

CALIFORNIA COMMISSION ON TEACHER CREDENTIALING

MINUTES OF THE COMMISSION MEETING

March 6-7, 2002

Commission Offices, 1900 Capitol Avenue, Sacramento

COMMISSION MEMBERS

Alan Bersin, Administrator, Chairman

Chellyn Boquiren, Teacher

Margaret Fortune, Public Representative

Beth Hauk, Teacher

Elaine C. Johnson, Public Representative

Lawrence Madkins, Jr., Teacher, Vice Chairman

Alberto Vaca, Teacher

Marilyn Whirry, Designee, Office of the Superintendent of Public Instruction

COMMISSION MEMBERS ABSENT

Carol Katzman, Public Representative

EX OFFICIO REPRESENTATIVES

Carol Bartell, Association of Independent Colleges and Universities

David Leveille, California Postsecondary Education Commission

Bill Wilson, California State University

Joyce Justus, Regents, University of California

COMMISSION STAFF

Sam Swofford, Executive Director

Mary Armstrong, General Counsel, Director, Professional Practices Division

Linda Bond, Director, Office of Governmental Relations

Joe Radding, Director, Information Technology and Support Management Division

Mary Butera, Director, Office of Human Resources

Dale Janssen, Acting Director, Certification, Assignments and Waivers Division

Mary Vixie Sandy, Director, Professional Services Division

Janet Vining, Staff Counsel, Professional Practices Division

Lee Pope, Staff Counsel, Professional Practices Division

Kimberly Hunter, Staff Counsel, Professional Practices Division

Larry Birch, Administrator, Professional Services Division

Bob Carlson, Administrator, Professional Services Division

Amy Jackson, Administrator, Professional Services Division

Margaret Olebe, Administrator, Professional Services Division

Nicole Amador, Consultant, Professional Services Division

Joe Dear, Consultant, Professional Services Division

Marilynn Fairgood, Consultant, Professional Services Division

Philip Fitch, Consultant, Professional Services Division

Helen Hawley, Consultant, Professional Services Division

Phyllis Jacobson, Consultant, Professional Services Division
Michael McKibbin, Consultant, Professional Services Division
Betsy Kean, Consultant, Professional Services Division
Jan Jones Wadsworth, Consultant, Professional Services Division
James Alford, Assistant Consultant, Professional Services Division
Mark McLean, Assistant Consultant, Professional Services Division
Nadine Noelting, Assistant Consultant, Professional Services Division
Rod Santiago, Assistant Consultant, Professional Services Division
Yvonne Novelli, Program Analyst, Professional Services Division
Marilyn Errett, Consultant, Office of Governmental Relations
Leyne Milstein, Consultant, Office of Governmental Relations
Dan Gonzales, Legislative Liaison, Office of Governmental Relations
Anne Padilla, Consultant, Office of Governmental Relations
Crista Hill, Manager, Information Technology and Support Management Division
Cathy Beach, Manager, Certification, Assignments and Waivers Division
Terri Fesperman, Assistant Consultant, Certification Division
Susan Browning, Program Analyst, Certification Division
Kathleen Beasley, Proceedings Document Recorder

Wednesday, March 6, 2002

REPORT OF CLOSED SESSION ITEMS

Petitions for Reinstatement or For Reduction of Penalty

The Commission denied the following Petitions for Reinstatement:

1. Benjamin Dix
2. John Nesbitt

The Commission granted the following Petition for Reinstatement:

1. Sydney Weiss

Reconsiderations

The Commission denied reconsideration in the following matters:

1. Raul Hernandez
2. Deborah Kneer
3. Satar Omolola

Proposed Findings

The Commission reviewed the findings and adopted the Decision and Order in the following matters:

1. Miles Gupton
2. Margaret Porter

Thursday, March 7, 2002

GENERAL SESSION

The general session was called to order by Chairman Bersin at 8:03 a.m. Roll was taken and a quorum was present. The Commission and audience joined in the Pledge of Allegiance. The following actions were then taken:

APPROVAL OF THE FEBRUARY 2002 COMMISSION MINUTES

A motion to approve the February 2002 Commission minutes was made (Fortune), seconded (Madkins) and carried without dissent.

APPROVAL OF THE MARCH 2002 AGENDA

A motion to approve the agenda for the March 2002 meeting with one in-folder item (pertaining to Legislative 2) was made (Boquiren), seconded (Madkins) and carried without dissent.

APPROVAL OF THE MARCH 2002 CONSENT CALENDAR

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

MANDATORY ACTIONS

Education Code sections 44346, 44346.1, 44424, 44425 and 44425.5 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.

1. **ATHERTON, Sam** Glendale, CA
Pursuant to Education Code sections 44346.1 and 44424, all certification documents under the jurisdiction of the California Commission on Teacher Credentialing are **revoked** and any pending applications are **denied** following Mr. Atherton's conviction for violating California Penal Code section 245(a)(1) (assault with a deadly weapon by means of force likely to produce great bodily injury), a serious and violent felony.
2. **BARBER, George L.** Diamond Bar, CA
Pursuant to Education Code section 44425, all certification documents under the jurisdiction of the California Commission on Teacher Credentialing are **revoked** following Mr. Barber's felony conviction for violating California Penal Code section 288a(b)(1) (oral copulation with person under 18). As a result of this conviction, Mr. Barber was ordered to register as a sex offender pursuant to Penal Code section 290.
3. **BOHANON, Robert T., Jr.** Victorville, CA
Pursuant to Education Code section 44425, all certification documents under the jurisdiction of the California Commission on Teacher Credentialing are **revoked** following Mr. Bohanon's conviction for violating California Penal Code section 288a(c)(2) (forcible oral copulation), a serious and violent felony. As a result of this conviction, Mr. Bohanon was ordered to register as a sex offender pursuant to Penal Code section 290.

4. **COCHRAN, Richard F.** Folsom, CA
Pursuant to Education Code section 44425, all certification documents under the jurisdiction of the California Commission on Teacher Credentialing are **revoked** following Mr. Cochran's misdemeanor conviction for violating California Penal Code section 647.6(a) (annoy molest child under the age of 18 years). As a result of this conviction, Mr. Cochran was ordered to register as a sex offender pursuant to Penal Code section 290.
5. **GILBERT, Gary W.** Mammoth Lakes, CA
Pursuant to Education Code section 44425, all certification documents under the jurisdiction of the California Commission on Teacher Credentialing are **revoked** following Mr. Gilbert's felony conviction for violating California Health and Safety Code section 11350(a) (possession of a controlled substance).
6. **GRAHAM, Nick C.** Bakersfield, CA
Pursuant to Education Code section 44424, all certification documents under the jurisdiction of the California Commission on Teacher Credentialing are **revoked** following Mr. Graham's felony convictions for violating California Penal Code sections 424 (embezzlement by public officer), 487 (grand theft:property), and 504 (embezzlement by public/private officer).
7. **HAGEN, James L.** Riverside, CA
Pursuant to Education Code section 44425, all certification documents under the jurisdiction of the California Commission on Teacher Credentialing are **revoked** following Mr. Hagen's felony conviction for violating California Penal Code section 288(c)(1) (lewd act on child 14 or 15 years of age, defendant at least 10 years older). As a result of this conviction, Mr. Hagen was ordered to register as a sex offender pursuant to Penal Code section 290.
8. **HAUSMANN, Harold R.** Westlake Village, CA
Pursuant to Education Code section 44346.1, all certification applications under the jurisdiction of the California Commission on Teacher Credentialing are **denied** following Mr. Hausmann's misdemeanor conviction for violating California Penal Code section 273a(b) (cruelty to child by inflicting injury).
9. **HENRY, Lynne E.** Vista, CA
Pursuant to Education Code section 44346.1, all certification applications under the jurisdiction of the California Commission on Teacher Credentialing are **denied** following Ms. Henry's misdemeanor conviction for violating California Penal Code section 273a(a) (willful harm or injury to a child).
10. **JORDAN, Jamillah J.** San Diego, CA
Pursuant to Education Code section 44346.1, all certification applications under the jurisdiction of the California Commission on Teacher Credentialing are **denied** following Ms. Jordan's misdemeanor conviction for violating California Penal Code section 503 (embezzlement).
11. **KURTZ, Ronald S.** Burbank, CA
Pursuant to Education Code section 44425, all certification documents under the jurisdiction of the California Commission on Teacher Credentialing are **revoked** following Mr. Kurtz's convictions for violating California Penal Code sections 288(a) (lewd acts upon a child), a serious and violent

