

CALIFORNIA COMMISSION ON TEACHER CREDENTIALING

MINUTES OF THE COMMISSION MEETING

October 1-2, 2003

Commission Offices, 1900 Capitol Avenue, Sacramento

COMMISSION MEMBERS ATTENDING

Margaret Fortune, Public Representative, Chair
Lawrence Madkins, Teacher, Vice-Chairman
Kristen Beckner, Teacher
Elaine Johnson, Public Representative
Stephen Lilly, Faculty Member
Alberto Vaca, Teacher
Chellyn Boquiren, Teacher
Leslie Littman, Designee, Office of the Superintendent of Public Instruction
Os-Maun Rasul, Non-Administrative Services Credential Holder
Alan Bersin, Administrator
(absent Wednesday, October 1, 2003)

COMMISSION MEMBERS ABSENT

Beth Hauk, Teacher

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
Anne Padilla, Consultant, Office of Governmental Relations
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
Kathleen Beasley, Proceedings Document Recorder

Wednesday, October 1, 2003

GENERAL SESSION

The general session was called to order by Chair Fortune. Roll was taken.

REPORT OF CLOSED SESSION ITEMS

The Commission denied the following Petitions for Reinstatement:

1. Roy Stull
2. Linda Wilson

The Commission adopted the Administrative Law Judge's Proposed Decision in the matter of Marc Lemieux.

Thursday, October 2, 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 AUGUST 2003 COMMISSION MINUTES

A motion to amend and approve the August 2003 Commission minutes was made (Vaca), seconded (Johnson) and carried without dissent. The amendment corrects the minutes to indicate that Kristen Beckner was present during the August meeting.

APPROVAL OF THE OCTOBER 2003 AGENDA

A motion to approve the agenda for the October 2003 meeting with one item removed (Perf-1) and in-folder items (pertaining to GS-4, GS-5, GS-10A and GS-10B) was made (Madkins), seconded (Boquiren) and carried without dissent.

APPROVAL OF THE OCTOBER 2003 CONSENT CALENDAR

A motion to approve the October 2003 Consent Calendar, including an in-folder item, was made (Johnson), seconded (Madkins) and carried without dissent.

RECOMMENDATIONS OF THE COMMITTEE OF CREDENTIALS

Education Code section 44244.1 allows the Commission to adopt the recommendation of the Committee of Credentials without further proceedings if the individual does not request an administrative hearing within a specified time.

1. **ALCORN, Deborah E.** Apple Valley, CA

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

2. **AMBROSE, Matthew C.** Bakersfield, 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.

3. **ARMAS, Ranelo S.** Chula Vista, 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.

4. **VERY, Gino A.** Baldwin Park, 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 ninety (90) days** for misconduct pursuant to Education Code section 44345 and 44421.

5. **BAKER, Anthony D.** San Bernardino, CA

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

6. **BASS, Dennis E.** Palm Springs, CA

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

7. **CANNON, William E.** Long Beach, CA

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

8. **CARILLO, Devin L.** La Mirada, CA

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

9. **CELOSSE, Karin H.** Victorville, 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.

10. **CUBBAGE, Marc A.** Carson, CA

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

11. **DeBAUCHE, Edward** Pomona, 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.
12. **ELKINS, Renee** Corona Ranch, CA
All certification documents under the jurisdiction of the California Commission on Teacher Credentialing are **suspended for a period of sixty (60) days** for misconduct pursuant to Education Code section 44421.
13. **ERDMANN, Theodore J.** Oxnard, 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.
14. **FERRINI, Michael L.** Placerville, 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 thirty (30) days** for misconduct pursuant to Education Code sections 44345 and 44421.
15. **GOUMA, Carol L.** Santa Barbara, CA
All certification documents under the jurisdiction of the California Commission on Teacher Credentialing are **revoked** and any pending applications are **denied** for misconduct pursuant to Education Code sections 44421 and 44345.
16. **HARRIS, Kenneth D.** Orange, CA
All pending applications are **denied** for misconduct pursuant to Education Code section 44345.
17. **HENDERSHOTT, Francis J.** Milpitas, CA
All certification documents under the jurisdiction of the California Commission on Teacher Credentialing are **suspended for a period of ninety (90) days** for misconduct pursuant to Education Code section 44421.
18. **HOOGASIAN, H. Anne** Seal Beach, CA
Ms. Hoogasian is the subject of **public reproof** for misconduct pursuant to Education Code section 44421.
19. **INGRAM, Henry L.** Stockton, CA
All certification documents under the jurisdiction of the California Commission on Teacher Credentialing are **revoked** and any pending applications are **denied** for misconduct pursuant to Education Code sections

44421 and 44345.

20. **JENSEN, Tony M.** Alta Loma, 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 sixty (60) days** for misconduct pursuant to Education Code sections 44345 and 44421.

21. **JOHNSON, William C.** Hollister, CA

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

22. **LIGHT, Howard W.** Turlock, CA

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

23. **MARTINEZ, Linda K.** Yucaipa, 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.

24. **McMURRAY, Matthew C.** Bronx, NY

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.

25. **MELTON, William T., Jr.** Strathmore, 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. **MENDEZ, John A.** Arleta, CA

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

27. **MILNER, Jeffrey D.** Fountain Valley, CA

Mr. Milner is the subject of **public reproof** for misconduct pursuant to Education Code section 44421, effective immediately.

28. **MORALES, Douglas M.** San Diego, CA

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

29. **MONTES, Steven** West Los Angeles, 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.

30. **MORTON, Eric H.** Redding, CA
All pending applications are **denied** for misconduct pursuant to Education Code section 44345.

31. **NGUYEN Christopher T.** Westminster, CA
All pending applications are **denied** for misconduct pursuant to Education Code section 44345.

32. **OLSON, Joshua S.** Fresno, 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.

33. **PETERSON, Lori A.** Yorba Linda, CA
Ms. Peterson is the subject of **public reproof** for misconduct pursuant to Education Code section 44421.

34. **REYNOSO, Olivia** Lemoore, CA
Ms. Reynoso is the subject of **public reproof** for misconduct pursuant to Education Code section 44421.

35. **RUUD, Kevin W.** Rancho Santa Fe, CA
All pending applications are **denied** for misconduct pursuant to Education Code section 44345.

36. **RUIZ, Samuel J.** Armona, 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.

37. **SIEMER, Alan E.** Susanville, 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 ninety (90) days** for misconduct pursuant to Education Code sections 44345 and 44421.

38. **SMITH, Suzann B.** Yucaipa, 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.

39. **STUART-CARTER-COLLINS, Cynthia** Watsonville, 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.

40. **TASSINARI, Anthony G.** Ontario, CA
Mr. Tassinari is the subject of **public reproof** for misconduct pursuant to Education Code section 44421.

41. **TRUDNOWSKI, Steven G.** Torrance, CA
Mr. Trudnowski is the subject of **public reproof** for misconduct pursuant to Education Code section 44421.

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

43. **VAN DE POL, Casey** Enterprise, AL
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.

