

**Item 5:**  
**Consider and Take Appropriate Action on Request to  
Approve February 12, 2021 Board Meeting Minutes**

**ACTION**

**INTERIM ASSOCIATE COMMISSIONER'S RECOMMENDATION:**

Approve the February 12, 2021 Board meeting minutes.

**STATE BOARD FOR EDUCATOR CERTIFICATION**  
**MEETING AGENDA**  
**FEBRUARY 12, 2021 AT 8:30 AM**  
**VIRTUAL MEETING (LIVESTREAM ON [ADMINMONITOR.COM](http://www.adminmonitor.com))**

Due to Governor Greg Abbott's March 13, 2020 proclamation of a state of disaster affecting all counties in Texas due to the Coronavirus (COVID-19) and the Governor's March 16, 2020 suspension of certain provisions of the Texas Open Meetings Act, the February 12, 2021 meeting of the State Board for Educator Certification will be held by video conference call, as authorized under Texas Government Code section 551.125.

Members of the public will have access to this meeting by watching the livestream on the Admin Monitor website: <http://www.adminmonitor.com/tx/tea/>. Members of the public will have a means to participate in this meeting, by video conference call, by signing up for public comment. Information regarding registering for public comment can be found at: <https://tea.texas.gov/about-tea/leadership/state-board-for-educator-certification/sbec-meetings>. An electronic copy of the agenda and meeting materials is now available at <https://tea.texas.gov/about-tea/leadership/state-board-for-educator-certification/sbec-meetings>. A recording of the meeting will be available on the Admin Monitor's website after the meeting.

The Board will meet virtually and after determining the presence of a quorum, deliberate and possibly take formal action, including emergency action, on any of the following agenda items:

**Moment of Silence**

**Pledge of Allegiance**

**1. Call to Order**

The State Board for Educator Certification (SBEC) convened its virtual meeting at 8:31 AM on Friday, February 12, 2021 via Zoom Meetings.

Present: Ms. Rohanna Brooks-Sykes, Dr. Arturo Cavazos, Mr. Tommy Coleman, Ms. Emily Garcia, Dr. John Kelly, Dr. Andrew Lofters, Ms. Courtney MacDonald, Ms. Shareefah Mason, Ms. Kelvey Oeser, Dr. Alma Rodriguez, Mr. Jose Rodriguez, Ms. Jean Streepey, and Dr. Laurie Turner.

Absent: Ms. Julia Dvorak and Ms. Sandie Mullins.

**2. Interim Associate Commissioner's Comments Regarding the SBEC Agenda**

Interim Associate Commissioner Marilyn Cook welcomed the Board members and thanked TEA staff for their tireless efforts. Ms. Cook also thanked outgoing Associate Commissioner Ryan Franklin for his many years of service and dedication to the SBEC, TEA staff across the agency, and the education profession.

### 3. Public Comment

None.

### CONSENT AGENDA

#### 4. Consider and Take Appropriate Action on Request to Approve December 11, 2020 Board Meeting Minutes

The December 11, 2020 meeting minutes were approved.

### DISCUSSION AND ACTION

#### 5. Consider and Take Appropriate Action on Adoption of Proposed Amendment to 19 TAC Chapter 230, Professional Educator Preparation and Certification, Subchapter A, General Provisions, §230.1, Definitions

Ms. McLoughlin presented this item to the Board. She explained that this item provided the SBEC the opportunity to adopt the proposed amendment to §230.1(17), which would update the definition of a pilot exam to indicate that the edTPA performance assessment pilot will be subject to review by the SBEC prior to September 1, 2022, rather than the original review date of September 1, 2021. She shared that the intent of the proposed update to the pilot review date was to provide programs engaged in the edTPA pilot flexibility and a longer runway due to the impact of COVID-19. She shared that at the October 2020 meeting, the SBEC signaled the approval of the extension of the pilot and at the December meeting the SBEC took action to propose the amendment. Ms. McLoughlin shared the item received 5 public comments. There were no questions from the Board.

