

The actions delineated below were taken in open session of the EPSB at the March 1, 2010 meeting. This information is provided in summary form; an official record of the meeting is available in the permanent records of the Education Professional Standards Board (EPSB), 100 Airport Road, 3rd Floor, Frankfort, KY 40601

**Education Professional Standards Board (EPSB)
Summary Minutes of the Regular Business Meeting
EPSB Offices, 100 Airport Road, 3rd Floor
Frankfort, Kentucky
March 1, 2010**

Call to Order

Chair Lorraine Williams called the meeting to order at approximately 9:10 a.m.

Roll Call

The following members were present during the March 1, 2010 EPSB meeting: Lonnie Anderson, Frank Cheatham, Michael Dailey, John DeAtley, Cathy Gunn, Mary Hammons, Lynn May, Gregory Ross, Becky Sagan, Sandy Sinclair-Curry, Zenaida Smith, Bobbie Stoess, Tom Stull, Mark Wasicsko, Cassandra Webb, Lorraine Williams, and Cynthia York.

Approval of January 11, 2010 Minutes

Motion made by Dr. Mark Wasicsko, seconded by Ms. Lynn May, to approve the minutes of the January 11, 2010 EPSB meeting with the noted correction on page 7 to add the undergraduate program for Campbellsville University as approved in motion 2010-004.

Vote: *Unanimous*

Amendment of March 1, 2010 Agenda

Motion made by Mr. Lonnie Anderson, seconded by Dr. Frank Cheatham, to amend the March 1, 2010 EPSB agenda to add Waiver B. Emergency Waiver of 16 KAR 5:040. Admission, Placement, and Supervision in Student Teaching.

Vote: *Unanimous*

Open Speak

There were no requests for Open Speak.

Report of the Executive Director

Dr. Phillip Rogers stated that he appreciated the board's effort to attend the joint meeting with KDE and CPE in February.

Report from the Council on Postsecondary Education

Mr. John DeAtley reported on the recent events of CPE. Currently, CPE

* is waiting to see if Kentucky is a finalist in the Race to the Top (RTTT) proposal.

* is waiting to see the state budget before approving tuition rates.

* recently received an enrollment report showing that enrollment has increased by as much as 80% in some areas.

- * approved a new Ed.D in Education Leadership at Morehead State University.
- * along with KDE and the EPSB, will be hosting an Unbridled Learning Summit in Louisville on April 12th. The Summit will provide an overview of the common core standards and the process which will be employed to ensure that all Kentucky educators have a concrete understanding of how to apply these standards to improve student learning.

Report from the Kentucky Department of Education (KDE)

Mr. Michael Dailey reported on the recent work of KDE.

- * He praised the joint efforts of KDE, CPE, and the EPSB at the historic signing of the Common Core Standards where Kentucky was the first state to approve the standards.
- * This week the finalists for the RTTT grant will be announced. If Kentucky is not awarded the grant this time, there is another opportunity in June or July.

Legislative Update

Ms. Alicia Sneed gave a legislative update for the 2010 session. The update includes the following:

- * On February 24th, the appointments of Becky Sagan, Lorraine Williams, Cassandra Webb, and Zenaida Smith were confirmed by the House.
- * On March 16th, the confirmation resolutions of Mark Wasicsko and Cathy Gunn will go before the House Education Committee.
- * March 1st is the last day for House bills to be posted.
- * Currently, there are no active bills that directly affect the EPSB.

Report of the Chair

Appointment to the Committee to Review Admissions and Clinical Experience for Pre-Service Programs

Chair Lorraine Williams appointed Mr. Tony Minton to the Committee to Review Admissions and Clinical Experience for Pre-Service Programs.

Reappointments to the Kentucky Advisory Council for Internships (KACI)

Chair Williams reappointed the following individuals to KACI: Diana Whitt, LuAnn Asbury, Dr. Richard Roberts, Judy Thomas, Dr. Sharon Brennan, and Linda Nickel.

Committee Reports

Dr. Cathy Gunn announced that KACTE will be holding its spring conference on March 4th & 5th in Georgetown. She noted that all board members are invited and encouraged to attend.

Recusal and Abstaining During a Motion:

Ms. Lorraine Williams reminded the board of the rules for recusals. If board members have firsthand knowledge about a situation or are knowledgeable so that their input may influence the board, then they should recuse themselves from voting and not discuss the matter. Dr. Mark Wasicsko asked if a board member should recuse if he/she has factual information that is not available to other board members. Board attorney Angela Evans

answered in the affirmative, saying that a board member should recuse if he/she has firsthand knowledge about a situation. Mr. Michael Dailey asked if a board member should acknowledge his/her recusal at the beginning of board discussion or during the time the board votes. Ms. Evans stated that a board member should recuse when it is time to vote and explain the reason for recusing. Board members should also refrain from discussion at the moment they realize that they are familiar with the topic.

Chair Williams also discussed the importance of board members not abstaining from voting in situations where they may not agree with a certain statute or regulation, as this may prevent the board from moving forward in its work. She reminded the board that statutes may be changed by legislation and regulations may be changed by board action, and this may be an option that a conflicted board member may wish to discuss with the board during discussion.

Information/Discussion Items

Awarded Contracts

Mr. Gary Freeland informed the board that a Memorandum of Understanding (MOU) was reached between the EPSB and Teradata Operations, Inc. through its Claraview Division (Claraview). This MOU allows for the EPSB P-20 data to be exchanged and reviewed by Claraview and establishes the parameters for the exchange. There is no cost or exchange of funds involved as a result of this agreement.

