

Agenda Book
EPSB Meeting Agenda
EPSB Offices
100 Airport Road, 3rd Floor, Conference Room A, Frankfort, KY 40601
October 15, 2012

Monday, October 15, 2012

9:00 AM EDT **Call to Order**

Roll Call

Open Speak

Approval of Consent Items

A. Approval of September 17, 2012 EPSB Minutes (**Pages 1-20**)

B. Title II Report (**Pages 21-22**) (Mr. Robert Brown)

C. Approval of Contract (**Pages 23-24**) (Ms. Ashley Abshire)

Report of the Acting Executive Director

A. Report from the Kentucky Department of Education

B. Report from the Council on Postsecondary Education

Report of the Chair

Appointments

Reappointments to the Accreditation Audit Committee

Appointment to the Teachers for Exceptional Children Committee

Reappointment to the Kentucky Advisory Council for Internships

Committee Reports

Executive Director Search Committee

Update from the Program and Accreditation Review Committee

Information/Discussion Item

Determining Probable Cause Policy Amendment (**Pages 25-28**)
(Ms. Alicia Sneed)

Presentation

Chamber of Commerce: Leadership Institute for School Principals
(Mr. Dave Adkisson)

Action Item

A. 2013 Legislative Agenda (**Pages 29-30**) (Ms. Sneed)

B. 16 KAR 8:030. Continuing Education Option for Certificate
Renewal and Rank Change, Final Action (**Pages 31-50**)
(Mr. Brown)

C. 16 KAR 6.010. Examination Prerequisites for Teacher
Certification, Final Action (**Pages 51-78**) (Mr. Brown)

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Board Comments

Following a motion in open session, it is anticipated that the board will move into closed session as provided by KRS 61.810 (1) (c), (1) (f), and (1) (j).

Certification Review and Revocation: Pending Litigation Review

Following review of pending litigation and personnel issues, the board shall move into open session. All decisions will be made in open session.

Adjournment

Next Regular Meeting:
January 14, 2013
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The actions delineated below were taken in open session of the EPSB at the September 17, 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
September 17, 2012**

Consent Item A

Call to Order

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

Roll Call

The following Board members were present during the September 17, 2012, EPSB meeting: Brandy Beardsley, Bradley Bielski, Barbara Boyd, Ellen Blevins, John DeAtley, Cathy Gunn, Terry Holliday, Allen Kennedy, Marie McMillen, Michael Ross, Sandy Sinclair-Curry, Zenaida Smith, Anthony Strong, Tom Stull, Mark Wasicsko, and Cassandra Webb. Lorraine Williams 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 which they wished to discuss prior to taking final action. No items were identified.

2012- 042

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

Approval of August 6, 2012 EPSB Minutes

2012-13 Emergency Non-Certified School Personnel Program

University Based Alternative Certification Program for Teachers of World Languages (Option 6), University of Kentucky

Vote: *Unanimous*

Dr. Kim Walters-Parker recognized representatives from the University of Kentucky whose program was approved.

Report of the Acting Executive Director

New Staff Member Introduction

Certification Division Director Mike Carr introduced the division's newest certification consultant, Leah Riley. Leah joins the EPSB from the Attorney General's Office.

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Report from the Kentucky Department of Education

Dr. Terry Holliday reported on recent events at the Kentucky Department of Education (KDE):

* The CAEP Commission on Standards and Performance Reporting will convene on November 1-2, 2012, in Washington, DC.

* The next steps in the final development of the teacher effectiveness system are taking place this week. Steve Cantrell, Senior Program Officer of Research and Data at the Bill and Melinda Gates Foundation, will present to KBE in October on the Measures of Effective Teaching Study.

Report from the Council on Postsecondary Education

Mr. John DeAtley reported on recent events at the Council on Postsecondary Education (CPE):

* CPE is pleased to participate in Kaleidoscope, a multi-institution, multistate project that is implementing a set of general education courses to raise learning outcomes and retention of predominantly at-risk students. Using free online content available through Open Education Resources (OER), the project will dramatically reduce textbook costs and allow collaborative improvement of course design to improve student success.

* Kentucky received a grant worth over three million dollars to prepare improvements to the postsecondary data system. CPE's award amount from this grant was approximately \$800,000.

Report of the Chair

Chair Gunn appointed the following individuals to the Teachers of Exceptional Children Committee: Denise Bailey, Kim Caudill, Mike Carr, Johnny Collett, Belva Collins, Teresa Combs, Harritte Dawson, Alice Gabbard, Shannon Gilkey, Arden Goodman, George Hruby, Anita Jones, Jim Knoll, Mike Ross, Terry Scott, Amy Shutt, Larry Taylor, Monica Tharp, and Mike Waford.

Presentation

An Overview of Evaluation Systems – Pearson Services

Mr. Les McCallum and Mr. Dan Conley, marketing corporate relations staff with Evaluation Systems of Pearson, presented an overview of Pearson services to the Board which included the history and background of Evaluation Systems - Pearson, the National Evaluation Series, edTPA, Basic Skills Assessment Options, and the Industry Standard.

Board members asked questions following the presentation including Pearson's experience in assessment. Dr. Mark Wasicsko asked for a study to determine if there is a correlation between ETS and Pearson with the possibility for Kentucky to provide an option of test selection for teacher candidates. Staff will bring a discussion item to the Board in the spring on this topic.

Committee Reports

Nominating Committee

Chair Brad Bielski thanked Cassandra Webb and Barbara Boyd for serving on the nominating committee. He explained that after further consideration, Cassandra Webb resigned from the committee and accepted a nomination for EPSB Chair.

Motion made by Dr. Bradley Bielski, seconded by Mr. Michael Ross, to elect Ms. Cassandra Webb as EPSB chair.

Vote: 15 – Yes
1 – Recuse (Cassandra Webb)

Motion made by Dr. Bielski, seconded by Ms. McMillen to elect Mr. Anthony Strong for EPSB vice chair.

Vote: 15 – Yes
1 – Recuse (Anthony Strong)

Executive Director Search Committee

Dr. Cathy Gunn stated that the committee reviewed all applications on Sunday night and wished to postpone further discussion until closed session to discuss personnel issues.

Information/Discussion Items

New Teacher Survey

Mr. Robert Brown discussed the 2011-2012 New Teacher Survey results with the Board. He stated that the purpose of the survey was to gather perception data on how new teachers, their supervising teachers, and their principals ranked the new teachers' preparedness to teach in Kentucky schools. Mr. Brown stated that the institutions take these comments very seriously and use this information to make improvements to their programs.

Discussion ensued among the Board. Some Board members were concerned that the comments from the survey were not indicative of the data results. Marie McMillen stated that the survey comments indicate that interns need more time in the classroom. John DeAtley expressed his concern that the survey should be more granular. He suggested the specifications for the next RFP for the survey specify the EPSB wants to collect more quantitative data.

16 KAR 8:030. Continuing Education Option for Certificate Renewal and Rank Change, Notice of Intent

Mr. Robert Brown reviewed proposed changes to 16 KAR 8:030. In May 2010, the EPSB provided a waiver of the Take One! requirement of the CEO program. This regulation amendment will remove the Take One! requirement along with the following additional changes:

- 1). Remove language that states that the two person scoring team shall include a teacher certified in the same grade range and content area as the continuing education option candidate.
- 2). Section 9 includes dates and procedures that have expired and, therefore, need to be removed.
- 3). Section 10 has a date that needs to be changed from October 1-5 to October 1 -15.

Dr. Mark Wasicsko stated that he is not in favor of removing the language in number 1 above. He further stated that he would like to see a complete report on the CEO program including how many people are currently in the program, data on teacher performance for those who completed the program, etc.

Discussion ensued among the Board. The overall consensus of the Board was to continue with the amendments to this regulation except do not remove the language in number 1 above. In the near future, staff will do an in-depth study on the CEO program. This item will be brought back for possible final action at the October EPSB meeting.

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16 KAR 6.010. Examination Prerequisites for Teacher Certification, Notice of Intent

Mr. Robert Brown discussed proposed changes to 16 KAR 6.010. Changes include the following:

- The new *Special Education: Education of Deaf and Hard of Hearing Students (0272)* has been reconstructed to contain only multiple choice items. The current assessment (*0271*) will be discontinued.
- The new *Special Education: Teaching Students with Visual Impairments (0282)* is an updated version of the current (*0281*) which will be discontinued.
- *Music: Content and Analysis (0114)* is a combined test of the current *Music: Content Knowledge (0113)* and *Music: Concepts and Processes (0111)*. *Music: Concepts and Processes (0111)* will be discontinued.
- ETS developed a new *Chinese (Mandarin): World Language (5665)* assessment. The first administration of this test occurs in October 2012. Currently, the EPSB has no existing assessment for the Chinese World Language certificate.

Awarded Contracts

Ashley Abshire reported on recently awarded contracts. Contracts were awarded to the eight public universities to provide KTIP services for Career and Technical Education interns. Marie McMillen stated that interns need more availability for one-on-one time for their mentoring hours.

Action Item

Special Education Task Force Charter

Ms. Linda Nickel announced that she will be leaving to serve as principal for one year at the Early Learning Village. She is very excited about her new venture but will miss working for the EPSB.

Ms. Nickel informed the Board that the Teachers of Exceptional Children Committee (TECC) will be charged with reviewing current special education/exceptional children program approval certification processes and then making recommendations for improving those processes. This committee's work will address legislation; the draft report from the Office of Education Accountability (OEA) entitled *Appropriate Identification and Service of Students with Disabilities in Kentucky: Special Education Eligibility, Funding, and Personnel Training (November 2011)*, presented to the Education Assessment and Accountability Review Subcommittee (EAARS) in November 2011; the changing accreditation landscape; and a desire to improve the efficacy of teachers of exceptional children.

Dr. Holliday asked that the group look at best practices from the field, not necessarily in teacher preparation. He encouraged the committee to work with the P-20 database to track the student performance growth. Ms. Linda Nickel stated that Mr. Mike Carr is presently administering a survey to NASDTEC participants and will add this data as well.

Motion made by Ms. McMillen, seconded by Dr. Terry Holliday, to approve the charter for the Teachers of Exceptional Children Committee.

Vote: *Unanimous*

Board Comments

There were no board comments.

**DISCIPLINARY AND PERSONNEL MATTERS:
MINUTES OF CASE REVIEW AND PERSONNEL
September 17, 2012**

Motion made by Mr. John DeAtley, seconded by Ms. Zenaida Smith, to go into closed session for the purpose of discussing proposed or pending litigation and personnel in accordance with KRS 61.810(1) (c) (1) (f) & (j).

Vote: *Unanimous*

Motion made by Mr. Michael Ross, seconded by Ms. Marie McMillen, to return to open session.

Vote: *Unanimous*

Motion made by Ms. McMillen, seconded by Mr. DeAtley, for EPSB staff to conduct an initial screening of four executive director candidates selected by the Board. If the candidates pass the initial screening, these four candidates shall be brought back to the Board for an interview at a future date.

Vote: *Unanimous*

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

Tom Stull, Bradley Bielski, Cathy Gunn, Allen Kennedy, Barbara Boyd, Brandy Beardsley, Ellen Blevins, Cassandra Webb, Michael Ross, Anthony Strong, Zenaida Smith, Sandra Sinclair-Curry, John DeAtley, and Mark Wasicsko.

