

Minutes
State Board of Education
February 11, 2015

The State Board of Education met at 9:05 a.m. on Wednesday, February 11, 2015, in the State Board of Education Room, #1-104, of the William B. Travis Building, 1701 N. Congress Avenue, Austin, Texas. All members of the board were present, as follows:

Presiding: Barbara Cargill, Chair; Lawrence A. Allen, Jr.; Donna Bahorich; Erika Beltran; David Bradley; Ruben Cortez, Jr.; Martha M. Dominguez; Pat Hardy; Tom Maynard; Sue Melton-Malone; Ken Mercer; Geraldine “Tincy” Miller; Marisa B. Perez; Thomas Ratliff, Marty Rowley

1. Swearing-in Ceremony for Members of the State Board of Education
(No Agenda Exhibit)

The Honorable Jimmie Don Aycock, Texas State Representative, administered the Oath of Office to Erika Beltran, the newly elected member of the State Board of Education District 13; and to the following re-elected SBOE members: Ruben Cortez, Jr., District 2; Marisa B. Perez, District 3; Lawrence A. Allen, Jr., District 4; David Bradley, District 7; Patricia “Pat” Hardy, District 11; and Geraldine “Tincy” Miller, District 12.

Mrs. Cargill introduced Michael Williams, Commissioner of Education.

The student performance was provided by Estudiantina Tenampa, Porter High School, Brownsville Independent School District.

The State Board of Education recessed its meeting at 9:32 a.m., so that the members could attend a reception held in Room 1-103 for invited family and friends. At 10:02 a.m., the Committee of the Full Board convened to hear the Commissioner’s comments. The State Board of Education reconvened at 10:40 a.m., after Item #1—Commissioner’s Comments, Committee of the Full Board.

2. Review and Adoption of State Board of Education Operating Rules
(Board agenda page SBOE-1)

Debbie Ratcliffe, director of media relations, Division of Communications and SBOE Support, explained the changes recommended by staff to the State Board of Education Operating Rules.

MOTION: *It was moved by Mrs. Cargill to adopt the State Board of Education Operating Rules, as shown in pages SBOE-2 through SBOE-24 of the agenda materials.*

MOTION: *It was moved by Mr. Ratliff and seconded by Ms. Hardy, to amend §1.2, Committees of the Board, subsection (d), as follows:*

- (d) *The Committees on Instruction, School Finance/Permanent School Fund, and School Initiatives shall be composed of five members selected by the officers of the board. Each member will serve on one committee in addition to the Committee of the Full Board. The officers of the board shall request in writing the committee choices of the members ranked in order of preference and shall make committee assignments in the public meeting for terms of two years at the organizational meeting after the qualification of new members as the next order of business following election of board officers and adoption of rules. Vacancies shall be filled in a similar fashion. In addition to preference, the officers of the board shall also consider seniority (total years of service), ethnicity, gender balance, and relevant qualifications specific to a committee assignment in making committee assignments. Each committee shall elect a chair from among its members and the chair may appoint a vice chair. An officer of the board is not eligible to serve as the chair of a standing committee.*

MOTION AND VOTE: *It was moved by Mr. Allen, seconded by Mr. Ratliff, and carried to amend §1.2, Committees of the Board, subsection (d), as follows:*

- (d) *The Committees on Instruction, School Finance/Permanent School Fund, and School Initiatives shall be composed of five members selected by the officers of the board. Each member will serve on one committee in addition to the Committee of the Full Board. The officers of the board shall request in writing the committee choices of the members ranked in order of preference and shall make committee assignments in the public view [~~in the public meeting~~] for terms of two years at the organizational meeting after the qualification of new members as the next order of business following election of board officers and adoption of rules. Vacancies shall be filled in a similar fashion. In addition to preference, the officers of the board shall also consider seniority (total years of service), ethnicity, gender balance, and relevant qualifications specific to a committee assignment in making committee assignments. Each committee shall elect a chair from among its members and the chair may appoint a vice chair. An officer of the board is not eligible to serve as the chair of a standing committee.*

MOTION: *It was moved by Mr. Ratliff and seconded by Ms. Perez to amend §1.2, Committees of the Board, subsection (e), as follows:*

