

Item 4:
**Consider and Take Appropriate Action on Request to
Approve December 7, 2018 Board Meeting Minutes**

ACTION

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

Approve the December 7, 2018 Board meeting minutes.

STATE BOARD FOR EDUCATOR CERTIFICATION MEETING AGENDA

DECEMBER 7, 2018 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:

1. Call to Order

The State Board for Educator Certification (SBEC) convened its meeting at 8:36 AM on Friday, December 7, 2018, in Room 1-104 of the William B. Travis Building, 1701 N. Congress Avenue in Austin, Texas.

Present: Ms. Sandra Bridges, Dr. Art Cavazos, Mr. Tommy Coleman, Ms. Jill Druessedow, Dr. Susan Hull, Mr. Leon Leal, Ms. Sandie Mullins, Dr. Rex Peebles, Dr. Laurie Turner, Mr. Martin Winchester, and Mr. Carlos Villagrana.

Absent: Ms. Laurie Bricker, Ms. Rohanna Brooks-Sykes, and Ms. Suzanne McCall.

2. Associate Commissioner's Comments Regarding the SBEC Agenda

Associate Commissioner Ryan Franklin welcomed the members and thanked them for their attendance. Mr. Franklin acknowledged staff changes with Grace Wu being selected as the director of educator standards, testing, and preparation and LaCole Foots joining the team as a new analyst. Sarah Wolfe will now be providing legal counsel from the Office of the Attorney General. Mr. Franklin thanked the team for their contribution to the meeting and recognized the quality and work ethic of the team members.

Mr. Franklin recognized the passing of former SBEC member Dr. Scott Ridley. Mr. Franklin identified Dean Ridley as the most positively transformative force in Texas educator preparation in years. He recognized Dean Ridley's leadership and work in showing the way forward for authentic and intensive practice-based preparation, using data for continuous improvement, and meaningful collaboration between educator preparation programs and the K-12 community. Mr. Franklin recognized the charge Dr. Ridley left to do what we can to make the lives of kids better by providing them with better prepared teachers.

3. Program Recognition

Dr. Jones presented two preparation programs to the Board for recognition, Region 4 Inspire Texas and YES Prep Public Schools. Both programs were recently recognized by the National Council on Teacher Quality (NCTQ) for their elementary and secondary teacher development curriculum. Representing Region 4 were Dr. Robby McGowen, Dr. Rene Ruiz, Ms. Janet Bakondy, Dr. Hayden McWhorter, and Ms. Rosario Iglesias. Representing Yes Prep were Calvin Stocker, Katy Ryan, Jennifer Bartol, and Krystle Arnold.

4. Public Comment

The Board shall allocate up to thirty (30) minutes at the beginning of each regularly scheduled meeting of the full Board for public comment on non-agenda and consent agenda items. In accordance with SBEC Board Operating Policies and Procedures, late registration for providing oral or written comment will be accepted up to 30 minutes prior to the beginning of the Board meeting.

CONSENT AGENDA

5. Consider and Take Appropriate Action on Request to Approve October 5, 2018 Board Meeting Minutes

The October 5, 2018 meeting minutes were approved.

DISCUSSION AND ACTION

6. Consider and Take Appropriate Action on Adoption of Proposed Revisions to 19 TAC Chapter 235, Classroom Teacher Certification Standards, Subchapter A, General Provisions, and Subchapter D, Secondary School Certificate Standards

Ms. Wu presented this item to the Board. This item provided the State Board for Educator Certification (SBEC) an opportunity to discuss and adopt revisions to 19 TAC Chapter 235. The revisions would add the Texas Essential Knowledge and Skills (TEKS)-based certification standards; would add reference to the new certification standards for the Trade and Industrial Workforce Training: Grades 6-12; and would clarify the effective date of Subchapter D.

Ms. Wu explained that no public comment had been received, and there no changes to the rule text from the October meeting.

Motion and vote:

Motion was made by Dr. Hull to approve for adoption the proposed revision to 19 TAC Chapter 235, Classroom Teacher Certification Standards, Subchapter A, General Provisions, and Subchapter D, Secondary School Certificate Standards, with an effective date of 20 days after filing the adoption notice with the Texas Register. Second was made by Dr. Turner, and the Board voted unanimously in favor of the motion.