16 KAR 6:010. Written Examination Prerequisites for Teacher Certification, Notice of Intent

Mr. Robert Brown reported on five issues that would require changes to 16 KAR 6:010.

Issue 1:

The Educational Testing Service (ETS) is in the process of transitioning the older NTE-scaled tests to the Praxis score scale. Therefore, the following test code and minimum competency score changes will be made to 16 KAR 6:010:

- * *Library Media Specialist (0310)* with NTE score of 640 will change to *Library Media Specialist (0311)* with minimum competency score of 156.
- * *Speech Communication (0220)* with NTE Score of 580 will change to *Speech Communication (0221)* with minimum competency score of 146.
- * *English to Speakers of Other Languages (0360)* with NTE Score of 620 will change to *English to Speakers of Other Languages (0361)* with minimum competency score of 157.
- * *Teaching Students with Visual Impairments (0280)* with NTE Score of 700 will change to *Teaching Students with Visual Impairments (0281)* with minimum competency score of 161.

Issue 2:

ETS recently developed French, German, and Spanish World Language tests and a new Business Education test. Because these are newly developed tests, national percentile information and SREB performance data are not yet available. Therefore, staff recommended waiving a required passing score from September 1, 2010, through August 31, 2011, in order to gather performance data so that a recommended score can be implemented effective September 1, 2011.

Issue 3:

In June 2009, the EPSB hosted a review of the *Health and Physical Education: Content Knowledge (0856)* test to determine whether to proceed with a Standard Setting Study (SSS) toward state adoption of the test as an option for those seeking certification in both Health and PE. As recommended by the review panel, the EPSB hosted a SSS for the *Praxis II (0856)* on January 14, 2010. Since 0856 will be a new test for Kentucky, EPSB staff recommended waiving a required minimum competency score for 0856 from September 1, 2010 through August 31, 2011. This will provide time to gather Kentucky performance data so that a score may be brought before the board to be effective September 2011.

Issue 4:

ETS recently developed the *Teaching Reading (0204)* test. Since 0204 will be a new test for Kentucky, EPSB staff recommended waiving a required minimum competency score on this test from September 1, 2010 through August 31, 2011. This will provide time to gather Kentucky performance data so that a recommended minimum competency score can be brought before the board to be effective September 2011. Should the board approve this test, it would also be used as an option for teachers who wish to be deemed highly qualified to teach reading.

Issue 5:

In June 2008, a SSS panel validated the newly developed Kentucky-specific Praxis II IECE test and recommended a minimum competency score of 158; however, the EPSB has established a framework that minimum competency scores fall between the 15th and 25th percentile. Staff recommends a minimum competency score of 166, which would place the score within this range.

Mr. Brown stated that these proposed changes will go before the board for final action at the May meeting.

Board discussion ensued regarding minimum competency scores. Mr. John DeAtley expressed his concern that the established framework for these cut scores is set as low as the 15th percentile. Dr. Rogers explained that the majority of EPSB tests have cut scores between the 21st – 25th percentiles. He added that it is less problematic to set the cut score at a lower level and then raise it later. Tests such as the IECE test are reevaluated in 5-10 years.

16 KAR 6:030. Examination Prerequisites for Principal Certification, Notice of Intent

Mr. Brown reported to the board that at the August 2009 board meeting, the EPSB waived the minimum score requirement of the School Leaders Licensure Assessment (SLLA) until Kentucky performance data for the new SLLA could be gathered and EPSB staff could convene a SSS to establish a recommended minimum score. The EPSB hosted a SSS on January 12, 2010. As a result of the SSS, staff recommended a minimum competency score of 160. This item will be brought before the board for final action at the May board meeting.

Action Items

Teacher Leader Master of Arts Program and Endorsement, Georgetown College

The committee commended the college for the following aspects of its proposal:

- Excellent description and integration of conceptual framework with the proposal
- Strong continuous assessment component
- Excellent evaluation of dispositions in the admissions process
- Emphasis on reflective practice with acknowledgement that standards are evolving
- Diversity is more broadly defined and embedded throughout the coursework
- Good use of current research and alignment between course content and resources
- Clear, well-organized, comprehensive program with matrices that provide a more coherent proposal

2010-012

Motion made by Dr. Cathy Gunn, seconded by Dr. Frank Cheatham, to approve the Teacher Leaders Master of Arts Program and Endorsement Proposal for Georgetown College.

Vote: *Unanimous*

Approval of Educator Preparation Program Additions: Moderate and Severe Disabilities P-12 (additional certification option at Rank 1 level); Planned Program for Rank I, Georgetown College

Issue One:

2010-13

Motion made by Dr. Mark Wasicsko, seconded by Mr. Michael Dailey, to approve the proposed Moderate and Severe Disabilities P-12 program preparation program addition for Georgetown College.

Vote: *Unanimous*

Issue Two:

2010-014

Motion made by Dr. Wasicsko, seconded by Mr. Dailey, to approve the proposed Planned Program for Rank I preparation program addition for Georgetown College.

Vote: *Unanimous*

Dr. Rebecca Powell thanked Dr. Eve Proffitt and Dr. Kimberly Walters-Parker for their hard work on the programs while she was on sabbatical leave. She further thanked the board for the opportunity to provide such a program and said she believes this program can transform from the inside out.