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

INITIAL CASE REVIEW

<u>Case Number</u>	<u>Decision</u>
1205298	Hear
1206316	Admonish
1207411	Admonish
1207381	Dismissed
1207383	Hear
1206350	Hear
1206344	Dismissed
1206331	Hear
1206346	Dismissed
1205292	Hear
1207403	Hear
1206318	Defer (<i>Mr. Strong recused</i>)
1206361	Hear
1205312	Defer (<i>Mr. Strong recused</i>)

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1206320	Admonish
1206363	Hear
1206373	Hear
1206340	Hear
1206369	Hear
1205288	Hear
1207386	Admonish
1206367	Admonish
1205273	Hear
1206359	Hear
1206338	Hear
1205296	Hear
1205267	Hear (<i>Mr. Strong recused</i>)
1206342	Defer for training
1202121	Dismissed
120199	Dismissed
1203211	Hear
120119	Dismissed

Character/Fitness Review

<u>Case Number</u>	<u>Decision</u>
12733	Approve
12832	Approve
12898	Approve
12886	Approve
12673	Approve
12690	Approve
12382	Approve
12747	Approve
12902	Approve
12857	Approve
12868	Approve
12960	Approve
12935	Approve
12946	Approve
12963	Approve
12977	Approve
121022	Approve
121024	Approve
121026	Approve
121030	Approve
12914	Approve
121043	Approve
12765	Approve
121067	Approve
121058	Approve

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121070	Approve
12836	Approve
12849	Approve
12848	Approve
12863	Approve
12862	Approve
12861	Approve
12858	Approve
12706	Approve
12875	Approve
12866	Approve
12890	Approve
12897	Approve
12899	Approve
12908	Approve
12918	Approve
12937	Approve
12943	Approve
12928	Approve
12942	Approve
12944	Approve
12948	Approve
12957	Approve
12966	Approve
12568	Approve
12985	Approve
12992	Approve
12993	Approve
12996	Approve
121009	Approve
121015	Approve
121018	Approve
121019	Approve
121035	Approve
121040	Approve
121045	Approve
121044	Approve
12881	Approve
12752	Approve
121062	Approve
121065	Approve
12335	Approve
121072	Approve
121034	Defer
121060	Defer
12855	Deny

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12859	Deny
12870	Deny
12877	Deny
12708	Deny
12903	Deny
82137	Deny
12909	Deny
12917	Deny
12940	Deny (<i>Dr. Gunn recused</i>)
12954	Deny
12809	Deny
12999	Deny
12984	Deny
12995	Deny
12969	Deny
121046	Deny
121048	Deny
12474	Deny
121071	Deny

Agreed Orders

Case Number

Decision

1107487 (Chad Meadows)

Accept Agreed Order in which Respondent voluntarily, knowingly, and intelligently surrenders his teaching certificate and agrees to neither apply for, nor be issued, a teaching or administrative certificate in the Commonwealth of Kentucky at any time in the future. Respondent shall surrender the original Certificate and all copies to EPSB, by hand delivery or mailing to 100 Airport Road, 3rd Floor, Frankfort, Kentucky, 40601.

Vote: *Unanimous*

1109726 (Ryan Sutton)

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

Upon reinstatement at the conclusion of the suspension period, Respondent's teaching certificate shall be on probation for a period of three (3) years and subject to the following probationary conditions:

1. Respondent shall submit written proof to the Board that he has completed twelve (12) hours of professional ethics training, as approved by the Board, by January 1, 2013. Any expense required for said training shall be paid

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by Respondent. Should Respondent fail 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 six (6) hours of sexual harassment awareness training, as approved by the Board, by January 1, 2013. Any expense required for said training shall be paid by Respondent. Should Respondent fail 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 any disciplinary action for inappropriate relationship with students 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 two (2) years and subject to additional sanctions by the Board pursuant to KRS 161.120.

Vote: *Unanimous*

1106439 (Catherine Timmerman) Accept Agreed Order admonishing Respondent for requiring a student to pick up and dispose of soiled toilet paper on the bathroom floor. As an educator, Respondent has a duty to protect the health, safety, and emotional well-being of students. Respondent also has a duty to refrain from subjecting students to disparagement and embarrassment. The Board will tolerate no further acts of misconduct by Respondent.

Additionally, Respondent shall provide written proof to the Board, by November 1, 2012, that she has completed training in blood borne pathogens. Should Respondent violate this condition, her certificate shall be suspended and will remain so until the condition is met. Any expense incurred for said training shall be paid by Respondent.

Vote: *Unanimous*

1110806 (Elizabeth Burton) Accept Agreed Order which states that Respondent agrees neither to apply for nor accept certified employment at any school district in the Commonwealth of Kentucky at any time in the future. Should Respondent fail to satisfy this condition, his certificate shall be automatically suspended

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for a period of one (1) year, and the Board shall initiate new disciplinary action and seek additional sanctions.

Vote: *Unanimous*

1105295 (Eric Herald)

Accept Agreed Order which states that Respondent must attend and complete 12 hours of ethics and boundary training and provide proof of completion of that training to the Board within three months of approval of this agreement by the board. Respondent is responsible for all costs associated with said training. Should Respondent fail to complete the training then his certificate will be suspended until the training is completed and proof that training is provided to the board. Further, Respondent is admonished as follows: teachers are charged with maintaining and dignity of the profession and Respondent failed in that duty when he cut students' hair in exchange for booth passes. Such conduct is not only violation of this duty but also violates the boundaries that exist between teacher and student. The Board will not tolerate any further misconduct of this nature by Respondent.

Vote: *Unanimous*

1108625 (Anthony Gulla)

Accept Agreed Order which states that Respondent shall not be issued any type of teaching certificate including emergency, substitute, probationary, and/or temporary provisional, until he has completed all educational and assessment requirements necessary for teacher certification in Kentucky. Should Respondent meet this requirement, his application for certification shall not be processed unless it is accompanied by written proof that he has completed twelve (12) hours of professional development/training in effective classroom management techniques, approved by the Board and at his own expense.

Vote: *Unanimous*

1104279 (Timothy Sarver)

Accept Agreed Order which states that Respondent has retired and has no immediate plans to return to the education profession. Should Respondent decide to return to the classroom at some point in the future, he must comply with the following condition prior to accepting a certified position.

1. Respondent must provide written proof to the Board that he has received twelve (12) hours of professional development/training in the area of ethics and student/teacher boundaries.

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If Respondent returns to a certified position, his certificate will be subject to the following probationary conditions for a period of two years from the date that he accepts a certified position.

1. Respondent shall provide quarterly reports from his mental health professional that he is taking his prescribed medication and is mentally and psychologically fit to remain in the classroom. Should Respondent fail to satisfy this condition, his certificate shall be suspended until such time that his mental health professional finds that he is fit to return to the classroom.

2. For the duration of the probationary period, Respondent shall receive no disciplinary action involving student/teacher boundaries. "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. Should Respondent violate this condition, his certificate will be automatically suspended for one (1) year and Respondent will be subject to further disciplinary action for the new case.

Vote: *Unanimous*

1111822 (Charles Buchanan) Accept Agreed Order suspending Respondent's certificate, including any and all endorsements, for a period of forty five (45) days beginning April 15, 2012. Upon acceptance of this agreement of the Board, Respondent shall immediately surrender the original certificate and all copies of his certificate to the EPSB, by delivering or mailing them to 100 Airport Road, 3rd Floor, Frankfort, Kentucky 40601.

Upon reinstatement after the forty five (45) day suspension period, 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. By November 1, 2012, 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. If Respondent is not able to complete all treatment recommendations by November 1, 2012, he shall submit quarterly written progress reports from his chemical dependency counselor until such time as the counselor releases him from treatments. If Respondent

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has not successfully completed all treatment recommendations by the end of the two (2) year probationary period, Respondent agrees that the probationary period shall be extended and he shall submit quarterly written progress reports from the chemical dependency counselor to the Board until such time as the counselor releases him from treatment. Any expense for the assessment, treatment and/or reports shall be paid by Respondent.

2. By November 1, 2012, Respondent shall provide written proof to the Board that he has received twelve (12) hours of professional development/training in ethics as approved by the Board. Any expense for this professional development/training in ethics shall be paid by Respondent.

3. Respondent shall be subject to random drug testing and shall have no positive drug tests during the two (2) year probationary period.

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

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

Vote: *Unanimous*

1203192 (Heather Gibbons) Accept Agreed Order admonishing Respondent for neglect of duty and conduct unbecoming a teacher. An educator has a duty to fulfill all duties completely and honestly. Respondent failed in this duty when she submitted an observation form for an observation that she did not conduct. The Board will tolerate no further acts of misconduct by Respondent. Respondent shall provide written proof to the Board, by May 1, 2013, that she has completed twelve (12) hours of Board-approved professional development/training in the area of ethics. Should Respondent violate this condition, her certificate shall be suspended and will remain so until the condition is met. Any expense incurred for said training shall be paid by Respondent.

Vote: *Unanimous*

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1104274 (Cynthia Estep)

Accept Agreed Order reminding 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.

Upon acceptance of this agreement by the Board, 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:

By March 1, 2013, Respondent shall submit written proof to the Board that she has completed six (6) hours of professional development in the area of appropriate accommodations and modifications, 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.

1. By March 1, 2013, Respondent shall submit written proof to the Board that she has completed six (6) hours of professional development in the area of effective collaboration, 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.

2. By March 1, 2013, Respondent shall submit written proof to the Board that she has completed a course on professional ethics, 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 KRS 161.120.

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Vote: *Unanimous*

12794 (Travis Cox)

Accept Agreed Order which states as follows:

Upon acceptance of this agreement by the Board, Respondent shall be issued a Kentucky teaching certificate upon providing proof that he has met the academic and testing requirements necessary for issuance of a certificate, and has completed the following:

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

2. Respondent shall 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. Any expense for the assessment and written reports shall be paid by Respondent.

3. 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.

Any and all certificates issued to Respondent shall be subject to the following conditions:

1. If Respondent's chemical dependency counselor makes any treatment recommendations, Respondent shall comply with the treatment recommendations. Respondent shall submit quarterly written progress reports from his counselor to the Board until such time as the counselor releases him from treatment. Any expense for the treatment and/or written reports shall be paid by Respondent. Failure to comply with this condition will result in Respondent's certificate being automatically suspended until Respondent is in compliance.

2. If Respondent's licensed clinical provider makes any treatment recommendations with his anger management assessment, Respondent shall comply with the treatment recommendations. Respondent shall submit quarterly written progress reports from his provider to the Board until such time as the provider releases him from treatment. Any expense for the treatment and/or written reports shall be paid by Respondent. Failure to comply with this condition will result in Respondent's certificate being automatically suspended until Respondent is in compliance.

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3. Respondent shall not be convicted of nor enter a guilty or no contest plea to any criminal charge(s) involving the use or possession of alcohol. If Respondent is convicted of, or enters a guilty or no contest plea, to any criminal charge involving the use or possession of alcohol, he shall submit this information to the Board, in writing, within thirty (30) days. Failure to comply with this condition will result in Respondent's certificate being automatically suspended pending Board review and disposition.

4. Respondent shall submit a copy of his current state and federal criminal record, 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*

1105299 (Brian Minor)

Accept Agreed Order suspending Respondent's certificate for a period of thirty (30) days with fifteen (15) days of the suspension period to be served retroactively from August 1, 2012 through August 15, 2012. The remaining fifteen (15) days of the suspension period shall be served prospectively from December 21, 2012 through January 4, 2013.

Respondent shall neither apply for, nor be issued, a teaching certificate in the Commonwealth of Kentucky during the prospective 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 hand delivering or mailing to 100 Airport Road, 3rd Floor, Frankfort, Kentucky 40601. From the date the Board accepts this Agreed Order,

Respondent's certificate, including any and all endorsements, shall be subject to the following probationary conditions for a period of five (5) years:

1. On or before January 1, 2013, Respondent shall undergo a comprehensive alcohol/substance abuse assessment by a Kentucky licensed and/or certified chemical dependency counselor, as approved by the Board. Respondent shall submit written proof to the Board that he has successfully completed the assessment and all treatment recommendations proposed by the chemical dependency counselor. If Respondent is unable to complete all treatment recommendations prior to January 1, 2013, he shall submit quarterly written progress reports from his chemical dependency counselor until such time as the

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counselor releases him from treatment. Any expense required for the assessment, treatment, and/or written report(s) shall be paid by Respondent. If Respondent fails to submit the required progress report(s), his certificate shall be automatically suspended until Respondent submits the required written progress report(s) to the Board.

