

The actions delineated below were taken in open session of the EPSB at the September 19, 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
September 19, 2011**

Call to Order

Chair Lorraine Williams called the meeting to order at 9:00 a.m.

Roll Call

The following members were present during the September 19, 2011, EPSB meeting: Bradley Bielski, Barbara Boyd, Ellen Blevins, Michael Dailey, John DeAtley, Cathy Gunn, Allen Kennedy, Lynn May, Marie McMillen, Sandy Sinclair-Curry, Zenaida Smith, Anthony Strong, Tom Stull, Mark Wasicsko, Cassandra Webb, and Lorraine Williams.

Recognition of the NCATE Alliance for Clinical Teacher Preparation

Dr. Phillip Rogers, EPSB; Dr. James Cibulka, NCATE; Mr. Joe Meyer, Education and Workforce Development Cabinet; Mr. Michael Dailey, KDE; Mr. Robert King, CPE; and Dr. Ann Larson, KACTE shared a special moment by signing a formal agreement with NCATE, making Kentucky one of ten states to move toward a clinically based teacher preparation model. Prior to signing the NCATE Alliance, each leader in education voiced support for the agreement.

Open Speak

Ms. Vivian Bowman gave background information to the board about her life experiences in explaining her concerns regarding a complaint received by the board.

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.

2011-040

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

Approval of August 1, 2011 EPSB Minutes 16 KAR 6:010. Request to Waive Requirements

Pertaining to Secondary Mathematics 8 – 12 Certification Assessment Requirements

2011-12 Emergency Non-Certified School Personnel Program

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

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

Approval of Contract

Vote: *Unanimous*

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

Report of the Chair

Committee Reports

Nominating Committee

Nominating Committee Chair Zenaida Smith stated that the committee nominated Cathy Gunn as EPSB chair.

Vote: *Yes -15*

Recuse - 1 (Dr. Cathy Gunn)

Ms. Smith stated that the committee nominated Lynn May as EPSB vice chair.

Vote: *Yes – 15*

Recuse – 1 (Ms. Lynn May)

New Employee Introduction

Mr. Robert Brown introduced Ashley Wink to the board. Mrs. Wink is the EPSB's new education consultant who replaces Jaime Rice.

Information/Discussion Item

2013-2014 Biennium Budget

Mr. Gary Freeland presented preliminary information on the 2013 – 2014 biennial budget request. This item will be placed on the October agenda for the board's approval to submit the budget request to the Governor's Office of Policy and Management.

Action Items

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

Dr. Kim Walters-Parker stated that proposed regulation changes were introduced to the board in August. Since the August meeting, staff has made a few revisions based upon suggestions made by board members and other key education partners. Maintaining that the goal for all involved in this regulation change has been to ensure that Kentucky produces the best possible teachers for every classroom, Dr. Walters-Parker reviewed the proposed regulation amendments:

1. Raise 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. Require 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 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.

3. Require 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. 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.

Dr. Mark Wasicsko expressed three areas of concern with the proposed regulation amendments. They are as follows:

1. There should be an alternative measure to the PPST, such as the American College Test (ACT), to determine basic skills.
2. The proposed regulation changes require that each accredited educator preparation institution have a formal application procedure for admission to an initial teacher preparation program, which shall include documentation that the applicant demonstrates critical thinking, communication, creativity, and collaboration skills. According to Dr. Wasicsko, there is not an instrument to measure these skills, which he views as problematic. It was also mentioned that candidates should be required to demonstrate these skills, but doing so prior to admission is too early.
3. A rubric or measurement should be required to show evidence that an applicant has demonstrated an understanding of the dispositions expected of professional educators.

Dr. Kim Walters-Parker responded to Dr. Wasicsko's concerns. She explained that ACT submitted a proposal to the EPSB's Request for Information when searching for a testing service to develop a basic skills test. This is further evidence that ACT does not believe its test is suitable for determining basic skills in a teacher preparation program. Additionally, she explained that this regulation may be amended as more is understood about 21st century skills (critical thinking, communication, creativity, and collaboration). This proposed change was a recommendation of the Committee to Review Admission and Clinical Experiences for Pre-Service Programs. Finally, Dr. Walters-Parker explained that staff wanted to allow flexibility to the universities to determine methods of allowing applicants to demonstrate dispositions.

Discussion among the EPSB board and staff on these issues continued at length.

2011-041

Motion made by Dr. Mark Wasicsko, seconded by Dr. Bradley Bielski, to modify the proposed amendments to by 16 KAR 5:020 by striking lines 7-11 on page 53.