Western Kentucky University's (WKU) request to pilot a Teacher Residency Program

Dr. Marilyn Troupe reported that WKU requested to pilot GSKyTeach (Graduate Southern Kentucky Teach), an innovative residency program to prepare math and science teachers in partnership with Jefferson County. Out of 172 applications submitted, WKU was one of 28 applicants awarded a Teacher Quality Partnership Grant by the USDOE. This comprehensive program will use the cohort model along with specially trained

master teachers and mentors. GSKyTeach includes rich clinical experiences and rigorous graduate studies in how PreK-12 students learn math and science.

Dr. Sam Evans stated that WKU is pleased to offer a program of this nature. Currently, WKU has a SKyTeach program at the undergraduate level. Both the SkyTeach and GSKyTeach programs are based on research described in *How Students Learn: History, Mathematics, and Science in the Classroom*, supported by the National Research Council of the American Academy of Sciences. Mr. DeAtley noted that this program is remarkable.

2010-015

Motion made by Mr. John DeAtley, seconded by Ms. Sandy Sinclair-Curry, to approve WKU's request to pilot a Teacher Residency Program Proposal.

Vote: *Unanimous*

Dr. Rogers stated that the RTTT proposal contains a significant amount of money that would help expand the residency model to three universities across the state. Ms. Lynn May commended WKU for developing such an outstanding program.

Waiver

16 KAR 6:010, Written Examination Prerequisites for Teacher Certification, Request to Waive Language Pertaining to Secondary Social Studies (Grades 8-12) Certification Assessment Requirements

2010-016

Motion made by Mr. DeAtley, seconded by Dr. Gunn, to accept the FTCE Social Science 6-12 in place of the Praxis II (0081) but not to accept the FTCE Social Science 6-12 in place of the Praxis II (0083).

Vote: *Unanimous*

Emergency Waiver of 16 KAR 5:040. Admission, Placement, and Supervision in Student Teaching

2010-017

Motion made by Ms. Lynn May, seconded by Mr. Lonnie Anderson, to approve the proposed emergency waiver of 16 KAR 5:040, Section 6 (2) & 7(2)(a) for the spring 2010 semester only on an as-needed basis for those colleges and universities that present valid documentation.

Vote: *Unanimous*

Board Comments

Dr. Wasicsko stated that he and some other constituents are concerned about the shortage of science teachers in Kentucky. He asked if a General Science certificate would be a feasible way to bring more science teachers into the classroom. Mr. Mike Carr explained that 10 years ago the EPSB decided to eliminate this type of certificate, and some states have had problems with teachers with a broad science certificate being deemed highly qualified. Mr. Carr further stated that the shortage may be remedied with a recently amended regulation that will allow individuals to add science areas to their certificates once they have completed an internship in their prepared area of science, have

the requisite coursework, and have passed the Praxis. Mr. Carr asked the board to see how this new option works as it has been well received by the districts. Dr. Rogers stated that he will consult with EPSB staff and KDE regarding this issue.

**DISCIPLINARY MATTERS:
MINUTES OF CASE REVIEW
March 1, 2010**

Motion made by Ms. Becky Sagan, seconded by Mr. Gregory Ross, 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. Bobbie Stoess, seconded by Ms. Lynn May, to return to open session.

Vote: *Unanimous*

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

Frank Cheatham, Lorraine Williams, Tom Stull, Mary Hammons, John DeAtley, Lonnie Anderson, Zenaida Smith, Bobbie Stoess, Michael Dailey, Mark Wasicsko, Lynn May, Cassandra Webb, Cynthia York, Cathy Gunn, Becky Sagan, Sandra Sinclair-Curry, and Gregory Ross.

Attorneys present were Alicia A. Sneed, Gary A. Stephens, Katie Morgan, and Angela Evans.

INITIAL CASE REVIEW

<u>Case Number</u>	<u>Decision</u>
0911547	Admonish
0911562	Admonish
0911602	Admonish
0912737	Hear
0911530	Admonish
0911581	Defer for proof
0912654	Dismiss
0912741	Dismiss
0912695	Defer for proof
0912648	Defer for proof
0912700	Defer
0911558	Dismiss
0911569	Hear
0911592	Defer for proof
0911544	Admonish
0911594	Hear
0912662	Hear
0912746	Defer for proof
0911556	Defer for proof
0911585	Hear

0911554	Defer for proof
0912652	Defer for proof
0912725	Defer
0912658	Defer for proof
0912640	Hear
0911577	Hear
0912629	Hear
0911624	Hear
0911560	Admonish
0911598	Admonish
0911538	Hear
0912691	Hear
0912627	Hear
0911590	Hear
0911572	Hear
0912660	Hear
0912676	Hear
0912656	Hear
0911618	Defer for proof
0911540	Hear
0911583	Hear
0911614	Defer for proof
0911616	Hear
0912633	Hear
0612296	Dismiss
0905274	Dismiss

Character/Fitness Review

<u>Case Number</u>	<u>Decision</u>
1010	Approve
1011	Approve
1014	Approve
1015	Approve
105	Approve
106	Approve
108	Approve
1021	Approve
1022	Approve
1033	Approve
1039	Approve
1040	Approve
1043	Approve
1047	Approve
1019	Approve
09975	Approve
1045	Approve
09970	Approve

1020	Approve
1012	Approve
1055	Approve
1054	Approve
1058	Approve
1052	Defer for proof
1068	Approve
1071	Approve
1075	Approve
09968 & 09980	Approve
1078	Approve

Agreed Orders

Case Number

Decision

0808962 (Andrew Bailey) Accept Agreed Order dismissing case number 08-08962. Respondent agrees that on or before June 1, 2010, he shall present written evidence to the Board that he has successfully completed twelve hours of professional development/training in maintaining appropriate teacher/student boundaries both online and in the classroom, approved by the Board and at his own expense. Should Respondent fail to satisfy this condition, his certificate shall be automatically suspended until this condition is met.

