

The actions delineated below were taken in open session of the EPSB at the March 7, 2011 meeting. This information is provided in summary form; an official record of the meeting is available in the permanent records of the Education Professional Standards Board (EPSB), 100 Airport Road, 3rd Floor, Frankfort, KY 40601

**Education Professional Standards Board (EPSB)
Summary Minutes of the Regular Business Meeting
EPSB Offices, 100 Airport Road, 3rd Floor
Frankfort, Kentucky
March 7, 2011**

Call to Order

Chair Lorraine Williams called the meeting to order at approximately 9:05 a.m.

Roll Call

The following members were present during the March 7, 2011, EPSB meeting: Frank Cheatham, Michael Dailey, John DeAtley, Cathy Gunn, Lynn May, Zenaida Smith, Bobbie Stoess, Tom Stull, Mark Wasicsko, Cassandra Webb, Lorraine Williams, and Cynthia York. Sandy Sinclair-Curry was absent.

Open Speak

There were no requests for Open Speak.

Approval of Consent Items

Chair Williams requested that board members identify any items on the consent agenda that they wished to discuss prior to taking final action. Requests were made to add Consent Item C to the agenda as Action Item G and Consent Item F as Action Item H.

2011-012

Motion made by Dr. Mark Wasicsko, seconded by Dr. Frank Cheatham, to approve the following items on the consent agenda:

Consent Item A. Approval of January 10, 2011 EPSB Minutes

Consent Item B. Approval of Contracts

Consent Item D. Principal Preparation Program, All Grades, Bellarmine University

Consent Item E. Mathematics, Grades 8-12 (Bachelor's Level), Kentucky Christian University

Consent Item G. Chinese, Grades P-12 (Bachelor's Level), Western Kentucky University

Consent Item H. Future Board Meeting Dates

Consent Item I. 16 KAR 5:040. Request to Waive the Cooperating Teacher Eligibility Requirements, Dr. Mary John O'Hair on behalf of Ms. Jayme Combs

Consent Item J. 16 KAR 5:040. Request to Waive the Language Pertaining to the Length of Student Teaching Requirements

Consent Item K. 16 KAR 6:010. Request to Waive Language Pertaining to Middle School English and Communications (5-9) Certification Assessment Requirements

Vote: *Unanimous*

Dr. Ann Bucalos and Dr. Robert Cooter of Bellarmine University expressed their pleasure at the board's approval of the university's principal preparation program.

Dr. Karen Ford of Kentucky Christian University said staff is excited to begin the new program.

Dr. Sam Evans of Western Kentucky University (WKU) said that WKU's Chinese program will be helpful to districts in the area, and the university looks forward to being able to serve them.

Report of the Executive Director

Report from the Kentucky Department of Education

Mr. Michael Dailey reported on recent events at KDE:

* On March 22-23, there will be statewide steering committee meetings on the teacher and leader effectiveness evaluation system for professional growth and development.

* The Tell Kentucky Survey began March 1st. Thus far there has been an overwhelming response with approximately 16,300 surveys completed (roughly 30%-45% of the educator workforce).

Report from the Council on Postsecondary Education (CPE)

Mr. John DeAtley reported on recent events at CPE:

* Education doctorates for Western Kentucky University, Northern Kentucky University, and Eastern Kentucky University will be reviewed soon.

* CPE is in the process of creating general education learning outcomes across the state.

* The tuition setting process is underway.

* CPE has been busy with Senate Bill 1 work. So far 3 workshops have been hosted. There are 3 more workshops and 2 web seminars left. To sign up for the workshops and online modules, you may visit www.kycorestandards.org.

* The Commissioner of Education mentioned that an assessment vendor may be chosen in the next couple of weeks.

* CPE is reviewing proposals to create assessment academies across the state institutions.

* CPE is working on common placement test cut off scores for institutions. All institutions in the state have agreed to accept COMPASS at all levels and areas for placement without remediation and testing. Additionally, CPE is helping develop transition courses for students who take the ACT at the end of their junior year and whose test scores show they would not be college-ready based on the ACT. These students would be allowed to take a transition course. KDE is offering one administration of the COMPASS test at the end of the transition course for another attempt to show college readiness. All institutions have agreed to accept the COMPASS score without retesting.

National Board

Mr. Gary Freeland and Mr. Robert Brown recommended not issuing contracts for National Board mentoring because the EPSB has not been given funding for the program. They noted that

the best case scenario is that the new federal budget will include National Board funding, which would then allow the agency to issue mentoring contracts.

Legislative Update

Ms. Alicia Sneed reported on the legislative session still in progress. Currently legislators are working on House Bill 305 to determine how to fix the Medicaid funding shortfalls. Of the 662 bills introduced this legislative session, 96 bills were enrolled and sent to the Governor for his signature.

