

STATE BOARD FOR EDUCATOR CERTIFICATION **DISCUSSION AND ACTION SESSION AGENDA**

February 8, 2013

Minutes

The Board will meet in open session and after determining the presence of a quorum, deliberate and possibly take formal action, including emergency action, on the following agenda items:

1. Call to Order

The State Board for Educator Certification convened its meeting at 9:06 a.m. on Friday, February 8, 2013, in Room 1-104 of the William B. Travis Building, 1701 N. Congress Avenue in Austin, Texas.

Present: Dr. Cain, Ms. Pogue, Ms. Bricker, Ms. Bridges, Ms. Robison, Ms. Everest, Dr. Simpson, Dr. Loreda, Mr. Allard, Ms. McCall, Ms. Druesedow, Mr. Berry

Absent: Dr. Culwell and Mr. Trevino

2. Associate Commissioner's Comments Regarding the SBEC Agenda

Michele Moore, Associate Commissioner, welcomed the board members and introduced Mr. Michael Berry, Deputy Commissioner, and Melissa Juarez, the Board's new legal counsel from the Office of the Attorney General.

3. Public Testimony

No public testimony on non-agenda items.

Consent Agenda

4. Approval of October 5, 2012 Board Meeting Minutes

5. Approval of November 13, 2012 Board Meeting Minutes

Ms. Robison stated that her name was not included in the November 13, 2012 minutes.

Motion and Vote:

Motion was made by Ms. Pogue to approve the October 5, 2012 board meeting minutes and the November 13, 2012, board meeting minutes, as amended. Second was made by Ms. Bricker and the Board voted unanimously in favor of the motion.

DISCUSSION AND ACTION

6. Adoption of Review of 19 TAC Chapter 241, Principal Certificate

Mr. Allen informed the Board that this item is presented for the purpose of concluding the review of 19 TAC Chapter 241, Principal Certificate.

Ms. Bricker requested clarification on the advisory committee regarding the breakdown of the members, who they represent, and who appoints the advisory committee. Dr. Lopez stated that staff has worked with the George Bush Institute and experts across Texas as well as with New Leaders, using their expertise and experience in developing indicators. Dr. Lopez informed the Board that staff recently started the process of revising the principal certification, which includes setting new standards, a new appraisal, and a new principal examination that is more performance based.

Motion and Vote:

Motion was made by Ms. Pogue to adopt the review of 19 TAC Chapter 241, Principal Certificate. Second was made by Ms. Bricker and the Board voted unanimously in favor of the motion.

7. Adoption of Review of 19 TAC Chapter 242, Superintendent Certificate

Mr. Allen informed the Board that this item is presented for the purpose of concluding the review of 19 TAC Chapter 242, Superintendent Certificate.

Ms. Everest expressed concern with the lack of understanding of job descriptions for what people within the system do and are trained to do. Ms. Everest suggested that there should be discussion in the training to get a clear understanding of each job description.

Motion and Vote:

Motion was made by Ms. Pogue to adopt the review of 19 TAC Chapter 242, Superintendent Certificate. Second was made by Ms. Bricker and the Board voted unanimously in favor of the motion.

8. Proposed Repeal of 19 TAC Chapter 231, Assignment of Public School Personnel, and Proposed New 19 TAC Chapter 231, Requirements for Public School Personnel Assignments

Public Testimony was provided by:

Dr. Sandra West, Texas Academy of Science

Mr. Allen stated that the proposed rule actions would be necessary due to the reorganization of the current assignment chart. Mr. Allen informed the Board that proposed new 19 TAC Chapter 231 would update the current assignment chart to a text version in outline form to clarify the assignments. Mr. Allen reviewed the handout of substitute language and technical changes that staff recommended since the agenda was printed.

Mr. Allard expressed concern with the Generalist: Grades 4-8 certificate, which might indicate that teachers will not be specialized in any particular area. Dr. Lopez informed the Board that this issue is being addressed. Dr. Lopez added that the standard settings and new examination requirements for the Generalist: Grades 4-8 certificate are still in the development stages. Dr. Lopez also informed the Board that once developed, teachers must pass the examination in the content area in order to teach in a particular area.

