

The actions delineated below were taken in open session of the EPSB at the September 16, 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, 3rd Floor, Frankfort, KY 40601

**Education Professional Standards Board (EPSB)
Summary Minutes of the Regular Business Meeting
EPSB Offices, 100 Airport Road, 3rd Floor
Frankfort, Kentucky
September 16, 2013**

Call to Order

Chair Cassandra Webb called the meeting to order at approximately 9:05 a.m. EDT.

Roll Call

The following Board members were present during the September 16, 2013, EPSB meeting: Bradley Bielski, Ellen Blevins, Barbara Boyd, John DeAtley, Terry Holliday, Allen Kennedy, Marie McMillen, Mary John O’Hair, Michael Ross, Laura Schneider, Sandy Sinclair-Curry, Zenaida Smith, Anthony Strong, Cassandra Webb and David Whaley. Brandy Beardsley and Lorraine Williams were absent.

Open Speak

There were no requests for Open Speak.

Board’s Mission Statement

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

Approval of Consent Items

2013-046

Motion made by Dr. David Whaley, seconded by Ms. Ellen Blevins, to approve the following items on the consent agenda:

Approval of July 15, 2013, EPSB Work Session Minutes

Approval of August 5, 2013, EPSB Minutes

Jefferson County Teachers Association Classroom Management Proposal

Dr. Kimberly Banta Ethics Training Proposal

2013-14 Emergency Non-Certified School Personnel Program

Vote: *Unanimous*

Report of the Executive Director

Introduction of New Staff Members

Executive Director Robert Brown introduced the agency’s newest staff members: Matt Spencer, administrative specialist for the Division of Certification; John Fields, Director of Certification

(former principal of the middle college at ECU); and James “Jimmy” Adams, Deputy Executive Director (former assistant superintendent of Jessamine County Schools)

Report from the Kentucky Department of Education (KDE)

Commissioner Holliday stated that KDE is moving forward with the implementation of the Kentucky Core Academic Standards for science. This work will be implemented through regional networks and greatly involve teachers and professors to ensure K-12 science programs are lined up with the expectations for college and career readiness.

Commissioner Holliday addressed some concerns from education professionals in the state regarding the cycle time for disciplinary cases and the 200 clinical observation hours required in teacher preparation programs. He said it is unclear to some what is permissible as clinical hours. Executive Director Brown stated that these issues will be addressed in the CEEEW Committee Update and PARC Update on the agenda.

Report from the Council on Postsecondary Education (CPE)

Mr. John DeAtley gave an update on recent events at CPE:

* CPE funded three clinical experience model sites for teacher preparation: WKU (in partnership with Bowling Green and Franklin-Simpson high schools), University of Louisville (in partnership with Jefferson County Public Schools), and ECU (in partnership with Corbin Independent Schools).

* CPE is currently developing its 2015-16 biennial budget request.

Tell Kentucky Survey

Mr. Brown reviewed some of the results of the Tell Kentucky survey for new teachers.

Commissioner Holliday asked about the progress that has been made on merging KTIP into PGES which was a topic at the July EPSB retreat. Mr. Brown stated that KACI met in August to look at this alignment and timelines, and another work session scheduled for September 17, 2013, will continue the work. A timeline on the merging of KTIP into PGES will be brought back to the board at its October meeting. Dr. Holliday stated that failure to merge KTIP into PGES by 2015-16 would require waiver requests for first year teachers.

CCSSO Grant

Mr. Robert Brown stated that at the May EPSB meeting the board had a conversation about issuing an RFP for a CCSSO grant. At this meeting the board agreed that it wanted to participate. Kentucky was selected as one of seven (7) states to potentially receive grant money. In August a Kentucky team went to Portland for training on the requirements of the grant. Mr. Brown stated that it became very apparent that Kentucky is excellently positioned to move forward with the grant as Kentucky has already met many of the goals. The memorandum of understanding (MOU) for the grant is due October 1, 2013. When the MOU is signed a national publication will be issued detailing Kentucky’s involvement in the work. Mr. Brown has been assigned as the Kentucky team lead.

