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2002

CALIFORNIA COMMISSION ON TEACHER CREDENTIALING

MINUTES OF THE COMMISSION MEETING

September 5, 2002

Commission Offices, 1900 Capitol Avenue, Sacramento

COMMISSION MEMBERS

Kristen Beckner, Teacher
Alan Bersin, Administrator, Chairman
Chellyn Boquiren, Teacher
Margaret Fortune, Public Representative
Elaine C. Johnson, Public Representative
Lawrence Madkins, Jr., Teacher, Vice Chairman
Alberto Vaca, Teacher
Marilyn Whirry, Designee, Office of the Superintendent of Public Instruction

COMMISSION MEMBERS ABSENT

Nadia Maria Davis, School Board Member
Beth Hauk, Teacher
Carol Katzman, Public Representative
Stephen Lilly, Faculty Member

EX-OFFICIO REPRESENTATIVES

Joyce Justus, Regents, University of California
Bill Wilson, California State University

EX-OFFICIO REPRESENTATIVES ABSENT

Carol Bartell, Association of Independent Colleges and Universities

COMMISSION STAFF

Sam Swofford, Executive Director
Mary Armstrong, General Counsel, Director, Professional Practices Division
Linda Bond, Director, Office of Governmental Relations
Joe Gee, Director, Information Technology and Support Management Division
Mary Butera, Director, Office of Human Resources
Dale Janssen, Director, Certification, Assignments and Waivers Division
Mary Vixie Sandy, Director, Professional Services Division
Janet Vining, Staff Counsel, Professional Practices Division
Lee Pope, Staff Counsel, Professional Practices Division
Kimberly Hunter, Staff Counsel, Professional Practices Division
Larry Birch, Administrator, Professional Services Division
Elizabeth Graybill, Administrator, Professional Services Division
Amy Jackson, Administrator, Professional Services Division
Margaret Olebe, Administrator, Professional Services Division
Nicole Amador, Consultant, Professional Services Division
Joe Dear, Consultant, Professional Services Division
Marilynn Fairgood, Consultant, Professional Services Division
Philip Fitch, Consultant, Professional Services Division
Helen Hawley, Consultant, Professional Services Division
Cheryl Hickey, Consultant, Professional Services Division
Phyllis Jacobson, Consultant, Professional Services Division
Betsy Kean, Consultant, Professional Services Division

Michael McKibbin, Consultant, Professional Services Division
Rod Santiago, Consultant, Professional Services Division
Marjorie Suckow, Consultant, Professional Services Division
Suzanne Tyson, Consultant, Professional Services Division
Jan Jones Wadsworth, Consultant, Professional Services Division
James Alford, Assistant Consultant, Professional Services Division
Mark McLean, Assistant Consultant, Professional Services Division
Nadine Noelting, Assistant Consultant, Professional Services Division
Diane Tanaka, Assistant Consultant, Professional Services Division
Yvonne Novelli, Program Analyst, Professional Services Division
Marilyn Errett, Consultant, Office of Governmental Relations
Leyne Milstein, Consultant, Office of Governmental Relations
Dan Gonzales, Legislative Liaison, Office of Governmental Relations
Anne Padilla, Consultant, Office of Governmental Relations
Crista Hill, Manager, Information Technology and Support Management Division
Terri Fesperman, Assistant Consultant, Certification Division
Susan Browning, Manager, Certification Division
Stephen Burke, Research Analyst, Certification Division
Kathleen Beasley, Proceedings Document Recorder

Thursday, September 5, 2002

GENERAL SESSION

The general session was called to order by Chairman Bersin. Roll was taken.

REPORT OF CLOSED SESSION ITEMS

Petition for Reinstatement or For Reduction of Penalty

The Commission granted Rex Gonzales's Petition for Reinstatement.

Proposed Decisions

The Commission adopted the Proposed Decision in the matter of Felisa Drummond.

The Commission called for the transcript in the matter of Martin Pollyea.

Proposed Findings

The Commission (with Chairman Bersin abstaining) adopted the Proposed Findings in the matter of Mark Luciano.

Consent Determinations

The Commission adopted the following Consent Determinations:

1. Michael Anastas
2. Jose Chapman
3. James Webb

PUBLIC HEARINGS

Chairman Bersin opened the public hearing portion of the meeting.

PH-1: Proposed Amendments to Sections 80001 and 80434 of Title 5, California Code of Regulations, Pertaining to the Definitions and Terms and Acceptance of Electronic Signatures

Dale Janssen, Director, Certification, Assignments and Waivers Division, explained that the proposed amendments to Title 5 had already been approved on an emergency basis by the Office of Administrative Law, effective June 3, 2002. The public hearing was being conducted to make the emergency amendments permanent.

