

Agenda Book

**EPSB Meeting Agenda
EPSB Offices**

**100 Airport Road, 3rd Floor, Conference Room A, Frankfort, KY 40601
September 19, 2011**

Monday, September 19, 2011

**8:00 AM EDT NCATE Alliance Reception
(EPSB Conference Room B)**

9:00 AM EDT Call to Order

Roll Call

**Recognition of the NCATE Alliance for Clinical Teacher
Preparation**

Open Speak

Approval of Consent Items

- A. Approval of August 1, 2011 EPSB Minutes (**Pages 1-32**)
- B. 16 KAR 6:010. Request to Waive Requirements Pertaining to Secondary Mathematics 8 – 12 Certification Assessment Requirements (**Pages 33-34**) (Mr. Robert Brown)
- C. 2011-12 Emergency Non-Certified School Personnel Program (**Pages 35-36**) (Mr. Mike Carr)
- D. English as a Second Language, Grades P-12 (Bachelor's Level), Murray State University (**Pages 37-40**) (Dr. Kim Walters-Parker)
- E. Middle School Mathematics, Grades 5-9 and Middle School Social Studies, Grades 5-9; St. Catharine College (Bachelor's Level) (**Pages 41-44**) (Dr. Walters-Parker)
- F. Approval of Contract (**Pages 45-46**) (Mr. Gary Freeland)

Report of the Chair

Committee Reports

Nominating Committee

Information/Discussion Item

2012-2014 Biennium Budget (**Pages 47-48**) (Mr. Freeland)

Action Items

- A. 16 KAR 5:020. Standards for Admission to Educator Preparation, Amendment, Final Action (**Pages 49-64**) (Dr. Walters-Parker)
- B. KTIP Appeal (**Pages 65-66**) (Mr. Robert Brown)

Alternative Route to Certification Application

Erica Hoagland, Biology and MS Science (**Pages 67-69**)
(Mr. Mike Carr)

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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) and (1)(j).

Certification Review and Revocation: Pending Litigation Review

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

Discussion Regarding the Evaluation of the Executive Director

Adjournment

Next Regular Meeting:
October 17, 2011
EPSB Offices

The actions delineated below were taken in open session of the EPSB at the August 1, 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
August 1, 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 August 1, 2011, EPSB meeting: Bradley Bielski, Barbara Boyd, Ellen Blevins, Michael Dailey, John DeAtley, Cathy Gunn, Allen Kennedy, Lynn May, Marie McMillen, Zenaida Smith, Bobbie Stoess, Tom Stull, Mark Wasicsko, and Lorraine Williams. Sandy Sinclair-Curry, Anthony Strong, and Cassandra Webb were absent.

Recognition of Outgoing Board Member

Chair Lorraine Williams recognized Bobbie Stoess for her valued work on the board and wished her the best. Ms. Stoess stated that she has learned so much and has been honored and privileged to be able to serve on the EPSB.

Open Speak

There were no requests for Open Speak.

Amendment to August 1, 2011 EPSB Agenda

Motion made by Ms. Marie McMillen, seconded by Ms. Barbara Boyd, to amend the August 1, 2011 EPSB meeting agenda to add Action Item, Waiver. 16 KAR 2:010. Request to Waive 15 New Graduate Hours for the Initial 5 Year Renewal of a Certificate, Jacob Jones.

Vote: *Unanimous.*

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. No items were identified.

2011-025

Motion made by Dr. Mark Wasicsko, seconded Ms. Lynn May, to approve the following items on the consent agenda:

Consent Item A. Approval of May 16, 2011 EPSB Minutes

Consent Item B. Approval of Principal Redesign, University of Louisville

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Consent Item C. Occupation-based Career and Technical Education, Grades 5-12 (Bachelor's Level), Morehead State University

Consent Item D. Elementary Math Specialist Endorsement, Grades P-5 (Graduate Level), Western Kentucky University

Consent Item E. Japanese, Grades P-12 (Bachelor's Level), Murray State University

Consent Item F. Spanish, Grades P-12 (Bachelor's Level), Campbellsville University

Vote: *Yes – 12*

Recuse – 2 (Dr. Cathy Gunn and Ms. Zenaida Smith on Consent Item C)

Dr. Kim Walters-Parker recognized representatives from the institutions whose programs were approved.

Report of the Executive Director

Report from the Kentucky Department of Education (KDE)

Mr. Michael Dailey reported on the work at KDE:

* On July 28th at KDE, Thomas Kane, a nationally known expert in measuring teacher effectiveness, provided insight from his work directing the Measures of Effective Teaching (MET) project. This Gates Foundation project was designed to develop and test multiple measures of teacher effectiveness. Mr. Dailey gave a brief report on Dr. Kane's presentation.

* An update was given on the work of the teacher and principal steering committees.

Report from the Council on Postsecondary Education (CPE)

Mr. John DeAtley reported on the work at CPE:

* The strategic agenda for CPE has been finalized and approved. It focused on four areas: college readiness; student success; research, economic, and community development; and efficiency and innovation.

* President Bob King has been appointed to a national advisory committee on college readiness, the Partnership for Assessment of Readiness for College and Careers (PARCC).

* The Improving Educator Quality Grant's letter of intent is due August 1st.

* The Request for Proposals for Continuation and Implementation of College Readiness Initiatives will be released soon. The proposals are being requested to extend and enhance current SB1 initiatives or related new projects identified from those initiatives that address the implementation of SB1.

Dr. Rogers notified the board that he would be providing updates on the master's and principal program redesign later that day to the Interim Joint Committee on Education at the request of Chair Carl Rollins.

Report of the Chair

Committee Reports

Retreat committee chair Tom Stull stated that he anticipates a fall retreat to be scheduled possibly in October on a weekend not associated with a board meeting. He will send out potential dates soon.

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Appointment of the Nominating Committee

Chair Williams appointed the following individuals to the Nominating Committee: Zenaida Smith (chair), Lorraine Williams, and Michael Dailey.

Appointment of the Evaluation of the Executive Director Committee

Chair Williams appointed the following individuals to the Evaluation of the Executive Director Committee: Mark Wasicsko (chair), Tom Stull, and Lynn May.

Chair Williams asked board attorney Angela Evans and legal services director Alicia Sneed to prepare information to guide the committees.

Appointments to the Kentucky Advisory Council on Internships (KACI)

Chair Williams appointed the following individuals to KACI: Beverly Ennis, Demetria Ann Choice, and Mike Kennedy. Chair Williams reappointed the following individuals to KACI: Vickie Staley, Rhonda Callaway, Michael Dailey, and Aimee Webb.

Appointments to the Continuous Assessment Review Committee (CARC)

Chair Williams appointed Manish Sharma and Jason Reeves to CARC.

Information/Discussion Items

Awarded Contracts

Mr. Gary Freeland informed the board on recently awarded National Board mentoring services and university KTIP contracts.

Financial Report for Fiscal Year 2011

Mr. Freeland gave a 2011 financial report to the board. He stated that the leadership team did an excellent job with budget planning.

Action Items

Alternative Certification Elementary and Secondary (ACES) Programs, Jefferson County Public Schools (JCPS)

Dr. Verna Lowe, the Board of Examiners' chair, and Dr. Aimee Webb, JCPS ACES specialist, reported to the board on the review of the ACES program. Dr. Lowe stated that Jefferson County, originator of the ACES program, is the only public school system in Kentucky that prepares teachers. Strengths for the program include the following: a high level of commitment of faculty and candidates, successful Praxis and PLT rates, and extensive admission criteria and evaluation screening for pre-candidates. Areas of concern for the program include the following: More documentation on faculty credentials is needed, data on the curriculum does not include a variety of methodologies across the grade levels of the licensure areas with the depth of academic content and goals not evident, and the program is not using aggregated candidate data and other measures, such as follow-up studies, for program improvement.

Ms. Zenaida Smith voiced her concern regarding the areas in need of correction for the program. Dr. Lowe stated that these areas of concern are recommendations to help the program align more specifically with NCATE. These areas of concern are not the same as areas for improvement that are used with NCATE reports. Dr. Kim Walters-Parker explained that this program will provide annual reports to the EPSB as is required for all accredited program institutions.

2011-026

Issue 1:

Motion made by Dr. Cathy Gunn, seconded by Ms. Marie McMillen, to approve the BOE's recommendation for continued approval of the JCPS ACES program.

Vote: Yes – 13

Recuse – 1 (Mr. Michael Dailey)

2011-027

Issue 2:

Motion made by Dr. Bradley Bielski, seconded by Ms. May, to place the JCPS ACES program on a seven-year accreditation cycle.

Vote: Yes – 13

Recuse – 1 (Mr. Michael Dailey)

Accreditation of the Educator Preparation Unit and Approval of Programs, Eastern Kentucky University

2011-028

Issue 1:

Motion made by Dr. Wasicsko, seconded by Ms. Smith, to accept the recommendation of the AAC and grant accreditation for Eastern Kentucky University.

Vote: Unanimous

2011-029

Issue 2:

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

Vote: Unanimous

Accreditation of the Educator Preparation Unit and Approval of Programs, University of the Cumberlands

2011-030

Issue 1:

Motion made by Dr. Wasicsko, seconded by Dr. Bielski, to accept the recommendation of the AAC and grant accreditation for University of the Cumberlands.

Vote: Unanimous

2011-031

Issue 2:

Motion made by Dr. Gunn, seconded by Mr. Allen Kennedy, to accept the recommendation of the AAC and grant approval for the initial and advanced level educator preparation programs at University of the Cumberlands.

Vote: *Unanimous*

Stage Three of Developmental Process for New Educator Preparation Programs, Boyce College

2011-032

Motion made by Ms. Smith, seconded by Ms. May, to accept the recommendation of the AAC and grant approval for temporary authorization for Boyce College.

Vote: *Unanimous*

16 KAR 5:020. Standards for Admission to Educator Preparation, Amendment, Final Action

Dr. Kim Walters-Parker stated that since the board's discussion at the May meeting, the EPSB staff has spoken with the Kentucky Association for Colleges of Teacher Education and received suggestions for amending the regulation from individuals and institutions. Their input has received careful consideration, and EPSB staff has incorporated the revisions into the regulation amendments as much as possible without compromising the integrity of the recommendations from the Committee to Review Admissions and Clinical Experiences (CRACE).

