

***STATE BOARD FOR EDUCATOR CERTIFICATION***  
**DISCUSSION AND ACTION SESSION AGENDA**

May 9, 2008 at 9.00 a.m.  
1700 N. Congress Ave. Room 170  
Austin, Texas

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 the following agenda items:

1. Call to Order
2. Public Testimony

*The Board shall allocate up to thirty (30) minutes at the beginning of each regularly scheduled meeting of the full board for public testimony on non-agenda and consent agenda items.*

3. Certification Update

*Staff will update the Board on certification functions.*

a) Department Updates

- Educator Standards
- Credentialing Services
- Certification Enforcement Unit
- Investigations/Fingerprinting

b) Committee Updates

- Code of Ethics Review Committee
- Legislative Committee

c) Associate Commissioner Update

**CONSENT AGENDA**

4. Approval of March 7, 2008 Board Meeting Minutes

**INFORMATION ONLY**

5. **2007-2010 Rule Review Plan for State Board for Educator Certification Rules**

*This item outlines the rule review plan for State Board for Educator Certification (SBEC) rules during the period of 2007 through 2010. Texas Government Code, §2001.039, requires a rule review of existing state agency rules, including SBEC rules. The rule review requirement is designed to ensure that the reason for initially adopting a rule continues to exist.*

## DISCUSSION ONLY

### 6. Discussion of Proposed Reduction of Certificates Issued:

*At the present time, there are 144 different types of certificates issued. At the same time, there are 83 different types of examination tests for securing a teaching certificate. One of the stated SBEC goals is to reduce the number of certificates available for issuance.*

*In reviewing the database we found 61 certificates that are no longer being issued as **initial** certificates; however, since September 1, 1999, they are being issued as standard five-year renewable certificates. We will need to continue keeping these certificates active for future renewals.*

*In addition, we have found an additional 21 certificates that are considered obsolete since they were issued as specialization areas which are no longer available. Furthermore, we found 2 certificates that do not have tests available for the issuance of a certificate; they can be deleted.*

## DISCUSSION AND ACTION

### 7. Approval of Additional Classes of Certificates for Educator Preparation Programs Currently Rated Accredited:

- Education Service Center Region VI to add Superintendent Preparation and Certification Programs
- Education Service Center Region XVII to add the Principal Leadership Certification Program
- Education Service Center Region XVII to add the Superintendent Leadership Certification Program
- Texas A & M University Commerce to add a Master Math 8-12 Program

### 8. [Adoption of the Review of and Proposed Revisions to 19 TAC Chapter 227, Provisions for Educator Preparation Students](#)

*Texas Government Code, §2001.039, establishes a four-year rule review cycle for all state agency rules, including State Board for Educator Certification (SBEC) rules. This item presents for SBEC consideration the adoption of the review of 19 TAC Chapter 227, [Provisions for Educator Preparation Students](#). The rules under review provide requirements for admission to an educator preparation program and the Teach for Texas Pilot Program.*

*This item also provides the SBEC an opportunity to approve the proposed revisions to 19 TAC Chapter 227, [Provisions for Educator Preparation Students](#), as part of the statutorily-required review of existing rules. The proposed revisions would update the rules to reflect current law, add minimum standards for all educator preparation programs, while still allowing flexibility, and ensure consistency among educator preparation programs in the state. This item also proposes additional changes to incorporate recommendations following the March 7, 2008, SBEC meeting.*

### 9. [Adoption of the Review of and Proposed Revisions to 19 TAC Chapter 228, Requirements for Educator Preparation Programs, and Proposed Repeal of 19 TAC Chapter 230, Professional Educator Preparation and Certification, Subchapter G, Certification Requirement for Classroom Teachers, §230.191, Preparation Required in All Programs](#)

*Texas Government Code, §2001.039, establishes a four-year rule review cycle for all state agency rules, including State Board for Educator Certification (SBEC) rules. This item presents for SBEC consideration the adoption of the review of 19 TAC Chapter 228, [Requirements for Educator Preparation Programs](#). The rules under review provide requirements relating to educator preparation programs.*

