

CALIFORNIA COMMISSION ON TEACHER CREDENTIALING

Minutes of the December Commission Meeting

December 3-4, 2003

Commission Offices, 1900 Capitol Avenue, Sacramento

COMMISSION MEMBERS ATTENDING

Margaret Fortune, Public Representative, Chair (Absent Wednesday, December 3)

Lawrence Madkins, Teacher, Vice-Chairman

Kristen Beckner, Teacher

Chellyn Boquiren, Teacher (Absent Wednesday, December 3)

Beth Hauk, Teacher

Leslie Littman, Designee, Office of the Superintendent of Public Instruction

Alberto Vaca, Teacher

Os-Maun Rasul, Non-Administrative Services Credential Holder

Elaine Johnson, Public Representative

Steve Lilly, Faculty Member

COMMISSION MEMBERS ABSENT

Alan Bersin, Administrator

EX-OFFICIO REPRESENTATIVES

Sara Lundquist, California Postsecondary Education Commission

Karen Symms Gallagher, Association of Independent California Colleges and Universities

Athena Waite, University of California

Bill Wilson, California State University

COMMISSION STAFF PRESENTING

Sam Swofford, Executive Director

Mary Armstrong, General Counsel, Director, Professional Practices Division

Janet Vining, Staff Counsel, Professional Practices Division

Kimberly Hunter, Staff Counsel, Professional Practices Division

Lee Pope, Staff Counsel, Professional Practices Division

Dale Janssen, Director, Certification, Assignment & Waivers Division

Elizabeth Graybill, Interim Director, Professional Services Division

Leyne Milstein, Director, Information Technology & Support Management Division

Crista Hill, Manager, Fiscal & Business Services

Michael McKibbin, Consultant, Professional Services Division

Marilyn Fairgood, Consultant, Professional Services Division

Rod Santiago, Consultant, Professional Services Division

Teri Clark, Consultant, Professional Services Division

Suzanne Tyson, Assistant Consultant, Professional Services Division

Cheryl Hickey, Consultant, Professional Services Division

Karen Sacramento, Assistant Consultant, Professional Services Division

Amy Jackson, Administrator, Professional Services Division
Diane Tanaka, Assistant Consultant, Professional Services Division
Kathleen Beasley, Proceedings Document Recorder

Wednesday, December 3, 2003

CLOSED SESSION ITEMS

The Commission granted the following Petitions for Reinstatement:

1. Karie Orendorff
2. Ronald Pegula

The Commission denied the Petition for Reinstatement in the matter of Mark Raisler.

The Commission rejected the Administrative Law Judge's Proposed Decision and called for the transcript in the matter of Victor Vizcarra.

Thursday, December 4, 2003

GENERAL SESSION

The general session was called to order by Chair Fortune. Roll was taken and everyone joined in the Pledge of Allegiance.

APPROVAL OF THE NOVEMBER 2003 COMMISSION MINUTES

A motion to approve the November 2003 Commission minutes with one correction (addition of June 3, 2004 meeting date for Commission on page 20466 under Old Business) was made (Madkins), seconded (Vaca) and carried without dissent. Commissioner Johnson abstained since she was not present at the November meeting.

APPROVAL OF THE DECEMBER 2003 AGENDA

A motion to approve the agenda for the December 2003 meeting with in-folder items (pertaining to FPPC-1, GS-10 and Public Hearing 1) was made (Madkins), seconded (Littman) and carried without dissent.

APPROVAL OF THE DECEMBER 2003 CONSENT CALENDAR

A motion to approve the December 2003 Consent Calendar was made (Madkins), seconded (Rasul) and carried without dissent. Ex-Officio Representative Symms Gallagher asked that her name and some figures be corrected in the included Paraprofessional Teacher Training Program report.

CONSENT CALENDAR

For your approval, the following items have been placed on the Consent Calendar for the December 3-4, 2003 meeting of the California Commission on Teacher Credentialing:

RECOMMENDATIONS OF THE COMMITTEE OF CREDENTIALS

Education Code section 44244.1 allows the Commission to adopt the

recommendation of the Committee of Credentials without further proceedings if the individual does not request an administrative hearing within a specified time.

AMEZCUA, Araceli Los Angeles, CA

The expired Pre-Intern Certificate is **suspended for a period of thirty (30) days** for misconduct pursuant to Education Code section 44421.

AVANI, Kari L. Sunnyvale, CA

All certification documents under the jurisdiction of the California Commission on Teacher Credentialing are **revoked** and any pending applications are **denied** for misconduct pursuant to Education Code sections 44421 and 44345.

BERGQUIST, Kimberly Pleasanton, CA

All certification documents under the jurisdiction of the California Commission on Teacher Credentialing are **revoked** and any pending applications are **denied** for misconduct pursuant to Education Code sections 44421 and 44345.

CARLIN, Michael L. Moreno Valley, CA

All certification documents under the jurisdiction of the California Commission on Teacher Credentialing are **revoked** and any pending applications are **denied** for misconduct pursuant to Education Code sections 44421 and 44345.

DANI, Albert I. King City, CA

All certification documents under the jurisdiction of the California Commission on Teacher Credentialing are **suspended for a period of one hundred eighty (180) days** for misconduct pursuant to Education Code section 44421.

DILLON, James M. Hollister, CA

All certification documents under the jurisdiction of the California Commission on Teacher Credentialing are **suspended for a period of ninety (90) days** for misconduct pursuant to Education Code section 44421.

DOUGLAS, Jacquelyn F. Chicago Park, CA

All pending applications are **denied** for misconduct pursuant to Education Code section 44345.

EDU, Maurice E. B. Fontana, CA

All certification documents under the jurisdiction of the California Commission on Teacher Credentialing are **revoked** and any pending applications are **denied** for misconduct pursuant to Education Code sections 44421 and 44345.

FLOURNOY, James I. Bass Lake, CA

All pending applications are **denied** for misconduct pursuant to Education Code section 44345.

GAMBRELL, Cathy Los Angeles, CA

All pending applications are **denied** for misconduct pursuant to Education Code section 44345.

GAUNCE, Joanne J. Palm Desert, CA

All certification documents under the jurisdiction of the California Commission on Teacher Credentialing are **revoked** and any pending applications are **denied** for misconduct pursuant to Education Code sections 44421 and 44345.

HOERR, Robert P. Fresno, CA

All pending applications are **denied** for misconduct pursuant to Education Code section 44345.

HOWARD, Brett J. Long Beach, CA

Mr. Howard is the subject of **public reproof** for misconduct pursuant to Education Code section 44421.

HOY, Thomas A. Chico, CA

All certification documents under the jurisdiction of the California Commission on Teacher Credentialing are **suspended for a period of thirty (30) days** for misconduct pursuant to Education Code section 44421.

JAQUETTE, Roger Orange, CA

All certification documents under the jurisdiction of the California Commission on Teacher Credentialing are **revoked** and any pending applications are **denied** for misconduct pursuant to Education Code sections 44421 and 44345.

KRUCZYNSKI, Lawrence J. South San Francisco, CA

All certification documents under the jurisdiction of the California Commission on Teacher Credentialing are **suspended for a period of thirty (30) days** for misconduct pursuant to Education Code section 44421.

McPHERSON, Sean B. Redondo Beach, CA

Mr. McPherson is the subject of **public reproof** for misconduct pursuant to Education Code section 44421.

MOEN, Robert E. Port Hueneme, CA

All certification documents under the jurisdiction of the California Commission on Teacher Credentialing are **revoked** and any pending applications are **denied** for misconduct pursuant to Education Code sections 44421 and 44345.

