

## **Minutes of the August 2004 Commission Meeting**

**August 12,, 2004**

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

### **COMMISSION MEMBERS ATTENDING**

Lawrence Madkins, Teacher, Chair

Elaine C. Johnson, Public Representative, Vice-Chair Kristen Beckner, Teacher

Leslie Littman, Designee, Office of the Superintendent of Public Instruction

Alberto Vaca, Teacher

Os-Maun Rasul, Non-Administrative Services Credential Holder

### **COMMISSION MEMBERS ABSENT**

Beth Hauk, Teacher

Steve Lilly, Faculty Member

### **EX-OFFICIO REPRESENTATIVES**

Marilyn McGrath, 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 Rhonda Brown, Program Analyst, Certification, Assignment

& Waivers Division Nancy Passaretti, Program Analyst, Certification,

Assignment & Waivers Division Terri Fesperman, Assistant Consultant,

Certification, Assignment & Waivers Division Leyne Milstein, Director,

Information Technology & Support Management Division Linda Bond, Director,

Office of Governmental Relations Elizabeth Graybill, Director, Professional

Services Division Amy Jackson, Administrator, Professional Services Division

Larry Birch, Administrator, Professional Services Division Phyllis Jacobson,

Consultant, Professional Services Division Teri Clark, Consultant, Professional

Services Division Cheryl Hickey, Consultant, Professional Services Division

Kathleen Beasley, Proceedings Document Recorder

Thursday, August 12, 2004

## **GENERAL SESSION**

### **2A: Meeting Called to Order**

The general session was called to order by Chair Madkins. Roll was taken; because of a lack of a quorum, pursuant to Education Code Section 44212, two ex-officio members (Waite and Wilson) were selected by lot to establish a quorum. Everyone joined in the Pledge of Allegiance.

### **3B: Approval of the June 2004 Minutes**

A motion to approve the June 2004 Commission minutes was made (Johnson), seconded (Beckner) and carried without dissent.

### **Approval of the August 2004 Agenda**

A motion to approve the August 2004 agenda with inserts (pertaining to 2C, 3A, 6A, 6C and 7A) was made (Wilson), seconded (Beckner) and carried without dissent.

### **3C: Approval of the August 2004 Consent Calendar**

Vice Chair Johnson asked that the item on Approval of Guidelines-Based Tier II Administrative Services Credential Programs be pulled. Ex-Officio Representative Waite asked that the Request for Extension of Waiver of Accreditation Requirement for Inter-American College be pulled. Chair Madkins asked for a vote on approval of the consent calendar without the two items; there was no dissent.

Vice Chair Johnson asked staff to explain the Standards Aligned Instructional Leadership program recommended by staff for approval as a Guidelines-Based Tier II Administrative Services Credential Program. Jim Alford, Consultant, Professional Services Division, said SAIL is a private program based on national professional development standards and aligned with California's requirements for mentoring and support. A motion to approve the entire item, which includes four programs, was made (Johnson), seconded (Rasul) and carried without dissent.

Ex-Officio Representative Waite said she favors granting InterAmerican College the waiver requested. She said she was taking the opportunity to raise the issue as to whether such waivers should be placed on the consent calendar. Larry Birch, Administrator, Professional Services Division, said that staff will be happy to make such waiver extensions regular agenda items in the future. A motion to

approve the waiver extension for Inter-American College was made (Waite), seconded (Wilson) and carried without dissent.

## **2D: Chair's Report**

Chair Madkins welcomed a new ex-officio representative to the Commission. Marilyn T. McGrath will represent the California Postsecondary Education Commission. She currently is an instructor and program director for the Santa Monica Community College District, where she teaches Child Development, Psychology and extension classes in parenting. She holds an Administrative Services Credential and has spent more than 30 years in the education field. Ex-Officio Representative McGrath thanked the chair for his welcome and said she was looking forward to studying, learning and being a contributor to the Commission's important work.

Chair Madkins also congratulated Dr. Swofford, who was recently honored at the National Association of State Directors of Teacher Education and Certification conference in Pittsburgh for his outstanding service as president during the past year.

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

On behalf of Commission staff, Dr. Swofford also welcomed Ex-Officio Representative McGrath. He also announced that the Executive Office has a new student assistant - Michelle Mills.

Dr. Swofford also took a moment to recognize Dale Janssen, Director, Certification, Assignment and Waivers Division, for the magnificent job he has done on behalf of the Commission in the past year. He has been on the forefront of responding to the requirements of No Child Left Behind and has been highly effective in working with stakeholder groups on issues such as emergency permits. His expertise and leadership have benefited the Commission, the education community and California's children.

Dr. Swofford then asked Beth Graybill, Interim Director, Professional Services Division, to speak about her recent experiences in Namibia. Ms. Graybill explained that Namibia is in the process of establishing standards for many professions, including teaching. After spending time in California observing the Commission's methods and processes, Namibia invited the Commission to send a staff member to participate in a workshop that explored the differences between models used in California, Ontario and South Africa. The trip, which was undertaken at no cost to the state, involved a 27-hour plane ride each way. Ms.

Graybill reported that the Namibia team made great progress, identifying a vision for teacher professionalism, developing objective statements about what standards would accomplish and developing a strategic plan for developing and implementing standards by the end of 2006. She said the country is also intrigued by the California induction process. Dr. Swofford said the invitation was a credit to the Commission and California's growing reputation as a leader in teacher credentialing.

## **PROFESSIONAL SERVICES COMMITTEE OF THE WHOLE**

Commissioner Becker convened the Professional Services Committee of the Whole.

### **4A: Update on the American Board for Certification of Teacher Excellence (ABCTE) Passport to Teaching Certification Program**

Chair Madkins invited Dr. Kathleen Madigan, President of ABCTE, to present information about the teaching certification program as part of the Commission's commitment to open and inclusive discussions about policy issues. He noted that the existence of such a program raises important policy questions, including what the state's policy should be toward teachers who are certified under the program and then wish to become teachers in California; whether the state's comparability standards might need to be revised; and how the program compares with California's own alternative teaching credential programs. He asked Dr. Madigan to provide information and answers to questions.