felony, and 311.3 (sexual exploitation of a child), a felony. As a result of these convictions, Mr. Kurtz was ordered to register as a sex offender pursuant to Penal Code section 290.

12. **LAWSON, Melvin** Inglewood, CA
Pursuant to Education Code section 44346.1, all certification applications under the jurisdiction of the California Commission on Teacher Credentialing are **denied** following Mr. Lawson's felony conviction for violating California Health and Safety Code section 11350(a) (possession of a controlled substance), requiring registration as a narcotics offender pursuant to Health and Safety Code section 11590, and his conviction for violating Pennsylvania Consolidated Crimes Code section 3701 (robbery), a serious and violent felony.
13. **LEWIS, Earl L.** San Diego, CA
Pursuant to Education Code section 44346.1, all certification applications under the jurisdiction of the California Commission on Teacher Credentialing are **denied** following Mr. Lewis's conviction for violating California Penal Code section 211 (robbery), a serious and violent felony.
14. **LOAR, Gregory L.** Corona, CA
Pursuant to Education Code section 44424, all certification documents under the jurisdiction of the California Commission on Teacher Credentialing are **revoked** following Mr. Loar's misdemeanor conviction for violating California Penal Code section 273a(b) (cruelty to a child by inflicting injury).
15. **QUINONES, Juan F.** La Mirada, CA
Pursuant to Education Code section 44346.1, all certification applications under the jurisdiction of the California Commission on Teacher Credentialing are **denied** following Mr. Quinones' conviction for violating California Penal Code section 459 (burglary: first degree), a serious felony.
16. **WILSON, Jerry** Hemet, CA
Pursuant to Education Code section 44346.1, all certification applications under the jurisdiction of the California Commission on Teacher Credentialing are **denied** following Mr. Wilson's conviction for violating New Mexico Code section 66-8-101(B)(C) (great bodily injury by vehicle), a serious felony.

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.

17. **BLUESTONE, Merry E.** Duncan Mills, CA
All pending applications are **denied** for misconduct pursuant to Education Code section 44345.
18. **BRADLEY, William P.** Fresno, CA
All certification documents under the jurisdiction of the California Commission on Teacher Credentialing are **suspended for a period of one hundred eighty (180) days** for misconduct pursuant to Education Code section 44421.

19. **BURNS, Gloria D.** Inglewood, CA
All certification documents under the jurisdiction of the California Commission on Teacher Credentialing are **revoked** and any pending applications are **denied** for misconduct pursuant to Education Code sections 44421 and 44345.
20. **CORFMAN, Mary E.** Lancaster, CA
All certification documents under the jurisdiction of the California Commission on Teacher Credentialing are **suspended for a period of fifteen (15) days** for misconduct pursuant to Education Code section 44421.
21. **DANIELS, Marilyn A.** Fresno, CA
Ms. Daniels' Children's Center Permit is **revoked** for misconduct pursuant to Education Code section 44421.
22. **DAVIDSON-RISTINE, Tina L.** Vallejo, CA
All certification documents under the jurisdiction of the California Commission on Teacher Credentialing are **revoked** and any pending applications are **denied** for misconduct pursuant to Education Code sections 44421 and 44345.
23. **DUKE, Connie L.** Hemet, CA
Ms. Duke is the subject of **public reproof** for misconduct pursuant to Education Code section 44421.
24. **FUHR, Stanley D.** Costa Mesa, CA
All certification documents under the jurisdiction of the California Commission on Teacher Credentialing are **suspended for a period of ninety (90) days** for misconduct pursuant to Education Code section 44421.
25. **HENDRICH, Stephen F.** Murrieta, CA
All certification documents under the jurisdiction of the California Commission on Teacher Credentialing are **suspended for a period of ninety (90) days** for misconduct pursuant to Education Code section 44421.
26. **KAS, Bodavith** San Jose, CA
All certification documents under the jurisdiction of the California Commission on Teacher Credentialing are **suspended for a period of thirty (30) days** and all pending applications are **denied** for misconduct pursuant to Education Code sections 44421 and 44345.
27. **LLOYD, Jeremiah L.** Alta Loma, 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.

28. **MATTA, Timothy S.** Granada Hills, CA
All certification documents under the jurisdiction of the California Commission on Teacher Credentialing are **revoked** and any pending applications are **denied** for misconduct pursuant to Education Code sections 44421 and 44345.
29. **NYSTROM, Keith W.**
All certification documents under the jurisdiction of the California Commission on Teacher Credentialing are **suspended for a period of sixty (60) days** for misconduct pursuant to Education Code section 44421.
30. **PATON, Agustin** Redondo Beach, CA
Mr. Paton is the subject of **public reproof** for misconduct pursuant to Education Code section 44421.
31. **PURDY, Thomas** Las Vegas, NV
Mr. Purdy is the subject of **public reproof** for misconduct pursuant to Education Code section 44421.
32. **SMITH-HERNANDEZ, Sherry K.** Union City, CA
All pending applications are **denied** for misconduct pursuant to Education Code section 44345.
33. **TALBERT, Michael D.** Porterville, CA
All pending applications are **denied** for misconduct pursuant to Education Code section 44345.
34. **VAUGHN, Laura R.** Montebello, CA
All certification documents under the jurisdiction of the California Commission on Teacher Credentialing are **suspended for a period of ninety (90) days** and all pending applications are **denied** for misconduct pursuant to Education Code sections 44421 and 44345.
35. **WEIGHTMAN, Richard V.** Auburn, CA
All certification documents under the jurisdiction of the California Commission on Teacher Credentialing are **suspended for a period of ninety (90) days** for misconduct pursuant to Education Code section 44421.

REQUESTS FOR REVOCATION

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

36. **BLADYKAS, Joy** San Diego, CA
Upon her written request, pursuant to Education Code section 44423, her supplementary authorizations in Introductory Math, Introductory General Science, and Physical Science on her Single Subject Teaching Credential are **revoked**.
37. **McCANN, Candace A.** Mt. Shasta, CA
Upon her written request, pursuant to Education Code section 44423, her Resource Specialist Certificate of Competence is **revoked**.

WITHDRAWAL OF APPLICATIONS

38. **BLUESTONE, Merry E.** Duncan Mills, CA
Pursuant to her request and while allegations of misconduct were pending, her application is **withdrawn**. This does not constitute consent for purposes of Education Code section 44440(b).

