

Minutes of the Meeting

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

June 16, 2011

Call to Order; Roll Call; Pledge of Allegiance

President Owens called the meeting of the Commission on Professional Standards in Education to order at 9:05 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 LAS VEGAS:

Dr. Terry Owens, President
Brian Boothe, Commissioner
Elissa Couch, Commissioner

COMMISSIONERS PRESENT IN CARSON CITY:

Brianne Thoreson, Vice President
Dr. Cheryl Lau, Commissioner
Mary Keith, Commissioner
Wendy Zastawniak, Commissioner

COMMISSIONER ABSENT:

Dr. Nancy Sileo, Commissioner – excused

STAFF PRESENT IN CARSON CITY:

Lori Johnson, Executive Assistant
Donnell Barton, Acting Deputy Superintendent, Instructional, Research and Evaluative Services
Dr. Jerry Barbee, Director of Teacher Licensure
Katherine Rohrer, Licensure Office

STAFF PRESENT IN LAS VEGAS:

James Kenyon, Licensure Office

LEGAL COUNSEL PRESENT IN LAS VEGAS:

Dr. James E. Irvin, Senior Deputy Attorney General

AUDIENCE IN ATTENDANCE IN CARSON CITY:

Steve Harvey-Chapman, Washoe County School District

AUDIENCE IN ATTENDANCE IN LAS VEGAS:

Peter Yeager, Educational Testing Service (ETS)
Andre Yates, Clark County School District – Director of Licensure and Recruitment
Carol Foster, University of Phoenix

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

President Owens led the pledge of allegiance.

Dr. Barbee welcomed and introduced Donnell Barton as the new Acting Deputy Superintendent of Instructional, Research and Evaluative Services as well as serving as the Director of Child Nutrition and School Health.

Approval of Agenda

MOTION: Vice President Thoreson moved to approve the agenda as flexible with Dr. Barbee request for Item 7, and the removal of “surcharge discussion on page 31”, seconded by Commissioner Lau. The motion passed unanimously.

Approval of Minutes: a) May 4, 2011 Meeting

MOTION: Commissioner Lau moved to approve the May 4, 2011 minutes as submitted, seconded by Vice President Thoreson. The motion passed unanimously.

Fiscal Report – Review of Current Budget Account Balance

Dr. Jerry Barbee, Director of Teacher Licensure, reviewed the budget status report dated May 20, 2011. Dr. Barbee reported that revenues received to date total \$1,467,469. The Commission’s expenditures total \$9,870.56 for an available funding of \$2,260.44; expenditures for the Licensure budget total \$1,051,520.09 for an available funding total of \$415,948.91.

Upon questioning by President Owens, Dr. Barbee responded that the reason that the carry over funds are less are due to the fact that there were fewer licenses issued. Dr. Barbee assured that the budget will remain in the black with no issues at the end of this fiscal year.

Update of Nevada Department of Education Activities

Dr. Barbee stated that currently there are ongoing meetings with Department Directors discussing the strategic planning for the Nevada Department of Education to meet State and Federal requirements.

Dr. Barbee stated that in the near future the Office of Teacher Licensure will be conducting evaluations of eleven public and private institutions, within our state, that offer teacher preparation programs.

Dr. Barbee and Dr. Rohrer attended the NASDAC conference held in Sacramento, California with discussions on accountability, teacher effectiveness, and tiered teacher licensing throughout the United States, to include reciprocity.

2011 Legislative Report and Update

Dr. Jerry Barbee provided a handout outlining the 2011 Legislative Bill Summaries and reviewed legislative actions that will have an impact on the Commission:

