

STATE BOARD FOR EDUCATOR CERTIFICATION

MEETING AGENDA

APRIL 26, 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 8:34 AM on Friday, April 26, 2024.

Present on Friday, April 26, 2024: Dr. Robert Brescia, Mr. Tommy Coleman, Dr. Veronica Galvan, Ms. Julia Dvorak, Dr. Michael McFarland, Dr. Scott Muri, Ms. Bena Glasscock, Dr. Emma Gelsinger, Ms. Kelvey Oeser, Ms. Jean Streepey, Ms. Courtney MacDonald, Alma Rodriguez, Ms. Bobbie Lynn Weir, and Mr. Josue Tamarez Torres.

2. Associate Commissioner's Comments

Ms. Garcia provided an update to the board on Teacher Employment, Hiring, and Attrition Date.

3. Public Comment

There were no public commenters.

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 – 10. There was no public testimony on the consent agenda.

4. ***Request to Approve February 16, 2024 Meeting Minutes***
5. ***Proposed Review of 19 TAC Chapter 231, Requirements for Public School Personnel Assignments***

Texas Government Code, §2001.039 establishes a four-year rule review cycle for all state agency rules, including State Board for Educator Certification (SBEC) rules. This item presents for SBEC approval the proposed review of 19 Texas Administrative Code (TAC) Chapter 231, Requirements for Public School Personnel Assignments. The rules being reviewed provide requirements relating to the criteria for school districts to make personnel assignments based on the correlating certification requirements.

6. ***Proposed Review of 19 TAC Chapter 234, Military Service Members, Military Spouses, and Military Veterans***

Texas Government Code, §2001.039 establishes a four-year rule review cycle for all state agency rules, including State Board for Educator Certification (SBEC) rules. This item presents for SBEC approval the proposed review of 19 Texas Administrative Code (TAC) Chapter 234, Military Service Members, Military Spouses and Military Veterans. The rules being reviewed provide requirements relating to preparation, testing, certification, and renewal requirements for all members of the military community.

7. ***Proposed Review of 19 TAC 245, Certification of Educators from Other Countries***

Texas Government Code, §2001.039 establishes a four-year rule review cycle for all state agency rules, including State Board for Educator Certification (SBEC) rules. This item presents for SBEC approval the proposed review of 19 Texas Administrative Code (TAC) Chapter 245, Certification of Educators from Other Countries. The rules being reviewed provide requirements relating to the certification of Texas educators from other countries.

8. ***Board Operating Policies and Procedures (BOPP) Annual Review***

This item presents the annual review of State Board for Educator Certification (SBEC) Board Operating Policies and Procedures (BOPP).

9. ***Adoption of Proposed Amendments to 19 TAC Chapter 227, Provisions for Educator Preparation Candidates***

This item provides the State Board for Educator Certification (SBEC) an opportunity to discuss and adopt the proposed amendments to 19 Texas Administrative Code (TAC) Chapter 227, Provisions for Educator Preparation Candidates. The proposed amendments make conforming changes to 19 TAC Chapter 227 rules given proposed updates to 19 TAC Chapter 228, Educator Preparation Program Requirements and 19

TAC Chapter 230, Professional Educator Preparation and Certification. The 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.

10. 2022-2023 Continuing Approval Reviews of Educator Preparation Programs

This item provides the State Board for Educator Certification (SBEC) an opportunity to approve the following 13 educator preparation programs (EPPs) for continuing approval for five years based on the results of the 2022-2023 reviews: South Texas Transition to Teaching, Rice University, Teach Us Texas, University of Dallas, Yes Prep, Lone Star College, The Texas Institute for Teacher Education, Amberton University, A Career in Teaching-Corpus Christi, Trinity University, Midwestern State University, Region 7 Education Service Center, and Region 13 Education Service Center.

Motion and Vote:

Motion was made by Dr. McFarland to approve consent agenda items 4 – 10 as presented. Second was made by Dr. Muri and the Board voted unanimously in favor of the motion.

DISCUSSION AND ACTION

11. Approval of Agreed Order for Lone Star College Educator Preparation Program

Ms. Ayers presented this item to the board. This item provides the State Board for Educator Certification (SBEC) the opportunity to approve an agreed order for Lone Star College (LSC) educator preparation program (EPP) to continue to operate with conditions.