Dr. Simpson questioned if there is a timeline for the development of the content knowledge testing. Dr. Lopez informed the Board that it is currently being piloted and will be operational in at least two years.

Motion and Vote:

Motion was made by Ms. Druesedow to approve the proposed repeal of 19 TAC Chapter 231, Assignment of Public School Personnel, and proposed new 19 TAC Chapter 231, Requirements for Public School Personnel Assignments, as amended, for filing as proposed with the Texas Register. Second was made by Ms. Bridges and the Board voted unanimously in favor of the motion.

9. Consideration of and Opportunity to Approve the 2011-2012 Accountability System for Educator Preparation Programs (ASEP) Accreditation Statuses

Public Testimony was provided by:

Dr. Ray Keck, President, Texas A&M International University

Mr. Allen informed the Board that in 2009 legislation was passed that required SBEC to adopt new rules for the four standards that educator preparation programs (EPPs) must meet. Mr. Allen reminded the Board that the first standard, the pass rate for EPP candidates on certification examinations, is the only standard used at this time in the accountability statuses. Mr. Allen also stated that the Board adopted rules that have increased the percentage of passing required from 70% to 75% and presently it is 80%. Mr. Allen informed the Board that Standard Two, the results of appraisals of beginning teachers by school administrators, and Standard Four, the frequency, duration, and quality of field supervision of beginning teachers, have been piloted for two years and will be brought to the board at a future meeting to adopt those standards.

Dr. Lopez stated that Standards One, Two, and Four will be operational next year and also stated that the exit survey is already being implemented. Dr. Lopez informed the Board that they will receive that data at the next board meeting.

Ms. Pogue questioned why there are so many action plans, probations, and warned statuses based on using only Standard One. Dr. Lopez stated that the increased passing standard to 80% has had an impact on the statuses. Mr. Allen informed the Board that action plans are given to any EPP that doesn't meet the standard in any single demographic group even if that group is too small to count for accreditation status.

Ms. Bricker questioned at what point after a program is "accredited-warned" or is in probation status does staff recommend a sanction. Mr. Allen stated that rules provide if a program has a "warned" status two years in a row, it can then go to probation status; if a program is on probation three consecutive years, it must be assigned a revoke status

for at least one year, and after two years it is optional as to what the Board wants to sanction.

Ms. Bricker reviewed Standard Three and questioned how many years a teacher from an EPP is followed and reviewed. Mr. Allen stated that at this time, statute authorizes staff to look at a teacher for three years, and stated that it would require a statutory change to increase the number of years.

Ms. Pogue requested that staff provide the Board the definitions of each status category, and the timeline used to change a status or sanction a program.

Motion and Vote:

Motion was made by Mr. Allard to approve the 2011-2012 Accountability System for Educator Preparation Programs (ASEP) Accreditation Statuses. Second was made by Ms. Druesedow and the Board voted unanimously in favor of the motion.

10. Consideration of and Opportunity to Approve New Classes of Certificates

Dr. Lopez informed the Board that Arlington Baptist College, Texas A&M University – Central Texas, and Texas Wesleyan University are accredited programs, and upon review of their proposals staff found that they complied with provisions of 19 TAC Chapter 227, Provisions for Educator Preparation Candidates, Chapter 228, Requirements for Educator Preparation Programs, Chapter 230, General Requirements, Chapter 241, Principal Certificate and Chapter 242, Superintendent Certificate.

Motion and Vote:

Motion was made by Ms. Pogue to approve the new classes of certificates. Second was made by Ms. Druesedow and the Board voted unanimously in favor of the motion.

11. *Item removed from agenda*

12. Application by an Approved Educator Preparation Program to Provide Preparation at a New Location

Mr. Allen informed the Board that 19 Texas Administrative Code (TAC) §228.10, Approval Process, requires the EPPs to obtain SBEC approval to provide educator preparation in a location different from that contained in its approved proposal. Dr. Lopez informed the Board that ACT-Now! moved its offices from an office building to the director's residence.

Mr. Allen informed the Board that if this location is denied and the program continues to operate out of the residence, staff will bring back to the Board a proposal to take action against the program, and at that time, the Board can act to revoke the continuation of the program.

