

## **Minutes of the March 2005 Commission Meeting**

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**March 10, 2005**  
**Commission Offices, 1900 Capitol Avenue, Sacramento**

### **COMMISSION MEMBERS ATTENDING**

Leslie Peterson Schwarze, School Board Member, Chair  
Jon Stordahl, Teacher, Vice Chair  
Catherine Banker, Public Representative  
Maytte Bustillos, Teacher  
Paul Clopton, Public Representative  
Guillermo Gomez, Teacher  
Gloria Grant, Teacher  
Elaine C. Johnson, Public Representative  
Leslie Littman, Designee, Office of the Superintendent of Public Instruction  
Lawrence H. Madkins, Jr., Teacher  
Aida Molina, School Administrator

### **COMMISSION MEMBERS ABSENT**

Steve Lilly, Faculty Member

### **EX-OFFICIO REPRESENTATIVES**

Marilyn McGrath, California Postsecondary Education Commission  
Athena Waite, University of California

### **EX-OFFICIO REPRESENTATIVES ABSENT**

Karen Symms Gallagher, Association of Independent California Colleges and Universities  
Bill Wilson, California State University

### **STATE BOARD LIAISON**

Ruth Bloom (Absent)

### **CURRICULUM COMMISSION LIAISON**

Stan Metzenberg

### **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  
Dale Janssen, Director, Certification, Assignment & Waivers Division  
Rhonda Brown, Program Analyst, Certification, Assignment & Waivers Division

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Terri Fesperman, Assistant Consultant, Certification, Assignment & Waivers Division  
Crista Hill, Manager, Fiscal Business Services Division  
Anne Padilla, Consultant, Office of Governmental Relations  
Elizabeth Graybill, Director, Professional Services Division  
Amy Jackson, Administrator, Professional Services Division  
Larry Birch, Administrator, Professional Services Division  
Susan Porter, Consultant, Professional Services Division  
Mark McLean, Assistant Consultant, Professional Services Division  
Jan Jones Wadsworth, Consultant, Professional Services Division  
Scott Mackey, Recording Secretary

*Thursday, March 10, 2005*

**2A: Meeting Called to Order**

The General Session was called to order by Chair Madkins. Roll was taken. Everyone joined in the Pledge of Allegiance.

**2B: Approval of the January/February 2005 Minutes**

A motion to approve the January/February 2005 minutes was made (Johnson), seconded (Clopton) and carried without dissent.

**Approval of the March 2005 Agenda**

Chair Madkins moved that the March 2005 Agenda be approved with agenda inserts for items 1A, 3C and 4A. Commissioner Gomez seconded the motion. The motion carried without dissent.

**2C: Approval of the March 2005 Consent Calendar**

Commissioner Banker commented that she was uncomfortable with including the Approval of Subject Matter Preparation Programs Submitted by Colleges and Universities, and Request for Institutional Accreditation on the Consent Calendar. She moved to have these types of items come during the appropriate committee rather than on the Consent Calendar so that it could be more thoroughly reviewed. Commissioner Clopton seconded. Commissioner Banker commented that items of such importance should receive more thorough airing. Commissioner Johnson said this changes the process full circle, and that such items used to go to committee, but after a time became routine and were thus put on the consent calendar. Chair Madkins added that only one time was an institution under consideration for Approval of Subject Matter Preparation not approved. However, given the number of new members, Chair Madkins felt it was a good time to return such items to committee so that new members could become familiar with the process. Commissioner Littman also noted that other items like Requests For Proposals (RFPs) have come up on the consent calendar, which probably should have been in committee. The Commission voted to approve the motion and it carried without dissent.

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Beth Graybill, Director, Professional Services Division, noted that both items in the consent calendar could be brought back on the April agenda in the Professional Services Committee with additional information.

Commissioner Bustillos moved to table the Approval of Subject Matter Preparation by Colleges and Universities and the Request for Institutional Accreditation until the April Commission meeting. The motion was seconded by Commissioner Johnson.

Commissioner Clopton asked for further clarification and documentation about the item the next time it was brought up. Ms. Waite asked what documentation would be needed. Commissioner Banker said that instead of a summary, she would like to see the entire documentation or report by the review panel. She would also like to know how much it would cost to approve the Subject Matter Preparation Programs under consideration. The motion was approved without dissent.

A discussion ensued regarding the appropriateness of certain items appearing on the consent calendar. Chair Madkins asked staff to look into this. Dr. Swofford responded by saying that there would be no consent items of that nature next time, and that those items would be presented at committee.

**Division of Professional Practices**

The Commission adopted the following recommendations of the Committee of Credentials.

1. **BARNETT, Donald** Newbury Park, 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.
2. **BAUTISTA, Genaro P.** Indio, CA  
All certification documents under the jurisdiction of the California Commission on Teacher Credentialing are **suspended for a period of ninety (90) days** and any pending applications are **denied** for misconduct pursuant to Education Code sections 44421 and 44345.
3. **BELL, John E.** Martinez, 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.
4. **BURNS, John P.** 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, effective immediately.

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5. **CANIZALES, Pedro C.** Downey, 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.
6. **DAVIS, Dexter C.** Long Beach, CA  
The expired Education Specialist Instruction Credential is **suspended for a period of five (5) days** for misconduct pursuant to Education Code section 44421, effective immediately.
7. **DUNLEY, Christine A.** Willow Creek, 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.
8. **JONES, Jeffrey P.** Vista, 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.
9. **LANE, Erika S.** San Diego, CA  
The expired Children's Center Instruction Permit is **suspended for a period of thirty (30) days** and any pending applications are **denied** for misconduct pursuant to Education Code sections 44421 and 44345.
10. **LAWSON, Mark T.** Stockton, CA  
Mr. Lawson is the subject of **public reproof** for misconduct pursuant to Education Code section 44421.
11. **LEAGUE, Michael R.** Coalinga, 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. **McGUIGAN, Rebeca M.** Fontana, CA  
Ms. McGuigan is the subject of **public reproof** for misconduct pursuant to Education Code section 44421, effective immediately.
13. **McHENRY, Jennifer M.** Anaheim 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.
14. **RAMIREZ, Sam** Delano, CA  
All certification documents under the jurisdiction of the California Commission on Teacher Credentialing are **suspended for a period of fifteen (15) days** and any pending applications are **denied** for misconduct pursuant to Education Code sections 44421 and 44345

15. **REIN, Rick T.** Sacramento, CA  
Mr. Rein is the subject of **public reproof** for misconduct pursuant to Education Code section 44421.
16. **STALLINGS, Julienne B .** Corona, 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, effective immediately.
17. **WINTERS, Richard L.** Nevada City, CA  
Mr. Winters is the subject of **public reproof** for misconduct pursuant to Education Code section 44421.