7. Consider and Take Appropriate Action on Adoption of Proposed Amendment to 19 TAC Chapter 229, Accountability System for Educator Preparation Programs, §229.4, Determination of Accreditation Status

This item was presented by Ms. Pogue and Dr. Olofson. Ms. Pogue clarified that the purpose of this item was two-fold: first, to address some immediate needs that staff were recently made aware of, and second, to lay the foundation for longer-term opportunities for a more comprehensive accountability system. Ms. Pogue pointed out that the immediate needs were removal of action plans (with the continued assistance of Dr. Peebles), clarification of performance standards that provides for separate accountability indicators for pass rates and field observation, and the removal of outdated provisions.

Dr. Olofson clarified the small group exception calculation to specify there must be between 1 and 10 candidates, not just under 10 for accountability purposes. Dr. Olofson explained that staff was recommending that the SBEC maintain a 70% performance standard for principal appraisals at this time. Dr. Olofson clarified that adopting the “report-only” standard of 70% would allow for consistency and stability as programs work to improve the quality of their programs.

Ms. Pogue explained that staff was recommending that SBEC not adopt the language that was proposed that changed the word “individual” or “individuals” to “candidate” or “candidates,” but revert to the original text to clarify that for accountability purposes, an individual does not have to be considered a candidate to be included in the performance standard.

Public Comment was provided by:
Dr. Michael Vriesenga

Motion and vote:

Motion was made by Dr. Hull to approve for adoption, subject to State Board of Education review, the proposed amendment to 19 TAC Chapter 229, Accountability System for Educator Preparation Programs, §229.4, Determination of Accreditation Status, with an effective date of 20 days after filing the adoption notice with the Texas Register. Second was made by Ms. Mullins, and the Board voted unanimously in favor of the motion.

8. Consider and Take Action on Principal and Teacher Surveys for Accountability System for Educator Preparation Programs

Dr. Olofson presented this item to the Board. Dr. Olofson explained that these surveys were generated, tested, and refined through the process prescribed by the SBEC. He noted that data from the pilot led to the elimination of six duplicative items. He explained that there was no public comment or testimony. The SBEC had no additional questions.

Motion and vote:

Motion was made by Ms. Mullins to approve the principal and teacher surveys as presented. Second was made by Dr. Cavazos, and the Board voted unanimously in favor of the motion.

9. Consider and Take Appropriate Action on Petition for Adoption of Rule Change Concerning 19 TAC Chapter 233, Categories of Classroom Teaching Certificates, §233.15. Languages Other Than English

Ms. Cook presented this item to the Board. She highlighted previous conversations regarding interest in a foreign language certificate for Tamil and confirmed the petitioner and others from the Tamil community have been consistent in their attendance at SBEC meetings since December 2017. Ms. Cook highlighted the Board’s support in adopting rules, located in Attachment II, that establish a consistent process to petition the Board for rulemaking to add a Languages Other Than English (LOTE) certificate in a specified area. Ms. Cook confirmed the petitioner has followed the guidelines established in SBEC rule to submit the petition and yielded the floor to allow the petitioner to comment on his request in more detail.

Ms. Cook explained that direction from the Board to initiate rulemaking would be the first step in a lengthy process to establish and issue a new Tamil certificate. Dr. Cavazos inquired about the rulemaking process and what it would entail. Ms. Cook indicated rules would be proposed to add Tamil as a new LOTE certificate area in 19 TAC Chapter 233, Categories of Classroom Teaching Certificates. Ms. Cook also shared that Ms. Wu and her team would lead and complete the test development work related to standards, frameworks, item creation and review, passing standards and additional SBEC and Commissioner rulemaking specific to testing prior to certificate issuance.

Public Comment was provided by:
Mr. Sankar Kannan

Motion and vote:

Motion was made by Dr. Cavazos to direct Texas Education Agency staff to initiate the rulemaking process. Second was made by Ms. Bridges, and the Board voted unanimously in favor of the motion.