Report of the Chair

Appointment of the Committee to Review Cut Scores for Assessments (CRCSA)

Chair Williams made the following appointments to CRCSA: Dr. Tony Norman, Dr. Mark Wasicsko, Dr. Gary Schroeder, Dr. Paul Erickson, Dr. Renee Campoy, Dr. Corrie Orthober, Dr. Verna Lowe, Dr. Gary Pate, and Mr. John DeAtley.

Appointment of the Program and Accreditation Review Committee (PARC)

Chair Williams made the following appointments to PARC:

Anne Bucalos, Judi Conrad, John DeAtley, Beverly Downing, Tony Norman, Parker Fawson, Verna Lowe, Margaret Moore, Shirley Nelson, Brenda Overturf, Carol Ryan, Cindy Parker, Norma Patrick, Kathryn Polmanteer, Brenda Priddy, Manish Sharma, and Alesa Walker.

Appointments to the Master's Redesign Review Committee

Chair Williams appointed Joe Tinius, Superintendent of the Bowling Green Independent Schools, to the Master's Redesign Review Committee.

Appointments to the Continuous Assessment Review Committee (CARC)

Chair Williams appointed Elizabeth Pelphrey and Dr. Charles Roberts to CARC.

Committee Reports

Retreat Committee

Retreat committee chair Tom Stull stated that the retreat scheduled for May was cancelled, but he has not given up on the idea for a later date. He is awaiting the appointments of new board members to resume the task because there are important items such as the recommended order process that the board needs to discuss.

Information/Discussion Items

16 KAR 2:010. Kentucky Teaching Certificates, Amendment, Notice of Intent

Ms. Alicia Sneed reported that during the amendment process for 16 KAR 3:050, staff discovered that the current TC-1 form revised in October 2005 was not incorporated by reference in 16 KAR 2:010. 16 KAR 3:050 references the TC-1 and states that it is incorporated by reference in 16 KAR 2:010. 16 KAR 2:010 references the April 2004 version of the TC-1; therefore, in order to avoid any confusion, the regulation must be amended to incorporate the October 2005 edition currently in use by the Division of Certification.

Ms. Sneed noted that an additional amendment will be made on page 88 of the agenda book. Lines 11-12 will be stricken to remove the master's degree requirement in reading and literacy

because none of EPSB's endorsements require a master's degree. This item will be brought back in May for final action.

16 KAR 4:060. Certificate Renewals and Successful Teaching Experience, Amendment, Notice of Intent

Ms. Alicia Sneed reported that during the amendment process for 16 KAR 3:050, staff discovered that the current TC-2 form revised in October of 2003 was not incorporated by reference in 16 KAR 4:060. 16 KAR 3:050 references the TC-2 and states that it is incorporated by reference in 16 KAR 4:060.

16 KAR 4:060 references the September 2000 version of the TC-2; therefore, in order to avoid any confusion, the regulation must be amended to incorporate the October 2003 edition currently in use by the Division of Certification.

This item will be brought back in May for final action.

Action Items

Approval of NASDTEC Interstate Agreement

2011-013

Motion made by Dr. Cathy Gunn, seconded by Ms. Zenaida Smith, to authorize the executive director to sign the NASDTEC Interstate Agreement.

Vote: *Unanimous*

16 KAR 6:030. Examination Prerequisites for Principal Certification, Amendment, Final Action

Mr. Robert Brown noted that the cost for the Kentucky Principal Test will stay the same at \$80 instead of the previously announced increase to \$85.

2011-014

Motion made by Dr. Cheatham, seconded by Ms. Lynn May, to approve the proposed amendments to 16 KAR 6:030 to reflect the change in test code to Kentucky Specialty Test of Instructional and Administrative Practices (1015) with no required passing score, effective September 1, 2011, through August 31, 2012.

Vote: *Unanimous*

Report of the Committee to Review Superintendent Programs

Mr. Robert Brown, Dr. Jack Rose, and Dr. Susan Compton gave a report on behalf of the Committee to Review Superintendent Programs. This committee was established by the EPSB to study the following issues and make recommendations to the board as outlined in the charter:

- the current state of superintendent preparation in Kentucky
- the inclusion of high quality clinical experiences for both traditional superintendent candidates and those seeking certification through an alternative route
- the alignment of superintendent preparation with teacher leader master's programs, redesigned principal programs, and the General Assembly-mandated training and assessment center provided by the Kentucky Department of Education

- the review of programs that prepare supervisors of instruction and directors of pupil personnel

Recommendation 1: CRSP recommends that all superintendent preparation programs continue to align superintendent program courses with the Interstate School Leaders Licensure Consortium (ISLLC) Standards and Technology Standards for School Administrators (TSSA), as well as incorporate standards of 21st Century skills, e.g., creativity and innovation, critical thinking and problem solving, communication and collaboration, and leadership and responsibility.

Recommendation 2: CRSP recommends that all superintendent preparation programs use multiple measures to determine candidates' knowledge, skills, and dispositions prior to admittance into a traditional superintendent program. Evidence of these measures should be included in an admissions portfolio.