#### CONSENT DETERMINATIONS

18. **ALLEN, Arlene L.** Long Beach, CA  
The Proposed Consent Determination, which stipulates that Ms. Allen's Credentials are **suspended for a period of ten (10) days**, pursuant to Education Code section 44421, is adopted.
19. **BRAVO, Joshua T.** Clovis, CA  
The Proposed Consent Determination, which stipulates that Mr. Bravo's Multiple Subject Teaching Credential is **suspended for a period of thirty (30) days**, the **suspension is stayed**, and he is placed on **probation for a period of two (2) years**, pursuant to California Education Code section 44421, is adopted.
20. **BRITO, Lucio Jr.** Corona, CA  
The Attorney General's Proposed Consent Determination, which stipulates that Mr. Brito's application is **granted and revoked**, however, the **revocation is stayed**, and he is placed on **probation for a period of five (5) years**, pursuant to California Education Code section 44421, is adopted.
21. **ENSMINGER, Keith A.** Merced, CA  
The Attorney General's Proposed Consent Determination, which stipulates that Mr. Ensminger is the subject of **public reproof** for misconduct pursuant to Education Code section 44421, is adopted.
22. **FREED, Kenneth L.** Laton, CA  
The Proposed Consent Determination, which stipulates that Mr. Freed's Administrative Services Credential is **suspended for a period of sixty (60) days**, pursuant to Education Code section 44421, is adopted.

**RECONSIDERATION**

23. **DAME, Maria A.** San Diego, CA  
At its November 30 through December 1, 2004 meeting, the Commission adopted the Committee of Credentials' recommendation to deny Ms. Dame's application. Ms. Dame submitted a letter dated December 27, 2004, requesting reconsideration. No new information was provided.

**RESCISION**

24. **BRUCE, Bryan L.** Bakersfield, CA  
The Commission's action of September 6-7, 2000 to revoke all certification documents and deny any pending applications is hereby rescinded.

**DIVISION OF PROFESSIONAL PRACTICES  
MANDATORY ACTIONS**

All certification documents held by and applications filed by the following individuals were 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.

25. **BERG, Carl J.** Yorba Linda, CA  
26. **BRYANT, Jarrod R.** Placentia, CA  
27. **COTTON, Steve W.** Rocklin, CA  
28. **DE LA ROSA, Herman A.** Los Angeles, CA  
29. **DUNCAN, Kenneth W.** Los Angeles, CA  
30. **FARAG, Mary Y.** North Hills, CA  
31. **FAUNCE, Thomas A.** Northridge, CA  
32. **GONZALEZ, Guillermo F.** Sylmar, CA  
33. **HASSAN, Farid A.** Lakewood, CA  
34. **HOLMES, Mark J.** El Centro, CA  
35. **JONES, Bobby J.** Los Angeles, CA  
36. **McKERNON, James J.** Claremont, CA  
37. **PANELO, Alicia N.** Valencia, CA

- 38. **SCHROCK, Janna B.** El Cajon, CA
- 39. **STALVEY, Theta M.** Sunland, CA
- 40. **STOKES, Melvin G.** Compton, CA
- 41. **VARELA, Fernando** Marysville, CA
- 42. **VILLEGAS, Sergio** Encinitas, 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).

- 43. **BARBER, Marcus A.** Hemet, CA
- 44. **BOICELLI, Rebecca A.** Menlo Park, CA
- 45. **CASEY, Christopher C.** San Jose, CA
- 46. **CODDE, Michael J.** Aptos, CA
- 47. **JOHNSON, Douglas A.** Big Bear City, CA

**NO CONTEST SUSPENSIONS**

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

- 48. **BRUCE, Bryan L.** Bakersfield, CA
- 49. **MIRANDA, Michael J.** Stockton, 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.

- 50. **BROOKS, Roger A.** Burbank, CA
- 51. **MIRANDA, Michael J.** Stockton, CA

**TERMINATIONS OF PROBATION**

52. **OTIS, Russell J.** Bellflower, 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 May 8, 2003, **the stay order has been made permanent and his credential is restored.**
53. **ROMO, Jay G.** San Diego, 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 October 4, 2001, **the stay order has been made permanent and his credential is restored.**
54. **SASSER, Kenna L.** Woodland, 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 16, 2003, **the stay order has been made permanent and his credential is restored.**
55. **STRAND, David** Chico, CA  
Having **violated** the terms and conditions of probation contained in the Consent Determination and Order, which was adopted by the Commission on December 4, 2003, **his probation is terminated, the stay is lifted, and his credential is revoked.**

**Certification, Assignment & Waivers Division**

**DENIAL OF CREDENTIAL WAIVER REQUESTS**

1. Bonnie Marie Brock/San Leandro Unified School District
2. Alicia Lopez Garcia/Today's Fresh Start Charter School
3. Grettel Olivia Stanley/East Side Union High School District
4. Heidi J. Marble/Fairfield-Suisun Unified School District
5. Bradley Scott Tice/Turlock Unified School District
6. Yadira Yunuen Curintzita/Ravenswood City Elementary School District
7. Nancy Badayos Magimot/Ravenswood City Elementary School District
8. Amber Ivy Shmuckler/Total Education Solutions (NPS)
9. Beatriz Irene Ferrer-Castro/West Contra Costa Unified School District
10. Janie Chereze Philpott/West Contra Costa Unified School District
11. Bryce Joseph Arron Leiker/Salinas Union High School District
12. Juan Eloy Gomez/Los Angeles County
13. Frederick Beecham Parker III/Los Angeles County
14. Zachary Jon Abernathy/Bret Harte Union High School District
15. Karla Cynthia Balpuesta/Norwalk-La Mirada School District
16. Noemi Peralta Cervantes/Norwalk-La Mirada School District
17. Eric P. Walter/Norwalk-La Mirada School District

**The service rendered by the following person is approved pursuant to the provisions of Education Code Section 45036.**

Bruner, Richard Pomona Unified School District Los Angeles 11.2.04 to 11.4.04

**Professional Services Division**

The following two items were deferred to the April 2005 Commission meeting:

**APPROVAL OF SUBJECT MATTER PREPARATION PROGRAMS  
SUBMITTED BY COLLEGES AND UNIVERSITIES**

English

- California State University, Long Beach

**REQUEST FOR INITIAL INSTITUTIONAL ACCREDITATION**

Santa Barbara County Education Office (SBCEO)

**2D: Chair's Report**

Chair Madkins introduced the three new members of the Commission, noting that the Commission had previously received five new appointments from Governor Arnold Schwarzenegger. The three new members are: Gloria Grant, Leslie Peterson Schwarze, and Jon Stordahl.

Chair Madkins noted that Gloria Grant is a Network Instructional Facilitator for Language Arts in the Oakland Unified School District. She works with the students and coaches in the Intensive Support Network. Ms. Grant earned a Bachelor of Science degree in Sociology/Psychology at California State University, Hayward, and a teaching credential from the same institution. She has worked and served on numerous leadership and district committees, currently serving on the OUSD Language Arts Leadership Committee. She has worked as a classroom teacher for 28 years and has been in education continuously for the last 33 years. Married for 35 years, Mrs. Grant has two children and two grandchildren. She and her husband live in Oakland.

Chair Madkins then introduced Leslie Peterson Schwarze, of Novato, who was first elected to the Board of Trustees of the Novato Unified School District in 1997, serving as president during the 1999-2000 academic year. She is currently serving her second four-year term and is president of the Board once again for the 2004-05 academic year. She is also a member of the California School Boards Association. Other experience has included: California State Curriculum Commission (1998 to 2002); Staff Development Selection Panel for AB 466; STAR Content Review Panel for Reading/Language Arts (1998 to present); STAR Performance Level Setting Panel (2000 to present). She also served as liaison for the Curriculum Commission to the CTC from 1999-2000.