Dr. Haggerty from Lone Star College spoke on behalf of the Lone Star College Educator Preparation Program.

Motion and Vote:

Motion was made by Ms. Glasscock to approve the agreed order for the Lone Star College educator preparation program as presented. Second was made by Mr. Coleman and the Board voted unanimously in favor of the motion.

DISCIPLINARY CASES

12. Pending or Contemplated Litigation, including Disciplinary Cases

A. Defaults

No Answer Defaults

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

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

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

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

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

Staff recommendation: 1-year suspension
6. In the Matter of Devin Williams; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: 1-year suspension
7. In the Matter of Carlos D. Alvarado Ortuno; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: Suspension until expiration of intern certificate on August 18, 2024

8. In the Matter of David Jones, II; Action to be taken: Consideration of Issuance of Default Judgment
Staff recommendation: 1-year suspension
9. In the Matter of Derek Flora; Action to be taken: Consideration of Issuance of Default Judgment
Staff recommendation: 1-year suspension
10. In the Matter of Tristania Sachs; Action to be taken: Consideration of Issuance of Default Judgment
Staff recommendation: 1-year suspension
11. In the Matter of Tyler Ferguson; Action to be taken: Consideration of Issuance of Default Judgment
Staff recommendation: 1-year suspension
12. In the Matter of Vishwaja Ghate; Action to be taken: Consideration of Issuance of Default Judgment
Staff recommendation: 1-year suspension
13. In the Matter of Carolyn Neal; Action to be taken: Consideration of Issuance of Default Judgment
Staff recommendation: 1-year suspension
14. In the Matter of Courtney Rae Myers; Action to be taken: Consideration of Issuance of Default Judgment
Staff recommendation: 1-year suspension
15. In the Matter of Mekisha Marie Castor; Action to be taken: Consideration of Issuance of Default Judgment
Staff recommendation: 1-year suspension
16. In the Matter of Rebekah Katherine McKnight; Action to be taken: Consideration of Issuance of Default Judgment
Staff recommendation: 1-year suspension

17. In the Matter of Spencer Robinson; Action to be taken: Consideration of Issuance of Default Judgment
Staff recommendation: 1-year suspension
18. In the Matter of Rebecca Gallardo, a/k/a Rebecca Lee Wilson; Action to be taken: Consideration of Issuance of Default Judgment
Staff recommendation: 1-year suspension
19. In the Matter of Taylor LeeAnne Jones; Action to be taken: Consideration of Issuance of Default Judgment
Staff recommendation: 1-year suspension
20. In the Matter of Juvy Hing; Action to be taken: Consideration of Issuance of Default Judgment
Staff recommendation: 1-year suspension
21. In the Matter of Jacob Smith; Action to be taken: Consideration of Issuance of Default Judgment
Staff recommendation: 1-year suspension
22. In the Matter of Dottie Doster; Action to be taken: Consideration of Issuance of Default Judgment
Staff recommendation: 1-year suspension
23. In the Matter of Michael Calais; Action to be taken: Consideration of Issuance of Default Judgment
Staff recommendation: 1-year suspension
24. In the Matter of Daniel Gutierrez, III; Action to be taken: Consideration of Issuance of Default Judgment
Staff recommendation: Permanent Revocation
25. In the Matter of Eliu R. Torres; Action to be taken: Consideration of Issuance of Default Judgment
Staff recommendation: Permanent Revocation

26. In the Matter of Jerry Santanella; Action to be taken: Consideration of Issuance of Default Judgment
- Staff recommendation: Permanent Revocation
27. In the Matter of Ginger Johnson; Action to be taken: Consideration of Issuance of Default Judgment
- Staff recommendation: 1-year suspension
28. In the Matter of Bendy C. Maddox; Action to be taken: Consideration of Issuance of Default Judgment
- Staff recommendation: 3-year suspension
29. In the Matter of Lisa G. Guerrero; Action to be taken: Consideration of Issuance of Default Judgment
- Staff recommendation: Revocation
30. In the Matter of Armin Garza; Action to be taken: Consideration of Issuance of Default Judgment
- Staff recommendation: Revocation
31. In the Matter of Alex Guajardo; Action to be taken: Consideration of Issuance of Default Judgment
- Staff recommendation: Revocation
32. In the Matter of Jose Morin; Action to be taken: Consideration of Issuance of Default Judgment
- Staff recommendation: Revocation
33. In the Matter of Rodrigo Lopez; Action to be taken: Consideration of Issuance of Default Judgment
- Staff recommendation: Revocation

