

The actions delineated below were taken in open session of the EPSB at the January 9, 2012 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
January 9, 2012
Consent Item A**

Call to Order

Chair Cathy Gunn called the meeting to order at 9:00 a.m. EST.

Swearing-In of New Board Member

Executive Secretary Ashley Abshire swore in the EPSB's newest board member, Brandy Beardsley, and then Ms. Beardsley introduced herself to the board. She stated that she is a second grade teacher from Madison County and has three small children. Ms. Beardsley expressed her delight to be appointed to the board.

Roll Call

The following members were present during the January 9, 2012, EPSB meeting: Brandy Beardsley, Bradley Bielski, Barbara Boyd, Ellen Blevins, Michael Dailey, John DeAtley, Cathy Gunn, Allen Kennedy, Marie McMillen, Zenaida Smith, Anthony Strong, Tom Stull, Mark Wasicsko, Cassandra Webb, and Lorraine Williams. Sandy Sinclair-Curry was absent.

Open Speak

There were no requests for Open Speak.

Approval of Consent Items

Chair Gunn requested that board members identify any items on the consent agenda that they wished to discuss prior to taking final action. No items were identified.

2012- 001

Motion made by Ms. Marie McMillen, seconded by Mr. Anthony Strong, to approve the following items on the consent agenda:

Approval of October 17, 2011 EPSB Minutes

Approval of Contracts

Integrated Music, Grades P-12 (Bachelor's Level), Lindsey Wilson College

Gifted Endorsement, Grades P-12 (Advanced Level), University of Louisville

Vote: *Unanimous*

Dr. Kim Walters-Parker recognized representatives from Lindsey Wilson College and the University of Louisville, whose programs were approved.

Report of the Executive Director

Possible 7%- 9% Budget Reduction

Dr. Rogers announced to the board that the Education and Workforce Development Cabinet asked EPSB staff to submit a plan for a possible 7%-9% budget reduction in the 2013-2014 budget years. He reported to the board that a 9% budget reduction would result in an overall agency budget reduction of 46.1% since 2008 – nearly 4.5 million dollars. Dr. Rogers further stated that Mr. Robert Brown will discuss the agency's plan to achieve these possible reductions in his report on the Teachers' National Certification Incentive Trust Fund under action items.

Board Member Resignation

Dr. Rogers announced Vice Chair Lynn May's resignation from the board due to family health problems. He stated that she had been an outstanding board member. Her resignation has been sent to the Governor's office, and a new high school teacher will be appointed soon to replace Ms. May.

Report from the Kentucky Department of Education

Mr. Michael Dailey reported on recent events at KDE.

- Kentucky was one of three states awarded the Race to the Top Phase 3 Grant. Although the grant amount (\$17 million) is significantly less than the original \$175 million request, KDE is pleased to gain funds to implement Senate Bill 1 initiatives and expand AdvanceKY sites. KDE will use state and district allocations to implement professional development and resources for Senate Bill 1.
- The Continuous Instructional Improvement Technology System, or CIITS, is a multi-phase, multi-year project designed to provide Kentucky public school educators with the resources aligned to standards which support highly effective teaching and learning in every classroom in Kentucky. CIITS went live statewide on August 1, 2011. CIITS gives teachers the ability to plan, design, and schedule lessons using the characteristics of highly effective teaching and learning as well as create and administer classroom assessments with the use of a test item bank that includes more than 11,000 items linked to standards. Educators can easily analyze the test results to identify student learning gaps and inform next steps for instruction. CIITS will be continuously evolving. Upcoming plans call for the following:
 - Additional instructional resources developed by Kentucky's Leadership Networks and national vendors
 - Additional student data elements from Infinite Campus
 - PLAN, EXPLORE, ACT, and summative End-of-Course and K-PREP state test data uploaded into the system as it is available
 - The addition of a module to support teacher and leader effectiveness and professional development (later phase of the project)
- The Measures of Effective Teaching (MET) project is a research partnership of academics, teachers, and education organizations committed to investigating better ways to identify and develop effective teaching. Mr. Dailey mentioned two recent key findings in the second report of the study – the frequency of observations and the value of feedback. These key findings were a critical component in showing growth in student performance. Kentucky was fortunate to be one of three states that had an opportunity to go to Washington D. C. and listen to the report.

Report from the Council on Postsecondary Education

Mr. John DeAtley reported on recent events at CPE.