MULBERRY, Samuel J. Oakland, CA

All certification documents under the jurisdiction of the California Commission on Teacher Credentialing are **suspended for a period of forty-five (45) days** for misconduct pursuant to Education Code section 44421.

QUARLES, Michael A. Visalia, CA

All pending applications are **denied** for misconduct pursuant to Education Code section 44345.

SANCHEZ, Raymundo Orange Cove, CA

All pending applications are **denied** for misconduct pursuant to Education Code section 44345.

VU, Thien H. Los Angeles, CA

Mr. Vu is the subject of **public reproof** for misconduct pursuant to Education Code section 44421.

CONSENT DETERMINATIONS

IRBY, Nyieshia T. Inglewood, CA

The Proposed Consent Determination, which allows Ms. Irby to **withdraw** her application, is adopted.

KING, Patsy T. Sacramento, CA

The Proposed Consent Determination, which stipulates that Ms. King's credentials are **suspended for a period of sixty (60) days**, however, **the suspension is stayed with an actual thirty (30) day suspension**, is adopted.

MEYER, Timothy E. Sherman, CA

The Attorney General's Proposed Consent Determination, which allows Mr. Meyer to **withdraw** his application, is adopted.

ORMSBY, Gregory L. El Cajon, CA

The Proposed Consent Determination, which stipulates that Mr. Ormsby's credentials are **revoked**, however, **the revocation is stayed** and Mr. Ormsby is placed on **probation for a period of three (3) years**, is adopted.

PANTLE, Timothy Fair Oaks, CA

The Proposed Consent Determination, which stipulates that Mr. Pantle's credentials are **revoked**, however, **the revocation is stayed** and Mr. Pantle's credentials are **suspended for a period of ninety (90) days**, after which time, he is placed on **probation for a period of two (2) years**, is adopted.

STRAND, David K. Chico, CA

The Attorney General's Proposed Consent Determination, which stipulates

that Mr. Strand's application is **granted** and **revoked**, however, the **revocation is stayed** and Mr. Strand is placed on **probation for a period of three (3) years**, is adopted.

TITLER, Stephanie A. Los Angeles, CA

The Proposed Consent Determination, which stipulates that Ms. Titler's application is **granted** and **revoked, however, the revocation is stayed** and Ms. Titler is placed on **probation for a period of two (2) years**, is adopted.

PRIVATE ADMONITION

Pursuant to Education Code section 44438, the Committee of Credentials recommends one (1) private admonition for the Commission's approval.

REQUESTS FOR REVOCATION

The Commission may revoke credentials upon the written request of the credential holder pursuant to Education Code sections 44423 and 44440.

HERNANDEZ, Felipe Indio, CA

Upon his written request, pursuant to Education Code section 44423, his Multiple Subject Teaching Credential is **revoked**. This does not constitute consent for purposes of Education Code section 44440(b).

KINDER, Craig Irvine, CA

Upon his written request, pursuant to Education Code section 44423, his Single Subject Teaching Credential is **revoked**.

WITHDRAWAL OF APPLICATION

TRAN, Christopher Fontana, CA

Pursuant to his request and while allegations of misconduct were pending, Mr. Tran's application is **withdrawn**. This does not constitute consent for purposes of Education Code section 44440(b).

DIVISION OF PROFESSIONAL PRACTICES

MANDATORY ACTIONS

All certification documents held by and applications filed by the following individuals are mandatorily revoked or denied pursuant to Education Code sections 44346, 44346.1, 44424, 44425 and 44425.5, which require the California Commission on Teacher Credentialing to mandatorily revoke the credentials held by individuals convicted of specified crimes and to mandatorily deny applications submitted by individuals convicted of specified crimes.

ANDRADE, Marcia J. La Quinta, CA

BEUS, Robert P. San Diego, CA

MAJESKO, John J. Tehachapi, CA

MESA, David R. Fullerton, CA

PHELPS, Barbara F. Camarillo, CA

RANDALL, Shelly A. Sierra Madre, CA

SCHROEDER, Robert L. Manteca, CA

SPENCER, Roger D. Torrance, CA

TROTTER, Chris A. Fresno, CA

VALENZUELA, Limber J. San Diego, CA

AUTOMATIC SUSPENSION

All certification documents held by the following individual were automatically suspended because a complaint, information or indictment was filed in court alleging he committed an offense specified in Education Code section 44940. His certification documents will remain automatically suspended until the Commission receives notice of entry of judgment pursuant to Education Code section 44940(d) and (e).

COTTON, Steve W. Rocklin, CA

NO CONTEST SUSPENSIONS

All credentials held by the following individuals were suspended, pursuant to Education Code section 44424 or 44425, because a plea of no contest was entered to an offense specified in the above sections of the Education Code. The credentials will remain suspended until final disposition by the Commission.

MEDEEN, Darryl J. Los Angeles, CA

CERTIFICATION, ASSIGNMENT & WAIVERS DIVISION

DENIAL OF CREDENTIAL WAIVER REQUESTS

The Appeals and Waivers Committee having reviewed these waiver requests has recommended they be denied. The employing districts have not asked for reconsideration of the Committee's decisions.

- Rahmon Kelani/Contra Costa County
- Brenda J. Richard/Sequoia Union High School District
- Ruth Veronica Pachas/San Jose Unified School District
- Tymeshia Beeks/Rossier Park Jr./Sr. High School (NPS)
- Irma Claire Cruz Sales/San Jose Unified School District

- Debbie Draper/Antioch Unified School District
- Timothy Curry/Byron Union Elementary School District
- Willora Gail Jordan/Turlock Joint Elementary School District
- Catharina St. Marie/Sacramento City Unified School District
- Yvonne Gee/Kernville Union Elementary School District
- Eric Alfaro/Los Banos Unified School District
- Todd Bonesteele/Rossier Park Jr./Sr. High School (NPS)

PROFESSIONAL SERVICES DIVISION

APPROVAL OF PROFESSIONAL TEACHER INDUCTION PROGRAMS

The Induction Program Review panel has judged that the following proposed Professional Teacher Induction Programs meet all applicable standards established by the Commission and recommends the program for approval by the Commission.

The 6 programs of professional teacher induction being recommended for approval at this time are the:

- Anaheim City School District Beginning Teacher Support and Assessment Induction Program
- Anaheim Union High School District Beginning Teacher Support and Assessment Induction Program
- Bellflower School District Beginning Teacher Support and Assessment Induction Program
- Mount Diablo Unified School District Beginning Teacher Support and Assessment Induction Program
- Riverside Unified School District Beginning Teacher Support and Assessment Induction Program
- San Bernardino Unified School District Beginning Teacher Support and Assessment Induction Program

APPROVAL OF SUBJECT MATTER PREPARATION PROGRAMS SUBMITTED BY COLLEGES AND UNIVERSITIES

The program review panels have judged that the following proposed programs meet all applicable standards established by the Commission and recommend the program for approval by the Commission.

Subject Matter Programs:

Languages Other Than English: French

- San Francisco State University

Professional Preparation Programs:

- La Sierra University

APPROVAL OF THE REPORT TO THE LEGISLATURE ON THE PROGRESS OF THE CALIFORNIA SCHOOL PARAPROFESSIONAL TEACHER TRAINING PROGRAM

The 2003 Report to the Legislature on the progress of the California School Paraprofessional Teacher Training Program provides an update on the 42

programs that provide assistance to paraprofessionals seeking to become certified teachers in California classrooms. To date, the PTPP program has trained 605 fully credentialed teachers. A copy of this report is in Appendix A of this agenda item.