34. In the Matter of Cassandra Collins; 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
35. In the Matter of Kristin Gray Henry; 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
36. In the Matter of Cecil Herman Bradshaw; 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
37. In the Matter of Jose G. Garcia; 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
38. In the Matter of Katherine M. Ramirez; 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
39. In the Matter of Lee Grant Allen; 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
40. In the Matter of Angie Vaden; Action to be taken: Consideration of Issuance of Default Judgment
- Staff recommendation: Revocation

41. In the Matter of Cynthia Moake; Action to be taken: Consideration of Issuance of Default Judgment
- Staff recommendation: 1-year suspension
42. In the Matter of Christina Fell; Action to be taken: Consideration of Issuance of Default Judgment
- Staff recommendation: 2-year suspension
43. In the Matter of Fatima Moin Babar; Action to be taken: Consideration of Issuance of Default Judgment
- Staff recommendation: 2-year suspension and proof of successful completion of a classroom management and student discipline program
44. In the Matter of Howard Edward Freeman, III; Action to be taken: Consideration of Issuance of Default Judgment
- Staff recommendation: 4-year suspension and proof of successful completion of an anger management program
45. In the Matter of James Dennis; Action to be taken: Consideration of Issuance of Default Judgment
- Staff recommendation: 8-year suspension
46. In the Matter of Craig A. Jones; Action to be taken: Consideration of Issuance of Default Judgment
- Staff recommendation: Permanent Revocation
47. In the Matter of Seth Owen; Action to be taken: Consideration of Issuance of Default Judgment
- Staff recommendation: Permanent Revocation
48. In the Matter of Rodney Fleming; Action to be taken: Consideration of Issuance of Default Judgment
- Staff recommendation: Permanent Revocation

Motion and Vote:

Motion was made by Mr. Coleman to grant staff's request for Issuance of Default Judgement on all cases as presented except numbers 1, 6, 10, 14, 18, 44, and 48, and issue Final Orders consistent with staff's recommendations. Second was made by Dr. Muri, and the Board voted unanimously in favor of the motion.

Motion and Vote:

Motion was made by Mr. Coleman to grant staff's request for the issuance of default judgement on case number 6, Devin Williams, and issue a final order consistent with staff's recommendation. Second was made by Dr. Muri, and the Board voted unanimously in favor of the motion.

Dr. McFarland recused himself from deliberating and voting on case number 6.

Motion and Vote:

Motion was made by Mr. Coleman to grant staff's request for the issuance of default judgement on case number 48, Rodney Fleming, and issue a final order consistent with staff's recommendation. Second was made by Dr. McFarland, and the Board voted unanimously in favor of the motion.

Mr. Tamarez Torres recused himself from deliberating and voting on case number 48.

SOAH Defaults

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

Staff recommendation: 1-year suspension

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

Staff recommendation: 1-year suspension

Motion and Vote:

Motion was made by Mr. Coleman to grant staff's request for the issuance of SOAH Default Judgements on SOAH Defaults numbers 1 and 2 as listed on the agenda, and enter final order consistent with Staff's recommendation. Second was made by Ms. Weir and the Board voted unanimously in favor of the motion.

B. Contested Cases

Proposals for Decision

1. Docket No. 701-23-23185.EC, Texas Education Agency, Educator Preparation, Certification, and Enforcement Division v. Rosalinda Perez; Action to be taken: Consideration of Proposal for Decision and Issuance of Final Order.

ALJ Recommendation: No sanction or action be taken

Staff Recommendation: Accept ALJ recommendation

Motion and Vote:

Motion was made by Mr. Coleman in the case of Docket No. 701-23-23185, State Board for Educator Certification v. Rosalinda Perez, to strike Finding of Fact No. 14 because the ALJ did not properly apply the Board's precedent of requiring medical documentation to substantiate a medical illness, to strike Finding of Fact No. 20 as the ALJ did not properly apply the Board's precedent that considering a teacher shortage as a mitigating factor is improper, to modify Conclusion of Law No. 9 to say that the proper sanction under the board's rules should be a non-inscribed reprimand, additionally, the Board does consider the Respondent's length of service as a mitigating factor. Second was made by Ms. Glasscock. Dr. Muri, Dr. Brescia, Mr. Tamarez Torres, Chair Streepey, Ms. MacDonald, and Ms. Weir voted in favor. Dr. McFarland voted against; Ms. Dvorak abstained. The motion carried.

