

The actions delineated below were taken in open session of the EPSB at the April 28, 2014, 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**

Call to Order

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

Swearing In of New Board Designee

Board secretary, Ashley Abshire, swore in Dr. April Wood, the new designee for the President of the Council on Postsecondary Education (CPE). Dr. Wood then introduced herself to the Board. She is the new director of P-20 at the CPE and comes from Jessamine County where she worked as an assistant principal.

Correction to Agenda Item

Chair Webb informed the Board that the language for Waiver B should be corrected to state 16 KAR 2:010. Kentucky Teaching Certificates, Request to Waive Out-of-Field Teaching.

Roll Call

The following Board members were present during the April 28, 2014, EPSB meeting: Brandy Beardsley, Bradley Bielski, Barbara Boyd, Ellen Blevins, Amanda Ellis, Tolya Ellis, Allen Kennedy, Robert King, Marie McMillen, Mary John O’Hair, Michael Ross, Laura Schneider, Sandy Sinclair-Curry, Anthony Strong, Shannon Treece, Cassandra Webb, and David Whaley.

Board’s Mission Statement

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

Open Speak

Penelope Wong presented a picture of Berea College to display in the boardroom with the pictures of other institutions.

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.

2014-021

Motion made by Mr. Anthony Strong, seconded by Mr. Mike Ross, to approve the following items on the consent agenda:

Approval of March 17, 2014, EPSB Minutes

Master of Education, Teacher Leader -Midway College

Director of Pupil Personnel - Asbury University

Approval of Contract

Vote: *Unanimous*

Dr. Kim Walters-Parker recognized representatives from Midway College and Asbury University whose programs were approved.

Report of the Executive Director

New EPSB Staff

Mr. Robert Brown recognized the EPSB's newest employees, Danielle Vaughn and Jennifer Elliott. Ms. Vaughn is the new administrative specialist III for the Certification Division. Ms. Elliott is the new administrative specialist III for the Professional Learning & Assessment Division.

Report from the Kentucky Department of Education (KDE)

Dr. Terry Holliday reported that the state board had a second reading of the regulation for the Professional Growth and Effectiveness System (PGES) for teachers and principals. He applauded Executive Director Robert Brown and staff, especially Ms. Donna Brockman, for working closely with KDE staff to merge KTIP into PGES.

Furthermore, Dr. Holliday said KDE and EPSB staff met recently to discuss data and what EPSB staff would need, eventually, for CAEP accreditation standards.

On April 25, CCSSO joined Secretary Duncan to announce a major push for Title II regulations this summer for the reform of teacher preparation. Commissioner Holliday said he applauded Kentucky's leadership for teacher preparation. He said that Kentucky can continue to lead the nation with teacher preparation reform and he praised the EPSB's efforts.

Report from the Council on Postsecondary Education (CPE)

There was no report from CPE.

Introduction of the Education and Workforce Development Cabinet Secretary, Thomas Zawacki

Secretary Zawacki formally introduced himself to the Board. He spent more than 33 years in the auto industry, including stints at Nissan and Ford before joining Toyota. He said two important values in that industry were continuous improvement and respect for people and that the EPSB is a classic example of the same two important values of continuous improvement and respect for people. He discussed the work within the Education and Workforce Development Cabinet where the EPSB is attached for administrative purposes only.

Legislative Update

Ms. Alicia Sneed gave a legislative update to the Board. House Bill 235, which contained the executive branch budget, did pass and although many agencies were cut, the EPSB's budget was

not cut and actually increased slightly more than the previous fiscal year to allow for employee raises.

Strategic Plan Update

There was not an update to the strategic plan. More updates will be made at future EPSB board meetings.

Highly Qualified Report

Mr. John Fields gave a brief report on the highly qualified report, and Mr. Brown thanked Cindy Godsey for her work in gathering data for the report.

Report of the Chair

Recognition of Former Board Member

Chair Cassandra Webb recognized former board member Zenaida Smith for her years of service on the EPSB. Ms. Smith said she was honored to have the opportunity to serve on the Board. She thanked board members for their work on the Board and encouraged them to move forward and said she knows the Board will always do what is best for the state and children.