Motion and Vote:

Motion was made by Ms. Druesedow to deny the relocation of the primary office of the approved educator preparation program, ACT-Now! Second was made by Ms. Pogue and the Board voted unanimously in favor of the motion.

13. Litigation Settlement Options in Pending or Contemplated Litigation, Disciplinary Cases, and Pending Litigation

The Board may meet in closed Executive Session, pursuant to section 551.071(2) and/or 551.071(1), of the Texas Government Code, to seek legal advice regarding pending or contemplated litigation or settlement of same, and contested cases related to educator discipline and other matters arising under 19 Texas Administrative Code Chapter 249. Pursuant to section 551.102 of the Texas Government Code, any final action on matters discussed in Executive Session must be made in an open meeting.

Ms. Dover provided information on the Default Cases.

A. Contested Cases

1a. No Answer Defaults

- 1) Docket No. 0702-EC-0812, Texas Education Agency, Educator Certification and Standards Division v. Scott Andrew Hamilton; Action to be taken: Consideration of Issuance of Default Judgment.

Staff recommendation: Revocation

Motion and Vote:

Motion was made by Ms. Bricker to grant staff's Request for the Issuance of Default Judgment and enter a Final Order consistent with staff's recommendation. Motion was seconded by Ms. Druesedow and the Board voted unanimously in favor of the motion.

- 2) Docket No. 0705-EC-0812, Texas Education Agency, Educator Certification and Standards Division v. Leanna Marie Hanchett; Action to be taken: Consideration of Issuance of Default Judgment.

Staff recommendation: Revocation

Motion and Vote:

Motion was made by Ms. Bricker to grant staff's Request for the Issuance of Default Judgment and enter a Final Order consistent with staff's recommendation. Motion was seconded by Ms. Druesedow and the Board voted unanimously in favor of the motion.

- 3) Docket No. 0706-EC-0812, Texas Education Agency, Educator Certification and Standards Division v. Tammy Reydene Manuel; Action to be taken: Consideration of Issuance of Default Judgment.

Staff recommendation: Revocation

Motion and Vote:

Motion was made by Ms. Bricker to grant staff's Request for the Issuance of Default Judgment and enter a Final Order consistent with staff's recommendation. Motion was seconded by Ms. Druesedow and the Board voted unanimously in favor of the motion.

- 4) Docket No. 0707-EC-0812, Texas Education Agency, Educator Certification and Standards Division v. Patsy Renee Ramos; Action to be taken: Consideration of Issuance of Default Judgment.

Staff recommendation: Revocation

Motion and Vote:

Motion was made by Ms. Bricker to grant staff's Request for the Issuance of Default Judgment and enter a Final Order consistent with staff's recommendation. Motion was seconded by Ms. Druesedow and the Board voted unanimously in favor of the motion.

- 5) Docket No. 0708-EC-0812, Texas Education Agency, Educator Certification and Standards Division v. Tina Leanne Neal; Action to be taken: Consideration of Issuance of Default Judgment.

Staff recommendation: Revocation

Motion and Vote:

Motion was made by Ms. Bricker to grant staff's Request for the Issuance of Default Judgment and enter a Final Order consistent with staff's recommendation. Motion was seconded by Ms. Druesedow and the Board voted unanimously in favor of the motion.

- 6) Docket No. 0709-EC-0812, Texas Education Agency, Educator Certification and Standards Division v. Beverly Ann Johnson; Action to be taken: Consideration of Issuance of Default Judgment.

Staff recommendation: 2 years suspension and successful completion of current substance abuse training.

Motion and Vote:

Motion was made by Ms. Bricker to grant staff's Request for the Issuance of Default Judgment and enter a Final Order consistent with staff's recommendation. Motion was seconded by Ms. Druesedow and the Board voted unanimously in favor of the motion.

- 7) Docket No. 0712-EC-0812, Texas Education Agency, Educator Certification and Standards Division v. Gloria N. Brown; Action to be taken: Consideration of Issuance of Default Judgment.

