

Minutes of the Meeting

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

June 19, 2009

1. Call to Order; Roll Call; Pledge of Allegiance

President Lark called the meeting of the Commission on Professional Standards in Education to order at 9:45 A.M. via video conference in the Board Conference Rooms of the Nevada Department of Education Office in Carson City and Las Vegas, Nevada.

Roll call showed the following Commissioners present:

COMMISSIONERS PRESENT:

Carol Lark, President – Carson City
Karen Votraw, Vice President – Carson City
Dr. Vern Luft, Commissioner – Carson City
Bill Mendenhall, Commissioner – Las Vegas
Dr. Terry M. Owens, Commissioner – Las Vegas
Brienne Thoreson, Commissioner – Carson City
Nicholas Ungaro, Commissioner – Las Vegas
Wendy Zastawniak, Commissioner – Carson City

COMMISSIONER ABSENT:

Ann O'Connell, Commissioner – excused

STAFF PRESENT:

Christina Harper, Administrative Assistant to the Commission – Carson City
Gloria Dopf, Deputy Superintendent, Instructional, Research and Evaluative Services – Carson City
Dr. Jerry Barbee, Director of Teacher Licensure – Las Vegas
Donna Brothers, Supervisor of Teacher Licensure Carson Office – Carson City
James Kenyon, Teacher Licensure – Las Vegas

LEGAL COUNSEL PRESENT:

Dr. James E. Irvin, Deputy Attorney General – Carson City

AUDIENCE IN ATTENDANCE:

Andre Yates, Clark County School District – Las Vegas
Craig Stevens, Nevada State Education Association – Las Vegas

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

The pledge of allegiance was led by Commissioner Ungaro.

2. Approval of Agenda

There being no objections, President Lark stated that the agenda was approved as presented.

3. Approval of Minutes: a) May 8, 2009

The following amendment was made to the May 8, 2009 minutes: Page 6, Item 10, [October 4] October 23, 2009.

Vice President Votraw moved to approve the May 8, 2009 minutes as amended, seconded by Commissioner Luft. The motion passed unanimously.

4. Fiscal Report – Review of Current Budget Account Balance

Dr. Barbee reviewed the budget status report as of May 22, 2009. Dr. Barbee stated that total revenues received to date are \$1,867,036.81. Commission expenditures total \$6,091.15; expenditures for the Licensure budget total \$1,260,013.34; for an available funding total of \$607,023.47; and funding available from the Commission budget of \$2,749.85.

Vice President Votraw moved to approve the fiscal report, seconded by Commissioner Ungaro. The motion passed unanimously.

5. Update of Nevada Department of Education Activities

Ms. Dopf stated that the 2009 Legislative Session has ended and staff is currently performing an analysis of legislative bills passed and the Department's responsibilities within the approved legislation. Dr. Rheault will be completing a written comprehensive review of all of the education bills passed by July 1st; this review will be made available on the Department's website.

Ms. Dopf updated the Commission on key Department staff that are leaving and/or retiring: Bill Arensdorf – retired; Frankie McCabe – accepted the position of Director of Special Education at Lyon County School District; and Donna Brothers – retiring at the end of June 2009. Ms. Dopf expressed her gratitude to Donna for all of her work in the Licensure Office.

Ms. Dopf stated that the Department of Education Leaders are reviewing and making small adjustments to the Department's organization based upon staff vacancies and legislation that was passed during the 2009 session.

Ms. Dopf reported that the Department is managing the Stabilization Funds with no additional staff, and information regarding the Stabilization Funds is available via a link on the Department's website. Ms. Dopf stated that staff is looking at competitive

funding under ARRA (American Reinvestment and Recovery Act) and recently received notice that the application process for the first phase will be due in December and a second phase for those states who did not successfully compete and/or want to compete for additional funds. There will be individual state applications with the expectation that each state application will address the four assurances, to include teacher effectiveness/teacher quality for the comprehensive state level grants. The application must also include linkage and collaboration with other states; currently there are 46 states part of the collaboration on Common Core Standards.

Ms. Dopf stated that the Licensure staff is busy with processing new licensure applications and training current staff for a smooth transition following Ms. Brothers' retirement.

