

STATE BOARD FOR EDUCATOR CERTIFICATION
BOARD MEETING MINUTES
August 7, 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 9:01 a.m. on Friday, August 7, 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. Robison, Ms. Everest, Dr. Simpson, Dr. Hull, Dr. Peebles, Dr. Buckingham, Mr. Allard, Ms. McCall, Ms. Druessedow

2. Associate Commissioner's Comments Regarding the SBEC Agenda

Mr. Franklin noted that the agenda is very full again. Based on review of legislation that passed and the implementation schedule, the Board can expect to see similar agendas moving forward. Mr. Franklin asked that any Board members that need to leave early, please make sure that it is on the record or let Cheryl or Christie know because that makes our record keeping process much better. Mr. Franklin also noted that while he does not know how many hours are spent preparing for each meeting, he is sure it is in the hundreds with the great team of people we have working on it. Mr. Franklin specifically thanked Cheryl Aker for all of her support of the Board's work.

3. Public Comment

Public comment was provided by:

Michael Evans, representing himself, regarding the UTeach certification program.

Dr. Larry Abraham, of UTeach Natural Sciences, regarding the UTeach certification program.

Bernadine Harrison, representing herself, regarding for-profit certification program issues.

4. Consider and Take Appropriate Action on Request to Approve June 12, 2015 Board Meeting Minutes

Motion and vote:

Motion was made by Dr. Buckingham to approve the June 12, 2015 minutes. Second was made by Ms. Everest, and the Board voted unanimously in favor of the motion.

5. Consider and Take Appropriate Action on Request to Approve 2016 SBEC Board Meeting Dates

Ms. Pogue presented the proposed SBEC meeting dates for 2016.

Motion and vote:

Motion was made by Dr. Hull to approve the 2016 meeting dates. Second was made by Ms. McCall, and the Board voted unanimously in favor of the motion.

6. Consider and Take Appropriate Action on Adoption of Proposed Revisions to 19 TAC Chapter 231, Requirements for Public School Personnel Assignments, Subchapter C, Grades 6-8 Assignments, and Subchapter E, Grades 9-12 Assignments

Ms. Cook presented this item to the Board. The proposed revisions would clarify the appropriate credentials for placement in a particular teaching assignment and ensure alignment with changes to public school curriculum.

Motion and vote:

Motion was made by Ms. Druesedow 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 C, Grades 6-8 Assignments, and 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. Everest, and the Board voted unanimously in favor of the motion.

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

Public comment was provided by Julie Leahy of Texas Classroom Teachers Association and Kate Kuhlmann of the Association of Texas Professional Educators.

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, clarify requirements for superintendents reporting the resignation of educators when there is evidence of educator wrongdoing, clarify that the SBEC may sanction an educator for a violation of the Texas Education Code (TEC), §22.085, modernize and clarify the description of the procedures SBEC follows for final orders, and make minor corrections to statutory citations. Ms. Moriarty updated the Board that HB 2205, 84th Texas Legislature, had become law since the last meeting, giving SBEC the statutory authority to delegate settlement of educator discipline cases to TEA staff or to the Commissioner of Education. Ms. Moriarty noted that the proposed amendments to sections 249.7, 249.14(b), and 249.35 created permissive procedures for staff to follow in bringing agreed final orders before SBEC for approval and would become obsolete if SBEC decided to delegate settlement authority to staff. Ms. Moriarty also noted that TEA staff felt the proposed amendments to section 249.14(k)(3) were necessary as long as SBEC reviewed agreed final orders at its meeting because this provision prevented the investigation flags on educators' certificates from expiring while their cases were awaiting review at the next SBEC meeting.

Motion and vote:

Motion was made by Dr. Hull to reject 249.7, approve 249.14 subsection (d) 3, reject 249.14 subsection (k) 3, approve 249.15, reject 249.35 (b) and (c), accept 249.35 (d), and approve 249.39. Second was made by Mr. Allard. Dr. Hull withdrew her motion.

Motion was made by Dr. Hull to reject amendment to 249.7. Second was made by Mr. Allard, and the Board voted unanimously in favor of the motion.

