

*The actions delineated below were taken in open session of the EPSB at the October 28, 2013, 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, 3<sup>rd</sup> Floor, Frankfort, KY 40601*

**Education Professional Standards Board (EPSB)  
Summary Minutes of the Regular Business Meeting  
EPSB Offices, 100 Airport Road, 3<sup>rd</sup> Floor  
Frankfort, Kentucky  
October 28, 2013**

**Call to Order**

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

**Swearing In of New Board Members and Board Member Designee**

Board Secretary Ashley Abshire swore in the EPSB's newest board members, Shannon Treece and Tolya Ellis, as well as Felicia Cumings Smith, a designee for Commissioner Holliday.

**Introduction of New Board Members and Board Member Designee**

The new board members and designee introduced themselves to the board. Ms. Shannon Treece is currently the principal of Eminence Independent Middle/High and has worked in education for over 12 years. Ms. Tolya Ellis is a third grade teacher for Shelby County Public Schools. She is completing her tenth year of teaching and also serves as vice-president for the Shelby County Education Association. Ms. Felicia Cumings Smith serves as associate commissioner for the Kentucky Department of Education.

**Roll Call**

The following Board members were present during the October 28, 2013, EPSB meeting: Bradley Bielski, Ellen Blevins, Barbara Boyd, Felicia Cumings Smith, John DeAtley, Tolya Ellis, Allen Kennedy, Marie McMillen, Mary John O'Hair, Michael Ross, Laura Schneider, Sandy Sinclair-Curry, Anthony Strong, Shannon Treece, Cassandra Webb and David Whaley. Brandy Beardsley was absent.

**Board's Mission Statement**

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

**Agenda Amendment**

**2013-052**

*Motion made by Ms. McMillen, seconded by Mr. Anthony Strong, to amend the agenda to add Action Item F. 16 KAR 5:040. Request to Waive Language Pertaining to the Admission, Placement and Supervision in Student Teaching, Murray State University, University of Kentucky, University of Louisville, and Western Kentucky University.*

**Vote:** *Unanimous*

**Open Speak**

There were several requests for Open Speak.

## Eddie Campbell

Mr. Eddie Campbell shared his concerns regarding Perry County Schools and the hiring of the superintendent.

## Charlotte Hubbard, Kellie Ellis, Tammy Cranfill, and Verna Lowe

These individuals provided several perspectives and points of view from Eastern Kentucky University as they relate to 16 KAR 5:040 regarding field hours for teacher certification of speech language pathologists. Dr. Cranfill stated speech language pathologists are clinical educators and need skilled abilities in education service, in order to be collaborative and fulfill the goals of co-teaching efforts.

## **Approval of Consent Items**

### **2013-052**

*Motion made by Dr. David Whaley, seconded by Ms. Ellen Blevins, to remove the 2012 Title II Report from Consent Items and add it as Action Item G. and approve the following items on the consent agenda:*

### Approval of September 16, 2013, EPSB Minutes

### Approval of Contract

**Vote:** *Unanimous*

## **Report of the Executive Director**

### Recognition of EPSB Employee

Executive Director Robert Brown recognized Marcie Lowe, EPSB staff assistant, for being one of six public employees honored and recognized for the difference she is making in the lives of others with the 2013 Governor's Ambassador Award.

### National Board Initiative

Mr. Brown informed the board that National Board was awarded \$15M from the U.S. Department of Education's Supporting Effective Educator Development (SEED) grant program to advance strategies that will expand the pool of highly effective National Board Certified Teachers (NBCTs) serving in high-need schools. Kentucky has been identified to participate in the National Board initiative to develop strong National Board leadership in schools serving large concentrations of high-need students.

### Strategic Planning Committee

Executive Director Brown gave an update on the Strategic Planning Committee. The committee is developing new goals and strategies and looking at the disciplinary process of other states. Chair Webb encouraged the board to attend the Strategic Planning Committee meetings, as she values the input of all members. She stated her intentions of sending an email to the board regarding CAEP and INTASC, and emphasized the importance for members to read the documents.

### Report from the Kentucky Department of Education

Felicia Cumings Smith shared her excitement on KDE's partnership for the SEED grant with National Board. She further stated that she had the opportunity to recently present at KACTE

and shared how KDE is relying on higher education to continue moving its work forward. She asked everyone to closely review the TELL KY data. One of the most important results that came from the survey showed that new teachers need more assistance in how to adequately differentiate instruction. Lastly, Ms. Smith informed the board that the Teacher Effectiveness Steering Committee has proposed work of a summative model design that will be included in the new PGES. A subcommittee will meet again November 4. All minutes from the meetings are on the KDE website.