#### Motion and vote:

*Motion was made by Ms. Brooks-Sykes to adopt the proposed amendment to 19 TAC Chapter 230, Professional Educator Preparation and Certification, Subchapter A, General Provisions, §230.1, Definitions, to be published as proposed in the Texas Register. Second was made by Ms. MacDonald, and the Board voted unanimously in favor of the motion.*

#### 6. Consider and Take Appropriate Action on Proposed Review of 19 TAC Chapter 231, Requirements for Public School Personnel Assignments

Ms. Cook presented this item to the Board. She explained this chapter establishes the rules specific to personnel assignments and identifies the appropriate SBEC-issued certificates to qualify for placement into various roles. Ms. Cook stated this is a mandatory review of the chapter that aligns with the four-year rule review cycle for all state agency rules. Ms. Cook thanked the Board for their ongoing support of rulemaking specific to this chapter and shared that she anticipated public comments would afford her an opportunity to return in the future with proposed rule changes for the Board's consideration. There were no questions from the Board.

Public Comment was provided by:  
John Owen

**Motion and vote:**

*Motion was made by Ms. Streepey to propose the four-year rule review of 19 TAC Chapter 231, Requirements for Public School Personnel Assignments. Second was made by Ms. Brooks-Sykes, and the Board voted unanimously in favor of the motion.*

**7. Consider and Take Appropriate Action on Proposed Review of 19 TAC Chapter 245, Certification of Educators from Other Countries**

Ms. Cook presented this item to the Board. She explained this chapter establishes the rules specific to certificate issuance for individuals licensed to teach in other countries. Ms. Cook stated this is a mandatory review of the chapter that aligns with the four-year rule review cycle for all state agency rules. Ms. Cook shared that she anticipated public comments would afford her an opportunity to return in the future with proposed rule changes for the Board's consideration. There were no questions from the Board.

**Motion and vote:**

*Motion was made by Mr. Coleman to propose the four-year rule review of 19 TAC Chapter 245, Certification of Educators from Other Countries. Second was made by Ms. MacDonald, and the Board voted unanimously in favor of the motion.*

**8. Consider and Take Appropriate Action on Request to Approve 2019–2020 Accountability System for Educator Preparation (ASEP) Accreditation Statuses**

Dr. Olofson and Ms. Pogue presented this item to the Board. Dr. Olofson explained the accountability system and highlighted that at the October 2020 meeting the Board had adopted rule text creating the status of Not Rated: Declared State of Disaster for the 2019-2020 academic year. Ms. Pogue indicated the opportunity for further discussion about 2020-2021 ASEP at the upcoming meeting, and that TEA was continuing to collect input from stakeholders.

Dr. Kelley asked about the performance measure for field observations. Dr. Olofson noted that the requirement for observations is also in Chapter 228, and that the performance standard of 95% provides a small amount of flexibility for programs. Ms. Garcia added that the performance standard allows for flexibility related to candidate life events. Dr. Lofters asked about the timing of the implementation of the student achievement indicator. Dr. Olofson clarified that this data will become available as the TEA team that calculates the growth measure is able to calculate it.

**Motion and vote:**

*Motion was made by Dr. Kelley to approve the 2019–2020 Accountability System for Educator Preparation Programs accreditation statuses as presented. Second was made by Ms. Streepey, and the Board voted unanimously in favor of the motion.*

**9. Consider and Take Appropriate Action on Request to Approve 2019–2020 Educator Preparation Program (EPP) Commendations**

Dr. Olofson presented this item to the Board. He explained the commendation framework and the related processes for determining commendations. Dr. Olofson highlighted the innovative educator preparation category, and described the processes related to this commendation and work of the SBEC EPP Commendations Committee. Mr. Rodriguez, the chair of the SBEC EPP Commendations Committee, provided an overview of the work of the committee and the decision-making process. He noted the high quality of the applicant programs and identified the three programs recommended for commendation in this category. He further noted that Ms. Garcia, as a representative of Urban Teachers, did not participate in scoring or voting related to that program. Dr. Rodriguez, Ms. Streepey, and Ms. Oeser commented on the quality of the identified programs, and that the practices highlighted can benefit the field.

Dr. Rodriguez asked about some of the performance standards and the number of programs identified for commendations. Dr. Olofson clarified that programs that are not eligible for commendations are removed from the list following the calculations. Dr. Cavazos thanked the committee for their work and noted that EPPs can learn from each other.

**Motion and vote:**

*Motion was made by Dr. Kelley to approve the 2019–2020 Educator Preparation Program Commendations as presented. Second was made by Dr. Turner, and the Board voted unanimously in favor of the motion.*

**10. Appointment of Committee Chair and Members to the SBEC EPP Commendations Committee**

Dr. Olofson presented this item to the Board. He explained that this item provides the opportunity for the Board chair to appoint a committee chair, and for Board members to volunteer for the committee. He also described the nature of the committee work.

