

STATE BOARD FOR EDUCATOR CERTIFICATION
BOARD MEETING MINUTES
OCTOBER 6, 2017 AT 9:00 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 9:05 AM on Friday, October 6, 2017, in Room 1-104 of the William B. Travis Building, 1701 N. Congress Avenue in Austin, Texas.

Present: Ms. Laurie Bricker, Ms. Rohanna Brooks-Sykes, Dr. Arturo Cavazos, Mr. Tommy Coleman, Ms. Jill Druessedow, Mr. Leon Leal, Ms. Sandie Mullins, Dr. Rex Peebles, Dr. Scott Ridley, Dr. Laurie Turner, Mr. Martin Winchester, and Mr. Carlos Villagrana.

Absent: Dr. Susan Simpson-Hull and Ms. Suzanne McCall.

Ms. Sandra Bridges arrived at 9:27 AM.

2. Associate Commissioner's Comments Regarding the SBEC Agenda

Associate Commissioner Ryan Franklin welcomed the members to the meeting and thanked them for their attendance. Mr. Franklin acknowledged the direct impact of Hurricane Harvey on so many of the Board members and their families. Mr. Franklin noted that several of the discussion rule items included text to enable the agency to respond more nimbly on behalf of the Board in the event of future natural disasters. Mr. Franklin noted that the parliamentary contract had expired and that there was no external parliamentarian at the meeting. Mr. Franklin noted that Sarah Wolfe and Syreeta Alexander were attending the meeting from the Attorney General's office in place of Nichole Bunker-Henderson as the Board's legal representation.

3. Public Comment

Public Comment was provided by:
Gary "G" Floyd

CONSENT AGENDA

4. Consider and Take Appropriate Action on Request to Approve October 6, 2017 Board Meeting Minutes

Ms. Druesedow thanked Mr. Franklin and his staff for the extended minutes that provide a clear summary of the presentation, questions, deliberation, and action that the Board engaged in for each item.

Hearing no corrections, the October 6, 2017 Board meetings minutes were approved.

DISCUSSION AND ACTION

5. Update on Divisions of Educator Leadership and Quality Department

Ms. Cook, Dr. Miller, Mr. Phillips, and Ms. Moriaty provided brief overviews of the scopes of work handled by their divisions and shared highlights, trends, and key data points from 2016/2017 fiscal year comparisons.

No action taken.

6. Consider and Take Appropriate Action on Adoption of Review of 19 TAC Chapter 227, Provisions for Educator Preparation Candidates

Dr. Miller presented this item to the Board. Dr. Miller explained that no public comment had been received on the review of 19 TAC Chapter 227 and that draft rules were included in a discussion item for this chapter later in the agenda. The draft rules include changes that need to be made because of legislation as well as other changes that may need to be made due to other issues that have been raised by stakeholders and TEA staff.

Motion and vote:

Motion was made by Dr. Cavazos to adopt the review of 19 TAC Chapter 227, Provisions for Educator Preparation Candidates. Second was made by Ms. Bricker, and the Board voted unanimously in favor of the motion.

7. Consider and Take Appropriate Action on Adoption of Review of 19 TAC Chapter 228, Requirements for Educator Preparation Programs

Dr. Miller presented this item to the Board. Dr. Miller explained that one public comment had been received on the review of 19 TAC Chapter 228. The public comment has been incorporated into the draft rules that were included in a discussion item for this chapter later in the agenda. The draft rules also include changes that need to be made because of legislation as well as other changes that may need to be made due to other issues that have been raised by stakeholders and TEA staff.

Motion and vote:

Motion was made by Ms. Bricker to adopt the review of 19 TAC Chapter 228, Requirements for Educator Preparation Programs. Second was made by Ms. Bridges, and the Board voted unanimously in favor of the motion.

8. Consider and Take Appropriate Action on Adoption of Proposed Amendment to 19 TAC Chapter 232, General Certification Provisions, Subchapter A, Certificate Renewal

and Continuing Professional Education Requirements, §232.11 Number and Content of Required Continuing Professional Education Hours

Dr. Miller presented this item to the Board. Dr. Miller explained that while there had not been any public comment received on this item, TEA staff recommended that the Board consider withdrawing the proposal based on conversations with legal counsel, legislative staff, and other stakeholders. Dr. Miller explained that the longstanding interpretation of the statute and rules regarding the number and type of continuing professional activities that were required for renewing a certificate had been that no more than 25% of the total number of hours in certain topics could be applied to certification renewal for teacher, principal, and counselor certificates. While the rule sets a limit to the number of hours that could be applied to certification renewal for certain topics, there was not a minimum number of hours required in rule. With the changes from Senate Bill (SB) 7 related to training for teachers and principals regarding understanding appropriate relationships, boundaries, and communication between educators and students, Dr. Miller recommended that the Board consider withdrawing the proposal so that TEA staff can receive additional input from stakeholders on what the minimum number of hours for each of the topics should be. TEA staff would bring recommendations back to the Board during the December meeting for further discussion and possible proposal. Ms. Druessedow mentioned that if the recommendations could identify a minimum number of hours or a percentage of hours, the rules would be clearer. Dr. Cavazos thanked the staff for bringing the recommendation to pause the process so that the right work could be done.

Motion and vote:

Substitute Motion was made by Dr. Cavazos to withdraw the proposed amendment to 19 TAC Chapter 232, General Certification Provisions, Subchapter A, Certificate Renewal and Continuing Professional Education Requirements, §232.11, Number and Content of Required Continuing Professional Education Hours, that was published in the Texas Register. Second was made by Ms. Mullins, and the Board voted unanimously in favor of the motion.

9. Consider and Take Appropriate Action on Adoption of Proposed Revisions to 19 TAC Chapter 239, Student Services Certificates, Subchapter A, School Counselor Certificate, and Subchapter C, Educational Diagnostician Certificate

Ms. Druessedow reminded Board members of an email message sent earlier in the week by Ryan Franklin. In that email correspondence, Mr. Franklin shared there was a considerable amount of feedback centered on the proposal of a 48-hour master's degree in counseling; that this proposed change related to the master's degree requirement was highlighted by Ms. Cook at the last three SBEC meetings; and that the Board has three options for consideration: adopt the item as proposed, amend the item to return to the current rule text, or direct staff to have further discussions to explore a compromise item.

