

Agenda Book

EPSB Mission Statement:

The Education Professional Standards Board, in full collaboration and cooperation with its education partners, promotes high levels of student achievement by establishing and enforcing rigorous professional standards for preparation, certification, and responsible and ethical behavior of all professional educators in Kentucky.

EPSB Meeting Agenda

EPSB Offices

100 Airport Road, 3rd Floor, Conference Room A, Frankfort, KY 40601

June 8, 2015

Monday, June 8, 2015

9:00 AM EDT Call to Order

Roll Call

Open Speak

Approval of Consent Items

- A. Approval of March 23, 2015, EPSB Minutes (**Pages 1-10**)
- B. Approval of April 13, 2015, EPSB Minutes (**Pages 11-36**)
- C. Approval of May 4, 2015, EPSB Minutes (**Pages 37-40**)
- D. English as a Second Language, Grades P-12 Endorsement (Graduate Level), Union College (Dr. Kim Walters-Parker) (**Pages 41-44**)

Report of the Executive Director

- A. Report from the Kentucky Department of Education
- B. Report from the Council on Postsecondary Education
- C. Strategic Plan Update (Mr. Jimmy Adams)
- D. KTIP/PGES Alignment Update (Ms. Donna Brockman)

Report of the Chair

Recognition of Out-Going Board Member

Update from the Regulation Rewrite Committee (Mr. Michael Head)

Appointments

- A. Masters Review Committee
- B. Program and Accreditation Review Committee
- C. Nominating Committee for Chair and Vice Chair

Information/Discussion Items

- A. 16 KAR 2:110. Endorsement for Teachers for Gifted Education, Notice of Intent (Ms. Godsey) (**Pages 45-50**)

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- B. 16 KAR 2:140. Probationary Certificate for Teachers of Children, Birth to Primary, Notice of Intent (Ms. Godsey) **(Pages 51-56)**
- C. 16 KAR 2:150. Probationary Certificate for Teachers of Engineering and Technology Education, Notice of Intent (Ms. Godsey) **(Pages 57-62)**
- D. 16 KAR 2:160. Probationary Certificate for Teachers of Exceptional Children, Notice of Intent (Ms. Godsey) **(Pages 63-70)**
- E. 16 KAR 2:170. Probationary Certificate for Middle School Teachers, Notice of Intent (Ms. Godsey) **(Pages 71-76)**
- F. 16 KAR 2:200. Probationary Certificate for Teachers for English as a Second Language, Notice of Intent (Ms. Godsey) **(Pages 77-80)**
- G. 16 KAR 3:030. Professional Certificate for Directors and Assistant Directors of Pupil Personnel, Notice of Intent (Ms. Godsey) **(Pages 81-86)**
- H. 16 KAR 3:040. Director of Special Education, Notice of Intent (Ms. Godsey) **(Pages 87-94)**
- I. 16 KAR 9:030. Professional Certificate for College Faculty: Secondary Education, Notice of Intent (Ms. Godsey) **(Pages 95-100)**
- J. 16 KAR 9:040. Part-Time Adjunct Instructor Certificate, Notice of Intent (Ms. Godsey) **(Pages 101-106)**
- K. 16 KAR 2:100. Junior Reserve Officers Training Corps Certification, Notice of Intent (Ms. Godsey) **(Pages 107-112)**
- L. Awarded Contracts (Mr. Adams) **(Pages 113-114)**

Action Items

- A. Charter for Task Force to Study Policies to Review and Make Recommendations on Combating Inappropriate Student-Teachers Relationships (Mr. Adams) **(Pages 115-118)**
- B. Strategic Plan Revision (Mr. Adams) **(Pages 119-120)**
- C. Approval of CAEP Standards (Dr. Walters-Parker) **(Pages 121-122)**
- D. Charter for CAEP Partnership Agreement Task Force (Dr. Kim Walters-Parker) **(Pages 123-126)**
- E. 16 KAR 4:030. Out-of-State Preparation, Amendment, Final Action (Dr. Walters-Parker) **(Pages 127-142)**

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F. 16 KAR 2:020. Occupation-based Career and Technical Education Certification, Amendment, Final Action (Ms. Godsey) **(Pages 143-158)**

Waiver

16 KAR 7:010. Kentucky Teacher Internship Program (Ms. Brockman) **(Pages 159-160)**

Alternative Route to Certification Applications

A. Ashley Ayer, Dance, All Grades (Ms. Godsey) **(Pages 161-164)**

B. Elizabeth Jones, Music, All Grades (Ms. Godsey) **(Pages 165-167)**

Board Comments

Following a motion in open session, it is anticipated that the board will move into closed session as provided by KRS 61.810 (1) (c) and (1) (j).

Certification Review and Revocation: Pending Litigation Review

Following review of pending litigation, the board shall move into open session. All decisions will be made in open session.

Adjournment

Next Regular Meeting: August 10, 2015
EPSB Offices

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The actions delineated below were taken in open session of the EPSB at the March 23, 2015, special meeting. This information is provided in summary form; an official record of the meeting is available in the permanent records of the Education Professional Standards Board (EPSB), 100 Airport Road, 3rd Floor, Frankfort, KY 40601

**Education Professional Standards Board (EPSB)
Summary Minutes of the Meeting
EPSB Offices, 100 Airport Road, 3rd Floor
Frankfort, Kentucky**

Consent Item A

Call to Order

Chair Cassandra Webb called the meeting to order at approximately 9:00 a.m. EDT.

Roll Call

The following Board members were present during the March 23, 2015, EPSB special meeting: Brandy Beardsley, Ellen Blevins, Tolya Ellis, Robert King, Marie McMillen, Mary John O’Hair, Michael Ross, Laura Schneider, Sandy Sinclair-Curry, Anthony Strong, Cassandra Webb, and David Whaley. Barbara Boyd, Terry Holliday, Allen Kennedy, and Shannon Treece were absent.

Information/Discussion Item

Report from Assistant Attorney General regarding 16 KAR 1:030. Procedures for Certificate Revocation, Suspension, Reinstatement and Reissuance, and Application Denial, Amendment

Chair Cassandra Webb reminded the Board of its mission statement by reviewing it with the Board and audience. She then gave the Board a few minutes to review Assistant Attorney General Michael Head’s report.

Mr. Head explained the purpose for providing examples of other regulations and the goals for the revised regulation in his report. Although he suggested using the regulations as a guide for the provisions in the regulation, he stated that the Board has a unique interest that must be addressed through new language. Mr. Head said the goals addressed well-established principles of administrative law and were included in his report to assist with drafting the regulation. He advised the Board of the importance that Board members understand what the law required them to do, what the law allowed them to do, and what the law prohibited them to do. Two assistant attorneys general were invited to attend the meeting by Mr. Head- Assistant Attorney General Cheryl Lalonde and Assistant Attorney General Amy Bensenhaver. Mr. Head explained that both attorneys general are experienced in the areas of the law where questions arose from the March 11, 2015, EPSB Stakeholder meeting.

Assistant Attorney General Cheryl Lalonde introduced herself to the Board, and informed the group that she has worked in the attorney general office for 23 years with 20 of those years in administrative and regulatory law in the board and agencies branch. She also shared prior experience with the EPSB of approximately 15 years ago as she represented the EPSB when the EPSB first obtained legal counsel.

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Ms. Lalonde said that the Board was required to promulgate regulations that pertain to hearing and disciplinary processes under KRS 13A. She informed the Board that she had looked at its current disciplinary regulation and found it to be thin. She also stated that she anticipates a very involved and time consuming process for the Board to develop a regulation that makes them comfortable. Ms. Lalonde suggested that the Board may need to conduct a series of meetings separate from its regularly scheduled meetings to write an amended regulation.

Ms. Lalonde told the Board that it was important that they understand the disciplinary process, because ultimately the Board was responsible for staff and its processes. She said there were probably parts of the disciplinary process of which the Board was not aware and that the Board needed to ensure its disciplinary process was fair.

Mr. Michael Head indicated to Ms. Lalonde that currently the process may have investigative and prosecutorial functions blended together. Ms. Lalonde encouraged the Board to determine if that process was best for the Board. She said there were several boards in state government that investigated cases that may involve expertise that have separate investigation staff and prosecution staff for immunity reasons. She gave examples of boards that she represented that had separate investigative and prosecutorial functions. These boards included the medical licensure, nursing, and pharmacy boards. Ms. Lalonde said that some boards' investigations operated in an independent manner from prosecutorial staff, some boards (those with limited funding for a full-time or contract investigator) had a board member that performed investigative services, and some boards hired an investigator through a competitive bidding process on a personal service contract. She said that cases needed to be investigated fairly and completely and in a manner that did not subject the final opinion and conclusion to vulnerability and later attacks.

President Robert King stated that he was concerned with the information Ms. Lalonde provided the Board, in that staff should not mix prosecutorial and investigative functions as it currently did. He asked if the Board should leave the investigation and prosecution to district officials that bring an allegation against an educator and have the EPSB staff prepare the matter to the Board, provide advice on evidence on both sides, and advise on potential outcomes if there is a finding adverse to the teacher. Ms. Lalonde said she would advise not to give investigative authority to districts, because districts have not been authorized to perform those functions set by EPSB regulations and statutes.

Ms. Lalonde discussed how her boards used a screening committee. She said that a screening committee simplified the work for the Board, streamlined the process, and allowed the Board to be separated from the process. She said that the facts needed to be separate from the process, because ultimately the Board was going to be the adjudicator so it needed to be fair, unbiased, and impartial. Ms. Lalonde gave examples of the way screening committees were established for a few of the boards that she represented.

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Discussion included, for example, if EPSB staff were performing an investigation, if they (the Board) determined the credibility of a report once a report had been received. Mr. Head said that legal staff believed when they received a report from a district superintendent that the preliminary inquiry made to determine the credibility of a report which may include contacting individuals for more information was not an investigation; that it was a preliminary review of the report. Mr. Head explained that by law this preliminary inquiry would be considered an investigation.

Discussion also included the hearing process. Ms. Lalonde informed the group of three different ways to conduct a hearing. A hearing officer may hear the case by himself, the hearing officer may hear the case with a panel of three board members, or the hearing may be conducted with the full board. Ms. Lalonde said she encouraged her boards to conduct hearings with the full board or as a panel of board members. She said in almost every case the boards resolve cases informally and very few cases go to a hearing. Ms. Alicia Sneed said that the preference on the hearing process for the EPSB was set a long time ago, and the Board could always change this preference. Mr. Head said the Board can decide in any case how it wanted to proceed with a hearing.

Mr. King said that he was concerned that the potential consequences for a teacher accused could be life altering so the Board owed significant due process to individuals. He stated that the EPSB should ensure if a certificate holder was going to lose his/her certificate that he/she had a credible process. Mr. Mike Ross said he agreed with Mr. King that the process needed to be transparent.

Dr. Mary John O'Hair asked Ms. Lalonde if she agreed with the fundamental points of law that Mr. Head presented in his report. Ms. Lalonde said she agreed with all of the fundamental points of law in his report. She expressed her belief that the entire Board was not aware of all the internal steps taken by staff before the Board saw a complaint. She said it was the Board's job to know this process and correct it and make it transparent so everyone knew the process.

Mr. Head then introduced Assistant Attorney General Amy Bensenhaver to the Board. He said that Ms. Bensenhaver was under the Opinions Branch at the attorney general's office and was very active in open records and open meetings. Ms. Bensenhaver stated that some of the issues that the Board faced have not been formally lawed by the court system. She said she may suggest to the Board a possible court position, but unlauded questions must be challenged by the court for a definitive answer. Ms. Bensenhaver said that she was in basic agreement with Mr. Head's report on the fundamental points of administrative law for open records and open meetings.

Ms. Bensenhaver said that one of the main issues related to open records is an agency's duty to release complaints, final actions, and any investigatory records that are adopted into the final actions of the Board. She said this duty was a principal of law that had existed since the early 1980s. The courts adopted a formulaic approach so that there was no real dispute about what had

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to be disclosed at the point at which final action had been taken. Exemptions to this were under KRS 61.878 (1) (h), (i), and (j). She said that the court treated these exemptions as predecisional documents. While a matter was proceeding, the agency could withhold a complaint and any investigatory materials. Once final action was taken the agency had to disclose that final action, the complaint that spawned the investigation, and any investigatory materials that were adopted by the Board as part of its action.

Ms. Bensenhaver said that for many years the attorney general's office took the position that these exemptions were waivable. She said that for the first time in 2013 the court recognized that exemptions were waivable. Agencies do not have to feel restrained from disclosing records as long as there is no significant government interest that would be compromised. She said it appeared that if an agency elected to waive an exemption for one individual, the exemption would have to be waived for all individuals. The court treated exemptions as predecisional documents so everything that preceded the final action was deemed to be exempt under the preliminary documents exception. Ms. Bensenhaver said that this area had not been formally recognized in the law thus far.

Ms. Bensenhaver said the screening committee issues pertaining to open records and open meetings were addressed by the attorney general's office in 2005. If not appealed to circuit court the attorney general's decision were legally binding on the parties on this issue. In 2005 the attorney general's office determined that it was permissible for an agency to conduct its meetings in closed session under 61.810 (1) (j) pertaining to deliberations of quasi-judicial bodies regarding individual adjudications at which neither the person involved, his representative, nor any other person not a member of the agency's governing body or staff was present. Essentially those criteria would have to be met before the Board could properly invoke that provision. The committee would have to be treated as a public agency and comply with all of the particulars that any other public agency would, even though its composition consisted of less than a quorum of the body that created it. Its quorum would be calculated on its composition and not on the body that created it. Any committee established, created, and controlled by a public agency was itself a public agency, so it would be permissible for the screening committee to convene in open session, approve minutes, observe requirements for going into closed session, conduct its discussion in closed session, and if any final recommendation would be made would make the recommendation in open session including the decision not to act.

Ms. Bensenhaver said that a statute was enacted in 1994 to permit agencies with statewide jurisdiction to engage a greater amount of citizenry of the state by conducting meetings via video teleconferencing under restrictive terms and various locations across the state. One of the first provisions in the statute was the impermissibility of closed session. She said all public agencies in the state of Kentucky could conduct meetings by video teleconference, but they have to ensure that every member of the public and participants can see and hear, treat each place as a meeting site, be open to the public, and not go into closed session.

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Ms. Bensenhaver said that one issue the Board was unclear about was if any circumstance would justify non-disclosure of a report or complaint reviewed by the committee such as if the committee decided not to open a case on a complaint. Would the board's action be exempt from disclosure? Ms. Bensenhaver said that the Board has limited authority to support a position not to disclose a teacher's records. She said the Board would, at least, have to do a case specific analysis in which the competing interest privacy versus public interest was weighed against each other. She said she knew of no existing authority on this particular issue. The decision not to act by an agency to date has been deemed not to be exempt.

Ms. Bensenhaver stated that the attorney general's office has urged the most conservative course of action to ensure that an agency would not run afoul of the law. She said that the attorney general's office has consistently said that it doesn't matter how information in a complaint was received to a public agency, upon the decision to not proceed with any kind of charge or investigation the agency should not withhold that information. She said that a court looking at the matter might have a different resolution to the issue depending on the facts, but she believed it would have to be disclosed. When asked if the disclosure of the complainant and accused would be required she said that area was very gray, but she did not believe it would be required to disclose their identity.

Ms. Marie McMillen asked if the identity of a teacher with a complaint was required to be released if the Board dismissed his/her case. Ms. Bensenhaver said she did not think it outweighed the public's right to know that the Board looked at the allegation of impropriety, properly vetted it and determined that it was inappropriate to take further action. Ms. Bensenhaver did say that the privacy interest of the identity of the complaint does outweigh the public's right to know that information. She said that arguably the privacy interest of the teacher might be subject to protection, but that had not been formerly lawed and as the statute made very clear, free and open examination of public records was in the public interest and the statute exhibited bias favoring disclosure. Mr. Head said that until there was a court decision that it asserted the exemption to prevent the disclosure of the identity of the complainant if it was known, the Board could take the legal advice that the Board exerted the exemption of keeping the identity of the complainant private and keeping the identity of the person against whom the report was made private. Ms. Bensenhaver said that it would be hard to establish a blanket rule in all cases, but she thought arguably in some cases the identity could be withheld.

President Robert King said that Mr. Head's report mentioned the potential disclosure of a screening committee determination. He asked that if the screening committee made preliminary determinations as to whether or not a case should be initiated, did that vote constitute an action that would have to be disclosed publicly? Ms. Bensenhaver said she believed that the screening committee would have to take final action in open session, and that final action would be subject to scrutiny. She said the action would have to be memorialized in the minutes. Mr. Head said there was only final action when the Board issued its final order so the screening committee would not decide anything. The screening committee would decide on a recommendation to the

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Board. He said the screening committee's work was not final action. The screening committee's work would not have to be disclosed until a final order was issued or the full board decided that no charges should be issued. Ms. Bensenhaver said she thought there was a question about what the charge of the screening committee was and when its action was final. She said that she believed that the screening committee decision was final when it made its recommendation to the Board. She said those recommendations would need to be reflected in the minutes. Mr. Head said that the recommendation to the full board was public and was final action as to the screening committee's duties, but it was not final action. Disclosure of the complaint and all of the evidence reviewed by the screening committee was only required to be disclosed after the Board issued a final order or decided not to go further or decided to sign an agreed order or decided not to have charges at all.

After some discussion Mr. Head said he believed a few issues of the Board were the following:

1) Staff were opening a case when they received a report and after they conducted a preliminary review, but Ms. Lalonde reported that the preliminary review was actually an investigation. Staff opened a case and the question was at what point was the certificate flagged. He said that flagging and disclosing the information upon an open record request was different. He further explained that flagging disclosed information to a limited number of individuals, but if the Board disclosed to one party by waiving an exemption could the board assert that exemption if there was another open record request? He said that the Board was flagging a certificate and, in effect, waiving an exemption to keep information confidential if someone made an open record request.

2) Did the Board want a process that always required the teacher to be notified of reports received so a record was made complete?

3) Did the Board have to release a complaint once the screening committee made a recommendation? To answer that question Mr. Head stated his opinion and said that if the complaint was still preliminary to the whole process the Board did not have to release the complaint and all the evidence that was obtained in order to make the recommendation. According to him the recommendation must be disclosed but not all other underlying information disclosed until there was final action on that case, and final action meant final resolution of that matter.

Ms. Brandy Beardsley inquired if an open record request was made on a complaint that was identified as a number prior to the conclusion of a case, must that information be released? Ms. Bensenhaver stated that it would not be necessary because it was preliminary.

Mr. Head discussed the tribunal process and how it was parallel to the current EPSB process.

Mr. Ross said he was concerned about the EPSB disciplinary process and its fairness with its due process. He stated that he did not believe the Board gave equal weight of the educator rebuttal and information received on the complaint.

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Ms. McMillen thanked Mr. Head for his hard work. She said with Mr. Head's help she felt the Board had someone unbiased. Mr. Head agreed to advise the Board on how to write the language for the regulation that achieves the end that the Board wants to achieve, but he could not write the regulation for the Board.

Mr. David Whaley said that he sensed there was mistrust of the EPSB legal staff and wanted to discuss it. He also wanted to discuss the flagging issue. He said he felt that until the Board had those discussions he did not feel that the Board could move ahead with writing a regulation.

Ms. Beardsley said that she did not mistrust legal staff. She stated that she believed there was a problem with the regulation and would like to form a committee to fix it. She also said that she would not like a complaint to be flagged as soon as it is received, but that she did not want to do away with removing flagging altogether.

Mr. Head said that since information on individuals with pending cases was released to superintendents then the agency did not have the ability to tell others that they couldn't have the information, because it was being disclosed to superintendents. Mr. Head also said that he believed the Board should approve whether or not to open a case because every action, including opening a file, was something to which the Board's policy oversight should be applied.

Dr. Whaley said that he respected the work the legal staff have done, and it seemed that one of the issues was whether or not the legal staff could also be the investigatory staff, which the Board had been advised that they cannot do. He asked whether the Board should be the investigatory group. He said he felt most of the Board would say they did not have time to investigate cases. Mr. Head stated that some boards used an investigator, but a screening committee should not investigate. He said that the Board should have a staff of investigators. If a question was raised at a hearing about an investigation, and the result of the hearing was that the teacher was found in violation, the teacher could file litigation afterwards, and the Board would not have absolute immunity if legal staff were conducting investigations.

Mr. Ross said that he was conflicted. He said that what bothered him the most was that the Board was not receiving all the information needed on cases, and it was unacceptable to him as a Board member that when a Board asked for something and was stonewalled he had serious concerns. He said that a year ago he asked for a draft regulation to begin to discuss amendments, and it took over six (6) months to get something in writing. He said that he thought the culture of this Board has allowed this to happen. He also stated that he was opposed to flagging and believed the disciplinary process should be a transparent process from start to end.

Mr. Anthony Strong said that his concern with the screening committee was the time involved. He indicated that he would want to see a collection of administrators, teacher educators, and teachers on the committee. He was concerned that members on the screening committee would need to recuse themselves and their voices would be excluded from the full board. He also was concerned about quorum. He said that he supported EPSB staff and did not feel misled. He

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stated that, perhaps, the Board was flagging cases too early and perhaps the Board could begin to flag cases after the Board made a decision.

Mr. Ross asked if the Board moved to a screening committee and information was collected by an investigator and information was redacted, did that preclude the screening committee from participating in the full decision? Mr. Head said it would be hard to argue that legally the screening committee could be impartial.

Ms. Sandy Sinclair-Curry said it was a blessing to serve on the Board, and that she enjoyed working with legal staff. She said that she was concerned with educators whose cases have been dismissed being released with open record requests. She suggested a tier system for opening cases. She asked if a committee could be formed outside the EPSB since she was concerned about quorum issues with members of the Board serving on the screening committee. Mr. Head said that it was legally possible for individuals that were not board members to serve on the screening committee. He said this was a policy question, not legal question.

Chair Webb asked if a committee was formed to work on writing a disciplinary regulation what forms of clarification did the Board need to receive through Mr. Head's recommendations. Mr. Head said the committee should not try to write the regulation but rather determine the framework of the regulation and come back to the Board with suggestions for different options with a screening committee, without a screening committee, or a screening committee with different members as an adhoc committee, etc. Then the committee would discuss their recommendations to the Board, and the Board could make preliminary policy directives and ask the regulation writing committee to start writing language to implement the direction given about the options.

Ms. Ellen Blevins asked that if a committee was formed, when would the Board discuss policy that the regulation addresses. Mr. Head said the open records exemptions discussion may not have been clear. He said that he believed the Board did not have to disclose that there was a case open against a teacher. The Board should decide if it wanted to waive the exemption which it currently did by flagging cases. If flagging was removed then other Board issues that the Board currently faces disappear. Flagging could be removed immediately. Ms. Blevins said her concern was that the Board needed to decide on the policies, or these issues would continue to be revisited. Chair Webb said that a committee would address those policies.

Chair Webb said that she would like a committee of Board members to be formed to work on writing the disciplinary regulation. The committee would also develop policy alternatives for the Board to consider and report back to the full board at its June meeting. The committee was formed to include: Anthony Strong, Tolya Ellis, Marie McMillen, Laura Schneider, Brandy Beardsley, Mary John O'Hair.

Recommendations for the committee are as follows:

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- 1) The committee should use the “Outline for Analyzing Administrative Complaint and Hearing Procedures” Attachment G in Mr. Head’s report.
- 2) The committee should review the examples of other board’s regulations as provided in Mr. Head’s report as Attachment H.
- 3) The committee should utilize draft regulation proposed by staff as applicable to assist with the work.

Mr. Head will facilitate this committee and will be in charge of meetings and assisting with the writing of the proposed language of the regulation. A report will be provided to the Board in June in consultation with the Board’s legal staff and have the opportunity to obtain stakeholder input as necessary.

Executive Director Robert Brown said he appreciated the work of the Board and staff. He asked that when this committee comes together that clarity be given to the Board and staff.

16 KAR 1:030. Procedures for Certificate Revocation, Suspension, Reinstatement and Reissuance, and Application Denial, Amendment

There was no discussion on this information item.

Meeting adjourned at 2:20p.m.

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The actions delineated below were taken in open session of the EPSB at the April 13, 2015, meeting. This information is provided in summary form; an official record of the meeting is available in the permanent records of the Education Professional Standards Board (EPSB), 100 Airport Road, 3rd Floor, Frankfort, KY 40601

**Education Professional Standards Board (EPSB)
Summary Minutes of the Meeting
EPSB Offices, 100 Airport Road, 3rd Floor
Frankfort, Kentucky**

Consent Item B

Call to Order

Chair Cassandra Webb called the meeting to order at approximately 9:00 a.m. EST.

Roll Call

The following Board members were present during the April 13, 2015, EPSB meeting: Brandy Beardsley, Ellen Blevins, Barbara Boyd, Tolya Ellis, Allen Kennedy, Robert King, Marie McMillen, Mary John O'Hair, Cindy Parker, Michael Ross, Laura Schneider, Sandy Sinclair-Curry, Anthony Strong, Shannon Treece, and Cassandra Webb. David Whaley was absent.

Board's Mission Statement

Chair Webb reminded the Board of its mission statement by reviewing it with the Board and audience.

Open Speak

There were no requests for Open Speak.

