

**STATE BOARD FOR EDUCATOR CERTIFICATION**  
**BOARD MEETING MINUTES**  
**March 27, 2015 at 9:00 a.m.**  
**1701 N. Congress Ave. Room 1-104**

**1. Call to Order**

The State Board for Educator Certification convened its meeting at 9:00 a.m. on Friday, March 27, 2015, in Room 1-104 of the William B. Travis Building, 1701 N. Congress Avenue in Austin, Texas.

Present: Dr. Cain, Mr. Berry, Mr. Leal, Ms. Bricker, Ms. Bridges, Ms. Everest, Dr. Simpson, Dr. Hull, Dr. Peebles, Dr. Buckingham, Mr. Allard, Ms. Druessedow

Absent: Ms. Robison, Ms. McCall

**2. Associate Commissioner's Comments Regarding the SBEC Agenda**

Mr. Franklin thanked the Board members for their flexibility with rescheduling the meeting from the March 6, 2015 date. Mr. Franklin noted there is more testimony than we've had the last few meetings and agreed final orders are also on the agenda. Mr. Franklin stated the staff stands ready to support the Board's work today.

**3. Public Comment**

None

**4. Approval of October 24, 2014 Board Meeting Minutes**

**Motion and vote:**

*Motion was made by Ms. Bricker to approve the October 24, 2014 minutes. Second was made by Ms. Druessedow, and the Board voted unanimously in favor of the motion.*

**5. Approval of January 9, 2015 Board Meeting Minutes**

**Motion and vote:**

*Motion was made by Ms. Bricker to approve the January 9, 2015 minutes. Second was made by Dr. Buckingham, and the Board voted unanimously in favor of the motion.*

**6. Pending or Contemplated Litigation, including Disciplinary Cases and Agreed Orders**

The Board went into executive session at 9:15 a.m. regarding Agreed Final Orders.

The Board reconvened in open session at 10:15 a.m.

## **A. Agreed Orders**

- 1) In the Matter of Annalee Arredondo
- 2) In the Matter of Jami Cashion
- 3) In the Matter of Julie Annette Castillo
- 5) In the Matter of Elizabeth F. Haddock
- 6) In the Matter of Diann Hynson
- 7) In the Matter of Xavier Rangel
- 8) In the Matter of Joe P. Solis
- 9) In the Matter of Elizabeth S.Sparks
- 10) In the Matter of Kevin Jay Stamp
- 11) In the Matter of Suzanne Jo Demint
- 13) In the Matter of Lavius Taylor
- 14) In the Matter of Briana C. Sam
- 15) In the Matter of Efrain Washington
- 16) In the Matter of Kelli Shanae Ketterman

### **Motion and vote:**

*Motion was made by Ms. Druessedow to accept Agreed Final Orders, number 1-16 except 4 and 12 as presented. Second was made by Mr. Leal, and the Board voted unanimously in favor of the motion.*

### ***The following agreed orders were considered individually:***

- 4) In the Matter of Kenneth Louis Estrella

### **Motion and vote:**

*Motion was made by Ms. Bridges to reject the agreed order. Second was made by Mr. Allard.*

*The motion was withdrawn.*

*Motion was made by Ms. Everest to accept the agreed order. Second was made by Ms. Druesedow, and the Board voted in favor of the motion with Ms. Bricker abstaining.*

12) In the Matter of Josue Villarreal

**Motion and vote:**

*Motion was made by Ms. Bricker for a counter offer that states Mr. Villarreal is not allowed to continue to be in a classroom until his community supervision and deferred adjudication is completed (April 21, 2016). Second was made by Dr. Buckingham. Voted in favor: Leal, Bricker, Bridges, Everest, Hull, Buckingham, Allard, Cain; voted against: Druesedow. The motion carried.*

**B. No Answer Defaults**

1. In the Matter of John Allen Rogers, Texas Education Agency, Educator Leadership and Quality Division v. John Allen Rogers; Action to be taken: Consideration of Issuance of Default Judgment.

Staff recommendation: Permanently Revoked

2. In the Matter of David Buntyn, Texas Education Agency, Educator Leadership and Quality Division v. David Buntyn; Action to be taken: Consideration of Issuance of Default Judgment.

Staff recommendation: Permanently Revoked

3. In the Matter of Amanda Mae Ligon, Texas Education Agency, Educator Leadership and Quality Division v. Amanda Mae Ligon; Action to be taken: Consideration of Issuance of Default Judgment.