Vote: *Unanimous*

0808980 (Michael Marshall) Accept Agreed Order suspending Respondent's certificate from September 22, 2008 to June 30, 2010. 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. Reinstatement of Respondent's certificate is conditioned upon the following. Respondent shall provide written evidence to the Board that he has successfully completed 12 hours of professional development/training in ethics and professionalism, approved by the Board and at his own expense. Should Respondent fail to satisfy this condition, his certificate shall remain suspended until the condition is met. Respondent agrees that upon reinstatement, his certificate shall be subject to the following conditions.

1. Respondent shall not handle money for any school sponsored or related extracurricular clubs,

events and/or sports teams for two years from the date of this Order.

2. Respondent shall not be convicted of any crime, misdemeanor or felony, for the life of his certificate. Should Respondent violate either of these conditions, the Board may automatically suspend his certificate for a period of two years and seek additional sanctions pursuant to KRS 161.120.

Vote: *Unanimous (Ms. Sagan recused)*

0605110 (Dianne Murrell)

Accept Agreed Order in which Respondent voluntarily surrenders her certificate. 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. Because Respondent has retired from teaching and does not intend to return to a position requiring certification, she agrees that she shall neither renew nor apply for a teaching certificate in the Commonwealth of Kentucky.

Vote: *Unanimous (Ms. Sinclair-Curry recused)*

08111116 (Kelly Harrod)

Accept Agreed Order suspending Respondent's certificate for a period of two (2) years, beginning retroactively on December 1, 2008 through December 1, 2010. Upon acceptance of this agreement by the Board, Respondent shall surrender the original and all copies of her certificate, by first class mail or personal delivery, to the Education Professional Standards Board, 100 Airport Road, Third Floor, Frankfort, Kentucky 40601.

At the end of the two (2) year period, issuance of any certificate to Respondent, or on her behalf, in addition to any educational requirements, is subject to the following conditions:

1. Respondent shall undergo a comprehensive alcohol/substance abuse assessment by a Kentucky licensed and/or certified chemical dependency counselor, as approved by the Board, and shall present written evidence to the Board that she has complied with the assessment process and has successfully completed any and all treatment recommendations. If Respondent is not able to complete all treatment recommendations by December 1, 2010, she shall submit quarterly written progress reports from her chemical

dependency counselor until such time as the counselor releases her from treatments. Any expense for the assessment, treatment and/or written reports shall be paid by Respondent;

2. Respondent shall submit written evidence to the Board from her assessing physician and/or certified chemical dependency counsel certifying that Respondent is fit to return to the classroom; and

3. Respondent shall provide written evidence to the Board that she has successfully completed twelve (12) hours of professional development/training in professional ethics, as approved by the Board. Any expense incurred for said training shall be paid by Respondent.

If Respondent fails to satisfy these conditions, the Division of Certification shall not issue any certificate to Respondent or on her behalf. If Respondent does satisfy these conditions, any certificate issued to Respondent, or on her behalf, shall be on probation for a period of two (2) years from the date of issuance and subject to the following probationary conditions:

1. Respondent shall submit to random drug testing and shall provide written proof to the Board that she received no positive drug tests during the probationary period. Any expense for the drug testing shall be paid by Respondent. If any drug test is positive for illegal substances or is in excess of therapeutic levels generally acceptable in the medical community, her certificate shall be automatically suspended for a period of two (2) years and shall be subject to additional sanction by the Board pursuant to KRS 161.120; and

2. Respondent shall not be convicted of any crime involving the use or possession of any controlled substance or alcohol, including driving under the influence, during the probationary period. Respondent shall submit her current criminal record, as prepared by the Kentucky State Police, by December 31st of each year of the probationary period. Should Respondent violate this condition, her certificate shall be automatically suspended for a period of two (2) years and shall be subject to additional sanction by the Board pursuant to KRS 161.120.

Vote: *Unanimous (Ms. Sagan recused)*

0904165 (Gaylena McCoy) Accept Agreed Order which states as follows:

Prior to accepting any teaching position in the Commonwealth of Kentucky, in any capacity, Respondent shall submit written proof to the Board that she has completed six (6) hours of professional development/training in the area of professional ethics, as approved by the Board. Any expense required for said training shall be paid by Respondent. Should Respondent fail to satisfy this requirement, her certificate shall be automatically suspended until Respondent completes the required training and provides the appropriate written proof to the Board.

Further, upon accepting a teaching position in the Commonwealth of Kentucky, in any capacity, Respondent's certificate, including any future endorsements or new areas of certification, shall be on probation for a period of two (2) years and subject to the following probationary conditions:

1. Respondent shall not receive any criminal convictions during the probationary period. By July 1st of each year of the probationary period, Respondent shall submit to the Board a copy of her current criminal record, as prepared by the Kentucky State Police. Any expense in meeting this condition shall be paid by Respondent. If Respondent violates this condition, her certificate shall be automatically suspended for a period of one (1) year.

2. Respondent shall not receive any disciplinary action involving theft or fiscal mismanagement from any school district in which she is employed during the probationary period. "Disciplinary action" is defined as any admonishment/reprimand, suspension, or termination issued by any school district in the Commonwealth of Kentucky and upheld, if requested, by either the tribunal and/or arbitration process. If Respondent violates this condition, her certificate shall be automatically suspended for a period of one (1) year.