The amendments to 16 KAR 5:020 primarily address the following changes:

1. Raise the minimum grade point average (GPA) for admission to a teacher preparation program from 2.5 to 2.75.
2. Require that all candidates successfully demonstrate essential knowledge in the areas of mathematics, reading, and writing prior to admission.
3. Require that all candidates demonstrate an overall disposition essential to being an effective teacher in the areas of critical thinking, communication, creativity, and collaboration prior to admission to a teacher preparation program
4. Stipulate that all teacher preparation programs submit an annual report and the particular information the report will provide.
5. Provide a date of September 1, 2012, for all amendments to this regulation to become effective.
6. Raise the cut scores for the pre-professional skills test (PPST) of basic knowledge administered by the Educational Testing Service.
7. Require that candidates not be permitted to accumulate more than three credit hours in required program courses prior to admission to the program.

Mr. John DeAtley asked if the wording is redundant for the suggested regulation amendment which reads as follows, "Undergraduate students shall not enroll in any educator preparation program course restricted to admitted candidates." He suggested that the language read as follows, "Undergraduate students who are not admitted to the program shall not enroll in these courses." Dr. Walters-Parker stated that EPSB staff will consider his suggestion.

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Dr. Walters-Parker informed the board that constituents suggested additional changes to the proposed regulation amendments, but some of those, related to the testing requirements for admission to educator preparation, will require further discussion by the board. She stated that some of the proposed changes include using the ACT as an admissions test. She expressed concerns from the EPSB staff with using the ACT as a measure of basic skills for admission into a teacher preparation program for various reasons that include the following: 1) The ACT is specifically taken by high school juniors 2). The ACT is designed to predict performance in very specific college courses, not to predict overall college performance. 3) The ACT will not back the ACT's use as an admissions test into a teacher preparation program. Dr. Walters-Parker added that recent litigation states the specific uses of the ACT, and using it as an admission test to teacher preparation is not one of the accepted uses.

Dr. Mark Wasicsko stated that there needs to be another option besides the PPST to determine if an individual has the basic skills required to enter a teacher preparation program. He asked EPSB staff to research other available options. Further discussion ensued on the use of ACT as an admission test into the teacher preparation programs. Chair Lorraine Williams asked the EPSB staff to research alternative, legally defensible methods for admission into the teacher preparation programs. In addition, Dr. Wasicsko asked that EPSB staff consider adding the word *dispositions* (which was deleted from the May proposed amendments to this regulation) back into the admission criteria. This item will be brought back at the September EPSB meeting for possible final action.

16 KAR 5:040. Admission, Placement, and Supervision in Student Teaching, Amendment, Final Action

Dr. Walters-Parker reviewed proposed amendments to 16 KAR 5:040 with the board. Dr. Wasicsko asked if the following language pertaining to a certified educator should be clarified: “At no time shall a student teacher have responsibility for the supervision or instruction of P-12 students without the direct supervision of a certified educator.” Dr. Walters-Parker stated that a certified educator means a certified teacher. Her explanation that no student teacher shall be left alone in the classroom triggered significant discussion by the board, leading the board to determine that further training is needed on the roles and responsibilities of the student teacher and the supervising teacher.

2011-033

Motion made by Mr. Dailey, seconded by Ms. McMillen, to approve the amendments to 16 KAR 5:040, noting that training materials will clarify the supervising teacher role.

Vote: *Unanimous*

NCATE Alliance for Clinical Teacher Preparation

2011-034

Motion made by Mr. John DeAtley, seconded by Mr. Dailey, to authorize the executive director to sign the letter of intent.

Vote: *Unanimous*

Dr. Rogers stated that he plans to invite leaders in education—Dr. James Cibulka, NCATE; Mr. Robert King, CPE; Dr. Terry Holliday, KDE; and Sec. Joe Meyer, Education and Workforce Development Cabinet—to join the EPSB next month for Kentucky's signing of the NCATE

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Alliance for Clinical Teacher Preparation. He asked that all deans of Kentucky's colleges and universities attend the event.

16 KAR 2:040. Interdisciplinary Early Childhood Education, Birth to Primary, Amendment, Final Action

2011-035

Motion made by Mr. DeAtley, seconded by Ms. May, to approve the amendments to 16 KAR 2:040.

Vote: *Unanimous*

16 KAR 9:090. University-Based Alternative Certification Programs for Teachers of World Languages, Final Action

2011-036

Motion made by Mr. DeAtley, seconded by Dr. Gunn, to approve the new regulation, 16 KAR 9:90.

Vote: *Unanimous*

Alternative Route to Certification Applications

David Case, Physics, Grades 8-12

2011-037

Motion made by Ms. May, seconded by Ms. McMillen, to approve the alternative route to certification application.

Vote: *Unanimous*

Melinda Cumberledge, Music, All Grades

2011-038

Motion made by Mr. Kennedy, seconded by Ms. Barbara Boyd, to approve the alternative route to certification application.

Vote: *Unanimous*

Action Item, Waiver. 16 KAR 2:010. Request to Waive 15 New Graduate Hours for the Initial 5 Year Renewal of a Certificate, Jacob Jones

2011-039

Motion made by Mr. DeAtley, seconded by Ms. May, to approve the waiver request.

Vote: *Unanimous*

Board Comments

There were no board comments.

**DISCIPLINARY MATTERS:
MINUTES OF CASE REVIEW
August 1, 2011**

Motion made by Ms. Lynn May, seconded by Dr. Cathy Gunn, 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 Mr. Allen Kennedy, seconded by Ms. Marie McMillen, to return to open session.

Vote: *Unanimous*

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

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

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

Character/Fitness Review

<u>Case Number</u>	<u>Decision</u>
11240	Approve
11258	Approve
11277	Approve
11249	Approve
11262	Approve
11265	Approve
11287	Defer
11288	Approve
11282	Approve
11291	Approve
11248	Approve
11301	Approve
11302	Approve
11305	Defer
11304	Approve
11309	Approve
11313	Approve
11320	Approve
11353	Approve
11338	Approve
11330	Approve
11348	Approve
11351	Approve
11332	Approve

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11328	Approve
11336	Approve
11368	Approve
11395	Approve
11399	Approve
11401	Approve
11411	Approve
11409	Approve
11342	Approve
11421	Approve
11435	Deny
11450	Approve
11437	Approve
11439	Approve
11446	Approve
11461	Approve
11469	Approve
11472	Approve
11506	Defer
11512	Approve
11352	Deny
11431	Approve
11476	Defer
11544	Approve
11183	Deny
11550	Approve
11202	Deny
11418	Deny
11425	Approve
11567	Approve
11561	Defer
11571	Deny
11387	Approve
11574	Approve
11538	Approve
11577	Approve
11493	Deny
11590	Approve
11591	Approve
11595	Approve
11340	Approve
11593	Approve
11603	Approve
11609	Deny
11616	Approve
11471	Approve

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11626	Deny
11627	Deny
11635	Approve
11636	Approve
11638	Defer
11631	Approve
11644	Approve
11646	Deny
11645	Deny
11649	Approve
11652	Approve
11639	Defer
11608	Deny

Agreed Orders

Case Number

10389 (Stephanie Fouts)

Decision

Accept Agreed Order which states that Respondent shall be issued a teaching certificate in Kentucky upon re-issuance of her teaching certificate in West Virginia. With any future application for certification in Kentucky, Respondent shall include a statement from the West Virginia Department of Education that she is certified in good standing in the state of West Virginia.

Respondent shall be permanently barred from applying for or being issued an administrative certificate in Kentucky, including but not limited to principal, guidance counselor, instructional leader, or superintendent.

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

1. Respondent shall have no criminal convictions. If Respondent is convicted for any crime other than a minor traffic violation, any and all certificates issued to Respondent shall be automatically permanently revoked.
2. On or before January 1 of the year following issuance of a certificate to Respondent, she shall submit written proof to the Board that she has completed twelve (12) hours of professional development or training on the Professional Code of Ethics for Kentucky Certified School Personnel as approved by the Board. Any expense required for said training shall be paid by Respondent. Respondent agrees that should she fail to complete the required training on or before January 1 of the year following issuance of a certificate to Respondent, any and all certificates issued to her shall be automatically suspended until such training is

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completed and the appropriate written proof is provided to the Board.

3. Respondent shall submit a state and federal background records report to the Board with any application for renewal of a certificate or additional certification. Any expense for the state and federal criminal background records report shall be paid by Respondent. If Respondent fails to submit the required report with her application for renewal or additional certification, renewal of her certificate or the additional certification shall be denied.

4. Respondent shall have no disciplinary actions involving misuse or misappropriation of funds by a school district or educational licensing/certification agency in the United States. The parties agree that "disciplinary action" is defined as any admonishment, reprimand, suspension, termination or revocation issued by any school district or state agency and upheld after a due process hearing if requested by Respondent. If Respondent receives any disciplinary actions involving the misuse or misappropriation of funds, any and all certificates issued to Respondent shall be automatically permanently revoked. Respondent is aware that should she violate any provision of KRS 161.120 in the future, the Board shall initiate a disciplinary action and seek additional sanctions.

Vote: *Unanimous*

0903149 (Ashley Benton)

Accept Agreed Order retroactively revoking Respondent's certificate for a period of five (5) years beginning July 1, 2006. Respondent shall surrender the original and all copies of this certificate immediately, by first class mail or personal delivery to the Education Professional Standards Board, 100 Airport Road, Third Floor, Frankfort, Kentucky 40601.

At the conclusion of the revocation period, reissuance of any Respondent's certificate is expressly conditioned upon Respondent providing to the Board the following.

1. Respondent shall undergo a comprehensive drug abuse assessment by a mental health professional certified to assess and treat chemical dependency as approved by the Board. Respondent shall comply with any treatment recommendations recommended by the mental health professional and supply proof of his compliance to the Board. Any expense for the evaluation or the treatment shall be paid by Respondent;

2. Respondent shall provide written proof to the Board that he has received twelve (12) hours of professional

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development/training in the area of ethics, as approved by the Board. Any expense incurred for said training shall be paid by Respondent; and

3. Respondent shall submit to random drug testing to be administered by a provider approved by the Board within fifteen (15) days of submitting his application for re-issuance. Any expense for the drug test shall be paid by Respondent. If any drug test is positive for any illegal substances, or byproducts of any illegal substances, Respondent's certificate shall not be reissued.

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 enter a plea of guilty, a no contest, a plea of *nolo contendere*, or a plea pursuant to *Alford v. North Carolina* or be found guilty to any crime involving the use of any controlled substance. Should Respondent violate this condition, his certificate and any and all endorsements shall be automatically permanently revoked;

2. Respondent shall submit a state and federal background records report to the Board with any application for renewal of a certificate or additional certification. Any expense for the state and federal criminal background records report shall be paid by Respondent. If Respondent fails to submit the required report with his application for renewal or additional certification, renewal of his certificate or the additional certification shall be denied; and

3. Respondent shall submit to random drug testing to be administered by a provider approved by the Board for two (2) years from the date of reissuance of his certificate. Any expense for the drug test shall be paid by Respondent. If any drug test is positive for any illegal substances, or byproducts of any illegal substances, Respondent's certificate or certificates shall be automatically suspended for a period of six (6) months and a new disciplinary case that may result in additional sanctions shall be initiated.