Staff recommendation: Revocation

4. In the Matter of Alicia Louise Morris, Texas Education Agency, Educator Leadership and Quality Division v. Alicia Louise Morris; Action to be taken: Consideration of Issuance of Default Judgment.

Staff recommendation: Revocation

5. In the Matter of Quanisha Johnson, Texas Education Agency, Educator Leadership and Quality Division v. Quanisha Johnson; Action to be taken: Consideration of Issuance of Default Judgment.

Staff recommendation: Revocation

6. In the Matter of Monica Noyes, Texas Education Agency, Educator Leadership and Quality Division v. Monica Noyes; Action to be taken: Consideration of Issuance of Default Judgment.

Staff recommendation: Permanently Revoked

7. In the Matter of Amy Renee Schilling, Texas Education Agency, Educator Leadership and Quality Division v. Amy Renee Schilling; Action to be taken: Consideration of Issuance of Default Judgment.  
  
Staff recommendation: Permanently Revoked
8. In the Matter of Joy Lynn Hecker Hough, Texas Education Agency, Educator Leadership and Quality Division v. Joy Lynn Hecker Hough; Action to be taken: Consideration of Issuance of Default Judgment.  
  
Staff recommendation: Revocation
9. In the Matter of Betsy Paxton, Texas Education Agency, Educator Leadership and Quality Division v. Betsy Paxton; Action to be taken: Consideration of Issuance of Default Judgment.  
  
Staff recommendation: Revocation
10. In the Matter of Suzanne Burkett, Texas Education Agency, Educator Leadership and Quality Division v. Suzanne Burkett; Action to be taken: Consideration of Issuance of Default Judgment.  
  
Staff recommendation: Permanently Revoked
11. In the Matter of Jeffrey Bob Israel, Texas Education Agency, Educator Leadership and Quality Division v. Jeffrey Bob Israel; Action to be taken: Consideration of Issuance of Default Judgment.  
  
Staff recommendation: Permanently Revoked
12. In the Matter of Jill Rae Humphreys, Texas Education Agency, Educator Leadership and Quality Division v. Jill Rae Humphreys; Action to be taken: Consideration of Issuance of Default Judgment.  
  
Staff recommendation: Revocation
13. In the Matter of Cortney Leanne Cox, Texas Education Agency, Educator Leadership and Quality Division v. Cortney Leanne Cox; Action to be taken: Consideration of Issuance of Default Judgment.  
  
Staff recommendation: Revocation
14. In the Matter of Casey Leighann Fuller aka Casey Leighann Kennedy, Texas Education Agency, Educator Leadership and Quality Division v. Casey Leighann Fuller aka Casey Leighann Kennedy; Action to be taken: Consideration of Issuance of Default Judgment.  
  
Staff recommendation: 2 year suspension and proof of successful completion of substance abuse treatment program

15. In the Matter of Steven M. Lewis, Texas Education Agency, Educator Leadership and Quality Division v. Steven M. Lewis; Action to be taken: Consideration of Issuance of Default Judgment.

Staff recommendation: 2 year suspension and proof of successful completion of substance abuse treatment program

16. In the Matter of David Ray Proctor, Texas Education Agency, Educator Leadership and Quality Division v. David Ray Proctor; Action to be taken: Consideration of Issuance of Default Judgment.

Staff recommendation: Permanently Revoked

17. In the Matter of Brittani Anderson, Texas Education Agency, Educator Leadership and Quality Division v. Brittani Anderson; Action to be taken: Consideration of Issuance of Default Judgment.

Staff recommendation: Permanently Revoked

**Motion and vote:**

*Motion was made by Mr. Leal to approve staff's request for issuance of default judgements and enter a final order consistent with staff's recommendation for each of the above numbered cases 1-17. Second was made by Dr. Hull, and the Board voted unanimously in favor of the motion, with Ms. Everest abstaining from number 13.*

**C. Contested Cases**

**I. Proposals for Decision**

1. Docket No. 701 14 4004.EC, Roberto R. Villalon v. Texas Education Agency, Educator Leadership and Quality Division; Action to be taken: Consideration of Proposal for Decision and Issuance of Final Order.

ALJ Recommendation: Certificate Permanently Revoked and Application for Principal's Certificate Permanently Denied

Staff Recommendation: Certificate Permanently Revoked and Application for Principal's Certificate Permanently Denied

Ms. Dover spoke on behalf of TEA. Mr. Villalon spoke on his own behalf.