APPROVAL OF THE REPORT TO THE LEGISLATURE ON THE CALIFORNIA MATHEMATICS INITIATIVE FOR TEACHING

This report provides the Legislature with information about the implementation of the California Mathematics Initiative for Teaching established by AB 496 (Lempert), including the administration of the loan forgiveness program and development of supplementary authorization standards as directed by this statute. Also included is a recommendation regarding the continuation, modification or termination of the loan forgiveness program. Staff recommends that the Commission adopt this report and direct that the report be forwarded to the Legislature prior to January 1, 2004. A copy of this report is in Appendix B of this agenda item.

APPROVAL OF A PROPOSED CONTRACT AMENDMENT FOR THE SINGLE SUBJECT ASSESSMENTS FOR TEACHING

The current contract for administration of the Single Subject Assessments for Teaching expires with the 2003-04 testing year. Commission staff seeks to amend this contract to extend the service period until August 31, 2005 while the Commission completes the transition to the California Subject Examinations for Teachers (CSET). This action would continue to provide teacher candidates with subject matter testing options for completion of subject matter competence requirement for Single Subject Teaching Credentials in agriculture, art, business, French, health science, home economics, industrial and technology education, music, physical education, and Spanish. There is no fiscal impact to the Commission as all test administration costs for the Single Subject Assessments for Teaching are compensated for by revenue from examinee fees as required by Education Code §44298.

ANNUAL CALENDAR OF EVENTS

The annual calendar of events was provided as an information item.

CHAIR'S REPORT

Chair Fortune noted the shared Dec. 5 birthday of Commissioners Boquiren and Hauk.

EXECUTIVE DIRECTOR'S REPORT

Dr. Swofford shared with the Commission that long-time State and Commission employee Edna Lee is retiring. She began working for the State in 1950 and the Commission in 1992. A noted gardener and flower arranger as well as a valued employee, Ms. Lee will be missed for the beautiful floral displays she contributed to the Commission's lobby and special events.

Dr. Swofford noted the birthday of Wilma Wittman, a long-time friend to the

Commission and former Commissioner.

To mark the final Commission meeting for Chair Fortune, Dr. Swofford her with a special edition of Alice's Adventures in Wonderland, representing the challenges of leading the Commission through the uncertain territory and changing rules of the past year under the No Child Left Behind Act. He said Chair Fortune always sought to find the policies and decisions that would benefit children the most.

REPORT ON MONTHLY STATE BOARD MEETING

A summary of the State Board of Education November meeting was provided in the agenda materials. The Board has disseminated regulations that define highly qualified teacher for public comment; chose to not take over any schools that failed to make progress under the Immediate Intervention/Underperforming Schools Program; and voted to replace some of the more difficult math and English questions on the High School Exit Exam with questions designed to test more basic skills.

GS-10: TIMELINE TO DISCONTINUE THE ISSUANCE OF EMERGENCY PERMITS

Dale Janssen, Director, Certification, Assignment and Waivers Division, reported that staff met with stakeholders to discuss options for discontinuing the issuance of emergency permits. Stakeholders included representatives of CTA, CFT, Los Angeles Unified School District, ACSA, Tri-County Personnel Directors and Pajaro Valley Unified School District, PASSCo-CCSESA, Hesperia Unified School District, CSBA, State Board of Education, Long Beach Unified School District, School District Personnel Administrators of San Bernardino and San Diego Counties and the state Assembly.

Three options were discussed with the stakeholders and they offered a fourth one for dealing with the NCLB requirement that teachers be NCLB-compliant by July 1, 2006. They are:

Option 1: Emergency permits would no longer be issued or renewed after July 1, 2004 and existing permits would be allowed to expire at their normal time.

Option 2: New emergency permits would no longer be issued; however, existing permits could be renewed for up to two years as long as requirements were met so that holders could complete efforts to become fully credentialed.

Option 3: This plan maintains the status quo for the 2004-05 school year (issuing both permits and renewals). No new permits would be issued in 2005-06, but renewals could be made. All would expire on June 30, 2006.

Option 4 (crafted by the stakeholders): The status quo would be maintained for 2004-05. In 2005-06, permits would continue to be available with the

understanding that employers would ensure that permit holders be aware that the time to complete their work for a credential is capped at June 30, 2006. An alternative document would be developed that would replace emergency permits to would take care of unanticipated staffing needs as they arose.

In addition to the in-folder item describing the options, the Commission received a letter from California Teachers of English to Speakers of Other Languages supporting Option 4.

Commissioner Lilly asked if under Option 4 there would be a criterion that permits would only be issued to those with a reasonable expectation of completing credential requirements by June 30, 2006. Mr. Janssen replied that the employer and the employee would both be aware that the deadline would mean the person could not be rehired unless they completed the credential, but that there is the possibility districts would hire someone who had no reasonable expectation of completing requirements in time.

Commissioner Johnson expressed concern that a structure is being built that encourages teachers to be pulled into the classroom early without completing student teaching. Mr. Janssen said the proponents of Option 4 could speak to her concerns.

The Commission invited public comment. Speakers, all of whom thanked the Commission and staff for working closely with them on the issue, included:

Carolina Pavia, Los Angeles Unified School District, who reported on continued progress in the district. Since she spoke to the Commission in November, emergency permit holders were reduced from 1,106 to 1,013. Overall, the district has achieved an 83 percent reduction in 18 months. She said despite the progress and the anticipated continuation of that progress, districts still need flexibility and she asked the Commission to adopt Option 4. She responded to Commissioner Johnson's concern about student teaching by noting that many prospective teachers today can no longer afford to complete their student teaching without having a paying job.

Andrea Ball, Long Beach Unified School District, who recommended Option 4 because of the flexibility provided to districts. She said her district has reduced the number of emergency permits by meeting with each holder and mapping out a plan for them to become credentialed. Option 4 allows the flexibility for people to complete the process.

Joy Carter, Orange County Department of Education and 27 school districts in Orange County, who urged adoption of Option 4. She said time is needed to develop a system that will cover emergencies in the future. During the 2002-03 school year, Orange County schools had 408 multiple subject emergency permit holders and that has been reduced to 140 this school year. Nonetheless, emergencies do happen and a system needs to be

created that will address them. Option 4 addresses the issue.

Kathryn Benson, Pajaro Valley Unified School District and Tri-County Personnel Directors, who supports Option 4. She said districts must hire throughout the year when situations arise and it is difficult to find a fully credentialed teacher in mid-year who is not already working. She says Option 4 continues to provide districts with an alternative to rotating 30-day substitutes, while also recognizing the requirements of NCLB. She said Option 4 should not be viewed as a way to avoid meeting the requirements of NCLB but as a way to support the flexibility that districts need to do so.

Merrilee Johnson, Glenn County Office of Education, CCSESA and PASSCo, who said she has been closely involved with NCLB implementation in Glenn County and updating the Local Education Agency plan. She said she has understood the federal posture to be one of accountability but also reasonableness about what can be achieved. She said Option 4 is a reasonable alternative that allows districts to reach the goal of having highly qualified teachers.

Sharon Robison, Association of California School Administrators, who said her organization also supports Option 4 because it provides flexibility while also meeting the intent of NCLB. Emergencies will always exist, she said, and Option 4 provides for the development of a mechanism that will deal with those. She provided an example of a district near Vandenberg Air Force Base that might lose a teacher during the year when an enlisted spouse is transferred. Another example is a district that might need a part-time music teacher but cannot find a fully credentialed teacher willing to work part time. Still other districts might locate a talented person who qualified for the internship program but cannot enter it until an open enrollment period. She said her organization will be glad to work with the Commission on developing an alternative document to deal with these types of situations.