- Just like the EPSB, CPE is preparing for a possible 7-9% budget cut.
- CPE was recently awarded a three-year grant totaling \$720,000 from Rockefeller Philanthropy Advisors to improve college readiness. Kentucky was one of ten states selected. The grant program, called Core to College: Preparing Students for College Readiness and Success, aims to foster long-term collaborations between state higher education and P-12 entities that will improve student achievement and college readiness. The focus is on using the Common Core State Standards and assessments to establish a statewide definition of college readiness and set of college readiness indicators to signal a student's preparedness for credit-bearing college courses.

Data Dashboard Update

Dr. Rogers informed the board that constituents' feedback on the data dashboard in its developmental phase was positive but included suggested changes. Staff is currently working on making these changes. Dr. Rogers said he will send a link to the updated data dashboard for the board and deans to review once it is complete.

Local Educator Assignment Data (LEAD) Report

Mr. Mike Carr reported to the board that 2011 was an outstanding season for LEAD with very few problems remaining. Mr. Carr recognized and thanked Ms. Cindy Godsey for her hard work on the LEAD report.

Update on Unbridled Learning (SB1 2009) Initiatives: A Report on Teacher Preparation Program Participation in the Information and Use of the Revised Kentucky Core Academic Standards

Ms. Linda Nickel gave an update on Unbridled Learning (SB1 2009) Initiatives. In this update, she discussed the progress on two of the EPSB's Unbridled Learning responsibilities.

The first EPSB responsibility was that, in collaboration with KDE and CPE, the EPSB shall lead coordinated information and training sessions on revised content standards for faculty and staff in all teacher preparation programs. Ms. Nickel stated that all teacher preparation programs will provide documentation of attendance at CPE and campus-based information/training sessions on the Kentucky Core Academic Standards for Mathematics and Language Arts/English. Ninety-five percent of all teacher preparation program faculty members have received Unbridled Learning information and training.

The second EPSB responsibility discussed was the EPSB shall ensure that teacher preparation programs include the use of academic standards in the pre-service programs and that all teacher interns have experience planning classroom instruction based on the revised standards. Ms. Nickel stated that 29 of 30 teacher preparation programs have documented evidence of the use of the academic standards in the pre-service programs and that all teacher interns have experience planning instruction based on the revised standards.

Nomination Committee

Chair Cathy Gunn nominated herself as chair of the nominating committee for vice chair and appointed Ms. Lorraine Williams and Mr. Allen Kennedy to serve on the committee. She said that the committee will nominate a vice chair at the March EPSB meeting.

Executive Director's Contract

Chair Gunn stated that Dr. Rogers has agreed to a four-year contract beginning January 2013 through December 2016, to be signed after the meeting. She said that although Dr. Rogers requested no salary increase since state employees did not receive a pay increase, she would like to revisit the issue at the October meeting if there is a pay increase for state workers in the second year of the biennium.

Report of the Chair

Committee Reports

Kentucky Advisory Council for Internships

Mr. Brown and Dr. Sharon Brennan, chair of the Kentucky Advisory Council for Internships (KACI), gave a report to the board on behalf of KACI. Mr. Brown stated that at the last KACI meeting, issues with the administration of KTIP relating to the Teacher Performance Assessment (TPA) were discussed. He said that last year was the first time spring interns used the TPA in KTIP, and unforeseen issues arose during this time. Dr. Brennan stated that local schools implemented the TPA depending upon the amount of time after hire, the schedules of the KTIP committees, and the interns' abilities. This led to some interns' completing different cycles and tasks during the following fall, which is problematic with having spring internships. Also, interns rehired in different schools in the fall had a wide range of tasks and cycles to complete due to the inconsistent nature of the spring internships. It was difficult for interns to complete two cycles due to variations in when teachers are hired in the new year.

Dr. Brennan further explained that the current format of the internship requires all interns to accomplish specific tasks based upon the Kentucky Teacher Standards. During the last KACI meeting, the possibility of streamlining Task D (Collaboration) and Task F (Leadership) was discussed as well as examining possible redundancies within the other tasks. Tasks D and F could possibly be designed as reflective tasks based upon ongoing leadership initiatives in which the intern is involved.

Mr. Brown stated that if the board agrees, KACI would like to meet with constituent groups and conduct focus groups regarding the streamlining of these tasks. Ms. Lorraine Williams responded that this is a good time to move toward a more comprehensive approach to collaboration and leadership. She also said that she would like this group to examine the timing of the unit of study, which is currently not included until the 3rd cycle. She would like to see earlier unit development for interns.

Presentation

Review of Ethical Guidelines for Boards and Commissions

John Steffen, the executive director of the Executive Branch Ethics Commission, reviewed the ethical guidelines for the board. He stated that Governor Beshear requested that all boards and commissions governed by this statute be retrained on the ethical guidelines.