Following those introductory remarks, Ms. Cook presented this item to the Board. Ms. Cook indicated that while this was her sixth opportunity to discuss the rules for School Counselor and Educational Diagnostician, the official public comment period was the first time we have seen more engagement regarding the 48-hour master's degree in counseling. Ms. Cook commented that considering heavy testimony for this item, she wanted to have the Board look at Attachment III to highlight the timeline of activities since TEA staff and the Board

began the rulemaking journey in April 2016. She shared that TEA staff has tried to be as transparent as possible throughout the entire process and emphasized that all stakeholders remain unanimous about the goal to do what is best for kids.

A total of nine speakers provided testimony to the Board on this item. Comments ranged from supporting the 48-hour master's degree in counseling, to retaining the flexibility of any master's degree for issuance of the counseling certificate, to allowing time to enhance preparation programs to continue strong, rigorous preparation of school counselors, to keeping the focus on doing what is best for kids.

Ms. Barbara Keefer, Region 10, shared that she has served in the roles of school counselor and lead counselor, and recognizes the need for quality in preparation that ensures a qualified school counselor that is able to successfully serve all kids. Ms. Keefer stated education service centers that offer the school counselor certification have seen many school leaders with master's degree in other areas successfully complete alternative preparation programs for the school counselor certificate. She emphasized that alternative certification programs offered through education service centers are meeting a need for districts across the state. Ms. Keefer acknowledged that while preparation programs at education service centers prepare approximately 10% of the total number of individuals certified as school counselors, the relevance and rigor of their programs is demonstrated by the results on the certification examination. She shared that the education service centers are passionate about this certification and can see how an increase in the minimum hours of coursework required and hours for the practicum, an enhanced focus on mental health, assessments, and college and career readiness, ongoing alignment with the Texas Model Guide, and continued collaboration and support for all certification candidates will ensure success of their programs for years to come.

Mr. Scott Kessel, commented that his background as a faculty member at Texas Christian University and his involvement as a task force member for the Texas Model Guide affords him a unique perspective into the role of a school counselor and the importance of strong preparation for success. Mr. Kessel shared his opinion that there is no shortage of certified individuals to serve in the role of school counselor. The quantity of individuals in the applicant pool is evident, but the questions may focus more on the quality of candidates available to serve students. Mr. Kessel shared the national standard established by CA-CREP requires a 48-hour master's degree in counseling. Mr. Kessel affirmed the proposed rule changes for school counselor bring the certification standards up to that mark, and that by requiring a 48-hour master's degree in counseling for issuance of the certificate, we will ensure that every school counselor is fully prepared to implement the quality, comprehensive program that every student deserves.

Dr. Hayden McWhorter, Region 4, Inspire Texas, thanked Mr. Franklin and the Board for their well-wishes as relates to the recent events of Hurricane Harvey. Dr. McWhorter shared the preparation programs at education service centers serve a vast population throughout the state and that the Region 4 program serves as a vital pipeline of support to districts across the state by preparing teachers, principals, and school counselors. He stated that since 2012, Region 4's program has certified over 350 school counselors and that his program and other service centers within the preparation consortium wholly support a rich and deep curriculum. Dr. McWhorter confirmed that his program and others within the service center consortium see a benefit to increased use of candidate knowledge and skills through campus-based

activities and exposure to real-world assignments, focused training on mental health, diagnoses, assessments, and career readiness, and substantial time in practicums that allows certification candidates to gain rich and diverse experiences that ensure all students receive equitable services and a fair education. Dr. McWhorter emphasized it is imperative that there be more than one route to certification as a school counselor and urged the Board to keep the alternative pathway open.

Ms. Brooks-Sykes asked about the practicum hours at Region 4, and Dr. McWhorter shared that his program currently has 160 required practicum hours and 200 coursework hours. He also stated the consortium of education service centers have discussed a range of 200-250 hours would be appropriate with the maintenance of the face-to-face practicum. Ms. Brooks-Sykes asked for confirmation that the practicum was all face-to-face and Dr. McWhorter answered in the affirmative. Dr. Turner asked about the certification requirements for school counselor candidates. Dr. McWhorter confirmed that all candidates must be classroom teachers with two years of experience and he spoke briefly about the partnership with University of St. Thomas to support candidates in pursuit of a master's degree with certification.

Ms. Barbara Amaya, Region 19, emphasized the availability of amazing counseling programs through education service centers. She shared the implications would be huge in West Texas with this proposed rule change. Ms. Amaya highlighted the education service center's role in deliver training to K-12 schools as well as colleges and universities to enhance the education being provided to students. She expressed the consortium of preparation programs' support of TEA's strategic priority number one as every alternative certification program places an emphasis on the counselor as a valuable educator that needs to be recruited and retained. Ms. Amaya also shared the consortium's effort to support TEA's strategic priority number four and their ongoing efforts to identify students needing intervention and to work closely with those students to obtain measurable success. Prior to her closing comments, Ms. Amaya emphasized the consortium's role in the 60x30 Texas Higher Education plan and the importance of endorsements and pathways to increase student options for success. She closed by sharing the education service centers' 91% pass rate on certification examinations.

Mrs. Christye Gannaway, Region 14, shared that she comes from a predominantly rural area with smaller student populations and an important need to support the "grow your own" program. Ms. Gannaway stated the superintendents in her area contacted her for help when they could not find counselors to support their students but had wonderful teachers that already had master's degrees and a desire to move into the role of school counselor. Ms. Gannaway emphasized the strength of her certification program and the use of School Counselors and Licensed Professional Counselors to train their interns. She mentioned her program's high pass rates on the certification examination, her program's 200 training hours and 200 practicum hours, and a willingness to do what is needed to maintain and continue improving her program. Ms. Gannaway urged the Board to keep the good things being done in education service centers and allow programs to build on their foundation of success.

Ms. Jan Friese, Texas Counseling Association, spoke in support of the proposed rules and handed out a visual graphic that depicts the importance of a well-prepared counselor and the changing role of that position over the years. Ms. Friese indicated specialized preparation is needed to ensure the school counselor is prepared to address the psychological, social, and emotional needs of all students. She shared that having listened to the testimony thus far,

she believes the Board has option to lengthen the implementation time, as the LPC Board did this when changing from the 48-hour degree requirement to the 60-hour degree requirement. Ms. Friese shared another option would be to pull out 239.20 and proceed with the rest of the proposed rule changes. Ms. Friese stated she wished the education service centers had engaged sooner on this issue but endorses a 48-hour master's degree in counseling to ensure every student has a well-prepared school counselor that can effectively deliver the essential components of a comprehensive school counseling program.