Ms. Streepey, Ms. MacDonald, Dr. Kelley, Dr. Rodriguez, Ms. Garcia, and Ms. Mason volunteered for the committee. Dr. Cavazos appointed Dr. Kelley as the chair of the committee. Dr. Cavazos thanked Mr. Rodriguez for his service as the outgoing committee chair.

**11. Consider and Take Appropriate Action on Approval of Educator Preparation Advisory Committee (EPAC) Members**

Ms. Pogue presented this item to the Board. She laid out the process TEA staff utilized in following the Board's directive at the October 2020 SBEC meeting to expand the EPAC membership to reflect the Board's oversight and composition. Ms. Pogue presented the three categories of membership submissions: professional organizations were afforded one representative; EPP members representing diverse sizes, types, and locations; and non-EPP members, three of which are classroom teachers representing diverse assignments and types of districts. She shared that staff received 59 nomination forms for the 31 slated spots, and that those not recommended at this time would be utilized for future EPAC openings.

Dr. Rodriguez and Mr. Rodriguez requested additional information regarding the process used in determining the recommended EPAC membership to ensure proper proportion of EPP program type as reflected in the state, as well as ensuring diversity, equity, and inclusion. Dr. Cavazos directed TEA staff to provide a deep dive to the Board at a future meeting regarding the requests.

## 12. Revisions to the Board Operating Policies and Procedures (BOPP)

Ms. Pogue presented this item to the Board. She stated that this item will satisfy the annual review of the BOPP as well as allow for revisions regarding Board Committees to reflect current SBEC decisions and practice. The changes that the Board made regarding SBEC Committees are:

- Striking the Legislative Committee to reflect the Board moving away from the committee structure to the full Board structure in receiving legislative updates.
- Adding the EPP Commendations Committee to reflect the Board adding this committee in February 2020 to review EPP applications for SBEC commendations to the full Board.
- Updating the EPAC committee to reflect the expansion of the committee to reflect the Board's oversight and composition.

The SBEC recessed at 10:03 AM.

The SBEC reconvened at 10:13 AM.

## DISCIPLINARY CASES

### 13. Pending or Contemplated Litigation, including Disciplinary Cases

#### A. Defaults

#### Rehearing of Motion for Default Judgment

1. In the Matter of Shauna Wells; Action to be taken: Reconsider Issuance of Default Judgment to determine whether Respondent had good cause for default

Staff recommendation: Deny Default Judgment due to Respondent's good cause for default

#### Motion and vote:

*Motion was made by Ms. Brooks-Sykes that the Board deny staff's request for the issuance of default judgement because Shauna Wells had good cause for her failure to file an answer timely. Second was made by Mr. Coleman, and the Board voted unanimously in favor of the motion.*

#### No Answer Defaults

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

- Staff recommendation: 1-year suspension
2. In the Matter of Audriel Brooks; Action to be taken: Consideration of Issuance of Default Judgment
- Staff recommendation: 1-year suspension
3. In the Matter of Ashley Danielle Hall; Action to be taken: Consideration of Issuance of Default Judgment
- Staff recommendation: 1-year suspension
4. In the Matter of David Gavin; Action to be taken: Consideration of Issuance of Default Judgment
- Staff recommendation: 1-year suspension
5. In the Matter of Nicholas Young; Action to be taken: Consideration of Issuance of Default Judgment
- Staff recommendation: 1-year suspension
6. In the Matter of Christopher Coronado; Action to be taken: Consideration of Issuance of Default Judgment
- Staff recommendation: Permanent Revocation
7. In the Matter of Vinod Madathil Kunju; Action to be taken: Consideration of Issuance of Default Judgment
- Staff recommendation: Permanent Revocation
8. In the Matter of Jared Masood; Action to be taken: Consideration of Issuance of Default Judgment
- Staff recommendation: Permanent Revocation
9. In the Matter of Kito Cilombo Queen; Action to be taken: Consideration of Issuance of Default Judgment
- Staff recommendation: Permanent Revocation
10. In the Matter of Roberto Silva, Jr.; Action to be taken: Consideration of Issuance of Default Judgment
- Staff recommendation: Permanent Revocation
15. In the Matter of Andre Lamont Evans; Action to be taken: Consideration of Issuance of Default Judgment

