggestions only, and offered to the group as an option allowing the Council to stay within the bounds of open meeting law definitions. He additionally clarified that his caution about attending an out-of-state conference was to note it as a non-meeting agenda item, again in keeping with open meeting law. Dr. Irvin reiterated his role and responsibility in the meetings to provide legal guidance, not any final ruling.

Dr. Holdheide facilitated a review of how other states handled the state control vs. local flexibility issue, noting some of the difficulty arises in areas of training. For example, if the state is to provide training, it becomes problematic if the districts are using different measures.

The Council then discussed the issue of communication, noting they needed to define their message consistently to all stakeholders. Members felt it was important to have teachers and administrators involved in the process. Vice Chair Barker noted the National Governors Association (NGA) had determined that too many states did not involve stakeholders in the beginning of the process, which led to failure during the rollout. Members noted teachers would not be happy if they were only involved superficially; they want in-depth involvement.

The Council determined they were comfortable with the current content of the items discussed and directed Chair Salazar to finalize any edits to the *White Paper*, with the intent to adopt the document during a conference call meeting prior to the scheduled March 5, 2012 meeting.

DEFINING TEACHER AND ADMINISTRATOR EFFECTIVENESS

The Council had a robust discussion relative to defining the basic standards of teacher and administrator effectiveness. For teacher standards, groups of members reviewed the Interstate New Teacher Assessment and Support Consortium (InTASC) Standards, State of Colorado Professional Teaching Standards, and National Board of Professional Teaching Standards (NBPTS) for alignment between the standards and the Council's goals. Each group focused on how their assigned set of standards evaluated instructional principles, family engagement, professional responsibility, student achievement, other student outcomes, and student perception standards. Each group presented its findings to the Council and discussed which standards were specifically outlined by their group and which standards were embedded within the definitions.

After evaluating the standards, the same groups looked at the categories, or groupings, that their assigned standards used for evaluation. After discussing the categories, the Council determined many of the categories listed were closely aligned between the sets of standards. The set of standards with the largest variability was Professional Responsibility. The Council determined that the categories for Professional Responsibility would include family engagement, collaboration, leadership, ongoing professional development, self reflection, advocacy for students, and responsibility for all student learning.

Upon completing their review of the teacher evaluation section, the Council discussed whether the content of this area was sufficient to send to a working group for further definition. It was noted the student achievement portion was not yet defined and the group expressed that section could be better defined with the help of the technical assistance which would be provided to the working groups.

The Council then began a discussion on standards for administrators. Members broke into small groups and proceeded with their review in the same fashion as with the teacher standards. For administrators, the members reviewed the Council of Chief State School Officers (CCSSO), National Board Certification for Educational Leaders – Accomplished Principals (NBCEL), and the Iowa Principal Performance System standards for alignment. Council members discussed their established domain areas; culture for teaching and learning, shared vision, professional responsibility, and leading/teaching/learning, and how indicators such as collaboration, continuous improvement, high rigor, and quality curriculum impacted each domain.

Upon completion of their review, the Council discussed whether there was enough guidance to send to a working group for further definition. Members discussed whether their work stopped with defining categories or whether they should be developing a tool which could be used statewide across the districts. At this point, Chair Salazar requested comment from the public, relative to their expectations for the Council's work, specifically as to whether they were expecting a set of guidelines from the Council or the development of a specific tool.

Pam Hicks stated she knew of some variation relative to the perceived charge of the Council. During a recent Committee on Education meeting, Assemblyman Stewart stated he expected a tool which all of the districts would be required to use. However, during the same meeting Assemblywoman Smith echoed the philosophy of the Council, that a framework would be created, with the use of a specific tool to be determined at the district level. She stated there was at least one legislator echoing in public the expectation of a required tool; she did not know how many others shared that expectation.

Kristen McNeill recommended that the committee keep its focus on the drafted goals, and to keep the application of a tool at the district level. She emphasized the Council should look more at the system and the process than at the actual tool.

Jose Delfin stated this discussion was occurring within the bargaining groups as well. When he meets with administrators to talk about evaluation process, they look at culture, shared vision, and visibility. These same things are examined for teachers. Mr. Delfin emphasized that stakeholder buy-in is very important and there needs to be open communication between the groups. More importantly, it is important to look at increasing awareness and performance. He highlighted the use of cognitive coaching to help individuals self reflect on their practices, and suggested the application of cognitive coaching strategies to ameliorate the process of initiating change. Mr. Delfin gave the example of seeing more learner centered conversations occurring in school districts, as well as evidence that there is a larger shift to instructional leadership, rather than managing classrooms from the desk.

Chair Salazar thanked the members of the public for their input.

FINALIZE PROCESS FOR CREATING INITIAL SET OF RECOMMENDATION OF STATE BOARD OF EDUCATION

The Council discussed formalizing their task forces: Communications, Indicators/Measures, and Models. Specific responsibilities were assigned relative to the Indicators/Measures Task Force and the Models Task Force, as outlined below.

- The Indicators/Measures Task Force will:
 - select specific data to evaluate teacher and leader effectiveness.
 - determine the indicators and specific data to be collected for those indicators.
 - evaluate research and best practices in Nevada and in other states.
 - develop a presentation for the Council which will include positive pieces, areas of concern, and potential barriers to the categories we might select.