Dr. Juan Cooper stated she sees the benefit of both sides of this conversation regarding the 48-hour master's degree in school counseling. With expanding expectations for the role, preparation and training is needed to ensure every candidate's readiness to demonstrate knowledge and skills and to effectively serve as a school counselor. Dr. Cooper highlighted the importance of mentors and job-related assignments. She ended her comments by stating that whatever decision the Board makes, it is important to remember that there can be multiple options to successfully prepare individuals for school counselor certification.

Ms. Kathryn Everest, thanked the Board for their ongoing work and asked that they put everything aside and focus on doing what is best for kids. Ms. Everest spoke of recent highs and lows of student experiences on a campus and emphasized the spectrum of opportunities and challenges for which the school counselor must be prepared to work through. She emphasized kids are dealing with adverse experiences and need the support of well-trained school counselors. Following the rhetorical question of how does a person with a master's degree in another field take 18-24 hours of coursework and step into the role of school counselor ready to serve, Ms. Everest reminded the Board that school counselors are the conduits to success, the change agents in the building, and we must go with higher rigor and higher standards for the students in Texas.

Ms. Brooks-Sykes thanked Ms. Everest for her comments and asked her what she would say is the benefit of having a master's degree in counseling. Ms. Everest shared that she had a master's degree in education and completed the coursework for counseling certification and could not do the job at first. Ms. Everest shared that many candidates flounder as they enter the role of school counselor due to lack of preparation and sufficient training. She encouraged the Board to look beyond the certification test and stated there is no shortage of school counselors. Ms. Everest stated we must drill down and hire the individuals best prepared for the position. Ms. Bricker thanked Ms. Everest for her service and leadership and stated she had provided compelling points to support the agenda item. Ms. Bricker asked Ms. Everest for her thoughts on how the Board can reach their goal of not satisfying any one program, but increase the rigor and standards that will best serve all kids. Ms. Everest responded by requiring more rigor that leads to better-prepared school counselors. Ms. Bricker also asked Ms. Everest for her opinion on extending the implementation date, and Ms. Everest expressed support for adjusting the timeline to allow preparation programs and candidates additional time to make changes to their program to meet the requirements specified in the proposed rule changes. Ms. Everest reinforced the need for a well-defined, articulate, knowledgeable, skilled school counselor that can implement an effective school counseling program and work with teachers and other campus leaders to ensure support for all students.

Dr. Turner shared that she has a master's degree and has been a teacher for 13 years and would not want to be denied an opportunity to become a counselor. Ms. Everest asked if Dr.

Turner would feel prepared to step into the role and be ready with the specialized skill set needed to serve all students. Dr. Turner and Ms. Everest agreed that the rigor of the preparation and training should not be lessened because the master's degree is in something else.

Following the completion of public testimony, Ms. Cook returned and asked for the Board's guidance on next steps. Ms. Druesedow asked if the Board needed to discuss differences in course preparation done through an alternative certification program versus the coursework completed through a university-based program.

TEA staff and the Board engaged in dialogue confirming alternative certification programs cannot issue a master's degree. Dr. Tim Miller provided information on the required hours for classroom teacher certificates and the current program requirements for certificates other than classroom teacher. Dr. Miller shared this is not an alternative vs. institution of higher education issue as public comments indicate there were also some IHEs not in favor of the 48-hour master's degree in counseling.

Ms. Brooks-Sykes expressed her appreciation for the dialogue and emphasized the decisions being made are about students and making sure they have a highly qualified, effective, and prepared school counselor. She spoke of her initial work as a school counselor during Hurricane Katrina and feels her 48-hour master's degree in counseling supported her preparation for the role of school counselor. Ms. Brooks-Sykes express concern about programs with minimal coursework and preparation and asked the Board to consider the amount of preparation they would want an individual to have before stepping into such a critical role. Ms. Brooks-Sykes stated she agrees with delaying the implementation date to 2020 for the proposed rule changes but feels it is critical to retain the requirement of the 48-hour master's degree in counseling.

Ms. Mullins shared that she was raised by a physician and shared the analogy that she would not want to go to a general practitioner to perform her open-heart surgery. Ms. Mullins reminded the Board that they must think about the kids. She expressed the importance of having more fully-qualified counselors in schools and stated she is not worried about requirements for other certificates, as she sees the counselor certificate is different from other certification areas and requires increased specialization and training.

Dr. Cavazos shared the following four key points: agreement with reconsidering the timeline for implementation of the school counselor rules; importance of looking at the impact of an ineffective teacher on a student for one year and suing that same lens to consider the impact of an ineffective counselor on students; this is a complex issue, and there is an opportunity to continue to raise the bar and ensure you have the most highly qualified person in the position; and what are alternative certification programs providing with preparation as compares to a 48-hour master's degree – what is being offered within the coursework hours as the practicum is a moment in time and we need to know the level of preparation ensures the school counselor has an understanding of the complexity of students and their needs. Dr. Cavazos shared that he is a counselor and completed a 48-hour program, and while he is interested in the hours, he feels the content of those hours is critical. Dr. Cavazos stated we need accountability for the preparation of counselors and wanted to know how you monitor and hold programs accountable for preparation. Dr. Cavazos ended his comments by

emphasizing that expectations need to be clear and need to be more than passing the certification test.

Dr. Leal shared his appreciation of the conversation and emphasized he approaches these issues from a business perspective. He shared that an extension of the implementation date provides programs adequate time to adjust to the proposed changes. Mr. Leal suggested the implementation date be prior to 2020. TEA staff suggested September 1, 2019 for the Board's consideration.

Dr. Turner expressed concern about eliminating an alternative option for school counselor certification. Ms. Bricker asked national standards and what other states are doing and had a follow-up question about the Region 4/University of St. Thomas collaboration for school counselor certification. Jan Friese shared her recent research confirmed 41 states required a master's degree in counseling for school counselor certification.