Vote: 5 – Yes (Barbara Boyd, Bradley Bielski, Cathy Gunn, Mark Wasicsko, Anthony Strong)
9 – No
2 – Recuse (Tom Stull, Cassandra Webb)

Motion did not pass.

2011-042

Motion made by Mr. Anthony Strong, seconded by Ms. Sandy Sinclair-Curry, to approve the amendments to 16 KAR 5:020.

Vote: 11 – Yes

3 – No (Bradley Bielski, Cathy Gunn, Mark Wasicsko)

2 – Recuse (Tom Stull, Cassandra Webb)

Motion passed.

Ms. Zenaida Smith asked that the EPSB determine ways to ensure that the achievement gaps are closed with the ACT.

KTIP Appeal

2011-043

Motion made by Dr. Cathy Gunn, seconded by Ms. Lynn May, to approve the appeals committee recommendation that the internship should be nullified and the intern allowed to repeat the internship without penalty.

Vote: Unanimous

Alternative Route to Certification Application

Erica Hoagland, Biology and MS Science

2011-044

Motion made by Mr. John DeAtley, seconded by Mr. Anthony Strong, to approve the alternative route to certification application for Ms. Erica Hoagland.

Vote: Unanimous

Board Comments

Dr. Rogers informed the board that he will be sending a survey to board members regarding discussion items for the retreat. He stated one important topic that staff would like to discuss is addressing out-of-state programs for master's and principal preparation programs.

DISCIPLINARY MATTERS:

MINUTES OF CASE REVIEW

September 19, 2011

Motion made by Ms. Lynn May, seconded by Ms. Sandra Sinclair-Curry, to go into closed session for the purpose of discussing proposed or pending litigation in accordance with KRS 61.810(1) (c) & (j).

Vote: Unanimous

Motion made by Ms. Marie McMillen, seconded by Ms. Barbara Boyd, to return to open session.

Vote: Unanimous

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

Lorraine Williams, Tom Stull, Bradley Bielski, Cathy Gunn, Michael Dailey, John DeAtley, Cassandra Webb, Anthony Strong, Allen Kennedy, Barbara Boyd, Marie McMillen, Sandra Sinclair-Curry, Ellen Blevins, and Mark Wasicsko.

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

INITIAL CASE REVIEW

<u>Case Number</u>	<u>Decision</u>
1103192	Hear
1103190	Admonish
1103184	Hear
1003115	Hear
1103156	Hear
1104260	Hear
1103113	Defer for training
1105336	Admonish
1105340	Hear
1105299	Hear
1105342	Hear
1103224	Defer for training
1104264	Hear
110267	Defer for training
1104285	Admonish
1105307	Hear
110290	Hear
1105344	Hear
1103198	Hear
1103178	Hear
1103218	Defer for training
110276	Hear
1103196	Dismissed
1104274	Hear
1103224	Hear
1104277	Hear
1105322	Admonish
1105318	Hear
1105295	Hear
1105330	Hear
1105324	Defer for training
1105305	Defer for training
1105328	Admonish
1005297	Hear
1104283	Hear

1103239	Hear
1104279	Hear
1103235	Hear
1105332	Admonish
1103233	Admonish
1103220	Hear
1106393	Hear
1103160	Hear
1103152	Admonish
1103150	Dismissed
1103121	Defer for training
1103158	Dismissed
1104262	Hear
1106373	Hear
1103188	Hear
1103212	Admonish
1103194	Admonish
1104251	Admonish
110250	Admonish
1103230	Hear
1104256	Hear
1104266	Hear
1103182	Hear
1103237	Hear
110284	Hear
1105309	Hear
1105320	Hear
1103214	Hear
1103103	Admonish
1003176	Hear
110282	Dismissed
1103148	Hear
1103241	Hear
1103180	Admonish
1104258	Admonish
1106385	Admonish
1011740	Dismissed
1005346	Dismissed
1005350	Dismissed
08121230	Dismissed
1011798	Dismissed
110261	Dismissed
1103146	Dismissed