Recommendation 3: CRSP recommends that alternative program applicants provide evidence of comparable skills.

Recommendation 4: CRSP recommends that throughout all coursework superintendent preparation programs utilize the clinical model that provides multiple field experiences aligned to the required standards. A matrix should be provided to show how field experiences are aligned to the course and indicator. CRSP recommends that the design team develop sample field experiences aligned to learner outcomes.

Recommendation 5: CRSP recommends that new superintendent candidates provide through documentation—via a work sample, e-portfolio, or other means—data collected to determine the effectiveness of the field experience.

Recommendation 6: CRSP recommends that superintendent programs include a structured mentoring experience for their candidates.

Recommendation 7: CRSP recommends creating a statewide team to design an outline for model syllabi that include consistent learner outcomes and objectives for all programs. CRSP recommends that universities/colleges communicate with districts through superintendents via cooperatives and/or the P16/P20 collaborative to ensure the alignment of programs to district needs. Through the CCSLP, institutions shall collaborate to address this recommendation.

Recommendation 8: CRSP recommends that universities require candidates to successfully design, implement, and report results of a capstone project prior to exit from the program. The capstone project should be presented to a panel of program faculty and practicing school administrators.

Recommendation 9: Continuation of certification for superintendent

Dr. Mark Wasicsko suggested a change under Recommendation 9 in the third bullet, which states “Superintendents who have not been active for 5 or more years should complete the training center to be made aware of current trends.” He recommended that the word *active* be changed to *employed* to avoid confusion.

Mr. Michael Dailey stated that the focus on out-of-state programs is right on mark. He said that EILA credit is granted in his division, and his division is redesigning the professional development tool and planning to design a professional development framework. He said he would like the committee's input on this redesign effort. Additionally, he said that he leads a

program called the minority superintendent model that is in need of redesign, and he would like to borrow some of the committee's ideas to redesign its mentorship program.

Ms. Lynn May stated that the committee addressed some of her concerns and she appreciates recommendation 7, which specifies that "program courses shall also include acquiring a working knowledge of SBDM and collaboratively working with councils to focus on continuous improvement of student learning." Ms. Cassandra Webb agreed with Ms. May and asked for clarification on leadership roles under Recommendation 2. Chair Williams stated that she is pleased with the recommendations.

2011-015

Motion made by Dr. Wasicsko, seconded by Dr. Gunn, to accept the report of the Committee to Review Superintendent Programs and instruct staff to prepare a study for the feasibility of implementing the recommendations for further board review and action.

Vote: *Unanimous*

Charter for the Committee to Review Cut Scores for Assessments (CRCSA)

Mr. Robert Brown reported that CRCSA will examine assessment performance data and recommend a revised cut score framework. The goal of the revisions is to move cut scores for educator certification tests out of the bottom quartile nationally. The committee expects to complete a final report with specific recommendations by October 31, 2011.

2011-016

Motion made by Ms. May, seconded by Ms. Smith, to approve the charter for the Committee to Review Cut Scores for Assessments.

Vote: *Unanimous.*

Charter for the Program and Accreditation Review Committee (PARC)

Dr. Kim Walters-Parker reported that PARC shall be charged with reviewing current program approval and accreditation processes and then make recommendations for improving those processes. PARC's work will address recent legislation, EPSB committee recommendations, the changing accreditation landscape, and a desire to improve the efficiency of program approval and accreditation processes.

2011-017

Motion made by Dr. Gunn, seconded by Mr. Michael Dailey, to approve the charter for the Program and Accreditation Review Committee.

Vote: *Unanimous*

Dr. Rogers stated that he envisions major changes as a result of work from this committee, not subtle tweaks.

Review of EPSB Goals and Strategies

2011-018

Motion made by Ms. Bobbie Stoess, seconded by Dr. Cheatham, to approve the adoption of the goals and strategies for 2011-2012.

Vote: *Unanimous*

Master of Arts in Education with Teacher Leader Endorsement, Union College

Dr. Cathy Gunn asked Dr. Jason Reeves of Union College questions pertaining to core courses of the program.

2011-019

Motion made by Mr. John DeAtley, seconded by Mr. Dailey, to approve the Union College request for the Master of Arts in Education with Teacher Leader Endorsement.

Vote: *Unanimous*

Chinese, Grades P-12 (Master's Level) and Japanese, Grades P-12 (Master's Level), University of Kentucky

Mr. Tom Stull noted that this is a master's level program, not bachelor's level as indicated on the board agenda and staff note. Ms. Zenaida Smith asked questions pertaining to the content knowledge test of this program.

2011-020

Motion made by Mr. DeAtley, seconded by Ms. Smith, to approve the proposed Chinese and Japanese, Grades P-12 preparation program addition.

