

The actions delineated below were taken in open session of the EPSB at the March 5, 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
March 5, 2012**

Call to Order

Chair Cathy Gunn called the meeting to order at approximately 9:20 a.m. EST.

Roll Call

The following members were present during the March 5, 2012, EPSB meeting: Brandy Beardsley, Bradley Bielski, Barbara Boyd, Ellen Blevins, John DeAtley, Cathy Gunn, Allen Kennedy, Marie McMillen, Tom Stull, Mark Wasicsko, and Lorraine Williams. Michael Dailey, Sandy Sinclair-Curry, Zenaida Smith, Anthony Strong, and Cassandra Webb were 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- 007

Motion made by Ms. Lorraine Williams, seconded by Mr. John DeAtley, to approve the following items on the consent agenda:

Approval of January 9, 2012 EPSB Minutes

Principal Preparation Program, All Grades, Eastern Kentucky University

Principal Preparation Program, All Grades, University of the Cumberlands

Vote: *Unanimous*

Dr. Kim Walters-Parker recognized representatives from Eastern Kentucky University and the University of the Cumberlands, whose programs were approved.

Report of the Executive Director

Report from the Kentucky Department of Education

There was no report from KDE.

Report from the Council on Postsecondary Education

Mr. John DeAtley reported on the recent forum, "Architecture for Implementing the Common Core Standards: Strategies, Partnerships & Progress." EPSB board member Allen Kennedy

attended the forum. Mr. DeAtley said that nearly 400 registrants from 22 states were in attendance. PowerPoints and videos on the plenary sessions will be available at www.kycorestandards.org.

Legislative Update

Ms. Alicia Sneed reported that Senate resolutions to confirm the new board members' appointments may not occur until the last day of the legislative session. Ms. Sneed also reviewed several bills that have been introduced to the legislature, none directly affecting the EPSB. Ms. Sneed stated that she hopes more will be known about the state budget by the May EPSB meeting.

An Update on the National Board for Professional Teaching Standards

Dr. Rogers introduced Dr. Wil Parker, the Director of Diversity Initiatives at the National Board for Professional Teaching Standards (NBPTS). Dr. Parker was in Frankfort to celebrate the 289 new National Board Certified teachers scheduled to be recognized by legislators on Tuesday, March 6th. He updated the board on recent events at the NBPTS offices and voiced the organization's continued support for the EPSB to push the initiatives for National Board Certification.

Executive Director's Retirement

Executive Director Phillip Rogers announced his retirement from the EPSB, effective July 1, 2012. He stated that after a lot of anguished thought, he is convinced this is the right decision for him and his family. He has accepted an offer from the National Association of State Directors of Teacher Education and Certification to become the executive director of that organization. In his resignation letter that Chair Cathy Gunn read to the board, Dr. Rogers thanked the board for the opportunity and support over the last 12 years.

Report of the Chair

Appointments

Kentucky Advisory Council on Internships (KACI)

Chair Cathy Gunn appointed Dr. Charles Gagel to KACI. She also reappointed the following individuals to the committee: Richard (Rich) Crowe, Judy Thomas, Dr. Richard (Dick) Roberts, and Dr. Sharon Brennan.

Accreditation Audit Committee (AAC)

Chair Gunn reappointed Dr. Shirley Nelson and Mr. Tim Watkins to the AAC.

Executive Director Search Committee

Chair Gunn appointed herself as chair of the Executive Director Search Committee and also appointed the following individuals to the committee: Tom Stull, Lorraine Williams, Allen Kennedy, Zenaida Smith, Anthony Strong, and Mike Carr. She stated that the tasks of the committee will be to update the job description, establish the method for publicizing the position, create a timeline for selecting the executive director, develop the application and selection process, and decide the compensation package range for the position. Dr. Gunn anticipates reporting back to the board at the May meeting on the progress of these tasks. The committee

will be polling the board by email over the next few weeks on the characteristics and qualities the board desires for the next EPSB executive director.

Committee Report

Nominating Committee

Dr. Gunn thanked Ms. Lorraine Williams and Mr. Allen Kennedy for serving on the nominating committee. The committee nominated Tom Stull as vice-chair. Dr. Gunn asked for further nominations from the board. There were no further nominations.