TERMINATION OF PROBATION

39. **TORBATI, Maryam** Fresno, 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 January 10, 1997, **the stay order has been made permanent and her credential is restored.**
40. **HANEY, Mike F.** Reedley, 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 June 2, 1999, **the stay order has been made permanent and his credential is restored.**
41. **WADE, Willard J.** La Quinta, 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 January 10, 1997, **the stay order has been made permanent and his credential is restored.**

DECISION AND ORDER

42. **BUSTAMANTE, Mary E.** Visalia, CA
In accordance with the default provisions of Government Code section 11520, Ms. Bustamante's credentials are revoked.

AUTOMATIC SUSPENSIONS

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

43. **ALEXANDER, Darrell, J.** Lakeport, CA
44. **COMPTON, Richard M.** Orange County, CA
45. **GALAN, Bryan** Cottonwood, CA
46. **MARTINEZ, Victor** Monrovia, CA
47. **SCHOOP, Michael E.** Pleasanton, CA

48. **WANG, Terry M.** Stockton, CA
49. **WARDLOW, Michael D.** Glendora, CA

NO CONTEST SUSPENSIONS

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

50. **DITTEMORE, Pamela T.** Yucaipa, CA

PRIVATE ADMONITIONS

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

DENIAL OF CREDENTIAL WAIVER REQUESTS

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

1. Kirk A. Yang/Optimist High School (NPS)
2. Aurisler C. Turner/Monterey Peninsula Unified School District
3. Kendra Romley/Ravenswood City Elementary School District
4. Charlie T. Moore/Sequoia Union High School District
5. Margaret T. Morris Petkiewicz/Aromas/San Juan Unified High School District
6. Martha A. Short/Total Education Solutions (NPS)
7. Cindy M. Schuessler/Santa Rosa Elementary School District
8. Nader Davaei/Long Beach Unified School District
9. Jennifer L. Yaghoubian/West Contra Costa Unified School District
10. Mary G. Postrado/Alum Rock Union Elementary School District
11. Rosalie J. Pearson/Los Angeles County
12. Julie A. Armendariz/Long Beach Unified School District
13. Donna R. Monje/Rosemead Elementary School District
14. Chad Stuart/Ross Valley School District
15. John D. Regalia/South San Francisco Unified School District
16. Kenneth Gutierrez/Oxnard Elementary School District
17. John J. Chavez/Merced County

ANNUAL CALENDAR OF EVENTS

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

CHAIR'S REPORT

Chairman Bersin said he would forgo comments because of the day's lengthy agenda.

EXECUTIVE DIRECTOR'S REPORT

Dr. Swofford informed the Commission that Dr. Ron Hockwalt, Superintendent of Walnut Valley Unified School District, passed away March 2, 2002. Pursuant to the direction of the Commission,

he was sent a resolution in January that reflected the Commission's appreciation for his long and effective service on behalf of education.

He also thanked the Credential Counselors and Analysts of California (CCAC) for the work that it does with Commission staff. CCAC and the staff are currently planning the CCAC conference scheduled for October 2002.

Dr. Swofford welcomed Ms. Susan Porter, a new consultant in the Division of Professional Practices. For the past two years, she has worked as an educational therapist and special education coordinator for charter schools. Prior to that, she taught special education in the Davis Joint Unified School District for 14 years.

He also announced changes in the Commission's Executive Office staff. Ms. Kim Poh, former manager, has moved to the Department of Forestry and Fire Protection as a labor relations specialist. Maureen Henkelman, accepted the position of new manager of the Executive Office, Ms. Henkelman has been with the Commission for six years working in the Certification Division and the Office of Governmental Relations.

REPORT ON STATE BOARD OF EDUCATION MEETING

A summary of items from the State Board of Education's February meeting was provided in the agenda materials for information only.

PERFORMANCE STANDARDS COMMITTEE OF THE WHOLE

Commissioner Johnson convened the Performance Standards Committee of the Whole.

PERF-1: Update on the Development of Program Standards and Examinations for Single Subject Teaching Credentials in English, Mathematics, Science, and Social Science

On the program side, proposed standards based on the SMRs will be sent out for field review, with final standards to be considered for adoption in the fall. The next step on the exam side is to proceed with a contractor to develop the tests. A proposal review process was recently completed and National Evaluation Systems was selected. The contract calls for the development and implementation of new subject exams in all 13 single-subject and elementary areas. Each test will be divided into domains within subject areas.

Because the new tests will be very different from the existing ones, staff advised the Commission to adopt a transition plan that will allow candidates who are part way through the process to complete their requirements under the current tests even as the new test is being implemented. Under the recommended plan, once the new tests are being used, candidates would have three opportunities to satisfy the current requirements using the prior tests.

Designee Whirry asked if the Commission will be able to see the test questions, noting that it would be difficult to adopt a new test without reviewing what is on it. Ms. Armstrong, general counsel, noted that because of test security concerns and public information requirements, real test questions cannot be shared with commissioners. Dr. Carlson said, however, that when it is time to adopt the tests, there will be a study guide with sample questions that the Commission will review.

Commissioner Johnson expressed her concern about a portion of the staff report that indicated that some constructed response questions were expected to be answered within 10 minutes, too short a time to prepare a well-written response. Dr. Carlson replied that the tests will be untimed but given within a five-hour testing period. The minutes allocated to each question are only intended as a guide to how difficult a question should be for a minimally competent person to answer.

Commissioner Johnson also asked if the panels had relied on the National Board certification standards as they did their work. Staff replied that those standards, which deal with teaching competency rather than subject matter knowledge, were used to guide their early work.

Commissioner Johnson asked if there were other bidders. Dr. Carlson replied that Educational Testing Service also submitted a bid, with American Institutes for Research as the subcontractor.

A motion to adopt the staff-recommended transition plan was made (Madkins), seconded (Whirry) and approved without dissent.

CREDENTIALING AND CERTIFICATED ASSIGNMENTS COMMITTEE OF THE WHOLE

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

C&CA 1: Proposed Changes to Title 5 Section 80043 Pertaining to the Eminence Credential Application Appeal and Denial Process

Language to amend the appeals process for the eminence credentials was presented to the Commission in February. The amendments, which are the same as those reviewed then, are now ready for Commission adoption. Currently, staff may deny an application and a district may simply request an appeal to the Commission without further documentation. Under the amendments, the district will be required to respond on the merits of the denial by submitting further information or information not available at the time of the original application. Denial will be handled as part of the consent calendar rather than requiring a full review by the Commission. Full review will be reserved for cases where staff finds the applicant meets the criteria for approval.

Vice Chair Madkins asked if this could be characterized as normalizing the eminence procedure so that it is similar to the process used by the Appeals and Waivers Committee. Mr. Janssen agreed.

A motion to direct staff to begin the rulemaking file and schedule a public hearing to adopt the amendments was made (Johnson), seconded (Hauk) and carried without dissent.

C&CA-2: Teachers Meeting Standards for Professional Certification in California: Third Annual Report (Required by 44225.6 EC)

Mr. Burke presented the third annual report of teacher supply in California, covering the 1999-2000 fiscal year. The detailed report, which is 340 pages long, is posted on the Commission's web site. Mr. Burke presented an overview based on the Executive Summary, highlighting the following facts:

- A total of 22,122 credentials were issued in 1999-2000 based on a recommendation from an institution of higher education (17,555), a district internship program (703) or out-of-state sources (3,864).