Vote: *Unanimous*

Board Comments

The board asked Dr. Rogers and Mr. Gary Freeland to continue to investigate going electronic with board materials. The board indicated readiness to dispense with printed materials. Ms. Lynn May asked that all the materials posted to the EPSB website be in a .pdf format. Dr. Rogers stated that all board meeting materials will be available in an electronic format by May or August of this year.

**DISCIPLINARY MATTERS:
MINUTES OF CASE REVIEW
March 7, 2011**

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

Vote: *Unanimous*

Motion made by Ms. Lynn May, seconded by Mr. John DeAtley, to return to open session.

Vote: *Unanimous*

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

Lorraine Williams, Tom Stull, Zenaida Smith, Lynn May, Cathy Gunn, Michael Dailey, John DeAtley, Bobbie Stoess, Cynthia York, and Cassandra Webb.

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

INITIAL CASE REVIEW

<u>Case Number</u>	<u>Decision</u>
1009563	Hear
1011726	Defer
1011754	Admonish
1011746	Defer for proof
1011740	Defer for proof
1011784	Defer for proof
1012818	Hear
1011788	Dismiss
1011687	Dismiss
1012813	Defer
1010654	Admonish
1009555	Hear
1011673	Admonish
1011714	Hear
1011718	Defer
1011742	Hear
1011738	Dismiss
11011	Admonish
1011786	Admonish
11017	Hear
11015	Hear
11019	Hear
11013	Hear
110111	Hear
1011675	Hear
1011685	Hear
1101796	Hear
1011716	Hear
1010578	Hear
1011764	Dismiss
1011679	Hear
1011782	Hear
1010648	Hear
1011708	Admonish
1012826	Dismiss
1011681	Hear
1010628	Admonish
1011750	Admonish
1011689	Admonish
1012834	Admonish

1009546	Hear
1012822	Hear
1012840	Hear
1011744	Hear
1011776	Hear
110121	Hear
1011730	Hear
1011756	Hear
1012816	Hear
1011669	Hear
1011663	Hear
1011778	Hear
1011683	Hear
1011790	Hear
1011748	Admonish
1009565	Hear
1011699	Admonish
1011710	Admonish
1011712	Hear
1011758	Admonish
0912725	Admonish
1005325	Dismiss
1004242	Dismiss
0905229	Hear
0912650	Dismiss
0806916	Dismiss
0806914	Dismiss
1004205	Dismiss

Character/Fitness Review

<u>Case Number</u>	<u>Decision</u>
10888	Approve
10916	Approve
114	Approve
10873	Approve
1116	Approve
1117	Approve
1120	Approve
117	Approve
10851	Approve (<i>Dr. Gunn recused</i>)
1126	Approve
1135	Defer
1137	Approve
1138	Approve
1139	Approve
1145	Approve

1121	Approve
1149	Approve
1148	Approve
1152	Approve
1153	Approve
1159	Approve
1162	Approve
1140	Approve
1165	Approve
1174	Approve
1173	Approve
1179	Approve
1180	Approve
1182	Approve
1184	Approve
1196	Approve
1198	Approve
1160	Approve
11101	Approve

Agreed Orders

<u>Case Number</u>	<u>Decision</u>
1005310 (Mark Blackburn)	<p>Accept Agreed Order dismissing Agency Case Number 1005310.</p> <p>While the Board acknowledges that Respondent vehemently denies all allegations against him, it feels strongly that all educators benefit from training in ethics and professionalism. Therefore, the Board conditions this dismissal on Respondent's agreement to present written evidence to the Board, on or before May 1, 2011, that he has successfully completed twelve hours of such professional development/training, approved by the Board and at his own expense. Shall Respondent fail to do so, his certificate shall be automatically suspended until he satisfies this condition.</p> <p>Vote: <i>Unanimous (Dr. Gunn recused; Ms. Williams dissented)</i></p>
090257 (Gordon Couch)	<p>Accept Agreed Order which states as follows: Respondent's certificate is expired. Respondent agrees to neither apply for nor be issued any teaching certificate in the Commonwealth of Kentucky for a period of twenty years beginning July 1, 2009. Upon application for any future certificate, Respondent shall present written evidence to the Board that he has completed twelve hours of training/professional</p>

development, approved by the Board and at his own expense, in the areas of ethics and student/teacher boundary issues. Should Respondent fail to satisfy this condition, the Office of Certification shall deny his application, or any application presented on his behalf.

Any future certificate issued to Respondent shall be subject to the following probationary condition for the lifetime of the certificate. Respondent shall not be disciplined by any school district for any misconduct outlined in KRS 161.120 and/or 16 KAR 1:020. Discipline shall be defined as a reprimand, admonishment, suspension, or termination. If Respondent violates this condition, the Board shall automatically suspend his certificate for a period of two years and may seek additional sanctions pursuant to KRS 161.120.