Chair Madkins next introduced Jon Stordahl of Laguna Beach. A history and U.S. civics teacher at Trabuco Hills High School (part of the Saddleback Valley Unified School District in Mission Viejo) since 1989, Mr. Stordahl has served on several school site committees, including Powerful Teaching and International Baccalaureate. He earned his undergraduate degree from the University of Alabama and his teaching credential from California State University, Long Beach. Mr. Stordahl is a campus representative to the Saddleback Valley Educators Association and serves on the Political Action Committee of that organization.

Chair Madkins closed his comments by expressing how pleased and honored he has been to serve on the Commission for the past five years, first as Vice Chair then later as Chair. He thanked the commissioners and ex-officio representatives, staff and stakeholders. He expressed satisfaction with how the Commission has evolved into a collaborative body, doing what's best for students in California. He said he was confident that this sense of collaboration would continue. Chair Madkins noted that he will be stepping down from the Commission in June.

**2E: Executive Director's Report**

Dr. Swofford, on behalf of the Commission staff, welcomed the three new members of the Commission.

Dr. Swofford recognized the contributions of Commission employee Marty Brashear, who is leaving to accept a promotion to Executive Secretary with CalSTRS. Ms. Brashear began in cashiering, and later moved into the Executive Unit, where she has worked for the past two years.

Dr. Swofford brought to the Commission's attention the effort of two long-time employees (now retired) who, along with others, have been documenting the history of teacher credentialing in California. Ms. Linda Bond and Dr. Phil Fitch have completed their work, which provides excellent context for understanding the current credentialing system. The work can be viewed on the Commission's website.

The Commission's new Credential Automation System Enterprise (CASE) went live on February 28, Dr. Swofford announced. The result of a 3-1/2 year effort, CASE replaces the previous database system that collects and stores all of the information related to the Commission's mandated credentialing functions. The old system had become inadequate for current needs. Dr. Swofford thanked all of the Commission's information systems staff members and contractor IBM. In particular, he thanked Dale Janssen and Darren Addington for their leadership on the project.

**2F: Nominations/Elections for Chair and Vice Chair**

Dr. Swofford announced that the Officers of the Commission—Chair and Vice Chair—were elected on an annual basis to serve one-year terms, which could be extended by Commission Policy to serve a second year. Section 301 of the Policy Manual stipulates that nominations are opened at the second-to-last Commission meeting and are closed at the last Commission meeting of the year with the new officers taking office at the start of the following year. At the September/October 2004 and January/February 2005 Commission meeting, the Commission postponed elections at the request of the Governor's office. This request was made to allow for the appointment of new members to participate in the election process. Dr. Swofford concluded his remarks by noting that, should the Commission decide to hold elections, it would require a suspension of the Commission's policy regarding the procedure for nominating and electing found in Section 301 of the Policy Manual.

Chair Madkins moved to suspend the applicable section of 301 of the Policy Manual so that the election process could proceed. Commissioner Banker seconded and the action was approved without dissent.

Dr. Swofford called for nominations for the Chair of the Commission and Chair Madkins then nominated for Chair of the Commission Leslie Peterson Schwarze (Commissioner Banker seconded the nomination). Commissioner Schwarze was elected unanimously in a roll call vote by all voting members present.

Commissioner Banker nominated John Stordahl for Vice Chair. The nomination was seconded by Commissioner Grant. Commissioner Johnson moved to vote by voice vote. Commissioner Banker seconded the motion and a voice vote ensued. Commissioner Stordahl was elected to Vice Chair without dissent.

Ms. Anne McKinney, Assistant Secretary of Education was introduced by Dr. Swofford. Ms. McKinney said that Gov. Schwarzenegger asked her to come to welcome the new appointees to the board. She also expressed the Governor's appreciation to Commissioner Madkins for all his success and hard work as Chair. On behalf of the Governor she presented Commissioner Madkins a letter of commendation for his years of service.

## **PROFESSIONAL PRACTICES COMMITTEE OF THE WHOLE**

### **6A: Interviews for Appointment to the Committee of Credentials**

Chair Schwarze announced that item 6A was moved up in the agenda because the candidates were asked to appear before the Commission at 11 a.m. Commissioner Johnson, Chair of the Committee, indicated that two candidates would be interviewed for selection as a secondary school teacher and an alternate to the Committee of Credentials.

Ms. Armstrong provided a brief overview of the Committee of Credentials and interview procedures. Guideline for considerations should include cultural and geographic diversity. She identified existing committee members and what geographic regions they represented. The north and south parts of the state are not as well represented as the central part, she noted. Ms. Armstrong said the interview process would consist of an opening statement by the candidate about their interest in the position, followed by four questions, including a hypothetical example.

Commissioner Johnson welcomed the first candidate for the position on the Committee of Credentials, Martin Ledesma, from Sacramento, California. Mr. Ledesma identified himself as a teacher at Foothill High School in the Grant Joint Union High School District. He then proceeded to express his interest and qualifications for the position. Following the remarks, Commissioner Gomez asked a question about the relationship between job performance and misconduct. Commissioner Molina asked whether teachers should be subjected to discipline for misconduct outside the workplace. Commissioner Grant asked Mr. Ledesma if he thought someone who has committed a crime could be rehabilitated. Commissioner Clopton read the hypothetical situation. He then asked what

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action should the committee take and what additional information would they need before taking action. Commissioner Johnson announced that the interview was over and then provided the candidate an opportunity for questions. He had none. The candidate was informed that he would be notified following the Commission's deliberations. Commissioner Johnson indicated that the position on the Committee would begin March 15 and require a 3-1/2 day commitment per month. She asked how this would affect Mr. Ledesma's ability to perform his regular teaching duties. He replied that he would have available back-up, mainly from well-qualified recently retired teachers from his school.

The second candidate, Timothy G. Hauk, from Victorville, California was welcomed by Johnson. Mr. Hauk read his opening statement about why he wanted to serve on the Committee, including his experience and assets to perform the duties.

The same questions asked of the previous candidate were also asked of Mr. Hauk, in the same order by the same Commissioners. Following the interview question, Commissioner Johnson asked the candidate if he had questions. Mr. Hauk wanted to know if serving on the committee would preclude him from seeking and holding public office. Ms. Armstrong said it would preclude him from holding a school board position. Commissioner Johnson wanted to know how the 3-1/2 days per month commitment would affect his work. Mr. Hauk indicated that after April he believed there would be no problem meeting the commitment.

Commissioner Johnson announced that the interview was concluded. Commissioner Madkins was struck by the confidence level of Mr. Ledesma. He was sensitive to Mr. Hauk's need to get a substitute lined up. He noted that he thought Mr. Ledesma gave a very thoughtful and thorough answer to the hypothetical question, as well as showing some flexibility. Commissioner Madkins felt Mr. Ledesma was the stronger of the two candidates, but that both were strong. Commissioner Banker felt that both candidates were very good. However, it appeared to her that Mr. Ledesma might have more schedule flexibility to serve on the committee. Commissioner Molina also said that Mr. Ledesma seemed very qualified. Commissioner Johnson directed the Commission's attention to Mr. Ledesma's written answer in his application (Additional Achievements and Additional Background sections) and said that she was very impressed by his responses.