Presentations

Update on the Network to Transform Educator Preparation

Dr. Bradley Bielski gave an update on the Network to Transform Educator Preparation (NTEP). He said a CCSSO Task Force was the author of *Our Responsibility, Our Promise* which served as the strategic framework for NTEP. He said he had the opportunity to travel with the steering committee and it was not surprising that Kentucky was one of the states selected to participate in NTEP, primarily due to strong leaders in Kentucky and the work the EPSB is doing in a number of key areas including accountability and moving forward with teacher preparation and licensure. He said the steering committee feels good about the work being done, but when it came to stakeholder engagement the group believes there is more to be done as the work moves forward to engage more effectively.

Mr. Brown stated that the NTEP work mirrors the strategic plan. He said he has asked Deputy Executive Director Jimmy Adams to develop a stakeholder portal to view documents, to see progress made and to track feedback from various constituents. He said while there is still work to do, Kentucky is well on its way in many areas. Mr. Brown also welcomed feedback, if institutions want to give input on the CCSSO report.

National Association of State Directors of Teacher Education and Certification (NASDTEC) Data Project

NASDTEC Executive Director Phillip Rogers explained the work of NASDTEC and the NASDTEC data project to the Board. The primary goal of the project is to facilitate the mobility of educators. Currently three states are piloting the project using test data. At the June NASDTEC conference in Kansas City, Dr. Rogers said he hopes to give a positive report on the work of the test data and then move forward with real data in the fall.

Commissioner Holliday stated that he would like the Board to participate, as soon as Kentucky would be able to participate, as long as staff ensures this would be in compliance with recent legislation on existing statutes on information data exchanges.

Information/Discussion Items

16 KAR 9:080. University Based Alternative Certification Program, Amendment, Notice of Intent

Mr. Fields reported on proposed amendments to 16 KAR 9:080. The proposed amendment to 16 KAR 9:080 includes the adoption of the new certification form, CA-TP (Certification Application – Temporary Provisional). 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-TP form also contains the newly adopted character and fitness questionnaire. A more user-friendly format will also facilitate transition to the online submission of the CA-TP. A pilot for an online form is anticipated to begin in the fall. This item will be brought back to the board at the June meeting as an action item.

EPSB's Determining Probable Cause to Take Disciplinary Action Procedure, Amendment, Notice of Intent

Ms. Alicia Sneed stated that this information item is a first reading for disciplinary policy changes. In accordance with the EPSB's newly adopted strategic plan, staff presented some potential improvements to the disciplinary system to improve the efficiency of the system. One of the ideas was to broaden the definition of dismissals so that the EPSB could dismiss cases where either the school district or the educator had sought professional development or training or other remedial measures prior to the EPSB's first review of the matter. This would allow educators who have been accused of minor offenses to present proof to the EPSB that they have independently sought to correct the deficiency so their cases will be resolved more quickly.

For cases where the EPSB has determined to dismiss the case on the merits, the EPSB would order the case "dismissed." The EPSB would use "Dismissed – Remediated" when the matter was resolved by either the district's discipline or the respondent's voluntary willingness to enter into professional development, training, or counseling. For dismissals after an individual was offered a deferral for training, the EPSB would order the case "Dismissed – Trained." The new option for dismissals, in conjunction with equidistantly scheduled meetings, should assist in reducing the length of time minor disciplinary matters are open, therefore, allowing staff and board members to concentrate on the more egregious disciplinary issues. Board discussion ensued.

Motion made by Ms. Marie McMillen, seconded by Ms. Laura Schneider, to table this item until the Board could fully discuss the options available for them as the Board continues to review its procedures for policies.

Discussion continued after the motion. Commissioner Holliday said there is misunderstandings with EPSB stakeholders on the EPSB disciplinary process and concern about the length of time it takes for issues to be resolved. He said he strongly encouraged the Board to look at not only staff recommendations, but also best practice for the disciplinary process. It was determined that

a motion to table the information item was not needed since it was not an action item. Ms. McMillen withdrew her motion to table the information item and Ms. Schneider withdrew her motion to second the item. This item may be brought back at a future date.

Meeting Agenda Policy, Amendment, Notice of Intent

Ms. Alicia Sneed said that the proposed policy amendment is to formalize the meeting dates to the second Monday of even number months. This was part of the strategic plan. This item will be brought back at the June meeting for final action.

Action Items

Board Meeting Dates

2014-022

Motion made by Dr. Bradley Bielski, seconded by Ms. Marie McMillen, to approve the meeting schedule.

Vote: *Unanimous*

Funding for KTIP in 2015

Ms. Donna Brockman gave a report on funding for KTIP in 2015. 315 interns were not able to complete KTIP in 2014 and these individuals will be the first allowed to enroll in KTIP in 2015. Commissioner Terry Holliday said he wanted to make a very public commitment that as KTIP is merged into PGES, the Kentucky Department on Education will offer substantial training that could reduce the long term cost for KTIP training so the EPSB can serve more first year teachers with the existing budget.

