EPSB Meeting Agenda
EPSB Offices
100 Airport Road, 3rd Floor, Conference Room A, Frankfort, KY 40601
September 20, 2010

Monday, September 20, 2010

9:00 AM EDT **Call to Order**

Recognition of Former Board Member(s)

Roll Call

Approval of August 2, 2010 EPSB Meeting Minutes (Pages 1-30)

Open Speak

Report of the Executive Director

A. Report from the Kentucky Department of Education

B. Report from the Council on Postsecondary Education

Report of the Chair

Committee Reports

A. Nominating Committee

B. Evaluation of the Executive Director Committee

Information/Discussion Items

A. New Teacher Survey Results (Mr. Robert Brown) **(Pages 31-32)**

B. 16 KAR 3:050. Professional Certificate for Instructional Leadership—School Principal, All Grades, Notice of Intent (Mr. Michael Carr) **(Pages 33-44)**

C. Awarded Contracts (Mr. Gary Freeland) **(Pages 45-46)**

Action Items

A. Approval of Contracts (Mr. Freeland) **(Pages 47-48)**

B. Amendment to the EPSB's Professional Conduct Procedure, Final Action (Ms. Alicia Sneed) **(Pages 49-54)**

C. Approval of Professional Development Curriculum, Ace Corp (Ms. Sneed) **(Pages 55-56)**

D. 16 KAR 6:020. Written Examination Prerequisites for Occupation-Based Career and Technical Education Teachers, Amendment, Final Action (Mr. Mike Carr) **(Pages 57-76)**

E. 16 KAR 2:150. Probationary Certificate for Teachers of Technology Education, Final Action (Mr. Carr) **(Pages 77-90)**

F. Approval to Offer Programs at an Off-Site Campus, Midway College (Ms. Allison Bell) **(Pages 91-94)**

G. Approval of Teacher Leader Master of Education and Special Education, Campbellsville University (Ms. Bell) **(Pages 95-100)**

H. Approval of the Recommendations to the Governor's Transforming Education in Kentucky (TEK) Task Force (Dr. Phillip Rogers) **(Pages 101-104)**

Waivers

A. 16 KAR 6:010. Request to Waive Language Pertaining to Elementary (P-5) Certification Assessment Requirement (Mr. Brown) **(Pages 105-110)**

B. 16 KAR 4:060. Request to Waive 1/3 of Renewal Requirement for a One-Time Extension of Certificate, Ms. Veronica Pyles (Mr. Carr) **(Pages 111-113)**

Board Comments

Following a motion in open session, it is anticipated that the board will move into closed session as provided by KRS 61.810 (1)(c) and (1)(j).

Certification Review and Revocation: Pending Litigation Review

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

Adjournment

Next Regular Meeting:
October 25, 2010
EPSB Offices

The actions delineated below were taken in open session of the EPSB at the August 2, 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
August 2, 2010

Call to Order

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

Roll Call

The following members were present during the August 2, 2010 EPSB meeting: Frank Cheatham, Michael Dailey, John DeAtley, Cathy Gunn, Mary Hammons, Lynn May, Becky Sagan, Zenaida Smith, Bobbie Stoess, Tom Stull, Mark Wasicsko, Cassandra Webb, and Lorraine Williams. Sandy Sinclair-Curry and Cynthia York were absent.

Approval of May 17, 2010 EPSB Meeting Minutes

Cassandra Webb noted a correction to the minutes to reflect that she was absent during the May meeting.

Motion made by Dr. Mark Wasicsko, seconded by Dr. Frank Cheatham, to approve the May 17, 2010 minutes with the noted correction.

Vote: *12 – Yes*
1 – Abstain (Ms. Cassandra Webb)

Open Speak

There were no requests for Open Speak.

Report of the Executive Director

Report from the Council on Postsecondary Education (CPE)

Mr. John DeAtley reported on the recent events at CPE.

- At its last meeting, members of the CPE visited the site of the future home of Pikeville College School of Osteopathic Medicine (PCSOM). The $25 million dollar expansion project will provide PCSOM and the undergraduate college with a new education facility and an expanded clinical skills center.

- Approved tuition rates are set for this coming year.

- Kevin Noland, former Interim Commissioner of Education, will be assisting CPE to design professional development for higher education faculty on the new Common Core Standards.

- CPE has a Race to the Top (RTTT) interview on August 10th.

Vice-chair Tom Stull asked Mr. DeAtley if he knew who would be developing the assessments for the Common Core Standards. Mr. DeAtley said Kentucky is a part of three consortia to develop the assessments. Mr. Stull expressed concern that there will not be adequate time to develop accurate assessments.

Report from the Kentucky Department of Education (KDE)

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

- The department was strategically reorganized.
- Kentucky is a finalist again to receive Race to the Top (RTTT) grant funds.
- KDE has launched a teacher and principal professional growth and evaluation system. The participating districts will meet for the second time on August 25th to begin the development, deployment, and design of the entire project.

Vice-chair Tom Stull also asked Mr. Dailey if he knew who will develop the assessments for the Common Core Standards and when the assessments will be used in Kentucky. Mr. Dailey said that the selection for the company to develop the assessments is still being negotiated. Mr. Stull then asked if each state is responsible for its own assessment or if there will be one assessment nationwide. Mr. DeAtley said that only 32 states have committed to the Common Core Standards. Without the commitment from all 50 states, a nationwide assessment would be unlikely.

New Staff Member Introduction

Dr. Rogers welcomed and introduced Linda Nickel. Ms. Nickel has a distinguished career in P-12 and higher education. She replaces Cindy Owen and will be working on the P-20 data collaborative initiative.

Board Member Resignations

Dr. Rogers notified the board of two board member resignations. Lonnie Anderson retired and Greg Ross, who held a teacher's position on the board, recently accepted an administrative position as an assistant principal at Paducah Independent. Their resignations were sent to the Governor's Boards and Commissions Office, and we currently await the Governor to name replacement appointees.

Teacher and Principal Working Conditions Survey

Dr. Rogers said that until about four years ago, one of the board's goals was to conduct a teacher and principal working conditions survey. The board decided not to include the survey as one of its goals when the agency no longer had the resources to pursue it. As the new Commissioner of Education, Dr. Terry Holliday is dedicated to issuing a teacher and principal working conditions survey. The New Teacher Center in California will be conducting the survey. Dr. Rogers said this survey will bring some excellent data and provide insight on issues in schools. The survey will be conducted around March 2011 with data available around the fall 2011.

Legislative Update

Ms. Alicia Sneed gave updates on recent legislative events that may affect the EPSB.

- The Governor will be furloughing executive branch state employees for six (6) days through June 30, 2011.

• There was a significant decrease in the EPSB's budget for 2011, and the budget may be decreased further in 2012.

• The state's health care costs and/or benefits may change, which may affect teachers. We will know more about health care benefit information during the open enrollment period in October.

• The General Assembly gave the EPSB flexibility to set the minimum number of hours for the activity set forth in the Kentucky Teacher Internship Program (KTIP). Therefore, the resource teacher mentoring hours may be reduced from fifty (50) out-of-class and in-class hours. The Kentucky Principal Internship Program (KPIP) is suspended for two more years due to a lack of funding.

• In an effort to give teachers more time to pay for tuition, the General Assembly granted a two-year extension to complete a 5th year program. Teachers will still have to complete half their credits within five (5) years.

Report of the Chair

Appointment of the Nominating Committee

Chair Lorraine Williams made the following appointments to the Nominating Committee for EPSB chair and vice-chair: Cathy Gunn (chair), Lynn May, and Sandy Sinclair-Curry. The committee will have a report at the September EPSB meeting.