Commissioner Molina moved to appoint Mr. Ledesma to the Committee of Credentials. Commissioner Madkins seconded. Commissioner Gomez commented that the information provided in additional achievements and background provided in writing helped convince him about Mr. Ledesma's qualification. Commissioner Stordahl also liked Mr. Ledesma, though he wanted to caution that Sacramento might be over-represented (he referenced the directions regarding geographic diversity at the beginning of the item). Commissioner Madkins asked if there was an issue. Ms. Armstrong said that cultural and geographic diversity were guidelines but that they couldn't always be met.

Commissioner Johnson called for a vote to approve the appointment of Mr. Ledesma. (Madkins seconded). The motion was approved without dissent.

Commissioner Banker moved to appoint Mr. Hauk as the alternate member on the Committee of Credentials (Madkins seconded). The motion was approved without dissent.

Commissioner Banker introduced Dr. Stan Metzenberg, Associate Professor of Biology at CSU Northridge, commending him for his work as an educator, and noting his consistency with Governor Schwarzenegger's Education principles. These include safeguarding academic content standards, ensuring rigorous curriculum, ensuring the availability of instructional materials, maintaining assessment and accountability systems, ensuring subject matter competency of teacher candidates, and strengthening coordination between K-12 and higher education. Commissioner Banker then invited him to serve as the liaison to Commission from the Curriculum Commission.

Dr. Swofford welcomed Dr. Metzenberg.

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

Committee Chair Bustillos convened the Fiscal Policy and Planning Committee of the Whole.

#### **3A: Overview of the Budget Process and the Commission on Teacher Credentialing 2004-2005 Budget**

Crista Hill, Manager, Fiscal and Business Services Section, informed the Commission on the salient points of the Budget Process as well as the Commission's 2004-05 Budget components. Ms. Hill noted that the budget process begins more than one year before the budget becomes law. On August 31, 2004, Governor Schwarzenegger signed SB 1113, commonly known as the Budget Act. In late spring, usually May, the Department of Finance submits revised revenue and expenditure estimates for both the current and budget years to the Legislature. Commission staff will attend legislative hearings to address any questions or concerns raised by the legislative budget subcommittees regarding the Commission's budget. At the same time, Commission staff is continuing to monitor the current year (2004-05) budget to ensure that revenues and expenditures stay within the authorized level as approved by the Budget Act of 2004.

Ms. Hill outlined the Commission's distinct program areas that together provide the framework for teacher licensure:

Certification, Assignment and Waivers is the licensing branch of the Commission, responsible for evaluating and processing over 215,000 applications annually for credentials, permits, certificates and waivers for authorization to serve in California's public schools.

Professional Services Division is responsible for development of licensure standards for all credential areas for which the Commission issues credentials; the accreditation of colleges, universities and local education agencies that offer educator

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preparation; the development and implementation of licensing exams as required in the Education Code; and the administration of State funded programs including the Paraprofessional Program, the Intern Program, and the Beginning Teacher Support and Assessment Program (in conjunction with the California Department of Education).

Division of Professional Practices is responsible for both the discipline of credential applicants and holders and the legal activities of the commission.

Administrative Division is responsible for providing the necessary support for the program divisions to fulfill their statutorily required missions.

Ms. Hill presented the following budget information broken down by these four program areas:

Program	Positions	Dollars
Certification Assignments and Waivers	65.5	\$8,099,000
Professional Services Division	31.6	47,044,000
Administration	33.3	4,793,000
Distributed Administration*	-	-4,793,000
Total	158.1	\$60,197,000

*\*Note—the Administration and Distributed Administration are for display purposes only; the actual expenditure is spread-among/reflected in each of the program divisions on a proportional basis.*

The 158.1 positions reflect those that are actually funded by the budget in the current 2004-05 fiscal year. The CTC is authorized to have 165.1 positions; however, State agencies are mandated to have a salary-savings commitment. The 158.1 positions reflect the actual funded positions, a savings of \$446,000 from authorized positions.

Ms. Hill then broke down Expenditures by Fund and by Category, referencing the respective tables for each in the agenda packet.

Ms. Hill explained and that the Teacher Credentialing Fund (TCF) is not solvent and has been borrowing from Test Development Administration Account (TDAA), but now the TDAA has a deficit as well (\$1.7 million). On January 10, the Commission requested a loan of \$315,000 from the Department of Finance. Since then the amount needed has gone up to \$650,000 for the current year. The Budget year shows a total \$1.9 million in loans, but that has gone up overall to \$2.6 million. Ms. Hill noted that the Commission has found efficiencies in the department and continues to pursue more, but if the loan for the current year is not approved for the fiscal year, the Commission will run out of money. Staff has contacted the Department of Finance to hear where the Commission stands but has not heard back.

**3B: Update on the Proposed 2005-2006 Governor's Budget**

Ms. Crista Hill, Manager, Fiscal and Business Services Section and Ms. Amy Jackson, Administrator, Professional Services Division, provided an update on the 2005-06 Budget submitted by Governor Schwarzenegger on January 10, 2005. At the January/February 2005 meeting staff informed the Commission that a letter would be sent over to the Department of Finance requesting an additional loan for the Teacher Credentials Fund. The current projections show that even with the \$315,000 loan already included in the Governor's Budget for the current year (FY 2004-05) that an additional loan of \$336,000 will be needed to cover the shortfall projected for year-end. Commission staff is working with the Department of Finance on this request.

Ms. Hill said that in light of the current Fund Conditions Statements for the Teacher Credential Fund and the Test Development Administration Account, it is apparent that new developments have occurred. She asked the Commission how to proceed on the exam fee structure.

Ms. Jackson explained the 2004-05 fee structure for Commission exam programs, and projected revenues for the 2005-06 examination cycle. Annually, the Commission takes action to establish exam fees for each examination program. For the past three years, given the prudent reserve at the time, the Commission did not take action to increase exam fees for candidates. She also noted that Education Code Sections 44252.5 44253.8 and 44298 require that the Commission charge fees that are sufficient to recover the costs of developing and administering examinations, including periodic studies of examinations.

For the 2005-06 examination cycle, the exam programs for which fees must be established include: California Subject Examinations for Teachers (CSET), Reading Instruction Competence Assessment (RICA), (Bilingual) Crosscultural, Language and Academic Development Examinations (CLAD/BCLAD), and California Teacher of English Learners Examination (CTEL). Fees for California Basic Educational Skills Test (CBEST) are set at a maximum of \$41, the current fee, in Title 5 Regulations. The fee for the CBEST exam cannot be changed unless Title 5 Regulations is revised. The Commission may change its Title 5 Regulation, but changes cannot be completed in time to affect the 2005-06 exam year. The Commission does not at this time collect a program management fee for the Teaching Foundations Examination (TFE) or School Leaders Licensure Assessment (SLLA), which are licensed by Educational Testing Services (ETS).