Vote: *Unanimous*

0905337 (Glen Ripkoski)

Accept Agreed Order admonishing Respondent for using threatening language towards a co-worker. The Board reminds Respondent that as a teacher, he has a duty to maintain the dignity and integrity of the profession and to treat his fellow co-workers with respect. Threats of violence are not conducive to a positive working environment and place the school and education profession in jeopardy. The Board will not tolerate any further incidents of misconduct from Respondent.

This settlement agreement is expressly conditioned upon Respondent completing anger management counseling by a duly licensed clinical treatment provider with experience in anger management. Before initiating counseling, Respondent must present the Board with proof that the clinical treatment provider has experience in the area of anger management.

All counseling must be approved by the Board.

Respondent must provide written proof to the Board that he has completed the counseling by September 1, 2011. Any expense incurred for said training shall be paid by Respondent.

Respondent agrees that should he fail to satisfy the above condition, his certificate shall be automatically suspended until he provides written proof to the Board that he has completed the condition listed above.

Vote: *Unanimous*

1005331 (Alfred Mull)

Accept Agreed Order which states as follows:

Respondent is currently retired and he shall not seek or be employed in any position in a Kentucky P – 12 school

including as a substitute teacher for a period of two (2) years from the date this Order is approved by the Board. Prior to Respondent seeking or being employed in any position in a Kentucky P – 12 school, Respondent shall comply with the following:

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; and
2. Respondent shall submit to the Board letters of recommendation from two (2) educators with current Kentucky certification in good standing in which the educators attest that Respondent is morally and ethically fit to hold a teaching certificate.

Any expense required to satisfy the above conditions shall be paid by Respondent. If Respondent fails to satisfy the above conditions prior to employment in any position in a Kentucky, P – 12 school, then his certificate shall be automatically suspended until the conditions have been met.

In addition to the conditions above, maintenance of Respondent's certificate shall be conditioned upon the following:

Respondent shall not receive any disciplinary action involving the inappropriate use of technology 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.

Should Respondent violate this condition, his certificate shall be automatically suspended for a period of two (2) years, and subject to additional sanctions pursuant to KRS 161.120.

Vote: *Unanimous*

1002118 (Michelle Dickerson) Accept Agreed Order retroactively suspending Respondent's certificate for three (3) days beginning on February 15, 2010 and running through February 17, 2010. The Board admonishes Respondent for conduct unbecoming a teacher. Making inappropriate comments and using inappropriate language on a social networking website directed towards and in view of students is unprofessional and is a breach of one's duty to maintain the dignity and integrity of the teaching profession. The Board expects Respondent to uphold the Professional Code of Ethics for Kentucky Certified School Personnel in the future.

Respondent hereby certifies that she is not presently “friends” on any social networking website with any student in any school district in which she is currently or has previously been employed. Examples of a “social networking website” include but are not necessarily limited to Facebook, MySpace, and Twitter.

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 from the date the Board accepts this Agreed Order:

1. On or before July 1, 2011, Respondent shall provide written proof to the Board that she has completed twelve (12) hours of ethics training as approved by the Board. This requirement shall include training in teacher-student boundaries. Any expense incurred for said training shall be paid by Respondent.
2. On or before July 1st of each year of the probationary period, Respondent shall submit a letter certifying that during the previous school year she was not “friends” on any social networking website with any student in any school district in which she is currently or has previously been employed. Examples of a “social networking website” include but are not necessarily limited to Facebook, MySpace, and Twitter.
3. For the entirety of the probationary period, Respondent shall receive no disciplinary actions involving inappropriate relationships with students or conduct unbecoming a teacher from any school district in which she is employed. “Disciplinary action” is defined as any public reprimand, suspension, or termination issued by any school district in the Commonwealth of Kentucky and upheld, if requested, by either the tribunal and/or arbitration process.

Should Respondent fail to satisfy the above conditions, her certificate shall be automatically suspended for a period of six (6) months and subject to additional sanctions by the Board pursuant to KRS 161.120.

Vote: *Unanimous*

1004218 (Timothy Riggs)

Accept Agreed Order which states as follows:
Respondent’s certificate is expired. Respondent shall neither apply for nor be issued any teaching, administrative, or emergency certificate in the Commonwealth of Kentucky at any time in the future.

Vote: *Unanimous*

1008481 (Luther Williams)

Accept Agreed Order which states as follows:

Respondent's certificate is expired. Issuance of any future certificate to Respondent, or on his behalf, is expressly conditioned upon Respondent providing, upon application, written proof to the Board that he has completed twelve (12) hours of classroom management training, as approved by the Board, as well as twelve (12) hours of professional development, as approved by the Board, in teacher ethics with an emphasis on teacher/student boundaries. Any expense for this training shall be paid by Respondent. Should Respondent fail to satisfy this condition, the Board shall automatically deny any application submitted by Respondent or on his behalf.