Appointment of the Evaluation of the Executive Director Committee

Chair Williams made the following appointments to the Evaluation of the Executive Director Committee: Frank Cheatham (chair), Tom Stull, Becky Sagan, Bobbie Stoess, Zenaida Smith, and Mark Wasicsko. Ms. Williams stated that the committee's charge is to develop a way to receive EPSB staff input that is external to the executive director's evaluation but by which the board can judge the climate, culture, and needs of EPSB staff.

Board attorney Angela Evans stated that in listening to the board's thought and concerns regarding the executive director's evaluation, she does believe that the evaluation should be modified to make it directly about the executive director's performance. Ms. Evans agreed to work with the committee if it needs her assistance in modifying the current executive director evaluation instrument.

Kentucky Advisory Council on Internships (KACI) Appointments

Chair Williams appointed Ms. Sandy Sinclair-Curry to KACI.

Transforming Education in Kentucky (TEK)

Chair Williams notified the board that TEK Talk will be hosted on August 17th at 7:00 p.m. (EST). TEK Talk is a community forum where Kentuckians gather across the state to show their support for education in the Commonwealth and to share questions, concerns, and ideas on how to better prepare our students for success in the 21st century. Chair Williams is serving as co-chair for the Bluegrass Region.

Committee Reports

There were no committee reports.

Information/Discussion Items

Amendment to the EPSB's Professional Conduct Procedure

Ms. Alicia Sneed reported that according to the current EPSB policy, if a board member recuses from a board vote, then that individual is not allowed to be counted as present for quorum purposes. *Robert's Rules of Order* states that "quorum refers to the number of such members present, not to the number actually voting on a particular question." Therefore, in order to align the Board's policies with *Robert's Rules of Order* and to prevent loss of quorum if a member chooses to recuse from voting on a particular issue, the policy was proposed to be amended. Additionally, the principles of conduct in the policy have been changed to be mandatory, not a suggestion.

16 KAR 6:020. Written Examination Prerequisites for Occupation-Based Career and Technical Education Teachers, Notice of Intent

Mr. Mike Carr reported that most of the proposed changes for this regulation result from the recommendations of the Certification Task Force. Changes in this regulation reflect deletions in some areas for the primary assessments used in occupation-based certification, the National Occupational Competency Testing Institute (**NOCTI**) tests.

Due to the low incidence of these K-12 certifications nationwide, NOCTI is ending production on some tests. As has been the practice in the past, the work group is suggesting alternative licensures or other requirements in each certification area possible where no NOCTI test exists. Leadership at KDE and Workforce Investment will continue to work with higher education institutions to develop alternative means to determine occupational competence where a NOCTI test does not exist or where industry certifications have been determined to be more meaningful and up-to-date. The regulation also modifies some certificate names and prerequisites which reflect changes in the industry and the needs of CTE schools.

16 KAR 2:150. Probationary Certificate for Teachers of Technology Education, Notice of Intent

Mr. Carr reported that changes to this regulation would reflect the change in the name of the technology education certificate (now Engineering and Technology) as adopted by the EPSB in 16 KAR 2:010 during the October 2009 meeting. The change would also incorporate by reference a new application form for this type of certificate, Form TC-ET.

Financial Report for Fiscal Year 2010

Mr. Gary Freeland reported that the agency did well in controlling its budget over the past year, considering the significant cuts it had to take.

Awarded Contracts

Mr. Gary Freeland reported that Linda Nickel was awarded a contract to replace Cindy Owen as the project specialist for the P-20 data collaborative initiative.

Action Items

Approval of Contract

2010-038

Motion made by Dr. Cathy Gunn, seconded by Ms. Lynn May, to validate the emergency approval of the ACT agreement and authorize the executive director to continue the acquisition of data.

Vote: *Unanimous*

Kentucky Teacher Internship Program (KTIP) Appeals

Chris Huff:

2010-039

Motion made by Ms. May, seconded by Dr. Frank Cheatham, to approve the appeals committee recommendation that procedural errors by the intern committee make it impossible to determine if the intern was, in fact, unsuccessful. The internship should be nullified and the intern allowed to repeat the internship without penalty.

Vote: *Unanimous*

James Leal:

2010-040

Motion made by Mr. John DeAtley, seconded by Ms. Bobbie Stoess, to approve the appeals committee recommendation that the decision of "unsuccessful" by the intern committee be upheld. Another Statement of Eligibility shall be issued to the intern, unless the intern has exhausted the two (2) year provision for participation in the Kentucky Teacher Internship Program, or the period of validity for the Statement of Eligibility has expired pursuant to 16 KAR 7:010, Section 10.

Vote: *Unanimous*

Peter Mokhatas:

2010-041

Motion made by Dr. Gunn, seconded by Mr. Michael Dailey, to approve the appeals committee recommendation that the decision of "unsuccessful" by the intern committee not be upheld. The Division of Certification shall issue the appropriate certificate to the teacher intern pursuant to 16 KAR 7:010 Section 9(5).

Vote: *Unanimous*

Callie Oneal:

2010-042

Motion made by Ms. May, seconded by Dr. Cheatham, to approve the appeals committee recommendation that procedural errors by the intern committee make it impossible to determine if the intern was, in fact, unsuccessful. The internship should be nullified and the intern allowed to repeat the internship without penalty.

Vote: *Unanimous*

Viren Patel:

2010-043

Motion made by Mr. DeAtley, seconded by Ms. Zenaida Smith, to approve the appeals committee recommendation that the decision of "unsuccessful" by the intern committee be upheld. Another Statement of Eligibility shall be issued to the intern, unless the intern has exhausted the two (2) year provision for participation in the Kentucky Teacher Internship Program, or the period of validity for the Statement of Eligibility has expired pursuant to 16 KAR 7:010, Section 10.

Vote: *Unanimous*

Zachariah Tufts:

2010-044

Motion made by Ms. Smith, seconded by Ms. Bobbie Stoess, to approve the appeals committee recommendation that the decision of "unsuccessful" by the intern committee be upheld. Another Statement of Eligibility shall be issued to the intern, unless the intern has exhausted the two (2) year provision for participation in the Kentucky Teacher Internship Program, or the period of validity for the Statement of Eligibility has expired pursuant to 16 KAR 7:010, Section 10.

Vote: *Unanimous*

KTIP Funding Priority

2010-044

Motion made by Dr. Gunn, seconded by Dr. Mark Wasicsko, to approve the recommended funding scenario that sets the amount of resource teacher stipend to $1,120 per intern, based on $28 per hour for 40 hours and the maximum number of interns to be funded at 2,493.

Vote: *Unanimous*

School Safety Endorsement, Eastern Kentucky University

2010-045

Motion made by Dr. Wasicsko, seconded by Dr. Cheatham, to approve the proposed School Safety Endorsement P-12 preparation program addition.

Vote: *Unanimous*

School Social Work, Asbury University

2010-046

Motion made by Dr. Gunn, seconded by Mr. Michael Dailey, to approve the proposed School Social Work preparation program addition.

Vote: *Unanimous*

Approval of Teacher Leader Master of Arts in Education, Spalding University

Dr. Marilyn Troupe reported that the Master's Review Committee commended the college for the following aspects of its proposal:

- Identified core for teacher leader and student achievement data
- Leadership tasks (field activities) connected to student achievement
- The focus of the capstone project is on candidate's school and involves school partners during the defense of the project
- Addressed literacy and technology throughout the curriculum
- Includes parent involvement in task
- Proposal is well-organized

Dr. Beverly Keepers said collaboration with faculty is the heart of Spalding University's program and gives teachers the opportunity to be a leader in their program and to diagnose their students.

2010-047

Motion made by Mr. DeAtley, seconded by Mr. Dailey, to approve the Spalding University request for the Teacher Leader Master's, Planned Fifth-Year Program and Endorsement Proposal.