- (e) *Ad hoc committees. Ad hoc committees (i.e., task forces) shall be constituted from time to time as directed by a vote of the board or by the chair to perform such duties as the board or chair may assign. The personnel and length of service of ad hoc committees shall be designated by the chair unless otherwise directed by a vote of the board. No action taken by any ad hoc committee shall be final or binding upon the board unless otherwise directed by a vote of the board. Any ad hoc committee constituted by the chair is subject to review, modification or revocation by a majority vote of the full board.*

MOTION: *It was moved by Mr. Bradley and seconded by Ms. Hardy to amend Mr. Ratliff's motion by deleting the proposed last sentence, "Any ad hoc committee constituted by the chair is subject to review, modification or revocation by a majority vote of the full board."*

Mr. Ratliff withdrew the last part of his motion, being the last sentence, without board objection.

VOTE: *A vote was taken on the motion to amend §1.2, Committees of the Board, subsection (e), as amended, as follows:*

- (e) *Ad hoc committees. Ad hoc committees (i.e., task forces) shall be constituted from time to time as directed by a vote of the board or by the chair to perform such duties as the board or chair may assign. The personnel and length of service of ad hoc committees shall be designated by the chair unless otherwise directed by a vote of the board. No action taken by any ad hoc committee shall be final or binding upon the board unless otherwise directed by a vote of the board.*

The motion carried. (Mr. Cortez and Dr. Dominguez were absent for the vote.)

MOTION: *It was moved by Mr. Maynard and seconded by Mrs. Bahorich to amend §1.2, Committees of the Board, by adding a new subsection (c), as follows:*

- (c) *Committee agendas shall address statutorily mandated motions, items assigned to the committee by the chair of the State Board of Education and items posted at the discretion of the committee chair. Committee action items posted under the discretion of the committee chair may be posted as either action or discussion items on the board agenda. Should it be posted as a discussion item, the board may place the item on a subsequent board agenda by a majority vote.*

Mr. Ratliff recommended that the words "by the board chair" be added at the end of the second sentence, after "board agenda". There was no objection by the board to add "by the board chair".

MOTION AND VOTE: *It was moved by Mr. Ratliff and seconded by Mr. Maynard to amend the motion by adding the words "or requested by any member of the board" after the words "by the chair of the State Board of Education". The motion failed.*

VOTE: *A hand vote was taken on the motion to amend §1.2, Committees of the Board, by adding a new subsection (c), as amended, as follows:*

- (c) Committee agendas shall address statutorily mandated motions, items assigned to the committee by the chair of the State Board of Education and items posted at the discretion of the committee chair. Committee action items posted under the discretion of the committee chair may be posted as either action or discussion items on the board agenda by the board chair. Should it be posted as a discussion item, the board may place the item on a subsequent board agenda by a majority vote.

The motion carried.

The State Board of Education recessed at 12:05 p.m., and reconvened at 12:55 p.m.

MOTION AND VOTE: *It was moved by Mr. Ratliff, seconded by Ms. Hardy, and carried to amend §2.3, Open Meetings, as follows:*

Regular, special, and committee meetings of the board shall be open to the public; however, the board or board committees may meet in executive session in accordance with law and these rules. Open [~~In accordance with Texas Education Code, §7.106(b), open~~] meetings of the board and standing committees shall be broadcast live over the Internet.

(Mr. Allen was absent for the vote.)

MOTION: *It was moved by Mr. Ratliff and seconded by Dr. Dominguez to amend §2.10, Oral Public Testimony in Connection with Regular Board and Committee Meetings, subsection (a)(4) and (5), and adding a new subsection (a)(6), as follows:*

- (4) The presiding chair shall assure that members of the public with differing viewpoints have reasonable access to address the board and take steps to ensure that individuals will be given priority over registered lobbyists.
- (5) The presiding chair shall determine which speakers will be heard and the order in which they will be heard if the number exceeds that number which may reasonably be expected to testify in the allotted time for presentations. The presiding chair shall also determine whether speakers who did not register or who registered late will be heard and whether persons asking to testify as a substitute for a registered speaker may do so.
- (6) A board member may make a motion that a person whether or not he/she has registered or previously testified, be allowed to testify. The motion is not debatable and the person is not required to honor the request.

