

STATE BOARD FOR EDUCATOR CERTIFICATION

MEETING AGENDA

DECEMBER 7, 2023 AT 1:00 PM &

DECEMBER 8, 2023 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 1:05 PM on Thursday, December 7, 2023.

Present on Thursday, December 7, 2023: Dr. Robert Brescia, Dr. Veronica Galvan, Ms. Julia Dvorak, Dr. Michael McFarland, Dr. Scott Muri, Ms. Bena Glasscock, Dr. Emma Gelsinger, Ms. Kelvey Oeser, Dr. Alma Rodriguez, Ms. Jean Streepey, and Mr. Josue Tamarez Torres.

Absent on Thursday, December 7, 2023: Mr. Tommy Coleman, Mr. Rex Gore, Ms. Courtney MacDonald, and Ms. Cristina Galindo

The SBEC recessed at 5:43 PM on Thursday, December 8, 2023 and re-convened at 8:33 AM on Friday, December 8, 2023.

Present on Friday, December 8, 2023: Dr. Robert Brescia, Dr. Veronica Galvan, Ms. Julia Dvorak, Dr. Michael McFarland, Dr. Scott Muri, Ms. Bena Glasscock, Dr. Emma Gelsinger, Ms. Kelvey Oeser, Dr. Alma Rodriguez, Ms. Jean Streepey, Mr. Tommy Coleman, Mr. Rex Gore, and Mr. Josue Tamarez Torres.

Absent on Friday, December 8, 2023: Ms. Courtney MacDonald and Ms. Cristina Galindo

2. Associate Commissioner's Comments Regarding the SBEC Agenda

Ms. Garcia thanked the Texas Education Agency (TEA) staff for their coordination and organization, and Board members for preparing and reviewing materials before meetings.

3. Public Comment

Dr. Michael Vriesenga – UTSA
Dr. Crystal Dail Rose – Tarleton State University
Rebecca Tuggle – Tarleton State University

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 – 6 with no discussion.

4. Request to Approve September 29, 2023 Meeting Minutes

5. Adoption of Proposed Amendments to 19 TAC Chapter 232, General Certification Provisions, Subchapter A, Certificate Renewal and Continuing Professional Education Requirements, §232.7, Requirements for Certificate Renewal, and §232.11, Number and Content of Required Continuing Professional Education Hours

This item provides the State Board for Educator Certification (SBEC) an opportunity to discuss and propose amendments to 19 Texas Administrative Code (TAC) Chapter 232, General Certification Provisions, Subchapter A, Certificate Renewal and Continuing Professional Education Requirements, §232.7, Requirements for Certificate Renewal, and §232.11, Number and Content of Required Continuing Professional Education Hours. The proposed amendments would provide minor technical edits to clarify the existing hardship exemption processes established in rule, would implement the statutory requirements of House Bill (HB) 2929, 88th Texas Legislature, Regular Session, 2023, and would update the continuing professional education (CPE) training requirements to remove the limit on certain professional development hours that can be completed by classroom teachers and school counselors every five years for the purposes of standard certificate renewal.

6. Adoption of Proposed Revisions 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 discuss and propose revisions to 19 Texas Administrative Code (TAC) Chapter 234, Military Service Members, Military Spouses, and Military Veterans. The proposed revisions would implement Senate Bills (SBs) 422 and 544 and House Bill (HB) 621, 88th Texas Legislature, Regular Session, 2023. The proposed revisions would add military service members as being eligible to receive several of the provisions in place for military spouses; would add provisions to issue a three-year temporary certificate to eligible military veterans, peace officers, fire protection personnel, and emergency medical services personnel; and would also add provisions for the issuance of a one-year temporary certificate to certain instructors for the Community College of the Air Force.

Motion and vote:

Motion was made by Dr. Muri to approve consent agenda items 4 - 6. Second was made by Ms. Dvorak and the Board voted unanimously in favor of the motion.

DISCUSSION AND ACTION

7. Election of State Board for Educator Certification Officers

Ms. McCain presented this item to the Board. She explained the purpose and logistics of electing new SBEC officers.

Mr. Coleman nominated Ms. Streepey for SBEC Chair. Ms. Streepey was elected Chair by acclamation.

