

## **Minutes of the May 31 - June 1, 2005 Commission Meeting**

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**May 31 - June 1, 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  
Steve Lilly, Faculty Member  
Leslie Littman, Designee, Office of the Superintendent of Public Instruction  
Lawrence H. Madkins, Jr., Teacher  
Aida Molina, School Administrator

### **COMMISSION MEMBERS ABSENT**

Elaine C. Johnson, Public Representative

### **EX-OFFICIO REPRESENTATIVES**

Karen Symms Gallagher, Association of Independent California Colleges and Universities  
Marilyn McGrath, California Postsecondary Education Commission  
Athena Waite, University of California  
Beverly Young, California State University

### **STATE BOARD LIAISON**

Ruth Bloom

### **CURRICULUM COMMISSION LIAISON**

Becky Brown  
Stan Metzenberg

### **COMMISSION STAFF PRESENTING**

Sam Swofford, Executive Director  
Cheryl Hickey, Consultant, Executive Office/Professional Services Division  
Mary Armstrong, General Counsel, Director, Professional Practices Division  
Lee Pope, Staff Counsel, Professional Practices Division  
Janet Vining, Staff Counsel, Professional Practices Division  
Kimberly Hunter, Staff Counsel, Professional Practices Division

Bonnie Parks, Director, External Relations and Business Affairs  
Dale Janssen, Director, Certification, Assignment & Waivers Division  
Rhonda Brown, Program Analyst, Certification, Assignment & Waivers Division  
Nancy Passaretti, Analyst, Certification, Assignment & Waivers Division  
Crista Hill, Manager, Fiscal Business Services Division  
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  
Helen Hawley, Consultant, Professional Services Division

**Recording Secretary**

Kathleen Beasley

*Tuesday, May 31, 2005*

**GENERAL SESSION**

**5A: Meeting Called to Order**

The General Session was called to order by Chair Schwarze. Roll was taken. The Chair welcomed Beverly Young, the new ex officio member representing the California State University system. She replaces Ex Officio Representative Bill Wilson, who has served on the Commission since 1997. Chair Schwarze noted that the Commission is grateful for Dr. Wilson's many years of service. She directed staff to send a letter to Dr. Wilson acknowledging his contributions

**5C: Approval of the May/June 2005 Agenda**

Chair Schwarze asked for a motion to approve the agenda with an insert for item 7A. The motion was made (Gomez), seconded (Lilly) and carried without dissent.

**LEGISLATIVE COMMITTEE OF THE WHOLE**

Commissioner Madkins convened the Legislative Committee of the Whole. He welcomed Bonnie Parks, the Commission's new Director of External Relations to the table.

**3A: Status of Legislation of Interest to the Commission**

Ms. Parks reported that AB 430 (Nava) has progressed to the Assembly floor. The Commission has a support position on the bill, which would extend the sunset date for the Principal Training program to July 1, 2012.

She also noted that AB 309 (Walters) has been held in the Assembly Education Committee, probably preventing passage of the bill for this year. The Commission had a watch position on the bill, which would require the Commission to conduct a study comparing California State University-credentialed teachers with emergency permit

teachers using STAR student achievement data. The estimated cost of the study was between \$750,000 and \$1 million.

A third bill, AB 420 (Horton, Shirley) has moved to the Assembly floor. This is another bill the Commission has a watch position on. The bill would require the Commission to establish guidelines for alternative assessments of Languages Other Than English performed by organizations, with a priority given to an organization that is expert in the Filipino language and culture. Commissioner Bustillos asked that additional information be provided on this bill at some point in the future.

### **3B: Items of Interest to the Commission**

Ms. reviewed bills that are of interest to the Commission but on which no position has been taken. Four of the bills have been held in committee and are unlikely to pass this year: AB 123 (Dymally), which moves the Commission to the Department of Education; AB 950 (Coto), which requires a study of English learner staff development; AB1213 (Wyland), which would require the state to create a unique teacher identifier so that retention, mobility and other issues could be tracked; AB 1072 (Simitian), which transfers local assistance funding from the Commission to the development block grant.

Three bills have moved to the Assembly floor and are awaiting action: AB 172 (Chan), which creates a voluntary preschool; AB 693 (Goldberg), which requires a study of the integration of Secretary's Commission for Achieving Necessary Skills into existing teacher preparation programs; and AB 1570 (Salinas), which requires the continued use of the BCLAD exam until a new exam is developed.

Two Senate bills have cleared the Senate and are now in Assembly Education: SB 404 (Migden), which creates a two-year mid-career single subject matter certification for teachers upon request by a school district; and SB 847 (Ducheny), which requires the Commission to adopt regulations clarifying the NCLB highly qualified status of career technical education teachers.

No action was taken on either agenda item. Commissioner Madkins adjourned the Legislative Committee of the Whole.

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

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

#### **4A: Application for Eminence Credential**

Nancy Passaretti, Associate Governmental Program Analyst, presented the request by Pacific Community Charter High School in Mendocino County that the Commission issue an Eminence Credential to Carolyn Cooke in the subject of English: Writing and Literature. Ms. Passaretti reminded the Commission that such credentials have three tests:

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- The individual is recognized as eminent beyond the boundaries of his or her community.
- The individual has demonstrably advanced his or her field.
- The individual has been acknowledged by his or her peers beyond the norm for others in the specific endeavor.

Such a credential is issued for a two-year period and may be renewed for a three-year period, after which the person is eligible to apply for a professional clear credential. Ms. Passaretti then introduced Ms. Cooke.

Ms. Cooke, who has won numerous awards and published many stories and books, told the Commission that she is not only a founder that helped draft the charter for the school but has also taught writing at the high school for the past three years. She said receiving the Eminence Credential is a way for her to formalize the existing relationship between her and the school and to banish any perception that she is not a “real” teacher.

Commissioner Lilly asked her to talk about her approach to teaching writing. Ms. Cooke said her interest in public education came from both her grandfather and mother, who were teachers. She has long been active in public education, including serving on the school board. She focuses on helping reluctant writers write. She said the charter high school has one of the highest API ratings in the county, despite serving an economically and culturally diverse population.

A motion to approve the Eminence Credential for Ms. Cooke was made (Banker), seconded (Bustillos) and carried without dissent.

With no further items on the agenda, Commissioner Lilly adjourned the Credentialing and Certificated Assignments Committee of the Whole.

The Commission recessed the General Session for the day.

*Wednesday, June 1, 2005*

**GENERAL SESSION RECONVENED**

**5A: Meeting Called to Order**

The General Session was reconvened by Chair Schwarze. The Chair once again welcomed Beverly Young, the new ex officio member who is replacing Dr. Bill Wilson in representing the California State University system, and introduced her to the audience. Roll was taken, and everyone joined in the Pledge of Allegiance.

**5B: Approval of the April 2005 Minutes**

A motion to approve the April 2005 minutes was made (Clopton), seconded (Stordahl) and carried without dissent.