2012-008

Motion made by Ms. Williams, seconded by Mr. Allen Kennedy, to elect Tom Stull as the new vice chair.

Vote: 10 – Yes
1 – Recuse (Tom Stull)

Information/Discussion Items

16 KAR 2:120. Emergency Certification and Out-of-Field Teaching, Notice of Intent

Ms. Alicia Sneed stated that since August 2011, the EPSB began piloting a new online application system for emergency substitute applications in Jefferson and Fayette counties. Staff is ready to take this system statewide but must seek changes in the regulation to ensure compliance. This item will be brought back at the May meeting for final action.

Action Items

Northern Kentucky University Accreditation

2012-009

Issue 1

Motion made by Ms. Williams, seconded by Dr. Bradley Bielski, to accept the recommendation of the AAC and grant accreditation for Northern Kentucky University.

Vote: 10 – Yes
1 – Recuse (Mark Wasicsko)

2012-010

Issue 2

Motion made by Ms. Williams, seconded by Dr. Bielski, to accept the recommendation of the AAC and grant approval for the initial and advanced level educator preparation programs at Northern Kentucky University.

Vote: 10 – Yes
1 – Recuse (Mark Wasicsko)

Western Kentucky University Accreditation

2012-011

Issue 1

Motion made by Ms. Williams, seconded by Mr. DeAtley, to accept the recommendation of the AAC and grant accreditation for Western Kentucky University.

Vote: *Unanimous*

2012-012

Issue 2

Motion made by Ms. Williams, seconded by Ms. Barbara Boyd, to modify the AAC recommendation and grant approval for the initial and advanced level educator preparation programs at Western Kentucky University.

Vote: *Unanimous*

16 KAR 4:030. Out of State Preparation, Final Action

2012-013

Motion made by Dr. Mark Wasicsko, seconded by Ms. Williams, to approve the proposed amendments to 16 KAR 4:030.

Vote: *Unanimous*

Meeting Policy, Final Action

2012-014

Motion made by Mr. Allen Kennedy, seconded by Dr. Wasicsko, to approve the proposed new board meeting policy.

Vote: *Unanimous*

Rescheduling of May Board Meeting Date

2012-015

Motion made by Dr. Bielski, seconded by Ms. Marie McMillen, to approve the rescheduling of the May board meeting date from Monday, May 14th to Tuesday, May 22nd.

Vote: *Unanimous*

Board Comments

Dr. Mark Wasicsko asked staff to reexamine the Elementary Mathematics Specialist endorsement. He said that the math community views the word “specialist” as requiring more content hours and a greater depth of knowledge than what was originally intended with this certificate. He would like to see the word “specialist” removed from the certificate and only have an Elementary Mathematics endorsement.

Dr. Wasicsko also asked to discuss at a future EPSB meeting the idea that the Council for the Accreditation of Educator Preparation (CAEP) be the only accrediting agency for educator preparation programs in Kentucky.

**DISCIPLINARY MATTERS:
MINUTES OF CASE REVIEW
March 5, 2012**

Motion made by Ms. Lorraine Williams, seconded by Ms. Marie McMillen, 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 Mr. DeAtley, 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, John DeAtley, Allen Kennedy, Barbara Boyd, Marie McMillen, Brandy Beardsley, Ellen Blevins, and Mark Wasicsko.

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

Initial Case Review

<u>Case Number</u>	<u>Decision</u>
1108625	Hear
1110806	Hear
1111830	Hear
1111836	Hear
1111881	Hear
1111883	Hear
1111856	Hear
1111875	Defer for training
1112920	Defer for training
1112953	Admonish
1112927	Dismissed
1111879	Admonish
1111860	Defer for training
1111826	Hear
1111896	Defer for training
1112904	Hear
1112935	Admonish
1112933	Admonish
1111828	Hear
1111858	Hear
1112943	Dismissed
1112937	Hear
1112902	Admonish