44. **VASQUEZ, MATTHEW J.** Fresno, CA
All pending applications are **denied** for misconduct pursuant to Education Code section 44345.

45. **WAYNE, Richard C.** Fresno, 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.

46. **WIESEN, Carol S.** Hemet, 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.

47. **WILDER, Darren E.** West Sacramento, CA
All certification documents under the jurisdiction of the California Commission on Teacher Credentialing are **revoked** and any pending applications are **denied** for misconduct pursuant to Education Code sections 44421 and 44345.

CONSENT DETERMINATIONS

48. **BERRY, Teresa E.** Upland, CA
The Attorney General's Proposed Consent Determination, which stipulates

that

Ms. Berry's credentials are **revoked**, however, the **revocation is stayed**, and

Ms. Berry's credentials are **suspended for a period of nine (9) months**, and she is placed on **probation for a period of three (3) years and six (6) months**, is adopted.

49. **BURTON, Christopher F.** Napa, CA

The Attorney General's Proposed Consent Determination, which reflects the Committee of Credentials' recommendation to **suspend** all credentials, life diplomas or other certification documents under the jurisdiction of the Commission **for a period of sixty (60) days**, is adopted.

50. **LUNCEFORD, Thomas S.** Hayward, CA

The Proposed Modified Consent Determination and Order, which stipulates that Mr. Lunceford's Professional Clear Single Subject Teaching Credential is **revoked**, however, the **revocation is stayed**, and Mr. Lunceford is placed on **probation for a period of three (3) years**, is adopted.

51. **TOZZI, Vivian** Concord, CA

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

Ms. Tozzi is the subject of **public reproof**, and **for a period of four (4) years**, she is required to inform any employer of the issuance of the public reproof, is adopted.

PRIVATE ADMONITIONS

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

REQUESTS FOR REVOCATION

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

52. **CLAPP, Christine P.** Red Bluff, CA

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

53. **RADDATZ, Deborah L.** El Cajon, CA

Upon her written request, pursuant to Education Code section 44423, her Supplementary Authorization in General Science on her Single Subject Teaching Credential is **revoked**.

54. **ROY, Nicole M.** Fontana, CA

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

55. **SCHWARZ, Robert G., II** Ft. Bragg, CA
Upon his written request, pursuant to Education Code section 44423, his Life Specialist Instruction Credential in Special Education is **revoked**.

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.

- 56. **ASHTON, Dawna J.** Portola Valley, CA
- 57. **BRESHEARS, David B.** Citrus Heights, CA
- 58. **BROWN, Louis L.** Los Angeles, CA
- 59. **CUMMINGS, Ronald C.** Orange, CA
- 60. **DAWES, Amy E.** Corcoran, CA
- 61. **DAWSON, Paul J.** Chico, CA
- 62. **ENNES, John S.** Fullerton, CA
- 63. **GAINES, Patrick R.** Los Angeles, CA
- 64. **GARCIA, Jason J.** Los Banos, CA
- 65. **HARWARD, Craig A.** Milpitas, CA
- 66. **HENDERSON, Alexander D.** Costa Mesa, CA
- 67. **HIME, Gerald J.** Huntington Beach, CA
- 68. **HONG, Huy N.** Woodland, CA
- 69. **LOPEZ, Jessica A.** Corona, CA
- 70. **MINER, Jay S.** Apple Valley, CA
- 71. **MORRISON, Margaret** Oakland, CA
- 72. **MULLEN, Wesley E.** Bakersfield, CA

- 73. **PETTAWAY, Ali-Shah** Los Angeles, CA
- 74. **RAMOS, Elena M.** Van Nuys, CA
- 75. **SOLOMON, Theresa L.** Cameron Park, CA
- 76. **STUDT, Garrett E.** Seal Beach, CA
- 77. **ZIEGLER, Peter M.** Capitola, 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).

- 78. **FREEMAN, Richard L.** Fresno, CA
- 79. **GLEASON, Robert C.** Walnut, CA
- 80. **GRIFFIN, Steven M.** Sunnyvale, CA
- 81. **HAFEMAN, William M.** Glendale, CA
- 82. **ROBINSON, Keith A.** Bonita, CA
- 83. **SPARLING, Jeremy J.** El Segundo, CA
- 84. **THOMAS, Julius D.** Tustin, CA

TERMINATION OF INDEFINITE SUSPENSION

The suspension of all credentials held by the following individual is terminated, following modification of the Consent Determination and Order by the Committee of Credentials.

- 85. **LUNCEFORD, Thomas S.** Hayward, 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 credentials will remain suspended until final disposition by the

Commission.

86. **HINDS, Gerard A.** Hanford, 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 matter referred to the Committee of Credentials for review.

87. **DANIEL, Kenneth M.** Redlands, CA

88. **JONES, Jeffrey P.** Vista, CA

89. **MOORE, David J.** Stockton, CA

TERMINATION OF STAY OF REVOCATION

90. **GARCIA, Ronald** Spring Valley, CA
Having violated the conditions of probation set forth in the Consent Determination and Order adopted by the Commission on January 9, 2003, his **probation is terminated, the stay is lifted, and his credentials are revoked.**

ANNUAL CALENDAR OF EVENTS

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

CHAIR'S REPORT

Chair Fortune welcomed two new people to the Commission. Os-Maun Rasul is a newly appointed Commissioner who works for the San Francisco Unified School District as the Dean of Students at Phillip and Sala Burton Academic High School. Leslie Littman is the new Designee of Superintendent of Public Instruction Jack O'Connell. Ms. Littman teaches social studies at Hart High School in Newhall.

Commissioner Rasul thanked the chair and said he looked forward to working with Commissioners to assist the Commission in reaching its goals. Designee Littman said she also is pleased to join in the Commission's important work.

EXECUTIVE DIRECTOR'S REPORT

Executive Director Swofford joined Chair Fortune in welcoming both Commissioner Rasul and Designee Littman.

REPORT ON MONTHLY STATE BOARD MEETING

A summary of the key items of interest to the Commission that were discussed at the September meeting of the State Board of Education were included in the agenda packet. This included actions taken by the Board to

revise proposed regulations on the definition of "highly qualified" teacher, the approval of supplemental educational services providers, adoption of regulations pertaining to supplemental educational services providers and approval of AB 75 funding and training providers. The State Board has switched to a schedule of meeting only once every two months, with the next meeting set for November 12 and 13.

GS-10-A: REQUEST FOR RECONSIDERATION OF AUGUST AGENDA ITEM 10-D ON PROPOSED OPTIONS TO ALIGN EMERGENCY PERMITS AND CREDENTIAL WAIVERS WITH NO CHILD LEFT BEHIND

In August, the Commission took action to discontinue issuing emergency permits and credential waivers in the No Child Left Behind core areas of arts, English, math, science, foreign languages and social science in Title I classrooms and schools after Sept. 1, 2003 and in all schools after July 1, 2005.

