

Minutes of the Meeting

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

December 4, 2009

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

Vice President Votraw called the meeting of the Commission on Professional Standards in Education to order at 1:00 P.M. via video conference in the Board Conference Rooms of the Nevada Department of Education Offices in Carson City and Las Vegas, Nevada.

Roll call showed the following Commissioners present:

COMMISSIONERS PRESENT IN LAS VEGAS:

Karen Votraw, Vice President
Dr. Vernon Luft, Commissioner
Bill Mendenhall, Commissioner
Dr. Terry Owens, Commissioner
Brienne Thoreson, Commissioner
Nicholas Ungaro, Commissioner

COMMISSIONERS ABSENT:

Carol Lark, President – excused
Ann O’Connell, Commissioner – excused
Wendy Zastawniak, Commissioner – excused

STAFF PRESENT:

Christina Harper, Administrative Assistant to the Commission
Gloria Dopf, Deputy Superintendent, Instructional, Research and Evaluative Services
Dr. Jerry Barbee, Director of Teacher Licensure
Melissa Scott, Nevada Department of Education
Mike Raponi, Assistant Director of the Office of Career and Technical Education

LEGAL COUNSEL PRESENT:

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

AUDIENCE IN ATTENDANCE IN LAS VEGAS:

Lori Navarete, Nevada State College
Brenda Jones, Sierra Nevada College
Marilyn Ford, University of Nevada, Las Vegas
Nancy Sileo, University of Nevada, Las Vegas
Andre Yates, Clark County School District
Craig Stevens, Nevada State Education Association

AUDIENCE IN ATTENDANCE IN CARSON CITY:

Anna Savala, Washoe County School District
Dawn Huckaby, Washoe County School District
Francey Dennis, University of Phoenix
Neal Freitas, Lyon County School District

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

The pledge of allegiance was led by Commissioner Thoreson.

2. Approval of Agenda

Commissioner Luft moved to approve the agenda as presented and stated that the public hearing for the elementary education licensure will need to be postponed until the February meeting as the language from LCB is not ready, seconded by Commissioner Thoreson. The motion passed unanimously.

3. Approval of Minutes: a) October 23, 2009

The following amendments were made to the October 23, 2009 minutes: Page 2, Item 5, 2nd paragraph, 2nd line, ...temporary regulation period and in order [to] for those regulations to become permanent...; Page 3, 1st paragraph, 2nd line, ...areas will be brought forth for [considered] consideration by the Commission.; Page 6, 1st paragraph, 6th line, ...with a conditional license leaves...; Page 7, Item 11, 3rd paragraph, 3rd line, ...Licensing is doing in that reference to [interpretation] interpret and report back to the Commission to ensure that the Teacher Licensure office is following statute and in line with what the Commission desires.; and Page 9, Item 14, 3rd line, ...Ms. Martini stated that [during] the 2009 Legislature approved ACR 2 which directs...

Commissioner Luft moved to approve the October 23, 2009 minutes as amended, seconded by Commissioner Thoreson. The motion passed unanimously.

4. Fiscal Report – Review of Current Budget Account Balance

Dr. Barbee, Director of Teacher Licensure, reviewed the budget status report as of November 6, 2009. Dr. Barbee stated that total revenues received to date total \$1,055,968. Commission expenditures total \$2,496.21; expenditures for the Licensure budget total \$366,439.28; for an available funding total of \$689,528.72; and funding available from the Commission budget of \$9,645.79. Dr. Barbee stated that the budget is within the parameters of the work program.

5. Update of Nevada Department of Education Activities

Ms. Dopf stated that the State Board reappointed Dr. Rheault for three years. Ms. Dopf stated that Dr. Rheault, in his report, identified the priorities for the Department of Education for the 2010-2013 work plan; to include an increase in technological capacity and efficiency for the Department of Education, specifically in the licensure area for

online payment for applications and fingerprinting fees, and a paperless licensure application procedure. Ms. Dopf reported that the Board was pleased with the digitizing of licensure files which allows the ability to connect with other data bases; elimination of 78 file cabinets and the cost associated with housing those file cabinets.

Ms. Dopf updated information regarding the Governor's request that all state agencies provide a cost savings plan for a 1.4% reduction for FY 2010 and a 3% reduction for FY 2011. The impact of the reduction is uncertain to the Department of Education, school districts, and distributive school account. Ms. Dopf advised the Commission, since the licensure budget is fee funded, there will be no reduction in the licensure budget, as it does not affect the State General Fund budget.

