

PROFESSIONAL STANDARDS BOARD

Meeting of Thursday, August 7, 2008

5:15 p.m.

Cabinet Room, Department of Education
2nd Floor South Wing, Townsend Building

MINUTES

Members Present: Joanne Christian, Marilyn Dollard, Karen Gordon, Cristy Greaves, Lori Hudson, David Kohan, Jill Lewandowski, Wendy Murray, Whitney Price, Karen Ross, Michael Thomas and Cathy Zimmerman.

Members Absent: Samtra Devard, Gretchen Pikus, Kathleen Thomas, and Carol Vukelich.

Others Present: Charlie Michels, PSB Executive Director; Pearl Carrington, Secretary; Paula Fontello, Deputy Attorney General; Vicky Cairns, DSEA; and Judi Coffield, State Board of Education Policy Analyst

I. Opening:

Call to Order: Dr. Thomas, Professional Standards Board Vice Chair called the meeting to order at 5:30 p.m.

Approval of Agenda: A motion was made by Ms. Gordon and seconded by Ms. Price to approve the Agenda as presented. The motion carried.

Approval of Minutes: A motion was made by Ms. Hudson and seconded by Ms. Dollard to approve the Board Meeting minutes of June 5, 2008. The motion carried.

II. Public Comment

None.

III. Executive Director's Report

- Mr. Michels stated he has been involved with the Department's Professional Development Task Force. He has provided input on the Task Force's main Committee, in addition to several of the Task Force's sub-committees. The Policy sub-committee has made several critical recommendations to the large Committee. It is Mr. Michels' understanding that the Task Force will be now under the auspices of Dr. Martha Brooks of the Department and the Delaware Educational Support System (DESS). Some of the proposed recommendations may come to the PSB, as the Board is responsible for some aspects of DE educator professional development. These recommendations may take the form of regulatory changes.
- Mr. Michels indicated the Revocation Hearing is still pending and that the various parties are working on establishing dates suitable for all.

- Mr. Michels has worked with Dr. Coffield by drafting some language relative to the work shared between both Boards for the State Board of Education's Annual Report.

Formal Introductions:

Mr. Michels formally welcomed Professional Standard Board Members and newly Appointed and Confirmed Board Members. Mr. Michels asked each Member to introduce themselves. He also introduced Ms. Coffield, State Board of Education Policy Analyst, and Ms. Cairns, Delaware State Education Association and Ms. Fontello, Deputy Attorney General.

IV. Presentations

Status of Cluster and the PDMS ~ Mr. Michels

The Professional Development Management System (PDMS) is functional in most aspects relating to clusters. At present, the only professional developments offered are within the PDMS clusters. The next step is to add to the system Department of Education professional development opportunities. Mr. Michels is working closely with a number of Department staff, sharing his 'expertise' with the PDMS.

Since the beginning of May 2008, over 65 clusters have been processed through the PDMS via DEEDS. Mr. Michels has compiled several large notebooks with the appropriate documentation, which he accesses on a daily basis.

Mr. Michels has not anticipated spending several hours a day dealing with cluster issues; either with instructors or participants.

The TrueNorthLogic software does not allow the Cluster Evaluation Survey to be 'published' to a singular cluster section which is problematic, as previous cluster section participants have already had their opportunity to respond to the scanned Evaluation. Mr. Michels is working with a Department staff member on another online survey software program that he hopes will accommodate the needs of the Board in attaining cluster data.

V. Discussion

A. House Bill 259 – Implications for the PSB

Mr. Michels shared with the Board that the new DE House Bill has implications for the Board and the subsequent potential for additional Hearings before the PSB. This amendment to SB260 will require amending regulations: 1513 Denial of Licenses and 1514 Revocation of Licenses and Certificates. The previous language in DE Code left for some perceived loopholes for educators and/or districts. Ms. Fontello reviewed the highlights of the law changes. The new legislation addresses not only Denials and Revocations, but newly added Suspensions. The Secretary of Education now has more ability to protect

Delaware students and both the Secretary and the Board may impose sanctions, stipulations and time frames for educators.