- Assembly Bill 39 – eliminates the requirement for the Department of Education to provide written notices, by first class mail, to licensed educational personnel regarding the expiration date of the license. Requires the Department of Education to maintain a directory of the name of each person who holds an educational license and make the directory available to licensed educational personnel and the general public via internet website. Requires Department of Education to provide to each school district, on a monthly basis, an electronic file with a list of each licensed employee of the school district whose license will expire within nine months immediately following the month of notification. Requires the school districts to notify each licensed employee identified on the list of licenses due to expire, as provided by the Department of Education, and provide notice no later than six months before the expiration date of the license. The method of notification is to be determined by the school district. This Act becomes effective on July 1, 2011. The Office of Teacher Licensure will establish the procedure and files to be provided to each school district, on a monthly basis, no later than July 31, 2011. There is no action required of the Commission, only the Office of Teacher Licensure.
- Assembly Bill 224 – creates the Office of Parental Involvement and Family Engagement within the Department of Education and requires the Superintendent of Public Instruction to appoint an employee of the Department to serve as the Director of the Office.
 - Requires the Commission, in cooperation with the Office of Parental Involvement and Family Engagement, to adopt regulations prescribing course work on parental involvement and family engagement on or before December 31, 2011.
- Assembly Bill 230 – requires the State Board of Education, on an annual basis, to evaluate each provider approved by the State Board or the Commission on Professional Standards in Education that offers a course of study or training designed to qualify a person to be a teacher or administrator or to perform other educational functions, including, without limitation, a qualified provider for the required education and training of teachers and administrators pursuant to an alternative route to licensure approved by the Commission.
 - Requires the Commission on Professional Standards in Education to adopt regulations that include, without limitation, the qualifications for licensing teachers and administrators pursuant to an alternative route to licensure which provides that the required education and training may be provided by any qualified provider that has been approved by the Commission, including, without limitation, institutions of higher education and other providers that operate independently of an institution of higher

education. The regulations adopted must: Establish the requirements for approval as a qualified provider; require a qualified provider to be selective in its acceptance of students; require a qualified provider to provide supervised, school-based experiences and ongoing support for its students, such as mentoring and coaching; significantly limit the amount of course work required or provide for the waiver of required course work for students who achieve certain scores on tests; allow for the completion in two years or less of the education and training required under the alternative route to licensure; provide that a person who has completed the education and training required under the alternative route to licensure and who has satisfied all other requirements for licensure may apply for a regular license regardless of whether the person has received an offer of employment from a school district, charter school or private school; and upon the completion by a person of the education and training required under the alternative route to licensure and the satisfaction of all other requirements for licensure, provide for the issuance of a regular license to the person.

- Requires the Commission on Professional Standards in Education, on or before December 31, 2011 to adopt the required regulations of the bill.
- Assembly Bill 393 – requires the Board of Trustees of each school district and the governing body of each charter school shall adopt a policy which requires a licensed employee of the school district or charter school to report to the school district or charter school if the employee is arrested for or convicted of a crime. The policy must include, without limitation, an identification of the crimes for which an arrest or conviction must be reported; the person to whom the report must be made; and the time period after the arrest or conviction in which the report must be made.
 - Requires the Commission on Professional Standards in Education to set the fees for renewal of a license to include the fees for processing the fingerprints of the applicant for renewal by the Central Repository and the Federal Bureau of Investigation.
 - Stipulates that provision of the bill become effective on July 1, 2011 for the purposes of adopting regulations and policies and performing any other preparatory administrative tasks and on January 1, 2012 for all other purposes.
- Assembly Bill 395 – creates a separate category of licensure to teach special education.
 - Requires the Commission on Professional Standards in Education to adopt regulations to include provisions for the reciprocal licensure of person who hold a license to teach special education.
 - This act becomes effective on July 1, 2011.
- Senate Bill 197 – creates a new State Board of seven voting members and four non-voting members election whose terms will commence on January 8, 2013; and specifies either the election or appointment and the requirements of each member. Specifies that the Superintendent of Public Instruction is to be appointed by the Governor from a list of three candidates submitted by the State Board and serves at the pleasure of the Governor. The Superintendent of Public Instruction is in the unclassified service of the State also is in the Executive

Department of State Government. Revises the qualifications and duties of the Superintendent of Public Instruction. Revises the plan to improve the academic achievement of pupils enrolled in public schools, to establish a clearly defined goals and benchmarks for improving the achievement of pupils and prescribes those goals and benchmarks. Requires the Superintendent, in conjunction with the State Board, to prepare an annual report of the state of public education in this State.