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

Vote: *Unanimous*

0605154 (Jacqueline Myers) Accept Agreed Order which states that Respondent shall provide written proof to the Board prior to taking another teaching or substitute teaching position that she has received professional development/training in appropriate

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classroom management/discipline, as approved by the Board. Any expense incurred for said training shall be paid by Respondent.

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

Vote: *Unanimous*

- 1010652 (Rhonda Watson) Accept Agreed Order admonishing Respondent for engaging in inappropriate physical interactions with students. A teacher in the Commonwealth of Kentucky has a duty to protect the health, safety, and emotional well-being of students and must respect the boundary line between appropriate and inappropriate physical interaction when disciplining students. The Board will not tolerate any further incidents 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 one (1) year from the date the Board accepts this Agreed Order:
1. On or before January 1, 2012, 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, in the areas of classroom management and effective discipline techniques. 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 she has successfully completed a course, as approved by the Board, on the Professional Code of Ethics for Kentucky Certified School Personnel. Any expense incurred for said training shall be paid by Respondent.
 3. For the entirety of the probationary period, Respondent shall receive no disciplinary action involving classroom management issues or conduct unbecoming a teacher. "Disciplinary action" is defined as any public reprimand, suspension, or termination issued by any school district in the Commonwealth of Kentucky and upheld, if requested, by either a tribunal and/or arbitration process. By entering into this Agreed Order, Respondent agrees that should she fail to satisfy any of these conditions during the probationary period, her certificate shall be automatically suspended for a period of thirty (30) days. If applicable, at the conclusion of the thirty (30) day suspension, Respondent's certificate shall remain suspended until such time as the probationary conditions are met.

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Respondent is aware that should she 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*

1009546 (Robin Griffith)

Accept Agreed Order admonishing Respondent for conduct unbecoming a teacher. As an educator, Respondent has a duty to maintain the dignity and integrity of the profession and to refrain from committing any act that constitutes fraudulent, corrupt, dishonest, and/or immoral conduct. In the future, the Board expects Respondent to uphold the Professional Code of Ethics for Kentucky Certified School Personnel and will not tolerate any further incidents of misconduct.

Respondent's certificate, including any and all endorsements, 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, 2012, 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, on the Professional Code of Ethics for Kentucky Certified School Personnel. Any expense required for said training shall be paid by the Respondent. If Respondent fails to comply with the requirements of this paragraph on or before July 1, 2012, her certificate, and any future endorsements or new areas of certification, shall be automatically suspended until the required written proof is submitted to the Board.
2. For the entirety of the probationary period, Respondent shall neither be convicted of nor enter a guilty or no contest plea to any criminal charge(s) other than minor traffic violations. If Respondent fails to comply with the requirements of this paragraph, her certificate, and any future endorsements or new areas of certification, shall be automatically suspended for a period of one (1) year.
3. For the entirety of the probationary period, Respondent shall submit current national and state criminal background reports to the Board with any application for renewal of her 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 her behalf during the probationary period.

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Respondent is aware that should she violate KRS 161.120, at any time during the three (3) year probationary period, the Board shall initiate new disciplinary action and seek additional sanctions.

Vote: *Unanimous*

1004220 (Timothy Lands) Accept Agreed Order which states that 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*

1011742 (Kelly Berleman) Accept Agreed Order retroactively suspending Respondent's certificate for a period of fifteen (15) days beginning on August 1, 2010 and running through August 15, 2010. Respondent shall neither apply for, nor be issued, a teaching certificate in the Commonwealth of Kentucky during the suspension period. Upon acceptance of this agreement by the Board, Respondent shall immediately surrender the original and all copies of her certificate to the EPSB, by delivering or mailing to 100 Airport Road, 3rd Floor, Frankfort, Kentucky 40601. On or before January 1, 2011, Respondent shall provide written proof to the Board that she has successfully completed twenty (20) hours of community service, as required by the Ohio State Board of Education. Any expense incurred for said community service shall be paid by Respondent.

Vote: *Unanimous*

07-06113 (Sammy Gullett) Accept Agreed Order suspending Respondent's certificate for a period of 90 days beginning May 9, 2007. Respondent shall surrender the original and all copies of this certificate immediately, by first class mail or personal delivery to the Education Professional Standards Board, 100 Airport Road, Third Floor, Frankfort, Kentucky 40601. Upon reinstatement, Respondent's certificate shall be subject to the following probationary conditions.

1. Upon accepting employment as a certified educator in any Kentucky public school, Respondent shall notify the Board of his employment and, in accordance with KRS 161.175, submit to random drug testing. Testing shall be administered by a provider approved by the Board for a

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period of three years from the date of employment. If Respondent is employed by a district that randomly drug tests its employees, those tests will satisfy this requirement. If not, the expense of drug testing shall be borne by Respondent. If any drug test is positive for any illegal substances or byproducts of illegal substances, Respondent's certificate shall be automatically suspended for a period of two years and subject to additional sanction by the Board pursuant to KRS 161.120.

2. Respondent shall not be convicted of any crime involving the use of any controlled substance. Should Respondent violate this condition, his certificate shall be automatically suspended for a period of two years and subject to additional sanction by the Board pursuant to KRS 161.120.

Vote: *Unanimous*

0904183 (Kirk Chism)

Accept Agreed Order revoking Respondent's certificate. Respondent shall immediately surrender the original and all copies of this certificate to the Education Professional Standards Board, 100 Airport Road, Third Floor, Frankfort, Kentucky 40601. Respondent shall neither apply for nor be issued a teaching certificate in the Commonwealth of Kentucky for the remainder of his lifetime.

Vote: *Unanimous*

0508158 (Michael Ashley)

Accept Agreed Order which states that Respondent will never apply or be issued a teaching or administrative certificate in the Commonwealth of Kentucky.

Vote: *Unanimous*

1010584 (Alvera Perman)

Accept Agreed Order which states that Respondent will attend counseling and follow all treatment recommendations. Respondent will complete 12 hours of ethics training as well as a course that addresses sexual abuse and sexual abuse awareness. All training must be approved by the board and all costs associated with the training and counseling shall be borne by Respondent. Proof of participation in counseling and completion of the training requirements must be submitted to the board within six (6) months of the date of acceptance of this agreement by the board. If Respondent fails to comply, her certificate will be suspended until she completes the requirements of this agreement.

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Further Respondent is admonished as follows: Respondent has a duty as an educator to protect the health, welfare and safety of all students which also includes her own children. Respondent failed in this duty when she failed to promptly report suspected abuse of her child. The board finds this conduct a violation of that duty and admonishes Respondent that any further conduct of this nature will not be tolerated by the board.

Vote: *Unanimous*

- 1005342 (Brenda Peterson) Accept Agreed Order suspending Respondent's certificate for a period of ten (10) days from February 22, 2010 through February 26, 2010 and May 10, 2010 through May 14, 2010. 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. Upon acceptance of this agreement by the Board, Respondent's certificate shall be on probation for a period of eighteen (18) months and subject to the following probationary conditions:
1. Respondent shall submit written proof to the Board that she has completed twelve (12) hours of professional ethics training, as approved by the Board, by December 1, 2011. 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. Respondent shall submit written proof to the Board that she has completed six (6) hours of professional development/training in the area of classroom management, as approved by the Board, by December 1, 2011. 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. During the probationary period, Respondent shall not receive any disciplinary action involving physical contact with a student or breach of confidentiality 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

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Kentucky and upheld, if requested, by either the tribunal and/or arbitration process. If Respondent fails to satisfy this condition, her certificate shall be automatically suspended for a period of one (1) year and subject to additional sanctions by the Board pursuant to KRS 161.120.

Vote: *Unanimous*

1006360 (Rick Saurer)

Accept Agreed Order admonishing Respondent for exercising poor professional judgment and for failing to de-escalate a student conflict. A teacher in the Commonwealth of Kentucky has a duty to protect the health, welfare, and safety of all students, and must remain aware of the line between appropriate and inappropriate interaction when disciplining a student. The Board 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 recognizes that students will misbehave and disrupt classrooms; however, certified teachers are expected to handle these situations rationally and judiciously, and to react at all times in a professional manner. The Board will not tolerate any further incidents of misconduct from Respondent. This settlement agreement is expressly conditioned upon the following:

1. Respondent shall provide written proof to the Board that he has completed three (3) hours of anger management counseling and/or training, as approved by the Board, by August 1, 2011. Any expenses required for said training shall be paid by Respondent.

2. Respondent shall provide written proof to the Board that he has completed six (6) hours of classroom management training, with an emphasis on appropriate de-escalation strategies, as approved by the Board, by August 1, 2011. Any expenses required for said training shall be paid by Respondent.

3. Respondent shall provide written proof to the Board that he has completed twelve (12) hours of professional ethics training, as approved by the Board, by August 1, 2011. Any expenses required for said training shall be paid by Respondent.

If Respondent fails to satisfy any of the above conditions, his certificate shall be automatically suspended until Respondent completes the required training and provides the appropriate written proof to the Board.

Vote: *Unanimous*

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100279 (Jill Cushing)

Accept Agreed Order admonishing Respondent for her continued neglect of duty and for exercising poor professional judgment. The Board reminds Respondent that she has a duty to take reasonable measures to protect the health, safety, and emotional well-being of her students. Respondent must ensure that her students are never placed in potentially dangerous situations. Further, as an educator, Respondent has a duty to her profession, students, and employer to devote her time to the sole purpose of providing educational services in consonance with best practices and procedures. The Board will not tolerate any further incidents of misconduct from Respondent.

Respondent's teaching certificate shall be on probation for a period of eighteen (18) months from the date the Board approves this Order, and subject to the following probationary conditions:

1. Respondent shall submit written proof to the Board that she has completed a course in instructional/teaching techniques and/or strategies for elementary classroom teachers, as approved by the Board, by August 1, 2011. 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. Respondent shall submit written proof to the Board that she has completed twelve (12) hours of professional ethics training, with an emphasis on student/teacher boundaries and professional courtesy, as approved by the Board, by January 1, 2012. 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; and
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*

- 0705100 (Wayne Darragh) Accept Agreed Order revoking Respondent's certificate for a period of three (3) years beginning September 1, 2007. Upon acceptance of this agreement by 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.
- In addition to any educational requirements, issuance of a Kentucky teaching or administrative certificate to Respondent, or on his behalf, at the conclusion of the three (3) year revocation period is expressly conditioned upon Respondent providing written evidence to the Board, at the time of application, that he has complied with the following:
1. Respondent shall submit to a random drug test to be administered by a provider approved by the Board. Any expense for the drug test shall be paid by Respondent. Respondent's certificate will not be reinstated if the test is positive for any illegal substances or byproducts of illegal substances.
 2. Respondent shall be evaluated by a Kentucky licensed substance abuse counselor, to be approved by the Board, and follow through with any recommendations made by the counselor. Any expense incurred for the program shall be paid by Respondent.
 3. Respondent shall submit a criminal background check. If there are any new convictions, other than minor traffic violations, since the charge that was the basis for this case, Respondent's certificate will not be reinstated.