Annual Report

Mr. Brown reviewed the Annual Report with the board which detailed staff's progress over the last year towards meeting the board's goals. He said the board continues to make gains despite budget cuts. On September 24, 2013, the Strategic Planning Committee plan to meet at the EPSB offices at 1:00p.m. Mr. Brown and Ms. Webb invited the board to attend the meeting as the committee discussion would include the goals and strategies and possible changes to them.

Report of the Chair

Recognition of Former Board Member

Chair Webb recognized Tom Stull for his contribution as an EPSB board member over the last 11 years. Mr. Stull stated that as a board member every decision he made was with the mindset of what is best for the kids in Kentucky. He wished everyone well.

Committee Report

Committee Lists

Chair Webb informed the board that EPSB staff is compiling a list of board appointed committees which will include committee member names and dates of appointment. Zenaida Smith stated that the EPSB Update Memos in the past included committee meeting dates. Executive Director Brown stated that he will begin placing monthly committee meeting dates in his update memo to the board. Discussion ensued regarding committee structures including when board members are informed of replacements needed on committees, regular meeting dates of committees, how items are added to the board agenda, etc. Chair Webb stated that she anticipates that the Strategic Planning Committee will develop a strategic plan that contains an efficiency component on how the board conducts business. Secretary Ashley Abshire was asked to resend the Agenda Development document to board members and Chair Webb encouraged board members to contact her if they would like an item placed on the agenda.

Nominating Committee for Chair and Vice-Chair

Committee Chair Bradley Bielski stated that a call to the board on nominations for chair and vice chair was emailed to the board on August 19, 2013, with nominations closing on August 30, 2013. At the close of nominations, Dr. Bielski polled the committee for nominations. There was one nominee for chair, Cassandra Webb, and one nominee for vice chair, Anthony Strong.

Chair Webb turned the meeting over to Vice Chair Anthony Strong. Vice Chair Strong asked the board for other nominations. There were no other nominations.

2013-047

Motion made by Mr. John DeAtley, seconded by Ms. Marie McMillen, to accept the nomination of Cassandra Webb for board chair.

Vote: 15- Yes

1 – Recuse (Cassandra Webb)

Vice Chair Anthony Strong turned the meeting over to Chair Webb.

Chair Webb asked if there were other nominations for vice chair. There were no other nominations.

2013-048

Motion made by Mr. DeAtley, seconded by Ms. Sandy Sinclair-Curry, to accept the nomination of Anthony Strong for board vice-chair.

Vote: 15 – Yes

1 – Recuse (Anthony Strong)

Committee to Ensure an Ethical Educator Workforce Updates

Committee Chair Mike Ross gave an update on CEEEW which met on Friday, September 13, 2013. He informed the board of the committee's three recommendations which are as follows:

1. Recommended adoption of the draft character and fitness form provided to the board in their folders. This form includes a requirement that applicants provide a self-financed national and state criminal background check.
2. Recommended the pilot development of an online complaint process.
3. Recommended placing a complaint form online for superintendents.

Additional items that the committee discussed included the following:

- * Standardization of meeting dates. The committee felt the board may need to revisit structure of board meeting dates next year if the new meeting schedule does not meet the board's needs.
- * Ethics training. The committee would like KACI to discuss the possibility of embedding ethics training into KTIP and PGES.

Chair Ross stated the committee could not come to a consensus on whether the board's decision on flagging certificates and suspensions on certificates should be a policy or placed into regulation. A request for an attorney general's opinion has been made by an outside agency. Board attorney Angela Evans cautioned the board that because a request was made does not mean an opinion will be issued. Chair Ross stated that until a determination is made on whether an opinion will be issued and what it is, there is little the committee can do.

Discussion ensued on data for disciplinary cases. Legal Services Director, Alicia Sneed, provided a memo to the board that included data on the current disciplinary case loads for the EPSB.

Board member questions for staff follow-up included the following:

- * Commissioner Holliday asked for the benchmark comparisons of other states on disciplinary cases. For example, what is the % of open cases and length of cycle time to resolve cases in other states?
- * Dr. Mary John O'Hair asked for the percentage of first year teachers that have open cases.

At the October board meeting Ms. Sneed will bring an information item to the board on the implementation of the CEEEW recommendations.