**5D: Approval of the May/June 2005 Consent Calendar**

A motion to approve the May/June 2005 consent calendar was made (Bustillos), seconded (Grant) and carried without dissent.

**Division of Professional Practices**

The Commission approved the following items:

**RECOMMENDATIONS OF THE COMMITTEE OF CREDENTIALS**

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

1. **ASHTON, Sharon A.** Redding, 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. **AMORENA-BURNS, Katie D.** Galt, CA  
Ms. Amorena-Burns is the subject of **public reproof** for misconduct pursuant to Education Code section 44421.
3. **BALENTINE, Susan L.** Nipomo, 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.
4. **BERGLUND, Cindy E.** Claremont, CA  
Ms. Berglund is the subject of **public reproof** for misconduct pursuant to Education Code section 44421.
5. **CARABILLO, John T.** Sacramento, 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.
6. **DELAMARTER, Michael A.** El Cajon, 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.
7. **DELVALLE, Jose A.** El Centro, 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.

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8. **DUSICK, Donna M.** Eureka, 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. **DYE, Charles D.** Mountain View, CA  
All pending applications are **denied** for misconduct pursuant to Education Code section 44345.
10. **FOX-MORGAN, Mark E.** Sacramento, 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.
11. **FROOM, Cyndy C.** Redding, 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.
12. **GALLEGOS, Robert D.** Canyon Lake, 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.
13. **GREENE, Diane** Spring Valley, CA  
All pending applications are **denied** for misconduct pursuant to Education Code section 44345.
14. **HAMETT, Judy M.** Chico, CA  
Ms. Hamett is the subject of **public reproof** for misconduct pursuant to Education Code section 44421.
15. **HAVUMAKI, Matthew P.** Fullerton, 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.
16. **HOWLAND, Jill A.** Carlsbad, CA  
All certification documents under the jurisdiction of the California Commission on Teacher Credentialing are **suspended for a one hundred twenty (120) days** for misconduct pursuant to Education Code section 44421.
17. **IPPOLITO, Arthur R.** Palm Desert, CA  
All certification documents under the jurisdiction of the California Commission on Teacher Credentialing are **suspended for a period of five (5) days** for misconduct pursuant to Education Code section 44421.

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18. **JACKSON, Liss** Manhattan Beach, CA  
All certification documents under the jurisdiction of the California Commission on Teacher Credentialing are **suspended for a period of five (5) days** for misconduct pursuant to Education Code section 44421.
19. **KIMBALL, Jennifer J.** Bakersfield, CA  
All certification documents under the jurisdiction of the California Commission on Teacher Credentialing are **revoked** and any pending applications are **denied** for misconduct pursuant to Education Code sections 44421 and 44345.
20. **LOZANO, Ayrobel** Porterville, CA  
All certification documents under the jurisdiction of the California Commission on Teacher Credentialing are **suspended for a period of ten (10) days** for misconduct pursuant to Education Code section 44421.
21. **MARTIN, Michael R.** Piedra, CA  
All pending applications are **denied** for misconduct pursuant to Education Code section 44345.
22. **MATTHEWS, Gina S.** Palo Alto, CA  
All certification documents under the jurisdiction of the California Commission on Teacher Credentialing are **suspended for a period of ninety (90) days** for misconduct pursuant to Education Code section 44421.
23. **MONTGOMERY, Michael V.** Los Angeles, 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.
24. **NEWSOM, Robert W.** Santa Maria, CA  
All certification documents under the jurisdiction of the California Commission on Teacher Credentialing are **suspended for a period of five (5) days** for misconduct pursuant to Education Code section 44421.
25. **OLMEDO, Lorna** San Jose, 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.
26. **PACIS, John B.** Long Beach, 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.

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27. **PEINADO, Shelly A.** Santa Maria, CA  
All pending applications are **denied** for misconduct pursuant to Education Code section 44345.
28. **POLLARD, James D., Jr.** Visalia, 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, effective immediately.
29. **RIVERA, Myrium G.** Elk Grove, CA  
All certification documents under the jurisdiction of the California Commission on Teacher Credentialing are **revoked** and any pending applications are **denied** for misconduct pursuant to Education Code sections 44421 and 44345.
30. **ROTH, Beth J.** Agoura, 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.
31. **SAMPILO, Roy J.** Camarillo, 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.
32. **SH-MUSSE, Mohamed A.** Fresno, CA  
All certification documents under the jurisdiction of the California Commission on Teacher Credentialing are **suspended for a period of three (3) days** for misconduct pursuant to Education Code section 44421, effective immediately.
33. **SMITH, Harry R.** Walnut, 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.
34. **TRUITT, Albert G., Jr.** Atwater, 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.
35. **WILLIAMS, Shannon M.** Oakland, 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.



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36. **WILLIS, Patricia S.** Hanford, 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.
37. **WITZEL, Keith W.** Riverside, CA  
All certification documents under the jurisdiction of the California Commission on Teacher Credentialing are **revoked** and any pending applications are **denied** for misconduct pursuant to Education Code sections 44421 and 44345.

**CONSENT DETERMINATIONS**

38. **AKINREMI, Babatunde O.** Colton, CA  
The Proposed Consent Determination, which stipulates that Mr. Akinremi's certification documents are **suspended for a period of sixty (60) days**, pursuant to Education Code section 44421, is adopted.
39. **ANDERSON, James R.** Oakland, CA  
The Proposed Consent Determination, which stipulates that Mr. Anderson's certification documents are **revoked**, however, the **revocation is stayed**, all certification documents are **suspended for a period of one hundred eighty (180) days**, and he is placed on **probation for a period of five (5) years**, pursuant to California Education Code section 44421, is adopted.
40. **CLARKE, James** Los Banos, CA  
The Proposed Consent Determination, which stipulates that Mr. Clarke's certification documents are **suspended for a period of fifteen (15) days**, pursuant to Education Code section 44421, is adopted.
41. **DAVIDSON, Valerie J.** National City, CA  
The Proposed Consent Determination, which stipulates that Ms. Davidson's certification documents are **suspended for a period of one hundred eighty (180) days**, however, the **suspension is stayed**, with an **actual thirty (30) day suspension**, and she is placed on **probation for a period of one to two (1-2) years** depending on her counseling requirements, pursuant to California Education Code section 44421, is adopted.
42. **ESCOBAR, Richard** Imperial, CA  
The Proposed Consent Determination, which stipulates that Mr. Escobar's certification documents are **suspended for a period of ten (10) days**, pursuant to Education Code section 44421, is adopted.
43. **GALLOWAY, Kevin L.** Pinole, CA  
The Proposed Consent Determination, which stipulates that Mr. Galloway's Single Subject Teaching Credential is **suspended for a period of five (5) days**, pursuant to Education Code section 44421, is adopted.