Character/Fitness Review

<u>Case Number</u>	<u>Decision</u>
11661	Approve
11650	Approve
11667	Approve
11675	Approve
11676	Approve
11681	Approve
11685	Approve
11689	Approve
11230	Approve
11693	Approve
11696	Defer
11790	Defer
11299	Approve
11706	Approve
11674	Approve
11720	Approve
11476	Approve
11727	Approve
11726	Approve
11728	Approve
11735	Approve
11664	Approve
11765	Approve
11573	Approve
11638	Approve
11753	Approve
11758	Approve
11756	Approve
11723	Approve
11626	Approve
11695	Approve
11763	Approve
11771	Approve
11775	Approve
11732	Approve
11797	Approve
11305	Denied
11805	Approve
11770	Approve
11810	Approve
11815	Approve

11825	Approve
11827	Approve
11759	Approve
11655	Approve
11783	Approve
11803	Approve
11730	Approve
11678	Approve
11718	Defer
11782	Denied
11867	Approve
11866	Approve
11869	Approve
11787	Approve
11826	Approve
11873	Approve
11714	Approve
11778	Approve
11506	Approve

Agreed Orders

Case Number

Decision

0607183 (Jann James)

Accept Agreed Order which states that Respondent has submitted to the Board proof that she has completed training regarding her duty to report child abuse, neglect and dependency; and therefore this matter shall be dismissed.

Vote: *Unanimous*

0808990 (Carolyn Hutchison) Accept Agreed Order revoking Respondent's certificate.

Respondent shall surrender the original and all copies of her certificate immediately, by first class mail or personal delivery to the Education Professional Standards Board, 100 Airport Road, Third Floor, Frankfort, Kentucky 40601. Respondent shall neither apply nor be issued a certificate in the Commonwealth of Kentucky for a period of three years from November 7, 2007.

The issuance of any future certificate to Respondent or on her behalf is expressly conditioned upon Respondent providing, at the time of application, written evidence to the Board that she has satisfied the following conditions.

1. Respondent shall undergo a mental health evaluation, including an anger management assessment, performed by

a mental health professional licensed in Kentucky and approved by the Board, and successfully complete any and all treatment and counseling recommendations. Any expense for this assessment and any treatment required, shall be paid by Respondent.

2. Respondent shall undergo a comprehensive substance abuse assessment performed by a chemical dependency counselor, licensed in Kentucky and approved by the Board, and successfully complete any and all treatment recommendations. Any expense for this assessment and any treatment required, shall be paid by Respondent.

3. Respondent shall, at her own expense, submit a state and federal criminal history report.

4. Respondent shall not be convicted of any additional crimes, misdemeanor or felony.

Respondent agrees that should she fail to satisfy any of these conditions, the Office of Certification shall not issue any certificate to her or on her behalf.

Any future certificate issued to Respondent shall be subject to the following probationary conditions for the life of the certificate.

1. Respondent shall not be convicted of any crime, misdemeanor or felony.

2. Respondent shall, at her own expense, submit a state and federal criminal history report with any future application for certification, renewal or rank change.

Should she violate either condition, her certificate shall be automatically suspended for two years and the Board may seek additional sanctions pursuant to KRS 161.120.

Vote: *Unanimous*

1012822 (Steven Shumate)

Accept Agreed Order suspending Respondent's certificate for a period of 60 days from the date of the Boards' acceptance of this Order. 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.

This agreement is expressly conditioned upon the following.

1. Prior to returning to any teaching position requiring certification, Respondent shall submit to the Board written proof that he has successfully completed 12 hours of professional development/training, approved by the Board and at his own expense, in ethics.

2. Respondent shall successfully complete the diversion agreement entered in Jefferson Circuit Court Case

10CR2231 with the Court ultimately designating the underlying indictment dismissed-diverted.

If Respondent fails to satisfy either of these conditions, his certificate shall be automatically and permanently revoked.

Vote: *Unanimous*

0903123 (Matthew Irgang) Accept Agreed Order suspending Respondent's certificate beginning June 3, 2011 until August 9, 2011. In addition, Respondent is admonished as follows: Teachers are charged with upholding the dignity and integrity of the profession. Respondent failed in this duty by submitting false information regarding his employment. Such action is a clear violation of this duty and reflects poorly on the profession. Any further conduct of this nature will not be tolerated by Respondent in the future.

Vote: *Unanimous (Ms. Williams recused)*

08101066 (Irina Baptiste) Accept Agreed Order retroactively suspending Respondent's teaching certificate for total of fifteen (15) days. The retroactive suspension dates are as follows: November 10, 2008 through November 14, 2008, January 26, 2009 through January 30, 2009 and April 27th through May 4th, 2009. Respondent will complete twelve (12) hours of ethics training. 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 training requirement 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. Upon proof of completion her license will be reinstated.