3. Respondent shall not take any position in a Kentucky school district or in a Kentucky school or education related agency during the probationary period that allows her any access to money or financial accounts. If Respondent is required to collect money from students in a classroom setting, Respondent shall establish safety protocols with the school principal to ensure any funds collected are properly distributed. These safety protocols shall be

filed with the Board. Respondent shall file the safety protocols and documentation substantiating that she does not have any educational position that allows her any access to money or financial accounts upon taking any new school position and with any application for renewal of her certificate or additional certification. If Respondent violates this condition, any and all certificates issued to Respondent shall be automatically permanently revoked.

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

Vote: *Unanimous*

0903121 (Retha Turner)

Accept Agreed Order dismissing Agency Case No. 09-03121 on the condition that Respondent submit written proof to the Board that she has completed a professional development course on the Professional Code of Ethics for Kentucky Certified Personnel, as approved by the Board, by December 31, 2010. Any expense required for said training shall be paid by Respondent. If Respondent fails to meet this condition, agency case no. 09-03121 shall not be dismissed and Respondent's certificate shall be automatically suspended until she completes the required training and provides the appropriate written proof to the Board.

Vote: *Unanimous*

08010049 (Amanda Colpo)

Accept Agreed Order admonishing Respondent for slapping the hand of a student. 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. The Board will not tolerate any further incidents of misconduct from Respondent.

Respondent has submitted written proof to the Board that in January 2010 she completed five and one half (5 ½) hours of professional development/training in the area of classroom management and proper discipline techniques for correcting exceptional children, as approved by the Board.

Vote: *Unanimous*

07-0106 (Jay Holland)

Accept Agreed Order in which Respondent voluntarily, knowingly, and intelligently surrenders his 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 his certificate, by personal delivery or first class mail, to the Education Professional Standards Board, 100 Airport Road, 3rd Floor, Frankfort, Kentucky 40601.

Vote: *Unanimous*

05-08157 (Stanley Fawbush)

Accept Agreed Order admonishing Respondent for using inappropriate physical force against a student. The Board reminds Respondent that he has a duty to take reasonable measures to protect the health, safety, and emotional well-being of students. The Board will not tolerate any further incidents of misconduct from Respondent.

Respondent is currently a retired educator. Prior to accepting a teaching and/or administrative position, in any school district in the Commonwealth of Kentucky, in any capacity, Respondent shall submit written proof to the Board that he has completed twelve (12) hours of professional development/training in classroom management and proper discipline techniques, and six (6) hours of professional development/training in the area of anger management, as approved by the Board. Any expense required for said training shall be paid by Respondent. Should Respondent fail to satisfy this condition, his certificate shall be automatically suspended until he completes the required training and provides the appropriate written proof to the Board.

Upon accepting a teaching and/or administrative position, in any school district in the Commonwealth of Kentucky, in any capacity, Respondent shall receive no disciplinary action involving assault and/or inappropriate discipline techniques for a period of two (2) years. For the purposes of this Order, the parties agree that "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, his 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 (Ms. Stoess recused)*

06-11264 (Rick Jones)

Accept Agreed Order permanently revoking Respondent's 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. Upon the acceptance of this agreement by the Board, Respondent shall immediately surrender the original and all copies of his certificate, by personal delivery or first class mail, to the Education Professional Standards Board, 100 Airport Road, 3rd Floor, Frankfort, Kentucky, 40601.

Vote: *Unanimous*

0805830 (Mark Morris)

Accept Agreed Order revoking Respondent's teaching certificate for a period of two (2) years beginning retroactively on July 21, 2008 through July 21, 2010. Upon the acceptance of this agreement by the Board, Respondent shall immediately surrender the original and all copies of his certificate, by personal delivery or first class mail, to the Education Professional Standards Board, 100 Airport Road, 3rd Floor, Frankfort, Kentucky 40601.

At the end of the two (2) year revocation period, issuance of any certificate to Respondent, or on his behalf, in addition to any educational requirements, is subject to the following conditions:

1. Respondent shall submit written proof to the Board that he has complied with all the conditions of the conditional discharge entered into on July 21, 2008 in Hickman District Court, Case No. 08-M-00037;
2. Respondent shall submit to the Board a Kentucky State Police criminal records check indicating that he has received no criminal convictions involving a minor since July 21, 2008; and
3. Respondent shall provide written proof to the Board that he has received twelve (12) hours of professional development/training in the area of professional ethics and teacher/student boundaries, as approved by the Board.

Any expense in meeting these conditions shall be paid by Respondent. If Respondent fails to satisfy these conditions, the Division of Certification shall not issue any certificate to Respondent or on his behalf. If Respondent does satisfy these conditions, any certificate issued to Respondent, or on his behalf, shall be subject to the following probationary conditions for a period of two (2) years.

1. Respondent shall not be convicted of any crime involving a minor. By July 1st of each year of the probationary period, Respondent shall submit a copy of his current criminal record, as prepared by the Kentucky State Police. Any expense in meeting this condition shall be paid by Respondent.

2. Respondent shall receive no disciplinary action involving student/teacher boundaries or an inappropriate relationship with a student from any school district in which he is employed.

“Disciplinary action” is defined as any suspension, termination, or public reprimand issued by any school district in the Commonwealth of Kentucky and upheld, if requested, by either the tribunal and/or arbitration process.