Amy Jackson, Administrator, Professional Services Division, introduced Dr. Madigan. Dr. Madigan noted her own background as a native Californian and former classroom teacher in the Sierra Buttes and Modesto. Dr. Madigan presented the following information about the ABCTE Passport to Teaching Program:

- There is general agreement that high-quality teachers are critically important for improving student learning.
- There are a variety of routes to earning a teaching credential already in California. These have the benefit of attracting older people, people of color, men and people with experience in other professions. In addition, retention rates tend to be higher with individuals who have gone through alternative programs.
- ABCTE believes that there should be two models for certification - a program-based one and a standards-based or competency-based model that assesses an

individual against rigorous standards.

- ABCTE began setting up a standards-based route to certification in 1998. Dr. Madigan said funding began with the Clinton Administration and has continued under the Bush Administration.
- Many states are now recognizing the program; Texas is using it to help identify and certify 1,000 teachers and several other states are considering using the program.
- ABCTE candidates are typically older - an average age of 36. They are people who have had other careers. Other statistics: 53 percent are male, 60 percent are involved in some form of teaching already and 100 percent have had instructional experience. Almost 40 percent have a master's degree or doctorate; everyone has at least a bachelor's degree.
- The program involves a self-assessment, a diagnostic assessment upon which an individualized program is based. Participants then take about a year to work on competencies that need to be improved before taking two four-hour tests that cover subject matter competency and professional teaching knowledge. There is also an FBI background check.
- ABCTE used an extensive stakeholder process to identify best practices and standards across the nation, including looking at California's standards for both teaching and academic content. ABCTE feels its program is aligned with California's standards.
- For the professional teacher knowledge component, ABCTE created a panel, reviewed current standards and then looked for empirical evidence about what was important and what works. Each competency is supported with empirical information that links it with student achievement. The standards were then sent to teacher educators for evaluation and input.
- The competencies are instructional design; instructional strategies; classroom management; assessment; working with parents; working with diverse students; and written language assessment.
- Normally, all of the information required to achieve competency would be presented in a program - a series of courses. However, this program is marketed to people who already have other careers, experience and knowledge. Retired

teachers act as mentors and help participants identify their needs, objectives and resources to learn what they need to know. In some cases, participants work with community colleges, private vendors or existing tutorials.

- Competency is assessed using a computer-based tool that is similar to a flight simulator. ABCTE has documentation for test validity and reliability. Examples include watching children read and diagnosing problems that should be addressed; interacting with parents; and answering questions about lesson sequencing. Almost 3,000 people field tested the exam. More than 100 people participated in setting the passing scores. ABCTE feels the program is not a minimum competency test, but a rigorous exam.
- Once a participant is certified, there is an online induction program run through a partnership with UCLA.
- With Department of Education funding, there will be an ongoing longitudinal assessment of the program. There is also funding available to develop areas on beyond the elementary credential, including special education and general science, over the next five years.

Designee Littman asked for further information about participants. Dr. Madigan said there are 153 in the program currently and 13 have completed the whole process. About 50 percent are passing the test on the first try. Dr. Madigan indicated that there is no current information about the ethnicity of participants at this point.

Designee Littman also asked about the cost. Dr. Madigan responded that the program preparation phase costs \$500. If tests need to be retaken, it costs \$150 or \$200.

Commissioner Rasul asked about preparation in cultural and linguistic diversity. Dr. Madigan said that the diversity component is not addressed separately but instead is embedded across different standards and competencies. She noted that the test provides rural, urban and special needs student examples, and teachers need to be able to demonstrate an ability to meet the needs of a variety of students under different conditions.

Commissioner Rasul said he understood the theory but believes that it is important for student teachers to be in the classroom and exposed to different behaviors. They gain insight and experience on how to manage the classroom

while delivering high-quality teaching, something that is very difficult for a computer program to simulate. Dr. Madigan said the exam measures whether participants can do it, but that preparation for doing it can be achieved in much the same way that a traditional program requires - taking a course or gaining experience in those types of settings. The ABCTE approach is to measure whether a person has the skills, not to dictate a course and presume that once the course is completed that the person has the skills. A person could pass a course without gaining competency; they cannot pass the test without having the competency, she said. The value is not in the credits for taking the course, but in their ability to demonstrate the knowledge base on the assessment.

Vice Chair Johnson said the web site for ABCTE does not show anything before 2001, and asked for a clarification on where the initial funding came from. Dr. Madigan said the funding may actually have come during the time of transition from one administration to the next, but that it predates No Child Left Behind.

Vice Chair Johnson asked if the test has constructed responses or relies only on multiple choice. Dr. Madigan said there is an hour-long essay on the teacher knowledge exam and that there will be several written responses in the special education assessment. Vice Chair Johnson asked how they are scored. Dr. Madigan replied that Vantage Learning scores them, using two readers per test and a six-point scale.

Commissioner Beckner asked for further information about the instructional experience of participants. Dr. Madigan replied that people have instructional experience from the Peace Corps, charter schools, long-time substituting and even Sunday school. Commissioner Beckner asked if the program would be suitable for a 21-year-old with no instructional experience. Dr. Madigan said such a person would be encouraged to look elsewhere but that the program cannot discriminate based on age or any other criteria. She added that it would be an incredibly challenging process for someone who did not have experience.

Commissioner Beckner asked for more detail about the videos and participants being asked to make a diagnosis about reading problems. Dr. Madigan said the test taker might look at four different videos and then be asked to match which instructional method might work best with each. Commissioner Beckner said she is concerned because a person can go through coursework and take exams but still not be able to actually perform competently. Dr. Madigan said that the program recognizes that, which is why there is a companion induction program.