The two sets of amendments involve electronic signatures and the use of electronic transmission of documents. Under the Teacher Credential Service Improvement Project, the Commission has created an online system that allows teachers and day-to-day substitutes to renew their credentials through the Internet. One part of the process requires a digital or electronic signature when the applicant responds to personal and professional conduct questions. The first set of amendments adds to the definitions in Title 5 and clarifies that the Commission can accept an electronic signature.

The second set of amendments concerns delivery of documentation. This looks ahead to the anticipated implementation of a final phase of the Teacher Credential Service Improvement Project, which will allow colleges and universities to submit transcripts and other documentation for certification electronically. The amendments clarify that the Commission can accept documents transmitted in this manner.

Mr. Janssen reported that the Commission received comments from 18 organizations and seven individuals in support of the amendments. Two organizations opposed the amendments.

Chairman Bersin asked for questions from Commissioners; there were none. He then opened the floor for public comment; there was none. He closed the public hearing. A motion to adopt the amendments as submitted was made (Madkins), seconded (Johnson) and approved without dissent.

PH-2: Proposed Amendments to Section 80054 of Title 5, California Code of Regulations, Pertaining to the Requirements for the Administrative Services Credential

Assistant Consultant Terri Fesperman reviewed the proposed changes, which allow an administrative services credential applicant to submit verification of completion of the preliminary credential requirements from any accredited program, not solely from a university or college program. This allows alternative routes that are authorized in law but not addressed in the regulations. The Commission received comments from three organizations and seven individuals in support of the amendments and from two individuals in opposition.

Chairman Bersin asked Ms. Fesperman to describe the outreach made to obtain comments. She said that a public hearing notice was distributed to the Commission's list of correspondents and to a variety of organizations and institutions, including county and district superintendents, credential analysts, deans and directors of education at universities and various professional organizations. In addition, the proposed change is noted on both the Commission's and the Office of Administrative Law's web sites. Chairman Bersin noted that the change had been the subject of long consideration by the Commission and much discussion at prior meetings.

Chairman Bersin then asked for questions from Commissioners; there were none. He then opened the floor to public comment. Three people spoke about the amendments:

Sharon Robison, Association of California School Administrators (ACSA), said her organization supports the amendments. She made three points: 1) the action makes the regulations consistent with recently enacted state law; 2) it assures that there is an opportunity for multiple providers and multiple pathways; and 3) it maintains the integrity of the credential by ensuring that all programs are required to meet the same standards and rigorous requirements.

Dr. Louis Wildman, California State University, Bakersfield, who said he was representing his own viewpoint rather than the university's. He opposed the amendments, providing five points. 1) He argued that the evolution toward administrative focus on curriculum makes it more important than ever that administrative credential candidates be prepared in an environment with full access to faculty from all disciplines, not just within institutions or programs narrowly focused on procedures. He encouraged the Commission to consider adopting national-based standards and accreditation of administrators through the National Council on Accreditation of Teacher Education (NCATE). 2) Dr. Wildman said adding additional providers does promote competition but that the end result is that candidates seek out the fastest and easiest way to get credentials rather than the best, most effective programs. 3) He said school district-run programs would stifle academic freedom because administrative applicants would not be able to question what they are taught in a program operated by people they will be seeking jobs from. 4) He believes the shortage of school administrators stems from poor pay and working conditions. By creating the opportunity to credential more administrators, adding new programs takes the pressure off the system to improve pay and conditions. 5) It removes the professionalism of the training, making it more akin to the 19th century when physicians trained in barbershops and lawyers studied in law offices. In summation, Dr. Wildman argued that now more than ever, preparation should be handled by universities where candidates can be exposed to ongoing research.

Bruce Kitchen, representing the school personnel officials for San Bernardino and San Diego counties. He noted that his organization has been working with the Commission on changes to eliminate the bottleneck in administrative credential preparation for the past two and a half years. He said his organization is in full support of the amendments.

Vice Chairman Madkins said that the Commission has had multiple discussions in the past about the administrative credential system and that a variety of people have come to provide input and comments about the proposed changes. He said that the intent is to have multiple pathways available to a wide range of people who may be qualified to take on administrative duties in a district, but to do so without challenging in any way whether a university or college program does a good job in preparing candidates.

Chairman Bersin closed the public hearing, and thanked Dr. Wildman for stepping forward with his reasoned, thoughtful comments. He also thanked the Commission staff for carrying out a long and thorough process to explore the options that have now led to a significant change in policy.

A motion to adopt the amendments as submitted was made (Madkins), seconded (Johnson) and approved without dissent.

APPROVAL OF THE JULY 2002 COMMISSION MINUTES

A motion to approve the July 2002 Commission minutes was made (Johnson), seconded (Fortune) and carried without dissent. Chairman Bersin abstained since he was not present in July.