Vote: *Unanimous*

Middle School Secondary English, Biology, and Math and LBD MAT, Midway College

2010-048

Motion made by Dr. Gunn, seconded by Ms. Bobbie Stoess, to approve the proposed Master of Arts in Teaching preparation program additions for Midway College.

Vote: *Unanimous*

Umbrella Alternative Route to Certification Proposal for Master of Arts in Teaching, Option 6, Midway College

2010-049

Motion made by Ms. Stoess, seconded by Dr. Cheatham, to approve Midway College's alternative route to certification proposal for Master of Arts in Teaching, Option 6.

Vote: *Unanimous*

Centre College Accreditation

Issue One:

Dr. Cathy Gunn expressed her concern that Centre College was not using Kentucky teacher standards and that faculty is not certified in elementary education. Dr. Bonnie Banker, a board of examiner (BOE) member, stated that the college was using the standards; they just were not as present as they are now. She said that the BOE was not as concerned due to the strong testimony from the districts regarding the quality of the preparation of the teachers. In addition, the associate professor of education underwent extensive training on the Kentucky teacher standards. J. H. Atkins, assistant vice-president of Centre College, stated that he believes that his experiences qualify him to teach students despite not having an elementary education degree. Dr. Banker stated that the BOE was not concerned about the adequacy of faculty at present but believe that in the future faculty should be credentialed.

2010-050

Motion made by Mr. DeAtley, seconded by Ms. Mary Hammons, to accept the recommendation of the Accreditation Audit Committee and grant accreditation for Centre College.

Vote: *Unanimous*

Issue Two:

2010-051

Motion made by Ms. Lynn May, seconded by Ms. Stoess, to accept the recommendation of the Accreditation Audit Committee and grant approval for the initial level educator preparation programs at Centre College.

Vote: *Unanimous*

Union College Accreditation

Issue One:

2010-052

Motion made by Dr. Cheatham, seconded by Ms. Stoess, to accept the recommendation of the Accreditation Audit Committee and grant accreditation for Union College.

Vote: *Yes – 12*
Recuse – 1 (Ms. Mary Hammons)

Mr. John DeAtley noted that it must have taken Union College a great deal of effort to correct so many standards. He asked how the university plans to address the continued areas for improvement that relate to diversity. Dr. Don Musselman stated that the college relies heavily on collaborative efforts with the P-12 community locally and regionally. He said that all graduate students must take a diversity course and an eight (8) hour field course. The college holds several cultural events and gives two (2) minority students a scholarship each semester.

Dr. Cathy Gunn stated that she noticed that there were no interviews conducted with school representatives in far reaching areas. She added that she has heard from a number of superintendents concerned about the quality of education of students who go through Union College's program. She recommended that the BOE look beyond the immediate locale of an institution. She added that there may be differences in institutions' practices from what is documented.

Issue Two:

2010-053

Motion made by Mr. DeAtley, seconded by Ms. Stoess, to accept the recommendation of the Accreditation Audit Committee and grant approval for the initial and advanced level educator preparation programs at Union College.

Vote: *Yes- 12*
Recuse – 1 (Ms. Mary Hammons)

Report of Recommendations from the Committee to Review Admissions and Clinical Experiences (CRACE) for Pre-Service Programs

Dr. Marilyn Troupe reported that committee members were charged with addressing five (5) objectives. She read an excerpt from the recommendations of the committee to emphasize the heart of what the committee hoped to accomplish. It reads as follows:

"A very difficult question for everyone was if admission standards are raised, will institutions of higher education (IHE) be prepared to turn away students. Raising standards to increase the quality of candidates could have a negative impact on institutions, P-12 school districts, and candidate supply. Although the committee is aware of the possible consequences of raising standards, members know from research that teacher quality is the most important factor influencing student achievement. Another major focus of the committee related to the field and clinical experiences that can determine the success of future reform efforts in education preparation. Research supports the colleges and universities' need to expose candidates to difficult placements early in teacher preparation."

Dr. Troupe also noted a correction to Objective 1(c) which should read*, "Raise the minimum GPA to 2.75. By 2016-17 school year raise the GPA to 3.00."* The committee did not set a deadline for when the GPA should be raised to 2.75. Dr. Troupe stated that the idea is to reach for the top 10% of candidates as opposed to the bottom 10% of candidates. Ms. Hilma Prather, a representative of The Prichard Committee, stated that the CRACE committee wanted more consistency among all the institutions of higher education. She asked that when the regulations are written, please pay attention to the narrative of the committee because the narrative is the mindset of the committee.

Ms. Lynn May commented on the wonderful work of the committee. Dr. Cathy Gunn asked about the timeline for the GPA to be moved from 2.5 to 2.75. Dr. Troupe stated that the committee was mindful of giving institutions time, but a decision had not been made. Dr. Rogers stated that he will develop a tentative timeline in October which would include tasks to bring to the board for regulation changes. Ms. Cassandra Webb said that she commends the 200 hours of field experiences.

2010-054

Motion made by Dr. Gunn, seconded by Ms. May, to accept the report of the Committee to Review Admissions and Clinical Experiences and instruct staff to prepare a study for the feasibility of implementing the recommendations for further board review.

Vote: *Unanimous*

Waivers

16 KAR 5:040. Request to Waive the Cooperating Teacher Eligibility Requirements, Dr. Mary John O'Hair on behalf of Ms. Susan Sharp

2010-055

Motion made by Dr. Wasicsko, seconded by Mr. DeAtley, to approve the waiver request of Dr. Mary John O'Hair on behalf of Ms. Susan Sharp.

Vote: *Unanimous*

16 KAR 4:060. Request to Waive Renewal Requirement for Extension of Certificate, Ms. Chris Clarkson

2010-056

Motion made by Dr. Wasicsko, seconded by Ms. Stoess, to approve the waiver request of Ms. Chris Clarkson.

Vote: *Unanimous*

16 KAR 2:010. Request for Waiver of 15 New Graduate Hours for the Initial 5-Year Renewal of a Certificate, Ms. Amber King

2010-057

Motion made by Dr. Wasicsko, seconded by Ms. Smith, to deny the waiver request of Ms. Amber King.

Vote: *Unanimous*

Alternative Route to Certification Applications

Harlina Churn-Diallo, Dance, All Grades

2010-058

Motion made by Dr. Wasicsko, seconded by Ms. Becky Sagan, to approve the alternative route to certification application of Ms. Harlina Churn-Diallo.

Vote: *Unanimous*

Antoinette Crawford-Willis, Dance, All Grades

2010-059

Motion made by Ms. May, seconded by Dr. Cheatham, to approve the alternative route to certification application of Ms. Antoinette Crawford-Willis.

Vote: *Unanimous*

Sheri Lynn Gregory, Theatre, All Grades

2010-060

Motion made by Dr. Wasicsko, seconded by Ms. Stoess, to approve the alternative route to certification application of Ms. Sheri Lynn Gregory.

Vote: *Unanimous*

Board Comments

Lynn May thanked the board for the prayers, thoughts, cards, emails and phone calls during her difficult time in continuing to recover from a serious illness.

DISCIPLINARY MATTERS:
MINUTES OF CASE REVIEW
August 2, 2010

Motion made by Dr. Cathy Gunn, seconded by Ms. Becky Sagan, 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. Becky Sagan, seconded by Ms. Bobbie Stoess, 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, Cathy Gunn, Becky Sagan, John DeAtley, Bobbie Stoess, Cassandra Webb, Michael Dailey, and Mark Wasicsko.

