

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**

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.

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.

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>)
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
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
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 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 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.

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 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*

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.

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.

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 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 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 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*

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