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44. **GARRIDO, Carlos** Modesto, CA  
The Attorney General's Proposed Consent Determination, which stipulates that Mr. Garrido's Professional Clear Administrative Services Credential is **revoked**, however, the **revocation is stayed**, all certification documents are **suspended for a period of sixty (60) days**, and he is placed on **probation for a period of three (3) years**, pursuant to California Education Code section 44421, is adopted.
45. **KIM, Jayon R.** Gardon Grove, CA  
The Proposed Consent Determination, which stipulates that Ms. Kim is the subject of **public reproval** for misconduct pursuant to Education Code section 44421, is adopted.
46. **KOK, Philip A.** Pasadena, CA  
The Attorney General's Proposed Consent Determination, which stipulates that Mr. Kok agrees to withdraw the Writ of Mandate, and the Commission will grant his application for a 30-Day Emergency Teaching Credential, pursuant to California Education Code section 44421, is adopted.
47. **KUBAN, Bruce E.** Fair Oaks, CA  
The Proposed Consent Determination, which stipulates that Mr. Kuban's certification documents are **suspended for a period of one hundred eighty (180) days**, however, the **suspension is stayed**, with an **actual thirty (30) day suspension**, and at the conclusion of the suspension he is placed on **probation for a period of four (4) years**, pursuant to California Education Code section 44421, is adopted.
48. **LARA, Gilbert** Alta Loma, CA  
The Attorney General's Proposed Consent Determination, which stipulates that Mr. Lara's certification documents are **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.
49. **MORIARTY, Briana L.** Santa Cruz, CA  
The Proposed Consent Determination, which stipulates that Ms. Moriarty's application is **granted and revoked**, however, the **revocation is stayed**, and she is placed on **probation for a period of five (5) years**, pursuant to California Education Code section 44421, is adopted.
50. **PALMQUIST, Trisha A.** Livermore, CA  
The Proposed Consent Determination, which stipulates that Ms. Palmquist's certification documents are **suspended for a period of ninety (90) days**, however, the **suspension is stayed**, with an **actual ten (10) day suspension**, and at the conclusion of the suspension she is placed on **probation for a period of three (3) years**, pursuant to California Education Code section 44421, is adopted.

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51. **PEREZ, Maryann F.** Los Angeles, CA  
The Proposed Consent Determination, which stipulates that Ms. Perez's certification documents are **suspended for a period of five (5) days**, pursuant to California Education Code section 44421, is adopted.
52. **REESE, Dennis A.** Elk Grove, CA  
The Proposed Consent Determination, which stipulates that Mr. Reese is the subject of **public reproof**, however, the **public reproof is stayed**, with conditions, for misconduct pursuant to Education Code section 44421, is adopted.
53. **SCOTT, Candace J.** Victorville, CA  
The Proposed Consent Determination, which stipulates that Ms. Scott's certification documents are **suspended for a period of thirty (30) days**, pursuant to California Education Code section 44421, is adopted.
54. **SILVEY, Kathryn** El Segundo, CA  
The Attorney General's Proposed Consent Determination, which stipulates that Ms. Silvey's certification documents are **suspended for a period of five (5) days**, pursuant to California Education Code section 44421, is adopted.
55. **STOWELL, Kathy A.** Santa Ana, CA  
The Attorney General's Proposed Consent Determination, which stipulates that Ms. Stowell's certification documents are **revoked**, however, the **revocation is stayed**, she is the subject of **public reproof**, and she is placed on **probation for a period of three (3) years**, pursuant to California Education Code section 44421, is adopted.
56. **VOGEL, Story R.** Coronado, CA  
The Proposed Consent Determination, which stipulates that Mr. Vogel is the subject of **public reproof** for misconduct pursuant to Education Code section 44421, is adopted.
57. **WHITE, Kerry A.** Oakland, CA  
The Proposed Consent Determination, which stipulates that Ms. White's certification documents are **revoked**, however, the **revocation is stayed**, and she is placed on **probation for a period of three (3) years**, pursuant to California Education Code section 44421, is adopted.
58. **WILLIAMS, Ronald M.** Aliso Viejo, CA  
The Proposed Consent Determination, which stipulates that Mr. Williams certification documents are **suspended for a period of one hundred eighty (180) days**, however, the **suspension is stayed**, with an **actual sixty (60) day suspension**, and at the conclusion of the suspension he is placed on **probation until July 3, 2008**, pursuant to California Education Code section 44421, is adopted.

59. **WILLIS, Julia M.** Monrovia, CA  
The Proposed Consent Determination, which stipulates that Ms. Willis's certification documents are **suspended for a period of thirty (30) days**, pursuant to California Education Code section 44421, is adopted.

#### **PRIVATE ADMONITIONS**

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

#### **PROPOSED DECISIONS**

60. **BRAUNS, Deidra A.** Modesto, CA  
The Administrative Law Judge's Proposed Decision, which reflects the Committee of Credentials' recommendation to **revoke** all credentials, life diplomas or other certification documents under the jurisdiction of the Commission, is adopted.

#### **RESCISSION**

61. **WINFIELD, Nicole N.** Encinitas, CA  
The Commission's action reported on the November/December 2004, FY 04-05 (#3) All Points Bulletin to **revoke** all certification documents under the jurisdiction of the California Commission on Teacher Credentialing is hereby **rescinded**.

#### **REINSTATEMENT OF SELF REVOKED CREDENTIAL**

62. **BILLECI, Cameron** Rancho Cordova, CA  
Pursuant to Government Code section 11522, Mr. Billeci's application for reinstatement of the authorized field of English on his Professional Clear Single Subject Teaching Credential is granted after previously self revoking the authorization pursuant to Education Code section 44423
63. **KWOK, Evans C.** Union City, CA  
Pursuant to Government code section 11522, Mr. Kwok's application for reinstatement of his Professional Clear Single Subject Teaching Credential is granted after previously self revoking the credential pursuant to Education Code section 44423.

#### **REQUESTS FOR REVOCATION**

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

64. **ALLGEYER, Robert** Aptos, CA  
Upon his written request, pursuant to Education Code section 44423, all credentials and other certification documents under the jurisdiction of the Commission are **revoked**.
65. **BARSTAD, Brenda M.** Roseville, CA  
Upon her written request, and while allegations of misconduct were pending, her Life General Elementary Teaching Credential is **revoked** pursuant to California Education Code section 44423. This does not constitute consent for purposes of Education Code section 44440(b).

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66. **HAYNES, Frances M.** Meadow Vista, CA  
Upon her written request, pursuant to Education Code section 44423, her Life Standard Elementary Teaching Credential is **revoked**.
67. **STAMM, Nahara** Hollister, CA  
Upon her written request, pursuant to Education Code section 44423, her Life Specialist Instruction Credential in Special Education is **revoked**.
68. **WHITELEY, William W.** Fountain Valley, CA  
Upon his written request, pursuant to Education Code section 44423, his Clear Specialist Instruction Credential in Special Education is **revoked**.