APPROVAL OF THE SEPTEMBER 2002 AGENDA

A motion to approve the agenda for the September 2002 meeting with in-folder items (pertaining to Leg-1, 2 and 3, FPPC-2, PREP-1 and Public Hearings 1 and 2) was made (Whirry), seconded (Madkins) and carried without dissent.

APPROVAL OF THE SEPTEMBER 2002 CONSENT CALENDAR

A motion to approve the September 2002 Consent Calendar was made (Madkins), seconded (Beckner) and carried without dissent.

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.

1. **ANDRADE, Juanita** Visalia, CA

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

2. **BABULA, James** Fresno, CA

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

3. **BARROWS, Jane D.** South Pasadena, CA

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

4. **BOOHER, Lawrence E.** Shingle Springs, CA

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

5. **CAYTON, Michael A.** Stockton, CA

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

6. **CLAYTON, Mitchell G.** La Verne, CA

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

7. **DALE, Denise** Pismo Beach, CA

All certification documents under the jurisdiction of the California Commission on Teacher Credentialing are **suspended for a period of fifteen (15) days** for misconduct pursuant to Education Code section 44421.

8. **DAVIES, Kimishawne** Los Angeles, CA

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

9. **DOUGLASS, Gregory A.** Fresno, CA

All certification documents are **suspended for a period of one hundred eighty (180) days** and any pending applications are **denied** for misconduct pursuant to Education Code sections 44421 and 44345.

10. **DOVE, David B.** Inglewood, CA

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

11. **DITTEMORE, Pamela T.** Riverside, CA

The Pupil Personnel Services Credential is **revoked** and the Multiple Subject Teaching Credential is **suspended for a period of ninety (90) days** pursuant to Education Code section 44421.

12. **FISHER, Gretchen D.** Hacienda Heights, 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.

13. **GUARDIA, Carol R.** Roseville, CA

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

14. **HARRY, Juanita E.** San Diego, 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.

15. **HUGHES, Annette D.** San Leandro, 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.

16. **JOHNSON, Gary K.** Manteca, 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.

17. **KAWAOKA, Stanley** Pinole, 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.

18. **KLISS, Brent** Riverside, CA

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

19. **KUSAK, Joseph B.** Sacramento, 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.

20. **MEDRANO, Hector** Long Beach, 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.

21. **MILLER, Robert W.** Madera, CA

The Pupil Personnel Services Credential is **suspended for a period of one hundred eighty (180) days** pursuant to Education Code section 44421.

22. **MONTENEGRO, Frank J.** Hayward, 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.

23. **MUELRATH, Keith** Petaluma, 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.

24. **NGUYEN, Phu A.** Campbell, CA

All certification documents under the jurisdiction of the California Commission on Teacher Credentialing are **suspended for a period of ten (10) days** for misconduct pursuant to Education Code section 44421.

25. **PEFLEY, Frank G.** Hemet, CA

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

26. **PENN, Barbara A.** Concord, CA

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

27. **PRANAUSK, Lawrence** Rancho Cucamonga, 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.

28. **ROAM, Andrew T.** Stockton, 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.

29. **ROBERTSON, Monique S.** Bellflower, CA

All certification documents under the jurisdiction of the California Commission on Teacher Credentialing are **suspended for a period of ten (10) days** for misconduct pursuant to Education Code section 44421.

30. **VELA, Paul M.** Antioch, 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 44420.

31. **WARDLOW, Michael D.** Glendora, CA

All certification documents under the jurisdiction of the California Commission on Teacher Credentialing are **suspended for a period of sixty (60) days** for misconduct pursuant to Education Code section 44421.

32. **WERRBACH, Scott R.** Yucaipa, CA

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

33. **WHITE, Todd S.** Sierra Madre, 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.

34. **WILLIAMS, Vicki R.** Malibu, 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.

35. **WOLF, George A.** Hamilton City, 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.

36. **YOUNT, Steven R.** Orangevale, CA

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

PRIVATE ADMONITIONS

37. Pursuant to Education Code section 44438, the Committee of Credentials recommends five (5) private admonitions for the Commission's approval.

CONSENT DETERMINATIONS

38. **WHEELLOCK, Edwin** Antioch, CA

The Attorney General's Proposed Consent Determination, which reflects the Committee of Credentials' recommendation to **revoke** all credentials, life diplomas or other certification documents under the jurisdiction of the Commission, is adopted.

39. **WILLIAMSON, Ronald** Desert Hot Springs, CA

The Attorney General's Proposed Consent Determination, which reflects the Committee of Credentials' recommendation to **revoke** all credentials, life diplomas or other certification documents under the jurisdiction of the Commission, is adopted.