Motion was made by Dr. Hull to reject amendment to 249.35. Second was made by Mr. Allard. Dr. Hull withdrew her motion.

Motion was made by Dr. Hull to approve for adopt adoption, subject to State Board of Education review, the remaining proposed amendments to 19 TAC Chapter 249, Disciplinary Proceedings, Sanctions, and Contested Cases, with the exception of 249.35 (b) and (c) with an effective date of 20 days after filing the adoption notice with the Texas Register. Second was made by Ms. Bricker. Voted in favor: Cain, Leal, Bricker, Bridges, Robison, Everest, Hull, McCall, Druesedow; voted against: Allard and Buckingham. The motion carried.

8. Consider and Take Appropriate Action on Adoption of Review of 19 TAC Chapter 233, Categories of Classroom Teaching Certificates

Ms. Cook presented this item to the Board and discussed the rule review process. The rules being reviewed establish the certificate categories within the certificate classes for classroom teachers. Ms. Cook highlighted feedback received on these rules during the public comment period and advised the Board of anticipated changes to incorporate legislation passed during the 2015 session. Board members requested TEA staff to look into requirements for teaching Criminal Justice and Health Science.

Motion and vote:

Motion was made by Ms. Everest to adopt the review of 19 TAC Chapter 233, Categories of Classroom Teaching Certificates. Second was made by Dr. Hull, and the Board voted unanimously in favor of the motion.

9. Consider and Take Appropriate Action on Adoption of Review of 19 TAC Chapter 244, Certificate of Completion of Training for Appraisers

Mr. Regal presented a recommendation for the Board to adopt the rule review for Texas Administrative Code Chapter 244, which provides rules for the certification of appraisers.

Motion and vote:

Motion was made by Ms. McCall to adopt the review of 19 TAC Chapter 244, Certificate of Completion of Training for Appraisers. Second was made by Mr. Allard, and the Board voted unanimously in favor of the motion.

10. Consider and Take Appropriate Action on Proposed Amendments to 19 TAC Chapter 244, Certificate of Completion of Training for Appraisers, §244.1, General Provisions, and §244.2, Training for Appraisers of Educators in School Districts Using a Recommended Appraisal Process

Mr. Regal presented a recommendation for the Board to approve the proposed amendments to Texas Administrative Code Chapter 244, which provides rules for the certification of appraisers. The amendments make technical changes to the rules to replace the current

state adopted appraisal system with the new state adopted appraisal systems scheduled to roll out during the 2016-2017 school year.

Motion and vote:

Motion was made by Ms. Everest to approve the proposed amendments to 19 TAC Chapter 244, Certificate of Completion of Training for Appraisers, §244.1, General Provisions, and §244.2, Training for Appraisers of Educators in School Districts Using a Recommended Appraisal Process, to be published as proposed with the Texas Register. Second was made by Ms. Robison, and the Board voted unanimously in favor of the motion.

11. Consider and Take Appropriate Action on Proposed Amendments to 19 TAC Chapter 242, Superintendent Certificate, §242.20, Requirements for the Issuance of the Standard Superintendent Certificate, and §242.25, Requirements for the First-Time Superintendent in Texas

Public comment was provided by Kate Kuhlmann of the Association of Texas Professional Educators. Written testimony was provided by Charles Dupre and Rod Paige.

Mr. Regal presented a recommendation for the Board to approve the proposed amendments to Texas Administrative Code §242.20 and §242.25, which provides rules regarding the requirements for certification of superintendents. Substitute amendments were also presented that expanded on the proposed amendments published in the agenda item, and would allow for alternative pathways for a nontraditional candidate to become a certified superintendent.

Motion and vote:

Motion was made by Ms. Bricker to approve the proposed amendments in recommendation three, as amended, to 19 TAC Chapter 242, Superintendent Certificate, §242.20, Requirements for the Issuance of the Standard Superintendent Certificate, to be published as proposed with the Texas Register. Second was made by Mr. Leal. Voted in favor: Cain, Leal, Bricker, Buckingham, Bridges, Robison, Hull, Allard, Druesedow; voted against: Everest, McCall. The motion carried.

The SBEC Board recessed at 12:34 p.m., and reconvened at 12:48 p.m.