**Motion and vote:**

*Motion was made by Dr. Hull to accept the proposal for decision and issue a final order consistent with the ALJ's recommendation of certificate permanently revoked and application for principal's certificate permanently denied. Second was made by Ms. Everest, and the Board voted unanimously in favor of the motion.*

## II. Motions for Rehearing

None

## D. Court Cases

### I. District Court Cases

1. *Barry Ryan Davis v. Texas Education Agency, Educator Certification and Standards Division*; Cause No. D-1-GN-12-003413, In the 201<sup>st</sup> District Court of Travis County, Texas.

### II. Appellate Cases

1. *State Board for Educator Certification v. Robert D. Lange*; Cause No. 03-12-00453-CV, In the Court of Appeals, Third Judicial District, Austin, Texas.
2. *State Board for Educator Certification v. Erasmo Montalvo*; Cause No. 03-13-00370-CV, In the Court of Appeals, Third Judicial District, Austin, Texas.
3. *State Board for Educator Certification v. Erasmo Montalvo*; Cause No. 13-0537, In the Supreme Court, Austin, Texas.
4. *Don Madden v. State Board for Educator Certification*; Cause No. 14-0532, In the Supreme Court of Texas.

## 7. Consider and Take Appropriate Action on Request to Approve New Classes of Certificates

Dr. Miller presented requests from Southern Methodist University and Houston Baptist University to offer the superintendent class of certification.

### **Motion and vote:**

*Motion was made by Ms. Bridges to approve new classes of certificates for the following accredited educator preparation programs: Southern Methodist University (Dallas, Texas), Superintendent Certification and Houston Baptist University (Houston, Texas), Superintendent Certification. Second was made by Dr. Hull, and the Board voted unanimously in favor of the motion.*

## 8. Consider and Take Appropriate Action on Adoption of Proposed Revisions to 19 TAC Chapter 231, Requirements for Public School Personnel Assignments, Subchapter E, Grades 9-12 Assignments

Ms. Cook presented this item to the Board. The proposed revisions would clarify the appropriate credential for placement in a particular teaching assignment and ensure alignment with changes to public school curriculum as a result of House Bill 5, 83rd Texas Legislature, Regular Session, 2013.

**Motion and vote:**

*Motion was made by Ms. Everest to approve for adoption, subject to State Board of Education review, the proposed revisions to 19 TAC Chapter 231, Requirements for Public School Personnel Assignments, Subchapter E, Grades 9-12 Assignments, with an effective date of 20 days after filing the adoption notice with the Texas Register. Second was made by Ms. Bridges, and the Board voted unanimously in favor of the motion.*

**9. Consider and Take Appropriate Action on Adoption of Proposed Amendments to 19 TAC Chapter 233, Categories of Classroom Teaching Certificates, §§233.3, 233.4, 233.5, and 233.14**

Ms. Cook presented this item to the Board. The proposed amendments would add deadlines for completion and submission requirements for specific Grades 8-12 certificates.

**Motion and vote:**

*Motion was made by Ms. Druessedow to approve for adoption, subject to State Board of Education review, the proposed amendments to 19 TAC Chapter 233, Categories of Classroom Teaching Certificates, §233.3, English Language Arts and Reading; Social Studies; §233.4, Mathematics; Science; §233.5, Technology Applications and Computer Science; and §233.14, Career and Technical Education (Certificates requiring experience and preparation in a skill area), with an effective date of 20 days after filing the adoption notice with the Texas Register. Second was made by Ms. Bricker, and the Board voted unanimously in favor of the motion.*

**10. Consider and Take Appropriate Action on Proposed Amendments to 19 TAC Chapter 229, Accountability System for Educator Preparation Programs, §229.9, Fees for Educator Preparation Program Approval and Accountability; and Chapter 230, Professional Educator Preparation and Certification, Subchapter G, Certificate Issuance Procedures, §230.101, Schedule of Fees for Certification Services, and §230.103, E-Pay Supplemental Fee**

Public comment was provided by J. Scott Fikes of the Education Career Alternatives Program (ECAP).

Dr. Miller presented this item to the Board. The proposed amendments to 19 TAC §§229.9, 230.101, and 230.103 would adjust certain fees to more adequately cover costs and increase the equity of fees across different types of fee payers.