DECISIONS AND ORDERS

40. **COOK, Christopher J.** Chino Hills, CA

In accordance with the default provisions of Government Code section 11520, Mr. Cook's credentials are **revoked**.

41. **KASPAREK, Anne C.** Visalia, CA

In accordance with the default provisions of Government Code section 11520, Ms. Kasperek's credentials are **revoked**.

42. **PASSMORE, Johanna L.** Mira Loma, CA

In accordance with the default provisions of Government Code section 11520, Ms. Passmore's credentials are **revoked**.

PROPOSED DECISIONS

43. **MASON, Kurt H.** Newark, CA

The Administrative Law Judge's Proposed Decision, which reflects the Committee of Credentials' recommendation to **publicly reprove** Mr. Mason, is adopted.

44. **SCRIBNER, Damian D.** Tujunga, CA

The Administrative Law Judge's Proposed Decision, which reflects the Committee of Credentials' recommendation to **revoke** Mr. Scribner's credentials and all other certification documents, is adopted.

REQUESTS FOR REVOCATION

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

45. **BELIKOFF, George P.** Glendora, CA

Upon his written request, pursuant to Education Code section 44423, his Clear Specialist Instruction Credential in Special Education is **revoked**.

DIVISION OF PROFESSIONAL PRACTICES

MANDATORY ACTIONS

All certification documents held 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.

46. **BAINES, Tamika S.** Rialto, CA

47. **BARNES, Mary A.** Sacramento, CA

48. **CORNELL, Brett D.** Chico, CA

49. **DELAO, Juan** San Diego, CA

50. **FLEMING, Louis D.** Lake Elsinore, CA

51. **FOUTS, Phillip L.** Lucerne Valley, CA

52. **GALAN, Bryan** San Dimas, CA

53. **HERNANDEZ, Abel E.** Fort Bragg, CA

54. **HUMLICK, Katrina M.** Eureka, CA

55. **LEE, Joe H.** Fresno, CA

56. **MARTINEZ, Marcia S.** Sacramento, CA

57. **McDANIEL, Tony A.** Yuba City, CA

58. **MONGRAIN, Kenneth L.** Rancho Cucamonga, CA

59. **MENDEZ, Daniel** West Covina, CA

60. **NAEEM, Ibrahim A.** Pasadena, CA
61. **RAY, Troy E.** Hemet, CA
62. **ROBERTS, Teri A.** Northridge, CA
63. **RUDHOLM, Peter M.** Monterey Park, CA
64. **SCHIPPER, Carl A.** Santa Rosa, CA
65. **VARTANIAN, Yvette** Hollywood, CA
66. **WARFIELD, Justin R.** Manhattan Beach, CA
67. **WAY, Jason G.** Carlsbad, CA

AUTOMATIC SUSPENSIONS

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

68. **EVANS, John R.** Temple City, CA
69. **INGRAM, Henry Lee** Stockton, CA
70. **LIEN, Jonathan A.** Alameda, CA
71. **MAJESKO, John J.** Tehachapi, CA
72. **MORA, Samuel U.** Morongo Valley, CA
73. **NOPPE, Charles R.** Corona, CA
74. **STEELE, Craig M.** Orange, CA

TERMINATIONS OF AUTOMATIC SUSPENSION

Pursuant to Education Code section 44940(d), the automatic suspension of all credentials held by the following individuals is terminated and the matter referred to the Committee of Credentials for review.

75. **FORD III, John E.** Redlands, CA
76. **LAWTON, Gale D.** Fairfield, CA
77. **PAUL, Robert A.** Caruthers, CA

NO CONTEST SUSPENSION

All credentials held by the following individual 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.

78. **DECASO, Joe** Sacramento, CA
(aka: **FERNANDEZ, Jose Alfonso**)

TERMINATION OF PROBATION

79. **GRAPES, Robert M.** LaVerne, CA

Having successfully complied with the terms and conditions of probation contained in the Consent Determination and Order, which was adopted by the Commission on April 13, 2000, **the stay order has been made permanent and his credential is restored.**

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.

