

# **CALIFORNIA COMMISSION ON TEACHER CREDENTIALING**

## **MINUTES OF THE COMMISSION MEETING**

**November 5-6, 2003**

**Commission Offices, 1900 Capitol Avenue, Sacramento**

### **COMMISSION MEMBERS ATTENDING**

Margaret Fortune, Public Representative, Chair  
Lawrence Madkins, Teacher, Vice-Chairman  
Kristen Beckner, Teacher  
Chellyn Boquiren, Teacher  
Helen Doherty, Teacher  
Beth Hauk, Teacher  
Leslie Littman, Designee, Office of the Superintendent of Public Instruction  
Hilary McLean, Public Representative  
Alberto Vaca, Teacher  
Os-Maun Rasul, Non-Administrative Services Credential Holder  
Elaine Johnson, Public Representative (*Absent Thursday, November 6*)

### **COMMISSION MEMBERS ABSENT**

Alan Bersin, Administrator  
Steve Lilly, Faculty Member

### **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  
Helen Hawley, Consultant, Professional Services Division  
Michael McKibbin, 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

Susan Porter, Assistant Consultant, Professional Services Division  
Jim Alford, Consultant, Professional Services Division  
Kathleen Beasley, Proceedings Document Recorder

*Wednesday, November 5, 2003*

**REPORT OF CLOSED SESSION**

The Commission denied the following Petitions for Reinstatement:

1. Fernando Cruz
2. Olasupo Dagunduro

The Commission adopted the Proposed Decision in the matter of Geoffrey Igarashi.

The Commission adopted the Administrative Law Judge's Proposed Decision with modifications and suspended Stephen Shaw's Certificate of Clearance for the duration of his disability.

The Commission denied reconsideration and sustained its prior decision in the following matters:

1. James Gunn
2. Charles McLellan
3. Gerardo Reyes
4. Patsy Wheatley

*Thursday, November 6, 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 OCTOBER 2003 COMMISSION MINUTES**

A motion to approve the October 2003 Commission minutes was made (Littman), seconded (Madkins) and carried without dissent. Commissioner Hauk abstained since she was not present at the October meeting due to illness.

**APPROVAL OF THE NOVEMBER 2003 AGENDA**

A motion to approve the agenda for the November 2003 meeting with in-folder items (pertaining to GS-5, GS-10A, GS-10B and Public Hearing 1) was made (Madkins), seconded (Littman) and carried without dissent.

**APPROVAL OF THE NOVEMBER 2003 CONSENT CALENDAR**

A motion to approve the November 2003 Consent Calendar was made (Madkins), seconded (Littman) and carried without dissent.

## **CONSENT CALENDAR**

For your approval, the following items have been placed on the Consent Calendar for the November 5-6, 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.

1. **ARREDONDO, Edgar A.** San Diego, CA

All pending applications are **denied** and 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 sections 44345 and 44421.

2. **DAVIS, Marcia R.** San Jose, 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.

3. **GARCIA-ARRESE, Michael G.** Coloma, CA

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

4. **GERSTLEY, Lee M.** South Lake Tahoe, CA

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

5. **GUESNO, Randell C.** Long Beach, 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.

6. **LUCAS, Mark E.** Imperial, 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 44420.

7. **MEDINA, Salvador** Los Angeles, CA

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

8. **MILLER, Paul C.** Oxnard, 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.

9. **KORDICK, Thomas F.** San Anselmo, CA

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

10. **PARRISH, Jeanette** Walnut Creek, CA

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

11. **READE, John G.** St. Johns, Newfoundland

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.

12. **SCARBRO, Brian C.** San Juan Capistrano, CA

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

13. **USHER, Jon R.** Calimesa, 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.

14. **ZUBIA, Anthony** Oxnard, 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.

## **CONSENT DETERMINATIONS**

15. **EVANS, Emily M.** Sacramento, CA

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

16. **SWANN, Amanda G.** Van Nuys, CA

The Proposed Consent Determination, which stipulates that Ms. Swann's credential is **suspended for a period of five (5) days**, is adopted.

17. **WARNECKE, Jeanne M.** Huntington Beach, CA

The Attorney General's Proposed Consent Determination, which stipulates that

Ms. Warnecke's credentials are **suspended for a period of one (1) year**, is adopted.

## **PRIVATE ADMONITIONS**

Pursuant to Education Code section 44438, the Committee of Credentials recommends two (2) private admonitions for the Commission's approval.

### **DECISION AND ORDER**

18. **SOLIS, Roque** Tracy, CA

In accordance with the default provisions of Government Code section 11520,

Mr. Solis's Life Multiple Subject Teaching Credential is **revoked**.

### **REQUESTS FOR REVOCATION**

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

19. **BARRETT, Richard L.** La Mirada, CA

Upon his written request, pursuant to Education Code section 44423, his Pre-Intern Certificate is **revoked**.

20. **BILLECI, Cameron** Rancho Cordova, CA

Upon his written request, pursuant to Education Code section 44423, his supplementary authorization in English on his Professional Clear Single Subject Teaching Credential is **revoked**.

21. **BRANSCUM, Kevin H.** Kernville, CA

Upon his written request, pursuant to Education Code section 44423, his supplementary authorization in Life Science, on his Professional Clear Multiple Subject Teaching Credential is **revoked**.

22. **HAINES, Deborah** Davis, CA

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

23. **MORGAN, Arthur I.** Fontana, CA

Upon his written request, pursuant to Education Code section 44423, his supplementary authorization in French on his Professional Clear Single Subject Teaching Credential is **revoked**.

24. **ROBINSON, Keith A.** Bonita, CA

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

25. **SOLANO, Gilbert J.** San Jose, CA

Upon his written request, and while allegations of misconduct were pending, his Professional Clear Single Subject Teaching Credential (Authorized Field: Government, with Supplementary Authorization: Introductory Social Science) and Professional Clear Single Subject Teaching Credential (Authorized Field:

Government) are **revoked** pursuant to Education Code section 44423. This does not constitute consent for purposes of Education Code section 44440(b).

26. **WEALS, Frederic R.** Highland, CA  
Upon his written request, pursuant to Education Code section 44423, his Professional Clear Single Subject Teaching Credential is **revoked**.

27. **WOODARD, Judson H.** Sutter Creek, CA  
Upon his written request and while allegations of misconduct were pending, his Education Specialist Instruction Credential is **revoked** pursuant to Education Code section 44423. 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.

28. **AZAR, Rudolph J.** Rancho Santa Margarita, CA

29. **CHAVANU, Bakari** Sacramento, CA

30. **DRURY, Alvin D.** Bakersfield, CA

31. **FLANAGAN, Fred** Concord, CA

32. **HERN, Scott L.** Friant, CA

33. **JOHNSON, Leroy E., Jr.** Fontana, CA

34. **JUN, James J.** Los Angeles, CA

35. **MOHR, Terry L.** Blythe, CA

36. **POLLOCK, Steven P.** Santa Cruz, CA

37. **ROGERS, Jay S.** Yucaipa, CA

38. **SPANGLER, Sandra A.** Fountain Valley, CA

39. **STRICKLEN, Diane A.** Bakersfield, CA

40. **WRIGHT, Douglas J.** Sacramento, 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 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).

41. **ALVAREZ, Antonio** Coalinga, CA

42. **BEHRMANN, Stacy L.** Rancho Cucamonga, CA

43. **CASTRO, Ignacio M.** Lakewood, CA

44. **DESILETS, John P.** Victorville, CA

45. **DURAN, Gillian M.** Seal Beach, CA

46. **JESPERSON, Thad A.** San Diego, CA

47. **McADAM, Lawrence E.** Anaheim, CA

48. **MOHR, Terry L.** Blythe, CA

49. **MORRIS, Evan D.** West Covina, CA

50. **PRADO, Robert O.** Chatsworth, CA

51. **RUZZO, Peter W.** Temecula, CA

52. **SEPE, David G.** La Palma, CA

53. **TANSLEY, Andrew L.** Corona, CA

#### **NO CONTEST SUSPENSION**

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.

54. **SPARLING, Jeremy J.** El Segundo, CA

## **TERMINATION OF AUTOMATIC SUSPENSIONS**

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

55. **SPARLING, Jeremy J.** El Segundo, CA

56. **HERNANDEZ, Felipe** Indio, CA

57. **WILLIAMS, Ronald M.** Aliso Viejo, CA

## **TERMINATION OF NO CONTEST SUSPENSION**

The suspension of all credentials held by the following individual is terminated, pursuant to Education Code section 44424 or 44425, following final disposition of the case.