The SBEC Board went into Executive Session at 12:48 p.m. on items 15 and 16 pursuant to the Texas Open Meetings Act, Texas Government Code, Chapter 551.

The SBEC Board reconvened in open session at 1:24 p.m.

12. Consider and Take Appropriate Action on Request to Approve New Classes of Certificates at The University of Texas - Rio Grande Valley

Dr. Miller presented a recommendation for the Board to approve a request from the University of Texas – Rio Grande Valley to offer educator preparation in the Superintendent, Principal, School Counselor, Educational Diagnostician, Reading Specialist, and Master Reading Teacher certificate classes.

Motion and vote:

Motion was made by Dr. Hull to approve the Superintendent, Principal, School Counselor, Educational Diagnostician, Reading Specialist, and Master Reading Teacher certificate classes at the University of Texas – Rio Grande Valley. Second was made by Ms. Everest, and the Board voted unanimously in favor of the motion.

13. Consider and Take Appropriate Action on Request to Approve Educator Preparation Advisory Committee Members

Public comment was provided by Kate Kuhlmann of the Association of Texas Professional Educators.

Dr. Miller presented a recommendation for the Board to approve the membership of the Educator Preparation Advisory Committee. In response to feedback from board members, additional teacher and counselor representation will be added to the committee.

Motion and vote:

Motion was made by Mr. Allard to approve the appointment of the Educator Preparation Advisory Committee members presented with the addition of an active school counselor and an active school teacher. Second was made by Ms. McCall, and the Board voted unanimously in favor of the motion.

14. Discussion of Appointment of Classroom Teacher Standards Advisory Committee to Recommend Standards for Classroom Teachers

Ms. Cook and Dr. Miller presented this item to the Board for discussion of the appointment of an advisory committee to recommend educator standards for the classroom teacher class of certificate. The committee would explore alternatives to the current process for development, review, and approval of educator standards, which define Educator Preparation Program (EPP) and certification testing requirements.

No action was taken.

15. Consider and Take Appropriate Action on Request for State Board for Educator Certification (SBEC) Action Related to TeacherBuilder.com, an Educator Preparation Program

Public comment was provided by Susan Soto of TeacherBuilder, Louis Cuevas of TeacherBuilder, and Dr. Noe Saucedo of TeacherBuilder.

Dr. Miller presented a final recommendation for the Board to take action to impose conditions on the continuing approval of TeacherBuilder.com to provide educator preparation.

Motion and vote:

Motion was made by Dr. Hull to assign an Accredited Warned status and to impose the conditions presented by TEA staff, including the appointment of monitor. Second was made by Ms. Robison, and the Board voted unanimously in favor of the motion.

16. Consider and Take Appropriate Action on Request to Approve 2013-2014 Accountability System for Educator Preparation Programs (ASEP) Accreditation Status for TeacherBuilder.com

Dr. Miller presented this item to the Board. Because the Board assigned TeacherBuilder.com an Accredited-Warned status due to violations of SBEC rules in the previous item, it was not necessary for the Board to take action on this item.

Ms. Bricker and Ms. Robison left at 2:25 p.m.

17. Consider and Take Appropriate Action on Core Subjects EC-6 and Core Subjects 4-8 Certification Exams

Public comment was provided by Dr. Elizabeth Ward of Texas Wesleyan University. Written comment was provided by Dr. Catheryn Weitman of Texas A&M International University.

Dr. Miller presented several options for possible changes to the Core Subjects EC-6 and Core Subjects 4-8 certification exams that have been administered since January 2015.

No action was taken.

18. Consider and Take Appropriate Action on Certification Examination Fee Increases

Dr. Miller presented a recommendation for the Board to approve the implementation of increased fees for all certification examinations and related testing services effective September 1, 2015.

Motion and vote:

Motion was made by Ms. Bridges to approve the recommended fees for certification tests and related testing services effective September 1, 2015. Second was made by Mr. Allard, and the motion carried.

19. Board Chair's Appointment of Board Members to Committee on Agreed Orders for Educator Discipline

This item was heard after item 7.

Ms. Moriarty presented this item to the Board. Ms. Moriarty discussed the possible duties and objectives of the committee.