1. Mary Conner/Compton Unified School District
2. Hazel Kilpatrick/Compton Unified School District
3. Richard Levin/Village Glen (NPS)
4. Blanca Quinteros/Palm Springs Unified School District
5. Edward J. Lee/Mt. Diablo Unified School District
6. Gina M. Newton/Norwalk-La Mirada Unified School District
7. April M. Kidd/Corona Norco Unified School District
8. Gary Corlett/San Benito High School District

ANNUAL CALENDAR OF EVENTS

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

CHAIR'S REPORT

Chairman Bersin took the occasion of the opening of the 2002-03 school season to note that it has been a decade since SB 1422 and the beginning of a push to revitalize public education in California, as well as throughout the country. He said it is a notable time in history because while public education faces more challenges than ever before, it also has become established policy at the state and federal level that a shared, basic value for

education is that each child is entitled to a high-quality educational opportunity. He said he believes that for the first time, America is moving towards delivering on that promise. Recent data shows an upward trend in academic achievement across California. There is still a long way to go, and he said he anticipates the Commission continuing to play a strong role in ensuring that progress continues. Chairman Bersin said there are two competing tensions that are best expressed in two opposite proverbs: Look before you leap; she who hesitates is lost. The task, he said, is to balance the wisdom contained in the two proverbs - to carry out the work of the Commission with a sense of urgency but to move forward thoughtfully and carefully. In the meantime, it is appropriate to celebrate progress in student achievement.

EXECUTIVE DIRECTOR'S REPORT

Dr. Swofford introduced Robert Moore, the Interim Executive Director of the California Postsecondary Education Commission (CPEC). He said the Commission looks forward to working with Mr. Moore and CPEC.

Dr. Swofford reported that Dr. Mary Williams has resigned her position as a public member of the Committee of Credentials because of her temporary appointment to the faculty of George Mason University in Fairfax, Virginia. He thanked her for her service and said her insight will be missed. Dr. Swofford introduced Rita Bianchi of the San Joaquin County Office of Education who is the designated public member alternate.

He also introduced two new consultants in the Professional Services Division: Cheryl Hickey who comes to the Commission from CPEC where she was a senior policy analyst for eight years; and Dan Parker, also formerly a senior policy analyst with CPEC, serving as that Commission's editor and news media liaison. In another personnel-related announcement, he said that Joe Gee was absent because his wife had undergone recent, successful surgery.

Dr. Swofford then asked Mary Sandy, Director of the Professional Services Division, to brief the Commission on the status of implementing SB 2042. Ms. Sandy began by noting how successful the Commission's recent third annual Teacher Quality Matters conference was, attracting 500 participants and focusing on induction. She thanked Chairman Bersin and Vice Chairman Madkins for launching the conference and Commissioner Fortune and Ex-Officio Representative Justus for participating on a panel that responded to the keynote speaker. Moving to implementation of SB 2042, she said that the Commission adopted new standards for teacher credentialing programs and processes last September and for induction programs in March. These new standards require the review and Commission approval of 330 programs by December 2003. Prior to today's hearing, 23 have been approved, with four more pending. The program submission window for September has brought about 30 more program documents in for review, and in two weeks 87 readers will gather to begin going through the documents. Other elements of implementing SB 2042 include continuing approval of subject matter programs and the teacher performance assessment program, which will be discussed in later agenda items.

REPORT ON STATE BOARD OF EDUCATION MEETING

A summary of items from the State Board of Education's July meeting was provided for information only. This included an update on the status of administrator training under AB 75 (296 training providers approved and 8,998 administrators receiving training); and approval for seven more providers of professional development under the AB 466 Mathematics and Reading Professional Development Program.

LEGISLATIVE COMMITTEE OF THE WHOLE

Chairman Madkins convened the Legislative Committee of the Whole.

LEG-1: Status of Legislation of Interest to the Commission

LEG-2: Analyses of Bills of Interest to the Commission

Linda Bond, Director, Office of Governmental Relations, presented the first two committee items: status of legislation of interest to the Commission and analyses of bills of interest to the Commission. Her report included the following:

The Commission's major sponsored bill, SB 1655 (Scott), was signed into law by the governor. This measure provides alternative pathways and providers for the administrative credential. The law moves from a structure that many saw as burdensome and duplicative to one that focuses on mentoring and support for administrators. Staff expects to bring forth standards based on the new law in the fall.

Another Commission-sponsored bill, SB 1656 (Scott), is on the governor's desk awaiting signature. The provisions of this bill originally closed a loophole with respect to registered sex offenders. It now also tightens provisions for timely notice by school districts to the Commission when a compulsory leave of absence offense has been charged so that the Commission may automatically suspend the credential immediately. This provision had been removed from a prior bill over concerns about cost; however, the costs are expected to be minimal (about \$300 statewide) so the provision was added to SB 1656.

AB 2575 (Leach) is on the governor's desk. This bill was discussed at the July Commission meeting but was not in print at the time. It provides an alternative route for completing subject matter requirements when a candidate holds a master's degree in the subject. The bill opens a pathway that highly competent individuals may take to obtain a credential without having to repeat subject matter course work or take a subject matter exam. Candidates would still have to complete teacher preparation requirements.

SB 1250 (Vincent) was vetoed. This would have allowed retired teachers to return to the classroom without having to take CBEST if they completed a refresher course. The bill was vetoed as inappropriate at a time when the state and federal governments are trying to raise teaching standards.