**DIVISION OF PROFESSIONAL PRACTICES  
MANDATORY ACTIONS**

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

69. **BYER, Denise K.** Tipton, CA
70. **CAMPBELL, Daniel C.** San Diego, CA
71. **DESILETS, John P.** Victorville, CA
72. **GILL, Mandip S.** Yuba City, CA
73. **LYONS, Hariet A.** Santa Barbara, CA
74. **NETHERTON, Gregory S.** Coalinga, CA
75. **VERZANI, Kevin J.** La Palma, CA
76. **OFILI, Anthony A.** Pasadena, CA
77. **SCHANZENBACHER, Gunter, Jr.** Torrance, CA
78. **TANSLEY, Andrew L.** Corona, CA
79. **TEEVIN, Thomas N.** Chula Vista, CA

**DISABILITY SUSPENSIONS**

80. **QUINQUILERIA, Patricia C.** Norwalk, CA  
Pursuant to Education Code section 44336, all certification documents are **suspended** for the duration of the disability effective May 5, 2005.

**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).

- 81. **ARVIZU, Ricardo** Cypress, CA
- 82. **DE BARRAICUA, Margaret** Sacramento, CA
- 83. **DURBIN, David R.** Clovis, CA
- 84. **HAMMER, Carl S.** Santa Monica, CA
- 85. **SOUZA, Dylan H.** Alameda, CA
- 86. **THOMPSON, Jeffrey A.** La Habra, CA
- 87. **WALLACE, Michael A.** San Francisco, CA
- 88. **YOSHINA, Garrett I.** Placentia, CA

**SUSPENSION WHILE CONVICTION ON APPEAL**

All credentials held by the following individual were automatically suspended, pursuant to Education Code section 44425, because the individual was convicted of an offense specified in Education Code section 44010 or 44011, which conviction is on appeal.

- 89. **PRADO, Robert O.** Chatsworth, 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.

- 90. **CHATTAWAY, Blake N.** Palmdale, CA
- 91. **DANIELS, Richard P.** Alta Loma, CA

**TERMINATION OF PROBATION**

- 92. **COOK, Donald L.** Burbank, CA  
Having violated the conditions of probation set forth in the Consent Determination and Order adopted by the Commission on April 1, 2004, his **probation is terminated, the stay is lifted, and his credentials are revoked.**

**Certification, Assignment & Waivers Division**

**DENIAL OF CREDENTIAL WAIVER REQUESTS**

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

1. Michael R. Kasin/San Ramon Valley Unified School District
2. Kathleen Lovell Valle/Rowland Unified School District
3. Patricia Vonzelle Cooper/South Pointe Academy
4. Susan Elizabeth Riley/South Pointe Academy

**VALIDATION OF SERVICE RENDERED WITHOUT A CREDENTIAL  
April 2005**

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

Name	School District	County	Period of Service
Giannini, Scott	Oroville Union High School District	Butte	1.01.05-1.13.05

**5E: Chair's Report**

Chair Schwarze noted that the Commission has a tradition of holding a Day of the Teacher celebration in the spring. Circumstances made it impossible to have a special ceremony this year; however, Chair Schwarze honored the more than 300,000 public school teachers throughout the state, noting that they provide a critical service in often-difficult conditions.

Chair Schwarze noted that her remarks about the importance of teachers coincide with the departure of former Chair Larry Madkins from the Commission. A classroom teacher since 1989, Commissioner Madkins recently announced his retirement from teaching. He has served on the Commission as a teacher representative since 2000. Chair Schwarze read a resolution commending his leadership on the Commission and presented Commissioner Madkins with a plaque.

Executive Director Swofford thanked Commissioner Madkins for his stellar leadership and compassion for staff. He said Commissioner Madkins was a valued member of the Commission's leadership team, working hard on behalf of students. Ex Officio Representative Athena Waite thanked Commissioner Madkins for his sound advice when she was new to the Commission, as well as for his gentlemanly leadership and insistence on both transparency and inclusion in dealings with the public.

Commissioner Madkins spoke briefly, thanking his colleagues for their remarks and urging the Commission to continue to focus on what is best for students.

**5F: Executive Director's Report**

Dr. Swofford welcomed Dr. Beverly Young, the new Ex Officio Representative from the California State University System. He noted Dr. Young has teaching experience, is an expert in reading, as well as curriculum and instruction, and has directed an induction program. She has worked closely with the Commission for a number of years on many issues, including implementation of SB 2042 and SB 1422. Most recently, she has served as one of the co-facilitators of the Accreditation Study Work Group.

Dr. Swofford also introduced Bonnie Parks as the new Director of Governmental Relations. She comes to the Commission with more than 20 years' experience as a management consultant and senior executive in both the private and public sector. She has previously worked as Deputy Director of the Legislative Liaison Office at the Employment Development Department, Chief Deputy Director of the Department of Fair Employment and Housing, and Director of Education for the California Chamber of Commerce. She also served as Senior Consultant for the Assembly Education Committee. She has bachelor's and master's degrees in business administration from UC Berkeley and has a life teaching credential in Business Administration.

In addition, Dr. Swofford announced that Crista Hill has been named Manager, Fiscal Business Services Division, after holding the position on an interim basis.

Dr. Swofford also noted that he participated in the California Troops to Teachers Teacher of the Year program in late May. After serving on the panel of judges that reviewed potential candidates, he joined in a ceremony to honor the four winners with Mike Carlson, Executive Director of the Troops to Teachers program in California; the Commission's Mike McKibbin, who administers the program for the Commission; Rex Fortune of Project Pipeline; Chauncey Veatch, the 2002-03 National Teacher of the Year; and Major General Roger Bautigan, Undersecretary of the Department of Veterans Affairs. The four winners serve in Los Angeles Unified, Butte Valley Unified, Redlands Unified, and Ventura Unified school districts.

#### **5G: Commission Member Reports**

There were none.

#### **5H: Liaison Reports**

There were none.

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

Commissioner Molina convened the Professional Services Committee of the Whole.

#### **6A: Accreditation Study Session**

Beth Graybill, Director, Lawrence Birch, Administrator of Accreditation; Teri Clark, Consultant; and Cheryl Hickey, Consultant, all of the Professional Services Division, presented this item. Also participating were Judith Grieg, Accreditation team member, and Dana Griggs, co-chairs of the Committee on Accreditation (COA), as well as Ed Kujawa, former co-chair of the COA and current co-facilitator of the Accreditation Study Workgroup, and Beverly Young, the other co-facilitator of the Workgroup.



The item began with background information from Ms. Hickey. The current accreditation system relies on a comprehensive site visit that looks at the institution and its credential programs once every six years. The Commission normally conducts 13 to 15 reviews a year; there are 96 institutions that offer programs in the state; there are 56 different types of credentials that are offered through the programs; and since most institutions offer multiple programs, there are about 700 different programs at the 96 institutions. This does not include undergraduate subject matter programs or induction programs – just credentialing programs.

