# STATE BOARD FOR EDUCATOR CERTIFICATION BOARD MEETING MINUTES

FEBRUARY 12, 2016 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 convened its meeting at 9:02 a.m. on Friday, February 12, 2016, in Room 1-104 of the William B. Travis Building, 1701 N. Congress Avenue in Austin, Texas.

Present: Dr. Cain, Mr. Allard, Mr. Berry, Ms. Bricker, Ms. Druesedow, Ms. Everest, Dr. Hull, Mr. Leal, Ms. McCall, Dr. Peebles, Ms. Robison

Absent: Ms. Bridges, Dr. Buckingham, Dr. Simpson

### 2. Associate Commissioner's Comments Regarding the SBEC Agenda

Mr. Franklin stated that it is a very exciting and busy time here at the agency and a time of transition. Another transition at the agency is that Nichole Bunker-Henderson has left as the deputy general counsel at TEA and has gone to the Office of the Attorney General where she is the chief of the administrative law division. With that move, she is going to serve as the SBEC board's outside legal counsel. Mr. Franklin also announced that we are planning a work session on Thursday, April 14, 2016 (the day before the Board meeting) related to educator preparation and certification rules, specifically chapters 228, 229 and 230.

#### 3. Program Recognition

The University of Mary Hardin-Baylor was recognized for meeting all the criteria within each of the six continuing approval review components and for exceeding that minimum criteria in preparing aspiring educators. Dr. Marlene Zipperlen, Dean of the College of Education thanked the Board.

The SBEC Board recessed at 9:15 a.m. to congratulate the University of Mary Hardin-Baylor and reconvened at 9:19 a.m.

#### 4. Public Comment

None

# 5. Consider and Take Appropriate Action on Request to Approve December 11, 2015 Board Meeting Minutes

# **Motion and vote:**

Motion was made by Ms. Robison to approve the December 11, 2015 minutes. Second was made by Ms. Everest, and the Board voted unanimously in favor of the motion.

6. Consider and Take Appropriate Action on Adoption of Review of 19 TAC Chapter 230, Professional Educator Preparation and Certification

Ms. Cook presented this item to the Board as part of the Texas Government Code, §2001.039, four-year review cycle for all state agency rules. The rules being reviewed establish general requirements for educator preparation and certification.

#### Motion and vote:

Motion was made by Ms. Bricker to adopt the review of 19 TAC Chapter 230, <u>Professional Educator Preparation and Certification</u>. Second was made by Ms. Everest, and the Board voted unanimously in favor of the motion.

7. Consider and Take Appropriate Action on Adoption of Review of 19 TAC Chapter 232, General Certification Provisions

Dr. Miller presented this item to the Board as part of the Texas Government Code, §2001.039, four-year review cycle for all state agency rules. The rules being reviewed provide requirements relating to certificate renewal, continuing professional education, and national criminal history record information review of active certificate holders.

#### Motion and vote:

Motion was made by Ms. Everest to adopt the review of 19 TAC Chapter 232, <u>General Certification Provisions</u>. Second was made by Dr. Hull, and the Board voted unanimously in favor of the motion.

8. Consider and Take Appropriate Action on Adoption of Proposed Amendments to 19 TAC Chapter 231, Requirements for Public School Personnel Assignments, Subchapter B, Prekindergarten-Grade 6 Assignments, Subchapter C, Grades 6-8 Assignments, Subchapter D, Electives, Disciplinary Courses, Local Credit Courses, and Innovative Courses, Grades 6-12 Assignments, and Subchapter E, Grades 9-12 Assignments

Ms. Cook presented this item to the Board. The proposed amendments 19 TAC §§231.5, 231.11, 231.77, 231.91, 231.209, 231.253, 231.257, 231.333, 231.335, 231.337, 231.481, 231.483, 231.489, and 231.579 would clarify the appropriate credential for placement in a particular teaching assignment and implement applicable requirements from the 84th Texas Legislature, Regular Session, 2015.