- Staff recommendation: 2-year suspension
18. In the Matter of Carolyn Swisher Daniels; Action to be taken: Consideration of Issuance of Default Judgment
- Staff recommendation: Revocation
19. In the Matter of Brian Keith DeShay; Action to be taken: Consideration of Issuance of Default Judgment
- Staff recommendation: Revocation
20. In the Matter of Marvin Louis Johnson; Action to be taken: Consideration of Issuance of Default Judgment
- Staff recommendation: Revocation
21. In the Matter of Artis Wilson, II.; Action to be taken: Consideration of Issuance of Default Judgment
- Staff recommendation: Revocation
22. In the Matter of Abel York; Action to be taken: Consideration of Issuance of Default Judgment
- Staff recommendation: Revocation
23. In the Matter of Myron T. Cumby; Action to be taken: Consideration of Issuance of Default Judgment
- Staff recommendation: 7-year suspension and proof of successful completion of substance abuse treatment program
24. In the Matter of Brittany N. Krantz; Action to be taken: Consideration of Issuance of Default Judgment
- Staff recommendation: 6-year suspension and proof of successful completion of substance abuse treatment program
27. In the Matter of Mary Lynn Cain; 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
29. In the Matter of Cassandra L. Bransford; Action to be taken: Consideration of Issuance of Default Judgment



Staff recommendation: 5-year suspension

**Motion and vote:**

*Motion was made by Mr. Coleman that the Board grant Staff's request for issuance of default on cases numbered 1 – 29, as listed on the agenda, excluding cases numbered 11, 12, 13, 14, 16, 17, 25, 26, and 28, and enter final orders consistent with staff's recommendations. Second was made by Ms. Brooks-Sykes, and the Board voted unanimously in favor of the motion.*

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

Staff recommendation: Revocation

Ms. Mason recused herself from voting.

**Motion and vote:**

*Motion was made by Mr. Coleman that the Board grant staff's request for issuance of default judgment and enter a final order consistent with staff's recommendation. Second was made by Mr. Rodriguez, and the Board voted unanimously in favor of the motion.*

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

Staff recommendation: Revocation

**Motion and vote:**

*Motion was made by Ms. Brooks-Sykes that the Board grant staff's request for issuance of default judgment and enter a final order issuing a sanction of permanent revocation. Second was made by Mr. Coleman, and the Board voted unanimously in favor of the motion.*

14. In the Matter of Scott Courtney Berry; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: Revocation

**Motion and vote:**

*Motion was made by Ms. Brooks-Sykes that the Board grant staff's request for issuance of default judgment and enter a final order issuing a sanction of permanent revocation. Second was made by Dr. Turner, and the Board voted unanimously in favor of the motion.*

16. In the Matter of Sondra R. Madewell; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: 5-year suspension

**Motion and vote:**

*Motion was made by Mr. Coleman that the Board grant staff's request for issuance of default judgment and enter a final order issuing a sanction of revocation. Second was made by Dr. Kelly, and the Board voted unanimously in favor of the motion.*

17. In the Matter of William Lynn Merrell; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: 5-year suspension

**Motion and vote:**

*Motion was made by Mr. Coleman that the Board grant staff's request for issuance of default judgment and enter a final order issuing a sanction of revocation. Second was made by Ms. Brooks-Sykes, and the Board voted unanimously in favor of the motion.*

25. In the Matter of Glenn E. Bass; 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

**Motion and vote:**

*Motion was made by Ms. Brooks-Sykes that the Board grant staff's request for issuance of default judgment and enter a final order issuing a sanction of a five (5) year suspension and proof of successful completion of a substance abuse treatment program. Second was made by Dr. Turner, and the Board voted unanimously in favor of the motion.*

26. In the Matter of Arthur Ray Thomas; 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

**Motion and vote:**

*Motion was made by Ms. Brooks-Sykes that the Board grant staff's request for issuance of default judgment and enter a final order issuing a sanction of a five (5) year suspension and proof of successful completion of a substance abuse treatment program. Second was made by Dr. Turner, and the Board voted unanimously in favor of the motion.*

**The following cases were pulled by TEA staff and no action was taken:**

12. In the Matter of Diamant Ivan Mihaloglou; Action to be taken: Consideration of Issuance of Default Judgment  
  
Staff recommendation: Revocation
28. In the Matter of Phyllis Renee Taylor; Action to be taken: Consideration of Issuance of Default Judgment  
  
Staff recommendation: 4-year suspension

**B. Contested Cases**

## Proposals for Decision

1. Docket No. 701204078.EC, Texas Education Agency, Educator Leadership and Quality Division v Jose Gonzalez; Action to be taken: Consideration of Proposal for Decision and Issuance of Final Order.

