

NASDTEC

National Independent Educator Standards Boards Association

2011 Legislative Resource Guide

The NASDTEC National Independent Educator Standards Boards Association (NIESBA) represents thirteen states, are responsible for licensing approximately 670,000 educators, and approving over 268 preparation programs. An Independent Standards Board (ISB) is defined as a board that is independent of the state's Board of Education and the majority of the voting members are educators. Also the members are appointed by the Governor or Legislature or in one state by the State Superintendent.

As presented in the NASDTEC publication, *"2009 Status of Educator Standards Boards"*, some boards are responsible for all aspects of the educator profession including the approval of educator standards, programs and accreditation, certification/licensure and discipline, while other boards are responsible for portions of each of those responsibilities.

This publication provides a legislative resource guide to help the National Education Association provide leadership in the establishment of other independent education boards.

1. California:

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Sacramento, CA 95811-4213

Email: Nov. 2, 2012 appointment date

Telephone: (888) 921.2682

Web: <http://www.ctc.ca.gov/>

Legislation: <http://www.ctc.ca.gov/notices/coded.html>

- What top three issues should legislation developed to establish independent standards board address?
- Is there a section of your state's legislation that you recommend be duplicated by another state that seeks to establish an independent standards board?
- Is there a section of your state's legislation that you would strongly encourage another state to exclude as they seek to establish an independent standards board?

2. Delaware

Contact: Charlie Michels, Executive Director

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Email: chmichels@doe.k12.de.us

Telephone: (302) 735-4276

Web: <http://www.doe.k12.de.us/csa/profstds/default.shtml>

Legislation: <http://delcode.delaware.gov/title14/c012/index.shtml>

- [Subchapter I. Professional Standards Board](#)
- [Subchapter II. Three-Tiered Licensure System](#)
- [Subchapter III. Educator Certification](#)
- [Subchapter IV. Substitute Teachers](#)
- [Subchapter V. Special Institute for Teacher Licensure and Certification](#)
- [Subchapter VI. Alternative Routes For Teacher Licensure and Certification](#)
- [Subchapter VII. Educator Evaluations](#)
- What top three issues should legislation developed to establish independent standards board address?
- Is there a section of your state's legislation that you recommend be duplicated by another state that seeks to establish an independent standards board?
- Is there a section of your state's legislation that you would strongly encourage another state to exclude as they seek to establish an independent standards board?

3. Georgia

Contact: Rick Eiserman

Mailing Address: Professional Standards Commission, Two Peachtree Street SW, Suite 6000, Atlanta, GA 30303

Email: Rick.Eiserman@GAPSC.com

Telephone: (404) 232.2680

Web: <http://www.gapsc.com/>

Legislation: <http://www.gapsc.com/Rules/Current/Certification/index.asp>

- What top three issues should legislation developed to establish independent standards board address?
 - Clear, but broad, mission and responsibilities. (Critical in getting started, and later in defending the budget/staff.)
 - Well-defined member structure (member qualification requirements, appointment/removal process, length of terms, filling of vacancies, etc.)

- Broad legal authority. Ex: “create and implement standards for...; identify requirements for acquiring and maintaining certificates...”
- Legislation specific enough to establish clear intent, but broad enough to not tie the commission’s hand in setting policy.
- Legislation that allows the commission to develop the details (specific policies/regulations) in rules; much easier to update than if details are in legislation.
- Is there a section of your state’s legislation that you recommend be duplicated by another state that seeks to establish an independent standards board?
 - 20-2-983 Composition, terms, qualifications, etc. (Clear administrative details that if not legislated can sometimes be reshaped by politics)
 - 20-2-984 Authority. Clear intent, room for commission to establish the details.
- Is there a section of your state’s legislation that you would strongly encourage another state to exclude as they seek to establish an independent standards board?
 - 20-2-206 Example of very specific requirements in law, with no educator input, giving the commission no room to modify or adjust.