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 treatment of students, parents and colleagues. Respondent repeatedly failed to uphold this duty and is being admonished for that failure. The Board will not tolerate any further conduct of this nature by Respondent.

Vote: *Unanimous*

070338 (Jennifer Turns) Accept Agreed 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*

110131 (Kent Akin)

Accept Agreed Order subjecting Respondent's certificate, and any future endorsements or new areas of certification, to the following probationary conditions for a period of two (2) years.

1. By December 31, 2011, Respondent shall undergo a comprehensive substance abuse assessment by a Kentucky licensed and/or certified chemical dependency counselor as approved by the Board and shall present written evidence to the Board that he has complied with the assessment process and has successfully completed any and all treatment recommendations. If Respondent is not able to complete all treatment recommendations by December 31, 2011, he shall submit quarterly written progress reports from his chemical dependency counselor until such time as the counselor releases him from treatments. If Respondent has not successfully completed all treatment recommendations by the end of the two (2) year probationary period, Respondent agrees that the probationary period shall be extended and he shall submit quarterly written progress reports from the chemical dependency counselor to the Board until such time as the counselor releases him from treatment. Any expense for the assessment, treatment and/or reports shall be paid by Respondent.

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

3. Respondent shall not be convicted of any crime involving a controlled substance and/or alcohol.

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

Respondent is aware that should he violate KRS 161.120 either during or following this two year period of

probationary conditions, the Board shall initiate new disciplinary action and seek additional sanctions.

Vote: *Unanimous*

1103144 (Christopher Harvey) Accept Agreed Order reminding Respondent that an educator must maintain a level of professionalism with students at all times. Respondent has provided proof that he has completed twelve (12) hours of training in Ethics, Stress and Classroom Management, and Humor-Appropriate and Inappropriate in the Classroom.

Vote: *Unanimous (Ms. McMillen recused)*

1103117 (Linda Lucas) Accept Agreed Order admonishing Respondent for neglect of duty. The Board reminds Respondent that she has a duty to take reasonable measures to protect the health, safety, and emotional well-being of students. As an educator, Respondent must ensure that her students are never placed in potentially dangerous situations. The Board will not tolerate any further incidents of misconduct from Respondent.

This agreed order is expressly conditioned upon Respondent providing written proof, by January 1, 2012, that she has attended six (6) hours of classroom management training. If Respondent fails to submit the required report by the due date, any and all certificates issued to Respondent shall be automatically suspended until this condition has been met. Any expense for the training shall be paid by Respondent.

Vote: *Unanimous*

1011685 (Nanette Silliman) Accept Agreed Order Respondent is admonished for subjecting students to embarrassment and disparagement and for failing to properly manage her classrooms. An educator has a duty to treat all students with dignity and respect and to create and foster an environment in which students can learn effectively. The Board will not tolerate any further acts of misconduct by Respondent.

During the time of the incidents in question, Respondent was employed as a substitute teacher. Should Respondent decide to enter the teaching profession at any time in the future, she must provide written proof that she has received six (6) hours of professional development/training in the area of ethics, and six (6) hours of professional development/training in the area of cultural competency, as approved by the Board. Respondent shall not be granted a

teaching certificate until she shows proof of the training. Any expense for said training shall be paid by Respondent.

Vote: *Unanimous*

060363 (Jacqueline Powell) Accept Agreed Order which states that Respondent has been retired since 2007 and will not return to full-time service as a classroom teacher until she provides written proof to the Board that she has received twelve (12) hours of professional development/training in classroom management as approved by the Board. Any expense incurred for said training shall be paid by Respondent. Should Respondent fail to satisfy this condition, her certificate shall be suspended and shall remain so until the condition is met.

Vote: *Unanimous*

1003175 (Courtney Brundige) Accept Agreed Order in which Respondent voluntarily, knowingly, and intelligently surrenders her teaching certificate and agrees to not apply for, nor be issued, a teaching or administrative certificate in the Commonwealth of Kentucky at any time in the future. Upon the 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, 3rd Floor, Frankfort, Kentucky 40601.

Vote: *Unanimous*

1004196 (Phillip Shelton) Accept Agreed Order retroactively revoking Respondent's certificate for a period of three (3) years beginning July 1, 2010. Respondent shall neither apply for, nor be issued, a teaching certificate in the Commonwealth of Kentucky during the revocation period. Upon acceptance of this agreement by the Board, Respondent shall immediately surrender the original and all copies of his certificate to the EPSB, by delivering or mailing to 100 Airport Road, 3rd Floor, Frankfort, Kentucky 40601. Respondent is hereby admonished for conducting unbecoming a teacher and for engaging in inappropriate physical interactions with a student. A teacher in the Commonwealth of Kentucky has a duty to take reasonable measures to protect the health, safety, and emotional well-being of students as well as to refrain from subjecting students to embarrassment. Further, Respondent is reminded of his duty to maintain the dignity and integrity of the teaching profession. The Board will not tolerate any further incidents of misconduct from Respondent.