Ex-Officio Representative Wilson asked that Dr. Madigan provide a list of accreditations that are accepted in terms of recognizing a person's bachelor degree. Dr. Madigan said she would provide the list to the Commission.

Designee Littman asked what kind of information is provided other than pass/fail from the test. Dr. Madigan said a person is able to see what areas are weak and what needs to be worked on for either retaking the test or during the induction process.

Ex-Officio Representative Waite said she would like to see the research that links student achievement and the route taken by a teacher to become certified. Dr. Madigan said she would be happy to provide a bibliography of research.

Ex-Officio Representative Symms Gallagher asked about the 13 who have passed the exam. Dr. Madigan said she has no information about their ethnicity but could provide it. Seven are male and all but two have jobs. Three passed the elementary credential and the rest are in high school English and math.

Vice Chair Johnson asked about the technical reports and research. Dr. Madigan said the documents had been shared with Commission staff and that ABCTE is working on creating something that could be shared more publicly.

Chair Madkins thanked Dr. Madigan for her presentation and responses to questions.

#### **4B: Policy Questions Related to the American Board for Certification of Teacher Excellence**

Ms. Jackson provided a series of questions for consideration by the Commission.

1. How do the ABCTE Passport to Teaching requirements for certification align with California's requirements?
2. How do the four ABCTE Passport to Teaching exams align with California's tests?
3. To what extent do the exams align with California's K-12 academic content standards for students?
4. How would teachers who pass the exam in another state and relocate to



California document that they have met California's teacher preparation standards?

5. How might ABCTE fit within California's current alternative routes for certification?

6. When ABCTE develops a special education exam, how might that impact California and what levels of special education might it be acceptable for?

Vice Chair Johnson suggested that it might be good to create a document that lays out California's existing different alternative routes, including what they require.

Chair Madkins then began the public testimony portion of the item. Mr. Frank Porter, Superintendent of the Rio Linda Union School District and the first person on the list, had to leave for a meeting and will submit written comments later. The following people spoke:

**Dr. Beverly Young, California State University,** said she was speaking on behalf of Chancellor Charles Reed in expressing extreme opposition to ABCTE. She said that despite the impressive listing of what ABCTE went through to establish standards, California has already gone through its own process and created much tougher standards. She pointed out that Dr. Madigan referred to accreditation as either coming from a program or from individual assessment, but that in California both are required. She said California should not lower its standards; testing is important but not sufficient for teacher preparation. She also questioned the validity of demonstrating competence through a multiple-choice exam on a computer rather than by directly teaching with real children in a classroom. Since California has difficulty filling hard-to-staff schools and positions, teachers credentialed with this method are likely to end up in the very classrooms that need the highest quality, best prepared teachers. She said that any further consideration of ABCTE would be insulting to the education community, parents and the public since the program would undermine the care that has already gone into ensuring quality teaching in California. She advocated that no more staff or Commission time be invested in the topic.

**Dr. Harold Levine, Dean of the University of California, Davis School of Education.** He said ABCTE offers what many regard as a serious departure from how California currently prepares and qualifies teachers, and that the jury is still out on whether it is a useful departure. The program appears to have five major

pieces - application, diagnostic self assessment, developmental learning plan, certification exams and online induction - and that each is largely unmonitored. Because this is a national program that is Washington-based, it takes authority away from states in terms of licensing teachers. Because it depends on a performance exam, the burden on the exam in lieu of a program is enormous. There are many unanswered questions about the validity of the test, the ability of the test to predict or determine effective teachers and whether the tests actually measure what they are supposed to. He recommended that the Commission not go further with consideration of ABCTE.

**Nina Moore, Director of Teacher Education and K-12 Collaboration for the University of California, Office of the President.** She asked the Commission to drop any further consideration of ABCTE. She said the state already has a rigorous system in place for credentials, induction, alternative routes and out-of-state reciprocity. She said she is concerned about what constitutes preparation plus the lack of real experience in classroom. She said ABCTE disregards all that we consider necessary in California at a time when universities have already increased the number of credential students in programs. She said UC recognizes the need for more teachers in challenging schools and subjects, but she doesn't think less preparation is the solution.

**Veronica Villalobos, Association of California Independent Colleges and Universities.** She offered strong opposition to the ABCTE process and any further consideration by the Commission. She said the program flies in the face of research. She said there is no longitudinal study of success and no evidence of validity or reliability because the program has only qualified one group of participants so far. She said such a simplified route should not be considered when California has such high expectations and is challenged by the needs of diverse students.

**Jerry DeLuca, Educational Testing Service.** He said he was primarily there to listen and offer any expertise on testing questions. He said that ETS believes tests are important and have a role, but are not in themselves an answer to quality teacher preparation.

**Kathy Harris, a fifth grade teacher in Santa Rosa representing the California Teachers Association.** She said that CTA believes that multiple routes to teaching are important tools but that they should be equal in rigor and quality to existing credential and training programs. She said competence needs to be documented using multiple measures, training, mentoring, etc. She said no

alternative route answers the problem of teacher supply because it does not address what is causing the shortage - poor conditions for teaching and learning. She said ABCTE is not an appropriate alternative for California and urged the Commission to take no further action.

**Martha Riddell, Interim Dean of the School of Education at Sonoma State University.** She said that everyone who has ever worked in teacher preparation knows that some of the brightest candidates pass all the tests and turn in great portfolios but then stumble in the student teaching experience. They know all the things about teaching and all the content, but they are not quite able to do it in the classroom. The student teaching experience under a resident teacher and university supervisor can help assure that the quality of education continues at a high level. California has just eliminated emergency credentials in recognition of the problem of having people without pedagogy experience in the classroom. She said that ABCTE represents a return to emergency-credential practices.