4. Hawaii

Contact: Lynn Hammonds, Director

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Email: lhammonds@htsb.org

Telephone: (808)586-2605

Web: <http://htsb.org/>

Legislation: http://htsb.org/302A%20801-809%20as%20of%206_22_11.pdf

- What top three issues should legislation developed to establish independent standards board address?
 - Requirement for reporting from district/employers on numbers of licensed/unlicensed teachers and the reasons they are not licensed (ex. not finished program, haven’t passed licensure test, etc.)
- Is there a section of your state’s legislation that you recommend be duplicated by another state that seeks to establish an independent standards board?
 - If the Superintendent of Education, Board of Education, etc., is designated as a member, I would not allow a designee, because we have found that some designees do not adequately discuss issues before or after meetings and the Board does not get accurate input, causing trouble after a policy is adopted.
- Is there a section of your state’s legislation that you would strongly encourage another state to exclude as they seek to establish an independent standards board?

5. Iowa

Contact: Duane Magee

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Email: Duane.Magee@iowa.gov

Telephone: (515)281-5849

Web: <http://www.iowa.gov/boee/>

Legislation: <http://coolice.legis.state.ia.us/Cool-ICE/default.asp?category=billinfo&service=IowaCode&ga=82&inpMulti=272>

Administrative Rules:

[http://search.legis.state.ia.us/NXT/gateway.dll/ar/iac/2820_educational%20examiner%20board%20_5b282_5d/0010_chapter%201%20general/ c 2820 0010.xml?f=templates\\$fn=default.htm](http://search.legis.state.ia.us/NXT/gateway.dll/ar/iac/2820_educational%20examiner%20board%20_5b282_5d/0010_chapter%201%20general/ c 2820 0010.xml?f=templates$fn=default.htm)

- What top three issues should legislation developed to establish independent standards board address?
 - A standards board should be addressed in federal legislation.
- Is there a section of your state's legislation that you recommend be duplicated by another state that seeks to establish an independent standards board?
 - Our statutes are good except we do not have program approval. Our rules however have some limitations. An educator board is autonomous and is accountable only to the governor. It should have the same status as the department of education.
- Is there a section of your state's legislation that you would strongly encourage another state to exclude as they seek to establish an independent standards board?
 - The only section would be to have program approval as part of the entire package.

6. Kentucky

Contact: Phillip S. Rogers

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Web: <http://www.kyepsb.net/>

Legislation: <http://www.lrc.ky.gov/kar/TITLE016.HTM>

- What top three issues should legislation developed to establish independent standards board address".
 - Clear delineation of the authority of the ISB to carry out its duties and responsibilities
 - Language that provides appointment of ISB members through similar process as those appointed to the state board of education with a majority of the members being practicing classroom teachers
 - Specific legislative language regarding the ISB authority to promulgate regulations/rules and to waive them as needed
- Is there a section of your state’s legislation that you recommend be duplicated by another state that seeks to establish an independent standards board?
 - KRS 161.028
- Is there a section of your state’s legislation that you would strongly encourage another state to exclude as they seek to establish an independent standards board?
 - NA

7. Minnesota

Contact: Karen Balmer, Executive Director

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Email: board.teaching@state.mn.us

Telephone: (651) 582-8872

Web:

http://education.state.mn.us/MDE/Teacher_Support/Board_of_Teaching/index.html

Legislation: <https://www.revisor.mn.gov/statutes/?id=122A>

Chapter 122A. TEACHERS AND OTHER EDUCATORS

122A.05	Professional Practices; Intent
122A.06	Definitions
122A.07	Board of Teaching Membership
122A.08	Meetings
122A.09	Duties

- What top three issues should legislation developed to establish independent standards board address?

- Access to grants and funding opportunities.
- Is there a section of your state’s legislation that you recommend be duplicated by another state that seeks to establish an independent standards board?
 - We have several sections in our state code relating to the work of the MN Board of Teaching, including 122A.07 which provides for our membership/composition and 122A.09 which provides direction regarding establishing licenses, testing, etc.
<https://www.revisor.mn.gov/statutes/?id=122A>
- Is there a section of your state’s legislation that you would strongly encourage another state to exclude as they seek to establish an independent standards board?
 - We have several sections that need to be updated and we have been working to get federal references out of our state laws (ie: highly qualified).