2014-023

Motion made by Ms. Marie McMillen, seconded by Ms. Sandy Sinclair-Curry, to approve the recommended allocations as presented and allow EPSB staff to make modifications to the maximum number of interns should CTE funds be received.

Vote: *Unanimous*

Adoption of the International Reading Association Preparation Standards for Content Classroom Teachers

Dr. Kim Walters-Parker explained to the Board that at the March EPSB meeting the Board wished to adopt the International Reading Association (IRAs) as the program approval standards for educator preparation programs for middle school, high school, or any certificate with permissions for any grade(s) 6-12.

Dr. Mary John O'Hair asked that the correct language of the IRA standards be included. Board discussion ensued on whether or not more time was needed to determine the correct language. The correct language was determined to be as follows: Standards for Reading Professionals 2010: Middle and High School Classroom Teacher. Dr. Kim Walters-Parker stated that the regulation will have the document incorporated by reference and will further clarify the standards.

2014-024

Motion made by Mr. Anthony Strong, seconded by Ms. Brandy Beardsley, to adopt the International Reading Association Standards for Middle and High School Content Classroom Teachers as the program approval standards for educator preparation programs for middle school, high school, or any certificate with permissions for any grade(s) 6-12 which will also include Career and Technical Education teachers. The document that shall be included by reference in regulation should be clarified and stated as follows: Standards for Reading Professionals 2010: Middle and High School Classroom Teacher.

Vote: *Unanimous*

Waivers

16 KAR 9:080. University-Based Alternative Certification. Request to Waive Language Pertaining to Observation of Teacher Candidates in a University-Based Alternative Certification Program

Dr. Kim Walters-Parker introduced Dr. Belva Collins, Department Chair, Special Education, University of Kentucky (UK) and Dr. Melinda Ault, Assistant Professor, Special Education, UK who explained the reason for the waiver request.

UK operates a university-based alternative certification (Option 6) program leading to certification as a Teacher of Exceptional Children –Moderate and Severe Disabilities, P-12. 16 KAR 9:080 which establishes this program is interpreted to require that the observer, whether the university faculty member or the district-based mentor, is present in the classroom to conduct the observation of the candidate practicing instruction in the classroom.

Some of UK's Option 6 MSD candidates teach in remote areas of the state distant from the university campus in Lexington. UK requested the waiver to conduct a pilot to allow the university faculty member to observe the candidate through the use of a video camera placed in the classroom and remotely controlled by the faculty member in conjunction with Bluetooth audio so the faculty member can communicate with the candidate during the observation.

Board discussion ensued. It was clarified that the Bluetooth audio was optional. If it is not utilized during observation then a conference after the observation would take place. Drs. Collins and Ault stated benefits from using this technology include that it helps to give more frequent observations for teachers that live more than 3 hours one way, allows for more frequent observations to those more at a distance, and allows to pick and choose lessons most critical for teachers.

2014-025

Motion made by Dr. Bradley Bielski, seconded by Ms. Sinclair-Curry, to approve the proposed waiver of 16 KAR 9:080.

Vote: *Unanimous*

16 KAR 2:010. Kentucky Teaching Certificates. Request to Waive Out-of-Field-Teaching

Mr. John Fields and Ms. Cindy Godsey explained the reason for the waiver request to the Board. Bell County has four small K-8 schools in its district. Three of the schools have only one class for each grade level. During the 2013-14 school year, individuals with 5-9 certificates were granted emergency certification to allow them to teach 4th grade students in their content areas. Because 16 KAR 2:120 stipulates that an emergency certificate shall not be issued to the same person in any subsequent year, the superintendent contends that if middle school teachers with 5-9 certification are limited to only those grade levels they are only able to utilize four periods of their instructional day. By allowing them to teach a 4th grade class in their field of certification, the schools can utilize these individuals for five of the seven periods. Additional waiver requests would be needed in the future for staffing changes. By granting this waiver the district would avoid a negative impact on the highly qualified report.

2014-026

Motion made by Mr. Allen Kennedy, seconded by Ms. Beardsley, to approve the waiver request for the identified teachers in Bell County.