Approval of Consent Items

Chair Cassandra Webb requested that Board members identify any items on the consent agenda which they wished to discuss prior to taking final action. No items were asked to be pulled for further discussion.

2015-009

Motion made by Mr. Michael Ross, seconded by Ms. Brandy Beardsley, to approve the following items on the consent agenda:

Approval of February 9, 2015, EPSB Minutes

16 KAR 5:040. Request to Waive Student Teaching Requirements

Vote: *Unanimous*

Report of the Executive Director

Report from the Kentucky Department of Education

The report from KDE was in the Board folders. There were no other questions from the Board.

Report from the Council on Postsecondary Education

The report from CPE was in the Board folders. There were no other questions from the Board.

Strategic Plan Update

Deputy Executive Director Jimmy Adams reviewed the three main goals of the strategic plan where changes and updates had taken place. He explained to the Board that one of the activities for Goal 3 was to develop a data import/export system from the Continuous Improvement Instructional Technology System (CIITS) to the EPSB Intern Management System (IMS). He said after discussions with the Kentucky Advisory Council on Internships, KDE staff, and EPSB staff, it was decided that the development of an import/export system was not needed because IMS contains only each cycle summary and the final summative information. He said staff recommended putting this activity on hold until further developments with CIITS. An update will be given at a later time.

Mr. Adams said he wanted to reconvene the Strategic Planning Committee to review progress made, to make necessary changes, and to revise timelines.

Network for Transforming Educator Preparation (NTEP) Update

Mr. Jimmy Adams said that great progress had been made toward the goals with NTEP. He said that the EPSB was granted an additional \$45,000 in funding. \$30,000 of this funding will be set aside for the Empowering Effective Educators (E3) grants. Mr. Adams said that the purpose of the E3 grant was to define leadership roles and responsibilities for effective teachers and try to determine what was currently effective in schools and how to scale it to the rest of the state. Mr. Adams said that 43 applications from Kentucky schools were submitted. The applications will be reviewed on May 6. The remaining \$15,000 received from NTEP will go toward KTIP training on the PGES alignment with IHEs.

Ms. Donna Brockman said that during the past year EPSB staff have worked to align the Kentucky Teacher Internship Program with PGES. She said that staff gathered input, met with the Kentucky Advisory Council on Internships, and received lots of feedback from the 21 pilot districts. Focus groups were also conducted to discuss what has worked in order to streamline the process. A Train the Trainer Institute is scheduled to be held on May 20. Afterwards, eight (8) regional universities will conduct trainings this summer. All teacher educators and resource teachers will be required to be trained.

Dr. Kim Walters-Parker discussed the Kentucky Educator Preparation Accountability System (KEPAS) and the shared accountability model. She said that federal regulations, CAEP standards, and the state's equity plan have all been considered while developing KEPAS. KACTE has been updated on the progress and has supported the work thus far. She said that new information available for the system was the ability to determine not only the number of teachers that each program has in a district but also the concentration of teachers in a district. Dr. Walters-Parker said that next steps for KEPAS was to link information that KDE has through PGES and student achievement data.

Mr. Jimmy Adams stated that Mr. Scott Smith and his team have been working on updates to the data dashboard.

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President Robert King said that at a recent EPSB meeting he expressed concern that the Praxis II exams were not a good measure of the level of preparation of prospective teachers. He said that following his shared concerns the Educational Testing Service (ETS) offered to meet with CPE to hear his concerns directly. A meeting has been set for April 27 at 11:00a.m. at Kentucky State University. President King welcomed deans and anyone else who has an interest in Praxis exams who wished to express concerns directly to ETS. Mr. Brown said that after this meeting with ETS, he would like ETS to come back and speak with the EPSB and share information. He also said he wanted to have a Sunday night meeting to review the progress of NTEP.

Legislative Update

Ms. Alicia Sneed gave a brief report on education bills that passed during the 2015 legislative session. None of these bills directly affected the EPSB.

Local Educator Assignment Data (LEAD) Report

Ms. Cindy Godsey said that she continued to work with districts on outstanding issues. There was one typo that occurred on the information sheet given to the Board regarding the number of educators out-of-compliance. The number should be 18 instead of 55. Ms. Godsey complimented the schools and districts for their hard work. Ms. Shannon Treece complimented Ms. Godsey and thanked her for her prompt responses in answering questions and step by step assistance.

New Deans Recognized

Executive Director Robert Brown recognized the following three (3) new deans and congratulated them on their new roles: Dr. David Barnett with the University of Pikeville, Dr. Susan Rose with the University of the Cumberlands, and Dr. Beverly Ennis with Campbellsville University.

Report of the Chair

Committee Appointments

Accreditation Audit Committee

Chair Webb made the following appointments to the Accreditation Audit Committee: Dr. Sam Evans, Dr. Tiffany Wheeler, and Ellen Blevins.

Master's Review Committee

Chair Webb made the following appointments to the Master's Review Committee: Bridget Ramsey, Emily Freking Thompson, April Wood, Brenda McGown, Chris Walsh, Amanda Ellis, Harrie Buecker, and Katie Berner.

Recognition of Executive Director

Chair Webb recognized Robert Brown upon his retirement. She read his biography, and said that no matter what conversation she had with him it was always about the teacher and the child. She said that he was an exemplar for never forgetting the important basics. Mr. Brown addressed the audience and expressed thanks to his parents and teachers for pushing him forward in education.

He said working for the EPSB was a rewarding experience for his career, and that it was a pleasure to represent the Board and share Kentucky's successes at the national level.

Information/Discussion Items

16 KAR 2:020. Occupation-based Career and Technical Education Certification, Amendment, Notice of Intent

Mr. John Fields informed the Board that amendments to this regulation included updates of the language from the restructuring of the Office of Career and Technical Education of the Department of Workforce Investment to the Kentucky Department of Education Office of Career and Technical Education. The CA-3 form was also incorporated by reference in the regulation. This regulation will be brought back to the Board at the June meeting for final action.

16 KAR 4:030. Out-of-State Preparation, Amendment, Notice of Intent

Dr. Walters-Parker explained the amendments to 16 KAR 4:030. These amendments will ensure that teachers with middle school, high school, and P-12 certificates who were prepared by out-of-state preparation programs are prepared to address the literacy needs of students in Kentucky classrooms equitably with teachers prepared by in-state accredited teacher preparation programs. Specifically, Section 2 (3) will require those applicants to demonstrate the same standards required for candidates prepared by in-state teacher preparation programs within 5 years of receiving a Kentucky teaching certificate.

Council for the Accreditation of Educator Preparation Standards

Dr. Walters-Parkers stated that before the CAEP standards were approved by the EPSB, the EPSB staff were waiting on the CAEP handbook. She said that the handbook has been released and revisions have already taken place with an expectation of more revisions. She said one major change was that the advanced standards will be further delayed. She said that the new plan, because of these delays, was for the implementation materials not to be used until 2017. Dr. Walters-Parker did not think the Board should wait to approve the standards due to this delay. She told the Board that she would like to meet to discuss the CAEP standards in further detail.

The proposed EPSB staff timeline for approving the CAEP standards and developing a partnership agreement between EPSB and CAEP was as follows:

- 1) Adopt the CAEP standards at the June EPSB meeting.
- 2) Meet at least twice to review the partnership agreement.
- 3) Adopt the CAEP partnership agreement in December.

Dr. Walters-Parkers said that she felt confident that institutions will be ready for fall 2016 to use the new CAEP standards.

Action Item

2016 KTIP Funding

Mr. Jimmy Adams informed the Board that KTIP contracts were proposed to be increased by \$45, 400 to allow for training in PGES.

2015-010

Motion made by Ms. McMillen, seconded by Ms. Tolya Ellis, to approve the recommended allocations as presented. Allow EPSB staff to make modifications to the maximum number of interns should CTE funds be received.

Vote: *Unanimous*

Waivers

Request for Waiver of the Board's Decision to Notate Periods of Suspension and/or Revocations on Certificates When Reissued, Ms. Kerry Chavira

2015-011

Motion made by Mr. Ross, seconded by Ms. McMillen, to approve the waiver request for Ms. Kerry Chavira.

Vote: *Unanimous*

Request for Waiver of the Board's Decision to Notate Periods of Suspension and/or Revocations on Certificates When Reissued, Mr. Tim Carver

Ms. Alicia Sneed stated that approving the waiver would not take away the action, but it would remove the notation from KECI and the certificate, but the action would still need to be reported if asked.

2015-012

Motion made by Ms. McMillen, seconded by Ms. Laura Schneider, to approve the waiver request for Mr. Tim Carver.

Vote: *Yes: 14*

No: 1 (Dr. Anthony Strong)

16 KAR 3:010. Request to Waive Admission Requirements Pertaining to the Professional Certificate for Instructional Leadership-Superintendent, All Grades, Eastern Kentucky University on Behalf of Ms. Jackie Rogers

2015-013

Motion made by Mr. Robert King, seconded by Mr. Ross, to approve the waiver request on behalf of Ms. Jackie Rogers.

Vote: *Unanimous*

Information/Discussion Item

Report from Secretary of Education & Workforce Development Cabinet Thomas Zawacki

Secretary Thomas Zawacki said that he had the utmost respect for the goals and mission of the agency. He said that the Board and staff have hard work as evidenced with the problems

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involving disciplinary procedure. He said he was concerned with the level of ability to reach a level of consensus on amendments to the disciplinary regulation and the disciplinary procedure. He asked the following of the Board and staff:

1) Try to understand the needs of all the various stakeholders and let it be the basis for good cooperative, positive discussion. If positive discussion continues, he said his prediction was that the Board would come to a consensus. 2) When a decision is reached and the Board approves changes, Secretary Zawacki requested for each of the Board and staff members to have a high degree of consensus and go forward together.

2) Please try to reach some level of consensus in the near future. The Board has an obligation to correct or fix the procedure, convert the procedure to regulation, and move forward to the future.

He said he has been working with Chair Webb on the goals and position requirements for the executive director position. He said that he wanted to be as strongly supportive of the Board as possible, and he said he has a commitment to provide the Board the highest support as they go through the process of searching for an executive director.

Board Comments

President King said that he had the pleasure of getting to know Mr. Brown and to gain his perspective and see in every setting the commitment and decency Mr. Brown brings to every conversation.

Ms. Brandy Beardsley introduced Dr. Anthony Strong. The Board congratulated him on his new achievement.

Motion made by Ms. Sandy Sinclair-Curry, seconded by Ms Schneider, to go into closed session as provided by KRS 61.810 (1) (f).

Vote: *Unanimous*

Motion made by Ms. McMillen, seconded by Ms. Blevins, to go into open session.

Vote: *Unanimous*

2015-014

Motion made by Mr. Ross, seconded by Ms. Schneider, to appoint Jimmy Adams as interim executive director of the EPSB contingent upon approval of the Governor's office.

Vote: *Unanimous*

2015-015

Motion made by Ms. Ellen Blevins, seconded by Ms. McMillen, to authorize the chair with advice of counsel to negotiate salary that Mr. Adams will receive as role of interim executive director.

Vote: *Unanimous*

2015-016

Motion made by Mr. Ross, seconded by Ms. Blevins, to establish an Executive Director Search Committee. The charge of the committee will be to produce an EPSB Executive Director Selection Timeline, Job Description, Salary Range, Method of Application, Application Documents Required, and Advertising Strategy. The committee will give a recommendation to

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the Board for consideration at a special meeting. Committee members will be Mary John O’Hair (chair), Allen Kennedy, Anthony Strong, Secretary Tom Zawacki (or designee), Commissioner Terry Holliday (or designee), President Robert King (or designee), and Barbara Boyd.

Vote: *Unanimous*

Motion made by Ms. McMillen, seconded by Mr. Kennedy, to go into closed session as provided by KRS 61.810 (1) (c) and (1) (j).

Vote: *Unanimous*

Motion made by Ms. McMillen, seconded by Ms. Sinclair-Curry, to go into open session.

Vote: *Unanimous*

**DISCIPLINARY MATTERS:
MINUTES OF CASE REVIEW
April 13, 2015**

Motion made by Ms. Marie McMillen, seconded by Mr. Allen Kennedy, to go into closed session for the purpose of discussing proposed or pending litigation in accordance with KRS 61.810(1) (c) & (j).

Vote: *Unanimous*

Motion made by Ms. McMillen, seconded by Ms. Sandra Sinclair-Curry, to return to open session.

Vote: *Unanimous*

The following board members concurred with the actions as listed below with the noted exceptions:

Cassandra Webb, Michael Ross, Ellen Blevins, Marie McMillen, Laura Schneider, Tolya Ellis, Barbara Boyd, Sandra Sinclair-Curry, Mary John O’Hair, Allen Kennedy, Anthony Strong, Shannon Treece, Anthony Strong, and Brandy Beardsley.

Attorneys present were Alicia A. Sneed, Cassie Trueblood, Gary Stephens, Chelsea Fannin, and Eric Ray.

Initial Case Review

<u>Case Number</u>	<u>Decision</u>
1411773	Defer for training
1412872	Dismissed
1405272	Dismissed
150231	Hear
1412827	Admonish
150284	Defer
1412836	Dismissed
1411752	Hear

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1411794	Hear
1412864	Hear
1412841	Hear
1412857	Hear
1412821	Hear
1412823	Hear
150245	Hear
150249	Admonish
1412812	Admonish
1412819	Hear
150219	Hear
1502106	Hear
1412831	Hear
1412874	Hear
1410723	Dismissed
1412868	Dismissed
1410758	Defer for training
1412866	Hear
1412870	Dismissed
1412845	Defer for training (<i>Mr. Ross dissented</i>)
1411771	Defer for training
1412839	Admonish
1412833	Dismissed (<i>Ms. Blevins dissented</i>)
1410713	Dismissed
1407425	Defer for training
1412810	Defer for training
1412850	Defer for training
1412829	Admonish
150223	Dismissed
150229	Defer
1403176	Dismissed
06-0357	Dismissed
1410715	Dismissed
1407438	Dismissed
1304281	Dismissed
1207391	Dismissed
07112120	Dismissed
1407403	Dismissed
1410725	Hear
1405268	Defer for training
07-0472	Dismissed
1405282	Dismissed
1405335	Dismissed
1412808	Dismissed
140113	Dismissed

Character/Fitness Review

<u>Case Number</u>	<u>Decision</u>
15109	Approve

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15198	Approve
15193	Approve
15154	Approve
141199	Approve
15221	Approve
1510	Approve
1572	Approve
15195	Approve
15246	Approve
15267	Approve
1583	Approve
1563	Approve
1593	Deny
1594	Approve
15104	Deny
15108	Deny
1586	Approve
15185	Deny
15149	Approve
15180	Approve
15158	Approve
15206	Approve
15207	Approve
15199	Deny
15229	Approve
15173	Deny
15230	Approve
15138	Approve
15214	Deny
15144	Approve
15253	Deny
1554	Approve
1584	Deny
15213	Approve
15208	Deny
159	Approve

Agreed Orders

Case Number

Decision

1211713 (Paige Johnson)

Accept Agreed Order revoking Respondent's certificate for a period of twenty (20) years from the date this order is approved by the Board. Johnson shall surrender the original certificate and all copies of her certificate to the EPSB, by delivering or mailing them to 100 Airport Road, 3rd Floor, Frankfort, Kentucky 40601.

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In addition to any educational requirements, issuance of a Kentucky teaching or administrative certificate to Respondent, or on her behalf, at the conclusion of the twenty (20) year revocation period is expressly conditioned upon Respondent providing written evidence to the Board, at the time of application, that she has complied with the following:

Respondent shall complete twelve (12) hours of professional development/training in the areas of ethics and appropriate teacher/student relationships and/or boundary issues, as approved by the Board. Any expense incurred for the program shall be paid by Respondent.

Vote: *Unanimous*

1311830 (Regina Bohanan) Accept Agreed Order dismissing Agency Case Number 1311830.

Vote: *Unanimous*

1403141 (Patricia McCowan) Accept Agreed Order admonishing Respondent for failing to uphold the dignity and integrity of the profession. A teacher is a role model to the students and must maintain a professional interaction at all times. Making inappropriate comments to or around students will not be tolerated. Further, discussing a child's personal information in front of their fellow classmates is a very serious violation of that child's right to privacy. Respondent shall keep in mind the privacy rights of her students moving forward. No further acts of misconduct by Respondent will be tolerated by the board.

Additionally, Respondent's certificate is subject to the following probationary condition from the date of acceptance of this order by the Board:

1. Respondent shall provide written proof to the Board that she has received twelve (12) hours of professional development/training in the area of ethics, as approved by the Board, no later than June 1, 2015. Any expense incurred for said training shall be paid by Respondent. If Respondent fails to satisfy this condition by June 1, 2015, any and all certificates issued to Respondent will automatically be suspended until such training is completed and the appropriate written proof is provided to the Board; and
2. Respondent shall provide written proof that she has received six (6) hours professional development/training in

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the area of confidentiality training, as approved by the Board, no later than June 1, 2015. Any expense incurred for said training shall be paid by Respondent. If Respondent fails to satisfy this condition by June 1, 2015, any and all certificates issued to Respondent will automatically be suspended until such training is completed and the appropriate written proof is provided to the Board.

Vote: *Unanimous*

140271 (Beverly England)

Accept Agreed Order admonishing Respondent for failing to take reasonable measures to protect the health, safety, and emotional well-being of her students. A teacher may never place his/her hands on a student in anger and must follow training protocol when restraining a student. Additionally, Respondent's certificate is subject to the following probationary condition from the date of acceptance of this order by the Board:

Respondent shall provide written proof to the Board that she has completed professional development/training in the area of anger management, as approved by the Board, before June 15, 2015. Any expense incurred for said training shall be paid by Respondent. If Respondent fails to satisfy this condition before June 15, 2015, any and all certificates issued to Respondent will automatically be suspended until such training is completed and the appropriate written proof is provided to the Board; and when working with students who have a Functional Mental Disability, Respondent shall always have a fellow staff member present and will not be in charge of discipline or corrective actions for the students who have a Functional Mental Disability.

Vote: *Unanimous (Ms. Sinclair-Curry recused)*

1312895 (Edwin Bonet-Ruiz)

Accept Agreed Order permanently revoking Respondent's certificate. Respondent shall neither apply for, nor be issued, a teaching and/or administrative certificate in the Commonwealth of Kentucky at any time in the future. Respondent shall surrender the original certificate and all copies of his certificate to the EPSB, by delivering or mailing them to 100 Airport Road, 3rd Floor, Frankfort, Kentucky 40601.

Vote: *Unanimous*

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1407431 (Robert Norsworthy) Accept Agreed Order admonishing Respondent for neglect of duty. The Board reminds Respondent that he has a duty to protect the health, safety, and welfare of all students in his care. An educator must create and maintain an environment in which all students can learn in a safe and effective manner. The Board will tolerate no further acts of misconduct by Respondent.

Additionally, Respondent must provide written proof, on or before October 1, 2015, that he has completed a Board-approved training/professional development course in the area of classroom management. Any expense for this training shall be paid by Respondent. Should Respondent fail to provide proof of the training requirement by October 1, 2015, his certificate shall be suspended and will remain suspended until he provides proof of the requirement.

Vote: *Unanimous*

1407407 (Donna Gray)

Accept Agreed Order admonishing Respondent for conduct unbecoming a teacher. An educator has a duty to treat all members of the education community with dignity and respect. Respondent failed in this duty when she used racially insensitive language in the workplace. The Board will tolerate no further acts of misconduct by Respondent. Respondent must provide written proof, on or before September 1, 2015, that she has completed a course in cultural competency. Should Respondent violate this condition, her certificate shall be suspended and will remain so until the condition is met. Any expense incurred for said training shall be paid by Respondent.

Vote: *Unanimous*

1408502 (Kenneth Moeller) Accept Agreed Order admonishing Respondent for his failure to report an allegation of child abuse as required by JCPS policy. Respondent is also admonished for violating the *Administrative Code for Kentucky's Educational Assessment Program*. The Board reminds Respondent that he has a duty to follow all administrative procedures related to student testing for the well-being of the students and for the integrity of the testing process. The Board will tolerate no further acts of misconduct by Respondent. Additionally, Respondent must provide written proof, on or before October 1, 2015, that he has completed a Board-approved training/professional development course in the area of child abuse awareness and reporting and six (6) hours of Administrative Code training. Any expense for

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these trainings shall be paid by Respondent. Should Respondent fail to provide proof of the training requirements by October 1, 2015, his certificate shall be suspended and will remain suspended until he provides proof of the requirements.

Vote: *Unanimous*

08121194 (Glenn Taylor)

Accept Agreed Order which states that Respondent shall neither apply for, nor be issued, a teaching and/or administrative certificate in the Commonwealth of Kentucky at any time after his current teaching certificate expires June 30, 2015; and Respondent shall submit the original certificate and all copies of his certificate to the EPSB, by delivering or mailing them to 100 Airport Road, 3rd Floor, Frankfort, Kentucky 40601.

Vote: *Unanimous*

1312883 (John Murray)

Accept Agreed Order admonishing Respondent for making inappropriate remarks to students and for subjecting students to embarrassment. Sexual jokes and innuendo constitute sexually related behavior, and the Professional Code of Ethics for Kentucky Certified School Personnel explicitly prohibits teachers from directing such remarks towards students. Further, Respondent is reminded that he has an ethical duty to treat students with respect and to maintain a high level of professionalism at all times. The Board will not tolerate any further incidents of ethical misconduct from Respondent.

Respondent's certificate, including any and all endorsements, is hereby subject to the following probationary conditions for a period of five (5) years from the date the Board accepts this Agreed Order:

1. On or before July 1, 2015, Respondent shall submit written proof to the Board that he has successfully completed twelve (12) hours of ethics training, as approved by the Board, which shall include instruction on appropriate teacher/student boundaries. Any expense incurred for said training shall be paid by Respondent.
2. On or before September 1 of each year of the probationary period, Respondent shall provide written proof to the Board that he has completed a course, as approved by the Board, on sexual harassment awareness. Any expense incurred for said training shall be paid by Respondent.
3. For the entirety of the probationary period, Respondent

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shall receive no disciplinary action involving conduct unbecoming and/or sexual harassment. "Disciplinary action" is defined as any public reprimand, suspension, or termination issued by any school district in the Commonwealth of Kentucky and upheld, if requested, by either a tribunal and/or arbitration process.

Should he fail to satisfy any of these conditions during the probationary period, Respondent's certificate shall be automatically suspended for a period of thirty (30) days. If applicable, at the conclusion of the thirty (30) day suspension, Respondent's certificate shall remain suspended until such time as the probationary conditions are met.

Respondent is aware that should he violate KRS 161.120, either during or following this five (5) year period of probationary conditions, the Board shall initiate new disciplinary action and seek additional sanctions.

Vote: *Unanimous*

1403209 (Charles Bosley)

Accept Agreed Order admonishing Respondent for failing to take reasonable measures to protect the health, safety, and emotional well-being of his students. A teacher may never place his/her hands on a student in anger and must follow training protocol when restraining a student. Additionally, Respondent's certificate is subject to the following probationary condition from the date of acceptance of this order by the Board:

Respondent shall provide written proof to the Board that he has completed professional development/training in the area of anger management, as approved by the Board, prior to applying to any job as an educator. Respondent shall be evaluated by the Hardinsburg Outpatient Clinic and complete their recommendations for anger management counseling. Any expense incurred for said training shall be paid by Respondent. If Respondent fails to satisfy this condition before applying to any educator position, any and all certificates issued to Respondent will automatically be suspended until such training is completed and the appropriate written proof is provided to the Board.

Vote: *Unanimous*

1309636 (Samuel Hann)

Accept Agreed Order permanently revoking Respondent's certificate. Respondent shall neither apply for, nor be issued, a teaching and/or administrative certificate in the Commonwealth of Kentucky at any time in the future.

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Upon acceptance of this agreement by the Board, Respondent shall immediately surrender the original and all copies of his certificate, by personal delivery or first class mail, to the Education Professional Standards Board, 100 Airport Road, 3rd Floor, Frankfort, Kentucky 40601.

Vote: *Unanimous*

CF1559 (Michelle Wehmeyer) Accept Agreed Order which states that upon acceptance of this agreement by the Board, Respondent shall be issued a Kentucky teaching certificate upon providing proof that she has met the academic and testing requirements necessary for issuance of a certificate, and has completed the following:

1. Respondent shall undergo a comprehensive alcohol/substance abuse assessment by a Kentucky licensed and/or certified chemical dependency counselor, as approved by the Board, and shall present written evidence to the Board that she has complied with the assessment process. Any expense for the assessment and written reports shall be paid by Respondent.

2. Respondent shall submit written proof to the Board that she has completed a course on professional ethics training, as approved by the Board. Any expense required for said training shall be paid by Respondent.

Any and all certificates issued to Respondent shall be subject to the following conditions:

1. If Respondent's chemical dependency counselor makes any treatment recommendations, Respondent shall comply with the treatment recommendations. Respondent shall submit quarterly written progress reports from her counselor to the Board until such time as the counselor releases her from treatment. Any expense for the treatment and/or written reports shall be paid by Respondent. Failure to comply with this condition will result in Respondent's certificate being automatically suspended until Respondent is in compliance.