2. On or before July 1, 2013, Respondent shall provide written proof to the Board that he has successfully completed twelve (12) hours of training or professional development, as approved by the Board, on the Professional Code of Ethics for Kentucky Certified School Personnel. Any expense incurred for said training shall be paid by Respondent. If Respondent fails to satisfy this condition, his certificate shall be automatically suspended until Respondent completes the required training and provides the appropriate written proof to the Board.

3. On or before July 1, 2013, Respondent shall provide written proof to the Board that he has successfully completed twelve (12) hours of training or professional development, as approved by the Board, on Safe Crisis Management. Any expense incurred 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.

4. Respondent shall not be convicted of nor enter a guilty or no contest plea to any criminal charge(s) other than minor traffic violations. Failure to comply with this condition will result in an automatic thirty (30) day suspension of Respondent's certificate.

5. 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 five (5) year period of probationary conditions, the Board shall initiate new disciplinary action and seek additional sanctions.

Vote: *Unanimous*

1011794 (Mary Shepard)

Accept Agreed Order admonishing Respondent for neglect of duty. As an educator, Respondent has a duty to take

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reasonable measures to protect the health, safety, and emotional well-being of students as well as to conform to established protocols in order to ensure that every student in her care is present and accounted for at all times. The Board will not tolerate any further acts of misconduct from Respondent.

Respondent's certificate, and any future endorsements or new areas of certification, shall be subject to the following probationary conditions for a period of three (3) years from the date the Board accepts this Agreed Order:

1. On or before July 1, 2013, Respondent shall provide written proof to the Board that she has received 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.
2. On or before July 1, 2013, Respondent shall submit written proof to the Board that she has completed twelve (12) hours of professional development or training, as approved by the Board, in the area of classroom management. Any expense incurred for said training shall be paid by Respondent.
3. For the entirety of the probationary period, Respondent shall receive no disciplinary action involving neglect of duty and/or classroom management issues. "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 three (3) year 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 three (3) year period of probationary conditions, the Board shall initiate new disciplinary action and seek additional sanctions.

Vote: *Unanimous*

1111890 (Stephen McIntosh) Accept Agreed Order retroactively revoking Respondent's certificate for a period of three (3) years beginning November 16, 2011. Respondent shall neither apply for, nor be issued, a teaching certificate in the Commonwealth

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of Kentucky during the revocation 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 the standard requirements of the application process, before Respondent shall be reissued any certificate, he must comply with the following:

1. Respondent shall provide written proof to the Board that he has been assessed by a state certified mental health counselor 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.

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, which shall include instruction on appropriate teacher/student boundaries. Any expense incurred for said training shall be paid by Respondent.

3. Respondent shall provide the Board with at least two (2) letters of recommendation stating that Respondent is morally and ethically fit to hold a teaching certificate. Such letters of recommendation must be written by educators who hold valid Kentucky teaching certificates that are currently in good standing.

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

Upon reissuance of Respondent's certificate, Respondent shall be on permanent probation. Accordingly, 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.

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 permanently revoked.

Vote: *Unanimous*

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Recommended Orders

Case Number

1011677 (LeAnn Page)

Decision

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

Vote: *Unanimous (Ms. Boyd recused)*

Motion made by Mr. DeAtley, seconded by Mr. Ross, to adjourn the meeting.

Vote: *Unanimous*

Meeting adjourned at 3:00 p.m.

Next Meeting: October 15, 2012
 9:00 AM
 EPSB Board Room
 Frankfort, Kentucky

**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Consent Item B

Action Item:

2010-2011 Title II Report

Applicable Statutes and Regulation:

Title II of the 1998 Higher Education Act
KRS 161.028, 161.030
16 KAR 5:010

Applicable Goal:

Goal 1: Every approved educator preparation program meets or exceeds all accreditation standards and prepares knowledgeable, capable teachers and administrators who demonstrate effectiveness in helping all students reach educational achievement.

Issue:

Should the Education Professional Standards Board (EPSB) approve the Title II Report for 2010/2011 for submission to the United States Department of Education (USDOE)?

Background:

Title II of the Higher Education Act supports efforts to improve the recruitment, preparation, and induction of new teachers, and includes reporting requirements for institutions and states regarding teacher preparation and certification. Section 207 of the Act requires the annual preparation and submission of three reports on teacher preparation and certification: one from institutions to the states, one from the states to the U.S. Secretary of Education, and one from the Secretary to the U.S. Congress and the public.

Institutions have entered their data for the state Title II report that will be submitted by the EPSB. Title II reporting lags one year behind the current year. EPSB staff will submit the 2010-2011 state report to the U.S. Secretary of Education in October. The summary of the 2010-2011 Praxis Pass Rates and the Five-Year Comparison as submitted for all Kentucky institutions, public and independent, will be sent under separate cover. Programs with fewer than ten completers cannot be publicly identified. The complete Title II Report will be available on the EPSB's secure website.

Alternative Actions:

1. Approve the 2010/2011 Title II Report for submission to the USDOE.
2. Do not approve the 2010/2011 Title II Report for submission to the USDOE.

Staff Recommendation:

Alternative 1

Rationale:

The Title II Report for 2010/2011 was compiled in accordance with federal requirements, and all information contained therein was verified by the institutions and by EPSB

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staff. The report must be submitted by October 31, 2012.

Contact Person:

Mr. Robert Brown, Director
Division of Professional Learning and Assessment
(502) 564-4606
E-mail: robertl.brown@ky.gov

Date:

October 15, 2012

**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Consent Item C

Action Item

EPSB staff requests approval authorizing the acting executive director to enter into contract to conduct normal business operations.

Applicable Statutes and Regulation

KRS 161.028 (1) (v) (d)
KRS 161.017 (3)

Applicable Goal

Goal 6: The EPSB shall be managed for both effectiveness and efficiency, fully complying with all statutes, regulations, and established federal, state, and agency policies.

Issue

Should the Education Professional Standards Board (EPSB) authorize the acting executive director to enter into contract to conduct normal business operations?

Background

KRS 161.028 (1) (v) authorizes the EPSB to enter into contracts and KRS 161.017 (3) stipulates that with board approval the executive director may enter into agreements "...to enlist assistance to implement the duties and responsibilities of the board."

EPSB staff requests approval to begin the procurement process and enter into the following proposed contract. This contract will be issued for a two-year period coinciding with the biennial budget period.

Contract Position	Contract Period	Must be competitively bid?	Type of entity	Estimated 2 yr. Contract Amt.
Lawyer / Legal	November 2012 – June 2014	Yes	Individual and/or law firm	\$80,000.00

- Impact on budget: No major impact
- Singular vs. continuing service: Continuing Service

Alternative Actions

1. Authorize the acting executive director to issue an RFP and enter into the contract awarded from the RFP.
2. Do not approve the issuance of the RFP and awarding of the contract.
3. Authorize RFP and request further review of contract award before completion.

Staff Recommendation

Alternative 1

Rationale

This contract is consistent with current operations and will be necessary to continue program services in the areas that it supports.

Contact Person:

Ms. Ashley Abshire, Executive Assistant
Executive Office
(502) 564-4606
E-mail: ashley.abshire@ky.gov

Date:

October 15, 2012

**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Information/Discussion Item

Information Item:

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

Applicable Statutes and Regulation:

KRS 161.028, KRS 161.120, 16 KAR 1:020, 16 KAR 1:030

Applicable Goal:

Goal 3: Every credentialed educator exemplifies behaviors that maintain the dignity and integrity of the profession by adhering to established law and EPSB Code of Ethics.

Issue:

Should the EPSB approve the proposed amendments to the EPSB's Determining Probable Cause to Take Disciplinary Action Procedure contained in the EPSB's Policy and Procedure Manual?

Background:

In August 2004, the Board voted to approve the surrender of suspended or revoked certificates, note the periods of suspension and revocation on certificates when reissued, and display final and pending actions taken against educator certificates on the EPSB website with access limited to school district administrators. Staff used the Kentucky Educator Certification Inquiry (KECI), <https://wd.kyepsb.net/EPSB.WebApps/KECI/>, as the website to display this information. A notation indicating a complaint is pending appears in KECI when a disciplinary case is initiated against an educator, but only school district superintendents and human resource personnel have access to this information. Recently, technology staff also added this view to the educator's homepage in KECI.

If an educator's certificate is suspended or revoked upon the resolution of the disciplinary case, the educator surrenders his or her certificate. Upon reinstatement or reissuance of the certificate, the educator is issued a new certificate with the suspension and revocation dates printed on the certificate. This issue was discussed at the November 2011 board retreat and the Board instructed staff to also include this information on KECI. Currently, if an educator's certificate is revoked or suspended it appears in red and is struck through on KECI. Upon reinstatement or reissuance, the suspension and revocation dates are noted on KECI as seen below:

Credentials

PEEF, PLDF Suspended (From: 03-SEP-11 To: 03-FEB-12)

Any questions about the suspension or revocation should be referred to the Division of Legal Services at 502.564.4606.

Cred	Description	Effective	Expiration	Restricted To
Do Not Print (00)				
RANK2	Rank II	12-13-2003 Invalid Date.	- - Invalid Date.	
Cert Issued (30)				
PEEF	Provisional Certificate For Teaching In The Early Elementary Grades K-4 (And Self- Contained Grades 5-6)	07-01-2009 Invalid Date.	06-30-2014 Invalid Date.	
PLDF	Provisional Certificate For Teachers Of Exceptional Children--Learning And Behavior Disorders, Grades K-12	07-01-2009 Invalid Date.	06-30-2014 Invalid Date.	

Note: Suspended and revoked credentials are shown with red text with a strike through line.

The 2004 changes to disciplinary practice were not adopted as a policy; therefore, staff has drafted an amendment to the Determining Probable Cause to Take Disciplinary Action Procedure incorporating the August 2004 motions and the Board’s directives at its November 2011 retreat.

Contact Person:

Ms. Alicia A. Sneed, Director
 Division of Legal Services
 (502) 564-4606
 E-mail: alicia.sneed@ky.gov

Date:

October 15, 2012

Education Professional Standards Board

**DETERMINING PROBABLE CAUSE TO TAKE DISCIPLINARY ACTION
PROCEDURE**

Amended November 19, 2007

(Approved August 26, 2002)

Pursuant to KRS 161.120(1), the Education Professional Standards Board (hereinafter “the Board”) may take disciplinary action against certified educators. Superintendents have a duty to report misconduct within 30 days of the incident and may be subject to disciplinary action for failing to so report. In addition, other sources may submit complaints to the Board’s legal staff. Legal staff shall initiate a disciplinary case when the allegation in the report or complaint establishes an act prohibited by KRS 161.120 (1).

Upon initiating a disciplinary case, a notice that a complaint is pending for the Board’s review shall appear on the Board’s website with access limited to school district administrators. ~~Upon opening a disciplinary case,~~ The legal division staff shall send ~~[sends]~~ the educator (“respondent”) a copy of the complaint received by certified mail and advise the respondent ~~[he or she is advised]~~ in writing of the right to submit any rebuttal material within 30 days. The respondent also has the ability to request a delay in submitting a rebuttal. (This is frequently the case when an employment tribunal or concurrent civil or criminal trial is involved.) Board policy is to authorize legal staff to grant such requests at their discretion and for good cause.

Following receipt of a rebuttal or the expiration of the time limit for its submission, the initial case is presented by legal staff at the next regularly scheduled board meeting. At that time, if the Board does not request further information, it makes one of the following “probable cause” determinations:

Dismiss: The complaint against the educator shall be dismissed. The dismissal may not be based upon the merits of the case, but rather some other aspect, such as weak facts, incomplete reporting, lack of cooperation from witnesses, etc.; therefore, subsequent action on this complaint is not prohibited.

Deferral for training: The evidence presented to the Board indicates that the Respondent would benefit from remedial training. The Board shall defer consideration of this case in order to offer the Respondent an opportunity to complete the suggested training. If the Respondent provides written proof to the Board that he or she has successfully completed the recommended training, the Board shall dismiss the case.

