

**Report of the State Board of Education
Committee on School Initiatives
September 13, 2018**

The State Board of Education Committee on School Initiatives met at 9:02 a.m. on Thursday, September 13, 2018, in Room #1-111 of the William B. Travis Building, 1701 N. Congress Avenue, Austin, Texas. Attendance was noted as follows:

Present: Barbara Cargill, chair; Marisa B. Perez-Diaz, vice chair; Ruben Cortez, Jr.; Keven Ellis; Marty Rowley

Public Testimony

The Committee on School Initiatives heard public testimony on agenda item #5. Information regarding the individuals who presented public testimony is included in the discussion of that item.

ACTION ITEMS

1. Review of 19 TAC Chapter 233, Categories of Classroom Teaching Certificates

(Board agenda page IV-1)
[Official agenda item #11]

Marilyn Cook, director, educator certification and testing, explained that the proposed amendments would implement legislation from the 85th Texas Legislature to establish new certificates for Early Childhood: Prekindergarten-Grade 3 and Trade and Industrial Workforce Training: Grades 6-12; would specify procedures for an interested party to request an additional foreign language certificate; and would identify any additional requirements to obtain certification and/or be eligible to teach specific courses.

MOTION AND VOTE: *It was moved by Mr. Rowley, seconded by Mr. Cortez, and carried unanimously to recommend that the State Board of Education take no action on the proposed amendments to 19 TAC Chapter 233, Categories of Classroom Teaching Certificates, with an effective date of 20 days after filing the adoption notice with the Texas Register.*

2. Review of Proposed Amendments to 19 TAC Chapter 250, Administration, Subchapter A, Purchasing, §250.1, Historically Underutilized Business (HUB) Program, and Subchapter B, Rulemaking Procedures, §250.20, Petition for Adoption of Rules or Rule Changes

(Board agenda page IV-27)
[Official agenda item #12]

Christie Pogue, director, EPP accreditation and policy development, explained that the proposed amendment to §250.1 would update relevant cross references to the state's historically underutilized business (HUB) program and §250.20 would implement legislation from the 84th Texas Legislature to update the petition form for adoption of rules or rule changes to require the petitioner to indicate that the petitioner meets one of the four definitions of an interested person.

MOTION AND VOTE: *It was moved by Ms. Perez-Diaz, seconded by Mr. Cortez, and carried unanimously to recommend that the State Board of Education take no action on the proposed amendments to 19 TAC Chapter 250, Administration, Subchapter A, Purchasing, §250.1, Historically Underutilized Business (HUB) Program, and Subchapter B, Rulemaking Procedures, §250.20, Petition for Adoption of Rules or Rule Changes, with an effective date of 20 days after filing the adoption notice with the Texas Register.*

3. Review of Proposed Amendments to 19 TAC Chapter 247, Educators’ Code of Ethics
(Board agenda page IV-35)
[Official agenda item #13]

Laura Moriarty, director, legal services for educator leadership and quality, explained that the proposed amendment to §247.1 would add the definitions of “sexual harassment” and “under the influence of alcohol.” The proposed amendment to §247.2 would make educators who act recklessly in diverting money for personal gain or misrepresenting the educator’s employment history subject to discipline by the SBEC, would clarify language regarding an educator’s illegal use of drugs, and would add a standard regarding educator-on-educator workplace sexual harassment. The proposed amendment to §247.2 would also strike Standard 1.14, a provision that implements ESSA, with the intent to move that provision to §249.15 where other provisions implementing statutes are located.

MOTION AND VOTE: *It was moved by Ms. Perez-Diaz, seconded by Mr. Rowley, and carried unanimously to recommend that the State Board of Education take no action on the proposed amendments to 19 TAC Chapter 247, Educators’ Code of Ethics, with an effective date of 20 days after filing the adoption notice with the Texas Register.*

4. Review of Proposed Amendments to 19 TAC Chapter 249, Disciplinary Proceedings, Sanctions, and Contested Cases, Subchapter A, General Provisions, §249.3, Definitions, §249.5 Purpose; Policy Governing Disciplinary Proceedings; and Subchapter B, Enforcement Actions and Guidelines, §249.15, Disciplinary Action by State Board for Educator Certification
(Board agenda page IV-47)
[Official agenda item #14]

Ms. Moriarty explained that the proposed amendments would add language creating a rebuttable presumption that an educator who violates written directives from school administrators regarding the educator's behavior toward a student is unworthy to instruct or has solicited a romantic relationship with a student or minor. The proposed amendments also would add the provision that currently resides in Chapter 247 and implements the *Every Student Succeeds Act* (ESSA), prohibiting an educator from assisting an educator with getting a new job when the educator had an inappropriate relationship with a student or minor.

MOTION AND VOTE: *It was moved by Mr. Cortez, seconded by Mr. Rowley, and carried unanimously to recommend that the State Board of Education take no action on the proposed amendments to 19 TAC Chapter 249 Disciplinary Proceedings, Sanctions, and Contested Cases, Subchapter A, General Provisions, §249.3, Definitions, §249.5 Purpose; Policy Governing Disciplinary Proceedings; and Subchapter B, Enforcement Actions and Guidelines, §249.15, Disciplinary Action by State Board for Educator Certification, with an effective date of 20 days after filing the adoption notice with the Texas Register.*

5. Review of Proposed Amendments to 19 TAC Chapter 228, Requirements for Educator Preparation Programs

(Board agenda page IV-65)

[Official agenda item #15]

Public testimony was provided by the following individuals:

NAME: Barbara Gervin-Hawkins

AFFILIATION: Texas House District 120

NAME: Holly Eaton

AFFILIATION: Texas Classroom Teachers Association

NAME: John Grey

AFFILIATION: Texas State Teachers Association

NAME: Mark Wiggins

AFFILIATION: Association of Texas Professional Educators

NAME: Patty Quinzi

AFFILIATION: Texas-American Federation of Teachers

Dr. Tam Jones, director, educator preparation, explained that the proposed amendments would implement the statutory requirements of Senate Bills (SBs) 7 and 1839 and House Bills (HBs) 2039, 3349, and 1963, 85th Texas Legislature, Regular Session, 2017. The proposed amendments would also require the curriculum for all certification classes to include instruction regarding appropriate relationships, boundaries, and communication between educators and students. Proposed changes would establish the training requirements for the new Early Childhood: Prekindergarten-Grade 3 Certificate and the abbreviated Trade and Industrial Workforce Training: Grades 6-12 Certificate. The proposed amendments would expand the abbreviated pathway for Health Science and Marketing that is required in the Trade and Industrial Workforce Training: Grades 6-12 Certificate. The proposed changes would allow educational aides to receive their clinical teaching experience while performing their instructional duties under the supervision of a certified educator.

The committee members raised concerns about the abbreviated pathways for Health Science and Marketing certificates.

MOTION AND VOTE: *It was moved by Mr. Cortez, seconded by Dr. Ellis, and carried unanimously to recommend that the State Board of Education reject the proposed amendments to 19 TAC Chapter 228.*

The meeting of the Committee on School Initiatives adjourned at 10:39 a.m.