Dale Janssen, Director, Certification, Assignment and Waivers Division, told the Commission that between August and the current meeting, the Commission received more than 30 letters from county offices of education, school districts, education organizations, legislators, individuals and other stakeholders asking that the Commission reconsider its decision.

Karen Steentofte, Chief Counsel for the State Board of Education, thanked the Commission for working very closely with the Board to implement revisions required by NCLB. She reminded the Commission that the federal law's requirements about highly qualified teachers are a mandate on the school district. The school districts may hire teachers who are not NCLB-compliant, but if they do federal sanctions and requirements begin to apply. For example, the district must send out a notice to parents of children in a class taught by a non-compliant teacher within four weeks.

Ms. Steentofte also reiterated the deadlines within NCLB. All schools have to be 100 percent compliant by the end of the 2005-06 school year and states have to have annual, measurable objectives demonstrating how they plan to get to that point. Because the law places a high priority on having compliant teachers in Title I classrooms, schools cannot hire non-compliant teachers starting with the 2002-03 school year, which is last school year. The law does not allow any flexibility other than exempting non-compliant teachers hired prior to the beginning of the 2002-03 school year.

Ms. Steentofte also clarified that there are two types of Title I programs. Those schools participating in the school-wide Title I program must have compliant teachers for all classes. Those who are part of the targeted assistance program for specific classrooms need only have compliant teachers in those classrooms until 2005-06, when all teachers must be compliant.

A motion to reconsider the Commission's August action regarding emergency permits and credential waivers was made (Madkins), seconded

(Johnson) and carried without dissent.

Chair Fortune announced that there were 19 cards submitted to speak on the item. Speakers were limited to three minutes each. The following people spoke:

Patricia Rucker, Policy Consultant for the California Teachers Association. Ms. Rucker said CTA joins the Commission in the goal of having competent teachers for all students. However, the immediate impact of eliminating emergency permits and waivers is of great concern. She asked that the Commission take into consideration the status of the workforce today, the infrastructure that would be needed to replace the void created if emergency permits are eliminated and other data-driven issues. She said that since teachers with emergency permits represent 10 percent of the workforce, or about 30,000 teachers, the decision to eliminate permits should not just be a decision about paperwork.

Marrilee Johnson, Director of Human Resources for the Glenn County Office of Education, representing Dr. Joni Samples, President of CCSESA. Saying the decision will have an adverse impact on many school districts and county offices, she urged the Commission to reverse its August action. She said having highly qualified teachers in every classroom is a shared goal and significant progress has been made in reducing the number of emergency permits. But extra time is needed for full compliance, particularly since the federal law does not require full compliance until 2005-06.

John Perez, President of the United Teachers of Los Angeles. Mr. Perez urged the Commission to overturn its decision and give districts more time. He said Los Angeles Unified School District has 6,000 teachers who are not full credentialed, approximately one-sixth of the teacher workforce in the district. He said 3,250 of them are in the internship program, but that more time is needed to continue the process of helping teachers become qualified. He said the decision to eliminate emergency permits will most heavily impact poor and minority students.

Bruce Kitchen, representing Human Resources and Personnel Administrators for 76 school districts in San Bernardino and San Diego counties. Mr. Kitchen said his members see the Commission's action as having an impact on the hiring authority of school districts. He said they are unanimous in their belief that the Commission is responsible for granting waivers if teachers meet the requirements for a waiver. The Commission can advise the district that the teacher will not be NCLB-compliant, but it should be up to the district to decide whether it will proceed with hiring the non-compliant teacher. Mr. Kitchen recommended that the Commission continue to issue waivers and emergency permits.

Dennis Coulter, an Assistant Principal in the Hesperia School

District. Mr. Coulter told the Commission about his own experience as an emergency credential holder. In the middle of a traditional program to obtain a credential, he decided he needed to quit and find a job to support his family. Instead, his principal arranged for him to have an emergency permit and teach while he finished the coursework for his credential. He urged the Commission to continue to leave such options open for both schools and teachers. He said the district currently has 2.1 percent of its teachers on emergency permits and that it is a badly needed option.

Rick Rubino, Director of Certificated Personnel for Mt. Diablo Unified School District. Mr. Rubino said the Commission's August action is a particular problem for teachers on emergency permits with mid-year renewal dates. Many presumed that they would be able to complete the six units required for renewal during the Fall semester/quarter and then apply for renewal at their usual annual date. They were not eligible for renewal before September and this will create a problem for the district. He asked the Commission to reconsider the deadline for compliance.

Teresa Padilla, an unemployed, fully credentialed teacher in San Bernardino County. Ms. Padilla said that she has one year of experience as a credentialed teacher but was let go when her school eliminated class-size reduction because of budget cuts. Despite putting in multiple applications, she has not been able to get either an interview or a job. Working as a substitute until she can find a job, she said she is particularly dismayed to see teachers with emergency permits still in the workforce. She said students suffer because the teachers are not well prepared to deliver the clear and effective instruction that students need.

Dr. Nancy Braughton, Director of Human Resources for Fremont Union High School District. Ms. Braughton told of a specific situation where an emergency permit appeared to be the best solution for students: a school that was dividing 40 students into separate math classes and needed to hire a part-time math teachers. The only suitable candidate was still in a teacher preparation program, but could teach with an emergency permit. Otherwise the students would have faced either a very large class or a rotating substitute. She urged the Commission not to eliminate emergency permits because schools still need the flexibility they provide.

Roger Buschman, Chief Deputy Human Resources Officer for the Los Angeles Unified School District. Mr. Buschman said that he is proud that this year 94 percent of the 3,000 newly hired teachers are highly qualified (compared to last year when only 69.4 percent were). He said the district strongly supports efforts to align with NCLB. Progress has been made, he said: from May 2000 to September 2003, 3,860 emergency permits were eliminated. However, he said that eliminating emergency permits will have an impact, particularly in challenging schools, math, science and special education. He said 900 teachers are affected by the Commission's decision. He asked the Commission to suspend its action.

Dave Baker, Deputy Superintendent of Azusa Unified School District and representative of 35 school districts and 450,000 in the East San Gabriel Valley. Mr. Baker said the schools are working hard to comply with NCLB, but that they can't overcome the reality. Qualified teachers for every vacancy do not exist and without emergency permits many classrooms would be staffed with substitutes. He said the schools need more transition time.

Joy Carter, representing the Orange County Department of Education, 27 school districts and the pre-intern program for Imperial, Orange and San Diego counties. Ms. Carter drew Commissioners attention to a chart provided in a letter showing that the districts are making progress on eliminating teachers with less than full credentials. However, special education, math and science will continue to present difficulties, as will difficult-to-staff schools. The idea that classes instead will have to be led by substitutes is unconscionable, she said.

Sharon Robison, Association of California School Administrators. Ms. Robison urged the Commission to reverse the action. She said although districts are working hard to eliminate less-than-qualified teachers, there will always be instances where specific needs cannot be met and case-by-case flexibility is needed. She said that an emergency permit teacher who remains in the classroom for a full year is far more desirable than a rotation of 30-day substitutes.