- For those prepared by higher education institutions, 56 percent came from the California State University system, 40 percent from private and independent institutions and 4 percent from the University of California.
- Internship credentials and pre-internship certificates totaled 7,554.
- Emergency permits and waivers issued in 1999-2000 totaled 37,027.
- The numbers of credentials issued has remained fairly flat for the three years ending in 1999-2000: 24,733 in 1997-98, 25,199 in 1998-99, and 25,534 in 1999-2000.

Staff is currently compiling data for the 2000-01 year and expects to present the information at the April Commission meeting.

Chairman Bersin said that while the trend data is appreciated, what would be most useful is the ability to match to supply data with the demand projections by various think tanks. He noted that teacher preparation institutions probably have access to projections about how many teachers are needed in the future. He said it is difficult to tell whether the supply report means the state is on track or falling short without the context of expected demand.

Ex Officio Representative Bartell said a further question is how many people who receive a credential in a year actually take teaching jobs. She asked if that type of data is being tracked.

Mr. Janssen said that negotiations are under way with the Employment Development Department to match credentials with EDD's data to determine who is teaching and who has gone to other industries. Mr. Janssen hopes to have an initial report sometime this summer.

Ex Officio Representative Wilson said it is difficult for districts to project their needs. He said recent California State University statistics indicate that of 10,512 graduates with credentials, 10,092 served as K-12 teachers for one full year or more. That 96 percent rate debunks the concept that people get a credential and then don't teach, he said.

Commissioner Fortune asked about the emergency permit count. She noted that in the recent pilot project to reduce emergency permits in Oakland and San Diego it became clear that local counts and state counts do not match. She said there are indications that the number of emergency permit holders is actually fewer than that recorded by the state. Mr. Janssen said they have no answer for how to reconcile the figures but will look at the situation.

Chairman Bersin said that what is needed is a model that pulls together data based on demographic trends as well as the supply information. He proposed that staff set out the architecture of what it would take to develop a model for the demand side of the equation and then incorporate the supply information. He said such a model would supply context for the data that the Commission is required to give to the Legislature.

Ex Officio Representative Leveille said information that relates to the role community colleges are now playing in preparing students for teaching careers may also be advantageous. Dr. Swofford agreed that information about transfer trends would be useful but noted that because community colleges are autonomous, getting information can be difficult. He said the model suggested by Chairman Bersin could incorporate what staff learns from other studies, including those conducted by the Center for the Future of Teaching and Learning.

Commissioner Fortune, indicating that there appeared to be general agreement, asked Mr. Janssen to work on the architecture for a supply-demand model.

Ex Officio Representative Justus said that the University of California collects data that includes some of the community college information, so data can be found. She also noted that matching supply to demand is not easy. By the time a program is able to expand capacity to meet growing demand, the situation sometimes changes. She said one district that usually hires substantial numbers of teachers mailed out 300 layoff notices last week. Enrollments cannot be increased overnight, and sometimes by the time they are increased, communities no longer need the added numbers.

Commissioner Fortune suggested that something is amiss when school districts are laying off teachers, the numbers of credentialed teachers are growing, but emergency permit teacher numbers are not declining. She said that in Sacramento there is a surplus of multiple subject teachers, yet districts are still seeking emergency permits for multiple subject positions.

Vice Chair Madkins said the numbers of out-of-state teacher credentials do not seem to track with the extra effort the state has been making in terms of reciprocity agreements. He wondered if there is a lack of outreach to make sure people are aware of this avenue for getting a credential. Mr. Janssen said that CalTeach has a significant outreach effort that got under way in 2001, and the 2000-01 numbers are expected to show an increase.

Ex Officio Representative Wilson said that as he has traveled he has seen some of the ads that CalTeach is using in other states. Just what causes someone to move to California and take a teaching job, however, is very difficult to track. He also noted that community colleges are playing an important role in preparation, but that the most effective action they can take is to make sure that subject matter courses are aligned with university courses, rather than focusing on teacher preparation classes. Finally, he said that no one seems to know where the estimate that 300,000 teachers will be needed in the next decade came from. He said that shortage needs to be defined carefully since a district would not count a job filled by an emergency permit holder as being vacant – but that such an uncredentialed teacher should still be counted as part of the shortage.

A motion to adopt the report and transmit it to the Legislature was made (Johnson), seconded (Whirry) and approved without dissent.

PREPARATION STANDARDS COMMITTEE OF THE WHOLE

Commissioner Fortune substituted for Commissioner Katzman, who was absent, and convened the Preparation Standards Committee of the Whole.

Prep-1: Proposal to Establish Limited Authorization Single-Subject Teaching Credential in Science

Staff reported that the number of less-than-fully-qualified science teachers has more than doubled in the past five years while the number of new credentials issued to single-subject science teachers has remained constant. Currently 21 percent of all science courses in public schools are taught by people who are less than fully credentialed. In addition, Advanced Placement courses are not

uniformly available in the state. Such classes require teachers with strong subject matter preparation.

To meet the need for science teachers, staff offered a plan that would create a limited teaching authorization for individuals who hold an advanced degree or its equivalent in one of four science areas: biology, chemistry, physics, or geo-science. The current credential process requires a candidate to demonstrate subject matter knowledge in general science and in a specific science emphasis. Teachers are required to have breadth as well as depth, while typical university science majors have depth in a particular discipline.

As a strategy to tap into the pool of science majors who achieve graduate degrees, the Commission could provide three options to fulfill the subject matter requirement: show evidence of an advanced degree in one of the four science areas; show evidence that 30 units of post-graduate work has been completed; or pass the exam in one of the four areas (as opposed to passing all domains of the science exam).

Vice Chair Madkins asked what the connection is between the proposal and the ongoing work of the subject matter advisory panel. Staff said the panel has worked on the proposal for the past three meetings and feels it would meet the requirements for subject matter knowledge.

Ex Officio Representative Bartell asked if the plan was to embrace all three options or simply pick one. Staff said the options are not mutually exclusive and would provide a wide variety of ways for people with deep subject matter knowledge to demonstrate it.

Ex Officio Representative Bartell said although she likes the idea of passing an exam, she is concerned about giving someone a credential simply based on the number of units completed without some process to make sure the courses are relevant material. She said she would prefer to see someone pass the exam. Staff said the panel had struggled with that issue but that the thinking is that 30 units of post-graduate work on top of undergraduate work should cover an extensive base of subject matter knowledge. Dr. Swofford said the proposal is in line with the Commission's current philosophy of avoiding redundancy. If candidates are able to complete the coursework, there is little advantage to imposing an exam. But the question of how to make sure courses are aligned with subject matter standards is an important one.

Commissioner Johnson pointed out that the Commission has worked hard to defeat legislation that would provide someone a teaching credential solely based on having a degree and subject matter competence. Staff reiterated that to receive the limited credential, the candidate would still have to complete all of the pedagogy requirements.

Vice Chair Madkins said that with the understanding that the proposal will be further discussed before adopting, he moved to accept staff's recommendation to further develop a limited science credential plan. Commissioner Hauk seconded the motion, which passed without dissent.

Prep. 2: Proposed Adoption of Standards of Quality and Effectiveness for Professional Teacher Induction Programs

The standards for Professional Teacher Induction Programs were originally adopted by the Commission in September 2001, but were reconsidered and held for further revision at the October

meeting. Ms. Sandy said that a number of stakeholders had expressed concerns, particularly about the potential for conflict between the laws governing teacher credentials and the laws governing employment agreements.