#### Report from the Council on Postsecondary Education

Mr. John DeAtley announced CPE has extended the deadline for institutions to determine if they want to participate with CPE on the Vanguard Project.

#### **Report of the Chair**

#### **Committee Report**

#### Kentucky Advisory Council on Internships Committee

The following individuals gave an update on KACI:

Donna Brockman, Director, EPSB Professional and Learning Assessment Division  
Dr. Sharon Brennan, Chair of KACI and Director of Field Experiences and School Collaboration at the University of Kentucky

Mr. Jeff Castle, Assistant Superintendent/Chief Academic Officer of Jessamine County Schools

Janet O'Connell, social studies high school teacher for Jessamine County Schools and KTIP Appeals Committee member

Ms. Brockman stated that at the last EPSB board retreat staff were given the directive to align KTIP with PGES. Dr. Brennan stated she has been involved in KIP since its inception and that Kentucky was one of the first states to implement a program to ensure good quality teachers across the state. She stated the program has been enduring because it has taken a progressive stance and suggested there is strong support from KACI to merge KTIP with PGES. Dr. Brennan also indicated that KACI has a strong commitment to ensure the demonstration of leadership and collaboration and to use KTIP as an element for student growth targets.

Mr. Jeff Castle stated he has served in a number of roles in KTIP, and he is supportive of the PGES system and the Charlotte Danielson framework. He shared that the committee is committed to finding the most intentional and well planned merger for KTIP and PGES, while honoring the strength of both. While piloting the changes, it was noted that giving the IHE's access to the Continuous Instructional Improvement Technology System (CIITS) will be important.

Ms. Felicia Cumings Smith asked for the timeline of the merger of KTIP and PGES. Ms. Brockman stated it would be the same as the PGES timeline. Two school districts volunteered to pilot the system for the 2014-2015 school year with full implementation in 2015-2016. She stated that training is a concern because KTIP involves many stakeholders who will need to be trained on the KTIP changes. Staff are looking at technology to help with this training.

#### Literacy Preparation Advisory Committee

The following individuals gave an update on the Literacy Preparation Advisory Committee (LPAC):

Dr. Kim Walters-Parker, Director, EPSB Educator Preparation Division

Dr. Dorie Combs, Chair/Professor of Instruction and Curriculum, Eastern Kentucky University

Dr. Pam Petty, Professor, Director, WKU Center for Literacy

Mr. Ron Chi, Principal, The Learning Center at Linlee, Fayette County Public Schools

Dr. Kim Walters-Parker provided the board with background information on the purpose of LPAC, which is to review the literacy instruction preparation currently provided in Kentucky's educator preparation programs for middle school, high school, and P-12 initial certification areas; examine relevant research and information related to best practices in literacy preparation; and make recommendations to the board regarding literacy instruction preparation.

The four objectives of LPAC include the following:

Objective 1: Identification of key features of effective literacy preparation programs for middle and high school teachers.

Objective 2: Identification or creation of program and candidate standards that will ensure those key features of effective literacy preparation programs are present in all initial certification programs.

Objective 3: Reporting and evaluation procedures to ensure that all middle school, high school, and P-12 initial certification programs meet the identified standards.

Objective 4: Reporting and evaluation procedures to ensure that all candidates in middle school, high school, and P-12 initial certification programs meet the appropriate standards.

LPAC developed recommendations for the first two of the four objectives assigned by the EPSB, both of which involve identifying appropriate standards. If these two recommendations are accepted by the board, LPAC asked that it be allowed to address the two remaining objectives regarding standards for programs and standards for candidates.

The recommendations are as follows:

Recommendation 1: Adopt the International Reading Association Standards: Middle and High School Content Classroom Teacher.

Recommendation 2: Require all approved middle school, high school, and P-12 certification programs to ensure all teacher candidates seeking initial certification demonstrate the competencies outlined in the International Reading Association Standards: Middle and High School Content Classroom Teacher. Programs may meet this requirement in one of two ways:

- a. Require the standards be taught and assessed with fidelity in a stand-alone three (3) credit hour content literacy course taught by faculty qualified to deliver literacy instruction;
- b. Require the standards be taught and assessed with fidelity in one or more standards-aligned content courses taught by faculty qualified to deliver literacy instruction.

Recommendation 3: LPAC recommends that reporting and evaluation procedures for all middle school, high school, and P-12 initial certification programs be developed after the board has determined whether it will adopt Recommendations 1 and 2.