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

INITIAL CASE REVIEW

Case Number	**Decision**
0912681	Hear
1002122	Defer for proof
1004242	Defer for proof
1004234	Defer for proof
1004227	Defer for proof
1004263	Defer
1003173	Admonish
1003179	Admonish
100279	Hear
1004261	Admonish
1004236	Admonish
1004207	Hear (*Ms. Webb recused*)
1004259	Admonish
1005310	Hear
1005281	Admonish
1005278	Admonish
1005297	Hear
1006377	Admonish
1004214	Hear
1003166	Hear
1004194	Admonish
1004205	Defer for proof (*Ms. Webb recused*)
1004209	Hear
1004250	Hear
1004248	Hear
1004232	Dismiss
1004265	Hear
1005272	Hear

1005325	Defer for proof
1005313	Defer for proof
1005274	Defer for proof
1006379	Defer
1002103	Defer
1003157	Hear
1004224	Hear
1004220	Hear
1004198	Hear
1004196	Hear
1005317	Hear
1003155	Hear
1003185	Hear
1004218	Hear
100291	Dismiss
1005284	Defer for proof
100268	Hear
1003164	Dismiss
1003190	Defer
1003162	Dismiss
1003181	Admonish
1003188	Admonish
1004244	Defer for proof
1004203	Defer
0906368	Dismiss
0912721	Dismiss
100134	Admonish
0912658	Dismiss
100287	Dismiss
0911556	Dismiss
070112	Dismiss
0905270	Dismiss

Character/Fitness Review

Case Number	Decision
10189	Approve
10208	Approve
10209	Approve
10213	Approve
10222	Approve
10225	Approve
10184	Approve
10166	Approve
10279	Approve
10239	Approve
10241	Approve
10249	Approve
10255	Approve

10258	Approve
10259	Approve
10262	Approve
10264	Approve
10268	Approve
10269	Approve
10490	Approve
10191	Deny
10280	Approve
10281	Approve
10282	Deny
10291	Approve
10301	Approve
10295	Approve
10299	Defer
10294	Approve
10297	Approve
10298	Approve
10300	Approve
10302	Approve
10304	Approve
10305	Approve
10308	Approve
10283	Approve
10237	Approve
10315	Approve
10488	Approve
10326	Approve
10327	Deny
10329	Approve
10328	Approve
10344	Approve
10347	Approve
10355	Approve
10290	Approve
10361	Approve
10367	Approve
10377	Approve
10311	Approve
10388	Approve
10404	Approve
10408	Deny
10418	Approve
10420	Approve
10422	Approve
10423	Approve
10426	Approve
10428	Defer

10431	Approve
10432	Approve
10339	Approve
10437	Approve
10309	Approve
10453	Approve
10452	Approve
10454	Approve
10457	Approve
10476	Approve
10475	Approve
10484	Approve
10491	Approve
10469	Approve
10168	Defer
10499	Approve
10389	Defer
10526	Approve
10530	Approve
10528	Approve
10533	Approve
10535	Approve
10538	Approve
10539	Approve
10546	Approve

Agreed Orders

Case Number	Decision
0609238 (Kerry Chapman)	Accept Agreed Order dismissing Case number 06-09238 upon Respondent providing written proof that he has completed twelve (12) hours of training in the area of ethics, as approved by the Board. Any expense incurred for said training shall be paid by Respondent. **Vote:** *Unanimous*
0612306 (Jerry Durall)	Accept Agreed Order admonishing Respondent for use of 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. **Vote:** *Unanimous*

0708141 (Betty Barnett) Accept Agreed Order dismissing Agency Case No. 07-08141.

Vote: *Unanimous*

0910524 (Barbara Greenamyer) Accept Agreed Order suspending Respondent's teaching certificate from the date the Board approves this Order until (i) Respondent submits written proof to the Board, from a state certified mental health counselor or physician, approved by the Board, certifying that Respondent is competent and fit to fulfill her duties as an educator, or (ii) KTRS' medical review committee examines Respondent and determines that her disability no longer exists. Respondent's teaching certificate shall be automatically reinstated upon receiving the aforementioned mandatory fitness declaration.

Upon reinstatement, Respondent's teaching certificate shall be on probation for a period of ten (10) years, and subject to the following probationary conditions:

1. Respondent shall provide to the Board a written progress report from her mental health counselor on January 1st of each year of the probationary period. Each progress report shall certify that Respondent has complied with any and all treatment recommendations and that Respondent remains fit and competent to fulfill her duties as an educator. Any expense required for the counseling, follow-up treatment and/or progress reports shall be paid by Respondent. Should Respondent fail to satisfy this condition, Respondent's certificate shall be automatically suspended until Respondent submits the required written progress report to the Board;

2. Within one (1) calendar year from the date of reinstatement of Respondent's teaching certificate, Respondent shall submit written proof to the Board that she has completed twelve (12) hours of professional ethics training, as approved by the Board. Any expense required for said training shall be paid by Respondent. If Respondent fails to satisfy this condition, her certificate shall be automatically suspended until Respondent completes the required training and provides the appropriate written proof to the Board; and

3. Respondent shall receive no disciplinary action from any school district in which she is employed during the probationary period. "Disciplinary action" is defined as any suspension, termination, or

public reprimand issued by any school district in the Commonwealth of Kentucky and upheld, if requested, by either a tribunal and/or arbitration process. Should Respondent fail to satisfy this condition, her certificate shall be automatically permanently revoked.

Vote: *Unanimous*

08101076 (Christopher Tierney) Accept Agreed Order admonishing Respondent for using inappropriate disciplinary techniques to discipline students. The Board reminds Respondent that as a teacher in the Commonwealth of Kentucky, he has a duty to protect the health, safety, and emotional well-being of students. For future reference, the Board reiterates that a teacher should only use physical force to discipline a student in an emergency situation or to protect the safety of others. The Board will not tolerate any further incidents of misconduct from Respondent.

This settlement agreement is expressly conditioned upon the following:

1. Respondent shall complete twelve (12) hours of professional development/training in the area of ethics.
2. Respondent shall complete twelve (12) hours of professional development/training in the area of classroom management.

All training must be approved by the Board. Respondent must provide written proof to the Board that he has completed the training by June 30, 2011. Any expense incurred for said training shall be paid by Respondent.

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

Vote: *Unanimous*

08101060 (Peggy Petrone) Accept Agreed Order retroactively suspending Respondent's certificate for a period of five (5) days from May 12, 2008 through May 16, 2008. Upon acceptance of this agreement by the Board, Respondent shall immediately 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.

Respondent's teaching certificate expired on June 30, 2008. The re-issuance of any Kentucky teaching certificate to Respondent, or on her behalf, is expressly conditioned upon Respondent providing at the time of application, in addition to proof of any educational requirements necessary for certification, written evidence to the Board of the following:

1. Respondent shall provide written proof, with her certification application, that she has been assessed by a state certified mental health counselor, approved by the Board, who certifies that Respondent is competent to fulfill her duties as an educator. Respondent shall provide written proof that she has complied with any and all treatment recommendations proposed by the mental health counselor. Respondent shall continue to provide written quarterly 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 assessment, follow-up treatment and/or progress reports shall be paid by Respondent;
2. Respondent shall submit written proof, with her certification application, that she has completed six (6) hours of professional development/training in IEP implementation and student progress data collection, as approved by the Board. Any expense required for said training shall be paid by Respondent; and
3. Respondent shall submit written proof, with her certification application, that she has completed six (6) hours of professional development/training in professional ethics and professional courtesy, as approved by the Board. Any expense required for said training shall be paid by Respondent.

If Respondent fails to satisfy any of the above conditions, the Board shall not re-issue a teaching and/or administrator certificate to Respondent, or on her behalf. Respondent is aware that should she violate KRS 161.120 after receiving a new certificate, the Board shall initiate a new disciplinary action and seek additional sanctions.