Stephen Rhoads, Association of California Urban School Districts. Mr. Rhoads offered Montebello Unified School District as an example. In January 2001, there were 312 teachers on emergency credentials and pathways for them to become fully credentialed by July 1, 2005 had been identified. As of today, only 139 remain on emergency permits. However, the Commission's August action would eliminate these teachers who are on the path to becoming fully credentialed. He urged the Commission to apply its usual high standards of consistency, logic and timing and reverse its August decision.

Stephanie Farland, California School Boards Association. Ms. Farland said CSBA is opposed to the August action. She argued that there will always be situations where districts cannot find a qualified teacher to fit a specific need. She said the districts need more time or they will have no choice other than to hire substitutes, who may not have the proper background or knowledge. She urged the Commission to continue emergency permits and waivers on a case-by-case basis and to give districts the flexibility they need.

Dr. Kathy Kinley, Board Member for the California School Boards Association and Principal in the Chaffee High School District. Ms. Kinley said schools are working hard to meet the requirements of NCLB. In

her area, the 200 teachers on emergency permits have been reduced to zero. But hard-to-staff schools and urban areas have a much more difficult time, she said. To continue to attract second-career people, particularly in math and science, schools need flexibility. In many instances, a teacher with an emergency permit is a better option than day-to-day substitutes.

Kathryn Benson, Director of Human Resources for Pajaro Valley Unified School District and representing Monterey, Santa Cruz and San Benito counties. Ms. Benson said the districts in the three counties have partnered with five universities in the area to increase credentialing. Emergency permits have decreased significantly. In her district, they stood at 18 percent a year ago and are now down to 4 percent this year. She said they are confident they can meet all of the NCLB requirements, but that they need time to do so.

Andrea Ball, Director of Government Relations for Long Beach Unified School District. Ms. Ball said the district has a workforce of more than 5,000 certificated employees. Today there are 270 teachers on emergency permits (about five percent), down from 20 percent four years ago. She said the district has met with each emergency permit teacher and charted a path for them to become fully credentialed. She said they are working hard to comply with NCLB but that they need the flexibility to have emergency permits on a limited basis.

Bob Nichols, on the Board of Directors for the California Teachers Association and on the AB 312 NCLB liaison team. Mr. Nichols said the team has been working with the state Department of Education, the state Board and the Commission on the highly qualified teacher issue. He said emergency permits should not be ended until the 2005-06 deadline in NCLB. He said current teachers on emergency permits are working towards credentials and should be allowed to complete the process. He said even after 2005, there may be a role for emergency permits in non-core areas. He said that taking action now is inappropriate and that the current system should continue until the federal 2005-06 deadline.

Chair Fortune asked staff to provide a summary of options. Mr. Janssen noted that the Commission could rescind its action, suspend its action and request further information or sustain its previous action.

Commissioner Johnson said she appreciated hearing from all of the stakeholders, but was particularly troubled by testimony and letters from credentialed teachers who cannot find jobs. She said that districts asking for waivers and emergency permits when there are credentialed teachers who can't find jobs is a huge issue, even though she understands that candidates will not always fit the criteria needed for a specific job. She said that no one should lose sight of the fact that those with emergency permits have not demonstrated subject matter competence, which is particularly important for helping students learn. She said at some point the Commission is going to

have to stop issuing permits, although there will always be circumstances that will have to be dealt with on a case-by-case basis. Students deserve teachers with full academic preparation.

Ex-Officio Representative Lundquist said it is gratifying to note the consensus on the need for highly qualified teachers in every classroom. The Commission's August action exceeded compliance with NCLB and has left the schools more vulnerable than the Commission had envisioned. She said she would like to see the action amended to allow for renewal for those already in the classroom and en route to teaching credentials.

Commissioner Bersin said that anyone from a large urban school district understands the gap between existing realities (lack of qualified teachers) and the desired state of affairs (highly qualified teachers in all classrooms). He said he saw the need for a period during which stakeholders can work with the Commission on a transition mechanism that will move the state toward compliance with federal law. He said such a transition should be well-defined; otherwise, everyone may continue to follow the tendency of postponing the day of reckoning. The question is not whether to eliminate emergency permits, but what the emergency permit of the future should look like. When 10 percent of the state's teachers are on emergency permits, one has to question the use of the word "emergency." The observation that in the future there will still be a need for emergency permits is probably accurate, but the emergency should be defined very concretely.

Commissioner Bersin listed several questions that he said should be considered:

What are the standards for determining an emergency on a case-by-case basis?

What should constitute "best efforts" on the part of a school district to find a fully qualified teacher?

What are the timelines for a transition that would allow districts to become compliant?

Should the Commission and stakeholders develop targets against which to measure progress?

Should the Commission simply indicate a school district is not in compliance and wait for the federal government to come in with sanctions?

How should the education community support internship programs in light of budget cutbacks?

What accountability should be placed on the person with the emergency permit to pursue a credential?

Commissioner Lilly offered a substitute motion for the August motion, now on the floor because of the earlier reconsideration vote. The motion declared the Commission's intent to discontinue the issuance of emergency permits and waivers on a timeline consistent with requirements in NCLB; stayed implementation of the intent until a full discussion of the points raised by Commissioner Bersin and others could occur, either prior to or at the

Commission's November meeting; and requested staff to bring forth options based on those discussions at the Commission's December meeting. Vice Chair Madkins seconded the motion.

Commissioner Lilly said he thought the earlier comments were helpful. The key point is that this is not a question of what to do but of how to do it. At its core, the issue is one of equity and access of all students to qualified teachers. It is in the best interests of the state, the schools and the students to stop the issuance of emergency permits, but the question is how to do it fairly and systematically. He said he does not agree that having teachers on internship programs rather than emergency permits is some type of nirvana, but that it is a pathway to reaching the goal of having fully qualified teachers.

Chair Fortune asked Commissioner Lilly and Vice Chair Madkins to use the word "suspend" rather than "stay" in the motion. Both agreed.

Commissioner Boquiren said the letters to the Commission moved her a great deal. She said whatever action is taken, it is important that the people affected by emergency permits and waivers not be left in limbo.

Ex-Officio Representative Wilson said he is in support of the motion. He said it is important for school districts to take the issue of emergency permits seriously and that the key focus has to be how we can get current emergency-permit teachers into programs to become credentialed. He said that CSU evaluations show that those teachers who go through traditional programs feel better prepared than those who use alternative routes, but what is most important is that they become credentialed. He said the Commission should be consistent with the federal timeline.

Vice Chair Madkins said he appreciated the input and dialogue that occurred. As a practicing classroom teacher, he said he can particularly appreciate how important it is to have fully qualified teachers rather than revolving substitutes. He said he particularly wants any future emergency permit renewals to note the NCLB deadlines so that candidates will be well aware that they must achieve credentialed status. He said the Commission should take the time it needs to fully understand all the implications and come up with a unified process and timeline that will work for school districts and NCLB.