Ms. Sandy said that following a review, several changes were made in the standards that would conform to statutory requirements and not take the Commission beyond its jurisdictional boundaries. Ms. Sandy summarized the changes as follows:

- An introductory overview has been included that reiterates provisions of law and includes a statement of intent that there be no conflict with the Education Employment Relations Act.
- Repetitive language at the beginning of each standard regarding program approval and funding has been removed.
- The word collaboration originally appeared in the document 28 times. In 20 cases that was changed to cooperation, coordination and partnership to more clearly reflect the intent.
- In 13 cases, a general statement in the standard was followed by specific, directive language. That language has been removed so that general direction is retained but local program flexibility is provided.
- Two concepts that were included in the first draft had to be removed to avoid overstepping jurisdictional boundaries. One was the directive that new teachers be placed in less-challenging assignments and provided additional resources. The second was the process for dealing with teachers who are not meeting the standards.

Ms. Sandy recommended that the Commission adopt the new standards so that they can be taken to the State Board of Education in April. Between now and December 2003, staff will be providing intensive technical assistance to the field to help programs transition by July 2005 when state law requires all candidates for professional clear credentials to complete an induction program with special preparation to address the needs of English language learners. The current standards for induction programs do not address this requirement.

Chairman Bersin asked the Commission's general counsel to explain the potential conflicts that prompted the changes. Ms. Armstrong said that as a result of comments from stakeholders, staff recognized that there was an interplay between the Employment Relations Act and the proposed induction program standards. Based on a preliminary assessment that they should be kept separate, a request for an outside opinion was made to Legislative Counsel, who concurred. At that point, staff reviewed the proposed induction standards to ensure that the two concepts remained separate and that credentialing requirements didn't impinge on local employment conditions, and that local employment conditions didn't impinge on credentialing requirements.

Dr. Swofford noted that induction programs have been voluntary in the past, but that they are now part of the requirement for obtaining a clear credential. The new proposed standards are not intended to change direction, but merely to ensure that the Commission's standards stay within its jurisdiction and not run up against collective bargaining agreements.

Commissioner Fortune opened the meeting to public comment on the induction standards. Speakers included:

Sharon Robison, Association of California School Administrators, who said she appreciated the changes that had been made. She praised the standards as giving clear direction while still avoiding micro-management of decisions best left to local administrators. She said that administrators are very clear about the mandate: rigorous standards, high achievement, effective use of resources and a high level of accountability. But administrators also need to respond to local conditions, so the flexibility is critical. Lastly, she urged the Commission to act quickly because districts need time to plan and prepare their induction programs in line with the new standards.

Ken Burt, California Teachers Association, requested a postponement. He said CTA staff has been analyzing the changes and has identified 35 issues that CTA would like to raise, but that there has not been adequate time to address them with Commission staff or to finish the analysis. He suggested that going over the concerns during the Commission meeting might require three or four hours, while postponing the item until next month would allow CTA to work on the issues with staff. He asked that an annotated version of changes be provided and that action be delayed.

Ms. Sandy said that they had met with CTA representatives the prior week, as well as spending time on the phone. Ms. Sandy reiterated that the standards are largely the same as they were when adopted, and that the major changes had to do with removing material to comply with law. Dr. Swofford suggested a delay until the afternoon to allow Mr. Burt to meet with staff and come to an agreement about key areas of concern.

Commissioner Fortune continued the matter until after lunch. The Commission recessed for a short break at 9:58 a.m. It reconvened at 10:15 a.m.

Prep. 3: Recommended Changes in the Preparation and Licensure of Administrators

Ms. Sandy presented an action plan for changing the preparation and licensing of administrators that would accomplish six objectives previously outlined by the Commission: greater flexibility for districts in employing individuals for administrative positions at the district level; focus on instructional leadership and success for all students; authorize alternative accredited standards-based routes to the credential, including preparation by local school districts; ensure portability for administrators from other states; restructure Tier 2 to focus on mentoring, support and assistance; and allow the alternative of earning a credential through a combination of written and performance-based measures. The proposed action plan outlines the course for revising Title 5 regulations, revising standards in line with the California Professional Standards for Education Leaders, and restructuring Tier 2.

Ms. Sandy noted that the Commission had received 28 letters in support of the recommendations, including from the following individuals:

- Dave Baker, Superintendent, Azusa USD
- David E. Brown, Superintendent, Napa Valley USD
- William J. Cirone, Santa Barbara COE
- Bruce Kitchen
- Vincent Hernandez II *
- Jeffery Frost, CALSSD Legislative Advocate
- Rich Alderson, Principal, Rancho Buena Vista High School
- Mary See Keener, Exec. Director-Admin Services, El Segundo USD
- Jennifer Looney, Asst. Superintendent, Selma USD (email)

- Wynelle Chase, Asst. Superintendent, Santa Barbara COE
- Mike Popoff, Asst. Superintendent, West Covina USD
- Phillip Escamilla, CSBA
- Richard Bray, Superintendent, Hesperia USD
- Gloria Cortez, Asst. Superintendent, Charter Oak USD
- Brian C. Smith, Asst. Superintendent, Grossmont Union HSD
- Steve Doyle, Principal, Lake Los Angeles School
- Shirley M. Gasparin, Chaffey Joint Union HSD
- Sharon McGehee, Ph.D., Superintendent
- E.J. Harcharik, Asst. Superintendent, Brea Olinda Unified
- James Whitlock, Asst. Superintendent, Fallbrook Union Elementary
- Lynn Boop, Principal, Pearblossom Elementary
- Bart O' Brien (email) *
- Roger Halberg, Asst. Superintendent, Mojave USD
- Mike Crocker (email) *
- Harold Vollkommer, Ed.D, Asst. Superintendent
- David Hatton, Chair, Orange County Personnel Admin. Assoc.
- Sharon Merrill, Personnel Director Rim of the World USD
- Gary F. Dei Rossi, Ed.D., Asst. Superintendent, SJ County Office of Ed.

In addition, staff noted two letters in opposition:

- Bud Richter, Kremen School of Ed. and Human Development, Fresno
- Dr. Thomas A. Arciniega, President, CSUB *

* Were not mentioned in presentation.

Commissioner Fortune opened the floor to public discussion. The following people spoke:

Don Iglesias, Association of California School Administrators, said as the representative of 16,000 members he wanted to support the recommendations. Among his reasons were the rigorous standards-based approach that uses the CPSELs as a base, the revisions in Title 5 that will allow alternative programs, the portability and reciprocity with other states, and support for mentoring and assistance.

Bill Freeman, Deputy Superintendent of Human Relations for the Hesperia Unified School District representing the San Bernardino County Personnel Administrators, said that a solid 100 percent of the members of his organization support the changes. He expressed support for the standards-based approach, provision for multiple providers and the Title 5 changes.

Thelma Moore-Steward, Associate Professor, Educational Administration, California State University, Long Beach, said that she doesn't believe an adequate foundation to prepare a broad-based administrator can be given by alternative providers at school districts. She said good preparation requires training in both theory and practice. She said that a group that represents superintendents from 50 states believes that standards should be tightened because there is a concern that superintendents are entering the profession without adequate preparation. The group supports restricting administrative licensure to those with graduate education degrees and preparation from accredited colleges and universities, a position that takes aim at states that want to allow non-

educators to enter the field. She encouraged the Commission to delay action on alternative providers until substantial work can be put in to the concept.