Ms. Dopf stated that the Department of Education staff will be extremely busy in the next few weeks completing the second phase of the stabilization fund application, identifying certain data elements and if those data elements will be available to the public and if not, a plan to collect and make available to the public no later than September 2011. The reason for bringing this information to the Commission was twofold: 1) data elements that relate to highly qualified teachers (HQT) which are already a part of the accountability report; and 2) additional data elements to create longitudinal data between K-12 and higher education, as well as data relating to teacher/principal evaluations. In the absence of a specific state system for teacher/principal evaluations, a system will need to be developed whereby school districts will be reporting publicly on their evaluation tools and how they evaluate teachers and principals.

Ms. Dopf stated that the first phase for "The Race to the Top" grant request is due by January 19, 2010. Nevada is the only state in which there is a statutory barrier to be eligible for this funding, as Nevada is precluded from using student achievement data for a teacher's evaluation. The Governor's Office, Nevada State Education Association and members of the Legislature are working toward a resolution to this issue in order to be considered for the Race to the Top funding. A special session of the Legislature may be called in order to amend the statute and remove the barrier. Ms. Dopf stated that the time frame of this issue is critical and she will keep the Commission updated via e-mail regarding this issue.

Upon questioning by Commissioner Owens, Ms. Dopf responded that the discussion surrounding the Race to the Top funding would allow the Department to define the parameters of how to use the data for evaluation and a growth type analysis or progress analysis.

Dr. Barbee stated that the Alternative Route to Licensure regulations were approved by the Legislative Committee in November and have been filed with the Secretary of State.

Dr. Barbee stated that one of his goals is to bring unity between the northern and southern offices; in this effort a southern office employee will be transferring to the northern office and staff in both locations will receive the same training. There will be four training sessions for the entire staff.

6. Public Hearing and Possible Adoption of R136-09; NAC 391.131 – Single-Subject Major and Minors. Adding Korean, Filipino, Tagalog, and Hebrew under Foreign Languages

Vice President Votraw opened the public hearing at 1:30 P.M. There were eight individuals present. There being no public comments, Vice President Votraw closed the public hearing at 1:32 P.M.

Commissioner Ungaro moved to adopt R0136-09 as submitted, seconded by Commissioner Luft. The motion passed unanimously.

7. Public Hearing and Possible Permanent Adoption of R086-09; NAC 391.095 – Qualifications for License: Generally; Physical Education Elementary License; NAC 391.098 – Endorsements and New Section for Qualification for License; Physical Education Elementary License; K-8 Physical Education; New Section for Subject Area Minor Endorsements

Vice President Votraw stated that the legal language from Legislative Counsel Bureau (LCB) is not yet ready and thus this public hearing will be postponed until the February meeting.

8. Discussion and Possible Recommendations from the Commission to Legislative Interim Committee for Governance and Oversight of System of K-12 Public Education (A.C.R. 2) (a) State K-12 Governance Relating to Councils and Commissions; and (b) Organizational Structure of Nevada Department of Education

Ms. Dopf provided the K-12 Governance Structure and Changes document that was drafted by Dr. Rheault and adopted by the State Board of Education.

Ms. Dopf stated that included within the ACR 2 survey, there is a Commission/Council section, a section specific to the Commission on Professional Standards in Education, and a section on the organization of the Department of Education. Ms. Dopf stated that each Commissioner should have received an e-mail with a link to the survey and the deadline for completing the survey is December 15, 2009. Following discussion that certain Commissioners did not receive this e-mail, Ms. Dopf informed that there is a link for the survey on the Department of Education's web site under "Hot Topics". The Commission was informed that the survey consists of 64 pages with no "save" button; once you start the survey you must finish or lose all of the information submitted.

Commissioner Luft stated that he appreciates the Commission's and State Board of Education's position to support the continuation of the Commission on Professional Standards in Education and encouraged Commissioners to respond to the survey regarding the Commission's usefulness and responsibilities.

Commissioner Ungaro stated that the Commission completes a lot of work in an effort to resolve issues quickly and efficiently.

Vice Chair Votraw agreed that the Commission has value as it is an avenue to receive input from various stakeholders.

Following discussion regarding an official position statement/response by the Commission to the Legislative Committee, Ms. Dopf recommended that the Commission discuss possible topics for further discussion and for Department Staff to draft a document for consideration by the Commission in February.