Should Respondent violate either of these conditions, his certificate shall be automatically suspended for a period of two (2) years and subject to additional sanctions by the Board pursuant to KRS 161.120.

Vote: *Unanimous*

06-08205 (James Woods)

Accept Agreed Order admonished Respondent for failing to maintain the dignity and the integrity of the profession. As an educator, the Commonwealth and parents entrust children in Respondent’s care; therefore, he must strive to ensure that he exemplifies good judgment both in his professional and personal life in order to maintain the public’s trust in both him and the profession.

Respondent’s certificate, and any future endorsements or new areas of certification, shall be subject to the following probationary conditions;

1. Respondent shall provide proof that he has completed twelve (12) hours of ethics training approved by the Board prior to December 31, 2010. Any expense for said training shall be paid by Respondent;

2. Respondent shall provide proof that he has completed a professional development or training in Classroom Management approved by the Board with a focus on de-escalating student behavior prior to December 31, 2010. Any expense for the training or professional development shall be paid by Respondent; and

3. With each future application for renewal or additional certification, Respondent shall submit a current state criminal background check.

By entering into this agreement, Respondent agrees that should he fail to satisfy the above conditions, his certificate shall be automatically suspended until Woods provides written proof to the Board that he has completed the conditions.

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

Vote: *Unanimous*

0906430 (Brooke Rohrs)

Accept Agreed Order admonishing Respondent for failing to take reasonable measures to protect the health, safety, and emotional well-being of students. Each educator has the responsibility to seek professional development in classroom management and to stay current on proper disciplinary methods. The Board will not tolerate any further incidents of this nature by Respondent.

Respondent shall complete six (6) hours of Board approved professional development/training in the area of ethics which shall focus instruction on appropriate disciplinary techniques. Respondent shall submit written proof of such completion to the Board. Any expense for required training shall be paid for by the Respondent.

Respondent shall provide verification to the Board that she has completed a course on bloodborne pathogens.

Failure to comply with the mandates set forth in this Agreed Order by January 1, 2011, will result in an automatic suspension of Respondent's teaching certificate, and it will remain suspended until she completes the requirements.

Vote: *Unanimous*

0804696 (Emma Brown)

Accept Agreed Order dismissing Case Number 08-04696 without prejudice conditioned upon

Respondent providing written proof to the Board that she has received three (3) hours of Board approved professional development or training that reviews the teacher code of ethics and/or appropriate classroom disposition. Any expense for said training shall be paid by Respondent.

Vote: *Unanimous*

0907457 (Stevon Sampson) Accept Agreed Order which states that Respondent shall not apply for nor have applied on his behalf any emergency certificate, including the application for emergency substitute certification. Respondent shall only be permitted to apply for temporary provisional or statement of eligibility if he has met the educational requirements. In addition, within one (1) year of being granted temporary provisional or statement of eligibility, Respondent must present written evidence to the Board that he has completed professional development or training in teacher ethics and professionalism to maintain his certification. Any costs associated with such training shall be the responsibility of the Respondent.

Vote: *Unanimous*

0907445 (Melissa Arnett) Accept Agreed Order permanently revoking Respondent's certificate. Respondent shall neither apply for, nor be issued, a teaching and/or administrative certificate in the Commonwealth of Kentucky at any time in the future. Respondent shall surrender the original certificate and all copies of his certificate to the EPSB, by delivering or mailing them to 100 Airport Road, 3rd Floor, Frankfort, Kentucky 40601.

Vote: *Unanimous*

060342 (Allen Green) Accept Agreed Order permanently revoking Respondent's teaching 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.

Vote: *Unanimous*

0905281 (Robin Summer) Accept Agreed Order retroactively suspending Respondent's certificate for a period of two (2) days beginning May 4, 2009. Respondent will receive 12 hours of boundary training within six months and failure to complete the 12 hours of training will

result in an automatic suspension of her certificate until said hours are completed.

Respondent has the duty to maintain the dignity and integrity of the profession and she failed in that duty when she engaged in inappropriate text messages with a student. The Board will tolerate no further misconduct of this nature by Respondent.

Vote: *Unanimous*

06-12308 (Earl Barlow)

Accept Agreed Order dismissing Agency Case Number 06-12308.

Vote: *Unanimous*

0806882 (Don Rodgers)

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*

0904173 (John Faine)

Accept Agreed Order reprimanding Respondent as follows: Respondent is required to act in accordance with the Code of Ethics governing Kentucky Schools Certified Personnel. Respondent failed in that duty when he engaged in inappropriate conduct with students in his classroom. The Board will not tolerate any further misconduct of this nature by Respondent. Further, Respondent will be subject to a two (2) year probation which prohibits him from receiving any appealable disciplinary action during that two year period. Should he receive any such disciplinary action, his certificate will be suspended automatically until that issue is resolved. Further, Respondent agrees that should he return to teaching in elementary, middle or high school, he will notify the employing school that he is on probation with the Kentucky Education Professional Standards Board.

Vote: *Unanimous*

07-0109 (Rebecca Weldon)

Accept Agreed Order which states as follows:

1. Prior to renewing Respondent's Kentucky Teaching Certificate, Respondent shall submit written proof to the board that she has successfully completed three (3) hours of CATS training and six

(6) hours of ethics training. Any expense incurred for said training shall be paid by Respondent.

2. Respondent shall receive no disciplinary action for violations involving state required student assessments from any school district in which she is employed for a period of two (2) years, beginning the day the Board accepts this Agreed Order. "Disciplinary actions" is defined as any public reprimand, suspension, or termination issued by any school district and upheld, if requested, by either a tribunal and/or arbitration process.