Jennifer Jeffries, California State University, San Marcos and formerly a superintendent in the Fallbrook School District, expressed concern that any assessment alternative to completing a preparation program include adequate time to ensure that the administrator expands his knowledge, skills and commitment from the perspective of a teacher to one of a district administrator. She also asked that any alternative programs be required to live up to rigorous standards that provides adequate depth and breadth in critical areas. She questioned how a credential will be applicable statewide if it is based on a district preparation program. She encouraged the Commission to provide adequate time in its action plan to allow active involvement by districts and higher education representatives on design teams.

Jean Brown, Administrative Academy at the Los Angeles Unified School District, said the district has 600 first- and second-year administrators. About 350-400 are in the entry level of the credential and are awaiting the results of the Tier 2 redesign. The district offers its own 120-hour program focused on educational leadership in a standards-based system, a program that is very well received by participants. She offered the following recommendations: that the final plan allow multiple pathways and multiple providers, particularly school districts; that the standards be based on the CPSELs, which are rigorous and emphasize diversity; AB 75 training should be incorporated in the credential process; and action should be taken quickly because of the high level of demand that must be met. She said she supports the proposal that has been developed by the Commission.

Cirenio Rodriguez, Chair of the Department of Educational Leadership and Policy Studies at California State University, Sacramento, said he came into educational leadership in a nontraditional way. He said he is concerned that the Commission will move too quickly on an issue that is very complex. Many people in educational administration have felt ignored, he said, which causes divisiveness. He said the current proposal will not address all of the problems. He urged collaboration between the districts, the universities, other providers and professional organizations to find out what works. He said the shortage of administrators is not a result of problems with the credential process. It is a function of the complexity and problems that are faced in the jobs, as well as restrictions added by government. He said the Commission must avoid making the problem worse. He said his program has been successful and has grown because of partnerships between the university and the school districts in identifying and teaching administrative candidates. He urged the Commission to slow down and involve more stakeholders.

Linda Orozco, Professor at California State University, Fullerton, representing CAPEA, said she has four concerns about the proposed changes. 1) The issue of allowing multiple providers: Candidates need a comprehensive, thorough preparation program. If alternative programs do a lesser-level job of preparation, a situation similar to having emergency-permit teachers gravitate to low-performing schools may occur in the administrator ranks, with lesser-prepared administrators going to the most challenging schools. 2) The issue of using passing a test to satisfy all the criteria. She said she does not believe any test can replace comprehensive preparation. 3) The issue of some administrative positions not requiring a credential. She said she would oppose any such move. 4) The issue in the Scott bill that people may have a master's degree in a related field. She said that has not been defined but that administrators should have education backgrounds. In summarizing her remarks, she said that although she supports standards, at this point the Commission is overhauling

everything. She said the task force on this issue was focused only on revamping Tier 2 and she encourages the Commission to do that.

Bruce Kitchen, representing School District Human Resource and Personnel Administrators of San Bernardino and San Diego Counties and the California Association of Suburban School Districts, said that two years ago the Commission was asked to address the shortage of administrators by reviewing the licensure program. The result has been an extensive effort to creatively solve the problem. He said the proposal in front of the Commission is an excellent one that deserves an immediate green light. For the second portion of his testimony, Mr. Kitchen offered a letter on behalf of Jeffrey Frost, California Association of Suburban School Districts. The letter says that the organization also supports the proposal in front of the Commission.

Joy Carter, Orange County Department of Education and 27 school districts that educate more than 500,000 students, congratulated the Commission on its thoughtful approach, the time it has spent and the patience it has exhibited in approaching reform of the administrative licensing process. She said the recommendations are right on track and should be approved.

Kathryn Benson, PASSCO and CCSESA, who served on the administrative task force, said she is concerned about the high quality of administrators because that directly affects the high quality of teachers and schools. She said she very much supports the recommended action plan because it will answer the needs of school districts to address shortages while still maintaining high quality.

Carolyn Kelso, Professor of Education Administration at Chapman University, said she has seen the value of partnerships between universities and school districts, having worked closely with a district near Chapman. The partnership has allowed the university to provide a broader perspective to administrative candidates and the district to share its issues. She said many Tier 2 students come to the university because they have to, not because they want to. But once they arrive, they discover the value of having time to talk about ethical dilemmas, explore decision making ideas and discuss things that they don't have time to talk about on the job. She asked the Commission to be cautious about making changes, but also to share the timeline of when changes will occur since many students are part way through the process.

Dr. Swofford said that it is evident from the testimony that there is a shared value in terms of ensuring adequate preparation and support for administrators. He asked that the Commission adopt the action plan, recognizing that there will be continuing discussions and work with people in the field as the plan moves forward.

Commissioner Johnson raised a concern about wording that indicated some functions currently carried out by licensed administrators could be shared with other personnel to make the job less daunting. She said she assumes there will be great care so that no recommendation is made that teachers who are not administrators do evaluations of other teachers. Dr. Swofford assured her that there was no intent to shift that function.

Commissioner Fortune recognized one more public speaker:

Martin Krovetz, Professor of Educational Leadership at San Jose State University, said that whatever the Commission does, it should ensure that changes do not undercut the professionalism of school administrators. High quality is critical if the achievement gap between people of color and whites and Asians is to be reduced. Changes cannot simply be about making it easier to become an administrator. He said that when Santa Clara County appeared to be facing a shortage in administrators, San Jose State helped them grow their own by early identification, strong mentoring and team teaching. The program has generated 100 new administrators in two years. He also said he supports the CPSEL standards. Turning to the AB 75 task force process, he said that he is concerned about it being used as a possible replacement for current preparation programs. He maintained that the task force hired a consultant who produced work based on her own professional development program. He asked that the Commission not make a decision on the AB 75 criteria until the consultant's work has been investigated.

Chairman Bersin pointed out that the Commission was being asked to adopt an action plan – not a substantive proposal, but a timeline for beginning to address changes in the administrative licensure process. He said the separate components of the plan will be subject to debate and modification as each is brought to the Commission over the coming year. With that understanding, Chairman Bersin moved and Vice Chair Madkins seconded that the action plan be adopted. There were no dissenting votes.

LEGISLATIVE COMMITTEE OF THE WHOLE

Vice Chair Madkins convened the Legislative Committee of the Whole and began with the fourth agenda item.

Leg-4: Summary of AB 75, Principal Training Program

Ms. Bond and Ms. Milstein provided a summary of the AB 75 principal training program. The program is supported by \$15 million in state funding and \$18 million in matching grants from the Bill Gates Foundation. Under the law, the State Board of Education is developing criteria for the training and the Commission may consider whether to allow the AB 75 training to be used as part of the professional clear administrator preparation requirements. The State Board of Education is expected to finalize the criteria in March and then put together an implementation schedule, which by law must provide training to administrators in low-performing schools first.

Ms. Suzanne Tacheny a member of State Board of Education, spoke to the Commission about the AB 75 process. She said that principals need very specific training related to the accountability system and the standards that have been set for student learning. The challenge for the board, she said, was to create criteria that were specific enough to be rigorous but flexible enough to respond to all the different regions and needs in California. If the training can be provided by districts, or partnerships, or consortia, then the criteria and the review process both have to be flexible enough to accommodate that. At the same time, it is important not to force administrators into redundant training.

The challenge has been the dichotomy between creativity and specificity, she said. But her belief is that the criteria are now specific enough to be clear without inhibiting people as they deliver on the goals.

Commissioner Johnson asked her to describe the process used. Ms. Tacheney said a committee, which included Ms. Bond from the Commission, contracted with a consultant to produce a framework to begin discussions. After considerable dialogue between the consultant and the committee, what began as a very specific document became a much more flexible framework. She also said there was a lot of stakeholder participation in the process.