In addition to the standard requirements of the application process, before Respondent shall be reissued any certificate, he must comply with the following:

1. Respondent shall provide written proof to the Board that he has been assessed by a state certified mental health counselor approved by the Board and is competent to fulfill his duties as an educator. Respondent shall provide 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 provide written proof to the Board that he has successfully completed twelve (12) hours of ethics training, as approved by the Board, which shall include instruction on appropriate teacher/student boundaries. Any expense incurred for said training shall be paid by Respondent.

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

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

Upon reissuance of Respondent's certificate, Respondent shall be on probation for a period of five (5) years. During this time, Respondent shall receive no disciplinary action involving teacher/student boundaries. "Disciplinary action" is defined as any suspension, termination, or public reprimand issued by any school district in the Commonwealth of Kentucky and upheld, if requested, by either a tribunal and/or arbitration process.

By entering into this Agreed Order, Respondent agrees that should he fail to satisfy the terms of the probation, his certificate shall be automatically revoked for the remainder of the probationary period.

Respondent is aware that should he violate KRS 161.120, either during or following this five (5) year period of probationary conditions, the Board shall initiate new disciplinary action and seek additional sanctions.

Vote: *Unanimous*

- 1010603 (Jeffrey Lykins) Accept Agreed Order admonishing Respondent for neglect of duty and for failing to take reasonable measures to protect the health, safety, and emotional well-being of students. As an educator, Respondent must ensure that his students are appropriately supervised at all times and are never placed in a potentially unsafe environment. The Board will not tolerate any further incidents of misconduct from Respondent.
- On or before January 1, 2012, Respondent shall provide written proof to the Board that he has received twelve (12) hours of professional development or training in ethics as approved by the Board. Any expense incurred for said training shall be paid by Respondent.
- Respondent agrees that should he fail to complete the required training on or before January 1, 2012, his certificate shall be automatically suspended until such training is completed and the appropriate written proof is provided to the Board.
- Vote:** *Unanimous*
- 1006422 (Joseph Dawson) Accept Agreed Order retroactively revoking Respondent's certificate for a period of five (5) years beginning on May 14, 2010. Respondent shall neither apply for, nor be issued, a teaching certificate in the Commonwealth of Kentucky during the revocation period. Upon acceptance of this agreement by the Board, Respondent shall immediately surrender the original and all copies of his certificate to the EPSB, by delivering or mailing to 100 Airport Road, 3rd Floor, Frankfort, Kentucky 40601.
- Prior to reissuance of Respondent's certificate, Respondent shall provide written proof to the Board that his Florida and North Carolina teaching certificates have been reinstated and are currently in good standing. Should Respondent fail to satisfy this condition, the Board shall automatically deny any application for certification submitted by Respondent or on his behalf.
- Vote:** *Unanimous*
- 11571 (Ahenawa El-Amin) Accept Agreed admonishing Respondent for failing to uphold the dignity and integrity of the teaching profession, specifically for her 2007 and 2008 criminal convictions. As a certified educator, Respondent is expected to protect the health, welfare and safety of students, including her own children. The Board expects Respondent to conduct herself in an ethical and professional manner and will not tolerate any further misconduct from Respondent.

Respondent has supplied the Board with certification that all school age children in her custody during the 2010-2011 school year were in compliance with attendance standards for that school year. Certification was in the form of a letter from the Assistant Director of Pupil Personnel for the school of each child.