10. Consider and Take Appropriate Action on Request to Approve New Class of Certificate at Relay Graduate School of Education

Dr. Jones and Lorrie Ayers, Lead Program Specialist, presented this item to the Board. This was a request by Relay Graduate School of Education located in Houston, Texas, to offer a new class of certification: Principal as Instructional Leader EC-12 certification. Relay Graduate School of Education is already an SBEC-approved and accredited teacher certification program that wants to include principal preparation. The anticipated start date for the first cohort is the summer of 2019.

The anticipated number of applicants to be admitted for the first year (2019-2020) will include 10 candidates from San Antonio ISD and 20 candidates in the 2020-2021 year.

Chris Fraser, Senior Dean, and Kari Feinberg, National Dean of Leadership Programs for Relay Graduate School of Education were present to answer questions.

Motion and vote:

Motion was made by Ms. Mullins to approve the Principal class of certification at Relay GSE as presented. Second was made by Dr. Hull, and the Board voted unanimously in favor of the motion.

The SBEC recessed at 10:15 AM.

The SBEC reconvened at 10:26 AM.

11. Discussion and Update on Teacher Certification Redesign

Mr. Franklin and Ms. Wu presented this item to the Board. Mr. Franklin and Ms. Wu explained the agency's rationale for moving toward a performance-based portfolio assessment and additional context regarding the procurement process.

Dr. Hull commented that there is preparation that can be done by programs and also on-the-job preparation. She stated that she does not want the solution to cause high-performing EPPs to move backwards. She brought up concern that this would lead to more prescriptive preparation that does not allow for flexibility or context. She emphasized the importance of the post-graduate induction programs and the support of schools that leads to teacher quality.

Dr. Peebles encouraged the agency to think about whether it was the preparation of the program of the preparation of the district that leads to more effective teachers and higher impacts on student achievement. He stated that we cannot ignore one for the other. He further commented that the decision may ultimately be based on resource allocation and whether or not we are willing to treat the first three years of teaching as a probationary period.

Dr. Turner commented that school districts also need to be accountable for the growth of teachers. She stated that teachers can gain confidence through preparation and that her current school has six new teachers whose expectations of teaching are not meeting reality.

Mr. Villagrana commented for the need to identify what impacts student achievement and encouraged the agency to focus on strong EPP and district partnerships and ways to promote those partnerships.

Dr. Cavazos commented that this was a good platform to start having this conversation. He encouraged the agency to continue engaging stakeholders about how we can assess authentically and organically. He further encouraged the agency to conduct a deep dive on provide practices such as the Step Up program at the University of Texas – Rio Grande Valley to determine possible solutions. He encouraged the agency to think about the option of local scoring or finding a solution that connects licensure with T-TESS.

Dr. Hull suggested that could a locally scored performance assessment tied to T-TESS be the solution in conjunction with a constructed response PPR.

Mr. Leal commented that what he has heard is that there needs to be a change, collaboration with teachers is essential and that we still need to determine whom is paying for these changes.

Mr. Coleman commented about the how the public comment was immensely helpful. He stated that he is skeptical of national assessments and encouraged the agency to find a middle of the road solution.

Ms. Druesedow commented that the public comment helped her feel better informed.

Public Comment was provided by:

Dr. Michael Vrisenga

Ms. Andrea Lucas

Dr. Larry Abraham

Ms. Betsy Murphy

Dr. Michael Marder

Dr. Sharon Evans

Ms. Dawn Stienecker

Dr. Katie Tackett
Dr. Beth Maloch
Wes Hickey
Mrs. Sharon Fuery
Mr. Mark Terry
Ms. Diane Tudyk
Dr. Gina Anderson
Ms. Cynthia Savage
Dr. Christina Ellis
Dr. Stacey Edmonson
Dr. Elizabeth Ward
Ms. Priscila Aquino-Garza

12. Discussion and Action Related to the State Board for Educator Certification Legislative Priorities

This item was presented by Ms. Pogue. Ms. Pogue advised that this item provided the State Board for Educator Certification (SBEC) an opportunity to discuss and approve priorities for the upcoming 86th Texas Legislature. Ms. Pogue explained that the legislative priorities were synthesized from possible legislative priorities submitted by board members and discussed at the August 2, 2018 work session.