Vote: *Unanimous*

Board Discussion

2014-027

Mr. Mike Ross made a motion, seconded by Ms. Marie McMillen to establish regulations for the disciplinary process and procedures pertaining to the statutes related to discipline by the EPSB.

Board discussion ensued. Mr. Ross explained that many stakeholders are confused by the disciplinary process so it is his belief that by putting the disciplinary process in regulation there will be clarification and transparency. EPSB Legal Services Director Alicia Sneed said regulations in general must be read in conjunction with the statute so adding the disciplinary process may not be organized the way others may think and the process may still be unclear to stakeholders. She further said that the EPSB currently has a regulation that incorporates the disciplinary statute and requested further guidance pertaining to what the Board specifically would like included in the regulation. Discussion ensued on the process for changing the disciplinary statute. Ms. McMillen stated that this is a first step for transparency. Dr. Bielski stated that the Board should look at the best practice of other states if the Board looks at changing the statute. Mr. Ross stated that currently he just wants the Board to look at the current disciplinary regulation to make sure holes between the disciplinary statute, regulation, and process are filled and as transparent as possible.

Vote: *Unanimous*

2014-028

Dr. Mary John O’Hair made a motion, seconded by Dr. Bielski, to form a committee representing both public and private universities to review demographic data and other pertinent data pertaining to the Teacher Leader Masters programs. She recommended the following individuals to serve as co-chairs on the committee: Dr. Sam Evans, Dean, College of Education, Western Kentucky University and Dr. Beverly Keepers, Dean, College of Education, Spaulding University.

Vote: *Unanimous*

**DISCIPLINARY MATTERS:
MINUTES OF CASE REVIEW
April 28, 2014**

Motion made by Mr. Anthony Strong, seconded by Ms. Sandra Sinclair-Curry, 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 Mr. Michael Ross, seconded by Ms. Tolya Ellis, to return to open session.

Vote: *Unanimous*

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

Barbara Boyd, Cassandra Webb, Michael Ross, Anthony Strong, Ellen Blevins, David Whaley, Marie McMillen, Mary John O’Hair, Brandy Beardsley, Brad Bielski, Laura Schneider, Tolya Ellis, Allen Kennedy, and Shannon Treece.

Attorneys present were Alicia A. Sneed, Cassandra Trueblood, Whitney Crowe, Gary Stephens, and Angela Evans.

Initial Case Review

<u>Case Number</u>	<u>Decision</u>
1311828	Dismissed
1311826	Admonish
1402130	Hear
1312868	Hear
140113	Defer for training
14011	Admonish
140239	Hear
140119	Hear
140248	Hear

1402149	Hear
140244	Hear
1312873	Hear
140235	Admonish
140237	Hear
140246	Hear
140275	Dismissed
140269	Hear (<i>Ms. Schneider recused</i>)
140242	Dismissed
140273	Admonish
140231	Hear
1312862	Defer
140256	Hear
140258	Hear
1403162	Admonish
1311771	Admonish
1308606	Hear
1311819	Hear
1402120	Hear
140265	Hear
1306399	Hear
140115	Hear
140117	Hear
1312902	Defer
14017	Defer for training
140285	Dismissed
140293	Admonish
140297	Hear
1311798	Defer for training
14019	Hear
140287	Defer for training
1311834	Defer for training
07112094	Dismissed
1307553	Dismissed
1308614	Dismissed (<i>Ms. Schneider recused</i>)
1309693	Dismissed
0911581	Dismissed (<i>Ms. Schneider recused</i>)
1311821	Dismissed
1307533	Dismissed
120133	Dismissed