Vote: *Unanimous*

0903119 (James McCandless) 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 in the Commonwealth of Kentucky has a duty to take reasonable measures to protect the health, safety, and emotional well-being of students, and to set a positive example for students. When an educator fails to maintain order in his classroom, students are at risk for both emotional and physical harm. Permitting students to engage in inappropriate and out of control behavior is simply unacceptable. Students cannot learn in a disorderly environment and will not respect an educator who fails to appropriately manage the classroom. The Board will not tolerate any further incidents of misconduct from Respondent.

Upon acceptance of this agreement by the Board, Respondent' teaching certificate shall be on probation for a period of three (3) years, and subject to the following probationary conditions:

1. Respondent shall submit written proof to the Board that he has completed twelve (12) hours of professional ethics training, as approved by the Board, by July 1, 2011. Any expense required for said training shall be paid by Respondent.
2. Respondent shall submit written proof to the Board that he has completed twelve (12) hours of professional development/training in classroom management, as approved by the Board, by July 1, 2011. Any expense required for said training shall be paid by Respondent.
3. By December 31, 2010, Respondent shall supply to the Board letters of recommendation from two (2) educators with current Kentucky certification in good standing in which the educators attest that Respondent is morally and ethically fit to hold a teaching certificate.
4. Respondent shall receive no disciplinary action 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.

Respondent agrees that, should he fail to satisfy any of the above conditions, 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*

0912662 (Erin Osborne)	Accept Agreed Order suspending Respondent's teaching certificate for a period of sixty (60) days from the date this Order is approved by the Board. 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. Prior to the reinstatement of Respondent's teaching certificate, in addition to any educational requirements, Osborne shall comply with the following: 1. Respondent shall provide written proof to the Board that she has been assessed by a state certified mental health counselor, approved by the Board, who certifies that Respondent is competent to fulfill her duties as an educator. Respondent shall provide written proof that she has complied with any treatment recommendations proposed by the mental health counselor, and shall continue to provide semi-annual treatment records to the Board until she has been released from treatment by the counselor. Any expense required for the assessment and/or follow-up treatment shall be paid by Respondent; 2. Respondent shall submit written proof to the Board that she has successfully completed twelve (12) hours of professional ethics training, as approved by the Board. Any expense required for said training shall be paid by Respondent; and 3. Respondent shall submit a letter to the Board certifying that she is not friends on Facebook with any current students in the school district(s) in which Respondent was and currently is employed. Upon reinstatement, Respondent's teaching certificate shall be on probation for a period of two (2) years and subject to the following probationary conditions: 1. Respondent shall submit a letter on July 1st of each year of the probationary period certifying that she is not currently, nor was she during the previous school year, friends on Facebook with any students in the school district in which she is employed; and 2. Respondent shall not receive any disciplinary action involving unprofessional behavior or conduct unbecoming a teacher from any school district in which she is employed during the probationary

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

Should Respondent fail to satisfy the above conditions, her certificate shall be automatically suspended for a period of one (1) year and subject to additional sanctions by the Board pursuant to KRS 161.120.

Vote: *Unanimous*

0903125 (Douglas Adams)

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.

Vote: *Unanimous*

0909500 (William Adams)

Accept Agreed Order admonishing Respondent for conduct unbecoming a teacher. The Board reminds Respondent that, as a teacher, he has a duty to uphold the dignity and integrity of the teaching profession. Driving under the influence of alcohol is dangerous, and this type of behavior sets a horrible example for students. The Board will not tolerate any further incidents of misconduct by Respondent.

On or before July 1, 2010, Respondent shall undergo a comprehensive alcohol/substance abuse assessment by a Kentucky licensed and/or certified chemical dependency counselor as approved by the Board and shall present written evidence to the Board that he has complied with the assessment process and has successfully completed any and all treatment recommendations. If Respondent is not able to complete all treatment recommendations on or before July 1, 2010, he shall submit quarterly written progress reports from his chemical dependency counselor until such time as the counselor releases him from treatment. Any expense for the assessment, treatment and/or written reports shall be paid by Respondent.

Failure to fulfill this requirement will result in an automatic suspension of Respondent's teaching certificate, and it will remain suspended until he is in compliance with the terms of the Agreed Order.

Vote: *Unanimous*

0906390 (Bobby Geary)	Accept Agreed Order suspending Respondent's certificate for a period of one year beginning May 18, 2009. In addition Respondent must complete twelve hours of boundary training within six months of the date of this Agreed Order. If Respondent fails to complete said training then his certificate will be automatically suspended and remain suspended until he has completed said training. **Vote:** *Unanimous*
0605136 (Brenda Luster)	Accept Agreed Order dismissing the case without prejudice. **Vote:** *Unanimous*
070114 (Mitzi Dowdell)	Accept Agreed Order suspending Respondent's certificate from February 28, 2007 to March 6, 2007. 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 has submitted written proof to the Board of the following. 1. Respondent has undergone a comprehensive substance abuse evaluation by a chemical dependency counselor, licensed in Kentucky and approved by the Board, and is compliant with any and all treatment recommendations. 2. Respondent has completed an anger management program approved by the Board. From the date of acceptance of this Agreed Order by the Board, any certificate held by Respondent shall be subject to the following probationary condition. Respondent shall not be convicted of a crime. Upon her conviction for any misdemeanor or felony, the Board may automatically suspend any and all certificates held by Respondent for a period of up to two years and may seek additional disciplinary sanctions pursuant to KRS 161.120. **Vote:** *Unanimous*
08091034 (David Steeley)	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 a period of five years from the date of acceptance of this Order by the Board. Issuance of any future certificate to Respondent is conditioned upon Respondent submitting written proof to the Board that he has completed 12 hours of professional development/training, approved by the Board and at his own expense, in maintaining appropriate teacher/student boundaries. If Respondent fails to satisfy this condition, the Office of Certification shall not issue or renew his certificate.

Vote: *Unanimous*

08091020 (Amber Badgett) Accept Agreed Order admonishing Respondent for not following the administrative procedures related to student testing. Further, the Board reminds Respondent that, like every other testing proctor, she signed saying that she had received, read, and would comply with the testing instructions. Strict compliance with the *Administration Code for Kentucky's Educational Assessment Program* ensures the well-being of the students and the integrity of the testing process are maintained. Respondent is not currently employed as a certified teacher. Prior to returning to any position of employment requiring teacher certification, Respondent shall submit written proof to the Board that she has completed three (3) hours of training in the *Administration Code for Kentucky's Educational Assessment Program* and six (6) hours of ethics training, approved by the Board and at her own expense. If Respondent fails to satisfy this condition prior to entering the classroom as a certified teacher, her certificate shall be automatically suspended until this condition is met. Upon Respondent's return to the classroom as a certified teacher, her certificate is subject to the following probationary condition. Respondent shall not violate the *Administration Code for Kentucky's Educational Assessment Program* for two (2) years. If Respondent violates this condition, the Board may automatically suspend her certificate for two (2) years and seek additional sanctions pursuant to KRS 161.120.