MOTION: *It was moved by Mr. Bradley and seconded by Ms. Hardy to amend §2.10, Oral Public Testimony in Connection with Regular Board and Committee Meetings, subsection (a)(4), as follows:*

- (4) *The presiding chair shall assure that members of the public with differing viewpoints have reasonable access to address the board and take steps to ensure that individuals will be given priority over registered lobbyists and identified organizations.*

Mr. Bradley withdrew his motion without board objection.

MOTION: *It was moved by Mr. Bradley, seconded by Ms. Hardy, to amend §2.10, Oral Public Testimony in Connection with Regular Board and Committee Meetings, subsection (a)(4), as follows:*

- (4) *The presiding chair shall assure that members of the public with differing viewpoints have reasonable access to address the board and take steps to ensure that individuals will be given priority over registered lobbyists and staff of organizations.*

Mr. Bradley withdrew his motion without board objection.

MOTION AND VOTE: *It was moved by Mr. Ratliff and seconded by Mr. Bradley to amend §2.10, Oral Public Testimony in Connection with Regular Board and Committee Meetings, subsection (a)(4), as follows:*

- (4) *The presiding chair shall assure that members of the public with differing viewpoints have reasonable access to address the board and take steps to ensure that individuals speaking on behalf of an affiliation will be given priority over registered lobbyists.*

The motion failed.

VOTE: *A vote was taken on the motion to amend §2.10, Oral Public Testimony in Connection with Regular Board and Committee Meetings, subsection (a)(5), as follows:*

- (5) *The presiding chair shall determine which speakers will be heard and the order in which they will be heard if the number exceeds that number which may reasonably be expected to testify in the allotted time for presentations. The presiding chair shall also determine whether speakers who did not register or who registered late will be heard and whether persons asking to testify as a substitute for a registered speaker may do so.*

The motion carried.

MOTION AND VOTE: *It was moved by Mrs. Melton-Malone, seconded by Mr. Mercer, and carried to amend proposed new subsection (a)(6), as follows:*

- (6) *A board member may make a motion that a person whether or not he/she has registered or previously testified, be allowed to testify for clarification and informational purposes. The motion is not debatable and the person is not required to honor the request.*

The motion carried.

MOTION: *It was moved by Mrs. Bahorich and seconded by Mrs. Melton-Malone to shorten the language of the new subsection (a)(6), as follows:*

- (6) *The board, without debate, may allow a person to testify for clarification and informational purposes, whether or not he/she has registered or previously testified.*

MOTION: *It was moved by Mr. Ratliff to amend the motion by adding the sentence, "The person is not required to honor the request."*

There was no objection by the board to add the sentence, "The person is not required to honor the request."

VOTE: *A vote was taken on the motion to amend the new subsection (a)(6), as follows:*

- (6) *The board, without debate, may allow a person to testify for clarification and informational purposes, whether or not he/she has registered or previously testified. The person is not required to honor the request.*

The motion carried.

VOTE: *A vote was taken on the motion to amend §2.10, Oral Public Testimony in Connection with Regular Board and Committee Meetings, subsection (a)(4) and (5), and adding a new subsection (a)(6) as amended. The motion carried.*

MOTION AND VOTE: *It was moved by Mr. Ratliff and seconded by Ms. Hardy to amend §2.10, Oral Public Testimony in Connection with Regular Board and Committee Meetings, subsections (b)(3) and (6), as follows:*

- (3) *The speaker shall provide his or her name and organizational affiliation, if any, contact telephone number, mailing address, email address, and indicate which item or topic the speaker will address and viewpoint on the topic; and the speaker will disclose if he or she is a lobbyist registered with the Texas Ethics Commission.*

- (6) Late registration will be accepted until 30 minutes before the scheduled start of a ~~up to the start of the~~ meeting; however, late registrants are not guaranteed an opportunity to testify due to time constraints.

The motion carried.

Mrs. Ratcliffe pointed out two staff recommendations under §2.10, Oral Public Testimony in Connection with Regular Board and Committee Meetings. The first proposed amendment is a new subsection (b)(5), which reads as follows:

- (5) Those registering online will receive an email confirming the registration during the next business day.

The next proposed amendment would read as follows:

- (7) [~~(6)~~] Late registration will be accepted until 30 minutes before the scheduled start of a meeting; however, late registrants are not guaranteed an opportunity to testify due to time constraints.