Vote: *Unanimous*

- 060489 (Willard Daugherty) Accept Agreed which states that Respondent has retired from teaching. Should Daugherty decide to return to a position that requires certification, including substitute teaching, at any point in the future, Respondent must provide proof of the following before applying for or accepting the position:
- Respondent shall complete twelve (12) hours of professional development/training in the areas of ethics and appropriate teacher/student relationships and/or boundary issues, as approved by the Board. Any expense incurred for the program shall be paid by Respondent.
- Respondent shall also complete a course in the area of sexual harassment counseling to be approved by the Board.

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Any expense incurred for the program shall be paid by Respondent.

Respondent is also admonished for his behavior. The Board reminds Respondent that he has a duty to take reasonable measures to protect the health, safety, and emotional well-being of his students. An educator should touch students only when necessary to assist the student or to protect oneself or others from harm. An educator should never make comments that could be construed in a sexual manner. The Board will not tolerate any further acts of misconduct by Respondent.

Vote: *Unanimous*

1011782 (Michael Adams) Accept Agreed Order reminding Respondent that he is to refrain from subjecting students to embarrassment or disparagement. Although Respondent intended the remark to be humorous, an educator must avoid making comments that may be interpreted as denigrating the race or culture of a student. The Board will tolerate no further incidents of misconduct by Respondent.
As part of this Agreed Order, Respondent shall complete 7.5 hours of professional development/training with an emphasis on cultural diversity. Respondent has provided written proof that he has completed this training requirement.

Vote: *Unanimous*

1011714 (Jennifer Zehnder) Accept Agreed Order Respondent will complete twelve (12) hours of anger management counseling. All counseling must be approved by the board and all costs associated with the counseling shall be borne by Respondent. Proof of participation and completion of the counseling requirements must be submitted to the board within six (6) months of the date of acceptance of this agreement by the board. If Respondent fails to comply, her certificate will be suspended until she completes the requirements of this agreement.
Further, Respondent is admonished as follows: Respondent has a duty as an educator to maintain the dignity and integrity of the profession which includes her actions while on the school property of her own child's school. Respondent failed in that duty when she engaged in a physical altercation in the lobby of her child's school. The board finds this conduct a violation of that duty and admonishes Respondent that any further conduct of this nature will not be tolerated.

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Vote: *Unanimous*

0508143 (Joy Ferguson)

Accept Agreed Order suspending Respondent's certificate for a period of two years beginning January 1, 2009. Respondent shall surrender the original and all copies of this certificate immediately, by first class mail or personal delivery to the Education Professional Standards Board, 100 Airport Road, Third Floor, Frankfort, Kentucky 40601. From the date of acceptance of this Order by the Board, Respondent's certificate shall be subject to the following probationary conditions.

1. Upon accepting employment as a certified educator in any Kentucky public school, Respondent shall notify the Board of her employment and, in accordance with KRS 161.175, submit to random drug testing. Testing shall be administered by a provider approved by the Board for a period of three years from the date of employment. Any expense for each drug test shall be paid by Respondent. If any drug test is positive for any illegal substances or byproducts of illegal substances, Respondent's certificate shall be automatically suspended for a period of two years and subject to additional sanction by the Board pursuant to KRS 161.120.
2. Respondent shall not be convicted of any crime in which the commission or the circumstances involve the use or possession of any controlled substance. Should Respondent violate this condition, his certificate shall be automatically suspended for a period of two years and subject to additional sanction by the Board pursuant to KRS 161.120.

Vote: *Unanimous*

1009509 (Betty Perry)

Accept Agreed Order admonishing Respondent for violating the Administration Code for Kentucky's Educational Assessment Program. The Board reminds Respondent that she has a duty to strictly comply with all administrative procedures related to student testing for the well-being of the students and for the integrity of the testing process. 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 three (3) years and subject to the following probationary conditions:

1. Respondent has submitted written proof to the Board that she has completed three (3) hours of Administration Code training. By December 31, 2011, Respondent shall submit

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written proof to the Board that she has completed an additional three (3) hours of Administration Code 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. By December 31, 2011, Respondent shall submit written proof to the Board that she has completed twelve (12) hours of professional ethics training, as approved by the Board. Any expense required for said training shall be paid by Respondent. If Respondent fails to satisfy this condition, her certificate shall be automatically suspended until Respondent completes the required training and provides the appropriate written proof to the Board.

3. During the probationary period, Respondent shall not receive any disciplinary action for violation of the *Administration Code for Kentucky's Educational Assessment Program* from any school district in which she is employed. "Disciplinary action" is defined as any suspension, termination, or public reprimand issued by any school district in the Commonwealth of Kentucky and upheld, if requested, by either the tribunal and/or arbitration process. If Respondent fails to satisfy this condition, her certificate shall be automatically suspended for one (1) year and subject to additional sanctions by the Board pursuant to KRS 161.120.

Vote: *Unanimous*

1009507 (Crystal Wilkerson) Accept Agreed Order admonishing Respondent for violating the Administration Code for Kentucky's Educational Assessment Program. The Board reminds Respondent that she has a duty to strictly comply with all administrative procedures related to student testing for the well-being of the students and for the integrity of the testing process. 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 three (3) years and subject to the following probationary conditions:

1. Respondent has submitted written proof to the Board that she has completed three (3) hours of Administration Code training. By December 31, 2011, Respondent shall submit written proof to the Board that she has completed an additional three (3) hours of Administration Code training, as approved by the Board. Any expense required for said

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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. By December 31, 2011, Respondent shall submit written proof to the Board that she has completed twelve (12) hours of professional ethics training, as approved by the Board. Any expense required for said training shall be paid by Respondent. If Respondent fails to satisfy this condition, her certificate shall be automatically suspended until Respondent completes the required training and provides the appropriate written proof to the Board.

3. During the probationary period, Respondent shall not receive any disciplinary action for violation of the *Administration Code for Kentucky's Educational Assessment Program* from any school district in which she is employed. "Disciplinary action" is defined as any suspension, termination, or public reprimand issued by any school district in the Commonwealth of Kentucky and upheld, if requested, by either the tribunal and/or arbitration process. If Respondent fails to satisfy this condition, her certificate shall be automatically suspended for one (1) year and subject to additional sanctions by the Board pursuant to KRS 161.120.

Vote: *Unanimous*

1009505(Michelle Richardson) Accept Agreed Order admonishing Respondent for violating the Administration Code for Kentucky's Educational Assessment Program. The Board reminds Respondent that she has a duty to strictly comply with all administrative procedures related to student testing for the well-being of the students and for the integrity of the testing process. 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 three (3) years and subject to the following probationary conditions:

1. Respondent has submitted written proof to the Board that she has completed three (3) hours of Administration Code training. By December 31, 2011, Respondent shall submit written proof to the Board that she has completed an additional three (3) hours of Administration Code 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

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and provides the appropriate written proof to the Board.

2. By December 31, 2011, Respondent shall submit written proof to the Board that she has completed twelve (12) hours of professional ethics training, as approved by the Board. Any expense required for said training shall be paid by Respondent. If Respondent fails to satisfy this condition, her certificate shall be automatically suspended until Respondent completes the required training and provides the appropriate written proof to the Board.

3. During the probationary period, Respondent shall not receive any disciplinary action for violation of the *Administration Code for Kentucky's Educational Assessment Program* from any school district in which she is employed. "Disciplinary action" is defined as any suspension, termination, or public reprimand issued by any school district in the Commonwealth of Kentucky and upheld, if requested, by either the tribunal and/or arbitration process. If Respondent fails to satisfy this condition, her certificate shall be automatically suspended for one (1) year and subject to additional sanctions by the Board pursuant to KRS 161.120.

Vote: *Unanimous*

1011778 (Holly Poynter)

Accept Agreed Order admonishing Respondent for her lack of professional judgment in interactions with students. A teacher in the Commonwealth of Kentucky has a duty to protect the health, welfare, and safety of her students. Allowing an unlicensed student to operate a motor vehicle is not acceptable. The Board reminds Respondent that, as an educator, she must maintain the dignity and integrity of the teaching profession, and set a positive example for her students. The Board will tolerate no further incidents of misconduct by Respondent.

On or before September 1, 2011, 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.

On or before September 1, 2011, Respondent shall submit written proof to the Board that she has completed six (6) hours of professional development/training in the area of risk management, 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

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shall be automatically suspended until Respondent completes the required training and provides the appropriate written proof to the Board.

Vote: *Unanimous*

1103109 (Denise Fetter)

Accept Agreed Order which states that on or before January 1, 2012, Fetter 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.

Within three (3) months of accepting any teaching and/or administrative position in any school district in the Commonwealth of Kentucky, Respondent shall submit a letter from her school principal to the Board confirming that she received training on the school policies and procedures, and that she agreed to abide by them. If Respondent fails to satisfy either of these conditions, her certificate shall be automatically suspended until Respondent completes the required training and provides the appropriate written proof to the Board.

Vote: *Unanimous*

110265 (Deborah McCormick) Accept Agreed Order retroactively suspending Respondent's certificate for one year beginning January 1, 2010 and running through December 31, 2010. Respondent shall neither apply for, nor be issued, a teaching certificate in the Commonwealth of Kentucky during the suspension period. Upon acceptance of this agreement by the Board, Respondent shall immediately surrender the original and all copies of her certificate to the EPSB, by delivering or mailing to 100 Airport Road, 3rd Floor, Frankfort, Kentucky 40601.

Vote: *Unanimous*

1011683 (Gregory Hash)

Accept Agreed Order reminding Respondent that, as a certified educator, he must treat each student with dignity and respect by establishing and maintaining appropriate emotional and physical boundaries. In the future, the Board expects Respondent to uphold the Professional Code of Ethics for Kentucky Certified School Personnel. Respondent's certificate, including any and all endorsements, 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, 2012, Respondent shall submit written proof to the Board that he has successfully

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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.

