

Item 5:
**Consider and Take Appropriate Action on Request to
Approve December 9, 2016 Board Meeting Minutes**

ACTION

ASSOCIATE COMMISSIONER'S RECOMMENDATION: I recommend that the State Board for Educator Certification:

Approve the December 9, 2016 Board meeting minutes.

STATE BOARD FOR EDUCATOR CERTIFICATION
BOARD MEETING MINUTES
DECEMBER 9, 2016 AT 9:00 AM
1701 N. CONGRESS AVE. ROOM 1-104

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 any of the following agenda items:

1. Call to Order

The State Board for Educator Certification (SBEC) convened its meeting at 9:05 AM on Friday, December 9, 2016, in Room 1-104 of the William B. Travis Building, 1701 N. Congress Avenue in Austin, Texas.

Present: Ms. Laurie Bricker, Ms. Rohanna Brooks-Sykes, Mr. Tommy Coleman, Ms. Jill Druesedow, Dr. Susan Simpson Hull, Mr. Leon Leal, Ms. Suzanne McCall, Dr. Rex Peebles, Dr. Scott Ridley, Dr. Laurie Turner, and Mr. Martin Winchester.

Ms. Sandra Bridges arrived at 9:08 AM.

Absent: Dr. Arturo Cavazos and Mr. Carlos Villagrana.

2. Associate Commissioner's Comments Regarding the SBEC Agenda

Associate Commissioner Ryan Franklin welcomed the members to the meeting and reminded the members of how the wireless microphones work. Mr. Franklin then introduced the two new Board members, Mr. Coleman and Dr. Ridley. Mr. Coleman and Dr. Ridley each provided brief overviews of their respective backgrounds. Mr. Franklin updated the members on the seven rule actions from the prior meeting and informed the Board members that each of those went through the State Board of Education without being rejected. Mr. Franklin remarked that today's agenda is a transitional agenda and that it is important for staff to receive direction to set the Board's agenda over the coming months and year. Mr. Franklin encouraged the Board members to ask staff the questions that they would like presented to stakeholders over the coming months related to the agenda items. Mr. Franklin thanked everyone for pitching in to prepare for the Board meeting.

3. Public Comment

Public comment was provided by:
Ms. Christine Broughal, Enabled Advocacy
Ms. Linda Litzinger

CONSENT AGENDA**4. Consider and Take Appropriate Action on Request to Approve October 7, 2016 Board Meeting Minutes**

Hearing no corrections, the October 7, 2016 board meetings minutes were approved.

DISCUSSION AND ACTION**5. Discussion Related to the Texas Teacher Preparation Collaborative**

Jim Nelson, former Texas Commissioner of Education and Chairman of the Texas Teacher Preparation Collaborative, presented the findings and recommendations of the Collaborative. He explained that the purpose of the Collaborative was to provide a platform for practitioners and policy makers to focus on teacher preparation and highlight best practices and policy that Texas can adopt to make real change for current and future teachers. He shared the three recommendations of the Collaborative:

1. Establish a competency-based, tiered licensure system that differentiates performance and strengthens teaching as a profession;
2. Enhance the educator preparation program (EPP) evaluation system to increase accountability, drive EPP outcome improvement, and provide public transparency on EPP performance; and
3. Establish a Texas Educator Preparation Evaluation and Innovation Alliance.

6. Discussion and Action Related to the Approval of Educator Preparation Program Monitors

Dr. Miller presented this item to provide the Board with the opportunity to approve a list of educator preparation program (EPP) monitors. Monitors will be responsible for assessing and addressing designated EPP deficiencies, recommending or directing actions to address these deficiencies, and reporting on improvement plans and strategies. The Board was provided excerpts from the Request for Qualifications that was used to solicit applications from individuals interested in serving as a monitor. The Board was also provided with a recommended list of EPP monitors:

- Melinda Barnett
- Sandra Carter
- Marcia McMahan
- Denise Staudt
- Calvin Stocker
- Jerry Whitworth

Motion and vote:

Motion was made by Dr. Hull. Second was made by Mr. Leal, and the Board voted unanimously in favor of the motion.

7. Discussion and Action Related to the State Board for Educator Certification Legislative Committee's Recommended Priorities

Ms. Pogue presented this item to provide an overview of the process used for soliciting Board member legislative priorities to the SBEC Legislative Committee for consideration. The Board received a list of all Board members with their legislators, as well as information on how to track legislation, how to work with the Legislature, and the legislative process.