C. Court Cases

District Court Cases

1. 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 Court of Appeals on Appeal from Case No. D-1-GN-23-001504, in the 53rd District Court of Travis County, Texas. Possible discussion and action on proposed settlement agreement.

Public Testimony:

Marisa Giles – A+ Texas Teachers

Heath Morrison – A+ Texas Teachers

The SBEC entered into Closed Session at 1:18 PM.

The SBEC reconvened Open Session at 2:58 PM. No action was taken in Closed Session.

Motion and Vote:

Motion was made by Mr. Coleman to reject the proposed settlement agreement submitted by A+ Teacher of Tomorrow. Second was made by Ms. Dvorak and the motion passed unanimously.

DISCUSSION ONLY

13. Discussion of Proposed Revisions to 19 TAC Chapter 249, Disciplinary Proceedings, Sanctions, and Contested Cases

Ms. Wolf and Mr. Rodriguez, Executive Director of Investigations at TEA, presented this discussion item to the board. This item provides the State Board for Educator Certification (SBEC) an opportunity to discuss proposed revisions to 19 Texas Administrative Code (TAC) Chapter 249. Chapter 249 establishes the disciplinary proceedings process and sanctions for educators. Ms. Wolf and Mr. Rodriguez outlined staff's recommendations for potential revisions and Board Chair Streepey established a board committee to work with TEA staff to continue discussions on potential changes to 19 TAC Chapter 249.

14. Discussion of Proposed Amendments to 19 TAC Chapter 229, Accountability System for Educator Preparation Programs

Dr. Olofson presented this item to the board. This item provides the State Board for Educator Certification (SBEC) an opportunity to discuss proposed amendments to 19 Texas Administrative Code (TAC) Chapter 229, Accountability System for Educator Preparation Programs. Chapter 229 establishes the performance standards and procedures for educator preparation program (EPP) accountability.

Public Testimony:

Dr. Michael Vriesenga - UTSA

15. Discussion of Proposed New Teacher Pedagogy Standards

Mr. Pitre and Ms. Burkhart presented this item to the board. This item provides the State Board for Educator Certification (SBEC) an opportunity to review and discuss the proposed new teacher pedagogy standards. The proposed standards were developed by the SBEC-approved Educator Standards Advisory Committee (ESAC) and implement House Bill (HB) 1605, 88th Legislature, Regular Session, 2023, HB 159 and Senate Bill (SB) 226, 87th Legislature, Regular Session, 2021.

Public Testimony:

Dr. Andrea Chevalier – TCASE
Carrie Griffith – Texas Coalition for Educator Preparation

Dr. Jennifer Smith – UT-Austin
Mrs. D’Ann Hatler – Educator Standards Advisory Committee
Dr. Sarah Straub – TEA Standards Committee

16. Discussion of Proposed Next Steps for Development of a Texas-Specific Performance Assessment

Ms. McLoughlin presented this item to the board. This item gives the State Board for Educator Certification (SBEC) an opportunity to review and discuss options for developing the Texas-specific teacher performance assessment (TPA).

Public Testimony:

Dr. Hjamil Martinez-Vasquez – Texas Teach Plus

17. Discussion of Proposed Revisions to 19 TAC Chapter 230, Professional Educator Preparation and Certification, Subchapter B, General Certification Requirements, §230.11. General Requirements

Mr. Law presented this item to the board. This item provides the State Board for Educator Certification (SBEC) an opportunity to discuss proposed revisions to the English language proficiency requirements outlined in 19 Texas Administrative Code (TAC) Chapter 230, Professional Educator Preparation and Certification, Subchapter B, General Certification Requirements, §230.11. General Certification Requirements.

Public Testimony:

Jamie Vincek – Lamar CISD

INFORMATION ONLY

18. Update of State Board for Educator Certification Enabling Legislation

19. Board Operating Policies and Procedures (BOPP)

20. 2023–2026 Rule Review Plan for State Board for Educator Certification Rules

21. Adjournment

Chair Streepey adjourned the meeting at 4:50 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. 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.