Commissioner Rasul said in light of the testimony, he agrees that the Commission should suspend its August action. He said the issue of subject matter competency is a huge concern, but the consequence of having day-to-day substitutes would be very detrimental to students. He said he also agrees with Commissioner Bersin that a much more concrete roadmap toward NCLB compliance is needed.

Chair Fortune summarized what she called the Bersin steps and the Madkins

proviso. Commissioner Bersin basically wants to see the Commission address the issue of interim authorization, address the issue of matching supply with demand, identify timelines and time limits, develop targets and goals for districts to reduce and eliminate emergency permits, make better use of the intern program, identify the accountability for emergency permit holders and underline the key goal of limiting future authorization of emergency permits. The Madkins proviso is notification to the field that the duration of any renewal is restricted by NCLB.

Members of the Commission voted on the motion on the table to discontinue the issuance of emergency permits and waivers on a timeline consistent with requirements in NCLB; suspend implementation of the intent until a full discussion of the points raised by Commissioner Bersin and others could occur, either prior to or at the Commission's November meeting; and requested staff to bring forth options based on those discussions at the Commission's December meeting. The motion carried.

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

The state's NCLB plan requires all teachers who are new to the profession at the elementary school level to take and pass a Commission-approved subject matter test. Amy Jackson, administrator for the Professional Services Division, and Ms. Steentofte, Chief Counsel for the State Board of Education, provided the Commission with a background briefing.

Ms. Jackson said staff conducted meetings with a variety of stakeholders to answer three questions: where the exam should be placed within Commission requirements, when should students be required to take the test, and when should the requirement for the test be implemented. The Commission also received 37 letters on the matter.

Ms. Jackson provided a presentation that summarized common terms for current subject matter preparation programs. These included preconditions - requirements instituted by the Commission or by statute before an accredited institution may submit a program for approval - and program standards, the statements of program quality that must be met in order to obtain approval.

At Chair Fortune's request, Ms. Jackson read into the record information from a chart on page 138 of the agenda material. On the question of when a candidate should have to demonstrate passage of the exam, five stakeholders said it should be prior to formal student teaching (Association of Independent California Colleges and Universities, University of California, Association of California School Administrators, California School Boards Association and Karen Hackett, Tri-County BTSA Induction Program Director, who also said candidates in blended programs should take the exam prior to the junior year). The California State University (CSU) system preferred that the test be passed as a precondition for admission to a teacher preparation

program. Four of the five (excluding Ms. Hackett, who offered no opinion) said the exam requirement should be placed in Professional Teacher Preparation Program Standard 17. CSU preferred that it be a precondition.

The same stakeholders were asked about a deadline for implementing the exam. Answers ranged from as soon as possible to July 1, 2006 (the final deadline in NCLB).

Ms. Steentofte reminded the Commission that one goal is to make it so school districts and teachers won't have to have two checkpoints; in the future, once a teacher has a credential, they will also be certified as NCLB-compliant. She said it is important for elementary teacher candidates to understand that no matter what action the Commission takes, the federal law requires all of those who receive their credential after July 2002 to pass a subject matter exam. She also repeated the NCLB timeline requirements: all of those hired to teach in Title 1 schools or classes need to be NCLB-compliant after July 1, 2002. Others have until July 2006 to become compliant.

Chair Fortune opened the meeting to public input. The speakers were:

Veronica Villalobos, Association of Independent California Colleges and Universities, representing 40 teacher preparation programs. Ms. Villalobos said she wanted to emphasize two points from a letter submitted by the association. The first is that students should have maximum flexibility to take the test at any time prior to student teaching. The second is that the latest possible implementation date - July 2006 - would allow students to have time to prepare for and pass the test.

Bruce Kitchen, School District Liaison for San Bernardino and San Diego Human Resources and Administrative Personnel. Mr. Kitchen recommended that students be required to pass the test before formal student teaching, labeled Option 3 in the agenda materials.

Sherry Griffith, Association of California School Administrators. Ms. Griffith said ACSA supports Option 3, which places the test before student teaching. A major concern is that if passing the test is made a precondition of entering a preparation program, many good teaching candidates will be turned away before they receive the support they need to pass. She said students should have multiple opportunities to take and pass the exam, and that the state should look for a funding mechanism that would help defray the cost of the test. She said ACSA is interested in working with the Commission to find other tests that could be validated for the same purpose. She also said ACSA would like to support any legislative effort to eliminate CBEST since the organization believes CSET is rigorous enough to meet language arts and reading requirements and that the testing burden should be reduced. She advocated a spring or summer 2004 implementation date.

Ellen Curtis-Pierce, Assistant Provost for Teacher Education at Chapman University. Ms. Curtis-Pierce encouraged the Commission to provide as much flexibility to students as possible. Making passage a requirement only before student teaching would allow teacher preparation programs to implement the test as they see fit. She also urged a 2006 implementation date to allow for a transition period and to provide newly credentialed teachers a grace period to take and pass the exam. She asked that the Commission communicate directly with students so that students will understand who is imposing the testing requirement.

Monique Knoll, a seventh grade teacher in Fresno Unified School District. Ms. Knoll said she and many fellow students spent many hours and substantial sums of money to take waiver programs so that they would not have to take an exam. She castigated the Commission for not informing students earlier about the exam requirement and for changing the rules after students were already committed to waiver programs. She read portions of evaluations that indicate she is doing a good job as a teacher, yet will now have to take an exam that she spent \$10,000 in program fees to avoid. She said the state is on the verge of losing many teachers because of the requirement, adding that she has the names of 107 teachers who are in similar circumstances. She said that waivers should be phased out in a manner that is fair to students who entered the program expecting to obtain a waiver.

Patricia Rucker, California Teachers Association. Ms. Rucker said Option 3 (requiring passage before student teaching) works well for universities, but Option 4 (requiring passage prior to a recommendation for a credential) works best for districts, especially if teachers who are in classrooms have already completed a waiver program. She said regardless of the decision the Commission makes, it needs to give clear guidance to districts about what to do with teachers who already have credentials but now are not compliant. She said candidates need clear guidance as they make their way through whatever route to a credential that they select.

Sara Ramirez, Associate Director of California State University Government Affairs in the Chancellor's Office. Ms. Ramirez said CSU would prefer to see the exam treated as a precondition rather than as a program standard. She also said that students should take and pass the exam prior to admission to a teacher preparation program, closer in time to the completion of subject matter studies. Similarly, participants in blended programs should take the exam prior to entering the student teaching phase. CSU would like to see a 12 to 18-month transition period to allow for proper advisement of students. Current students should be able to complete the program and then be advised of the need for a test as a condition of employment. She said she is concerned that changing the wording in Standard 17 may inadvertently do away with internship programs. She said it would also be helpful to know what the Commission intends to do with

CBEST.

Stephanie Farland, California School Boards Association. Ms. Farland said the organization supports Option 3, with testing prior to student teaching rather than as a condition of entry into a teacher preparation program. She said there is great concern about the affect on the pipeline of requiring passage before entry. She said as time goes on, students will become aware of the need for the test, much as law students know they must pass the Bar exam. Students who don't pass on the first try might turn away from teaching if they are not already in a preparation program that will support them.