2. For the entirety of the probationary period, Respondent shall remain under the care of a state certified mental health counselor. By July 1st of each year of the probationary period, Respondent shall provide the Board with annual written reports from such counselor certifying that he is maintaining the counseling relationship and following all recommended treatment. Any expense for the assessment, treatment and/or written reports shall be paid by Respondent.

3. For the entirety of the probationary period, Respondent shall receive no disciplinary action involving inappropriate relationships with students. "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 two (2) year period of probationary conditions, the Board shall initiate new disciplinary action and seek additional sanctions.

Vote: *Unanimous*

1008478 (James Bridges)

Accept Agreed Order retroactively suspending Respondent's certificate for sixty (60) days beginning June 1, 2011 and running through July 30, 2011. During the sixty (60) day suspension period, Respondent shall neither apply for nor be issued a teaching certificate in the Commonwealth of Kentucky. Upon acceptance of this agreement by the Board, Respondent shall immediately surrender the original Certificate and all copies to the EPSB, by hand delivering or mailing to 100 Airport Road, 3rd Floor, Frankfort, Kentucky 40601.

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

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1. Respondent has provided written proof to the Board that he has successfully completed twelve (12) hours of training on the Professional Code of Ethics for Kentucky Certified School Personnel.

2. On or before August 1, 2011, Respondent shall undergo an anger management assessment by a licensed clinical provider, as approved by the Board, and shall present written evidence to the Board that he has complied with the assessment process and has successfully completed all treatment recommendations. Any expense for the assessment, treatment, and/or written reports shall be paid by Respondent.

3. 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*

1011663 (Lisa Wright)

Accept Agreed Order admonishing Respondent for exhibiting a lack of professional judgment in her interactions with students. As an educator, Respondent has a duty to maintain the dignity and integrity of the teaching profession and to refrain from subjecting students to embarrassment and/or disparagement. The Board will not tolerate any further incidents of misconduct by Respondent. On or before July 1, 2012, Respondent shall provide written proof to the Board that she has successfully completed twelve (12) hours of professional development or training, as approved by the Board, on the Professional Code of Ethics for Kentucky Certified School Personnel, which shall include instruction on appropriate teacher/student boundaries. Any expense incurred for said training shall be paid by Respondent.

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On or before July 1, 2012, Respondent shall provide written proof to the Board that she has successfully completed professional development or training, as approved by the Board, on student confidentiality. Any expense incurred for said training shall be paid by Respondent.

Respondent agrees that should she fail to comply with any of the terms of this Agreed Order, her certificate shall be automatically suspended until she is in compliance.

Vote: *Unanimous*

1005307 (Matthew Osborne) Accept Agreed Order revoking Respondent's certificate for a period of five (5) years from the date the Board approves this Agreed Order. 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 certificate and all copies of his certificate to the EPSB, by delivering or mailing them to 100 Airport Road, 3rd Floor, Frankfort, Kentucky 40601.

Respondent is hereby admonished for conduct unbecoming a teacher. As an educator, Respondent has a duty to maintain the dignity and integrity of the profession and to refrain from committing any act that constitutes fraudulent, corrupt, dishonest, and/or immoral conduct. In the future, the Board expects Respondent to uphold the Professional Code of Ethics for Kentucky Certified School Personnel. 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, as approved by the Board, and is competent to fulfill his duties as an educator. Respondent shall provide written 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 undergo a comprehensive substance abuse assessment by a Kentucky licensed and/or certified chemical dependency counselor, as approved by the Board, and shall present written evidence to the Board that he has complied with the assessment process and has successfully completed any and all treatment recommendations. Any

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expense incurred for the assessment shall be paid by Respondent.

3. Respondent shall submit written proof to the Board that he has successfully completed twelve (12) hours of professional development or training, as approved by the Board, on the Professional Code of Ethics for Kentucky Certified School Personnel. Any expense required for said training shall be paid by the Respondent.

4. Respondent shall submit written documentation to the Board that he has complied with all court orders related to Warren District Court Case Nos. 10-M-00097 and 10-M-00731. Any expense for the written documentation shall be paid by Respondent.

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

Upon reissuance of Respondent's certificate, and any future endorsements or new areas of certification, Respondent shall be subject to the following probationary conditions for a period of three (3) years:

1. Respondent shall not be convicted of nor enter a guilty or no contest plea to any criminal charge(s) other than minor traffic violations. Failure to comply with this condition will result in an automatic one (1) year suspension of Respondent's certificate.

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

Respondent is aware that should he violate KRS 161.120, at any time during this three (3) year probationary period, the Board shall initiate new disciplinary action and seek additional sanctions.

Vote: *Unanimous*

06-12314 (Chad Carr)

Accept Agreed Order admonishing Respondent for failing to uphold the dignity and integrity of the teaching profession. An educator must maintain a level of professionalism with students at all times. The Board will tolerate no further incidents of misconduct by Respondent. Respondent has provided proof that he has completed six (6) hours of training in recognizing child abuse/neglect.

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Vote: *Unanimous*

060121 (Angela Comer)

Accept Agree Order in which Respondent agrees to voluntarily surrender her 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 her certificate to the EPSB, by delivering or mailing them to 100 Airport Road, 3rd Floor, Frankfort, Kentucky 40601.

Vote: *Unanimous*

1010634 (Jacqueline Meyer)

Accept Agreed Order suspending Respondent's certificate for a period of ten (10) days from September 27, 2010 through October 6, 2010. 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.

Upon acceptance of this agreement by the Board, Respondent's certificate shall be on probation for a period of one (1) year and subject to the following probationary conditions:

1. Respondent shall submit written proof to the Board that she has completed six (6) hours of anger management counseling and/or training, as approved by the Board, by October 1, 2011. Any expenses 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. Respondent shall submit written proof to the Board that she has completed twelve (12) hours of professional ethics training, as approved by the Board, by January 1, 2012. 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. During the probationary period, Respondent shall not receive any disciplinary action involving physical abuse of students from any school district in which she is employed. "Disciplinary action" is defined as any suspension, termination, or public reprimand issued by any school

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district in the Commonwealth of Kentucky and upheld, if requested, by either the tribunal and/or arbitration process, including any appeal therefrom. If Respondent fails to satisfy this condition, her certificate shall be automatically suspended for a period of thirty (30) days and subject to additional sanctions by the Board pursuant to KRS 161.120.

Vote: *Unanimous*

Recommended Orders

Case Number

Decision

08091046 (Christopher Tipton) Accept the Hearing Officer's Findings of Fact, Conclusions of Law, and Recommended Order and Permanently Revoke Respondent's certificate.

Vote: *Unanimous*

KT-10-001 (James Leal) Accept the Hearing Officer's Recommended Order and Dismiss Petitioner's appeal.

Vote: *Unanimous*

Motion made by Ms. Smith, seconded by Ms. Boyd, to adjourn the meeting.

Vote: *Unanimous*

Meeting adjourned at 1:00 p.m.

Next Meeting: September 19, 2011
 9:00 AM
 EPSB Board Room
 Frankfort, Kentucky

**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Consent Item B

Action Item:

Request to waive language in 16 KAR 6:010 pertaining to Secondary Mathematics 8 – 12 certification assessment requirements

Applicable Statutes and Regulation:

KRS 161.028; 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 waive language in 16 KAR 6:010 requiring an individual pursuing Secondary Mathematics 8 – 12 to successfully complete the Praxis II *Principles of Learning and Teaching: Grades 7 -12 (0524)*, *Mathematics: Content Knowledge (0061)*, and *Mathematics: Proofs, Models, and Problems (0063)*?

Background:

Kentucky requires the following Praxis II tests for Secondary Mathematics (8 – 12):

- *PLT: Grades 7- 12 (0524)*
- *Mathematics: Content Knowledge (0061)* and
- *Mathematics: Proofs, Models, and Problems (0063)*

To determine whether the Texas Examinations of Educator Standards tests, *Pedagogy and Professional Responsibilities 8 – 12 (130)* and *Mathematics 8 – 12 (135)* are equivalent to the required EPSB assessments, staff reviewed the Texas test framework and study guides.

The *Mathematics 8 -12 (135)* consists of 90 multiple choice questions and covers content and categories nearly identical to the *Mathematics: Core Content (0061)*. The *Pedagogy and Professional Responsibilities 8 – 12 (130)* covers the same content as the *PLT (0524)*, but does not require the candidate to apply knowledge through constructed response items.

Alternative Actions:

1. Accept the Texas *Mathematics 8 -12 (135)* in lieu of the *Mathematics: Core Content (0061)*, but do not accept the Texas *Mathematics 8 – 12 (135)* in lieu of *Mathematics: Proofs, Models, and Problems (0063)*. Do not accept *Pedagogy and Professional Responsibilities 8 -12 (135)* in lieu of the *PLT (0524)*.

2. Do not accept the Texas *Mathematics 8 -12 (135)* in lieu of the *Mathematics: Core Content (0061)*, and *Mathematics: Proofs, Models, and Problems (0063)*. Do not accept *Pedagogy and Professional Responsibilities 8 -12 (135)* in lieu of the *PLT (0524)*.

Staff Recommendation:

Alternative Action 1

Rationale:

The *Texas Mathematics 8 - 12 (135)* contains nearly identical content, categories, and question types as the *Mathematics: Content Knowledge (0061)*, but based on the review documents, there is insufficient evidence to show a direct alignment of this assessment to *Mathematics: Proofs, Models, and Problems (0063)*. *The Pedagogy and Professional Responsibilities 8–12 (130)* is designed to assess a prospective teacher's pedagogical knowledge; however, it does not require the candidate to provide written responses as required in the *PLT (0524)*.

Contact Person:

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

Date:

September 19, 2011

**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Consent Item C

Action Item:

2011-12 Emergency Non-Certified School Personnel Program

Applicable Statutes and Regulation:

16 KAR 2:030, Section 3

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 (EPSB) approve the local school districts' applications for the Emergency Non-Certified School Personnel Program, 2011-12, as recommended by staff?

Background:

Pursuant to 16 KAR 2:030, Section 3, a school district may submit a written application for participation in the Emergency Non-Certified School Personnel Program any time during the school year. A list of the school districts that staff is recommending for continuance in the program for the 2011-12 school year will be provided on the EPSB's secure website just prior to the meeting and will be provided in the board folders during the meeting.

Alternative Actions:

1. Approve staff recommendation
2. Modify and approve staff recommendation
3. Do not approve staff recommendation

Staff Recommendation:

Alternative 1

Rationale:

All districts recommended have submitted a year-end summary report as required by 16 KAR 2:030 and have requested continuation in this program for 2011-12.

Contact Person:

Mr. Michael C. Carr, Director
Division of Certification
(502) 564-4606
E-mail: mike.carr@ky.gov

Date:

September 19, 2011

**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Consent Item D

Action Item:

Murray State University: English as a Second Language, Grades P-12 (Bachelor's Level)

Applicable Statutes and Regulation:

KRS 161.028; KRS 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 EPSB approve the following educator preparation program addition?