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

4. The Board reminds Respondent that she has a duty to follow all administrative procedures related to student testing for the well-being of the students and for the integrity of the testing process. It should be noted that the *Administration Code for Kentucky's Educational Assessment Program* is very specific and very clear as to the appropriate assistance a teacher may provide to a student.

Vote: *Unanimous (Mr. Dailey recused)*

06-07187 (Darrell Deloach) Accept Agreed Order dismissing Agency case number 06-07187 without prejudice based on Respondent's subsequent successful completion of professional development in the PEAK Summer Institute of Effective Instruction as well as the Champs classroom management program.

Vote: *Unanimous*

0906434 (Katherine Southerland) Accept Agreed Order admonishing Respondent for exercising poor professional judgment, and for failing to uphold the dignity and integrity of the teaching profession. An educator has a duty to take reasonable measures to protect the health, safety, and emotional well-being of students. When an educator fails to properly supervise students during an overnight trip students are at risk for both physical and emotional harm. Leaving an overnight trip, without first notifying the principal or making alternative arrangements, is simply unacceptable. The Board further reminds Respondent that, as an educator, she must maintain a professional approach with parents and be cognizant of her duty to parents

under the Professional Code of Ethics. The Board will not tolerate any further incidents of misconduct from Respondent.

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 June 1, 2011. Any expense required for said training shall be paid by Respondent. Should Respondent fail to satisfy this requirement, her certificate shall be automatically suspended until she completes the required training and provides the appropriate written proof to the Board.

Further, Respondent's certificate, including any future endorsements or new areas of certification, shall be on probation for a period of two (2) years, commencing from the date this Order is accepted by the Board, and subject to the following probationary conditions:

1. By August 1st of each year of the probationary period Respondent shall prepare and submit to the principal of the school in which she is employed as a teacher and/or administrator, the principal of the school(s) in which she is employed as a coach, if any, and the Board a letter certifying that she has read and understands the district's trip procedures and agrees to comply with said procedures.

2. By June 1st of each year of the probationary period, Respondent shall submit to the Board a letter prepared by her outlining all of the school related trips Respondent attended during the previous school year, including field, over-night, sports and extracurricular trips, if any, and certifying that she complied with all trip procedures and safety protocols. Said letter shall be signed by both the principal of the school in which she is employed as a teacher and/or administrator, and the principal of the school(s) in which she is employed as a coach, if any, prior to its submission to the Board. If, after due diligence, Respondent is unable to obtain one of the aforementioned principal's signatures, Respondent shall submit said letter to the appropriate central office staff person with the authority to bind the district and/or the school.

Should Respondent violate either of the above conditions, her certificate shall be automatically suspended until she prepares the required letters and submits said letters to the required persons and the Board. Respondent is aware that, should she violate

KRS 161.120 either during or following the probationary period, the Board shall initiate a new disciplinary action and seek additional sanctions.

Vote: *Unanimous*

07-0467 (Joseph Sullivan)

Accept Agreed Order revoking Respondent's certificate for a period of five (5) years beginning retroactively on March 9, 2007 through March 9, 2012. Upon acceptance of this agreement by the Board, Respondent shall immediately surrender the original and all copies of his certificate, by personal delivery or first class mail, to the Education Professional Standards Board, 100 Airport Road, 3rd Floor, Frankfort, Kentucky 40601.

At the end of the five (5) year revocation period, the issuance of any certificate to Respondent, or on his behalf, in addition to any educational requirements, is subject to the following conditions:

1. Respondent shall submit to the Board a Kentucky State Police criminal records check indicating that he has received no criminal convictions involving a minor; and
2. Respondent shall submit to the Board an official transcript evidencing that he has successfully completed a graduate course in professional ethics at a Kentucky College or University.

Any expense in meeting these conditions shall be paid by Respondent. If Respondent fails to satisfy the above conditions, the Division of Certification shall not issue any certificate to Respondent or on his behalf. If Respondent does satisfy the above conditions, any certificate issued to Respondent, or on his behalf, shall be subject to the following probationary conditions for a period of ten (10) years:

1. Respondent shall not be convicted of any crime involving a minor. By July 1st of each year of the probationary period, Respondent shall submit a copy of his current criminal record, as prepared by the Kentucky State Police. Any expense in meeting this condition shall be paid by Respondent.
2. Respondent shall receive no disciplinary action involving student/teacher boundaries or an inappropriate relationship with a student from any school district in which he is employed during the probationary period. "Disciplinary action" is defined as any suspension, termination, or public reprimand issued by any school district in the

Commonwealth of Kentucky and upheld, if requested, by either the tribunal and/or arbitration process.

Should Respondent violate either of these conditions, his certificate, including any future endorsements and/or areas of certification, shall be automatically revoked for the remainder of the probationary period and subject to additional sanctions by the Board pursuant to KRS 161.120.

Vote: *Unanimous*

0804792 (Susan Jones)

Accept Agreed Order which states that Respondent's Temporary Provisional Certificate for Moderate/Severe Disabilities, All Grades, expired on December 31, 2008. Respondent agrees not to apply for, nor be issued, a certificate for moderate/severe disabilities at any time in the future.

Vote: *Unanimous*

08121198 (Carol Hodge)

Accept Agreed Order retroactively suspending Respondent's certificate for five (5) days from August 31, 2007 through September 4, 2007. 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, 3rd Floor, Frankfort, Kentucky 40601, so that the retroactive suspension can be noted on Respondent's original certificate and any copies. Respondent will be allowed to work while the original certificate is in transit to and from and in possession of the Board.