Information/Discussion Items

Meeting Policy, Notice of Intent

Ms. Ashley Abshire explained to the board a proposed new policy for board meetings. This proposed policy includes a timeline for when board meeting materials will be made available to

the board and the public as well as information on how a board member may request a paper format of the board meeting materials. It also states that a board member may request the use of an agency laptop if a home computer is not available for his/her use. This information item will be brought back at the March meeting for possible final action.

Mid-Year Budget Report

Ms. Abshire gave a mid-year budget report to the board. She stated that the total agency expended budget amount is slightly less than 50% because many large payments such as cooperating teacher stipends are made in the third and fourth quarter of the budget year.

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

Mr. Carr reported to the board that at the November retreat, the board discussed the inequity which will occur among Kentucky administrative candidates in the future in light of the closure of all master's degree level principal preparation programs in the Commonwealth. The board asked staff to bring forward regulatory changes to address this situation.

Mr. Carr reviewed all of the proposed changes in the regulation, which would require the same type of preparation program for candidates educated in Kentucky and those educated out of state. These changes would prevent a Kentucky teacher from obtaining a master's level principal certificate in a surrounding state and then presenting that certificate to the EPSB for a similar Kentucky certificate, thus gaining as much as a five-year employment advantage over those candidates who prepared at a Kentucky institution. The regulation also provides clarification of the criteria used by the EPSB when evaluating teacher certification candidates who prepared out of state. The proposed regulation will be placed on the March agenda for possible final action.

Action Items

Amendment to the EPSB's Cut Score Framework Procedure, Final Action

2012-002

Motion made by Dr. Mark Wasicsko, seconded by Ms. Zenaida Smith, to approve the proposed cut score framework.

Vote: *Unanimous*

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

2012-003

Motion made by Ms. McMillen, seconded by Dr. Wasicsko, to approve the proposed amendments to 16 KAR 6:010.

Vote: *Unanimous*

Teachers' National Certification Incentive Trust Fund

Mr. Robert Brown reported to the board that, despite earlier information, staff has been notified that some federal subsidies may be available this year. Staff will know by March or April the amount of federal subsidies available.

Mr. Brown reiterated Dr. Rogers' previous comment that state agencies have been notified of a likely 7-9% budget cut for 2013-2014. Mr. Brown said that if these cuts occur, there will be no Teachers' National Certification Incentive Trust Funds available for 2012. A budget analysis has

concluded, however, that funds will be available to reimburse those who enrolled into the Teachers' National Certification Incentive Trust Fund in 2011.

If the EPSB must reduce its budget by 7-9% and therefore must suspend enrollment into the Teachers' National Certification Trust Fund, applicants may proceed with obtaining their National Board Certification and may continue to receive federal subsidies if available. They would not, however, receive the 75% reimbursement of their initial certification. Individuals may still apply for the Teachers' National Certification Incentive Trust Fund, but they will be placed on a waiting list until the state budget is approved.

Ms. Zenaida Smith had questions regarding the World Languages National Board Certification test and asked Mr. Brown to gather some information for her.

2012-004

Motion made by Mr. Tom Stull, seconded by Ms. Lorraine Williams, to suspend enrollment into the Teachers' National Certification Incentive Trust Fund until the 2012-2014 biennium budget allotments are finalized.

Vote: *Unanimous*

2012-005

Motion made by Mr. Stull, seconded by Ms. Williams, that should funding become available, the board shall approve the recommendation to limit the number of National Board candidates participating in the Teachers' National Certification Incentive Trust Fund and approve waiving 16 KAR 1:040 Section 2 (2).

Vote: *Unanimous*

Approval of Deputy Executive Director's Job Description and Salary

Dr. Rogers said that the Deputy Executive Director position will not be filled until a budget is known. He explained his proposal that the duties for this position change to include the need for an individual with a strong background in managing data and reporting systems.

2012-006

Motion made by Dr. Brad Bielski, seconded by Ms. Williams, to approve the proposed job description and duties, salary, and tentative timeline for filling the vacancy.

Vote: *Unanimous*

Board Comments

There were no board comments.

**DISCIPLINARY MATTERS:
MINUTES OF CASE REVIEW
January 9, 2012**

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

Vote: *Unanimous*

Motion made by Ms. Williams, seconded by Ms. McMillen, to return to open session.

Vote: *Unanimous*

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

Lorraine Williams, Tom Stull, Bradley Bielski, Cathy Gunn, Michael Dailey, John DeAtley, Anthony Strong, Allen Kennedy, Barbara Boyd, Zenaida Smith, Marie McMillen, Brandy Beardsley, Ellen Blevins, and Mark Wasicsko.