**Motion and vote:**

*Motion was made by Dr. Buckingham to approve the proposed amendments to 19 TAC Chapter 229, Accountability System for Educator Preparation Programs, §229.9, Fees for Educator Preparation Program Approval and Accountability, and Chapter 230, Professional Educator Preparation and Certification, Subchapter G, Certificate Issuance Procedures, §230.101, Schedule of Fees for Certification Services, and §230.103, E-Pay Supplemental Fee, to be published as proposed with the Texas Register. Second was made by Mr. Leal, and the Board voted unanimously in favor of the motion.*

**11. Consider and Take Appropriate Action on Proposed Amendments to 19 TAC Chapter 249, Disciplinary Proceedings, Sanctions, and Contested Cases**

Public comment was provided by Patty Quinzi of the Texas American Federation of Teachers (AFT).

Ms. Moriarty presented this item to the Board. The proposed amendments would modify the certified educator discipline process to clarify that the SBEC has final approval of each settlement by voting on agreed orders and that the SBEC may sanction an educator for a violation of the Texas Education Code (TEC), §22.085.

**Motion and vote:**

*Motion was made by Mr. Allard to approve the proposed amendments to 19 TAC Chapter 249, Disciplinary Proceedings, Sanctions, and Contested Cases, to be published as proposed with the Texas Register. Second was made by Ms. Everest, and the Board voted unanimously in favor of the motion.*

**12. Consider and Take Appropriate Action on Proposed Review of 19 TAC Chapter 249, Disciplinary Proceedings, Sanctions, and Contested Cases**

Ms. Moriarty presented this item to the Board as part of the Texas Government Code, §2001.039, four-year review cycle for all state agency rules. The rules being reviewed provide procedures and requirements relating to general provisions, enforcement actions and guidelines, prehearing matters, hearing procedures, and post-hearing matters.

**Motion and vote:**

*Motion was made by Ms. Everest to approve the proposed review of to 19 TAC Chapter 249, Disciplinary Proceedings, Sanctions, and Contested Cases, to be published as proposed with the Texas Register. Second was made by Ms. Bridges, and the Board voted unanimously in favor of the motion.*

**13. Consider and Take Appropriate Action on Petition for Adoption of Rule Change Concerning 19 TAC Chapter 230, Professional Educator Preparation and Certification, Subchapter A, General Provisions, §230.1(4), Definitions (Relating to Classroom Teacher)**

The petitioner, James Faurie, spoke on his own behalf.

Ms. Cook presented this item to the Board. This petition requests an amendment to 19 TAC §230.1(4) that would remove Reserve Officers' Training Corps (ROTC) from the list of individuals not covered under the definition of classroom teacher.

**Motion and vote:**

*Motion was made by Mr. Allard to deny the petition. Second was made by Dr. Buckingham, and the Board voted unanimously in favor of the motion.*

The SBEC Board recessed at 12:38 p.m.

The SBEC Board reconvened at 1:02 p.m.

**14. Update and Take Appropriate Action on Petition for Adoption of Rule Change Concerning 19 TAC Chapter 239, Student Services Certificates, Subchapter B, School Librarian Certificate, §239.60, Requirements for the Issuance of the Standard School Librarian Certificate**

Public comment was provided by Donna Kearley of the Texas Association of School Library Administrators (TASLA), Leah Mann of the Texas Association of School Librarians (TASL), Tracy Rutan of Lewisville ISD, and Robin Stout representing herself. Written testimony was provided by Sharon Gullet, Irene Kistler, and Gloria Meraz.

Ms. Cook presented this item to the Board regarding a petition to change the allowable options for satisfying the two years of creditable teaching experience requirement for the standard school librarian certificate.

**Motion and vote:**

*Motion was made by Ms. Bricker to discontinue the rulemaking process that would change the two-year classroom teaching requirement for issuance of the Standard School Librarian Certificate. Second was made by Mr. Allard, and the Board voted unanimously in favor of the motion.*

**15. Consider and Take Appropriate Action on Proposed Revisions to 19 TAC Chapter 227, Provisions for Educator Preparation Candidates**

Public comment was provided by Kate Kuhlmann of Association of Texas Professional Educators (ATPE), Sharon Fikes of Education Career Alternatives Program (ECAP), JP Lund of Texas Teachers, Catheryn Weitman of Texas A&M International University, and Arthur Hernandez of Texas A&M Corpus Christi. Written testimony was provided by Diann Huber of iteachTexas.

Dr. Miller presented this item to the Board for discussion and possible action, as requested by the Board for discussion and possible action at the October 2014 SBEC meeting.