Ms. Streepey nominated Dr. Muri for SBEC Vice-Chair. Dr. Muri was elected Vice-Chair by acclamation.

Ms. Streepey nominated Mr. Coleman for SBEC Secretary. Mr. Coleman was elected Secretary by acclamation.

8. 2022-2023 Continuing Approval Reviews of Educator Preparation Programs.

Ms. Ayers presented this item to the Board. Ms. Ayers shared that this item provides the board an opportunity to approve educator preparation programs (EPPs) for continuing approval for five years based on the results of the 2022-2023 reviews. Ms. Ayers gave an overview of the approval process as outlined in the SBEC rules and possible review outcomes. The programs recommended for approval were: Region 20 Education Service Center, University of Texas – Dallas, University of Texas – Tyler, St. Mary's University, LeTourneau University, and Schreiner University.

Motion and vote:

Motion was made by Dr. McFarland to approve the programs as presented for a 5-year renewal of approval. Second was made by Ms. Dvorak and the Board voted unanimously in favor of the motion.

At 1:24pm, the SBEC went into closed Executive Session, pursuant to Texas Government Code §551.071 to obtain the advice of legal counsel.

At 3:12pm, the SBEC reconvened Open Session. No action was taken during Executive Session.

9. Proposed Repeal of 19 TAC Chapter 228, Requirements for Educator Preparation Programs, and New 19 TAC Chapter 228, Requirements for Educator Preparation Programs

Ms. McLoughlin and Ms. Cook presented this item to the Board. Ms. McLoughlin began by providing a larger context for understanding the goal of this item. Ms. McLoughlin explained that the basis for the proposed repeal of 19 TAC Chapter 228 is centered around two goals: To propose a slate of new certificates and aligned certifications as part of the SBEC's broader certification redesign, and to acknowledge that new certificates and certification exams impact a variety of other requirements down the line, including admissions, coursework/training, and personnel assignment requirements. Ms. McLoughlin then outlined the related items that the board will hear more about in the meeting that correlate with the proposed repeal of 19 TAC Chapter 228.

Ms. McLoughlin continued to explain that the proposed repeal of and new 19 TAC Chapter 228 would reorganize the chapter to allow for improved readability; would implement legislation; and would include technical updates to remove outdated provisions; would incorporate components of the Effective Preparation Framework and provisions specific to the Residency Certificate; and would reflect stakeholder feedback to further strengthen the rules.

Public Testimony:

Dr. Robert DeHaas – Dallas College School of Education

Mrs. Katie Eisel – Teach Us

Ms. Elizabeth Bonilla – ESC 19

Dr. Michael Vriesenga – UTSA

Mr. Michael Marder – Uteach

Dr. Suzanne Nesmith – TCEP

Dr. Rae Queen – Teachworthy

Dr. Diann Huber – iTeach Texas

Ms. Julie Riedel – TAMU-SA and CAST Schools

Dr. Nicole Mischnick – Tarleton State University

Yakelin Calvillo Uribe – TAMU-SA

Benjamin Francis – TAMU-SA and CAST Schools

Dr. Joshua Jones – Tarleton State University

Motion and vote:

Motion was made by Dr. Muri to approve the proposed repeal of and new 19 TAC Chapter 228, Requirements for Educator Preparation Programs, to be published as presented in the Texas Register. Second was made by Ms. Dvorak and the Board voted unanimously in favor of the motion.

10. Proposed Amendments to 19 TAC Chapter 233, Categories of Classroom Teaching Certificates

Ms. McLoughlin and Ms. Cook presented this item to the Board. Ms. Cook began by explaining that this item will add new certificate names, including timeline for issuance, to 19 TAC Chapter 233. Ms. Cook explained that currently, Chapter 233 lists sixteen classroom teaching certificates as issued by the SBEC; The proposed amendments would add five new Core Subjects certificates into rule. The proposed amendments would also add a new Bilingual Special Education certificate into rule, implementing provisions specified in legislation.

Motion and vote:

Motion was made by Dr. McFarland to approve the proposed amendments to 19 TAC Chapter 233, Categories of Classroom Teaching Certificates, to be published as presented in the Texas Register. Second was made by Ms. Dvorak and the Board voted unanimously in favor of the motion.