2. Respondent shall not be convicted of nor enter a guilty or no contest plea to any criminal charge(s) involving the use or possession of alcohol. If Respondent is convicted of, or enters a guilty or no contest plea, to any criminal charge involving the use or possession of alcohol, she shall submit this information to the Board, in writing, within thirty (30) days. Failure to comply with this condition will result in Respondent's certificate being automatically suspended pending Board review and disposition.

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3. Respondent shall submit a copy of her current criminal record, as prepared by the Administrative Office of the Courts, with any application for renewal of her certification(s) and/or for additional certification(s). Any expense required to satisfy this condition shall be paid by Respondent. Failure to comply with this condition will result in the denial of all applications for renewal and/or additional certification(s) submitted by Respondent or on her behalf.

Vote: *Unanimous*

CF1565 (Miranda Byrd)

Accept Agreed Order which states that upon acceptance of this agreement by the Board, Respondent shall be issued a Kentucky teaching certificate upon providing proof that she has met the academic and testing requirements necessary for issuance of a certificate, and has completed the following:

1. Respondent shall undergo a comprehensive alcohol/substance abuse assessment by a Kentucky licensed and/or certified chemical dependency counselor, as approved by the Board, and shall present written evidence to the Board that she has complied with the assessment process. Any expense for the assessment and written reports shall be paid by Respondent.

2. Respondent shall submit written proof to the Board that she has completed a course on professional ethics training, as approved by the Board. Any expense required for said training shall be paid by Respondent.

Any and all certificates issued to Respondent shall be subject to the following conditions:

1. If Respondent's chemical dependency counselor makes any treatment recommendations, Respondent shall comply with the treatment recommendations. Respondent shall submit quarterly written progress reports from her counselor to the Board until such time as the counselor releases her from treatment. Any expense for the treatment and/or written reports shall be paid by Respondent. Failure to comply with this condition will result in Respondent's certificate being automatically suspended until Respondent is in compliance.

2. Respondent shall not be convicted of nor enter a guilty or no contest plea to any criminal charge(s) involving the use or possession of alcohol. If Respondent is convicted of, or enters a guilty or no contest plea, to any criminal charge involving the use or possession of alcohol, she shall submit this information to the Board, in writing, within thirty (30)

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days. Failure to comply with this condition will result in Respondent's certificate being automatically suspended pending Board review and disposition.

3. Respondent shall submit a copy of her current criminal record, as prepared by the Administrative Office of the Courts, with any application for renewal of her certification(s) and/or for additional certification(s). Any expense required to satisfy this condition shall be paid by Respondent. Failure to comply with this condition will result in the denial of all applications for renewal and/or additional certification(s) submitted by Respondent or on her behalf.

Vote: *Unanimous*

1409693 (Andrew Moore)

Accept Agreed Order permanently revoking Respondent's certificate. Respondent shall neither apply for, nor be issued a teaching, administrative or emergency certificate in the Commonwealth of Kentucky at any time in the future. Respondent shall immediately surrender the original and all copies of his certificate, by personal delivery or first class mail, to the Education Professional Standards Board, 100 Airport Road, 3rd Floor, Frankfort, Kentucky 40601.

Vote: *Unanimous*

1407409 (Stephen Graham)

Accept Agreed Order admonishing Respondent for using inappropriate physical force to manage student behavior. An educator in the Commonwealth of Kentucky has a duty to take reasonable measures to protect the health, safety, and emotional well-being of students, and must remain aware of the line between appropriate and inappropriate physical contact when interacting with students.

Furthermore, the Board reminds Respondent of his duty to maintain the dignity and integrity of the profession at all times. The Board will not tolerate any further incidents of misconduct from Respondent.

Respondent intends to retire at the conclusion of the 2014-2015 school year. If Respondent returns to the Kentucky public school system in any capacity that requires certification, he shall first comply with the following conditions:

1. Respondent shall submit written proof to the Board that he has completed twelve (12) hours of professional development or training in the area of classroom management, as approved by the Board. Any expense

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incurred shall be paid by Respondent. If Respondent fails to satisfy this condition prior to accepting certified employment, his certificate shall be automatically suspended until such condition is satisfied.

2. Respondent shall submit written proof to the Board that he has completed twelve (12) hours of professional development or training on the Professional Code of Ethics for Kentucky Certified School Personnel, as approved by the Board. Any expense incurred for said training shall be paid by Respondent. If Respondent fails to satisfy this condition prior to accepting certified employment, his certificate shall be automatically suspended until such condition is satisfied.

Respondent is aware that should he violate KRS 161.120 in the future, the Board shall initiate a new disciplinary action and seek additional sanctions.

Vote: *Unanimous*

- 1208538 (Matthew French) Accept Agreed Order suspending Respondent's certificate from June 16, 2015 through August 11, 2015. Respondent shall surrender the original and all copies of his certificate, by personal delivery or first class mail, to the Education Professional Standards Board, 100 Airport Road, 3rd Floor, Frankfort, Kentucky 40601.
- Upon reinstatement, Respondent's certificate and any future endorsements or new areas of certification, shall be subject to the following probationary conditions:
1. On or before December 1, 2015, Respondent shall provide written proof to the Board that he has been evaluated by a Kentucky licensed or certified psychiatrist or mental health professional, presents as capable of fulfilling his duties as an educator, is not a danger to himself or others, and is compliant with all treatment recommendations. Any expense incurred for said assessment, treatment and/or reports shall be paid by Respondent. Should Respondent fail to satisfy this condition by December 1, 2015, Respondent's certificate shall be automatically suspended until such condition is satisfied.
 2. On or before March 1, 2016, Respondent shall provide written proof to the Board that he has successfully completed twelve (12) hours of ethics training, as approved by the Board, which shall include instruction on appropriate teacher/student boundaries. Any expense incurred for said training shall be paid by Respondent. Should Respondent fail to satisfy this condition by March

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1, 2016, Respondent's certificate shall be automatically suspended until such condition is satisfied.

3. Respondent shall not receive any disciplinary action involving inappropriate teacher/student boundaries from any school district in which he is employed. Should Respondent fail to satisfy this condition, Respondent's certificate shall be automatically suspended for a period of two (2) years and subject to additional sanctions by the Board pursuant to KRS 161.120.

"Disciplinary action" is defined as any termination, suspension or public reprimand issued by any school district in the Commonwealth of Kentucky and upheld, if requested, by either a tribunal and/or arbitration process, including any appeal therefrom. If the tribunal amends the disciplinary action or if Respondent agrees to amend the disciplinary action through arbitration, the new disciplinary action if a suspension, termination, or public reprimand shall be considered a violation of this condition.

Respondent is aware that, should he violate KRS 161.120 in the future, the Board shall initiate a new disciplinary action and seek additional sanctions.

Vote: *Unanimous*

1408623 (John Baudendistel) Accept Agreed Order in which Respondent voluntarily, knowingly, and intelligently surrenders his certificate, and agrees not to apply for, nor be issued a teaching, administrative or emergency certificate in the Commonwealth of Kentucky at any time in the future. Upon acceptance of this agreement by the Board, Respondent shall immediately surrender the original and all copies of his certificate, by personal delivery or first class mail, to the Education Professional Standards Board, 100 Airport Road, 3rd Floor, Frankfort, Kentucky 40601.

Vote: *Unanimous*

1205286 (Casey Waddell) Accept Agreed Order in which Respondent voluntarily, knowingly, and intelligently surrenders his certificate, and agrees not to apply for, nor be issued a teaching, administrative or emergency certificate in the Commonwealth of Kentucky at any time in the future. Upon acceptance of this agreement by the Board, Respondent shall immediately surrender the original and all copies of his certificate, by personal delivery or first class mail, to the Education Professional Standards Board, 100

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Airport Road, 3rd Floor, Frankfort, Kentucky 40601.

Vote: *Unanimous*

- 1307557 (Thomas Gilmour) Accept Agreed Order admonishing Respondent for exercising poor professional judgment and for failing to keep his personal views out of the classroom. Respondent's actions in the classroom demonstrated a disregard for his duty to endeavor to understand community cultures and the diverse home environments of his students. The Board reminds Respondent, that as a certified educator in the Commonwealth of Kentucky, he has a duty to respect the constitutional rights of his students, their parents and the community. Furthermore, the Board reminds Respondent that he must instruct students according to the curriculum of the district. The Board will not tolerate any further incidents of misconduct from Respondent. Upon acceptance of this agreement by the Board, Respondent shall comply with the following conditions:
1. Respondent shall submit written proof to the Board that he has completed five (5) hours of cultural competency training since the 2008-2009 school year as indicated in his counterproposal and letter of support dated January 24, 2014.
Respondent has provided written proof that he has completed five (5) hours of cultural competency training.
 2. On or before March 1, 2016, Respondent shall submit written proof to the Board that he has completed a course on educator ethics, with a focus on the Professional Code of Ethics for Kentucky Certified School Personnel, as approved by the Board. If Respondent fails to satisfy this condition by March 1, 2016, his certificate shall be automatically suspended until such condition is satisfied. Respondent is aware that should he violate KRS 161.120 in the future, the Board shall initiate a new disciplinary action and seek additional sanctions.

Vote: *Unanimous*

- 1406389 (Amanda Heaton) Accept Agreed Order admonishing Respondent for exercising poor professional judgment, and for failing to use appropriate means of discipline and discourse with her students. Raising your voice with a student in front of her peers is not an acceptable means of discipline. The Board reminds Respondent that she has a duty to take reasonable measures to protect the health, safety and emotional well-being of her students, and to set a positive example for her

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students. The Board will not tolerate any further incidents of misconduct by Respondent.

Upon acceptance of this agreement by the Board, Respondent shall comply with the following conditions:

1. On or before February 1, 2016, Respondent shall provide written proof to the Board that she has completed six (6) hours of professional development or training on the Professional Code of Ethics for Kentucky Certified School Personnel, as approved by the Board. Any expense required to satisfy this condition shall be paid by Respondent. Should Respondent fail to satisfy this condition by February 1, 2016, her certificate shall be automatically suspended until such condition is satisfied.
2. On or before February 1, 2016, Respondent shall provide written proof to the Board that she has completed professional development or training in the area of bullying awareness, as approved by the Board. Any expense required to satisfy this condition shall be paid by Respondent. Should Respondent fail to satisfy this condition by February 1, 2016, her certificate shall be automatically suspended until such condition is satisfied. Respondent is aware that should she violate KRS 161.120 in the future, the Board shall initiate a new disciplinary action and seek additional sanctions.

Vote: *Unanimous*

1302106 (Wade Helm)

Accept Agreed Order which states that Respondent shall be issued a teaching certificate in Kentucky only after completing a traditional educator preparation program or meeting the requirements for issuance of an alternative certificate under KRS 161.048. Respondent shall not be eligible for an emergency teaching certificate or emergency substitute certificate until he has been issued either a statement of eligibility or a temporary provisional certificate.

Additionally, at the time of application for certification, Respondent shall comply with the following conditions:

1. Respondent shall provide written proof to the Board that he has completed twelve (12) hours of professional development or training on the Professional Code of Ethics for Kentucky Certified School Personnel, as approved by the Board. Any expense required to satisfy this condition shall be paid by Respondent. If Respondent fails to satisfy this condition, he will not be issued a certificate until written proof of completion has been provided to the Board.

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2. Respondent shall provide written proof to the Board that he has completed twelve (12) hours of professional development or training in the area of classroom management, as approved by the Board. Any expense required to satisfy this condition shall be paid by Respondent. If Respondent fails to satisfy this condition, he will not be issued a certificate until written proof of completion has been provided to the Board. Failure to meet either of these conditions will result in a denial of the application for certification. Respondent is aware that should he violate KRS 161.120 in the future, the Board shall initiate a new disciplinary action and seek additional sanctions.

Vote: *Unanimous*

1409695 (Gary Russo)

Accept Agreed Order in which Respondent voluntarily, knowingly, and intelligently surrenders his teaching certificate, and agrees not to apply for, nor be issued a teaching, administrative or emergency certificate in the Commonwealth of Kentucky at any time in the future. Upon acceptance of this agreement by the Board, Respondent shall immediately surrender the original and all copies of his certificate, by personal delivery or first class mail, to the Education Professional Standards Board, 100 Airport Road, 3rd Floor, Frankfort, Kentucky 40601.

Vote: *Unanimous*

1305327 (Brittany Stacy)

Accept Agreed Order suspending Respondent's certificate from June 6, 2015 to August 4, 2015, a period of sixty (60) days. Respondent shall immediately surrender the original and all copies of her certificate, by personal delivery or first class mail, to the Education Professional Standards Board, 100 Airport Road, 3rd floor, Frankfort, KY 40601. Upon reinstatement, Respondent's certificate shall be subject to the following probationary conditions:

1. On or before April 1, 2016, Respondent shall provide written proof to the Board that she has completed twelve (12) hours of professional development or training on the Professional Code of Ethics for Kentucky Certified School Personnel, as approved by the Board. Any expense incurred shall be paid by Respondent. If Respondent fails to satisfy this condition by April 1, 2016, Respondent's certificate shall be automatically suspended until such condition is satisfied.

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2. Respondent shall provide written proof to the Board that she has complied with all the conditions set forth in the Order of Probation/Conditional Discharge entered into on January 22, 2014 in Rowan Circuit Court, Case No. 13-CR-00093. Respondent shall pay any expense incurred. If Respondent fails to comply with this condition, Respondent's certificate shall be automatically suspended until such condition is satisfied.

3. With any application for renewal of a certificate and/or with any application for an additional certificate, Respondent shall submit a state and federal criminal background report to the Board. Respondent shall pay any expense incurred. If Respondent fails to satisfy this condition, renewal of her certificate and/or issuance of the additional certificate shall be denied.

4. Respondent shall have no further criminal convictions. If Respondent is convicted of any crime other than a minor traffic violation, any and all certificates issued to her shall be automatically permanently revoked. A violation is not considered a minor traffic violation if it is a violation for which jail time may be imposed.

5. Respondent shall not receive any disciplinary action involving theft from any school district in which she is employed. If Respondent fails to satisfy this condition, Respondent's certificate shall be automatically suspended for a period of thirty (30) days and subject to additional sanctions by the Board pursuant to KRS 161.120.

"Disciplinary action" is defined as any termination, suspension, or public reprimand issued by any school district in the Commonwealth of Kentucky and upheld, if requested, by either a tribunal and/or arbitration process, including any appeal therefrom. If the tribunal amends the disciplinary action or if Respondent agrees to amend the disciplinary action through arbitration, the new disciplinary action if a termination, suspension, or public reprimand shall be considered a violation of this condition.

Respondent is aware that should she violate KRS 161.120 in the future, the Board shall initiate a new disciplinary action and seek additional sanctions.

Vote: *Unanimous*

1208528 (Carrie Decker)

Accept Agreed Order suspending Respondent's certificate from June 16, 2015 through July 30, 2015 a period of forty-five (45) days. Respondent shall immediately surrender the original and all copies of her certificate, by personal

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delivery or first class mail, to the Education Professional Standards Board, 100 Airport Road, 3rd Floor, Frankfort, KY 40601.

Prior to reinstatement of Respondent's certificate, Respondent shall comply with the following reinstatement conditions:

1. Respondent shall provide written proof to the Board that she has complied with a comprehensive alcohol abuse assessment by a licensed or certified chemical dependency counselor, as approved by the Board, and is compliant with any treatment recommendations. Any expense incurred for said assessment and treatment shall be paid by Respondent.
2. Respondent shall provide written proof to the Board that she has successfully completed professional development or training on the Professional Code of Ethics for Kentucky Certified School Personnel, as approved by the Board. Any expense incurred for said training shall be paid by Respondent.

Should Respondent fail to satisfy these conditions prior to the conclusion of the forty-five (45) day suspension period, Respondent's certificate shall not be reinstated until such conditions are satisfied. Respondent is aware that should she violate KRS 161.120 in the future, the Board shall initiate a new disciplinary action and seek additional sanctions.

Vote: *Unanimous*

140256 (William Rison)

Accept Agreed Order which states that Respondent shall complete the following professional development or training:

1. Respondent shall provide written proof to the Board that he has received eight (8) hours of professional development/training in the area of educator certification as approved by the Board, no later than September 1, 2016. Any expense incurred for said training shall be paid by Respondent. If Respondent fails to satisfy this condition by September 1, 2016, any and all certificates issued to Respondent will automatically be suspended until such training is completed and the appropriate written proof is provided to the Board.
2. Respondent shall provide written proof to the Board that he has professional development/training in the area of hiring school personnel with an emphasis on compliance with KRS 160.345, as approved by the Board, no later than September 1, 2016. Any expense incurred for said training shall be paid by Respondent. If Respondent

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fails to satisfy this condition by September 1, 2016, any and all certificates issued to Respondent will automatically be suspended until such training is completed and the appropriate written proof is provided to the Board.

3. Respondent shall provide written proof to the Board that he has received professional development/training in the area of school facilities construction and management, as approved by the Board, no later than September 1, 2016. Any expense incurred for said training shall be paid by Respondent. If Respondent fails to satisfy this condition by September 1, 2016, any and all certificates issued to Respondent will automatically be suspended until such training is completed and the appropriate written proof is provided to the Board.

Respondent is aware that should he violate KRS 161.120 in the future, the Board shall initiate a new disciplinary action and seek additional sanctions.

Vote: 13-1 (*Ms. Schneider dissented*)

1311823 (Seth Sammons)

Accept Agreed Order in which Respondent voluntarily, knowingly, and intelligently surrenders his teaching certificate, and agrees to not apply for, nor be issued, a teaching or administrative certificate in the Commonwealth of Kentucky at any time in the future. Upon the acceptance of this agreement by the Board, Respondent shall immediately surrender the original and all copies of his certificate, by personal delivery or first class mail, to the Education Professional Standards Board, 100 Airport Road, 3rd Floor, Frankfort, Kentucky 40601.

Vote: *Unanimous*

Chair Webb called a special EPSB meeting for May 4 at 9:00a.m. at the EPSB offices.

Vote: *Unanimous*

Motion made by Ms. Sinclair-Curry, seconded by Ms. Ellis, to adjourn the meeting.

Vote: *Unanimous*

Meeting adjourned at 2:20 p.m.

Next Meeting: June 8, 2015
9:00 AM
EPSB Board Room
Frankfort, Kentucky

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The actions delineated below were taken in open session of the EPSB at the May 4, 2015, meeting. This information is provided in summary form; an official record of the meeting is available in the permanent records of the Education Professional Standards Board (EPSB), 100 Airport Road, 3rd Floor, Frankfort, KY 40601

**Education Professional Standards Board (EPSB)
Summary Minutes of the Meeting
EPSB Offices, 100 Airport Road, 3rd Floor
Frankfort, Kentucky**

Consent Item C

Call to Order

Chair Cassandra Webb called the meeting to order at approximately 9:00 a.m. EDT.

Roll Call

The following Board members were present during the May 4, 2015, EPSB meeting: Brandy Beardsley, Ellen Blevins, Barbara Boyd, Amanda Ellis, Tolya Ellis, Allen Kennedy, Marie McMillen, Mary John O'Hair, Michael Ross, Laura Schneider, Sandy Sinclair-Curry, Anthony Strong, Shannon Treece, Cassandra Webb, and April Wood. Anthony Strong and David Whaley were absent.

Report from the Acting Executive Director

Charter for the Task Force to Study Policies to Prevent Inappropriate Relationships Between Teachers and Students in Kentucky

Acting Executive Director Jimmy Adams said that Representative Regina Bunch asked the Board to consider a task force to establish policies to prevent inappropriate relationships between educators and students in Kentucky. Her request came from data that was reported and showed that Kentucky was identified as having the second most number of incidents involving inappropriate student-teacher relationship allegations in the U.S. in 2013-14. He said that he would ask the Board to form a task force at the June EPSB meeting. Mr. Adams mentioned some organizations that he thought should serve on the task force and asked the Board to send the names of other agencies and organizations they would also like to be represented on the task force. A letter from Representative Bunch detailing her intent for the task force and what her request fully involved should arrive at the Board offices soon.

Highly Qualified Report

Mr. John Fields reported on the spring 2014-15 highly qualified report. He said that the 2014-15 percentages were consistent with what the percentages had been in previous years. All courses were reported and 0.5% of classrooms were without a highly qualified teacher to date.

Council for the Accreditation of Educator Preparation (CAEP) Timeline

Dr. Kim Walters-Parker presented a proposed timeline for adoption of the CAEP standards and the development of a partnership agreement between EPSB and CAEP. A partnership agreement task force is anticipated to be created at the June EPSB meeting, with an update from the task force at the August EPSB meeting, and a notice of intent to adopt the agreement at the October EPSB meeting. It is anticipated that the partnership agreement will be adopted at the December 2015 EPSB meeting. Dean Mary John O'Hair said that this timeline was very helpful.

Action Item

EPSB Executive Director Search Committee Recommendations

Dean Mary John O'Hair reported on the recommendations of the Executive Director Search Committee. The committee wanted to research the salary for the position and after researching other independent standards boards it appeared that the salary range was in line with other independent standards boards' leader positions. The Board set the salary range for the executive director position from \$125,000 - \$138,000.

Motion made by Ms. Marie McMillen, seconded by Ms. Laura Schneider, to approve the following EPSB executive director search committee recommendations.

Executive Director Search Timeline:

June 30, 2015: Deadline for Applications

July 15, 2015: Education and Workforce Development Cabinet Human Resource Department screens for qualified applications as they are received and gives applications to committee on this date

August 9, 2015, 5:00p.m.: ED Search Committee selects applicants for initial interview

August 27-28, 2015: ED Search Committee conducts preliminary interviews with applicants, possibly done through SKYPE

October 12, 2015: Final interviews with the full Board

Advertise for the executive director vacant position to the following agencies and businesses:

Herald Leader, Courier Journal, Education Week, Kentucky personnel website, Chronicles of Higher Education online, National Association of State Directors of Teacher Education and Certification (NASDTEC), National Education Association (NEA), Kentucky Education Association (KEA), Kentucky School Board Association (KSBA), American Association of School Administrators (AASA), Kentucky Association of School Administrators (KASA), American Association of Colleges for Teacher Education (AACTE), Kentucky Association of Colleges for Teacher Education (KACTE), Council of Chief State School Officers (CCSSO), American Association of School Administrators (AASA), and Kentucky Association of School Superintendents (KASS).

The job description as presented was approved with the addition of the salary range added and set at \$125,000 - \$138,000.

Vote: *Unanimous*

Update on the Discipline Regulation Rewrite Committee

Assistant attorney general Michael Head gave an update on the work of the regulation rewrite committee. The committee met on May 3, 2015. He said he was confident that the committee

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would work quickly, but not hastily, and was optimistic that final regulation language would be presented to the Board at the October 2015 EPSB meeting.

Adjournment

Meeting adjourned at 9:55a.m.

Next Regular Meeting:
June 8, 2015
9:00a.m. EDT
EPSB Offices

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**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Consent Item D

Action Item:

Union College: English as a Second Language Grades P-12 Endorsement (Graduate Level)

Applicable Statutes and Regulation:

KRS 161.028; KRS 161.048

16 KAR 5:010

Applicable Goal:

Goal 1: Every approved educator preparation program meets or exceeds all accreditation standards and prepares knowledgeable, capable teachers and administrators who demonstrate effectiveness in helping all students reach educational achievement.

Issue:

Should the EPSB approve the following educator preparation program addition?

UNION COLLEGE

8.0 ENDORSEMENTS

English as a Second Language Grades P-12 Endorsement (Graduate Level)

Background:

The proposed English as a Second Language (ESL) P-12 Endorsement program at Union College is designed as a specialization component which can be used within its existing Master of Arts in Education: Teacher Leader program or its approved Rank I: Master of Arts in Education with emphasis in Curriculum and Instruction program. The program is designed for candidates who are seeking an endorsement in ESL P-12 along with a master's degree, which may be used as Rank II or Rank I, or for candidates who are seeking only the endorsement certification. The program is in response to requests from the P-12 partners for new programs that aid in increased student achievement for all learners while utilizing a fully online delivery method that is accessible to practicing teachers. Courses and experiences are designed to enhance candidate knowledge through classroom instruction and P-12 clinical placements. The ESL P-12 courses and experiences are structured on the ideas of desirable behaviors, knowledge bases, assessment skills sets, and student achievement objectives described in the Kentucky Teacher Standards, the Characteristics of Highly Effective Teacher and Learning, the Kentucky Core Academic Standards, the Kentucky College and Career Readiness Standards, and the Teachers of English to Speakers of Other Languages Standards.

KRS 161.028 and KRS 161.030 provide for the EPSB to establish curricula for educator preparation programs in Kentucky and approve such programs at institutions of higher education. The Division of Educator Preparation, Content Area Program Reviewers, and the Reading Committee evaluated the program review documents submitted for approval against

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performance-based program certification guidelines established by the EPSB. This program proposal meets all the requirements set forth by the EPSB. The supporting documents for the proposal (program review documents which include the executive summary and letter of support) are available on the secured website.

Groups/Persons Consulted:

Content Area Program Reviewers
Reading Committee

Alternative Actions:

1. Approve the proposed English as a Second Language Grades P-12 endorsement preparation program addition.
2. Do not approve the proposed English as a Second Language Grades P-12 endorsement preparation program addition.