2013-049

Motion made by Mr. Anthony Strong, seconded by Ms. McMillen, to accept the committee's following recommendations: adopt the draft character and fitness form, begin the pilot process of an online complaint system, and adopt the superintendent complaint form to be placed online.

Vote: *Unanimous*

Swearing In of Board Member Designee

Board Secretary Ashley Abshire swore in Dr. Gregory Ross as a designee for Commissioner Holliday.

Presentation

Capstone Projects, Murray State University

Dr. Robert Lyons, Department Chair at Murray State University, introduced Erika Odham and Stacey Keown to the board. He stated that these individuals just finished their cohorts at Murray State University. These cohorts were implemented after the redesign of the principal preparation programs. As part of the program requirement, students had to complete a capstone project. The presentations for the board were the capstone projects of Ms. Odham and Ms. Keown.

Ms. Erika Odham gave a Prezi presentation to the board titled, "*Teacher Retention: Possible Solutions to a Growing Problem*". Ms. Stacey Keown gave a PowerPoint presentation to the board titled, *Improving Reading Scores through Intervention*.

Mr. John DeAtley stated that it is fulfilling to have teachers at the EPSB meeting discussing their programs and he asked that these types of presentations be a part of the EPSB's regular meetings.

Information/Discussion Items

16 KAR 6:010. Examination Prerequisites for Teacher Certification, Notice of Intent

Ms. Donna Brockman informed the board of suggested changes to 16 KAR 6:010. These changes include the following:

- The new *English Language Arts: Content and Analysis (5039)* has been regenerated from (5044) which will be discontinued.
- The new *Mathematics: Content Knowledge (5161)* has been regenerated from (5061/0061) which will be discontinued.
- The new *Middle School English Language Arts (5047)* has been regenerated from (5049/0049) which will be discontinued.
- The new *Middle School Mathematics (5169)* has been regenerated from (0069) which will be discontinued.
- ETS will discontinue the Praxis assessment *Mathematics: Proofs, Models, and Problems, Part I (0063)* August 31, 2014. At this time, the *Mathematics: Content Knowledge (5161)* will only be a required assessment for Secondary Mathematics, along with the *Principles of Learning and Teaching Grades 7-12*.
- ETS will provide computer-delivered options for several of our approved assessments. These are included in the draft of 16 KAR 6:010 (5114, 5135, 5361).

This item will be brought back to the board for final action at the October EPSB meeting.

16 KAR 5:020. Standards for Admission to Teacher Preparation, Notice of Intent

Dr. Kim Walters-Parker informed the board of suggested changes to 16 KAR 5:020.

Collectively known as the Praxis Core tests, three new Praxis tests are proposed to replace the Praxis Pre-Professional Skills Tests (PPST) in Math, Reading, and Writing. The new Praxis Core tests are Core Academic Skills for Educators: Reading; Core Academic Skills for Educators: Writing; and Core Academic Skills for Educators: Mathematics. These tests will be administered for the first time in the fall of 2013.

EPSB staff plan to inform the board of the recommended cut scores for *Praxis Core Academic Skills for Educators (CASE): Reading (5712)*, *Praxis Core Academic Skills for Educators (CASE): Writing (5722)*, and *Praxis Core Academic Skills for Educators (CASE): Mathematics (5732)* for admission to initial certification programs effective September 1, 2014, as a replacement for the PPST scores currently required by 16 KAR 5:020.

This item will be brought back to the board for final approval at the October meeting.

Update on Program and Accreditation Review Committee: PARC

Dr. Kim Walters-Parker and Dr. Margaret Moore, Assistant Professor at ECU, gave an update on PARC. The purpose of this update was to inform the board of the work PARC has done regarding revisions to the program review process, PARC's immediate next steps, and contextual factors that affect the pace at which this work can proceed. Since its formation, PARC has developed program review documents and procedures as the foundation for more efficient and more effective initial program reviews and ongoing program reporting in Kentucky. These draft documents were provided to the board under separate cover and discussed during the meeting. Where feasible, field tests were done to guide revisions of these documents, which are still in draft form. The efficient use of the documents will require a web-based application to support collaborative work in real time. Other efficiency strategies include ensuring that work is not duplicated and that only essential information is collected. Currently the program review form is being piloted. The committee will update the board at a future EPSB meeting.