### Motion and vote:

Motion was made by Ms. Druesedow to approve for adoption, subject to State Board of Education review, the proposed amendments, with amendments as reflected in the substitute rule text, to 19 TAC Chapter 231, Requirements for Public School Personnel Assignments, Subchapter B, Prekindergarten-Grade 6 Assignments, Subchapter C, Grades 6-8 Assignments, Subchapter D, Electives, Disciplinary Courses, Local Credit Courses, and Innovative Courses, Grades 6-12 Assignments, and Subchapter E, Grades 9-12 Assignments, with an effective date of 20 days after filing the adoption notice with the Texas Register. Second was made by Ms. McCall, 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 233, Categories of Classroom Teaching Certificates

Ms. Cook presented this item to the Board. The proposed amendments to 19 TAC §§233.1, 233.3-233.5, 233.7, 233.10, 233.14, and 233.15 would update the list of classroom certificates that either are eligible for issuance or that would continue to be recognized if they were issued prior to being phased out. Proposed new 19 TAC §233.17 would establish a new Junior Reserve Officer Training Corps: Grades 6-12 certificate.

#### Motion and vote:

Motion was made by Ms. Druesedow to approve for adoption, subject to State Board of Education review, the proposed revisions to 19 TAC Chapter 233, <u>Categories of Classroom Teaching Certificates</u>, with an effective date of 20 days after filing the adoption notice with the Texas Register. Second was made by Mr. Allard, and the Board voted unanimously in favor of the motion.

10. Consider and Take Appropriate Action on Adoption of Proposed Amendments to 19 TAC Chapter 249, <u>Disciplinary Proceedings</u>, <u>Sanctions</u>, and <u>Contested Cases</u>, Subchapter A, <u>General Provisions</u>, §249.5, <u>Purpose</u>; <u>Policy Governing Disciplinary Proceedings</u>; Subchapter B, <u>Enforcement Actions and Guidelines</u>, §249.15, <u>Disciplinary Action by State Board for Educator Certification</u>, and §249.17, <u>Decision-Making Guidelines</u>; and Subchapter D, <u>Hearing Procedures</u>, §249.35, <u>Disposition Prior to Hearing</u>; <u>Default</u>

Ms. Moriaty presented this item to the Board. The proposed amendments to 19 TAC §§249.5, 249.15, 249.17, and 249.35 would create more specific penalty guidelines for Texas Education Agency (TEA) staff to follow in settling or prosecuting educator discipline cases. In addition, the proposed amendments would set out the process that the SBEC will use when the State Office of Administrative Hearings (SOAH) dismisses and remands a case in accordance with Texas Government Code, §2001.058(d-1), as amended by House Bill (HB) 2154, 84th Texas Legislature, Regular Session, 2015, after a respondent fails to appear for a contested case hearing.

#### Motion and vote:

Motion was made by Mr. Leal to approve for adoption, subject to State Board of Education review, the proposed amendments to 19 TAC Chapter 249, <u>Disciplinary Proceedings</u>, <u>Sanctions</u>, and <u>Contested Cases</u>, Subchapter A, <u>General Provisions</u>, §249.5, <u>Purpose</u>;

Policy Governing Disciplinary Proceedings; Subchapter B, Enforcement Actions and Guidelines, §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, with an effective date of 20 days after filing the adoption notice with the Texas Register. Second was made by Ms. Everest, and the Board voted unanimously in favor of the motion.

# 11. Consider and Take Appropriate Action on Proposed Amendments to 19 TAC Chapter 230, <u>Professional Educator Preparation and Certification</u>, Subchapter C, <u>Assessment of Educators</u>

Dr. Miller presented this item to the Board. The proposed amendments to 19 TAC §230.21 and §230.25 would implement the requirement from the 84th Texas Legislature, Regular Session, 2015, to enforce a limit of five attempts on any certification examination, unless the SBEC approves an additional attempt based on an individual's demonstration of good cause. The proposed amendments to 19 TAC §230.21 and §230.25 would also implement a clarification from the 84th Texas Legislature, Regular Session, 2015, that the commissioner of education approves the satisfactory level of performance required for certification examinations.