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

Initial Case Review

<u>Case Number</u>	<u>Decision</u>
1107540	Hear
1108621	Hear
1108577	Hear
1109759	Defer for training
1110768	Hear
1110817	Admonish
1109761	Hear
1110791	Hear
1110783	Defer for training
1108605	Admonish
1109708	Admonish
1110777	Admonish
1110775	Admonish
1108613	Hear
1109681	Dismissed
1108594	Hear
1109723	Admonish
1109683	Dismissed
1109685	Dismissed
1109677	Hear
1109669	Hear
1109671	Hear
1108609	Defer for training
1109675	Hear
1109687	Hear
1109673	Hear
1108611	Hear
1107521	Hear
1109743	Admonish
1109739	Hear
1109717	Dismissed
1110766	Hear

1110779	Hear
1111862	Hear
1011800	Admonish
1108581	Hear
1110795	Admonish
1106467	Admonish
1111824	Hear
1110781	Hear
1107538	Admonish
1108596	Hear
1108660	Hear
1108665	Admonish
1109733	Admonish
1109741	Admonish
1111832	Hear
1106455	Hear
1108619	Hear
1109726	Hear
1109728	Hear
1110799	Hear
1111868	Hear
1109720	Dismissed
1109735	Admonish
1107487	Hear
1108647	Hear
1108663	Hear
1109689	Hear
1109745	Hear
1110793	Admonish
1109711	Hear
1109713	Hear
1110770	Hear
1108645	Hear
1108641	Hear
1108639	Hear
1108643	Hear
1107545	Dismissed
1108656	Hear (<i>Mr. Strong recused</i>)
1109749	Hear
1109747	Admonish
1011718	Admonish
0903117	Dismissed
1106441	Dismissed
1106379	Defer
1011746	Dismissed
1107543	Dismissed

100266	Dismissed
100268	Dismissed

Character/Fitness Review

<u>Case Number</u>	<u>Decision</u>
11937	Approve
11895	Approve
11943	Approve
11949	Approve
11959	Approve
11955	Approve
11954	Approve
11951	Approve
11953	Approve (<i>Ms. McMillen dissented</i>)
11974	Approve
11946	Approve
11975	Approve
11964	Approve
11977	Approve
11979	Approve
11967	Deny
11948	Approve
11980	Approve
11986	Approve
11904	Deny
11987	Approve
11990	Approve
11991	Approve
11994	Approve
11996	Approve
111001	Approve
111002	Approve
111004	Approve
111006	Approve
111005	Approve
111007	Approve
111011	Approve
111008	Approve
111014	Approve
11984	Approve
111029	Approve
111033	Approve
111032	Approve
111034	Approve
111023	Approve

111045	Approve
111031	Approve
111040	Approve
111047	Defer
122	Approve
121	Approve
11957	Deny
111049	Approve
111020	Defer
11970	Deny
111051	Approve

Agreed Orders

Case Number

Decision

060119 (Donald Roberson) Accept Agreed Order which states that Respondent's teaching certificate has lapsed. Respondent shall neither apply for, nor be issued, a teaching and/or administrative certificate in the Commonwealth of Kentucky for a period of ten (10) years from the date this order is approved by the Board.

Re-issuance of a certificate after the ten (10) year period is expressly conditioned upon Respondent providing written proof to the Board that he has completed twelve (12) hours of professional development/training in ethics with an emphasis on student/teacher boundaries. Should Respondent fail to provide proof of this training, his certificate shall not be re-issued. Any expense for this training shall be paid by Respondent.

Vote: *Unanimous*

1106413 (Olivia Farris) Accept Agreed Order admonishing Respondent for using unprofessional language with staff and for presenting a lesson that was grossly inappropriate and inaccurate. An educator has a duty to teach subject matter that is relevant and does not denigrate other cultures. By indicating to her class that human fetuses are eaten in China, Respondent failed in this duty. The Board will not tolerate any further acts of misconduct by Respondent.

As part of this Agreed Order, Respondent shall provide written proof, on or before August 1, 2012, that she has completed six (6) hours of board-approved professional development/training in cultural diversity, and six (6) hours of board-approved professional development/training in anger management. If Respondent does not meet these

training requirements, her teaching certificate shall be suspended and will remain so until she provides proof of the requirements.

Vote: *Unanimous*

070480 (Phyllis Sanders)

Accept Agreed Order revoking Respondent's certificate for a period of five (5) years beginning April 16, 2007. Upon acceptance of this agreement by the Board, Respondent shall immediately 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.