MURRAY STATE UNIVERSITY

6.0 CERTIFICATES FOR ALL GRADE LEVELS

English as a Second Language (Bachelor's Level)

Background:

KRS 161.028 and KRS 161.030 provide for the EPSB to establish curricula for educator preparation programs in Kentucky and approve such programs at institutions of higher education. The Division of Educator Preparation, Content Area Program Review Committees, and the Reading Committee evaluated the program review document submitted for approval against performance-based program certification guidelines established by the EPSB. This program proposal meets all the requirements set by the EPSB. An Executive Summary of the program is included on the EPSB secure website and under separate cover.

Groups/Persons Consulted:

Content Area Review Committee
Reading Committee

Alternative Actions:

1. Approve the proposed English as a Second Language, Grades P-12 preparation program addition.
2. Do not approve the proposed English as a Second Language, Grades P-12 preparation program addition.

Recommendation:

Alternative 1

Rationale:

The proposed educator preparation program follows the appropriate regulation (16 KAR 5:010)

Agenda Book

outlining requirements for program approval as established by the EPSB.

Contact Person:

Dr. Kim Walters-Parker, Director
Division of Educator Preparation
(502) 564-4606
E-mail: kim.walters-parker@ky.gov

Date:

September 19, 2011

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16 KAR 5:010. Standards for accreditation of educator preparation units and approval of programs.

Section 22. Program Approval Action Outside the First or Regular Continuing Accreditation Cycle. (1) Approval of a program shall be through the program process established in Section 11 of this administrative regulation except that a new program not submitted during the regular accreditation cycle or a program substantially revised since submission during the accreditation process shall be submitted for approval by the EPSB prior to admission of a student to the program.

(2) For a new or substantially revised program, the EPSB shall consider a recommendation by staff, including review by the Continuous Assessment Review Committee, Content Program Review Committee, and the Reading Committee.

(3) A recommendation made pursuant to subsection (2) of this section shall be presented to the full EPSB.

(4) Program approval decision options shall be:

(a) Approval, with the next review scheduled during the regular accreditation cycle unless a subsequent substantial revision is made;

(b) Approval with conditions, with a maximum of one (1) year probationary extension for correction of a specified problem to be documented through written materials or through an on-site visit. At the end of the extension, the EPSB shall decide that the documentation supports:

1. Approval; or

2. Denial of approval; or

(c) Denial of approval, indicating that a serious problem exists which jeopardizes the quality of preparation of school personnel.

(5) The EPSB shall order review of a program if it has cause to believe that the quality of preparation is seriously jeopardized. The review shall be conducted under the criteria and procedures established in the EPSB "Emergency Review of Certification Programs Procedure" policy incorporated by reference. The on-site review shall be conducted by EPSB staff and a Board of Examiners team. The review shall result in a report to which the institution may respond. The review report and institutional response shall be used by the Executive Director of the EPSB as the basis for a recommendation to the full EPSB for:

(a) Approval;

(b) Approval with conditions; or

(c) Denial of approval for the program.

(6) If the EPSB denies approval of a program, the institution shall notify each student currently admitted to that program of the EPSB action. The notice shall include the following information:

(a) A student recommended for certification or advancement in rank within the twelve (12) months immediately following the denial of state approval and who applies to the EPSB within the fifteen (15) months immediately following the denial of state approval shall receive the certification or advancement in rank; and

(b) A student who does not meet the criteria established in paragraph (a) of this subsection shall transfer to a state approved program in order to receive the certificate or advancement in rank.

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**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Consent Item E

Action Item:

St. Catharine College: Middle School Mathematics, Grades 5-9 and Middle School Social Studies, Grades 5-9 (Bachelor's Level)

Applicable Statutes and Regulation:

KRS 161.028; KRS 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 EPSB approve the following educator preparation program additions?

ST. CATHARINE COLLEGE

3.0 MIDDLE SCHOOL FOR GRADES 5-9

Mathematics and Social Studies (Bachelor's Level)

Background:

KRS 161.028 and KRS 161.030 provide for the EPSB to establish curricula for educator preparation programs in Kentucky and approve such programs at institutions of higher education. The Division of Educator Preparation, Content Area Program Review Committees, and the Reading Committee evaluated the program review documents submitted for approval against performance-based program certification guidelines established by the EPSB. These program proposals meet all the requirements set by the EPSB. Executive Summaries of the programs are included on the EPSB secure website and under separate cover.

Groups/Persons Consulted:

Content Area Review Committee
Reading Committee

Alternative Actions:

1. Approve the proposed Middle School Mathematics and Social Studies preparation program additions.
2. Do not approve the proposed Middle School Mathematics and Social Studies preparation program additions.

Recommendation:

Alternative 1

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Rationale:

The proposed educator preparation programs follow the appropriate regulation (16 KAR 5:010) outlining requirements for program approval as established by the EPSB.

Contact Person:

Dr. Kim Walters-Parker, Director
Division of Educator Preparation
(502) 564-4606
E-mail: kim.walters-parker@ky.gov

Date:

September 19, 2011

Agenda Book

16 KAR 5:010. Standards for accreditation of educator preparation units and approval of programs.

Section 22. Program Approval Action Outside the First or Regular Continuing Accreditation Cycle. (1) Approval of a program shall be through the program process established in Section 11 of this administrative regulation except that a new program not submitted during the regular accreditation cycle or a program substantially revised since submission during the accreditation process shall be submitted for approval by the EPSB prior to admission of a student to the program.

(2) For a new or substantially revised program, the EPSB shall consider a recommendation by staff, including review by the Continuous Assessment Review Committee, Content Program Review Committee, and the Reading Committee.

(3) A recommendation made pursuant to subsection (2) of this section shall be presented to the full EPSB.

(4) Program approval decision options shall be:

(a) Approval, with the next review scheduled during the regular accreditation cycle unless a subsequent substantial revision is made;

(b) Approval with conditions, with a maximum of one (1) year probationary extension for correction of a specified problem to be documented through written materials or through an on-site visit. At the end of the extension, the EPSB shall decide that the documentation supports:

1. Approval; or

2. Denial of approval; or

(c) Denial of approval, indicating that a serious problem exists which jeopardizes the quality of preparation of school personnel.

(5) The EPSB shall order review of a program if it has cause to believe that the quality of preparation is seriously jeopardized. The review shall be conducted under the criteria and procedures established in the EPSB "Emergency Review of Certification Programs Procedure" policy incorporated by reference. The on-site review shall be conducted by EPSB staff and a Board of Examiners team. The review shall result in a report to which the institution may respond. The review report and institutional response shall be used by the Executive Director of the EPSB as the basis for a recommendation to the full EPSB for:

(a) Approval;

(b) Approval with conditions; or

(c) Denial of approval for the program.

(6) If the EPSB denies approval of a program, the institution shall notify each student currently admitted to that program of the EPSB action. The notice shall include the following information:

(a) A student recommended for certification or advancement in rank within the twelve (12) months immediately following the denial of state approval and who applies to the EPSB within the fifteen (15) months immediately following the denial of state approval shall receive the certification or advancement in rank; and

(b) A student who does not meet the criteria established in paragraph (a) of this subsection shall transfer to a state approved program in order to receive the certificate or advancement in rank.

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**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Consent Item F

Action Item

Request approval to authorize the executive director to enter into contracts to conduct normal business operations

Applicable Statutes and Regulation

KRS 161.028 (1) (v) (d)

KRS 161.017 (3)

Applicable Goal

Goal 5: 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 executive director to enter into the specified contracts 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."

We are requesting approval to enter into a Memorandum of Agreement (MOA) with the Dantes Troops to Teachers. This agreement is to establish a formal working relationship with the Department of Defense program, DANTE'S Troops to Teachers, to facilitate the recruiting, training, and hiring of prior members of the U.S. Armed Forces and those currently serving in the Reserve and National Guard as full time, certified public school teachers in Kentucky. This agreement shall begin October 1, 2011 and continue through September 30, 2013.

- Approximate cost of the contract: The EPSB will receive approximately \$128,000/year for expenditures associated with providing this service.
- Impact on budget: No impact – the EPSB will receive funding through the Department of Defense.
- Type of entity providing service: State agency
- Bidding process: Not required to bid.
- Singular vs. continuing service: Continuing

Alternative Actions

1. Approve the contract and authorize the executive director to execute this agreement.
2. Do not approve the completion of this agreement and instruct staff to cease related activity and distribution of funds.
3. Request further review of the agreement before completion.

Staff Recommendation

Alternative 1

Rationale

This contract is necessary to allow EPSB to continue training and testing on KyEducators, and to provide funding for mentoring services to teachers that are trying to achieve their National Board certification.

Contact Person:

Mr. Gary W. Freeland
Deputy Executive Director
(502) 564-4606
E-mail: garyw.freeland@ky.gov

Date:

September 19, 2011

**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Information/Discussion Item

Information Item:

To update the EPSB on the development of the 2012-2014 biennial budget

Applicable Statutes and Regulation:

KRS 161.017 (1) (e)

KRS 161.028 (1) (p)

Applicable Goal:

Goal 5: The EPSB shall be managed for both effectiveness and efficiency, fully complying with all statutes, regulations, and established federal, state, and agency policies.

Background:

The Deputy Executive Director will present preliminary information on the preparation of the 2012-2014 biennial budget process. Information will be presented on the baseline personnel and operating budget, the capital expenditure budget, the proposed additional funding requests, and the schedule for budget submission. He will present any information that will affect the preparation of the budget, provide the status of the preparation process, highlight the important components and factors in our budget, and address any questions that the board might have about the information presented.

Groups/Persons Consulted:

Governor's Office of Policy and Management

Contact Person:

Mr. Gary W. Freeland
Deputy Executive Director
(502) 564-4606
E-mail: garyw.freeland@ky.gov

Date:

September 19, 2011

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**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE
Action Item A**

Action Item:

16 KAR 5:020. Standards for admission to educator preparation

Applicable Statute or Regulation:

KRS 161.028, 161.030

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 EPSB approve the proposed amendments to 16 KAR 5:020?

Background:

The Committee to Review Admissions and Clinical Experiences (CRACE) was established by the Education Professional Standards Board (EPSB) in January of 2010 to explore current best practices in two areas: (1) the selection of high quality candidates for the teaching profession and (2) the provision of high quality clinical experiences for both traditional candidates and those seeking initial certification through an alternative route. CRACE's work resulted in the following actions:

- The EPSB accepted the CRACE report at its regular meeting on August 2, 2010.
- The EPSB submitted the CRACE recommendations to the Governor's Transforming Education in Kentucky (TEK) Task Force during the board's regular meeting on September 20, 2010.
- The EPSB's recommendations were adopted into the final draft of the Governor's TEK Task Force and published in February 2011.