The board accepted the staff amendments.

MOTION AND VOTE: *It was moved by Mr. Ratliff, seconded by Mrs. Bahorich, and carried to amend §2.10, Oral Public Testimony in Connection with Regular Board and Committee Meetings, subsections (c) and (d), as follows:*

- (c) *Oral Public Testimony to Committees*

- (4) The presiding chair shall take steps to ensure that individuals will be given priority over registered lobbyists. The committee, without debate, may allow a person to testify for clarification and informational purposes, whether or not he/she has registered or previously testified. The person is not required to honor the request. ~~[Priority shall be given to persons who have not spoken on the topic before the committee and to the extent possible, viewpoints will be alternated.]~~

- (d) *Oral Public Testimony to the General Meeting of the Board*

- (3) The presiding chair shall take steps to ensure that individuals will be given priority over registered lobbyists. The board, without debate, may allow a person to testify for clarification and informational purposes, whether or not he/she has registered or previously testified. The person is not required to honor the request. ~~[Priority shall be given to persons who have not spoken on the topic before the board and to the extent possible, viewpoints will be alternated.]~~

MOTION AND VOTE: *It was moved by Mr. Rowley, seconded by Mr. Maynard, and carried to amend §2.5, Agendas, subsection (a), as follows:*

(a) The commissioner of education shall prepare and submit to each member of the board, prior to each meeting, a preliminary copy of the agenda, outlining items that should be considered by the board, those required by law, and others as members have requested. Other than as is provided elsewhere in these rules, all [All] agenda items are subject to the approval of the chair of the board. Materials supplementing the agenda may be included. Official agendas will be available the day of the board meeting. Nothing in this rule shall be construed as to abridge the right of any member to have an item placed on the agenda for committee consideration.

MOTION: *It was moved by Mr. Rowley and seconded by Mrs. Bahorich to amend the motion by striking the last sentence in 2.5, Agendas, subsection (a), “Nothing in this rule shall be construed as to abridge the right of any member to have an item placed on the agenda for committee consideration.”*

MOTION: *It was moved by Mr. Ratliff to amend the motion by striking the sentence, “Nothing in this rule shall be construed as to abridge the right of any member to have an item placed on the agenda for committee consideration” and adding the sentence, “Any member has the right to have an item placed on the agenda for committee consideration.”*

Mr. Ratliff withdrew his motion without objection by the board.

VOTE: *A hand vote was taken on the motion to strike, “Nothing in this rule shall be construed as to abridge the right of any member to have an item placed on the agenda for committee consideration.” The motion failed.*

MOTION: *It was moved by Mr. Ratliff to amend the motion by adding the sentence, “Any member has the right to place an item on the agenda for committee consideration.”*

Mr. Ratliff withdrew his motion without objection by the board.

MOTION AND VOTE: *It was moved by Mr. Maynard, seconded by Ms. Hardy, and carried to amend §3.1, Reimbursement of Expenses, subsections (k)(2) and (l), as follows:*

- (k) *A board member may be reimbursed for travel expenses for attending activities other than State Board of Education meetings and committee meetings provided that the board members are in compliance with the following procedures:*
- (1) *In-District and Out-of-District Travel. In-district and out-of-district travel is at each member's discretion. Prior approval is not required; however, any travel for which reimbursement is requested must be directly related to the duties and responsibilities of the State Board of Education. Any requests for reimbursement, directly or indirectly related to seeking election to office, will not be allowed.*
 - (2) *Out-of-State Travel. Prior approval is required by the officers of the board [~~Executive Committee~~] (chair, vice chair, and secretary). Members are limited to one trip per fiscal year at state expense.*
- (l) *A board member may be reimbursed for travel expenses incurred while serving on any board, council, or commission or serving in any official board position as an appointee for specific administrative functions when appointed by the State Board of Education or its chair, or subject to approval of the board or its officers of the board [~~Executive Committee~~].*

Mrs. Ratcliffe stated that on Chapter 3, §3.2, Travel Arrangements and Hotel Reservations for the State Board of Education Meetings, subsections (a) and (b) were amended, as follows:

- (a) Board members shall be responsible for making their own arrangements for travel to and from board meetings. Agency travel coordinators are available for assistance.
- (b) The senior executive assistant to the board or his/her designee will make guaranteed hotel reservations for each board member upon request.