Mr. Villagrana asked how TEA staff would engage more folks in the conversation if the Board decided to delay action on this item until December. Ms. Cook and Dr. Miller shared they would contact all approved school counselor programs for feedback on the proposed 48-hour master's degree requirement and seek detailed information on the coursework and practicum requirements for every program.

Ms. Brooks-Sykes shared her hesitation to delay action on this item for another meeting as this has been a fully transparent process.

Dr. Cavazos asked for confirmation that by moving forward with a proposed 48-hour master's degree in counseling, there would be no alternative method to become a counselor. TEA staff confirmed while school counselor programs at education service centers produce approximately 11% of all certified school counselors, these programs and IHEs that do not currently agree with more specification for the master's degree would be impacted by this rule change. Dr. Cavazos also asked if the proposed change to a 48-hour master's degree in counseling allows university programs to embed certification requirements into the degree requirements. TEA staff confirmed this could be done. Dr. Cavazos expressed the importance of understanding the impact of this decision and stated the Board has a responsibility to ensure that 2019 is a reasonable timeframe to affect change. Dr. Miller shared that for 2016-2017, 1,530 people were issued School Counselor certification, with 1,430 people prepared through educator preparation programs and 100 candidates obtaining certification through the out-of-state credentials review process (i.e., they already held School Counselor certification in their home state prior to moving to Texas). Dr. Miller shared that approximately 172 individuals obtained their school counselor certificates by completing one of the education service center programs.

Public Comment was provided by:

Ms. Barbara Keefer

Mr. Scott Kessel

Dr. Hayden McWhorter

Ms. Barbara Amaya

Mrs. Christye Gannaway

Ms. Jan Friese

Dr. Juan Cooper
Ms. Kathryn Everest

Motion and vote:

Motion was made by Ms. Brooks-Sykes to approve for adoption, subject to State Board of Education review, the proposed revisions to 19 TAC Chapter 239, Student Services Certificates, Subchapter A, School Counselor Certificate, and Subchapter C, Educational Diagnostician Certificate, with an effective date of 20 days after filing the adoption notice with the Texas Register with an amendment to §239.30 changing the implementation date from September 1, 2018 to September 1, 2019. Second was made by Ms. Bricker and the motion carried with Ms. Brooks-Sykes, Ms. Bricker, Ms. Bridges, Dr. Cavazos, Ms. Mullins, Mr. Leal, and Mr. Coleman voting in favor and Dr. Turner voting against the motion.

10. Consider and Take Appropriate Action on Adoption of Proposed Amendments to 19 TAC Chapter 234, Military Service Members, Military Spouses, and Military Veterans

Ms. Cook presented this item to the Board. She highlighted proposed changes on pages 10 and 11, and explained these changes would implement recent legislation to issue a three-year temporary certificate to military spouses. Ms. Cook shared another change has been proposed to ensure that military spouses previously issued a one-year certificate will have an opportunity to extend that credential for two additional years. Ms. Cook explained the proposed change on page 11 provides clarification on the renewal requirements applicable to all members of the military community.

Motion and vote:

Motion was made by Ms. Brooks-Sykes to approve for adoption, subject to State Board of Education review, the proposed amendments to 19 TAC Chapter 234, Military Service Members, Military Spouses, and Military Veterans, with an effective date of 20 days after filing the adoption notice with the Texas Register. Second was made by Mr. Coleman, and the Board voted unanimously in favor of the motion.

11. Consider and Take Appropriate Action on Adoption of Proposed Revisions to 19 TAC Chapter 231, Requirements for Public School Personnel Assignments, Subchapter C, Grades 6-8 Assignments, and Subchapter E, Grades 9-12 Assignments

Ms. Cook presented this item to the Board. She reminded Board members of the discussion in August that focused on training requirements to be implemented in 2018-2019 for several career and technical education courses, and several updates to course names throughout the information provided in Attachment II. Ms. Cook asked Board members to pull out the substitute rule text document and the summary of public comments for this item. She first explained a proposed change to 2019-2020 for implementation of training requirements for several career and technical education (CTE) courses to allow additional time to develop more robust training. Ms. Cook confirmed that this change would have no impact on individuals already certified, and the various courses can continue to be taught by individuals with the certificates specified in rule as appropriate for placement into the assignment. Ms. Cook took a few moments to walk Board members through the summary of public comments

specific to certificates appropriate to teach the following courses: Education and Training, Interior Design, Floral Design, and Photography. She discussed staff's recommended changes at adoption to expand the certificates appropriate to teach the series of courses for Education and Training and Interior Design, but confirmed staff suggests retaining the current list of certificates already in rule for eligibility to teach Floral Design and Photography.

Prior to the Board's vote on this item, Mr. Winchester provided additional information on the proposed change specific to the Education and Training course. He emphasized the goal was to increase flexibility to allow the best teachers and campus leaders within a district to teach this series of courses. Mr. Winchester shared that implementing this rule change would be an impactful move that aligns with the agency's strategic priority one, and assists with motivating the best and the brightest students to consider the teaching profession as a viable career pathway.

Motion and vote:

Substitute motion was made by Ms. Bricker to approve for adoption, subject to State Board of Education review, the proposed revisions to 19 TAC Chapter 231, Requirements for Public School Personnel Assignments, Subchapter C, Grades 6-8 Assignments, and Subchapter E, Grades 9-12 Assignments, as amended in the substitute text document, with an effective date of 20 days after filing the adoption notice with the Texas Register. Second was made by Ms. Bridges, and the Board voted unanimously in favor of the motion.

12. Consider and Take Appropriate Action on Proposed Amendments to 19 TAC Chapter 245, Certification of Educators from Other Countries

Ms. Cook presented this item to the Board. She explained this was a discussion item in August. Ms. Cook shared these rules are specific to the certification process for individuals licensed to teach in other countries. She made a brief connection to conversations related to recent rulemaking on the English language proficiency requirements. Ms. Cook walked the Board through the proposed changes for rules governing the certification process for out-of-country applicants, and emphasized most changes are to update TAC references and/or provide clarification on processes that applicants must follow to complete the Texas credentials review process. Ms. Cook also referenced the supplemental document that compares the certification requirements for visiting international teacher candidates and the requirements for out-of-country certification candidates. Ms. Cook also referenced text within the body of the agenda item that acknowledges the Board's interest in more discussions on the Visiting International Teacher (VIT) certificate requirements.