**Patricia Arlin, Dean of Education at CSU, San Bernardino.** She echoed Dr. Young's opposition on behalf of CSU. She said her campus has substantial data and multiple years from employers at schools about new teachers, and that it is very clear that those new teachers who have student teaching experience, in contrast to those who are interns or who have emergency permits, are best prepared to teach. The classroom experience is crucial.

**Carol Bartell, Dean of Education at CSU, Los Angeles.** She said she is opposed to further discussion by the Commission. She offered two anecdotes, including a recent student teacher who passed all tests but has not been able to demonstrate classroom competence; he will be offered a new placement with a different mentor and supervisor. The second illustration was about a blended program course that included discussion about equity, fairness, cultural competency, respect, inclusiveness - all important values that apparently are not referenced in the ABCTE program. She said the lack of a community of learners is a drawback. She questioned whether there is a need for another alternative route now when programs have stepped up their capacity to meet demand - especially if that route doesn't meet California's current high standards.

**Phyllis Fernland, Dean of the College of Communication and Education at CSU, Chico.** She said California has put in place a wonderful architecture and learning-to-teach continuum that extends through induction. The state has done a lot of work to align K-12 content standards with what is happening in teacher preparation. ABCTE represents a step backwards. She said the state of

Pennsylvania has reversed its prior approval of ABCTE as a freestanding separate method and now requires candidates to be part of a teacher preparation and induction program. ABCTE is a way for teachers to show what they know but not what they can do. The clinical part of the program is essential, but lacking in ABCTE.

**P. David Pearson, UC Berkeley.** He said that usually the state opens the floodgates to marginally qualified teachers whenever there is a shortage. But at the moment, California has in place high standards, procedures and programs. The state should hold and maintain the bar for entry at a high level or it will shortchange parents and children; the bar set by ABCTE is not high enough. He said an exam-based approach was tried in the 40s and 50s but was eventually rejected because it is next to impossible to have a test be predictive about who is a good teacher and who is not. Those with high scores are not necessarily good teachers. He said California should not lower its expectations.

**Dr. Catherine Kearney, San Joaquin County Office of Education and Project Impact.** She argued that teaching is multi-dimensional, complex and happens in real time. Teachers have to make good decisions in the moment, not at the pace set by a computer test. In a program that includes student teaching or an internship there are many opportunities to see a candidate respond in real time in a caring manner and with good practices. As a provider of teacher preparation that holds accreditation in California, her program would not have been allowed to put forth a test-only option; she was expected to meet standards for preparing teachers. So why should the Commission disregard all of its prior work and consider an unproven, test-only option? She said the students would not be the ones who would gain from such a decision.

**Jim Livingston, President of the San Juan Unified School District Board,** but speaking on his own behalf only. He said he would be opposed to the district hiring teachers who take a test and get a credential without any other preparation. He said the district participates in many alternative programs, but those provide the district an opportunity to see the person in the classroom before making a hiring decision. He urged the Commission to keep in mind what is best for students.

**Nina Winn, on behalf of the Orange County Superintendent of Schools.** She said the Orange County Teacher Preparation Induction Collaborative had asked that the item be removed from the agenda when it appeared that it was an action item. She said the districts in Orange County are not interested in hiring teachers who

have only taken a test. Noting that Orange County is increasingly diverse, she said a program that does not deal with diversity issues is of great concern. She urged the Commission to not take the matter any further and to continue to rely on existing programs.

**Bruce Kitchen, School District Liaison to the Commission for School District Personnel and Human Resources Administrators for San Bernardino and San Diego Counties.** He asked that the Commission be sure to involve all stakeholders if the Commission decides to further pursue the ABCTE program as an alternative option.

**Kelvin Lee, Superintendent for the Dry Creek Elementary School District in Placer County.** He asked why the Commission would want to consider an alternative program that doesn't partner with a school district or local educational institution. He also asked why the Commission would consider an alternative that has teachers forgo the opportunity of working with children and replaces it with an artificial situation and simulated circumstances. And he asked why the Commission would contemplate putting in place a program that would put a substantial burden on the district for managing teachers who have not had any classroom experience.

**Elizabeth Jimenez, California Council on Teacher Education.** She said her organization has submitted a letter and resolution opposing ABCTE in California. She said it represents an enormous departure from the shared belief in the value of education and teacher preparation. When the health and safety of the public is at stake, California requires much more for a written test; in fact, it does for things as diverse as scuba divers, smog technicians, drivers, doctors and cosmetologists. Knowing about driving is not enough; people have to demonstrate that they know how to drive a car. She said far too much is at stake and that California should continue to require professional proficiency, coursework and hours of supervised practice.

**Jo Loss, Vice President of Education for the State PTA.** She said improving teacher quality is a key element of effective school reform and that the PTA supports quality programs that are designed to improve teacher excellence. ABCTE does not require that teachers demonstrate mastery of the practical knowledge needed to teach well. The PTA strongly opposes it being used as an alternative certification route.

**Ixchel Samson-Adumek, National Board-Certified Teacher** on leave while

getting a doctorate at Stanford. She said unlike ABCTE, the National Board process requires teachers to document that they meet high standards and that they are having an impact on student learning and achievement. She believes that teachers need to be in a classroom with students to acquire experience. Since ABCTE does not have that requirement, she opposes it as an alternative certification program.

**Hector Lee, National Board-Certified Teacher in San Francisco.** He urged the Commission not to adopt ABCTE. He said it would ultimately diminish the quality of teachers. The state already has rigorous requirements in place - credential coursework, teaching of reading and writing, teaching English Language Learner students, and recognition of the importance of practice teaching under a mentor. ABCTE assesses knowledge but it does not impart skills and knowledge. He asked that the Commission not lessen standards by considering ABCTE.

**Lisa Ramer, English Teacher and Member of California Teachers of English to Speakers of Other Languages.** She said subject matter alone does not make a qualified teacher; what is critical is teaching experience. If ABCTE were offered as an option, it would send a horrible message to field and dilute the standards that California has worked hard to establish. She urged the Commission to stop any consideration of ABCTE and to oppose reciprocity for ABCTE-certified teachers from other states.