The roles and responsibilities are delineated by the Legislature in Education Code Sections 44370-44374. The Commission establishes policy, which is described in the Accreditation Framework; the Committee on Accreditation is responsible for procedural implementation, as described in the Accreditation Handbook. Pages 7 and 8 in the agenda item cover specific roles and responsibilities. Ms. Hickey noted that there are 10 specific areas of responsibility for the Commission and five for COA; basically, the Commission establishes and modifies policies while COA makes accreditation decisions. Under the statute, the Commission may make modifications in policy with the concurrence of COA and the three higher education segments (UC, CSU and private institutions).

The Commission partners with NCATE, a national accreditation body, allowing institutions to have merged visits. Of the 96 institutions, only 20 have accreditation at both the state and national levels. The large majority seek only state accreditation. She noted that the agenda item includes an example of both kinds of reports because there are significant differences.

Ms. Clark presented the steps of accreditation, which compares what the institution is offering with various sets of standards (common standards that apply to the education unit and all programs that the unit sponsors; subject matter standards that are aligned with the K-12 academic content standards; and 56 sets of education preparation program standards that are specific to the type of program).

As a first step, all institutions must meet certain pre-conditions prior to offering programs. The Commission approves programs as having met these pre-conditions. Next, the institution submits a program proposal, which must meet the common standards and appropriate program standards. The Commission approves all subject programs and induction programs; the COA approves all other educator preparation programs.

Once an eligible institution has an approved program, it is placed on the schedule of reviews for a site visit. From this process, a single decision is made by COA that applies to all the programs offered by the institution. A site visit team reviews each standard and reaches a judgment about whether it is met, met with concerns or not met. The team makes a recommendation to COA based on its findings.

Before moving to the next part of the presentation, Ms. Hickey noted that the terms of six individuals on COA expire in June. Members of the COA have had their terms extended

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because of the accreditation review process. The Commission may wish to similarly do so again to ensure that those with significant knowledge of accreditation can assist through the end of the accreditation review process and consideration of revisions.

Commissioner Lilly asked if there is much similarity between the 56 sets of program standards. Ms. Clark said that some are very similar but there are also distinctions.

Ms. Graybill introduced Dr. Birch and Dr. Grieg to discuss the example of Sonoma State's accreditation.

Dr. Birch said the initial planning for a site visit begins two years before the actual visit. Most of the initial activity involves the institutional staff and an assigned Commission consultant who serves as a resource for the institution to guide them through the process. Using the Sonoma State example, the institution was also having an NCATE accreditation visit and wanted to get an early start.

In March 2004, Dr. Birch met with the Dean of the School of Education and the site visit coordinator to determine the team size, dates for the visit and other details. In April 2004, Sonoma submitted a preliminary report that is required by the framework to describe how standards are being met. During this time period, staff at the institution pulled together information for an extensive self-report with documentation.

Six to 12 months before a visit, staff reviews the preliminary report and a team leader is selected. In Sonoma State University's case, staff worked with the institution to take care of logistical arrangements, including the team structure and size, the interview schedule of representatives from the various program areas, and a plan to coordinate the team's interview process.

Commissioner Stordahl asked who the various stakeholders are that are interviewed. Dr. Birch said they include students, graduates, institutional personnel, credential analysts, master teachers and principals from area schools, district-level administrators and others.

In the case of Sonoma State, as with all NCATE institutions, the Commission-selected team leader worked with the NCATE-designated team leader. Teams are formed from people with expertise in the programs an institution offers.

The next step is a pre-visit 30 to 60 days before the site visit. The team leader and staff consultant meet at the institution to go over final arrangements. One month before the visit, team members are sent a detailed letter, copies of the standards and specific instructions about the visit, as well as the institution's self-report. Because of technology, much of the material is now sent on CDs, cutting down on the cost of producing and mailing paper.

Dr. Judith Grieg talked about her participation on the team reviewing Sonoma State. The visit typically begins on the weekend, with some of the team arriving early to coordinate with NCATE team members and the rest arriving by noon on Sunday to begin reviewing

documents and supporting evidence. An orientation meeting is conducted to provide logistical information and reminders about what to focus on in the standards for that particular institution are shared. The team looks for consistency among the evidence, the interviews and the self-study document. The team probes inconsistencies through the interview process, and may ask that more interviews be scheduled if further information is needed in some areas.

The team meets to compare information and to reach consensus, on a standard by standard basis, on whether each standard is met. Areas of concern are identified early on and shared with the institution in a mid-visit status report to give them a chance to provide further information. Finally, the team wraps up the visit on a Tuesday evening to make recommendations on whether standards have been met. By Wednesday morning, team members have written up their work and provided it to the Commission consultant. Strengths, concerns and professional comments are all included. The written report is shared with the institution and forwarded to COA.

Commissioner Stordahl asked if the interviewees, particularly those who are rounded up to fill in questionable areas, are recruited by the institution or selected at random. Dr. Gregg said that in the case where additional interviewees are needed at the last minute, the institution typically finds them. However, both she and Dr. Birch said that because of the extensive number of interviews and depth of questioning, institutions are not able to hide concerns or stack the deck with pro-institution people.

Ex Officio Representative Waite said that her institution provides the team with a list of all students so that interviewees can be chosen at random. Ms. Graybill said that themes generally begin to emerge and that different team members, as they compare notes, discover similar concerns across a range of interviews. Superintendent Designee Littman said she has participated in reviews and, in her experience, information always emerges from the interview process and even from casual conversations with those in the area who are not part of the institution's staff. She said universities, in general, make every effort to raise concerns in their own self-study.

Commissioner Stordahl said the documentation that a university presents may not always focus on key issues, like the employment history of graduates who remain in the profession five years after graduation and other evidentiary materials about the long-term success of credential candidates. Without long-term numbers for a program, there really is not any accurate way to measure success.

Commissioner Lilly said that what is lacking is the same kind of data tracking system that the K-12 system has been trying to put together for many years. There is no way to track what happens to graduates – where they go and what they do with their careers.

Dr. Grieg noted that the accreditation team gets a sense of the quality of graduates from the principals and administrators in surrounding districts. If the districts are enthusiastic about hiring the program's graduates, then there is confirmation that the institution is doing a good job.

Ed Kujawa and Dana Griggs next talked about the process once the recommendation reaches COA. The lead consultant presents an overview of the visit, followed by the team leader presenting in detail the team findings and recommendations. The institution is then invited to make any comments.

The COA then embarks on a lengthy discussion, members having reviewed the report ahead of time and making notes on questions. Once all questions are answered, public comment is invited. Then the COA makes the accreditation decision.

Chair Schwarze asked if previous stipulations and concerns are tracked when the next site visit is conducted. Dr. Birch explained that if a stipulation is adopted, the institution must address it within 12 months and report back to COA. Currently, when a new site visit process begins six years later, there is no reference back to the prior report.

Ex Officio Representative Symms Gallagher said that when she went through the process as a new dean at the University of Southern California, the accreditation process with stipulations was a helpful exercise that was a means for making needed program changes. It was not enjoyable to hear about things that were not working well, but the process led to important change.