Motion and vote:

Motion was made by Mr. Coleman to adopt the priorities as presented. Second was made by Ms. Mullins, and the Board voted unanimously in favor of the motion.

The legislative priorities approved by the SBEC for the upcoming 86th Texas Legislature are:

1. Legislation relating to employing, terminating, and reporting misconduct of non-certified public school personnel; to include creating a registry of persons ineligible to hire as non-certified educators.
2. Maintain SBEC's authority to establish educator certification standards.

The SBEC recessed at 12:23PM.

The SBEC reconvened at 12:53PM.

DISCIPLINARY CASES**13. Pending or Contemplated Litigation, including Disciplinary Cases****A. Defaults****No Answer Defaults**

1. In the Matter of Edgar Ivan Bustillos Lopez; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: 1 year suspension
2. In the Matter of Lee Annette Renfro; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: 1 year suspension
3. In the Matter of Cary Neal Richmond; Action to be taken: Consideration of Issuance of Default Judgment

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

Staff recommendation: Permanent Revocation
5. In the Matter of Timothy Kenebrew; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: Permanent Revocation
6. In the Matter of Derek Lancaster; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: Permanent Revocation
7. In the Matter of Sergio Martinez, Jr.; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: Permanent Revocation

8. In the Matter of Alberlardo Victor Torres, Jr.; Action to be taken: Consideration of Issuance of Default Judgment
Staff recommendation: Permanent Revocation
10. In the Matter of Jacquingamen L. Alexander; Action to be taken: Consideration of Issuance of Default Judgment
Staff recommendation: Permanent Revocation
15. In the Matter of Terica Gizelle Davis; Action to be taken: Consideration of Issuance of Default Judgment
Staff recommendation: Revocation
16. In the Matter of Steven T. Flores; Action to be taken: Consideration of Issuance of Default Judgment
Staff recommendation: Permanent Revocation
17. In the Matter of Chason Lee Hale; Action to be taken: Consideration of Issuance of Default Judgment
Staff recommendation: 2 year suspension
18. In the Matter of Dylan Thomas Hollingsworth; Action to be taken: Consideration of Issuance of Default Judgment
Staff recommendation: Permanent Revocation
19. In the Matter of Sarvella Jackson; Action to be taken: Consideration of Issuance of Default Judgment
Staff recommendation: Permanent Revocation
20. In the Matter of Britney L. Orville; Action to be taken: Consideration of Issuance of Default Judgment
Staff recommendation: Permanent Revocation
21. In the Matter of Lorena Ovalles; 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

22. In the Matter of Michael T. Sheehan; Action to be taken: Consideration of Issuance of Default Judgment
- Staff recommendation: 3 year suspension
24. In the Matter of Robert Webb; Action to be taken: Consideration of Issuance of Default Judgment
- Staff recommendation: Revocation
25. In the Matter of Matthew Kyle Atchison; Action to be taken: Consideration of Issuance of Default Judgment
- Staff recommendation: Revocation
26. In the Matter of Raul Castillo; 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
27. In the Matter of Amanda Mae Brown Clayton; 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
28. In the Matter of Armando Flores; Action to be taken: Consideration of Issuance of Default Judgment
- Staff recommendation: Revocation
29. In the Matter of Janet Michelle Foster; Action to be taken: Consideration of Issuance of Default Judgment
- Staff recommendation: 3 year suspension and proof of successful completion of substance abuse treatment program
30. In the Matter of Jorge Guajardo; Action to be taken: Consideration of Issuance of Default Judgment
- Staff recommendation: Permanent Revocation

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

Staff recommendation: Revocation

32. In the Matter of Deshawn Knighten; 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

33. In the Matter of Robert J. Merren; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: Revocation

34. In the Matter of Jacob Cole Peralta; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: Revocation

35. In the Matter of Tonya Ann Pierce; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: 3 year suspension and proof of successful completion of substance abuse treatment program