**Jesus Torres, California Faculty Association.** He said his organization opposes ABCTE. He said the examination process, without any supporting program or classroom experience requirement, simply sets up teachers for failure and thus fails students of the state.

**Stephanie Farland, California School Boards Association.** The organization sent a letter outlining its concerns. She added that school districts are under tremendous pressure to increase student achievement. This is not the time to turn to an exam to increase the pool of teachers. California needs teachers who know how to teach and teach different sub-groups. CSBA opposes using an exam to fill classrooms with teachers.

**Ken Futernick, CSU Sacramento Professor of Education,** currently on leave to work on teacher preparation with the Chancellor's office. He said he conducted a small sample study based on one of the questions cited on ABCTE's web site. The question asked how long a teacher should wait for an answer after asking a

higher-order question. Four choices were given: 3-5 seconds, 8 seconds, no more than three seconds, and no more than 10 seconds. He had the question posed to a group of teachers who were recognized as competent and who were working closely with student teachers. Out of 12 teachers, three thought the right answer was 3-5 seconds; eight said 8 seconds; and one said no more than 10 seconds. The correct answer was 3-5 seconds according to ABCTE, and only 25 percent of the teachers who are recognized as experts got it right. He noted that the problem with questions of this type is that no context is provided - and even if context were provided, answering the question on a test still does not tell us how a person would actually act in a classroom. Only actual classroom practice demonstrates a person's ability to use proper teaching techniques. But if California were to allow ABCTE as a certification process, many districts - desperate to find qualified teachers - might end up hiring people with no proven ability to teach.

The public input section was then closed.

Vice Chair Johnson said she was heartened to hear the many expressions of support for the architecture that the Commission has worked hard to put in place. She said her own recommendation was that the Commission simply do nothing.

Ex-Officio Representative Wilson moved that the Commission direct staff that ABCTE will not be recognized in California; that no further action on or consideration of ABCTE will be taken; and that the item is not to be placed on future agendas for Commission consideration. Vice Chair Johnson seconded the motion.

Chair Madkins noted that the item is an information item, not an action item. He also said he believes it is important for the Commission to make a technical assessment of all possibilities, including whether someone certified through the ABCTE process elsewhere would be permitted to become a California certified teacher. Designee Littman said that if the issue of an out-of-state applicant comes up, she believes it would be handled on a case-by-case basis as is the current process when there is not automatic reciprocity. She said if the program wants to qualify as an alternative route to certification, then it should go through the same process that any other program would go through. That means that ABCTE, not staff, would compile an application with the technical help of staff, just as any other program would. She said the program concerns her because it represents a shift of authority over standards from the state to the federal government.

Dr. Swofford noted that since it was an information item, there has not been notice that a motion would be acted upon; as a result, he believed a motion would not be in order. Ex-Officio Representative Wilson said that since it provides staff direction, the motion should be in order under Robert's Rules.

Chair Madkins offered a substitute motion that simply directed staff to take no action. It died for lack of a second. Dr. Madigan objected to any motion, saying she was not given the opportunity to provide people and arguments in support of ABCTE. Commissioner Beckner said she believed comments at this point from persons other than Commissioners were out of order. Chair Madkins agreed.

Chair Madkins suggested that there could be no motion and that staff could simply be given direction as they normally are. Ex-Officio Representative Wilson said he preferred a motion. The motion as it was originally presented and seconded was still on the floor. Chair Madkins called for a vote. The motion carried, with Commissioner Beckner and Chair Madkins voting no.

## **PUBLIC HEARING**

### **3A: Proposed Addition to California Code of Regulations, Title 5 Sections 80089.3 and 80089.4, Pertaining to Introductory and Specific Subject Matter Authorizations**

Terri Fesperman, Assistant Consultant, Certification, Assignment and Waivers Division, said the proposed addition adds two authorizations: introductory subject matter authorization and specific subject matter authorization. Each would allow individuals to teach a class or classes outside of their core authorization by taking additional coursework in specific areas. They are not intended to replace single subject teacher credentials, but to permit flexibility in meeting middle and high school teaching needs.

One change that has been made since the subject was last reviewed by the Commission was to remove the subjects of World History and U.S. History and instead add the subject of History. This is in line with a recommendation by the CSU History Council and aligns with the federal NCLB core academic area of History. Without the change, an individual who wanted to teach both World and U.S. History under supplemental authorizations would have to complete 64 semester units to earn the separate authorizations. This could be a burden, particularly in rural areas of the state. The single subject area of History with a requirement for 16 semester units in both World History and U.S. History should address the issue.



The Commission received 11 letters, five in support and six in opposition. Ms. Fesperman said the staff recommendation is adoption of the proposed regulations.

Chair Madkins opened the public comment section of the meeting. Two people spoke:

**Dr. James Matray, representing the CSU History Council and History Professor at CSU Chico.** He thanked the Commission and staff for heeding the Council's advice on the issue of World History and U.S. History versus History. He said his organization continues to be concerned about that is happening to the social science credential since there is conflict between what the credential covers and the core subjects outlined by NCLB. Another key concern is the relationship between passing CSET and subject matter competence under NCLB and CTC requirements. He said many CSU history departments are waiting to submit programs for approval until after these issues are cleared up because they do not want to have to revise their submissions once the conflicts are resolved. He said all the departments are seeking is clear direction.

**Maria Viramontes de Marin, InterAmerican College.** She said she supports the changes in history and thanks the Commission for arriving at a system that works well.

The public comment portion of the hearing was then closed.

Vice Chair Johnson asked if her memory was correct that no requirement for upper division units was needed because it would be almost impossible to take all lower division units in the amounts required. Ms. Fesperman said that is correct.