Committee Recommendation:

Alternative 1

Rationale:

The proposed educator preparation programs follow the appropriate regulations (16 KAR 5:010) outlining requirements for program approval as established by the EPSB.

Contact Person:

Dr. Kim Walters-Parker, Director
Division of Educator Preparation
(502) 564-4606
E-mail: Kim.Walters-Parker@ky.gov

Date:

June 8, 2015

16 KAR 5:010. Standards for accreditation of educator preparation units and approval of programs.

RELATES TO: KRS 161.028, 161.030, 164.945, 164.946, 164.947, 20 U.S.C. 1021-1022h

STATUTORY AUTHORITY: KRS 161.028, 161.030

NECESSITY, FUNCTION, AND CONFORMITY: KRS 161.028(1) authorizes the Education Professional Standards Board to establish standards and requirements for obtaining and maintaining a teaching certificate and for programs of preparation for teachers and other professional school personnel. KRS 161.030(1) requires all certificates issued under KRS 161.010 to 161.126 to be issued in accordance with the administrative regulations of the board. This administrative regulation establishes the standards for accreditation of an educator preparation unit and approval of a program to prepare an educator.

Section 22. Program Approval Action Outside the First or Regular Continuing Accreditation Cycle. (1) Approval of a program shall be through the program process established in Section 11 of this administrative regulation except that a new program not submitted during the regular accreditation cycle or a program substantially revised since submission during the accreditation process shall be submitted for approval by the EPSB prior to admission of a student to the program.

(2) For a new or substantially revised program, the EPSB shall consider a recommendation by staff, including review by the Continuous Assessment Review Committee, Content Program Review Committee, and the Reading Committee.

(3) A recommendation made pursuant to subsection (2) of this section shall be presented to the full EPSB.

(4) Program approval decision options shall be:

(a) Approval, with the next review scheduled during the regular accreditation cycle unless a subsequent substantial revision is made;

(b) Approval with conditions, with a maximum of one (1) year probationary extension for correction of a specified problem to be documented through written materials or through an on-site visit. At the end of the extension, the EPSB shall decide that the documentation supports:

1. Approval; or

2. Denial of approval; or

(c) Denial of approval, indicating that a serious problem exists which jeopardizes the quality of preparation of school personnel.

(5) The EPSB shall order a review of a program if it has cause to believe that the quality of preparation is seriously jeopardized. The review shall be conducted under the criteria and procedures established in the EPSB "Emergency Review of Certification Programs Procedure" policy incorporated by reference. The on-site review shall be conducted by EPSB staff and a Board of Examiners team. The review shall result in a report to which the institution may respond. The review report and institutional response shall be used by the Executive Director of the EPSB as the basis for a recommendation to the full EPSB for:

(a) Approval;

(b) Approval with conditions; or

(c) Denial of approval for the program.

(6) If the EPSB denies approval of a program, the institution shall notify each student currently admitted to that program of the EPSB action. The notice shall include the following information:

(a) A student recommended for certification or advancement in rank within the twelve (12) months immediately following the denial of state approval and who applies to the EPSB within the fifteen (15) months immediately following the denial of state approval shall receive the certification or advancement in rank; and

(b) A student who does not meet the criteria established in paragraph (a) of this subsection shall transfer to a state approved program in order to receive the certificate or advancement in rank.

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**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Information/Discussion Item A

Information Item:

Notice of Intent to Amend 16 KAR 2:110
Endorsement for Teachers of Gifted Education

Applicable Statutes and Regulation:

KRS 161.028; KRS 161.030; KRS 161.120
16 KAR 2:110

Applicable Goal:

Goal 2: Every professional position in a Kentucky public school is staffed by a properly credentialed educator.

Goal 3: Every credentialed educator exemplifies behaviors that maintain the dignity and integrity of the profession by adhering to established law and EPSB Code of Ethics.

Background:

16 KAR 2:110 is the regulation that governs the Endorsement for Teachers of Gifted Education as well as the probationary certificate for that endorsement. The TC-GP is incorporated by reference. The proposed amendment to 16 KAR 2:110 includes the adoption of the new certification form, CA-GP. All new proposed certification forms will have the CA designation to ensure a smooth transition from the prior forms to the newly designed forms. The proposed CA-GP form also contains the newly adopted character and fitness questionnaire.

Contact Person:

Mr. John Fields, Director
Division of Certification
(502) 564-4606
E-mail: John.Fields@ky.gov

Date:

June 8, 2015

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1 **16 KAR 2:110. Endorsement for teachers for gifted education.**

2 RELATES TO: KRS 161.020, 161.028, 161.030, 161.052

3 STATUTORY AUTHORITY: KRS 161.028, 161.030

4 NECESSITY, FUNCTION, AND CONFORMITY: KRS 161.020, 161.028 and 161.030

5 require that teachers and other professional school personnel hold certificates of legal
6 qualifications for their respective positions to be issued upon completion of programs of
7 preparation approved by the Education Professional Standards Board. KRS 161.052 requires that
8 all persons employed as a teacher for gifted education hold an appropriate certificate endorsement
9 for gifted education. This administrative regulation establishes a preparation-certification program
10 for teachers for gifted education.

11 Section 1. Definitions. (1) "Qualified teacher" means a teacher who holds the appropriate
12 certification as a teacher for gifted education unless the superintendent of the employing school
13 district has documented evidence that the teacher is unsuitable for appointment.

14 (2) "Teacher for gifted education" means a teacher who works:

15 (a) Directly with identified gifted pupils, in addition to the regularly assigned classroom
16 teacher; or

17 (b) For at least one-half (1/2) of the regular school day in a classroom made up only of
18 properly identified gifted students.

19 Section 2. (1) A certificate endorsement as teacher for gifted education shall be issued in
20 accordance with the pertinent Kentucky statutes and the Education Professional Standards Board
21 administrative regulations to an applicant who:

22 (a) Holds a certificate valid for classroom teaching at the elementary school level, the
23 middle grade level, or the high school level;

1 (b) Successful completion of the Kentucky Teacher Internship Program established in 16
2 KAR 7:010. Teachers who have successfully completed the Kentucky Teacher Internship
3 Program prior to issuance of the initial probationary certificate or who are not required to
4 complete the internship program under the requirements for out-of-state teachers established in
5 KRS 161.030(5) shall not be required to complete the internship program again while serving on
6 the probationary certificate; [~~1. Has completed at least one (1) year of successful teaching~~
7 experience; or
8 — 2. For an individual certified after January 1, 1985, has successfully completed the
9 beginning teacher internship;] and

10 (c) Has completed the appropriate program of preparation for the certificate endorsement
11 established in this administrative regulation at a teacher education institution approved under the
12 standards and procedures included in 16 KAR 5:010.

13 (2) The endorsement as teacher for gifted education shall be valid for grades K-12.
14 Assignment to a full-time self-contained gifted education class shall be restricted to the level of the
15 base certificate. The endorsement shall have the same duration as the base certificate.

16 (3) All persons employed as teachers for gifted education shall hold an appropriate
17 certificate endorsement for gifted education, except a teacher:

18 (a) Identified in Section 3 of this administrative regulation; or

19 (b) Certified on or before July 1, 1984, in accordance with KRS 161.052.

20 Section 3. (1) If a qualified teacher is not available for the position of teacher for gifted
21 education as attested by the local school superintendent, the superintendent, on behalf of the
22 local board of education, may request a probationary endorsement for teaching gifted education
23 for a teacher who:

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- 1 (a) Has a bachelor's degree;
- 2 (b) Has a valid Kentucky teaching certificate;
- 3 (c) Has been admitted to the preparation program for the endorsement for teachers for
- 4 gifted education; and
- 5 (d) Is currently enrolled in graduate studies related to the education profession.

6 (2) The request for the probationary endorsement shall be submitted on Form CA-GP ~~{TC-~~

7 ~~GP}~~ to the Education Professional Standards Board for each teacher for gifted education requiring

8 the probationary endorsement.

9 (3)(a) The probationary endorsement for teachers for gifted education shall be valid for a

10 period of two (2) years from the initial request.

11 (b) A teacher receiving this probationary endorsement shall complete the required

12 curriculum for recommendation for the endorsement for teacher for gifted education issued under

13 Section 2 of this administrative regulation within the two (2) year validity of the probationary

14 endorsement.

15 (c) The probationary endorsement shall not be renewed.

16 Section 4. Incorporation by Reference. (1) Form CA-GP, 08/15 ~~{TC-GP, 6/2000}~~, is

17 incorporated by reference.

18 (2) This material may be inspected, copied, or obtained, subject to applicable copyright

19 law, at the Education Professional Standards Board, 100 Airport Road, 3rd Floor, Frankfort,

20 Kentucky 40601, Monday through Friday, 8 a.m. to 4:30 p.m.

**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Information/Discussion Item B

Information Item:

Notice of Intent to Amend 16 KAR 2:140. Probationary Certificate for Teachers of Children, Birth to Primary

Applicable Statutes and Regulation:

KRS 161.028; KRS 161.030; KRS 161.120
16 KAR 2:140

Applicable Goal:

Goal 2: Every professional position in a Kentucky public school is staffed by a properly credentialed educator.

Goal 3: Every credentialed educator exemplifies behaviors that maintain the dignity and integrity of the profession by adhering to established law and EPSB Code of Ethics.

Background:

16 KAR 2:140 is the regulation that governs the Probationary Certificate for Teachers of Children, Birth to Primary. The TC-BP is incorporated by reference. The proposed amendment to 16 KAR 2:140 includes the adoption of the new certification form, CA-BP as well as updated language. All new proposed certification forms will have the CA designation to ensure a smooth transition from the prior forms to the newly designed forms. The updated language modifies Section 1 to align the definition of “qualified teacher” with all other emergency and probationary regulations. It also removes the language that allowed individuals without a certificate or statement of eligibility to use the probationary route under 16 KAR 2:140. This regulation was originally enacted before the Option 6 alternative route program was developed and now individuals without certification should be going through an Option 6 program. The proposed CA-BP form also contains the newly adopted character and fitness questionnaire.

Contact Person:

Mr. John Fields, Director
Division of Certification
(502) 564-4606
Email: John.Fields@ky.gov

Date:

June 8, 2015

1 **16 KAR 2:140. Probationary certificate for teachers of children, birth to primary.**

2 RELATES TO: KRS 157.3175, 161.020, 161.030

3 STATUTORY AUTHORITY: KRS 161.028, 161.030

4 NECESSITY, FUNCTION, AND CONFORMITY: KRS 161.020 and 161.030 require
5 that a teacher and other professional school personnel hold a certificate of legal qualification for
6 the respective position to be issued upon completion of a program of preparation prescribed by
7 the Education Professional Standards Board. KRS 161.028(1)(a) requires the Education
8 Professional Standards Board to establish the standards for obtaining and maintaining a teaching
9 certificate. KRS 161.028(1)(b) requires that a teacher education institution be approved for
10 offering the preparation program corresponding to a particular certificate on the basis of
11 standards and procedures established by the Education Professional Standards Board. KRS
12 161.028(1)(f) requires the Education Professional Standards Board to issue and renew any
13 certificate. This administrative regulation establishes a plan for recruiting qualified individuals
14 into positions for teachers of children ages birth to primary age.

15 Section 1. Definition. "Qualified teacher" means a teacher who holds an interdisciplinary
16 early childhood education certificate or who has received an approval identified in 16 KAR
17 2:040, Section 5 unless the superintendent of the employing school district has documented
18 evidence that the teacher is unsuitable for appointment.

19 Section 2. If a qualified teacher is not available for the position as teacher of children
20 birth to primary age, as attested by the local school superintendent, the superintendent, on behalf
21 of the local board of education, may request a one (1) year probationary interdisciplinary early
22 childhood education certificate be issued as provided in this administrative regulation.

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1 (1) A prerequisite for a one (1) year probationary interdisciplinary early childhood
2 education certificate for teaching children, birth to primary age, shall be:

3 (a) A certificate or statement of eligibility in kindergarten or elementary special
4 education; or

5 (b) ~~[A baccalaureate or advanced degree in early childhood education, early childhood
6 special education, or child development with:~~

7 ~~—— 1. A cumulative minimum grade point average of 2.50 on a 4.00 scale; or~~

8 ~~—— 2. A minimum grade point average of 3.00 on a 4.00 scale on the last sixty (60) hours of
9 credit completed, including undergraduate and graduate coursework; or~~

10 ~~—— (e)] A certificate in another area, if the applicant has had one (1) year of teaching children
11 birth through age five (5) years.~~

12 (2) The applicant shall have:

13 (a) Enrolled in an approved preparation program for certification in interdisciplinary
14 early childhood education established in 16 KAR 2:040; and

15 (b) Completed a minimum of nine (9) semester hours of credit in the development of
16 children below primary age or in special education.

17 3) The requirements established in subsection (2) of this section shall be verified by
18 submission of a curriculum contract completed by the teacher education institution with an
19 approved interdisciplinary early childhood education preparation program.

20 (4) The applicant shall complete twelve (12) clock hours of training established by the
21 Kentucky Department of Education prior to employment.

22 (5) The applicant shall complete an additional six (6) clock hours of training established
23 by the Kentucky Department of Education within the first three (3) months of employment.

1 (6) To apply for the probationary interdisciplinary early childhood education certificate,
2 the applicant shall submit a completed Form CA-BP ~~{TC-BP}~~ to the Education Professional
3 Standards Board.

4 Section 3. Requirements for Renewal of a Probationary Interdisciplinary Early Childhood
5 Education Certificate. (1) The first renewal of the probationary interdisciplinary early childhood
6 education certificate shall be for one (1) year based upon successful completion of the following
7 requirements:

8 (a) Evidence of employment in a Kentucky school district or nonpublic school as a
9 teacher of children ages birth to primary;

10 (b) Completion of at least six (6) semester hours or its equivalent from the approved
11 interdisciplinary early childhood education preparation program as indicated on the teacher's
12 curriculum contract; and

13 (c) Successful completion of the Kentucky Teacher Internship Program established in 16
14 KAR 7:010. A teacher who has successfully completed the Kentucky Teacher Internship
15 Program prior to issuance of the initial probationary certificate or who is not required to
16 complete the internship program under the requirements for out-of-state teachers established in
17 KRS 161.030(5) shall not be required to complete the internship program again while serving on
18 the probationary certificate.

19 (2)(a) Subsequent one (1) year renewals of the probationary interdisciplinary early
20 childhood education certificate shall require at least six (6) semester hours or its equivalent of
21 additional credit from the approved interdisciplinary early childhood education preparation
22 program as indicated on the teacher's curriculum contract.

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1 (b) The total validity period of the probationary certificate for interdisciplinary early
2 education shall not exceed three (3) years in compliance with the No Child Left Behind Act of
3 2001, 20 U.S.C. 7801(23) and 34 C.F.R. 200.56.

4 (3) Upon successful completion of all program requirements for the approved
5 interdisciplinary early childhood education preparation program established in 16 KAR 2:040,
6 including successful completion of all required assessments established in 16 KAR 6:010, a
7 professional certificate for interdisciplinary early childhood education, birth to primary, valid for
8 five (5) years shall be issued.

9 (4) Program requirements for completion of the interdisciplinary early childhood
10 education preparation program while serving on the probationary certificate established in this
11 administrative regulation shall not include student teaching.

12 Section 4. Incorporation by Reference. (1) Form CA-BP, 08/15 [~~TC-BP, rev. 10/02~~],
13 Education Professional Standards Board, is incorporated by reference.

14 (2) This material may be inspected, copied, or obtained, subject to applicable copyright
15 law, at the Education Professional Standards Board, 100 Airport Road, 3rd Floor, Frankfort,
16 Kentucky 40601, Monday through Friday, 8 a.m. to 4:30 p.m.

**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Information/Discussion Item C

Information Item:

Notice of Intent to Amend 16 KAR 2:150. Probationary Certificate for Teachers of Engineering and Technology Education

Applicable Statutes and Regulation:

KRS 161.028; KRS 161.030; KRS 161.120
16 KAR 2:150

Applicable Goal:

Goal 2: Every professional position in a Kentucky public school is staffed by a properly credentialed educator.

Goal 3: Every credentialed educator exemplifies behaviors that maintain the dignity and integrity of the profession by adhering to established law and EPSB Code of Ethics.

Background:

16 KAR 2:150 is the regulation that governs the Probationary Certificate for Teachers of Engineering and Technology Education. The TC-ET is incorporated by reference. The proposed amendment to 16 KAR 2:150 includes the adoption of the new certification form, CA-ET as well as updated language. All new proposed certification forms will have the CA designation to ensure a smooth transition from the prior forms to the newly designed forms. The updated language includes updates to the Office of Career and Technical Education name as well as aligning program language to match other regulations. It also removes the language that allowed individuals without a certificate or statement of eligibility to use the probationary route under 16 KAR 2:150. This regulation was originally enacted before the Option 6 alternative route program was developed and now individuals without certification should be going through an Option 6 program. The proposed CA-ET form also contains the newly adopted character and fitness questionnaire.

Contact Person:

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Email: John.Fields@ky.gov

Date:

June 8, 2015

1 **16 KAR 2:150. Probationary certificate for teachers of engineering and technology**
2 **education.**

3 RELATES TO: KRS 161.020, 161.028(1)(a), (c), 161.030

4 STATUTORY AUTHORITY: KRS 161.028(1)(a), (c), 161.030

5 NECESSITY, FUNCTION, AND CONFORMITY: KRS 161.020 and 161.030 require
6 that a teacher and other professional school personnel hold a certificate of legal qualification for
7 their respective positions to be issued upon completion of a program of preparation prescribed by
8 the Education Professional Standards Board. Pursuant to KRS 161.028, a teacher education
9 institution is required to be approved for offering the preparation program corresponding to a
10 particular certificate on the basis of standards and procedures established by the Education
11 Professional Standards Board. This administrative regulation establishes a plan for recruiting
12 certified classroom teachers into positions for teachers of engineering and technology.

13 Section 1. Definition. "Qualified teacher" means a teacher who holds certification as an
14 engineering and technology teacher unless the superintendent of the employing school district
15 has documented evidence that the teacher is unsuitable for appointment.

16 Section 2. Requirements for a Probationary Certificate for Teachers of Engineering and
17 Technology. (1) If a qualified teacher is not available for the position of engineering and
18 technology teacher as attested to by the local superintendent, the superintendent may request, by
19 filing a Form CA-ET [~~TC-ET~~] with the Education Professional Standards Board, that a one (1)
20 year probationary certificate be issued as approved by the Office [~~Division~~] of Career and
21 Technical Education to a teacher who:

22 (a) Holds ~~one (1) of the following~~:

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1 ~~1.] a valid classroom teaching certificate for teaching in the middle school or secondary~~
2 ~~school; {or~~

3 ~~2. A bachelor's degree in a related area of concentration or major approved by Division of~~
4 ~~Career and Technical Education engineering and technology consultant and a designated~~
5 ~~university teacher educator;}~~

6 (b)1. Has a cumulative grade point average of 2.5 on a 4.0 scale; or

7 2. Has a grade point average of 3.0 on a 4.0 scale on the last sixty (60) hours of credit
8 completed, including undergraduate and graduate coursework;

9 (c) Meets the minimum standards for admission to an educator ~~{a teacher}~~ education
10 preparation program at an approved institution of higher education;

11 (d) Has enrolled in an approved educator preparation program ~~[Develops a continuous~~
12 ~~plan for curriculum completion with an approved institution]~~ for engineering and technology;
13 and

14 (e) Documents 1000 clock hours or six (6) months of full-time employment of work
15 related experience or other exceptional life experience related to teaching engineering and
16 technology.

17 (2) Upon completion of all requirements established in subsection (1) of this section, the
18 candidate shall be issued a probationary certificate for teachers of engineering and technology,
19 valid for one (1) year.

20 Section 3. Requirements for Renewal of a Probationary Certificate for Teachers of
21 Engineering and Technology. (1) The first renewal of the probationary certificate for teachers of
22 engineering and technology shall be for one (1) year, based upon the successful completion of
23 the following requirements:

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- 1 (a) Evidence of employment by a participating district;
- 2 (b) Completion of eighteen (18) clock hours of orientation and management training
- 3 provided through the technology education new teacher institute, within the first six (6) weeks of
- 4 employment;

- 5 (c) Completion of at least six (6) semester hours toward the completion of the educator
- 6 preparation program in which the applicant is enrolled; ~~{from the continuous curriculum plan;}~~
- 7 and

- 8 (d) Successful completion of the internship program required by KRS 161.030 and 16
- 9 KAR 7:010.

- 10 (2) The probationary certificate may be renewed a maximum of two (2) times and shall
- 11 require at the time of application proof of the completion of at least six (6) hours of additional
- 12 credit from the preapproved continuous curriculum plan.

- 13 (3) Upon successful completion of all requirements for an approved teacher preparation
- 14 program, including successful completion of all required assessments identified in 16 KAR
- 15 6:010, a professional certificate for engineering and technology shall be issued valid for five (5)
- 16 years.

17 Section 4. Upon recommendation by the teacher education institution, teaching

18 experience performed in a full-time position requiring certification for engineering and

19 technology teachers shall be substituted for the student teaching requirement.

20 Section 5. Incorporation by Reference. (1) Form CA-ET, 08/15, ~~{TC-ET, 09/2010,}~~ is

21 incorporated by reference.

Agenda Book

1 (2) This material may be inspected, copied, or obtained, subject to applicable copyright
2 law, at the Education Professional Standards Board, 100 Airport Road, 3rd Floor, Frankfort,
3 Kentucky 40601, Monday through Friday, 8 a.m. to 4:30 p.m.

DRAFT

**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Information/Discussion Item D

Information Item:

Notice of Intent to Amend 16 KAR 2:160
Probationary Certificate for Teachers of Exceptional Children

Applicable Statutes and Regulation:

KRS 161.028; KRS 161.030; KRS 161.120
16 KAR 2:160

Applicable Goal:

Goal 2: Every professional position in a Kentucky public school is staffed by a properly credentialed educator.

Goal 3: Every credentialed educator exemplifies behaviors that maintain the dignity and integrity of the profession by adhering to established law and EPSB Code of Ethics.

Background:

16 KAR 2:160 is the regulation that governs the Probationary Certificate for Teachers of Exceptional Children. The TC-19 is incorporated by reference. The proposed amendment to 16 KAR 2:160 includes the adoption of the new certification form, CA-19 as well as updated language. All new proposed certification forms will have the CA designation to ensure a smooth transition from the prior forms to the newly designed forms. The updated language modifies Section 3 to align the renewal requirements with all other probationary certificates to include KTIP if the teacher is a first year teacher. The proposed CA-19 form also contains the newly adopted character and fitness questionnaire.

Contact Person:

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Date:

June 8, 2015

1 **16 KAR 2:160. Probationary certificate for teachers of exceptional children.**

2 RELATES TO: KRS 161.020, 161.028, 161.030

3 STATUTORY AUTHORITY: KRS 161.028, 161.030

4 NECESSITY, FUNCTION, AND CONFORMITY: KRS 161.020, 161.028 and 161.030

5 require that teachers and other professional school personnel hold certificates of legal
6 qualifications for their respective positions to be issued upon completion of programs of
7 preparation prescribed by the Education Professional Standards Board. This administrative
8 regulation establishes a plan for recruiting certified classroom teachers into positions for teachers
9 of exceptional children.

10 Section 1. Definition. "Qualified teacher" means a teacher who holds the appropriate
11 certification as a teacher of exceptional children unless the superintendent of the employing
12 school district has documented evidence that the teacher is unsuitable for appointment.

13 Section 2. If a qualified teacher is not available for the position of teacher of exceptional
14 children as attested by the local school superintendent, the superintendent, on behalf of the local
15 board of education, may request a one (1) year probationary certificate be issued as provided in
16 this administrative regulation.

17 (1)(a)1. A valid classroom certificate or an internship statement of eligibility for grades
18 K-4, 1-8, P-5, 5-9, or 5-8 shall be a prerequisite for a one (1) year probationary certificate for
19 learning and behavior disorders, grades P-12; for hearing impaired, grades P-12; and for visually
20 impaired, grades P-12.

21 2. The applicant shall have enrolled in an educator [a] preparation program in the
22 certification area for which application is being made, and shall have completed a minimum

1 preparation of nine (9) semester hours of credit from the special education component of the
2 approved curriculum.

3 (b)1. A valid classroom teaching certificate or an internship statement of eligibility for
4 grades 7-12, 8-12, all grades, or 9-12 shall be a prerequisite for a one (1) year probationary
5 certificate for learning and behavior disorders, grades P-12; for the endorsement for learning and
6 behavior disorders, grades 8-12; for hearing impaired, grades P-12; and for visually impaired,
7 grades P-12.

8 2. The applicant shall have enrolled in an educator {a} preparation program in the
9 certification area for which application is being made, and shall have completed three (3)
10 semester hours in the teaching of reading and a minimum preparation of nine (9) semester hours
11 of credit from the special education component of the approved curriculum.

12 (c)1. A valid classroom teaching certificate or an internship statement of eligibility for
13 grades K-4, 1-8, 5-8, 7-12, P-5, 5-9, 8-12, all grades, or 9-12 shall be a prerequisite for a one (1)
14 year probationary certificate for teaching the moderately and severely disabled, grades P-12.