58. **ALVAREZ, Antonio** 01-17-60 566-17-7813 Coalinga, CA

## **TERMINATION OF PROBATION**

59. **HALL, Sara J.** Fullerton, 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 July 12, 2001, **the stay order has been made permanent and her credentials are restored.**

60. **MATA, Sai R.** West Covina, 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 March 4, 1999, **the stay order has been made permanent and his credential is restored.**

61. **MILNE, Keith S.** Laguna Hills, 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 July 24, 1998, **the stay order has been made permanent and his credential is restored.**

## **ANNUAL CALENDAR OF EVENTS**

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

## **CHAIR'S REPORT**

Chair Fortune announced the appointment of three new Commissioners and

welcomed the two who were present. Commissioner Helen Doherty is a teacher, serves as a GATE coordinator and is a teacher trainer for the High School Exit Exam for the Charter Oak Unified School District. She holds a General Secondary Teaching Credential, a Pupil Personnel Services Credential and an Administrative Services Credential. Commissioner Hilary McLean is Chief Deputy Press Secretary for Governor Davis and previously was press secretary for Attorney General Bill Lockyear. Prior to her career in public policy and politics, she was a television news anchor.

Chair Fortune said she looks forward to introducing and welcoming Commissioner Verah Bradford next month.

### **EXECUTIVE DIRECTOR'S REPORT**

Dr. Swofford joined Chair Fortune in welcoming Commissioners Doherty and McLean.

He reported that the CCAC Conference was held at the beginning of October and was attended by more than 800 participants. He thanked Bonnie Crawford, CCAC President, and Helen Duffy, CCAC Vice President, for their roles in making the conference successful. He noted that Chair Fortune delivered a well-received key note address.

Dr. Swofford also announced with sadness the death of Randy Birch, brother of the Commission's Dr. Larry Birch and principal of Carnelian Elementary School in Alta Loma.

He also noted that Stephen W. King, Dean of the College of Communication and Education at California State University, Chico, is retiring. He indicated that Dean King has been very helpful in the past to the Commission and that he will be missed.

### **REPORT ON MONTHLY STATE BOARD MEETING**

The State Board of Education did not meet in October. The next meeting will be November 12 and 13.

### **GS-10-A: STUDY SESSION - IMPLEMENTATION PLAN TO PHASE OUT EMERGENCY PERMITS**

Chair Fortune said the Commission extended the timeline for making a decision on phasing out emergency permits to ensure more input from the field. She said the Commission's clear intent, as indicated by its prior action, is to phase out emergency permits and that the Commission is committed to making a decision on the matter of timing in December.

Dale Janssen, Director of the Certification, Assignment and Waivers Division, presented a list of people invited to provide input during the study session. Chair Fortune called each person forward and the Commission heard the following testimony:

**Harvey Hunt, Co-director of the Center for the Future of Teaching**

**and Learning**, previewed material from a report that the Center plans to issue in December about the status of the teacher workforce in California. He emphasized that when emergency permits are issued the state is making an exception to one of the strongest teacher quality frameworks in the country - a system that addresses subject matter competence, pedagogical expertise, continual assessment of practicum and a landmark system of induction. The data he presented is from the year 2002-03, which means it does not reflect issues like budget impact, No Child Left Behind and the new state administration. Among the data he presented were:

Student enrollment has been increasing significantly, growing from less than five million in 1990-91 to more than six million today - but in the coming years, the student population is expected to stay static until the end of the decade. This has been one of several factors - including attrition, teacher retirements and class-size reduction - that has contributed to the teacher shortage in the state.

The number of underprepared teachers, which includes waivers, emergency permits, pre- interns, and interns, has climbed from about 14 percent of the workforce in 2000-01 to about 37,000 today. At the same time, the number of individuals in structure programs to help them complete credentials has also grown.

For several years in the past, roughly half of the new teachers brought into classrooms were underprepared. Today that rate has dropped to 42 percent.

There are still large numbers of schools with high concentrations of underprepared teachers. The Center defines a hard-to-staff school as one that has 20 percent or more faculty underprepared. This figure is based on case studies that indicate such schools typically are dysfunctional and not able to deliver a strong program to students. There are 1,397 such schools in the state. In many of the schools, half or more teachers may be underprepared.

Special Education is an area of particular concern. Underprepared teachers represent more than 50 percent of the new hires in Special Ed and the number is not dropping.

Schools that are largely minority-based are more likely to have a high number of underprepared teachers and schools in the lowest quartile of the API are more likely to have underprepared teachers.

Mr. Hunt said that the Commission faces a dilemma because there is a desire to continue the progress on reducing the number of underprepared teachers - but the Commission also needs to be sensitive to the needs of districts that are facing the challenge of finding enough willing credentialed teachers.

Mr. Hunt urged the Commission to consider not only the circumstances of individuals who may request emergency permits, but also the record and context of the district. Questions that might be asked include: Do they have a recruitment program designed to address shortage areas? Are they capable of providing assignments to teachers who are less than qualified that will allow them to benefit from colleagues (in other words, not placing the teacher in a school with more than 20 percent underqualified teachers)? Do they have established goals and timetables for moving their underprepared teachers into full credentials? Mr. Hunt also recommended that the Commission place a high priority on maintaining and expanding the intern program.

Ex Officio Representative Wilson pointed out that No Child Left Behind allows interns to be labeled highly qualified teachers, but that the Center classifies them with the underprepared teachers. He asked Mr. Hunt what the Center considers the most serious area that needs to be addressed as a top priority. Mr. Hunt replied that Special Education is a huge issue that requires attention. Eighteen percent of the Special Education workforce is underprepared. Other areas of concern are children in schools in the lowest API quartile and English language learners.

Commissioner Boquiren said that as an intern she was very fortunate in her placement, but felt in many ways that was due to luck rather than systematic intent. She asked Mr. Hunt if he sees any progress in this area. He replied that the data indicates that underprepared teachers, including interns, are disproportionately assigned to hard-to-staff schools where there is little chance of them getting mentoring or modeling.

Ex Officio Representative Lundquist asked Mr. Hunt to be more explicit about what the Commission should consider in doing a case-by-case review of emergency permit requests. Mr. Hunt said phasing out emergency permits will be difficult but is vital. Districts should have a timeline so that they can plan for the future. He said specific criteria for approving emergency permits should be keyed to the past practices of the district. Have they raised this as a policy issue and tried to address it? What kind of assignment are they going to give the teacher? Are they going to encourage them to become involved in a preparation program? Does the district have goals that recognize emergency permits are being phased out?

Chair Fortune asked Mr. Hunt to refer back to the slide on under prepared teachers by subject area and asked him to talk about the easiest areas for making improvements, based on what is known about teacher supply. Mr. Hunt replied that 10 percent of the elementary school teachers were under prepared, down from 13 percent the prior year. Social science and English had 6 and 8 percent respectively, the least numbers. Chair Fortune asked if it is known what areas have little scarcity in teacher supply. Ex Officio Representative Symms Gallagher noted that a table on page 101 of the agenda materials addresses the number of credential types by emergency

permit holders. Mr. Hunt said that it is known that institutions of higher education are increasing the number of teacher candidates and that better information should be available in December. He said the Center's report, which to a great extent relies on data from the Commission, will be shared with the Commission, as have each of the Center's prior studies.

Commissioner Hauk asked about middle school patterns. Mr. Hunt said the pattern of emergency permit holders is pretty consistent across grades. He said there is no current breakdown of the situation in middle schools but that he would be glad to do one and provide it to the Commission.

Commissioner Boquiren said she would like to see information about the supply of teachers, including how many are graduating from programs. If the supply is actually there, then the issue becomes one of distribution - getting the teachers into hard-to-staff schools and subject areas that are seeing shortages. Dr. Swofford said the Commission has historical data on graduates but the trend for the future, with some programs being capitated because of budget constraints, is unknown.

Commissioner Rasul asked Mr. Hunt to comment on the impact of eliminating emergency permits on minority students in hard-to-staff schools. Mr. Hunt said that in the short run, such a move will cause more underprepared teachers to move into intern programs, which will provide them more structure and support as they become qualified. If close attention is paid to their assignments, so they are placed where they can get mentoring and see good teaching modeled, then there will be overall improvement in teaching quality. In the long run, it is a step in the right direction that will help ensure that all students are taught by a qualified teacher.

Ex Officio Representative Symms Gallagher noted that in the prior month's packet a Commission report indicated that more than 20,000 multiple subject teachers were credentialed and about 2,000 single subject teachers.

Ex Officio Representative Wilson said the CSU system alone produces about 11,000 teachers per year. He said Mr. Hunt's testimony indicates that the Commission can have an impact on teacher quality in hard-to-staff schools, particularly if it follows Mr. Hunt's recommendations about ensuring that any emergency permit teachers are given assignments that will help them become high-quality teachers. He said it is important to remain focused on the potential for having an impact on student achievement.