Vote: *Unanimous*

08111128 (Joseph Orazen)	Accept Agreed Order suspended Respondent's certificate for a period of sixteen months retroactive to February 18, 2009. Further, Respondent must obtain twelve hours of ethics training and twelve hours of anger management training. He must complete said training prior to reinstatement of his teaching certificate. Should Respondent fail to complete said training his certificate will remain suspended until such time as he has completed the training. Respondent shall have no felony convictions involving assault, force or wanton endangerment and any misdemeanor convictions in which a child is the victim. If Respondent is convicted of any of the above referenced crimes all certificates issued to Respondent shall be automatically permanently revoked. Respondent shall submit to a state criminal background records report to the Board with any application for renewal certification by July 1 of each year of the certification. Any expense for the state criminal background records report shall be paid by Respondent. If Respondent fails to submit the required report, renewal of the certificate or any additional certification shall be denied. Respondent's certification will be revoked should he be terminated from any school district in accordance with KRS 161.790. Any other disciplinary matters Respondent acknowledges that the Kentucky Education Professional Standards Board could open a case and proceed with disciplinary action. **Vote:** *Unanimous*
08121166 (Kendra Shade)	Accept Agreed Order revoking Respondent's certificate for a period of ten (10) years from the date this order is approved by the Board. Upon acceptance of this agreement by the Board, Respondent shall immediately surrender the original and all copies of her certificate, by hand delivery or first class mail, to the Education Professional Standards Board, 100 Airport Road, 3rd Floor, Frankfort, Kentucky 40601. In addition to any educational requirements, re-issuance of a Kentucky teaching and/or administrative certificate to Respondent, or on her behalf, at the conclusion of the ten (10) year revocation period is expressly conditioned upon Respondent providing written proof to the Board, at

the time of application, that she has completed twelve (12) hours of professional development/training in the areas of professional ethics and appropriate teacher/student boundaries, as approved by the Board. Any expense required for said training shall be paid by Respondent. Additionally, if Respondent obtains a certificate after the ten (10) year period, the certificate shall be on probation for the life of the certificate and, during the probationary period, Respondent shall receive no disciplinary action involving teacher/student boundaries from any school district in which she is employed. "Disciplinary action" is defined as any suspension, termination, or public reprimand issued by any school district in the Commonwealth of Kentucky and upheld, if requested, by either the tribunal and/or arbitration process. Should Respondent fail to satisfy this condition, her certificate shall be automatically permanently revoked.

Vote: *Unanimous*

06-0349 (Brenda Jones)

Accept Agreed Order revoking Respondent's certificate for a period of ten (10) years beginning on January 25, 2006. Respondent shall neither apply for, nor be issued, a teaching certificate in the Commonwealth of Kentucky during the revocation period. Upon acceptance of this agreement by the Board, Respondent shall immediately surrender the original certificate and all copies of her certificate to the EPSB, by delivering or mailing them to 100 Airport Road, 3rd Floor, Frankfort, Kentucky 40601. Prior to reissuance of Respondent's certificate at the conclusion of the ten (10) year revocation, Respondent must comply with 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. Any expense for the assessment, treatment and/or written reports shall be paid by Respondent.
2. Respondent shall submit written proof to the Board that she has completed a course on the

Professional Code of Ethics for Kentucky Certified School Personnel as approved by the Board. Any expense required for said training shall be paid by Respondent.
Should Respondent fail to satisfy these conditions, the Board shall not reissue her certificate.

Vote: *Unanimous*

09013 (Jack Hubbard)

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.

Vote: *Unanimous* (*Ms. Sagan recused*)

0908486 (Frances Stanley)

Accept Agreed Order which states as follows:
Prior to resuming employment in a Kentucky public school, even as a substitute teacher, Respondent shall provide written proof to the Board that she has completed twelve (12) hours of Board approved training or professional development in the area of educator ethics.
Respondent agrees that should she fail to satisfy the above condition, her certificate shall be automatically suspended until Stanley provides written proof to the Board that she has completed the condition.

Vote: *Unanimous*

100110 (Christopher Sowder)

Accept Agreed Order suspending Respondent's certificate for a period of five (5) days from the date the Board approves this Order. Upon acceptance of this Agreed Order 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, Third Floor, Frankfort, Kentucky 40601.
Upon reinstatement, Respondent's teaching certificate shall be on probation from a period of two (2) years and subject to the following probationary conditions:
1. Respondent shall submit written proof to the Board that he has completed twelve (12) hours of professional ethics training, with an emphasis on teacher/student boundaries, 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 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 not receive any disciplinary action involving inappropriate language and/or unprofessional comments to students 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 thirty (30) days and subject to additional sanctions by the Board pursuant to KRS 161.120.

Vote: *Unanimous*

100116 (Richard Cope)

Accept Agreed Order retroactively suspending Respondent's certificate for a period of forty five (45) days, from November 24, 2009 through January 8, 2010. Upon acceptance of this Agreed Order 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, Third Floor, Frankfort, Kentucky 40601.
By October 1, 2010, Respondent shall submit written proof to the Board from a state certified mental health counselor, approved by the Board, certifying that Respondent is competent and fit to fulfill his duties as an educator. Respondent shall also provide to the Board written progress reports from his mental health counselor on July 1st and January 1st of each calendar year until Respondent is released from treatment by the counselor. Each progress report shall certify that Respondent has complied with any and all treatment recommendations, and that Respondent remains fit and competent to fulfill his duties as an educator. Any expense required for the counseling, follow-up treatment and/or progress reports shall be paid by Respondent. Should Respondent fail to satisfy this condition, his certificate shall be automatically

suspended until Respondent submits the required written report to the Board.
Additionally, Respondent's teaching certificate shall be on probation from a period of two (2) years from the date the Board approves this Order, and subject to the following probationary conditions:
1. Respondent shall submit written proof to the Board that he has completed six (6) 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;
2. In accordance with KRS 161.175, Respondent shall submit to random drug testing during the probationary period, to be administered by a provider approved by the Board, and shall receive no drug test positive for illegal substances or in excess of therapeutic levels generally acceptable in the medical community. Any expense required for the drug testing shall be paid by Respondent; and
3. Respondent shall not be convicted of any crime involving the use and/or possession of any controlled substance or alcohol during the probationary period. Respondent shall submit a copy of his current criminal record, as prepared by the Kentucky State Police, by June 1st of each year of the probationary period. Any expense required to satisfy this condition shall be paid by Respondent.
Should Respondent fail to satisfy any of the above conditions, 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. Sagan recused*)

0905241 (Dow Buford)

Accept Agreed Order admonishing Respondent for failing to adequately supervise students in his classroom. As a professional educator, Respondent has a duty to protect the health, safety and welfare of his students. He must continually strive to maintain a positive learning environment at all times.
This agreement is conditioned on the following. On or before August 15, 2010, Respondent shall provide written proof to the Board that he has completed six hours of professional development/training, approved by the Board and at his own expense, in effective classroom management techniques. Should Respondent fail to

	satisfy this condition, his certificate shall be automatically suspended and not reinstated until the condition is met. **Vote:** *Unanimous*
100261 (Nicholas Simonson)	Accept Agreed Order suspending Respondent's certificate for a period of six (6) months retroactively from January 7, 2010 through July 7, 2010. Upon acceptance of this agreement by the Board, Respondent shall immediately surrender the original certificate and all copies of his certificate to the EPSB, by delivering or mailing them to 100 Airport Road, 3rd Floor, Frankfort, Kentucky 40601. This settlement is expressly conditioned upon the following: 1. Respondent must provide written proof that he has completed twelve (12) hours of professional development/training in the areas of ethics and boundary training, as approved by the Board, no later than August 1, 2011. Any expense incurred for the training shall be paid by Respondent. Failure to comply with this requirement by August 1, 2011 will result in an automatic suspension of Respondent's teaching certificate and it will remain suspended until he completes the requirements contained in this Agreed Order. **Vote:** *Unanimous* (*Ms. Sagan recused*)

Recommended Orders

Case Number	**Decision**
0707126 (Kara Peers)	Accept the Hearing Officer's Findings of Facts, Conclusions of Law, and Recommended Order and revoke Respondent's certificate. **Vote:** *Unanimous*
070337 (Dan Hampton)	Accept the Hearing Officer's Recommended Order of Default and suspend Respondent's certificate for 20 days and order the Respondent to attend 12 hours of ethics training. **Vote:** *Unanimous*
0611255 (Scott Stumbo)	Accept the Hearing Officer's Findings of Fact, Accept in part the Hearing Officer's Conclusions of Law, and Reject the Recommended Order and permanently revoke Respondent's certificate.