Upon issuance of any future certificate to Respondent, Respondent's certificate, and any future endorsements or new areas of certification, shall be on probation for a period of two (2) years. For the entirety of the probationary period, Respondent shall receive no disciplinary action. "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 probation, his certificate shall be automatically suspended for a period of six (6) months.

Respondent is aware that should he violate KRS 161.120, either during or following this two (2) year period of probationary conditions, the Board shall initiate new disciplinary action and seek additional sanctions.

Vote: *Unanimous*

0612309 (Melissa Smith)

Accept Agreed Order admonishing Respondent for conduct unbecoming a teacher. The Board trusts the members of its profession to exercise extraordinary care of the students entrusted to their supervision and her actions crossed boundaries that could have not only made a student uncomfortable but could have been interpreted as harassment. The Board will tolerate no behavior that reflects badly on the profession or has the potential to impact a student negatively.

This agreed order is expressly conditioned upon the following:

Respondent shall submit written proof to the Board that she has completed twelve (12) hours of professional development/training in ethics, as approved by the Board, by January 1, 2012. Any expense required for said training shall be paid by Respondent.

Respondent agrees that, should she fail to satisfy this condition, her certificate shall be automatically suspended and will remain suspended until the condition is met.

Vote: *Unanimous*

1009559 (David Morrison) Accept Agreed Order which states as follows:
Respondent agrees to voluntarily surrender his certificate. Respondent shall neither apply for, nor be issued, a teaching and/or administrative certificate in the Commonwealth of Kentucky at any time in the future. Respondent shall surrender the original certificate and all copies of his certificate to the EPSB, by delivering or mailing them to 100 Airport Road, 3rd Floor, Frankfort, Kentucky 40601.

Vote: *Unanimous*

0912735 (Mary Reilly) Accept Agreed Order reminding Respondent that she is expected to perform all the responsibilities outlined in her job description, that she provide speech services to all of the students on her caseload as written in their IEPs, and that she is to maintain accurate and updated service logs.

Vote: *Unanimous*

08091040 (Forrest Sexton) Accept Agreed Order suspending Respondent's certificate for a period of two (2) years beginning September 1, 2008. 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.

This agreement is expressly conditioned upon Respondent providing written evidence to the Board, by September 1, 2011, that he has completed twelve (12) hours of professional development/training, as approved by the Board, in the areas of appropriate teacher/student boundaries and professional ethics. Any expense required for said training shall be paid by Respondent. Should Respondent fail to satisfy this condition, his certificate shall be suspended and will remain so until he completes the required training and provides the appropriate written proof to the Board.

Respondent is not currently teaching in Kentucky. However, upon accepting any teaching position in the Commonwealth of Kentucky, in any capacity, Respondent's certificate, including any future endorsements and/or areas of certification, shall be on

probation for a period of five (5) years and subject to the following probationary condition:

Respondent shall receive no disciplinary action involving student/teacher boundaries or an inappropriate relationship with a student from any school district in which he is employed. "Disciplinary action" is defined as any admonishment/reprimand, suspension, or termination issued by any school district in the Commonwealth of Kentucky and upheld, if requested, by either the tribunal and/or arbitration process.

Should Respondent violate either of these conditions, 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*

1011667 (Verda Hacker)

Accept Agreed Order which states as follows:

From the date this order is approved by the Board, 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 December 31, 2011, 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 she 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 December 31, 2011, she shall submit quarterly written progress reports from her chemical dependency counselor until such time as the counselor releases her from treatments. If Respondent has not successfully completed all treatment recommendations by the end of the two (2) year probationary period, she agrees that the probationary period shall be extended and she shall submit quarterly written progress reports from the chemical dependency counselor to the Board until such time as the counselor releases her from treatment. Any expense for the assessment, treatment and/or reports shall be paid by Respondent.
2. Respondent shall be subject to random drug testing and shall have no positive drug tests during the two (2) year probationary period.
3. Respondent shall not be convicted of any crime involving a controlled substance and/or alcohol.

By entering into this Agreed Order, Respondent agrees that should she fail to satisfy any of these conditions, her

certificate shall be automatically suspended for a period of six (6) months. If applicable, at the conclusion of the six (6) month suspension, her certificate shall remain suspended until such time as all of the above conditions are met.

Respondent is aware that should she 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*

1010580 (Michael Oehlschlaeger) Accept Agreed Order admonishing Respondent for conduct unbecoming a teacher. The Board reminds Respondent that, as a teacher, he has a duty to uphold the dignity and integrity of the teaching profession. Driving under the influence of alcohol is not only dangerous; it is also a horrible example to set for students. The Board will tolerate no further incidents of misconduct by Respondent. On or before August 1, 2011, Respondent shall undergo a comprehensive alcohol/substance abuse assessment by a Kentucky licensed and/or certified chemical dependency counselor, as approved by the Board, and shall present written evidence to the Board that he has complied with the assessment process and successfully completed any and all treatment recommendations proposed by the chemical dependency counselor. Respondent shall also submit quarterly written progress reports from his chemical dependency counselor until such time as the counselor releases him from treatment. Any expense for the assessment, treatment and/or written reports shall be paid by Respondent. If Respondent fails to satisfy this requirement, his certificate shall be automatically suspended until the Board receives written evidence that the requirement has been satisfied.