Public comment was provided by Dr. Elizabeth Ward of Texas Wesleyan University.

#### Motion and vote:

Motion was made by Dr. Hull to approve the proposed amendments, with amendments as reflected in the substitute rule text, to 19 TAC Chapter 230, <u>Professional Educator</u> <u>Preparation and Certification</u>, Subchapter C, <u>Assessment of Educators</u>, to be published as proposed in the Texas Register. Second was made by Mr. Allard, and the Board voted unanimously in favor of the motion.

# 12. Consider and Take Appropriate Action on Proposed Revisions to 19 TAC Chapter 232, General Certification Provisions

Dr. Miller presented this item to the Board. The proposed amendments to 19 TAC §§232.7, 232.9, 232.11, 232.13, 232.15, 232.17, 232.19, 232.21, and 232.23 and the proposed repeal of 19 TAC §232.27 would implement the requirement from the 84th Texas Legislature, Regular Session, 2015, to allow educators to receive credit for completion of an instructional course on the use of an automated external defibrillator (AED) and would further clarify certificate renewal and continuing professional education (CPE) requirements.

Public comment was provided by Dr. Diann Huber of iteachTEXAS.

#### Motion and vote:

Motion was made by Ms. Druesedow to approve the proposed revisions, with amendments as reflected in the substitute rule text, to 19 TAC Chapter 232, <u>General Certification</u> <u>Provisions</u>, to be published as proposed in the Texas Register. Second was made by Ms. McCall, and the Board voted unanimously in favor of the motion.

# 13. Consider and Take Appropriate Action on Proposed New 19 TAC Chapter 234, Military Service Members, Military Spouses, and Military Veterans

Ms. Cook presented this item to the Board. The proposed new 19 TAC Chapter 234, <u>Military Service Members</u>, <u>Military Spouses</u>, <u>and Military Veterans</u> would address recent legislation, consolidate rules specific to the military community into one chapter, and streamline future military-related rulemaking opportunities.

#### Motion and vote:

Motion was made by Ms. Bricker to approve proposed new 19 TAC Chapter 234, <u>Military Service Members</u>, <u>Military Spouses</u>, and <u>Military Veterans</u>, to be published as proposed in the Texas Register. Second was made by Dr. Hull, and the Board voted unanimously in favor of the motion.

# 14. Consider and Take Appropriate Action on Proposed Repeal of and New 19 TAC Chapter 241, Principal Certificate, §241.15, Standards Required for the Principal Certificate

Mr. Regal presented this item to the Board. The proposed rule actions would update the standards required for principal certification, including those standards taught by principal preparation programs and tested on the state certification examination. Proposed new 19 TAC §241.15 would update the principal standards to align with the commissioner of education's principal appraisal standards.

# Motion and vote:

Motion was made by Ms. Everest to approve the proposed repeal of and new 19 TAC Chapter 241, <u>Principal Certificate</u>, §241.15, <u>Standards Required for the Principal Certificate</u>, to be published as proposed in the Texas Register. Second was made by Ms. Druesedow, and the Board voted unanimously in favor of the motion.

# 15. Consider and Take Appropriate Action on Recommendations from Classroom Teacher Standards Advisory Committee

Dr. Miller presented an update on the Classroom Teacher Standards Advisory Committee's work.

No action taken.

# 16. Consider and Take Appropriate Action on Requests for Waivers from Certification Examination Testing Limit

This item provides the State Board for Educator Certification (SBEC) with an opportunity to take action on requests to waive the limit of four retakes of a certification examination.