Character/Fitness Review

Case Number

Decision

1471	Approve (<i>Ms. Boyd recused</i>)
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14142	Deny (<i>Ms. Boyd recused</i>)
14157	Approve (<i>Ms. Boyd recused</i>)
14156	Deny (<i>Ms. Boyd recused</i>)
14113	Deny (<i>Ms. Boyd recused</i>)
14169	Approve (<i>Ms. Boyd recused</i>)
14175	Approve (<i>Ms. Boyd recused</i>)
14185	Defer (<i>Ms. Boyd recused</i>)
14188	Approve (<i>Ms. Boyd recused</i>)
14125	Deny (<i>Ms. Boyd recused</i>)
14222	Approve (<i>Ms. Boyd recused</i>)
14224	Approve (<i>Ms. Boyd recused</i>)
14100	Defer (<i>Ms. Boyd recused</i>)
14103	Approve (<i>Ms. Boyd recused</i>)
14106	Approve (<i>Ms. Boyd recused</i>)
14131	Approve (<i>Ms. Boyd recused</i>)
14111	Approve (<i>Ms. Boyd recused</i>)
14126	Approve (<i>Ms. Boyd recused</i>)
1489	Approve (<i>Ms. Boyd recused</i>)
14172	Approve (<i>Ms. Boyd recused</i>)
14174	Approve (<i>Ms. Boyd recused</i>)
14179	Approve (<i>Ms. Boyd recused</i>)
14186	Approve (<i>Ms. Boyd recused</i>)
14148	Approve (<i>Ms. Boyd recused</i>)
14170	Defer (<i>Ms. Boyd recused</i>)
14203	Approve (<i>Ms. Boyd recused</i>)
14192	Approve (<i>Ms. Boyd recused</i>)
14206	Approve (<i>Ms. Boyd recused</i>)
14207	Approve (<i>Ms. Boyd recused</i>)
14209	Approve (<i>Ms. Boyd recused</i>)
14208	Approve (<i>Ms. Boyd recused</i>)

Case Number

Decision

1306436 (Robert Towery)	<p>Accept Agreed Order suspending Respondent's certificate for a period of forty-five (45) days, from June 1, 2014 through July 16, 2014. 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, Third Floor, Frankfort, Kentucky 40601.</p> <p>Upon reinstatement of his certificate at the end of the forty-five (45) days suspension period, Respondent's teaching certificate shall be on probation for a period of five (5) years and subject to the following probationary conditions:</p>
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1. By August 1, 2014, Respondent shall undergo a comprehensive alcohol/substance abuse assessment by a Kentucky licensed or certified chemical dependency counselor, as approved by the Board, and present written evidence to the Board that he has complied with the assessment process and any and all treatment recommendations. After the initial assessment, Respondent shall submit semiannual written progress reports from his chemical dependency counselor, by March 1st and September 1st of each year, until such time as the counselor releases him from treatment. Each progress report shall certify that Respondent is continuing to comply with any and all treatment recommendations, and that he remains fit and competent to fulfill his duties as an educator. Any expense for the assessment, treatment, and/or written reports shall be paid by Respondent. If Respondent fails to satisfy this condition, Respondent's certificate shall be automatically suspended until Respondent provides the appropriate written proof to the Board.

2. Respondent shall submit to random drug testing during the probationary period, shall receive no positive drug test for illegal substances. Any expense required for the drug testing shall be paid by Respondent. If Respondent fails to satisfy this condition, Respondent's certificate shall be automatically suspended for a period one (1) year and subject to additional sanctions by the Board pursuant to KRS 161.120.

3. By December 1, 2014, Respondent shall provide written proof to the Board that he has received twelve (12) hours of professional development/training in ethics as approved by the Board. Any expense for this professional development/training in ethics shall be paid by Respondent. Respondent is aware that should he violate KRS 161.120 either during or following this five (5) year probationary period, the Board shall initiate new disciplinary action and seek additional sanctions.

Vote: *Unanimous (Ms. Boyd recused)*

1303229 (Nicole Fedorko)

Accept Agreed Order admonishing Respondent for failing to maintain the dignity and the integrity of the profession. As a teacher, Respondent is expected to be a role model for students and an example of good citizenship. This type of behavior embarrasses the profession and erodes the community's trust in educators. No further acts of misconduct by Respondent will be tolerated by the Board.

Respondent's certificate shall be subject to the following probationary conditions:

1. With each application for renewal of certification or for additional certification, Respondent shall submit a copy of her criminal background check as prepared by the Kentucky State Police. Respondent's application for renewal or for additional certification will not be processed until the criminal background check is received by the Board.
2. Prior to re-employment in a Kentucky public school, Respondent shall provide written proof to the Board that she has received six (6) hours of professional development/training regarding the Professional Code of Ethics for Kentucky Certified School Personnel. Any expense incurred for said training shall be paid by Respondent. If Respondent fails to satisfy this condition prior to her re-employment in a Kentucky public school, 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 not be convicted of any crime involving the use of any controlled substance and/or alcohol. Should Respondent violate any of this condition, her certificate and any and all endorsements shall be automatically suspended for a period of two years and subject to additional disciplinary sanctions pursuant to KRS 161.120.

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 (Ms. Boyd recused)*

1111868 (Ellen Smith)

Accept Agreed Order admonishing Respondent for her lack of professional judgment in interactions with students. As an education professional, it is Respondent's responsibility to set and maintain appropriate boundaries with all students. She must be ever vigilant to treat all students with fairness and equity careful never to single out a particular student for special treatment and/or friendship.