Vice Chair Johnson said she also noted that one letter raised the issue of having to take 32 units if they want to teach both English Composition and Literature. Ms. Fesperman said that applicants may not be able to take all units at one institution, but instead may have to take some at a four-year university and others at a community college to find enough classes to meet requirements.

A motion to adopt the additions to the regulations was made (Johnson), seconded (Waite) and carried without dissent.

The Commission then recessed to move into Closed Session before returning to Professional Services Committee of the Whole.

## **PROFESSIONAL SERVICES COMMITTEE OF THE WHOLE**

Commissioner Beckner reconvened the Professional Services Committee of the Whole.

### **4C: Update on Teacher Examination Study**

This item, as outlined by Ms. Jackson, proposed that the Commission conduct public meetings in September, November, December and January to consider four policy issues:

- What is the appropriate way to assess basic skill competency?
- Is there overlapping content across the current teacher licensure exams?
- What are the implications of appropriate and secure online test center exams?
- How should the SB 2042 teaching performance assessment requirement be maintained and implemented?

Ms. Jackson also suggested that the Commission convene an expert technical advisory team to work with staff on the validity, feasibility and utility of ideas that are raised by stakeholders during the meetings. The plan is to return in April with a recommendation.

Ex-Officio Representative Waite suggested that the expert team include subject matter experts. Ms. Jackson said those would be included, especially in relationship to reading and literacy. Ex Officio Representative Waite also asked that the team not be limited to the four questions and the public testimony in terms of the issues that it could examine.

Ex-Officio Representative Wilson asked if UC and CSU would be able to select their own representatives for the technical advisory team; Ms. Jackson said yes. Volunteers on the team would have to cover their own expenses.

Designee Littman said the team needs to include teacher candidates, since they face the burden of the tests. She also said a key question is what is the appropriate number of tests and what will they cost, not just what content should be covered by the tests. Ms. Jackson said teachers would be invited and

that the question could be included. Dr. Swofford said staff was trying to keep the topics general so that no recommendations are precluded, but that the process should focus on what needs to be measured. Vice Chair Johnson echoed that concept - do the tests cover what we need to know and do some of the tests overlap and give the same information.

Commissioner Beckner summarized that staff direction is the following: that questions other than the four outlined can be addressed, that subject matter experts and teacher candidates will be included on the team, that the process should look at the appropriate number and costs of the tests, and that the focus should be on whether the tests now tell us what we need to know and if not what should be done.

No action was taken; this was an information item.

#### **4D: Update on the Review of the Accreditation Framework**

Teri Clark, Consultant, Professional Services Division, Cheryl Hickey, Consultant, Professional Services Division, said that the Committee on Accreditation (COA) has selected four members from the COA to serve on the Accreditation Study Work Group along with 14 stakeholders. The Work Group held its first meeting in June to identify issues and determine what it would focus on in August and September. Sub-committee members are working on agenda items and materials for these meetings; all information is available on the Commission's web site. There were no comments from the audience or questions from Commissioners.

Ms. Hickey then provided an update on the federal Ready to Teach Act and the reauthorization of the Higher Education Act. There has been no movement for a while; Congress is not expecting to take up the reauthorization act this session. A year ago in July 2003, the House passed the Ready to Teach Act. The Commission has been watching the bill, which has set idle for a year, because it has implications for the accreditation process. At this point, the reauthorization act references the Ready to Teach Act as the governing language for reporting on accreditation. However, new provisions regarding accreditation have stirred controversy so the authors are planning to continue to work out language with stakeholders. Staff will continue to follow the bill next session and report to the Commission.

No action was taken; this was an information item.

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

Vice Chair Johnson convened the Professional Practices Committee of the Whole.

### **5A: Proposed Changes to Title 5 Sections 80300, 80303, 80310 and 80412 California Code of Regulations**

Mary Armstrong, Director, Division of Professional Practices, presented proposed regulation changes that affect disciplinary procedures and are necessary because of the passage of legislation (SB 299) and an appellate court decision. Additional changes implement cost-saving procedures and make technical and clarifying corrections.

The proposed changes expand the definition of credential; delete the term "hearing" and replace it with formal review; clarify when the Committee of Credentials may commence an investigation; clarify that notice will be sent to all known employers; define the scope of disclosure while an investigation is in progress; allow meeting notices to be sent by regular mail; and update the regulations with the current Commission name and address.

A motion to approve the changes and begin the process that will result in a public hearing was made (Madkins), seconded (Beckner) and carried without dissent.

### **5B: Paper Screening of Applications for the Committee of Credentials**

Ms. Armstrong noted that the elementary teacher position on the Committee of Credentials has become vacant due to retirement of the incumbent, who was the alternate member. Applications were accepted through July 16. The staff recommendation was that both of the applicants be asked to come for a Commission interview.

Commissioner Beckner noted that she knows one of the applicants, Patti Van Der Kamp, and works with her in the same district.

Vice Chair Johnson proposed that the application period be extended in case there is further interest. Ms. Armstrong agreed and noted that applications are available on the Commission web site.

A motion to have both candidates come for interviews at the next meeting and in the meantime to extend the application period was made (Madkins), seconded (Waite), and carried without dissent.

Vice Chair Johnson said the Commission should look at having legislation change the membership requirements so that recently retired teachers might serve.

## **LEGISLATIVE COMMITTEE OF THE WHOLE**

In place of Commissioner Hauk, Vice Chair Johnson convened the Legislative Committee of the Whole. Linda Bond, Director, and Anne Padilla, Consultant, Office of Governmental Relations, presented the items.

### **6A: Status of Legislation of Interest to the Commission**

Ms. Padilla reported that the Legislature will adjourn at the end of August and that activity has been heavy because of committee deadlines. She called the Commission's attention to SB 1658 (Karnette), a bill that enables the Commission decision to have emergency permits issued in less-than-one-year increments so that all emergency permits will expire on July 1, 2006. The bill has been signed into law.