15 2. The applicant shall have enrolled in an educator {a} preparation program for teaching
16 the moderately and severely disabled and shall have completed nine (9) semester hours of credit
17 from the special education component of the approved curriculum for teaching the moderately
18 and severely disabled.

19 (d)1. A certificate for teaching exceptional children, including interdisciplinary early
20 childhood education, shall be a prerequisite for a one (1) year probationary certificate for
21 teaching learning and behavior disorders, grades P-12; the endorsement for learning and
22 behavior disorders, grades 8-12; hearing impaired, grades P-12; visually impaired, grades P-12;
23 or moderately and severely disabled, grades P-12.

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1 2. The applicant shall have enrolled in an educator ~~[a]~~ preparation program in the
2 certification area for which application is being made, and shall have completed a minimum
3 preparation of nine (9) semester hours of credit from the special education component of the
4 approved curriculum.

5 (2) The applicant shall complete twelve (12) clock hours of training as required by the
6 Office of Special Instructional Services.

7 (3)(a) The applicant shall complete an additional six (6) clock hours of training during the
8 fall conference conducted by the Kentucky Department of Education, Division of Learning
9 ~~[Exceptional Children]~~ Services. Teachers employed after the fall conference shall complete
10 these six (6) hours of training during the spring conference of the Council for Exceptional
11 Children; or

12 (b) If the applicant is unable to attend either the fall conference or the spring conference,
13 the applicant shall complete an additional six (6) clock hours of training conducted or approved
14 by the Kentucky Department of Education, Division of Learning ~~[Exceptional Children]~~
15 Services. The applicant shall contact the Division of Learning ~~[Exceptional Children]~~ Services to
16 schedule the training. The training shall be similar to the topics covered at the conferences.

17 (4) The Kentucky Department of Education shall report to the Education Professional
18 Standards Board those probationary certified teachers of exceptional children who have not
19 completed the training requirements established in subsections (2) and (3) of this section by June
20 30 of each year for the preceding school year.

21 (5) Application for a probationary certificate for a teacher of exceptional children shall be
22 made on Form CA-19 ~~[TC-19]~~.

1 Section 3. The probationary certificate for teachers of exceptional children may be
2 renewed a maximum of two (2) times and shall require at the time of application, proof of the
3 completion of a minimum of six (6) semester hours of additional credit from the special
4 education component to be completed by September 1 of the year of expiration.

5 Section 4. Requirements for Renewal of a Probationary Certificate for teachers of
6 exceptional children. (1) The first renewal of the probationary certificate for teachers of
7 exceptional children shall be for one (1) year based upon successful completion of the following
8 requirements:

9 (a) Evidence of employment in a Kentucky school district or nonpublic school as a
10 teacher of exceptional children in the area indicated on the initial probationary certificate;

11 (b) Completion of at least six (6) semester hours or its equivalent toward the completion
12 of the approved exceptional children educator preparation program and

13 (c) Successful completion of the Kentucky Teacher Internship Program established in 16
14 KAR 7:010. Teachers who have successfully completed the Kentucky Teacher Internship
15 Program prior to issuance of the initial probationary certificate or who are not required to
16 complete the internship program under the requirements for out-of-state teachers established in
17 KRS 161.030(5) shall not be required to complete the internship program again while serving on
18 the probationary certificate.

19 (2)(a) Subsequent one (1) year renewal of the probationary certificate for teachers of
20 exceptional children shall require at least six (6) semester hours or its equivalent of additional
21 credit toward completion of the approved exceptional children educator preparation program.

22 (b) The probationary certificate for teachers of exceptional children may be renewed for a
23 maximum of two (2) times after the initial issuance.

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1 (3) Upon successful completion of all program requirements for the approved exceptional
2 children educator preparation program, including successful completion of all required
3 assessments established in 16 KAR 6:010, a professional certificate for teaching middle school
4 established in 16 KAR 2:010 and valid for five (5) years shall be issued.

5 (4) Program requirements for completion of the exceptional children educator preparation
6 program while serving on the probationary certificate for middle school teachers shall not
7 include student teaching.

8 [~~Upon recommendation by the teacher education institution, teaching experience performed in a~~
9 ~~full time position requiring certification for teachers of exceptional children shall be substituted~~
10 ~~for the special education portion of the student teaching requirement.]~~

11 Section 5. [~~An applicant holding a classroom teaching certificate who is recruited into a~~
12 ~~position for teachers of exceptional children under this administrative regulation shall complete~~
13 ~~the assessment requirements identified in 16 KAR 2:010 and 16 KAR 6:010 for teaching~~
14 ~~exceptional children, grades primary through twelve (12).~~

15 ~~Section 6.]~~ Incorporation by Reference. (1) “Form CA-19”, 08/15, [“Form TC-19”,
16 revised 7/2001,] is incorporated by reference.

17 (2) This material may be inspected, copied, or obtained, subject to applicable copyright law,
18 at the Education Professional Standards Board, 100 Airport Road, 3rd Floor, Frankfort,
19 Kentucky 40601, Monday through Friday, 8 a.m. to 4:30 p.m.

**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Information/Discussion Item E

Information Item:

Notice of Intent to Amend 16 KAR 2:170
Probationary Certificate for Middle School Teachers

Applicable Statutes and Regulation:

KRS 161.028; KRS 161.030; KRS 161.120
16 KAR 2:170

Applicable Goal:

Goal 2: Every professional position in a Kentucky public school is staffed by a properly credentialed educator.

Goal 3: Every credentialed educator exemplifies behaviors that maintain the dignity and integrity of the profession by adhering to established law and EPSB Code of Ethics.

Background:

16 KAR 2:170 is the regulation that governs the Probationary Certificate for Middle School Teachers. The TC-MG is incorporated by reference. The proposed amendment to 16 KAR 2:170 includes the adoption of the new certification form, CA-MG. All new proposed certification forms will have the CA designation to ensure a smooth transition from the prior forms to the newly designed forms. The proposed CA-MG form also contains the newly adopted character and fitness questionnaire.

Contact Person:

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Date:

June 8, 2015

1 **16 KAR 2:170. Probationary certificate for middle school teachers.**

2 RELATES TO: KRS 161.020, 161.028, 161.030

3 STATUTORY AUTHORITY: KRS 161.020, 161.028, 161.030

4 NECESSITY, FUNCTION, AND CONFORMITY: KRS 161.020 and 161.030

5 require that a teacher and other professional school personnel hold a certificate of legal
6 qualifications for the respective position to be issued upon completion of a program of
7 preparation prescribed by the Education Professional Standards Board. KRS 161.028
8 requires the Education Professional Standards Board to establish the standards for
9 obtaining and maintaining a teaching certificate. This administrative regulation
10 establishes the probationary certificate for middle school teachers and the requirements
11 for issuance and renewal of this certificate.

12 Section 1. Definition. "Qualified teacher" means a teacher who holds the
13 appropriate certification as a middle school teacher unless the superintendent of the
14 employing school district has documented evidence that the teacher is unsuitable for
15 appointment.

16 Section 2. Requirements for Issuance of the Probationary Certificate for Middle
17 School Teachers, Grades Five (5) Through Nine (9). (1) If a qualified teacher is not
18 available for the position of middle school teacher at the grade level and content area
19 necessary as attested by the local superintendent, the superintendent may request a one
20 (1) year probationary certificate for a teacher who:

21 (a) Holds at least a valid Kentucky teaching statement of eligibility or Kentucky
22 teaching certificate issued by the Education Professional Standards Board;

23 (b)1. Has a cumulative grade point average of 2.5 on a 4.0 scale; or

1 2. Has a grade point average of 3.0 on a 4.0 scale on the last sixty (60) hours of
2 credit completed, including undergraduate and graduate coursework;

3 (c) Has an offer of employment from a Kentucky school district or accredited
4 nonpublic school in grades five (5) through nine (9) in a content area or areas;

5 (d) Has enrolled in an approved middle school preparation program for the
6 content area or areas for which certification is sought; and

7 (e) Has successfully completed at least twelve (12) semester credit hours of
8 content coursework in each content area for which certification is sought.

9 (2) Application shall be made on Form CA-MG ~~[TC-MG]~~.

10 (3) Compliance with the requirements established in subsection (1)(d) and (e) of
11 this section shall be verified by submission of a curriculum contract completed by the
12 teacher education institution with an approved middle school preparation program in the
13 content area or areas for which certification is sought.

14 (4)(a) Upon completion of all requirements established in this section, the
15 applicant shall be issued a probationary certificate for middle school teachers in the
16 content area or areas valid for one (1) year.

17 (b) The probationary certificate shall be valid for teaching grades five (5) through
18 nine (9) in the content area or areas indicated on the face of the certificate.

19 Section 3. Requirements for Renewal of a Probationary Certificate for Middle
20 School Teachers, Grades Five (5) Through Nine (9). (1) The first renewal of the
21 probationary certificate for middle school teachers shall be for one (1) year based upon
22 successful completion of the following requirements:

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1 (a) Evidence of employment in a Kentucky school district or nonpublic school in
2 grades five (5) through nine (9) in the content area or areas indicated on the initial
3 probationary certificate;

4 (b) Completion of at least six (6) semester hours or its equivalent from the
5 approved middle school preparation program as indicated on the teacher's curriculum
6 contract; and

7 (c) Successful completion of the Kentucky Teacher Internship Program
8 established in 16 KAR 7:010. Teachers who have successfully completed the Kentucky
9 Teacher Internship Program prior to issuance of the initial probationary certificate or who
10 are not required to complete the internship program under the requirements for out-of-
11 state teachers established in KRS 161.030(5) shall not be required to complete the
12 internship program again while serving on the probationary certificate.

13 (2)(a) Subsequent one (1) year renewals of the probationary certificate for middle
14 school teachers shall require at least six (6) semester hours or its equivalent of additional
15 credit from the approved middle school preparation program as indicated on the teacher's
16 curriculum contract.

17 (b) The probationary certificate for middle school teachers may be renewed for a
18 maximum of two (2) times after the initial issuance. [~~The total validity period of the~~
19 ~~probationary certificate for middle school teachers shall not exceed three (3) years in~~
20 ~~compliance with the No Child Left Behind Act of 2001, 20 U.S.C. 7801(23) and 34~~
21 ~~C.F.R. 200.56.]~~

22 (3) Upon successful completion of all program requirements for the approved
23 middle school preparation program, including successful completion of all required

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1 assessments established in 16 KAR 6:010, a professional certificate for teaching middle
2 school established in 16 KAR 2:010 and valid for five (5) years shall be issued.

3 (4) Program requirements for completion of the middle school preparation
4 program while serving on the probationary certificate for middle school teachers shall not
5 include student teaching.

6 Section 4. Incorporation by Reference. (1) Form CA-MG, 08/15 ~~{TC-MG, rev.~~
7 ~~7/2002}~~, Education Professional Standards Board, is incorporated by reference.

8 (2) This material may be inspected, copied, or obtained, subject to applicable
9 copyright law, at the Education Professional Standards Board, 100 Airport Road, 3rd
10 Floor, Frankfort, Kentucky 40602, Monday through Friday, 8 a.m. to 4:30 p.m.

**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Information/Discussion Item F

Information Item:

Notice of Intent to Amend 16 KAR 2:200
Probationary Certificate for Teachers of English as a Second Language

Applicable Statutes and Regulation:

KRS 161.028; KRS 161.030; KRS 161.120
16 KAR 2:200

Applicable Goal:

Goal 2: Every professional position in a Kentucky public school is staffed by a properly credentialed educator.

Goal 3: Every credentialed educator exemplifies behaviors that maintain the dignity and integrity of the profession by adhering to established law and EPSB Code of Ethics.

Background:

16 KAR 2:200 is the regulation that governs the Probationary Certificate for Teachers of English as a Second Language. The TC-EL is incorporated by reference. The proposed amendment to 16 KAR 2:200 includes the adoption of the new certification form, CA-EL. All new proposed certification forms will have the CA designation to ensure a smooth transition from the prior forms to the newly designed forms. The proposed CA-EL form also contains the newly adopted character and fitness questionnaire.

Contact Person:

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Date:

June 8, 2015

1 **16 KAR 2:200. Probationary endorsement for teachers for English as a second language.**

2 RELATES TO: KRS 161.020, 161.028, 161.030

3 STATUTORY AUTHORITY: KRS 161.028, 161.030

4 NECESSITY, FUNCTION, AND CONFORMITY: KRS 161.020, 161.028, and 161.030

5 require that teachers and other professional school personnel hold certificates of legal
6 qualifications for their respective positions to be issued upon completion of programs of
7 preparation approved by the Education Professional Standards Board. This administrative
8 regulation establishes a plan for recruiting certified classroom teachers into positions for teachers
9 of English as a second language.

10 Section 1. Definitions. (1) "Qualified teacher" means a teacher who holds the appropriate
11 certification as a teacher for English as a second language unless the superintendent of the
12 employing school district has documented evidence that the teacher is unsuitable for
13 appointment.

14 (2) "Teacher for English as a second language" means a teacher who works:

15 (a) Directly with identified English as a second language pupils, in addition to the
16 regularly assigned classroom teacher; or

17 (b) In a classroom made up only of properly identified English as a second language
18 students.

19 Section 2. (1) If a qualified teacher is not available for the position of teacher for English
20 as a second language as attested by the local school superintendent, the superintendent, on behalf
21 of the local board of education, may request by filing a Form TC-EL with the Education
22 Professional Standards Board a probationary endorsement for teaching English as a second
23 language for a teacher who:

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- 1 (a) Has a bachelor's degree;
- 2 (b) Has a valid Kentucky teaching certificate;
- 3 (c) Has completed at least one (1) year of successful teaching experience;
- 4 (d) Has been admitted to the preparation program for the endorsement for teachers for
- 5 English as a second language; and
- 6 (e) Is currently enrolled in graduate studies related to the education profession.

7 (2) The request for the probationary endorsement shall be submitted on Form CA-EL
8 ~~[TC-EL]~~ to the Education Professional Standards Board for each teacher for English as a second
9 language requiring the probationary endorsement.

10 (3)(a) The probationary endorsement for teachers for English as a second language shall
11 be valid for a period of two (2) years from the initial request.

12 (b) A teacher receiving this probationary endorsement shall complete the required
13 curriculum for recommendation for the endorsement for teacher for English as a second language
14 within the two (2) year validity of the probationary endorsement.

15 (c) The probationary endorsement shall not be renewed.

16 Section 3. Incorporation by Reference. (1) Form CA-EL, 08/15, [TC-EL, 10/2009,] is
17 incorporated by reference.

18 (2) This material may be inspected, copied, or obtained, subject to applicable copyright
19 law, at the Education Professional Standards Board, 100 Airport Road, 3rd Floor, Frankfort,
20 Kentucky 40601, Monday through Friday, 8 a.m. to 4:30 p.m.

**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Information/Discussion Item G

Information Item:

Notice of Intent to Amend 16 KAR 3:030

Professional Certificate for Directors and Assistant Directors of Pupil Personnel

Applicable Statutes and Regulation:

KRS 161.028; KRS 161.030; KRS 161.120

16 KAR 3:030

Applicable Goal:

Goal 2: Every professional position in a Kentucky public school is staffed by a properly credentialed educator.

Goal 3: Every credentialed educator exemplifies behaviors that maintain the dignity and integrity of the profession by adhering to established law and EPSB Code of Ethics.

Background:

16 KAR 3:030 is the regulation that governs the certification for Directors of Pupil Personnel (DPP) and includes the probationary certificate for DPP. The TC-1 and TC-40 are incorporated by reference. The proposed amendment to 16 KAR 3:030 includes the adoption of the new certification form, CA-40, updating the TC-1 to the CA-1 as adopted last year, as well as updated language. All new proposed certification forms will have the CA designation to ensure a smooth transition from the prior forms to the newly designed forms. The updated language updates the name of the Educational Leadership Policy Standards: ISLLC 2008 document to match the currently approved standards. The proposed CA-40 form also contains the newly adopted character and fitness questionnaire.

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Date:

June 8, 2015

1 **16 KAR 3:030. Professional certificate for directors and assistant directors of pupil**
2 **personnel.**

3 RELATES TO: KRS 159.080, 161.020, 161.028, 161.030

4 STATUTORY AUTHORITY: KRS 161.028

5 NECESSITY, FUNCTION, AND CONFORMITY: KRS 161.020 requires that teachers
6 and other professional school personnel hold certificates of legal qualifications for their
7 respective positions to be issued upon completion of programs of preparation prescribed by the
8 Education Professional Standards Board. Additionally, teacher education institutions are required
9 to be approved for offering the preparation programs corresponding to particular certificates on
10 the basis of standards and procedures established by the Education Professional Standards Board.
11 This administrative regulation establishes the preparation and certification program for director
12 of pupil personnel services, and establishes the requirements for a probationary certificate if a
13 person holding certificate for director of pupil personnel services is not available.

14 Section 1. Definitions. (1) "Level I" means the standards-based program of studies
15 designed for minimal preparation to serve in the position of director and assistant director of
16 pupil personnel.

17 (2) "Level II" means the standards-based program of studies to attain the first five (5)
18 year renewal of the certificate for the position of director or assistant director pupil personnel.

19 (3) "Qualified applicant" means an applicant who holds the appropriate certification as a
20 director of pupil personnel services unless the superintendent of the employing school district
21 has documented evidence that the applicant is unsuitable for appointment.

22 Section 2. (1) The professional certificate for director of pupil personnel services shall be
23 issued in accordance with the pertinent Kentucky statutes and this administrative regulation to an

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1 applicant who has completed the approved program of preparation which corresponds to the
2 certificate at a teacher education institution approved under the standards and procedures
3 included in 16 KAR 5:010.

4 (2) As prerequisites for the Level I program of preparation for the initial professional
5 certificate for director of pupil personnel services, the candidate shall:

6 (a) Have been admitted to a preparation program approved by the Education Professional
7 Standards Board pursuant to 16 KAR 5:010;

8 (b) Have completed three (3) years of full-time teaching experience;

9 (c) Have completed the master's degree; and

10 (d) Qualify for a Kentucky teaching certificate.

11 (3) Application for the professional certificate for director of pupil personnel services
12 shall be made on Form CA-1 incorporated by reference in 16 KAR 2:010. [TC 1.]

13 (4) The initial professional certificate for director of pupil personnel services shall be:

14 a. Issued for a duration period of five (5) years upon the successful completion of a Level
15 I program approved by the Education Professional Standards Board pursuant to 16 KAR 5:010;
16 and

17 (b) Renewed subsequently for five (5) year periods.

18 1. The first renewal shall require the completion of a Level II program approved by the
19 Education Professional Standards Board pursuant to 16 KAR 5:010.

20 2. Each five (5) year renewal thereafter shall require the completion of:

21 a. Two (2) years of experience as a director of pupil personnel services;

22 b. Three (3) semester hours of additional graduate credit or the equivalent related to the
23 position of director of pupil personnel services; or

1 c. Forty-two (42) hours of approved training selected from programs approved for the
2 Kentucky Effective Leadership Training Program provided in KRS 156.101.

3 (5) If a lapse in certification occurs for lack of completion of the Level II preparation, the
4 certification may be reissued for a five (5) year period upon successful completion of the Level II
5 preparation, but for the lack of the renewal requirements, the certificate may be reissued after the
6 completion of an additional six (6) semester hours of graduate study or the equivalent
7 appropriate to the program.

8 Section 3. Graduate level credit earned in the Level I and Level II preparation program
9 identified in Section 2 of this administrative regulation shall be eligible for consideration of Rank
10 I classification pursuant to 16 KAR 8:010, "Plan I" or "Plan II".

11 Section 4. (1) If a qualified applicant for director of pupil personnel services is not
12 available as attested by the local school superintendent, the superintendent, on behalf of the local
13 board of education, may request a one (1) year probationary certificate for a director of pupil
14 personnel services who has:

15 (a) A valid Kentucky classroom teaching certificate;

16 (b) A master's degree;

17 (c) Three (3) years of successful teaching experience; and

18 (d) Been admitted to the preparation program for the professional certificate for director
19 of Pupil Personnel services.

20 (2) Application for the one (1) year probationary certificate for a director of pupil
21 personnel services shall be made on Form CA-40. ~~{TC 40.}~~

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1 (3) Each annual renewal of the probationary certificate for director of pupil personnel
2 services shall require completion of an additional nine (9) semester hours selected from the
3 approved program.

4 Section 5. A preparation program for the certificate for director of pupil personnel
5 services shall be consistent with the six (6) standards included in the “Educational Leadership
6 Policy Standards: ISLLC [~~“Interstate School Leaders Licensure Consortium Standards for~~
7 ~~School Leaders”~~] and the six (6) standards included in "Technology Standards for School
8 Administrators," both incorporated by reference [~~found in~~] 16 KAR 3:050[~~, Section 3, and~~
9 ~~incorporated by reference~~].

10 Section 6. Incorporation by Reference. (1) Form CA-40, 08/15, is incorporated by
11 reference. [~~The following material is incorporated by reference:~~

12 ~~—— (a) "Interstate School Leaders Licensure Consortium Standards for School Leaders",~~
13 ~~November 2, 1996;~~

14 ~~—— (b) "Form TC 1, rev. 10/02";~~

15 ~~—— (c) "Form TC 40, rev. 10/03"; and~~

16 ~~—— (d) "Technology Standards for School Administrators", 2001, Collaborative for~~
17 ~~Technology Standards for School Administrators.]~~

18 (2) This material may be inspected, copied, or obtained, subject to applicable copyright
19 law, at the Education Professional Standards Board, 100 Airport Road, Third Floor, Frankfort,
20 Kentucky 40601, Monday through Friday, 8 a.m. to 4:30 p.m.

**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Information/Discussion Item H

Information Item:

Notice of Intent to Amend 16 KAR 3:040
Director of Special Education

Applicable Statutes and Regulation:

KRS 161.028; KRS 161.030; KRS 161.120
16 KAR 3:040

Applicable Goal:

Goal 2: Every professional position in a Kentucky public school is staffed by a properly credentialed educator.

Goal 3: Every credentialed educator exemplifies behaviors that maintain the dignity and integrity of the profession by adhering to established law and EPSB Code of Ethics.

Background:

16 KAR 3:040 is the regulation that governs the certification for Director of Special Education and includes the 2 year probationary certificate for Director of Special Education. The TC-1 and TC-28 are incorporated by reference. The proposed amendment to 16 KAR 3:040 includes the adoption of the new certification form, CA-28, updating the TC-1 to the CA-1 as adopted last year, as well as updated language. All new proposed certification forms will have the CA designation to ensure a smooth transition from the prior forms to the newly designed forms. The updated language removes documents previously incorporated by reference that are no longer a part of the current regulation. The proposed CA-28 form also contains the newly adopted character and fitness questionnaire.

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Date:

June 8, 2015

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1 **16 KAR 3:040. Director of special education.**

2 RELATES TO: KRS 157.250, 161.020, 161.030

3 STATUTORY AUTHORITY: KRS 157.250, 161.020, 161.028, 161.030

4 NECESSITY, FUNCTION, AND CONFORMITY: KRS 161.020 requires that teachers
5 and other professional school personnel hold certificates of legal qualifications for their
6 respective positions to be issued upon completion of programs of preparation prescribed by the
7 Education Professional Standards Board; furthermore, the teacher education institutions are
8 required to be approved for offering the preparation programs corresponding to particular
9 certificates on the basis of standards and procedures established by the Education Professional
10 Standards Board. This administrative regulation establishes the director of special education
11 certificate, the program approval standards for the preparation-certification program for directors
12 of special education, and identifies acceptable certificates for individuals who may serve in a
13 position which supervises, directs, administers, or coordinates special education programs.

14 Section 1. Definitions. (1) "Level I" means the standards-based program of studies
15 designed for minimal preparation to serve in the position of director of special education.

16 (2) "Level II" means the standards-based program of studies to attain the first five (5)
17 year renewal of the certificate for the position of director of special education.

18 (3) "Qualified applicant" means an applicant who holds the appropriate certification as a
19 director of special education unless the superintendent of the employing school district has
20 documented evidence that the applicant is unsuitable for appointment.

21 Section 2. (1) The professional certificate for director of special education shall be issued
22 in accordance with the pertinent Kentucky statutes and administrative regulations of the
23 Education Professional Standards Board to an applicant who has satisfied the prerequisites and

1 who has completed an approved program of preparation which corresponds to the certificate at a
2 teacher education institution approved under the standards and procedures included in 16 KAR
3 5:010 and this section.

4 (2) As prerequisites for the Level I program of preparation for the initial professional
5 certificate for director of special education, the candidate shall:

6 (a) Have been admitted to a preparation program approved by the Education Professional
7 Standards Board pursuant to 16 KAR 5:010;

8 (b) Have completed three (3) years of full-time experience as a teacher or school
9 psychologist with a minimum of one (1) year as a teacher of exceptional children or school
10 psychologist;

11 (c) Have attained a master's degree; ~~[Rank II certification;]~~ and

12 (d) Qualify for a Kentucky teaching certificate or school psychologist certificate.

13 (3) If a candidate's Rank II certification is not in the educational leadership field, a
14 teacher education institution may require additional coursework in this field as part of the Level I
15 preparation.