She stated that §3.3, Acceptance of Gifts and/or Grants for Charter School Evaluation, is a new section approved by the board on July 18, 2014, as follows:

§3.3. Acceptance of Gifts and/or Grants for Charter School Evaluation.

- (a) Purpose. The State Board of Education (SBOE) may accept a gift and/or grant for the limited purpose of expenses associated with evaluating an applicant for an open-enrollment charter school.

- (1) An entity making a gift and/or grant under this section may not:
 - (A) limit the use of the funds to any individual applicant, cycle or class of applicants;
 - (B) be a charter operator in this or any other state, a management company, service provider or vendor of any kind to charter schools in this or any other state;
 - (C) have common board members or corporate members with any entity operating a charter in Texas or applying to operate a charter in Texas;
 - (D) be an individual required to register as a lobbyist under Chapter 305, Government Code; or
 - (E) be an employee, attorney, contractor or other agent of any kind to charter schools in this or any other state.
- (2) An entity making a gift and/or grant under this section may not do so if the source of funds used for the gift and/or grant were received from an entity that could not make a gift and/or grant under this section.
- (3) For purposes of this section, a spouse or dependent child of an individual prohibited from making a gift and/or grant is also prohibited.
- (4) For purposes of this section, an entity includes any legal entity such as corporations, individuals and other business associations. An individual is limited to a natural person.
- (5) An entity making a gift and/or grant shall certify that it has complied with all requirements of this section in a format approved by the board chair.
- (b) Procedure. The SBOE may accept a gift and/or grant under this section only by an affirmative vote of the board.
 - (1) A charter may not be evaluated using funds under this section unless the commissioner has:
 - (A) proposed to award a charter to that applicant pursuant to Section 12.101(b); or
 - (B) requested the participation of individual board members in the agency's preliminary evaluation of an applicant.
 - (2) The commissioner shall receive, disburse and account for funds accepted by the board.

- (3) Funds accepted under this section may be used solely to pay reasonable travel expenses, including meals and accommodations, for SBOE members and TEA staff as necessary to evaluate applicants for open-enrollment under this section. Unless approved by the board chair and the commissioner, travel expenses are limited to those available for travel by SBOE members or state employees.
- (4) In making decisions under this section, the board chair will consult with the board member acting as a liaison under Section 12.101(b). The board chair will also consult with the chair of the Committee on School Initiatives, unless doing so would create a quorum of a committee of the board. A decision by the board chair under this section is final.
- (5) Board members evaluating a charter applicant under this section shall be selected by the board chair. The board chair will, to the extent possible, give preference to board members whose districts include proposed locations at which the charter would operate. Under no circumstances will a quorum of the board or a committee of the board participate in an evaluation under this section.
- (6) The board chair may request that relevant TEA employees accompany board members in evaluating charter applicants under this section. The commissioner must approve participation of agency employees.
- (7) Except as provided by this subsection, board members and TEA staff may not accept anything of value from an applicant and shall limit contact with the applicant and its employees and representatives to the actual investigation of the charter. The board chair may authorize acceptance of reasonable local transportation and meals from the applicant as necessary to facilitate the evaluation.
- (8) In addition to board members and TEA staff, the board chair may authorize other professionals to participate in an evaluation under this section. Such a professional may not be an individual or entity unable to donate funds under subsection (a) and is subject to all conditions and limits imposed by this section on board members.
- (c) Evaluation. Each board member will individually report to the Committee on School Initiatives regarding his/her evaluation of a proposed charter prior to consideration of the charter by the board under Section 12.101(b-0). The Committee on School Initiatives will develop a standard form for use by board members in evaluating a charter under this section.
- (d) Reporting. Expenses reimbursed for each board member, TEA staff or other professionals shall be made publicly available and reported as appropriate on a board member's personal financial statement.

The board accepted the recommended staff amendments to the SBOE Operating Rules.

MOTION: *It was moved by Mrs. Bahorich to amend §3.1, Reimbursement of Expenses, subsection (g), by adding a new (5) wireless connection.*

There was no objection by the board to add a new (5) wireless connection.