36. In the Matter of Michael Bryan Rasmussen; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: Revocation

37. In the Matter of Kerri Jean Rodriguez; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: Revocation

38. In the Matter of Morris Stephens; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: Revocation

39. In the Matter of Kyla Tucker; Action to be taken: Consideration of Issuance of Default Judgment
- Staff recommendation: Revocation
40. In the Matter of Heather Paige Turnbow; Action to be taken: Consideration of Issuance of Default Judgment
- Staff recommendation: Revocation
41. In the Matter of Richard Zavala; 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
42. In the Matter of Adela Cruz; Action to be taken: Consideration of Issuance of Default Judgment
- Staff recommendation: Revocation
43. In the Matter of Rachel Mueck; Action to be taken: Consideration of Issuance of Default Judgment
- Staff recommendation: 3 year suspension
44. In the Matter of Leslie Price; Action to be taken: Consideration of Issuance of Default Judgment
- Staff recommendation: Revocation

Motion and vote:

Motion was made by Dr. Cavazos to grant staff's request for Issuance of Default Judgment on the above numbered cases 1 – 44, with the exception of 9, 11, 12, 13, 14, and 23, and issue final orders consistent with staff's recommendation on each of the above numbered cases. Second was made by Ms. Bridges, and the Board voted unanimously in favor of the motion.

The following cases were considered individually:

9. In the Matter of Ervin Fisher, III; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: 1 year suspension

Motion and vote:

Motion was made by Dr. Hull to grant staff's request for Issuance of Default Judgment on the above numbered case and issue a final order consistent with staff's recommendation on the above numbered case. Second was made by Ms. Bridges, and the Board voted unanimously in favor of the motion.

11. In the Matter of Rachel D. Black; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: Revocation

Motion and vote:

Motion was made by Mr. Coleman to grant staff's request for Issuance of Default Judgment on the above numbered case and issue a final order of Permanent Revocation. Second was made by Dr. Hull, and the Board voted unanimously in favor of the motion.

12. In the Matter of Wyvonne De Lon Boyd; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: Revocation

Motion and vote:

Motion was made by Mr. Coleman to grant staff's request for Issuance of Default Judgment on the above numbered case and issue a final order of Permanent Revocation. Second was made by Dr. Hull, and the Board voted unanimously in favor of the motion.

13. In the Matter of Brennan Casey; 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 Issuance of Default Judgment on the above numbered case and issue a final order of Revocation. Second was made by Dr. Cavazos, and the Board voted unanimously in favor of the motion.

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

Staff recommendation: Revocation

Motion and vote:

Motion was made by Mr. Coleman to grant staff's request for Issuance of Default Judgment on the above numbered case and issue a final order of Permanent Revocation. Second was made by Dr. Hull, and the Board voted unanimously in favor of the motion.

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

Staff recommendation: Revocation

Motion and vote:

Motion was made by Mr. Coleman to grant staff's request for Issuance of Default Judgment on the above numbered case and issue a final order of Permanent Revocation. Second was made by Dr. Hull, and the Board voted unanimously in favor of the motion.

SOAH Defaults

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

Staff recommendation: 1 year suspension

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

Staff recommendation: Permanent Revocation

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

Staff recommendation: Revocation

Motion and vote:

Motion was made by Mr. Coleman to grant staff's request for Issuance of SOAH Default Judgment on the above numbered cases, 1-3, and issue a final order consistent with staff's recommendation. Second was made by Dr. Cavazos, and the Board voted unanimously in favor of the motion.

B. Contested Cases

Proposals for Decision

1. Docket No. 701182774.EC, Texas Education Agency, Educator Leadership and Quality Division v. Kirvis Fontenot; Action to be taken: Consideration of Proposal for Decision and Issuance of Final Order.

ALJ Recommendation: No Disciplinary Action be Taken

Staff Recommendation: Suspension from date of Board Order until March 1, 2022

Mr. Mark Duncan represented TEA. Mr. Terry Gorman represented Respondent.

Motion and vote:

Motion was made by Mr. Coleman that the Board adopt the Proposal for Decision including Findings of Fact Nos. 1 - 9, and Conclusions of Law Nos. 1 - 5. I move that the Board modifies Conclusion of Law No. 6 as set out below:

6. *Mr. Fontenot is subject to sanction under 19 Texas Administrative Code §249.15(b)(3) for lacking good moral character, in violation of 19 Texas Administrative Code §247.2(1)(J).*

This modification 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 provided in 19 Texas Administrative Code §249.5(b)(2)(D)(ii), active community supervision indicates that an individual lacks the necessary moral character to be an educator.