16 (4) Application for the professional certificate for director of special education shall be
17 made on Form CA-1 incorporated by reference in 16 KAR 2:010. ~~[TC-1.]~~

18 (5) The initial professional certificate for director of special education shall be:

19 (a) Issued for a duration period of five (5) years (except as provided in Section 4(1) of
20 this administrative regulation) upon the successful completion of a Level I program approved by
21 the Education Professional Standards Board pursuant to 16 KAR 5:010; and

22 (b) Renewed subsequently for five (5) year periods.

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1 1. The first renewal shall require the completion of a Level II program approved by the
2 Education Professional Standards Board pursuant to 16 KAR 5:010.

3 2. Each five (5) year renewal thereafter shall require the completion of:

4 a. Two (2) years of experience as a director of special education;

5 b. Three (3) semester hours of additional graduate credit or the equivalent related to the
6 position of the director of special education; or

7 c. Forty-two (42) hours of approved training selected from programs approved for the
8 Kentucky Effective Instructional Leadership Training Program provided in KRS 156.101.

9 (6) If a lapse in certification occurs for lack of completion of the Level II preparation, the
10 certification may be reissued for a five (5) year period upon successful completion of the Level II
11 preparation, but for the lack of the renewal requirements, the certificate may be reissued after the
12 completion of an additional six (6) semester hours of graduate study or the equivalent
13 appropriate to the program.

14 (7) Graduate level credit earned in the Level I and Level II preparation programs
15 identified in this section shall be eligible for consideration of Rank I classification pursuant to 16
16 KAR 8:010, "Plan I" or "Plan II".

17 Section 3. All persons whose job description includes supervising, directing,
18 administering, or coordinating special education programs, at the district-wide level shall be
19 required to hold one (1) of the following:

20 (1) The endorsement for director of special education;

21 (2) The professional certificate for director of special education;

22 (3) The endorsement for supervisor of special education;

23 (4) The endorsement for teacher consultant for special education;

1 (5) A certificate valid for supervisor of instruction for persons serving in that position
2 such positions on July 14, 1992, as provided by KRS 157.250; or

3 (6) A valid certificate possessing the code ADSE for approval of director of special
4 education.

5 Section 4. (1) If a qualified applicant is not available for the position of director of special
6 education, the superintendent on behalf of the local board of education may request a
7 professional certificate for director of special education for a two (2) year period for an applicant
8 who has:

9 (a) A valid Kentucky certificate for teachers of exceptional children;

10 (b) A master's degree; ~~[Rank II certification;]~~

11 (c) Three (3) years of full-time experience teaching exceptional children;

12 (d) Completed a course in special and regular education case law; and

13 (e) Been admitted to the preparation program for the professional certificate for director
14 of special education.

15 (2) Application for the two (2) year certificate for a director of special education shall be
16 made on Form CA -40. ~~[TC -28.]~~

17 (3) The applicant shall complete the total curriculum for the professional certificate for
18 director of special education by September 1 of the year of expiration.

19 Section 5. Incorporation by Reference. (1) Form CA-40, 08/15, is incorporated by
20 reference. ~~[The following material is incorporated by reference:~~

21 ~~—— (a) "Interstate School Leaders Licensure Consortium Standards for School Leaders"~~
22 ~~November 2, 1996;~~

23 ~~—— (b) "Form TC 1, rev. 10/02";~~

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1 ——— (c) "Form TC 28, rev. 10/02"; and

2 ——— (d) "~~Technology Standards for School Administrators~~", 2001, Collaborative for
3 ~~Technology Standards for School Administrators.~~]

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5 law, at the Education Professional Standards Board, 100 Airport Road, Third Floor, Frankfort,
6 Kentucky 40601, Monday through Friday, 8 a.m. to 4:30 p.m.

DRAFT

**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Information/Discussion Item I

Information Item:

Notice of Intent to Amend 16 KAR 9:030
Professional Certificate for College Faculty: Secondary Education

Applicable Statutes and Regulation:

KRS 161.028; KRS 161.048; KRS 161.120
16 KAR 9:030

Applicable Goal:

Goal 2: Every professional position in a Kentucky public school is staffed by a properly credentialed educator.

Goal 3: Every credentialed educator exemplifies behaviors that maintain the dignity and integrity of the profession by adhering to established law and EPSB Code of Ethics.

Background:

16 KAR 9:030 is the regulation that governs the Option 3 alternative route established in KRS 161.048 for college faculty teachers. The TC-194 is incorporated by reference. The proposed amendment to 16 KAR 9:030 includes the adoption of the new certification form, CA-194, as well as updated language. All new proposed certification forms will have the CA designation to ensure a smooth transition from the prior forms to the newly designed forms. The updated language removes the term “secondary education” to align the regulation with KRS 161.048 as it now allows this route to be used for all grades certification. The proposed CA-194 form also contains the newly adopted character and fitness questionnaire and will require applicants to complete a state and federal criminal background check.

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Date:

June 8, 2015

1 **16 KAR 9:030. Professional certificate for college faculty [~~secondary education~~].**

2 RELATES TO: KRS 161.020, 161.028, 161.030, 161.048

3 STATUTORY AUTHORITY: KRS 161.028, 161.030, 161.048

4 NECESSITY, FUNCTION, AND CONFORMITY: KRS 161.048 establishes the
5 eligibility requirements for a candidate seeking to participate in an alternative teacher preparation
6 program. This administrative regulation establishes the requirements for and renewal of the
7 professional certificate for college faculty: secondary education.

8 Section 1. Prerequisites. (1)(a) An eligible candidate who meets the requirements of KRS
9 161.048(4)(a) and (b) shall be issued a statement of eligibility for the professional certificate for
10 college faculty[~~secondary education~~] valid for five (5) years.

11 (b) Application for the statement of eligibility for the professional certificate for college
12 faculty[~~secondary education~~] shall be made on Form CA-194. [~~TC-194~~]

13 (2) Upon confirmation of employment in an assignment for the grade level and
14 specialization identified on the statement of eligibility, a provisional teaching certificate shall be
15 issued.

16 (3) Upon successful completion of the Kentucky Teacher Internship Program as provided
17 in KRS 161.030 and 16 KAR 7:010, the professional certificate for college faculty[~~secondary~~
18 ~~education~~] shall be issued[~~valid~~] for an additional four (4) years.

19 Section 2. Renewal. Each five (5) year renewal of the professional certificate for college
20 faculty[~~secondary education~~,] shall require:

21 (1) Three (3) years of successful classroom teaching experience; or

22 (2) Six (6) semester hours of additional graduate credit.

1 Section 3. Equivalent College Teaching Experience. (1) Ninety (90) semester credit hours
2 taught at the postsecondary level at a regionally- or nationally-accredited institution of higher
3 education shall be accepted as the equivalent of five (5) years of full-time teaching experience.

4 (2) The ninety (90) hours of college teaching experience may:

- 5 (a) Be accumulated at more than one (1) institution of higher education; and
6 (b) Include part-time teaching or adjunct teaching positions.

7 (3)(a) A full-time faculty member's experience at a regionally- or nationally-accredited
8 institution of higher education may include the following activities in lieu of regular full-time
9 teaching experience as established in subsection (1) of this section:

- 10 1. Action research;
11 2. Service to the P-12 schools; or
12 3. Other activities undertaken as part of a full-time faculty member's assigned
13 responsibilities at the institution of higher education.

14 (b) The head of the faculty member's unit shall verify the validity of the experiences or
15 responsibilities in this subsection in lieu of regular full-time teaching load on a per semester
16 basis.

17 Section 4. An applicant for a professional certificate for college faculty who is not
18 currently certified as an educator in Kentucky shall submit a national and state criminal
19 background check performed in accordance with KRS 160.380(5)(c) within twelve (12) months
20 prior to the date of application.

21 Section 5. Incorporation by Reference. (1) Form CA-194, 08/15, [TC 194, revised
22 3/2001,] is incorporated by reference.

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3 Kentucky 40601, Monday through Friday, 8 a.m. to 4:30 p.m.

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**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Information/Discussion Item J

Information Item:

Notice of Intent to Amend 16 KAR 9:040
Part-time Adjunct Instructor Certificate

Applicable Statutes and Regulation:

KRS 161.028; KRS 161.046; KRS 161.048; KRS 161.120
16 KAR 9:040

Applicable Goal:

Goal 2: Every professional position in a Kentucky public school is staffed by a properly credentialed educator.

Goal 3: Every credentialed educator exemplifies behaviors that maintain the dignity and integrity of the profession by adhering to established law and EPSB Code of Ethics.

Background:

16 KAR 9:040 is the regulation that governs the Part-Time Adjunct Instructor Certificate. The TC-25 is incorporated by reference. The proposed amendment to 16 KAR 9:040 includes the adoption of the new certification form, CA-25. All new proposed certification forms will have the CA designation to ensure a smooth transition from the prior forms to the newly designed forms. The proposed CA-25 form also contains the newly adopted character and fitness questionnaire and will require those not already holding certification to complete a state and federal criminal background check.

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Date:

June 8, 2015

1 **16 KAR 9:040. Part-time adjunct instructor certificate.**

2 RELATES TO: KRS 161.020, 161.028(1)(a), (c), 161.030, 161.046, 161.048(5), 161.120

3 STATUTORY AUTHORITY: KRS 161.028(1)(a), (c), 161.030, 161.046(2),
4 161.048(1)(d)

5 NECESSITY, FUNCTION, AND CONFORMITY: KRS 161.046 and 161.048(5)
6 establish the position of adjunct instructor and require the Education Professional Standards
7 Board to promulgate administrative regulations to establish certification requirements. This
8 administrative regulation establishes the minimum requirements for an adjunct instructor
9 certificate.

10 Section 1. Definition. "Exceptional life or work experience candidate" means a person
11 with recognized superiority as compared with others in rank, status, and attainment or superior
12 knowledge and skill in comparison with the generally-accepted standards in the area in which
13 certification is sought.

14 Section 2. Candidate Eligibility Requirements. (1) An adjunct instructor shall meet the
15 requirements for good moral character as required in KRS 161.120 and the following
16 requirements relating to educational and occupational experience:

17 (a) An adjunct instructor employed in middle school or secondary school shall hold:

18 1. A bachelor's degree from a regionally accredited institution with:

19 a.(i) A cumulative minimum grade point average of 2.50 on a 4.00 scale; or

20 (ii) A minimum grade point average of 3.0 on a 4.0 scale on the last sixty (60) hours of
21 credit completed, including undergraduate and graduate coursework; and

22 b. A major, minor, or area of concentration in the specialty subject to be taught; or

1 2. A master's degree in the specialty subject to be taught from a regionally-accredited
2 institution with the minimum grade point average established in subparagraph 1a of this
3 paragraph.

4 (b) An adjunct instructor in elementary school or early childhood education program shall
5 hold:

6 1. A bachelor's degree from a regionally-accredited institution with:

7 a.(i) A cumulative minimum grade point average of 2.50 on a 4.0 scale; or

8 (ii) A minimum grade point average of 3.0 on a 4.0 scale on the last sixty (60) hours of
9 credit completed, including undergraduate and graduate coursework; and

10 b. A major, minor, or area of concentration in a planned program of child development or
11 a related area; or

12 2. A master's degree in a planned program of child development or a related area from a
13 regionally accredited institution with the minimum grade point average established in
14 subparagraph 1a of this paragraph.

15 (c) An adjunct instructor for occupation-based career and technical education shall:

16 1. Be a high school graduate;

17 2. Have at least four (4) years of appropriate occupational experience for the specialty to

18 be taught; and

19 3.a. Complete the specialty area examination prerequisite as identified in 16 KAR 6:020;

20 or

21 b. Hold either an associate degree or technical diploma in a related area.

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1 (2)(a) An applicant for adjunct instructor certification who does not meet the minimum
2 academic preparation requirements established in subsection (1) of this section may apply for
3 this certificate as an exceptional life or work experience candidate.

4 (b) An exceptional life or work experience candidate shall be recommended by the
5 employing school district and complete the application process established in subsection (3) of
6 this section.

7 (c) An exceptional life or work experience candidate shall include the following
8 information as verification of exceptional qualifications in the field of endeavor to be taught or
9 service to be practiced:

10 1. Sufficient documentation that demonstrates to the local school district and the
11 Education Professional Standards Board that an applicant is an exceptional life or work
12 experience candidate as defined in Section 1 of this administrative regulation and has talents and
13 abilities commensurate with the Kentucky ~~{New}~~ Teacher Standards established in 16 KAR
14 1:010;

15 2. Documentation of achievement that may include academic and nonacademic
16 preparation, distinguished employment, evidence of related study or experience, publications,
17 professional achievement, or recognition attained for contributions to an applicant's field or
18 endeavor; and

19 3. Recommendations from professional associations, former employers, professional
20 colleagues, or any other individual or group whose evaluations shall support exceptional life or
21 work experience in this field.

22 (3) Form CA-25 ~~{TC-25}~~ signed by the local district superintendent and approved by the
23 local board of education shall be submitted to the Education Professional Standards Board for

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1 each adjunct instructor. The application shall be accompanied by official transcripts of all college
2 credits earned by the prospective adjunct instructor along with documentation of any exceptional
3 competencies or experiences submitted in support of the application. Upon receipt of the
4 application and appropriate documentation, a candidate meeting all of the requirements shall be
5 issued a one (1) year adjunct instructor certificate.

6 Section 3. Orientation Program. Each local board of education shall provide for an
7 orientation program for the adjunct instructors employed within the district. A detailed
8 description of the orientation program shall be a part of the certificate application form. The
9 orientation program shall include an emphasis on student safety, district policies and procedures,
10 and pedagogical assistance commensurate with the Kentucky [New] Teacher Standards
11 established in 16 KAR 1:010.

12 Section 4. An applicant for a part-time adjunct instructor who is not currently certified as
13 an educator in Kentucky shall submit a national and state criminal background check performed
14 in accordance with KRS 160.380(5)(c) within twelve (12) months prior to the date of application.

15 Section 5. Incorporation by Reference. (1) Form CA-25, 08/15, [~~Form TC-25~~, revised
16 8/99,] is incorporated by reference.

17 (2) This material may be inspected, copied, or obtained, subject to applicable copyright
18 law, at the Education Professional Standards Board, 100 Airport Road, 3rd Floor, Frankfort,
19 Kentucky 40601, Monday through Friday, 8 a.m. to 4:30 p.m.

**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Information/Discussion Item K

Information Item:

Notice of Intent to Amend 16 KAR 2:100

Junior Reserve Officers Training Corps Certification

Applicable Statutes:

KRS 161.020, 161.028, and 161.030

Applicable Goal:

Goal 2: Every professional position in a Kentucky public school is staffed by a properly credentialed educator.

Issue:

Should the EPSB approve amendments to 16 KAR 2:100 Junior Reserve Officers Training Corps Certification?

Background:

EPSB staff met with the Kentucky Department of Education, Office of Career and Technical Education (KDE/OCTE), and representatives of the National Guard to propose a new certification path for certifying instructors for Junior Guard programs. Currently, there are three (3) programs in operation, but they must operate as Board approved electives making the students ineligible for College and Career Readiness (CCR) credit for these programs. The proposed amendment to 16 KAR 2:100 identifies the process by which the EPSB can grant a Junior Guard Instructor certification. These requirements follow the process used to certify JROTC Instructors. Approval of this proposed certification will allow KDE to create a career pathway for the Junior Guard program giving students and schools a new opportunity for meeting CCR status.

Language in the regulation has also been updated to require applicants to complete a state and federal criminal background check.

The applicant checklist that will be followed by National Guard personnel when recommending an individual for certification has been included. Also included is a letter of support from Brigadier General Benjamin Adams.

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Date:

June 8, 2015

1 **16 KAR 2:100. Junior Reserve Officers Training Corps certification.**

2 RELATES TO: KRS 161.010, 161.020, 161.028, 161.030

3 STATUTORY AUTHORITY: KRS 161.028, 161.030

4 NECESSITY, FUNCTION, AND CONFORMITY: KRS 161.028(1) authorizes the
5 Education Professional Standards Board to establish standards and requirements for obtaining
6 and maintaining a teaching certificate and for programs of preparation for teachers and other
7 professional school personnel, and KRS 161.030(1) requires all certificates issued under KRS
8 161.010 to 161.1266 to be issued in accordance with the administrative regulations of the board.
9 This administrative regulation establishes the Kentucky certification for instructor of the Junior
10 Reserve Officers Training Corps.

11 Section 1. (1) The certificate for senior instructor, Junior Reserve Officers Training
12 Corps, shall be issued initially for a two (2) year period to an applicant upon completion of the
13 following:

- 14 (a) A bachelor's degree from a standard college or university as defined in KRS 161.010;
- 15 (b) Official recommendation by the appropriate branch of military service;
- 16 (c) Contract for this employment by a local school district; ~~and~~
- 17 (d) Recommendation for certification by the local school superintendent;
- 18 (e) Submission of a national and state criminal background check performed in
19 accordance with KRS160.380(5) within twelve (12) months prior to the date of application; and
20 (f) Submission of a DD214 documenting Honorable service.

21 (2) The certificate for senior instructor, Junior Reserve Officers Training Corp, may be
22 renewed for a five (5) year period upon recommendation by the local school superintendent and
23 upon completion of nine (9) semester hours to include the following:

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- 1 (a) Human growth and development and learning theory;
2 (b) Foundations of education; and
3 (c) Career development and vocational planning.
4 (3) Each five (5) year renewal thereafter shall require the completion of two (2) years of
5 experience teaching in the Junior Reserve Officers Training Corps.

6 Section 2. (1) The certificate for junior instructor, Junior Reserve Officers Training
7 Corps, shall be issued initially for a two (2) year period to an applicant upon completion of the
8 following:

- 9 (a) High school graduation, or its equivalence as determined by an acceptable score on
10 the General Education Development Test;
11 (b) Official recommendation by the appropriate branch of military service;
12 (c) Contract for this employment by a local school district; ~~and~~
13 (d) Recommendation for certification by the local school superintendent;
14 (e) Submission of a national and state criminal background check performed in
15 accordance with KRS160.380(5) within twelve (12) months prior to the date of application; and
16 (f) Submission of a DD214 documenting Honorable service.

17 (2) Initial Renewal. The certificate for junior instructor, Junior Reserve Officers Training
18 Corps, may be initially renewed for a two (2) year period upon application to the board, using the
19 Form CA-2, incorporated by reference in 16 KAR 4:060, [~~Form TC 2, Application for~~
20 Certificate Renewal/Duplicate," incorporated by reference in 16 KAR 2:090,] and submission of
21 the following:

- 22 (a) Verification by the local school superintendent of two (2) years' successful experience
23 as a Junior Reserve Officer Training Corps Instructor at a local school district;

1 (b) Successful completion of the "New-to-Kentucky Teacher" Module and the "Substitute
2 Teacher Orientation" Module found on www.kyeducators.org. The junior ROTC instructor shall
3 make reasonable efforts to complete the modules within the first ninety (90) days of employment
4 with the local school district; and

5 (c) Successful completion of a minimum of twenty-four (24) clock hours of district-
6 approved professional development, annually; or

7 (d) Successful completion of six (6) semester hours from a standard college or university
8 as defined in KRS 161.010 to include the following:

- 9 1. Human growth and development and learning theory;
10 2. Foundations of education; and
11 3. Career development and vocational planning.

12 (3) Each subsequent two (2) year renewal thereafter shall require completion by
13 September 1 of the year of expiration of the following:

14 (a) Six (6) semester hours selected from an associate degree program from a standard
15 college or university as defined in KRS 161.010; or

16 (b) Twenty-four (24) clock hours of district-approved professional development,
17 annually.

18 (4) Upon completion of the associate degree with a 2.5 grade point standing, the
19 certificate for junior instructor, Junior Reserve Officers Training Corps, shall be renewed for a
20 five (5) year period. Each five (5) year renewal thereafter shall require completion of two (2)
21 years of experience teaching in the Junior Reserve Officers Training Corps.

22 (5) A junior instructor who renews the certificate for junior instructor, Junior Reserve
23 Officers Training Corps by completing the twenty-four (24) hours of professional development

1 annually shall not be eligible to receive the five (5) year certificate as noted in subsection (4) of
2 this section, but shall be granted a certificate of two (2) years in duration.

3 Section 3. (1) The certificate for a Senior Instructor of the Junior Guard shall be issued
4 initially for a two (2) year period upon completion of the following:

5 (a) Applicant is a current member of the United States Military or has retired from such
6 within a two year period;

7 (b) A bachelor's degree from an accredited college or university as defined in
8 KRS161.010;

9 (c) Submission of a national and state criminal background check performed in
10 accordance with KRS160.380(5) within twelve (12) months prior to the date of application;

11 (d) Submission of a DD214 documenting Honorable service;

12 (e) Official letter of recommendation from the National Guard;

13 (f) Contract for employment with a local school district;

14 (g) Recommendation for certification by the local school superintendent or designee.

15 (2) The certificate for the Senior Instructor of the Junior Guard may be renewed for a five
16 (5) year period upon completion of the may be renewed for a five (5) year period upon
17 recommendation by the local school superintendent and upon completion of six (6) semester
18 hours to include the following:

19 (a) Human growth and development;

20 (b) Foundations of education; and

21 (3) Each five (5) year renewal thereafter shall require the completion of two (2) years of
22 experience teaching in the Junior Guard.

**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Information/Discussion Item L

Information Item:

To inform the EPSB about contracts which were signed by the executive director since the prior EPSB board meeting

Applicable Statutes and Regulation:

KRS 161.028 (1) (v) (d)
KRS 161.017 (3)

Applicable Goal:

Goal 5: The EPSB shall be managed for both effectiveness and efficiency, fully complying with all statutes, regulations, and established federal, state and agency policies.

Background:

KRS 161.028 (1) (v) (d) authorizes the EPSB to enter into contracts and KRS 161.017 (3) stipulates that with board approval, the executive director may enter into agreements "...to enlist assistance to implement the duties and responsibilities of the board."

The following new contracts were completed and signed by the executive director after approval was given by the board at a previous meeting.

Vendor Name	Services	Service Period	Contract Amount
EKU	KTIP	May 15, 2015 through June 30, 2016	\$95,788.00
MuSU	KTIP	May 15, 2015 through June 30, 2016	\$76,076.00
WKU	KTIP	May 15, 2015 through June 30, 2016	\$125,048.00
KSU	KTIP	May 15, 2015 through June 30, 2016	\$35,420.00
U of L	KTIP	May 15, 2015 through June 30, 2016	\$150,612.00
NKU	KTIP	May 15, 2015 through June 30, 2016	\$90,552.00
UK	KTIP	May 15, 2015 through June 30, 2016	\$106,568.00
MoSU	KTIP	May 15, 2015 through June 30, 2016	\$64,064.00

Groups/Persons Consulted

N/A

Agenda Book

Contact Person:

Mr. Jimmy Adams
Acting Executive Director
502-564-4606
E-mail: Jimmy.Adams@ky.gov

Date:

June 8, 2015

**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Action Item A

Action Item

Creation and charter of a task force to review and make recommendations on combating inappropriate student-teacher relationships

Applicable Statutes and Regulation

KRS 161.028(1)(l)
16 KAR 1:020

Applicable Goal

Goal 3: Every credentialed educator exemplifies behaviors that maintain the dignity and integrity of the profession by adhering to established law and EPSB Code of Ethics.

Issue

Should the Education Professional Standards Board (EPSB) approve the charter of a task force to review and make recommendations on combating inappropriate student-teacher relationships?

Background

Representative Bunch, of the 82nd Legislative District, has requested that the EPSB charter a task force to study policies in order to review and make recommendations on combating inappropriate student-teacher relationships. Her request stems from data reported in the media that Kentucky had the second most inappropriate relationship allegations in the US in 2013 and 2014.

Alternative Actions

1. Approve the recommendation to create and charter a task force as presented.
2. Modify and approve the recommendation to create and charter a task force.
3. Defer the charter of a task force to another agency which the EPSB determines would be more appropriate.

Staff Recommendation

Alternative 1

Rationale

See Representative Bunch's letter under separate cover.

Contact Person:

Mr. Jimmy Adams
Acting Executive Director
(502) 564-4606
E-mail: Jimmy.Adams@ky.gov

Agenda Book

Date:

June 8, 2015

CHARTER
Combating Inappropriate Student-Teacher Relationships Task Force

Background

Representative Regina Bunch recently wrote an op-ed column that was published in the Lexington Herald-Leader on April 6, 2015, titled “*Take steps to end inappropriate teacher-student contact.*” In the column she states, “One of the key components of public education is the fact there should be a high level of public trust.” She continued saying, “It is with a heavy heart that I recently read articles outlining the rise in inappropriate teacher-student relations in Kentucky. It is a disturbing trend that has affected nearly every section of Kentucky, and indeed the nation, over the past few years.” At the end of the column, she asked the Kentucky Department of Education to create a task force to study this. Commissioner Terry Holliday stated that he supported the creation of such a task force, but felt that it would be best for the EPSB to take the lead.

Purpose

Develop a task force to review and make recommendations on combating inappropriate student-teacher relationships.