President Lark expressed gratitude and appreciation to Ms. Brothers for all of her years of service to the Department, her extensive licensure knowledge, and stated that it will be a tremendous institutional loss to the licensure office. Ms. Brothers stated that she has enjoyed working for the Department and in the Licensure office and stated that it has been a pleasure working with the Commission over the years. Vice President Votraw thanked Ms. Brothers for all of her knowledge and help during task force meetings.

6. 2009 Legislative Report and Update

Ms. Dopf reported on the following legislative bills:

- ACR 2 – is the study of the K-12 governance structure conducted by the Legislative Commission to look at a more effective, efficient operation of K-12 education. This is an interim comprehensive study and the role of the Commission on Professional Standards in Education will be a part of this study.
- The critical labor shortage bill was extended. This bill allows for school districts and other agencies to hire back individuals who have retired in critical labor shortage areas. This bill was modified in that previously the State Superintendent of Public Instruction had to approve the critical labor shortage, this will now be done by the Board of Trustees in an open meeting and with notification to the Retirement Board.
- The overall budget cuts for state employees required a 4.5% reduction and will be accomplished by a furlough of one unpaid working day a month. The Department is working on a plan to ensure that the offices have the appropriate coverage without incurring overtime. Ms. Dopf stated that the Department anticipates an impact on the workload, which could impact licensure processing time.
- AB 425 – allows licensed individuals at specific grade levels to be licensed at another level. The bill requires an individual to meet that grade level coursework requirements, have three years of teaching experience at that grade level but eliminates the student teaching requirement at the second level; and eliminated the teaching experience in another state for licensure reciprocity. This bill was

effective upon passage. The Licensure Office has already had individuals apply and have issued a license under AB 425.

AB 425 also required the Commission to review reciprocity specific to special education and report to the Legislative Commission by January 1, 2010. By July 1, 2010 the Commission needs to identify what special education reciprocity regulations were modified and the reason(s) if no regulations were modified.

President Lark recommended that this issue be placed on the next agenda for appointment of a task force to review this issue. Ms. Dopf advised that Department staff would provide the starting point and ground work for the task force on what other states are doing in the area of special education reciprocity.

- AB 428 is the Special Qualifications License effective on July 1, 2009. The amendment to this bill allows an individual with a bachelor's level degree (previously a master's level degree) to qualify for this license. Ms. Dopf advised the Commission that they have the authority to prescribe and make more specific the requirements for an individual with a bachelor's degree within regulation.

Deputy Attorney General Irvin suggested the following language for the next agenda for the establishment of task forces:

- "Establishment and approval of task forces necessary to fulfill the requirements of legislative requirements imposed by the 2009 Legislature".

Ms. Dopf reported that the operating budget for the Commission for the 2010/2011 years is \$11,991. This is more funding than the Commission received for the 2009 fiscal year and is approximately equal to funding received for 2007/2008 fiscal years.

Ms. Dopf stated that SB 259 which would have required the Commission to accept ABCTE certification as an alternative route to qualify for a Nevada teaching license did not pass the 2009 Legislative Session.

7. Public Hearing to Consider Comments and Possible Adoption of Amendments to Temporary Regulation NAC 391.015 – Location of State Offices; Acquisition of Forms for Licensure

President Lark opened the public hearing at 10:29 A.M. There were three individuals present. There being no public comments, President Lark closed the public hearing at 10:30 A.M.

The proposal amends the physical address of the Las Vegas Teacher Licensure office.

Commissioner Luft moved to approve the amendments to NAC 391.015 as submitted, seconded by Commissioner Ungaro. The motion passed unanimously.

8. Public Hearing to Consider Comments for NAC 391.057 – Conditional Licensure: Categories; Qualifications; Validity; Requirements Following Issuance; NAC 391.058 – Conditional Licensure: Prerequisites to Employment of Person; Assistance, Guidance, Training, Orientation and Evaluation of Person; Cooperation with Commission and Department; and New Sections for Out-of-State License; Out-of-State Categories; Qualifications, Validity; Requirements Following Issuance; and Conditional License: Out-of-State Categories, Qualifications, Validity; Requirements Following Issuance for the Alternative Route to Licensure Program

President Lark opened the public hearing at 10:33 A.M. There were three individuals present. There were public comments.

Commissioner Luft stated that the Praxis exam concerns to ensure that individuals applying for the ARL licensure must also take the Praxis II exam and Nevada State required exams, expressed at the last meeting, were addressed in the new proposed language.