Ex Officio Representative Bartell said she has heard that there will be duplication of training for some people, almost as though there is now an added Tier 3 to the existing Tier 1 and 2. Ms. Tacheney replied that flexibility for a district to play a critical role in accountability was very important. Ms. Bond added that the criteria have been set up so that a provider may either provide enhanced or further training if someone has already had training, or the district may certify that the training requirement has already been satisfied.

Ex Officio Representative Bartell also asked about the funding. Ms. Tacheney said that there is a \$1,500 stipend for participation in the training. Ms. Bond explained that the money goes to the school district, which then selects the provider.

Commissioner Boquiren asked about the staff report note that the program is voluntary, yet seems to be required for administrators at low-performing schools. Ms. Bond said that in AB 75 itself the program was made voluntary, but that another piece of legislation, AB 961, requires participation in AB 75 training if a school wants to tap into added resources for low-performing schools. That means there is a potential for a mandatory three tiers for some people, but the Commission still has the discretion and purview to determine the overlap between the training and the clear credential requirements.

Vice Chair Madkins indicated that the mandatory nature also concerned him, especially if the training is redundant. Ms. Bond said that multiple opportunities ought to ensure training is not redundant. An administrator can either be certified as already having received the training or he could receive training at a higher, more advanced level.

Chairman Bersin expressed appreciation for Ms. Tacheney coming to brief the Commission on the State Board of Education's work. He asked about the timing of the Board's action. Ms. Tacheney said the Board will probably consider the criteria in April. She also thanked the Commission for the work it has done to ensure that teacher standards are aligned with academic content standards.

Leg. 1: Status of Legislation of Interest to the Commission

Ms. Bond indicated that there has been no change in the information presented in February.

Leg. 2: Analyses of Bills of Interest to the Commission

- AB 2053 (Jackson) extends BTSA program support to formerly credentialed teachers who have new credentials as special education teachers. Current law does not allow them to participate unless they are first- or second-year teachers. Commissioner Boquiren asked if the concept came out of requests from the field; Ms. Milstein indicated that it was likely. A motion to adopt a position of support was made (Fortune), seconded (Boquiren) and carried without dissent.
- AB 2160 (Goldberg, Wesson, Strom-Martin) is sponsored by the California Teachers Association. The measure would expand collective bargaining to include curriculum, books,

academic programs and other school-related decisions now made by district boards. Ms. Milstein said that of specific concern to the Commission are unintended consequences to programs administered by the Commission, including the intern, pre-intern and BTSA programs. Collective bargaining may delay or impede some programs, particularly if they are operated by multi-district consortia. Staff recommended an oppose position. Chairman Bersin pointed out that the implications of the bill go far beyond the Commission's programs; Ms. Milstein replied that the analysis was meant to focus on areas of concern to the Commission. Chairman Bersin said the bill turns on its head the appropriate relationship between boards of education and collective bargaining. Commissioner Johnson noted that in the 26 years that collective bargaining has existed in schools, there has been considerable grappling with the scope it should include. She said that to fold more into the scope of bargaining than it was ever intended to contain scares even those who are deeply committed to collective bargaining. Commissioner Johnson moved, and Designee Whirry seconded, that the Commission oppose the bill. There was no dissent.

- AB 2575 (Leach) provides a route to a clear credential for those with a master's degree without fulfilling all of the current pedagogy requirements. Staff recommended an oppose position. Commissioner Johnson asked for the author's reasoning. Mr. Gonzales said that discussions with the assembly member had mentioned in a speech a constituent that had a master's degree but could not obtain a credential. Vice Chair Madkins pointed out that the Commission is on record as opposing similar bills in the past. A motion to oppose the bill was made (Fortune), seconded (Johnson) and carried without dissent.
- SB 1483 (McClintock) is a spot bill that at some point may contain language that affects the Commission membership. Staff recommended a watch position. A motion to approve staff's recommendation was made (Fortune), seconded (Johnson) and carried without dissent.
- SB 2029 (Alarcon) addresses the current pilot special education internship program run by the Los Angeles Unified School District. In recognition of the success of the program, the bill removes the pilot designation, opening up a similar opportunity to other districts, and removes a restriction that specifies mild to moderate disabilities training. Ex Officio Member Bartell said she hopes that any new program is subject to rigorous review. Ms. Milstein replied that any new program will have to satisfy all existing requirements, standards, reviews and accreditations. Vice Chair Madkins asked if there has been any opposition to the bill; Ms. Milstein replied no. A motion to support the bill was made (Fortune), seconded (Vaca) and carried without dissent.

Leg-3: HR 1 Analysis of the No Child Left Behind Act 2001

Ms. Padilla provided highlights of HR 1, which is about 1,000 pages in length. The law's focus is to bring every child to proficiency in reading and math over the next 12 years. It expands testing, adds accountability and requires every classroom to be staffed by highly qualified teachers. Some parts of the measure will be left to the determination of state and local plans, while others will be clarified by the federal regulation process. California will receive \$5.4 billion, an \$836 million increase over last year. Title 1 grants will total more than \$1 billion, and more than \$330 million is allocated for teacher quality.

Title 1: Local educational agencies are required beginning this school year to hire only "highly qualified" teachers, although there may be a need to clarify the definition. Goals must be set for all

teachers to be highly qualified by 2005-06 and districts must report annually on progress toward meeting those goals. Each state defines what is adequate progress. Schools must provide notice to parents when their children are taught by a less-than-highly-qualified teacher for more than four weeks. If progress is not made for more than two years in a row, funding is restricted; ultimately the state may take over the district.

Title 2: Flexible funding is provided for reforming certification, recruiting highly qualified teachers and principals, merit pay, performance systems and professional development. California will receive \$333 million in such funding.

Commissioner Designee Whirry asked what kind of program will be needed to ensure that all teachers are highly qualified by 2005. Ms. Padilla replied that that is exactly what the state and local plans will have to identify. If there are gaps in the state system, then the funds are supposed to be used to close those gaps.

Ex Officio Representative Wilson said that in New York he heard the U.S. Secretary of Education Rod Paige talk about highly qualified teachers and that the phrase does not necessarily mean credentialed teachers. It means someone who can help students achieve.

Vice Chair Madkins said there is likely to be a wide range of interpretation. He asked staff when California's definition is likely to be formed. Ms. Padilla replied that the federal rule-making process and the state plan should unfold over the next six months. The Commission will be kept updated.

Dr. Swofford said the devil will be in the details. "Highly qualified" may include certifying subject matter competence through exams rather than through course work. No one is sure yet how it will all work, but staff will stay on top of it.

Commissioner Fortune asked who in the state will develop the plan. Ms. Padilla replied that it is up to the state, but that the governor's office is expected to take the lead in a multi-agency process.

Leg. 5 – Master Plan Working Group Reports

Ms. Bond said the report was for information only. Chairman Bersin said that it is interesting that many of the things that the Commission has been working on are contained within the working group's documents. The full report is expected to be adopted in August 2002. The chairman said the Commission ought to have a discussion at some point about where the working group materials are consistent with Commission work.

The Commission recessed for lunch at 12:17. It reconvened at 1:40 p.m.

PREPARATION STANDARDS COMMITTEE OF THE WHOLE

Commissioner Fortune reconvened the Preparation Standards Committee of the Whole to continue with Prep. 2. A motion to accept documents from CTA (a letter and a schedule of Board of Education meetings) and refer them to staff for review was made (Madkins), seconded (Whirry) and carried without dissent.