Motion and vote:

Motion was made by Ms. Bricker to authorize a Board committee, the committee chair appointed by Dr. Cain, the committee will consist of no more than seven members total, the

committee's charge will be to look at all hearings and their procedures, working with staff and stakeholders to provide a structure and philosophy for reviewing these; written guidelines would be provided by the committee to the Board in a subsequent meeting. Second was made by Dr. Buckingham, and the Board voted unanimously in favor of the motion.

Dr. Cain asked Ms. Druesedow to chair the committee. Ms. Druesedow accepted. Dr. Cain asked anyone interested in the participating in the committee to speak with Ms. Druesedow before the end of the meeting so that the remainder of the committee can be appointed.

The committee members are: Ms. Druesedow (chair), Ms. McCall, Ms. Bricker, Dr. Simpson, Dr. Peebles, Mr. Leal, Ms. Bridges. Dr. Hull will serve as an alternate.

20. Consider and Take Appropriate Action on Amendments to the Board Operating Policies and Procedures Relating to the Committee on Agreed Orders for Educator Discipline

This item was heard after item 7.

Public comment was received from Julie Leahy of Texas Classroom Teachers Association, Kate Kuhlmann of the Association of Texas Professional Educators and Patty Quinzi of the Texas Chapter of the American Federation of Teachers.

Ms. Moriarty presented this item to the Board. The proposed changes to the BOPP would align the Board's membership with the requirements of statute following new legislation, prevent members of the public from making public comment on individual proposed agreed final orders, and would establish procedures for a Settlement Review Committee to review agreed final orders in educator discipline cases and make recommendations to the full board.

Motion and vote:

Motion was made by Ms. Robison to approve the changes to the BOPP as amended on page three, section II. B., relating to the composition of the Board and page eight, section IV, A. 10. (3), relating to public comment on individual agreed orders. Second was made by Ms. McCall, and the Board voted unanimously in favor of the motion.

Ms. Everest left at 3:13 p.m.

Dr. Buckingham left at 3:30 p.m.

21. Discussion of Proposed Revisions to 19 TAC Chapter 227, Provisions for Educator Preparation Candidates

Public comment was received from Scott Fikes of Education Career Alternative Program, Dr. Larry Abraham of UTeach Natural Sciences, Megan Kate York of UTeach Dallas, Beth Maloch of UT Austin, Jennifer West of UTeach Arlington, Nathan Smith, representing himself, Dr. Diann Huber of iteachTexas, and Dr. Rae Queen of ACT San Antonio.

Dr. Miller presented this item to the Board for discussion of the provisions of 19 TAC 227 that may need to be amended and/or revised due to changes in law, input from stakeholders, and recommendations from staff.

No action was taken.

Mr. Leal left at 3:46 p.m.

The SBEC Board recessed at 3:46 p.m., and reconvened at 3:54 p.m.

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

A. Defaults

1. In the Matter of Alexander Bing Chao; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: One year suspension
2. In the Matter of Ronalynn Degree; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: One year suspension
3. In the Matter of Esperanza DeLa Cruz; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: One year suspension
4. In the Matter of Kelly M. Grossman; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: One year suspension
5. In the Matter of Joycelyn Harris; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: One year suspension
6. In the Matter of Kimberly Shaun Jeffrey; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: One year suspension
7. In the Matter of Charles Kennedy, Jr.; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: One year suspension
8. In the Matter of Brendan Lavallee; Action to be taken: Consideration of Issuance of Default Judgment.