In Finding of Fact 4, the Administrative Law Judge found that Mr. Fontenot began serving a five-year term of community supervision on March 1, 2017 after he pled guilty to Theft by a Public Servant, and remains on active community supervision.

Due to his active community supervision, he does not have the appropriate moral character necessary to be entrusted with educating Texas students.

*Kirvis Fontenot's educator certification should be **SUSPENDED UNTIL MARCH 1, 2022**. Second was made by Dr. Hull, and the Board voted unanimously in favor of the motion.*

2. Docket No. 701181459.EC, Texas Education Agency, Educator Leadership and Quality Division v. Adrian Charles Woodson; Action to be taken: Consideration of Proposal for Decision and Issuance of Final Order.

ALJ Recommendation: Permanent Revocation

Staff Recommendation: Accept ALJ Recommendation

Mr. Kyle Hensley represented TEA. Mr. Gorman represented Respondent.

Motion and vote:

Motion was made Dr. Hull that the Board accept the Proposal for Decision and Issue a Final Order consistent with the ALJ's recommendation of Permanent Revocation. Second was made by Dr. Turner, and the Board voted unanimously in favor of the motion.

3. Docket No. 701181896.EC, Texas Education Agency, Educator Leadership and Quality Division v. Albert F. Reese; 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

Mr. Hensley represented TEA. Mr. Daniel Ortiz represented Respondent and parties decided not to address the SBEC.

Motion and vote:

Motion was made Dr. Cavazos that the Board accept the Proposal for Decision and Issue a Final Order consistent with the ALJ's recommendation. Second was made by Mr. Leal, and the Board voted unanimously in favor of the motion.

C. Court Cases

District Court Cases

1. Leo Joseph Tran v. Texas Education Agency, Educator Certification and Standards Division; Cause No. D-1-GN-16-001802, In the 126th District Court of Travis County, Texas.
2. David Turner v. Texas Education Agency, Educator Certification and Standards Division; Cause No. D-1-GN-17-002298, In the 250th District Court of Travis County, Texas.

3. Anna Luisa Kell v. Texas Education Agency, Educator Certification and Standards Division; Cause No. D-1-GN-17-002347, In the 419th District Court of Travis County, Texas.
4. Joel Trigo v. Texas Education Agency, Educator Certification and Standards Division; Cause No. D-1-GN-17-006874, In the 459th District Court of Travis County, Texas.
5. Bradley Keith Bowen v. Texas Education Agency, Educator Certification and Standards Division; Cause No. D-1-GN-18-004203, In the 98th District Court of Travis County, Texas.

DISCUSSION ONLY

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

This item was presented by Ms. Pogue and Dr. Olofson. Ms. Pogue explained that staff would be requesting direction from the SBEC as well as updates regarding potential changes to Chapter 229 prior to soliciting stakeholder feedback.

Ms. Pogue explained that current rules do not align on which tests EPPs recommend candidates to take and which tests they are responsible for in the accountability system. The SBEC directed staff to align the ASEP indicator of tests with the preparation model in rule: EPPs responsible for all tests that they recommend.

Dr. Olofson presented the proposed recognition framework that the SBEC discussed at the August 2, 2018 work session. The SBEC directed staff to move forward with the dimensions that were presented. Dr. Olofson also obtained direction from the SBEC regarding alternatives to the current ASEP framework where all indicators are counted equally now that there are a growing number of indicators becoming consequential. The SBEC directed staff to explore and propose alternative frameworks.

Ms. Pogue explained that staff will be exploring stakeholder feedback regarding the alignment with statute in treating certification fields and classes in the same manner as programs for accountability purposes. She explained that the alignment would mirror how demographic groups are used in rule for sanctioning purposes. Ms. Pogue also updated the Board that she and Dr. Peebles have met and will continue to work together regarding TEA approved action plans for EPPs that have program deficiencies.

Dr. Olofson shared with the SBEC staff's plan to propose adopting the ASEP Manual into rule to allow for increased transparency and clarity of ASEP indicator calculations.