Admonish: The evidence presented to the Board provides a clear indication that the alleged misconduct did, in fact, occur; however, it is not serious enough to warrant a suspension of the certificate. The Board issues a written admonishment to the educator with a copy to his or her superintendent.

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Refer to Hearing: The evidence, if true, would indicate that punitive action should be taken against the certificate. Legal staff shall further investigate the allegations and proceed toward an administrative hearing in accordance with KRS 13B.

If an agreed order or final order issued by the Board suspends or revokes a respondent's certificate, the respondent shall surrender his or current certificate to the Division of Legal Services. Upon reinstatement or reissuance of the certificate, the period of suspension and revocation shall be noted on the certificate. Suspension and revocation periods shall be noted on the Board's website.

DRAFT

**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Action Item A

Action Item:

2013 Legislative Agenda

Applicable Statute:

KRS 161.028

Applicable Goals:

All Goals.

Issue:

Should the Education Professional Standards Board approve the 2013 Legislative Agenda?

Background:

The General Assembly will meet for its regularly scheduled 30-day Session beginning in January 2013. Prior to the commencement of legislative session, the Board customarily prepares with the aid of staff a legislative agenda designed to promote the Board's mission. Staff utilizes the final legislative agenda to prepare proposed bills for statutory amendments and to advance the Board's goals when working with legislators.

This is not a budgetary session and the Board has not approved any recommendations for statutory amendments, therefore staff suggests that instead of a formal legislative agenda, the Board approve the following framework for use when evaluating bills during the 2013 Legislative Session:

- Support any legislation which further supports the EPSB's mission and goals.
- Oppose any attempt to dilute or modify the current authority of the EPSB.

The above items have been included in the Board's legislative agenda for the last several years. Using this framework, staff will evaluate each bill filed during the 2013 session. Staff will update the Board during the session on any proposed legislation related to education and provide the Board with a summary of all new laws at the May 13, 2013 EPSB meeting.

Alternative Actions:

1. Approve the 2013 Legislative Agenda.
2. Modify and approve the 2013 Legislative Agenda.
3. Do not approve the 2013 Legislative Agenda.

Staff Recommendation:

Alternative 1

Rationale

This legislative agenda was created after soliciting input from the staff and accurately reflects the current legislative needs of the agency.

Contact Person:

Ms. Alicia A. Sneed
Director of Legal Services
(502) 564-4606
E-mail: alicia.sneed@ky.gov

Date:

October 15, 2012

**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Action Item B

Action Item:

Continuing Education Option 16 KAR 8:030

Applicable Statutes and Regulation:

KRS 161.020, 161.028, 161.030, 161.095, 161.1211
16 KAR 8:030

Applicable Goal:

Goal III: A properly credentialed person shall staff every professional position in Kentucky's public schools.

Issue:

Should the Education Professional Standards Board approve the amendments to 16 KAR 8:030, Continuing Education Option?

Background:

The EPSB approved a redesigned Continuing Education Option (CEO) program in May 2009. Included in that proposal was a requirement of *Take One!*, which is a program of the National Board for Professional Teaching Standards. However, in May 2010 the EPSB provided a waiver of the *Take One!* requirement of the Continuing Education Option (CEO) program based on the following reasons:

1. The registration for *Take One!* and the date of score release would not allow a candidate to successfully complete *Take One!* by the 18 months cited in 16 KAR 8:030.
2. Candidates who enrolled in a fall CEO cohort and registered for *Take One!* would be able to receive scores the following December, which allowed them to complete CEO within 18 months. Candidates who enrolled in a spring CEO cohort and registered for *Take One!* would not receive scores for 24 months. This caused an unintended advantage for one cohort over another.
3. The new requirements of the redesigned CEO program duplicated work between CEO and *Take One!* Concerns were raised about allowing candidates to use the information from the instructional unit and/or leadership project for *Take One!* According to National Board regulation, the process of *Take One!* must be a separate submission of materials and content. By including *Take One!* in the CEO, we placed candidates in the position of violating ethics agreements with the National Board.

Additional changes to 16 KAR 8:030 are also needed:

In Section 9 dates and procedures were established for candidates who were enrolled in the former CEO program. The final established submission date for candidates enrolled in CEO in calendar year 2007 was January 15, 2012. Since the dates have now expired, this section needs to be omitted from 16 KAR 8:030.

In section 10 (5) (a) the CEO portfolio resubmission date of October 1 – 5 was included. This was a typographical error and should have read October 1 – 15.

Alternative Actions:

1. Approve the amendments to 16 KAR 8:030.
2. Do not approve the amendments to 16 KAR 8:030.

Staff Recommendation:

Alternative Action 1

Rationale:

The waiver approved by the board will become a final amendment to 16 KAR 8:030 allowing EPSB staff to implement the program efficiently.

Contact Person:

Mr. Robert Brown, Director
Division of Professional Learning and Assessment
(502) 564 – 4606
E-mail: robertl.brown@ky.gov

Date:

October 15, 2012

1 **EDUCATION PROFESSIONAL STANDARDS BOARD**

2 **(AMENDMENT)**

3 **16 KAR 8:030. Continuing Education Option for certificate renewal and rank change.**

4 RELATES TO: KRS 161.020, 161.028, 161.030, 161.1211

5 STATUTORY AUTHORITY: KRS 161.020, 161.028(1)(a), (f), (q), 161.030, 161.095,
6 161.1211

7 NECESSITY, FUNCTION, AND CONFORMITY: KRS 161.095 requires the Education
8 Professional Standards Board to promulgate an administrative regulation establishing procedures
9 for a teacher to maintain a certificate by successfully completing meaningful continuing
10 education. KRS 161.028(1)(f), and 161.030 authorize the board to issue and renew certification
11 for professional school personnel in the board, and KRS 161.028(1)(q) authorizes the board to
12 charge reasonable certification fees. KRS 161.1211 establishes certificate ranks and requires the
13 board to issue rank classifications. This administrative regulation establishes the procedures for
14 the continuing education option for certificate renewal and rank change.

15 Section 1. Procedures for the first and second renewal of the professional teaching
16 certificate established in 16 KAR 2:010 shall require completion of:

17 (1) The continuing education option established in this administrative regulation; or

18 (2) A planned fifth-year program established in 16 KAR 8:020.

19 Section 2. The Continuing Education Option shall only be used to obtain either Rank II or
20 Rank I.

21 Section 3. Program Requirements. (1) The continuing education option shall consist of
22 four (4) phases:

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1 (a) Phase one (1): Completion of an instructional seminar established in Section 4 of this
2 administrative regulation as of this administrative regulation and development of a plan for job-
3 embedded professional development;

4 (b) Phase two (2): Content exploration and research;

5 (c) Phase three (3): Student instruction and assessment; and

6 (d) Phase four (4): Professional demonstration and publication.

7 (2) In addition to the completion of the four (4) phases established in subsection (1)(a)
8 through (d) of this section, a candidate for the Continuing Education Option shall:

9 (a) Develop a leadership project aligned to the job-embedded professional development
10 established in subsection (1)(a) of this section; and

11 (b) Complete a minimum of six (6) graduate credit hours, with an average grade point
12 average of three and zero-tenths (3.0) aligned to the job-embedded professional development
13 established in subsection (1)(a) of this section. ~~]; and~~

14 ~~(c) Complete the "Take One!" component for National Board Teacher Certification with~~
15 ~~a successful score.]~~

16 Section 4. (1) A candidate for the continuing education option for certificate renewal and
17 rank change shall:

18 (a) Attend board-approved a program orientation meeting; and

19 (b) Successfully complete a board-approved seminar on how to build a plan for job-
20 embedded professional development.

21 (2)(a)1. A school district, group of districts, or Kentucky postsecondary institution with
22 an accredited educator preparation program may make application to the Education Professional

1 Standards Board for approval to sponsor a seminar on how to build a plan for job-embedded
2 professional development.

3 2. The Education Professional Standards Board may sponsor a seminar on how to build a
4 plan for job-embedded professional development in a district or group of districts in which a
5 seminar is not otherwise offered.

6 (b) The seminar on how to build a plan for job-embedded professional development shall
7 be led by a continuing education option coach.

8 (c) The seminar on how to build a plan for job-embedded professional development may
9 be a blend of:

10 1. Web-based instruction; and

11 2. Face-to-face cohort meetings.

12 (d) The Education Professional Standards Board may provide Web-based instruction
13 through an on-line module at www.KYEducators.org.

14 (e) A seminar sponsor shall offer face-to-face cohort meetings at least two (2) times per
15 month during the plan building seminar.

16 (3) Following completion of phase one (1) of the continuing education option, a seminar
17 sponsor shall continue face-to-face cohort meetings on a monthly basis.

18 (4) Completion of the first phase of the Continuing Education Option shall allow the
19 candidate to receive first renewal of the candidate's certificate beginning July 30, 2010.

20 (5) Payment of seminar tuition.

21 (a)1. Tuition for the on-line module provided by the Education Professional Standards
22 Board shall be \$150; and

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1 2. The on-line module fee shall be paid to the Education Professional Standards Board at
2 the time of enrollment.

3 (b)1. Tuition for the cohort meetings shall be \$1,100; and

4 2. The cohort meeting fee shall be paid to the board-approved seminar sponsor.

5 (c)1. Seminar tuition shall be nonrefundable.

6 2. A cohort meeting fee may be transferred to another seminar sponsor upon agreement
7 between both sponsors.

8 (6)(a) Upon completion of the seminar, the Continuing Education Option candidate shall
9 design an individual job-embedded professional development plan.

10 (b) The job-embedded professional development plan shall:

11 1. Focus on a professional growth need identified by the teacher with consideration given
12 to the needs identified in the school's consolidated plan, student assessment results, and
13 community resources;

14 2. Include goals correlated to:

15 a. Each of the ten (10) Kentucky Teacher Standards established in 16 KAR 1:010;

16 b. The Kentucky Teacher Standards Advanced Level Performance in the CEO
17 Professional Development Portfolio Rubric; and

18 c. The teacher's individual professional growth needs established in clause 1. of this
19 paragraph;

20 3. Include a timeline in which the candidate shall complete all phases of the continuing
21 education option. The timeline shall not:

22 a. Be less than eighteen (18) months; or

23 b. Be more than four (4) years; and

1 4. Be reviewed by the continuing education option coach for the seminar cohort.

2 c. The continuing education option coach shall:

3 1. Review the plans using the CEO Professional Development Plan Scoring Rubric; and

4 2. Provide guidance to the candidate for submitting the plan to the Education Professional
5 Standards Board for scoring.

6 (d)1. The candidate shall submit the plan to the Education Professional Standards Board
7 for review.

8 2. The candidate may resubmit the plan for an additional scoring if the continuing
9 education scoring team has provided evidence of a deficiency in the plan.

10 3. The candidate shall submit a scoring fee of \$455 to the Education Professional
11 Standards Board with the plan.

12 4. If a candidate submits a plan for additional scoring, the candidate shall submit a
13 rescoring fee of fifty (50) dollars to the Education Professional Standards Board with the plan.

14 (7)(a) The candidate shall participate in a job-embedded professional development
15 experience with documented outcomes that demonstrate the accomplishment of the established
16 goals.

17 (b) A job-embedded professional development experience shall include a combination of:

18 1.a. A minimum of six (6) university graduate credits; or

19 b. With approval from Education Professional Standards Board staff, a combination of a
20 minimum of six (6) university graduate or undergraduate content course credits that meet the
21 goals established in the candidate's job-embedded professional growth plan;

22 2. Research;

23 3. Field-experience;

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1 4. Professional development activities;

2 5. Interdisciplinary networking and consultations; and

3 6. ~~{The "Take One!" component aligned with the candidate's area of certification as~~
4 ~~established by the National Board of Professional Teaching Standards; and~~

5 7.} A leadership project.

6 (8)(a) The evidence of accomplishment of the goals identified in the plan shall be
7 documented by the candidate in a portfolio.