- In the Matter of Stefanie Roberts Taylor;
   Waiver Request: Retake Core Subjects EC-6 Science Subtest
- 2. In the Matter of Bernadette Erakovich; Waiver Request: Retake Core Subjects EC-6 Science Subtest

 In the Matter of Jessica Michelle Garza;
 Waiver Request to Retake Core Subjects EC-6 Overall Test (Math and Science Subtests)

#### Motion and vote:

Motion was made by Dr. Hull to accept all three applications for waivers for good cause, to allow the applicants to test an additional time. Second was made by Mr. Leal. Voted in favor: Dr. Cain, Mr. Leal, Ms. Bricker, Ms. Everest, Dr. Hull, Mr. Allard, Ms. McCall; voted against: Ms. Robison, Ms. Druesedow. The motion carried.

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

Dr. Miller presented a request by Wayland Baptist University, an approved and accredited educator preparation program (EPP) located in Plainview, Texas, to offer the Superintendent class of certificate.

# Motion and vote:

Motion was made by Ms. McCall to approve the Superintendent class of certificate at Wayland Baptist University. Second was made by Dr. Hull, and the Board voted unanimously in favor of the motion.

# 18. Pending or Contemplated Litigation, including Disciplinary Cases

#### A. Defaults

 In the Matter of Matthew Davis; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: 1 Year Suspension

8. In the Matter of Cameron Antwoine Nelson; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: 3 Year Suspension

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

Staff recommendation: Revocation

10. In the Matter of Cristal Plasencia; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: Revocation

12. In the Matter of Erica Lynell Williams; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: Revocation

 In the Matter of Carolyn Dewberry; 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

15. In the Matter of Derek Wayne Milam; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: Revocation

16. In the Matter of Jamie K Oar; 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

17. In the Matter of Cameron Wardell; 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

20. In the Matter of Christa Marie Loya; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: Revocation

21. In the Matter of Sara Patricia Testa; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: Revocation

22. In the Matter of Jose G. Farias, Jr.; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: Permanent Revocation

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

Staff recommendation: Permanent Revocation

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

Staff recommendation: Permanent Revocation

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

Staff recommendation: Permanent Revocation

26. In the Matter of Tyler Broughton; 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 judgments and to enter a final order consistent with staff's recommendation for each of the above numbered cases 1-27, excluding cases 2, 3, 4, 5, 6, 7, 11, 14, 18, 19, and 27. Second was made by Ms. Everest, and the Board voted unanimously in favor of the motion.

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

In the Matter of Christal Jules; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: 1 Year Suspension

In the Matter of Nedra Robinson; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: 1 Year Suspension

#### The following defaults were considered individually:

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

Staff recommendation: 1 Year Suspension

#### Motion and vote:

Motion was made by Mr. Leal to approve the current recommendation of a 1 Year Suspension. Second was made by Ms. Everest, and the Board voted unanimously in favor of the motion.

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

Staff recommendation: 1 Year Suspension

# Motion and vote:

Motion was made by Mr. Leal to approve the current recommendation of a 1 Year Suspension. Second was made by Ms. Everest, and the Board voted unanimously in favor of the motion.

6. In the Matter of Tshakalisa Khupe; 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 a default judgment and to enter a final order of permanent revocation. Second was made by Ms. Everest, and the Board voted unanimously in favor of the motion.

In the Matter of John Ayers Lawley; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: 3 Year Suspension

#### Motion and vote:

Motion was made by Ms. Druesedow 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. McCall, and the Board voted unanimously in favor of the motion, with Ms. Everest recusing herself.

 In the Matter of Javier Valladarez; 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 a default judgment and to enter a final order of permanent revocation. Second was made by Mr. Allard, and the Board voted unanimously in favor of the motion.

14. In the Matter of Jaci Gardner; 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 consistent with staff's recommendation. Second was made by Ms. Everest, and the Board voted unanimously in favor of the motion.

18. In the Matter of Debbra Denise Jones; 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 a default judgment and to enter a final order of permanent revocation. Second was made by Dr. Hull, and the Board voted unanimously in favor of the motion.