The next step is to amend regulations in order to transform the CRACE recommendations into relevant regulatory language. The present action item amends 16 KAR 5:020, which provides standards for the admission of teacher candidates to an EPSB-approved teacher preparation program.

The amendments to 16 KAR 5:020 provide a comprehensive rewrite of the regulation and primarily address the following changes:

1. Raises the minimum grade point average (GPA) for admission to an initial certification teacher preparation program from a cumulative GPA of 2.50 to 2.75 while allowing applicants to substitute a 3.0 GPA on the last thirty hours of credit completed
2. Requires that all candidates demonstrate essential knowledge in the areas of mathematics, reading, and writing prior to admission to a teacher preparation program. Undergraduate applicants to initial certification teacher preparation programs would meet this requirement

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by achieving the required scores on the Praxis I: Pre-Professional Skills Test (PPST). Applicants to initial certification teacher preparation programs at the graduate level who already hold a bachelor's or advanced degree would meet this requirement by presenting either the minimum PPST scores or the bachelor's degree in combination with the required scores on the Graduate Record Exam (GRE). The GRE has been validated for graduate school admission. This alternative provides program flexibility to comply with institutional testing requirements.

3. Requires that all candidates demonstrate capacity in critical thinking, communication, creativity, and collaboration prior to admission to a teacher preparation program and awareness of professional dispositions expected of professional educators.
4. Stipulates that all teacher preparation programs submit an annual report and the particular information the report will provide.
5. Provides a date of September 1, 2012, for all amendments to this regulation to become effective.

Alternative Actions:

1. Approve the amendments to 16 KAR 5:020.
2. Modify and approve amendments to 16 KAR 5:020.
3. Do not approve the amendments to 16 KAR 5:020.

Staff Recommendation:

Alternative Action 1

Rationale:

These amendments will ensure the selection of higher quality candidates for the teaching profession.

Contact Person:

Dr. Kim Walters-Parker, Director
Division of Educator Preparation
(502) 564-4606
E-mail: kim.walters-parker@ky.gov

Date:

September 19, 2011

1 **EDUCATION PROFESSIONAL STANDARDS BOARD**

2 **(Amendment)**

3 **16 KAR 5:020. Standards for admission to educator preparation.**

4 RELATES TO: KRS 161.020, 161.028, 161.030

5 STATUTORY AUTHORITY: KRS 161.028, 161.030

6 NECESSITY, FUNCTION, AND CONFORMITY: KRS 161.028(1)(b) requires that an
7 educator preparation institution be approved for offering the preparation program corresponding
8 to a particular certificate on the basis of standards and procedures established by the Education
9 Professional Standards Board. KRS 161.028(c) requires the Education Professional Standards
10 Board to conduct an annual review of diversity in teacher preparation programs. KRS 161.030
11 requires that a certificate shall be issued to a person who has completed a program approved by
12 the Education Professional Standards Board. This administrative regulation establishes the
13 standards for admission to an educator preparation program.

14 Section 1. Selection and Admission to Educator Preparation Programs. (1) In addition to
15 appropriate National Council for Accreditation of Teacher Education standards incorporated by
16 reference in [under] 16 KAR 5:010, each educator preparation institution shall develop minimum
17 standards for admission to its initial certification educator preparation programs, including
18 university-based alternative programs established pursuant to KRS 161.048(7) in accordance
19 with this section.

20 (2) Beginning September 1, 2012, admission to an undergraduate initial certification
21 educator preparation program shall require the following:

22 (a) 1. A cumulative grade point average of 2.75 on a 4.0 scale; or

1 2. A grade point average of 3.00 on a 4.0 scale on the last thirty (30) hours of credit
2 completed; and

3 (b) Successful completion of the following pre-professional skills assessments of basic
4 knowledge administered by the Educational Testing Service with the corresponding minimum
5 score:

6 1. a. “Pre-Professional Skills Test: Mathematics” (0730) -174; or

7 b. “Computerized Pre-Professional Skills Test: Mathematics” (5730) - 174;

8 2. a. “Pre-Professional Skills Test: Reading” (0710) – 176; or

9 b. “Computerized Pre-Professional Skills Test: Reading” (5710) – 176; and

10 3. a. “Pre-Professional Skills Test: Writing” (0720) – 174; or

11 b. “Computerized Pre-Professional Skills Test: Writing” (5720) – 174.

12 (3) Beginning September 1, 2012, admission to a graduate level initial certification
13 educator preparation program, including an educator preparation program established pursuant to
14 KRS 161.048(7), shall require the following:

15 (a) 1. A bachelor’s degree or advanced degree awarded by a regionally accredited college
16 or university with a cumulative grade point average of 2.75 on a 4.0 scale; or

17 2. A grade point average of 3.00 on a 4.0 scale on the last thirty (30) hours of credit
18 completed, including undergraduate and graduate coursework; and

19 (b) 1. Successful completion of the pre-professional skills assessments in subsection
20 (2)(b) of this section; or

21 2. Successful completion of the Graduate Record Exam (GRE) with the following
22 corresponding scores:

- 1 a. Verbal with a minimum score of 450;
2 b. Quantitative with a minimum score of 490; and
3 c. Analytical Writing with minimum score of 4.0.

4 (4) Beginning September 1, 2012, each accredited educator preparation institution shall
5 have a formal application procedure for admission to an initial teacher preparation program,
6 which shall include the following:

7 (a) Documentation that the applicant demonstrates the following:

8 1. Critical thinking;

9 2. Communication;

10 3. Creativity; and

11 4. Collaboration;

12 (b) Evidence that the applicant has reviewed:

13 1. The Professional Code of Ethics for Kentucky School Certified Personnel established
14 in 16 KAR 1:020; and

15 2. The character and fitness questionnaire contained in Section III of the TC-1
16 incorporated by reference in 16 KAR 2:010; and

17 (c) A method to allow the applicant to demonstrate that the applicant understands
18 professional dispositions expected of professional educators.

19 (5) Undergraduate students shall not enroll in any educator preparation program courses
20 restricted to admitted candidates.

1 (6) The educator preparation program shall maintain electronic records that document
2 that all students admitted after September 1, 2012, meet the requirements subsection (2) of this
3 section.

4 ~~[and publish a plan of selection and admission of candidates for the educator preparation~~
5 ~~program, which shall include:~~

6 ~~—— (a) Tests to measure general academic proficiency;~~

7 ~~—— (b) An evaluation of the candidate's disposition for the education profession; and~~

8 ~~—— (c) Affirmation that candidates are provided a review of the Professional Code of Ethics~~
9 ~~for Kentucky School Certified Personnel established in 16 KAR 1:020, to ascertain awareness,~~
10 ~~knowledge, and commitment as required for state educator certification.~~

11 ~~—— (2) The educator preparation institution shall file the plan with the Education Professional~~
12 ~~Standards Board.~~

13 ~~Section 2. Tests to Measure General Academic Proficiency. (1) The educator preparation~~
14 ~~institution shall determine whether each candidate exhibits an acceptable level of competency in~~
15 ~~oral and written communication as an admission requirement.~~

16 ~~—— (2) A candidate who plans to apply for admission to an educator preparation program~~
17 ~~shall provide to the teacher education institution official scores of tests to measure general~~
18 ~~academic proficiency. A person shall not be permitted to apply for admission to a preparation~~
19 ~~program leading to certification as an educator without first providing evidence of meeting the~~
20 ~~general academic proficiency requirement.~~

21 ~~—— (3) The educator preparation institution shall select the means of evidence for meeting the~~
22 ~~general academic proficiency requirement, which may include a combination of:~~

23 ~~—— (a) College admission exams;~~

1 ~~—— (b) Praxis I exams administered by the Educational Testing Service;~~

2 ~~—— (c) Other assessments; or~~

3 ~~—— (d) Grade point average.~~

4 ~~—— Section 3. (1) An educator preparation unit identified as "low performing" or "at risk of~~
5 ~~low performing" pursuant to 16 KAR 5:010 shall implement one (1) or more of the following~~
6 ~~assessment plans for candidate admission:~~

7 ~~—— (a) Plan I. A minimum composite score of 21 on the American College Test (ACT);~~

8 ~~—— (b) Plan II. PreProfessional Skills Test (PPST) results, with the following minimum~~
9 ~~scores:~~

10 ~~—— 1. Reading 173;~~

11 ~~—— 2. Mathematics 173; and~~

12 ~~—— 3. Writing 172;~~

13 ~~—— (c) Plan III. Graduate Record Examination (GRE) General Tests. Each educator~~
14 ~~preparation institution shall establish a minimum passing score on the GRE as a measurement of~~
15 ~~verbal reasoning, quantitative reasoning, and analytical writing skills for admission when the entry~~
16 ~~into the educator preparation program is at the graduate level; or~~

17 ~~—— (d) Plan IV. SAT with, a minimum composite score of 1470.~~

18 ~~—— (2)(a) An educator preparation unit identified as "low performing" or "at risk of low~~
19 ~~performing" pursuant to 16 KAR 5:010 shall require a candidate to obtain a cumulative grade~~
20 ~~point average of 2.50 on a 4.0 scale for admission to an educator preparation program.~~

21 ~~—— (b) A candidate who does not meet the grade point average established in paragraph (a)~~
22 ~~of this subsection shall possess a grade point average of 3.0 on a 4.0 scale on the last sixty (60)~~

1 ~~hours of credit completed, including undergraduate and graduate coursework, for admission to an~~
2 ~~educator preparation program.]~~

3 Section 2 [4]. Annual Report. (1) Each educator preparation unit shall submit an
4 electronic report annually to the Education Professional Standards Board[.] that includes the
5 following program data on each candidate [candidates] admitted to educator preparation
6 programs:

7 (a) The candidate's Education Professional Standards Board Person Identifier;

8 (b) The candidate's Student School Identification number;

9 (c) The candidate's Social Security number;

10 (d) The candidate's full name;

11 (e) The candidate's birth date;

12 (f) The candidate's reported ethnicity;

13 (g) The candidate's reported gender;

14 (h) The candidate's email address;

15 (i) The candidate's present home mailing address;

16 (j) The candidate's permanent home mailing address;

17 (k) The candidate's phone number;

18 (l) The candidate's admission date;

19 (m) The candidate's total number of credit hours prior to admission to the institution's

20 educator preparation program;

1 (n) The candidate's total number of credit hours in educator preparation courses
2 completed prior to admission to the institution's educator preparation program;

3 (o) The candidate's grade point average at admission;

4 (p) The candidate's current program enrollment status;

5 (q) The candidate's program completion date;

6 (r) The candidate's grade point average at program completion;

7 (s) The candidate's academic major at program completion; and

8 (t) The candidate's academic minor or minors at program completion, if applicable.