SB 2029 (Alarcon) is on the governor's desk. It would allow district intern programs that satisfy the Commission's adopted standards to offer a preparation program in special education. Two local education agencies, San Diego and San Joaquin, have expressed interest in doing so.

SB 1646 (Alpert) was left on the inactive file. It would have created an education major in California. However, the author heard that the governor was not receptive to the measure, which some view as lowering standards for subject matter competency so she opted not to go forward with the bill.

LEG-3: Information Items of Interest to the Commission

Anne Padilla, Consultant for the Office of Governmental Relations, updated the Commission on the Master Plan for Education. She said the final draft of the plan is expected to be released any day. Over the next few months, legislators will be digesting the recommendations contained in the report and are then expected to introduce major legislation based on the report in the coming session.

Ms. Bond summarized testimony provided to the Legislature on the issue of what constitutes a highly qualified teacher under the federal No Child Left Behind Act. Senator Vasconcellos and Assemblywoman Virginia Strom Martin conducted a joint hearing in response to newspaper stories that suggested the state was defining "highly qualified" at a very low level. Ms. Bond characterized the stories as less than accurate. On behalf of the Commission, staff provided testimony about the extensive efforts that California has undergone for the past decade to increase the pool of credential candidates, to strengthen the pipeline that moves them through the credentialing process and to remove barriers and provide incentives. Staff cited the paraprofessional, pre-intern and intern programs as having extraordinarily high retention rates. Their testimony warned against unintended consequences that could occur if there is an overly rigid interpretation of the law that knocks the legs out from under these highly successful programs that are moving people through the credentialing process and providing a well-trained, committed workforce for hard-to-fill positions in low-performing schools.

Ms. Bond also said that under a rigid interpretation of the federal law, even highly qualified, fully credentialed teachers would be required to take a test because the law does not recognize subject matter competency for elementary school teachers through any means other than testing. Such a requirement might make many people flee the classroom rather than comply with new provisions. Staff is continuing to work with state and federal legislators on the interpretation, but many believe the law will need to be amended.

Dr. Swofford commended Ms. Bond and her staff for tackling the issue, which is seen as difficult by many states. Under current interpretation, testing and testing alone will satisfy the law. Having a major in a subject and having competency that is aligned with the California academic content standards are not acknowledged as acceptable by the federal law. He said the issue is not about reducing standards, but about allowing California and other states to continue their work on improving the quality of teaching.

Commissioner Johnson said she appreciated the update because it has been difficult for her to respond to questions and criticism based on what she read in newspaper stories. She asked if anyone involved in developing the federal law had consulted with people from California on this portion of the law before enactment. Ms. Bond replied that no, they did not.

Chairman Bersin said that despite the problems, it is important to recognize the significance of HR 1 (No Child Left Behind) and what it represents in terms of bipartisan progress on educational objectives. He said it is important to be thorough and careful as it is implemented but that its overall direction is one that the Commission should endorse.

Ms. Bond presented one additional item. She said an EdTrust report released a week ago cited a figure of 27 percent for the teachers teaching out of their field in California. She said the report's findings did not match what the press release said; in fact, the figure is not in the report at all. The Commission does not agree with the figure and believes the report is in error because of differences in how majors and minors are defined and self-reported by teachers.

FISCAL POLICY AND PLANNING COMMITTEE OF THE WHOLE

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

FPPC 1: Update on the Budget for Fiscal Year 2002-03

Crista Hill, Manager, Information Technology and Support Management Division, reported that the Assembly passed the budget on Sunday and that the Governor was expected to sign the budget later in the day. Commissioners will receive a detailed briefing on the budget and its impact on the Commission at the next meeting.

FPPC-2: Proposed Budget Change Proposals for Fiscal Year 2003-04

Crista Hill, Manager, Information Technology and Support Management Division, provided a summary of three budget change proposals and said they would be developed into full proposals for submission to the Department of Finance once the concepts were approved by the Commission. They include:

Utilizing federal Title II funds to expand the Transition to Teaching program (16.1 million) to school districts that have significant and persistent shortages of qualified teachers. The funds would be used to expand the capacity of alternative certification programs and is modeled after the successful San Diego and Oakland pilot programs to reduce the number of emergency-permit teachers.

Additional funding (\$16.4 million) for the pre-internship and internship programs. Without additional funding, these programs will enroll 20 percent fewer credential candidates.

Almost \$2.4 million in fourth-year funding for the Teacher Credentialing Service Improvement Project.

A motion to approve the budget change proposals was made (Madkins), seconded (Johnson) and passed without dissent.