Vote: *Unanimous*

08121232 (Joy Thomas Ennis) Accept the Hearing Officer's Findings of Fact, Conclusions of Law, and Recommended Order of Default to suspend Respondent's certificate for two years and order the Respondent to attend training in ethics and Redbook.

Vote: *Unanimous*

08101078 (Adrian Sanford) Accept the Hearing Officer's Findings of Fact, Conclusions of Law, and Recommended Order of Default and permanently revoke Respondent's certificate.

Vote: *Unanimous*

0606162 (Timothy Harris) Accept the Hearing Officer's Findings of Fact, Conclusions of Law, and Recommended Order of Default and permanently revoke Respondent's certificate.

Vote: *Unanimous*

KT-09-001 (Ava Bemiss) Accept the Hearing Officer's Findings of Fact, Conclusions of Law, and Recommended Order of Default and dismiss Petitioner's KTIP Appeal.

Vote: *Unanimous*

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

Vote: *Unanimous*

Meeting adjourned at 4:25 p.m.

Next Meeting: September 20, 2010
9:00 AM
EPSB Board Room
Frankfort, Kentucky

EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE

Information Item A

Information Item:

2009-2010 New Teacher Survey Pilot Results

Applicable Statutes and Regulation:

KRS 161.028
KRS 161.030
16 KAR 5:010
Title II, Section 208 of the Higher Education Act

Applicable Goal:

Goal I: Every approved educator preparation program meets or exceeds all accreditation standards and prepares knowledgeable, capable teachers and administrators who demonstrate effectiveness in helping all students reach educational achievement.

Background:

In September 2008, EPSB staff provided the 2007-2008 New Teacher Survey results as well as the time line for completing the revised survey instrument. With the reduction in funding and the inability to administer the survey during the 2008-2009 academic year came the opportunity for EPSB staff to analyze feedback regarding the alignment of the revised instrument to the Kentucky Teacher Standards. EPSB staff members consulted with survey experts to determine the best way to align the survey directly to the standards. As a result, the New Teacher Survey was changed to mirror the Kentucky Teacher Standards and Initial-Level Performances.

In addition to the questions aligned to the Kentucky Teacher Standards, institutions requested the following survey items be added to assist with the federal Title II reports:

- Please rate the effectiveness of the educator preparation program in preparing the student teacher/intern to effectively teach students who are limited English proficient.
- Please rate the effectiveness of the educator preparation program in preparing the student teacher/intern to teach students with disabilities effectively, including training related to participation as a member of individualized education program (IEP) teams, as defined in section 614(d)(1)(B) of the Individuals with Disabilities Education Act*.

Due to continued budget constraints, EPSB staff piloted the new survey using Zoomerang, a free online survey software. The survey was sent to the following groups:

- all student teachers (ST) and the cooperating teachers (CT) of those who were to graduate during the 2009-2010 academic year and
- all interns and the resource teachers of those who were to complete internships during the 2009-2010 academic year

An e-mail regarding the survey and how to access it was sent to all individuals for whom we had an e-mail address. Of the 11, 651 persons included, 4,274 responded, resulting in a 37 percent response rate.

Responses vary by school and category of respondent (i.e., intern, student teacher, cooperating teacher, and resource teacher). The overall results, however, show that indicators under Standard 3: *The Teacher Creates and Maintains Learning Climate* received the highest rating. Indicators under Standards 5: *The Teacher Assesses and Communicates Learning Results* and 10: *Provides Leadership Within School/Community/Profession* received the lowest ratings.

The 2009-2010 New Teacher Survey Results for Public Institutions and Private Institutions are attached for the Board's information only. Also available for Board review at the September meeting will be a compilation of the comments submitted by survey respondents. After the September Board meeting, this information along with a variety of static reports will be provided on the report card website (see www.epsb.ky.gov) disaggregated by survey item, type of institution (public or private), and respondent category. To receive a complete institutional data set, please send your request to marcie.lowe@ky.gov.

Contact Person:

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

Executive Director

Date:

September 20, 2010

EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE

Information/Discussion Item B

Information Item:

16 KAR 3:050. Professional certificate for instructional leadership—school principal, all grades. Notice of Intent

Applicable Statutes:

KRS 161.020, 161.027, 161.028, and 161.030

Applicable Goal:

Goal 2: Every professional position in a Kentucky public school is staffed by a properly credentialed educator.

Background:

This regulation regarding a redesign of all principal preparation programs became effective in October 2008. At that time, language was changed from a previous regulation to modify the prerequisites for admission to these programs. The intent was to standardize the language to that used in KRS 161.030 (5) which guides EPSB staff in determining eligible school settings for the Kentucky Teacher Internship Program. However, a phrase from that statutory language was not included in 16 KAR 3:050.

The EPSB staff believes that the guidance for private schools' participation in the KTIP program should be consistent with guidance regarding teaching experience to enter principal preparation programs. For that reason, the staff proposes amending 16 KAR 3:050 to utilize the same statutory language for both applications.

Other proposed amendments include removing the expiration date for the Principal Redesign Review Committee in order to ensure that all redesigned principal programs are given the same review and consideration and updating the language referring to career and technical school principals.

The proposed regulation is being presented for the Board's consideration at this time, and it will be placed on the October agenda for possible final action.

Contact Person:

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

Executive Director

Date:

September 20, 2010

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EDUCATION PROFESSIONAL STANDARDS BOARD
(AMENDMENT)

16 KAR 3:050. Professional certificate for instructional leadership - school principal, all grades.

RELATES TO: KRS 161.020, 161.027, 161.028, 161.030
STATUTORY AUTHORITY: KRS 161.027, 161.028, 161.030

NECESSITY, FUNCTION, AND CONFORMITY: KRS 161.020 requires that a teacher or other professional school personnel hold a certificate of legal qualification for the respective position to be issued upon completion of a program of preparation prescribed by the Education Professional Standards Board. Additionally, KRS 161.027 specifically requires a preparation program for principals. A teacher education institution shall be approved for offering the preparation program corresponding to a particular certificate on the basis of standards and procedures established by the Education Professional Standards Board. This administrative regulation establishes the preparation and certification program for school principals, at all grade levels.

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Section 1. Definitions. (1) "Level I" means the standards-based program of studies designed for minimal preparation to serve in the position of instructional leadership - school principal.

(2) "Level II" means the standards-based program of studies to attain the first five (5) year renewal of the certificate for the position of instructional leadership - school principal.

Section 2. Conditions and Prerequisites. (1) The provisional and professional certificate for instructional leadership - school principal shall be issued to an applicant who has completed an approved program of preparation and requirements, including assessments.

(2) The provisional and professional certificate for instructional leadership - school principal shall be valid for the position of school principal or school assistant principal for all grade levels.

(3) Prerequisites for admission to the program of preparation for the provisional and professional certificate for instructional leadership - school principal shall include:

(a) A master's degree;

(b) Three (3) years of documented teaching experience in a public school or a nonpublic school which meets the state performance standards as established in KRS 156.160 <u>or which has been accredited by a regional or national accrediting association</u>;

(c) A written statement documenting the candidate's skills and understanding in the following areas:

1. Ability to improve student achievement;

2. Leadership; and

3. Advanced knowledge of curriculum, instruction, and assessment; and

(d) An agreement from a school district pledging support that includes opportunities for the candidate to participate in a high quality practicum experience. The agreement shall include:

1. A description of how the district will provide opportunities for the candidate:

a. To observe school and district leadership; and

b. To participate in school and district leadership activities;

2. Confirmation that the candidate shall be permitted to utilize aggregated school and district information and data; and

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3. The signature of the district superintendent or the district superintendent's designee.

Section 3. Kentucky Administrator Standards for Preparation and Certification. The approved program of preparation for the provisional certificate for instructional leadership - school principal shall:

(1) Prepare a candidate for the position of school principal as specified in the standards included in:

(a) The "Educational Leadership Policy Standards: ISLLC 2008"; and

(b) The "Technology Standards for School Administrators"; and

(2) Document candidate performance using "Dispositions, Dimensions, and Functions for School Leaders".