Staff recommendation: Revocation

Motion and Vote:

Motion was made by Ms. Bricker to grant staff's Request for the Issuance of Default Judgment and enter a Final Order consistent with staff's recommendation. Motion was seconded by Ms. Druesedow and the Board voted unanimously in favor of the motion.

- 8) Docket No. 3167-EC-0812, Texas Education Agency, Educator Certification and Standards Division v. Earnest Smith, Jr.; Action to be taken: Consideration of Issuance of Default Judgment.

Staff recommendation: 5 years suspension

Motion and Vote:

Motion was made by Ms. Bricker to grant staff's Request for the Issuance of Default Judgment and enter a Final Order consistent with staff's recommendation. Motion was seconded by Ms. Druesedow and the Board voted unanimously in favor of the motion.

- 9) Docket No. 0961-EC-0812, Texas Education Agency, Educator Certification and Standards Division v. Cody D. Durden; Action to be taken: Consideration of Issuance of Default Judgment.

Staff recommendation: Permanent Revocation

Motion and Vote:

Motion was made by Ms. Bricker to grant staff's Request for the Issuance of Default Judgment and enter a Final Order consistent with staff's recommendation. Motion was seconded by Ms. Druesedow and the Board voted unanimously in favor of the motion.

- 10) Docket No. 0962-EC-0812, Texas Education Agency, Educator Certification and Standards Division v. Benjamin C. Childress; Action to be taken: Consideration of Issuance of Default Judgment.

Staff recommendation: Permanent Revocation

Motion and Vote:

Motion was made by Ms. Bricker to grant staff's Request for the Issuance of Default Judgment and enter a Final Order consistent with staff's recommendation. Motion was seconded by Ms. Druesedow and the Board voted unanimously in favor of the motion.

- 11) Docket No. 0702-EC-0912, Texas Education Agency, Educator Certification and Standards Division v. Jennifer Lynn Wells; Action to be taken: Consideration of Issuance of Default Judgment.

Staff recommendation: 2 years suspension

Motion and Vote:

Motion was made by Ms. Bricker to grant staff's Request for the Issuance of Default Judgment and enter a Final Order consistent with staff's recommendation. Motion was seconded by Ms. Druesedow and the Board voted unanimously in favor of the motion.

- 12) Docket No. 3172-EC-0812, Texas Education Agency, Educator Certification and Standards Division v. Jesse Heredia; Action to be taken: Consideration of Issuance of Default Judgment.

Staff recommendation: Revocation

Motion and Vote:

Motion was made by Ms. McCall to grant staff's Request for the Issuance of Default Judgment and enter a Final Order of Permanent Revocation instead of staff's recommendation of Revocation. Motion was seconded by Ms. Bridges and the Board voted unanimously in favor of the motion.

- 13) Docket No. 0724-EC-1012, Texas Education Agency, Educator Certification and Standards Division v. Antonio Rodriguez Longoria; Action to be taken: Consideration of Issuance of Default Judgment.

Staff recommendation: 2 years suspension

Motion and Vote:

Motion was made by Ms. Bricker to grant staff's Request for the Issuance of Default Judgment and enter a Final Order consistent with staff's recommendation. Motion was seconded by Ms. Druesedow and the Board voted unanimously in favor of the motion.

- 14) Docket No. 0719-EC-0912, Texas Education Agency, Educator Certification and Standards Division v. Alicia Morris; Action to be taken: Consideration of Issuance of Default Judgment.

Staff recommendation: 1 year suspension with successful completion of current substance abuse program.

Motion and Vote:

Motion was made by Ms. Bricker to grant staff's Request for the Issuance of Default Judgment and enter a Final Order consistent with staff's recommendation. Motion was seconded by Ms. Druesedow and the Board voted unanimously in favor of the motion.

- 15) Docket No. 0703-EC-0812, Texas Education Agency, Educator Certification and Standards Division v. Stacy Lynn Cloud; Action to be taken: Consideration of Issuance of Default Judgment.

Staff recommendation: 3 years suspension

Motion and Vote:

Motion was made by Ms. Bricker to grant staff's Request for the Issuance of Default Judgment and enter a Final Order consistent with staff's recommendation. Motion was seconded by Ms. Druesedow and the Board voted unanimously in favor of the motion.