Dr. Peebles asked questions about the general provisions section and references to the accredited institution of higher education and recommended a change that would strengthen the rules by maintaining consistency in accreditation of degrees from various countries. He indicated there are other accrediting bodies that might be recognized from other departments of education that are not recognized by the Texas Higher Education Coordinating Board. Ms. Cook asked Dr. Peebles for any additional language he might suggest to further tighten the language. Dr. Peebles confirmed his recommendation to retain current wording and add "or by the department of education" at the end of the sentence to expand the coverage of

accrediting bodies. Ms. Cook confirmed staff agrees with the suggested changes to strengthen these rules.

Motion and vote:

Motion was made by Ms. Bricker to approve the proposed amendments to 19 TAC Chapter 245, Certification of Educators from Other Countries, to be published as proposed in the Texas Register. Second was made by Mr. Leal.

The SBEC recessed at 11:38am.

The SBEC reconvened at 11:45am.

Motion was made by Ms. Bricker to amend §245.1, Subsection (b), to add “in the United States accredited or otherwise approved by an accrediting organization recognized by the Texas Higher Education Coordinating Board or by the United States Department of Education” after “education”. Second was made by Ms. Mullins, and the Board voted unanimously in favor of the motion and amendment.

Ms. Mullins left the meeting at 11:48 AM.

The SBEC recessed for lunch at 11:48 AM and reconvened at 12:19 PM.

13. Consider and Take Appropriate Action on Proposed New 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

Ms. Wu and Ms. McLoughlin presented this item to the Board. Ms. Wu stated that the proposed standards were the exact standards that were brought forth for discussion at the August board meeting. Ms. Wu gave rationale as to why 19 TAC Chapter 149 was used as a basis for the prioritized PPR standards. Ms. Wu explained that Chapter 149 was the basis for the creation of the teacher appraisal system, T-TESS, and is currently used by EPPs as the basis of their curriculum for developing teachers. Ms. Wu noted that prioritization of these standards was needed since they cover the span of a novice to accomplished teacher: therefore, the educator standards advisory committee prioritized the standards that were essential for the beginning teacher in each specified grade-band.

Dr. Turner asked how these standards would impact already-certified educators if they wanted to pursue a certification in a different grade-band. Dr. Turner also inquired if educators would need to take another PPR exam. Dr. Miller and Ms. Cook responded by stating that the Board would have the opportunity to make that decision when TAC Chapter 230 subchapter G comes up for discussion. Ms. Cook explained that Chapter 230 outlines the tests that would be needed for certifications, either initial or additional.

Ms. Bricker inquired about the process that has been taken to determine the possible pathways to attaining an Early Childhood: Prekindergarten-Grade 3 certification. Ms. Wu stated that this would be the content of the next item and Ms. Bricker agreed to postpone her question.

Motion and vote:

Motion was made by Mr. Coleman to approve the proposed new 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, to be published as proposed in the Texas Register. Second was made by Ms. Brooks-Sykes, and the Board voted unanimously in favor of the motion.

14. Discussion and Update on Classroom Teacher Standards Advisory Committee

Ms. Wu and Ms. McLoughlin presented this item to the Board. Ms. McLoughlin asked the Board to discuss the drafted EC-3 content, Science of Teaching Reading, and possible EC-6 PPR standards. In addition, Ms. McLoughlin asked the Board to discuss the proposed pathways for attaining an Early Childhood: Prekindergarten-Grade 3 certificate. Ms. McLoughlin reminded the Board that they have held discussions around the development of an early childhood certificate since December 2016.

Ms. McLoughlin shared with the Board that during the 85th legislature, SB 1839 and HB 2039 were passed with statutory requirements to offer an EC-3 certificate and established pathways for educators entering the field, as well as current elementary teachers, to attain an early childhood certificate. Ms. McLoughlin emphasized that by statute, both routes towards certification would require coursework and demonstration of proficiency through assessments.

Ms. McLoughlin also reminded the Board that in previous meetings, board members requested TEA staff explore a supplemental option for the Early Childhood: Prekindergarten-Grade 3 certificate. Ms. McLoughlin shared that given the testimony at the March meeting concerning the ease of acquiring a supplemental through certification by exam, coupled with the training requirements in the statutory language, staff proposed two “pathways” that would ensure all educators of early learners are equipped with the rigorous standards laid out by the Board and advisory committee. Ms. McLoughlin referenced the handout side, which provided a visual of these pathways and reviewed the specifics of each pathway with the Board. Ms. McLoughlin also noted that the statute included a requirement to consult with IHE faculty with expertise in early childhood to draft training and coursework recommendations, and staff would, therefore, be moving forward with convening an IHE Faculty Committee in mid-October for this purpose. Ms. McLoughlin noted that their recommendations will be presented in December in the Chapter 228 item.

Ms. McLoughlin reviewed the timeline of the Educator Standards Advisory Committee’s work and referenced the drafted EC-3 content and Science of Teaching Reading Standards for the Board’s review. Ms. McLoughlin stated that the educator standards advisory committee utilized the Kindergarten-Grade 5 Texas Essential Knowledge and Skills, Prekindergarten guidelines, current Science of Teaching Reading standards, and National Association for the Education of Young Children Standards for Early Childhood Professional Preparation as the foundation for the EC-3 content and Science of Teaching Reading standards. Ms. McLoughlin also noted that EPPs are currently required to align their curriculum with the TEKS and Prekindergarten guidelines along with the Science of Teaching Reading standards.

Ms. McLoughlin then shared that based upon recent feedback of the committee, staff would make an adjustment to the drafted standards to indicate a clear emphasis on the Grades K-3 TEKS. Ms. McLoughlin shared an example of what this would look like within the standard language.

Ms. McLoughlin shared that while staff now bring the EC-3 Content and Science of Teaching Reading standards to the Board for discussion, the intent is for these standards to work with the EC-3 PPR standards from item 13 to create a rigorous and relevant Early Childhood: Prekindergarten-Grade 3 certificate.