Bruce Kitchen, school district personnel and human resources administrators for San Bernardino and San Diego Counties, who said an alternative to emergency permits must be created because districts will always face unexpected staffing issues. He said Option 4 provides the most realistic timeframe for developing a new system. It is in harmony with the State Board of Education requirements for school districts to submit NCLB compliance plans.

Stephanie Farland, California School Boards Association, who said emergencies will arise and each district has different needs. There would be no alternative if permits are eliminated without developing a different system. She said 2006 is the date in LEA plans to have qualified teachers so it makes sense for the Commission action to align with that date. Option 4 provides the districts with flexibility, while holding districts accountable and continuing to focus on student achievement and the ability of a district to

meet student needs.

Ana Valencia, Unified Teachers Los Angeles, who represents 45,000 teachers, librarians and professionals in the Los Angeles Unified School District. She encouraged the Commission to adopt the most flexible option, which is Option 4. She said the reality is that there is a need for emergency permits. She said the union is working closely with the district to ensure that emergency permit teachers enter teacher preparation programs.

Scott Schmerelson, a principal in the Los Angeles Unified School District, who said teachers are human beings and as such are subject to life-changing events, like illness, accidents and pregnancy. He said it is difficult to find the best substitute teacher in situations like these and then know that after 30 days, the person must be replaced. He asked for a limited number of emergency permits so that districts can address true emergencies. He said the Commission's actions to date have been effective in forcing permit holders to get into programs and districts are relying less and less on emergency permits. But districts still need flexibility when they do have an emergency.

Chair Fortune asked Ms. Pavia, Ms. Ball, Ms. Farland and Mr. Schmerelson to return to the table to take questions from Commissioners.

Commissioner Johnson asked Mr. Janssen about what documentation is needed for a student teacher to be in a classroom. Mr. Janssen said there is a certificate of clearance that covers fingerprint results but it does not authorize teaching. If a district compensates the person or places them in an intern program, then they have to have some kind of Commission permit. Thus, if a district hires someone away from student teaching, they must have them on an intern certificate or in an intern program to be compliant with the law.

Vice Chair Madkins said that in his experience as a classroom teacher who sometime supervises student teachers who are on the district rolls as a substitute, the person who is already in the classroom - that is, the student teacher qualified to be a substitute - is often the best person to continue with the class when an emergency need arises.

Commissioner Lilly said he is prepared to support Option 4 but continues to question if it makes sense to issue emergency permits to individuals who cannot conceivably complete requirements in time for the June 30, 2006 deadline.

Ms. Pavia responded that sometimes individuals have done all of the coursework and just needs one last requirement to receive a credential. Commissioner Lilly pointed out that such a person would likely qualified by June 30, 2006. His concern is with someone granted an emergency permit who is missing several or many of the requirements.

Mr. Janssen said that during the discussion of Option 4, stakeholders talked about employers determining who can meet requirements within a year but that districts wanted flexibility.

Commissioner Boquiren asked if there will be some mechanism for ensuring that those given the emergency permits will clearly understand the limitations and requirements. Ms. Ball said it is definitely in the best interests of the districts to make sure that emergency permit holders know what they must do to become fully credentialed and to understand the timeline.

Mr. Janssen said the difference between Option 3 (which does not allow new permits in 2005-06) and Option 4 is the flexibility a district has to get an emergency permit for someone who is close to completing their credential. He agreed with Ms. Ball that districts have an interest in making sure individuals understand the requirements.

Ex-Officio Representative Symms Gallagher asked if the alternative process was going to define what an emergency means. She said that would seem to be an important part of the option. She said the Commission needs to discuss with stakeholders what truly is an emergency and what solution will be acceptable and within the provisions of NCLB. Chair Fortune asked stakeholders at the table to discuss the emergency concept.

Mr. Schmerelson said to some degree the Commission has to trust school districts and principals to use good judgment and not play games. He said emergencies include things like illness, family illness, accidents and pregnancies. Ms. Pavia agreed, but said there are also time lapses when a person cannot get into an intern program but could be teaching and that a placeholder document is needed until the program opening date. Ms. Ball provided the example of a teacher who was in a serious car accident, but also said districts have difficulty when they need to find a teacher after the school year has already started and most credentialed teachers are already employed.

Commissioner Lilly said that there are varied interpretations of emergency and that when Commission staff and stakeholders begin to form a definition, the Commission should be provided with their proposal as early as possible to give plenty of time for discussion and consideration. He said he will be looking for a definition of emergency that is considerably tighter than the current system provides and that does limit what can be called an emergency.

Ex-Officio Representative Waite said that the stakeholder group should also discuss special education needs.

Commissioner Hauk said she would be interested in seeing a provision that would require districts to seek a long-term person rather than rely on 30-day

substitutes as she has seen some districts do.

Chair Fortune said that before the Commission begins to craft a solution, it would be a good idea to have a full time of inquiry to explore the alternatives.

Vice Chair Madkins asked those at the table if they understood that the alternative will not fill the void left by eliminating emergency permits. He said he doesn't want anyone to think the Commission will simply create another document that will do the same thing that emergency permits now do. He said he supports Option 4 because he can see a need for a safety net, but that whatever takes the place of emergency permits will not be the same.

Ms. Pavia said that stakeholders do understand that. Ms. Farland said that stakeholders also recognize that when districts abuse the current process, it makes it difficult to come to the Commission and compellingly argue that a new system is needed. But there is a fine line, she said, between the district's responsibility for hiring needs and what is best for the student and the Commission's responsibility for accountability and NCLB compliance. She said that districts are already held accountable by NCLB and the coordinated compliance review. She said that even though there are bad-apple districts that make the rest look bad, the reality is that a safety net is needed. She said districts are ready to work with the Commission on creating a more rigorous system so abuse can't happen.

Chair Fortune asked Mr. Janssen to confirm that Option 3 provides only one more year of new emergency permits while Option 4 provides two years, but that both have all permits expiring on June 30, 2006. Mr. Janssen agreed. She asked about statutory changes and Mr. Janssen replied that all of the options may require clean-up changes because current law provides emergency permits for one full year, rather than the shortened period that the June 30, 2006 deadline would require.

Chair Fortune also asked Mr. Janssen to address what the Commission's current documentation requirements are for emergency permits and a district's due diligence in looking for a fully qualified teacher. He said that the districts annually file a declaration of need that estimates the number of emergency permits that they will need. Chair Fortune asked if the declaration of need or the LEA report mentioned in testimony provides a higher level of due diligence. Mr. Janssen said he is not familiar with the LEA plans. Dr. Swofford said the plans are not within the Commission's purview but that it would be helpful to see one to see what the documents contain and how that might align with what the Commission wants to do.

Chair Fortune asked Ms. Pavia to describe the plan. She said last year's report was the first year and it was unclear what was required because many of the provisions of NCLB had not yet been clarified. Ms. Merrilee Johnson said the plan has five goals: math and reading proficiency, English language

learners' achievement level, highly qualified teachers, safe environment and students graduating from high school. In regard to the highly qualified teachers piece, her county assessed how many emergency permits districts were using, what needed to be done to move people into intern programs and how that would be accomplished by June 2006. She said districts are accountable for what they describe in the plan, and that it is in their best interest to demonstrate they have done everything possible to find qualified teachers.

Chair Fortune said there seems to be consensus that the Commission needs to find a way for districts to demonstrate that there has been due diligence to find a qualified teacher. An alternative document should not only narrowly define emergency but also set out requirements for how districts document emergency needs and their efforts. In terms of timing, the alternative system needs to be developed in a timely way that provides for a transition from emergency permits to a true emergency-staffing document. She asked for a sense of the Commission about the options.