Recommendation 4: LPAC recommends that reporting and evaluation procedures for candidates in middle school, high school, and P-12 initial certification programs be developed after the board has determined whether it will adopt Recommendations 1 and 2.

Additional Recommendation: Teachers who are certified in other states and who then come into Kentucky to teach are eligible for certification if they meet certain requirements. LPAC recommends that the EPSB investigate or charge LPAC with investigating the possibility of requiring teachers who are granted Kentucky certification based on out-of-state certification to either demonstrate they have comparable preparation or gain comparable preparation within a reasonable period of time.

Dr. Dorie Combs stated that these policies are not going to be easy to implement and IHE's will not be excited to add another course in their curriculum when CPE is asking them to reduce the number of credits students must take.

Ms. Felicia Cumings Smith stated those on this committee are leading experts in the field of literacy. She applauded their efforts to remain focused on this critical issue and said she has committed much of her career to improvement of literacy education. She called on the Collaboration Center for Literacy Development to be engaged in this work as it is made up of a partnership of eight (8) state public universities and has been absent from public conversations. She encouraged the board to act in a bold way and accept the recommendations in their entirety, as well as the additional recommendation.

The committee will bring these recommendations as an information item at the January meeting.

### **Information/Discussion Items**

#### Awarded Contracts

Jimmy Adams, EPSB Deputy Executive Director, informed the board that career and technical education KTIP contracts were awarded to the eight (8) public universities and a contract for the new teacher survey was awarded to Panorama Education. Ms. Marie McMillen stated she has heard concerns that it is very difficult to meet timelines for KTIP because of the large caseloads of teacher educators.

#### Implementation of the Recommendations of the Committee to Ensure an Ethical Educator Workforce

Ms. Alicia Sneed reported that at the September EPSB meeting the board adopted three (3) final recommendations made by CEEEW:

- Initial certification background check (self-financed)
- Adoption of draft character and fitness form that was presented to the board
- Proceed with the pilot development of an online complaint process and include superintendent complaint form on the EPSB website.

She explained that adopting the new character and fitness form will involve changing all applications for certification, the TC-4 emergency substitute online application form, and adopting procedures for applicants to submit criminal background checks. Several regulations will need to be amended during the process and staff hopes to bring the first of those amendments to the board in January 2014. Staff suggested the implementation date for the new forms in the regulation become effective January 1, 2015. Dr. David Whaley asked if student

teachers who already have background checks will need a background check upon initial certification. Ms. Sneed stated that staff's goal is to have a six month window where background checks completed for student teaching could also be used for initial certification.

Ms. Sneed further reported that currently there is a temporary form online for superintendents to use in reporting misconduct. Jefferson County Public Schools has agreed to pilot the development of an online reporting system. In order to develop the new system, an additional programmer will be needed. If an additional programmer is hired, the new system will, hopefully, be piloted during the next school year and be available to all superintendents by the 2015-16 school year.

In January, Ms. Sneed will bring regulations for the board to review in fulfilling these implementations.

### **Action Items**

#### **16 KAR 6:010. Examination Prerequisites for Teacher Certification, Final Action**

Ms. Donna Brockman explained the proposed changes to 16 KAR 6:010. Discussion ensued on how cut scores were developed. A concern was raised as to whether the cut scores were set at an acceptable range. Mr. Brown explained how the cut score framework was redesigned in 2011. Dr. Whaley said he would like to see data that establishes a relationship between the impact of a teacher and the score that individual achieves on the ETS exam. Dr. Cory Murphy of ETS stated ETS conducts research and has performed studies in partnership with the National Education Association, and also stated his intention of sending a link to Mr. Brown for sharing with the board.

#### **2013-053**

*Motion made by Mr. Mike Ross, seconded by Ms. McMillen, to approve the proposed amendments to 16 KAR 6:010.*

**Vote:** *Unanimous*

#### **16 KAR 5:020. Standards for Admission to Teacher Preparation, Final Action**

#### **2013-054**

*Motion made by Ms. McMillen, seconded by Ms. Sandy Sinclair-Curry, to adopt the Praxis Core Academic Skills for Educators and the corresponding cut scores.*

**Vote:** *Unanimous*

#### **2014 Legislative Agenda**

#### **2013-055**

*Motion made by Mr. Strong, seconded by Dr. Bradley Bielski, to approve the 2014 Legislative Agenda as follows:*

*\* Support the EPSB's budget requests for FY 2014-2016.*

*\* Support a FY 2014-2016 budget increase to the Kentucky Teacher Internship Program (KTIP) to secure full funding for the 2014-15 and 2015-16 school years.*

*\* Support legislation which furthers the EPSB Mission and Goals.*

*\* Oppose any attempt to dilute the current authority of the EPSB.*

**Vote:** *Unanimous*

#### EPSB Fiscal Year 2015-2016 Biennial Budget Request

Mr. Gary Freeland and Mr. Jimmy Adams presented the biennial budget request proposal to the board. The three additional budget request priorities included the following:

1. Defined Calculations (salary increases, health insurance increases, retirement contribution increases)
2. Vacant Positions
3. Full KTIP funding

Additionally, the request includes a capital project to develop an educator preparation system to automate the accreditation and program review processes.