Designee Littman said her concern is that there are many factors at hard-to-staff schools that make it challenging to attract teachers - high turnover, school culture, administrative climate, facility issues. How a district switches openings from these schools to others so that emergency permit and intern teachers can be placed in suitable settings is problematic. Experienced teachers have left these settings for a reason and may refuse to go back.

Trying to address this opens up issues such as transfer policies and collective bargaining agreements.

Ex Officio Representative Wilson acknowledged Designee Littman's points. He added that Dr. Ken Futernick at CSU Sacramento has done extensive research on underprepared teachers in high-need schools and has information that indicates there is a tipping point where bringing in experienced administrators and teachers can make a huge difference for the schools and student learning. He said if educators expect to close the achievement gap, there has to be a different approach. The Commission can't change collective bargaining agreements, but it can establish meaningful criteria that will be used to determine when an emergency permit will be issued.

Commissioner Beckner said it is important to note that many efforts to close the achievement gap are being made at a number of these schools. Strong administrative leadership at these sites makes a difference.

Chair Fortune invited the next speaker to come forward.

**Karen Steentofte, Chief Counsel for the State Board of Education,** said her role is simply to remind everyone about the requirements and deadlines in the federal No Child Left Behind Act. Under the act in California, highly qualified teachers are defined as those who are fully credentialed or who are in intern programs. Title 1 schools and classrooms already are not allowed to hire teachers who are not highly qualified. As of July 1, 2006, teachers who are not highly qualified should not be hired to teach any core classes. She said the Commission has an opportunity to balance the needs of school districts with the provision to end the use of emergency permits by the deadline established in NCLB.

**Jeannine Martineau, President of the California School Boards Association,** said there will always be a need for emergency permits for situations such as illness, accidents and death. She said districts also have great difficulty placing teachers in underperforming schools. In addition, districts must have the flexibility to hire the person who can best meet the needs of students. Because districts have no control over the number of people entering the teacher profession, they can do little when there is not an adequate supply of qualified teachers.

Ms. Martineau said the Commission already has the ability to stop abuse of the emergency permit process by denying permits; the Commission is responsible for determining if a district is truly in need. SB 837 provides a process by which districts must prove they have made a diligent search for a qualified teacher. She asked that the Commission continue to use the process outlined in the law and then hold itself and the districts accountable for strict compliance. Since districts are already being monitored for compliance with NCLB, she argued there is no need to set up overlapping

monitoring systems. She said it already is in the best interests of the districts to hire highly qualified teachers whenever possible.

Making the deadline shorter than the July 1, 2006 timeframe already established in NCLB will be detrimental to students because the alternative, when a qualified teacher cannot be found, is to use rotating substitutes. Ms. Martineau said districts need to have adequately funded intern programs to move teacher candidates through the process of becoming credentialed. In the meantime, districts need the alternative of using pre-interns and emergency permit teachers.

Commissioner Boquiren asked Ms. Martineau to comment on what criteria should constitute a district making a "best effort" to find a qualified teacher and what kind of timeline should there be for districts to become compliant with NCLB. Ms. Martineau said districts should be able to demonstrate that they have looked outside their immediate area, attended teacher fairs, worked closely with teacher training programs - in short, to have explored every opportunity. She said the timeline should be the one established in NCLB.

Ex Officio Representative Wilson asked what the likelihood is of districts asking for emergency permits to place the teachers in pre-intern programs that will prepare them to enter true intern programs. Ms. Martineau replied that because districts realize that emergency permits are a serious issue that must be addressed, it is a strong possibility that districts will do so if funding can be found for programs. Districts are working out agreements with IHEs to develop programs so that teachers can be developed and have the mentoring that they need to be successful. She said the Commission will see more and more districts developing programs if they are given time.

Chair Fortune noted that the pre-intern program has been around since 1997 and was precipitated by the Legislature's desire to eliminate emergency permits. She said that during the course of the Davis administration, the funding for pre-intern and intern programs exploded and policy changes were made so that dollars would follow pre-interns as they became interns. She said her comments were a prelude to probing the districts' thinking. The clock didn't start on eliminating emergency permits with NCLB, but with the state law when legislators said this is the objective. Nonetheless, each year pre-intern funding has been rolled over because of a lack of use of the program. Given this set of facts, what makes this different and what is the opportunity for change?

Ms. Martineau said districts have been struggling with multiple challenges since 1997, including education reform and class-size reduction. She said districts also struggle with teacher supply issues because the state has some of the most stringent requirements in the country for people to become teachers. She said districts now recognize that this is a problem and that they have to step up to the plate in ways that they have not in the past.

Districts are asking for the opportunity to be successful; if they haven't done what they should in the past, it is because there have been constraints.

Ex Officio Representative Wilson asked if that meant that districts would make sure that emergency permit holders take advantage of pre-intern programs. Ms. Martineau said yes, if there is funding.

Vice Chair Madkins said that there appears to be two uses for the word emergency - one for things like sudden illness or breaking a leg or going on maternity leave. He asked what constitutes the rest of the permits to be "emergencies."

Ms. Martineau said in some cases it is something as simple as a teacher having taught elsewhere for 20 years but not meeting California requirements. Sometimes in difficult areas, like math and science, it is the recognition that someone with a college background in those topics is a better choice than a rotating substitute. Vice Chair Madkins said he does not believe that the Commission is advocating using 30-day substitute, but that there is a difference between a limited-duty assignment and true emergencies. He said he would like to look at what is a real emergency vs. what is a staffing issue.

Ms. Martineau said districts face difficulties because they must estimate how many students will be in school and how many teachers will be needed. When more students show up, they have very little time to find someone who is fully qualified. But districts share the Commission's concerns, she said, and simply want time to make a smooth transition.

**Sharon Robison, Association of California School Administrators**, offered comments on the process, emergency permits and questions raised at the prior meeting by Commissioner Bersin. First, she asked that the Commission establish a more interactive process that would allow all of the stakeholders to share their concerns and potential solutions in an environment outside of the Commission's meetings. She recommended the model that the Commission used for creating the CSET exam. She said it could be done quickly, although she believed there is no particular urgency that requires action by December.

Second, she addressed myths that often surround emergency permits. These are things like "administrators are too lazy to find and hire fully qualified teachers," "it's cheaper to hire an emergency permit holder," and "people hire their relatives." The district administrators are responsible for meeting both the letter and the spirit of the law; all are concerned about providing quality education for the children, and they know the best results are obtained when highly qualified teachers are in the classroom. She said no one is interested in sabotaging results by making bad hiring decisions, especially in today's environment of sanctions. In addition, there is a great deal of expense involved in recruiting teachers. Since the likelihood of a

person remaining in a job is highest when they are a credentialed teacher, districts prefer to avoid emergency permit holders when possible

She said another myth is that there are plenty of qualified teachers but that districts just don't want to hire them. Even if calculations showed that the number of teachers with credentials equaled the number of classrooms in the state, she said simple logic tells us that not all teachers are in the right place or have the right qualifications for a specific job or are a good fit for a district's educational approach. Not all people with credentials are willing or able to relocate or teach in difficult schools - so the numbers game doesn't work, she said.

In responding to the questions raised in the agenda materials, Ms. Robison said:

Standards for emergency credentials and definition of best effort by school district (questions one and two): Standards are already in SB 837 by Scott. Districts must perform a diligent search. The Commission could add some criteria in terms of a time frame within which a vacancy occurs. For example, if school begins and an excess of youngsters is discovered, there could be a quick timeframe. If a teacher has cancer and has to be out for the rest of the year, the district could come for a permit to tide it over until a search can be completed for a qualified teacher.

Timeline for a transition: The timelines already are in NCLB. Districts don't need another or different timeline. Compliance is not within the scope of the Commission and the consequences are up to the federal government.

Need for targets to measure progress: The Commission should continue to report annually the number of permits issued and the goal should be to reduce the number. But it is the districts' position that there will never be a time when emergency permits are not needed, so reducing them to zero is unreasonable. There must be a safety net when a qualified teacher is not available. Also because the federal law contains targets, timelines and plans, as well as consequences, districts do not need any addition plans or targets.

Commission action on non-compliance: The Commission is a licensing agency and it should not be its role to report to the government about compliance. If a district is not in compliance, that is between the district and the federal government. The Commission, however, can take action to clearly specify to the school district that an emergency permit does not comply with NCLB.