No action taken.

15. Discussion of Proposed New 19 TAC Chapter 235, Classroom Teacher Certification Standards, Subchapter E, All-level Certificate Standards

Ms. Wu presented this item to the Board. Ms. Wu explained that the committee that was approved by the Board in October had since met in-person and via a webinar. The committee worked to emphasize culturally-responsive teaching, assessment, as well as the role of a students' primary language as an asset. Ms. Wu further explained that the standards, incorporating the committee's feedback, would be presented for proposal in February.

16. Discussion of Proposed Revisions to 19 TAC Chapter 227, Provisions for Educator Preparation Candidates, Subchapter A, Admission to Educator Preparation Programs

Dr. Jones presented this item to the board. Dr. Jones explained that the proposed revisions that would help implement changes based on stakeholder input and staff recommendations. The proposed revisions would add language for admission requirements for both the Early Childhood through Grade 3 (EC-3) certificate and the Trade and Industrial Workforce Training: Grades 6-12 certificate. Language was also included in Subchapter A to clarify the effective date. In addition, the proposed revisions would provide clarity for the subject-matter only assessments that will be used for the pre-admission content tests. Dr. Jones added that the proposed revisions would provide clarification in selected definitions.

17. Discussion of Proposed Revisions to 19 TAC Chapter 228, Requirements for Educator Preparation Programs

Dr. Jones presented this item to the board. Dr. Jones explained that the proposed revisions would include a definition for intensive pre-service and create a new section for intensive pre-service requirements, as well as provide an implementation date. The proposed revisions would also provide clarity in rule for candidates seeking certification in two fields to have clinical teaching with EPP program support in the second field.

18. Discussion of Proposed Amendments to 19 TAC Chapter 230, Professional Educator Preparation and Certification, Subchapter D, Types and Classes of Certificates Issued, §230.36. Intern Certificates and §230.37. Probationary Certificates, and Subchapter G, Certificate Issuance Procedures, §230.105. Issuance of Additional Certificates Based on Examination

Ms. Cook presented this item to the Board. She explained that this discussion item along with several other on the agenda support the work presented earlier by Mr. Franklin and Ms. Wu during their presentation of agenda item 11. Ms. Cook stated the proposed revisions to Subchapter D, Types and Classes of Certificates Issued, would establish the testing and other requirements necessary to support issuance of intern and probationary certificates that align with the proposed new option of intensive pre-service for candidates in educator preparation programs, presented by Dr. Jones during his discussion of agenda item 17 for 19 TAC Chapter 228, Requirements for Educator Preparation Program. Ms. Cook clarified that she would include a January 2020 implementation date to these proposed rules and confirmed that while the rule text was very much in draft format, she and the rest of the TEA team recognize the need for continued conversation and input from stakeholders to effectively inform the rulemaking process.

Ms. Cook briefly discussed the high-level bullets specific to additional certification by examination on the bottom of page two of the agenda item. Ms. Cook shared that she anticipates returning with proposed rule changes for Subchapter G at a future date to align with legislation for the Early Childhood: Prekindergarten to Grade 3 certificate that confirms it is not an area of certification that can be obtained through the additional certification by examination route. Ms. Cook shared that TEA staff is not recommending changes other than those legislatively mandated but wanted to follow-up with the Board to determine if there were any additional questions or concerns about this route to certification. Mr. Villagrana asked for clarification about the use of content pedagogy examinations versus content-only examinations. Ms. Cook provided a brief explanation to address Mr. Villagrana's questions and this ended the discussion for this item.

INFORMATION ONLY

19. Board Operating Policies and Procedures (BOPP)

Information Only.

20. 2019 - 2022 Rule Review Plan for State Board for Educator Certification Rules

Information Only.

21. Requests from Board Members for Future Agenda Items

Dr. Hull requested that all future EPP recognition items be named after Dr. Scott Ridley to memorialize his contributions and remember his legacy. Ms. Druesedow agreed to work with TEA staff to finalize the name of the recognition.

22. Requests Received from the Board Since Last Meeting

None.

23. Adjournment

Ms. Druesedow adjourned the meeting at 2:49 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.