8 (b) The candidate shall present the portfolio to the Education Professional Standards
9 Board for review and scoring.

10 (c) The documentation in the portfolio shall provide evidence:

11 1. That all Kentucky teacher standards Advanced Level Performance Indicators have
12 been met;

13 2. Of the effects on student learning; and

14 3. Of the professional growth over time in:

15 a. Content knowledge;

16 b. Instructional and student assessment practices; and

17 c. Professional demonstration and publication skills.

18 (d) The portfolio shall be presented using a variety of media, which may include
19 electronic recordings.

20 (e) The portfolio shall be submitted to the Education Professional Standards Board at
21 least one (1) year in advance of the expiration date of the teacher's certificate.

22 (f) The portfolio shall be submitted in either:

23 1. A traditional paper format with other media; or

1 2. An electronic format.

2 (g) A portfolio shall not exceed three (3) four (4) inch binders in size or its electronic
3 equivalent.

4 Section 5. (1) Initial application for the continuing education option program shall be
5 made through a seminar sponsor approved by the Education Professional Standards Board.

6 (2) The approved seminar sponsor shall report all enrolled applicants to the Education
7 Professional Standards Board.

8 Section 6.(1) A team of two (2) scorers approved by the Education Professional
9 Standards Board shall review and score the continuing education portfolio.

10 (2) The scorers shall be selected by the Education Professional Standards Board in
11 accordance with Section 4(2)(a) from a cadre of educators representing teachers, principals,
12 central office instructional personnel, and higher education faculty.

13 (3) The two (2) person scoring team shall:

14 (a) Include a teacher certified in the same grade range and content area as the continuing
15 education option candidate;

16 (b) Score the candidate's portfolio using the CEO Professional Development Portfolio
17 Rubric;

18 (c)1. Recommend the teacher for certificate renewal to the Education Professional
19 Standards Board prior to the expiration date of the certificate; or

20 2. Report results to the Education Professional Standards Board using the scoring rubric
21 to indicate which standards were not met; and

22 (d) Receive training from ~~[Be trained by]~~ the Education Professional Standards Board to
23 score the portfolios in a consistent and reliable manner.

1 (4)(a) If the two (2) person scoring team cannot reach consensus in the review process, a
2 third scorer shall score the portfolio.

3 (b) An average of the scores shall determine whether the portfolio contained evidence
4 that the ten (10) Kentucky Teaching Standards established in 16 KAR 1:010 were met.

5 (5)(a) If the teacher's portfolio does not contain evidence that all ten (10) Teacher
6 Standards established in 16 KAR 1:010 have been met, the teacher may resubmit a partial
7 portfolio for rescoring, which shall contain documented evidence on the unmet standard or
8 standards.

9 (b) The rescoring process shall follow the same procedures as the initial scoring process
10 established in this section of this administrative regulation.

11 (c) The teacher shall receive feedback from the initial scoring regarding additional
12 evidence that may be needed to show that goals were accomplished and that all Teacher
13 Standards established in 16 KAR 1:010 were met.

14 Section 7. (1) A teacher following the continuing education option to the fifth-year
15 program for certificate renewal and rank change shall complete the program by the end of the
16 second certificate renewal period.

17 Section 8. Payment of Fee for Scoring the Portfolio. (1) A scoring fee of \$1,400 shall be
18 assessed to each continuing education option candidate.

19 (2) The fee shall be used to pay expenses for the actual cost of administration of the
20 continuing education option program including the costs associated with the following:

- 21 (a) The evaluation of approved seminar provider programs;
- 22 (b) Training the continuing education option coaches who lead the seminars;
- 23 (c) Training and compensating the portfolio reading team members; and

1 (d) The initial scoring of the portfolio.

2 (3) Payment shall be made to the Education Professional Standards Board.

3 (4) The full fee shall be submitted with the portfolio for scoring.

4 (5) The initial scoring fee shall provide for one (1) scoring of all parts of the portfolio.

5 (6)(a) A fee of \$140 shall be assessed for each unmet standard that requires rescoring.

6 (b) The rescoring fee, if applicable, shall be submitted to the Education Professional
7 Standards Board with the revised portfolio is.

8 Section 9. ~~{(1) A candidate who submitted a professional development plan prior to July~~
9 ~~30, 2010 shall submit a portfolio for scoring to the Education Professional Standards Board on~~
10 ~~the following schedule:~~

11 ~~(a) Candidates enrolled in the Continuing Education Option in calendar year 2005 shall~~
12 ~~submit the portfolio by January 15, 2010;~~

13 ~~(b) Candidates enrolled in the Continuing Education Option in calendar year 2006 shall~~
14 ~~submit the portfolio by January 15, 2011; and~~

15 ~~(c) Candidates enrolled in the Continuing Education Option in calendar year 2007 shall~~
16 ~~submit the portfolio by January 15, 2012.~~

17 ~~(2) The candidate's portfolio shall be scored using the rubric in effect when the candidate~~
18 ~~enrolled in the continuing education option program.~~

19 ~~(3) A candidate under this section shall not be charged an additional fee for rescoring a~~
20 ~~previously submitted portfolio.~~

21 ~~(4) The candidate under this section shall be provided an opportunity to participate in a~~
22 ~~cohort meeting established in Section 4 of this administrative regulation.~~

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1 ~~(5) The candidate under this section shall be offered coaching by an approved continuing~~
2 ~~education option coach.~~

3 ~~Section 10.]~~ (1) Portfolios shall be scored by the Education Professional Standards Board
4 on an annual basis.

5 (2) A candidate shall have been enrolled in the continuing education option program for
6 at least eighteen (18) months prior to submission of the portfolio to the Education Professional
7 Standards Board for scoring.

8 (3) A candidate shall submit a portfolio to the Education Professional Standards Board
9 for initial scoring between July 1 and July 15.

10 (4) The date of portfolio submission shall be either:

11 (a) The day the portfolio is hand-delivered to the Education Professional Standards Board
12 offices; or

13 (b) The date of the postmark.

14 (5)(a) A portfolio that requires rescoring shall be resubmitted during one (1) of the
15 rescoring windows of October 1 through 15 ~~{5}~~ or January 1 through 15.

16 (b) Portfolios not submitted within the rescoring window shall be resubmitted in
17 accordance with the schedule established in subsection (3) of this section.

18 (6) All portfolios shall become the property of the Education Professional Standards
19 Board.

20 (7)(a) The Education Professional Standards Board shall provide electronic tracking of all
21 portfolios to identify cases of plagiarism.

22 (b) Instances of plagiarism shall be reported to the Education Professional Standards
23 Board for disciplinary action.

1 Section 10 ~~{11}~~. Incorporation by Reference. (1) The following material is incorporated
2 by reference:

3 (a) "CEO Professional Development Plan Scoring Rubric", 2009; and

4 (b) "CEO Professional Development Portfolio Rubric", 2009;

5 (2) This material may be inspected, copied, or obtained, subject to applicable copyright
6 law, at the Education Professional Standards Board, 100 Airport Road, 3rd Floor, Frankfort,
7 Kentucky 40601, Monday through Friday, 8 a.m. to 4:30 p.m.

8

DRAFT

PUBLIC HEARING AND PUBLIC COMMENT PERIOD: A public hearing on this administrative regulation shall be held on December 28, 2012 at 9:00 a.m. at the offices of the Education Professional Standards Board, 100 Airport Road, 3rd Floor, Conference Room A, Frankfort, Kentucky 40601. Individuals interested in being heard at this hearing shall notify this agency in writing five workdays prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing is received by that date, the hearing may be canceled. This hearing is open to the public. Any person who wishes to be heard will be given an opportunity to comment on the proposed administrative regulation. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted until January 2, 2013. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person.

Contact person: Alicia A. Sneed, Director of Legal Services
Education Professional Standards Board
100 Airport Road, Third Floor
Frankfort, KY 40601
(502) 564-4606
FAX: (502) 564-7080

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Regulation #: 16 KAR 8:030

Contact Person: Alicia A. Sneed, Director of Legal Services

(1) Provide a brief summary of:

(a) What this administrative regulation does: This administrative regulation establishes procedures for a teacher to maintain a certificate and obtain a rank change by successfully completing meaningful continuing education.

(b) The necessity of this administrative regulation: This administrative regulation is necessary to provide notice to candidates of the program requirements for the continuing education option for certificate renewal and rank change.

(c) How this administrative regulation conforms to the content of the authorizing statutes: KRS 161.028(1)(f), and 161.030 authorize the board to issue and renew certification for professional school personnel in the board, and KRS 161.028(1)(q) authorizes the board to charge reasonable certification fees. KRS 161.1211 establishes certificate ranks and requires the board to issue rank classifications.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes: This administrative regulation delineates the steps necessary to successfully complete the continuing education option for certificate renewal and rank change.

(2) If this is an amendment to an existing administrative regulation, provide a brief summary of:

(a) How the amendment will change this existing administrative regulation: This amendment removes the requirement for a candidate to register and complete "Take One!" This amendment also removes language and sunset language regarding the previous incarnation of the continuing education option.

(b) The necessity of the amendment to this administrative regulation: This amendment is necessary to provide notice to candidates of the program requirements for the continuing education option for certificate renewal and rank change.

(c) How the amendment conforms to the content of the authorizing statutes: KRS 161.028(1)(f), and 161.030 authorize the board to issue and renew certification for professional

school personnel in the board, and KRS 161.028(1)(q) authorizes the board to charge reasonable certification fees. KRS 161.1211 establishes certificate ranks and requires the board to issue rank classifications.

(d) How the amendment will assist in the effective administration of the statutes: This amendment removes the “Take One!” completion requirement as part of the continuing education option. Due to the timing of the registration for “Take One!” and the date of the score release, a candidate could not complete the program within the required time frame.

(3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation: 174 Kentucky school districts, 30 educator preparation programs, and educators seeking certificate renewal and rank change.

(4) Provide an analysis of how the entities identified in question (3) will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:

(a) List the actions that each of the regulated entities identified in question (3) will have to take to comply with this administrative regulation or amendment: The school districts will not be required to take any additional action. The educator preparation programs will need to continue to direct students to this regulation or the Education Professional Standards Board website for current certificate renewal requirements. Educators will need to consult this regulation for information regarding the continuing education option.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (3): There should not be any additional cost to the entities impacted by the regulation.

(c) As a result of compliance, what benefits will accrue to the entities identified in question (3): The educator preparation programs and applicants will be positively affected by the clarifications to the regulation. The districts will be positively affected by an increase in educators who have engaged in focused professional development to enhance their teaching abilities.

(5) Provide an estimate of how much it will cost the administrative body to implement this administrative regulation:

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(a) Initially: None

(b) On a continuing basis: None

(6) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation: State General Fund

(7) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change if it is an amendment: No increase in fees or funding will be necessary to implement this administrative regulation.

(8) State whether or not this administrative regulation established any fees or directly or indirectly increased any fees: This administrative regulation does not establish any fees, or directly or indirectly increase fees.

(9) TIERING: Is tiering applied? (Explain why or why not) NO, tiering does not apply since all candidates are required to complete the same program.

DRAFT

FISCAL NOTE ON STATE OR LOCAL GOVERNMENT

Regulation Number: 16 KAR 8:030
Contact Person: Alicia A. Sneed
Phone number: 502-564-4606

(1) What units, parts, or divisions of state or local government (including cities, counties, fire departments, or school districts) will be impacted by this administrative regulation? The Education Professional Standards Board, public colleges and universities, and the 174 public school districts.

(2) Identify each state or federal statute or federal regulation that requires or authorizes the action taken by the administrative regulation. KRS 161.020, 161.028, 161.030, 161.095, 161.1211

(3) Estimate the effect of this administrative regulation on the expenditures and revenues of a state or local government agency (including cities, counties, fire departments, or school districts) for the first full year the administrative regulation is to be in effect. There should be no effect on expenditures or revenues.

(a) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for the first year? There should be no additional revenues created by this amendment.