- Clarifies that the Superintendent of Public Instruction is responsible for ensuring that the duties and responsibilities of the Commission on Professional Standards in Education are carried out successfully by the Commission.
- Requires the Commission to submit an annual report to the State Board and the Legislative Committee on Education describing the status of the regulations adopted by the Commission and a work plan designating the proposed activities of the Commission during the next year.
- Senate Bill 315 – requires the Commission to adopt regulations prescribing the qualifications for licensing teachers and administrators pursuant to an alternative route to licensure and sets forth certain requirements that must be specified in those regulations; requires the regulations adopted by the Commission governing reciprocal licensure to include provisions for the reciprocal licensure of person who obtained a license pursuant to an alternative route to licensure; and request the Commission, on or before, December 31, 2011, adopt the regulations required by the provisions of this act.

President Owens questioned why there is a push to water down the requirements and make it easy for an individual to obtain a teaching license via the alternative route; alternative route is easier and cheaper than the traditional college avenue; so why would an individual choose the traditional college avenue to obtain a teaching license. Dr. Barbee responded that there has been a big push, nationwide, transferring from teacher quality to teacher effectiveness as an accountability issue. Dr. Barbee stated that in AB 230 there is the reference, “at the approval of the Commission” and encouraged the Commission to be vigilant with not watering down the requirements for teacher preparation.

Commissioner Couch expressed concern and disappointment that the Commission’s Position Paper was not read into the record at the AB 230 hearing. Commissioner Couch, as a public citizen after the AB 230 hearing, contacted Senator Dennis and provided him with a written statement concerning issues of concern such as the testing in lieu of coursework and the two year or less requirement. Commissioner Couch’s written statement, as a private citizen, was presented to the Committee prior to the Committee taking action; Senator Dennis took the position that the Commission did not endorse this bill and the Assembly did not hear or read the Commission’s Position Paper.

Commissioner Couch suggested, in the future, that the Commission may want to consider and discuss how to make an impact upon proposed legislation, as a Commission.

Review and Approval to Change the Praxis II Exams

James Kenyon and Peter Yeager presented a Power Point Presentation explaining the changes in the exams and the setting of cut scores.

Mr. Yeager stated that a national advisory committee is consulted to determine whether or not changes are needed to the exams and if there is sufficient number of changes then a "standard setting study" is conducted; as is the case in all of the exams to be discussed.

Mr. Kenyon stated that the new exams will be administered beginning September 11 or 17, 2011.

Principles of Learning and Teaching K-6 Exam 0622 replacing Exam 0522
Principles of Learning and Teaching 7-12 Exam 0624 replacing Exam 0524

Mr. Yeager reviewed the changes to the Principles of Learning and Teaching K-6 and 7-12 exams.

MOTION: Following a brief discussion, Vice President Thoreson moved to adopt exams 0622 and 0624 with a one year No-Fault period, seconded by Commissioner Lau. The motion passed unanimously.

Technology Education Exam 0051 replacing Exam 0050

Mr. Yeager reviewed the changes to the technology education exam.

MOTION: Following a brief discussion, Vice President Thoreson moved to adopt exam 0051 with a one year No-Fault period, seconded by Commissioner Lau. The motion passed unanimously.

Elementary Education Exam 0015 replacing Exam 0011 and 0012

Mr. Kenyon stated that the current elementary education exams require 0011 and 0012; Exam 0015 will be the new elementary education exam, as one exam instead of two exams and will be a cost savings to individuals taking the elementary education exam and will be completely computer based. Mr. Yeager stated that this exam will be available at the Prometric Testing Centers and ETS is working to expand the number of prometric computer testing centers.

Mr. Kenyon stated that the one concern with this exam is that there are a large number of individuals who take this exam and if the Commission approves a one year No-Fault period; all of the individuals who take this exam during this one year period will pass the exam without having to meet a passing cut score. Mr. Yeager added that some states do adopt exams at the recommended score value of the standard setting study; No-Fault periods are usually adopted when no data is available for a particular exam. President Owens noted for the record that the agenda indicates that one exam replaced by another exam and should indicating one exam replacing another exam.