Dr. Kujawa said that if a university receives a stipulation they have to return the following year and provide COA with evidence about the steps they have taken to address the stipulation. In some instances, such an outcome may lead to a new dean or program director. In other cases, a university may decide to close a troubled program rather than invest in corrective action.

Dr. Kujawa said that COA members feel that having information about prior site visits and concerns built into the process would be an advantage. The accreditation study group has been considering that and other concepts for a recommendation it will be making to the Commission about revising accreditation.

He also talked about COA's other activities, including completing a side-by-side comparison of NCATE and state standards. He said the state has stronger standards in some areas.

Commissioner Lilly asked if a specific program at an institution is weak, whether the COA may recommend closure. Dr. Birch said that would be within their purview, however typically the COA talks about how the standard is not being met so that an institution can take steps to meet it. An institution may decide that addressing the stipulations would be too difficult, leading to a decision to close the program. Commissioner Lilly asked if COA could require the program to be closed after a year if the concerns are not met; Dr. Birch said yes. COA could also choose to place further sanctions on the university.

Commissioner Lilly then asked about restarting the accreditation process, which is currently suspended for all non-NCATE institutions. Because of the two-year lead time institutions say they require prior to a site visit, he asked whether a decision to reinstitute accreditation site visits would result in a two-year delay? Dr. Birch said that would be correct under the current system. Commissioner Lilly said that means it is important for the Commission to give an early signal that it intends to begin the process again, possibly without waiting for its own final action on any revisions to the process.

Commissioner Banker thanked the panel for its work. She noted that it was critical for institutions to provide the data to show their effectiveness as the legislature and others are asking for increasing evidence of effectiveness.

Ms. Graybill then opened the final section of the study session, with Mr. Kujawa and Dr. Young providing background on the accreditation review process. A sub-group of COA and various stakeholders have been meeting since June 2004 to review materials, explore issues and examine the process. The policy questions and considerations include:

- Accountability
- Program improvement
- Responsiveness and follow-up
- Ensuring both quality and effectiveness
- Relying on data-driven decision-making
- Cost effectiveness

The workgroup believes that the system needs to be updated to better align with the current standards-based, data-driven accountability environment. It needs to make ongoing program improvement a higher priority, and program improvement needs to be informed by data on the effectiveness of graduates. They also believe the system needs to shift to ongoing accountability, rather than once every six years. The system needs to incorporate data on candidate performance and it should be streamlined to make better use of resources.

Key attributes of accreditation include retaining the professional nature of accreditation, having knowledgeable participants, and having breadth, flexibility and intensity while increasing efficiency and cost effectiveness.

The workgroup will be bringing recommendations to the Commission in the near future. In general, they will strengthen program accountability by blending unit accreditation with program evaluation; infusing the system with more data on candidate performance; implementing a biennial reporting system with data on candidate performance; retaining the site visit; improving selection and training of reviewers; and establishing criteria for the selection of schools to visit during site visits.

Commissioner Stordahl questioned the role of the master teacher in the accreditation process. Beverly Young responded that it is part of the evidence collected by the institution and confirmed by the accreditation team.

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Commissioner Lilly asked if the workgroup was looking at a six- or seven-year cycle that would match NCATE's seven-year cycle. Dr. Young said seven years, with the biennial report providing ongoing data. Commissioner Lilly asked if the workgroup is looking at meshing the reports with NCATE's forms. Dr. Young said the workgroup is hoping to design a system that will allow institutions to use one common form.

Commissioner Lilly asked if the workgroup is contemplating any changes to the standards themselves. Dr. Young said it may; the work is divided into sections of things that can be done immediately, in the future and through legislative change. She said the statute, the framework and the handbook all will need to be revised, and the workgroup will propose language to do so. He asked whether a draft framework language would be brought forward for the Commission to review. Dr. Young noted that the workgroup and COA have draft language for the framework and handbook for the Commission to review

Commissioner Lilly said he would like to see the Commission consider setting up something like a pilot/voluntary program for Fall of 2007, and begin the full system in the Spring of 2008. Dr. Young said that staff will have to produce a list of institutions and where different ones are in the process since some have moved ahead with NCATE accreditations. Commissioner Lilly said he can see the need for such a list, but the Commission could start the clock while staff put the list together. Ms. Graybill noted that the Commission still has to discuss the budget implications of changes.

Commissioner Molina thanked staff for the presentation. Ms. Graybill asked for clarification of direction from the Commission. Commissioner Lilly asked that recommendations from the workgroup be on the August agenda for information and discussion, with an item for action on the fall agenda. Commissioner Stordahl asked that it be put on the October agenda (reinstatement of visits; order of visits).

Dr. Swofford said by then a budget should be signed and the Commission will have a better understanding of its resources. He noted that the Commission would have to submit a Budget Change Proposal to the Administration and the Department of Finance to support accreditation. Commissioner Lilly said there were resources to conduct accreditation at the time the process was frozen, and that it was not frozen for lack of funding but for issues dealing with assessment. He said if the resources have been diverted to other activities, the Commission will need to address that. Ms. Hill said the Commission's resources have been cut, year after year and there are not resources in the budget currently for accreditation.

Commissioner Clopton asked if the item is being put off until October. Dr. Young said the workgroup intends to have proposals ready by August. He said that he would prefer to get them in August and then have it agendaized for action in October. Commissioner Molina clarified that this would be the direction to staff.

The request to extend COA members' terms was put off until the August meeting since it was not an agenda item for action. Dr. Birch said the COA meeting is in August after the Commission's meeting, so terms can be extended at that time.

**6B: Initial Accreditation and Program Approval**

Dr. Birch presented two single subject matter industrial technology education programs (California State University, Los Angeles and California State University, Fresno) and three guidelines-based alternative professional clear administrative services credential programs (San Diego County Office of Education, California Educational Leadership Alliance and Azusa Pacific University).

Commissioner Molina asked about the standards for technology education programs. Helen Hawley, consultant, Professional Services Division, said staff has completed a draft of standards and will be bringing it to the Commission in October. The approval request is based on standards that programs have been operating under since 1995. Programs will have until July 2011 to bring their programs in line with the new standards once they are adopted. Commissioner Stordahl asked that a specific condition be attached that would require programs to update to the new standards as quickly as possible. Ms. Hawley said institutions are asked to submit a document within the first year of the approval of new standards.

A motion to approve the initial accreditation and programs for the institutions and organizations was made (Madkins), seconded (Littman) and approved without dissent.

**6C: Approval of the Knowledge, Skills and Abilities for the California Teachers of English Learners (CTEL) Examination**

Amy Jackson, Administrator, and Mark McLean, assistant consultant, Professional Services Division, presented this item. Appearing on behalf of National Evaluation Systems (NES) were Dr. Richard Allen and Dr. Marty Carl. Staff distributed page 87, which was missing from the agenda materials, and Appendix H, a table that describes the test structure.