(b) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for subsequent years? There should be no additional revenues created by this amendment.

(c) How much will it cost to administer this program for the first year? There are no costs associated with the administration of this program.

(d) How much will it cost to administer this program for subsequent years? There are no costs associated with the administration of this program.

Note: If specific dollar estimates cannot be determined, provide a brief narrative to explain the fiscal impact of the administrative regulation.

Revenues (+/-):

Expenditures (+/-):

Other Explanation: This is not a fee generating or a cost incurring program, but sets the requirements for completion of the continuing education option for certificate renewal and rank change.

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**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Action Item C

Action Item:

16 KAR 6:010. Written Examination Prerequisites for Teacher Certification

Applicable Statute and Regulation:

KRS 161.030
16 KAR 6:010

Applicable Goal:

Goal 2: Every professional position in a Kentucky public school is staffed by a properly credentialed educator.

Issue:

Should the Education Professional Standards Board approve the amendments to 16 KAR 6:010, Written Examination Prerequisites for Teacher Certification to become effective September 1, 2013?

Background:

Newly Developed Tests and Corresponding Passing Scores

During 2011 and 2012, Kentucky teachers and higher education faculty participated in multi-state Standard Setting Studies (SSS) conducted by the Educational Testing Service (ETS) for multiple assessments. The bulleted points highlight some changes:

- The new *Special Education: Education of Deaf and Hard of Hearing Students (0272)* has been reconstructed to contain only multiple choice items. The current assessment (*0271*) will be discontinued.
- The new *Special Education: Teaching Students with Visual Impairments (0282)* is an updated version of the current (*0281*) which will be discontinued.
- *Music: Content and Analysis (0114)* is a combined test of the current *Music: Content Knowledge (0113)* and *Music: Concepts and Processes (0111)*. *Music: Concepts and Processes (0111)* will be discontinued.
- ETS developed a new *Chinese (Mandarin): World Language (5665)* assessment. The first administration of this test will occur in October 2012. Currently, the EPSB has no existing assessment for the Chinese World Language certificate.

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Current Requirements	Proposed Requirements	Recommended Cut Score
<i>Special Education: Education of Deaf and Hard of Hearing Students (0271)</i>	<i>Special Education: Education of Deaf and Hard of Hearing Students (0272)</i>	160
<i>Special Education: Teaching Students with Visual Impairments (0281)</i>	<i>Special Education: Teaching Students with Visual Impairments (0282)</i>	163
<i>Music: Content Knowledge (0113) and Music: Concepts and Processes (0111)</i>	<i>Music: Content and Analysis (0114)</i>	162
	<i>Chinese (Mandarin): World Language (5665)</i>	164

Regenerated Tests and Corresponding Test Scores

The following assessments utilized the former National Teacher Examination scores. These assessments have been regenerated and will use the new Praxis cut scores based on the concordance model.

Current Requirements	Proposed Requirements	Cut Score
<i>Latin (0600) NTE score 700</i>	<i>Latin (0601)</i>	166
<i>Theater(0640) NTE score 630</i>	<i>Theater (0641)</i>	162

Computer-Delivered Assessments

ETS will provide computer-delivered options for several of our approved assessments. These are included in the draft of 16 KAR 6:010.

Alternative Actions:

1. Approve the proposed amendments to 16 KAR 6:010.
2. Do not approve the proposed amendments to 16 KAR 6:010.

Staff Recommendation:

Alternative Action 1

Rationale:

These changes will ensure teacher candidates complete the required assessments for their respective certification areas.

Contact Person:

Mr. Robert Brown

Division of Professional Learning and Assessment

(502) 564-4606

E-mail: robertl.brown@ky.gov

Date:

October 15, 2012

Agenda Book

1 **EDUCATION PROFESSIONAL STANDARDS BOARD**

2 **(AMENDMENT)**

3 **16 KAR 6:010. Examination prerequisites for teacher certification.**

4 RELATES TO: KRS 161.020, 161.028(1), 161.030(3), (4)

5 STATUTORY AUTHORITY: KRS 161.028(1)(a), 161.030(3), (4)

6 NECESSITY, FUNCTION, AND CONFORMITY: KRS 161.028(1)(a) authorizes the
7 Education Professional Standards Board to establish standards and requirements for obtaining
8 and maintaining a teaching certificate. KRS 161.030(3) and (4) requires the Education
9 Professional Standards Board to select the appropriate assessments required prior to teacher
10 certification. This administrative regulation establishes the examination prerequisites for teacher
11 certification.

12 Section 1. A teacher applicant for certification shall successfully complete the appropriate
13 tests identified in this administrative regulation prior to Kentucky teacher certification.

14 Section 2. The Education Professional Standards Board shall require the test or tests and
15 passing scores identified in this section for each new teacher applicant and each teacher seeking
16 an additional certificate.

17 (1) An applicant for Interdisciplinary Early Childhood Education certification (birth to
18 primary) shall take one of the following tests and achieve the corresponding passing score or
19 higher:

20 (a) “Interdisciplinary Early Childhood Education (0023)” – 166; or

21 (b) “Interdisciplinary Early Childhood Education (5023)” – 166.

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1 ~~[An applicant for Interdisciplinary Early Childhood Education certification (birth to~~
2 ~~primary) shall take "Interdisciplinary Early Childhood Education (0023)" with a passing score of~~
3 ~~166.]~~

4 (2) ~~[(a) Until August 31, 2012, an applicant for Elementary certification (grades P-5)~~
5 ~~shall take "Elementary Education: Content Knowledge (0014)" with a passing score of 148; or~~

6 ~~(b) Beginning September 1, 2012,]~~ An applicant for Elementary certification (grades P-5)
7 shall take "Elementary Education: Multi-Subjects Test (5031)" with the following passing scores
8 on the corresponding test sections:

- 9 1. "Reading and Language Arts (5032)" – 165;
- 10 2. "Mathematics (5033)" – 164;
- 11 3. "Social Studies (5034)" – 155; and
- 12 4. "Science (5035)" – 159.

13 (3) An applicant for certification at the middle school level (grades five (5) through nine
14 (9)) shall take the content test or tests based on the applicant's content area or areas with the
15 corresponding passing scores as identified in this subsection:

16 (a) Middle School English and Communications:

17 1. "Middle School English Language Arts (0049)" - 158; or

18 2. "Middle School English Language Arts (5049) – 158;

19 (b) Middle School Mathematics: "Middle School Mathematics (0069)" - 148;

20 (c) Middle School Science: "Middle School Science (0439)" - 144; or

21 (d) Middle School Social Studies:

22 1. "Middle School Social Studies (0089)" – 149; or

23 2. "Middle School Social Studies (5089) - 149.

1 (4) An applicant for certification at the secondary level (grades eight (8) through twelve
2 (12)) shall take the content test or tests corresponding to the applicant's content area or areas with
3 the passing scores identified in this subsection:

4 (a) Biology:

5 1. "Biology: Content Knowledge (0235)" - 146; or

6 2. "Biology: Content Knowledge (5235)" - 146;

7 (b) Chemistry:

8 1. "Chemistry: Content Knowledge (0245)" - 147; or

9 2. "Chemistry: Content Knowledge (5245)" - 147;

10 (c) Earth Science:

11 1. "Earth and Space Sciences: Content Knowledge (0571)" - 147; or

12 2. "Earth and Space Sciences: Content Knowledge (5571)" - 147;

13 (d) English:

14 1. ~~Until August 31, 2012:~~

15 a. ~~"English Language, Literature and Composition: Content Knowledge (0041)" - 160;~~

16 and

17 b. ~~"English Language, Literature and Composition Essays (0042)" - 155; or~~

18 2. ~~Beginning September 1, 2012,]~~ "English Language, Literature and Composition:
19 Content and Analysis (0044)" - 166; or

20 2. "English Language, Literature and Composition: Content and Analysis (5044)" - 166;

21 (e) Mathematics:

22 1. a. "Mathematics: Content Knowledge (0061)" - 125; or

23 b. "Mathematics: Content Knowledge (5061)" - 125; and

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1 2. "Mathematics: Proofs, Models and Problems, Part 1 (0063)" - 141;

2 (f) 1. Physics: "Physics: Content Knowledge (0265)" - 133; or

3 2. "Physics: Content Knowledge (5265)" - 133; or

4 (g) Social Studies:

5 ~~1. [Until August 31, 2012:~~

6 ~~a. "Social Studies: Content Knowledge (0081)" - 151; and~~

7 ~~b. "Social Studies: Interpretation of Materials (0083)" - 159; or~~

8 ~~2. Beginning September 1, 2012,]~~ "Social Studies: Content and Interpretation (0086)" -
9 153; or

10 2. "Social Studies: Content and Interpretation (5086)" - 153.

11 (5) An applicant for certification in all grades shall take the content test or tests
12 corresponding to the applicant's area or areas of specialization identified in this subsection, and,
13 if a passing score is established in this subsection, the applicant shall achieve the passing score or
14 higher:

15 (a) Art:

16 ~~[1. Until August 31, 2012:~~

17 ~~a. "Art: Content Knowledge (0133)" - 158; and~~

18 ~~b. "Art Making (0131)" - 154; or~~

19 ~~2. Beginning September 1, 2012,]~~ "Art: Content and Analysis (0135)" - 161;

20 (b) Chinese: "Chinese (Mandarin): World Language (5665) - 164;

21 (c) French: "French: World Language (5174)" - 162;

22 (d) [(e)] German: "German: World Language (5183)" - 163;

23 (e) [(d)] Health: "Health Education (0550)" - 630;

1 (f) [(e)] Health and Physical Education:

2 1. "Health and Physical Education: Content Knowledge (0856)" - 156; and

3 2. "Physical Education: Movement Forms - Analysis and Design (0092)" - 151;

4 (g) [(f)] Integrated Music:

5 1. Until August 31, 2013:

6 a. "Music: Content Knowledge (0113)" - 154; and

7 b. ~~2.~~ "Music: Concepts and Processes (0111)" - 145; or

8 2. Beginning September 1, 2013, "Music: Content and Analysis (0114)" – 162.

9 (h) [(g)] Instrumental Music:

10 1. Until August 31, 2013:

11 a. "Music: Content Knowledge (0113)" - 154; and

12 b. ~~2.~~ "Music: Concepts and Processes (0111)" - 145; or

13 2. Beginning September 1, 2013, "Music: Content and Analysis (0114)" – 162.

14 (i) [(h)] Vocal Music:

15 1. Until August 31, 2013:

16 a. "Music: Content Knowledge (0113)" - 154; and

17 b. ~~2.~~ "Music: Concepts and Processes (0111)" - 145; or

18 2. Beginning September 1, 2013, "Music: Content and Analysis (0114)" – 162.