Mr. Yeager reviewed the changes to the elementary education exam and stated that this change will allow an individual to take one exam instead of two exams, thus saving the individual money.

MOTION: Following a brief discussion, Commissioner Boothe moved adopt exam 0015 with a cut score of 161 replacing exams 0011 and 0012, seconded by Commissioner Keith.

Following discussion, Mr. Kenyon stated that he will provide additional test scoring data at the next Commission meeting, with the opportunity at a future Commission meeting to adjust the cut score, if necessary.

MOTION: Commissioner Boothe amended his motion to adopt exam 0015, in lieu of exam 0011 and 0012, with a cut score of 161 for a period of six months (at the December Commission meeting) at which time to revisit the data and cut score, seconded by Commissioner Keith. The motion passed unanimously.

Art Content and Analysis Exam 0135 replacing Exam 0133
Art Content and Analysis Exam 0135 replacing Exam 0131

Mr. Kenyon stated that exam 0135 will replace exams 0131 and 0133; for one exam instead of two exams as a cost savings to candidates.

Mr. Yeager reviewed the changes to the art content and analysis exam. The exams will be combined and examples of the candidates' own art work will continue to be required.

MOTION: Commissioner Keith moved to adopt exam 0135, replacing 0131 and 0133, seconded by Commissioner Lau. The motion passed unanimously.

MOTION: Commissioner Keith moved for a one year No-Fault period for exam 0135, seconded by Commissioner Zastawniak. The motion passed unanimously.

Physical Education Content and Design Exam 0095 replacing Exam 0092

Mr. Kenyon stated that currently physical education teachers are required to take exams 0091 and 0092; exam 0095 combines 0091 and 0092; for one exam instead of two exams as a cost savings to candidates.

Mr. Yeager reviewed the changes to the physical education content and stated that the exam is designed with both constructed response and multiple choice questions.

MOTION: Commissioner Zastawniak moved to adopt exam 0095, replacing exams 0091 and 0092, with a one year No-Fault period, seconded by Commissioner Keith. The motion passed unanimously.

Special Education Teaching Speech Exam 0881 replacing Exam 0880

Mr. Kenyon stated that exam 0881 is replacing 0880 with a new test score scale changing from “old NTE” scale score of 250-990 to current Praxis scale of 100 to 200.

Mr. Yeager further explained that the national advisory committee stated and recommended that this test did not change significantly to warrant a standards setting study; but to equate the two exams and there was sufficient content on the new exam that can be matched up to the old exam in order to equate the scores.

Mr. Kenyon stated that ETS is recommending a cut score of 146 for exam 0881.

MOTION: Following discussion, Vice President Thoreson moved to adopt exam 0881 with a cut score of 146, seconded by Commissioner Boothe. The motion passed unanimously.

Establish Cut Scores for the Following Praxis II Exams Currently Under a “No-Fault” Period

Mr. Kenyon stated that in September 2010 the Commission granted a one year No-Fault exam period for the following exams; based upon information and data received within the past year, cut scores for these exams need to be established.

Exam 5174 – French: World Language

Mr. Kenyon stated that the medium score is 168 and the mean score is 167 - 49.61% individuals passed at this score. Mr. Yeager added that, for Nevada, there were not a sufficient number of test takers to report data for individuals taking this exam. The recommended cut score is 162, which falls within the standard measure of error.

MOTION: Vice President Thoreson moved to adopt a cut score of 162 for Exam 5174 – French: World Language, seconded by Commissioner Boothe. The motion passed unanimously.

Exam 5183 – German: World Language

Mr. Kenyon stated that there were a very small number of examinees, 34, with a mean score of 168. Mr. Yeager stated that the number nationally of examinees was 90 with a mean score of 171 and the medium score of 174. The recommended cut score is 163.

MOTION: Vice President Thoreson moved to adopt a cut score of 163 for Exam 5183 – German: World Language, seconded by Commissioner Boothe. The motion passed unanimously.