Dr. Walters-Parker acknowledged the comments made earlier in the meeting about clarity needed in what is meant by school setting in relation to the required 200 clinical observation hours pursuant to 16 KAR 5:040. She stated that EPSB staff's interpretation is not that the clinical observation hours must occur during the school day. Some board members suggested placing guidelines for the clinical observation hours on the EPSB website. Dr. Walters-Parker stated explanatory notes and scenarios on the clinical observations hours for 16 KAR 5:040 do appear on the EPSB website. She also explained that staff were trying to keep flexibility within the regulation and using professional judgment for special circumstances. Dr. Mary John O'Hair asked who provides the professional judgment. Dr. Walters-Parker answered that reviewers, staff, and the board when clarification is needed. Dr. O'Hair stated that she would be willing to participate and offer professional support as well. Dr. Walters-Parker stated that Ms. Lauren Graves will send the board information to create an Edmodo account to join the EPSB group— a valuable tool being utilized for co-teaching information and the assessment for the 16 KAR 5:040 requirement for basic responsibilities of cooperating teachers/university supervisors.

Action Item

Alternative Route to Certification Application

Julie Evans: Dance, All Grades and Theatre, All Grades

2013-051

Motion made by Mr. DeAtley, seconded by Dr. Bradley Bielski, to approve the alternative route to certification application for Julie Evans.

Vote: *Unanimous*

Board Comments

The board had no comments.

**DISCIPLINARY MATTERS:
MINUTES OF CASE REVIEW
September 16, 2013**

Motion made by Ms. Ellen Blevins, 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. Anthony Strong, seconded by Mr. John DeAtley, to return to open session.

Vote: *Unanimous*

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

Brad Bielski, Barbara Boyd, Cassandra Webb, Michael Ross, Anthony Strong, Sandra Sinclair-Curry, Laura Schneider, Ellen Blevins, David Whaley, Marie McMillen, Allen Kennedy, John DeAtley, and Mary John O’Hair.

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

Initial Case Review

<u>Case Number</u>	<u>Decision</u>
1307493	Dismissed
1307491	Hear
1306383	Admonish
1306381	Admonish
1306377	Admonish
1306430	Admonish
1306444	Hear
1306395	Admonish
1306463	Defer
1307513	Hear

1307481	Hear
1305335	Hear
1307488	Hear
1305307	Hear
1305369	Hear
1306426	Hear
1306457	Hear
1306438	Admonish
1306434	Hear
1306436	Hear
1307517	Hear
1307479	Dismissed
1306387	Hear
1306391	Hear
1307515	Hear
1307561	Hear
1306428	Hear
1307503	Hear
1304281	Defer for training
1306424	Admonish
1306432	Hear
1305365	Hear
1305367	Hear
1305363	Hear
130159	Dismissed

Character/Fitness Review

<u>Case Number</u>	<u>Decision</u>
13866	Defer
13868	Approve
13894	Approve
13952	Deny
13957	Approve
13945	Approve
13974	Approve
13976	Approve
13982	Approve
13987	Deny
13993	Deny
131003	Deny
131023	Approve
131031	Approve
131050	Approve
13948	Approve

13960	Approve
13852	Deny
131056	Approve
131058	Approve
131063	Approve
13811	Deny
13835	Approve
13833	Approve
13863	Approve
13874	Approve
13890	Approve
13871	Approve
13898	Approve
13850	Approve
13920	Approve
13913	Approve
13930	Approve
13899	Approve
13843	Deny
13593	Approve
13953	Approve
13587	Approve with conditions
13982	Approve
131002	Approve
13990	Approve
131029	Approve
131035	Approve (<i>Ms. McMillen dissented</i>)
131032	Approve
131044	Approve

Agreed Orders

Case Number

Decision

130145 (Rita Dials)

Accept Agreed Order admonishing Respondent for violating KRAS 161.020. KRS 161.020(2) states, "No person shall enter upon the duties of a position requiring certification qualifications until his or her certificate has been filed or credentials registered with the local district employer." 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. When individuals take the duties of a position without appropriate certification, the individual is not only violating the law, but eroding the public's trust in the education profession.