Commissioner Madkins asked Ms. Jackson about the direction of the various exams. Ms. Jackson replied that they have met with stakeholder groups about CBEST and whether tests can be consolidated, whether electronic platforms for test-taking can be used, and other related topics. Information from these meetings will be brought to the Commission in April.

Ms. Jackson referenced tables in the agenda packet showing current Commission examination program fees; examination registration numbers for 2001-02, 2002-03 and

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2003-04; projected revenues for 2004-05 and 2005-06; and estimated expenditures for 2004-05 and 2005-06.

Revenues are decreasing because of a reduction of the number of people taking exams. A comparison of projected revenues from exams compared to estimated expenditures projects a shortfall of approximately \$770,000 for 2005-06.

To mitigate this, the Commission has looked at improved efficiencies, including:

Exam contracts – the Exams Unit of the Professional Services Division has worked over the past several years to modify exam contract structures, use technology, and use existing examinations as appropriate for customizing in California. An example of improved efficiency has been to have the exam contractor receive the fee and forward the Commission its portion of fee, saving work in both the Commission's fiscal and exam unit offices.

CSET – the new CSET program has the entire subject matter exam program for Multiple Subject and Single Subject candidates with one contractor National Education Systems (NES) instead of two separate exams with two separate contractors (NES and ETS). This streamlined the registration process and decreased the need for customer service assistance.

Reduced travel—all meetings that do need to occur to complete exam business are held in Sacramento, and when possible at the Commission.

E-mail customer service—staff has implemented procedures to handle candidate questions by e-mail instead of phone. This has resulted in better customers service and enabled staff to track candidates' request more efficiently and to respond quickly.

Two new exam programs—Candidates for the TFE and SLLA exams now register directly with the exam developer (ETS). Efficiencies gained by using these already developed exams leads to decreasing the development requirements for Commission staff by approximately two years.

Though efficiencies have been implemented, overall workload has also increased for the Exam Unit. The total volume of examinees in all examination programs has increased from approximately 200,000 to 300,000. In addition, the Commission has added the SLLA and TFE to its array of examinations.

In August 2004, The Commission directed staff to conduct a systemic review of its credentialing examinations to ensure that each exam program met the Education code, was valid and reliable, and administered fairly. The exam unit has conducted four stakeholder meetings since August to study four main questions about the overall condition of the existing exam programs: (1) CBEST; (2) exam specifications for CBEST, CSET, and RICA; (3) electronic examination technology; (4) an upcoming meeting will address the teaching performance assessment requirement. In addition, staff

met several times with a technical advisory team (CSU, UC and independent institutions) to discuss the issues along with conducting discussions with various stakeholders. A summary and analysis of the stakeholder discussions and the technical advisory meetings will be brought to the Commission as in information item at the April, 2005 meeting.

Ms. Jackson also discussed four Exam Fee adjustment strategies for 2005-06. These include:

- A. No change to the current program management fees. This would result in a projected shortfall of \$769,138.
- B. \$5 increase in the program management fee for each examination (except for CBEST, which is set at \$41 by Title 5). These changes would result in a projected shortfall of \$351,250.
- C. \$9 increase in the program management fee for each examination (except CBEST). This would result in a projected shortfall of \$16,966.
- D. \$7 increase in the program management fee for each of the three sections of CSET: Multiple Subjects Examination. While this would increase the total fee for the CSET Multiple Subject exam from \$216 to \$237, it would nearly cover the projected expense for the year (\$363 shortfall).

Ms. Jackson noted that there are a number of options for the Commission to consider, and that these are just four options that could be considered.

Dr. Swofford said that this information was sent to the Department of Finance two weeks ago but there has been no response. He queried the audience to see if a Department of Finance representative was present, but none was in attendance.

Commissioner Littman commented that Options B, C and D (especially) unduly burdened new elementary teachers candidates.

Commissioner Clopton asked about administration of the TFE examination and its potential for producing additional revenue. Ms. Jackson responded that this was an off-the-shelf-exam with low administration. It also is relatively low volume and thus produces minimal revenues.

Chair Schwarze asked for clarification about when testing fees would go into effect. Staff responded that new exam cycle for 2005-06 goes into effect July 1, 2005. The Commission will be asked to take action to determine exam fees at the April, 2005 meeting.

**3C: Overview of the Legislative Analyst's Review of the Proposed 2005-06 Governor's Budget**

Crista Hill, Manager, Fiscal and Business Services Section provided background of the Legislative Analyst's Office's (LAO) *Analysis of the 2005-06 Budget Bill* and its major programmatic recommendations pertaining to the Commission.

The LAO has been providing nonpartisan fiscal and policy advice to the Legislature for more than 55 years. With programmatic and fiscal expertise, the LAO is overseen by the Joint Legislative Budget Committee.

In its report, LAO expressed concerns about both the TCF and TDAA fund conditions for 2004-5 and 2005-06. Specific recommendations by LAO are as follows (in italics):

*We recommend the Legislature direct the Commission on Teacher Credentialing to explain during budget hearings why its 2004-05 beginning balance and revenue assumptions have changed so significantly within such a short amount of time.*

It was pointed out that in its written reply to the LAO, Commission Staff has acknowledged that the manner in which the information has been displayed is misleading. For the past several years Commission staff has advised both the Department of Finance and the Legislature that the Fund Condition Statement was overstated by the anticipated Provisional request, but there was no request to change the process or displayed information. In 2004-05, the Commission transitioned all of its exam contracts to a "Revenue Only" structure. This will alleviate the need for the annual Provisional requests and more accurately reflect the true Fund Balance for planning purposes. The full impact of this transition will be reflective in the 2005 Budget Act, assuming the Spring Finance Letter is approved by the Department of Finance and the Legislature during Budget Subcommittee hearings.

*If the Commission on Teacher Credentialing (CTC) can show that it will not have a prudent reserve at the end of 2005-06, then we recommend the Legislature consider various options for maintaining CTC solvency.*

Ms. Hill highlighted the Commission's response to the LAO. This included a discussion about an increase in credential application fees; a detailing of efficiencies already enacted within the Commission, and pointed out that further reductions would affect the core mission of the department.

*Automate or devolve Credentialing Authority.*

It would seem to be regressive to decentralize the issuance of credentials given the current investment in the system as well as the risk inherent in decentralizing the process.

**LEGISLATIVE COMMITTEE OF THE WHOLE**

Commissioner Madkins convened the Legislative Committee of the Whole.

**4A: Analyses of Bills of Interest to the Commission**

Anne Padilla, Consultant, Office of Governmental Relations, presented three bills. Ms. Padilla provided an overview of AB 309, which would require the Commission to

conduct a study to determine if there is a positive correlation between the employment of credentialed teachers and pupil achievement. The study would compare the achievement of pupils taught by those who received their teaching credentials from a California State University in the years 2001 to 2003 with the achievement of pupils taught by teachers serving on emergency permits. Staff recommended that the Commission take an Oppose Unless Amended position. Ms. Padilla noted that this bill would add additional work to the Commission while providing no additional funds. She said suggested amendments included: additional funding for the study; extending the report deadline by one year to ensure contractor interest; direct school district and California Department of Education to provide classroom level STAR test data and teacher characteristics information in a timely manner; and, ensure a meaningful comparison between credentialed teachers and emergency permit teachers by clarifying the amount and type of teacher preparation when defining characteristics of emergency permit teachers.