Exam 5195 – Spanish: World Language

Mr. Yeager stated that this exam is the most popular of the world language exams with 1,373 national testing candidates and 15 Nevada candidates. Mr. Yeager stated that

the scaled score is 168; national data with a mean score of 166, a medium score of 170; the Nevada mean score was 157 and a medium score of 161 with a pass rate of 53%. The recommended cut score from the standards setting study is 168.

MOTION: Commissioner Lau moved to adopt a cut score of 168 for Exam 5195 – Spanish: World Language, seconded by Commissioner Zastawniak. The motion passed unanimously.

Exam 0354 – Special Education: Core Knowledge and Applications

Mr. Kenyon stated that there were 8,055 national exam candidates and 263 Nevada exam candidates. The mean score nationally is 171 and mean state score of 170; a medium score nationally and medium state score of 172. The recommended score from the Standards Setting Study is 151.

MOTION: Following discussion, Commissioner Boothe moved to adopt a cut score of 159 for Exam 0354 – Special Education: Core Knowledge and Applications, seconded by Commissioner Couch. The motion passed unanimously.

Exam 0101 – Business Education: Content Knowledge

Mr. Yeager stated that there were 1,435 exam candidates; with only six Nevada exam candidates with a mean of 177 and medium score of 179. The Standard Setting Study recommends a score of 154.

Mr. Yeager stated that with a cut score of 161 – 83% of the candidates would pass.

MOTION: Commissioner Keith moved to adopt a cut score of 161 for Exam 0101 – Business Education: Content Knowledge, seconded by Commissioner Zastawniak. The motion passed unanimously.

Exam 0204 – Teaching Reading

Mr. Yeager stated that the mean score is 170 and the medium score of 171. The recommended cut score is 159 for an 80% passage rate.

MOTION: Commissioner Zastawniak moved to adopt a cut score of 165 for Exam 0204 – Teaching Reading, seconded by Commissioner Lau. The motion passed unanimously.

Following a discussion, the Commission clarified that the No-Fault score adopted is for a period of one year.

MOTION: Vice President Thoreson moved to maintain the No-Fault Period test period through the July 23, 2011 ETS administration and begin using the adopted cut scores for 5174, 5183, 5195, 0354, 0101, and 0204 on the September 17, 2011 ETS exam administration, seconded by Commissioner Boothe. The motion passed unanimously.

A break was granted at 11:24 A.M.
The meeting reconvened at 11:35 A.M.

Discussion of Current Licensure Renewal – Professional Development Requirements for Educator Licenses

President Owens stated that this item arose from a concern of the rigor regarding renewal of course offerings for professional development and particularly in-service credits and whether or not those credits were related to the subject area.

Dr. Barbee provided an overview of the credit/course requirements that licensed educators must meet at the time of license renewal per NAC 391.070. Credits for renewal may be earned by:

- Attending a course at, or taking a correspondence course given by, an accredited college or university, attending any state or national conference which has been approved by the Department to offer credit for continuing education or taking an in-service course offered by the Department or a continuing course offered by a provider who is approved by the Commission if the course or conference:
 - Is directly related to the person's current license or will enhance the effectiveness of the person's teaching;
 - Is in a subject for which shortages of personnel, as determined by the Board, exists; or
 - Is part of an approved program leading to an advanced degree.
- Engaging in foreign or domestic travel which is directly related to the area of licensure of the person and is approved not less than 30 days before departure by the Department; or
- Completing course provided by or under the jurisdiction of a state or national professional organization or association which is specific to the person's area of discipline and which is on a list maintained by the Department.

Commissioner Keith stated that she is very confident that there are procedures being followed at the State level with regard to the licensure renewals.

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

- Teachers of Diverse Populations Task Force

Commissioner Couch reported that the Task Force held one meeting on May 25, 2011 looking at trends nationwide regarding teachers of diverse populations; there may be a need to obtain further direction from the ACR 2 Committee of whether the Task Force should be discussing teachers teaching diverse populations or teachers from diverse populations. The Task Force agreed to look at teachers teaching diverse populations and made assignments to perform research into nine states which have standalone competency requirements with regards to licensure to discuss at the next Task Force meeting scheduled for July 7, 2011.