Commissioner Beckner said it is important to recognize the Commission is not the employing agency and that the Commission should work in concert with districts, guiding them toward NCLB compliance. She said Option 4 appears to be the best way to go, providing a longer timeline and more flexibility. She said she looks forward to the discussion on the definition of an emergency but added that she believes that to some degree, districts must be trusted to do the right thing.

Commissioner Beckner moved that the Commission adopt Option 4; Commissioner Johnson seconded the motion. Superintendent Designee Littman asked if the motion included the language in Option 4 that clarified the responsibility of districts; Commissioner Beckner said it did.

At Chair Fortune's request, Mr. Janssen clarified that in 2005-06 an initial issuance of emergency permits would be done with the understanding by both employers and employees that the permit holder should have high expectation of completing the credentialing process by June 30, 2006. Similarly, renewals should also be done with that expectation. The option also provides for the development of an alternative document that would be implemented after emergency permits are eliminated on June 30, 2006. Commissioners Beckner and Johnson said those elements were part of their motion.

Superintendent Designee Littman said she wants to insure that rural schools are included in the stakeholders who work on developing the new system since they have special needs. Mr. Janssen said they have been and will continue to be.

Commissioner Lilly asked if the motion could be amended with a friendly amendment to provide a timeline, with the Commission seeing the proposal

by May 2004. Commissioner Beckner asked if the deadline was doable. Dr. Swofford said the situation requires meeting with stakeholders and legislators and suggested that staff could return with a timeline on how to move forward.

Ex-Officio Representative Lundquist said she would like to see the discussion include not only what is an emergency but also what is not an emergency. She said she would not expect an exhaustive list, but that separate delineations would be helpful. Ex Officio Representative Symms Gallagher said she thinks the focus should be on what the alternatives are for a district in different situations.

Ex Officio Representative Wilson said one situation that no one has discussed is what a district does when a teacher gives notice at the end of the school year, the district looks for a replacement during the summer - but one is not found. He questioned whether that is an emergency and said those types of questions will need to be answered.

Chair Fortune said the purpose of the stakeholder conversations will be to find a way to preserve flexibility yet really be disciplined about finding qualified teachers. She asked if Members of the Commission agreed that the concept of documenting due diligence needs to be included. Commissioner Johnson said that originally requests for emergency permits came to the Commission; now they come through the district and they seem to be a bit more blurry about need. She said she favors revisiting the process and looking for something that will work well for districts and the Commission. Dr. Swofford said that staff can accept the direction to look at the documentation issue, as well as what constitutes an emergency.

Chair Fortune called for the motion, after noting that staff direction includes a developing a timeline and exploring the issue of documenting due diligence. The motion carried without dissent.

Before moving to the public hearing, Dr. Swofford noted that Secretary for Education Riordan and the Governor's Office sent congratulations and thanks to Commission members for all of their hard work, and in particular to those whose terms are now expiring. Chair Fortune presented a plaque to Commissioner Boquiren for serving on the Commission from 2000-2003, noting her dedication to high standards for teacher preparation. Vice Chair Madkins then presented Chair Fortune with a plaque for her service, noting her leadership, insight and hard work during the past year and throughout her tenure on the Commission.

PUB-1: PUBLIC HEARING: PROPOSED AMENDMENT OF SECTIONS 80049, AND DELETION OF SECTIONS 80632, 80632.1, 80632.2, 80632.3, 80632.4 AND 80632.5 TO TITLE 5 CALIFORNIA CODE OF REGULATIONS PERTAINING TO PUPIL PERSONNEL SERVICES

Dr. Joe Dear, Consultant, Professional Services Division, reviewed the

proposed changes, which are based on Standards of Quality and Effectiveness for Developing and Evaluating Credential Programs of Professional Psychology, School Social Work and Child Welfare and Attendance Services adopted by the Commission in December 2000. The changes make the requirements for counseling, psychology and social work comparable to national standards. They include:

- School counselor: changes from a minimum of 30 semester units of post-baccalaureate study to 48 units, with the minimum number of field experience clock hours going from 450 to 600.
- Social worker: changes minimum number of field experience clock hours from 450 to 1,000.
- School psychologist: changes field experience clock hours from 540 (including practica) to 1,200 hours of field experience plus a minimum of 450 clock hours of practica.
- Child welfare and attendance specialist: changes from field experience clock hours of 90 to 150.

Dr. Dear said notices were sent to stakeholders and that the Commission received a total of 15 written responses - 10 in support, three in opposition and two with no position.

Commissioner Johnson asked if field experience for a school psychologist meant time on campus and Dr. Dear replied that it does. Commissioner Johnson asked if that is paid time and Dr. Dear replied that it oftentimes is, but sometimes not. She asked about the practica; Dr. Dear said it is time spent with colleagues, fellow students and professors practicing and preparing for the field experience.

Chair Fortune opened the hearing from public comment. The following people spoke:

Sharon Robison, ACSA, who said the increased number of field work hours may make it difficult for districts to fill psychologist positions that are already hard to staff. She asked the Commission to consider a two-step process where a candidate who completed the current requirement could be hired under a provisional credential and then complete the rest of the hours within some set timeframe.

Vice Chair Madkins asked if Ms. Robison had examples of other programs that worked similarly. She replied she did not. He asked if districts would want to use such an option. She said she believed they would because of the desperate need for school psychologists.

Ex Officio Representative Lundquist asked if she was seeking the two-step process for all of the categories or just psychologists. Ms. Robison said for all. She said that her organization feels the changes are a huge increase and that ACSA does not support the changes. But if the Commission is going to adopt

the changes, then ACSA is seeking the two-step approach to make it more workable.

Vice Chair Madkins said he is always interested in portability; if the changes represent the national standards, why shouldn't they be adopted?

Ms. Robison said national standards in general are "nirvana" or the optimum condition, but that it is not always possible to meet a standard. She said they should be goals to aspire to rather than barriers to districts hiring needed professionals.

Dr. Steve Rock, California Association of School Psychologists and an assistant professor at CSU Sacramento, who said his organization - which had been counted as having stated no opinion - wants to go on record as strongly supporting the changes. He said they are actually minimal training standards that will bring California standards in line with other states.

Delores Curry, President, California School Counselors Association, who said her organization supports the regulations that would affect school counselors. She said some preparation programs, such as Cal State Northridge, have already implemented the changes and that it has not discouraged enrollment. She said the change will enhance the professionalism and credibility of school counselors.

Dr. Ellen Curtis Pierce, Chapman University, who said the university - originally listed as having no position - also is in support of the changes and believes it is important for the state to match national standards.

Chair Fortune closed the public hearing after receiving no further requests for public comment.

Commissioner Johnson asked if the changes were the result of a panel that considered the matter for 21 months. Dr. Dear replied that they are.

Commissioner Lilly said he had concerns, similar to Ms. Robison's, about the scale of change. He asked if there is compelling evidence that the current requirements are inadequate. He also noted that if the requirements are increased, there may be fewer individuals qualified for jobs that are already difficult to fill. He said he was intrigued by Ms. Robison's two-step process, which sounds analogous to the Tier1/Tier 2 professional administrative credentialing process.

Dr. Dear said the standards are actually recognized as bare minimum by many professionals and that the vast majority of universities have already been moving their programs in this direction for the past three years. Since the Commission adopted the standards three years ago, most of the universities have met or exceeded the requirements.

Commissioner Boquiren asked if enrollment has been affected at universities that have implemented the new standards. Dr. Dear said he has not heard about any negative impact from the universities, who would be likely to bring it up as an issue if it were occurring. Three institutions have said the standards are too high, but only one program has been dropped and two have been added under the new standards - so no negative impact has been seen.