The Commission discussed the following topics to be included for a draft document:

- List of Commission accomplishments with specifics relative to the Alternative Route to Licensure;
- Summary of task forces, workshops and public hearings;
- Support for the State Board of Education;
- The history of the Commission;
- Commend the Department of Education for their support and work for the Commission and the State Board of Education;
- The Commission's position on the Commission to include that the Commission is well designed with north/south/urban/rural representatives, the Commission looks at all levels of education from prekindergarten to higher education.
- Provide a complete picture of the Commission to the Legislature.
- The Commission provides guidance for education in the State of Nevada.
- It was suggested that Dr. Barbee put together a three-ring binder of regulations that Commission has adopted since 2005.
- Commissioners are appointed and volunteer their time for meetings and task forces; and school district staff volunteer their time for task force meetings.
- The Commission has improved the quality of teachers in the K-12 system.

Commissioner Owens expressed support for the non- micromanaging of educational personnel by non-educators, as this is bad for education overall.

Commissioner Luft suggested a power point presentation to the Legislative Committee to identify the structure and strengths of the Commission and Department of Education with open access to the Superintendent of Public Instruction and include the Commission's Mission Statement.

The Commission directed Ms. Dopf, Dr. Barbee and Mrs. Harper to develop a position paper for the Commission based upon the comments received for review and approval at the February meeting.

9. Discussion Regarding the Issue of a Business and Industry Endorsement Holder to be Allowed to Pursue an Administrative Endorsement

Dr. Barbee reviewed NAC 391.170 – Endorsement as Professional Administrator of School or Program, which specifically excludes an individual holding a business and industry endorsement from obtaining a professional administrator of a school or program endorsement. Dr. Barbee stated that he received a request to consider

allowing an individual holding a business and industry endorsement to be allowed to pursue an administrative endorsement.

Mike Raponi, Assistant Director of the Office of Career and Technical Education, stated that in regards to NAC 391.171, the Office of Career and Technical Education supports the deletion of the exclusion of business and industry endorsement holders from the professional administrator endorsement. Mr. Raponi stated that the business and industry endorsement allows qualified individuals into the teaching field in their area of expertise. Mr. Raponi stated that an individual applying for this type of endorsement would have to meet all of the other requirements and these individuals are currently teaching in high school classrooms.

Commissioner Mendenhall expressed support for the removal of the exclusion for a holder of a Business and Industry Endorsement and stated that these individuals should be allowed to obtain an administrative endorsement as they have to meet all of the other requirements.

Upon questioning regarding the exclusion, Dr. Barbee provided the history of the Business and Industry Endorsement and the original intent within the career and technical areas was to allow individuals who were a master in their craft/trade to be able to teach in that specific area of expertise, most of these individuals did not have an education beyond the high school level. Dr. Barbee stated that currently individuals are applying for the business and industry endorsement already have a bachelor, master or even doctoral degree.

Commissioner Luft stated that the Business and Industry Endorsement encompasses a wide range of individuals with educational experience. Dr. Barbee confirmed that an individual with a Business and Industry endorsement must have three years of teaching experience to be eligible for an administrative license.

Dr. Barbee will prepare a draft to amend NAC 391.171 for review at the February meeting.

Commissioner Luft moved to post NAC 391.171 for a workshop on February 5, 2010, seconded by Commissioner Owens. The motion passed unanimously.

10. Update, Reports and Recommendation of Task Forces

- AB 425 Sections 1 & 5

Task Force Chair Owens provided a handout of draft proposed recommendations of the Task Force concerning licensure level changes. The Task Force will submit the final recommendations for review, and possible approval by the Commission at the February 5th meeting. The next Task Force meeting is scheduled for January.

Commissioner Ungaro requested a flow chart of how the information is transferred and the approval process from task force to Commission approval to possible administrative code amendments.

- AB 428 Special Qualifications

Task Force Chair Ungaro reported that the Task Force has worked on concerns with regard to the special qualifications license for the inclusion of the bachelor's degree and aligning with the Alternative Route to Licensure (ARL) program for consistency. Dr. Barbee is currently evaluating existing ARL forms for the 120 hours of training/mentoring program and will provide a report to the Task Force at the next meeting. The Task Force will be presenting a document which clarifies guidelines for course requirements to the Commission at the February meeting.

The Task Force is scheduled for January 11, 2010 and will be discussing course requirements for final recommendations to the Commission.

- AB 425 Special Education

Task Force Chair Mendenhall reported that this Task Force was directed, under AB 425, to look at the issues of categorical licensing and reciprocity; report back to Legislature what if any action should be taken and justification if no action is taken. This report is due to the Legislature by January 1, 2010.