Ms. Jackson noted it is the third time the matter has come before the Commission and that at the prior meeting, the Commission had requested revisions in the Knowledge, Skills and Abilities descriptions (KSAs). She directed the Commission's attention to page 6 of the agenda materials, which describes the test structure's three sub tests and page 7, which lists the number of subdomains in each subtest with the number of multiple choice items. A candidate has to pass each section of the exam, so the Commission sets a pass rate for each section. The standards-setting process is scheduled for this fall.

Ms. Jackson asked for the Commission's response to the revisions made based on the last meeting and to the test structure. Dr. Allen said the Commission's requested changes have been thoroughly reviewed by his staff and are, to a large degree, clarifications of the document as originally proposed. The revised language will be reviewed by the content specialists at their meeting in the fall as part of the process of making sure the adopted

standards are valid and defensible. He said he expects the changes to be accepted by the content specialists.

Chair Schwarze asked about different forms of validity. Dr. Allen said NES uses the highest validity standards recognized in the field today, as required in the contract that NES has with the Commission for developing the test. Chair Schwarze asked that if the Commission wants to use other forms of validity in the future, then it should be determined in the RFP process. Dr. Allen replied yes.

Commissioner Clopton asked about the relative weight of the items on constructed responses and multiple choice, and the reliability of multiple reviewers. Dr. Allen replied that the items themselves are not weighted, each count the same. The constructed response items are scored by a number of people. Each response is evaluated by two readers using a four-point scale that has been taught to them. If the scorers do not agree, a third person and possibly a fourth also evaluates the responses.

Commissioner Molina asked for audience comment. The following people spoke:

**Theresa Montaña, professor at California State University, Northridge, representing the California Teachers Association.** She referenced a letter from the CTA president and said she was there to urge the Commission to adopt the original KSAs. She said the new language is not necessarily related to English language learners, and that the cost and time to revise the standards would be lengthy -- \$49,000 more and three to six months longer.

**Elizabeth Jimenez, California Council on Teacher Education.** She said her organization has reviewed the changes and does not see them as major changes. She urged the Commission to approve the proposal.

**Susan Westbrook, California Federation of Teachers.** She agreed with CTA that the new language should not be adopted. She said if the Commission adopts the new language, it opens the Commission to liability because of the questionable validity. To revalidate the new language would cost almost \$50,000. She said the original KSAs were very well done and covered everything teachers need to know and be able to do.

Dr. Allen was asked to clarify costs. He said that what NES is proposing would not take extra time or money, and that a full-scale re-evaluation of validity is not proposed.

**Claudia Lockwood, with the Bilingual Teacher Training Program and San Joaquin County Office of Education Multilingual Education.** She said that after reviewing the proposed changes, she feels they are clearer, are acceptable and are in line with what was recommended by the committee. She urged the Commission to move forward.

Commissioner Molina asked for questions. Commissioner Lilly asked NES to confirm again that this would not take additional validation. Dr. Allen said one always errs on the



side of caution with validation, but he believes that there are no negative implications for validity since the language is a clarification and not a change.

Commission Bustillos said she believes the new KSAs are more consistent and clear. She asked about including bilingual education in TPE 7 on page 20. Ms. Jackson said that is part of a standard that was approved by the Commission several years ago. Since standards are revised about every five years, such a change could be made in the future when the Commission reviews the standards.

Commissioner Bustillos also asked that in the KSAs under domain two, a citation of the Lao v. Nichols case be included since it is relevant to how the field has developed. She said it is important for a teacher of English language learners to understand court cases that have led to today's system. Commissioner Lilly offered that such a change could be made in an amendment to a motion.

Commissioner Bustillos moved to adopt the KSAs with an amendment to add Lao v Nichols in places where other court cases are named. Commissioner Gomez seconded the motion. It carried without dissent. Commissioner Lilly then moved to adopt the test structure. Commissioner Grant seconded the motion. It carried without dissent.

#### **6D: Implementation of Bilingual Certification Review Plan**

Susan Porter, Consultant, Professional Services Division, presented this item. At the April meeting, staff presented the Commission with options for reviewing bilingual certification. The Commission adopted a plan that includes a supported advisory workgroup. Other options staff recommended for the plan were circulating a survey statewide and conducting stakeholder discussions around the state. The Commission directed staff to bring back a proposal for selecting the workgroup. The agenda item includes proposed membership, nomination forms and process, and a timeline.

The Commission heard from one member of the public:

**Elizabeth Jimenez, California Council on Teacher Education.** She said her group was not included in the list of potential members, but has been involved throughout the process. She asked to be included.

Ex Officio Representative Young asked about process. She said she recently returned from visiting CSU Channel Islands, where the staff reported that they had been told by the Commission in 2002 that they could not submit a new bilingual program because standards were being developed. The faculty there say surrounding school districts are clamoring for bilingual teachers, but CSU Channel Islands has not been allowed to submit a program. They would like to begin work on a program, even if they have to revise it once the new standards are in place. She asked how their situation can be addressed.

Commissioner Banker said she understands that currently there are no standards for bilingual programs. She said there needs to be careful consideration so that the standards

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reflect the competence that a bilingual teacher needs – not just speaking English and Spanish, but having the skills required to teach English learners. She said she did not understand that the Commission was agreeing to all of the staff-recommended activities. She said it is important that the Commission look at how to arrive at solid standards.

Dr. Birch said that when SB 2042 standards were adopted, the CLAD requirements were built into the credential program rather than being separate. Currently, the CLAD certification is available by examination. The Commission has attempted to start a project for setting bilingual standards several times, but other priorities and budget issues have intervened. Institutions that had BCLAD emphasis programs have been able to continue based on the standards embraced in the SB 2042 structure. At that time, the Commission did say the schools could not submit new emphasis programs because the intention was to eventually have a replacement BCLAD, some type of bilingual certification that could be earned by coursework or an exam.

Ex Officio Representative Young said she is hoping some relief can be offered to institutions like Channel Islands. Dr. Birch said if the Commission directs staff to allow institutions to begin planning for BCLAD programs, then that's what would occur.

Commissioner Gomez asked that Ms. Jimenez' group be added to the list. Dr. Birch said they would be and that it was an oversight that they were not included.

Commissioner Bustillos said that as the Commission moves forward, she believes it will find a problem with the unit cap situation. Dr. Birch agreed. The BCLAD emphasis fit within the unit cap, but a new program would likely require additional units.

Ms. Graybill said that is why staff has suggested the study approach; there are a number of policy questions that need to be answered before program standards can be developed.

Commissioner Lilly said it is important to distinguish between what the workgroup will do and Channel Islands' request. He said it appears to be reasonable that staff discouraged programs from coming forward when standards don't exist, but perhaps an exception can be made. Dr. Birch said staff would take that as Commission direction.

Commissioners asked staff to ensure that the process for selecting the workgroup will bring forth a wide range of perspectives – but also keep the number involved small enough to allow for work to get done.

**Charles Zartman, CSU Chico**, asked for clarification about the purpose of the workgroup vs. a panel that would actually come up with standards. Commissioner Banker echoed his concern, saying she believed the Commission was opting for a panel that would develop standards.