19 (j) [(i)] Latin: "Latin (0601) [(0600)]" – 166 [700];

20 (k) [(j)] Physical Education:

21 1. ~~[a. Until August 31, 2012, "Physical Education: Content Knowledge (0091)" – 147; and~~

22 ~~b. "Physical Education: Movement Forms - Analysis and Design (0092)" – 151; or~~

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- 1 ~~2. Beginning September 1, 2011,~~ "Physical Education: Content and Design (0095)" -
- 2 169; or
- 3 2. "Physical Education: Content and Design (5095)" - 169;
- 4 (l) ~~(k)~~ School Media Librarian:
- 5 1. "Library Media Specialist (0311)" - 156; or
- 6 2. "Library Media Specialist (5311)" - 156;
- 7 (m) ~~(l)~~ School Psychologist: "School Psychologist (0401)" - 161; or
- 8 (n) ~~(m)~~ Spanish: "Spanish: World Language (5195)" - 168.
- 9 (6) Except as provided in subsection (7) of this section, an applicant for certification for
- 10 teacher of exceptional children in Communication Disorders, Learning and Behavior Disorders,
- 11 Hearing Impaired, Hearing Impaired with Sign Proficiency, Visually Impaired, or Moderate and
- 12 Severe Disabilities shall take the content test or tests based on the applicant's area or areas of
- 13 specialization with the corresponding passing scores as identified in this subsection:
- 14 (a) Communication Disorders:
- 15 1.a. ~~[Until August 31, 2012, "Education of Exceptional Students: Core Content~~
- 16 ~~Knowledge (0353)" - 157; or~~
- 17 ~~b. Beginning September 1, 2011,~~ "Special Education: Core Content Knowledge and
- 18 Applications (0354)" - 151; or
- 19 b. Special Education: Core Content Knowledge and Applications (5354)" - 151; and
- 20 2.a. "Speech-Language Pathology (0330)" - 600; or
- 21 b. "Speech-Language Pathology (5330)" - 600;
- 22 (b) Hearing Impaired:

1 1.a. ~~[Until August 31, 2012, "Education of Exceptional Students: Core Content~~
2 ~~Knowledge (0353)" - 157; or~~

3 ~~b. Beginning September 1, 2011,] "Special Education: Core Knowledge and Applications~~
4 ~~(0354)" - 151; or~~

5 ~~b. "Special Education: Core Knowledge and Applications (5354)" - 151; and~~

6 2. a. Until August 31, 2013, "Education of Deaf and Hard of Hearing Students (0271)" -
7 167; or

8 b. Beginning September 1, 2013, "Special Education: Education of Deaf and Hard of
9 hearing Students (0272)" - 160;

10 (c) Hearing Impaired With Sign Proficiency:

11 ~~1.a. Until August 31, 2012, "Education of Exceptional Students: Core Content~~
12 ~~Knowledge (0353)" - 157; or~~

13 ~~b. Beginning September 1, 2011,] "Special Education: Core Knowledge and Applications~~
14 ~~(0354) - 151;~~

15 2. a. Until August 31, 2013, "Education of Deaf and Hard of Hearing Students (0271)" -
16 167; or

17 b. Beginning September 1, 2013, "Special Education: Education of Deaf and Hard of
18 hearing Students (0272)" - 160; and

19 3. One (1) of the following tests with a passing score of Intermediate Level:

20 a. "Sign Communication Proficiency Interview (SCPI)"; or

21 b. "Educational Sign Skills Evaluation (ESSE)";

22 (d) Learning and Behavior Disorders:

23 1. ~~Until August 31, 2012:~~

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1 a. ~~"Education of Exceptional Students: Core Content Knowledge (0353)" - 157; and~~

2 b. ~~"Education of Exceptional Students: Mild to Moderate Disabilities (0542)" - 172; or~~

3 ~~2. Beginning September 1, 2011,]~~ "Special Education: Core Knowledge and Mild to
4 Moderate Applications (0543)" - 158; or

5 2. "Special Education: Core Knowledge and Mild to Moderate Applications (5543)" -
6 158;

7 (e) Moderate and Severe Disabilities:

8 1. ~~[Until August 31, 2012:~~

9 a. ~~"Education of Exceptional Students: Core Content Knowledge (0353)" - 157; and~~

10 b. ~~"Education of Exceptional Students: Severe to Profound Disabilities (0544)" - 156; or~~

11 ~~2. Beginning September 1, 2011,]~~ "Special Education: Core Knowledge and Severe to
12 Profound Applications (0545)~~[of Mild to Moderate Applications (0543)]" - 158; or~~

13 2. "Special Education: Core Knowledge and Severe to Profound Applications (5545) -
14 158;

15 (f) Visually Impaired:

16 1.a. ~~[Until August 31, 2012, "Education of Exceptional Students: Core Content~~
17 ~~Knowledge (0353)" - 157; or~~

18 b. ~~Beginning September 1, 2011,]~~ "Special Education: Core Knowledge and Applications
19 (0354)" - 151; or

20 b. "Special Education: Core Knowledge and Applications (5354)" - 151; and

21 2. a. Until August 31, 2013, "Teaching Students with Visual Impairments (0281)" - 161;
22 or

1 b. Beginning September 1, 2013, "Special Education: Teaching Students with Visual
2 Impairments (0282)" - 163.

3 (7) A holder of an exceptional child certificate in Learning and Behavior Disorders or
4 Moderate and Severe Disabilities who is seeking additional certification for any exceptional
5 children teaching certificate listed in subsection (6) of this section shall not be required to take:

6 (a) "Education of Exceptional Students: Core Content Knowledge (0353);" ~~{or}~~

7 (b) "Special Education: Core Knowledge and Applications (0354);" ~~or~~

8 (c) "Special Education: Core Knowledge and Applications (5354)".

9 (8)(a) Except as provided in paragraph (b) of this subsection, an applicant for Career and
10 Technical Education certification to teach in grades five (5) - twelve (12) shall take the content
11 test or tests corresponding to the applicant's area or areas of specialization identified in this
12 paragraph, and, if a passing score is established in this paragraph, the applicant shall achieve the
13 passing score or higher:

14 1. Agriculture: "Agriculture (0700)" - 520;

15 2. a. Business and Marketing Education: "Business Education (0101)" - 154; or

16 b. Business and Marketing Education: "Business Education (5101)" - 154;

17 3. a. Family and Consumer Science: "Family and Consumer Sciences (0121)" - 162; or

18 b. Family and Consumer Science: "Family and Consumer Sciences (5121)" - 162; or

19 4. Engineering and Technology Education:

20 ~~{a. Until August 31, 2012, "Technology Education (0050)" - 600, or~~

21 ~~b. Beginning September 1, 2012,}~~ "Technology Education (0051)" - 159.

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1 (b) An applicant for Industrial Education shall take the content test or tests corresponding
2 to the applicant's area or areas of specialization with the passing scores identified in 16 KAR
3 6:020.

4 (9) An applicant for a restricted base certificate in the following area or areas shall take
5 the content test or tests based on the applicant's area or areas of specialization with the
6 corresponding passing scores as identified in this subsection:

7 (a) English as a Second Language: "English to Speakers of Other Languages (0361)" -
8 157;

9 (b) Speech/Media Communications: "Speech Communication (0221)" - 146; or

10 (c) Theater: "Theatre (0641) ~~[(0640)]~~" - 162 ~~[630]~~.

11 (10) An applicant for an endorsement in the following content area or areas shall take the
12 content test or tests based on the applicant's area or areas of specialization with the passing
13 scores identified in this subsection:

14 (a) American Sign Language: "American Sign Language Proficiency Interview (ASLPI)
15 administered by the Galludet University - 3+;

16 (b) English as a Second Language: "English to Speakers of Other Languages (0361)" -
17 157;

18 (c) Learning and Behavior Disorders, grades 8 - 12:

19 1. ~~[Until August 31, 2012, "Education of Exceptional Students: Mild to Moderate~~
20 ~~Disabilities (0542)" - 172; or~~

21 2. ~~Beginning September 1, 2011,~~ "Special Education: Core Knowledge and Mild to
22 Moderate Applications (0543)" - 158; or

1 2. "Special Education: Core Knowledge and Mild to Moderate Applications (5543)" -

2 158;

3
4 (d) Literacy Specialist: 1.~~[Until August 31, 2012, Literacy Specialist: "Reading~~
5 ~~Specialist (0300)" - 520; or~~

6 2. Beginning September 1, 2012,~~]~~ "Reading Specialist (0301)" - 164; or

7 2. "Reading Specialist (5301)" - 164;

8 (e) Gifted Education, grades primary - 12: "Gifted Education (0357)" - 152; or

9 (f) Reading Primary through Grade 12:

10 1. "Teaching Reading (0204)" - 153; or

11 2. "Teaching Reading (5204)" - 153.

12 Section 3. In addition to the content area test or tests established in Section 2 of this
13 administrative regulation, each new teacher shall take the pedagogy test and meet the passing
14 score identified in this section that corresponds to the grade level of certification sought. If a
15 certified teacher is seeking additional certification in any area, the applicant shall not be required
16 to take an additional pedagogy test.

17 (1) An applicant for Elementary certification (grades primary - 5) shall take one of the
18 following tests and achieve the corresponding passing score or higher:

19 (a) Principles of Learning and Teaching: Grades kindergarten - six (6) (0622)" - 160; or

20 (b) Principles of Learning and Teaching: Grades kindergarten - six (6) (5622)" - 160.

21 ~~{(a) Until August 31, 2012, an applicant for Elementary certification (grades primary - 5)~~
22 ~~shall take "Principles of Learning and Teaching: Grades Kindergarten - 6 (0522)", with a passing~~
23 ~~score of 161; or~~

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1 ~~(b) Beginning September 1, 2012, an applicant for Elementary certification (grades~~
2 ~~primary — 5) shall take "Principles of Learning and Teaching: Grades kindergarten — six (6~~
3 ~~(0622)" with a passing score of 160.]~~

4 (2) An applicant for certification at the middle school level (grades five (5) through nine
5 (9)) shall take one of the following tests and achieve the corresponding passing score or higher:

6 (a) "Principles of Learning and Teaching: Grades 5 - 9 (0623)" – 160; or

7 (b) "Principles of Learning and Teaching: Grades 5 - 9 (5623)" – 160.

8 ~~[(a) Until August 31, 2012, an applicant for certification at the middle school level~~
9 ~~(grades five (5) through nine (9)) shall take "Principles of Learning and Teaching: Grades 5 — 9~~
10 ~~(0523)", with a passing score of 161; and~~

11 ~~(b) Beginning September 1, 2012, an applicant for certification at the middle school level~~
12 ~~(grades five (5) through nine (9)) shall take "Principles of Learning and Teaching: Grades 5 — 9~~
13 ~~(0623)", with a passing score of 160.]~~

14 (3) An applicant for certification at the secondary level (grades eight (8) through twelve
15 (12)) shall take one of the following tests and achieve the corresponding passing score or higher:

16 (a) "Principles of Learning and Teaching: Grades seven (7) - twelve (12) (0624)" - 160;

17 or

18 (b) "Principles of Learning and Teaching: Grades seven (7) - twelve (12) (5624)" – 160.

19 ~~[(a) Until August 31, 2012, an applicant for certification at the secondary level (grades~~
20 ~~eight (8) through twelve (12)) shall take "Principles of Learning and Teaching: Grades seven (7)~~
21 ~~— twelve (12) (0524)", with a passing score of 161; or~~

1 ~~(b) Beginning September 1, 2012, an applicant for certification at the secondary level~~
2 ~~(grades eight (8) through twelve (12)) shall take "Principles of Learning and Teaching: Grades~~
3 ~~seven (7) - twelve (12) (0624)", with a passing score of 160.]~~

4 (4) An applicant for certification in all grades with a content area identified in Section
5 2(5) of this administrative regulation shall one of the following tests and achieve the
6 corresponding passing score or higher:

7 (a) Principles of Learning and Teaching: Grades kindergarten - six (6) (0622)" - 160;

8 (b) Principles of Learning and Teaching: Grades kindergarten - six (6) (5622)" - 160;

9 (c) "Principles of Learning and Teaching: Grades 5 - 9 (0623)" - 160;

10 (d) "Principles of Learning and Teaching: Grades 5 - 9 (5623)" - 160;

11 (e) "Principles of Learning and Teaching: Grades seven (7) - twelve (12) (0624)" - 160;

12 or

13 (f) "Principles of Learning and Teaching: Grades seven (7) - twelve (12) (5624)" - 160.