In addition to any educational requirements, issuance of a Kentucky teaching or administrative certificate to Respondent, or on her behalf, at the conclusion of the five (5) year revocation period is expressly conditioned upon Respondent providing written evidence to the Board, at the time of application, that she has complied with the following:

Respondent shall complete twelve (12) hours of professional development/training in the area of ethics as approved by the Board. Any expense incurred for the program shall be paid by Respondent.

Vote: *Unanimous*

1103154 (Howard Stivers)

Accept Agreed Order admonishing Respondent for touching students in a way that made them feel uncomfortable. While there is no indication that Respondent engaged in sexually related behavior, the Board reminds Respondent that he must not put himself in situations that may be misinterpreted by students. The Board will tolerate no further acts of misconduct by Respondent.

Respondent is retired. Should Respondent decide to return to the classroom in the future, he must complete the following conditions prior to accepting a position which requires teacher certification:

Respondent shall provide written proof to the Board that he has received (12) hours of ethics training, with an emphasis on proper student/teacher boundaries. Should Respondent violate this condition, his 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*

1103188 (Damian Gerlach)

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*

110274 (Carrol Rice)

Accept Agreed Order in which Respondent voluntarily, knowingly, and intelligently surrenders her teaching certificate, number 200233073, 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 her certificate, by personal delivery or first class mail, to the Education Professional Standards Board, 100 Airport Road, 3rd Floor, Frankfort, Kentucky 40601.

Vote: *Unanimous*

1008474 (Kimberley Mathis)

Accept Agreed Order admonishing Respondent for exhibiting a lack of professional judgment in her interactions with students. As a certified educator, Respondent must treat each student with dignity and respect by establishing and maintaining appropriate emotional and physical boundaries. In the future, the Board expects Respondent to uphold the Professional Code of Ethics for Kentucky Certified School Personnel. Certificate Number 199702119, including any and all endorsements, is hereby subject the following permanent probationary conditions:

1. On or before January 1, 2012, Respondent shall provide written proof to the Board that she has been assessed by a state certified mental health counselor approved by the Board and is competent to fulfill her duties as an educator. Respondent shall provide proof that she has complied with any treatment recommendations proposed by the mental health counselor and shall continue to provide treatment records to the Board until she 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 comply with the requirements of this paragraph on or before January 1, 2012, Certificate Number 199702119, and any future endorsements or new areas of certification, shall be automatically suspended until Respondent submits the required written proof to the Board.

2. On or before July 1, 2012, Respondent shall provide written proof to the Board that she has successfully completed twelve (12) hours of ethics training which shall

include instruction on appropriate teacher/student boundaries. 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, 2012, Certificate Number 199702119, and any future endorsements or new areas of certification, shall be automatically suspended until Respondent submits the required written proof to the Board.

3. For the entirety of the probationary period, Respondent shall receive no disciplinary action involving teacher/student boundaries. "Disciplinary action" is defined as any suspension, termination, or public reprimand issued by any school district in the Commonwealth of Kentucky and upheld, if requested, by either a tribunal and/or arbitration process. If Respondent fails to comply with the requirements of this paragraph, Certificate Number 199702119, and any future endorsements or new areas of certification, shall be automatically permanently revoked. Respondent is aware that should she violate KRS 161.120, either during or following this permanent probation, the Board shall initiate new disciplinary action and seek additional sanctions.

Vote: *Unanimous (Ms. McMillen and Mr. DeAtley dissented)*

1010620 (John Montgomery) Accept Agreed Order in which 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, Certificate Number 199801805 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*

11305 (James Huffman)

Accept Agreed Order which states that, upon acceptance of this agreement by the Board, Respondent shall be issued a Kentucky teaching certificate upon providing proof that he has met the academic and testing requirements necessary for issuance of a certificate; however, any and all certificates issued to Respondent by the Board shall be subject to the following conditions:

1. Prior to accepting a position that requires Kentucky certification, Respondent shall undergo an anger management assessment by a licensed clinical provider, 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 all treatment recommendations. Any expense for the assessment, 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. By June 1, 2012, 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. Failure to comply with this condition will result in Respondent's certificate being automatically suspended until Respondent is in compliance.

3. Respondent shall submit a copy of his current criminal record, as prepared by the Kentucky State Police using Respondent's name, Social Security number and fingerprints, with any application for renewal of his certification(s) and/or for additional certification(s). Any expense required to satisfy this condition shall be paid by Respondent. Failure to comply with this condition will result in the denial of all applications for renewal and/or additional certification(s) submitted by Respondent or on his behalf.

Vote: *Unanimous*

11202 (Dana Kelly) 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; however, any and all certificates issued to Respondent by the Board shall be subject to the following probationary conditions:

For a period of eighteen (18) months beginning the date of issuance of a certificate to Respondent, Respondent shall provide written progress reports from a licensed clinical provider, as approved by the Board, stating that she is maintaining the counseling relationship and following all treatment recommendations, including but not limited to taking all medications as prescribed. Such reports shall be due on or before July 1st and January 1st of each year. Any expense associated with this condition 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.

