

STATE BOARD FOR EDUCATOR CERTIFICATION MEETING AGENDA

JULY 19, 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 8:31am on Friday, July 19, 2024.

Present: Dr. Robert Brescia, Mr. Tommy Coleman, Dr. Veronica Galvan, Ms. Bena Glasscock, Mr. Rex Gore, Dr. Emma Gelsinger, Ms. Courtney MacDonald, Dr. Scott Muri, Ms. Kelvey Oeser, Dr. Alma Rodriguez, Ms. Jean Streepey, Mr. Josue Tamarez Torres, and Ms. Bobbie Lynn Weir.

Absent: Dr. Michael McFarland and Ms. Julia Dvorak.

2. Associate Commissioner's Comments

Associate Commissioner Jessica McLoughlin shared thanks for the leadership of former Associate Commissioner Emily Garcia, a sentiment that was echoed by several board members. Ms. McLoughlin thanked the board for their work during the previous day's work session.

3. Public Comment

Public Commenters:

Rachel Eason
Lane Wakefield
Charity Cervantez

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 the consent agenda.

4. *Request to Approve April 26, 2024 Meeting Minutes*

5. **Adoption of 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 adoption of 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. **Adoption of 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 adoption of 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. **Adoption of 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 adoption of 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.

Motion and Vote:

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

DISCUSSION AND ACTION

8. **Board Operating Policies and Procedures (BOPP) and Memorandum of Agreement (MOA) between the Texas Education Agency and the State Board for Educator Certification**

Ms. McCain presented this item to the board. This item provides the State Board for Educator Certification (SBEC) an opportunity to discuss and approve the proposed edits to the Memorandum of Agreement and make any adjustments to the BOPP.

Motion and Vote:

Motion was made by Ms. Glasscock to approve the BOPP and MOA as presented. Second was made by Ms. MacDonald and the Board voted unanimously in favor of the motion.

9. Proposed Amendments to 19 TAC Chapter 229, Accountability System for Educator Preparation Programs

Dr. Mark Olofson presented this item to the board. This item provides the State Board for Educator Certification (SBEC) an opportunity to discuss and propose 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. The proposed amendments would provide for adjustments to the 2023–2024 *Accountability System for Educator Preparation (ASEP) Manual*; would clarify and streamline language and definitions; would organize the rule text by subchapter; and would include technical updates.

Public Testimony:

Teresa Hinojosa – ESC Region 19
Dr. Michael Vrisenga – UTSA

Motion and Vote:

Motion was made by Dr. Brescia to approve the proposed amendments to 19 TAC Chapter 229, Accountability System for Educator Preparation Programs, to be published as presented in the Texas Register. Second was made by Dr. Muri. Tommy Coleman, Rex Gore, Courtney MacDonald, Josue Tamarez Torres, and Bobbie Lynn Weir voted in favor; Chair Streepey and Ms. Glasscock opposed the motion. The motion passed.

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

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

Motion and Vote:

Motion was made by Ms. MacDonald to approve the proposed amendments to 19 TAC Chapter 230, Professional Educator Preparation and Certification, Subchapter B, General Certification Requirements, §230.11. General Requirements as presented. Second was made by Ms. MacDonald and the Board voted unanimously in favor of the motion.

11. Request to Approve a New Educator Preparation Program: Andrews ISD

Ms. Viviana Lopez presented this item to the board. This item provides the State Board for Educator Certification (SBEC) an opportunity to approve a request by Andrews ISD Teacher Academy Alternative Certification Program (ACP), located in Andrews, Texas to be approved as an educator preparation program (EPP) to prepare and recommend candidates for certification through the alternative certification route. Texas Education Agency (TEA) staff reviewed the proposal and found that it complied with provisions of 19 TAC Chapter 227, Provisions for Educator Preparation Candidates, Chapter 228, Requirements for Educator Preparation Programs, Chapter 229, Accountability System for Educator Preparation Programs, and Chapter 230, Professional Educator Preparation and Certification, Subchapter B, General Certification Requirements.

Public Testimony:

Dr. Bobby Azam – Superintendent, Andrews ISD
Dr. Krista Scott – Assistant Superintendent, Andrews ISD

Motion and Vote:

Motion was made by Ms. Weir to approve Andrews ISD as a new educator preparation program as presented. Second was made by Ms. MacDonald and the Board voted unanimously in favor of the motion.