#### **2013-056**

*Motion made by Mr. John DeAtley, seconded by Ms. Felicia Cumings Smith, to authorize the deputy executive director to submit the 2014-16 budget request to the Secretary of Education and Workforce Development and the Office of the State Budget Director, as presented.*

**Vote:** *Unanimous*

#### CCSSO Contract

#### **2013-057**

*Motion made by Mr. DeAtley, seconded by Dr. Bielski, to authorize the executive director to enter into the Memorandum of Agreement with CCSSO.*

**Vote:** *Unanimous*

#### 16 KAR 5:040. Request to Waive Language Pertaining to the Admission, Placement and Supervision in Student Teaching: Murray State University (MuSU), University of Kentucky (UK), University of Louisville (UofL), and Western Kentucky University (WKU)

Dr. Joneen Lowman, Assistant Professor for the Division of Communication Sciences and Disorders at the University of Kentucky, explained the waiver request to the board. 16 KAR 5:040 was amended to require candidates for Kentucky teacher certification to complete 200 hours of field experience prior to student teaching. This amendment went into effect September 1, 2013. She stated that MuSU, UK, UofL, and WKU are requesting that the board waive the 200 hours of field experience requirement for spring 2014 speech-language pathology (SLP) candidates enrolled at these universities. The programs requesting the waiver are concerned that with the addition of the recently enacted field experience requirements, that they can no longer meet both the national and state licensure standards for SLP and the preparation requirements for certification as an educator. Discussion ensued among the board. The waiver request is only for the spring semester 2014. Ms. Sneed hopes to bring a solution to the board for the next school year.

#### **2013-058**

*Motion made by Dr. Whaley, seconded by Dr. Mary John O'Hair, to approve the waiver of the 200 hours field experience requirement in 16 KAR 5:040 for spring 2014 speech-language*

*pathology candidates enrolled at Murray State University, University of Kentucky, University of Louisville, and Western Kentucky University.*

It was determined that this motion was inappropriate under the EPSB Professional Conduct Procedure.

*Motion made by Ms. Blevins, seconded by Ms. Laura Schneider, to approve the waiver of the 200 hours field experience requirement in 16 KAR 5:040 for spring 2014 speech-language pathology candidates enrolled at Murray State University, University of Kentucky, University of Louisville, and Western Kentucky University.*

**Vote:** *Yes - 11*

*No – 3 (Sandy Sinclair-Curry, Barbara Boyd, Mike Ross)*

*Recuse – 2 (David Whaley, Mary John O’Hair)*

### 2012 Title II Report

Ms. Marie McMillen expressed her concern while reading the report that many universities did not have minimum GPA admission requirements. Mr. Brown stated that next year’s report will include the GPAs. Ms. McMillen further stated she would like to see minimum GPA’s for content knowledge.

### **2013-059**

*Motion made by Mr. Ross, seconded by Ms. Shannon Treece, to approve the 2012 Title II Report.*

**Vote:** *Unanimous*

### **Alternative Route to Certification Application**

Brigetta Allen, Biology Grades 8-12

### **2013-060**

*Motion made by Ms. McMillen, seconded by Ms. Blevins, to approve the alternative route to certification application for Brigetta Allen.*

**Vote:** *Unanimous*

## **DISCIPLINARY MATTERS: MINUTES OF CASE REVIEW October 28, 2013**

*Motion made by Ms. Sandra Sinclair-Curry, seconded by Ms. Ellen Blevins, 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. Anthony Strong, seconded by Mr. Allen Kennedy, to return to open session.*

**Vote:** *Unanimous*

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

Brad Bielsky, Barbara Boyd, Cassandra Webb, Michael Ross, Anthony Strong, Sandra Sinclair-Curry, Laura Schneider, Ellen Blevins, David Whaley, Marie McMillen, Allen Kennedy, John DeAtley, Tolya Ellis, Felicia Cumings Smith, and Shannon Treece.