Public comment was provided by:

Ms. Patty Quinzi, registered lobbyist, Texas American Federation of Teachers (AFT)

Ms. Holly Eaton, registered lobbyist, Texas Classroom Teachers Association (TCTA)

Ms. Kate Kuhlmann, registered lobbyist, Association of Texas Professional Educators (ATPE)

Ms. McCall, Legislative Committee Chair, presented the SBEC Legislative Committee's recommended priorities for the 85th Texas Legislative Session. The three recommended priorities were:

1. Expand required reporting of educator misconduct to SBEC to include principals to ensure that alleged misconduct on campuses is adequately reported and investigated.
2. Expand outcome-based accountability for educator preparation programs, including the use of teacher evaluation results for the first-year teachers.
3. Establish reciprocity opportunities for educators certified in another state or country to become certified in Texas by demonstrating proficiency on appropriate indicators aligned with the state's teacher evaluation system.

Motion and vote:

Motion was made by Ms. McCall to adopt all three recommended priorities with the omission of the last section of priority two, for it to read, "Expand outcome-based accountability for educator preparation programs." Second was made by Mr. Coleman, and the Board voted unanimously in favor of the motion.

The three legislative priorities approved by SBEC:

1. Expand required reporting of educator misconduct to SBEC to include principals to ensure that alleged misconduct on campuses is adequately reported and investigated.
2. Expand outcome-based accountability for educator preparation programs.
3. Establish reciprocity opportunities for educators certified in another state or country to become certified in Texas by demonstrating proficiency on appropriate indicators aligned with the state's teacher evaluation system.

The SBEC Board recessed at 10:54 AM and reconvened at 11:09 AM.

8. Pending or Contemplated Litigation, including Disciplinary Cases

A. Defaults

No Answer Defaults

1. In the Matter of Amir Bellamy; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: 1 Year Suspension

2. In the Matter of Robert Hulsey; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: 1 Year Suspension

3. In the Matter of Bridgette Caldwell; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: 1 Year Suspension

4. In the Matter of Sara Paz; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: 1 Year Suspension

5. In the Matter of Anita Carol Demoen; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: Revocation

6. In the Matter of Marcus Lee Gonzales; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: Revocation

7. In the Matter of Alexander D. Howard; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: Revocation

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

Staff recommendation: Revocation

10. In the Matter of Patreece N. Rodgers; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: Revocation

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

Staff recommendation: Revocation

12. In the Matter of James Clark, Jr.; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: Revocation

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

Staff recommendation: 4 Year Suspension and proof of successful completion of substance abuse treatment program

14. In the Matter of Mike Izaguirre; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: 1 Year Suspension and proof of successful completion of substance abuse treatment program

15. In the Matter of Pamela Rae James; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: Revocation

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

Staff recommendation: Revocation

17. In the Matter of Katie Evelyn Martin; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: Revocation

18. In the Matter of Marc Musser; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: Revocation

19. In the Matter of Damon Christopher Pokluda; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: Revocation

20. In the Matter of Gerald Lee Read; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: 5 Year Suspension and proof of successful completion of substance abuse treatment program

21. In the Matter of Sheila J. Rollins; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: Revocation

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

Staff recommendation: Revocation

23. In the Matter of Anthony Benavides; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: Permanent Revocation

24. In the Matter of Deon Bernard Burns; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: Revocation

25. In the Matter of Gregg W. Watts; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: Permanent Revocation

27. In the Matter of Tyseski LaDarryll Ardoin; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: Permanent Revocation

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

Staff recommendation: Permanent Revocation

30. In the Matter of Louis A. Rech; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: Permanent Revocation

31. In the Matter of Rosendo Rodriguez; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: Permanent Revocation

Motion and vote:

Motion was made by Ms. McCall to approve staff's request for Issuance of Default Judgments and enter Final Orders consistent with staff's recommendation for each of the above numbered cases 1-32, excluding cases 8, 26, 28, and 32. Second was made by Ms. Bricker, and the Board voted unanimously in favor of the motion.

The following defaults were considered individually:

26. In the Matter of Vicki Lynn Webster; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: Revocation

Motion and vote:

Dr. Hull recused herself from voting on this case.

Motion was made by Ms. Bricker to approve staff's request for Issuance of Default Judgment and enter a Final Order of permanent revocation. Second was made by Mr. Leal, and the Board voted unanimously in favor of the motion.

28. In the Matter of Jacqueline Catholic; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: Permanent Revocation

Motion and vote:

Dr. Hull recused herself from voting on this case.