CREDENTIALING & CERTIFICATED ASSIGNMENTS COMMITTEE OF THE WHOLE

Commissioner Fortune convened the Credentialing & Certificated Assignments Committee of the Whole.

C&CA-1: Proposed Addition of Title 5 Section 80020.1, California Code of Regulations, Concerning Additional Assignment

Authorizations for Specific Special Education Credentials

Ms. Fesperman said that the proposal would allow general and standard credential holders to serve mild/moderate and moderate/severe students of preschool age and students in low-incidence disability areas from ages birth to preschool. In addition, it would allow holders of Ryan Specialist Credentials in the low-incidence disability areas of communication, physically and visually handicapped to serve students ages birth to preschool. Teachers would be required to have three years of appropriate experience; those who do not must obtain the Early Childhood Education Certificate for service to mild/moderate and moderate/severe students or the Education Specialist Credential for service to low-incidence disability areas. The provision also includes a sunset date; after 2003, teachers would be required to obtain the appropriate special education credential.

Vice Chairman Madkins said he understood that the matter is technical, designed to take care of an area overlooked in 1993 when other changes were made. He asked how many people will be affected. Ms. Fesperman said there are no exact figures but that an estimate is 100 to 200.

Ex-Officio Representative Wilson said he has a professional concern about allowing people to teach without the proper preparation in the area they will be teaching. Ms. Fesperman said that the individuals have to demonstrate three years' experience with the age group. He asked if the proposal had been discussed with the Commission on Special Education. Ms. Fesperman said it had not yet been discussed with them, although individuals in the field and the Commission's own special education experts have been consulted. Dr. Swofford said the public process was beginning and all statewide special education organizations, including the Commission on Special Education, will be informed. Ex-Officio Representative Wilson said he did not want to stop the process but only ensure that all stakeholders are consulted.

PERFORMANCE STANDARDS COMMITTEE OF THE WHOLE

Commissioner Johnson convened the Performance Standards Committee of the Whole.

PERF-1: Teaching Performance Assessment Update and Proposed Adoption of Assessment Quality Standards

Ms. Sandy introduced the item and said information would be presented in two parts: an update on the work to develop a prototype of a teacher performance assessment and a set of assessment quality standards that are recommended for adoption.

Amy Jackson, Administrator, Professional Services Division, said the project has made great strides since June 2001 when the Commission authorized a contract with the Educational Testing Service to develop a prototype. A pilot test of the prototype tasks has just been completed, along with formative scoring using scales. She said that last fall, two panels of teachers (Northern California and Southern California) were convened to think through the technical and implementation issues. They developed four tasks and a set of scales to assess teacher performance on each task. There are six areas of teaching, identical to the California standards for the teaching profession, that are being tested:

- Making subject matter comprehensible to students
- Assessing student learning
- Engaging and supporting students in learning
- Planning instruction and designing learning experiences for students
- Creating and maintaining effective environments for student learning
- Developing as a professional educator

A chart was provided to the Commission that summarized the four assessment tasks and related scenarios. Multiple competencies are measured by each task.

The next steps are to do field testing, develop assessor training and administration training. In the spring, the project will move to standard-setting studies.

Commissioner Johnson suggested that staff find wording other than assessment for some of the descriptions of tasks since it means different things at different times and in some ways has become a "loaded" word for people in the field.

Ms. Sandy presented the proposed assessment quality standards. SB 2042 provided two paths for assessment: a Commission developed prototype or local assessments developed by institutions and approved by the Commission. The Commission staff worked on the assessment standards at the same time that teacher preparation standards were being prepared last year, but then revised them based on the work on the prototype during the past year. There are five standards. The first two apply to institutions that are developing their own assessment. The third standard addresses how assessment is administered in a valid, accurate and fair manner; the fourth concerns how assessors are selected and trained; and the fifth centers on how the assessment is administered, resourced and reported upon within the program. She recommended that the Commission adopt the proposed assessment quality standards.

Vice Chairman Madkins said he was encouraged at the Teacher Quality workshop in San Diego to see so many people interested in the sessions on assessment. Commissioner Johnson said that the openness of the process and extensive dialogue with stakeholders has kept everyone informed and is something the Commission can be proud of.

Commissioner Johnson and Designee Whirry both observed that it would make more logical sense for the standard concerning assessors be the last one rather than coming before the standard about assessment administration and reporting. Ms. Sandy said the order can be changed.

A motion to approve the five standards was made (Fortune), seconded (Whirry) and passed without dissent.

PREPARATION STANDARDS COMMITTEE OF THE WHOLE

In Commissioner Katzman's absence, Commissioner Vaca convened the Preparation Standards Committee of the Whole.