12. Request to Approve a New Educator Preparation Program: Katy ISD

Ms. Viviana Lopez presented this item to the board. This item provides the State Board for Educator Certification (SBEC) an opportunity to approve a request by Katy ISD, located in Katy, Texas, to be approved as an educator preparation program (EPP) to prepare and recommend candidates for certification through the alternative certification route. Texas Education Agency (TEA) staff reviewed the proposal and found that it complied with provisions of 19 TAC Chapter 227, Provisions for Educator Preparation Candidates, Chapter 228, Requirements for Educator Preparation Programs, Chapter 229, Accountability System for Educator Preparation Programs, and Chapter 230, Professional Educator Preparation and Certification, Subchapter B, General Certification Requirements.

Public Testimony:

Katye Shields – EPP and Recruitment Coordinator, Katy ISD
Amy Russell – EPP Curriculum, Training and Field Supervisor, Katy ISD
Rachel Rae – EPP Curriculum, Training and Field Supervisor, Katy ISD
Brian Schuss, Chief Human Resources Officer, Katy ISD

Motion and Vote:

Motion was made by Dr. Brescia to approve Katy ISD as a new educator preparation program as presented. Second was made by Dr. Muri and the Board voted unanimously in favor of the motion.

DISCIPLINARY CASES

13. Pending or Contemplated Litigation, including Disciplinary Cases

Defaults

1. In the Matter of Asia Harmon; Action to be taken: Consideration of Issuance of Default Judgment
Staff recommendation: 1-year suspension
2. In the Matter of Briana Wilson; Action to be taken: Consideration of Issuance of Default Judgment
Staff recommendation: 11-month suspension
3. In the Matter of Caralisa Reese; Action to be taken: Consideration of Issuance of Default Judgment
Staff recommendation: 1-year suspension
4. In the Matter of Carol Smith; Action to be taken: Consideration of Issuance of Default Judgment
Staff recommendation: 1-year suspension
5. In the Matter of Charlie George Jr.; Action to be taken: Consideration of Issuance of Default Judgment
Staff recommendation: 1-year suspension
6. In the Matter of Coritza Quintal; Action to be taken: Consideration of Issuance of Default Judgment
Staff recommendation: 11-month suspension
7. In the Matter of Daniel Mun; Action to be taken: Consideration of Issuance of Default Judgment
Staff recommendation: 1-year suspension
8. In the Matter of George Shelton; Action to be taken: Consideration of Issuance of Default Judgment
Staff recommendation: 1-year suspension

9. In the Matter of Helen Powley; Action to be taken: Consideration of Issuance of Default Judgment
Staff recommendation: 1-year suspension
10. In the Matter of Hillary Salazar; Action to be taken: Consideration of Issuance of Default Judgment
Staff recommendation: 1-year suspension
11. In the Matter of Jacob Koshak; Action to be taken: Consideration of Issuance of Default Judgment
Staff recommendation: 11-month suspension
12. In the Matter of Jamile Rahsaan Owens; Action to be taken: Consideration of Issuance of Default Judgment
Staff recommendation: 11-month suspension
13. In the Matter of Kara Jayne Beard; Action to be taken: Consideration of Issuance of Default Judgment
Staff recommendation: 1-year suspension
14. In the Matter of Krysten Koriath; Action to be taken: Consideration of Issuance of Default Judgment
Staff recommendation: 1-year suspension
15. In the Matter of Laura Greer; Action to be taken: Consideration of Issuance of Default Judgment
Staff recommendation: 1-year suspension
16. In the Matter of Lisa T. Brown; Action to be taken: Consideration of Issuance of Default Judgment
Staff recommendation: 1-year suspension
17. In the Matter of Marlene Valdez; Action to be taken: Consideration of Issuance of Default Judgment
Staff recommendation: 1-year suspension

18. In the Matter of Matthew M. Passwaters; Action to be taken: Consideration of Issuance of Default Judgment
Staff recommendation: Suspension until expiration of intern certificate on August 15, 2024
19. In the Matter of Melody Jenkins; Action to be taken: Consideration of Issuance of Default Judgment
Staff recommendation: 1-year suspension
20. In the Matter of Rebecca Van Es; Action to be taken: Consideration of Issuance of Default Judgment
Staff recommendation: 11-month suspension
21. In the Matter of Reva Frisco-Bacon; Action to be taken: Consideration of Issuance of Default Judgment
Staff recommendation: 1-year suspension
22. In the Matter of Savannah Nicole Picklesimer; Action to be taken: Consideration of Issuance of Default Judgment
Staff recommendation: 1-year suspension
23. In the Matter of Tenisha M. Barnes; Action to be taken: Consideration of Issuance of Default Judgment
Staff recommendation: 1-year suspension
24. In the Matter of Tiffany Vance; Action to be taken: Consideration of Issuance of Default Judgment
Staff recommendation: 1-year suspension
25. In the Matter of William R. Price; Action to be taken: Consideration of Issuance of Default Judgment
Staff recommendation: 1-year suspension
26. In the Matter of Jose Montalvo; Action to be taken: Consideration of Issuance of Default Judgment
Staff recommendation: Permanent Revocation