1111820	Admonish
1111852	Hear
1111877	Hear
1111893	Hear
1111822	Hear
1110787	Hear
1112906	Hear
1112914	Hear (<i>Mr. Stull recused</i>)
1111840	Hear
1111850	Hear
1111865	Hear
1112966	Hear
1112900	Hear
1111890	Hear
1112916	Hear
1102918	Hear
1112955	Hear
1110785	Hear
1110789	Hear
1112912	Dismissed
1110797	Admonish
1111834	Hear
1105305	Dismissed
1107549	Dismissed
1103226	Dismissed
1004263	Defer for training
11019	Dismissed

Character/Fitness Review

<u>Case Number</u>	<u>Decision</u>
128	Approve
1210	Approve
1212	Approve
126	Approve
1218	Approve
1226	Approve
11985	Approve
111047	Deny
11982	Approve
1242	Approve
1243	Approve
1240	Approve
1246	Approve
1245	Approve
124	Defer

1223	Deny
1252	Approve
1241	Approve
1255	Deny
1257	Approve
1231	Approve
1279	Approve
1282	Approve
1280	Approve
1285	Approve
1287	Approve
1288	Approve
1289	Approve
1292	Deny
1267	Deny
1296	Approve
1276	Approve
1236	Approve
12102	Approve
12110	Deny
12111	Approve
12113	Deny
12125	Defer
1286	Approve
1225	Approve
1260	Deny
12119	Approve
12133	Approve
12121	Approve
12136	Approve
1234	Approve

Agreed Orders

<u>Case Number</u>	<u>Decision</u>
1103241 (Steven Moscoe)	Accept Agreed Order which states that Respondent is currently on KTRS Disability Retirement. Prior to his return to a position that requires Kentucky certification, Respondent shall provide written proof to the Board that he has been assessed by a state certified mental health counselor, as approved by the Board, and is competent to fulfill his duties as an educator. Respondent shall provide proof that he has complied with any treatment recommendations proposed by the mental health counselor and shall continue to provide treatment records to the Board until he has been released from treatment by the

counselor. Any expense incurred for the assessment or follow-up treatment shall be paid by Respondent. If Respondent fails to satisfy this condition, Certificate Number 000024464 shall be automatically suspended until Respondent provides the appropriate written proof to the Board.

Vote: *Unanimous*

11970 (Aaron Bassham)

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 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.
2. By August 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 current national and state criminal background reports to the Board with any application for renewal of his 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 his behalf.

Vote: *Unanimous*

1011776 (Howard Tripp)

Accept Agreed Order suspending Respondent's certificate for a period of forty-five (45) days from the date upon which the Board approves this agreement. Respondent shall neither apply for, nor be issued, a teaching certificate in the Commonwealth of Kentucky during the suspension period. Upon acceptance of this agreement by the Board, Respondent shall immediately surrender the original and all copies of his certificate to the EPSB, by delivering or mailing to 100 Airport Road, 3rd Floor, Frankfort, Kentucky 40601.

Respondent is hereby admonished for conduct unbecoming a teacher and for neglect of duty. Being under the influence of alcohol compromises one's ability to perform one's teaching responsibilities and puts the health, safety, and well-being of students in jeopardy. The Board expects Respondent to uphold the Professional Code of Ethics for Kentucky Certified School Personnel in the future.

Upon reinstatement, his certificate, and any future endorsements or new areas of certification, shall be subject to the following permanent probationary terms:

1. Respondent shall not be convicted of nor enter a guilty or no contest plea to any alcohol-related criminal charge(s).

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

2. Respondent shall submit current national and state criminal background reports to the Board with all future applications for certification. Any expense for the background reports shall be paid by Respondent. Failure to comply with this condition will result in the denial of all future applications for certification submitted by Respondent or on his behalf.

Respondent is aware that should he violate any provision of KRS 161.120, at any time in the future, the Board shall initiate disciplinary action and seek additional sanctions.

Prior to accepting any teaching and/or administrative position in any school district in the Commonwealth of Kentucky, Respondent shall comply with the following:

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

by Respondent.

2. 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, in teacher ethics. Any expense incurred for said training shall be paid by Respondent.

Should Respondent fail to satisfy either of these conditions prior to accepting any teaching and/or administrative position in any school district in the Commonwealth of Kentucky, his certificate shall be automatically suspended for a period of one (1) year. If applicable, at the conclusion of the one (1) year suspension, Respondent's certificate shall remain suspended until such time as all of the above conditions are met.

