

Item 5:
**Consider and Take Appropriate Action on Request to
Approve June 10, 2016 Board Meeting Minutes**

ACTION

ASSOCIATE COMMISSIONER'S RECOMMENDATION: I recommend that the State Board for Educator Certification:

Approve the June 10, 2016 Board meeting minutes.

**STATE BOARD FOR EDUCATOR CERTIFICATION
BOARD MEETING MINUTES
JUNE 10, 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 (SBEC) convened its meeting at 9:02 a.m. on Friday, June 10, 2016, in Room 1-104 of the William B. Travis Building, 1701 N. Congress

8. Consider and Take Appropriate Action on Proposed Revisions to 19 TAC Chapter 229, Accountability System for Educator Preparation Programs

Dr. Miller presented this item to the Board. The proposed amendments to 19 TAC §§229.1-229.9 and the repeal of 19 TAC §229.21 would include changes as the result of recent legislative changes, SBEC input, stakeholder input, and input received from staff at the TEA.

Public comment was provided by Scott Fikes of ECAP, Ltd., Dr. Jill Marshall of UTeach, Dr. Cristina Ellis of Sam Houston State University, Dr. Diann Huber of iteachTEXAS, Dr. Lawrence Abraham of UTeach Natural Sciences, Dr. Rae Queen of ACT San Antonio, Dr. Debra Price of Sam Houston State University, Janet Williams of Sam Houston State University, Dr. Sandra Stewart of Sam Houston State University, John-Peter Lund of Texas Teachers, and Dr. Elizabeth W

22. In the Matter of Monte Hodge; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: Permanent Revocation

24. In the Matter of Douglas Bruce Lutz; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: Permanent Revocation

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

Staff recommendation: Permanent Revocation

26. In the Matter of Phillip Saenz; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: Permanent Revocation

27. In the Matter of Ellen Wermeling; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: Permanent Revocation

28. In the Matter of Ashley Nicole Zarate; Action to be taken: Consideration of Issuance of Default Judgment

Staff recommendation: Permanent Revocation

Motion and vote:

Motion was made by Ms. Everest 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 1-28, excluding case 23. Second was made by Ms. Druesedow, and the Board voted unanimously in favor of the motion.

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

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

Staff recommendation: Permanent Revocation

10. *Cody Dickson's educator certification should be PERMANENTLY 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 policies.

As provided in 19 Texas Administrative Code §249.17(d), currently at §249.17(h), the SBEC shall permanently revoke the certificate of an educator who has solicited or engaged in a romantic or sexual relationship with a student or minor.

The Administrative Law Judge found that Mr. Dickson had "solicited and engaged in a romantic relationship with the minor student" in Finding of Fact 7, and that Mr. Dickson had violated the SBEC rules and the Educators' Code of Ethics in Conclusions of Law 7-9.

Due to these determinations by the Administrative Law Judge, the appropriate penalty is permanent revocation, in keeping with the requirements of 19 Texas Administrative Code §249.17(h).

Second was made by Ms. McCall, 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

1.

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

Dr. Miller presented this item to the Board. This item provided the SBEC the opportunity to discuss possible amendments to the rules as the result of recent legislative changes, SBEC input, stakeholder input, and input received from staff at TEA.

Public comment was provided by: Dr. Robert Spina of Lamar University, Dr. Jill Marshall of UTeach, Dr. Christina Ellis of Sam Houston State University, Dr. Diann Huber of iteachTEXAS, Dr. Lawrence Abraham of UTeach Natural Sciences, Dr. Rae Queen of ACT San Antonio, Dr. Debra Price of Sam Houston State University, Dr. Sandra Stewart of Sam Houston State University, Gilbert Gomez of South Texas Transitions to Teaching, John-

Child Left Behind are no longer in place for classroom teaching assignments effective with the 2016-17 school year.

No action taken.

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

Ms. Cook presented this item to the Board. This item provided the SBEC the opportunity to discuss proposed amendments that would update the list of courses eligible to be taught with these certificates, identify any additional requirements to obtain certification, and establish a new Dance: Grades 6-12 certificate.

No action taken.

20. Discussion of Proposed Amendments to 19 TAC Chapter 247, Edu Ethics

Ms. Moriarty presented this item to the Board. This item provided the SBEC the opportunity to discuss proposed amendments that would implement the Every Student Succeeds Act (ESSA) and would make it a violation of the Educators' Code of Ethics for an educator to be intoxicated on school property or during school activities when students are present.

No action taken.

21. Discussion of Proposed Amendments to 19 TAC Chapter 249, Disciplinary Proceedings, Sanctions, and Contested Cases, Subchapter B, Enforcement Actions and Guidelines, §249.14, Complaint, Required Reporting, and Investigation; Investigative Notice; Filing of Petition; and §249.17, Decision-Making Guidelines

Ms. Moriarty presented this item to the Board. This item provided the SBEC the opportunity to discuss proposed amendments that would align the rule on superintendent reporting to SBEC with changes to the Texas Education Code (TEC), §21.006, as a result of House Bill (HB) 1783, 84th Texas Legislature, Regular Session, 2015. The proposed amendment to §249.14(h) would include inappropriate communications with a student and inappropriate educator-student relationships and boundaries to the behaviors by an educator toward students that qualify as "Priority 1"

22. Board Operating Policies and Procedures (BOPP)

For information only.

23. 2015 - 2018 Rule Review Plan for State Board for Educator Certification Rules

For information only.

24. Requests from Board Members for Future Agenda Items

There were requests to look at the BOPP regarding the length of time spent on public comment at board meetings and to discuss the SBEC meeting agenda content and formatting.

25. Requests Received from the Board Since Last Meeting

None.

26. Adjournment

The meeting adjourned at 6:12 p.m.