19. In the Matter of Joana E. Morin; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: 4 Year Suspension and proof of successful completion of

substance abuse treatment program

Ms. Moriaty advised that the staff recommendation in the agenda was misstated. The recommendation is a 4 Year Suspension.

#### Motion and vote:

Motion was made by Ms. McCall to approve staff's request for issuance of a default judgment and to enter a final order of 4 Year Suspension. Second was made by Ms. Everest, and the Board voted unanimously in favor of the motion.

27. In the Matter of Shalinthia Shanta Grant; 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 a default judgment and to enter a final order of permanent revocation. Second was made by Ms. Everest, and the Board voted unanimously in favor of the motion.

The SBEC Board went into Executive Session to receive advice of legal counsel at 11:33 a.m. pursuant to the Texas Open Meetings Act, Texas Government Code, Chapter 551.

The SBEC Board reconvened in open session at 12:19 p.m.

#### **B.** Contested Cases

#### I. Proposals for Decision

1. Docket No. 701155134.EC, Texas Education Agency, Educator Leadership and Quality Division v. Ricardo Ramirez; Action to be taken: Consideration of Proposal for Decision and Issuance of Final Order.

ALJ Recommendation: Revocation

Staff Recommendation: Same

Mr. Crabtree spoke on behalf of TEA. Mr. Ramirez spoke on his own behalf.

## Motion and vote:

Motion was made by Mr. Leal to accept the proposal for decision and issue a final order consistent with the ALJ's recommendation of revocation. Second was made by Dr. Hull. Voted in favor: Dr. Cain, Mr. Leal, Ms. Bricker, Ms. Everest, Dr. Hull, Ms. Druesedow; voted against: Ms. Robison, Mr. Allard, Ms. McCall. The motion carried.

 Docket No. 701153992.EC, Texas Education Agency, Educator Leadership and Quality Division v. Leo Joseph Tran; Action to be taken: Consideration of Proposal for Decision and Issuance of Final Order.

ALJ Recommendation: Suspended until such time as he can provide the Board

with an evaluation that demonstrates that he currently has the mental and psychological qualities that will enable him to render the services essential to the accomplishment of the goals and mission of the State Board for Educator

Certification policy and the code

Staff Recommendation: Revocation

Ms. Mazzantini spoke on behalf of TEA. Mr. Tran spoke on his own behalf.

#### **Motion and vote:**

Motion was made by Dr. Hull to adopt the Proposal for Decision including Findings of Fact Nos. 1 - 34 and Conclusions of Law Nos. 1 - 6 and move that the Board modify Conclusion of Law No. 7 as follows:

7. Leo Joseph Tran's educator certification should be revoked.

This modification is permissible pursuant to Texas Government Code Section 2001.058(e) and is necessary because the Administrative Law Judge did not properly apply Board rules and disciplinary policies. As provided and more fully explained in the Board's Disciplinary Policy Guidelines, codified at 19 Texas Administrative Code §249.5, the primary purposes the Board seeks to achieve in educator disciplinary matters are to protect the safety and welfare of Texas schoolchildren and to ensure that educators are morally fit and worthy to instruct the youth of this state. Because teachers hold a unique position of public trust with almost unparalleled access to the hearts and minds of impressionable students, the conduct of an educator must be held to the highest standard. Furthermore, the Board has broad discretion when deciding the penalty to impose and is not required to treat sanction recommendations as binding.

Based on 19 Texas Administrative Code §249.17, the Board's Decision-Making Guidelines, due to the seriousness of Mr. Tran's conduct, rendering him unworthy to instruct, his educator certificate should be revoked.

Second was made by Mr. Allard. Voted in favor: Dr. Cain, Mr. Leal, Ms. Bricker, Ms. Robison, Dr. Hull, Mr. Allard, Ms. McCall, Ms. Druesedow; voted against: Ms. Everest. The motion carried.