Ms. Wu then stated that upon completion of drafting the standards to be included for an Early Childhood: Prekindergarten-Grade 3 certificate, TEA staff identified an opportunity for the Board's consideration to strengthen the existing EC-6 certificate by applying the same methodology and advice provided to grade-band the existing EC-12 PPR by prioritizing standards for an EC-6 PPR. Ms. Wu noted that 37,000 candidates took the EC-12 PPR during the 2016-2017 school year. In that same timeframe, she noted that 20,000 candidates took the EC-6 Core Subjects exam. Ms. Wu also noted that this population of candidates therefore make up a significant portion of those pursuing certification. Ms. Wu stated that these draft standards would, therefore, allow the EC-6 certified individuals to have the same grade-band focused PPR as the EC-3, 4-8, and 7-12. Ms. Wu stated that if the Board approved this approach, staff would include those standards with the EC-3 content and STR standards in the proposal item in December.

There were no questions or comments from the Board on this item.

No action taken.

15. Consider and Take Appropriate Action on Proposed Amendments to 19 TAC Chapter 249, Disciplinary Proceedings, Sanctions, and Contested Cases, Subchapter A, General Provisions, §249.3, Definitions, Subchapter B, Enforcement Actions and Guidelines, §249.12, Administrative Denial; Appeal, §249.14, Complaint, Required Reporting, and Investigation; Investigative Notice; Filing of Petition, §249.15, Disciplinary Action by State Board for Educator Certification, §249.17, Decision-Making Guidelines, and Subchapter D, Hearing Procedures, §249.35, Disposition Prior to Hearing; Default

Ms. Moriarty presented this item to the Board. Ms. Moriarty explained that the proposed amendments would implement Senate Bill (SB) 7, 85th Texas Legislature, Regular Session, 2017; set minimum standards for administrators who fail to report educator misconduct; clarify the reasons for which the SBEC can deny a certificate to an applicant; require reporting administrators to provide additional factual details in educator misconduct reports; and clarify the law that applies when educators default after failing to answer a petition.

Motion and vote:

Motion was made by Mr. Coleman to approve the proposed amendments to 19 TAC Chapter 249, Disciplinary Proceedings, Sanctions, and Contested Cases, Subchapter A, General Provisions, §249.3, Definitions, Subchapter B, Enforcement Actions and Guidelines, §249.12,

Administrative Denial; Appeal, §249.14, Complaint, Required Reporting, and Investigation; Investigative Notice; Filing of Petition, §249.15, Disciplinary Action by State Board for Educator Certification, and §249.17, Decision-Making Guidelines, and Subchapter D, Hearing Procedures, §249.35, Disposition Prior to Hearing; Default, to be published as proposed in the Texas Register. Second was made by Ms. Brooks-Sykes, and the Board voted unanimously in favor of the motion.

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

Dr. Miller presented this item to the Board. Dr. Miller explained that this item provides the Board an opportunity to discuss and approve a principal survey of first-year teachers that more clearly describes the performance expectations for first-year teachers and more closely aligns with the Texas Teacher Evaluation and Support System (T-TESS) rubric. This item also provides the Board with an opportunity to discuss and approve a survey of new teachers that is also more closely aligned with the T-TESS rubric. The approved surveys will be piloted in Spring 2018. The principal and teacher surveys are factors in determining the performance of educator preparation programs (EPPs) in the Accountability System for Educator Preparation Programs. Dr. Miller explained that changes were made to the principal survey based on input from Dr. Ridley during a previous meeting to ensure the survey was based on a first-year teacher's demonstration of practices. Dr. Miller also explained that changes were made to both surveys based on input from the cognitive interviews that were conducted during the summer. Dr. Miller informed the Board that the names of cognitive interview participants were not included in the item but the demographics of the schools where the principals and teachers who participated in the cognitive interviews were included in the item. Dr. Miller reminded the Board that these surveys will be piloted in the spring of 2018, the results would be shared with the Board to inform the adoption of performance standards for EPPs, and the Board would have an opportunity to approve any final changes to the survey after the pilot. Dr. Turner asked why the surveys did not use the same performance indicators that were included in the T-TESS rubric. Dr. Miller explained that different scale was used for the surveys because not all districts and schools use the T-TESS rubric.

Motion and vote:

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

17. Consider and Take Appropriate Action on Request to Approve New Class of Certificate at East Texas Baptist University

Dr. Miller presented this item to the Board. Dr. Miller explained that this item provides the Board an opportunity to approve a request by East Texas Baptist University, an approved and accredited educator preparation program located in Marshall, Texas, to offer the Superintendent class of certificate. Texas Education Agency (TEA) staff reviewed the proposal request 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, Chapter 230, Professional Educator Preparation and Certification, Subchapter B,

General Certification Requirements, and Chapter 242, Superintendent Certificate. Dr. Miller explained that the program would go above beyond the minimum standards by requiring four onsite and face-to-face observations of superintendent candidates during their practicum experience.

Motion and vote:

Motion was made by Ms. Bricker to approve the Superintendent class of certificate at East Texas Baptist University as presented. Second was made by Ms. Bridges, and the Board voted unanimously in favor of the motion.

18. Approval of the SBEC Mission Statement and Core Principles

Ms. Pogue presented this item to the Board. Ms. Pogue reminded the Board that during the August 3, 2017 work session, Dr. Cheryl Harris, with the American Institutes for Research, facilitated the Board through reviewing the current mission statement and core principles. Ms. Pogue also reminded the Board that the mission statement and core principles inform the TEA staff in performing the administrative functions on behalf of the Board. Ms. Pogue presented Dr. Harris' draft mission statement and core principles that reflect the input staff received from the Board during the work session.

Motion and vote:

Motion was made by Dr. Cavazos to approve the SBEC Mission Statement and Core Principles. Second was made by Dr. Turner, and the Board voted unanimously in favor of the motion.