MOTION: *It was moved by Mr. Ratliff, seconded by Ms. Hardy, and carried to amend §4.3, Disclosure of Campaign Contributions and Gifts, (b) and (c), as follows:*

(b) A person, corporation, or other legal entity which proposes to enter into a contract with or applies for a grant, contract, or charter which may be granted by the State Board of Education shall disclose in the same manner any benefit conferred on a candidate for or member of the State Board of Education during the preceding four years. A benefit need not be disclosed if the aggregate value of benefits conferred on a candidate for or a member of the State Board of Education during the preceding four years does not exceed \$250, or a different limit set by Section 572.023(b)(7), Texas Government Code. This requirement applies whether or not the person, corporation, or other legal entity is required to report the expenditure to the Texas Ethics Commission. For purposes of this section, a benefit is not conferred if the candidate for or a member of the State Board of Education [~~State Board member~~] has paid for the member's own participation, as well as any participation by other persons for the direct benefit of any business in which the member has a substantial interest as defined under Texas Government Code, §572.005 (1)–(7).

(c) In this section:

(1) "person, corporation, or other legal entity" includes:

(A) any individual who would have a "substantial interest" in the person, corporation, or other legal entity as that term is defined in Texas Government Code, §572.005 (1)-(6);

(B) an attorney, representative, registered lobbyist, employee, or other agent who receives payment for representing the interests of the person, firm or corporation before the board or to board members, or whose duties are directly related to the contract, grant, or charter; or

(C) an individual related within the first degree by affinity or consanguinity, as determined under Chapter 573, Government Code, to the person covered by (c)(1). [~~the spouse and dependent children of an individual covered by this section. A dependent child is an individual's child, including an adopted child or stepchild for whom the SBOE member of the SBOE member's spouse provides more than 50% of such child's support during the current or prior calendar year.~~]

- (2) “contract, grant, or charter” means any application to enter into a contractual relationship with or otherwise receive funding from the State Board of Education, including without limitation contracts for investment advisors, consultants, or investment managers for the Permanent School Fund and applicants for charters to operate open enrollment charter schools.
- (3) “campaign contribution” has the meaning defined in Texas Election Code, §251.001.
- (4) “benefit” has the meaning defined in Texas Penal Code, §36.01.
- (5) “candidate for or a member of the State Board of Education” includes a person related within the first degree or affinity or consanguinity, as determined under Chapter 573, Government Code, to a candidate for or a member of the State Board of Education.

MOTION AND VOTE: *It was moved by Mr. Ratliff, seconded by Ms. Hardy, and carried to amend §4.3, Disclosure of Campaign Contributions and Gifts, as follows:*

- (d) *A person, corporation, or other legal entity has a continuing duty to report contributions or expenditures made through the term of a contract, grant, or charter and shall within 21 calendar days notify the commissioner of education and the board chair upon making a contribution or expenditure covered by this section.*

MOTION AND VOTE: *It was moved by Mr. Ratliff, seconded by Ms. Hardy, and carried to amend §5.4, Filing Non-Substantive Rule Corrections with the Secretary of State, as follows:*

The commissioner may approve and file with the Secretary of State non-substantive corrections to State Board of Education rules. Non-substantive rule corrections may only include typographical, grammatical, referencing, or spelling errors and technical edits to comply with Texas Register style and format requirements.

Mrs. Ratcliffe stated that staff had changed the date on the **RESOLUTION** page to reflect February 11, 2015, as the adoption date of the amended operating rules. She stated that under the areas of oversight for the Committee on School Initiatives, number 3, Oversight of the selection, review, and evaluation of open-enrollment charter schools and home-rule districts, was stricken, and the following new language was added: Review and evaluation of charter school applications the commissioner of education proposes to grant. Also, under the Committee on School Initiatives, the following number 9 was added: Home-rule school district probation and revocation.

There was no objection from the board on staff making the proposed changes.

There being no objection from the board members, §1.2(c) which was previously adopted, was reconsidered.