14 ~~{either:~~

15 ~~1. Until August 31, 2012, "Principles of Learning and Teaching: Grades kindergarten-~~
16 ~~six (6) (0522)", with a passing score of 161; or~~

17 ~~2. Beginning September 1, 2012, an applicant for Elementary certification (grades~~
18 ~~primary - 5) shall take "Principles of Learning and Teaching: Grades kindergarten - six (6)~~
19 ~~(0622)" with a passing score of 160;~~

20 ~~(b) 1. Until August 31, 2012, "Principles of Learning and Teaching: Grades five (5)-~~
21 ~~nine (9) (0523)", with a passing score of 161; or~~

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1 ~~2. Beginning September 1, 2012, an applicant for certification at the middle school level~~
2 ~~(grades five (5) through nine (9)) shall take "Principles of Learning and Teaching: Grades 5—9~~
3 ~~(0623)", with a passing score of 160; or~~

4 ~~(e) [1. Until August 31, 2012, "Principles of Learning and Teaching: Grades seven (7)—~~
5 ~~twelve (12) (0524)", with a passing score of 161; or~~

6 ~~2. Beginning September 1, 2012, an applicant for certification at the secondary level~~
7 ~~(grades eight (8) through twelve (12)) shall take "Principles of Learning and Teaching: Grades~~
8 ~~seven (7) —twelve (12) (0624)", with a passing score of 160.]~~

9 (5) An applicant applying only for certification for teacher of exceptional children shall
10 not be required to take a separate pedagogy test established in this section. The content area test
11 or tests established in Section 2 of this administrative regulation shall fulfill the pedagogy test
12 requirement for a teacher of exceptional children.

13 (6) An applicant for Career and Technical Education certification in grades five (5)
14 through twelve (12) shall take one of the following tests and receive the identified passing score:

15 (a) Principles of Learning and Teaching: Grades kindergarten - six (6) (0622)" – 160;

16 (b) Principles of Learning and Teaching: Grades kindergarten - six (6) (5622)" – 160;

17 (c) "Principles of Learning and Teaching: Grades 5 - 9 (0623)" – 160;

18 (d) "Principles of Learning and Teaching: Grades 5 - 9 (5623)" – 160;

19 (e) "Principles of Learning and Teaching: Grades seven (7) - twelve (12) (0624)" - 160;

20 or

21 (f) "Principles of Learning and Teaching: Grades seven (7) - twelve (12) (5624)" – 160.

22 ~~either:~~

1 ~~(a) 1. Until August 31, 2012, "Principles of Learning and Teaching: Grades five (5) — nine~~
2 ~~(9) (0523)", with a passing score of 161; or~~

3 ~~2. Beginning September 1, 2012, an applicant for certification at the middle school level~~
4 ~~(grades five (5) through nine (9)) shall take "Principles of Learning and Teaching: Grades 5 — 9~~
5 ~~(0623)", with a passing score of 160; or~~

6 ~~(b) 1. Until August 31, 2012, "Principles of Learning and Teaching: Grades seven (7) —~~
7 ~~twelve (12) (0524)", with a passing score of 161; or~~

8 ~~2. Beginning September 1, 2012, an applicant for certification at the secondary level~~
9 ~~(grades eight (8) through twelve (12)) shall take "Principles of Learning and Teaching: Grades~~
10 ~~seven (7) — twelve (12) (0624)", with a passing score of 160.~~

11 ~~(7) An applicant for a restricted base certificate shall take one (1) of the following pedagogy tests~~
12 ~~corresponding to the grade range of the specific restricted base certificate:~~

13 ~~(a) 1. Until August 31, 2012, "Principles of Learning and Teaching: Grades kindergarten —~~
14 ~~six (6) (0522)", with a passing score of 161; or~~

15 ~~2. Beginning September 1, 2012, an applicant for Elementary certification (grades~~
16 ~~primary — 5) shall take "Principles of Learning and Teaching: Grades kindergarten — six (6)~~
17 ~~(0622)" with a passing score of 160;~~

18 ~~(b) 1. Until August 31, 2012, "Principles of Learning and Teaching: Grades five (5) — nine~~
19 ~~(9) (0523)", with a passing score of 161; or~~

20 ~~2. Beginning September 1, 2012, an applicant for certification at the middle school level~~
21 ~~(grades five (5) through nine (9)) shall take "Principles of Learning and Teaching: Grades 5 — 9~~
22 ~~(0623)", with a passing score of 160; or~~

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1 ~~(c) 1. Until August 31, 2012, "Principles of Learning and Teaching: Grades seven (7)–~~
2 ~~twelve (12) (0524)", with a passing score of 161; or~~

3 ~~2. Beginning September 1, 2012, an applicant for certification at the secondary level~~
4 ~~(grades eight (8) through twelve (12)) shall take "Principles of Learning and Teaching: Grades~~
5 ~~seven (7)–twelve (12) (0624)", with a passing score of 160.]~~

6 Section 4. Assessment Recency. (1) A passing score on a test established at the time of
7 administration shall be valid for the purpose of applying for certification for five (5) years from
8 the test administration date.

9 (2) A teacher who fails to complete application for certification to the Education
10 Professional Standards Board within the applicable recency period of the test and with the
11 passing score established at the time of administration shall retake the appropriate test or tests
12 and achieve the appropriate passing score or scores required for certification at the time of
13 application.

14 (3) The test administration date shall be established by the Educational Testing Service or
15 other authorized test administrator.

16 Section 5. (1) An applicant for initial certification shall take the assessments on a date
17 established by:

18 (a) The Educational Testing Service; or

19 (b) The agency established by the Education Professional Standards Board as the
20 authorized test administrator.

21 (2) An applicant shall authorize test results to be forwarded by the Educational Testing
22 Service, or other authorized test administrator, to the Kentucky Education Professional Standards

1 Board and to the appropriate teacher preparation institution where the applicant received the
2 relevant training.

3 (3)(a) Public announcement of testing dates and locations shall be issued sufficiently in
4 advance of testing dates to permit advance registration.

5 (b) An applicant shall seek information regarding the dates and location of the tests and
6 make application for the appropriate examination prior to the deadline established and
7 sufficiently in advance of anticipated employment to permit test results to be received by the
8 Education Professional Standards Board and processed in the normal certification cycle.

9 Section 6. An applicant shall pay the appropriate examination fee established by the
10 Educational Testing Service or other authorized test administrator for each relevant test required
11 to be taken.

12 Section 7. An applicant who fails to achieve at least the minimum score on any of the
13 appropriate examinations may retake the test or tests during one (1) of the scheduled test
14 administrations.

15 Section 8. The Education Professional Standards Board shall collect data and conduct
16 analyses of the scores and institutional reports provided by the Educational Testing Service or
17 other authorized test administrator to determine the impact of these tests.

18

Date

Cassandra Webb, Chairperson
Education Professional Standards Board

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PUBLIC HEARING AND PUBLIC COMMENT PERIOD: A public hearing on this administrative regulation shall be held on December 28, 2012 at 9:00 a.m. at the offices of the Education Professional Standards Board, 100 Airport Road, 3rd Floor, Conference Room A, Frankfort, Kentucky 40601. Individuals interested in being heard at this hearing shall notify this agency in writing five workdays prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing is received by that date, the hearing may be canceled. This hearing is open to the public. Any person who wishes to be heard will be given an opportunity to comment on the proposed administrative regulation. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted until January 2, 2013. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person.

Contact person: Alicia A. Sneed, Director of Legal Services
Education Professional Standards Board
100 Airport Road, Third Floor
Frankfort, KY 40601
(502) 564-4606
FAX: (502) 564-7080

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Regulation #: 16 KAR 6:010

Contact Person: Alicia A. Sneed, Director of Legal Services

(1) Provide a brief summary of:

(a) What this administrative regulation does: This administrative regulation establishes the written examination prerequisites and the corresponding passing scores for teacher certification.

(b) The necessity of this administrative regulation: This administrative regulation is necessary to provide notice to teacher candidates of the assessment requirements for obtaining and maintaining a teaching certificate.

(c) How this administrative regulation conforms to the content of the authorizing statutes: KRS 161.020 requires a certificate of legal qualifications for any public school position for which a certificate is issued. KRS 161.028 requires the Education Professional Standards Board to establish standards and requirements for obtaining and maintaining a teaching certificate. KRS 161.030 places the responsibility of selecting the assessments and determining the minimum acceptable level of achievement on each assessment on the Education Professional Standards Board.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes: This administrative regulation lists the required teacher certification assessments and their corresponding minimum acceptable scores.

(2) If this is an amendment to an existing administrative regulation, provide a brief summary of:

(a) How the amendment will change this existing administrative regulation: This amendment replaces outgoing assessments with the newly created. *Special Education: Education of Deaf and Hard of Hearing Students (0272)*, *Special Education: Teaching Students with Visual Impairments (0282)*, and *Music: Content and Analysis (0114)*. This amendment adopts *Chinese (Mandarin): World Language (5665)* as the required assessment to receive a Chinese World

Language teaching certificate. This amendment also adopts new minimum successful scores for *Latin (6010)* and *Theater (0641)* which have been restructured under a new scoring system. The option of computer-delivered tests has been included in this amendment for tests which have a computer-delivered option. Finally, outdated language has been removed to ensure the regulations clarity.

(b) The necessity of the amendment to this administrative regulation: This amendment is necessary to ensure that the required assessments and corresponding scores are adequately set to produce the most competent educators.

(c) How the amendment conforms to the content of the authorizing statutes: The authorizing statutes, KRS 161.020, 161.028, and 161.030, govern the certification of professional school personnel and grant the Education Professional Standards Board certification authority and the responsibility for establishing the requirements for obtaining and maintaining a certificate. This amendment establishes the required assessments and corresponding passing scores for Kentucky teacher certification.

(d) How the amendment will assist in the effective administration of the statutes: This amendment more closely aligns assessment options with teacher preparation program requirements and opportunities within an actual school setting.

(3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation: 174 Kentucky school districts, 30 educator preparation programs, and educators seeking new and additional teacher certification.

(4) Provide an analysis of how the entities identified in question (3) will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:

(a) List the actions that each of the regulated entities identified in question (3) will have to take to comply with this administrative regulation or amendment: The school districts will not be required to take any additional action. The educator preparation programs will need to

continue to direct students to the Education Professional Standards Board website for current assessment requirements. Applicants will need to continue to refer to the Education Professional Standards board website for current assessment requirements.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (3): There should not be any additional cost to the entities impacted by the regulation.

(c) As a result of compliance, what benefits will accrue to the entities identified in question (3): The educator preparation programs and applicants will be positively affected by the clarifications to the regulation. The districts will be positively affected by a supply of teachers who are competent in their content area.

(5) Provide an estimate of how much it will cost the administrative body to implement this administrative regulation:

(a) Initially: None

(b) On a continuing basis: None

(6) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation: State General Fund

(7) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change if it is an amendment: No increase in fees or funding will be necessary to implement this administrative regulation.

(8) State whether or not this administrative regulation established any fees or directly or indirectly increased any fees: This administrative regulation does not establish any fees, or directly or indirectly increase fees.

(9) TIERING: Is tiering applied? (Explain why or why not) NO, tiering does not apply since all candidates for each certificate will be held to the same standard.

FISCAL NOTE ON STATE OR LOCAL GOVERNMENT

Regulation Number: 16 KAR 6:010
Contact Person: Alicia A. Sneed
Phone number: 502-564-4606

(1) What units, parts, or divisions of state or local government (including cities, counties, fire departments, or school districts) will be impacted by this administrative regulation? The Education Professional Standards Board, public colleges and universities, and the 174 public school districts.

(2) Identify each state or federal statute or federal regulation that requires or authorizes the action taken by the administrative regulation. KRS 161.027, KRS 161.028, KRS 161.030

(3) Estimate the effect of this administrative regulation on the expenditures and revenues of a state or local government agency (including cities, counties, fire departments, or school districts) for the first full year the administrative regulation is to be in effect. There should be no effect on expenditures or revenues.

(a) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for the first year? There should be no additional revenues created by this amendment.

(b) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for subsequent years? There should be no additional revenues created by this amendment.

(c) How much will it cost to administer this program for the first year? There are no costs associated with the administration of this program.

(d) How much will it cost to administer this program for subsequent years? There are no costs associated with the administration of this program.

Note: If specific dollar estimates cannot be determined, provide a brief narrative to explain the fiscal impact of the administrative regulation.

Revenues (+/-):

Expenditures (+/-):

Other Explanation: This is not a fee generating or a cost incurring program, but requires applicants for certification to take and pass certain assessments to ensure the teaching force meets the minimum standards of competency established by the Education Professional Standards Board.