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

**Initial Case Review**

<b><u>Case Number</u></b>	<b><u>Decision</u></b>
1307555	Defer
1306451	Defer for training
1306459	Hear
1307551	Defer for training
1308599	Hear
1308614	Defer for training
1307533	Defer for training
1309647	Defer for training
1307509	Hear
1307535	Admonish
1308567	Admonish
1308610	Dismissed
1308586	Defer for training
1307483	Admonish
1308597	Hear
1308601	Hear
1309651	Admonish
1308629	Defer for training
1307527	Dismissed
1307537	Hear
1307521	Hear
1308608	Hear
1307557	Hear
1307563	Hear
1307519	Hear
1308633	Hear
1307524	Hear
1307541	Hear
1306449	Defer
1307507	Hear
1306453	Admonish
1307495	Hear
1307549	Hear

1307553	Defer for training
1307539	Hear
1303244	Dismissed
1103218	Dismissed
1302156	Dismissed
130157	Dismissed
1302145	Dismissed
1203170	Dismissed
0905253	Dismissed
1209546	Dismissed
1303229	Hear

**Character/Fitness Review**

<b><u>Case Number</u></b>	<b><u>Decision</u></b>
13792	Approve
131077	Deny
131082	Deny
131090	Deny
131094	Deny
131097	Approve
131100	Deny
131102	Approve
131106	Deny
131111	Deny
131088	Deny
131098	Approve
131121	Approve
131129	Deny
13810	Approve
131137	Approve
12892	Approve
131124	Deny
131064	Approve
131028	Approve
131078	Approve
131075	Approve
131103	Approve
131107	Approve
131095	Approve
131110	Approve
131116	Approve
131085	Defer
131122	Approve
131131	Approve

131123  
131141

Approve  
Approve

### **Agreed Orders**

#### **Case Number**

#### **Decision**

1107547 (Myrna Baete)

Accept Agreed Order probating Respondent's certificate for a period of three years beginning June 30, 2011. A condition of probation is Respondent will attend and complete sensitivity training as approved by the board and she will receive no further disciplinary action during this probationary period. Should she receive any further disciplinary reports to the Board, Respondent's certificate will be automatically suspended and this case will be reopened for further prosecution. Respondent has complied with the training requirement of this agreement and submitted documentation with this agreed order.

**Vote:** *Unanimous*

1211721 (Brian More)

Accept Agreed Order suspending Respondent's certificate for a period of five (5) days. 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. Additionally, upon reinstatement Respondent's certificate shall be subject to the following probationary conditions: Respondent shall submit written proof to the Board that he has completed twelve (12) hours of professional ethics training, as approved by the Board, by April 1, 2014. Any expense required for said training shall be paid by Respondent. If Respondent fails to satisfy this condition, Respondent's certificate shall be automatically suspended until Respondent completes the required training and provides the appropriate written proof 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:** *Unanimous*

1210627 (Cindy Lancaster)

Accept Agreed Order admonishing Respondent for neglect of duty. Respondent is expected to perform all the responsibilities outlined in her job description, and provide

services to all of the students on her current caseload. The Board will not tolerate any further incidents of misconduct from Respondent.

Additionally, Respondent's certificate is subject to the following probationary conditions:

1. Respondent shall submit written proof to the Board that she has completed twelve (12) hours of professional ethics training, as approved by the Board, by April 1, 2014. Any expense required for said training shall be paid by Respondent.

2. Respondent shall submit written proof to the Board that she has a course of professional development training in the area of special education law compliance and implementation, as approved by the Board, by April 1, 2014. Any expense required for said training shall be paid by Respondent.

If Respondent fails to satisfy the conditions, Respondent's certificate shall be automatically suspended until Respondent completes the required training and provides the appropriate written proof to the Board.

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*

1212793 (Jo Dale Anderson) Accept Agreed Order which states that Respondent agrees neither to apply for nor accept certified employment at any school district in the Commonwealth of Kentucky at any time in the future.

Should Respondent fail to satisfy this condition, her certificate shall be automatically suspended for a period of one (1) year, and the Board shall initiate new disciplinary action and seek additional sanctions.

**Vote:** *Unanimous*

1307515 (Phillip Anderson) 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*

1306379 (Patrick Swencki)

Accept Agreed Order admonishing Respondent for conduct unbecoming a teacher. As an educator, Respondent is a role model to students and must not engage in behavior which diminishes his position as a teacher. The Board will tolerate no further acts of misconduct by Respondent.