Ms. Porter said that before standards can be developed, it has to be determined what the Commission is developing standards for. There are a number of policy questions that need to be asked first. The same workgroup, once it has provided input on the policy

questions, could continue as the standards advisory panel if the Commission so chooses. Dr. Birch said the terms workgroup and panel are synonymous.

Commissioner Lilly asked about the timeline and receiving a report by the last meeting of the calendar year. Ms. Porter said an interim report is planned for the October meeting on stakeholder discussions, with late November for any work that the workgroup has accomplished by then.

Commissioner Banker said that speaking for herself, she felt that she had voted to select a standards panel and to develop a new test because the current one is expiring. She said she would like to see the process move ahead quickly, perhaps with some work being done simultaneously.

Chair Schwarze said since the state is also developing preschool standards, it's important to see how all of the standards line up and make sure that no one is working at cross purposes. Nonetheless, she does not believe a university such as Channel Islands should be held back when there is demand for workers in the area directly affected.

Commissioner Bustillos said it is necessary to have an initial team, regardless of what it is called, to answer policy questions and do the research so the Commission can really identify what future bilingual teachers need to know and do. There is urgency, but the policy questions need to be answered before standards can be developed.

Dr. Birch said that having complete work done by December 31 may be a challenge, but an interim report is certainly likely.

Commissioner Lilly moved to establish a workgroup under the modified selection process described on page 5 of the agenda materials, with the workgroup not to exceed 15 members, with a timeline as described in Appendix A for completing work on for policy questions. Commissioner Madkins seconded the motion.

After discussion, the Commission agreed that the workgroup will have the option of using a statewide survey and stakeholder discussions as part of its process. The motion carried without dissent.

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

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

#### **7A: Update on the Proposed 2005-06 Governor's Budget as of the May Revision**

Commissioner Bustillos provided an overview of the Commission's budget. The Administration has provided a one-time backfill in the amount of \$2.7 million to mitigate the structural imbalance between expenditures and revenues in both the Teacher Credentials Fund and Test Development Administration Account.

The Assembly subcommittee adopted the Governor's May Revision language, which includes the \$2.7 million language; however, the Senate rejected the backfill and adopted budget bill language to raise the credentialing fees from \$55 to \$67.50 for all new applications and renewals and the examination fees by \$6 per test to cover costs. The Senate subcommittee also restored several other small cuts and three of the six positions that were proposed for elimination. Under their scenario, fees would be raised from \$55 to \$67.50 for all new applications and renewals.

Because each house took a different action, the matter will be considered in conference committee. Ms. Hill said the conference committee has begun meeting and that she will keep the Commission updated.

**7B: Fiscal Year 2005-06 Fee Structure for Both the Teacher Credentials Fund and Test Development and Administration Account**

Ms. Hill presented information on the prior discussions about a proposed fee increase. Both the funds are intended to support the daily operations of the Commission, but both have had a structural imbalance. In the Budget Year 2005-06, expenditures are expected to exceed revenues. At the last meeting, the commission took action to reduce expenditures by about \$1.658 million and proposed revenue enhancements of about \$2.393 million.

The discussions in the Legislature include some of the options adopted by the Commission at the meeting, as well as a one-time General Fund augmentation for the budget year. This is a short-term solution because it does not correct the imbalance in the future. Without the augmentation from the General Fund, the Test Development Administration Account has a projected shortfall of \$607,000 and the Teacher Credentials Fund has a projected shortfall of \$2.093 million.

The shortfalls can be addressed either through a revenue adjustment or additional expenditure reductions. Ms. Hill cautioned that further reductions will continue to impact the Commission's ability to address its core mission.

The Teacher Credential Fee is currently set at \$55. It has been as high as \$70, but has been \$55 since 2000-01. For every \$5 increase in the credential application fee, the Commission would generate about \$1.1 million in revenue. The Education Code allows the Commission to set a fee of up to \$70 to cover its expenses. However, current budget language restricts the fee to \$55. The language expires on June 30, and the Senate and Assembly have put forth different concepts for the coming budget year.

Ms. Hill noted that with respect to the Exam fee structure, for the past three years, the Commission has not raised the exam fee because there have been sufficient resources to support the daily operations. The Education Code allows the Commission to set fees at a level to cover its costs. The Senate's proposed \$6 fee increase would raise the total cost to teacher candidates about \$12 if they passed each exam on the first attempt.

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Commissioner Lilly said he was struggling to see what action is both appropriate and doable, considering the interaction of the Education Code and the Legislature's budget language.

Commissioner Madkins offered a motion raising the credential fee to \$67.50, subject to limitation of wording in the annual budget act, and raising exam fees by \$6, subject to the limitation of wording in the annual budget act. Commissioner Lilly seconded the motion. After discussion about the testing fee vs. credential fee limitation, the "subject to limitation" wording about raising the exam fees was removed from the motion with the consent of Commissioners Madkins and Lilly.

Members of the public were invited to speak:

**Kathy Harris, CTA**, said CTA opposes raising the credential fees at a time when teachers no longer have access to a tax credit for personal expenditures, school budgets are being cut and health care costs are rising.

**Wilma Wittman, CTA**, agreed and added that the organization continues to believe that all testing costs should be paid by the state because they are mandated tests.

The vote was taken. Superintendent Designee Littman abstained; all others voted aye.

**GENERAL SESSION RECONVENED**

**5I: Report of Executive Committee**

Chair Schwarz read the report:

The Executive Committee approved its September 30, 2004 minutes.

The Committee discussed the Governor's Proposed Budget for 2005-06 as of the May Revision.

The Committee was presented with updates to the 2001 Strategic Plan. It was determined that a subcommittee of the Commission would work to revise the document. It was determined that Chair Schwarze will work with the Vice Chair and the Executive Director to move this idea forward. In addition, staff was asked to include a study session on the Bureau of State Audits report in a future meeting of the Commission.

And finally, the Executive Committee selected schedule D which includes six two-day meetings for 2006. If it turns out that statutory changes are enacted that allow the Commission more flexibility, the Commission can revisit this issue at another time in the future.

Commissioner Madkins moved and Commissioner Molina seconded that the report be approved. There was no dissent.

**5J: Report of Closed Session Items**

Chair Schwarz read the following closed-session items:

The Commission denied the following Petitions for Reinstatement:

1. Dale Swanaberg
2. Colleen Miklas
3. Harry Rios

The Commission granted Stan North's Petition for Reinstatement. The Commission adopted the Administrative Law Judge's Proposed Decision in the matter of Joseph Cipres.

**5K: Report of Appeals and Waivers Committee**

Commissioner Gomez read the following report, which was approved by Commissioners without dissent:

The Appeals and Waivers Committee recommended approval of the following items:

The April 14, 2005, minutes, the May 31, 2005 consent, conditions and denial calendar.

**5L: New Business**

The quarterly agenda for August, October and November/December 2005 was provided for information only. There were no audience presentations.

**5M: Adjournment**

The Commission adjourned. The next meeting is August 11, 2005.