27. In the Matter of Sylvester Jennings; Action to be taken: Consideration of Issuance of Default Judgment
- Staff recommendation: Permanent Revocation
28. In the Matter of Brian Spivey; Action to be taken: Consideration of Issuance of Default Judgment
- Staff recommendation: Permanent Revocation
29. In the Matter of James Bradley; Action to be taken: Consideration of Issuance of Default Judgment
- Staff recommendation: Permanent Revocation
30. In the Matter of Matthew David Gillow; Action to be taken: Consideration of Issuance of Default Judgment
- Staff recommendation: Permanent Revocation
31. In the Matter of Albert A. Falkenberg; 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
32. In the Matter of Charity Aileen Floyd; 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
33. In the Matter of Jennifer Anne Young; 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
34. In the Matter of Judy R. Feagley; 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 Summer L. Buerger; 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 Dolores Valenzuela; 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
37. In the Matter of Joy Malave; Action to be taken: Consideration of Issuance of Default Judgment
- Staff recommendation: Revocation
38. In the Matter of Monica Caylor; Action to be taken: Consideration of Issuance of Default Judgment
- Staff recommendation: 10-year suspension
39. In the Matter of Emma L. Harrison; Action to be taken: Consideration of Issuance of Default Judgment
- Staff recommendation: Revocation
40. In the Matter of Jolene Daily; Action to be taken: Consideration of Issuance of Default Judgment
- Staff recommendation: 3-year suspension
41. In the Matter of Marcella Vaughan; Action to be taken: Consideration of Issuance of Default Judgment
- Staff recommendation: Permanent Revocation
42. In the Matter of Alfredo Isaac Casula Jr.; Action to be taken: Consideration of Issuance of Default Judgment
- Staff recommendation: 1-year suspension
43. In the Matter of Rachel Runnels; 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

44. In the Matter of Raul Rivas, Jr.; 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

45. In the Matter of John Roberson Jr.; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: 5-year suspension

46. In the Matter of Samantha Lee Moore; 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

47. In the Matter of Jeremy Dyes; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: 10-year suspension

48. In the Matter of Tiffany Settle; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: Permanent Revocation

49. In the Matter of Alicia Jonique Scott; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: Permanent Revocation

50. In the Matter of Angela O'Brien; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: Permanent Revocation

Motion and Vote:

Motion was made by Dr. Brescia to grant staff's request for Issuance of Default of Judgement on all cases numbered 1-50 on the agenda, except numbers 12, 14, 19, 20, 32, 35, 43, and 47, 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.

Motion and Vote:

Motion was made by Chair Streepey to grant staff's request for Issuance of Default Judgement on case 32 and enter a Final Order issuing a sanction of two years and proof

of successful completion of substance abuse treatment program. Second was made by Ms. MacDonald 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 on case 47 and enter a Final Order issuing a Permanent Revocation. Second was made by Dr. Brescia and the Board voted unanimously in favor of the motion.

SOAH Defaults

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

Staff recommendation: Administrative denial of one-year certificate

2. In the Matter of Tessa Graham; 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

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

Staff recommendation: Permanent Revocation

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

Staff recommendation: Permanent Revocation

5. In the Matter of David Mason; 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 the issuance of SOAH Default Judgements on SOAH Defaults numbers 1 - 5 as listed on the agenda and enter Final Orders consistent with Staff's recommendation. Second was made by Ms. MacDonald and the Board voted unanimously in favor of the motion.

Contested Cases

Proposals for Decision

1. Docket No. 701-24-04782.EC, Texas Education Agency, Educator Preparation, Certification, and Enforcement Division v. Clifeteana McKiver; Action to be taken: Consideration of Proposal for Decision and Issuance of Final Order.

ALJ Recommendation: 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, in the case of Docket No. 701-24-04782, State Board of Educator Certification v. Clifeteana McKiver, to accept the Proposal for Decision and the Exceptions Letter including Findings of Fact Nos. 1 – 24 and Conclusions of Law Nos. 1 – 11. However, I move that the Board delete Conclusions of Law 13 and 14 and modify Conclusion of Law No. 12 as follows:

12. Respondent should be sanctioned with an eleven-month suspension of her teaching certificate. Tex. Educ. Code §21.105(e); 19 Tex. Admin. Code § 249.17(d)(2), (3)(B)(iii) and (3)(C).