Upon acceptance of this agreement by the Board, Respondent shall be issued a Kentucky teaching certificate upon providing proof that she has met the academic and testing requirements necessary for issuance of a certificate; however, any and all certificates issued to Respondent by the Board shall be subject to the following probationary conditions:

1. Within six (6) months of acceptance of this agreement by the Board, 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. Failure to comply with this condition will result in Respondent's certificate being automatically suspended until Respondent is in compliance.
2. On or before May 31st of each year for five (5) years from the date of issuance of her certificate, Respondent shall supply the Board with certification that all school age children in her custody were in compliance with attendance standards for the school year. Certification shall be in the form of a letter from the Director of Pupil Personnel for the school of each child. Failure to comply with this condition will result in Respondent's certificate being automatically suspended until Respondent is in compliance.
3. Respondent shall not be convicted of nor enter a guilty or no contest plea to any criminal charge(s) other than minor traffic violations. A violation is not considered a minor traffic violation if it is a violation for which jail time may be imposed. If Respondent is convicted of, or enters a guilty or no contest plea, to any criminal charge other than minor traffic violations, she shall submit this information to the Board, in writing, within thirty (30) days. Failure to comply with this condition will result in Respondent's certificate being automatically suspended for ninety (90) days and subject to further action by the Board.
4. Respondent shall submit a copy of her current criminal record, as prepared by the Kentucky State Police, with any application for renewal of her certification(s) and/or for additional certification(s). Any expense required to satisfy this condition shall be paid by Respondent. Failure to

comply with this condition will result in the denial of all applications for renewal and/or additional certification(s) submitted by Respondent or on her behalf.

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

Vote: *Unanimous*

110246 (Donna Kennedy)

Accept Agreed Order reminding Respondent that KRS 620.030 requires that “any person who knows or has reasonable cause to believe that a child is dependent, neglected or abused shall immediately cause an oral or written report to be made” to the proper authorities. As an educator, Respondent has a duty to take reasonable measures to protect the health, safety, and emotional well-being of students.

This settlement agreement is expressly conditioned upon the following:

1. Respondent has submitted proof to the Board that she has completed training on Procedures and Reporting for Possible Abuse and Neglect.

2. By January 1, 2012, Respondent shall provide written proof to the Board that she has completed a book study on Robert J. Shoop’s *Sexual Exploitation in Schools*. Written proof shall be in the form of a summation of what Respondent read and a reflective piece on how what she read applies to her and will help her in the future. 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 she completes the required training and provides the appropriate written proof to the Board.

Vote: *Unanimous*

110244 (Kayla Jackson)

Accept Agreed Order reminding Respondent that KRS 620.030 requires that “any person who knows or has reasonable cause to believe that a child is dependent, neglected or abused shall immediately cause an oral or written report to be made” to the proper authorities. As an educator, Respondent has a duty to take reasonable measures to protect the health, safety, and emotional well-being of students.

This settlement agreement is expressly conditioned upon the following:

1. Respondent has submitted proof to the Board that she

has completed training on Procedures and Reporting for Possible Abuse and Neglect.

2. By January 1, 2012, Respondent shall provide written proof to the Board that she has completed a book study on Robert J. Shoop's *Sexual Exploitation in Schools*. Written proof shall be in the form of a summation of what Respondent read and a reflective piece on how what she read applies to her and will help her in the future. 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 she completes the required training and provides the appropriate written proof to the Board.

Vote: *Unanimous*

1010650 (Bruce Maybriar)

Accept Agreed Order admonishing Respondent for using inappropriate language in the classroom. As an educator, Respondent has a duty to maintain the dignity and integrity of the profession and to refrain from subjecting students to embarrassment or disparagement. The Board expects Respondent to uphold the Professional Code of Ethics for Kentucky Certified School Personnel in the future.

On or before January 1, 2012, Respondent shall provide written proof to the Board that he has received twelve (12) hours of professional development or training, as approved by the Board, in teacher ethics. Any expense incurred for said training shall be paid by Respondent. Respondent agrees that should he fail to complete the required training on or before January 1, 2012, his certificate shall be automatically suspended until such training is completed and the appropriate written proof is provided to the Board.

Vote: *Unanimous*

10117128 (Maria Martin)

Accept Agreed Order admonishing Respondent for neglecting her professional duties by failing to take reasonable measures to protect the health, safety, and emotional well-being of students. When an educator fails to properly supervise students, students are at risk for both physical and emotional harm. Respondent is also reminded of her ethical duty to make a reasonable effort to communicate to parents information which should be revealed in the interest of the student. 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 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 incurred for said training shall be paid by Respondent.

2. On or before July 1, 2012, Respondent shall submit written proof to the Board that she has completed six (6) hours of professional development or training, as approved by the Board, in the area of classroom management. Any expense incurred for said training shall be paid by Respondent.

3. Or on before September 1st of each year of the probationary period, Respondent shall submit to the Board as well as to the principal(s) of any school(s) in which she is employed in a certified capacity written proof that she has read and understands the school district's field trip procedures and that she agrees to enforce and comply with said procedures.