Support for internship programs: The Commission has done a great job with alternative routes. Unfortunately, with budget cutbacks some of the pipeline has been lost. Districts have talked about moving teachers into pre-internship programs, but we all recognize that it is not NCLB compliant. A serious problem that has emerged this year is the funding cutback for

internship programs. The Commission could use its stature and influence to make a case for renewed funding to open and expand intern programs.

Accountability of person on permit: Current law allows issuance of an emergency permit and four renewals, for a total of five years. Many districts, however, are already not allowing this; they are telling permit holders they won't be renewed for longer than two or three years and that the condition for renewal is coursework that must lead to subject matter competence or entry into an internship program.

Ex Officio Representative Symms Gallagher asked if ACSA has data on which districts have effective recruitment programs and which have consistently failed to get credentialed teachers. Ms. Robison said ACSA does not have such data. Ex Officio Representative Symms Gallagher said that such data would help the Commission understand what is happening in districts that have to turn to emergency permits year after year and help teacher preparation programs understand what they need to do to address the problem.

Chair Fortune asked if ACSA could do such a study of its own membership. Ms. Robison said that such a major study would have to be discussed within the organization before a commitment could be made.

The agenda item was recessed temporarily while the Commission took up the scheduled public hearing.

**PUBLIC HEARING: PROPOSED AMENDMENT OF SECTIONS 80032.2, 80058.2, 80466 AND 80523.3 PERTAINING TO SPECIAL EDUCATION COURSEWORK FOR THE CLEAR TEACHING CREDENTIAL, CONTINUANCE AND EXTENSION OF SERVICE, TEACHING EXPERIENCE IN LIEU OF PROFESSIONAL PREPARATION AND ADMINISTRATIVE SERVICES EXPERIENCE**

Mr. Janssen said that as staff reviewed Title 5 to ensure relevancy, four sections were found to be obsolete.

The first section deals with special education coursework for the clear teaching credential. SB 2042 changed and incorporated the special education requirements so Section 80032.2 is no longer necessary.

The second section, 80058.2, deals with continuance and extension of service, an obsolete section of the education code that conflicts with AB 2859, which does not allow a grace period.

The third section, 80466, deals with teaching experience in lieu of professional preparation. This was used before the Commission completed its equivalency review of other states' credentialing systems, but now is no longer used or needed.

The fourth section, 80523.3, deals with administrative services experience and is no longer used by Commission staff because IHEs now determine whether experience is administrative in nature.

Mr. Janssen said the Commission received three responses in support from organizations and four responses in support from individuals. There was no opposition.

Chair Fortune asked for public comment and questions from Members of Commission. There were none. She closed the public hearing and asked for the Commission's intent. A motion to approve the deletions was made (Madkins), seconded (Hauk) and carried without dissent.

### **GS-10-A: STUDY SESSION - IMPLEMENTATION PLAN TO PHASE OUT EMERGENCY PERMITS**

The Commission returned to the study session about emergency permits, continuing with the list of witnesses.

**Bonnie Shatun, second grade teacher in Burbank and a Director on the Board of the California Teachers Association**, spoke on behalf of CTA's president and was joined by Lori Easterling to answer questions. She said CTA appreciates the balancing act between high-quality credentialing programs and the need to put more teachers into the workforce. She said it is important for the state to build on prior efforts to strengthen recruitment and retention. She also said the state needs to maintain and expand existing programs to increase the pool of candidates, strengthen the pipeline and remove unnecessary barriers to teaching careers. She said CTA would like to see further discussion beyond the day's study session. She then answered the seven questions posed in the agenda material:

Standards for determining emergencies: CTA does not want the Commission to give up its authority to issue permits for true emergencies or unanticipated short-term needs.

Best efforts by school districts: Districts should continue to show diligent search under the requirements of SB 837.

Timelines for transition: The timeline should be consistent with federal law - July 1, 2006.

Targets to measure progress: Full compliance by July 1, 2006 should be the target. The Commission could adopt the annual targets already established in the consolidated compliance process, but should not have a separate set of targets.

Commission report on compliance: The State Board of Education responsible for compliance, not the Commission. Employment decisions rest with the district. The Commission's role should support school districts in hiring

qualified teachers.

Intern program support: The Commission should consider creating a new type of intern program for emergency permit holders, especially to help them adequately prepare for CSET.

Accountability on part of permit holder: Unit requirements for renewal should be increased, and those continually enrolled in coursework should be give priority for intern programs. The Commission should work with IHEs and school districts on distance learning and satellite programs to accommodate geographic barriers.

Chair Fortune asked how long the CTA thinks it is appropriate for the Commission to continue to issue emergency permits before taking action. Ms. Easterling said the CTA wants the Commission to use the federal timeline of July 1, 2006. Chair Fortune said she understands that the federal government feels 2006 is appropriate, but she was asking what is a reasonable amount of time, based on the CTA's analysis of the work at hand, to achieve fully qualified teachers in all classrooms. Ms. Easterling said there will always be a need for emergency permits. She said the CTA does not know how many units each emergency permit holder needs to complete to enter an intern program. She said people should be placed in the intern program and told that they need to be credentialed by 2006.

Chair Fortune said she was trying to get a sense of where the "low-hanging fruit" is - where are the easiest places to make changes. Ms. Easterling said she could not address that and that Mr. Hunt was probably a better source.

Chair Fortune said that there is a tendency to hang everything on the deadline that the federal government has set. But if stakeholders have really done their homework on what it takes to do the job, then part of the answer is identifying where progress can be made easily. She said she is trying to understand why the 2006 deadline is attractive - because it exists or because it is based on an analysis of what it takes to get the job done. She said it seemed to her that organizations like CTA should be able to come to the table with an analysis of what it takes to get job done - what are the elements and how to get there, devoid of deadlines. She asked for CTA's thinking on how to reduce emergency permits.

Ms. Easterling said part of the solution lies in satellite and distance learning programs to reach more candidates. Another is expanding some kind of intern program to move emergency permit holders into. She agreed that the whole education community needs to work together to come up with low-hanging fruit and make data-driven decisions.

Chair Fortune asked for CTA's comment on the assignment factor - how underprepared teachers are assigned to difficult-to-staff schools. Ms. Easterling said that principals at difficult-to-staff schools usually do not get to

pick from the teacher pool first and have limited ability to hire qualified teachers. She said that some arrangement such as sports teams' drafts would allow high-priority schools to get first pick.

Commissioner Hauk asked for the CTA's opinion on how NCLB is going to affect collective bargaining. Ms. Easterling said it will have a big impact, on everything from dealing with emergency permits to dealing with evaluations.

**Linda Mook and Sue Westbrook, California Federation of Teachers**, responding to the questions in the agenda. Ms. Mook said the CFT believes the Commission is on the right track and is asking the right questions.

Standards for determining emergencies: The CFT believes emergency credentials should be retained for emergencies only. At a point where feasible, they should be limited to high-need areas and hard-to-staff schools. Prior to being issued an emergency permit, a district should show actual effort to fill a position, as has been explained earlier in testimony. In addition, the Commission should give priority to granting emergency permits to those who have a major or degree in the subject area where they will teach, or prior classroom experience in the case of special education.

Best efforts by school districts: Besides the recruitment efforts that are already required, districts should be required to interview all viable candidates. CFT hopes that what ACSA said about myths is true, but it would like to see monitoring and enforcement to ensure that districts have justification when they pass over a qualified teacher and instead choose to hire an emergency permit teacher.

Timelines for transition: The CFT is concerned about the idealized world envisioned under NCLB, when as a practical matter issues like salary and working conditions will continue to discourage people from entering the profession. CFT's position is that there will continue to be a need for emergency permits but that they should be issued only under very restricted circumstances. Districts making repeated requests should be given a strict warning and then have its requests denied if they continue.

Targets to measure progress: The Commission should establish a ceiling for each of the coming years, and after the 2006 deadline, limit them to 2 percent or less of the teaching population of California to take care of true emergencies.

Commission report on compliance: The Commission should notify the district and county office of education that a district is not in compliance, but sanctions should be left to the federal government.

Intern program support: Intern programs should continue to be used as a viable alternative for non-credentialed candidates and should be subsidized

by districts, universities and federal funding under Titles 1, 2 and 4.

Accountability on part of permit holder: The candidate should complete an "intent to clear credential" and be actively enrolled in class and demonstrate progress. The process should not exceed three years.

Ex Officio Representative Lundquist said a number of those providing testimony have cited the challenges of geographic isolation. She said she would like to see comparative district profiles to help the Commission understand how significant the issue is. Mr. Janssen said that the results of emergency permit studies show that the highest proportions of emergency permits are in agricultural rural areas and inner city urban areas. However, because of the numbers involved - rural schools tend to be quite small compared to urban schools - the numbers of emergency permit holders are much more significant in urban areas.