3. Docket No. 701160141.EC, Texas Education Agency, Educator Leadership and Quality Division v. Maritza Villamil-Rivera; Action to be taken: Consideration of Proposal for Decision and Issuance of Final Order.

ALJ Recommendation: Inscribed Reprimand

Staff Recommendation: 1 year suspension

#### Motion and vote:

Motion was made by Ms. Everest to adopt the Proposal for Decision including Findings of Fact Nos. 1 - 12 and Conclusions of Law Nos. 1 - 6 and move that the Board modify Conclusion of Law No. 7 as follows:

7. Maritza Villamil-Rivera's educator certification should be suspended.

This modification is permissible pursuant to Texas Government Code Section 2001.058(e) and is necessary because the Administrative Law Judge did not properly apply Board rules, disciplinary policies, and prior administrative decisions by the SBEC.

Based on 19 Texas Administrative Code §249.17, the Board's Decision-Making Guidelines, in other similar cases involving contract abandonment without good cause and without mitigating factors, the SBEC previously has ordered a sanction of a one-year suspension. Moreover, the Board has broad discretion when deciding the penalty to impose and is not required to treat sanction recommendations as binding. As there are no findings of mitigation in this case, the sanction of a one-year suspension is supported by the Findings of Fact and Conclusions of Law. Ms. Villamil-Rivera's educator certificate should be suspended for one year.

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

4. Docket No. 701160914.EC, Texas Education Agency, Educator Leadership and Quality Division v. Elisha Ray Dickerson; Action to be taken: Consideration of Proposal for Decision and Issuance of Final Order.

ALJ Recommendation: Revocation

Staff Recommendation: Same

#### **Motion and vote:**

Motion was made by Ms. McCall to accept the proposal for decision and issue a final order consistent with the ALJ's recommendation of revocation. Second was made by Ms. Robison, and the Board voted unanimously in favor of the motion.

### II. Motions for Rehearing

None.

#### C. Court Cases

For information. No action taken.

#### I. District Court Cases

- Barry Ryan Davis v. Texas Education Agency, Educator Certification and Standards Division; Cause No. D-1-GN-12-003413, In the 201<sup>st</sup> District Court of Travis County, Texas.
- 2. Elizabeth Kiel v. Texas Education Agency, Educator Certification and Standards Division; Cause No. B-192236, In the 60<sup>th</sup> District Court of Jefferson County, Texas.

#### II. Appellate Cases

- 1. State Board for Educator Certification v. Robert D. Lange; Cause No. 031200453CV, In the Court of Appeals, Third Judicial District, Austin, Texas.
- 2. State Board for Educator Certification v. Erasmo Montalvo; Cause No. 031300370CV, In the Court of Appeals, Third Judicial District, Austin, Texas.

The Board may discuss any other litigation arising after the date of posting or reasonably contemplated as of the date of the board meeting

# 19. Discussion of Appointment of Advisory Committee for 19 TAC Chapter 239, <u>Student Services Certificates</u>

Ms. Cook presented this item to the Board to discuss the appointment of an advisory committee, the nomination form to solicit committee members, and an action plan with

timeline for convening the advisory committee meetings for 19 TAC Chapter 239, <u>Student</u> Services Certificates

No action taken.

# 20. Discussion and Action Related to the State Board for Educator Certification Legislative Committee

This item was presented by Ms. Pogue as an opportunity to consider and discuss the SBEC Legislative Committee in preparation for the upcoming 85<sup>th</sup> Texas Legislative Session.

Dr. Cain asked Ms. McCall to chair the Legislative Committee, and she accepted. Mr. Leal, Ms. Bricker, Ms. Druesedow, Ms. Everest, Dr. Peebles, and Mr. Allard all volunteered to be on the Committee.

# 21. Board Operating Policies and Procedures (BOPP)

For information only.

## 22. Requests from Board Members for Future Agenda Items

No specific agenda items were received.

# 23. Requests Received from the Board Since Last Meeting

None.

## 24. Adjournment

The meeting adjourned at 1:48 p.m.