Upon questioning by Commissioner Owens, it was discussed that the school district is responsible for providing the reimbursement of mentor expenses.

Craig Stevens, Nevada State Education Association and a member of the ARL Task Force, expressed support for the approval of amendments to NAC 391.057 and 391.058, but reiterated and expressed opposition to NAC 391.xxx which could allow for an unqualified individual to obtain a Nevada teaching license, that program could lower their standards for certificate completion and that certificate would have to be accepted based upon the current proposed regulations. Mr. Stevens recommended that NAC 391.xxx be remanded back to the Task Force for further discussion and possible amendments. Mr. Stevens expressed concerns with programs similar to ABCTE, in that individuals with that certificate have no classroom experience and that individual could have five unsatisfactory evaluations and continue to be in the classroom with students. Mr. Stevens suggested that the individual must have some type of classroom experience. Mr. Stevens encouraged the Commission to maintain teacher quality with a rigorous program for teachers to be in a classroom in Nevada.

Commissioner Zastawniak expressed concern with NAC 391.xxx, section 2c, as she feels that there needs to be a timeline and parameters outlined when an individual has been out of the teaching field for a specified amount of time.

Andre Yates, Clark County School District, stated that currently Clark County School District does not have the large number of teacher vacancies as in previous years and currently have a pool of highly qualified candidates to choose from for current vacancies. Mr. Yates stated that Clark County School District does not anticipate the need for a large amount of new teachers, even in the high need areas.

President Lark closed the public hearing at 10:51 A.M.

Commissioner Luft expressed concern that if the Commission does not allow for the ABCTE certificate to be accepted as an alternative route to licensure, then the Legislature will mandate this type of licensure with no input from the Commission. Commissioner Luft stated that the proposed regulations allow for an individual to be hired by the school district and then the school district must apply for the alternative route to licensure/conditional licensure program.

Vice President Votraw moved to adopt the ARL proposal, NAC 391.057 and 391.058, seconded by Commissioner Owens. Commissioner Zastawniak move to amend the motion to amend Section 2c to include a time frame of when the individual left the state in good standing and/or require professional development for individuals who have been out of the classroom for a period of time. Following discussion that this amendment was too broad, Commissioner Zastawniak withdrew her motion to amend, as she can request an amendment with specific requirements at the permanent adoption of this regulation. The original motion passed unanimously.

Commissioner Ungaro moved to adopt new Sections 391.XXX and 391.xxx as submitted, seconded by Commissioner Owens. The motion passed unanimously.

9. Discuss and Set Meeting Schedule for the 2009-1010 Year

Commissioner Luft moved to adopt the following meeting schedule with the location of each meeting to be determined at a later date, seconded by Commissioner Ungaro. The motion passed unanimously.

September 11, 2009	Las Vegas
October 23, 2009	TBA
December 4, 2009	Joint meeting w/ State Board of Education -Las Vegas
February 5, 2010	TBA
March 26, 2010	TBA
May 21, 2010	TBA

10. Approval of a Foreign Transcript Evaluator

Dr. Barbee stated that the Department received a request from A2Z Evaluations to provide foreign transcript evaluations and be added to the list of approved Foreign Transcript Evaluators in Nevada.

Dr. Barbee stated that he has researched A2Z Evaluations and they are a member of the National Association of Credential Evaluation Services (NACES). Upon questioning, Dr. Barbee stated that the Department monitors the actions of all foreign transcript evaluators on the Department's approved list to ensure that the services being provided are appropriate for Nevada applicants. Dr. Barbee stated that currently the Department utilizes approximately eight companies that provide foreign transcript evaluation services.

Commissioner Luft moved to approve A2Z Evaluations and to be added to the list of approved foreign transcript evaluators, seconded by Vice President Votraw. The motion

passed unanimously.

11. Review and Approval to Change the Praxis II Exams for U.S. and World History from #0940 To #0941; and Biological Science from #0231 To #0235 Due to the Older Exams No Longer Being Offered; Propose to Adopt: **Existing Cut scores; **Equated Scores; or **No-Fault Period to Establish New Cut Scores

James Kenyon, Department of Education Consultant, provided a power point presentation regarding the Praxis II exam proposed changes.

