

STATE BOARD FOR EDUCATOR CERTIFICATION MEETING AGENDA

DECEMBER 6, 2024 AT 8:30 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:

Moment of Silence

Pledge of Allegiance

1. Call to Order

The State Board for Educator Certification (SBEC) convened its meeting at 8:32 AM on Friday, December 6, 2024.

All board members were present.

2. Associate Commissioner's Comments

Associate Commissioner Jessica McLoughlin welcomed the board and shared appreciation for the board and all stakeholders. Ms. McLoughlin also addressed the potential educator certification "test cheating scheme" in Harris County and how it is being addressed by the agency.

3. Public Comment

Public Commenters:

Kimberly Hughes, UTeach at UT-Austin
Elizabeth Rogers, Texas Counseling Association

CONSENT AGENDA

Ms. McCain presented this item to the Board. She explained the purpose and logistics of the consent agenda. The consent agenda took up agenda items 4 – 7. There was no public testimony on these items.

4. *Approve September 19-20, 2024 Meeting Minutes*

5. *Adoption of Proposed Amendments to 19 TAC Chapter 234, Military Service Members, Military Spouses, and Military Veterans*

This item provides the State Board for Educator Certification (SBEC) an opportunity to adopt the proposed amendments to 19 Texas Administrative Code (TAC) Chapter

234, Military Service Members, Military Spouses, and Military Veterans. The proposed amendments would add language specific to the Servicemembers Civil Relief Act (SCRA), allowing the portability of licenses for active-duty military service members or the spouse of a military service member and would provide technical edits to clarify existing language, alphabetize definitions, and remove duplicative language where necessary.

- 6. Adoption of Proposed Amendments to 19 TAC Chapter 228, Requirements for Educator Preparation Programs, Subchapter A, General Guidance, Subchapter D, Required Educator Coursework and Training, Subchapter E, Educator Candidate Clinical Experiences, and Subchapter F, Support for Candidates During Required Clinical Experiences**

This item provides the State Board for Educator Certification (SBEC) an opportunity to discuss and propose amendments to 19 Texas Administrative Code (TAC) Chapter 228, Requirements for Educator Preparation Programs, Subchapter A, General Guidance, Subchapter D, Required Educator Coursework and Training, Subchapter E, Educator Candidate Clinical Experiences, and Subchapter F, Support for Candidates During Required Clinical Experiences. The proposed amendments would further clarify requirements and definitions as applicable to support educator preparation programs (EPPs) and candidates in the successful implementation of these rules.

- 7. 2023-2024 Continuing Approval Reviews of Educator Preparation Programs**

This item provides the State Board for Educator Certification (SBEC) an opportunity to approve the following educator preparation programs (EPPs) for continuing approval for five years based on the results of the 2023-2024 reviews: Midwestern State University, Region 13 Education Service Center, Amberton University, University of Dallas, Trinity University, Stephen F. Austin State University, Teachworthy, Education Career Alternative Program (ECAP), 240 Certification, University of North Texas, Prairie View A&M University, Texas A&M University – Kingsville, Texas A&M University – San Antonio, Texas A&M University – Corpus Christi, Texas A&M University, iteachTEXAS, University of Texas – San Antonio, Houston ISD, Austin College, Concordia University, Region 2 Education Service Center, Jarvis Christian College, Arlington Baptist University, and Lone Star College.

Motion and Vote:

Motion was made by Dr. Muri to approve the consent agenda 4 – 7 as presented. Second was made by Ms. Glasscock and the Board voted unanimously in favor of the motion.

DISCUSSION AND ACTION

- 8. Proposed Revisions to 19 TAC Chapter 235, Classroom Teacher Certification Standards, Subchapter A, General Provisions, Subchapter B, Elementary School Certificate Standards, Subchapter C, Middle School Certificate Standards, and Subchapter D, Secondary School Certificate Standards**

Ms. Burkhart presented this item to the board. This item provided the State Board for Educator Certification (SBEC) an opportunity to discuss and propose revisions to 19 TAC Chapter 235, Classroom Teacher Certification Standards, Subchapter A, General Provisions, Subchapter B, Elementary School Certificate Standards, Subchapter C, Middle School Certificate Standards, and Subchapter D, Secondary School Certificate Standards. The revisions would repeal the current grade-banded classroom teacher pedagogy standards and replace them with the new Classroom Teacher Pedagogy standards.