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

1. With any application for renewal of her certification(s) and/or for additional certification(s), Respondent shall

provide a written progress report from a licensed clinical provider, as approved by the Board, stating that she is maintaining the counseling relationship and following all treatment recommendations, including but not limited to taking all medications as prescribed. Any expense associated with this condition shall be paid by Respondent. Failure to comply with this condition will result in the denial of all applications for renewal and/or additional certification(s) submitted by Respondent or on her behalf.

2. With any application for renewal of her certification(s) and/or for additional certification(s), Respondent shall submit current national and state criminal background reports to the Board. Any expense associated with this condition shall be paid by Respondent. Failure to comply with this condition will result in the denial of all applications for renewal and/or additional certification(s) submitted by Respondent or on her behalf.

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. Failure to comply with this condition will result in Respondent's certificate being automatically suspended for further action by the Board.

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

Vote: *Unanimous*

1106453 (Jeremy Blair)

Accept Agreed Order revoking Respondent's certificate for a period of ten (10) years from the date this order is approved by the Board. Respondent shall surrender the original certificate and all copies of his certificate to the EPSB, by delivering or mailing them to 100 Airport Road, 3rd Floor, Frankfort, Kentucky 40601.

In addition to any educational requirements, issuance of a certificate to Respondent at the end of the ten (10) year revocation period is conditioned upon the following:

1. Respondent must provide proof that he has completed twelve (12) hours of Board- approved professional development/training with an emphasis on ethics and student/teacher boundaries.

2. Respondent shall submit a criminal background check. If there are any new convictions, other than minor traffic violations, since the charge that was the basis for this case, Respondent's certificate will not be reinstated.

Vote: *Unanimous*

1004198 (Jonathan Light)

Accept Agreed Order suspending Respondent's certificate for a period of two (2) years beginning July 20, 2010. 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. Prior to the reinstatement of Respondent's certificate at the conclusion of the two (2) year suspension period, Respondent shall comply with the following:

1. Respondent shall undergo a comprehensive alcohol/substance abuse assessment by a 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 successfully completed any and all treatment recommendations proposed by the chemical dependency counselor. Respondent shall also submit quarterly written progress reports from his chemical dependency counselor until such time as the counselor releases him from treatment. Any expense for the assessment, treatment and/or written reports shall be paid by Respondent.
2. Respondent shall submit written proof to the Board that he has completed twelve (12) hours of professional ethics training, with an emphasis on teacher/student boundaries and sexual harassment awareness, as approved by the Board. Any expense required for said training shall be paid by Respondent.

Vote: *Unanimous*

11435 (Lamont Jenkins)

Accept Agreed Order which states that Respondent shall be issued an emergency substitute certificate on the following conditions:

1. Respondent shall provide proof, at the beginning of each school term, that he is actively enrolled and taking classes in a teacher education program, and is working towards a degree in education. If Respondent has not obtained a degree by December 31, 2014, any application by Respondent, or on his behalf, for emergency substitute certificate will be denied thereafter.
2. At the beginning of each school term, Respondent must submit a copy of his current criminal background check. If there are any new convictions, other than minor traffic violations, Respondent's certificate will be revoked.
3. Respondent must keep his address current with the Education Professional Standards Board.

Vote: *Unanimous*

1105309 (Elliott Shifflett) 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*

0912656 (Allison Brant) Accept Agreed Order in which Respondent voluntarily, knowingly, and intelligently surrenders her teaching certificate, number 200205139, 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 her certificate, by personal delivery or first class mail, to the Education Professional Standards Board, 100 Airport Road, 3rd Floor, Frankfort, Kentucky 40601.

Vote: *Unanimous*

1107536 (Blair Winders) Accept Agreed Order admonishing Respondent for conduct unbecoming a teacher. The Board reminds Respondent that, as a teacher, he has a duty to uphold the dignity and integrity of the teaching profession. Driving under the influence of alcohol is not only dangerous; it is also a horrible example to set for students. The Board will tolerate no further incidents of misconduct by Respondent. On or before May 1, 2012, Respondent shall undergo a comprehensive alcohol/substance abuse assessment by a Kentucky licensed and/or certified chemical dependency counselor, as approved by the Board, and shall present written evidence to the Board that he has complied with the assessment process and successfully completed any and all treatment recommendations proposed by the chemical dependency counselor. Respondent shall also submit quarterly written progress reports from his chemical dependency counselor until such time as the counselor releases him from treatment. Any expense for the assessment, treatment and/or written reports shall be paid by Respondent.