Dr. Swofford noted that these changes were thoroughly discussed and addressed several years ago and that there was no negative feedback at the time. It has not been a controversial issue with the institutions, which have moved forward to comply. He agreed with Dr. Dear that the institutions would have spoken up if there had been a negative impact on program enrollment.

Commissioner Rasul said he works closely with LaVerne University in the Bay Area and that they have seen no negative impact on enrollment or candidates. He moved to adopt the changes; Commissioner Johnson seconded the motion. The motion carried without dissent.

Before convening a committee session, the Commission paused to hear from Greg Geeting, assistant executive director of the State Board of Education. Speaking on behalf of Board President Reed Hastings, Geeting commended Chair Fortune for her accomplishments during her tenure at the Commission. He said her leadership was instrumental in creating a cooperative partnership between the two agencies that was essential to the state's ability to respond to NCLB. He praised her for consistently and diligently following the path of doing what is best for children.

In return, Chair Fortune thanked Mr. Geeting and asked him to carry her appreciation to President Hastings.

FISCAL PLANNING AND POLICY COMMITTEE OF THE WHOLE

Commissioner Boquiren convened the Fiscal Planning and Policy Committee of the Whole.

FPPC-1: Update on the Fiscal Year 2003-04 Budget

Leyne Milstein, Director, Information Technology and Support Management Division, provided the Commission with copies of Executive Orders from the new Governor that freeze the regulatory process for 180 days and freeze hiring. Both impact the Commission.

Under the regulatory freeze, all agencies are directed to cease processing regulations for 180 days, postpone action on any regulations that are not yet effective and provide reports that re-assess the regulatory impact of any proposed regulations. Agencies are to report on any regulations that have been adopted, changed or repealed since January 1999. The Commission

proceeded with the public hearing that it just completed only because it had already issued notices before the Executive Order was filed. Those regulations will now be held for 180 days.

The hiring freeze specifically gives leeway to agencies that are not relying on the General Fund; however, those non-General Fund agencies that are in danger of incurring a deficit are not exempted. The Commission staff is working with the Department of Finance to resolve its budget challenges, which would allow it to pursue an exemption from the hiring freeze.

Ms. Milstein also reported that the Senate adopted a different bond proposal from the Governor's, proposing one that has a faster, 7-year payback period. This would necessitate higher annual payments, which would in turn put further pressure on current expenditures.

Commissioner Johnson asked if the Commission will be directed to rescind some regulations. Ms. Milstein said that any action to be taken is still under consideration but that her understanding is that the Governor's order was most targeted at regulations that affect business and the cost of doing business in California. Dr. Swofford agreed but noted that the Executive Order speaks to both businesses and individuals, casting a very wide net. At this point, the order is also holding up the State Board's NCLB regulations.

FPPC-2: First Quarter Report of Revenues and Expenditures for Fiscal Year 2003-04

Crista Hill, Manager, Fiscal and Business Services Section, reported on the revenues and expenditures for the Commission during the first quarter of the fiscal year. At this point in the year, receipts appear low because of the lag time between receipt and depositing funds and expenditures appear high because of the practice of encumbering the entire amount for year-long contracts at the beginning of the year. However, expenditures and revenues are about where they are expected to be at this time of year.

FPPC-3: Update on the Teacher Credentialing Service Improvement Project

Darren Addington, Manager, Enterprise Technology and Support Services Section, reported that the Teacher Credentialing Service Improvement Project continues to show success. Both Phase 1 (online credential status) and Phase 2 (online renewal and payment) have been functioning for some time. The site attracts 800 visitors per day and more than 2,600 credential holders renew online every month.

The project is currently in Phase 3, which entails designing an automated processing and reporting system that replaces all of the Commission's legacy database software and hardware. This phase, which is expected to become operational next spring, is moving into the testing phase. A budget-caused delay in obtaining hardware was resolved when the Department of Finance worked with the Commission to get vendors IBM and Hewlett-Packard to

reduce their prices.

Commissioner Lilly asked about paperless transmission of credential documents. Mr. Addington replied that it is part of Phase 3 and will be implemented in the spring.

PREPARATION STANDARDS COMMITTEE OF THE WHOLE

Commissioner Johnson convened the Preparation Standards Committee of the Whole.

PREP-1: A Report on Teacher Development Programs

Suzanne Tyson, Consultant, Professional Services Division, presented a report on the status of four teacher development programs: paraprofessional, pre-intern, intern and BTSA. Each program has the same goal of increasing the number of qualified teachers, but each targets distinct populations with different developmental needs.

Ms. Tyson provided a brief summary about each program:

- The paraprofessional program addresses candidates who are already in the classroom as teacher aides and who are vested in the community and know the working conditions. Retention rates tend to be high.
- The pre-intern program helps hard-to-staff districts move toward the NCLB goals by providing subject matter preparation for teachers and then moving them into the intern program. Twenty-nine percent of all those in the intern programs come from the pre-intern program.
- The intern program is an alternative to student-teaching based programs. It is an alternative route that benefits those who serve as the teacher of record while completing program requirements. It is a particularly good path for career changers, as well as different ethnic and gender groups.
- BTSA, co-sponsored by the Commission and the Department of Education, is designed to address the needs of teachers in their first two years of teaching. It is the Commission-designated preferred option for meeting the requirements of a professional credential.

Ex Officio Representative Lundquist complimented staff on an outstanding report that is well written and clear. She suggested that it be included in briefing materials for new commissioners. She said she was glad to note that there is funding flexibility between the pre-intern and intern programs to address fluctuation in need. Mike McKibbin, consultant, Professional Services Division, noted the flexibility is there for the paraprofessional program as well.

Dr. Swofford said the comments in support of the programs are appreciated. In light of the NCLB requirements, it will be interesting to see if incentive dollars can be re-directed to the programs for sustainability. With the approaching retirement age of many teachers, there is an ongoing need for continuing to expand the teacher workforce. He said it is important to find the funding sources to keep these programs alive.

Commissioner Johnson asked about the relationship between the paraprofessional program and the requirements of NCLB. Marilyn Fairgood, consultant, Professional Services Division, said that program coordinators meet and assess each person's needs (in terms of the number of units they need to complete) before enrolling them in the program. She said she believes requirements include having a certain amount of classroom experience. Beth Graybill, director, Professional Services Division, clarified that to be NCLB compliant, the paraprofessionals have to have two years of study, an associate of arts degree, or have passed a rigorous assessment.

Ex Officio Representative Lundquist said the paraprofessional program has the additional benefit of providing enhanced employability to the participants even if they never advance to certified teachers because of the added education level that they obtain.

Ex Officio Representative Wilson asked if there is data about the number of BTSA-eligible teachers who do not participate in BTSA - not because of lack of funding but because of their own choice. Teri Clark, consultant, Professional Services Division, said she does not have firm data and that BTSA is a voluntary program. There were about 21,000 participants this year. Ex Officio Representative Wilson said his figures show that about 25 percent of first-year teachers don't participate. He also asked about the impact on student achievement of teachers going through the induction process. Ms. Clark said that studies are under way but that there is no data at this time.

The report was for information only.