Public Testimony:

Tricia Cave, ATPE
Carrie Griffith, TSTA
Kelsey Kling, Texas AFT
Dr. Veronica Yan, UT-Austin
Robert McCraw, teacher

Motion and Vote:

Motion was made by Dr. McFarland to approve the proposed amendments to 19 TAC Chapter 235, Classroom Teacher Certification Standards, Subchapter A, General Provisions, Subchapter B, Elementary School Certificate Standards, Subchapter C, Middle School Certificate Standards, and Subchapter D, Secondary School Certificate Standards, to be published as presented in the Texas Register. Second was made by Mr. Coleman. Board Members Brescia, Glasscock, MacDonald, Muri, Streepey, Torres, Weir, Coleman and McFarland voted in favor of the motion, Board Member Dvorak voted against, and Board Member Gore abstained; the motion passed.

9. Proposed Revisions to 19 TAC Chapter 231, Requirements for Public School Personnel Assignments, Subchapter F, Special Education-Related Services Personnel Assignments

Mr. Pitre and Ms. Torrey presented this item to the board. This item provides the State Board for Educator Certification (SBEC) an opportunity to discuss and propose revisions to 19 Texas Administrative Code (TAC) Chapter 231, Requirements for Public School Personnel Assignments, Subchapter F, Special Education-Related Services Personnel Assignments. The proposed revisions would provide requirements for school districts to make personnel assignment decisions based on the correlating certification and demonstration of content proficiency requirements. The proposed revisions would also expand the list of certificates appropriate for personnel serving in special education-related assignments and include a section dedicated to requirements for an assignment of Teachers of Students who are Deafblind.

Public Testimony:

Quinn McCall, TCTA
Tricia Cave, ATPE
Cassandra Hulsey, TCASE

Motion and Vote:

Motion was made by Dr. Muri to approve the proposed revisions to 19 TAC Chapter 231, Requirements for Public School Personnel Assignments, Subchapter F, Special Education-Related Services Personnel Assignments, to be published as presented in the Texas Register. Second was made by Dr. McFarland and the Board voted unanimously in favor of the motion.

10. Request to Approve Texas Teacher Residency Preparation Route for Educator Preparation Programs

Dr. Jody Moody presented this item. This item provides the State Board for Educator Certification (SBEC) an opportunity to approve Educator Preparation Programs (EPPs) to offer the Texas Teacher Residency Preparation Route resulting in the enhanced standard certificate.

Public Testimony:

Candace Hunter, Austin Community College
Josh Jones, Tarleton State University

Motion and Vote:

Motion was made by Dr. Muri to approve the recommended EPPs to offer the Texas Teacher Residency Preparation Route as presented. Second was made by Mr. Torres and the Board voted unanimously in favor of the motion.

11. Proposed Amendments to 19 TAC Chapter 249, Disciplinary Proceedings, Sanctions, and Contested Cases

This item was presented by Ms. Wolfe and Mr. Rodriguez. This item provides the State Board for Educator Certification (SBEC) an opportunity to discuss and propose amendments to 19 Texas Administrative Code (TAC) Chapter 249, Disciplinary Proceedings, Sanctions, and Contested Cases. The proposed amendments reflect the results of prior discussions on Chapter 249 by the SBEC, as well as multiple stakeholder engagement sessions, by amending the contract abandonment mitigating factors; amending the definition of solicitation to add grooming behaviors; updating the SBEC's mandatory minimum sanctions; updating the SBEC's mailing procedures to allow original petitions and default petitions to be sent via electronic mail; clarifying that all notices sent to comply with Texas Government Code, §2001.054, will be sent via certified or registered mail, removing the requirement that exceptions must be filed or an issue is waived; clarifying the erroneously issued certificate section to explicitly state that the cancellation of a certificate issued as the result of a Texas Education Agency (TEA) information technology (IT) error will not result in a contested case; and amending the SBEC's definition of abuse to mirror the definition of abuse found in Texas Family Code, Chapter 261, as well as additional technical edits.

Public Testimony:

Monty Exter, ATPE
Tricia Cave, ATPE
Martha Owen, Texas AFT

Motion and Vote:

Motion was made by Mr. Coleman to approve the proposed amendments to 19 TAC Chapter 249, Disciplinary Proceedings, Sanctions, and Contested Cases, Subchapter A, General Provisions, Subchapter B, Enforcement Actions and Guidelines, Subchapter C, Prehearing Matters, and Subchapter E, Post-Hearing Matters, as presented, to be published in the Texas Register. The motion was seconded by Ms. Weir.