Vote: *Unanimous*

1104277 (William George) 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, his certificate shall be automatically suspended for a period of one (1) year, and the Board shall initiate new disciplinary action and seek additional sanctions.

Vote: *Unanimous*

1107499 (Adam Kirk) Accept Agreed Order suspending Respondent's certificate for three days beginning June 27, 2011. Respondent shall surrender the original and all copies of this certificate immediately, by first class mail or personal delivery to the Education Professional Standards Board, 100 Airport Road, Third Floor, Frankfort, Kentucky 40601. On or before August 1, 2012, Respondent shall present written evidence to the Board that he has completed twelve hours of professional development/training in ethics and boundary issues, approved by the Board and at his own expense, and confidentiality training, approved by the Board and at his own expense. If Respondent fails to satisfy either of these conditions, his certificate shall be automatically suspended and remain so until all conditions are met.

Vote: *Unanimous (Ms. Williams recused)*

1109728 (Eduardo Elenes) Accept Agreed Order permanently revoking Respondent's teaching certificate. Respondent shall neither apply for, nor be issued, a teaching and/or administrative certificate in the Commonwealth of Kentucky at any time in the future.

Respondent shall surrender the original certificate and all copies of his certificate to the EPSB, by delivering or mailing them to 100 Airport Road, 3rd Floor, Frankfort, Kentucky 40601.

Vote: *Unanimous*

1103220 (Steven Mahoney) Accept Agreed Order admonishing Respondent for interacting with colleagues in an inappropriate manner. The Board reminds Respondent that, as an educator, he must treat colleagues with dignity and respect in all circumstances. The Board will not tolerate any further incidents of misconduct from Respondent. Upon acceptance of this agreement by the Board, Respondent's certificate shall be on probation for a period of two (2) years and subject to the following probationary conditions:

1. Respondent shall provide written proof to the Board that he has completed three (3) hours of sexual harassment awareness training, as approved by the Board, by August 1, 2012. Any expense required for said training shall be paid by Respondent. If Respondent fails to satisfy this condition, his certificate shall be automatically suspended until Respondent completes the required training and provides the appropriate written proof to the Board.
2. Respondent shall submit written proof to the Board that he has completed twelve (12) hours of professional ethics training, as approved by the Board, by August 1, 2012. Any expense required for said training shall be paid by Respondent. If Respondent fails to satisfy this condition, his certificate shall be automatically suspended until Respondent completes the required training and provides the appropriate written proof to the Board.
3. During the probationary period, Respondent shall not receive disciplinary action for sexual harassment from any school district in which he is employed. "Disciplinary action" is defined as any suspension, termination, or public reprimand issued by any school district in the Commonwealth of Kentucky and upheld, if requested, by either the tribunal and/or arbitration process. If Respondent fails to satisfy this condition, his certificate shall be automatically suspended for a period of thirty (30) days and subject to additional sanctions by the Board pursuant to KRS 161.120.

Vote: *Unanimous*

1106461 (Carrie Nelson) Accept Agreed Order admonishing Respondent for exercising poor professional judgment and engaging in

dishonest conduct by submitting a falsified doctor's note for an absence from work. The Board reminds Respondent that she has a duty to exemplify behaviors which maintain the dignity and integrity of the profession. The Board will not tolerate any further incidents of misconduct by Respondent.

Respondent's certificate shall be on probation for a period of two (2) years from the date the Board approves this Order, and subject to the following probationary conditions:

1. By August 1, 2012, Respondent shall provide written proof to the Board that she has been assessed by a Kentucky licensed and/or certified physician, as approved by the Board, and is fit to fulfill her duties as an educator. Respondent shall provide proof that she has complied with any treatment recommendations proposed by the physician and shall continue to provide treatment records to the Board until she has been released from treatment by the physician. Any expense incurred for the assessment or follow-up treatment shall be paid by Respondent. If Respondent fails to satisfy this condition, Certificate Number 43347 shall be automatically suspended until Respondent provides the appropriate written proof to the Board.
2. By August 1, 2012, Respondent shall submit written proof to the Board that she 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. Should Respondent fail to satisfy this condition, her certificate shall be automatically suspended until Respondent completes the required training and provides the appropriate written proof to the Board.
3. During the probationary period, Respondent shall refrain from receiving any disciplinary action from any school district in which she is employed. "Disciplinary action" is defined as any suspension, termination, or public reprimand issued by any school district in the Commonwealth of Kentucky and upheld, if requested, by either the tribunal and/or arbitration process. Should Respondent fail to satisfy this condition, her certificate shall be automatically suspended for a period of thirty (30) days and subject to additional sanctions by the Board pursuant to RS 161.120.