Dr. Catherine Kearney, Director of Teacher Development for the San Joaquin County Office of Education. Ms. Kearney said she would not repeat what colleagues had urged about flexibility and clarity. She said it is important to have some language that either encourages or insists that students take the exam close in time to their teacher preparation admission. Otherwise at the end of the program, they may hit a wall and not have any means of support necessary to help them pass the exam. She also asked that the Commission strengthen the pre-intern program and include some discussion of the role of the program under NCLB.

Dr. Mel Hunt, St. Mary's College. Mr. Hunt said that in addition to deciding when a student must have passed the test, the Commission ought to consider addressing when they have to take it. He said CBEST is required at admission and that the same should be true for CSET. Many candidates will be pleasantly surprised to find that they pass it the first time, he said.

Dr. Swofford asked Ms. Steentofte to address the matter of timing and why this issue is coming up now rather than earlier when NCLB was first signed into law.

Ms. Steentofte explained that when a law is enacted, there is a delay while regulations are written and then further delays while guidance is prepared. In the case of NCLB, the state continues to get additional guidance even now. One federal official has said the state is ahead of many others in addressing issues, even though the law has deadlines that became effective in 2002. She said apologies are owed to people, but unfortunately there was no crystal ball for the state to use to determine what the actual requirements would be. She said the state still does not know what all of the conditions will be, but that the state is trying to move ahead with as much compassion as possible.

Dr. Swofford said that the Commission in the past has always provided a transition period when credentialing requirements changed. However, NCLB requirements have forced immediate action. He asked General Counsel Mary Armstrong to address a pertinent bill. Ms. Armstrong said that AB 1307 (Goldberg) requires that candidates who enroll in a teacher preparation

program have a two-year window to complete the program without being affected by any changes. However, the federal NCLB requirement is for passage of a test before teaching - a requirement that must be met regardless of when someone enrolls in a program.

Commissioner Lilly asked about the proposed wording for Standard 17, which he said he read as generic for all programs rather than just limited to multiple subject credentials.

Ms. Jackson said standards in general speak to both multiple and single subject credentials, but that the new Standard 17 will have to delineate between the multiple, single and blended programs. Dr. Swofford added that no action needs to be taken to make single subject credentials compliant since the testing is required only of elementary teachers. Single subject credential holders demonstrate subject matter competency through passing an appropriate subject matter examination, or completing a Commission-approved subject matter preparation program, or completing a course of study deemed equivalent by the program sponsor.

Vice Chair Madkins offered a motion that he said would address three elements: 1) a rationale, 2) a timeline and 3) the placement of the exam requirement. He moved that: 1) pursuant to Education Code Section 44312, current elementary subject matter programs do not meet NCLB requirements; therefore students completing such programs and entering multiple subject credential programs after July 1, 2004 are ineligible for the examination waiver provided in Education Code Section 44310; 2) the Commission adopt Option 3, which requires the passage of an elementary subject matter exam prior to becoming a student teacher or teacher of record; and 3) that the requirement be placed in Standard 17.

Commissioner Johnson seconded the motion.

Commissioner Johnson asked if AB 1307 and its two-year grandfather window has anything to do with subject matter competency - and questioned whether federal law, such as NCLB, wouldn't overrule state law anyway. Ms. Steentofte replied that NCLB does not require the state to change the credentialing process. The state is only doing so because it believes a better mechanism is to combine requirements so that when a teacher has a credential a district knows that he/she is NCLB-compliant, as opposed to having two separate processes.

Commissioner Johnson also asked if a plan for communicating with all students is underway. Ms. Steentofte said a draft communication to teachers and administrators is being circulated, but that more regulations need to become final before anything can be distributed. Commissioner Johnson said it is important so that people who will have to take the exam understand why this is happening.

Commissioner Johnson also asked if a person teaching on an emergency permit passes CSET, can they then be a credentialed teacher without completing a credential program. Ms. Jackson said that they would still need to fulfill credential requirements. Ms. Steentofte added that NCLB has three requirements for highly qualified teachers: a bachelor's degree, a teacher credential and proof of subject matter competency.

Commissioner Lilly asked that the motion be broken into three separate parts, with a first part addressing the option to be adopted, the second part about the timeline for implementation and the third part taking an action that will trigger the implementation.

Vice Chair Madkins responded that he believes the first thing the Commission must do is find that the current waiver program is ineligible; second, talk about implementation; and third, decide where the requirement should be placed.

Chair Fortune asked for a discussion of the first part of Vice Chair Madkin's motion. He said the first part is saying that the Commission is letting everyone know that as of a certain date - July 1, 2004 - the waiver process does not meet subject matter competency requirements under NCLB.

Chair Fortune said the motion would be split. Commissioner Johnson withdrew her second and Vice Chair Madkins made a new motion. He moved that pursuant to Education Code Section 44312, current elementary subject matter programs do not meet NCLB requirements; therefore students completing such programs and entering multiple subject credential programs after July 1, 2004 are ineligible for the examination waiver provided in Education Code Section 44310. Commissioner Johnson seconded the motion.

Commissioner Boquiren said she was looking for a clear sense of what will happen to individuals in CSET waiver programs. Chair Fortune asked Ms. Steentofte to reiterate the degree of flexibility under federal law. Ms. Steentofte said that federal law requires all elementary teachers hired in Title 1 classes or schools to take a rigorous exam to demonstrate subject matter competence; other teachers have until 2005-06. Since 60 percent now getting credentials already take the test, they already are meeting the requirements. Those affected are the 40 percent who go through waiver programs; they will have to take the exam based on the two deadlines whether the exam is part of the credential or not.

Commissioner Boquiren said it is very difficult for students who are impassioned about the understanding they had when they decided to take the waiver route rather than an exam. Commissioner Lilly said he has been delivering the message to students for the past two months. It is a tough message, but the reality is that if a student goes through the waiver program and gets a credential, they won't be able to teach unless they have passed CSET. No one is doing students any favors by not letting them know that the

credential won't get them a job without passage of the test.

Ex-Officio Representative Wilson said the CSU legal counsel believes the Commission does not have the authority to remove the waiver option unless there are sufficient grounds to do so. Ms. Armstrong said her interpretation is that the Commission can make a finding that a program is inadequate or inappropriate for waiving the subject matter exam. Once the Commission makes that finding, then all students are subject to the exam requirement because it is set by statute as an overriding requirement.

Commissioner Lilly said he wanted to speak to the issue of the July 1, 2004 date. He said he supports the date because if it were extended to July 2006, people would still be receiving credentials without exam passage as late as 2009, creating many credentialed teachers who are not NCLB-compliant. He said that is too long of a time span to continue to have people be non-compliant. He said even with a deadline of July 1, 2004, people could be still emerging from preparation programs in 2007 without being NCLB-compliant.

Vice Chair Madkins said the point is to ensure that any new candidate coming in will have met all of the requirements when they graduate. The Commission should not continue to put people who are not NCLB-compliant into the field and admit them to programs.