On or before July 1, 2014, Respondent shall provide written evidence to the Board that she has successfully completed twelve hours of professional development/training, approved by the Board and at her own expense, in appropriate teacher/student relationships and/or boundary issues and ethics. Should Respondent fail

to satisfy this condition, Respondent's certificate shall be automatically suspended and remain so until this condition is met.

Upon entry of this Order, Respondent's certificate shall be subject to the following probationary condition for the life of the certificate. Respondent shall not be disciplined by any school district for any conduct which violates KRS 161.120 and/or 16 KAR 1:020. Discipline shall be defined as a reprimand, admonishment, suspension, or termination either uncontested by Respondent or upheld by either the tribunal or arbitration process, if requested. If Respondent violates this condition, the Board shall automatically suspend Respondent's certificate for a period of two years and may seek additional sanctions pursuant to KRS 161.120.

Vote: *Unanimous (Ms. Boyd recused)*

1305339 (John Baudendistel) Accept Agreed Order admonishing Respondent for neglect of duty and conduct unbecoming a teacher. As a certified educator in the Commonwealth of Kentucky, Respondent has a duty to provide students with professional education services in consonance with accepted best practice and has a duty to maintain the dignity and integrity of the teaching profession. In the future, Respondent shall take measures to ensure that ARC protocols are followed and that student due process folders are properly secured. The Board will not tolerate any further incidents of misconduct from Respondent.

From the date the Board accepts this Agreed Order, Respondent's certificate, and any future endorsements or new areas of certification, shall be subject to the following probationary conditions for a period of two (2) years:

1. On or before April 1, 2014, Respondent shall provide written proof to the Board that he has successfully completed a course, as approved by the Board, on student confidentiality. Any expense incurred for said training shall be paid by Respondent. If Respondent fails to satisfy this condition, Respondent's certificate, and any future endorsements or new areas of certification, shall be automatically suspended until Respondent completes the required training and provides the appropriate written proof to the Board.
2. On or before July 1, 2014, Respondent shall provide written proof to the Board that he has successfully completed a course, as approved by the Board, on special

education compliance. Any expense incurred for said training shall be paid by Respondent. If Respondent fails to satisfy this condition, Respondent's certificate, and any future endorsements or new areas of certification, shall be automatically suspended until Respondent completes the required training and provides the appropriate written proof to the Board.

3. On or before January 1, 2015, Respondent shall provide written proof to the Board that he has successfully completed twelve (12) hours of training or professional development, as approved by the Board, on the Professional Code of Ethics for Kentucky Certified School Personnel. Any expense incurred for said training shall be paid by Respondent. If Respondent fails to satisfy this condition, Respondent's certificate, and any future endorsements or new areas of certification, shall be automatically suspended until Respondent completes the required training and provides the appropriate written proof to the Board.

4. For the entirety of the probationary period, Respondent shall provide the Board with annual written progress reports from his supervisor. The reports shall be due by July 1st of each year of the probationary term and shall state that Respondent followed all established ARC protocols during the prior school year. If Respondent fails to comply with the requirements of this paragraph on or before July 1st of each year of the probationary term, Respondent's certificate, and any future endorsements or new areas of certification, shall be automatically suspended until Respondent submits the required written report to the Board.

5. For the entirety of the probationary period, Respondent shall receive no disciplinary action. "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. If Respondent fails to comply with the requirements of this paragraph, Respondent's certificate, and any future endorsements or new areas of certification, shall be automatically suspended for a period of thirty (30) days.

Respondent is aware that should he violate KRS 161.120, either during or following this two (2) year period of probationary conditions, the Board shall initiate new disciplinary action and seek additional sanctions.

Vote: *Unanimous (Ms. Boyd recused)*

1309669 (David Owens) Accept Agreed Order in which Respondent agrees to voluntarily surrender his Kentucky teaching 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*

1108645 (Reggie Hamilton) Accept Agreed Order admonishing Respondent for his failure to notify law enforcement of a student who was a potential victim of sexual abuse. The Board reminds Respondent that he has a statutory responsibility to report all incidents of abuse, neglect, or dependency of a child to law enforcement or the Cabinet for Health and Family Services. The Board will not tolerate further acts of misconduct from Respondent.