Vote: *Unanimous*

1103160 (Pamela Bates)

Accept Agreed Order admonishing Respondent for her lack of professional judgment in interactions with students. As an education professional, it is Respondent's responsibility

to set and maintain appropriate boundaries with all students. It is inappropriate for a teacher to place her hands on a student simply because she is cold and the student is warm. 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 June 1, 2012, 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. If Respondent fails to satisfy this condition, her certificate shall be automatically suspended until Respondent provides the appropriate written proof to the Board.

2. By August 1, 2012, Respondent shall submit written proof to the Board that she has completed six (6) hours of classroom management training, as approved by the Board. Any expense required for said training shall be paid by Respondent. If Respondent fails to satisfy this condition, her certificate shall be automatically suspended until Respondent completes the required training and provides the appropriate written proof to the Board.

3. By August 1, 2012, Respondent shall submit written proof to the Board that she has completed twelve (12) hours of professional ethics training with an emphasis on teacher student boundaries, as approved by the Board. Any expense required for said training shall be paid by Respondent. If Respondent fails to satisfy this condition, her certificate shall be automatically suspended until Respondent completes the required training and provides the appropriate written proof to the Board.

4. During the probationary period, Respondent shall not receive any disciplinary action involving inappropriate interactions with students from any school district in which she is employed. "Disciplinary action" is defined as any suspension, termination, or public reprimand issued by any school district in the Commonwealth of Kentucky and upheld, if requested, by either the tribunal and/or arbitration

process. If Respondent fails to satisfy this condition, her certificate shall be automatically suspended for a period of thirty (30) days and subject to additional sanctions by the Board pursuant to KRS 161.120.

Vote: *Unanimous*

1105293 (Suzanne Hinton)

Accept Agreed Order admonishing Respondent for conduct unbecoming a teacher. The Board reminds Respondent that as a certified teacher she has a duty to exemplify behaviors which maintain the dignity and integrity of the profession. The Board will not tolerate any further incidents of misconduct from Respondent.

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

1. Respondent has provided written proof to the Board that she has been assessed by a state certified mental health counselor, and is competent to fulfill her duties as an educator. Respondent shall continue to submit semiannual written progress reports, by January 1st and July 1st of each year, from her treatment provider stating that she is maintaining the counseling relationship and following all treatment recommendations until such time as the counselor releases her from treatment. Any expense for the treatment and written reports shall be paid by Respondent. If Respondent fails to satisfy this condition, her certificate shall be automatically suspended until Respondent submits the required written documentation to the Board.
2. By September 1, 2012, Respondent shall submit written proof to the Board that she 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, her certificate shall be automatically suspended until Respondent completes the required training and provides the appropriate written proof to the Board.
3. By September 1st of each year of the probationary period, Respondent shall submit a copy of her current criminal record, as prepared by the Administrative Office of the Courts. Any expense required to satisfy this condition shall be paid by Respondent. If Respondent fails to satisfy this condition, her certificate shall be automatically suspended until Respondent submits the required written documentation to the Board.
4. During 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. If Respondent fails to satisfy this condition, her certificate shall be automatically suspended for a period of one (1) year, and subject to additional sanctions by the Board pursuant to KRS 161.120.