Commissioner Mendenhall read the recommendations into the record:

"The AB 425 Task Force met October 7, October 22, November 4, and December 2.

At those meetings, the requirements of other states for licensure in special education and reciprocity rules were reviewed in comparison to the State of Nevada licensure requirements.

With regard to the issue of categorical licensing, we considered that some categories could be combined with others while others may not, due to specialized instructional skills sets that may be required to teach students with more severe disabilities. Other states' requirements varied from a "one license fits all" approach to multi-categorical and grade level licensing in special education. In Nevada (Clark County), some districts are having shortages in obtaining qualified/endorsements in the specific areas such as Autism.

Reciprocity was discussed with the driving issue of experienced, licensed teachers from other states not having the required course work to obtain the categorical endorsements in Nevada. Teachers with multiple years of experience in the instruction of students with Autism, for example, cannot be endorsed in Nevada without the required and verifiable coursework in the area as required by NAC.

When considering the categorical licensing, and reciprocity of special education licenses, the task force has requested informational input from the State Special Education Advisory Committee (meets December 8) and the State District Special Education Directors (meets December 10) special education teachers and district human resources personnel before making any final recommendations to the Commission. At this time, the Task Force would recommend continuing work with the approval of the Commission on Professional Standards until further information can be obtained by the stakeholders in the licensure process, the teachers and school districts, and as such would be the recommendation to the legislature in January of 2010.”

Task Force Chair Mendenhall stated that currently there are no recommended changes to the regulations until further input is received from the various stakeholders.

Task Force Chair Mendenhall stated that task force meetings have been scheduled in January and February 2010.

11. Submission and Approval of Report from the AB 425 – Special Education Task Force to be Submitted to Legislature by January 1, 2010

Commissioner Luft moved to direct staff to use the report submitted by the AB 425, Section 6 Task Force and other materials available to develop the report to be submitted to the Legislature, seconded by Commissioner Ungaro. The motion passed unanimously.

12. Election of Officers

Ms. Dopf opened the nominations for President. Commissioner Luft nominated Dr. Terry Owens, seconded by Commissioner Mendenhall. Commissioner Ungaro nominated Karen Votraw. Vice Chair Votraw appreciated the nomination, but declined. Commissioner Ungaro withdrew his nomination.

Ms. Dopf closed the nominations and called for a vote for Dr. Terry Owens as Commission President. Dr. Terry Owens was unanimously voted as President.

Ms. Dopf opened the nominations for Vice President. President Owens nominated Dr. Vernon Luft. Dr. Luft declined as his term is up on June 30, 2010 and will be replaced with a representative from UNLV. President Owens withdrew her nomination. Commissioner Luft nominated Nicholas Ungaro, seconded by Commissioner Mendenhall.

There being no further nominations, Ms. Dopf closed the nominations and called for a vote for Nicholas Ungaro as Commission Vice President. Nicholas Ungaro was unanimously voted as Vice President.

13. Future Agenda Items

The following items were noted to be on the February 5, 2010 agenda:

- Public Hearings for Elementary Licensure proposed changes
- Workshop for NAC 391.171 - Business and Industry Endorsement Holder to be Allowed to Pursue an Administrative Endorsement;
- ACR 2 Discussion, Response to Survey, and Approval of Position Statement;
- Update and Recommendations from Task Forces for AB 425 – Sections 1& 5; AB 425 – Special Education; and AB 428 – Special Qualifications;
- Department of Education Update.

14. Comments From Public

Craig Stevens, Nevada State Education Association (NSEA), advised that NSEA fully supports the Commission and agrees with the State Board of Education's position to maintain the Commission. NSEA feels that the Commission has been and is the most efficient manner in which to address educator licensure concerns by licensed educators. Mr. Stevens stated that the Commission holds the most efficient meetings and appreciates their time and efficiency.

15. Comments from Staff

Ms. Dopf thanked President Lark and Vice President Votraw for their dedication and commitment to education and the Commission.

Ms. Dopf stated that she is looking forward to working with President Owens and Vice President Ungaro.

16. Comments from Commissioners

Vice President Votraw thanked the Department of Education staff for all of their work for the Commission.

It was announced that the folders from the Educational Testing Service (ETS) are now available.

17. Adjournment of Commission Meeting

Vice President Votraw moved to adjourn the meeting at 3:00 P.M., seconded by Commissioner Thoreson. The motion passed unanimously.