MOTION AND VOTE: *It was moved by Mr. Ratliff, seconded by Mr. Maynard, and carried to amend §1.2, Committees of the Board, subsection (c), as follows:*

- (c) *Committee agendas shall address statutorily mandated motions, items assigned to the committee by the chair of the State Board of Education, or a single item requested by a member of the committee, and items posted at the discretion of the committee chair. Committee action items posted under the discretion of the committee chair may be posted as either action or discussion items on the board agenda by the board chair. Should it be posted as a discussion item, the board may place the item on a subsequent board agenda by a majority vote.*

VOTE: *A vote was taken on the motion to approve §1.2, Committees of the Board, subsection (c), as amended. The motion carried.*

VOTE: *A vote was taken on the motion to adopt the State Board of Education Operating Rules, as amended. The motion carried.*

(ATTACHMENT, page 19)

3. Election of State Board of Education Officers

(Board agenda page SBOE-27)

Pursuant to the provisions of the Texas Education Code (TEC), §7.107, at the first regular meeting after the election and qualification of new State Board of Education (SBOE) members, the board shall elect by separate votes a vice chair and a secretary. The vice chair and secretary of the board will be elected to serve for terms of two years and until their successors are elected.

NOMINATION: *Mr. Bradley nominated Mr. Mercer for vice chair of the State Board of Education for a two-year term.*

NOMINATION: *Mr. Allen nominated Mr. Ratliff for vice chair of the State Board of Education for a two-year term.*

Mr. Maynard moved that the nominations cease.

VOTE: A vote was taken on the nomination of Mr. Mercer for vice chair of the State Board of Education for a two-year term. The motion failed, with 5 members voting Aye, 9 members voting No, and 1 member Abstaining, as follows:

Aye: Mrs. Bahorich Mr. Mercer
Mr. Bradley Mrs. Miller
Mrs. Cargill

No: Mr. Allen Mr. Maynard
Ms. Beltran Mrs. Melton-Malone
Mr. Cortez Ms. Perez
Dr. Dominguez Mr. Ratliff
Ms. Hardy

Abstain: Mr. Rowley

VOTE: A vote was taken on the nomination of Mr. Ratliff for vice chair of the State Board of Education for a two-year term. The motion carried, with 10 members voting Aye and 4 members voting No, as follows:

Aye: Mr. Allen Mr. Maynard
Ms. Beltran Mrs. Melton-Malone
Mr. Cortez Ms. Perez
Dr. Dominguez Mr. Ratliff
Ms. Hardy Mr. Rowley

No: Mrs. Bahorich Mr. Mercer
Mr. Bradley Mrs. Miller

(Mrs. Cargill did not vote.)

Mr. Ratliff was elected vice chair of the State Board of Education.

NOMINATION: Mr. Allen nominated Mr. Cortez for secretary of the State Board of Education for a two-year term.

Mr. Cortez was elected secretary of the State Board of Education.

4. Announcement of Membership of Committees
(Board agenda page SBOE-29)

Pursuant to the provisions of the Texas Education Code (TEC), §7.107, at the board's first regular meeting after the election and qualification of new members, the board shall organize. This item provides the opportunity to announce appointments to the committees of the State Board of Education (SBOE).

Mrs. Cargill stated that in addition to preference, the officers of the board, as required by the board's operating rules, shall also consider seniority (total years of service), ethnicity, gender balance, and relevant qualifications specific to a committee assignment in making committee assignments. Each committee shall elect a chair from among its members and the chair may appoint a vice chair. An officer of the board is not eligible to serve as the chair of a standing committee.

Mrs. Cargill named the reinstated members of the Ad Hoc Committee on the Long-Range Plan for Public Education, as follows:

Marty Rowley, Chair
Donna Bahorich
Ruben Cortez, Jr.
Martha M. Dominguez
Patricia "Pat" Hardy
Tom Maynard
Geraldine "Tincy" Miller
Marisa B. Perez
Thomas Ratliff

Mrs. Cargill announced the membership of the committees of the board, as follows:

Committee on Instruction

Marisa B. Perez
Tom Maynard
Geraldine "Tincy" Miller
Sue Melton-Malone
Barbara Cargill

Committee on School Finance/Permanent School Fund

Lawrence A. Allen, Jr.
Ken Mercer
David Bradley
Patricia "Pat" Hardy
Thomas Ratliff

Committee on School Initiatives

Ruben Cortez, Jr.
Donna Bahorich
Erika Beltran
Marty Rowley
Martha Dominguez

Mrs. Cargill adjourned the February 11, 2015, meeting of the State Board of Education at 3:05 p.m.

Ruben Cortez, Jr., Secretary