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

Commissioner Zastawniak reported that there are no updates since the last meeting; she will be collaborating with Rorie Fitzpatrick, the Department's contact with the CCSSO in this endeavor, for better communication and in an effort to not duplicate efforts in this area.

- Standing Task Force on Review of Regulations Task Force

Dr. Barbee reported that to date this Task Force has not met; but will be very busy in the very near future reviewing Nevada Administrative Code 391.

President Owens directed that the followings Task Forces be appointed:

- Task Force to recommend coursework on parental involvement and family engagement – Commissioner Couch volunteered to be a part of this Task Force.
- Alternative Route to Licensure Task Force to review and recommend language for the qualifications and reciprocal licensure for licensing teachers and administrators pursuant to an alternative route to licensure which provides the required education and training may be provided by any qualified provider that has been approved by the Commission, including, without limitation, institutions of higher education and other providers that operate independently of an institution of higher education – Dr. Barbee and Jeanette Caulkins will be the staff appointed to this Task Force.

Future Agenda Items

The following items were noted to be on the August 17, 2011 agenda:

- Department of Education Update;
- Election of President and Vice President;
- Development of a Commission Work Plan for 2011-2012;
- Report on AB 393 and AB 39 – Dr. Barbee;
- Workshops for Temporary Regulations to Permanent Regulation Status;
- Update from Task Forces: Teachers of Diverse Populations, Effect of Rigorous Standards on Teachers and Student Outcomes, AB 230/SB 315 Task Force; AB 224 Task Force; and Standing Task Force on Review of Regulations Task Force.

Comments From Public

There were no further comments from public from the Carson City location.

Carol Foster, a Nevada licensed educator, requested clarification if a licensed elementary teacher would have to complete an additional special education student teaching segment in order to obtain a special education endorsement. Ms. Foster feels that a licensed educator should not have to repeat student teaching.

Deputy Attorney General Irvin advised the Commission that they cannot take any action on any issue brought up during "Public Comment" and cautioned the Commission in responding to comments during the Public Comment section.

Upon questioning by President Owens, Dr. Barbee responded that within areas of AB 425, which did allow individuals to obtain a license in a secondary area and have the student teaching requirement waived, there were areas that were excluded and student teaching is required for certain areas. Dr. Barbee advised Ms. Foster to contact a Licensure Analyst for further information and clarification.

Comments from Staff

Dr. Barbee stated that on June 1st the Licensure Office instituted a new process for issuing Substitute Teacher Licenses. A Substitute License is a standalone license, and will not be added on to any other license, such as elementary or secondary. There is a regular fee for the substitute license along with the fingerprinting requirement. Dr. Barbee advised that there is no need for an individual to have a substitute license if they already have a regular teaching license per regulation.

Deputy Attorney General Irvin stated that AB 393 allows for the investigation into criminal history related to a renewal application for self disclosure of arrests and convictions, allows for a criminal background check, and a continual requirement for the individual to self report. For child support obligations, most licensing processes have an affidavit requirement that an individual is in compliance with the child support obligations, but is not sufficient cause for revocation or suspension of a license.

Comments from Commissioners

Commissioner Keith thanked Dr. Barbee for his prompt response and information for Agenda Item #9 – Renewal Credit Requirements.

President Owens announced that that this will be her last meeting as her term ends on June 30, 2011; and she is retiring from Nye County School District as an administrator and will no longer be eligible to serve as an administrator on this Commission. President Owens thanked everyone on the Commission and Staff for their commitment to education and children in the State of Nevada.

President Owens read into the record the Mission of the Commission on Professional Standards in Education:

"The mission of the Commission on Professional Standards in Education is to set standards and regulations for the licensing of educational personnel in the State of Nevada, with the overall goal of contributing to the professionalism of teaching through its selection and education testing instruments and facilitating a quality education for all students."

President Owens turned over the duties of the President to Vice President Thoreson.

Commissioners Thoreson, Zastawniak, Keith, Lau, Boothe, and Couch thanked President Owens for her dedication and service to the Commission and to the educational staff and students in Nevada; and wished her well on her retirement and future endeavors.

Adjournment of Commission Meeting

President Owens adjourned the meeting at 12:26 P.M.