ALJ Recommendation: Permanent Revocation

Staff Recommendation: Accept ALJ recommendation

Mr. Hensley represented TEA staff. Mr. Gonzalez represented himself.

**Motion and vote:**

*Motion was made by Dr. Kelly that the Board accept the proposal for decision and issue a final order consistent with the ALJ's recommendation. Mr. Gonzalez's educator certificates should be permanently revoked. Second was made by Ms. Streepey, and the Board voted unanimously in favor of the motion.*

2. Docket No. 701204213.EC, Texas Education Agency, Educator Leadership and Quality Division v. Kenneth Robinson; Action to be taken: Consideration of Proposal for Decision and Issuance of Final Order.

ALJ Recommendation: Revocation

Staff Recommendation: Accept ALJ recommendation

**Motion and vote:**

*Motion was made by Mr. Coleman that the Board accept the proposal for decision and issue a final order consistent with the ALJ's recommendation. Mr. Robinson's paraprofessional certificate should be revoked. Second was made by Ms. MacDonald, and the motion passed with Mr. Coleman, Dr. Kelly, Ms. MacDonald, Mr. Rodriguez, Ms. Streepey, and Dr. Turner in favor of the motion, Ms. Brooks-Sykes and Ms. Mason voting against the motion.*

3. Docket No. 701204330.EC, Texas Education Agency, Educator Leadership and Quality Division v. Michael Trezvant-Ebbs, Amia Lynn Young-Trezvant, and Puntwida Trezvant; Action to be taken: Consideration of Proposal for Decision and Issuance of Final Order.

ALJ Recommendation: Deny the application of Michael Trezvant-Ebbs for Educator Certificates; Affirm the cancellation of certificates of Amia Lynn Young-Trezvant and Puntwida Trezvant

Staff Recommendation: Accept ALJ recommendations

Mr. Crabtree represented TEA staff. Mr. Michael Trezvant-Ebbs, Ms. Amia Lynn Young-Trezvant, and Ms. Punwida Trezvant did not appear.

**Motion and vote:**

*Motion was made by Ms. Brooks-Sykes that the Board accept the Proposal for Decision and Issue a Final Order consistent with the ALJ's recommendations. Mr. Trezvant-Ebbs's application for educator certificate should be denied and the educator certificates of Ms. Young-Trezvant and Ms. Trezvant should be cancelled. Second was made by Dr. Kelly and the Board voted unanimously in favor of the motion.*

4. Docket No. 701203734.EC, Texas Education Agency, Educator Leadership and Quality Division v. John Michael Banas; Action to be taken: Consideration of Proposal for Decision and Issuance of Final Order.

ALJ Recommendation: No disciplinary action to be taken

Staff Recommendation: 1-year suspension

Ms. Gokhale represented TEA staff. Ms. Kayleigh Smith 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 -- 24 and Conclusions of Law Nos. 1 -- 5. I move that the Board modify Conclusion of Law Nos. 6 and 7 as follows:*

6. *Respondent did not have good cause for his resignation without the required notice or consent.*

7. *Based on the Findings of Fact and Conclusions of Law, Respondent's educator certificate should be suspended for one year.*

*This modification of sanction is permissible pursuant to Texas Government Code §2001.058(e) and is necessary because the Administrative Law Judge did not properly apply Board rules.*

*The Findings of Fact show that when Mr. Banas signed his contract on July 31, 2019, he already knew both that his wife was injured and unable to perform many household duties, and that his children would leave home to return to school in August 2019.*

*The Findings of Fact do not reflect any significant change in family circumstance that Mr. Banas did not know about at the time he signed his teaching contract.*

*Therefore, Mr. Banas did not have good cause to abandon his contract.*

*The Findings of Fact do not include any mitigating factors.*

*The minimum sanction for contract abandonment under the Board's rules is a one-year suspension.*

*I therefore move that Mr. Banas's educator certificates be SUSPENDED for ONE YEAR. Second was made by Dr. Turner and the motion passed with Mr. Coleman, Ms. Mason, Ms. Streepey, Dr. Turner and Dr. Cavazos voting in favor of the motion, and Ms. Brooks-Sykes, Mr. Rodriguez, Ms. MacDonald and Dr. Kelly voting against the motion.*

5. Docket No. 701203738.EC, Texas Education Agency, Educator Leadership and Quality Division v. Alexandro A. Giraud; Action to be taken: Consideration of Proposal for Decision and Issuance of Final Order.