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

1. Respondent shall provide written proof to the Board that she has received professional development/training in the area of educator certification as approved by the Board, no later than September 1, 2013. Any expense incurred for said training shall be paid by Respondent. If Respondent fails to satisfy this condition by September 1, 2013, any and all certificates issued to Respondent will automatically be suspended until such training is completed and the appropriate written proof is provided to the Board.

2. Respondent shall provide written proof to the Board that she has received twelve (12) hours of professional development/training in the area of educator certification as approved by the Board, no later than June 30, 2014. Any expense incurred for said training shall be paid by Respondent. If Respondent fails to satisfy this condition by June 30, 2014, 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. With any application for certificate renewal or additional areas of certification, Respondent shall provide proof that she is properly certified for her current employment. Should Respondent violate this condition, Respondent's certificate shall not be renewed, nor shall any additional certification be granted until the proof has been received. If Respondent is employed in a position for which she is not properly certified, Respondent's certificate shall be automatically suspended and a new disciplinary case initiated against Respondent. The certificate shall remain suspended until resolution of the new disciplinary case. 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*

1304283 (Michelle Lowe)

Accept Agreed Order suspending Respondent's certificate for a period of thirty (30) days beginning March 29, 2013. Respondent shall surrender the original certificate and all copies of her certificate to the EPSB, by delivering or mailing them to 100 Airport Road, 3rd Floor, Frankfort, Kentucky 40601.

Respondent is also admonished for conduct unbecoming a teacher. Pawning a district owned computer is not only unethical, it also creates a risk of disclosure of confidential

student information. The Board will tolerate no further acts of misconduct by Respondent.

Respondent shall provide written proof, on or before June 1, 2014, that she has completed six (6) hours of Board approved ethics training. Should Respondent fail to provide proof of the training by June 1, 2014, her certificate shall be suspended and shall remain so until she has provided proof of the training.

Vote: *Unanimous*

1208495 (Barttina Wilkins) Accept Agreed Order admonishing Respondent for using inappropriate language in the classroom. As an educator, Respondent has a duty to maintain the dignity and integrity of the profession and to refrain from subjecting students to embarrassment or disparagement. The Board expects Respondent to uphold the Professional Code of Ethics for Kentucky Certified School Personnel in the future. Prior to accepting certified employment in any school district in the Commonwealth of Kentucky, Respondent shall provide written proof to the Board that she has successfully completed twelve (12) hours of professional development/training, as approved by the Board, in the areas of teacher ethics and classroom management. Any expense for this training shall be paid by Respondent. Should Respondent fail to comply with this provision, her certificate shall be automatically suspended until Respondent completes the required training and provides the appropriate written proof to the Board.

Vote: *Unanimous*

1210614 (Kevin Cox) Accept Agreed Order admonishing Respondent for engaging in inappropriate physical interactions with a student and for acting aggressively in the classroom. A teacher in the Commonwealth of Kentucky has a duty to protect the health, safety, and welfare of students and must remain aware of the line between appropriate and inappropriate physical interaction when disciplining a student. The Board reminds Respondent that, as a teacher, he has a duty to maintain the dignity and integrity of the profession and to set a positive example for his students. 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. By August 1, 2014, Respondent shall provide written proof to the Board that he has successfully completed six (6) hours of professional development or training, as approved by the Board, in anger and/or conflict management. 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. By August 1, 2014, Respondent shall provide written proof to the Board that he has successfully 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. 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. For the entirety of the probationary period, Respondent shall remain under the care of a licensed medical practitioner, as approved by the Board, and shall provide the Board with annual written reports from such practitioner certifying that he is following all recommended treatment, including taking all medications as prescribed. The annual written reports shall be due by August 1st of each year of the probationary term. Any expense incurred for the assessment, treatment and/or written reports shall be paid by Respondent. If Respondent fails to comply with the requirements of this paragraph on or before August 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.

4. For the entirety of the probationary period, Respondent shall receive no disciplinary action involving inappropriate contact with a student. "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, 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*

0911624 (Marietta Abner)

Accept Agreed Order retroactively suspending Respondent's certificate for a period of two (2) years beginning on December 7, 2009. 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.