Additionally, Respondent must provide written proof, on or before October 1, 2014, that he has completed twelve (12) hours of Board-approved training/professional development in the area of ethics. Any expense for this training shall be paid by Respondent. Should Respondent fail to provide proof of this training by October 1, 2014, his certificate shall be suspended and will remain suspended until he provides proof of the training.

**Vote:** *Unanimous*

1306434 (Larry Cassady)

Accept Agreed Order which states that Respondent has left the education profession and has no immediate plans to return to the classroom. Should Respondent decide to return to the classroom at some point in the future, Respondent shall provide proof of the following condition prior to accepting a certified position:

1. Respondent shall provide written proof to the Board that he has been assessed by a state certified mental health counselor, as approved by the Board, and is competent to fulfill his duties as an educator. Respondent shall provide proof that he has complied with any treatment recommendations proposed by the mental health counselor and shall continue to provide treatment records to the Board until he has been released from treatment by the counselor. Any expense incurred for the assessment or follow-up treatment shall be paid by Respondent. If Respondent fails to satisfy this condition, his certificate will be suspended and will not be reinstated until he provides proof of this condition.

Should Respondent decide to return to the classroom, his certificate shall be subject to the following probationary conditions for a period of two (2) years beginning on the date that he accepts 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 he 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 has not successfully completed all treatment recommendations by the end of the two (2) year probationary period, he agrees that the probationary period shall be extended and he shall submit quarterly written progress reports from the chemical dependency counselor to the Board until such time as the counselor releases him from treatment. Any expense for the assessment, treatment and/or reports shall be paid by Respondent.

2. Respondent shall not be convicted of any violation, misdemeanor or felony involving a controlled substance and/or alcohol.

By entering into this Agreed Order, Respondent agrees that should he fail to satisfy these probationary conditions, his certificate shall be automatically suspended for a period of six (6) months. If applicable, at the conclusion of the six (6) month suspension, his certificate shall remain suspended until such time as all of the above conditions are met.

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

**Vote:** *Unanimous*

1302121 (James Huffman)

Accept Agreed Order suspending Respondent's certificate for a period of forty-five (45) days, from June 15, 2013 through July 29, 2013. 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.

Upon acceptance of this agreement by the Board, Respondent's teaching certificate shall be on probation for a period of five (5) years and subject to the following probationary conditions:

1. By December 1, 2013, 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 1<sup>st</sup> 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. In accordance with KRS 161.175, Respondent shall submit to random drug testing during the probationary period, to be administered by a provider approved by the Board, and shall receive no drug test positive for illegal substances or in excess of therapeutic levels generally acceptable in the medical community. 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. Respondent shall not be convicted of nor enter a guilty or no contest plea to any criminal charge(s) other than minor traffic violations. Respondent shall submit a copy of his current criminal record, as prepared by the Administrative Office of the Courts, by July 1st of each year of the probationary period. Any expense required to satisfy this condition shall be paid by Respondent. If Respondent fails to satisfy this condition, Respondent's certificate shall be automatically suspended for a period of one (1) year and subject to additional sanctions by the Board pursuant to KRS 161.120.

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*

1205292 (Judith Reed)

Accept Agreed Order admonishing Respondent for violating the Professional Code of Ethics for Kentucky Certified School Personnel. The Board reminds Respondent that she must follow the proper procedures related to student assessment for the well-being of the students and for the integrity of the assessment process. As a certified educator, Respondent shall also exemplify behaviors which maintain the dignity and integrity of the profession. The Board will not tolerate any further incidents of misconduct from Respondent.

Upon acceptance of this agreement by the Board, Respondent's certificate shall be on probation for a period of two (2) years and subject to the following probationary conditions:

1. Respondent has submitted written proof to the Board that she has completed a course on professional ethics.
2. By March 1, 2014, Respondent shall submit written proof to the Board that she has completed six (6) hours of professional development in the area of appropriate assessment techniques, as approved by the Board. Any expense required for said training shall be paid by Respondent. If Respondent fails to satisfy this condition, Respondent's certificate shall be automatically suspended until Respondent completes the required training and provides the appropriate written proof to the Board.
3. During the probationary period, Respondent shall not receive any disciplinary action from any school district in which she is employed. "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 the tribunal and/or arbitration process. 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.

**Vote:** *Unanimous (Ms. Schneider recused)*

130173 (Dominic Johnson)

Accept Agreed Order which states that Respondent shall neither apply for nor be issued any teaching, administrative, or emergency certificate in the Commonwealth of Kentucky at any time in the future. Any future application submitted by Respondent, or on his behalf, shall be denied.