DISCIPLINARY CASES

19. Pending or Contemplated Litigation, including Disciplinary Cases

A. Defaults

No Answer Defaults

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

Staff recommendation: 1 year suspension

2. In the Matter of Malynda Schoppe Fischer; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: 1 year suspension

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

Staff recommendation: 1 year suspension

4. In the Matter of Scott Christopher Challgren; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: Permanent Revocation

5. In the Matter of Luis Pasos-Chirino; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: Permanent Revocation

6. In the Matter of John Marcos Perez; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: Permanent Revocation

7. In the Matter of Mary Ainsley Thigpen; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: Permanent Revocation

8. In the Matter of Nathaniel Dwight Jackson; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: Permanent Revocation

9. In the Matter of Luis Rodriguez; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: Permanent Revocation

10. In the Matter of Gloria Micaela Aguilar; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: Permanent Revocation

11. In the Matter of Alfredo Avalos; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: Permanent Revocation

12. In the Matter of Amanda Bernal; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: Permanent Revocation

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

Staff recommendation: Permanent Revocation

15. In the Matter of April R. Gunn; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: Revocation

16. In the Matter of Phlicia Rashad Johnson; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: Permanent Revocation

17. In the Matter of Mark Anthony Mask; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: Permanent Revocation

18. In the Matter of Tarrell Tyler Matlock; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: Revocation

19. In the Matter of Aaron M. Stevens; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: Revocation

20. In the Matter of Lexia B. Ball; 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

21. In the Matter of Traci Anne Brannan; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: Permanent Revocation

22. In the Matter of Amanda B. Collett; 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

23. In the Matter of Jennifer Finney; 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

24. In the Matter of Jennifer Graham; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: Revocation

25. In the Matter of Melissa Guerrero; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: Revocation

26. In the Matter of Candace Kathleen Jacobs; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: Revocation

27. In the Matter of Michelle Hernandez-Moreno; 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

28. In the Matter of Vicente Leal, Jr.; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: Revocation

29. In the Matter of Rachel Sambrano; 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 Walteikia Mashae Shaw; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: Revocation

31. In the Matter of Paula A. Trevino; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: Revocation

34. In the Matter of Tyler Davis; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: Revocation

35. In the Matter of Donna Lynn Smith (Robertson); Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: Revocation

36. In the Matter of Anthony Ray Veal; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: Revocation

38. In the Matter of Marie Elsa Rodriguez; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: Revocation

Motion and vote:

Motion was made by Ms. Bricker to grant Staff's Request for Issuance of Default Judgment and enter final orders consistent with Staff's recommendations on each of the above numbered cases 1-38, excluding cases 13, 32, 33, and 37. Second was made by Mr. Coleman, and the Board voted unanimously in favor of the motion.

The following defaults were considered individually:

13. In the Matter of Brandon Davis; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: Revocation

Motion and vote:

Motion was made by Dr. Cavazos to approve Staff's Request for Issuance of Default Judgment and enter a final order consistent with Staff's recommendation. Second was made by Mr. Leal, and the Board voted unanimously in favor of the motion.

32. In the Matter of Nancy Dianne Singler; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: Revocation

Motion and vote:

Motion was made by Ms. Bricker to approve Staff's Request for Issuance of Default Judgment and enter a final order of Permanent Revocation. Second was made by Mr. Leal and the motion failed with Ms. Bricker, Mr. Leal and Mr. Coleman voting in favor, and Dr. Cavazos, Ms. Bridges, Ms. Brooks-Sykes and Dr. Turner voting against the motion.

Motion was made by Dr. Turner to approve Staff's Request for Issuance of Default Judgment and enter a final order consistent with Staff's recommendation. Second was made by Ms. Bridges, and the Board motion carried with Dr. Turner, Ms. Bridges, Dr. Cavazos, and Ms. Brooks-Sykes voting in favor, and Ms. Bricker, Mr. Leal, and Mr. Coleman voting against.

33. In the Matter of Victoria Gauthier Steward; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: Revocation

Motion and vote:

Motion was made by Ms. Bricker to approve Staff's Request for Issuance of Default Judgment and enter a final order of Permanent Revocation. Second was made by Mr. Coleman and the motion carried with Mr. Leal, Ms. Bricker, Mr. Coleman and Ms. Druesedow voting in favor and Dr. Cavazos, Ms. Bridges, and Dr. Turner voting against.

SOAH Defaults

1. In the Matter of Jimmie Earl House; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: 2 year suspension

Motion and vote:

Motion was made by Mr. Coleman to approve Staff's Request for Issuance of SOAH Default Judgment and enter a final order of Revocation. Second was made by Ms. Bricker, and the Board voted unanimously in favor of the motion.

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

Staff recommendation: Denial of application for certification

Motion and vote:

Motion was made by Mr. Coleman to approve Staff's Request for Issuance of SOAH Default Judgment and enter a final order consistent with Staff's recommendation. Second was made by Dr. Cavazos, and the Board voted unanimously in favor of the motion.

The following defaults were pulled from the agenda by TEA Legal (no action taken):

37. In the Matter of Kelly Ann Armstrong; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: Revocation

Dr. Cavazos left the meeting at 1:58 PM.

B. Contested Cases

Proposals for Decision

1. Docket No. 701172672.EC, Texas Education Agency, Educator Leadership and Quality Division v. Sedrick Love; Action to be taken: Consideration of Proposal for Decision and Issuance of Final Order.

ALJ Recommendation: Permanent Revocation

Staff Recommendation: Accept ALJ Recommendation

TEA was represented by Mr. Crabtree. Respondent, Mr. Love, was represented by Mr. Lungwitz.

Motion and vote:

Motion was made by Mr. Coleman to accept the Proposal for Decision and issue a final order consistent with the ALJ's recommendation. Second was made by Ms. Bridges, and the Board voted unanimously in favor of the motion.

2. Docket No. 701173593.EC, Texas Education Agency, Educator Leadership and Quality Division v. Christopher Greene; Action to be taken: Consideration of Proposal for Decision and Issuance of Final Order.

ALJ Recommendation: Inscribed Reprimand

Staff Recommendation: 2 year suspension

TEA was represented by Mr. Crabtree. Respondent, Mr. Greene, was represented by Mr. Chuckwudi.

Motion and vote:

Motion was made by Mr. Coleman to adopt the Proposal for Decision including Findings of Fact Nos. 1 -- 29 and Conclusions of Law Nos. 1 -- 9. I move that the Board strike Finding of Fact 30 and modify Conclusion of Law No. 10 as follows:

10. *Christopher Greene's educator certification should be SUSPENDED for TWO (2) years.*

These modifications are permissible pursuant to Texas Government Code Section 2001.058(e) and is necessary because the Administrative Law Judge did not properly apply the law and Board rules.

On Finding of Fact 30, labeling a recommended sanction as a finding of fact or a conclusion of law does not change the fact that the Board has broad discretion to determine the penalty in educator discipline cases. Finding of Fact 30 is a sanction recommendation, which is not appropriate as a Finding of Fact. I therefore move that the Board orders it stricken.