Vote: *Unanimous*

CF11967 (Ryan Haley)

Accept Agreed Order admonishing Respondent for engaging in dishonest conduct by falsifying an application for teacher certification. Regardless of whether the falsification is intentional or negligent, misrepresenting records of fact relating to one's qualifications or fitness violates the Professional Code of Ethics for Kentucky Certified School Personnel. The Board will not tolerate any further incidents of misconduct by Respondent. Respondent shall be issued a Kentucky teaching certificate upon providing proof that he has met the academic and testing requirements necessary for issuance of a certificate and upon providing proof that he has complied with the following condition:

Prior to being issued any teaching and/or administrative certification in the Commonwealth of Kentucky, Respondent shall undergo a comprehensive substance abuse assessment by a Kentucky licensed and/or certified chemical dependency counselor, as approved by the Board, and shall provide written evidence to the Board that he 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. 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.

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

1. Respondent shall not be convicted of nor enter a guilty or no contest plea to any criminal charge(s) other than minor traffic violations. Failure to comply with this condition will result in Respondent's certificate being automatically suspended for further action by the Board.
2. Respondent shall submit current national and state criminal background reports to the Board with any application for renewal of his 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 his behalf.

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

Vote: *Unanimous*

1105342 (Sandra VonHandorf) Accept Agreed Order admonishing Respondent for engaging in inappropriate physical interactions with a student. An educator has a duty to take reasonable measures to protect the health, safety, and emotional well-being of students and has a responsibility to stay current on proper disciplinary methods. In the future, Respondent must remain aware of the line between appropriate and inappropriate physical interactions with students. Respondent's certificate, and any future endorsements or new areas of certification, shall be subject to the following probationary conditions for a period of two (2) years:

1. On or before April 1, 2012, 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.
2. On or before January 1, 2013, Respondent shall provide 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. Any expense incurred for said training shall be paid by Respondent.
3. Respondent has provided written proof to the Board that she has successfully completed a course in classroom management.
4. For the duration of the probationary period, Respondent shall receive no disciplinary action involving inappropriate physical interactions with a student. "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.

By entering into this Agreed Order, Respondent agrees that should she fail to satisfy any of these conditions during the probationary period, her certificate shall be automatically

suspended for a period of thirty (30) days. If applicable, at the conclusion of the thirty (30) day suspension, Respondent's certificate shall remain suspended until such time as the probationary conditions are met.

Respondent is aware that should 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*

1103182 (Brandon Rolf)

Accept Agreed Order retroactively suspending Respondent's certificate for a period of two (2) years beginning February 25, 2011. Respondent shall neither apply for, nor be issued, a teaching certificate in the Commonwealth of Kentucky during the suspension period. Upon acceptance of this agreement by the Board, Respondent shall immediately surrender the original and all copies of his certificate to the EPSB, by delivering or mailing to 100 Airport Road, 3rd 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 he has complied with the following:

1. 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.

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

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

Should Respondent fail to satisfy any of these conditions, his certificate shall not be reinstated.

Upon reinstatement of Respondent's certificate, Respondent shall be on permanent probation. Accordingly, Respondent shall receive no disciplinary action involving inappropriate interaction(s) with students. "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.

By entering into this Agreed Order, Respondent agrees that should he fail to satisfy the terms of the permanent probation, his certificate shall be automatically suspended for an additional period of one (1) year.

Respondent is aware that should he violate KRS 161.120, either during or following this permanent probation, the Board shall initiate new disciplinary action and seek additional sanctions.

Vote: *Unanimous*

1105338 (Allen Thacker)

Accept Agreed Order retroactively suspending Respondent’s certificate for a period of two (2) years beginning May 2, 2011. Respondent shall neither apply for, nor be issued, a teaching certificate in the Commonwealth of Kentucky during the suspension period. Upon acceptance of this agreement by the Board, Respondent shall surrender the original certificate and all copies to EPSB, by hand-delivery or mailing to 100 Airport Road, 3rd 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 he has complied with the following:

1. Respondent shall undergo a comprehensive substance abuse assessment by a Kentucky licensed and/or certified chemical dependency counselor as approved by the Board and shall present written evidence to the Board that he has complied with the assessment process and has successfully completed any and all treatment recommendations. Any expense for the assessment, treatment and/or written reports shall be paid by Respondent.
2. Respondent shall provide written proof that he has successfully completed twelve (12) hours of training or professional development, as approved by the Board, on the Professional Code of Ethics for Kentucky Certified School Personnel. Any expense incurred for said training shall be paid by Respondent.
3. Respondent shall provide written proof to the Board that he has fulfilled all the mandates set forth in the Pretrial Diversion Agreement he entered into on May 2, 2011 in resolution of Owsley Circuit Court Case Number 10-CR-

24.