Prior to reinstatement of Respondent's certificate at the conclusion of the two (2) year suspension, Respondent shall undergo a comprehensive alcohol/substance abuse assessment by a Kentucky licensed and/or certified chemical dependency counselor as approved by the Board and shall present written evidence to the Board that she has complied with the assessment process and has successfully completed any and all treatment recommendations. Any expense for the assessment, treatment and/or written reports shall be paid by Respondent. Should Respondent fail to satisfy this condition, the Board shall not reinstate Respondent's certificate.

Prior to or within one (1) year of accepting employment in any school district in the Commonwealth of Kentucky, Respondent shall submit written proof to the Board that she 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. Should Respondent fail to satisfy this condition, Respondent's certificate shall be suspended until Respondent is in compliance.

Immediately upon accepting employment in any school district in the Commonwealth of Kentucky, Respondent shall be subject to the following probationary conditions for a period of three (3) years:

1. For the entirety of the probationary period, Respondent shall immediately submit to any random drug testing that is requested by the Board and shall have no positive drug tests. Any expense for said testing shall be paid by the Respondent. Failure to comply with this condition will result in an automatic one (1) year suspension of

Respondent's certificate. 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.

2. For the entirety of the probationary period, Respondent shall receive no disciplinary action involving conduct unbecoming a teacher and/or neglect of duty. "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. Failure to comply with this condition will result in an automatic one (1) year suspension of Respondent's certificate.

3. For the entirety of the probationary period, 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 an automatic one (1) year suspension of Respondent's certificate.

4. For the entirety of the probationary period, Respondent shall submit current national and state criminal background reports to the Board with any application for renewal of her certification(s) and/or for additional certification(s). Any expense for the national and state criminal background reports 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 either during or following this three (3) year period of probationary conditions, the Board shall initiate new disciplinary action and seek additional sanctions.

Vote: *Unanimous*

1203217 (Tracey Glass-Lamb) Accept Agreed Order dismissing Case Number 12-03217 without prejudice.

Vote: *Unanimous*

1212813 (Keath Lambert) Accept Agreed Order suspending Respondent's certificate for a period of one hundred eighty (180) 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.

Re-statement of Respondent's certificate at the end of the one hundred eighty (180) day suspension period is

conditioned upon Respondent submitting proof that he has undergone a comprehensive alcohol/substance abuse assessment by a Kentucky licensed or certified chemical dependency counselor, as approved by the Board. Respondent shall also submit written proof to the Board that he has successfully completed any and all treatment recommendations. If Respondent is not able to complete all treatment recommendations by the end of the suspension period, he shall submit written progress reports from his chemical dependency counselor on January 1st and July 1st 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.

Upon reinstatement, Respondent's certificate shall be subject to the following probationary conditions for a period of five (5) years:

1. By March 1, 2014, Respondent shall submit written proof to the Board that he has completed twelve (12) hours of professional ethics training, 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.
2. During the probationary period, Respondent shall not be convicted of any crime involving the use and/or possession of any controlled substance or alcohol. 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 state and federal criminal background check, by August 1 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*

1212817 (Margaret Reece) Accept Agreed Order reminding Respondent that, as a certified educator, she must strive to uphold the responsibilities of the teaching profession by taking reasonable measures to protect the health, safety, and emotional well-being of students and by creating and maintaining a positive learning environment in the classroom. On or before January 1, 2015, Respondent shall provide written proof to the Board that she has successfully completed twelve (12) hours of professional development/training, as approved by the Board, in the areas of teacher ethics and classroom management. Any expense for this training shall be paid by Respondent. If Respondent fails to satisfy this condition on or before January 1, 2015, her certificate shall be automatically suspended until such training is completed and the appropriate written proof is provided to the Board.