- 16) Docket No. 0722-EC-0912, Texas Education Agency, Educator Certification and Standards Division v. Charles Ray Johnson; Action to be taken: Consideration of Issuance of Default Judgment.

Staff recommendation: 1 year suspension

Motion and Vote:

Motion was made by Ms. Bricker to grant staff's Request for the Issuance of Default Judgment and enter a Final Order consistent with staff's recommendation. Motion was seconded by Ms. Druesedow and the Board voted unanimously in favor of the motion.

- 17) Docket No. 4135-EC-1012, Texas Education Agency, Educator Certification and Standards Division v. Nicole Toney; Action to be taken: Consideration of Issuance of Default Judgment.

Staff recommendation: 1 year suspension

Motion and Vote:

Motion was made by Ms. Bricker to grant staff's Request for the Issuance of Default Judgment and enter a Final Order consistent with staff's recommendation. Motion was seconded by Ms. Druesedow and the Board voted unanimously in favor of the motion.

- 18) Docket No. 4136-EC-1012, Texas Education Agency, Educator Certification and Standards Division v. Elizabeth Montes; Action to be taken: Consideration of Issuance of Default Judgment.

Staff recommendation: Revocation

Motion and Vote:

Motion was made by Ms. Bricker to grant staff's Request for the Issuance of Default Judgment and enter a Final Order consistent with staff's recommendation. Motion was seconded by Ms. Druesedow and the Board voted unanimously in favor of the motion.

- 19) Docket No. 4136-EC-1012, Texas Education Agency, Educator Certification and Standards Division v. Blake Watkins; Action to be taken: Consideration of Issuance of Default Judgment.

Staff recommendation: Revocation

Motion and Vote:

Motion was made by Ms. Bricker to grant staff's Request for the Issuance of Default Judgment and enter a Final Order consistent with staff's recommendation. Motion was seconded by Ms. Druesedow and the Board voted unanimously in favor of the motion.

- 20) Docket No. 3173-EC-0812, Texas Education Agency, Educator Certification and Standards Division v. Jason Limas; Action to be taken: Consideration of Issuance of Default Judgment.

Staff recommendation: Revocation

Motion and Vote:

Motion was made by Ms. Bricker to grant staff's Request for the Issuance of Default Judgment and enter a Final Order consistent with staff's recommendation. Motion was seconded by Ms. Druesedow and the Board voted unanimously in favor of the motion.

- 21) Docket No. 0726-EC-1012, Texas Education Agency, Educator Certification and Standards Division v. Steven C. Gilpin, II; Action to be taken: Consideration of Issuance of Default Judgment.

Staff recommendation: 1 year suspension

Motion and Vote:

Motion was made by Ms. Bricker to grant staff's Request for the Issuance of Default Judgment and enter a Final Order consistent with staff's recommendation. Motion was seconded by Ms. Druesedow and the Board voted unanimously in favor of the motion.

- 22) Docket No. 6039-EC-1012, Texas Education Agency, Educator Certification and Standards Division v. Harry Cross; Action to be taken: Consideration of Issuance of Default Judgment.

Staff recommendation: Permanent Revocation

Motion and Vote:

Motion was made by Ms. Bricker to grant staff's Request for the Issuance of Default Judgment and enter a Final Order consistent with staff's recommendation. Motion was seconded by Ms. Druesedow and the Board voted unanimously in favor of the motion.

Ib. No Show Defaults

- 23) Docket No. 701-12-6950.EC, Texas Education Agency, Educator Certification and Standards Division v. Clarence Frank, Jr.; Action to be taken: Consideration of Issuance of Default Judgment.

Staff recommendation: 2 years suspension with proof of successful completion of community supervision.

Motion and Vote:

Motion was made by Ms. Bricker to grant staff's Request for the Issuance of Default Judgment and enter a Final Order consistent with staff's recommendation. Motion was seconded by Ms. Druesedow and the Board voted unanimously in favor of the motion.

- 24) Docket No. 701-12-6951,EC, Texas Education Agency, Educator Certification and Standards Division v. Lilimae A. Bravo; Action to be taken: Consideration of Issuance of Default Judgment.