Respondent shall provide written proof, on or before December 1, 2014, that he has completed a professional development/training course in the area of recognizing and reporting dependency, neglect, and abuse of children. Any expense for this training shall be paid by Respondent. If Respondent fails to provide proof of this training by December 1, 2014, his certificate shall be suspended and shall remain suspended until he provides proof of the training.

Vote: *Unanimous*

06-12313 (Dean Cvitkovic) Accept Agreed Order reminding Respondent that the principal of a school must create and foster an environment in which staff can work together effectively. The Board will tolerate no further incidents of misconduct by Respondent.

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

1307537 (Atria Calhoun) Accept Agreed Order which states that at the time of the incidents in question, Respondent held an emergency substitute teaching certificate. That certificate has since lapsed. Should Respondent decide to seek certification in

the future, she must complete the following condition prior to accepting a certified position:

1. Respondent shall undergo a comprehensive 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 and has successfully completed any and all treatment recommendations. Any expense for the assessment, treatment and/or reports shall be paid by Respondent. If Respondent does not comply with this condition, she shall not be issued a certificate.

If Respondent obtains a certificate, her certificate will be subject to the following probationary condition for a period of two (2) years from the date she receives a certificate:

1. Respondent shall not be convicted of any crime involving a controlled substance and/or alcohol. Should Respondent violate this condition, her certificate shall be suspended for a period of six (6) months.

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

Vote: *Unanimous*

1303207 (Teresa Lankford) Accept Agreed Order retroactively suspending Respondent's certificate, including any and all endorsements, for forty-five (45) days beginning March 7, 2013. Upon acceptance of this agreement by the Board, Respondent shall immediately surrender the original and all copies of her certificate to the EPSB, by delivering or mailing to 100 Airport Road, 3rd Floor, Frankfort, Kentucky 40601.

From the date of acceptance of any teaching and/or administrative position in the Commonwealth of Kentucky, Respondent's certificate, and any future endorsements or new areas of certification, shall be subject to the following probationary conditions for a period of eighteen (18) months:

1. Respondent has provided written evidence to the Board that she has undergone a comprehensive substance abuse assessment with a Kentucky licensed and/or certified chemical dependency counselor, as approved by the Board, and has successfully completed all treatment recommendations.

2. Respondent has provided written evidence to the Board that she has successfully completed six (6) hours of professional development/training, as approved by the Board, on the Professional Code of Ethics for Kentucky Certified School Personnel.

3. For the entirety of the probationary period, Respondent shall immediately submit to any random drug testing requested by the Board and shall have no positive drug tests. Any expense for said testing shall be paid by the Respondent. If Respondent fails to comply with this condition, Respondent's certificate shall be automatically suspended for a period of one (1) year. If applicable, at the conclusion of the one (1) year suspension, Respondent's certificate shall remain suspended until such time as this probationary condition is met.

Respondent is aware that should she violate KRS 161.120, either during or following this eighteen (18) month period of probationary conditions, the Board shall initiate new disciplinary action and seek additional sanctions.

Vote: *Unanimous (Ms. Schneider recused)*

1206331 (Barbara Cook)

Accept Agreed Order reminding Respondent that, as a certified educator in the Commonwealth of Kentucky, she shall keep in confidence information about colleagues which has been obtained in the course of professional service and shall not use her position of authority to influence professional decisions. In the future, Respondent shall be more cautious in handling situations that may jeopardize her duties under the Professional Code of Ethics for Certified School Personnel.

On or before July 1, 2014, Respondent shall provide written proof to the Board that she has completed twelve (12) hours of professional development or training, as approved by the Board, on the Professional Code of Ethics for Kentucky Certified School Personnel with an emphasis in confidentiality. Any expense incurred for said training shall be paid by Respondent.

If Respondent fails to satisfy this condition by July 1, 2014, her certificate shall be automatically suspended until such training is completed and the appropriate written proof is provided to the Board.

Vote: *Unanimous*

CF1634 (Ashly Cox)

Accept Agreed Order which states that 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 upon providing proof that she has complied with the following condition:

Prior to being issued any teaching and/or administrative certification in the Commonwealth of Kentucky, Respondent shall undergo a comprehensive substance abuse assessment by a Kentucky licensed and/or certified chemical dependency counselor, as approved by the Board, and shall provide written evidence to the Board that she has complied with the assessment process and has successfully completed any and all treatment recommendations. Any expense for the assessment, treatment, and/or written reports shall be paid by Respondent.