11. Proposed Amendments to 19 TAC Chapter 239, Student Services Certificates, Subchapter A, School Counselor Certificate, §239.20, Requirements for Issuance of the Standard School Counselor Certificate

Ms. Ayers presented this item to the Board. Ms. Ayers explained that the proposed amendment would implement the statutory requirement of Senate Bill (SB) 798, 88th Texas Legislature, Regular Session, 2023, and would update the certificate issuance rules to remove the requirement that an individual must have two years of classroom teaching experience to receive a school counselor certificate.

There was discussion amongst the SBEC sharing a desire to consider bringing counseling certification requirements forward in the future as a Discussion item. The board, however, agreed that the particular item at hand must be considered independently in order to satisfy legislative requirements.

Public Testimony:

Dr. Elizabeth Rogers – Texas Counseling Association

Motion and vote:

Motion was made by Dr. McFarland to approve the proposed amendment to 19 TAC Chapter 239, Student Services Certificates, Subchapter A, School Counselor Certificate, §239.20, Requirements for Issuance of the Standard School Counselor Certificate, to be published in the Texas Register. Second was made by Ms. Dvorak and the Board voted unanimously in favor of the motion.

12. Proposed Amendments to 19 TAC Chapter 230, Professional Educator Preparation and Certification, Subchapter A, General Provisions, Subchapter C, Assessment of Educators, Subchapter D, Types and Classes of Certificates Issued, and Subchapter G, Certificate Issuance Procedures

Ms. McLoughlin and Ms. Burkhart presented this item to the board. Ms. Burkhart explained that the proposed amendments in this item would add certification exams to align corresponding new certificates as outlined in the proposed amendments to 19 TAC Chapter 233. The proposed amendments would redefine Pilot Exam; would provide a technical edit to align with the titles in subsections; would specify the timeline by which a passing score on a certification exam can be used for certification purposes; would decrease the number of days to request a test limit waiver after an unsuccessful examination attempt; would update the figure specifying the required pedagogy and content pedagogy certification exams for issuance of the probationary or standard certificate; would remove certificate categories and examinations that are no longer operational; would establish an Enhanced Standard Certificate and the associated fees; and would update the list of ineligible certification by examination certificates to include the Deafblind: Early Childhood-Grade 12 certificate.

Public Testimony:

Dr. Joshua Jones – Tarleton State University

Kelsey Kling – Texas Coalition for Ed Prep

Motion and vote:

Motion was made by Dr. Muri to approve the proposed revisions to 19 TAC Chapter 230, Professional Educator Preparation and Certification, Subchapter A, General Provisions, Subchapter C, Assessment of Educators, Subchapter D, Types and Classes of Certificates Issued, and Subchapter G, Certificate Issuance Procedures, to be published as presented in the Texas Register.

DISCIPLINARY CASES

13. Pending or Contemplated Litigation, including Disciplinary Cases

A. Defaults

No Answer Defaults

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

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

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

Staff recommendation: 1-year suspension
4. In the Matter of Jacob Devers; Action to be taken: Consideration of Issuance of Default Judgment

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

Staff recommendation: 1-year suspension
6. In the Matter of Jennifer Fenn a/k/a Jennifer Christian; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: 1-year suspension
7. In the Matter of Pamela Truong a/k/a Pamela Shin; Action to be taken: Consideration of Issuance of Default Judgment

- Staff recommendation: 1-year suspension
8. In the Matter of Steffani Nguyen; Action to be taken: Consideration of Issuance of Default Judgment
- Staff recommendation: 1-year suspension
9. In the Matter of Stephanie Hollis; Action to be taken: Consideration of Issuance of Default Judgment
- Staff recommendation: 1-year suspension
10. In the Matter of Tom P. Horn; Action to be taken: Consideration of Issuance of Default Judgment
- Staff recommendation: 1-year suspension
11. In the Matter of Aaron Orr; Action to be taken: Consideration of Issuance of Default Judgment
- Staff recommendation: Permanent Revocation
12. In the Matter of Christian Acuna Buitrago; Action to be taken: Consideration of Issuance of Default Judgment
- Staff recommendation: Permanent Revocation
13. In the Matter of Ebbie Lisenbe, Jr.; Action to be taken: Consideration of Issuance of Default Judgment
- Staff recommendation: Permanent Revocation
14. In the Matter of Jose Granados Peon; Action to be taken: Consideration of Issuance of Default Judgment
- Staff recommendation: Permanent Revocation
15. In the Matter of Shawn Stanley; Action to be taken: Consideration of Issuance of Default Judgment
- Staff recommendation: Permanent Revocation
16. In the Matter of Troy May; Action to be taken: Consideration of Issuance of Default Judgment
- Staff recommendation: 2-year suspension