**Motion and vote:**

*Motion was made by Mr. Allard to postpone action until the June SBEC meeting. Second was made by Ms. Druesedow. Voted in favor: Cain, Leal, Buckingham, Druesedow; voted against: Allard, Bricker. The motion carried.*

**16. Consider and Take Appropriate Action on Adoption of Review of 19 TAC Chapter 241, Principal Certificate**

Mr. Regal presented this item to the Board and discussed the rule review process.

**Motion and vote:**

*Motion was made by Dr. Buckingham to adopt the review of 19 TAC Chapter 241, Principal Certificate. Second was made by Mr. Leal, and the Board voted unanimously in favor of the motion.*

**17. Consider and Take Appropriate Action on Proposed Standards Review Committee for 19 TAC Chapter 241, Principal Certificate**

Mr. Regal presented this item to the Board. Mr. Regal provided an update on stakeholder recommendations related to Chapter 241. In order to review and potentially propose revisions, Mr. Regal asked to Board to approve the principal standards review committee, as presented.

**Motion and vote:**

*Motion was made by Dr. Buckingham to approve the appointment of members to the standards review committee for 19 TAC Chapter 241, Principal Certificate. Second was made by Ms. Druesedow, and the Board voted unanimously in favor of the motion.*

**18. Consider and Take Appropriate Action on Adoption of Review of 19 TAC Chapter 242, Superintendent Certificate**

Mr. Regal presented this item to the Board and discussed the rule review process.

**Motion and vote:**

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

**19. Update and Discussion of 19 TAC Chapter 242, Superintendent Certificate**

Mr. Regal presented this item to the Board. The stakeholder recommendations include revising the rules to allow for a path to a superintendent certificate for certain nontraditional candidates. The SBEC will have the opportunity to review and discuss potential changes to Chapter 242 at a future meeting. There was a request from Board members for an additional stakeholder meeting with business leaders included.

**20. Consider and Take Appropriate Action on Request to Establish a Board Committee to Review and Recommend Changes to the State Board for Educator Certification's Rules Relating to the Discipline of Certified Educators**

Ms. Moriarty presented this item to the Board.

This item provided the State Board for Educator Certification (SBEC) an opportunity to consider the current rules and statutes that govern the SBEC's discipline of certified educators, including the SBEC's authority and jurisdiction relating to suspension and revocation of certificates, and to decide whether to appoint a committee to consider further rulemaking regarding educator discipline.

No action was taken.

**21. Sunset and Legislative Matters**

Mr. Franklin updated the Board on Sunset and legislative matters. A list of bills was distributed to the Board pertaining to SBEC's functions and educator quality. The Sunset bills have not been set for hearing yet. Mr. Franklin will notify the Board on the status of the Sunset bills.

**22. Consider and Take Appropriate Action on State Board for Educator Certification Meeting Agenda Content and Formatting**

Ms. Juarez presented this item to the Board relating to the two closed session notices in the agenda. One is under the item for pending or contemplated litigation, and another at the end of the agenda that says the Board may go into closed session to discuss any item on the agenda. Ms. Juarez recommended that, to avoid potential confusion regarding which agenda items the Board may discuss in closed session, each SBEC meeting agenda should contain one notice of closed session at the end of each agenda, and not contain closed session notices under separate agenda items.

Ms. Juarez recommended having a notice added to the agenda for the June and August meetings, on the item for pending and contemplated litigation that states: *Notice: Agendas for future meetings will not contain a closed session notice at this location. They will contain one closed session notice at the end of the agenda.* Beginning with the October 2015 agenda, a closed meeting notice will appear only at the end of each agenda.

**Motion and vote:**

*Motion was made by Dr. Buckingham to approve change to the closed meeting notices as recommended. Second was made by Ms. Druesedow, and the Board voted unanimously in favor of the motion.*

**23. 2015-2018 Rule Review Plan for State Board for Educator Certification Rules**

For information only.

**24. Board Operating Policies and Procedures**

For information only.

## **25. Requests from Board Members for Future Agenda Items**

Dr. Buckingham requested an item to explore creating a subcommittee of the Board to review the agreed orders and ensure they are following previous practice and standards.

Ms. Bricker requested a timeline for looking at non-traditional superintendents and when that item will come back to the Board.

## **26. Requests Received from the Board Since Last Meeting**

None.

## **27. Adjournment**

Meeting was adjourned at 3:09 p.m.