Membership of the Committee

The following groups are suggested as potential members with one representative from each:

- Kentucky Department of Education
- Kentucky Education Association
- Kentucky School Board Association
- Kentucky Association of School Superintendents
- Kentucky Association of School Administrators
- Center for School Safety
- Cabinet for Health and Family Services
- Law Enforcement Agencies
- Kentucky Association of Colleges of Teacher Educators and/or a dean of a state college of education
- Commonwealth Attorney Office
- County Attorney
- Department of Juvenile Justice

Agenda Book

- High School Student
- Adult Victim

Scope of Operation

The task force is charged with reviewing and making recommendations on combating inappropriate student-teacher relationships for consideration by the Board.

The task force shall remain within statutory boundaries, but it may recommend regulatory, statutory, and policy changes to the EPSB.

All task force members are expected to make a time commitment to the work. EPSB staff will provide support to the task force and provide the necessary resources for the task force to complete its work.

Objectives

The task force's objective is to develop and recommend to the Education Professional Standards Board recommendations that could work toward preventing inappropriate student-teacher relationships.

Time Frame

This task force will be expected to submit a report to the EPSB for the October 2015 Board meeting and to submit any recommendations for the Board's consideration at its December 2015 meeting.

**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Action Item B

Action Item

The Strategic Planning Committee requests the approval of the attached revised Strategic Plan for the EPSB.

Applicable Statutes and Regulation

KRS 161.017 (1) (a), (d)

Applicable Goal

Goal 5: The EPSB shall be managed for both effectiveness and efficiency, fully complying with all statues, regulations, and established federal, state, and agency policies.

Issue

Should the Education Professional Standards Board (EPSB) approve the revised Strategic Plan as presented?

Background

At the March 3, 2014 meeting of the EPSB, the Board adopted the Strategic Plan. Progress on the work outlined in the plan has been presented at each Board meeting. Given that there were unforeseen delays outside of the control of the agency, the Strategic Planning Committee reconvened on Wednesday, May 13, 2015 to review and revise the plan.

Alternative Actions

1. Approve the revised Strategic Plan as presented.
2. Approve the revised Strategic Plan with any modifications agreed upon at this meeting.
3. Do not approve the revised Strategic Plan.

Staff Recommendation

Alternative 1

Rationale

This revised Strategic Plan will continue to bring focus for both the EPSB and the staff on items to address immediately and in the near future. It will enable the staff to keep the EPSB updated on achievements and progress made toward each goal.

Contact Person:

Mr. Jimmy Adams
Acting Executive Director
(502) 564-4606
E-mail: Jimmy.Adams@ky.gov

Date:

June 8, 2015

**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Action Item C

Action Item:

Adoption of the Council for the Accreditation of Educator Preparation Standards

Applicable Statutes and Regulations:

KRS 161.020; 16 KAR 5:010

Applicable Goal:

Goal 1: Every approved educator preparation program meets or exceeds all accreditation standards and prepares knowledgeable, capable teachers and administrators who demonstrate effectiveness in helping all students reach educational achievement.

Issue:

Should the Education Professional Standards Board (EPSB) adopt the Council for the Accreditation of Educator Preparation (CAEP) standards as the accreditation standards for all educator preparation providers accredited by the EPSB?

Background:

The EPSB currently uses the National Council for the Accreditation of Teacher Education (NCATE) standards as its accreditation standards for educator preparation providers. The CAEP standards replace the standards of two predecessor organizations, NCATE and the Teacher Education Accreditation Council (TEAC). The CAEP standards are foundational to CAEP's operation as an accreditor; the standards are the basis for CAEP's accreditation decisions. In addition, Goal 1 of the EPSB's Strategic Plan necessitates adoption of these standards: *By August 1, 2021, 100% of Kentucky Educator Preparation Programs (EPPs) will achieve or maintain state accreditation and Council for the Accreditation of Educator Preparation (CAEP) accreditation upon their next regularly scheduled accreditation visit, in accordance with timelines established by the EPSB and CAEP.*

On March 3, 2014, the EPSB was presented an information item regarding the new CAEP standards. That item included an assurance that additional information regarding adoption would be brought to the Board when necessary supporting documents became available. Copies of current versions of the available documents are provided under separate cover and are available online at https://caepnet.files.wordpress.com/2015/03/caep_accreditation_manual.pdf. The CAEP Board of Directors retains authority to revise the documents and standards further.

Adoption of the CAEP standards serves as notice to preparation programs that the CAEP standards will be the accreditation standards for all educator preparation programs accredited by the EPSB. The timeline for application of these standards by the EPSB will parallel the timeline for application of these standards by CAEP, as provided in Appendix A of the CAEP Accreditation Manual.

Alternative Actions:

1. Adopt the Council for the Accreditation of Educator Preparation standards as the accreditation standards for all educator preparation providers accredited by the Education Professional Standards Board.
2. Do not adopt the Council for the Accreditation of Educator Preparation standards as the accreditation standards for all educator preparation programs accredited by the Education Professional Standards Board.

Staff Recommendation:

Alternative Action 1

Persons/Groups Consulted:

Kentucky Association of Colleges for Teacher Education
Program and Accreditation Review Committee (PARC)
Council for the Accreditation of Educator Preparation

Contact Person:

Dr. Kim Walters-Parker, Director
Division of Educator Preparation
(502) 564-4606
E-mail: Kim.Walters-Parker@ky.gov

Date:

June 8, 2015

**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Action Item D

Action Item:

Charter for the Council for the Accreditation of Educator Preparation (CAEP) Partnership Agreement Task Force

Applicable Statutes and Regulation:

KRS 161.020; 16 KAR 5:010

Applicable Goal:

Goal 1: Every approved educator preparation program meets or exceeds all accreditation standards and prepares knowledgeable, capable teachers and administrators who demonstrate effectiveness in helping all students reach educational achievement.

Issue:

Should the Education Professional Standards Board (EPSB) approve a charter to guide the work of a task force to develop Kentucky's CAEP Partnership Agreement?

Background:

As described on the CAEP web site, "Partnership agreements describe the goals of the partnership and the key responsibilities of signatory parties and educator preparation providers (EPPs)." <http://caepnet.org/working-together/state-partners/state-partnership-agreements> It is imperative that the partnership agreement between Kentucky and CAEP reflect a collaborative effort among Kentucky's EPPs, the EPSB, and CAEP. To that end, EPSB staff and Board members have previously determined that a CAEP Partnership Agreement Task Force would be formed immediately upon adoption of the CAEP standards. Staff recommends that each EPP provide one member knowledgeable in accreditation practices for the task force. Division of Educator Preparation staff will provide support to the Task Force. As appropriate, the Program and Accreditation Review Committee will make recommendations to the Task Force for consideration.

The charter for the CAEP Partnership Agreement Task Force is attached for consideration.

Alternative Actions:

1. Approve the charter for the CAEP Partnership Agreement Task Force.
2. Modify the charter for the CAEP Partnership Agreement Task Force.
3. Do not approve the charter for the CAEP Partnership Agreement Task Force.

Staff Recommendation:

Alternative 1

Agenda Book

Rationale:

Approval of this charter will enable the CAEP Partnership Agreement Task Force to work collaboratively with EPSB and CAEP staff to develop a partnership agreement for consideration by the board.

Contact Person:

Dr. Kim Walters-Parker, Director
Division of Educator Preparation
(502) 564-4606
E-mail: Kim.Walters-Parker@ky.gov

Date:

June 8, 2015

CHARTER
CAEP Partnership Agreement Task Force

Background

According to the CAEP web site, “CAEP has established state partnerships that are responsive to each participating state’s individual needs and policies, and are designed to promote excellence and continuous improvement in educator preparation by combining the benefits of meeting national standards with those of maintaining state program approval. The agreements aim to align the work around state expectations and to ensure thorough reviews while saving both states and providers time and expense by eliminating duplication of effort.” <http://caepnet.org/working-together/state-partners>

Purpose

The CAEP Partnership Agreement Task Force is formed to develop a CAEP Partnership Agreement in collaboration with EPSB staff and CAEP staff. The recommended agreement will be consideration by the board.

Membership of the Committee

The CAEP Partnership Agreement Task Force will include one representative from each EPSB-accredited educator preparation program operating in Kentucky.

Scope of Operation

The CAEP Partnership Agreement Task Force is charged with developing a CAEP Partnership Agreement for consideration by the board.

The taskforce shall remain within statutory boundaries, but it may recommend regulatory, statutory, and policy changes to the EPSB.

All task force members are expected to make a time commitment to the work. EPSB staff will provide support to the task force and provide the necessary resources for the task force to complete its work.

Objectives

The CAEP Partnership Agreement Task Force’s objective is to develop and recommend to the Education Professional Standards Board a partnership agreement that will be mutually agreed upon by the EPSB and the Council for the Accreditation of Educator Preparation.

Time Frame

The CAEP Partnership Agreement Task Force will be expected to submit an intermediate report to the EPSB for the August 2015 board meeting and to submit a recommended agreement for the board’s consideration at its October 2015 meeting.

**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Action Item E

Action Item:

Adoption of Amendments to 16 KAR 4:030
Out-of-State Educator Preparation

Applicable Statutes:

KRS 161.020; KRS 161.028; KRS 161.030; KRS 161.124; KRS 161.126; 16 KAR 5:030; 16 KAR 5:060; 16 KAR 4:030

Applicable Goals:

Goal 1: Every approved educator preparation program meets or exceeds all accreditation standards and prepares knowledgeable, capable teachers and administrators who demonstrate effectiveness in helping all students reach educational achievement.

Goal 2: Every professional position in a Kentucky public school is staffed by a properly credentialed educator.

Background:

At its August 2012 meeting, the EPSB chartered the Literacy Preparation Advisory Committee (LPAC) and charged LPAC with reviewing the literacy instruction preparation currently provided in Kentucky's educator preparation programs for middle school, high school, and P-12 initial certification areas; examining relevant research and information related to best practices in literacy preparation; and making recommendations to the board regarding literacy instruction preparation. LPAC's charges reflected state legislative directives and national policy recommendations.

LPAC presented recommendations to the EPSB at its January 27, 2014, meeting. These recommendations included requiring literacy preparation in all approved preparation programs that result in certification to teach any grade or grades 6 through 12, as well as requiring applicants for Kentucky teaching certificates on the basis of out-of-state credentials to demonstrate comparable preparation. LPAC further recommended that the instruction and assessment be provided in one or more literacy or content courses taught by faculty qualified to deliver literacy instruction. At its April 28, 2014, meeting the EPSB adopted the International Reading Association's Standards for Reading Professionals—Revised 2010 guidance for the professional educator role Middle and High School Content Classroom Teacher. A Notice of Intent was presented to the EPSB at its August 11, 2014, meeting. After minor revisions to the proposed regulation based on stakeholder input, the EPSB at its October 13, 2014, meeting adopted 16 KAR 5:060, Literacy Preparation for Teachers of Middle and High School Students.

As outlined in previous staff notes and discussions related to 16 KAR 5:060, LPAC's recommended adoption of a similar requirement for applicants for Kentucky teaching certificates on the basis of out-of-state certification. Staff indicated that proposed amendments to the EPSB's out-of-state teacher regulation, 16 KAR 4:030, would be presented to the board in a timely manner to ensure synchronized implementation and application to teachers prepared by both in-state and out-of-state programs.

The amendments to 16 KAR 4:030 ensure that teachers with middle school, high school, and P-12 certificates who were prepared by out-of-state preparation programs are prepared to address the literacy needs of students in Kentucky classrooms equitably with teachers prepared by in-state accredited teacher preparation programs. Specifically, Section 2 (3) requires those applicants to demonstrate the same standards required for candidates prepared by in-state teacher preparation programs within five (5) years of receiving a Kentucky teaching certificate.

Within existing regulations, this requirement may be met in three different ways within five years of issuance of a Kentucky teaching certificate: (1) an applicant prepared by an out-of-state preparation program could demonstrate satisfactory completion of coursework aligned to the same standards required for candidates prepared by in-state teacher preparation programs by presenting to the EPSB Division of Certification course syllabi and transcripts of credit awarded by an out-of-state institution accredited by the Council for the Accreditation of Educator Preparation; (2) an applicant prepared by an out-of-state preparation program could demonstrate satisfactory completion of coursework aligned to the standards required for candidates prepared by in-state teacher preparation programs by presenting to the EPSB Division of Certification course syllabi and transcripts of credit awarded by an in-state preparation program accredited by the EPSB; (3) an applicant prepared by an out-of-state preparation program could demonstrate the standards required for candidates prepared by in-state teacher preparation programs by presenting to the EPSB Division of Certification evidence of a proficiency evaluation carried out by an in-state preparation program accredited by the EPSB in accordance with 16 KAR 5:030, proficiency evaluation.

Adoption of the proposed amendments to 16 KAR 4:030 will ensure that Kentucky teachers are prepared to meet the literacy instruction needs of all students. The proposed amendments equitably apply expectations for middle school, high school, and P-12 teachers prepared by in-state preparation programs to middle school, high school, and P-12 teachers prepared by out-of-state preparation programs.

Alternative Actions:

1. Approve the amendment to 16 KAR 4:030.
2. Modify and approve the amendment to 16 KAR 4:030.
3. Do not approve the amendment to 16 KAR 4:30.

Staff Recommendation:

Alternative Action 1

Groups/Persons Consulted:

Literacy Preparation Advisory Committee
Higher education literacy faculty (public and private institutions)
Higher education arts and sciences faculty (public and private institutions) Education
Professional Standards Board teacher member
Kentucky Department of Education staff
Council on Postsecondary Education staff
P-12 administrators
P-12 teachers (in addition to an EPSB teacher member)

Agenda Book

Prichard Committee representative
Literacy consultant, co-chair of the International Reading Association's Common Core Standards Committee and member of IRA's Board of Directors when the Standards for Reading Professionals: 2010 were adopted
Educator preparation programs

Contact Person:

Dr. Kim Walters-Parker, Director
Division of Educator Preparation
(502) 564-4606
E-mail: Kim.Walters-Parker@ky.gov

Date:

June 8, 2015

1
2 EDUCATION PROFESSIONAL STANDARDS BOARD

3 (Amendment)

4 16 KAR 4:030. Out-of-state educator preparation.

5 RELATES TO: KRS 161.020, 161.028, 161.030, 161.124, 161.126

6 STATUTORY AUTHORITY: KRS 161.020, 161.028, 161.030

7 NECESSITY, FUNCTION, AND CONFORMITY: KRS 161.020 and 161.030 require
8 that a teacher and other professional school personnel hold a certificate of legal qualifications for
9 the respective position to be issued upon completion of a program of preparation prescribed by
10 the Education Professional Standards Board. KRS 161.028 requires the Education Professional
11 Standards Board to establish the standards for obtaining and maintaining a teaching certificate.
12 This administrative regulation establishes the certification provisions for applicants with out-of-
13 state educator preparation.

14 Section 1. Definitions. (1) An “out-of-state educator preparation provider” means an
15 educator preparation provider located outside of the Commonwealth of Kentucky or an online
16 educator preparation provider not subject to the licensing requirements of 13 KAR 1:020 that is
17 not accredited by the Education Professional Standards Board.

18 Section 2. (1) An applicant for Kentucky teacher or administrative certification whose
19 professional preparation was completed at an out-of-state educator preparation provider
20 ~~[institution located outside the Commonwealth of Kentucky]~~ shall have completed a program of
21 preparation and the curriculum requirements approved by the responsible state education agency
22 for teacher or administrative certification.

23 (2) An applicant for Kentucky teacher or administrative certification who completes an
24 out-of state educator preparation program through a solely online out-of-state educator

1 preparation provider shall have completed a program of preparation that is accredited or
2 approved, as applicable, by the provider's state of origin, regionally accredited, and accredited
3 by the Council for Accreditation of Educator Preparation (CAEP) and the curriculum
4 requirements approved by the responsible state education agency for teacher or administrative
5 certification.

6 Section 3 [2]. Teacher Certification. (1) An applicant for Kentucky teacher certification
7 whose professional preparation was completed at an out-of state educator preparation provider
8 ~~[institution located outside the Commonwealth of Kentucky]~~ shall:

9 (a) Possess a teacher license or certificate equivalent to the Kentucky statement of
10 eligibility from the state, territory, or province where the applicant completed his or her
11 preparation program;

12 (b) Satisfy the degree, academic preparation, and grade point requirements established in
13 16 KAR 2:010;

14 (c) Provide evidence that the out-of-state license or certificate was obtained by
15 completion of an approved educator preparation program and not based on the completion of a
16 written or verbal assessment; and

17 (d) Follow the procedures for certificate application established in 16 KAR 2:010.

18 (2) An applicant for Kentucky teacher certification whose professional preparation was
19 completed at an out-of- state educator preparation provider ~~[institution located outside the~~
20 ~~Commonwealth of Kentucky]~~ and who meets the requirements of Section 1 of this administrative
21 regulation and subsection (1) of this section shall be issued a Kentucky teaching certificate or
22 statement of eligibility established in 16 KAR 2:010 at the grade range and content area
23 corresponding to the out-of-state preparation.

Agenda Book

1 (3) (a) Beginning July 1, 2016, in addition to any other certification renewal
2 requirements, an applicant for Kentucky teacher middle school, high school, Grades 5-12, and
3 Grades P-12 teacher certification whose professional preparation was completed at an out-of-
4 state educator preparation provider shall within five (5) years of receiving certification complete
5 the following:

6 1. A three (3) hour content literacy course aligned to the six (6) International Reading
7 Association Standards 2010: Middle and High School Content Classroom Teacher and taught by
8 faculty qualified to deliver literacy instruction; or

9 2. Two (2) or more courses aligned to the six (6) International Reading Association
10 Standards 2010: Middle and High School Content Classroom Teacher and taught by faculty
11 qualified to deliver literacy instruction.

12 (b) The course or courses submitted by an applicant for Kentucky teacher middle school,
13 high school, Grades 5-12, and Grades P-12 teacher certification whose professional preparation
14 was completed at an out-of state educator preparation shall meet the following requirements:

15 1. The course or courses shall ensure that each candidate demonstrates the six (6)
16 International Reading Association Standards 2010: Middle and High School Content Classroom
17 Teacher;

18 2. The syllabus for each course shall be aligned to the six (6) International Reading
19 Association Standards 2010: Middle and High School Content Classroom Teacher;

20 3. The assessments, including any scoring instruments, developed for each course shall
21 be aligned to the six (6) International Reading Association Standards 2010: Middle and High
22 School Content Classroom Teacher to demonstrate the candidate's competency to provide
23 classroom instruction aligned to each standard; and

1 4. The faculty assigned to teach each course aligned to demonstrate the six (6)
2 International Reading Association Standards 2010: Middle and High School Content Classroom
3 Teacher shall be qualified to teach a course aligned to the six (6) International Reading
4 Association Standards 2010: Middle and High School Content Classroom Teacher.

5 Section ~~4.31~~. Administrative Certification. (1) An applicant for Kentucky administrative
6 certification whose professional preparation was completed at an out-of state educator
7 preparation provider ~~[institution located outside the Commonwealth of Kentucky]~~ shall:

8 (a) Possess an administrative license or certificate equivalent to the Kentucky
9 corresponding statement of eligibility or administrative certificate from the state, territory, or
10 province where the applicant completed his or her preparation program;

11 (b) Satisfy the degree, academic preparation, and grade point requirements for the
12 administrative certificate established in 16 KAR Chapter 3;

13 (c) Provide evidence that the out-of-state license or certificate was obtained by
14 completion of an approved educator preparation program consisting of a minimum of thirty (30)
15 post Masters' graduate-level hours in school administration; and

16 (d) Follow the procedures for certificate application established in 16 KAR Chapter 3.

17 (2) An applicant for Kentucky administrative certification whose professional preparation
18 was completed at an out-of-state educator preparation provider ~~[located outside the~~
19 ~~Commonwealth of Kentucky]~~ and who meets the requirements of Section 1 of this administrative
20 regulation and subsection (1) of this section shall be issued a Kentucky administrative certificate
21 or statement of eligibility established in 16 KAR Chapter 3 corresponding to the out-of-state
22 preparation.

Agenda Book

1 (3) An applicant for Kentucky principal certification who was admitted to a principal
2 preparation program located outside the Commonwealth of Kentucky prior to January 1, 2012
3 and who completes the program prior to January 31, 2014 shall be exempt from subsection (1)(c)
4 of this section.

5 Section ~~5~~[4]. (1) An out-of-state applicant shall be subject to the testing and internship
6 requirements of KRS Chapter 161 and implementing administrative regulations of the Education
7 Professional Standard Board in KAR Title 16.

8 (2) An out-of-state applicant shall be subject to the certificate issuance, recency,
9 reissuance, renewal, and rank change provisions of KRS Chapter 161 and KAR Title 16.

10 Section 6. Incorporation by Reference. (1) "The Standards for Reading Professionals –
11 Revised 2010", 2010, is incorporated by reference.

12 (2) This material may be inspected, copied, or obtained, subject to applicable copyright
13 law, at the Education Professional Standards Board, 100 Airport Road, 3rd Floor, Frankfort,
14 Kentucky 40601, Monday through Friday, 8:00 a.m. to 4:30 p.m.

Date

Cassandra Webb, Chairperson
Education Professional Standards Board

DRAFT

Agenda Book

PUBLIC HEARING AND PUBLIC COMMENT PERIOD: A public hearing on this administrative regulation shall be held on July 31, 2015 at 9:00 a.m. at the offices of the Education Professional Standards Board, 100 Airport Road, 3rd Floor, Conference Room A, Frankfort, Kentucky 40601. Individuals interested in being heard at this hearing shall notify this agency in writing five workdays prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing is received by that date, the hearing may be canceled. This hearing is open to the public. Any person who wishes to be heard will be given an opportunity to comment on the proposed administrative regulation. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted until close of business on July 31, 2015. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person.

Contact person: Jimmy Adams, Acting Executive Director
Education Professional Standards Board
100 Airport Road, Third Floor
Frankfort, KY 40601
(502) 564-4606
FAX: (502) 564-7080

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Regulation #: 16 KAR 4:030

Contact Person: Alicia A. Sneed, Director of Legal Services

(1) Provide a brief summary of:

(a) What this administrative regulation does: This administrative regulation establishes the certification provisions for applicants with out-of-state preparation.

(b) The necessity of this administrative regulation: This administrative regulation is necessary to provide notice to out of state applicants for educator certification on the Kentucky requirements for certification.

(c) How this administrative regulation conforms to the content of the authorizing statutes: KRS 161.020 and 161.030 require that a teacher and other professional school personnel hold a certificate of legal qualifications for the respective position to be issued upon completion of a program of preparation prescribed by the Education Professional Standards Board. KRS 161.028 requires the Education Professional Standards Board to establish the standards for obtaining and maintaining a teaching certificate.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes: This administrative regulation states the requirements for applicants who were prepared out of state or who are certified by another state to get a Kentucky teacher or administrative certificate.

(2) If this is an amendment to an existing administrative regulation, provide a brief summary of:

(a) How the amendment will change this existing administrative regulation: This amendment specifically defines what is an out-of-state preparation provider and establishes the minimum accreditation requirements from the state of origin for an out-of-state preparation provider. Additionally, the regulation establishes the requirement that an applicant from an out-of-state preparation provider take a content literacy course within five (5) years of initial certification in Kentucky beginning July 1, 2016.

Agenda Book

(b) The necessity of the amendment to this administrative regulation: This amendment is necessary to clearly delineate what out-of-state educator preparation provider degrees will be accepted for Kentucky certification. Additionally, applicants for Kentucky certification from out-of-state preparation need to be aware that they may need to take additional courses in content literacy prior to renewal of their Kentucky teaching certifications.

(c) How the amendment conforms to the content of the authorizing statutes: KRS 161.020 and 161.030 require that a teacher and other professional school personnel hold a certificate of legal qualifications for the respective position to be issued upon completion of a program of preparation prescribed by the Education Professional Standards Board. KRS 161.028 requires the Education Professional Standards Board to establish the standards for obtaining and maintaining a teaching certificate.

(d) How the amendment will assist in the effective administration of the statutes: This amendment clarifies the regulation by adding a definition for an out-of-state educator preparation provider. This amendment also includes language currently found in 16 KAR 5:010 regarding solely online out-of-state educator preparation providers in order to ensure that an applicant prepared by a provider not accredited by the Education Professional Standards Board will have notice of what providers are accepted in Kentucky. This amendment also ensures that an out-of-state prepared applicant will have the same training in content literacy as applicants prepared in Kentucky. Kentucky prepared teachers will be required to take a content literacy course pursuant to 16 KAR 5:060.

(3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation: 173 Kentucky school districts, 28 educator preparation programs, and educators seeking new teacher and administrative certification.

(4) Provide an analysis of how the entities identified in question (3) will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:

(a) List the actions that each of the regulated entities identified in question (3) will have to take to comply with this administrative regulation or amendment: School districts and

educator preparation institutions will not have to take any measures to comply with this amendment. Applicants from out-of-state preparation providers will need to refer to the regulation to ensure their preparation will be sufficient for Kentucky certification.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (3): There should not be any additional cost to the entities impacted by the regulation.

(c) As a result of compliance, what benefits will accrue to the entities identified in question (3): The educator preparation programs and applicants will be positively affected by the clarifications to the regulation. The districts will be positively affected by a supply of teachers who are competent in their content area.