17. In the Matter of Brandon Wyatt Boyd; Action to be taken: Consideration of Issuance of Default Judgment
Staff recommendation: Permanent Revocation
18. In the Matter of Christopher Pugh; Action to be taken: Consideration of Issuance of Default Judgment
Staff recommendation: Permanent Revocation
19. In the Matter of Juan J. Silva; Action to be taken: Consideration of Issuance of Default Judgment
Staff recommendation: Permanent Revocation
20. In the Matter of Michael Anderson; Action to be taken: Consideration of Issuance of Default Judgment
Staff recommendation: Permanent Revocation
21. In the Matter of Kierra Queshanda Moore; Action to be taken: Consideration of Issuance of Default Judgment
Staff recommendation: Revocation
22. In the Matter of Jarra R. Presley; Action to be taken: Consideration of Issuance of Default Judgment
Staff recommendation: Revocation
23. In the Matter of Lynsey Caskey; Action to be taken: Consideration of Issuance of Default Judgment
Staff recommendation: Revocation
24. In the Matter of Michael Gomez; Action to be taken: Consideration of Issuance of Default Judgment
Staff recommendation: 3-year suspension
25. In the Matter of Christina Fell; Action to be taken: Consideration of Issuance of Default Judgment
Staff recommendation: 2-year suspension
26. In the Matter of William Kelly; Action to be taken: Consideration of Issuance of Default Judgment

- Staff recommendation: 2-year suspension
27. In the Matter of Reynaldo Villa; Action to be taken: Consideration of Issuance of Default Judgment
- Staff recommendation: 1-year suspension
28. In the Matter of Heath McFadden; Action to be taken: Consideration of Issuance of Default Judgment
- Staff recommendation: Revocation
29. In the Matter of Matt Aaron Wilmore; 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
30. In the Matter of Corrine Saenz; 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
31. In the Matter of Crystal Lee England; 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
32. In the Matter of Nicolas Retana; Action to be taken: Consideration of Issuance of Default Judgment
- Staff recommendation: Revocation
33. In the Matter of Willie Burton; Action to be taken: Consideration of Issuance of Default Judgment
- Staff recommendation: Revocation
34. In the Matter of Katherine Rogers; Action to be taken: Consideration of Issuance of Default Judgment
- Staff recommendation: 2-year suspension
35. In the Matter of Josefa Montgomery; Action to be taken: Consideration of Issuance of Default Judgment

- Staff recommendation: 2-year suspension
36. In the Matter of Lainie Etie; Action to be taken: Consideration of Issuance of Default Judgment
- Staff recommendation: Revocation
37. In the Matter of Ruben Vasquez; Action to be taken: Consideration of Issuance of Default Judgment
- Staff recommendation: Revocation
38. In the Matter of Cailin Daugherty; Action to be taken: Consideration of Issuance of Default Judgment
- Staff recommendation: 10-year suspension
39. In the Matter of Catherine Michelle Trichel; Action to be taken: Consideration of Issuance of Default Judgment
- Staff recommendation: 5-year suspension
40. In the Matter of Jennifer Clemans; Action to be taken: Consideration of Issuance of Default Judgment
- Staff recommendation: 5-year suspension
41. In the Matter of Jacquelyn Henry; Action to be taken: Consideration of Issuance of Default Judgment
- Staff recommendation: 1-year suspension

Motion and vote:

Motion was made by Ms. Glasscock to grant staff's request for the issuance of default judgement on cases numbered 1-13 and 15-41 and issue final orders consistent with staff's recommendations. Second was made by Mr. Coleman, and the Board voted unanimously in favor of the motion.

Mr. Tamarez-Torres recused himself from deliberating and voting on case number 14.

Motion and vote:

Motion was made by Mr. Coleman to grant staff's request for the issuance of default judgement on case number 14 and issue a final order consistent with staff's recommendation. Second was made by Ms. Dvorak, and the Board voted unanimously in favor of the motion.