4. For the entirety of the probationary period, Respondent shall receive no disciplinary action involving neglect of duty and/or classroom management issues. "Disciplinary action" is defined as any public reprimand, suspension, or termination issued by any school district in the Commonwealth of Kentucky and upheld, if requested, by either a tribunal and/or arbitration process.

By entering into this Agreed Order, Respondent agrees that should she fail to satisfy any of these conditions during the probationary period, her certificate shall be automatically suspended for a period of thirty (30) days. If applicable, at the conclusion of the thirty (30) day suspension,

Respondent's certificate shall remain suspended until such time as the probationary conditions are met.

Respondent is aware that should she violate KRS 161.120, either during or following this three (3) year period of probationary conditions, the Board shall initiate new disciplinary action and seek additional sanctions.

Vote: *Unanimous*

11493 (Julie Age)

Accept Agreed Order which states that Respondent shall be issued a Kentucky teaching certificate upon providing proof that she has met the academic and testing requirements necessary for issuance of a certificate; however, any and all certificates issued to Respondent by

the Board shall be subject to the following permanent probationary conditions:

During the first three (3) years of the permanent probationary period, Respondent shall comply with the following:

1. Within six (6) months of issuance of any teaching certificate to Respondent, Respondent shall undergo a comprehensive substance abuse assessment by a Kentucky licensed and/or certified chemical dependency counselor, as approved by the Board, and shall provide written evidence to the Board that she has complied with the assessment process and has successfully completed any and all treatment recommendations. If Respondent is unable to complete all treatment recommendations within six (6) months of issuance, Respondent shall continue to provide quarterly written progress reports from her chemical dependency counselor until such time as the counselor releases her from further treatment. Any expense for the assessment, treatment and/or written reports shall be paid by Respondent. Failure to comply with this condition will result in Respondent's certificate being automatically suspended until Respondent is in compliance.

2. Within six (6) months of issuance of any teaching certificate to Respondent, Respondent shall undergo an anger management assessment by a licensed clinical provider, as approved by the Board, and shall provide written evidence to the Board that she has complied with the assessment process and has successfully completed any and all treatment recommendations. If Respondent is unable to complete all treatment recommendations within six (6) months of issuance, Respondent shall continue to provide quarterly written progress reports from her clinical provider until such time as the provider releases her from further treatment. Any expense for the assessment, treatment and/or written reports shall be paid by Respondent. Failure to comply with this condition will result in Respondent's certificate being automatically suspended until Respondent is in compliance.

3. On or before July 1st of each year, Respondent shall supply the Board with a current national and state criminal background check. Failure to comply with this condition will result in Respondent's certificate being automatically suspended until Respondent is in compliance.

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

1. Respondent shall not be convicted of nor enter a guilty or

no contest plea to any criminal charge(s) other than minor traffic violations. Failure to comply with this condition will result in Respondent's certificate being automatically suspended for further action by the Board.

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

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

Vote: *Unanimous*

1010630 (Daniel Whitehead) Accept Agreed Order admonishing Respondent for engaging in inappropriate physical interactions with students and for conduct unbecoming a teacher. 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 interactions. Further, the Professional Code of Ethics for Kentucky Certified School Personnel requires Respondent to exemplify behaviors which maintain the dignity and integrity of the profession. The Board will not tolerate any further incidents of misconduct from Respondent. Prior to accepting any teaching and/or administrative position in any school district in the Commonwealth of Kentucky, Respondent must provide written proof to the Board that he has been assessed by a state certified mental health counselor approved by the Board and is competent to fulfill his duties as an educator. Respondent shall provide proof that he has complied with any treatment recommendations proposed by the mental health counselor and shall continue to provide treatment records to the Board until he has been released from treatment by the counselor. Any expense incurred for the assessment or follow-up treatment shall be paid by Respondent. Upon acceptance of any teaching and/or administrative position in any school district in the Commonwealth of Kentucky, Respondent's certificate, including any and all

endorsements, is hereby subject to the following probationary conditions for a period of five (5) years:

1. Prior to or within one (1) year of accepting any teaching and/or administrative position in the Commonwealth of Kentucky, Respondent shall provide written proof to the Board that he has received twelve (12) hours of professional development or training, as approved by the Board, on the Professional Code of Ethics for Kentucky Certified School Personnel, which shall include instruction on appropriate teacher/student boundaries. Any expense incurred for said training shall be paid by Respondent.