Chair Fortune called for a vote on the motion on the floor. It passed without dissent.

A motion to adopt Option 3 to require passage of an elementary subject matter exam prior to student teaching or becoming a teacher of record was made (Madkins), seconded (Johnson) and carried without dissent.

A motion to place the requirement for the subject matter exam in Standard 17 was made (Madkins) and seconded (Johnson).

Commissioner Lilly referred Members of the Commission to page 177 of the agenda packet (Appendix D) where proposed language placed the requirement in Standard 17. He noted that in both parts of Appendix D the blended program requirement is cited as four-fifths of the subject matter requirement. He said the language is no longer appropriate since the requirement is passage of a test. Ms. Jackson said the requirement still holds true for blended programs for single subject credential candidates and that the language will have to be bifurcated to indicate one set of requirements for single subject and another for multiple subject.

Commissioner Lilly then advocated retaining language that addresses the exam requirement as both a precondition and a Standard 17 component. He said the language in Appendix D is clear, but loses clarity when the precondition language is dropped. He also said he sees a fundamental difference between a precondition - typically a yes/no criteria - and a

program standard. Program standards typically are qualitative. The requirement to pass CSET is not qualitative, but is a simple yes/no condition. He said he would like to see the motion changed to adopt all of the language in the appendix with the exception of addressing the different four-fifths requirements. This would be in contrast with the current motion that simply places the exam requirement in Standard 17.

Vice Chair Madkins said that as maker of the motion he believed that Ms. Jackson has indicated that the motion as it stands can be operationalized. Ms. Jackson agreed, saying that the revisions will have to be made carefully because of the need to address single subject, multiple subject and blended programs differently. She said she understood what Commissioner Lilly was saying and believed that if the Commission comes to a decision to have the exam requirement as both a precondition and a program standard requirement (as CBEST is), then staff would work carefully to make sure that is clear in the language.

Vice Chair Madkins said that as make of the motion, he would conceptually agree to that. Commissioner Johnson agreed.

Commissioner Lilly said that if the motion is only adopting Option 3 on page 135, then precondition or standards language is not included. He said that reviewing specific language in November might be the easiest route. He reiterated that if the motion is to make it only part of Standard 17 and not a precondition, then there are problems because the language on page 177 doesn't differentiate between single and multiple subject programs.

Dr. Swofford said he believes staff understands the discussion and the need to bifurcate Standard 17. He said he believes language can be crafted to meet everyone's requirements.

Commissioner Bersin noted that the actual substance of Option 3 is on page 142 of the agenda packet and that it includes each of the elements that Commissioner Lilly wants reflected in the language. He said the paragraphs, when viewed as the actual substance of Option 3, provide clear direction to staff. Commissioner Lilly said that if the three paragraphs at the bottom of page 142 are what is intended in the motion, he was satisfied.

Chair Fortune called for a vote on the motion on the table. It carried without dissent.

Chair Fortune noted that the July 1, 2004 date was included in the first motion. She asked if it would be more clear for staff if a separate motion was made regarding timing. Vice Chair Madkins said the first part of the motion included two elements: the approval of a subject matter exam and the date that it would required for enrolling in a program.

Commissioner Lilly said that to avoid any possibility of ambiguity, he would

move to create an implementation date of July 1, 2004 for Option 3. Commissioner Johnson seconded the motion. The motion carried without dissent.

GS-10-C: REGULATIONS TO IMPLEMENT AUGUST AGENDA ITEM 10-B ACTION REGARDING DEGREE AUTHORIZATIONS

Mr. Janssen presented proposed regulations to implement changes in the degree authorizations approved by the Commission in August. The Commission set the degree equivalent at 32 semester units with 16 units in upper division classes, an action taken to align current supplementary authorizations with the requirements of NCLB. In addition to making that change, the regulations also provide that specific core subject areas may be added to a multiple subject credential. Current regulations regarding supplementary authorizations allow them to be added only to single subject credentials. Mr. Janssen said the rationale is that the new unit requirement results in a much higher level of subject matter sophistication, making it appropriate to add to a multiple subject credential.

The regulations provide two types of authorization: introductory, based on broad subject areas and limited to ninth grade curriculum and below; and specific-subject degree authorization, which applies to grade levels K-12.

Mr. Janssen said staff is meeting with stakeholders and experts in art, music, physical education and foreign languages to make sure requirements are aligned with the K-12 academic content standards. Any updates will be reflected in a future draft to be circulated prior to a public hearing.

Mr. Janssen said the next steps are to approve the proposed regulations for the purposes of beginning the rulemaking file for submission to the Office of Administrative Law and scheduling a public hearing. A motion to do so was made (Lilly) and seconded (Beckner).

Vice Chair Madkins asked what the impact would be if action were delayed one month to give stakeholders and others more time to look at full details and build consensus around the regulations. Mr. Janssen said such a delay would allow a more finished package to be presented and that there did not appear to be any harm in delaying.

Commissioner Lilly withdrew his motion. Vice Chair Madkins moved to change the item from action to information to give staff more time to bring forward a complete package of regulations. Commissioner Boquiren seconded the motion. It carried without dissent.

LEGISLATIVE COMMITTEE OF THE WHOLE

Commissioner Beckner convened the Legislative Committee of the Whole. Anne Padilla, Consultant, Office of Governmental Relations, said because the Legislature is currently not in session, there is nothing to report on LEG-2, Analyses of Bills of Interest to the Commission.

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

Ms. Padilla updated the Commission on the status of several bills. SB 84 (Scott), which had been a placeholder bill for the Commission in the event that action needed to be taken on No Child Left Behind issues, has been converted to a drug treatment bill and no longer pertains to Commission issues.

AB 54 (Oropeza), which requires the Commission to perform an assessment of cultural competency training, is on the Governor's desk.

AB 608 (Daucher), which requires the California Highway Patrol to notify the Commission and school officials when a teacher is arrested for certain drug or sex offenses, has been signed by the Governor.

SB 5 (Karnette), which requires content standards for teaching foreign languages, is awaiting signature, as is SB 81 (Alpert), which deals with integrated programs and transferability between CSU and community colleges.

SB 187 (Karnette), which addresses the Los Angeles district intern program, has been signed.

Ms. Padilla also told the Commission that Assembly Speaker Wesson has announced that he will step down in March.

FISCAL PLANNING AND POLICY COMMITTEE OF THE WHOLE

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

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

Leyne Milstein, Director, Information Technology and Support Management Division, reported that under budget control language, an Executive Order has been implemented to reduce spending. The Commission's portion is \$532,514 (\$337,512 from the Teacher Credentials Fund and \$195,002 from the Test Development Administration Account). This is approximately 2% of the Commission's overall State Operations appropriation.

In addition to this cutback, special-fund state departments were required to turn in plans for a total of 12 percent reduction inclusive of this initial reduction (general-fund state departments were required to propose 16 percent in total funding cuts). The Commission's plan is still in the review process. He are hopeful that any reduction be achieved through elimination of currently vacant positions, but there is no final word yet on whether there will have to be layoffs.