If Respondent fails to satisfy this requirement, Certificate Number 200000911 shall be automatically suspended until the Board receives written evidence that the requirement has been satisfied.

Vote: *Unanimous*

1009499 (Darnella Bradley) Accept Agreed Order suspending Certificate Number 200101752, including any and all endorsements, for a period of two (2) years from September 1, 2010 until September 1, 2012. Upon acceptance of this agreement by the Board, Respondent shall immediately surrender the original and all copies of her certificate, by personal delivery or first class mail, to the Education Professional Standards Board, 100 Airport Road, Third Floor, Frankfort, Kentucky 40601.

In addition to any educational requirements, reinstatement of Respondent's certificate at the conclusion of the two (2) year suspension period is expressly conditioned upon Respondent providing written evidence that she has complied with the following:

1. Respondent shall provide written proof to the Board that she has been assessed by a state certified mental health counselor, as approved by the Board, and is competent to fulfill her duties as an educator.

Respondent shall provide proof that she has complied with any treatment recommendations proposed by the mental health counselor and shall continue to provide treatment records to the Board until she has been released from treatment by the counselor. Any expense incurred for the assessment or follow-up treatment shall be paid by Respondent.

2. Respondent shall undergo an anger management assessment by a licensed clinical provider, 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 all treatment recommendations. Any expense for the assessment, treatment, and/or written reports shall be paid by Respondent.

3. Respondent shall provide written proof to the Board that she has successfully completed twelve (12) hours of professional ethics training as approved by the Board. Any expense incurred for said training shall be paid by Respondent.

4. Respondent shall provide written proof to the Board that she has successfully completed a course on sexual harassment awareness in the workplace as approved by the Board. Any expense incurred for said training shall be paid by Respondent.

Upon reinstatement, Certificate Number 200101752 shall be on permanent probation and subject to the following probationary conditions:

1. Respondent shall not serve on any Kentucky Teacher

Internship Program Beginning Teacher Committee.

2. 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 without pay, 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.

By entering into this Agreed Order, Respondent agrees that should she fail to satisfy the terms of the permanent probation, Certificate Number 200101752 shall be automatically suspended for an additional period of one (1) year and subject to additional sanctions by the Board pursuant to KRS 161.120.

Vote: *Unanimous*

1106383 (Carrie Shafer)

Accept Agreed Order in which Respondent voluntarily, knowingly, and intelligently surrenders her teaching certificate, number 200101073, 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 her certificate, by personal delivery or first class mail, to the Education Professional Standards Board, 100 Airport Road, 3rd Floor, Frankfort, Kentucky 40601.

Vote: *Unanimous*

1003176 (Gary Overstreet)

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*

11017 (Rebecca Dobson)

Accept Agreed Order suspending Respondent's certificate beginning September 3, 2011 to February 3, 2012. 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.

At the conclusion of the suspension period and upon reinstatement of her certificate on February 3, 2012, any certificate the Board has issued or will issue to or on behalf of Respondent, shall be subject to the following probationary conditions for five (5) years:

1. Respondent shall supply proof that she has completed twelve (12) hours of professional development or training on the Professional Code of Ethics for Kentucky Certified School Personnel by May 30, 2012. If proof of this condition is not received by May 30, 2012, Certificate number 200005135 shall be automatically suspended until this condition has been met.

2. Respondent shall not be allowed to participate in any testing mandated either by Kentucky statute or by any regulation promulgated by the KDE;

3. Upon employment as an educator in any Kentucky public school, Respondent shall provide written notification to her principal that she is unable to participate in state mandated testing and shall file a copy of the written notice with the Board's Division of Legal Services; and

4. By May 31 of each year of her employment in a Kentucky public school, Respondent shall submit a letter from her school principal to the Board confirming that she did not participate in any state mandated testing during the school year.

Should Respondent violate any of the conditions in paragraphs 2 through 4 during the probationary period, her certificate and any and all endorsements shall be automatically revoked and subject to additional disciplinary sanctions pursuant to KRS 161.120.

Vote: *Unanimous*

110111 (Jonathan Jett)

Accept Agreed Order suspending Professional Certificate For Instructional Leadership--School Superintendent Certificate number 199604187 for a period of twelve (12) months beginning July 1, 2011. In addition, Professional Certificate For Director Of Special Education Certificate number 199604187 is suspended for a period of eighteen (18) months beginning July 1, 2011. Respondent shall surrender the original certificate and all copies of his certificate to the EPSB, by delivering or mailing them to 100 Airport Road, 3rd Floor, Frankfort, Kentucky 40601. Any current or future certificate the Board has issued or will issue to or on behalf of Respondent, shall be subject to the following probationary conditions:

1. Respondent shall not hold any position which requires him to participate in or directly supervise the administration of any student testing mandated either by Kentucky statute or by any regulation promulgated by the KDE. Respondent may hold the position of superintendent, assistant superintendent, or principal with supervisory authority over

the district or building assessment coordinator, but is to have no involvement with testing.