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, precedent, or policies.

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, precedent, and policies. The Board has never relied on the educator's perceived readiness for the position or the effect on the school district where the educator began working after abandoning her position as mitigating factors for a sanction received by an educator for abandoning a contract. These factors do not mitigate the harm to the school district and the students who were abandoned by the educator. The lack of prior disciplinary history and the lack of a negative impact on the educator's good moral character and ability to be a proper role model for students are not factors that are considered by the Board in the realm of contract abandonment. These cannot be categorized as mitigating factors and were not within the purview of what the Board contemplated as "any other relevant circumstances or facts" as set forth in 19 Tex. Admin. Code §249.17(d)(2)(J). Therefore, Conclusion of Law 14 must be deleted as it is inconsistent with the Board's Rules and Board precedent and rules.

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 then 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. Therefore, Conclusion of Law No. 13 must be deleted as it is inconsistent with the Board's Rules and Board precedent and policies.

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 determined that Respondent did not have good cause and abandoned her contract. The ALJ found that Respondent's high blood pressure, loss of sleep, appetite, and hair, qualified as a mitigating factor. Therefore, the sanction should be an eleven-month suspension of the Respondent's educator certificate.

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

2. Docket No. 701-23-09434.EC, Texas Education Agency, Educator Preparation, Certification, and Enforcement Division v. Valarie Cervantes; Action to be taken: Consideration of Proposal for Decision and Issuance of Final Order.

ALJ Recommendation: Probated one-year suspension

Staff Recommendation: Two-year suspension

Staff was represented by Attorney Richa Kumar.

Respondent was represented by Attorney Matt Bachop.

Motion and Vote:

Motion was made by Mr. Coleman, in the case of Docket No. 701-23-09434, State Board of Educator Certification v. Valerie Amanda Cervantes, to accept the PFD and issue a Final Order consistent with the ALJ's recommendation. Second was made by Dr. Brescia, and Chair Streepey, Josue Tamarez Torres, Ms. Weir, Ms. MacDonald and Mr. Gore voted in favor of the motion. Dr. Muri and Ms. Glasscock opposed. The motion passed.

3. Docket No. 701-23-05495.EC, Texas Education Agency, Educator Preparation, Certification, and Enforcement Division v. Ramon Arana; Action to be taken: Consideration of Proposal for Decision and Issuance of Final Order.

ALJ Recommendation: Revocation

Staff Recommendation: Permanent Revocation

Motion and Vote:

Motion was made by Mr. Coleman, in the case of Docket No. 701-23-05495, State Board of Educator Certification v. Ramon Arana, to accept the Proposal for Decision and the Exceptions Letter including Findings of Fact Nos. 1 – 19 and Conclusions of Law Nos. 1 – 7 and 8 – 11. I move that the Board modify Conclusions of Law 7A and 12 as follows:

7A. Respondent violated Standard 3.6 of the Educators' Code of Ethics by soliciting or engaging in sexual conduct or a romantic relationship with a student or minor. 19 TEX. ADMIN. CODE §247.2(3)(F).

12. Respondent's educator certificate should be permanently revoked by the Board. 19 Tex. Admin. Code §249.17(i).

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, precedent, or policies.

Section 249.3(51) of the Texas Administrative Code defines "solicitation of a romantic relationship. Findings of Fact 4-8 and 10-13 include the factors that Section 249.3(51) defines as "solicitation of a romantic relationship."

Findings of Fact 4, 10, and 11 state that Respondent assigned an explicit and sexual in nature script for his students to perform.

Findings of Fact 5 and 6 states that there is a video of Respondent getting his shoulder massaged by a student and that he had no explanation when the ISD asked him about his conduct.

Finding of Fact 7 states that Respondent had another student massage Respondent's shoulders more than once and after Respondent allowed the student to hug Respondent from behind.

Finding of Fact 8 states that Respondent told a student to engage in the sexually suggestive dance called twerking in front of Respondent.

Finding of Fact 12 states that Respondent called another teacher asking if the other teacher would "have his back" in the investigation about the twerking incident which the other teacher perceived as Respondent asking the other teacher to not tell the truth or withhold information.

Finding of Fact 13 states that Respondent lied during the ISD investigation stating that he never received or asked for a massage from a student.