2. Prior to or within one (1) year of accepting any teaching and/or administrative position in the Commonwealth of Kentucky, Respondent shall provide written proof to the Board that he has successfully completed a course, as approved by the Board, on sexual harassment awareness. 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 conduct unbecoming and/or sexual harassment. "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 one (1) year. If applicable, at the conclusion of the one (1) year 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 five (5) year period of probationary conditions, the Board shall initiate new disciplinary action and seek additional sanctions.

Vote: *Unanimous*

060227 (David Bishop)

Accept Agreed Order suspending Respondent's certificate retroactively for a period of forty five (45) days from January 30, 2006 through March 15, 2006.

Upon reinstatement after the forty five (45) day suspension period, Respondent's certificate, and any future endorsements or new areas of certification, shall be subject to the following probationary conditions for a period of two (2) years.

1. By August 1, 2007, Respondent shall undergo a comprehensive substance abuse assessment by a Kentucky licensed and/or certified chemical dependency counselor as approved by the Board and shall present written evidence to the Board that he has complied with the assessment process and has successfully completed any and all treatment recommendations. Any expense for the assessment, treatment and/or reports shall be paid by Respondent. Respondent has shown written proof that he has complied with this condition.

2. By September 1, 2011, Respondent shall provide written proof to the Board that he has received twelve (12) hours of professional development/training in ethics as approved by the Board. Any expense for this professional development/training in ethics shall be paid by Respondent. Respondent has shown written proof that he has complied with this condition.

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

Vote: *Unanimous*

0906358 (Roger Auge)

Accept Agreed Order admonishing Respondent for failing to appropriately interact with students and manage student behavior in his classroom. As an educator, Respondent must maintain a positive learning environment at all times. He must strive to deescalate problem situations and treat each student with respect regardless of the circumstance. This agreement is expressly conditioned upon the following. Before returning to any position that requires a teaching certificate, Respondent shall submit written proof that he has completed the following.

1. Respondent shall undergo an anger management assessment by a mental health provider licensed in Kentucky and approved by the Board, and successfully complete any and all treatment recommendations.

Any expense for satisfying this condition shall be paid by Respondent.

2. Respondent shall complete twelve hours of professional development/training, approved by the Board and at his own expense, in effective classroom management and discipline techniques.

3. Respondent shall complete twelve hours of professional development/training, approved by the Board and at his own expense, in maintaining appropriate

teacher/student boundaries and ethics.

If Respondent fails to satisfy these conditions, his certificate shall be suspended and remain so until all conditions are met.

Upon entry of this Order, Respondent's certificate shall be subject to the following probationary condition for the life of the certificate and upon any renewal and/or reissuance. During that time, Respondent shall not be disciplined by any school district for conduct that would be deemed a violation of KRS 161.120. Discipline shall be defined as a reprimand, admonishment, suspension, or termination. If Respondent violates this condition, the Board shall automatically suspend his certificate for a period of two years and may seek additional sanctions pursuant to KRS 161.120.

Vote: *Unanimous*

1011796 (William Riley)

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

Vote: *Unanimous*

0904215 (Shea Wardwell)

Accept Agreed Order which states that Respondent is currently not teaching in Kentucky and his certificate shall expire on June 31, 2012. Respondent agrees not to seek employment in a Kentucky public school during the 2011-2012 school year. Upon expiration of his teaching certificate on June 31, 2012, Respondent agrees that he shall neither apply for, nor be issued, a teaching and/or administrative certificate in the Commonwealth of Kentucky until he has been re-issued a teaching license in the state of Ohio.

Vote: *Unanimous*

Discussion Regarding the Evaluation of the Executive Director

Evaluation of the Executive Director Committee Chair Mark Wasicsko informed the board that the committee met on September 18th and opened the evaluations. The results will be ready for

the October meeting. Dr. Wasicsko stated that at the next meeting he will give to the board committee recommendations on updating the evaluation process to use electronic formats, etc.

Chair Lorraine Williams said that serving as chair has taught her a great deal and she appreciated Vice Chair Tom Stull for his support. She welcomed Dr. Cathy Gunn as the new chair. Dr. Gunn stated that she has watched Tom Stull, James Cibulka, and Lorraine Williams provide excellent leadership on the board, and she intends to do the same.

Motion made by Dr. Wasicsko, seconded by Ms. McMillen, to adjourn the meeting.

Vote: *Unanimous*

Meeting adjourned at 4:00 p.m.

Next Meeting: October 17, 2011
 9:00 AM
 EPSB Board Room
 Frankfort, Kentucky