*This item also provides the SBEC an opportunity to approve the proposed revisions to 19 TAC Chapter 228, Requirements for Educator Preparation Programs, as part of the statutorily-required review of existing rules. The proposed revisions would update the rules to reflect current law, add minimum standards for all educator preparation programs, while still allowing flexibility, and ensure consistency among the educator preparation programs in the state. This item also proposes additional changes to incorporate recommendations following the March 7, 2008, SBEC meeting. In addition, this item provides the SBEC an opportunity to approve the proposed repeal of 19 TAC §230.191, Preparation Required in All Programs. Program preparation requirements in this rule have been incorporated into the proposed revisions to 19 TAC Chapter 228 or have an expiration date in rule of September 1, 2007.*

**10. Adoption of Proposed Amendments to 19 TAC Chapter 232, General Certification Provisions, Subchapter A, Types and Classes of Certificates Issued, §232.4, Probationary Certificates, and §232.5, Temporary Teacher Certificates**

*This item provides the State Board for Educator Certification (SBEC) an opportunity to adopt, subject to State Board of Education (SBOE) review, the proposed amendments to 19 TAC Chapter 232, General Certification Provisions, Subchapter A, Types and Classes of Certificates Issued, §232.4, Probationary Certificates, and §232.5, Temporary Teacher Certificates. The proposed amendments would clarify the requirements for probationary certificates and temporary teacher certificates. The proposed amendments would also address special education assignment at the public middle school or high school level (Grades 7-12) and training requirements for temporary teacher certificate holders. No additional changes are recommended since published as proposed.*

**11. Approval of 2006-2007 Accountability System for Educator Preparation (ASEP) Accreditation Ratings**

*The Board will discuss and approve the 2006-2007 Accountability System for Educator Preparation (ASEP) accreditation ratings for the Educator Preparation Programs authorized by Texas Education Code §21.045.*

**12. Proposed Revisions to Board Operating Policies and Procedures (BOPP)**

*This item provides the Board the opportunity to approve the requested changes from the March 2008 SBEC meeting to the Board Operating Policies and Procedures (BOPP).*

**13. Approval of the Comparability Study of the TExES Math 4-8 and Math 8-12 Exams with Louisiana Certification Exams**

*In order to continue the implementation of HB 1721, the State Board for Educator Certification (SBEC) will accept the committee recommendation for the test-level comparability study results for the TExES #135 Mathematics 8-12 certification examination to the Praxis #0061 Mathematics Content Knowledge test and the TExES #115 Mathematics 4-8 certification examination to the Praxis #0069 Middle School Mathematics test. The objective of the test-level comparability study is to determine the appropriateness of offering certified educators from Louisiana who have tested and successfully passed Louisiana certification tests the opportunity of possibly being exempted from taking TExES examinations.*

## 14. Contested Cases and Pending Litigation

*The Board may meet in closed Executive Session, pursuant to section 551.071(2) and/or 551.071(1), of the Texas Government Code, to seek legal advice regarding pending or contemplated litigation or settlement of same, and contested cases related to educator discipline and other matters arising under 19 Texas Administrative Code Chapter 249. Pursuant to section 551.102 of the Texas Government Code, any final action on matters discussed in Executive Session must be made in an open meeting.*

### A. Contested Cases

#### I. Proposals for Decision

- 1) Docket No. 701-07-3495.EC State Board for Educator Certification v. Michael Luber; Action to be Taken: Consideration of Proposal for Decision and Issuance of Final Order.
- 2) Docket No. 701-07-3828.EC State Board for Educator Certification v. Ricardo Flores; Action to be Taken: Consideration of Proposal for Decision and Issuance of Final Order.
- 3) Docket No. 701-07-3829.EC State Board for Educator Certification v. Stanley Kendall; Action to be Taken: Consideration of Proposal for Decision and Issuance of Final Order.
- 4) Docket No. 701-07-3895.EC State Board for Educator Certification v. Susan Tidwell; Action to be Taken: Consideration of Proposal for Decision and Issuance of Final Order.
- 5) Docket No. 701-07-3993.EC State Board for Educator Certification v. Edward Waldon; Action to be Taken: Consideration of Proposal for Decision and Issuance of Final Order.
- 6) Docket No. 701-08-0607.EC State Board for Educator Certification v. Joe Weaver; Action to be Taken: Consideration of Proposal for Decision and Issuance of Final Order.
- 7) Docket No. 701-08-0608.EC State Board for Educator Certification v. Eddie Smith Jr.; Action to be Taken: Consideration of Proposal for Decision and Issuance of Final Order.
- 8) Docket No. 701-08-0623.EC State Board for Educator Certification v. Holly C. Vansumeren; Action to be Taken: Consideration of Proposal for Decision and Issuance of Final Order.
- 9) Docket No. 701-08-0813.EC State Board for Educator Certification v. Wendi Kay Callaway; Action to be Taken: Consideration of Proposal for Decision and Issuance of Final Order.
- 10) Docket No. 701-08-0814.EC State Board for Educator Certification v. Magdalena Cuellar Ortiz; Action to be Taken: Consideration of Proposal for Decision and Issuance of Final Order.
- 11) Docket No. 701-08-0816.EC State Board for Educator Certification v. Steve Barces; Action to be Taken: Consideration of Proposal for Decision and Issuance of Final Order.