### **6B: Analyses of Bills of Interest to the Commission**

There were no items under this heading.

### **6C: Items of Interest to the Commission**

Ms. Bond provided updates on bills that the Commission took no action on that have been chaptered and that are still pending. AB 2913 (Salinas) has been signed into law, extending the sunset date for English Learner Teacher Training Programs. AB 2210 (Liu) is on the Senate floor; it is a cleanup measure that clarifies sections of SB 2042. A measure by Senator Torlakson that required all Multiple Subjects and PE teachers seeking to renew their credentials to certify that a certain percentage of their renewal work has been in PE; the bill has been held in committee.

Ms. Bond also provided an update on the categorical reform proposals; two affect teacher programs. AB 1650 (Simitian), which consolidates 18 teacher preparation and development programs, passed Senate Appropriations. The bill would remove statutes covering the paraprofessional program, as well as some statutes regarding the intern program. Districts would be able to decide how to spend the professional development block grant money. AB 2599 (Diaz), which would require local committees to make recommendations regarding improvement of professional development programs, was held in committee. SB 1510 (Alpert), the most comprehensive block grant bill, originally included a separate teacher

credentialing block grant, but that section has been removed. The Alpert and Simitian bills treat teacher programs differently, so there still has to be some kind of reconciliation.

Ex-Officio Representative Waite asked that the Commission watch AB 2286 (Mountjoy), which would require a test for special education teachers. This test would be in addition to the subject matter test required. Also, if a Teacher Performance Test is required it would have to be developed since the current TPA is for general education teachers. Ms. Bond called it a late-breaking measure to provide an expedited route for someone to become a special education teacher by exam and induction process. Staff is watching it.

This was an information item; no action was taken.

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

Commissioner Vaca convened the Fiscal Policy and Planning Committee of the Whole. He announced that there are not items under 7B (Proposed Budget Change Proposals).

### **7A: Update on the Proposed 2004-05 Governor's Budget**

Leyne Milstein, Director, Information Technology and Support Management Division, said that despite an agreement by Legislative Budget Committees, the Governor blue-penciled additional funding and positions that were added in conference committee, for a total loss of \$400,000 and four positions. This will have a significant impact on the Commission staff's ability to carry on work.

In addition, there are some reporting requirements and a report to the Legislature by Jan. 1, 2005 on how to cut back on backlogged applications.

Dr. Swofford pointed out that the staffing level has now been reduced to what it was 10 years ago, a substantial reduction. At some point, staff needs to come back and talk about prioritization of services and reductions in service that may have to be taken. He also noted that the fee level of \$55 does not support the work of the agency.

Vice Chair Johnson said it will be important in any prioritization discussion to be sure that the core responsibilities and capabilities of the Commission are protected and that it does not simply become an agency that moves credentials in and out.

This was an information item; no action was taken.

## **CREDENTIALING AND CERTIFICATED ASSIGNMENTS COMMITTEE OF THE WHOLE**

In place of Commissioner Lilly, Chair Madkins convened the Credentialing and Certificated Assignments Committee of the Whole.

### **8A: Proposed Documents to Replace Emergency Permits**

Dale Janssen, Director, Certification, Assignment and Waivers Division, reminded the Commission that in August 2003 the Commission began action to eliminate emergency permits. Through a collaborative effort with stakeholders, staff has developed two documents and two sets of recommendations:

#### **Acute Staffing Need Document**

This would be for when a district has a sudden need for a teacher. Requirements would be a bachelor's degree, CBEST, subject matter content (40 units for multiple subject, 18 for single subject and either for Special Education). Districts would need to make a local recruitment effort, they would provide orientation and support, and they would have to provide a justification document. The document is valid for one year and is not renewable.

Mr. Janssen said if the Commission approves the concept, then staff would bring back proposed regulations in October, with a public hearing in February.

Chair Madkins called for public comment. The following comments were provided:

**Sharon Robison, Association of California School Administrators.** She urged passage of staff recommendations regarding both emergency permits and thanked the Commission for the time invested by both staff and the Commission in listening to stakeholders.

**Bruce Kitchen, Liaison to the Commission on Behalf of School District Human Resource and Personnel Administrators in San Bernardino and San Diego Counties.** He urged passage of the new permits.

A motion to adopt staff recommendation regarding the short-term staff permit was made (Johnson), seconded (Littman) and carried without dissent.

Mr. Janssen said that the second document is for anticipated needs, such as

when a district has been unable to fill a spot for a math or special education teacher despite extensive recruitment efforts. This will be called the Provisional Internship Permit. The recommendations are outlined on page C&CA8A-6 of the agenda materials. One change is that someone seeking such a permit for Special Education will either meet the subject matter requirement or have 9 units in education or three years of experience with special education students. The original proposal read "plus" rather than "or," but that would have increased the level of requirements, which was not the goal.

Chair Madkins asked for public comment. There was one speaker:

**Liz Guillen, Public Advocates.** As part of a coalition that is concerned about educational equity for all students, Public Advocates urged that the Commission adopt more rigorous standards for subject matter compliance. She said that what the staff is recommending is not rigorous enough. She also objected to a provision that would exempt districts from providing verification of diligent search for math, science and special education permits. She said Public Advocates believes it is particularly critical in those subjects that highly qualified teachers be sought and hired whenever possible. Districts should have to demonstrate full-faith efforts. Finally, she said that her organization believes the public notice recommendation - that intent to employ the applicant has been made public - is unlawful since it does not meet the NCLB criteria for notifying each parent individually if their child has an underqualified teacher. She urged the Commission to make the changes that her organization recommended.