Commissioner Hauk said she was interested in how CFT arrived at the 2 percent ceiling recommendation. Ms. Mook said in looking at the number of current credentials and the need to move rapidly, the 2 percent figure seemed like an achievable goal.

Commissioner Beckner followed up by asking how CFT arrived at the idea of an "intent to clear" and three years for the process. Ms. Mook said that most credentials can be earned within that period of time and that, once again, it seemed like an achievable goal.

Vice Chair Madkins asked what kind of instructions should be given to someone hired on an emergency permit. Ms. Mook said CFT is suggesting that holders of emergency credentials already have a major or degree, so to be highly qualified under NCLB they only need to complete additional work in pedagogy. Vice Chair Madkins asked her to consider how to get those people into the system and through it to the credential point, and to return to the Commission with input.

**Bruce Kitchen, representing the school district personnel and human resources offices for school districts in San Bernardino and San Diego counties**, said he wanted to make three points. First, the Commission should not abandon programs that are already working. He cited the table on page 101 of the agenda materials which shows a significant decline over two years in the number of emergency permit holders and waivers in both elementary school and single subject teaching. The table also indicates that pre-intern programs have played a strong role in moving people into a qualified status. He said the stakeholders need to get together and capitalize on what has already been done without giving up methods that are working.

Second, he said that a serious review of districts' efforts to find highly qualified teachers is already covered in law. AB 471 identifies the procedures

that districts must go through before being issued an emergency permit.

Third, he provided the examples of two districts that are looking for math teachers without success. The reality, he said, is that while the need for emergency permits has been reduced, it will not go away. Any policy has to allow for that reality.

**Carolina Paiva, Los Angeles Unified School District**, provided a handout that shows the districts progress in reducing emergency permits. Currently, the district has 1,106 emergency permits in all schools and subject areas, a reduction from 5,090 18 months ago. Many of the emergency permit holders have transitioned into pre-intern and intern programs. Five hundred emergency permit teachers were not asked back, an indication of how serious principals are about the need to come into compliance.

Another page of the handout showed the renewal dates for emergency permit holders, with the majority in elementary schools and a significant proportion in English, math and science. A third page of the handout showed that the district hired 3,113 new teachers this school year and that 94 percent were NCLB compliant. In Special Education, 77 percent of new hires were highly qualified compared to only 39 percent the prior year. A final page shows that those on emergency permits constitute only 3 percent of the entire teaching workforce in the district.

Ms. Paiva said the data indicates that Los Angeles clearly has made great progress. Principals are starting to internalize that the requirements are real and must be met.

She also addressed the seven questions:

**Standards for determining emergencies:** It is clear that Los Angeles is using emergency permits sparingly since it hired only 36 out of total pool of 3,000 new teachers. Probably half of those are only waiting for final documents from their university to move them along to credentialed status.

**Best efforts by school districts:** Districts should recruit on a 12-month cycle, with recruiters visiting every CSU and UC campus, including math and science departments. The Los Angeles recruitment effort includes visiting 12 other states and three foreign countries. The district offered 1,100 early contracts, lining people up well before the start of school. High priority schools got first crack at the early-contract teachers.

**Timelines for transition:** It is the district's responsibility to be compliant by the end of the 2005-06 school year. In terms of getting people to move into intern programs, the district is well on the road to success.

**Targets to measure progress:** If the Commission feels additional targets are needed, the district would be pleased to serve on any committee to develop

plans.

Commission report on compliance: Compliance should be a local issue. The district is committed to adhering closely to Commission rules and guidelines and feels comfortable that the Commission has meshed credentialing requirement with NCLB. The Commission could indicate on an emergency permit that it is not in compliance.

Intern program support: The district has its own program, but it is impacted by budget cuts and tuition increases. The district has augmented its internship program with Title 1 funds, and also supplemented the recruitment budget with Title 1 funds. Intern programs are important because there is a higher retention rate when teachers are home-grown.

Accountability on part of permit holder: The path is clearly defined by the Commission and the district. If a person doesn't take and pass the units required to renew, then the district can't retain them. Teachers have numerous opportunities to become compliant through the pre-intern and intern programs.

She said it is critical for Los Angeles Unified to retain emergency permit holders because a commitment has been made to them that they have until 2005-06 to become compliant. The district is pressing them to complete their work, but it is critical to support them in that effort. In addition, the diversity of the group that makes up the emergency permit holders is very important to the district's goal of workforce diversity.

Ex Officio Representative Wilson said that if the Center for the Future of Teaching and Learning criteria were used - putting together interns with emergency permit holders and waivers - the district would have more than 20 percent underprepared teachers. However, under NCLB interns are viewed as highly qualified. At the same time, he said, Los Angeles has made tremendous progress in reducing emergency hires and moving them into intern programs. He asked if Los Angeles can do it, why can't everyone else?

Ex Officio Representative Waite said that the thorough and early job of recruitment that Los Angeles does is making a big difference.

Chair Fortune said she wanted to be sure to underscore the importance of the Los Angeles presentation. For more than seven years, the rationale presented whenever eliminating emergency permits was discussed was that Los Angeles would be an intractable problem. The fact that the data shows such progress is extraordinarily significant. She asked Ms. Paiva to talk a bit about the cultural shift that has taken place.

Ms. Paiva said any cultural shift in a large organization is difficult, but everyone responds to things that scare them. In this case, principals clearly did not want to have to send out notices to parents saying that teachers

were not highly qualified. They realized they would be in that position and that it is not an engaging position to be in. This helped principals make the right decisions. It also helped to have a placement and assignment office that serves as a gatekeeper and does not allow emergency permits unless there is no other option. When there is a sense of urgency and a team approach, changes occur.

Commissioner Beckner said her sentiments were similar to Chair Fortune's. The importance of LA Unified being able to accomplish a reduction is immense. She noted that Ms. Paiva's testimony shows that the district knows its data and knows what it needs to do - and that everyone in the district was clear about the goal, even though the message was a tough one.

Chair Fortune said the reason to have this kind of public study session is to get this kind of discussion on the record so that people can become educated about what is being accomplished. Los Angeles Unified School District has for so many years been the symbol of the barrier to changing the emergency permit policy. Commissioner Hauk added that the district testimony is an inspiration to others.

Ex Officio Representative Lundquist said that one of the goals of the Commission is to find a framework or model that would lead to improvement. She suggested that based on the testimony that such a model would include multiple levels of control, and early and consistent messaging to candidates about what they need to do. She said there is something wrong when the terror of 30-day substitutes is used as the reason not to act with clarity and conviction on staffing schools with highly qualified teachers. What is so inspirational about Los Angeles is not just what they have done, but the scale, scope and depth of the district's comprehensive strategic approach. If all districts presented similar types of information, there would not be a policy dilemma. She said the Commission should challenge other school districts that want to request permits for true emergencies to demonstrate that they are making progress on how they do business on this issue.

Ex Officio Representative Symms Gallagher said it appears that Los Angeles has gone from having one of every five emergency permits in California to a much smaller proportion. Since only 36 of the new hires were emergency permits, she asked Ms. Paiva if that was an indication of the scope of true emergencies. Ms. Paiva replied that half of those are true emergencies; the other half are waiting for university documentation.

Commissioner Vaca, a teacher at Roosevelt High School, said the climate change has been tremendous and dramatic. He said that as a teacher, he benefits from having colleagues who are fully credentialed. He asked how long people typically remain in the pre-intern program. Ms. Paiva replied that they can only be in the program two years. By the end of the second year, they are expected to pass the subject matter examination and enter the intern program.

Chair Fortune then took up requests from the public to address the Commission on this issue:

**Lois Bradford, United Teachers of Los Angeles**, said despite the good data from the district, there remains the issue of more than 2,000 district interns. If they were not considered highly qualified under NCLB, the district would find it impossible to meet requirements. If all emergency permits are eliminated, the district will have to find 900 fully credentialed teachers or interns in the next year. UTLA believes the districts should be given until the end of the 2005-06 school year, as specified in NCLB, so that there is time to find fully qualified teachers for all schools, including difficult-to-staff ones.

Vice Chair Madkins said the issue is not simply when emergency permits will end; that has been defined by NCLB. But the real issue is how long teachers can remain on emergency permits and what steps are districts taking to get them into some other program that will lead them into the status of fully credentialed teachers. The problem is that if permits are continually issued, the state will never get to a point of having everyone reach a qualified state. Ms. Bradford replied that many are in the midst of obtaining credentials and under NCLB have been told they will be let go if they don't make it by 2005-06. She said she is not advocating that permits be issued after that. Vice Chair Madkins said it seems logical that if the Commission doesn't stop issuing new permits at some point, there will not be time for people to transition into a qualified status by July 1, 2006.