The Administrative Law Judge misinterpreted the SBEC rules when he failed to hold that the factors listed in Findings of Fact 4-8 and 10-13 fulfilled the definition of "solicitation of a romantic relationship" under the Board's rule, and failed to find that Respondent was subject to sanction for soliciting a romantic relationship with a student and unworthy to instruct or supervise the youth of Texas.

SBEC rules require a sanction of permanent revocation for educators who are found, after a contested case hearing, to have solicited a romantic relationship or sexual contact with a student. As the facts in this case show that Respondent solicited a romantic relationship with students, the appropriate sanction in this case is permanent revocation.

Moreover, the Board has discretion to determine the penalty in educator discipline cases. In this case, Findings of Fact 4-13 evidence the seriousness of the violation, the attempted concealment of misconduct, the potential danger the conduct poses to the health and

welfare of students, and the need for the sanction to deter future violations. These factors all support a sanction of permanent revocation.

Second was made by Ms. MacDonald and the board voted unanimously in favor of the motion.

The SBEC recessed at 12:17pm.

The SBEC reconvened at 1:03pm.

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 – Vincent and Elkins, representing A+ Teachers

Heath Morrison – A+ Teachers

Alexandra Escobar – A+ Teachers

The SBEC moved into Closed Session at 1:14pm.

The SBEC reconvened Open Session at 2:31pm. No action was taken in Closed Session.

Motion and Vote:

Motion was made by Dr. Brescia to reject the proposed settlement agreement submitted by A+ Texas Teachers. Second was made by Mr. Coleman and the board voted unanimously in favor of the motion.

DISCUSSION ONLY

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

Sarah Wolfe and David Rodriguez presented this 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.

Public Testimony:

Rachel Eason
Lane Wakefield
Charity Cervantez
Lance Cane

15. Discussion of 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

Beth Burkhart presented this item to the board. The SBEC reviewed and discussed the proposed new Teacher Pedagogy standards, including changes that were made following stakeholder and Board feedback from the April 2024 meeting. The SBEC reviewed the reorganization of the chapter that would result from replacing the current grade-banded Teacher Pedagogy standards with a single set of Teacher Pedagogy standards for grades Early Childhood–12.

Public Testimony:

Kelsey Kling – Texas AFT
Dr. Andrea Chevalier – TCASE

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

DeMarco Pitre and Kelly Torrey presented this item to the board. The SBEC discussed proposed revisions to 19 Texas Administrative Code (TAC) Chapter 231, Requirements for Public School Personnel Assignments Subchapter F, Special Education-Related Services Personnel Assignments which included recommendations for content competency requirements for teachers in an assignment of Special Education Teacher. The SBEC provided feedback on the recommendations presented and directed staff to incorporate the feedback ahead of the September 2024 meeting.

Public Testimony:

Dr. Andrea Chevalier – TCASE
Quinn McCall – Texas Classroom Teacher Association
Jennifer Barton – Texas Association of School Boards

17. Discussion of Proposed Amendment to 19 TAC Chapter 234, Military Service Members, Military Spouses, and Military Veterans

Trenton Law presented this item to the board. This item provides the State Board for Educator Certification (SBEC) an opportunity to discuss proposed amendment to 19 Texas Administrative Code (TAC) Chapter 234, Military Service Members, Military Spouses, and

Military Veterans. The proposed amendment 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; would alphabetize and renumber definitions; would provide technical edits to clarify existing language; and would remove duplicative language and re-alphabetize where necessary.

18. Discussion of Proposed Amendments to 19 TAC Chapter 228, Requirements for Educator Preparation Programs, Subchapter A, General Guidance, Subchapter E, Educator Candidate Clinical Experiences, and Subchapter F, Support for Candidates During Required Clinical Experiences

Marilyn Cook 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 228, Requirements for Educator Preparation Programs, Subchapter A, General Guidance, 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.

19. Discussion of 19 TAC Chapter 239, Student Services Certificates, Subchapter A, School Counselor Certificate

Marilyn Cook presented this item to the board. This item provides the State Board for Educator Certification (SBEC) an opportunity to discuss preparation requirements for school counselors outlined in 19 Texas Administrative Code (TAC) Chapter 239, Student Services Certificates, Subchapter A, School Counselor.

Public Testimony:

Dr. Elizabeth Rogers – Texas Counseling Association

INFORMATION ONLY

20. Update of State Board for Educator Certification Enabling Legislation

21. Board Operating Policies and Procedures (BOPP)

22. 2023–2026 Rule Review Plan for State Board for Educator Certification Rules

23. Adjournment

The SBEC adjourned this meeting at 4:34pm.

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.