The Department of Finance has also asked for plans to reflect a 20 percent cut for the coming 2004-05 fiscal year. The Commission is seeking clarity on whether it must include one-time projects (such as the Teacher Credentialing

Service Improvement Project) in the base when determining the 20 percent amount.

Ms. Milstein also reported that revenues are down about four percent because of a six percent drop off in credential applications. She said the Commission is working with the Department of Finance on addressing the implications.

Dr. Swofford said staff will continue to bring updates to the Commission. At some point, he said, there may need to be an in-depth discussion of goals and objectives for the future that are in line with the diminished resources and staff. He said the Commission's increasing use of technology has positioned it better than some departments to deal with the budget constraints. He thanked Commissioners for continuing to be supportive of staff and the ongoing expressions of concern.

Commissioner Lilly said he appreciates the quality of work that staff brings forth. As a Commissioner, he said he is concerned that at some point the Commission may need to change not just the level of operations but also the nature and scope of operations.

PREPARATION STANDARDS COMMITTEE OF THE WHOLE

Commissioner Johnson convened the Preparation Standards Committee of the Whole.

PREP-1: Approval of Professional Teacher Induction Programs

Karen Sacramento and Cheryl Hickey, Consultants, Professional Services Division, presented three Professional Teacher Induction Programs for approval, which would bring the total approved to 65 programs. Eighty programs are in the approval pipeline. The programs presented were Antioch Unified School District, Orange Unified School District and Visalia Unified School District.

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

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

Mike McKibbin and Helen Hawley, Consultants, Professional Services Division, presented two single-subject programs and four elementary subject programs for approval. The single subject programs are Art at California State University, San Bernardino and Spanish at Humboldt State University. The elementary subject matter preparation programs are at Master's College, California State University, Los Angeles, Pepperdine University and California Baptist University.

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

PREP-3: Final Draft of the 2001-02 Annual Report Card on California Teacher Preparation Programs as Required by Title II of the 1998 Reauthorization of Higher Education Act

Cheryl Hickey, Consultant, Professional Services Division presented the final draft of the report card, describing the three-tier reporting process. Each April, institutions of higher education report information to the state; each October, the state adds to the information and provides a report to the U.S. Department of Education; and in July, the Secretary of Education provides a comprehensive report to Congress. Ms. Hickey noted that the information in the report relies on 2001-02 quantitative data, such as program pass rates, but that the processes and procedures described in the report are current, including the state's moves to meet No Child Left Behind requirements.

Diane Tanaka, Assistant Consultant, Professional Services Division, provided a brief overview of the data in the report. The overall pass rate for program completers ranges from 91 to 100 percent. She said there is no statistically significant difference between the different routes for achieving a credential. There have been substantial increases in program enrollment and in the number of candidates completing programs. From 1999-2000 to 2001-02, program completers increased 13 percent, from 18,431 to 20,874.

Dr. Swofford noted that federal policy makers are addressing the reauthorization of the Higher Education Act with the Ready to Teach Act, a measure that staff has provided updates about in past meetings. He asked that anyone on the Commission who receives information about the act and its progress share it with staff. Staying on top of proposed changes may allow the Commission to provide pertinent information and help shape the bill as it moves through Congress.

Commissioner Johnson complimented staff on the well-written report. A motion to approve the report and authorize its transmission to the federal government was made (Lilly), seconded (Madkins) and carried without dissent.

PREP-4: Report on the Implementation of the AB 1059 Teacher Preparation Standards Review

Susan Porter, Consultant, Professional Services Division, described the three components of AB 1059 (Ducheny), signed into law in 1999. The first is the requirement that all teacher preparation programs include instruction on teaching English language learners. As part of that, the Commission is not allowed to issue a credential to a candidate after July 2003 who does not satisfy the requirements of the bill or who has not achieved authorization to provide services to English learners. The second component is to build English language learner instruction into the induction process. And the third is to create an examination route for experienced teachers and out-of-state teachers to satisfy the requirements.

Ms. Porter presented a report that addresses the teacher preparation portion of the bill. Because of timing, the requirements of AB 1059 were incorporated into the reforms that were the result of SB 2042. Several of the standards developed under the SB 2042 reforms address English language learners (for example, standard 7a and 7b, as well as standard 5). Standard 13 specifically addresses strategies for English language learners.

Ms. Porter noted that the Commission used a calibrated panel to review teacher preparation programs for compliance with Standard 13. The rigorous process was applied to 110 program submissions, with several rounds of meetings to develop new program elements to comply with Standard 13. The Committee on Accreditation approved all 110 programs.

Members of the Commission had no questions about the report, which was an information-only agenda item.

RETURN TO GENERAL SESSION

The Commission returned to General Session.

REPORT OF APPEALS AND WAIVERS COMMITTEE

Commissioner Lawrence Madkins called the meeting of Appeals and Waivers Committee to order at approximately 2:12 p.m., Wednesday, October 1, 2003.

A&W-1: Minutes of the August 13, 2003, Meeting of the Appeals and Waivers Committee

It was moved, seconded, and carried (Johnson/Vaca) that the minutes of the Appeals and Waivers Committee meeting of August 13, 2003, be *APPROVED*.

A&W-2: Waivers: Consent Calendar

It was moved, seconded, and carried (Johnson/Beckner) that the Committee *APPROVE* the 326 waiver requests on the Consent Calendar.

A&W-3: Waivers: Conditions Calendar

It was moved, seconded, and carried (Vaca/Johnson) that the Committee *APPROVE* the 2 waiver requests on the Conditions Calendar with specific conditions attached.

A&W-4: Waivers: Denial Calendar

It was moved, seconded, and carried (Boquiren/Beckner) to recommend preliminary denial of the 8 waiver requests on the Denial Calendar. These waiver requests will be brought to the Commission for action at the November 2003 meeting.

COMMISSION MEMBER REPORTS

Vice Chair Madkins thanked those around the table and in the audience for their thoughtful participation during the day's discussions of important issues. He said communication is vital to the Commission's ability to do its

job.

AUDIENCE PRESENTATIONS

Dr. Maria Marin of the InterAmerican College said she wants the Commission and teachers looking for positions to be aware that the college has received a federal grant to operate as a teacher recruitment center. This is particularly important, she said, because the CalTeach recruitment efforts will be ending in December because of budget cutbacks. She said the college can work closely with the Commission on recruitment issues.

Susan Westbrook introduced herself as the new representative to the Commission from the California Federation of Teachers. A second grade teacher from Ventura County, she was a member of the Commission's 2042 panel. She is also a past president of the California Council on Teacher Education and is currently co-chair of the group's policy committee. Chair Fortune welcomed her to the Commission's meetings.

OLD BUSINESS

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

NEW BUSINESS

None.

ADJOURNMENT

The meeting adjourned. The next meeting will be held on November 5 and 6, 2003 at the California Commission on Teacher Credentialing Office, 1900 Capital Avenue, Sacramento, California.

Updated November 21, 2003