**Liz Guillen, Public Advocates Inc.**, a public interest law firm in San Francisco, said permits should be conditioned on districts proving they have taken appropriate steps to find qualified teachers. She said the Commission should work with other state agencies and actors in a comprehensive approach that includes denying emergency permits but also includes conditioning the continued granting of emergency permits on districts' demonstrating they have improved hiring practices and taken steps to remove administrative obstacles to hiring fully credentialed teachers. For example, LAUSD has been able to increase its capacity to hire more certified teachers simply by streamlining its hiring and computer databases, allowing candidates to apply online, allowing administrators to identify quickly the most promising candidates and arranging interviews for them with principals. LAUSD used that streamlined process to offer 1,000 early contracts instead of waiting until the middle or end of summer, a delay that can result in losing top candidates.

Ms. Guillen also suggested that the state's Fiscal Crisis Management and Assessment Team could review the hiring practices in the districts with the highest rates of uncredentialed teachers. She also said the Commission should monitor and enforce vigorously existing law that requires the hiring of available, fully-credentialed teachers before emergency and other teachers with substandard-credentials are hired. She recommended expanding the

pool of fully-credentialed teachers statewide by increasing reciprocity with credential programs in other states and granting full reciprocity to those states which have substantially similar credentialing standards rather than continue to grant narrow "equivalencies" for particular types of credentials from a restricted list of states.

She urged the Commission to require districts to prove that they truly need the number of emergency credentialed teachers they seek for low-income schools. Testimony at the Commission's last meeting suggested there are many out-of-work credentialed teachers willing to work in hard-to-staff schools. She praised Commissioner Bersin's proposal to create a tracking system for fully-credentialed teachers to determine the available pool of qualified instructors, and match those who are not employed with districts that need them.

She also said other issues need to be addressed for school districts with low-income students, like insufficient textbooks, poor facilities and crowding. Because of those conditions, many fully credentialed teachers choose not to work there. She encouraged the Commission to take a leadership role on those kinds of issues.

**Dr. Catherine Kearney, San Joaquin County Office of Education,** said her program for pre-interns and interns 44 school districts in the Central Valley. There are approximately 600 participants. She said she wanted to offer evidence that there are places beyond urban districts like Los Angeles that are working hard to address the teacher shortage.

She spoke about the advantages of the pre-intern program, which while not NCLB compliant plays an important role in preparing people for teaching careers. The advisement and tracking is an important component of moving people through the system. Her program has an elaborate support system, including providing site administrators with training to help them support pre-interns and interns. Awards given to teachers in San Joaquin County this year went to products of - and in one case, a current participant in, the pre-intern and intern programs. This indicates that those in these programs can be and become highly effective teachers because of the supervision and mentoring they receive.

She said the pre-intern program also provides a structure to help teachers pass the CSET exam. She urged the Commission to find a way to rename, restructure and reinvigorate the pre-intern program because it is a vital program that has been very successful.

**Dave Walrath, Small School Districts Association,** provided the perspective of rural districts with few resources. He has 525 member districts, most with total student population of under 2,500. These schools cannot afford to go to five different states to recruit teachers. He said none of the members are happy about having to send home letters saying that

teachers are non-compliant, but that there will be a continuing need in these areas for emergency permits. He urged the Commission to retain the emergency option but narrow it to true emergencies. He said he is hopeful that at some point distance learning and other technology will help address the issue. He added that his comments also applied to the next two agenda items (subject matter exams and supplementary and degree authorizations) as well. He said flexibility is extremely important for districts that have little opportunity to meet requirements.

Commissioner Boquiren said she appreciates hearing from so many different perspectives. She wondered if the Commission should look past the December goal and continue to hear more discussion. Commissioner Beckner agreed. She said she was particularly concerned about the testimony on rural obstacles.

Ex Officio Representative Wilson said he was unclear about whether December was a critical drop-dead date for a decision. Mr. Janssen said the whole study session has been about establishing what the timeline should be. One timeline is the July 1, 2006 deadline imposed in NCLB. Everyone has given testimony about that deadline. But another timeline is one that Vice Chair Madkins raised, which is at what time should emergency permits cease to be issued because there is no longer time for the holder to convert to highly-qualified status before the deadline.

Commissioner Hauk said she wanted to go back to Ex Officio Representative Symms Gallagher's comments about providing guidelines for districts and sharing the LA model with other districts. She said that whatever is done, the timeline must comply with July 1, 2006.

Chair Fortune asked Ms. Steentofte to comment on the timeline. Ms. Steentofte said that there are annual measurable objectives toward reaching the July 1, 2006 goal of NCLB. She said it remains to be seen what the federal government will do about true emergencies.

Ex Officio Representative Wilson said that the discussion should be based on the timeline that is established in federal law. Emergency permits have been an issue since the 1980's and are still an issue. He said he appreciated the Chair questioning presenters about what they have done to move toward the goal of eliminating emergency permits. He said there needs to be a transition period so the timeline will be met, and a plan to move through that transition period.

Ex Officio Representative Symms Gallagher said the Commission could continue to issue emergency permits, but that after July 1, 2006 they couldn't be used by anyone. Dr. Swofford clarified that Ms. Steentofte actually said the deadline is a goal and not a mandate. Ms. Steentofte said that in discussions with the federal government, the state is making a point of its efforts to be completely compliant on every point. However, if not

every goal is reached, the state will still have made tremendous progress. The state wants to be in a position to say that if any emergency permits still exist, that they are for real emergencies only.

Ex Officio Representative Lundquist said the key question is what action the Commission should take in addition to federal mandates already set forth. She said she sensed an emerging consensus that acceleration of the federal deadline could only be in conjunction with identifying models of best practice and sharing them. She said the role of the Commission is something more than determining when emergency permits will end, but instead in helping to improve conditions and serving as a catalyst to advance the excellent work already under way.

Chair Fortune acknowledge that Commissioners Beckner and Boquiren have expressed a desire to hear more from the field. However, she said, she did not believe that seeking more input would mean the Commission needed more time. Several districts have demonstrated that they have thought very clearly about the issue and have implemented plans to reduce emergency permits. Since educators have been grappling with the issue of emergency permits being eliminated since 1997, she said a lot of good thinking on the issue already exists. She said the Commission has provided quite a bit of flexibility on hearing from the field on an issue that the Commission originally took action on in August. Stakeholders are asking for time away from the table to craft a plan, which Chair Fortune called appropriate. But given the impact of the decision on children in the lowest performing schools, it is important to put that consideration at the center of the Commission's deliberations before walking away from the issue. She said groups and the public have already had the opportunity to come and speak at length. She added that her sense is that December is ample time to come up with an agenda item with options. These would include a timeline for discontinuing the issuance of new emergency permits and articulating what a real emergency is. It also seems to be instructive to highlight best practices in districts such as Oakland, San Diego and Los Angeles. She said Members of the Commission also expressed interest in understanding the magnitude of the impact by looking at where the greatest concentrations of emergency permits are.

Chair Fortune said she wanted to encourage Commissioners to stay the course. She said staff could hold a meeting with stakeholders away from the table in time for a December item. But it is important for the Commission not only to meet the NCLB deadline, but also to demonstrate to the commitment of the education community to the objective of eliminating underqualified teachers in the classroom - a goal that predated NCLB in California.

Ex Officio Representative Wilson said he felt the Chair's direction was wise and that he looks forward to seeing a plan from staff in December.

Designee Littman said the LA, Oakland and San Diego models are wonderful,

but that they will not work for rural schools that don't have the infrastructure and resources that these urban schools do. She asked staff to be sure to address the rural situation. Commissioner Hauk said she would encourage staff to contact rural areas that have done well in reducing permits to understand their methods.

Chair Fortune thanked all who contributed to the discussion.

**GS-10-B: IMPLEMENTATION OF AUGUST AGENDA ITEM 10-A:  
SUBJECT MATTER EXAMINATION REQUIREMENT FOR MULTIPLE  
SUBJECT CREDENTIAL CANDIDATES**

Amy Jackson, administrator for the Professional Services Division, noted that the Commission has had several opportunities to discuss CSET testing during the past few months. The agenda item for this meeting presents language discussed at the October meeting.

NCLB requires all teachers new to the teaching profession to take and pass a rigorous test. Staff conducted meetings with stakeholders about where to embed this requirement and when a person should be required to meet the requirement. There was a general consensus that the testing requirement should be placed both within the preconditions and the professional program standards, and required prior to formal student teaching.