On Conclusion of Law 10, the recommended sanction of a reprimand is insufficient given the seriousness of the violations the ALJ found in this case. The ALJ found in Conclusion of Law 8 that Mr. Greene violated the SBEC rules by failing to maintain appropriate professional educator-student relationships and boundaries and by engaging in inappropriate communications with students.

Mr. Greene's conduct described in Findings of Fact 17 and 25—having text-message conversations with a student about his ex-wife—is a serious violation of the boundaries and appropriate communications that should exist between an educator and a student. Such behavior requires a stronger sanction than an inscribed reprimand. A two-year suspension will allow Mr. Greene time to reflect on his inappropriate conduct and will deter him from having further problems with inappropriate communications or boundaries with future students. I therefore move that Mr. Greene's certificates be suspended for two years. Second was made by Mr. Leal, and the Board voted unanimously in favor of the motion.

3. Docket No. 701172260.EC, Texas Education Agency, Educator Leadership and Quality Division v. Joel Trigo, Jr.; Action to be taken: Consideration of Proposal for Decision and Issuance of Final Order.

ALJ Recommendation: Inscribed Reprimand

Staff Recommendation: Revocation

TEA was represented by Mr. Crabtree. Respondent, Mr. Trigo, was represented by Ms. Kalchthaler.

Ms. Brooks-Sykes left the meeting at 2:40 PM.

The SBEC entered into closed session at 2:40 PM pursuant to Texas Government Code Section 551.071 to obtain the advice of legal counsel regarding agenda item number 19.

The SBEC Open Meeting reconvened at 2:55 PM, no action was taken in closed session.

Motion and vote:

Motion was made by Mr. Leal to adopt the Proposal for Decision including Findings of Fact Nos. 1 -- 19 and Conclusions of Law Nos. 1 – 9. I move that the Board modify Conclusion of Law No. 10 as follows:

10. Joel Trigo, Jr.'s Administrator, Superintendent, and Supervisor certifications should be REVOKED.

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

While the ALJ found that Mr. Trigo had failed to notify the SBEC of two educators’ resignations in violation of 19 Texas Administrative Code §§247.2(1)(G), 249.14(d)(2) and (3), the penalty recommendation of an inscribed reprimand in Conclusion of Law 10 did not match the seriousness of Mr. Trigo’s actions.

The Board has discretion to determine the penalty in educator discipline cases. In this case, Findings of Fact 9-17 and Conclusions of Law 6-8 evidence the seriousness of the violation, 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 militate in favor of a sanction of revocation for Mr. Trigo’s Administrator, Superintendent and Supervisor certificates so that he will no longer have the opportunity to fail to report educator wrongdoing to the SBEC, and so that others serving as superintendents or directors in Texas schools will be deterred from failing to report educator wrongdoing in the future. Second was made by Ms. Bricker and the motion carried with Mr. Leal, Ms. Bricker, Dr. Turner and Ms. Druesedow voting in favor, and Ms. Bridges and Mr. Coleman voting against.

4. Docket No. 701171266.EC, Texas Education Agency, Educator Leadership and Quality Division v. Linda Hampton; Action to be taken: Consideration of Proposal for Decision and Issuance of Final Order.

ALJ Recommendation: No Disciplinary Action be Taken

Staff Recommendation: Accept ALJ Recommendation

TEA was represented by Mr. Ybarra. Respondent, Ms. Hampton, was represented by Ms. Moore.

Motion and vote:

Motion was made by Ms. Bricker to accept the Proposal for Decision and issue a final order consistent with the ALJ’s recommendation. Second was made by Mr. Coleman and the Board voted unanimously in favor of the motion.

Mr. Leal left the meeting at 3:00 PM.

5. Docket No. 701172750.EC, Texas Education Agency, Educator Leadership and Quality Division v. Gary "G" Floyd; Action to be taken: Consideration of Proposal for Decision and Issuance of Final Order.

ALJ Recommendation: No Disciplinary Action be Taken

Staff Recommendation: Accept ALJ Recommendation

TEA was represented by Mr. Duncan. Respondent, Mr. Floyd, represented himself.

Motion and vote:

Ms. Bricker recused herself from voting on this matter.

Motion was made by Dr. Turner to accept the Proposal for Decision and issue a final order consistent with the ALJ's recommendation. Second was made by Ms. Bridges, and the Board voted unanimously in favor of the motion.

Dr. Ridley left the meeting at 3:05 PM.

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. Michael Jimenez v. Texas Education Agency, Educator Certification and Standards Division; Cause No. D-1-GN-17-001964, In the 201st District Court of Travis County, Texas.
3. 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.
4. 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.
5. Norma Regina Gonzalez (a/k/a Gina Oaxaca) v. Texas Education Agency, Educator Standards Division; Cause No. D-1-GN-17-004263, In the 200th District Court of Travis County, Texas.

DISCUSSION ONLY

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

Dr. Miller did not present this item to the Board due to a loss of quorum and adjournment of the SBEC meeting.

No action was taken.

21. Discussion of Proposed Amendments to 19 TAC Chapter 228, Requirements for Educator Preparation Programs

Dr. Miller did not present this item to the Board; however, all individuals registered to provide testimony on this item were allowed to speak prior to a loss of quorum and adjournment of the SBEC meeting.

Public Comment was provided by:

Dr. Christina Ellis
Dr. Jannah Nerren

No action was taken.

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

Ms. Cook did not present this item to the Board; however, all individuals registered to provide testimony on this item were allowed to speak prior to a loss of quorum and adjournment of the SBEC meeting.

Public Comment was provided by:

Mr. Malar Selvan
Mrs. Charlotte Burton
Ms. Rufina Michael
Ms. Shreya Chanth

No action was taken.

Ms. Bricker left the meeting at 3:48 PM.

23. Discussion of the Implementation of Senate Bill 1839 Data Sharing Provision

Dr. Miller did not present this item to the Board due to a loss of quorum and adjournment of the SBEC meeting.

No action was taken.

INFORMATION ONLY

24. Board Operating Policies and Procedures (BOPP)

Information Only.

25. 2015 - 2018 Rule Review Plan for State Board for Educator Certification Rules

Information Only.

26. Requests from Board Members for Future Agenda Items

Information Only.

27. Requests Received from the Board Since Last Meeting

None.

28. Adjournment

Ms. Druesedow adjourned the meeting at 3:48 PM due to a lack of quorum of SBEC members.

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.