SOAH Defaults

1. In the Matter of Claudia Regalado-Orellana; Action to be taken: Consideration of Issuance of Default Judgment

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

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

Staff recommendation: Denial of Certificate
4. In the Matter of Samuel Hayes; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: 4-year suspension

Motion and vote:

Motion was made by Mr. Coleman to grant staff's request for the issuance of SOAH default judgments 1-4 and enter a final order consistent with staff's recommendation. Second was made by Dr. McFarland, and the Board voted unanimously in favor of the motion.

B. Contested Cases

Proposals for Decision

1. Docket No. 701-23-14703.EC, Texas Education Agency, Educator Preparation, Certification, and Enforcement Division v. Gardenia Soberanis Gonzalez a/k/a Gardenia Gallegos; Action to be taken: Consideration of Proposal for Decision and Issuance of Final Order.

ALJ Recommendation: sanction ranging from continuing education or training to an inscribed or non-inscribed reprimand.

Staff Recommendation: 11-month suspension

Mr. Ybarra represented TEA staff. Ms. Soberanis Gonzales a/k/a Gallegos represented herself.

Motion and vote:

Motion was made by Mr. Coleman that the Board adopt the Proposal for Decision including Findings of Fact Nos. 1 – 22 and Conclusions of Law Nos. 1 – 12. I move that the Board

delete Conclusion of Law No. 14 and that the Board modify Conclusion of Law No. 13 as follows:

13. Respondent should be sanctioned with an eleven-month suspension of her teaching certificate.

This modification of sanction is permissible pursuant to Texas Government Code §2001.058(e) and is necessary because the Administrative Law Judge did not properly apply Board rules or policies.

As the ALJ noted in Conclusion of Law No. 8, Respondent did not have good cause to resign from her contract without the consent of the district's board of trustees. The ALJ unjustly relies on Findings of Fact No. 10, 18 and 19 to establish mitigating factors. Further, the Board has never considered stress and anxiety about a position without supporting medical documentation to be a mitigating factor. Similarly, the Board has never considered the open teacher positions across the state or the impact to the subsequent district of a suspension to be a mitigating factor.

While the Administrative Law Judge recommended an inscribed or non-inscribed reprimand, that is insufficient to deter other educators from abandoning their contracts without good cause.

The Administrative Law Judge's recommended sanction of continuing education or training, or an inscribed or non-inscribed reprimand, is insufficient because a non-inscribed reprimand does not appear on an educator's public-facing certification record, and is not visible to school districts, parents, or other educators. It therefore cannot achieve the Board's goals of protecting the safety and welfare of school children, upholding the public trust, and deterring future violations. Continuing education or training is also not appropriate as there is no further training Respondent can undertake which would educate her to not abandon her teaching contract. The appropriate sanction is a suspension, which is visible on the face of the educator's certificate to inform the public and deter other educators from engaging in similar conduct.

The Board has discretion to determine the penalty in educator discipline cases. This modification is supported by the Findings of Fact and Conclusions of Law adopted herein.

Second was made by Dr. Muri and Dr. Brescia, Dr. Galvan, Ms. Dvorak, Dr. McFarland, Ms. Glasscock, and Ms. Streepey voted in favor. Mr. Gore abstained and Mr. Torres voted against. The motion passed.

2. Docket No. 701-23-16711.EC, Texas Education Agency, Educator Preparation, Certification, and Enforcement Division v. David Garcia; Action to be taken: Consideration of Proposal for Decision and Issuance of Final Order.

ALJ Recommendation: sanction ranging from continuing education or training to an inscribed or non-inscribed reprimand.

Staff Recommendation: 11-month suspension

Motion and vote:

Motion was made by Mr. Coleman that the Board adopt the Proposal for Decision including Findings of Fact Nos. 1 – 20 and Conclusions of Law Nos. 1 – 9. I move that the Board delete Conclusion of Law No. 11 and modify Conclusion of Law No. 10 as follows:

10. Respondent should be sanctioned with an eleven-month suspension of his teaching certificate.

This modification of sanction is permissible pursuant to Texas Government Code §2001.058(e) and is necessary because the Administrative Law Judge did not properly apply Board rules and policies.