Motion was made by Ms. McCall to approve staff's request for Issuance of Default Judgment and enter a Final Order of permanent revocation. Second was made by Ms. Bricker, and the Board voted unanimously in favor of the motion.

The following defaults were pulled from the agenda by TEA Legal (no action taken):

8. In the Matter of Alberto Cirahuent Trujillo; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: Revocation

32. In the Matter of Jeffrey Summers; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: Permanent Revocation

SOAH Defaults

1. In the Matter of Ronald Adams; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: Permanent Revocation

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

Staff recommendation: Permanent Revocation

Motion and vote:

Motion was made by Ms. McCall to approve staff's request for Issuance of SOAH Default Judgments and enter Final Orders consistent with staff recommendations on each of the above numbered cases, 1- 2. Second was made by Ms. Bricker, and the Board voted unanimously in favor of the motion.

B. Contested Cases

Proposals for Decision

1. Docket No. 701163333.EC, Texas Education Agency, Educator Leadership and Quality Division v. Dale Gene Farley; Action to be taken: Consideration of Proposal for Decision and Issuance of Final Order.

ALJ Recommendation: No Disciplinary Action be Taken

Staff Recommendation: Accept ALJ Recommendation

Mr. Duncan represented the Texas Education Agency; Mr. Farley did not appear.

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. Second was made by Dr. Turner. Motion carried with Ms. Bricker, Ms. Bridges, Ms. Brooks-Sykes, Ms. Druesedow, Dr. Hull, Mr. Leal, and Ms. McCall voting in favor, and Mr. Coleman voting against.

2. Docket No. 701164955.EC, Texas Education Agency, Educator Leadership and Quality Division v. Ronald Boutte, Jr.; Action to be taken: Consideration of Proposal for Decision and Issuance of Final Order.

ALJ Recommendation: The suspension of Respondent's certificate should be enforced until Respondent has complete his period of community supervision, which is due to occur on August 20, 2017, with the remainder of the suspension probated subject to such conditions as the Board may impose.

Staff Recommendation: 2 Year Suspension, commencing on the date the Final Order is signed by the Board.

Mr. Crabtree represented the Texas Education Agency; Mr. Boutte represented himself.

Mr. Coleman requested a recess to consult with SBEC's general counsel. The Board recessed at 11:44 AM and reconvened at 11:49 AM.

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. Second was made by Mr. Leal. Motion carried with Ms. Bricker, Ms. Bridges, Ms. Brooks-Sykes, Ms. Druesedow, Dr. Hull, Mr. Leal, and Ms. McCall voting in favor, and Mr. Coleman voting against.

3. Docket No. 701161424.EC, Texas Education Agency, Educator Leadership and Quality Division v. Rosalinda Gonzalez; Action to be taken: Consideration of Proposal for Decision and Issuance of Final Order.

ALJ Recommendation: No Disciplinary Action be Taken

Staff Recommendation: Accept ALJ Recommendation

Mr. Duncan represented the Texas Education Agency; Ms. Gonzalez did not appear.

Motion and vote:

Motion was made by Ms. McCall to accept the Proposal for Decision and Issue a Final Order consistent with the ALJ's recommendation. Second was made by Dr. Hull. Motion carried with Ms. Bridges, Ms. Brooks-Sykes, Ms. Druesedow, Dr. Hull, Mr. Leal, and Ms. McCall voting in favor, and Ms. Bricker and Mr. Coleman voting against.

Motions for Rehearing

1. Consider and Take Appropriate Action on Sworn Motion to Extend Time and Motion for Rehearing *In re Fidel Borrego*.

Motion and vote:

Motion was made by Mr. Coleman to extend time and grant motion for rehearing. Second was made by Ms. Bridges, and the Board voted unanimously in favor of the motion.

C. Court Cases

For information. No action taken.

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.
2. Leo Joseph Tran v. Texas Education Agency, Educator Certification and Standards Division; Cause No. D-1-GN-16-001802, In the 126th District Court of Travis County, Texas.

DISCUSSION ONLY**9. Discussion of Certification for Early Childhood Education**

Ms. Cook and Ms. Marnie Glaser, TEA's Executive Director of Early Learning, presented this item to the Board. This item provided an opportunity for the SBEC to discuss certification for early childhood education and consider the creation of a new prekindergarten-third grade (preK-3rd) certificate. Ms. Cook briefly mentioned the early childhood endorsement and kindergarten certificate issued many years ago and explained both credentials were phased out with the implementation of the Early Childhood-Grade 4 certificate. Ms. Glaser shared her expertise on the subject of early childhood education and discussed work currently underway

in her division to review preK-3rd alignment of resources, curriculum, assessments, professional development, and teacher training. Ms. Glaser highlighted the five primary domains of development of early learners and expressed her team's interest in working with the SBEC to explore options regarding creation of a new preK-3rd educator certificate. Ms. Cook asked for the SBEC's support in gathering additional stakeholder feedback on this issue and advised next steps would include development and adoption into rule of specific standards focused on early learners, as well as test development activities that will ultimately result in creation of a new certification test. TEA staff anticipated presenting an update item to the SBEC at the March 2017 meeting.