8. North Dakota

Contact: Janet Welk

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Email: jwelk@nd.gov

Telephone: (701) 328-9641

Web: www.nd.gov/esp

Legislation: <http://www.legis.nd.gov/cencode/t15-1c13.pdf> for licensure and <http://www.legis.nd.gov/cencode/t15-1c18.pdf> for placement.

- What top three issues should legislation developed to establish independent standards board address?
 - Clear authority for program approval, educator licensure, professional development, and professional practices.
 - Appointment by the governor.
 - Composition of the board primarily licensed educators.
 - Authority over assignment and placement of licensed educators.
- Is there a section of your state’s legislation that you recommend be duplicated by another state that seeks to establish an independent standards board?
 - 15.1-13-02 Membership
 - 15.1-13-08 Duties
 - 15.1-13-09 Powers
- Is there a section of your state’s legislation that you would strongly encourage another state to exclude as they seek to establish an independent standards board?
 - N/A

9. Oklahoma

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3545 NW 58th Street, Suite 200, Oklahoma City OK 73112

Email: lreid@octp.org

Telephone: (405) 525-2612

Web: <http://www.ok.gov/octp/>

Legislation: <http://www.ok.gov/octp/Legislation/index.html>

- What top three issues should legislation developed to establish independent standards board address”
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10. Oregon

Contact: Victoria Chamberlain, JD

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Salem, OR, 97301

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Telephone: (503) 378-6813

Web: <http://www.tspc.state.or.us/>

Legislation: <http://www.leg.state.or.us/ors/342.html>

- What top three issues should legislation developed to establish independent standards board address?
 - Composition of the board being primarily licensed educators
 - Full access to licensure fees for funding the Standards Board
 - Full jurisdiction over licensure, accreditation of licensure programs, professional standards (ethics); and professional development.
 - Jurisdiction over assignment issues in accordance with the license if possible.
- Is there a section of your state’s legislation that you recommend be duplicated by another state that seeks to establish an independent standards board?
 - 342.120 Definitions. Include the definition of when licensure is required i.e. clearly define “direct instruction” and differentiate in an objective

way when licensure is required and when it is not. Toughest issue we face. We are seeing a lot of teacher assistant encroachment in addition to lay administrators. (Our language could be more clear, but it is a place to start.)

- 342.175 Grounds for discipline; reinstatement. These statutes have been very “tight” and successful withstood litigation. In particular, you need to protect the information in the event the allegations are without evidence (dismissed.) Our concomitant administrative rules have found “gross neglect of duty” to be on-the-job conduct; and “gross unfitness” to be off the job conduct. (Nearly all of our language could be improved, so states using this as a basis may want to check with the Jurisdiction with the originating language for improvements.
- Is there a section of your state’s legislation that you would strongly encourage another state to exclude as they seek to establish an independent standards board?
 - Any section requiring oversight/approval from another board or agency.
 - Board composition that is not primarily practicing licensed educators.
 - Board composition that favors higher education and not licensees.
- Final suggestion. Review the jurisdiction of the health licensing board. The authority (particularly nursing boards) should be parallel to the educator arena.

11. Vermont

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Telephone: (802) 828-6543

Web: http://education.vermont.gov/new/html/pgm_prostandards/vsbpe/vsbpe.html

Legislation:

http://education.vermont.gov/new/pdfdoc/pgm_prostandards/vsbpe/rules/educ_5100_licensing_regulations.pdf

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12. Washington

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Web: <http://www.pesb.wa.gov/>

Legislation: <http://apps.leg.wa.gov/WAC/default.aspx?cite=181>

Rules: <http://www.pesb.wa.gov/meetings/rule>

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13. Wyoming

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Web: <http://ptsb.state.wy.us/>

Legislation: <http://ptsb.state.wy.us/RulesRegulations/tabid/62/Default.aspx>

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