**Vote:** *Unanimous*

CF13987 (Brittany Wilson)

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 provide written proof to the Board that she has undergone an anger management assessment by a licensed clinical provider, as approved by the Board, and is competent to fulfill her duties as an educator. 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, as approved by the Board, on the Professional Code of Ethics for Kentucky Certified School Personnel. 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 clinical provider makes any treatment recommendations with her assessment, Respondent shall comply with the treatment recommendations. Respondent shall submit quarterly written progress reports from her provider to the Board until such time as the provider 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) other than minor traffic violations. 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 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.

**Vote:** *Unanimous*

1105291 (Rebecca Raley)

Accept Agreed Order suspending Respondent's certificate for ten (10) days, retroactively, on April 13, 14, 15, 18, and 19, 2011, and August 27-31, 2012. Upon the Board's acceptance of this Order, Respondent shall immediately deliver the original and all copies of her certificate, by mail or hand delivery, to the Education Professional Standard Board, 100 Airport Road, 3rd Floor, Frankfort, Kentucky 40601. The suspension dates will be noted on the new copies of the certificate issued to Respondent.

Respondent's certificate to teach shall remain in force during the time in which the physical certificate and copies are in the possession of the EPSB.

Additionally, Respondent shall provide written proof to the Board, by June 1, 2014, that she has received twelve (12) hours of Board approved professional development/training in the areas of ethics and classroom management. 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*

1004248 (Chad Cundiff)

Accept Agreed Order admonishing Respondent for a lack of professional judgment in his interactions with students. As a certified educator, Respondent must strive to uphold the responsibilities of his profession by maintaining a positive learning environment for all. He must treat each student with dignity and respect. The Board will tolerate no further acts of misconduct by Respondent.

**Vote:** *Unanimous*

1106457 (Gladys Brown)

Accept Agreed Order suspending Respondent's certificate for a period of twenty eight months retroactive to June 24, 2011. Further, Respondent is admonished that failing to properly document and manage school funds is a violation of her duty to maintain the dignity and integrity of the profession. Any further misconduct of this nature will not be tolerated.

**Vote:** *Unanimous*

1005287 (Joshua Powell)

Accept Agreed Order reminding Respondent that KRS 161.020(1) states, "No person shall be eligible to hold the position of superintendent, principal, teacher, supervisor,

director of pupil personnel, or other public school position, unless he or she hold a certificate of legal qualifications for the position.” As the appointing authority for a school district, it is Respondent’s duty to ensure that the school district and all its employees comply with state school laws. The Board is responsible for establishing the requirements for educator certification to ensure that every certified public school employee is properly trained and capable of performing the duties of the position. A superintendent must work not only with the best interest of students in mind, but also and always within the law.

Additionally, Respondent’s certificate is subject to the following probationary condition. Respondent shall submit written proof to the Board that he has received professional development/training in the area of educator certification as approved by the Board, no later than June 1, 2014. Any expense incurred for said training shall be paid by Respondent. Should Respondent fail to satisfy this condition, Respondent’s certificate shall be automatically suspended until the condition is met. 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:** 13-2 (*Ms. McMillen and Ms. Schneider dissented*)

1204231 (Cheryl Jones)

Accept Agreed Order suspending Respondent’s certificate for a period of two (2) years from the date of acceptance of this agreement by the Board. Respondent shall immediately surrender the original and all copies of Respondent’s certificate to the Education Professional Standards Board, 100 Airport Road, Third Floor, Frankfort, Kentucky 40601. Reinstatement of this certificate is conditioned upon the following:

1. Respondent shall present written evidence to the Board that she has completed twelve (12) hours of professional development/training, approved by the Board and at her own expense, in ethics and boundary issues.
2. Respondent shall present written evidence to the Board that she has undergone a psychological evaluation by a Kentucky licensed therapeutic and/or psychological counselor approved by the Board and is fit to return to the classroom and capable of performing her duties with reasonable skill, competence and safety. Any expense incurred in satisfying this condition is to be paid by Respondent.

Should Respondent fail to satisfy either of these conditions, Respondent's certificate shall remain suspended until both conditions are met.

Upon reinstatement and/or issuance, Respondent's certificate shall be subject to the following probationary conditions for the life of the certificate:

1. Respondent shall not be convicted of nor enter a guilty or no contest plea to any misdemeanor or felony charges.
2. Respondent shall submit current national and state criminal background reports to the Board with any application for renewal of certification(s) and/or for additional certification(s). Any expense in obtaining these reports shall be paid by Respondent.
3. Respondent shall not be disciplined by any school district for conduct in violation of KRS 161.120 and/or 16 KAR 1:020. Discipline shall be defined as a reprimand, admonishment, suspension, or termination 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.
4. Respondent shall not accept any position of employment in the Commonwealth of Kentucky that requires administrative certification and/or a certificate for instructional leadership.