Vote: *Unanimous*

1211667 (Pascal Bailey) Accept Agreed Order admonishing Respondent for displaying a lack of professional judgment in her interactions with students. As a certified educator, Respondent shall strive to uphold the responsibilities of the teaching profession by maintaining a positive learning environment in her classroom and by treating all students with respect. Further, the Board reminds Respondent that teachers have a duty to keep in confidence information about students which has been obtained in the course of professional service. 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. Respondent's certificate, including any and all endorsements, is hereby subject to the following probationary conditions for a period of two (2) years from the date the Board accepts this Agreed Order:

1. On or before July 1, 2014, Respondent shall submit written proof to the Board that she has successfully 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 required 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. For the entirety of the probationary period, Respondent shall receive no disciplinary action from any school district in which she is employed. "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 the tribunal and/or arbitration process. If Respondent fails to satisfy this condition, 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 she 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*

130187 (Rodney Estes)

Accept Agreed Order admonishing Respondent for conduct unbecoming a teacher. As a certified educator, Respondent has a duty to maintain the dignity and integrity of the profession and to refrain from engaging in dishonest and fraudulent behavior. Further, Respondent is reminded that he is required to complete yearly professional development and failure to do so constitutes neglect of his teaching duties. 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 on probation for a period of two (2) years.

1. On or before July 1, 2014, Respondent shall provide written proof to the Board that he has successfully completed twelve (12) hours 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 comply with the requirements of this paragraph on or before July 1, 2014, Respondent's certificate shall be automatically suspended until Respondent submits the required written proof to the Board.

2. For the entirety of the probationary period, Respondent shall receive no disciplinary action involving conduct

unbecoming a teacher or neglect of duty. "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. If Respondent fails to comply with the requirements of this paragraph, Respondent's certificate shall be automatically suspended for a period of one (1) year.

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*

1212775 (Keith Olson)

Accept Agreed Order suspending Respondent's certificate for a period of forty-five (45) 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.

Upon reinstatement, Respondent's certificate shall be subject to the following probationary conditions for a period of two (2) years:

1. On or before January 1, 2014, Respondent shall submit written proof to the Board that he has completed twelve (12) hours of professional ethics training, 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.

2. On or before January 1, 2014, Respondent shall submit written proof to the Board that he has completed training in the area of sexual harassment, 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.

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*

1306442 (Charles Brooks Jr.) Accept Agreed Order in which Respondent agrees to provide written proof, on or before July 1, 2014, that he has

successfully completed the diversion agreement in Wolfe District Court Case Number 13-M-0071. Should Respondent fail to satisfy this condition, the case shall be reopened and the Board may take further action.

Vote: *Unanimous*

1211680 (Peggy Hall)

Accept Agreed Order Respondent has retired from the education profession and has no plans to return to the classroom. Should Respondent decide to return to the classroom, she must complete the following conditions prior to applying for or accepting a certified position:

1. Respondent shall provide written proof to the Board that she has received twelve (12) hours of profession ethics training, as approved by the Board. Any expense for this training shall be paid by Respondent.
2. Respondent shall provide written proof to the Board that she has completed six (6) hours of professional development in the area of special education law compliance and implementation, as approved by the Board. Any expense for this training shall be paid by Respondent. If Respondent fails to complete the mandated training prior to returning to the classroom, her certificate shall be automatically suspended for a period of one (1) year. At the conclusion of the one (1) year suspension, reinstatement of Respondent's certificate shall be conditioned upon Respondent providing written proof to the Board that she has completed the ordered training. 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*

0911569 (Gary Sanders)

Accept Agreed Order suspending Respondent's certificate for a period of thirty (30) days from June 10, 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. Additionally, Respondent shall submit proof that he completed professional development or training in cultural competency or diversity issues. Respondent shall supply the proof of completion of the training by September 1, 2014. Any expense required for said training shall be paid by Respondent. If Respondent fails to comply with any of the above conditions, his certificate shall be automatically suspended

until he complies with the condition.
Respondent is aware that should he violate KRS 161.120 in the future, the Board shall initiate a new disciplinary action and seek additional sanctions against his certificate.

Vote: *Unanimous*

Recommended Order

Case Number

05-12221 (Reginald Siler)

Decision

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 Mr. Kennedy, seconded by Mr. DeAtley, to adjourn the meeting.

Vote: *Unanimous*

Meeting adjourned at 3:00 p.m.

Next Meeting: October 28, 2013

9:00 AM

EPSB Board Room

Frankfort, Kentucky