Commissioner Schwarze asked why staff recommended opposing the bill so early in the process, given that it has not even gone to legislative committee. Ms. Padilla answered that they have had extensive discussions with the author's staff, who recognize the cost involved (approximately \$750,000 to \$1 million) but have not specified a funding source. Opposition would send a formal message that funding would be needed. Commissioner Schwarze is concerned about sending a such a strong negative message to the legislature so early and questioned why the bill wouldn't go to the Fiscal Committee for funding. Ms. Padilla replied that while fiscal considerations are reviewed by the fiscal committee, they are also considered during the bill's first hearing in policy committee. Also, the legislature is moving at a much faster pace.

Commissioner Madkins asked for further rationale about why the Commission might oppose this bill.

Commissioner Johnson believes this is not a good bill. It seems to be raising a topic of conversation through a back door. Also, it would be very difficult to authorize school districts to undertake this kind of endeavor. She felt that a position of Oppose Unless Amended sounded like the highest form of courtesy.

Commissioner Grant commented that she would rather look at this bill further before making a decision.

Commissioner Clopton pointed out that a similar study was done without significant funding by an educational journal. He said he thought this would be a worthwhile study. "Oppose Unless Amended" sends a negative message, he said.

Dr. Swofford said that the Commission could change the position to "Seek Amendments" rather than "Oppose Unless Amended," which would seek amendments on the fiscal side if the Commission so authorized.

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Commissioner Littman pointed out that the \$1 million would come out of the current budget at a time when we are looking at raising test fees to fund a study where there has already been research.

Commissioner Clopton clarified that he was not suggesting the money come out of the Commission's budget. Commissioner Bustillos asked if the Commission could seek amendments regarding funding. Commissioner Madkins responded that Ms. Padilla expressed it was more than the money, but also that we lacked staff to perform the study and other issues. Dr. Swofford affirmed that staffing levels and expertise were an issue, and that for independence and credibility the study should be completed by an outside agency.

Commissioner Johnson wondered how the Commission could support spending this kind of money when funds were lacking for poor and sick people around the state.

Commissioner Stordahl said that such a study, if conducted fairly and impartially, would be useful to determine the effectiveness of traditionally credentialed teachers compared to emergency credentialed teachers.

Ms. Waite felt that while the results would be useful and interesting in general, this particular study seemed drawn out and the expenditures seemed too high.

Commissioner Gomez said his father told him 'don't ask whose money it is because it is always yours.' He commented that the Commission would be paying for it one way or another. It appears to be a study that is trying to push a charter school approach.

Dr. Metzenberg commented about pre-existing databases called PAIF files. This database includes educational background and other information, though it doesn't include the school where the credential was granted. Conducting a study using this existing data base would be feasible if there is not a need to specify California State University credentialed teachers.

Commissioner Banker moved that the CTC take a "Watch" position. Commissioner Molina seconded. Commissioner Clopton wanted clarification whether this position meant "Watch" or "watch and comment." Ms. Padilla replied that it meant watch and report back to update the Commission. The motion passed, with Commissioners Littman and Johnson dissenting.

The next bill Ms. Padilla presented was AB 420, which seeks to establish guidelines for low-incidence languages.

Commissioner Bustillos asked that in the future that bills of such importance be provided with more lead time to help them make a more informed decision.

Commissioner Clopton wanted to know if certification of low-incidence languages would be requested by all the various low-incidence languages. He also wondered if a frequency of testing limit could be set.

Commissioner Littman expressed concern that this legislation puts more power of assessment in the hands of the testing agency rather than the Commission. Ms. Padilla clarified that the Commission would set standards to be used by outside testing agencies.

Commissioner Banker felt there was some place where we need to draw the line regarding low-incidence languages. She then moved that the Commission take a "Watch" position, which was seconded (Gomez). The motion passed with opposing votes from Commissioners Johnson and Littman.

Ms. Padilla then presented AB 430, which would extend the sunset date of the Principal Training Program. This program provides professional development training to school site administrators. Staff recommended a "Support" position.

Chair Schwarze asked where the companion legislation, AB 466, stood. Ms. Padilla did not know and indicated staff would research its status. Commissioner Banker moved to support AB 430 and Commissioner Molina seconded the motion. The motion carried without dissent.

#### **CREDENTIALING AND CERTIFICATED ASSIGNMENTS COMMITTEE**

The Committee was convened by Commissioner Banker.

#### **5A: Report on the Assignment Monitoring Review of San Francisco Unified School District.**

Terri H. Fesperman, Assistant Consultant, Certification, Assignment & Waivers Division, reported on the results of the 2003-2004 school year monitoring of San Francisco School District, one of the seven single district counties the Commission monitors for certificated employee assignments every four years.

Ms. Fesperman provided background on the Assignment Monitoring Review and then provided specific findings regarding SFUSD. Legislation enacted in 1986 required the CTC to conduct a statewide study of the misassignment of credentialed personnel. The initial study, presented in 1987, concluded that 8% of the State's secondary teachers were misassigned for one or more class periods during the 1985-86 school year. Subsequently, the Education Code required each county to establish procedures for reviewing the certificated assignments in one-third of their school districts each year. The code section changed in 1996 to require monitoring in one-fourth of the districts annually.

The Commission has the responsibility to monitor and review assignments for the counties, or cities and counties, in which there is a single school district. These include the following counties: Alpine, Amador, Del Norte, Mariposa, Plumas, and Sierra, along with the City and County of San Francisco. The data is analyzed and reported to the Commission and the Legislature at the end of each four-year monitoring cycle.

SFUSD, a K-12 District, was monitored in 2003-04. The final report was issued in early April 2004 and found a total of 249 misassignments in the district. The misassignments were found at every level: 66 in elementary schools, 88 in middle schools, 79 in high schools, and 16 in district-wide teaching and non-teaching assignments. These 249 misassignments fell into ten areas of correction. The county was given 45 days to respond to the Commission. Most but not all of the misassignments were addressed. Because not all misassignments were corrected within the timeline the Commission began the sanction process. For the first step, the Commission sent the Superintendent a Compliance Agreement that included the remedial steps the county must take to correct the remaining 28 misassignments. The superintendent signed the agreement and the 28 misassignments were corrected within the timeline.

The Commission has monitored the assignments in San Francisco Unified School District for the past five years, either as a full or random monitoring. While progress was made in the number of misassignments, the percentage of misassignments is still above the state average of 2.5% (based on the 2000 report to the Legislature). The Commission continues to work with the Human Resources Division at the San Francisco Unified School District to appropriately assign their certificated staff.

This year the Commission will monitor Alpine and Sierra Counties.

#### **PROFESSIONAL SERVICES COMMITTEE**

Commissioner Molina convened the committee.

##### **7A: Commission Exam Program Planning**

Amy Jackson, Administrator, Professional Services, provided background information related to the process followed to validate examinations used for California teaching certification. She also discussed the need to periodically re-validate examinations and reviewed the examinations that had recently been validated.