As the ALJ noted in Conclusion of Law No. 7, Respondent did not have good cause or consent to resign from his contract with MVIDS. The ALJ unjustly relies on Findings of Fact No. 3 – 8 and 14 – 17 to establish mitigating factors. However, the Board has never considered dissatisfaction with the teaching assignment to be considered a mitigating factor. The Texas Education Code authorizes superintendents and campus principals to determine campus placements for teachers and staff as part of school district management. TEX. EDUC. CODE §11.202; Tex. Atty. Gen. Op. No. DM-0027 (1991). Every Texas educator's contract, including Respondent's, clearly states that the educator is subject to assignment and reassignment. Educators may have an expectation of which campus, grade level or subject matter they may be teaching, but it is all subject to change based on student enrollment and needs. Campus assignment decisions are made to meet instructional needs, at the unilateral discretion of school district administrators. The Texas Education Code has already determined that an educator's feelings about teaching in a school environment that the educator would not have chosen for themselves are irrelevant to the teacher's obligation to remain in the assignment and fulfill the teacher's contract.

Similarly, the Board has never considered the number of open teacher positions across the state or the impact to the subsequent district of a suspension to be mitigating factors.

The Administrative Law Judge's recommended sanction of continuing education or training, or an inscribed or non-inscribed reprimand, is insufficient because a non-inscribed reprimand does not appear on an educator's public-facing certification record, and is not visible to school districts, parents, or other educators. It therefore cannot achieve the Board's goals of protecting the safety and welfare of school children, upholding the public trust, and deterring future violations. Continuing education or training is also not appropriate as there is no further training Respondent can undertake which would educate him to not abandon his teaching contract. The appropriate sanction is a suspension, which is visible on the face of the educator's certificate to inform the public and deter other educators from engaging in similar conduct.

The Board has discretion to determine the penalty in educator discipline cases. This modification is supported by the Findings of Fact and Conclusions of Law adopted herein.

The SBEC rules set out a one-year minimum sanction for contract abandonment absent any mitigating factors. The ALJ found that Respondent did not have good cause and abandoned his contract. The ALJ also found that Respondent engaged in good faith

communication with the district—a mitigating factor. As such, the sanction should be an eleven-month suspension.

Second was made by Dr. Muri, and the Board voted unanimously in favor of the motion.

3. Docket No. 701-23-17093.EC, Texas Education Agency, Educator Preparation, Certification, and Enforcement Division v. Erica Williams; Action to be taken: Consideration of Proposal for Decision and Issuance of Final Order.

ALJ Recommendation: no sanction or a non-inscribed reprimand.

Staff Recommendation: Accept ALJ recommendation for a non-inscribed reprimand

Ms. Gokhale, represented TEA staff; Ms. Williams represented herself.

Motion and vote:

Motion was made by Dr. McFarland that the Board accept the Proposal for Decision and Exceptions Letter and Issue a Final Order consistent with the ALJ's recommendation. Ms. Williams' should receive a non-inscribed reprimand on her educator certificates.

Second was made by Ms. Dvorak, and the Board voted unanimously in favor of the motion.

4. Docket No. 701-23-20943.EC, Texas Education Agency, Educator Preparation, Certification, and Enforcement Division v. Jennifer Lindner; Action to be taken: Consideration of Proposal for Decision and Issuance of Final Order.

ALJ Recommendation: 1-year suspension

Staff Recommendation: Accept ALJ Recommendation

Motion and vote:

Motion was made by Mr. Coleman that the Board accept the Proposal for Decision and Issue a Final Order consistent with the ALJ's recommendation. Ms. Lindner's educator certificates should be suspended for one year. Second was made by Ms. Glasscock, and the Board voted unanimously in favor of the motion.

5. Docket No. 701-23-19235.EC, Texas Education Agency, Educator Preparation, Certification, and Enforcement Division v. Amanda Gordon; Action to be taken: Consideration of Proposal for Decision and Issuance of Final Order.

ALJ Recommendation: 1-year suspension with completion of an alcohol treatment program

Staff Recommendation: Accept ALJ recommendation

Motion and vote:

Motion was made by Mr. Coleman that the Board accept the Proposal for Decision and Issue a Final Order consistent with the ALJ's recommendation. Ms. Gordon's educator certificates should be suspended for one year and she should complete an alcohol treatment program. Second was made by Dr. McFarland, and the board voted unanimously in favor of the motion.