Staff recommendation: One year suspension

9. In the Matter of Alyson Tomasello; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: One year suspension

10. In the Matter of Pamela Ayres; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: Revocation

11. In the Matter of Tammy Eaton; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: Revocation

12. In the Matter of Mary Leanne Heugel; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: Revocation

13. In the Matter of Crystal Johnson; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: Revocation

14. In the Matter of Lisa Ann Shuptrine; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: Revocation

15. In the Matter of Doretha Stots; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: Revocation

16. In the Matter of Sheryl Ann Yarbrough; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: Revocation

17. In the Matter of Orlando Fuentes; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: Revocation

18. In the Matter of Martha Nydia Guerra; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: Two year suspension

19. In the Matter of Juan Antonio Lara; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: Revocation

20. In the Matter of Brandi L. Looney; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: Revocation

21. In the Matter of Teddie Williamson, III; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: One year suspension

22. In the Matter of Clifford Blakely; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: Permanent Revocation

23. In the Matter of Vickie Jo Cain; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: Permanent Revocation

24. In the Matter of Hector Javier Garcia; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: Permanent Revocation

25. In the Matter of John Christopher Lo; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: Permanent Revocation

26. In the Matter of John W. McDaniel; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: Permanent Revocation

27. In the Matter of Paul Edward Tate; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: Permanent Revocation

28. In the Matter of Valdis Tinnagorn Terrell; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: Two year suspension

29. In the Matter of Jessica Vullo; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: Revocation

Motion and vote:

Motion was made by Ms. Bridges to approve staff's request for issuance of default judgments and enter a final order consistent with staff's recommendation for each of the above numbered cases 1-29. Second was made by Dr. Hull, and the motion carried.

B. Agreed Orders

I. Investigations

1. In the Matter of Jorge Rivera
2. In the Matter of Jacqueline Marie Saldana
3. In the Matter of Crystal Lynne Whitlock
4. In the Matter of Gilberto Garza, Jr.
5. In the Matter of Rebecca J Waldron
6. In the Matter of Nelda Axum Condra
7. In the Matter of Julia Dale
8. In the Matter of Herminia Bustamante Phillips
9. In the Matter of David D. Morgan
10. In the Matter of David Lee Buffington

11. In the Matter of Holly Ann Walker

12. In the Matter of Tracy Stewart

Motion and vote:

Motion was made by Ms. Druesedow to approve agreed final orders, Investigations, numbers 1-12 as presented. Second was made by Mr. Allard, and the motion carried.

II. Legal

1. In the Matter of Cathryn M. Blankenhorn

2. In the Matter of Christian D. Boydston

3. In the Matter of Alyssa Sydney Garcia

4. In the Matter of Crystal Michelle Garcia

5. In the Matter of Lynette Pamela Gomez

6. In the Matter of Jose Hernandez

7. In the Matter of Cordeen Hudson

8. In the Matter of David Malcolm Kennedy

9. In the Matter of Shunique Mayo

10. In the Matter of Jesus Medina

11. In the Matter of Monica N. Ozane

13. In the Matter of Yamuna Wattuhewa

15. In the Matter of Victor Frederick Ward

16. In the Matter of Pamela Leonard

17. In the Matter of Carolyn E. Wurst

18. In the Matter of Robbie Denise Bland

19. In the Matter of Feleciah Joyce Brown

20. In the Matter of Brownie Peters

21. In the Matter of Jo Ann Reynolds

Item 21 was pulled from the agenda by TEA Legal Services.

22. In the Matter of Jimmy Roberts

Motion and vote:

Motion was made by Ms. McCall to approve agreed final orders, Legal, numbers 1-22 as presented, except for items 12, 14 and 21. Second was made by Mr. Allard, and the motion carried.

The following agreed orders were considered individually.

12. In the Matter of Kristi Lee Pereira

Motion and vote:

Motion was made by Ms. McCall to accept the agreed final order as presented. Second was made by Dr. Hull, with Dr. Cain recusing herself, and the motion carried.

14. In the Matter of Brad Evilsizer

Motion and vote:

Motion was made by Ms. Bridges to accept the agreed final order as presented. Second was made by Mr. Allard, and the motion carried.

C. Response to SBEC Counteroffers on Agreed Final Orders

I. Investigations

None.

II. Legal

1. In the Matter of Dianna Lynn Espinoza

Motion and vote:

Motion was made by Dr. Hull to approve the agreed final order of inscribed reprimand. Second was made by Mr. Allard. Voted in favor: Hull, Allard, McCall; voted against: Cain, Bridges, Druesedow. The motion failed.

The Board took no additional action in this matter.

2. In the Matter of Alexis Adrianna Galvan

Motion and vote:

Motion was made by Ms. McCall to approve a one year suspension, commencing on June 12, 2015. Second was made by Mr. Allard, and the motion carried.