An amendment to the main motion was made by Ms. Dvorak to strike the word “may” and restore the words “prima facie” from the definition of solicitation to the proposed amendments to 19 TAC Chapter 249 as presented. The amendment to the main motion failed without a second.

An amendment to the main motion was made by Ms. Dvorak to strike the word “may” and the words “prima facie” from the definition of solicitation to the proposed amendments to 19 TAC Chapter 249 as presented. This amendment to the main motion was seconded by Dr. Muri. Ms. Dvorak, Ms. Glasscock, Mr. Gore, Dr. Muri, Chair Streepey, and Ms. MacDonald voted in favor of the amendment. Mr. Coleman, Dr. McFarland, and Ms. Weir voted against. Mr. Torres abstained. The amendment to the motion passed.

Ms. Dvorak, Ms. Glasscock, Mr. Gore, Dr. Muri, Chair Streepey, and Ms. MacDonald voted in favor of the amended main motion. Mr. Coleman, Dr. McFarland, and Ms. Weir voted against. Mr. Torres abstained. The amended motion passed.

DISCIPLINARY CASES

12. Pending or Contemplated Litigation, including Disciplinary Cases

No Answer Defaults

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

Staff recommendation: 1-year suspension
2. In the Matter of Lindsey Holder; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: 1-year suspension
3. In the Matter of Michael Janak; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: 1-year suspension

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

Staff recommendation: 1-year suspension
5. In the Matter of Nicholas Ballesteros; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: Permanent Revocation and placement on Registry of Persons Not Eligible for Hire
6. In the Matter of Rafael Casanova; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: Permanent Revocation and placement on Registry of Persons Not Eligible for Hire
7. In the Matter of Julius Emanuel; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: Permanent Revocation and placement on Registry of Persons Not Eligible for Hire
8. In the Matter of J'Den Correy Hall; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: Permanent Revocation and placement on Registry of Persons Not Eligible for Hire
9. In the Matter of Jennifer Sue Hoelscher; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: Permanent Revocation and placement on Registry of Persons Not Eligible for Hire
10. In the Matter of Gregory S. Rooks; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: Permanent Revocation and placement on Registry of Persons Not Eligible for Hire
11. In the Matter of Ondre' Demond Cooper; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: 1-year suspension and proof of successful completion of a substance abuse treatment program

12. In the Matter of Tobi Lane Pearce; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: 1-year suspension and proof of successful completion of a substance abuse treatment program
13. In the Matter of Tommy Thompson; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: 1-year suspension and proof of successful completion of a substance abuse treatment program
14. In the Matter of Kathleen Marie Donataccio; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: 2-year suspension and proof of successful completion of a substance abuse treatment program
15. In the Matter of Zachary Byrd; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: 3-year suspension and proof of successful completion of a substance abuse treatment program
16. In the Matter of Joshua E. Bennett; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: 5-year suspension and proof of successful completion of a substance abuse treatment program
17. In the Matter of Michael Newman; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: 1-year suspension
18. In the Matter of David Wallace Baker; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: 2-year suspension
19. In the Matter of Rafael Solis; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: Revocation
20. In the Matter of Perla Villa; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: 5-year suspension

21. In the Matter of Maurice Adams Walker, Jr.; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: 5-year suspension

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

Staff recommendation: 10-year suspension and proof of successful completion of a substance abuse treatment program

23. In the Matter of Amy Lynn Sargent Brunell; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: Revocation

24. In the Matter of Tommie Ray Morgan; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: Permanent Revocation and placement on Registry of Persons Not Eligible for Hire

Motion and Vote:

Motion was made by Mr. Coleman to grant staff's request for Issuance of Default of Judgement on all cases numbered 1-24 on the agenda, except numbers 3, 12, 13, 17, 19, 21, and 23 and issue Final Orders consistent with staff's recommendations. Second was made by Ms. Dvorak and the Board voted unanimously in favor of the motion.

Motion and Vote:

Motion was made by Chair Streepey to grant staff's request for Issuance of Default Judgement and enter a Final Order issuing a sanction of a two-year suspension and completion of a substance abuse program on default case number 12. Second was made by Ms. Dvorak and the Board voted unanimously in favor of the motion.