(5) Provide an estimate of how much it will cost the administrative body to implement this administrative regulation:

(a) Initially: None

(b) On a continuing basis: None

(6) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation: State General Fund

(7) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change if it is an amendment: No increase in fees or funding will be necessary to implement this administrative regulation.

(8) State whether or not this administrative regulation established any fees or directly or indirectly increased any fees: This administrative regulation does not establish any fees, or directly or indirectly increase fees.

(9) TIERING: Is tiering applied? (Explain why or why not) NO, tiering does not apply since all candidates for each certificate will be held to the same standard.

FISCAL NOTE ON STATE OR LOCAL GOVERNMENT

Regulation Number: 16 KAR 4:030

Contact Person: Alicia A. Sneed

Phone number: 502-564-4606

(1) What units, parts, or divisions of state or local government (including cities, counties, fire departments, or school districts) will be impacted by this administrative regulation? The Education Professional Standards Board, 173 school districts, 8 public universities with educator preparation programs.

(2) Identify each state or federal statute or federal regulation that requires or authorizes the action taken by the administrative regulation. KRS 161.028, KRS 161.030

(3) Estimate the effect of this administrative regulation on the expenditures and revenues of a state or local government agency (including cities, counties, fire departments, or school districts) for the first full year the administrative regulation is to be in effect. There should be no effect on expenditures or revenues.

(a) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for the first year? This is not a revenue generating regulation.

(b) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for subsequent years? This is not a revenue generating regulation.

(c) How much will it cost to administer this program for the first year? There may be a minimal cost to the Education Professional Standards Board to update its website and ensure that applicants have notice of the new requirements.

(d) How much will it cost to administer this program for subsequent years? No additional costs.

Note: If specific dollar estimates cannot be determined, provide a brief narrative to explain the fiscal impact of the administrative regulation.

Revenues (+/-): None

Expenditures (+/-): None

Other Explanation: This regulatory amendment establishes the requirements for Kentucky certification. It does not have any fiscal impact.

**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Action Item F

Action Item:

Amend 16 KAR 2:020. Occupation-based Career and Technical Education Certification

Applicable Statutes:

KRS 156.095, 161.020, 161.028, and 161.030

Applicable Goal:

Goal 2: Every professional position in a Kentucky public school is staffed by a properly credentialed educator.

Issue:

Should the EPSB approve amendments to 16 KAR 2:020 Occupation-based Career and Technical Education Certification?

Background:

EPSB staff met with the Kentucky Department of Education, Office of Career and Technical Education (KDE/OCTE), and university stakeholders on two separate face-to-face meetings and several electronic meetings to propose amending the language in 16 KAR 2:020. Updates of the language include the restructuring of the Office of Career and Technical Education of the Department of Workforce Investment to the Kentucky Department of Education Office of Career and Technical Education and to incorporate the CA-3 by reference. The proposed amendment to 16 KAR 2:020 includes the adoption of the new certification form, CA-3 Application for Occupation-Based Career and Technical Certification and Ranking. All new proposed certification forms will have the CA designation to ensure a smooth transition from the prior forms to the newly designed forms. The proposed CA-3 form also contains the newly adopted character and fitness questionnaire.

Alternative Actions:

1. Approve the amendment to 16 KAR 2:020.
2. Modify and approve the amendment to 16 KAR 2:020.
3. Do not approve the amendment to 16 KAR 2:020.

Staff Recommendation:

Alternative Action 1

Contact Person:

Mr. John A. Fields, Director
Division of Certification
(502) 564-4606
E-mail: John.Fields@ky.gov

Agenda Book

Date:

June 8, 2015

1 EDUCATION PROFESSIONAL STANDARDS BOARD

2 (Amendment)

3 16 KAR 2:020. Occupation-based career and technical education certification.

4 RELATES TO: KRS 156.095, 161.020, 161.028, 161.030

5 STATUTORY AUTHORITY: KRS 161.028, 161.030

6 NECESSITY, FUNCTION, AND CONFORMITY: KRS 161.020, 161.028, and 161.030

7 require that teachers and other professional school personnel hold certificates of legal
8 qualifications for their respective positions to be issued upon completion of programs of
9 preparation prescribed by the Education Professional Standards Board. This administrative
10 regulation establishes the qualifications for teachers of occupation-based career and technical
11 education and implements the testing and internship requirements of KRS 161.030.

12 Section 1. (1) The certificates for occupation-based career and technical education
13 established in this administrative regulation shall be issued and renewed for occupation-based
14 career and technical education teachers employed by the public schools, ~~the Office of Career~~
15 ~~and Technical Education of the Department of Workforce Investment,~~ the Kentucky
16 Community and Technical College System, or the Kentucky Department of Education Office of
17 Career and Technical Education.

18 (2) The certificates may be issued for any information technology, industrial education,
19 public service, health science, or human services occupation area for which programs may be
20 offered under the required core academic standards ~~[Kentucky Program of Studies]~~ established in
21 704 KAR 3:303.

22 (3) Certificates for occupation-based career and technical education established in this
23 administrative regulation:

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1 (a) Shall be initially issued to teacher candidates who are employed based upon required
2 occupational experience in the subject area to be taught; and

3 (b) Shall not require a college degree for initial issuance.

4 Section 2. Issuance and Renewal of One (1) Year Provisional Certificates. (1) Initial
5 issuance. A provisional internship certificate for teaching occupation-based career and technical
6 education, valid for teaching only the subject or subjects stated on the face of the certificate, shall
7 be issued to an applicant who has submitted a completed CA-3 for a duration period of one (1)
8 year upon completion of the following requirements:

9 (a) A minimum of a high school diploma ~~[High school graduation]~~ or its equivalent
10 determined by evidence of an acceptable score on the general education development test
11 administered by an approved testing center;

12 (b) Four (4) years of successful and appropriate occupational experience in the area to be
13 taught, with:

14 1. At least two (2) years of the occupational experience completed within the last five (5)
15 years. A maximum of one (1) year of the required work experience may be satisfied by
16 completion of an accredited occupational ~~[vocational]~~ preparation program for the occupation to
17 be taught; and

18 2. The occupational experience confirmed by the Kentucky Department of Education
19 Office of Career and Technical Education; ~~[, the Department of Workforce Investment, or the~~
20 ~~Kentucky Community and Technical College System;]~~

21 (c) The testing provisions established in 16 KAR 6:020; ~~[and]~~

22 (d) A national and state criminal background check performed in accordance with KRS
23 160.380(5) within twelve (12) months prior to the date of application; and

1 (e) An offer of employment from a local school district, the Kentucky Department of
2 Education, the Department of Workforce Investment, or the Kentucky Community and Technical
3 College System.

4 (2) First renewal of one (1) year provisional certificates. The first renewal of the one (1)
5 year provisional certificate shall require the successful completion of:

6 (a) The Kentucky Teacher Internship Program established in 16 KAR 7:010; and

7 (b) Three (3) semester hours of credit in occupation-based career and technical education
8 laboratory/classroom management. This requirement may be met by successfully completing the
9 New Teacher Institute sponsored by the Kentucky Department of Education Office of Career and
10 Technical Education ~~[Department of Workforce Investment]~~.

11 (3) Subsequent renewal of one (1) year provisional certificate. Any subsequent renewal
12 of the one (1) year provisional certificate to an applicant who has submitted a completed CA-3
13 after the successful completion of the internship shall require:

14 (a) The completion of a minimum of six (6) semester hours of college credit for each
15 renewal selected from the sixty-four (64) semester hour planned program for the preparation of
16 teachers in information technology, industrial education, public service, health science, or human
17 services occupations established in Section 4 of this administrative regulation; and

18 (b) Documentation of completion of four (4) days of professional development as
19 required by KRS 156.095 and 158.070.

20 (4) Credit granted by a regionally- or nationally-accredited postsecondary institution for
21 occupational proficiency based upon past relevant experience or credit by examination shall not
22 be applied toward the provisional certificate renewal requirements.

1 (5) The one (1) year provisional certificate shall be limited to nine (9) one (1) year
2 renewals for a total validity period of ten (10) years, which do not need to be consecutive.

3 (6) Upon completion of the sixty-four (64) hour planned program established in Section 4
4 of this administrative regulation, the teacher shall:

5 (a) Receive the professional certificate established in Section 3 of this administrative
6 regulation; and

7 (b) Adhere to the subsequent renewal requirements established in Section 3(3) of this
8 administrative regulation.

9 Section 3. Issuance and Renewal of the Professional Certificate. (1) Initial issuance. A
10 professional certificate for teaching occupation-based career and technical education, valid for
11 teaching only the subject or subjects stated on the face of the certificate, shall be issued for a
12 duration period of one (1) year to an applicant who has submitted a completed CA-3 upon
13 completion of the following requirements:

14 (a) Compliance with Section 2(1) of this administrative regulation; and

15 (b) The completion of a planned program consisting of a minimum of sixty-four (64)
16 semester hours of college credit established in Section 4 of this administrative regulation.

17 (2) First renewal.

18 (a) The first renewal shall require the successful completion of the Kentucky Teacher
19 Internship Program established in 16 KAR 7:010.

20 (b) Upon meeting the requirements established in paragraph (a) of this subsection, the
21 teacher shall receive the professional certificate valid for an additional four (4) years.

22 (c) An occupation-based career and technical education teacher who has successfully
23 completed the Kentucky Teacher Internship Program prior to issuance of the initial professional

1 certificate or who is not required to complete the internship program under the requirements for
2 out-of-state teachers established in KRS 161.030(5) shall not be required to complete the
3 internship program again while serving on the professional certificate.

4 (3) Subsequent renewal. The professional certificate shall be renewed for subsequent five
5 (5) year periods upon completion of:

6 (a) Three (3) years of teaching or occupational experience in the occupational specialty;
7 or

8 (b) Six (6) semester hours of college credit related to the certification area.

9 Section 4. The planned program for occupation-based career and technical education
10 teachers shall:

11 (1) Include a minimum of sixty-four (64) semester hours of college credit with at least
12 twenty-four (24) semester hours in academic and professional education preparation during the
13 first four (4) years of certificate validity;

14 (2) Utilize the proficiency evaluation established in 16 KAR 5:030;

15 (3) Be based upon the experienced teacher standards established in 16 KAR 1:010;

16 (4) Meet the specialty program association standards established in 16 KAR 5:010; and

17 (5) Be accredited by the Education Professional Standards Board using the applicable
18 standards and procedures established in 16 KAR 5:010.

19 Section 5. Information Technology Teachers. (1) A teacher shall possess one (1) of the
20 following credentials to instruct in the field of information technology:

21 (a) Provisional certificate established in Section 2 of this administrative regulation;

22 (b) Professional certificate established in Section 3 of this administrative regulation;

23 (c) Computer information systems certificate established in 16 KAR 2:010;

Agenda Book

1 (d) Computer science endorsement established in 16 KAR 2:010; or

2 (e) Instructional computer technology endorsement established in 16 KAR 2:010.

3 (2) If a qualified teacher is not available for the position of information technology
4 teacher, as attested to by the local school superintendent or the Associate Commissioner of the
5 Kentucky Department of Education Office of Career and Technical Education ~~Department of~~
6 ~~Workforce Investment~~, a one (1) year probationary certificate may be issued under the
7 requirements established in 16 KAR 2:190.

8 Section 6. Incorporation by Reference. (1) "CA-3," 06/13, is incorporated by reference.

9 (2) This material may be inspected, copied, or obtained, subject to applicable copyright law,
10 at the Education Professional Standards Board, 100 Airport Road, 3rd Floor, Frankfort,
11 Kentucky 40601, Monday through Friday, 8:00 a.m. to 4:30 p.m.

12

PUBLIC HEARING AND PUBLIC COMMENT PERIOD: A public hearing on this administrative regulation shall be held on Friday, July 31, 2014 at 9:00 a.m. at the offices of the Education Professional Standards Board, 100 Airport Road, 3rd Floor, Conference Room A, Frankfort, Kentucky 40601. Individuals interested in being heard at this hearing shall notify this agency in writing five workdays prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing is received by that date, the hearing may be canceled. This hearing is open to the public. Any person who wishes to be heard will be given an opportunity to comment on the proposed administrative regulation. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted until 11:59 p.m. on July 31, 2014. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person.

Contact person: Jimmy Adams, Acting Executive Director
Education Professional Standards Board
100 Airport Road, Third Floor
Frankfort, KY 40601
(502) 564-4606
FAX: (502) 564-7080

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Regulation #: 16 KAR 2:020

Contact Person: Alicia A. Sneed, Director of Legal Services

(1) Provide a brief summary of:

(a) What this administrative regulation does: This administrative regulation establishes the qualifications for teachers of occupation-based career and technical education and implements the testing and internship requirements of KRS 161.030.

(b) The necessity of this administrative regulation: This administrative regulation is necessary to make applicants aware of the qualifications and procedures for occupation-based career and technical education certification.

(c) How this administrative regulation conforms to the content of the authorizing statutes: KRS 161.020, 161.028, and 161.030 require that teachers and other professional school personnel hold certificates of legal qualifications for their respective positions to be issued upon completion of programs of preparation prescribed by the Education Professional Standards Board.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes: This administrative regulation delineates the qualifications for occupation-based career and technical education and establishes the procedures by which an applicant may apply for teaching certification in career and technical education areas.

(2) If this is an amendment to an existing administrative regulation, provide a brief summary of:

(a) How the amendment will change this existing administrative regulation: This amendment requires applicants for career and technical education certification to use Form CA-3. The CA-3 contains character and fitness questions adopted by the Education Professional Standards Board in 2013. The amendment also requires initial certification applicants to submit a national and state background check with their applications. Additionally, amendment updates references to the Kentucky Department of Education Office of Career and Technical Education and corrects outdated or incorrect language in the regulation.

(b) The necessity of the amendment to this administrative regulation: This amendment is necessary to modernize the current application process and to ensure that Education Professional

Standards Board collects all the necessary information to make an informed decision regarding each applicant's qualifications and fitness to work with students.

(c) How the amendment conforms to the content of the authorizing statutes: KRS 161.020, 161.028, and 161.030 require that teachers and other professional school personnel hold certificates of legal qualifications for their respective positions to be issued upon completion of programs of preparation prescribed by the Education Professional Standards Board.

(d) How the amendment will assist in the effective administration of the statutes: This amendment will ensure that the Education Professional Standards Board collects all the necessary information to make an informed decision of each applicant's qualifications and fitness to work with students.

(3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation: 173 Kentucky school districts, all applicants seeking certification, and students.

(4) Provide an analysis of how the entities identified in question (3) will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:

(a) List the actions that each of the regulated entities identified in question (3) will have to take to comply with this administrative regulation or amendment: Applicants will have to submit to the Education Professional Standards Board the appropriate application form as well as the required national and state criminal background check when applying for emergency certification. School districts and students will not have to take any actions to comply with this regulation.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (3): There may be an additional cost to applicants to obtain the required background check.

(c) As a result of compliance, what benefits will accrue to the entities identified in question (3): Applicants will have modernized forms that increase clarity. School districts and students will benefit from increased scrutiny by the Education Professional Standards Board of each applicant's qualifications and fitness to work with students.

(5) Provide an estimate of how much it will cost the administrative body to implement this administrative regulation:

(a) Initially: None

(b) On a continuing basis: None

(6) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation: State General Fund.

(7) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change if it is an amendment: No increase in fees or funding will be necessary to implement this administrative regulation.

(8) State whether or not this administrative regulation established any fees or directly or indirectly increased any fees: This administrative regulation does not establish any fees, or directly or indirectly increase fees.

(9) TIERING: Is tiering applied? (Explain why or why not) NO, tiering will not apply since all applicants for certification are required to meet the same requirements.

FISCAL NOTE ON STATE OR LOCAL GOVERNMENT

Regulation Number: 16 KAR 2:020
Contact Person: Alicia A. Sneed
Phone number: 502-564-4606

(1) What units, parts, or divisions of state or local government (including cities, counties, fire departments, or school districts) will be impacted by this administrative regulation? The Education Professional Standards Board and the 173 public school districts.

(2) Identify each state or federal statute or federal regulation that requires or authorizes the action taken by the administrative regulation. KRS 161.100 and KRS 161.1221(1).

(3) Estimate the effect of this administrative regulation on the expenditures and revenues of a state or local government agency (including cities, counties, fire departments, or school districts) for the first full year the administrative regulation is to be in effect.

(a) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for the first year? There should be no additional revenues created by this amendment.

(b) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for subsequent years? There should be no additional revenues created by this amendment.

(c) How much will it cost to administer this program for the first year? There are no costs associated with the administration of this program.

(d) How much will it cost to administer this program for subsequent years? There are no costs associated with the administration of this program.

Note: If specific dollar estimates cannot be determined, provide a brief narrative to explain the fiscal impact of the administrative regulation.

Revenues (+/-):

Expenditures (+/-):

Other Explanation: This is not a fee generating or a cost incurring program but, rather, establishes the qualifications and procedures for obtaining certification.

SUMMARY OF MATERIAL INCORPORATED BY REFERENCE

CA-3, 06/15

DRAFT

**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Action Item, Waiver

Action Item:

Request to waive language in 16 KAR 7:010 pertaining to the Kentucky Teacher Internship Program (KTIP)

Applicable Statutes and Regulation:

KRS 161.030
16 KAR 7:010

Applicable Goal:

Goal 2: Every professional position in a Kentucky public school is staffed by a properly credentialed educator.

Issue:

Should the Education Professional Standards Board waive language in 16 KAR 7:010 pertaining to the teacher performance tasks and the data collection language of KTIP to provide for a statewide pilot to finalize the documents and procedures for KTIP?

Background:

During the July 2013 EPSB work session, members discussed and concluded that the performance tasks of KTIP should mirror those of the Teacher Professional Growth and Effectiveness System (TPGES) and established a timeline to pilot and move to statewide implementation of the KTIP/PGES alignment.

EPSB has been involved with the TPGES work for several years and has had two staff members on the TPGES steering committee. Currently, the KTIP pilot work is included in the goals of the EPSB Strategic Plan and is also a component of the CCSSO NTEP (Network to Transform Educator Preparation) grant. The KTIP pilot work has been led by the Kentucky Advisory Council for Internship (KACI), which is comprised of stakeholders from public and non-public P-12 districts, higher education institutions, Kentucky Education Association (KEA) the Kentucky Department of Education (KDE), and the Education Professional Standards Board (EPSB). Twenty two districts along with teacher educators from higher education have piloted the program this school year and provided feedback.

16 KAR 7:010 with current tasks and scoring process is attached.

Alternative Actions:

1. Accept the waiver that allows pilot districts to use tasks and scoring rubrics based on the Kentucky Framework for Teaching required in the Teacher Professional Growth and Effectiveness System (TPGES) in lieu of the current performance tasks and intern performance record (IPR) of KTIP identified in 16 KAR 7:010.
2. Do not accept the waiver.

Staff Recommendation:

Alternative Action 1

Rationale:

Approval allows districts statewide to move forward with the goals established by the EPSB in 2013. After feedback is considered by KACI from the statewide pilot, it is expected that regulatory amendments to 16 KAR 7:010 will be presented to the Board in the early spring of 2016.

Contact Person:

Ms. Donna Brockman, Director
Division of Professional Learning and Assessment
(502) 564-4606
E-mail: Donna.Brockman@ky.gov

Date:

June 8, 2015

**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Action Item, Alternative Route to Certification Application A

Action Item:

Alternative Route to Certification Application

Applicable Statutes and Regulation:

KRS 161.028, 161.030, 161.048
16 KAR 9:010

Applicable Goal:

Goal II: Every professional position in a Kentucky public school is staffed by a properly credentialed educator.

Issue:

Should the Education Professional Standards Board approve the alternative route to certification application?

Background:

The following individual is requesting certification on the basis of exceptional work experience:

Ashley Ayer, Dance, All Grades

The application will be sent under separate cover.

Alternative Actions:

1. Approve the alternative route to certification application.
2. Modify and approve the alternative route to certification application.
3. Do not approve the alternative route to certification application.

Contact Person:

Mr. John Fields, Director
Division of Certification
(502) 564-4606
E-mail: John.Fields@ky.gov

Date:

June 8, 2015

16 KAR 9:010. Professional certificate for exceptional work experience, limited to secondary education.

RELATES TO: KRS 161.028, 161.030, 161.048

STATUTORY AUTHORITY: KRS 161.028, 161.030, 161.048

NECESSITY, FUNCTION, AND CONFORMITY: KRS 161.048 establishes the eligibility requirements for a candidate seeking to participate in an alternative teacher preparation program. This administrative regulation establishes the requirements for issuance and renewal of a professional certificate for secondary education based on exceptional work experience.

Section 1. Definitions. (1) "Exceptional work experience" means a person with recognized superiority as compared with others in rank, status, and attainment or superior knowledge and skill in comparison with the generally accepted standards in the area in which certification is sought.

(2) "Secondary education" means the area in which certification is sought in a subject taught in grades 9 - 12 in a Kentucky school.

Section 2. Verification of exceptional qualifications of an applicant for certification, in a field of endeavor taught or service practiced in a public school of Kentucky, shall include:

(1) Sufficient documentation that demonstrates to the local school district and the Education Professional Standards Board that an applicant is one who has exceptional work experience as defined in Section 1 of this administrative regulation and has talents and abilities commensurate with the new teacher standards, established in 16 KAR 1:010;

(2) Documentation of achievement that may include advanced degrees earned, distinguished employment, evidence of related study or experience, publications, professional achievement, or recognition attained for contributions to an applicant's field of endeavor; and

(3) Recommendations from professional associations, former employers, professional colleagues, or any other individual or group whose evaluations shall support exceptional work in the field.

Section 3. Certification Requirements. An eligible candidate who meets the requirements of KRS 161.048(1) and character and fitness review established in KRS 161.040 shall be issued the provisional certificate, limited to secondary education and valid for one (1) year. Upon successful completion of the Kentucky Teacher Internship Program as established in KRS 161.030(5) to (8), the professional certificate, limited to secondary education, shall be issued and shall be valid for an additional four (4) years.

Section 4. Renewal Requirements. Each five (5) year renewal of the professional certificate identified in Section 3 of this administrative regulation shall meet the renewal requirements established in 16 KAR 4:060. (25 Ky.R. 1283; Am. 1602; eff. 1-19-99; recodified from 704 KAR 20:720, 7-2-2002.)

**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Action Item, Alternative Route to Certification Application B

Action Item:

Alternative Route to Certification Application

Applicable Statutes and Regulation:

KRS 161.028, 161.030, 161.048
16 KAR 9:010

Applicable Goal:

Goal II: Every professional position in a Kentucky public school is staffed by a properly credentialed educator.

Issue:

Should the Education Professional Standards Board approve the alternative route to certification application?

Background:

The following individual is requesting certification on the basis of exceptional work experience:

Elizabeth Jones, Music, All Grades

The application will be sent under separate cover.

Alternative Actions:

1. Approve the alternative route to certification application.
2. Modify and approve the alternative route to certification application.
3. Do not approve the alternative route to certification application.

Contact Person:

Mr. John Fields, Director
Division of Certification
(502) 564-4606
E-mail: John.Fields@ky.gov

Date:

June 8, 2015

16 KAR 9:010. Professional certificate for exceptional work experience, limited to secondary education.

RELATES TO: KRS 161.028, 161.030, 161.048

STATUTORY AUTHORITY: KRS 161.028, 161.030, 161.048

NECESSITY, FUNCTION, AND CONFORMITY: KRS 161.048 establishes the eligibility requirements for a candidate seeking to participate in an alternative teacher preparation program. This administrative regulation establishes the requirements for issuance and renewal of a professional certificate for secondary education based on exceptional work experience.

Section 1. Definitions. (1) "Exceptional work experience" means a person with recognized superiority as compared with others in rank, status, and attainment or superior knowledge and skill in comparison with the generally accepted standards in the area in which certification is sought.

(2) "Secondary education" means the area in which certification is sought in a subject taught in grades 9 - 12 in a Kentucky school.

Section 2. Verification of exceptional qualifications of an applicant for certification, in a field of endeavor taught or service practiced in a public school of Kentucky, shall include:

(1) Sufficient documentation that demonstrates to the local school district and the Education Professional Standards Board that an applicant is one who has exceptional work experience as defined in Section 1 of this administrative regulation and has talents and abilities commensurate with the new teacher standards, established in 16 KAR 1:010;

(2) Documentation of achievement that may include advanced degrees earned, distinguished employment, evidence of related study or experience, publications, professional achievement, or recognition attained for contributions to an applicant's field of endeavor; and

(3) Recommendations from professional associations, former employers, professional colleagues, or any other individual or group whose evaluations shall support exceptional work in the field.

Section 3. Certification Requirements. An eligible candidate who meets the requirements of KRS 161.048(1) and character and fitness review established in KRS 161.040 shall be issued the provisional certificate, limited to secondary education and valid for one (1) year. Upon successful completion of the Kentucky Teacher Internship Program as established in KRS 161.030(5) to (8), the professional certificate, limited to secondary education, shall be issued and shall be valid for an additional four (4) years.

Section 4. Renewal Requirements. Each five (5) year renewal of the professional certificate identified in Section 3 of this administrative regulation shall meet the renewal requirements established in 16 KAR 4:060. (25 Ky.R. 1283; Am. 1602; eff. 1-19-99; recodified from 704 KAR 20:720, 7-2-2002.)