PREP-2: Proposal for Revision of the Commission's Accreditation Policies and Procedures

Dr. Swofford shared some of the reasons behind the need to undertake a review of the current accreditation system. First, the Education Code requires the Commission to undertake regular and ongoing review of the system to assure quality. Second, the Commission is operating with limited resources and funding that has supported accreditation in the past has been substantially diminished. The current system requires a substantial investment by both the Commission and the institutions, who are also facing budget pressures. Therefore, it seems prudent to explore ways to accomplish the mission of accreditation in a way that ensures quality but is also cost effective. Third, the system is operating in a different environment today because of NCLB and the upcoming reauthorization of the Higher Education Act. There is an obvious trend to the use of quantifiable data to support conclusions about programs. These external forces should be looked at in terms of their impact on accreditation. He added that the intent is to fully discuss the review over time with the field, but the intent of the agenda item is to bring the matter to the Commission and receive guidance on how staff should proceed.

Beth Graybill, Interim Director, Professional Services Division, agreed with Dr. Swofford that there are forces in play - both driving ones and constraining ones - that affect the accreditation system. Overall, there is the driving force for greater accountability from policy makers and the constraining force of budget and resource limitations. Staff, led by Cheryl Hickey, consultant, Professional Services Division, has been looking at the accreditation system in light of these forces.

Ms. Hickey reminded the Commission that in December 2002 Commissioners voted to delay accreditation visits then scheduled for 2003-04 for two reasons: to allow institutions and the Commission to focus on implementation of SB 2042 initial program accreditation and, as noted in the agenda item at that time, to give the Commission and the Committee on Accreditation (COA) time to research and consider other options for an accreditation system.

Ms. Hickey said the agenda item today is to begin one of many discussions that should take place about accreditation and should be viewed only as a starting place, with staff seeking direction. She said staff does not have a preconceived notion about what a revised system would look like. The activities to date have focused on looking at the strengths of the current system and seeking out opportunities for improvement. She said staff intends to work closely with COA.

In the agenda item, staff suggested four general policy goals for Commission consideration and listed seven elements of the existing accreditation that were addressed in an evaluation report. The evaluation, known as the AIR Report, presents useful information but is narrow in scope since it was only intended to review the present system and not necessarily review all options. The recommendations from the report are on pages 35 through 38 of the agenda materials.

Rod Santiago, Consultant, Professional Services Division, reviewed the current legislative mandate and the role of COA. Under the statutes, the Commission is responsible for adopting, implementing and modifying the framework for accreditation. The Commission also is expected to establish program standards, do initial accreditations, appoint members to the COA, resolve appeals and be responsible for allocating resources. The COA is responsible for carrying out Commission policies, making accreditation decisions, determining comparability of standards submitted, establishing guidelines for reviews and producing an annual report to the Commission.

Marilynn Fairgood, Consultant, Professional Services Division, said that the annual average cost of all accreditation activities is about \$200,000, with the average cost of a site visit almost \$10,000. Between them, the sites and the Commission bear the costs.

Ms. Hickey presented four policy goals for developing a revised accreditation system, a proposed timeline for revision, and conceptual changes to the key elements of the existing accreditation system.

Commissioner Johnson invited public comment. Dr. Beverly Young from the California State University System said she had comments about both the process and the content of the proposal. She said that the proposal presented by staff includes recommendations that are contrary to recommendations by both the AIR report and COA. She said the staff recommendations de-emphasize the qualitative elements of accreditation. While she recognizes the need to supplement those with more quantitative data, lessening the qualitative aspect is a concern. She said the seven elements advocate an increased role by Commission staff and go beyond the scope of a regular review.

Dr. Young also objected to the proposed timeline because it indicates that staff would begin development of a new system but not expect to seek public input until April. She said that brought her to the issue of process. She felt that both the agenda material and the presentation indicate that the Commission has exclusive authority to revise the system. She said that both the Education Code and the existing framework require the Commission to consult with COA, IHEs and other organizations. She said the framework governs the Commission's authority in this process and that it says the Commission will maintain the framework without changes until there is evidence that significant modification is warranted - and then that determination is made by the Commission with the concurrence of UC, CSUS, independent colleges and the COA. She said no such consultation has occurred. She said even staff presenting goals and plans without consultations is inappropriate.

Dr. Young argued that the action item should be changed or withdrawn and that there should be a public process to review the AIR report, followed by an agreement by the three systems to proceed with any changes.

In her final remarks, Dr. Young said that she was testifying in the spirit of trying to restore a positive working relationship and that the IHEs have a long history of working collaboratively with the Commission to reach a shared goal of doing what is best. Referring to similar testimony she gave six months ago on a different issue, she said she is getting tired of having to remind the Commission staff about the importance of collaborative work.

Dr. Swofford said he does not believe there is any disagreement with the need to work collaboratively but that staff cannot go forward with any discussions until the Commission has first given permission and directed them to proceed. He said the process does not begin with seeking stakeholder guidance, but with the Commission determining how it wants staff to proceed on an issue. He said the proposal is in its formative stage and that the intent was to bring it to the Commission for authorization to

proceed with discussions.

Commissioner Johnson said that she heard consensus on the need to have a healthy process to examine changes that may be needed in response to an altered policy environment, but that what staff intended is not what has been perceived. Instead, there appears to be the perception that something is already much further along in development than was intended. She said that Dr. Swofford is correct that staff cannot move forward without a design or idea about what work need to be done. But she said the last thing the Commission would want to do is move ahead with action that would seem to exclude stakeholders from a process that affects them so centrally. She suggested that the Commission direct staff to allow discussion to take place to rethink the goals of accreditation, what the AIR report says and what a system revision might include.

Ex Officio Representative Wilson said he thought Commissioner Johnson's idea was good. Since an Executive Order has frozen action on regulations for 180 days, there should be no compelling need to rush.

Vice Chair Madkins said he sees no problem with staff seeking Commission direction first before going out to stakeholders. He said some of the Commission's best work has been in going out and coordinating with stakeholders and that he expects that to continue. But he said he doesn't buy the idea that the staff and Commission can't get their in-house thinking in order before asking for input, as Dr. Young's criticism seems to imply. He said if the Commission doesn't have an understanding itself about what it ought to be doing, then it is difficult to know what to ask stakeholders. He said the purpose of the item was to bring the concept to the Commission and see where it wants to start. He said he doesn't see that as cutting stakeholders out of the process.

Ms. Hickey said that staff doesn't want to be put in the position of doing something contrary to what the Commission wants reflected. She said staff is not trying to exclude anyone but instead is trying to understand where the Commission stands at this time.

Dr. Swofford reiterated again that the world has changed dramatically with the fiscal crisis. The Commission had a process in place, which was deferred at least partly because there is no money. The question is what can IHEs expect down the road. He noted that in other states, IHEs pay independent bodies for accreditation reviews. The state has used an accreditation process that is subsidized through fees that have been reduced. In addition, the Commission has suffered cuts in positions and reductions in its budget. All of these are curtailing the ability of the Commission to do what IHEs have expected it to do in regards to accreditation. That's why the issue has been brought to the Commission; staff needs guidance on how to move forward with the issue. He said the Commission staff is not trying to sidestep its partnership with COA; that's why the AIR report was shared with COA. He

said Commission staff is only trying to get direction from the Commission.

Commissioner Lilly said he is concerned that there has not been prior discussion about the possibility of the state and Commission fiscal condition having a differential impact on the accreditation piece of the business conducted by the Commission. If the Commission can no longer afford the current accreditation process, he said he would like to see such a discussion take place within a broader budget analysis context. He also said he understands that staff needs to seek direction from the Commission before proceeding with an issue. But he said when an item includes goals, activities and a timeline that does not include input until next April, he believes the item goes too far. He said the emergency permit process earlier in the meeting shows how important it is to get stakeholder input; the end result is better policy. He said there needs to be stakeholder involvement before the Commission adopts goals for a process.