Mr. Kenyon requested approval to move from the US/World History Praxis Exam #0940 to #0941. Currently, Nevada is the only state who continues to use #0940, as this exam is being phased out, and seven states use exam #0941. This is a two hour test and ETS recommended a cut score of 152 which was devised from seven Nevada history professionals in a standards setting group.

There was discussion of whether to adopt a cut score or allow a one year no-fault period. Commissioner Owens argued against a no-fault period; as it allows an individual an opportunity to pass the exam and obtain a license that could not pass the exam previously. Commissioner Owens supported adopting the national median score.

Commissioner Luft stated that in the past the Commission has set a precedence to adopt a new test with a one year no-fault period to collect data and then adopt a cut score at the end of the no-fault period. Commissioner Luft supported the no-fault period to provide individuals an opportunity to take the exam and collect the score data on Nevada test takers.

Following discussion, Commissioner Luft moved to adopt US/World History exam #0941, to replace exam #0940, with a one year no-fault period, seconded by Commissioner Ungaro. The motion passed with Commissioner Owens in opposition.

Mr. Kenyon requested approval to move from the Biological Science Praxis Exam #0231 to #0325. The new test is a two hour test with 150 multiple choice questions. ETS provided a concordance table and recommended a passing score of 145 for the new exam. ETS indicated that a standard setting session and no-fault period is not needed as the contents of the two exams are very similar.

Following discussion, Commissioner Mendenhall moved to approve Biological Science Praxis Exam #0231 with a cut score of 145, seconded by Commissioner Owens. The motion passed unanimously.

Upon questioning by Commissioner Luft, Dr. Barbee responded that the Department of Education's Licensure Office will notify the universities and school districts regarding the new tests, cut scores, no fault period, and the effective dates.

12. Update and/or Reports of Task Force Activities

- Update and Report from the Elementary Education Task Force and Submit Recommendations

Commissioner Luft reported that the Elementary Education Task Force held two meetings in May and finalized the proposal.

Commissioner Luft reviewed the proposed changes and stated that the amendments include the addition of a minimal amount of coursework (6 credits in each area) in math, science, and social studies for elementary education teachers. The proposal also separates the elementary physical education license from the elementary education license.

Commissioner Luft thanked Dr. Marilyn Ford for all of her time and work on the proposal. Commissioner Luft recommended that the Commission hold a workshop at the next meeting.

Commissioner Luft moved to post the proposal for a workshop at the September 11, 2009 meeting, seconded by Vice President Votraw. The motion passed unanimously.

Commissioner Ungaro expressed concern regarding the credits required for middle school teachers to be determined "highly qualified". Commissioner Luft stated that students would already have these credits and this coursework is already included in all undergraduate requirements.

13. Future Agenda Items

The following items were noted to be on the June 19, 2009 agenda:

- Workshops for all temporary regulations that were adopted as temporary regulations in 2008/09 and public hearings in October 2009;
- Establishment and appointment of task force for AB 425 and AB 428 based upon 2009 Legislative action;
- Department of Education Update; and
- Workshop for the Elementary Education Licensure.

14. Comments From Public

Andre Yates, Clark County School District, requested an agenda item for the September meeting to discuss the possibility of adding the Korean and Filipino/Tagalog language as a licensure endorsement.

Nat Chalotie stated that he is looking to offer courses in Nevada Constitution, Nevada School Law and US Constitution as an approved provider through Chapman University. These would be one credit courses to meet state certification requirements. Mr. Chalotie requested that this be added to the September meeting agenda.

Dr. Barbee stated that the Department will review the syllabi and curriculum; and provide a report of this research with a recommendation on Chapman University providing this course to satisfy licensure requirements at the next meeting.

15. Comments from Staff

Ms. Dopf recognized Donna Brothers for all of her work and dedication to the Nevada Department of Education and the Commission on Professional Standards in Education. Dr. Barbee concurred with Ms. Dopf's recognition.

16. Comments from Commissioners

Commissioner Luft advised the Commission that he will be giving a presentation and overview of the Commission at the Leadership Academy of the Association of Teacher Educators on July 31st. Commissioner Luft stated that he will be presenting information that was developed and presented to the Legislative Committee on Education.

17. Adjournment of Commission Meeting

Vice President Votraw moved to adjourn the meeting at 12:30 P.M., seconded by Commissioner Ungaro. The motion passed unanimously.