- The Models Task Force will:
 - determine if certain categories are going to be mandatory or part of an elective menu.
 - make recommendations to the Council for weighting of the categories.
 - look at the positive and negative aspects of using subscores.
 - discuss how information collected can be effectively utilized in a comprehensive system.

Member McCord questioned whether the Models Task Force could begin its work before the Indicators/Measures Task Force had completed its work. Member Fitzpatrick stated the department received support through WestEd in these efforts and it was their advice the Indicators/Measures and Models Task Forces could overlap to an extent. Member McCord disclosed he was on the Board of WestEd and if there was any action to retain their services he would abstain from voting. Member Cheney also disclosed she would be on the board of WestEd this spring. Member Fitzpatrick clarified that WestEd and the Southwest Comprehensive Center were already tasked with helping states like Nevada in this way. The Nevada Department of Education has an assignment from the federal government for those groups to provide technical assistance to the task forces.

Relative to the aforementioned disclosures, Dr. Irvin commented on ethics in government, referring specifically to Chapter 281 of the Nevada Revised Statutes. He stated if there was a potential conflict, even if uncertain, the member would be advised to disclose. Following disclosure, the larger group can further discuss the nature of the potential conflict, and produce a decision as a result of the discussion. Dr. Irvin advised that while he is available to provide counsel, it is non-binding, and that the Ethics Committee is the body that makes the final determination as to whether or not any disclosure was sufficient. As a final note, Dr. Irvin suggested that a decision to abstain from voting does not necessarily and inevitably follow merely being a member of WestEd's Board. He further proposed being available for individual discussions as to whether or not members would need to abstain from voting as a result of any potential conflict of interest.

Member McCormick motioned for the Council to establish a Communications Task Force, an Indicators/Measures Task Force, and a Models Task Force with duties as previously described. Member Cheney seconded. The motion carried without abstention and with no objection.

Chair Salazar recommended Vice Chair Barker be identified as the chair of Communications Task Force, Member Fitzpatrick be identified as chair of Models Task Force, and identified herself as chair of the Indicators/Measures Task Force. ***Member Norton motioned for the Council to accept Chairpersons to the Task Forces as recommended. Member Collins seconded. The motion carried without objection.***

The Council then discussed task force membership. Chair Salazar stated there would be approximately five Council members on each task force and that membership would be

formalized during a teleconference meeting in order to have an opportunity to include it as a formal agenda item before votes are cast. Chair Salazar instructed members to consider which task force they would like to join and to give their preference to Laurie Thake before leaving the meeting.

Dr. Irvin further specified, that when the item is placed on the agenda, it would be beneficial for the agenda item to include the proposed membership list, even if the membership were to change at a later date. In that way the public would have the opportunity to clearly identify the proposed action. Although the Chair usually has the authority to form subcommittees, it provides transparency and is more defensible if done formally. For example, sending an assignment request to Ms. Thake via email is preferable to sending an email to the Chair.

Dr. Irvin also noted there would be no conflict if members were on more than one task force. In addition, the task forces are not limited to members of the Council; nominations can include external individuals who are knowledgeable and may contribute to the discussions of the task force. Nominations can also be made by the public, where the public could send Ms. Thake a communication, such as an email, requesting to be on a task force. Dr. Irvin explained that the process itself is not a formal one, but that the formality occurs during the open meeting part of the process. However, Dr. Irvin did recommend that members vote on the membership of any individuals who are not part of the Council.

Council members inquired how the task forces would operate. It was recommended that each task force decide upon operating procedures. Members were reminded they will be required to follow all open meeting laws while they are completing task force work, including setting a formal agenda and building in periods of public comment. If the meetings are to be teleconferenced, public access locations can be arranged by Department staff.

FUTURE AGENDA ITEMS

Chair Salazar and Council members discussed future agenda items. The Council discussed adopting the *White Paper* and approving Task Force assignments during a February 17, 2012 teleconference meeting.

Chair Salazar requested Judy Osgood from the Office of the Governor provide background information on the NGA grant. Ms. Osgood stated she was working with the NGA and they identified some individuals willing to work with the Council on the communications plan through grant funding money. She requested communications and the NGA funding be placed on the next agenda so the consultant could begin working with the Communication Task Force immediately, in response to the timeframes on the deliverables. She noted there was miscommunication and misperception out there already and the NGA was ready to help.

Chair Salazar noted most of the day's work was on the indicators and effectiveness side of the chart. She stated during the March meeting, in addition to making a formal decision on standards, more work was needed on the student achievement piece. It was also noted the *White Paper* would be an ongoing item on future agendas.

PUBLIC COMMENT

Chair Salazar opened the floor for public comment. There was no public comment.

The meeting adjourned at 4:40 p.m.

The next meeting of the Teachers and Leaders Council is scheduled as a teleconference at the Nevada Department of Education, 700 East Fifth Street, Carson City, Nevada, 89701 in the Superintendent's Conference Room; and the Nevada Department of Education, 9890 South Maryland Parkway, Las Vegas, Nevada 89183 in Suite 221. For your convenience, minutes and agendas are posted on the Nevada Department of Education's website, under Commissions & Councils, at <http://www.doe.nv.gov>.