9 (2) The report shall be submitted in the following manner:

10 (a) The institution shall electronically submit all data identified in subsection (1) to the
11 Education Professional Standards Board; and

12 (b) By September 15 of each year, each institution shall provide written confirmation by
13 electronic mail to the Director of the Division of Educator Preparation that all required
14 information has been entered.

15 (3) The preparation program shall exit any candidate who has not been enrolled in at least
16 one (1) course required for program completion within the last eighteen (18) months.

17 (4) Failure to submit the annual report in accordance with this section may result in
18 action against the program's accreditation status pursuant to 16 KAR 5:010 Section 21.

19 ~~[(1) The candidate's Education Professional Standards Board Person Identifier;~~

20 ~~— (2) The candidate's Student School Identification number;~~

21 ~~— (3) The candidate's Social Security number;~~

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- 1 ~~_____ (4) The candidate's full name;~~
- 2 ~~_____ (5) The candidate's birth date;~~
- 3 ~~_____ (6) The candidate's Email Address;~~
- 4 ~~_____ (7) The candidate's present home mailing address;~~
- 5 ~~_____ (8) The candidate's permanent home mailing address;~~
- 6 ~~_____ (9) The candidate's phone number;~~
- 7 ~~_____ (10) The candidate's admission date;~~
- 8 ~~_____ (11) the candidate's grade point average; and~~
- 9 ~~_____ (12) The candidate's total hours prior to admission to the institution's educator~~
- 10 ~~preparation program.]~~

Date

Lorraine Williams, 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 September 30, 2011 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 November 30, 2011. 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

Contact Person: Alicia A. Sneed

(1) Provide a brief summary of:

(a) What this administrative regulation does: This administrative regulation establishes the standards for admission to an educator preparation program.

(b) The necessity of this administrative regulation: This administrative regulation provides educator preparation programs and applicants with notice as to the minimum standards applicants must attain prior to admission to educator preparations programs.

(c) How this administrative regulation conforms to the content of the authorizing statutes: KRS 161.028(1) authorizes the Education Professional Standards Board to establish standards and requirements for obtaining and maintaining a teaching certificate and to set standards for, approve, and evaluate college, university, and school district programs for the preparation of teachers and other professional school personnel.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes: This administrative regulation sets the standards for admission to an educator preparation program.

(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 establishes a new minimum grade point average for admission to an educator preparation program, requires program applicants to take skills tests in mathematics, reading, and writing, and requires initial teacher preparation programs to establish a formal application procedure for admission to the program. This amendment also institutes an annual reporting requirement for each educator preparation program that will provide the Education Professional Standards Board with data on admitted candidates.

(b) The necessity of the amendment to this administrative regulation: The amendment is necessary to ensure that all certified teachers in Kentucky are proficient in reading, mathematics, and writing and that they possess the necessary skills to increase student achievement.

(c) How the amendment conforms to the content of the authorizing statutes: KRS 161.028(1) authorizes the Education Professional Standards Board to establish standards and requirements for obtaining and maintaining a teaching certificate and to set standards for,

approve, and evaluate college, university, and school district programs for the preparation of teachers and other professional school personnel.

(d) How the amendment will assist in the effective administration of the statutes: This amendment will ensure that all candidates in educator preparation programs in Kentucky possess the necessary skills to become effective educators.

(3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation: 30 Educator Preparation Institutions, any institutions seeking future accreditation for an educator preparation program, and any applicant seeking admission to an educator preparation program.

(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 30 Educator Preparation Institutions and any institutions seeking future accreditation will have to adjust their admission standards to ensure that they meet the standards required by this amendment and applicants will have to meet the minimum standards delineated in the amendment prior to admission to an educator preparation program.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (3): This amendment should not impact the institutions financially. The applicant will have to bear the cost of the admission test if not provided by the institution.

(c) As a result of compliance, what benefits will accrue to the entities identified in question (3): The educator preparation programs will benefit from having candidates proficient in the skills necessary to be an educator. Potential candidates will benefit from a selection process that will ensure they meet a minimum level of competency for the education profession prior to engaging in coursework.

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

(a) Initially: There should be no additional cost to the Education Professional Standards Board.

(b) On a continuing basis: There should be no additional cost to the Education Professional Standards Board.

(6) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation: 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 fees are associated with this amendment.

(8) State whether or not this administrative regulation established any fees or directly or indirectly increased any fees: No fees are associated with this amendment.

(9) TIERING: Is tiering applied? (Explain why or why not) NO, all educator preparation programs and applicants will be treated the same.

FISCAL NOTE ON STATE OR LOCAL GOVERNMENT

Regulation No.16 KAR 5:020

Contact Person: Alicia A. Sneed

1. Does this administrative regulation relate to any program, service, or requirements of a state or local government (including cities, counties, fire departments, or school districts)?

Yes X No _____

If yes, complete questions 2-4.

2. 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? Public colleges and universities, the Education Professional Standards Board, and the 174 school districts.

3. Identify each state or federal statute or federal regulation that requires or authorizes the action taken by the administrative regulation. KRS 161.028.

4. 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 cost to the any government agency.

(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? No revenue will be generated.

(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? No revenue will be generated.

(c) How much will it cost to administer this program for the first year? There should be no additional cost to administer this program.

(d) How much will it cost to administer this program for subsequent years? There should be no additional cost to administer this program.

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

Revenues (+/-): No additional revenue is anticipated.

Expenditures (+/-): Educator Preparation Institutions may have to spend a minimal amount of time and capital into establishing a formal application process if one is not currently established.

Other Explanation:

**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Action Item B

Action Item:

Kentucky Teacher Internship Program (KTIP) Appeal

Applicable Statutes and Regulation:

KRS 161.030
16 KAR 7:010, Section 9

Applicable Goal:

Goal 4: Every credentialed educator participates in a high quality induction into the profession and approved educational advancement programs that support effectiveness in helping all students achieve.

Issue:

Should the Education Professional Standards Board approve the recommendations of the Kentucky Teacher Internship Program (KTIP) Appeals Committee?

Background:

Pursuant to Section 9 of 16 KAR 7:010, a teacher intern may appeal the decision of the beginning teacher committee. Appeals by teacher interns must be reviewed by a committee of four persons—one teacher, one principal, one teacher educator, and the Executive Director of the EPSB or his/her designee. The Appeals Committee reviews the written appeal by the teacher intern, all beginning teacher committee reports, any additional documentation that accompanied the final report, any written responses from the members of the beginning teacher committee, and all other relevant information requested by the Appeals Committee.

The Appeals Committee may recommend that the EPSB *uphold* the final decision of the internship as unsuccessful, *not uphold* the final decision of the internship as unsuccessful, or *nullify* the final decision because of procedural errors, allowing the intern two additional opportunities to successfully complete the internship.

The recommendations made by the Appeals Committee will be sent under separate cover. A complete file for each intern will be made available for review at the August Board meeting.

Alternative Actions:

1. Approve the Appeals Committee recommendations.
2. Do not approve the Appeals Committee recommendations.

Staff Recommendation:

Alternative Action 1

Rationale:

The EPSB considers the Appeals Committee's recommendations, reviews the records, and issues a final decision on each case. The Appeals Committee followed proper review procedures under the guidance of an EPSB attorney, and the staff believes the recommendations are sound.

Contact Person:

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E-mail. robertl.brown@ky.gov

Date:

September 19, 2011

**EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE**

Alternative Route to Certification Application

Action Item:

Alternative Route to Certification Application

Applicable Statutes and Regulation:

KRS 161.028, 161.030, 161.048
16 KAR 9:010

Applicable Goal:

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

Issue:

Should the Education Professional Standards Board approve the alternative route to certification application?

Background:

The following individual is requesting certification on the basis of exceptional work experience:

Erica Hoagland, Biology Grades 8-12 and Middle School Science Grades 5-9

The application will be sent under separate cover.

Alternative Actions:

1. Approve the alternative route to certification application
2. Modify and approve the alternative route to certification application
3. Do not approve the alternative route to certification application

Contact Person:

Mr. Michael C. Carr, Director
Division of Certification
(502) 564-4606
E-mail: mike.carr@ky.gov

Date:

September 19, 2011

Agenda Book

16 KAR 9:010. Professional certificate for exceptional work experience, limited to secondary education.

RELATES TO: KRS 161.028, 161.030, 161.048

STATUTORY AUTHORITY: KRS 161.028, 161.030, 161.048

NECESSITY, FUNCTION, AND CONFORMITY: KRS 161.048 establishes the eligibility requirements for a candidate seeking to participate in an alternative teacher preparation program. This administrative regulation establishes the requirements for issuance and renewal of a professional certificate for secondary education based on exceptional work experience.

Section 1. Definitions. (1) "Exceptional work experience" means a person with recognized superiority as compared with others in rank, status, and attainment or superior knowledge and skill in comparison with the generally accepted standards in the area in which certification is sought.

(2) "Secondary education" means the area in which certification is sought in a subject taught in grades 9 - 12 in a Kentucky school.

Section 2. Verification of exceptional qualifications of an applicant for certification, in a field of endeavor taught or service practiced in a public school of Kentucky, shall include:

(1) Sufficient documentation that demonstrates to the local school district and the Education Professional Standards Board that an applicant is one who has exceptional work experience as defined in Section 1 of this administrative regulation and has talents and abilities commensurate with the new teacher standards, established in 16 KAR 1:010;

(2) Documentation of achievement that may include advanced degrees earned, distinguished employment, evidence of related study or experience, publications, professional achievement, or recognition attained for contributions to an applicant's field of endeavor; and

(3) Recommendations from professional associations, former employers, professional colleagues, or any other individual or group whose evaluations shall support exceptional work in the field.

Section 3. Certification Requirements. An eligible candidate who meets the requirements of KRS 161.048(1) and character and fitness review established in KRS 161.040 shall be issued the provisional certificate, limited to secondary education and valid for one (1) year. Upon successful completion of the Kentucky Teacher Internship Program as established in KRS 161.030(5) to (8), the professional certificate, limited to secondary education, shall be issued and shall be valid for an additional four (4) years.

Section 4. Renewal Requirements. Each five (5) year renewal of the professional certificate identified in Section 3 of this administrative regulation shall meet the renewal requirements established in 16 KAR 4:060. (25 Ky.R. 1283; Am. 1602; eff. 1-19-99; recodified from 704 KAR 20:720, 7-2-2002.)