PREP-1: Approval of the Subject Matter Preparation Programs and Designated Subjects Programs Submitted by Colleges and Universities and Local Education Agencies

Betsy Kean and Helen Hawley, Consultants, Professional Services Division, briefed the Commission on the process for reviewing programs submitted by institutions, including providing a schematic that describes the process flow. Dr. Kean said the process involves not only extensive review of documentation provided by institutions, but also frequent interaction and follow up to address questions and concerns from reviewers. Although the presumption is that all programs are approvable, the goal is to help institutions sharpen their programs and gather the evidence that describes and defends their programs as meeting standards.

Dr. Swofford added that California goes further in reviewing its programs than many national organizations and other states. He said when the process is complete, there is a documented file that shows evidence that the institution understands what is needed and is providing it. It's a time-consuming but inherently valuable process.

Commission members Fortune, Wilson, Madkins and Justus thanked staff for the clarification on process, which helps them address questions and concerns that are brought to them.

A motion to approve programs at Antioch University and California State University campuses at Fullerton, Stanislaus, Northridge and Dominguez Hills was made (Madkins), seconded (Johnson) and approved without dissent.

PREP-2: Final Draft of the 2000-2001 Annual Report Card on California Teacher Preparation Programs, as Required by Title II of the 1998 Reauthorization of the Higher Education Act

Cheryl Hickey, Consultant, Professional Services Division, presented the proposed final draft of a report required by federal law. Under the law, teacher preparation program sponsors are required to report to the state in the spring, then the state sends a compiled report to the Secretary of Education in October and the Secretary of Education reports on results to Congress.

The Commission's report includes a description of the California certification structure, requirements and assessments, including the effort to align state teacher preparation standards with academic content standards. The report also includes information on the number of emergency permits and waivers and their distribution within low-performing schools. It covers pass rates on CBEST, RICA and subject matter assessments. In addition, hundreds of pages in the appendix cover complete information for each institution.

Diane Tanaka, Assistant Consultant, Professional Services Division, summarized the pass rates for the Commission. The overall pass rate for successfully completing programs averages 97 percent statewide, ranging from 89 to 100 percent. The RICA pass rate was 97 percent on average, ranging from 86 to 100 percent. Enrollment in teacher preparation programs was up more than 28 percent from the prior year, from 52,692 in 1999-2000 to 67,598 in 2000-2001.

The next step is for the Commission to approve the report, which will then be reformatted for federal reporting purposes and transmitted to Washington, D.C., as well as placed on the Commission web site. The Commission report in its original form will also be placed on the federal web site as a supplementary link.

Commissioner Fortune asked Dr. Swofford if the federal government had revised its standards so that there was a meeting of the minds about how California reports figures. Dr. Swofford said that there has been no substantive change, but that staff did their best to make sure that data was well defined. One controversial issue is whether CBEST results reflect the quality of preparation programs. They do not, since they are a pre-program-entry requirement; however, the federal government continues to require that CBEST be part of the report. Commission staff has focused on trying to find ways to make the information in the report useful, at the same time filling in the boxes required by the federal government. He said the particular reporting requirement in the law does nothing to drive improvement of teacher preparation programs because it holds states accountable for the wrong things. It does provide another point of data collection, but the question is how best to use the material for constructive purposes.

A motion to approve the report and submit it to the federal government was made (Johnson,) seconded (Whirry) and approved without dissent.

RETURN TO THE GENERAL SESSION

The Commission returned to the General Session.

REPORT OF THE APPEALS & WAIVERS

A&W-1: Approval of the July 10, 2002 Appeals & Waivers Minutes

It was moved, seconded and carried (Madkins) that the Commission approve the minutes of the July 10, 2002, Appeals & Waivers Committee meeting.

A&W-2: Waivers: Consent Calendar

It was moved, seconded and carried (Madkins) that the Commission approve the 386 waiver requests on the Consent Calendar.

A&W-3: Waivers: Conditions Calendar

It was moved, seconded and carried (Madkins) that the Commission approve the two waiver requests on the Conditions Calendar with the specific conditions attached to each.

A&W-4: Waivers: Denial Calendar

The Committee voted to recommend a preliminary denial of the 15 Waiver Requests on the Denial Calendar. These items will be brought to the Commission for action at the October 2002 meeting.

Commission Member Reports

Vice Chairman Madkins commended Mr. Don Kairott, Liaison with the State Department of Education, for his presentation on HR 1 at the Teacher Quality workshop.

Audience Presentations

None.

Old Business

The quarterly agenda for September, October and November 2002 was presented for information only.

New Business

None.

Adjournment

The meeting adjourned. The next meeting will be held on October 2 and 3, 2002 at the California Commission on Teacher Credentialing Office, 1900 Capitol Avenue, Sacramento, California.

Updated October 7, 2002