3. In the Matter of Rosario Galvan-Ortega

Motion and vote:

Motion was made by Dr. Hull to reject the respondent's counter offer. Second was made by Second was made by Ms. Druesedow, and the motion carried.

4. In the Matter of Denise Harper

Motion and vote:

Motion was made by Dr. Hull to reject the respondent's counter offer. Second was made by Ms. Bridges, and the motion carried.

5. In the Matter of Gerald Alexander Bruton

No action taken. TEA legal staff notified the Board this item has been referred to the State Office of Administrative Hearings (SOAH).

6. In the Matter of Josue Villarreal

Motion and vote:

Motion was made by Ms. McCall to accept the agreed final order of suspension concurrent with the respondent's community supervision, commencing the date signed by the Board. Second was made by Mr. Allard, and the motion carried.

D. Contested Cases

I. Proposals for Decision

1. Docket No. 701151950.EC, Texas Education Agency, Educator Leadership and Quality Division v. Donald R. Douglas; Action to be taken: Consideration of Proposal for Decision and Issuance of Final Order.

ALJ Recommendation: 10 year suspension concurrent with period of community supervision

Staff Recommendation: Same

Motion and vote:

Motion was made by Ms. Bridges to accept the proposal for decision and issue a final order consistent with the recommendation of 10 year suspension concurrent with period of community supervision. Second was made by Dr. Hull, and the motion carried.

- Docket No. 701152133.EC, Texas Education Agency, Educator Leadership and Quality Division v. Anthony Rennie McGary; Action to be taken: Consideration of Proposal for Decision and Issuance of Final Order.

ALJ Recommendation: 6 year suspension probated while compliant with community supervision

Staff Recommendation: 6 year suspension concurrent with community supervision

Motion and vote:

Motion was made by Ms. Bridges to adopt the proposal for decision and issue a final order consistent with the staff sanction recommendation of 6 year suspension concurrent with community supervision with a change to Conclusion of Law 11 to state that based on Findings of Fact 10-12, the respondent is unfit to perform the duties and discharge the responsibilities of a certified educator. Second was made by Dr. Hull, and the motion carried.

- Docket No. 701151310.EC, Texas Education Agency, Educator Leadership and Quality Division v. Mayra De La Garza; Action to be taken: Consideration of Proposal for Decision and Issuance of Final Order.

ALJ Recommendation: Revocation

Staff Recommendation: Revocation

Motion and vote:

Motion was made by Mr. Allard to accept the proposal for decision and issue a final order consistent with the recommendation of revocation. Second was made by Ms. Druessedow, and the motion carried.

- Docket No. 701151654.EC, Texas Education Agency, Educator Leadership and Quality Division v. Manuel Juarez; Action to be taken: Consideration of Proposal for Decision and Issuance of Final Order.

ALJ Recommendation: No sanction

Staff Recommendation: No sanction

Motion and vote:

Motion was made by Ms. McCall to accept the proposal for decision and issue a final order consistent with the recommendation of no sanction. Second was made by Mr. Allard; voted in favor: Cain, Bridges, Allard, McCall, Druessedow; voted against: Hull. The motion carried.

II. Motions for Rehearing

1. Docket No. 701144329.EC; Texas Education Agency, Educator Leadership and Quality Division v. Monique Niccole Irwin.
2. Texas Education Agency, Educator Leadership and Quality Division v. Jeremy Johnson.
3. Texas Education Agency, Educator Leadership and Quality Division v. Lara Elizabeth Wehmeyer.
4. Texas Education Agency, Educator Leadership and Quality Division v. Antonio de Leon.

On the above motions for rehearing, numbers 1 - 4, it was announced the motions were overruled by operation of law. No action was taken

E. 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 201st 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. Don Madden v. State Board for Educator Certification; Cause No. 14-0532, In the Supreme Court of Texas.

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

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

For information only.

24. Requests from Board Members for Future Agenda Items

Mr. Allard requested a future item regarding reciprocity agreements with other states: comparative value on a state by state basis or accept certifications at other states at face value.

25. Requests Received from the Board Since Last Meeting

None.

26. Adjournment

The meeting was adjourned at 5:15 p.m.