Ms. Jackson explained that to maintain their effectiveness, legal defensibility, and consistency with current state standards, examinations must be periodically revalidated. Since 2000 the Commission has completed a number of examination validity studies, including CSET (initial validation) and Subject Matter Requirements for Phases I, II, and III; CBEST (re-validation); Teaching Performance Expectations for Teaching Performance Assessment. In late 2005, a revalidation study for RICA is planned, as is in initial validation of BCLAD in 2006.

Ms. Jackson then indicated that staff would like direction regarding the validity study for RICA planned for 2005.

Commissioner Molina asked if there was sufficient budget and she was informed that there was.

Commissioner Clopton asked about the process for the validity study. Ms. Jackson said the first step would be to create a design team of experts and conduct a literature analysis and set up test specifications. Commissioner Clopton wanted to clarify that this seems to cover content validity but does not include other types of validity. In the future he would like other types of validity to be looked at as well.

Chair Schwarze wanted to know if staff had chosen the design team for RICA. Ms. Jackson replied that they had not, but that they have requested nominees on the website.

Ms. Jackson described the role of the Design Team as that of reviewing the current test specifications and test structure, pass rates and success standards. They would look at these items and then develop a set of test specifications that are then sent out to the field for review.

Chair Schwarze wanted to know what would specifically be measured on the exam. Copies of the statute related to RICA were handed out to members of the Commission and the audience. Ms. Jackson highlighted the skills that would be measured. Ms. Jackson also noted that the test specifications are also available on the Web: [www.rica.nesinc.com](http://www.rica.nesinc.com) or on the Commission's Web site.

Chair Schwarze said that her largest concern about soliciting members for the design team was that a lot of people have already worked hard to develop the validation study. She wanted to be sure that a "come one come all" approach not negate the work of the previous experts who had worked on the study.

### **7B: Recommended Knowledge, Skills and Abilities for the California Teacher of English Learners (CTEL) Examination**

Amy Jackson, Administrator, Professional Services Division, and Mark McLean, Assistant Consultant, Professional Services Division presented the report of the knowledge, skills and abilities (KSAs) that will be eligible for assessment on the CTET Examination. He noted that the proposed KSAs were drafted by a design team of California educators; evaluated by educators statewide through a validity study survey; reviewed by staff for alignment with California Department of Education K-12 English Language Development Standards, Standards of Quality and Effectiveness for Teacher Preparation Programs, and the Teaching Performance Expectations; reviewed for potential bias; and finalized by the design team and PSD staff.

Mr. McLean explained that the Education Code requires the Commission to issue a certificate that authorizes instruction of English learners. The Code further requires the Commission to develop and administer examinations by which a teacher can demonstrate competence in the knowledge and skills necessary for the effective teaching of English learners. Standards have been developed and implemented to incorporate competencies for instruction of English learners into newly approved Multiple and Single Subject Teaching Credential preparation programs. The Commission is also required to provide candidates, including those from other states, with an examination route to fulfill the requirements for instruction of English learners.

Mr. McLean referenced the 15 members of the English Learner Instructional Design team, circulating a document that also included the member's positions in addition to their educational institution affiliation.

Commissioner Banker asked about the learner design team and if it was a volunteer panel and how much it cost. Mr. McLean said the design team costs were covered within the overall the contract and he did not have the specific breakdown. He indicated that staff would report back on the costs. Commissioner Banker also wanted to know who would need to take the test. Mr. McLean responded that it would be required only of those who have no other authorization to teach English Learners, or approximately 3,000 to 5,000 individuals per year.

Regarding KSAs, Commissioner. Banker asked about 7B-26, and why teachers would need this level of background on the various areas outlined. Mr. McLean referenced the design team's efforts, input from a wide-spectrum of qualified educators, and the various standards reviews as indicating such breadth and Departmenth was warranted.

Commissioner Banker indicated her belief that some of the KSAs seem dated and not relevant to what teachers are doing in California today. She questioned if we really need to use them, or if they could be revisited, or perhaps compared with CLAD. Mr. McLean replied that a lot of these items in parenthesis (to which Commissioner Banker referred) are examples and not necessarily the specific content that would be included.

Commissioner Bustillos said she was grateful to the design team for their effort. She felt that this thoroughness and Development was needed and hoped that other examination processes (i.e., CLAD) were just as rigorous.

Commissioner Clopton said that he would like to see the design specifications as well as the KSAs.

Commissioner Gomez complimented the amount of work, but felt that the section on phonology and morphology was insufficient and that these were the areas where students and teachers are failing.

Commissioner Littman pointed out that CTEL doesn't replace an English credential. It is not going to affect the teachers who already have the credentials.

Commissioner Grant said that the phonology and morphology components of this exam are not being adequately addressed. She said if the Commission wanted to improve people's opportunities to succeed we need to express the importance of language structure and use. As such, there is a need to raise the bar on this section.

Commissioner Littman asked if the phonology and morphology section could carry greater weight to emphasize their importance. Ms. Jackson said they could—that these

were just the KSAs and not the actual examination design. Commissioner Gomez expressed support of this idea.

Chair Schwarze concurred that there was too much emphasis on cultural diversity vs. language structure and use. She emphasized that assessment drives instruction.

Commissioner Banker said that at this point she does not feel comfortable using these KSAs. She felt that they were dated, lacking validation and replicability.

Commissioner Molina invited testimony from the public. One person testified:

**Martha Zaragoza-Diaz, California Association of Bilingual Education (CABE).** The CABE supports the proposed KSAs for the CTEL examination. She noted that the examination is for teachers already in the classroom who are already credentialed. In reference to the discussion about phonology and morphology, she said that such experienced teachers should already have these instruction skills because of their experience. She added that these KSAs are the results of validity studies, and surveys of one thousand teachers with real-world teaching experience. She emphasized that she would not like to over-emphasize one subtest (phonology and morphology) at the expense of the others. She disagreed with Commissioner Banker about the validity of the research, stating that the methodology was very solid.

Following public testimony, Commissioner Johnson moved to accept the recommended KSAs. Commissioner Madkins seconded.

Commissioner Banker was still concerned about whether the research data was replicable, noting that even though one thousand teachers were surveyed only 246 responded. Ms. Jackson replied that the Commission has been using survey research for many years and that return rate was typical.

By a vote of 4 “yes” (Commissioners Bustillos, Littman, Johnson, and Madkins) to 6 “no” (Commissioners Banker, Gomez, Grant, Molina, Schwarze and Stordahl) the motion failed to carry.

Commissioner Banker asked that the KSAs be reviewed so that English learners are taught in such a way that they receive the skills they need to be successful.

It was moved and seconded that staff report back with further information.

Given the lateness of the day, Commissioner Johnson asked that Agenda Items 7C and 7D be moved to the April agenda. Dr. Swofford suggested that items could be open for purpose of public comments only.