Ms. Sandy distributed an annotated version of the induction standards that reflected deletions and changes. Dr. Olebe reported that CTA's concerns as expressed in the letter were examined and could be summarized in four major areas:

1. Concern about the lack of an annotated version. That has now been addressed.
2. Concern about program sponsorship and approval of induction programs; several of CTA's points ask for clarification about who may be a program sponsor and clarification about the review process.
3. Concern about support provider qualifications and provision of services.
4. Concerns related to the collection of evidence for making a credential recommendation; they want clarification around the use of evidence, the kind of evidence and who would be involved in making the recommendation.

Dr. Olebe said the issues are largely items that have been in the induction standards or part of current practice for more than a year and that have not been changed in the amended version. Vice Chair Madkins recommended adoption as proposed.

At Chairman Bersin's request, Ms. Sandy went over the annotated version page by page to note all changes.

Commissioner Fortune reopened the floor to public speakers. They included:

Ken Burt, California Teachers Association, said that the Commission does not need to hurry on the matter because the State Board of Education will not meet until after the Commission's next meeting on April 11. He argued that it would be confusing for the Commission to adopt the standards and then make further changes after sending them to the Board of Education. He said the CTA has a number of substantive issues. One of the main ones is the difference between communicate and collaborate; he said such a change is not non-substantive. Another is the deletion of the wording regarding low-performing schools.

Bruce Kitchen, CCTC/School District Human Resources Administrators of San Bernardino and San Diego Counties, urged approval of the document as now written. He called it a successful model, even if not perfect, and said the real issue now is time and getting it moving forward.

Kathryn Benson, PASSCO/CCSESA, encouraged the Commission to approve the standards as revised. She said much work lies ahead to implement the new standards and that it is critical to pass them and move forward.

Barbara Shinn, BTSA director for a consortia in Sacramento that includes 17 school districts, said each of her school districts is very impressed with the proposed standards. They are pleased with the specificity but also with the flexibility to implement local decisions. She urged adoption.

Philip Escamilla, California School Board Association, urged adoption, saying the new standards include what is needed and that implementation will be challenging but worthwhile.

A motion to adopt the revised standards was made (Madkins) and seconded (Johnson).

Commissioner Johnson asked if the state Board of Education might make changes in the standards to include things that the Commission felt were beyond its purview but possibly not beyond the state Board's. Staff replied that the issue was one of issues that were beyond state control and within the purview of local control.

Ex Officio Representative Bartell asked if the standards will come back to the Commission if the Board makes changes. Staff replied that Board members have been kept apprised and there is reason to hope that the standards will move successfully through the Board. Staff said the Commission will be updated when the Board takes up the standards.

Chairman Bersin thanked staff and the CTA representative for working on the issues so that the Commission could appropriately evaluate the request for a continuance. He characterized the changes in the standards as three types: word changes that did not change the substance and were of little consequence; avoidance of "c" words (collaboration and consultation) and replacing them with communication, coordination and partnership; and matters that legal advice say should best be left to local decision making. That third kind, he said, concerns him most since it affects appropriate support services for teachers in challenging schools. Chairman Bersin said that he wants to provide staff direction that when programs come to the Commission for approval, there should be criteria as to whether a program meets the needs of new teachers in challenging schools, even if that criteria is not part of the standards. He said it would be very useful for the staff to pull together information on this issue – how we provide appropriate resources to lowest-performing schools – that could be used by the Commission to make assessments during the approval process.

In addition, Chairman Bersin asked staff to continue to be in contact with stakeholders and be open to input as further changes could be made at the Commission's April 11 meeting if necessary before the Board of Education's April meeting.

Vice Chair Madkins incorporated Chairman Bersin's direction to staff in his motion to adopt the standards. The motion carried without dissent.

FISCAL POLICY AND PLANNING COMMITTEE OF THE WHOLE

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

FPPC-1: Second Quarter Report of Revenues and Expenditures for Fiscal Year 2001-02

Staff presented charts showing the actual expenses and revenues for the first half of the fiscal year. The revenue from the teacher credentials fund is in line with projections, and there is a significant increase in the test fund. Commissioner Johnson called it good news, and staff agreed.

FPPC-2: Overview of the Legislative Analyst's Review of the 2002-03 Governor's Budget

In a second item, Mr. Radding presented an overview of the Legislative Analyst's review of the Governor's proposed budget for 2002-03. The portions of the review that affect the Commission are 1) a proposal that the credential fee waiver program be abolished; 2) placing four of the Commission's programs (paraprofessionals, interns, pre-interns and math initiative) into an 18-program block grant administered by the Department of Education; and 3) consolidating the Governor's Teaching Fellowships program with the Assumption Program of Loans for Education program under the Student Aid Commission. The third one would also involve the elimination of

one Commission staff position. Mr. Radding said a rebuttal has been prepared and the Commission is working with the Department of Education and the Governor's staff on a response.

Commissioner Johnson asked if there would be a problem if the fee waiver were eliminated. Mr. Radding replied that the Commission has been receiving General Fund money to offset the loss of fees. There would be no restriction on reimposing the \$55 fee if the waiver were eliminated, so the Commission's budget would remain whole.

RETURN TO GENERAL SESSION

The Commission returned to General Session at 2:30 p.m.

REPORT OF THE APPEALS & WAIVERS

A&W-1: Approval of the Minutes- (Action)

It was moved, seconded and carried (Madkins) that the Commission **approve** minutes of the February 6, 2002, Appeals & Waivers Committee meeting.

A&W-2: WAIVERS: CONSENT CALENDAR – (Action)

It was moved, seconded and carried (Madkins) that the Commission **approve** the 371 waiver requests on the Consent Calendar.

A&W-3: WAIVERS: CONDITIONS CALENDAR - (Action)

It was moved, seconded and carried (Madkins) that the Commission **approve** the 23 waiver requests on the Conditions Calendar with the specific conditions attached to each with the exception of #6.

#6: It was moved, seconded and carried (Madkins) that the Commission **deny** the waiver request for Kevin Schulz, Pasadena Unified School District, for a Single Subject Teaching Credential, Music.

A&W-4: WAIVERS: DENIAL CALENDAR – (Action)

The Committee voted to recommend a preliminary denial of the 29 Waiver Requests on the Denial Calendar. These items will be brought to the Commission for action at the April 2002 meeting.

Commission Member Reports

Designee Whirry said that she has been working with NAEP in New Orleans on strategies for conforming the results of the state academic tests under recently enacted federal law with results of the NAEP exams.

Audience Presentations

Dr. Maria Viramontes de Marin, vice president of academic affairs for Inter American College, spoke to the Commission about two concerns:

- She said that the state's teacher recruitment centers are disseminating announcements worldwide that imply people can come to California and get teaching jobs. She said the announcements should make it clear that people have to have a work permit and have to speak English – simply having a visa isn't enough.
- She also asked that the Commission be flexible on requiring original documents to certify that a person has a degree. Many of the originals are oversized, and the potential for loss is great. She suggested that a verified copy of the original would be just as good.

Chairman Bersin thanked her for her constructive suggestions. He noted that since Commissioner Fortune is a teacher recruitment center director she will be able to get the word out about the announcements.

Old Business

The quarterly agenda for March, April and May 2002 was presented for information only.

New Business

None.

Adjournment

The meeting adjourned at 2:39 p.m. The next meeting will be held on April 11, 2002 at the California Commission on Teacher Credentialing Office, 1900 Capitol Avenue, Sacramento, California.