Public testimony was provided by:
Dr. Sarah Baray, Pre-K 4 SA

Written testimony was provided by:
Dr. Christopher Brown
Mrs. Jacqueline Porter, Austin ISD
Ms. Sue Carpenter, United Way for Greater Austin
Mr. Robert Carreon, Teach for America

No action taken.

The SBEC Board recessed for lunch at 12:03 PM and reconvened at 12:37 PM.

10. Discussion of English Language Proficiency Requirements

Ms. McCoy and Ms. Perez presented this item to the Board. This item provided an opportunity for SBEC to discuss the English language proficiency requirements in 19 TAC 230.11 and the use of the current approved test, the Test of English as a Foreign Language (TOEFL). Written comments from Dr. Arturo Cavazos were shared with the SBEC since he could not be in attendance. Ms. McCoy asked for recommendations from Board members to include on a stakeholder committee to gather feedback on this item to present to the Board at the March 2017 SBEC meeting.

No action taken.

11. Discussion and Update Related to Educator Certification Testing Program

Ms. Cook presented this item to the Board. This item provided an update to the SBEC concerning the educator certification testing program.

No action taken.

12. Discussion and Update Related to Principal and Teacher Satisfaction Surveys for Accountability System for Educator Preparation Programs

Dr. Miller presented this item to provide the Board with an opportunity to discuss updating the principal survey by adopting an appraisal of beginning teachers that more closely aligns with the Texas Teacher Evaluation and Support System (T-TESS) rubric. This item also provided

an opportunity to discuss the development of teacher satisfaction surveys of new teachers. The principal survey and teacher satisfaction survey are factors in determining the performance of educator preparation programs (EPPs). The Board was provided a copy of the T-TESS rubric as well as a copy of the current principal survey questions.

No action taken.

13. Discussion and Update Related to Annual Report for Accountability System for Educator Preparation Programs

Dr. Vriesenga presented this item to provide the Board with an opportunity to discuss the 2014-2015 Accountability System for Educator Preparation Programs (ASEP) annual report. The ASEP annual report implements the reporting requirements of the Texas Education Code and Texas Administrative Code. The Board was provided with a draft of the 2014-2015 ASEP annual report.

No action taken.

14. Discussion of Upcoming Review of 19 TAC Chapter 231, Requirements for Public School Personnel Assignments and Chapter 245, Certification of Educators from Other Countries

Ms. Cook presented this item to the Board. This item provided the SBEC with an early conversation about the four-year rule review items that will be proposed at the March 2017 SBEC meeting. Ms. Cook briefly highlighted potential questions, issues, and concerns regarding both chapters.

No action taken.

15. Discussion and Update on New Federal Regulations for Teacher Preparation Programs

Dr. Miller presented this item to provide the Board with an opportunity to discuss new federal teacher preparation regulations. The intent of the new regulations is to bring transparency to the effectiveness of teacher preparation programs, provide programs with ongoing feedback to help them improve continuously, and respond to educators across the country who do not feel ready to enter the classroom after graduation. The Board was provided with components of the regulations that a representative group of stakeholders, TEA staff, and the Board will need to consider. The Board was also provided with a nomination form that will be used to select members of a representative group of stakeholders who will provide recommendations to TEA staff and the Board.

No action taken.

INFORMATION ONLY

16. Board Operating Policies and Procedures (BOPP)

Information only.

17. 2015 - 2018 Rule Review Plan for State Board for Educator Certification Rules

Information Only.

18. Requests from Board Members for Future Agenda Items

The following request was made:

Ms. Bricker requested an agenda item in 2017 on 19 TAC Chapter, 242, Superintendent Certificate to consider provisions for the non-traditional superintendent pathway.

19. Requests Received from the Board Since Last Meeting

None.

20. Adjournment

Ms. Druesedow adjourned the meeting at 2:19 PM.

The Board may go into closed session regarding any item on the agenda to the extent it is authorized to do so pursuant to the Texas Open Meetings Act, Texas Government Code, Chapter 551.