6. Docket No. 701-22-03357.EC, Texas Education Agency, Educator Preparation, Certification, and Enforcement Division v. Jayme Langford; Action to be taken: Consideration of Proposal for Decision and Issuance of Final Order.

ALJ Recommendation: No disciplinary action should be taken

Staff Recommendation: Accept ALJ recommendation

Motion and vote:

Motion was made by Dr. McFarland that the Board accept the Proposal for Decision and Issue a Final Order consistent with the ALJ's recommendation that no disciplinary action be taken against Ms. Langford's educator certificates. Second was made by Ms. Dvorak, and the board voted unanimously in favor of the motion.

7. Docket No. 701-23-19859.EC, Texas Education Agency, Educator Preparation, Certification, and Enforcement Division v. Frank Hernandez; Action to be taken: Consideration of Proposal for Decision and Issuance of Final Order.

ALJ Recommendation: No disciplinary action should be taken

Staff Recommendation: Accept ALJ recommendation

Motion and vote:

Motion was made by Mr. Coleman that the Board accept the Proposal for Decision and Issue a Final Order consistent with the ALJ's recommendation that no disciplinary action be taken against Mr. Hernandez's educator certificates. Second was made by Ms. Glasscock, and the Board voted unanimously in favor of the motion.

C. Court Cases

District Court Cases

1. Bradley Keith Bowen v. State Board for Educator Certification; No. 23-0847; In the Supreme Court of Texas, on Appeal from Cause No. 07-22-00190-CV, In the Seventh Court of Appeals on Appeal from Cause No. D-1-GN-18-004203, In the 98th District Court of Travis County, Texas.
2. Texas Education Agency, State Board for Educator Certification, Emily Garcia, Mike Morath, and Calvin Stocker v. A+ Texas Teachers; No. 03-23-00318-CV, In the Third

DISCUSSION ONLY

14. Discussion of Proposed Amendments to 19 TAC Chapter 227, Provisions for Educator Preparation Candidates

Ms. Burkhart and Mr. Pitre presented this item to the Board. Mr. Pitre began by explaining that the proposed amendments make conforming changes to the Chapter 227 rules given proposed updates to Chapter 228, Educator Preparation Program Requirements and Chapter 230, Professional Educator Preparation and Certification. The primary proposed changes include updates to the Pre-Admission Content Test (PACT) figure to include the proposed new certificates and aligned PACT exams, including proposed cut scores.

There was no public testimony.

15. Discussion of Proposed Revisions to 19 TAC Chapter 231, Requirements for Public School Personnel Assignments, Subchapter B, Prekindergarten-Grade 6 Assignments, Subchapter C, Grades 6-8 Assignments, Subchapter E, Grades 9-12 Assignments, and Subchapter F, Special Education-Related Services Personnel Assignments

Ms. Cook and Ms. McLoughlin presented this item to the Board. Ms. Cook began by explaining that Chapter 231 deals with requirements for public school personnel assignments and that the rules being discussed provide requirements relating to the criteria for school districts to make personnel assignments based on the correlating certification requirements. The proposed amendments will add new certificates into relevant chapters and will also address special education certification. The proposed amendments are necessary to expand certificate offerings appropriate for assignments requiring demonstration of proficiency in the science of teaching reading and other course assignments. Proposed amendments would also expand the list of certificates appropriate for personnel serving in special education-related assignments. It was stated that this item will be a Discussion Item again in February.

Public Testimony:

Holly Eaton – TCTA

Ms. Kelly Morrison – Amarillo ISD

Dr. Andrew Chevalier – TCASE

Rachel Collins – Texas Deafblind Project

Ms. Kate Borg – Texas School for Blind & Visually Impaired

Mrs. Kaycee Bennett – Texas Deafblind Project

INFORMATION ONLY

16. Update of State Board for Educator Certification Enabling Legislation

17. Board Operating Policies and Procedures (BOPP)

18. 2023–2026 Rule Review Plan for State Board for Educator Certification Rules

19. Adjournment

Chair Streepey adjourned the meeting at 12:22 PM.

20. Statutory Citations

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.