Ms. Milstein reminded the Commission that part of the December 2002 action to curtail accreditations was a discussion of the Commission's capacity to continue standard operating procedures in the face of declining revenue and budget cuts. She said the Commission's action reflected the opportunity to use resources to finish approval of the programs under SB 2042 and then come back to see how operations might be changed in light of diminishing resources. In addition, FPPC 3, presented in August 2003 also documented the impact of declining resources on both accreditation and department-wide operations. She said she felt that a thorough analysis was offered and will take additional opportunities to further explain changes as they have been necessitated.

Chair Fortune indicated that she believes, contrary to Dr. Young's comments, that the Commission and staff have worked hard to be inclusive. She said it is her sense that it is appropriate for staff to come to the Commission and ask for permission to go forward.

Commissioner Lilly commented that he agreed that Ms. Milstein has presented budget information but that he believes there has been no specific discussion about the need to change accreditation procedures because of budget issues.

Dr. Young asked to further comment. She said that she tried to use a liberal interpretation that the item is just staff asking for direction but that it is difficult to do so when the item includes four goals and a timeline with input slotted in April. She said that the issue of collaboration is not exclusive to this item; the issue has been growing for some time. She argued that if staff were just seeking direction, the item would have just been for information rather than for action.

Commissioner Johnson said there seems to be agreement that the process has to start somewhere but that there is disagreement about where the

starting point is. Dr. Swofford said that staff could be given direction through an action item that tells them to work with COA, institutions and other stakeholders and come back with information on the ideas that are generated.

Ex Officio Representative Wilson said that he does not believe that anything was done intentionally but that there are certain sensitivities that constituency groups have when one starts talking about accreditation. He said he favors the kind of process that Dr. Swofford outlined.

Vice Chair Madkins said the Commission shouldn't be assaulted for trying to get a process started. He said he has no objection to including people, but that the Commissioners around the table need to decide for themselves how the process should start.

Commissioner Beckner said that it appears more time needs to be taken on the issue. She said she wants to ensure that the Commission continues its work in the collaborative nature that she believes was intended by staff.

Dr. Swofford said tabling the item does not move the issue forward. He advised that an action would need to be taken that would direct staff to move forward with a review process. Such an action would not set up a prescriptive scenario of what the outcome will be but instead solicits input.

Vice Chair Madkins proposed a two-part motion: that the item be received as an information item and that staff be directed to begin a review of the accreditation system and come back with input on how the system might be revised. Commissioner Beckner seconded the motion. No time frame was set in order to give staff flexibility to meet with all of the relevant stakeholders.

Ex Officio Representative Lundquist asked for the opportunity to review the AIR report.

Commissioner Johnson reminded the Commission that the 2042 reform process began with the question of what a credentialing system would look like if it could be designed from scratch. Perhaps the same initial approach would work with accreditation - if the system could be reformed, what would it look like and what would the end result be. Using this as a first principle might put everyone on the road to a system that can be agreed upon rather than starting from a place of tension.

The vote was taken and the motion carried without dissent.

PERFORMANCE STANDARDS COMMITTEE OF THE WHOLE

Commissioner Lilly convened the Performance Standards Committee of the Whole.

PERF-1: Recommended Passing Standards for the California

Subject Examinations for Teachers (CSET): Sciences (Specialized) Subtests IV in Biology, Chemistry, Earth and Planetary Science, and Physics

Diane Tanaka, Assistant Consultant, Professional Services Division, presented the recommended passing standards for the new CSET exams for the science subtests in biology, chemistry, Earth/planetary science and physics. She noted that there were two errors in the agenda materials: 1) the fiscal impact and policy issue summaries were switched; and 2) on page 10, the number of panel members should have been 35.

She reminded the Commission that in April 2003, the Commission adopted a policy establishing a single subject credential in science in four sub-areas for those with specific expertise in science who wanted to teach only in one area. There are three approved options for obtaining these credentials: exam (CSET subtest) or one of two coursework options. Since then, the Commission staff has been working with the test contractor to establish the exam option. Independent panels made up of a cross-section of 35 educators participated in standard-setting studies. The recommended passing standards are presented in a table on page 20 of the agenda materials that pertain to this item.

A motion to adopt the recommendation was made (Littman), seconded (Vaca) and carried without dissent.

REPORT OF CLOSED SESSION

The Commission granted the following Petitions for Reinstatement:

1. Karie Orendorff
2. Ronald Pegula

The Commission denied the Petition for Reinstatement in the matter of Mark Raisler.

The Commission rejected the Administrative Law Judge's Proposed Decision and called for the transcript in the matter of Victor Vizcarra.

REPORT OF APPEALS AND WAIVERS COMMITTEE

Commissioner Lawrence Madkins called the meeting of Appeals and Waivers Committee to order at approximately 3:19 p.m., Wednesday, December 3, 2003.

A&W-1: Minutes of the November 5, 2003, Meeting of the Appeals and Waivers Committee - (Action)

It was moved, seconded, and carried (Vaca/Johnson) that the minutes of the Appeals and Waivers Committee meeting of November 5, 2003, be APPROVED

A&W-2: Waivers: Consent Calendar - (Action)

It was moved, seconded, and carried (Johnson/Vaca) that the Committee APPROVE the 296 waiver requests on the Consent Calendar.

A&W-3: Waivers: Conditions Calendar - (Action)

It was moved, seconded, and carried (Johnson/Beckner) that the Committee APPROVE the 53 waiver requests on the Conditions Calendar with specific conditions attached.

A&W-4: Waivers: Denial Calendar - (Action)

It was moved, seconded, and carried (Hauk/Vaca) to recommend preliminary denial of the 63 Waiver Requests on the Denial Calendar. These waiver requests will be brought to the Commission for action at the January 2004 meeting.

Adjournment

The meeting of the Appeals and Waivers Committee was adjourned at approximately 3:24 p.m., Wednesday, December 3, 2003.

COMMISSION MEMBER REPORTS

Commissioners Beckner and Hauk both expressed their appreciation for the hard work and fellowship of Chair Fortune and Commissioner Boquiren during their tenures. Commissioner Boquiren thanked the Commissioners in turn for being not only colleagues but also mentors.

AUDIENCE PRESENTATIONS

At Chair Fortune's invitation, the new liaison from CTA, Kathy Harris, came forward and introduced herself.

OLD BUSINESS

The quarterly agenda for January, February and March 2004 was presented for information only.

NEW BUSINESS

None.

ELECTIONS OF THE COMMISSION CHAIR AND VICE CHAIR FOR 2004

Dr. Swofford reminded the Commission that at the November meeting Commissioner Madkins was nominated as Chair and Commissioner Johnson as Vice Chair. No nominations were received by mail. He asked for further nominations; there were none. He closed the nominations for both offices and asked each to deliver statements.

Vice Chair Madkins said that it is an honor to be considered for Chair and pledged to continue the Commission's commitment to open and respectful dialogue with all members of the education community. Issues that will continue to engage the Commission include the implementation of NCLB and the possible reform of the Commission's accreditation system. He said he plans to provide strong and effective leadership as the Commission navigates through these and other issues.

Commissioner Johnson said she also is honored to be considered for Vice Chair. She said the Commission operates best when there is a rich dialogue, with the Commissioners listening to and responding to education stakeholders. She said she wants to see the Commission continue to grow as an organization that is fully committed to sound public policy. She said she will do her best to foster the strength already present by supporting the new chairman, the executive director and staff.

The roll was then taken for each office. Both were elected by unanimous vote.

ADJOURNMENT

The meeting adjourned. The next meeting will be held on January 8, 2004 at the California Commission on Teacher Credentialing Office, 1900 Capital Avenue, Sacramento, California.