This settlement agreement is expressly condition upon the following:

1. Respondent has submitted written proof to the Board that she has been assessed by a state certified mental health counselor approved by the Board and she is competent to fulfill her duties as an educator. Respondent shall continue to provide annual written progress reports to the Board from her mental health counselor until she has been released from treatment by the counselor. Any expense required for the treatment and/or reports shall be paid by Respondent.

2. Respondent has submitted written proof to the Board that she has completed a three (3) hour

professional development course on the Administration Code for Kentucky's Educational Assessment Program.

3. Respondent shall receive no disciplinary action involving CATS, KCCT and/or writing portfolio violations from any school district in which she is employed for a period of one (1) year, commencing the day the Board accepts this Agreed Order. "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 six (6) months and subject to additional sanctions by the Board pursuant to KRS 161.120.

Vote: *Unanimous (Mr. Dailey recused)*

08101054 (Kenya Natsis)

Accept Agreed Order suspending Respondent's certificate, including any and all endorsements, retroactively for a period of five (5) days, from July 1, 2009 through July 5, 2009. 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, 3rd Floor, Frankfort, Kentucky 40601, so that the retroactive suspension can be noted on Respondent's original certificate and any copies. Respondent will be allowed to work while the original certificate is in transit to and from and in possession of the EPSB.

Respondent shall provide written proof to the Board that she has received three (3) hours of CATS training and twelve (12) hours of professional ethics training, as approved by the Board, by December 31, 2010. Any expense incurred for said training shall be paid by Respondent. Should Respondent violate 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 (Mr. Dailey recused)*

07-0458 (J.C. Lucas)

Accept Agreed Order which states as follows:
Respondent shall neither apply for nor be issued any type of teaching and/or administrative certificate,

including emergency, probationary, and temporary provisional certificates, until he has completed all educational and assessment requirements necessary for teacher certification in Kentucky. The Board shall not approve Respondent for any type of alternative certification option.

The issuance of any Kentucky teaching and/or administrative certificate to Respondent, or on his behalf, is expressly conditioned upon Respondent providing at the time of application, in addition to proof of any academic requirements necessary for certification, written evidence to the Board of the following:

1. With his application, Respondent shall supply the Board with a current national and state criminal background check. Respondent shall continue to include a current national and state background check with any and all applications for teaching and/or administrative certificates in the Commonwealth of Kentucky submitted at any time in the future. Any expense required for the criminal background check shall be paid by Respondent.
2. Respondent shall provide written proof to the Board that he has completed twelve (12) hours of professional development/training in the areas of sexual harassment and culture competency, as approved by the Board. Any expense required for said training shall be paid by Respondent.
3. Respondent shall provide written proof to the Board that he has completed a professional development course on the Professional Code of Ethics for Kentucky Certified Personnel, as approved by the Board. Any expense required for said training shall be paid by Respondent.

Upon issuance, Respondent's certificate shall be on probation for a period of three (3) years from the date of issuance and, during the three (3) year probationary period, Respondent shall not receive any disciplinary involving student/teacher boundaries and/or unprofessional behavior from any school district in which Respondent is employed. "Disciplinary action" is defined as any suspension, termination, or public reprimand issued by any school district in the Commonwealth of Kentucky and upheld, if requested, by either the tribunal and/or arbitration process. Should Respondent violate this condition, Respondent's 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*

0907461 (Jackie Wisman)

Accept Agreed Order retroactively suspending Respondent's Professional Certificate for Instructional Leadership – Principal, All Grades, Level 2 for a period of five (5) days, from July 1, 2009 through July 5, 2009. Upon acceptance of this agreement by the Board, Respondent shall immediately surrender the original and all copies of his Professional Certificate for Instructional Leadership, by hand-delivery or first class mail, to the Education Professional Standards Board, 100 Airport Road, Third Floor, Frankfort, Kentucky, 40601. Respondent's certificate shall be returned to him in a prompt and timely manner. Respondent will be allowed to work while the original certificate is in transit to and from and in possession of the Board. Respondent's Professional Certificate for Instructional Leadership – Principal, All Grades, Level 2 shall be on probation for a period of one (1) year, commencing the day the Board accepts this Order, and subject to the following probationary conditions:

1. Respondent shall submit written proof to the Board that he has completed a professional development course in the area of professional ethics, with an emphasis on an administrator's duties and responsibilities, as approved by the Board, by the end of the probationary period. Any expense required to satisfy this condition shall be paid by Respondent. Should Respondent fail to satisfy this condition, his certificate shall be automatically suspended until he completes the required training and provides the appropriate written proof to the Board.
2. Respondent shall receive no disciplinary action involving unprofessional behavior or neglect of duty from any school district in which he is employed during the probationary period. "Disciplinary action" is defined as any suspension, termination, or public reprimand issued by any school district in the Commonwealth of Kentucky and upheld, if requested, by either the tribunal and/or arbitration process. Should Respondent fail to satisfy this condition, his certificate shall be automatically suspended for a period of one (1) year

and possibly subject to additional sanctions by the Board pursuant to KRS 161.120.

Vote: *Unanimous*

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

Vote: *Unanimous*

Meeting adjourned at 2:20 p.m.

Next Meeting: May 17, 2010
 9:00 AM
 EPSB Board Room
 Frankfort, Kentucky