Motion and Vote:

Motion was made by Chair Streepey to grant staff's request for Issuance of Default Judgement and enter a Final Order issuing a sanction of a two-year suspension and completion of a substance abuse program on default case number 13. Second was made by Mr. Gore and the Board voted unanimously in favor of the motion.

Motion and Vote:

Motion was made by Chair Streepey to grant staff's request for Issuance of Default Judgement and enter a Final Order issuing a sanction of a two-year suspension on default case number 17. Second was made by Ms. Weir and the Board voted unanimously in favor of the motion.

Motion and Vote:

Motion was made by Chair Streepey to grant staff's request for Issuance of Default Judgement and enter a Final Order issuing a sanction of permanent of revocation on default case number 19. Second was made by Mr. Coleman and the Board voted unanimously in favor of the motion.

Motion and Vote:

Motion was made by Chair Streepey to grant staff's request for Issuance of Default Judgement and enter a Final Order issuing a sanction of permanent of revocation on default case number 23. Second was made by Mr. Torres and the Board voted unanimously in favor of the motion.

SOAH Defaults

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

Staff recommendation: 1-year suspension

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

Staff recommendation: Permanent Revocation and placement on Registry of Persons Not Eligible for Hire

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

Staff recommendation: Permanent Revocation and placement on Registry of Persons Not Eligible for Hire

Motion and Vote:

Motion was made by Mr. Coleman to grant staff's request for Issuance of SOAH Default Judgement and enter Final Orders consistent with Staff's recommendation in SOAH Default Cases 1-3, as listed on the agenda. Second was made by Ms. Dvorak and the board voted unanimously in favor of the motion.

Contested Cases

Proposals for Decision

1. Docket No. 701-24-12814.EC, Texas Education Agency, Educator Preparation, Certification, and Enforcement Division v. Santiago Salazar, Jr.; Action to be taken: Consideration of Proposal for Decision and Issuance of Final Order.

ALJ Recommendation: No disciplinary action to be taken

Staff Recommendation: Accept ALJ recommendation

2. Docket No. 701-24-10998.EC, Texas Education Agency, Educator Preparation, Certification, and Enforcement Division v. Cassanthia Penn; Action to be taken: Consideration of Proposal for Decision and Issuance of Final Order.

ALJ Recommendation: No disciplinary action to be taken

Staff Recommendation: Accept ALJ recommendation

Motion and Vote:

Motion was made by Mr. Coleman in the case of Docket No. 701-24-12814.EC, State Board for Educator Certification v. Santiago Salazar, to accept the Proposal for Decision and Issue a Final Order consistent with the ALJ's recommendation. Second was made by Mr. Torres and the board voted unanimously in favor of the motion.

Motion and Vote:

Motion was made by Mr. Coleman in the case of Docket No. 701-21-10998.EC, State Board for Educator Certification v. Cassanthia Penn, to accept the Proposal for Decision and Issue a Final Order consistent with the ALJ's recommendation. Second was made by Mr. Torres and the board voted unanimously in favor of the motion.

DISCUSSION ONLY

13. Discussion of Proposed Revisions to 19 TAC Chapter 235, Classroom Teacher Certification Standards, Subchapter G, Special Education Certificate Standards

This item was presented by Mr. Pitre and Ms. Torrey. This item provides the State Board for Educator Certification (SBEC) an opportunity to discuss a proposed amendment to 19 TAC Chapter 235, Classroom Teacher Certification Standards, Subchapter G, Special Education Certificate Standards. The proposed amendment would implement the statutory requirements of House Bill 2256, 87th Texas Legislature, Regular Session, 2021. The proposed amendment would define the educator standards for the Bilingual Special Education certificate as recommended by the SBEC-approved educator standards advisory committee.

Public Testimony:

Lizdelia Pinon, Intercultural Development Research Association

INFORMATION ONLY

14. Update of State Board for Educator Certification Enabling Legislation

15. Board Operating Policies and Procedures (BOPP)

16. 2023–2026 Rule Review Plan for State Board for Educator Certification Rules

17. Adjournment

The State Board of Educator Certification adjourned at 2:20pm on December 6, 2024.

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. The presiding officer of the Board intends to be physically present in Room 1-104, William B. Travis Building, 1701 North Congress Avenue. Some members may attend via videoconferencing.