ALJ Recommendation: 11-month suspension

Staff Recommendation: Accept ALJ recommendation

Ms. Kumar represented TEA staff. Mr. Alexandro Giraud represented himself.

**Motion and vote:**

*Motion was made by Dr. Kelly that the Board accept the Proposal for Decision and Issue a Final Order consistent with the ALJ's recommendation. Mr. Giraud's educator certificates should be suspended for 11-months. Second was made by Mr. Rodriguez, and the Board voted unanimously in favor of the motion.*

6. Docket No. 701210057.EC, Texas Education Agency, Educator Leadership and Quality Division v. Beverly Michele Banda; Action to be taken: Consideration of Proposal for Decision and Issuance of Final Order.

ALJ Recommendation: 9-month suspension

Staff Recommendation: 11-month suspension

**Motion and vote:**

*Motion was made by Mr. Rodriguez that the that the Board accept the Proposal for Decision and Issue a Final Order consistent with the ALJ's recommendation. Ms. Banda's educator certificates should be suspended for 9-months. Second was made by Ms. Brooks-Sykes and the motion passed with Mr. Coleman, Ms. Mason, Dr. Turner, Ms.*

*Brooks-Sykes, Mr. Rodriguez, Ms. MacDonald, Dr. Kelly voting in favor of the motion, and Ms. Streepey voting against the motion.*

7. Docket No. 701204549.EC, Texas Education Agency, Educator Leadership and Quality Division v. Anjanette Idom; Action to be taken: Consideration of Proposal for Decision and Issuance of Final Order.

ALJ Recommendation: 8-month suspension

Staff Recommendation: 11-month suspension

**Motion and vote:**

*Motion was made by Mr. Coleman that the Board accept the proposal for decision and issue a final order consistent with the ALJ's recommendation. Ms. Idom's educator certificates should be suspended for one (1) year. Second was made by Dr. Kelly, and the Board voted unanimously in favor of the motion.*

8. Docket No. 701203630.EC, Texas Education Agency, Educator Leadership and Quality Division v. Horacio Barrientos; 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

**Motion and vote:**

*Motion was made by Dr. Kelly that the Board accept the proposal for decision and issue a final order consistent with the ALJ's recommendation. No disciplinary action should be taken against Mr. Barrientos's educator certificates. Second was made by Ms. Brooks-Sykes, and the Board voted unanimously in favor of the motion.*

9. Docket No. 701201254.EC, Texas Education Agency, Educator Leadership and Quality Division v. Bonny Antiquene Nichols; 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

**Motion and vote:**

*Motion was made by Mr. Coleman that the Board accept the proposal for decision and issue a final order consistent with the ALJ's recommendation. No disciplinary action should be taken against Mr. Nichols's educator certificates. Second was made by Dr. Turner, and the Board voted unanimously in favor of the motion.*

## C. Court Cases

### *District Court Cases*

1. David Turner v. Texas Education Agency, Educator Certification and Standards Division; Cause No. D-1-GN-17-002298, In the 250<sup>th</sup> District Court of Travis County, Texas.
2. Bradley Keith Bowen v. Texas Education Agency, Educator Certification and Standards Division; Cause No. D-1-GN-18-004203, In the 98<sup>th</sup> District Court of Travis County, Texas.
3. Gilbert Salas v. Texas Education Agency, Educator Certification and Standards Division; Cause No. D-1-GN-19-008786, In the 345<sup>th</sup> District Court of Travis County, Texas.
4. David Demiglio v. Texas Education Agency, Educator Certification and Standards Division; Cause No. D-1-GN-20-001242, In the 459<sup>th</sup> District Court of Travis County, Texas.
5. Leo Joseph Tran v. Texas Education Agency, Educator Certification and Standards Division; Cause No. 20-0422, In the Supreme Court of Texas.