**7C: Proposed Plan for Reviewing Bilingual Certification**

Commissioner Molina invited testimony from the public. Those who spoke were:

**Karen Cadiero-Kaplan, Ph.D., California Teachers of English to Speakers of Other Languages (CATESOL).** She spoke in support of Item 7C, calling it a viable action for reviewing the four policy questions related to Bilingual Certification for California teachers. She provided detailed information in writing about a survey CATESOL and other organizations developed and administered to guide Commission staff in developing, delivering and providing accreditation standards for bilingual education, and to reauthorize the credential for bilingual teacher professional preparation. In particular, she noted Table 3 of the survey findings that found 90% of respondents agreed that the Commission should maintain the current University-based BCLAD credential programs while only 19% thought that these programs should be eliminated. She also cited responses to options for teaching less commonly taught languages, as well as for proposed future certification options and competencies needed for Dual/Two Way Immersion Certification. She concluded by recommending the Commission consider this data as an indicator of the priorities that professionals in the field place on the maintenance and further development of the bilingual credential as well as the need to develop processes that support dual language development.

**Dr. Charles Zartman, Jr., Director and Professor, California State University, Chico.** Dr. Zartman indicated that he was testifying as a follow-up to his testimony of February 1, 2005. Having worked on 13 accreditation bodies over 14 years, Dr. Zartman emphasized the importance of creating clear standards which shape institutions and programs. He referenced the survey data presented by Dr. Cadiero-Kaplan as addressing the policy questions determined as a priority by Commission staff. These results complement a survey effort to be undertaken by Commission staff. Furthermore, stakeholder meetings will allow for direct input from professionals in the field and community members unable to attend meetings held during the day in Sacramento. If funding is available, he would support regional meetings. If not, then he would encourage soliciting public comment from desired constituencies. Having served on the California Department of Education Task Force on LEP issues, he emphasized the importance of California governmental institutions providing formal on-record commentary about professional preparation to meet the needs of English learners. He outlined the variously-funded option for an advisory work group, including a group of volunteer experts who would meet and advise for free so long as the result of their work was taken into serious account by the Commission. He concluded by asking the Commission to vote affirmatively to begin a process that had been initiated with the approval of SB 2042 Standards on September 6, 2001.

**Martha Zaragoza-Diaz, California Association of Bilingual Education (CABE).** She spoke in support of Dr. Zartman's comments. CABE also supports regional stakeholder meetings and the regional meetings. If the five meetings are not feasible, she recommended that at least three regional meetings be held – one each in the northern, central and southern parts of the state. They also support an advisory work group, specifically the supported group, but also the volunteer group that Dr. Zartman

referenced. In reference to the composition to the advisory work group, she would like to see in addition, at a minimum, a classroom teacher currently in a bilingual classroom and BCLAD program as well as a student in a bilingual program. She had several questions for the Commission. First, she asked what process will be used to identify and select members to an advisory group. And who makes the final decision and in what timeline She also expressed concerned that there is no funding available for BCLAD validity study and strongly suggested the Commission ask for funding for this study.

Dr. Swofford answered these areas of concern, first by stating that the composition of the advisory group was at the discretion of the commission. He stated that the Commission could address the specifics at its next meeting. He said they could select people from specific groups, or based on experience or expertise. Or the commission could appoint a special advisory committee. He commented that the Commission could approach the Department of Finance for funding. He added that the Commission could develop an RFP for a validity study as part of the contract with the testing company, which might be a better option than going through the Department of Finance.

**Dr. Charles Zartman** added that a student representative from an organization like Student California Teachers Association (SCTA) would be an excellent idea for the advisory committee.

**Jane Rodgers, Student California Teachers Association (SCTA).** She noted that Policy Question 1 pertained to already credentialed teachers. Yet she found that the advisory committee did not include credentialed teachers. Furthermore, having a student representative on the advisory committee would better inform Policy Question 2. If students can have input on BCLAD it would be greatly helpful. BCLAD students need to take additional coursework beyond CLAD, which causes cap concerns. This can affect the amount of practical application before students go out to actually teach. She ended by re-emphasizing the need for student representation on the advisory group.

Dr. Swofford added before the meeting concluded that the intent was to include credentialed teachers in the advisory group. He also commented that the suggestions presented by those testifying were very important and that staff would come back with a full report, including cost information.

Commissioner Johnson moved that (second Madkins) 7B and 7C be deferred to the April agenda. Seconded by Commissioner Madkins. Motion carried without dissent.

General Session reconvened by Chair Schwarze.

### **2G: Report of Closed Session Items**

Vice chair Stordahl reported that the Commission rejected the following Proposed Decisions and called for the transcript:

1. Theodore Adams
2. Jonathon Winningham

**2H: Report of Appeals & Waivers Committee**

Ms. Littman reported the following:

**A&W 1A**

It was moved, seconded, and carried (Bustillos/McGrath) that the minutes of the Appeals and Waivers Committee meeting of January 31, 2005, be **APPROVED**.

**A&W 1B**

It was moved, seconded and carried (McGrath/Johnson) that the Committee reconsider the waiver request by Amador County Unified School District.

It was moved, seconded and carried (McGrath/Bustillos) that the Committee approve the waiver request Single Subject Teaching Credential in Foreign Language: Spanish, by Amador County Unified School District for Karen Margaret Wall with the condition must complete eight semester units of Spanish course work or take and pass the appropriate CSET subject exams for Spanish. No subsequent waiver will be considered.

**A&W 1C**

It was moved, seconded, and carried (Johnson/McGrath) that the Committee **APPROVE** the **209** waiver requests on the Consent Calendar.

**A&W 1D**

It was moved, seconded, and carried (Bustillos/McGrath) that the Committee **APPROVE** **4** waiver requests on the Conditions Calendar with specific conditions attached, as listed below:

**#1 APPROVE:** The waiver request, Pupil Personnel Services Credential in School Counseling submitted by San Ramon Valley Ziba Angha with the condition applicant must take the CBEST at least twice and obtain a passing score of 41 in one section prior to consideration of a subsequent waiver.

**#2 APPROVE:** The waiver request, Single Subject Teaching Credential, in Music submitted by Calipatria Unified School District for Elisabeth Anne Hendrickson with the condition applicant must take the CBEST at least twice and obtain a passing score of 41 in one section prior to consideration of a subsequent waiver.

**#3 APPROVE:** The waiver request Single Subject Teaching Credential, in Physical Education submitted by Grant Community Charter for Igor A. Zhevnutko with the condition applicant must take the CBEST at least twice and obtain a passing score of 41 in one section prior to consideration of a subsequent waiver.

**#4 APPROVE:** The waiver request, Single Subject Teaching Credential, in Foreign Language: Spanish submitted by Fairfield-Suisun Unified School District for Carmen M. Scherrer. with the condition must complete six semester units of Spanish course work, no subsequent waiver will be considered.

**A&W 1E**

It was moved, seconded, and carried (Johnson/Grant) to recommend preliminary denial of the 2 Waiver Requests on the Denial Calendar. These waiver requests will be brought to the Commission for action at the April, 2005 meeting.

**Public Comment**

Robert Allyger asked that the Commission revoke his credentials. General Counsel Mary Armstrong explained the process for credential revocation.

**2I: New Business**

The Quarterly Agenda for April, May/June, & August was presented for information.

There were no Commission member reports.

There were no audience presentations.

**2J: Adjournment**

The Commission adjourned. The next Commission meeting will be April 14, 2005, at the California Commission on Teacher Credentialing office, 1900 Capital Avenue, Sacramento, California.