Staff recommendation: Revocation

Motion and Vote:

Motion was made by Ms. Bricker to grant staff's Request for the Issuance of Default Judgment and enter a Final Order consistent with staff's recommendation. Motion was seconded by Ms. Druesedow and the Board voted unanimously in favor of the motion.

II. Proposals for Decision

- 25) Docket No. 701-12-3377.EC, Texas Education Agency, Educator Certification and Standards Division v. Lou Vana Hughes; Action to be taken: Consideration of Issuance of Final Order.

ALJ Recommendation: 6 month suspension and completion of Region 4's Texas Behavior Support Initiative Training Program.

Staff recommendation: Same

Lou Vana Hughes spoke on his behalf. Ms. Dover provided information on the case.

Motion and Vote:

Motion was made by Ms. Everest to accept the Proposal for Decision and Issue a Final Order consistent with the ALJ's recommendation. Motion was seconded by Ms. Pogue and the Board voted unanimously in favor of the motion.

- 26) Docket No. 701-12-5757.EC, Texas Education Agency, Educator Certification and Standards Division v. Ray Edward Tamez; Action to be taken: Consideration of Issuance of Final Order.

ALJ Recommendation: 1 year suspension, psychiatric evaluation by TEA approved psychiatrist, and psychiatric report certifying compliance with treatment plan, if any, and certifying that Respondent is stable and suitable to return to the classroom.

Staff recommendation: Same

Ray Tamez spoke on his behalf. Ms. Dover provided information on the case.

Motion and Vote:

Motion was made by Ms. Druessedow to accept the Proposal for Decision and Issue a Final Order consistent with ALJ's recommendation of a one year suspension. If the Respondent fails to comply with the psychiatric evaluation by a TEA approved psychiatrist, he is subject to revocation. Motion was seconded by Ms. Robison. Motion carried with Mr. Allard and Ms. Bridges voting against and Ms. Bricker abstaining.

- 27) Docket No. 701-12-5314.EC, Texas Education Agency, Educator Certification and Standards Division v. Carla A. Westbrook-Spaniel; Action to be taken: Consideration of Issuance of Final Order.

ALJ Recommendation: 3 years suspension, psychiatric evaluation by TEA approved psychiatrist, compliance with treatment plan, if any, submission of quarterly reports that she is in compliance with her treatment plan, if any, and verification by the psychiatrist that she is stable and suitable to teach the students of Texas.

Staff Recommendation: Same

Ms. Spaniel, Keith Spaniel and Molly Behannon spoke on Ms. Spaniel's behalf. Ms. Dover provided information on the case.

- 28) Docket No. 701-12-4836.EC, Texas Education Agency, Educator Certification and Standards Division v. Joel A. Williams, Jr.; Action to be taken: Consideration of Issuance of Final Order.

ALJ Recommendation: 1 year suspension

Staff Recommendation: Same

Motion and Vote:

Motion was made by Ms. Everest to accept the Proposal for Decision and Issue a Final Order consistent with the ALJ's recommendation. Motion was seconded by Mr. Allard and the Board unanimously for the motion.

III. Motions for Rehearing

None

IV. Appeals

- 1) *Andra Barton v. State Board for Educator Certification*; Cause No. 12-0901, In the Supreme Court of Texas at Austin, Texas.
- 2) *Don Madden v. State Board for Educator Certification*; Cause No. 03-11-00584-CV, In the Court of Appeals for the Third District of Travis County, Texas.
- 3) *Robert Lange v. State Board for Educator Certification*; Cause No. D-1-GN-11-001843, In the Court of Appeals for the Third District of Travis County, Texas.
- 4) *Erasmus Montalvo v. State Board for Educator Certification*; Cause No. D-1-GN-12-002991, In the Court of Appeals for the Third District of Travis County, Texas.
- 5) *Erasmus Montalvo v. State Board for Educator Certification*; Cause No. D-1-GN-12-003243, In the 345th Judicial District Court of Travis County, Texas.

B. Pending Litigation

The Board may discuss any other litigation arising after the date of posting or reasonably contemplated as of the date of the board meeting.