Vote: *Unanimous*

0912679 (Linda Starck) Accept Agreed Order suspending Respondent's teaching certificate for a period of thirty (30) days from the date the Board approves this Order. Upon acceptance of this agreement by the Board, Respondent shall immediately surrender the original and all copies of her certificate, by personal delivery or first class mail, to the Education Professional Standards Board, 100 Airport Road, Third Floor, Frankfort, Kentucky 40601. Respondent is currently not employed as an educator. Upon accepting any teaching and/or administrative position, in

any capacity, in any school district in the Commonwealth of Kentucky, Respondent's teaching certificate shall be on probation for a period of two (2) years and subject to the following probationary conditions:

1. Within six (6) months of accepting any teaching and/or administrative position, Respondent shall submit written proof to the Board that she has completed twelve (12) hours of professional ethics training, as approved by the Board. Any expense required for said training shall be paid by Respondent. If Respondent fails to satisfy this condition, her certificate shall be automatically suspended until Respondent completes the required training and provides the appropriate written proof to the Board;
2. Within six (6) months of accepting any teaching and/or administrative position, Respondent shall submit written proof to the Board that she has completed three (3) hours of instructional/teaching techniques training, as approved by the Board. Any expense required for said training shall be paid by Respondent. If Respondent fails to satisfy this condition, her certificate shall be automatically suspended until Respondent completes the required training and provides the appropriate written proof to the Board;
3. Within six (6) months of accepting any teaching and/or administrative position, Respondent shall submit written proof to the Board that she has completed nine (9) hours of classroom management training, with an emphasis on student safety and supervision, as approved by the Board. Any expense required for said training shall be paid by Respondent. If Respondent fails to satisfy this condition, her certificate shall be automatically suspended until Respondent completes the required training and provides the appropriate written proof to the Board; and
4. Respondent shall receive no disciplinary action involving assault, improper classroom management, and/or failure to properly supervise students from any school district in which she is employed during the probationary period. "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, certificate number XXX-XX-1303 shall be automatically suspended for a period

of one (1) year and subject to additional sanctions by the Board pursuant to KRS 161.120.

Vote: *Unanimous*

1005297 (Steve Moscoe)

Accept Agreed Order admonishing Respondent for exercising poor professional judgment and for his neglect of duty. A teacher in the Commonwealth of Kentucky has a duty to take reasonable measures to protect the health, safety, and emotional well-being of students. Respondent must ensure that his students are never placed in potentially dangerous situations. The Board also reminds Respondent that as an educator, he has a duty to maintain the dignity and integrity of the profession and to set a positive example for his students. The Board will not tolerate any further incidents of misconduct from Respondent.

On or before August 1, 2011, Respondent shall submit written proof to the Board that he has completed twelve (12) hours of professional ethics training, as approved by the Board. Any expense required for said training shall be paid by Respondent. If Respondent fails to satisfy this condition, his certificate shall be automatically suspended until Respondent completes the required training and provides the appropriate written proof to the Board.

Vote: *Unanimous*

0900149 (Nicole Howell)

Accept Agreed Order suspending Respondent's certificate, including its Teacher Internship Statement of Eligibility, Provisional Internship Certificate for Teaching English, Grades 8 Through 12, and Certificate for Substitute Teaching, for a period of one year beginning December 16, 2008. Respondent shall surrender the original and all copies of her certificate immediately, by first class mail or personal delivery to the Education Professional Standards Board, 100 Airport Road, Third Floor, Frankfort, Kentucky 40601.

Issuance, reinstatement, and/or re-issuance of Respondent's certificate is conditioned on the following. Respondent shall provide written evidence to the Board that she has successfully completed twelve hours of professional development/training, approved by the Board and at her own expense, in appropriate teacher/student relationships, boundary issues and ethics. Should Respondent fail to satisfy this condition, her certificate shall remain suspended and no certificates, including statements of eligibility, shall be issued or reinstated until this condition is met.

Vote: *Unanimous*

0910512 (John Baudendistel) Accept Agreed Order reminding Respondent that the Professional Code of Ethics for Kentucky Certified School Personnel requires teachers to take reasonable measures to protect the health, safety, and emotional well-being of students as well as to exemplify behaviors which maintain the dignity and integrity of the profession. The Board expects Respondent to uphold the Professional Code of Ethics for Kentucky Certified School Personnel in the future.