Mr. Janssen said the math, science and special education areas were left out of the diligent-search requirement because of the ongoing shortages that already make it very difficult to recruit teachers in those areas. Staff felt it didn't seem necessary to verify that it is difficult to recruit in shortage areas. Vice Chair Johnson said that makes sense in an acute need, but that for anticipated need they should have to make a diligent search. Mr. Janssen explained that districts still need to make a diligent search, but that the district only has to document it for non-shortage areas. Vice Chair Johnson said the Commission still wouldn't know if the search had been conducted. She proposed that the three areas not be exempted. Mr. Janssen said it is modeled after the waivers process, which does not require documentation for shortage areas.

Ex-Officio Representative Waite suggested a compromise where a district could establish the difficulty once at the beginning of the year, but then would not have to fill the requirement each time for all candidates in that school year. They



would still have to describe the diligent search, but not for each candidate.

Chair Madkins asked if once it were in regulation, could the Commission process it depending on the shortage area. Mr. Janssen said the regulation would instead require documentation for each application.

Designee Littman asked for an estimate on the difference in workload for staff in processing. Mr. Janssen said the workload is on both the Commission and the districts. For some large districts, it might mean additional documentation on 30 or 40 applications. From the Commission's standpoint, it would be an additional step, but Mr. Janssen said the decision really should be based on merits rather than time needed.

Vice Chair Johnson said the issue is one of accountability. Requiring a diligent search and requiring evidence of it may result in more teachers being found.

Dr. Swofford commented on the NCLB requirement for notice. He said the Commission is not the enforcement agency for NCLB and that it is up to the district to meet NCLB requirements in terms of reporting whether or not they have highly qualified teachers in the classroom. He also said that a diligent search can be different from district to district. The Commission would find it very difficult to track and enforce diligent searches. Vice Chair Johnson said she wasn't suggesting enforcement but assurance to the Commission that the diligent search had been conducted.

Ex-Officio Representative Wilson suggested that Mr. Janssen reword the item to meet the concerns of the Public Advocates group and bring it back for the next meeting. Mr. Janssen pointed out that there would still be an opportunity at the next meeting when the language is in front of the Commission to make changes.

Chair Madkins asked if there were any other concerns. Designee Littman commented on the public notice portion. She said how a district meets NCLB is not in the Commission's realm, but that for the Commission's concern, public notice as outlined should be sufficient.

Chair Madkins encouraged a motion to eliminate the exceptions for the diligent search requirement.

Designee Littman moved that verification of diligent search be required for all Provisional Internship Permits. The motion was seconded by Vice Chair Johnson

and carried without dissent.

Chair Madkins asked Mr. Janssen to bring back information on what constitutes a diligent search at the next meeting, as well as how the Commission has been handling the issue on waivers.

**8B: Proposed Amendments and Deletions to Title 5 Sections 80048.3, 80413.1, 80457 and 80523.1**

Mr. Janssen noted that staff began in June 2003 to bring forth technical changes in Title 5 to eliminate obsolete and irrelevant sections. He discussed the specific changes at the June meeting.

A motion to approve the amendments was made (Wilson), seconded (Waite) and carried without dissent.

**8C: Update on Streamlining and Efficiencies**

Mr. Janssen reported that staff is moving forward with recommendations on efficiencies. Staff has been meeting with stakeholders on some of the changes and plans to meet with them again in September.

The item was for information only; no action was taken.

**GENERAL SESSION**

**2F: Report of Closed Session Items**

Chair Madkins reported the following:

The Commission granted the following Petitions for Reinstatement:

1. DeLouis Andrews
2. Jill Henry

The Commission denied the following Petitions for Reinstatement:

1. Allen Stark
2. Gloria Burns

The Commission adopted the Administrative Law Judge's Proposed Decision except the legal analysis in the matter of Elizabeth Kocalis. The revised decision will be submitted at the September 30, 2004 through October 1, 2004 Commission

meeting for adoption.

The Commission took action to reject the Administrative Law Judge's Proposed Decision and publicly reprovved James Mann. The findings will be submitted at the September 30, 2004 through October 1, 2004 Commission meeting for adoption.

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

1. Devin Gonzalez
2. General Haymon
3. Terry Scott

## **2G: Report of Appeals and Waivers Committee**

Commissioner Rasul reported the following:

### **A&W-1A**

It was moved, seconded, and carried (Vaca/Littman) that the minutes of the Appeals and Waivers Committee meeting of June 3, 2004, be **APPROVED**.

### **A&W-1B**

It was moved, seconded, and carried (Vaca/Littman) that the Committee **APPROVE** the **182** waiver requests on the Consent Calendar.

### **A&W-1C**

It was moved, seconded, and carried (Littman/Vaca) that the Committee **APPROVE** the **2** waiver requests on the Conditions Calendar with specific conditions attached. The Commission recommends the following action on the individual waiver request listed below:

**#1 APPROVE:** The waiver request, Pupil Personnel Services Credential, in School Psychology submitted by San Francisco Unified School District for Terry Coleen Ellis with the condition to take the CBEST at least twice and obtain a score of 41 in one section prior to consideration of a subsequent waiver.

**#2 APPROVE:** The waiver request, Single Subject Teaching Credential, in English submitted by McFarland Unified School District for Elvira Solis with the condition to complete two semester units of English course work toward the subject matter requirements for the emergency permit.

**A&W-1D**

It was moved, seconded, and carried (Littman/Vaca) 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 September 2004 meeting.

**A&W-1E**

It was moved, seconded, and carried (Vaca/Littman) to **GRANT** Robin Washington a Professional Clear Multiple Subject Teaching Credential with CLAD Emphasis.

The Commission voted, without dissent, in favor of the actions taken by the Committee.

**2H: New Business**

**Quarterly Agenda:** The quarterly agenda for September/October, November/December and January/February was provided.

**Commission Member Reports:** Vice Chair Johnson asked for a new updated roster in the next Friday mailing.

**Audience Presentation:**

None.

**ADJOURNMENT**

The meeting adjourned. The next meeting will be held on September 30 and October 1, 2004 at the California Commission on Teacher Credentialing office, 1900 Capital Avenue, Sacramento, California.