

STATE BOARD FOR EDUCATOR CERTIFICATION
DISCUSSION AND ACTION SESSION AGENDA

July 25, 2008 at 9:00 a.m.
1701 N. Congress Ave. Room 1-104
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 will 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.

CONSENT AGENDA

3. Approval of May 9, 2008 Board Meeting Minutes

DISCUSSION AND ACTION

4. Consideration and Opportunity for Approval of Additional Classes of Certificates for Educator Preparation Programs Currently Rated Accredited

- Southwestern Assemblies of God University School Counselor Certification Program
- Southwestern Assemblies of God University Principal Program

5. Consideration and Opportunity for Approval of Proposed Reduction of Certificates Issued

The Board will discuss and have the opportunity to approve the 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 examinations for securing a teaching certificate. One of the stated State Board for Educator Certification (SBEC) goals is to reduce the total number of types of teaching certificates.

In reviewing the database, 61 types of certificates are no longer being issued as initial certificates; however, since September 1, 1999, these certificates have been issued as standard five-year renewable certificates. SBEC will need to continue to keep these certificates active for future renewals.

In addition, 21 types of current certificates are considered obsolete since they were issued as specialization areas that are no longer available. Furthermore, two types of certificates were identified that do not have tests available for the issuance of a certificate; they should be abolished.

6. Consideration and Opportunity for Approval of A Career in Teaching to Open a Satellite Location in McAllen

The Board will discuss and have the opportunity to approve an additional location for A Career in Teaching, an educator preparation program currently in operation.

7. Consideration and Opportunity for Approval of the Educator Standards Advisory Committee for 2008-2009

This item presents the State Board for Education Certification (SBEC) the opportunity to approve the new Educator Standards Advisory Committee members.

8. Consideration and Opportunity for Approval of a Plan for Languages Other Than English (LOTE) for the Spanish, German, and French Examinations to Meet State Certification Requirements

The item provides the State Board for Educator Certification (SBEC) the opportunity to approve the use of Educational Testing Service (ETS) existing examinations for Languages Other Than English (LOTE) EC-12 examinations in Spanish, French, and German on a temporary basis. Because of the lengthy test development process, this would allow for candidates in educator preparation programs and certified teachers to test with the new SBEC-approved LOTE EC-12 standards one year earlier. The ETS examination standards align with the LOTE EC-12 standards developed by Texas educators and approved by the SBEC Board. While the ETS examinations are being administered, new test items will be field tested within the operational exams so that there will be one completely unique Texas owned test form for TExES LOTE EC-12 Spanish, French, and German by August 31, 2011. In addition to the content exams, candidates would be required to complete all other requirements of an educator preparation program to be recommended for certification. We are proposing that the ETS languages examinations in Spanish, French, and German be administered as TExES computer-administered examinations beginning fall 2009.

9. Proposed Revisions to 19 TAC Chapter 227, Provisions for Educator Preparation Students

This item provides the State Board for Educator Certification (SBEC) an opportunity to discuss and propose revisions to 19 TAC Chapter 227, Provisions for Educator Preparation Students. 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 May 9, 2008, SBEC meeting.

10. 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

This item provides the State Board for Educator Certification (SBEC) an opportunity to discuss and propose revisions to 19 TAC Chapter 228, Requirements for Educator Preparation Programs. 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 May 9, 2008, SBEC meeting. In addition, this item provides the SBEC an opportunity to discuss and propose the 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.

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

This item provides the Board the opportunity to approve the requested changes from the May 9, 2008 SBEC meeting to the Board Operating Policies and Procedures (BOPP).

12. Consideration and Opportunity for Approval of Changes to 2007-2010 Rule Review Plan for State Board for Educator Certification Rules

The State Board for Educator Certification (SBEC) will have an opportunity to discuss and approve changes to the 2007-2010 Rule Review Plan for SBEC Rules based on the need to delay the review of rules relating to professional educator preparation and certification. Texas Government Code, §2001.039, requires the rule review of 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.