Should Respondent fail to comply with any of these probationary conditions, the Board shall automatically suspend Respondent's certificate for a period of two (2) years and may seek additional sanctions pursuant to KRS 161.120.

**Vote:** *Unanimous (Mr. Strong and Ms. Schneider recused)*

1108575 (Breann Patrick)

Accept Agreed Order admonishing Respondent for using inappropriate means to manage student behavior. As a professional educator, Respondent has a duty to protect the physical and emotional well-being of each and every student and must treat those in her care with dignity and respect no matter the circumstance.

On or before January 1, 2014, Respondent shall present written evidence to the Board that she has completed six (6) hours of professional development/training, approved by the Board and at her own expense, in anti-bullying strategies and effective classroom management techniques. If Respondent fails to satisfy this condition, his certificate

shall be automatically suspended and remain so until this condition is met.

**Vote:** *Unanimous*

1304247 (Joan Teeters)

Accept Agreed Order in which Respondent voluntarily, knowingly, and intelligently surrenders her 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. Respondent shall surrender the original certificate and all copies to EPSB by hand delivering or mailing to 100 Airport Road, 3rd Floor, Frankfort, Kentucky, 40601.

**Vote:** *Unanimous*

1303203 (Todd Bonds)

Accept Agreed Order admonishing Respondent by the Board for failing to maintain the dignity and the integrity of the profession. As an educator, the Commonwealth and parents entrust children in Respondent's care; therefore, he must strive to ensure that he exemplifies good judgment both in his professional and personal life in order to maintain the public's trust in both him and the profession. Respondent's certificate shall be subject to the following probationary conditions for a period of five (5) years:

1. Respondent shall provide proof that he has completed twelve (12) hours of ethics training approved by the Board prior to August 1, 2014. Any expense for said training shall be paid by Respondent. If Respondent fails to satisfy this condition, Respondent's certificate shall be automatically suspended until Respondent completes the training.

2. Respondent shall undergo an anger management assessment by a licensed clinical provider, as approved by the Board, and shall provide written proof to the Board that he has complied with the assessment process and has successfully completed all treatment recommendations or continues to comply with the treatment recommendations during the probationary period. Any expense for the assessment, treatment, and/or written proof shall be paid by Respondent. If Respondent fails to satisfy this condition, Respondent's certificate shall be automatically suspended until Respondent completes the treatment recommendations.

3. For the entirety of the probationary period, Respondent shall neither 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 pending Board review and disposition.

4. Respondent shall submit a copy of his state and federal criminal background check, by August 1st of each year of the probationary period. Any expense required to satisfy this condition 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.

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*

1303179 (Stephen Quattrocchi)

Accept Agreed Order retroactively suspending Respondent's certificate for a period of fifteen (15) days, from August 1, 2013 to August 15, 2013. 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.

Upon acceptance of this agreement by the Board, Respondent's certificate shall be on probation for a period of one (1) year and subject to the following probationary conditions:

1. Respondent shall submit written proof to the Board that he has completed twelve (12) hours of professional ethics training, as approved by the Board, by April 1, 2014. Any expense required for said training shall be paid by Respondent. If Respondent fails to satisfy this condition, Respondent's certificate shall be automatically suspended until Respondent completes the required training and provides the appropriate written proof to the Board.

2. During the probationary period, Respondent shall not receive any disciplinary action from any school district in which he is employed. "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 the tribunal and/or arbitration process, including any appeal therefrom. 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.

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*

**Recommended Orders**

**Case Number**

**Decision**

07122568 (Matthew Randall)

Accept the Hearing Officer's Findings of Fact, Conclusions of Law, and Recommended Order and Permanently Revoke Respondent's certificate.

**Vote:** *Unanimous*

1203186 (Trira Guisse)

Accept the Hearing Officer's Findings of Fact, Conclusions of Law, and Recommended Order and Permanently Revoke Respondent's certificate.

**Vote:** *Unanimous*

*Motion made by Ms. Sinclair-Curry, seconded by Mr. Kennedy, to adjourn the meeting.*

**Vote:** *Unanimous*

Meeting adjourned at 4:00 p.m.

**Next Meeting: January 6, 2014**

**9:00 AM**

**EPSB Board Room**

**Frankfort, Kentucky**