2. Upon employment as an educator in any Kentucky public school, Respondent shall provide written notification to his principal, superintendent, or board chairman that he is unable to participate in state mandated testing and shall file a copy of the written notice with the Board's Division of Legal Services; and

3. By May 31 of each year of his employment in a Kentucky public school, Respondent shall submit a letter from his school principal, district superintendent, or board chairman to the Board confirming that he did not participate in or directly supervise the administration of any state mandated testing during the school year.

Should Respondent violate any of these conditions, his certificate and any and all endorsements shall be automatically revoked and subject to additional disciplinary sanctions pursuant to KRS 161.120.

Vote: *Unanimous*

1108592 (Douglas Calhoun) Accept Agreed Order which states as follows:

Prior to returning to any position that requires teaching certification, Respondent shall submit written proof to the Board that he has completed the following.

1. Respondent shall undergo a comprehensive assessment by a mental health professional, licensed in Kentucky and approved by the Board, who has reviewed Fayette District Court files 03-M-10380 and 03-M-15024 and determined that Respondent is fit to return to the classroom. Any expense associated with the assessment and/or preparation of the written report to the Board is Respondent's responsibility.

2. Respondent shall submit to the Board a current Kentucky State Police criminal record/background check obtained at his own expense.

If Respondent returns to a position requiring certification without satisfying these conditions, Certificate/EPsB Id. No. 000038293 shall be automatically suspended until all conditions are met and the Board may pursue additional sanctions based upon Respondent's failure to comply with this Order.

For five years following the entry date of this Order, Certificate/EPsB Id. No. 000038293 shall be subject to the following probationary conditions.

1. Respondent shall report any criminal conviction to the

Board within 72 hours of conviction. This includes violations (non-traffic), misdemeanors, and felonies. If the conviction involves a minor in any capacity, Certificate/EPsB Id. No. 000038293 shall be automatically suspended and remain so until the Board either takes disciplinary action or dismisses the matter.

2. On or before July 1, 2012, and continuing each year thereafter, Respondent shall submit a Kentucky State Police criminal record/background check, obtained at his own expense, to the Board.

If Respondent fails to satisfy either of these conditions, the Board shall automatically suspend Certificate/EPsB Id. No. 000038293 for a period of two years and may seek additional sanctions pursuant to KRS 161.120.

Vote: *Unanimous*

1106393 (Francis O'Hara)

Accept Agreed Order admonishing Respondent for failing to maintain a positive learning and working environment. He must strive to rise above disagreements with colleagues. This agreement is expressly conditioned upon the following.

1. Respondent shall complete twelve hours of professional development/training, approved by the Board and at his own expense, in ethics and professionalism.

Respondent has satisfied this requirement.

2. On or before June 1, 2012, Respondent shall present written proof to the Board that he has successfully completed a professional development/training course, approved by the Board and at his own expense, in FERPA compliance and maintaining confidentiality of student records.

If Respondent fails to satisfy either of these conditions, EPsB Identification/Certificate No. 200004248 shall be suspended and remain so until all conditions are met.

For two years following the entry of this Order, EPsB Identification/Certificate No. 200004248 shall be subject to the following probationary condition. Dr. Respondent shall not be disciplined by any school district for conduct that would be deemed a violation of KRS 161.120. Discipline shall be defined for the purposes of this agreement as any district sanction appealable pursuant to KRS 161.790, that if appealed, results in a finding by a tribunal that imposes a public reprimand, suspension or termination. If Dr. Respondent violates this condition, the Board shall automatically suspend EPsB Identification/Certificate No. 200004248 for a period of two years and may seek additional sanctions pursuant to KRS 161.120.

Vote: *Unanimous*

Litigation

Case Number

Decision

04-0216 (Wade McNabb)

Motion made by Ms. Smith, seconded by Ms. McMillen, to deny McNabb's Motion to Rescind Prior Final Order

Vote: *Unanimous*

Motion made by Mr. Kennedy, seconded by Mr. Strong, to adjourn the meeting.

Vote: *Unanimous*

Meeting adjourned at 2:00 p.m.

Next Meeting: May 14, 2012
 9:00 AM
 EPSB Board Room
 Frankfort, Kentucky