VI. Action Items

A. Hearings and Reviews

A.1 Vote to consider possible Executive Session for Discussion of M.J. Licensure Denial (PSB File No. 2007.02).

Dr. Thomas recused himself and designated Board member Ms. Gordon to chair the Board's consideration of the M. J. Licensure Denial (PSB File No. 2007-02).

Ms. Fontello stated that the record before the board contains information regarding the applicant's qualifications, personnel matters and personnel documents including evaluations. The Board was also advised that the applicant did not request an open meeting in this case. It was explained to the Board that there are certain exceptions to the open meeting laws that allow a Board to go into executive session in order to discuss matters that may constitute an invasion of the applicant's personal privacy such as personnel, pupil, or medical files or an individual's qualifications to hold a job. Ms. Fontello explained that the exception was limited.

Executive Session

At 6:00 PM Ms. Christian moved and Dr. Greaves seconded a motion to go into Executive Session for the purpose of discussing the record including the proposed decision of the Hearing officer in the M.J. Licensure Denial in order to protect the applicant's personal privacy. The motion was made **pursuant to 29 Delaware Code, Section 10004(a) & (c)**. The motion carried unanimously.

A.2 Deliberation – M.J. Licensure Denial (PSB File No. 2007-02).

Ms. Fontello explained the voting and deliberation process and answered the Board's questions. The Board reviewed the record including the hearing officer's proposed decision and deliberated regarding the following case: M.J. Licensure Denial (PSB File No, 2007-02).

At 6:45 PM, Ms. Hudson moved and Ms. Christian seconded a motion to come out of Executive Session. The motion carried unanimously.

A.3 Decisions and Order – M.J. Licensure Denial (PSB File No. 2007-02). The PSB may consider the decision of the hearing officer in this matter.

Ms. Christian moved and Ms. Hudson seconded a motion to adopt the Hearing Officers Proposed decision including the findings of fact, conclusions of law, and recommendation

to uphold the Department's decision to deny M.J.'s request for an Initial License. The motion unanimously carried.

~ 10 Minute Break ~

The meeting reconvened at 6:56 PM

Ms. Gordon yielded the Chair to Dr. Thomas.

- B. 1559 Trade and Industrial Education Teacher** *For Publication*
After an initial discussion regarding 1559 Trade and Industrial Education Teacher, Mr. Michels stated that he and Ms. Fontello were not yet comfortable with the Board moving forward to publish this regulation. The implications for compensation/salary, connections to DE Code and that the intent of the amended regulation was not reflected accurately in the drafted language, were their main concerns. Mr. Michels felt more clarifications and affirmations from the Department's staff were warranted. Ms. Murray moved and Ms. Zimmerman seconded a motion to Table the Publication of regulation 1559 Trade and Industrial Education Teacher. The motion carried.
- C. 1502 Professional Growth Salary Increments** *For Publication*
After an initial discussion regarding the changes to 1502 and the connections to regulation 1559, Ms. Murray moved and Ms. Zimmerman seconded a motion to Table the Publication of regulation 1502 Professional Growth Salary Increments. The motion carried.
- D. 1572 Teacher of Students Who Are Gifted and Talented** *For Publication*
Mr. Michels stated that he had spoken with the DE Gifted and Talented Advisory Board and various Department staff regarding the K-12, 3 years of teaching experience in comparison with K-12 and or no years of teaching experience required for certification. A discussion ensued with Board members expressing concerns that substituting K-12 for PreK-12 made the regulation more restrictive and that the required 3 years of experience seemed incongruous with the opposite end of the exceptional children spectrum: special education children; where these teachers were not required to have three years of prior experience to be certified. Ms. Hudson moved and Ms. Ross seconded a motion to Publish 1572 Teacher of Students Who Are Gifted and Talented. The motion carried.
- E. 1561 Bilingual Teacher** *Final Action*
Ms. Christian moved and Ms. Murray seconded a motion to approve 1561 Bilingual Teacher for Final Action. The motion carried.
- F. 1562 English to Speakers of Other Languages (ESOL) Teacher -** *Final Action*
Ms. Dollard moved and Ms. Hudson seconded a motion to approve 1562 English to Speakers of Other Languages (ESOL) Teacher for Final Action. The motion carried.
- G. 1552 Career and Technical Specialist -** *Final Action*
Ms. Hudson moved and Ms. Dollard seconded a motion to approve 1552 Career and Technical Specialist for Final Action. The motion carried.