## II. Defaults

- 1) Docket No. 3001-EC-0108 State Board for Educator Certification v. Michael Johnson; Action to be Taken: Consideration of Issuance of Default Judgment.
- 2) Docket No. 3002-EC-0108 State Board for Educator Certification v. Jena Burlison; Action to be Taken: Consideration of Issuance of Default Judgment.
- 3) Docket No. 3004-EC-0108 State Board for Educator Certification v. Charles Vickers; Action to be Taken: Consideration of Issuance of Default Judgment.
- 4) Docket No. 3005-EC-0108 State Board for Educator Certification v. Greg Travillion; Action to be Taken: Consideration of Issuance of Default Judgment.
- 5) Docket No. 3006-EC-0208 State Board for Educator Certification v. Raymond Padilla; Action to be Taken: Consideration of Issuance of Default Judgment.
- 6) Docket No. 3009-EC-0208 State Board for Educator Certification v. Tracey Boles; Action to be Taken: Consideration of Issuance of Default Judgment.
- 7) Docket No. 2001-EC-0108 State Board for Educator Certification v. Rebecca Kay Moore; Action to be Taken: Consideration of Issuance of Default Judgment.
- 8) Docket No. 2003-EC-0108 State Board for Educator Certification v. Sherri Owen Forester; Action to be Taken: Consideration of Issuance of Default Judgment.
- 9) Docket No. 2005-EC-0105 State Board for Educator Certification v. Karen Keith; Action to be Taken: Consideration of Issuance of Default Judgment.
- 10) Docket No. 2013-EC-0208 State Board for Educator Certification v. Brian Waddell; Action to be Taken: Consideration of Issuance of Default Judgment.
- 11) Docket No. 701-07-3568.EC State Board for Educator Certification v. Leticia Juanita Menard; Action to be Taken: Consideration of Issuance of Default Judgment.
- 12) Docket No. 701-08-0080.EC State Board for Educator Certification v. Lucinda Garcia; Action to be Taken: Consideration of Issuance of Default Judgment.

## III. Exceptions

- 1) Docket No. 701-07-2339.EC State Board for Educator Certification v. Delilah Marchecks Johnson; Action to be Taken: Consideration of Proposal for Decision, Exceptions and Issuance of Final Order.
- 2) Docket No. 701-07-0815.EC State Board for Educator Certification v. Ronnie Llamas; Action to be Taken: Consideration of Proposal for Decision and Issuance of Final Order.

#### **IV. Motion for Rehearing**

- 1) Docket No. 701-06-3211.EC *State Board for Educator Certification v. Anthony Allen Jones*; Action to be Taken: Consideration of Motion for Rehearing.

#### **B. Pending Litigation**

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

1. *Karen Mavvaji v. State Board for Educator Certification, Cause No. D-1-GN-08-000625; In the 345<sup>th</sup> Judicial District Court of Travis County, Texas.*
2. *Jimmy Gonzalez v. State Board for Educator Certification, Cause No. D-1-GN-07-00147; In the 250<sup>th</sup> Judicial District Court of Travis County, Texas.*
3. *Leah Mullins v. State Board for Educator Certification, Cause No. D-1-GN-08-000979; In the 345<sup>th</sup> Judicial District Court of Travis County, Texas.*

#### **15. Action on Items Discussed in Executive Session**

*Pursuant to section 551.102 of the Texas Government Code, any final action on matters discussed in Executive Session must be made in an Open Meeting. For any final action that the Board discussed in Executive Session, the Board will take its action in Open Session.*

#### **16. Requests and/or Questions from Board members**

#### **17. Adjournment**

**The Board may meet in closed executive session, Texas Government Code, section 551.071 to seek legal advice regarding any item on this agenda.**