In order to maintain or obtain any certificate in the future, Respondent shall comply with the following:

1. Respondent shall not be convicted of nor enter a guilty or no contest plea to any criminal charge(s) other than minor traffic violations. Failure to comply with this condition will result in Respondent's certificate being automatically suspended for further action by the Board.

2. Respondent shall submit a current criminal background check, as prepared by the Administrative Office of the Courts, to the Board with any application for renewal of her certification(s) and/or for additional certification(s). Any expense for the criminal background check 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.

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

Vote: *Unanimous*

CF144 (Brandon Franklin)

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 he 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 he 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 he has completed a course on the Professional Code of Ethics for Kentucky Certified School Personnel, 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 his counselor to the Board until such time as the counselor releases him 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, he 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.

3. Respondent shall submit a copy of his current criminal record, as prepared by the Administrative Office of the Courts, with any application for renewal of his 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 his behalf.

Vote: *Unanimous*

1108663 (Jason Carpenter) 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*

1210602 (William Turpin) Accept Agreed Order revoking Respondent's certificate for a period of three (3) years beginning on October 4, 2012. Respondent shall neither apply for nor be issued a teaching certificate in the Commonwealth of Kentucky during the revocation period. Upon acceptance of this agreement by the Board, Respondent shall immediately 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.

In addition to the standard requirements of the application process, before Respondent shall be reissued any certificate, he must comply with the following:

1. Respondent shall provide written proof to the Board that he has successfully completed twelve (12) hours of training on the Professional Code of Ethics for Kentucky Certified School Personnel with an emphasis on appropriate teacher/student boundaries, as approved by the Board. Any expense incurred for said training shall be paid by Respondent.
2. Respondent shall provide written proof to the Board that he has successfully completed six (6) hours of training on sexual harassment awareness, as approved by the Board. Any expense incurred for said training shall be paid by Respondent.

Should Respondent fail to satisfy either of these conditions, the Board shall automatically deny any application submitted by Respondent or on his behalf.

Upon reissuance of Respondent's certificate, Respondent shall be on probation for a period of ten (10) years. During the probationary period, Respondent shall receive no disciplinary action involving teacher/student boundaries. "Disciplinary action" is defined as any suspension, termination, 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. Failure to comply with this condition will result in Respondent's certificate being automatically suspended

pending Board review and disposition.

Respondent is aware that should he violate KRS 161.120, either during or following this ten (10) year probationary period, the Board shall initiate new disciplinary action and seek additional sanctions.

Vote: *Unanimous*

1108643 (Charles Napier)

Accept Agreed Order admonishing Respondent for his failure to notify law enforcement of a student who was a potential victim of sexual abuse. The Board reminds Respondent that he has a statutory responsibility to report all incidents of abuse, neglect, or dependency of a child to law enforcement or the Cabinet for Health and Family Services. The Board will not tolerate further acts of misconduct from Respondent.

Respondent shall provide written proof, on or before December 1, 2014, that he has completed a professional development/training course in the area of recognizing and reporting dependency, neglect, and abuse of children. Any expense for this training shall be paid by Respondent. If Respondent fails to provide proof of this training by December 1, 2014, his certificate shall be suspended and shall remain suspended until he provides proof of the training.

Vote: *Unanimous*

1036459 (Rodney Carter)

Accept Agreed Order suspending Respondent's certificate for a period of thirty (30) days beginning July 16, 2013. Respondent shall surrender the original and all copies of this certificate immediately, by first class mail or personal delivery to the Education Professional Standards Board, 100 Airport, Road, Third Floor, Frankfort, Kentucky 40601.

Prior to returning to any position of employment that requires teaching certification, Respondent shall submit the following to the Board:

1. Written proof of completion of six (6) hours of professional development/ training, approved by the Board and at his own expense, in effective classroom management techniques; and
2. Written proof of completion of anger management counseling, approved by the Board and at his own expense. Should Respondent use his teaching certificate without first satisfying both of these conditions, his certificate shall be automatically suspended and remain so until all conditions

are met and potentially face additional sanctions for failure to comply with this Order.

Vote: *Unanimous*

Recommended Order

Case Number

Decision

1004214 (Brian Cotton)

Accept the Hearing Officer's Recommended Order of Default and Permanently Revoke Respondent's certificate.

Vote: *Unanimous (Ms. Boyd recused)*

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

Vote: *Unanimous*

Meeting adjourned at 1:35 p.m.

Next Meeting: June 23, 2014
9:00 AM
EPSB Board Room
Frankfort, Kentucky