- 1) *Leah Mullins, Don Madden, and David Jeffers v. Texas Education Agency, Educator Certification and Standards Division*, Cause No. D1-GN-08-00979, In the 345th Judicial District Court of Travis County, Texas.

Dr. Cain adjourned to Executive Session at 12:08 p.m.

Dr. Cain reconvened at 12:46 p.m.

14. Action on Items Discussed in Executive Session

Pursuant to section 551.102 of the Texas Government Code, any deliberation and final action on matters discussed in Executive Session must be made in an Open Meeting. For any final action that the Board discussed in Executive Session, the Board will deliberate and take its action in Open Session.

- 27) Docket No. 701-12-5314.EC, *Texas Education Agency, Educator Certification and Standards Division v. Carla A. Westbrook-Spaniel*; Action to be taken: Consideration of Issuance of Final Order.

ALJ Recommendation: 3 years suspension, psychiatric evaluation by TEA approved psychiatrist, compliance with treatment plan, if any, submission of quarterly reports that she is in compliance with her treatment plan, if any, and verification by the psychiatrist that she is stable and suitable to teach the students of Texas.

Staff Recommendation: Same

Motion and Vote:

Motion was made by Ms. Robison to accept the Proposal for Decision and Issue a Final Order of a three year suspension to begin on February 8, 2012 and the respondent be ordered to undergo a comprehensive mental health diagnostic examination performed by a TEA approved psychiatrist; that she comply with the psychiatrist's treatment recommendations and grant TEA permission to obtain copies of treatment records with the TEA psychiatrist; that she submit quarterly written reports, signed by the TEA approved psychiatrist showing her compliance with the treatment plan, if any, and she submit a written report signed by the TEA approved psychiatrist verifying that she is stable and fit to teach the students of Texas; if prior to end of the 3 years suspension period she fails to meet the foregoing conditions, she shall be subject to an action of revocation for failure to comply with the Board's order. Motion was seconded by Ms. Pogue. Ms. Everest recused herself. Voting for: Ms. Robison, Ms. Pogue, Ms. Druesedow. Voting against: Dr. Cain, Mr. Allard, Ms. McCall, Ms. Bridges, Ms. Bricker. Motion failed.

Motion and Vote:

Motion was made by Mr. Allard to accept the Proposal for Decision and Issue a Final Order of a three year suspension to begin on February 8, 2011 and the respondent be ordered to undergo a comprehensive mental health diagnostic examination performed by a TEA approved psychiatrist; that she comply with the psychiatrist's treatment recommendations and grant TEA permission to obtain copies of treatment records with the TEA psychiatrist; that she submit quarterly written reports, signed by the TEA approved psychiatrist showing her compliance with the treatment plan, if any, and she submit a written report signed by the TEA approved psychiatrist verifying that she is stable and fit to teach the students of Texas; if prior to the end of the three years suspension period she fails to meet the foregoing conditions, she shall be subject to an action of revocation for failure to comply with the Board's order. Motion was seconded by Ms. Bricker. Ms. Everest recused herself. Voting for: Mr. Allard, Ms. Bricker, Ms. Bridges, Ms. McCall and Dr. Cain. Voting against: Ms. Pogue, Ms. Robison, Ms. Druesedow. Motion carried.

INFORMATION ONLY

15. Board Operating Policies and Procedures (BOPP)

16. 2011-2014 Rule Review Plan for State Board for Educator Certification Rules

DISCUSSION AND ACTION

17. Requests from Board Members for Future Board Items

Dr. Simpson requested that staff provide data and clarification on the extent of problems associated with high need/shortage areas which have teachers who are not fully certified. Dr. Cain requested that this information be provided to the Board in the May agenda packet.

Ms. Bricker suggested that staff contact Dr. Scott Van Beck in order to provide the Board information from the White Paper and Houston A+ Challenge.

Ms. Bricker also suggested having a workshop. The Board discussed and scheduled a workshop on Friday, April 5.

17a. Board Duties and Responsibilities during the Legislative Session

18. Adjournment

Dr. Cain adjourned the meeting at 1:16 p.m.