Should Respondent fail to satisfy any of these conditions, his certificate shall not be reinstated.

Upon reinstatement, Respondent's certificate, and any future endorsements or new areas of certification, shall be subject to a permanent probation. During the first five (5) years of the permanent probationary period, Respondent shall comply with the following:

1. Respondent shall provide the Board with annual written reports from a certified chemical dependency counselor, as approved by the Board, certifying that he is maintaining the counseling relationship and following all recommended treatment. Failure to comply with this condition will result in Respondent's certificate being automatically suspended until the required annual report is submitted to the Board.

2. 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 Respondent's certificate being automatically suspended for further action by the Board.

For the entirety of the permanent probationary period, Respondent shall comply with the following:

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

2. Respondent shall submit current national and state criminal background reports to the Board with any application for renewal of his 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 his behalf.

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

Vote: *Unanimous*

1106389 (Ronald Kinmon)

Accept Agreed Order suspending Respondent's certificate for seven (7) days beginning June 15, 2012. Respondent shall surrender the original and all copies of this certificate immediately, by first class mail or personal delivery to the

Education Professional Standards Board, 100 Airport Road, Third Floor, Frankfort, Kentucky 40601.

Reinstatement of Respondent's certificate is conditioned upon the following.

1. Respondent shall present written evidence to the Board that he has completed twelve (12) hours of professional development/training in ethics and sexual harassment, approved by the Board and at his own expense.
2. Respondent shall present written evidence from a mental health professional, licensed in Kentucky and approved by the Board, that he is fit to return to a school leadership or classroom position and has completed any recommended counseling. Respondent shall bear any cost associated with meeting this requirement.
3. Respondent shall reimburse Grant County Schools \$687.16

If Respondent fails to satisfy any of these conditions, Respondent's certificate shall remain suspended until all conditions are met.

For five (5) years following reinstatement of this certificate, Respondent's certificate shall be subject to the following probationary condition.

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 reprimand, suspension or termination. If Respondent violates this condition, the Board shall automatically suspend the certificate for a period of two years and may seek additional sanctions pursuant to KRS 161.120.

Vote: *Unanimous*

08020409 (Teresa Hensley) Accept Agreed Order admonishing Respondent as follows: Teachers are charged with the duty of maintaining the dignity and integrity of the profession. Inappropriate statements such as those which Respondent allegedly made to her students and colleagues do not satisfy this duty. The Board will not tolerate any misconduct of this nature by Respondent in the future. Respondent is now retired. Respondent shall not resume teaching in the Commonwealth of Kentucky unless and until she attends twelve hours of training in the area of professional development. Should Respondent fail to obtain the twelve hours in training before accepting employment as a

Kentucky teacher, her certificate will automatically be suspended until such training is completed.

Vote: *Unanimous*

Litigation

Case Number

07112289 (Patricia Buhl)

Decision

Motion made by Ms. McMillen, seconded by Ms. Williams, to grant Buhl's Motion to Reverse Order

Vote: Unanimous

Motion made by Ms. McMillen, seconded by Mr. Bielsky, to accept Agreed Order which states as follows:

Respondent's teaching certificate is hereby suspended for a period of two years retroactive to May 16, 2011. Further, Respondent must obtain twelve hours of training with Dr. Rosa Weaver. She must complete said training prior to reinstatement of her teaching certificate. Further, Respondent shall be assessed by a licensed counselor, therapist, psychologist or psychiatrist for anger management issues and comply with any and all treatment recommendations. The treatment provider must be approved by the Board. Should Respondent fail to complete said training, assessment or treatment recommendations her certificate will remain suspended until such time as she had completed all the requirements of this agreement. Finally, all costs associated with said training, assessments and treatment shall be borne by Respondent.

Vote: *Unanimous*

Recommended Orders

Case Number

1105334 (Jessica Patrick)

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

Vote: *Unanimous*

Meeting adjourned at 12:10 p.m.

Next Meeting: May 22, 2012
 9:00 AM
 EPSB Board Room
 Frankfort, Kentucky