13. 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. 701-08-0329.EC State Board for Educator Certification v. Mollie Moore; Action to be Taken: Consideration of Proposal for Decision and Issuance of Final Order.
- 2) Docket No. 701-08-0632.EC State Board for Educator Certification v. Charles Hubbard; Action to be Taken: Consideration of Proposal for Decision and Issuance of Final Order.
- 3) Docket No. 701-08-1025.EC State Board for Educator Certification v. Brad T. Brown; Action to be Taken: Consideration of Proposal for Decision and Issuance of Final Order.
- 4) Docket No. 701-08-1026.EC State Board for Educator Certification v. Zachery Brian Blount; Action to be Taken: Consideration of Proposal for Decision and Issuance of Final Order.
- 5) Docket No. 701-08-1027.EC State Board for Educator Certification v. Carl Strain; Action to be Taken: Consideration of Proposal for Decision and Issuance of Final Order.
- 6) Docket No. 701-08-1482.EC State Board for Educator Certification v. Leah Mullins; Action to be Taken: Consideration of Proposal for Decision and Issuance of Final Order.
- 7) Docket No. 701-08-0667.EC State Board for Educator Certification v. Pearis Abernathy; Action to be Taken: Consideration of Proposal for Decision and Issuance of Final Order.
- 8) Docket No. 701-07-0431.EC State Board for Educator Certification v. Gilbert Gomez; Action to be Taken: Consideration of Proposal for Decision, Review of Exceptions, and Issuance of Final Order.

II. Defaults

- 1) Docket No. 701-07-3994.EC State Board for Educator Certification v. Thomas Edward Hughes Jr.; Action to be Taken: Consideration of Issuance of Default Judgment.
- 2) Docket No. 2007-EC-0108 State Board for Educator Certification v. David Antonio Aquino; Action to be Taken: Consideration of Issuance of Default Judgment.
- 3) Docket No.2022-EC-0208 State Board for Educator Certification v. John Fitzgerald Kallie; Action to be Taken: Consideration of Issuance of Default Judgment.
- 4) Docket No. 3010-EC-0208 State Board for Educator Certification v. Deric K. Martin; Action to be Taken: Consideration of Issuance of Default Judgment.
- 5) Docket No. 3011.EC.0208 State Board for Educator Certification v. Michael E. Wallace; Action to be Taken: Consideration of Issuance of Default Judgment.
- 6) Docket No. 3012.EC.0208 State Board for Educator Certification v. Isaura Gomez-Munoz; Action to be Taken: Consideration of Issuance of Default Judgment.
- 7) Docket No. 3020.EC.0408 State Board for Educator Certification v. Charles Jennings; Action to be Taken: Consideration of Issuance of Default Judgment.
- 8) Docket No. 3021.EC.0408 State Board for Educator Certification v. James C. Savage; Action to be Taken: Consideration of Issuance of Default Judgment.
- 9) Docket No. 3023.EC.0408 State Board for Educator Certification v. Kathryn M. Beaird; Action to be Taken: Consideration of Issuance of Default Judgment.
- 10) Docket No. 3024.EC.0408 State Board for Educator Certification v. Maryann A. Lightbody; Action to be Taken: Consideration of Issuance of Default Judgment.
- 11) Docket No. 3025.EC.0408 State Board for Educator Certification v. Erick D. Daniels; Action to be Taken: Consideration of Issuance of Default Judgment.
- 12) Docket No. 3026.EC.0408 State Board for Educator Certification v. Juan C. Santiago; Action to be Taken: Consideration of Issuance of Default Judgment.

III. Motions for Rehearing

- 1) Docket No. 701-07-2051.EC State Board for Educator Certification v. Jose Canales; Action to be Taken: Consideration of Motion for Rehearing.
- 2) Docket No. 2013-EC-0208 State Board for Educator Certification v. Brian Waddell; Action to be Taken: Consideration of Motion for Rehearing.
- 3) Docket No. 2001-EC-0108 State Board for Educator Certification v. Rebecca Kay Moore; 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. *Texas Education Agency v. Greg Abbott, Attorney General of the State of Texas, Cause No. D-1-GN-07-00265, In the 250th Judicial District Court of Travis County, Texas.*
2. *Karen Mavvaji v. State Board for Educator Certification, Cause No. D-1-GN-08-000625; In the 345th Judicial District Court of Travis County, Texas.*
3. *Jimmy Gonzalez v. State Board for Educator Certification; Cause No. D-1-GN-07-001474; In the 250th Judicial District Court of Travis County, Texas. Won.*
4. *Anthony Allen Jones v. State Board for Educator Certification; Cause No. D-1-6N-08-001975, In the 353rd Judicial District Court of Travis County, Texas..*

14. Action on Items Discussed in Executive Session

Pursuant to section 551.102 of the Texas Government Code, any deliberation and 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 deliberate and take its action in Open Session.

15. Certification Update

Staff will update the Board on certification functions.

a) Department Updates

- Educator Standards
- Credentialing Services
- Legal Services for Certification Enforcement
- Investigations/Fingerprinting

b) Committee Updates

- Code of Ethics Review Committee
- Legislative Committee

c) Associate Commissioner Update

INFORMATION ONLY

16. 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 AND ACTION

17. Requests and/or Questions from Board members

18. 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.