Respondent's certificate, and any future endorsements or new areas of certification, shall be subject to the following probationary conditions for a period of one (1) year from the date the Board accepts this Agreed Order:

1. On or before July 1, 2011, Respondent shall provide written proof to the Board that he has received twelve (12) hours of professional development/training in teacher ethics. Any expense incurred for said training shall be paid by Respondent.
2. While on probation, Respondent shall receive no disciplinary action. "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 he fail to satisfy any of these conditions during the probationary period, his 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 he violate KRS 161.120, either during or following this one (1) year period of probationary conditions, the Board shall initiate new disciplinary action and seek additional sanctions.

Vote: *Unanimous*

1006575 (Kenney Goodman) Accept Agreed Order admonishing Respondent for engaging in inappropriate physical interactions with students. As an educator, Respondent has a duty to maintain the dignity and integrity of the profession and to protect the health, safety, and emotional well-being of students. It is imperative that Respondent remain aware of the line between appropriate and inappropriate physical interactions with students. In the future, the Board expects Respondent to uphold the Professional Code of Ethics for Kentucky Certified School Personnel.

Respondent's certificate, and any future endorsements or new areas of certification, shall be subject to the following probationary conditions for a period of one (1) year:

1. On or before January 1, 2012, Respondent shall provide written proof to the Board that he has completed twelve (12) hours of professional development or training, as approved by the Board, in ethics, which shall include instruction on appropriate teacher/student boundaries. Any expense incurred for said training shall be paid by Respondent.
2. On or before January 1, 2012, Respondent shall provide written proof to the Board that he has completed nine (9) hours of professional development or training, as approved by the Board, in classroom management with an emphasis on de-escalation strategies and proper discipline techniques. Any expense incurred for said training shall be paid by Respondent.
3. For the duration of the probationary period, Respondent shall receive no disciplinary action involving inappropriate contact with a student. "Disciplinary action" is defined as any public reprimand, suspension, or termination issued by any school district in the Commonwealth of Kentucky and upheld, if requested, by either a tribunal and/or arbitration process.

By entering into this Agreed Order, Respondent agrees that should he fail to satisfy any of these conditions during the probationary period, 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 the probationary conditions are met.

Respondent is aware that should he violate KRS 161.120, either during or following this one (1) year period of probationary conditions, the Board shall initiate new disciplinary action and seek additional sanctions.

Vote: *Unanimous*

090141 (Melissa Brown)

Accept Agreed Order retroactively revoking Respondent's certificate for a period of eight (8) years beginning April 24, 2008. Respondent shall neither apply for, nor be issued, a teaching and/or administrative certificate in the Commonwealth of Kentucky during the eight (8) year revocation period.

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

At the conclusion of the eight (8) year revocation period, reissuance of any certificate to Respondent is expressly conditioned upon Respondent providing to the Board the following.

1. Respondent shall provide proof that she successfully completed and was released from her sentence of supervised release ordered by the court in *United States v. Brown*, Southern District of West Virginia at Huntington Case # 3:08-00113-02.
2. Respondent shall receive no further criminal convictions other than minor traffic violations. Respondent shall submit a federal and state criminal background check with any application for certification.
3. Respondent shall provide three (3) letter of recommendation from educators whose certifications are in good standing with the Board that she is morally fit to return to teaching.

Respondent's certificate shall not be reissued until each of the above conditions has been met.

Upon reissuance, any certificate the Board issues to or on behalf of Respondent, shall be subject to the following probationary conditions.

1. Respondent shall not be convicted of any crime other than a minor traffic violation. Respondent shall submit a state and federal background check with all further applications for certification or certificate renewal.
2. Upon re-employment as an educator, Respondent shall receive disciplinary action from any school district in which she is employed. "Disciplinary action" is defined as any public admonishment/reprimand, suspension without pay, or termination issued by any school district in the Commonwealth of Kentucky and upheld, if requested, by either the tribunal and/or arbitration process.

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

Vote: *Unanimous*

Recommended Orders

Case Number

0610251 (Danny Collins)

Decision

Grant Petitioner's Motion to Exclude Respondent's Response to Petitioner's Exceptions to the Hearing Officer's Recommended Order.

Vote: *Unanimous*

Accept the Hearing Officer's Findings of Fact, Modify the Conclusions of Law, and Reject the Recommended Order and issue an Admonishment based on Immoral Conduct and inappropriate behavior by Respondent, including being behind closed doors with students without an educational purpose and shoplifting. The Board also notes that the Cabinet for Health and Family Services found that Respondent neglected students. Respondent must also obtain 12 hours of ethics training, 12 hours of student boundary training, and 12 hours of classroom management training.

Vote: *Unanimous*

0903103 (Michael Taylor) Accept the Hearing Officer's Findings of Fact, Conclusions of Law, and Recommended Order and refuse to reissue Respondent's certificate.

Vote: *Unanimous*

Motion made by Ms. Stoess, seconded by Ms. May, to adjourn the meeting.

Vote: *Unanimous*

Meeting adjourned at 3:30 p.m.

Next Meeting: May 16, 2011

9:00 AM

EPSB Board Room

Frankfort, Kentucky