H. 1531 Middle Level English Language Arts Teacher *Final Action*

I. 1532 Middle Level Mathematics Teacher *Final Action*

J. 1533 Middle Level Science Teacher *Final Action*

K. 1534 Middle Level Social Studies Teacher *Final Action*

Ms. Hudson moved and Ms. Zimmerman seconded a motion to approve 1531, 1532, 1533 and 1534 for Final Action. The motion carried.

L. 08-09 PSB Meeting Schedule

The tentative schedule for Board meetings, September 2008 through June of 2009 was presented to the Board. There was discussion regarding the January 2009 meeting date. It was noted that traditionally the PSB meetings are held on the first Thursday of the month, and therefore the meeting would fall on January 1, 2009. This date was considered as impractical by the Board. The consensus of the Board was to hold the January 2009 meeting on the 5th of the month. There was open discussion about the scheduled time for Board meetings. The consensus of the Board was that meetings should be held on the scheduled dates on the first Thursday of each month with the exception of the January meeting at 5:15 PM in the Cabinet Room of the Department of Education. Ms. Lewandowski moved and Ms. Hudson seconded a motion to accept the calendar as decided upon. The motion carried.

M. Professional Development Cluster Approval Hiatus *For Action*

After a brief review by Mr. Michels of the current status of clusters, Ms. Hudson moved and Ms. Christian seconded a motion for the Board not to accept any new, re-authorization, or replication applications for clusters until further review of the moratorium status by the Board at the April 2, 2009 meeting. The motion carried.

N. Professional Development Clusters *For Action*

1. Replications ~ 0809 Quality Classroom Assessment 101: Assessment for Learning

a. Brandywine School District

b. Newark Charter School

c. Pencader Business and Finance Charter HS

Mr. Kohan moved and Ms. Zimmerman seconded a motion to Table the approval of the presented cluster replication applications. The motion carried.

VII. PSB Standing Committees

A. Licensure and Certification Criteria –

The Licensure and Certification Criteria Committee has not met.

B. Professional Development and Associated Compensation.

The Professional Development and Associated Compensation Committee meeting minutes

of March 17, 2008 were included in the PSB Member packets.

Mr. Michels asked if any PSB Members would like to be on the Professional Development and Associated Compensation Committee and/or the Licensure and Certification Criteria Committee, they should contact him.

C. PSB Ad Hoc Committees

There is no current Ad Hoc Committee.

VIII. Other

Ms. Ross stated that she was concerned about the number of DE educators that are receiving Emergency Certificates as Reading Specialists. Mr. Michels indicated that at present there are approximately 50 Reading Specialist Emergency Certificates. There were concerns shared about procedures and processes. Mr. Michels stated that he will do some research and that during a future meeting, the Board can look at the Emergency Certificate regulation language.

IX. Public Comment

None

X. Adjournment

A motion was made by Ms. Zimmerman and seconded by Ms. Dollard to adjourn the meeting. The motion carried. The meeting adjourned at 7:52 p.m.

During the course of this meeting, the Professional Standards Board may enter into Executive Session to consider strategy with respect to pending and potential litigation or with respect to personnel issues. The Professional Standards Board may also take breaks.

The times designated on the agenda are approximate and are listed for administrative purposes only. The Professional Standards Board reserves the right, pursuant to Section 10004(e) of the Freedom of Information Act, to hear any matter out of its order during the meeting.