Ms. Jackson drew the Commission's attention to pages 106-07 of the agenda to point out that the preconditions were broken out separately for multiple subject, single subject and blended program candidates. A similar breakout was provided in the program standards. The language also provides for candidates to take CSET before they begin their formal teaching experience.

Ex Officio Representative Waite asked that language be clarified to make the distinction that subject matter program sponsors can determine course equivalency rather than teacher preparation program sponsors.

Chair Fortune asked Ms. Jackson to refresh the Commission's memory about the process the Commission has gone through. Ms. Jackson said that prior to NCLB, candidates could demonstrate subject matter competency either by exam or coursework. The current approved exam is CSET, introduced in January. Under NCLB, elementary teachers will be required to pass a rigorous exam to demonstrate subject matter competence.

The dialogue about how to handle the transition has been going on since June 2003, including Commission discussions at the June, August and October meetings. In October, the Commission directed staff to come back with explicit language. Constituents had multiple opportunities to come forth and discuss their concerns or enter them in the record through letters. Dr. Swofford said there was also a formal stakeholder meeting co-chaired by

Chair Fortune and the State Board of Education Chair to explore the issues and align the state with NCLB requirements.

A motion to approve the precondition and program standard language and the time for taking the test, as well as to clarify the language as requested by Ex Officio Representative Waite, was made (Beckner), seconded (Madkins) and carried without dissent.

### **GS-10-C: PROPOSED AMENDMENTS AND ADDITIONS TO TITLE 5 REGULATIONS PERTAINING TO SUPPLEMENTARY AND DEGREE AUTHORIZATIONS**

Mr. Janssen noted that at the August meeting, the Commission took action to create a degree authorization and to align the current supplementary authorization with NCLB and the state plan. The current agenda item provides regulations that will implement the August decision.

For the current supplementary authorization, the language combines several of the regulations into one and deletes those in the NCLB core areas. The remaining supplementary authorizations are not within core areas, so they remain status quo. The proposed regulations regarding the degree authorization requires that a person have either a major or 32 semester units, with a minimum of 16 in upper division courses.

Staff is also recommending a structural change. Currently, specific subject supplementary authorizations cannot be added to multiple subject credentials. But because 32 units is a significant amount of subject content, there should be the ability to add supplementary authorizations - for example, adding speech or history to a multiple subject credential.

The degree authorizations parallel those of supplementary authorizations. There are two types of degree authorizations, an introductory one in broad subject areas that is good for 9th grade and below, and a specific subject authorization that is good for K-12.

At the October meeting, the Commission delayed action to give staff time to update material that was being recommended by panels working on art, physical education and languages. Mr. Janssen said those updates have now been made. Under the regulations, the current authorizations would no longer be available after July 1, 2004.

Mr. Janssen said ACSA, CSBA, the urban school districts and middle schools have all requested that the regulations be delayed.

Designee Littman asked Mr. Janssen to review the public involvement in drafting the regulations. Mr. Janssen said the concept was introduced in August but no input was taken at that time. The matter was brought back in October and the field was asked for input. Since that time, there has been input from constituent groups requesting a delay.

Chair Fortune asked those interested in speaking to come forward.  
Testimony was heard from:

**Sherry Skelly Griffith, ACSA** said this is a complex issue that will have a great impact on hiring in middle schools. She said ACSA is asking for time to replicate the collaborative effort that has been used in the past, particularly in adopting the CSET exam. The impact on curriculum delivery and hiring practices is such that it is important to get the input. Although it is clear that degree authorizations need to reflect NCLB requirements, there are questions about the appropriate fit between the authorizations and the K-12 academic content standards. She said it is not clear why the Commission wants to eliminate all supplementary authorizations in core areas. When NCLB is reauthorized, changes may be made and the Commission may wish to retain options. She said the federal government has recently issued new guidance regarding middle schools and that there should be time to review the federal stance.

**Laura Wasco, California League of Middle Schools**, also asked that the regulations be put on hold. The consequences for the middle grades include the possibility of reconfiguring schools into K-8 or K-9, increasing class sizes and breaking down the successful team teaching approach at middle school levels. The current core setting allows teachers to teach two different areas - typically, they have a degree in one area and a supplementary degree in another. If they are required to get a major in the second area, they may opt instead to look for a different teaching position. The League requests that action be delayed, that a task force be formed, and that if the Commission moves ahead, that the supplementary authorization be left alone.

**Bonnie Shatun, CTA** said many of her concerns have been addressed. She joined the others in requesting a delay and further opportunity for discussion.

**Phyllis Bradford, Los Angeles Unified School District** said Los Angeles has made tremendous strides and is serious about complying with NCLB. But the district is seeking a delay because of the negative potential effect on existing instruction programs. She also asked for a task force and offered to participate.

**Steve Van Zant, a principal in the Carlsbad Unified School District and member of ACSA**, said the challenges facing middle schools are complex since they are hiring both multiple and single subject teachers. The district is committed to implementing NCLB, but it is also committed to a standards-based curriculum that is delivered through best practices. A joint letter from the middle schools and ACSA asks that the Commission slow down and address the needs of middle schools. The U.S. Department of Education recently issued guidance on middle schools, which needs to be carefully analyzed.

**Bruce Kitchen, representing the school personnel and human resources departments for districts in San Bernardino and San Diego counties**, said his districts are very concerned about the impact on middle schools. He urged the Commission to delay the decision and to provide an opportunity for more direct input from the field.

**Lisa Ramer, California Suburban School District Association**, concurred with others about the need for delay and the opportunity to work on the issues in a collaborative process. The proposed action could result in larger teacher shortages at middle schools and particularly in hard-to-staff areas. She also noted the federal guidance that has not yet been analyzed.

Commissioner Hauk asked if there is a need for urgency. Dr. Swofford said that there is no urgency and that staff can sit down with the field representatives. The new guidelines from the federal government are ambiguous at best, he said, so more discussion might be helpful.

Commissioner Hauk moved to table the matter and bring it back in January. Commissioner Doherty seconded the motion. Designee Littman noted that February might give everyone more time since other items are coming back in December. Both the maker of the motion and the second agreed to the change. The motion carried without dissent.

#### **FISCAL PLANNING AND POLICY COMMITTEE OF THE WHOLE**

Commissioner Boquiren announced that there were no items for discussion.

#### **PERFORMANCE STANDARDS COMMITTEE OF THE WHOLE**

Commissioner Vaca, filling in for Commissioner Lilly, convened the Performance Standards Committee of the Whole.

#### **PERF-1: Consideration of Request for Proposals Related to 1) Examinations and Coursework Standards for Teachers of English Learners, 2) the California Basic Educational Skills Test (CBEST), and 3) the Reading Instruction Competence Assessment (RICA).**

Ms. Jackson and Mark McLean, of the Professional Services Division, presented the item. Ms. Jackson said the request is for a series of RFPs. Mr. McLean provided details on each.

The first was related to the instruction of English Language Learners. Under SB 2042, individuals receive training for instructing English Language Learners and are authorized for regular classrooms and special settings. AB 1059 required the Commission to develop exams that individuals may take in lieu of coursework. It is time for the development of a new exam and coursework standards. The contractor will conduct a validity study, develop a new exam, administer the CLAD while the new exam is being developed and set passing standards. The activities will be carried out in conjunction with a design team of experts at English language instruction. In addition, the

Commission may wish to establish an exam at two levels - one for instruction in the regular classroom only and the other for specialized settings in addition to regular classrooms.

Designee Littman asked how the RFPs fit into the budget constraints the Commission faces. Mr. McLean explained that the contractor recoups the costs through test administration fees, not through payments by the Commission.

The second RFP is for the administration of CBEST. The current contract expires in June 2004. Since a consolidation study is under way, the contract will be limited to two years instead of the standard three.

Commissioner Beckner asked if this is a typical cycle in the life of tests. Ms. Jackson replied that it is standard practice to re-examine all tests on a five-year cycle and re-conduct validity studies. This not only makes the test more reliable but also makes it more defensible legally.

The third RFP is for a contractor to administer the RICA exam. The last validity study was done five years ago so it is time to do it again. Like the CBEST contract, this one is for two years because of the possibility of consolidation.

Designee Littman commented that it seems strange to be talking about RFPs when a study is under way to consolidate tests. Mrs. Jackson said that if consolidation moves forward, there needs to be an overlapping amount of time for candidates to finish whatever process they are in the middle of. Two years is a reasonable, if short, amount of time to expect a transition if the tests are consolidated. Commissioner Beckner said she worries about the impact of consolidating tests if RICA is lost because of its powerful impact on the teaching of reading.

A motion to approve staff recommendations regarding the RFPs was made (Madkins), seconded (Hauk) and carried without dissent.