## **DISCUSSION ONLY**

### **14. Discussion of edTPA Pilot Updates**

Ms. McLoughlin presented this item to the Board. Ms. McLoughlin provided an overview of proposed topics for discussion related to the edTPA pilot over the course of the December 2020 and February, April, and July 2021 SBEC meetings. She shared that this item provided an update on edTPA pilot feedback trends and updates on the edTPA Year 3 pilot recruitment. Ms. McLoughlin shared that TEA staff have consistently solicited feedback on the edTPA pilot experience from all impacted stakeholders with a lens towards continuous improvement and provided a summary of feedback received from edTPA pilot programs. She then outlined supports and refinements that staff and the edTPA Regional Coordinators will implement during the Year 2 and Year 3 edTPA pilot to address these areas of feedback. Ms. McLoughlin then provided an update on edTPA Year 2 pilot portfolio submissions, stating that 158 candidates submitted edTPA portfolios in Fall 2020. Finally, Ms. McLoughlin provided an update on recruitment for the third year of the edTPA pilot, sharing that the application window opened on December 15, 2020 and would close on February 15, 2021, with programs notified of their acceptance to the pilot by February 26, 2021. She shared that TEA staff plan to share the full list of Year 3 edTPA pilot programs at the April 2021 SBEC meeting.

### **15. Discussion of Certification Test Updates**

Ms. McLoughlin presented this item to the Board. Ms. McLoughlin shared that after 19 months of coordinated effort, the 293 Science of Teaching Reading (STR) TExES exam and the associated House Bill (HB) 3 impacted certificates launched on January 1, 2021, in accordance with the HB 3 statutory mandate. She shared that in preparation for the launch

of the STR exam requirement, TEA staff facilitated a coordinated effort across divisions to ensure that educators, candidates, EPPs, and districts had guidance and support and that communication and technical considerations regarding the requirement were executed effectively. She stated that, given that this is a statutory requirement, TEA staff, the SBEC, and the SBOE do not have the authority to modify these requirements. She stated that the SBEC's statutory obligation is to codify the HB 3 statutory requirement in rule to ensure compliance with the mandate. Ms. McLoughlin stated that TEA staff have been consistently communicating with the field regarding the STR exam requirement since the enactment of House Bill 3 in June 2019, including providing 16 stakeholder engagement events, 16 trainings and webinars, and dedicated presentations at 8 SBEC meetings. She also shared that TEA staff have provided communication tools, resources, and guidance to educator preparation programs, local education agencies, and teacher candidates.

Ms. McLoughlin explained that the launch of the STR exam requirement and 293 STR TExES exam represent the first phase in the multi-phase implementation of the SBEC's vision for strong early literacy educator preparation across Texas. She shared that TEA staff will continue to support effective implementation of STR-aligned preparation with the STR exam requirement in effect.

Ms. McLoughlin also provided an update on educator certification exam development, including successful launches of the 391 Core Subjects: EC-6, 292 Early Childhood: PK-3, and 253 Educational Diagnostician certification exams. She also shared that work was currently underway to develop a test framework for the English Language Arts and Reading: 7-12 exam that has an anticipated operational launch date of September 1, 2023. She also shared that work was now underway to develop redesigned Physical Education and Health certification exams.

Ms. Garcia asked if all approved EPPs were able to submit their STR Letter of Attestation by the deadline and if TEA staff had received any feedback from the field around challenges with the STR exam transition occurring mid-year. Ms. McLoughlin shared that all EPPs approved to offer one or more of the impacted certificates submitted their letters of attestation by the December 1, 2020 deadline. Ms. McLoughlin also shared that staff have engaged in active conversations with the EPAC since June 2019 around opportunities and supports that should be provided to programs in communicating the STR exam requirement to candidates and have received positive feedback. She shared that staff recognize that implementing the requirement in January may put candidates and programs in a difficult position, particularly intern candidates, and recognize that where the SBEC has flexibility to determine certification exam launch dates outside of statutory requirements, that a September launch date may be more effective.

## **INFORMATION ONLY**

### **16. 2019–2022 Rule Review Plan for State Board for Educator Certification Rules**

Information only.

### **17. Requests from Board Members for Future Agenda Items**

None.



**18. Requests Received from the Board Since Last Meeting**

None.

**19. Adjournment**

Dr. Cavazos adjourned the meeting at 1:27 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.**