### **PERF-2: Recommended Passing Score for the California Teaching Performance Assessment (CA TPA)**

Ms. Jackson and Marjorie Suckow, of the Professional Services Division, presented this item. Ms. Jackson noted that the Commission has been working on the TPA for several years. At this point, the contractor, Educational Testing Services, has brought forth a proposed passing standard which would be recommended to institutions of higher education as they assess candidates. Although the Commission earlier suspended the requirement that IHEs begin assessments because of budget cuts, several institutions are still working to implement a system so the passing standard is needed.

The assessment itself consists of four different performance tasks that a

teacher must complete. The four tasks together comprise the assessment instrument. Each are reviewed by an assessor using a four-point scale, with the highest grade of four indicating a convincing demonstration of skills. Conversely, a score of one indicates that there was little or no evidence that the candidate's responses were appropriate, relevant or accurate. The recommendation is that a passing score be no lower than 12 and that no specific task can have a score of one.

Vice Chair Madkins thanked Ms. Jackson for her continued work on the issue. He said he can remember in 2000 the enthusiasm generated by the proposal, and that enthusiasm has been building ever since. He commended Ms. Jackson and staff for continuing to work on the issue and bringing it to fruition.

A motion to approve the passing level recommended by staff was made (Beckner), seconded (Hauk) and carried without dissent.

### **PREPARATION STANDARDS COMMITTEE OF THE WHOLE**

Vice Chair Madkins, acting in place of Commissioner Johnson, convened the Preparation Standards Committee of the Whole.

#### **PREP-1: Approval of Professional Teacher Induction Programs**

Karen Sacramento and Cheryl Hickey, Consultants with the Professional Services Division, presented 10 Professional Teacher Induction Programs for approval, which would bring the total approved to 77 programs. The programs presented were Castaic Unified School District, Chula Vista Elementary School District, Corona-Norco Unified School District, Fairfield-Suisun Unified School District, Glendale Unified School District, Keppel Wilsona Unified School District, Newport-Mesa Unified School District, North County Professional Development Federation, Sacramento City Unified School District, and San Jose Unified School District.

A motion to approve the 10 programs was made (Littman), seconded (Beckner) and carried without dissent.

#### **PREP-2: Approval of Subject Matter Preparation Programs Submitted by Colleges and Universities**

Mike McKibbin, Consultant for the Professional Services Division, presented one single-subject program and four elementary subject programs. The single-subject program is home economics at California State University, Northridge. The elementary subject programs are at Chapman University, Bethany College, San Diego State University and InterAmerican College.

A motion to approve the programs was made (Hauk), seconded (Doherty) and carried without dissent.

#### **PREP-3: Proposed Standards and Guidelines for Professional Clear Administrative Services Credential Programs**

Jim Alford, Consultant for the Professional Services Division, presented this item, which covers the guidelines for alternative programs. The draft standard was presented in August and input was gathered from the field through October. There was limited input and requests only for minor changes. The item completes the Commission's action to adopt standards and guidelines that refocus the administrative credential and provide flexibility in Tier 2.

**Sharon Robison, ACSA**, said she was pleased to urge the Commission to approve the guidelines and standards. It has been a long process but administrators have been eagerly waiting for its completion. She said it has been worth it because the administrative credential is now far stronger, focusing on the leadership skills that administrators need to improve student learning. The credential also allows the demonstration of competency rather than the achievement of seat time and coursework. Ms. Robison thanked the staff and Commissioners for working diligently to provide strong framework for the credential.

Vice Chair Madkins thanked Ms. Robison in turn for her continued work on the subject.

Commissioner Beckner asked about the lack of specificity in the curriculum content. Beth Graybill, Interim Director for the Professional Services Division, said the standards are designed to provide flexibility for different kinds of alternative programs. Mr. Alford noted that the preliminary credential is grounded in professional standards that are very specific so that candidates are more fully prepared at that level. The second level is designed to provide flexibility.

A motion to approve the standards and guidelines was made (Doherty), seconded (Hauk) and carried without dissent.

#### **PREP-4: Eight Annual Report of the Committee on Accreditation**

This item was presented by Phil Fitch, Cheryl Hickey and Beth Graybill. The report covers the activities of the Commission's Committee on Accreditation for the 2002-03 year.

Ms. Hickey noted that part of the activities has been to consider the Commission's accreditation process. A survey of 12 other states was conducted and models examined. In addition, staff held study sessions with the Committee in August and October. Staff expects to bring information and recommendations to the Commission in December. Ms. Graybill said the item will cover the trend toward more accountability at the federal level and the impact of budget constraints.

A motion to approve the report was made (Hauk), seconded (Beckner) and carried without dissent.

## **REPORT OF APPEALS AND WAIVERS COMMITTEE**

Commissioner Lawrence Madkins called the meeting of Appeals and Waivers Committee to order at approximately 3:16 p.m., Wednesday, November 5, 2003.

### **A&W-1 - Minutes of the October 1, 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 October 1, 2003, be APPROVED. Vice Chair Madkins would like the minutes to correctly reflect Commissioner Hauk was not present; therefore, is abstaining from the vote today.

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

It was moved, seconded, and carried (Johnson/Vaca) that the Committee APPROVE the **452** waiver requests on the Consent Calendar.

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

It was moved, seconded, and carried (Johnson/Boquiren) that the Committee APPROVE items 2,3,5,7,8,9,10, and 11 waiver requests on the Conditions Calendar with specific conditions attached. The Commission recommends the following action on individual waiver requests listed below:

*#1 - APPROVE:* The waiver request submitted by Oakland Unified School District for Arthur Lee Houston.

Motion: Johnson; Second: Hauk

*#4 - APPROVE:* The waiver request submitted by Pasadena Unified School District for Rodney D. Howard.

Motion: Johnson; Second: Beckner

*#6 - APPROVE:* The waiver request submitted by Manteca Unified School District for Tony Angel Pacheco.

Motion: Johnson; Second: Vaca

*#12 - APPROVE:* The waiver request submitted by Cascade Union Elementary School District for Carol Lee Koppes.

Motion: Beckner; Second: Vaca

*#13 - APPROVE:* The waiver request submitted by Enterprise Elementary School District for Vivian Denise Riley.

Motion: Boquerin; Second: Vaca

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

It was moved, seconded, and carried (Hauk/Beckner) to recommend preliminary denial of the **17** Waiver Requests on the Denial Calendar. These waiver requests will be brought to the Commission for action at the December 2003 meeting.

### **Adjournment**

The meeting of the Appeals and Waivers Committee was adjourned at approximately 3:42 p.m., Wednesday, November 5, 2003.

### **COMMISSION MEMBER REPORTS**

There were none.

### **AUDIENCE PRESENTATIONS**

There were none.

### **OLD BUSINESS**

The Executive Committee report was made. The Executive Committee approved its May 2003 minutes. It also recommended approval of a revised meeting schedule for 2004, resulting in six one-day meetings and two two-day meetings (January 8, February 5, March 25, May 6, June 3, August 12, September 30-October 1, and November 30-December 1). Staff is also exploring changing the starting time as a way to minimize costs. Finally, the Executive Committee recommended approval of a proposed amendment to Section 412 of the Commission Policy Manual to clarify the procedure to follow to allow ex-officio representatives to vote, as necessary, to establish a quorum.

The quarterly agenda for December 2003 and January and February 2004 was presented for information only.

### **NEW BUSINESS**

None.

### **NOMINATIONS OF THE COMMISSION CHAIR AND VICE CHAIR**

Dr. Swofford opened nominations for Chair. Chair Fortune said she has enjoyed chairing the Commission but that her term is coming to an end. She noted that Vice Chair Madkins has ably assisted three chairmen in a row - Commissioner Bersin, Commissioner Katzman and finally herself. At a time of change, she said it is important to have a smooth transition and that she believes Vice Chair Madkins will provide that. She nominated Vice Chair Madkins for chair. Commissioner Beckner seconded the motion, noting that it is very exciting to have a teacher nominated to lead the Commission.

Hearing no further nominations for Chair, Dr. Swofford then opened nominations for Vice Chair. Vice Chair Madkins nominated Commissioner Johnson for Vice Chair, noting her active role as a representative of a teachers union, workers and the public. Commissioner Hauk seconded the nomination, calling Commissioner Johnson a mentor who has provided

valuable insight.

The nomination process will remain open until the December 4 meeting when further nominations may be made in person (any mail-in nominations must be made by November 28). The election will be held on December 4 during the General Session.

**ADJOURNMENT**

The meeting adjourned. The next meeting will be held on December 3 and 4, 2003 at the California Commission on Teacher Credentialing Office, 1900 Capital Avenue, Sacramento, California.