Section 4. Principal Preparation Programs. (1) All principal preparation programs approved or accredited by the Education Professional Standards Board prior to May 31, 2009 shall no longer be approved or accredited as of December 31, 2011.

(a) A principal preparation program approved by the Education Professional Standards Board prior to May 31, 2009 shall cease admitting new candidates after December 31, 2011.

(b) Candidates admitted to a principal preparation program approved by the Education Professional Standards Board prior to May 31, 2009 shall complete the program by January 31, 2014.

(c) An institution of higher learning with a principal preparation program approved by the Education Professional Standards Board prior to May 31, 2009 may submit a

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redesigned program for approval pursuant to the requirements of subsection (2) of this section beginning May 31, 2009.

(d) An institution's redesigned principal preparation program may become operational beginning January 1, 2010, if the institution:

1. Submits a redesigned principal preparation program for review pursuant to the requirements of subsection (2) of this section; and

2. Receives approval of the redesigned program by the Education Professional Standards Board pursuant to 16 KAR 5:010, Section 22.

(e) Institutions submitting a redesigned principal preparation program shall not be subject to any submission dates for program approval for principal preparation programs after [~~from~~] May 31, 2009 [~~until December 31, 2012~~].

(f)1. The Education Professional Standards Board shall appoint a Principal Preparation Program Redesign Review Committee to conduct reviews of redesigned principal preparation programs submitted for approval after [~~between~~] May 31, 2009 [~~and December 31, 2012~~].

2. Principal preparation programs submitted for approval after [~~between~~] May 31, 2009 [~~and December 31, 2012~~] shall:

a. Be reviewed by the Principal Preparation Program Redesign Review Committee; and

b. Not be reviewed by the Continuous Assessment Review Committee, Content Program Review Committee, or the Reading Committee prior to presentation to the Education Professional Standards Board pursuant to 16 KAR 5:010, Section 22(2).

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3.a. After review of a principal preparation program, the Principal Preparation Program Redesign Review Committee shall issue one (1) of the following recommendations to the Educational Professional Standards Board:

i. Approval;

ii. Approval with conditions; or

iii. Denial of approval.

b. The Education Professional Standards Board shall consider recommendations from staff and the Principal Preparation Program Redesign Review Committee and shall issue a decision pursuant to 16 KAR 5:010, Section 22(4).

(2) Beginning May 31, 2009, in addition to the requirements established in 16 KAR 5:010, Section 22, the educator preparation unit shall prepare and submit to the Education Professional Standards Board for each principal preparation program for which the institution is seeking approval a concise description of the preparation program which shall provide the following documented information:

(a) Signed collaborative agreements with school districts that include the following:

1. Joint screening of principal candidates by both district and university;

2. Joint identification of potential program leaders and mentors;

3. District and university codesign and codelivery of courses; and

4. The manner in which the principal preparation program is based on the identified leadership needs of each district;

(b) The protocol for screening applicants that ensures the identification and admission of high quality candidates into the program;

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(c) A matrix that illustrates the alignment between the standards and performance indicators identified in Section 3 of this administrative regulation and the program's curriculum and field experiences;

(d) A syllabus for each of the program's required courses identified in the documentation required by paragraph (c) of this subsection;

(e) The program's plan to collaborate with academic disciplines and programs outside of the field of education in order to supplement the candidate's knowledge and skills set;

(f) The program's plan to collaborate with each district in providing high quality field experiences that:

1. Enhance courses throughout the entire program;

2. Ensure that the candidate has a continuum of school-based experiences that range from observing, to participating, to leading; and

3. Expose the candidate to diverse student populations and school environments;

(g) The program's plan to use rigorous formative and summative evaluations of each candidate's:

1. Knowledge and skills to advocate, nurture, and sustain a school culture that promotes and supports high levels of learning for all students; and

2. Knowledge and skills to manage a school for efficiency, accountability, and safety; and

(h) The program's plan to require all candidates to conduct a capstone project and defend it to a panel of program faculty and practicing school administrators at the end of Level I preparation.

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Section 5. Assessment Prerequisites for the Provisional Certificate for Instructional Leadership - School Principal. An applicant for certification as a school principal, including career and technical school [~~vocational~~] principal, shall attain the specified minimum score on the assessments required by 16 KAR 6:030.

Section 6. Statement of Eligibility for Internship. (1) A statement of eligibility for internship for the provisional certificate for instructional leadership - school principal shall be issued for a five (5) year period to an applicant who:

(a) Has successfully completed an approved program of preparation;

(b) Has three (3) years of full-time teaching experience; and

(c) Has successfully completed the appropriate assessment requirements for the school principal certification or qualifies for a one (1) year period for completion of assessments under KRS 161.027(6).

(2) Application shall be made on "Application for Kentucky Certification or Change in Salary Rank", Form TC-1, incorporated by reference in 16 KAR 2:010.

(3) A request for renewal of the Statement of Eligibility pursuant to KRS 161.027(7) shall be made on Form TC-2, incorporated by reference in 16 KAR 4:060.

Section 7. (1) A professional certificate for instructional leadership - school principal, level I, shall be issued upon successful completion of the principal internship as provided in KRS 161.027 and 16 KAR 7:020.

(2) The renewal of the professional certificate for instructional leadership - school principal, level I, shall require a recommendation from the approved recommending authority regarding the successful completion of an approved level II program. The certificate shall be valid for five (5) years.

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(3) Each subsequent five (5) year renewal of the professional certificate for instructional leadership - school principal, level II, shall require successful completion of two (2) years of experience as a school principal within the preceding five (5) years.

(4) If the applicant has not successfully completed the two (2) years of experience as required by subsection (3) of this section, pursuant to KRS 161.027(9), each subsequent five (5) year renewal of the professional certificate for instructional leadership-school principal, level II, shall require:

(a) Completion of three (3) semester hours of additional graduate credit directly related to the position of school principal for each required year of experience the applicant has not completed; or

(b) Successful completion of forty-two (42) hours of approved training selected from programs approved by the Kentucky Effective Instructional Leadership Training Program provided in KRS 156.101.

Section 8. Incorporation by Reference. (1) The following material is incorporated by reference:

(a) "Dispositions, Dimensions, and Functions for School Leaders" adapted from the "Kentucky Cohesive Leadership System Continuum for Principal Preparation and Development" by the Education Professional Standards Board, May 2008;

(b) "Educational Leadership Policy Standards: ISLLC 2008" as adopted by the National Policy Board for Educational Administration, December 12, 2007; and

(c) "Technology Standards for School Administrators", 2001, Collaborative for Technology Standards for School Administrators.

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(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Education Professional Standards Board, 100 Airport Drive, Third Floor, Frankfort, Kentucky 40601, Monday through Friday, 8 a.m. to 4:30 p.m.

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EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE

Information Item C

Information Item:

To inform the EPSB about contracts and amendments which were signed by the executive director since the previous EPSB meeting

Applicable Statutes and Regulation:

KRS 161.028 (1) (v) (d)
KRS 161.017 (3)

Applicable Goal:

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

Background:

KRS 161.028 (1) (v) authorizes the EPSB to enter into contracts and KRS 161.017 (3) stipulates that with board approval the executive director may enter into agreements "…to enlist assistance to implement the duties and responsibilities of the board." The EPSB approved procedures for seeking approval and authorization for entering contractual agreements at the October 23, 2006 EPSB meeting.

The following contracts were completed and signed by the executive director after approval was given by the Board at the September 14, 2009 board meeting to issue an RFP.

Vendor Name	Services	Service Period	Contract Amt.
Adams, Sandy	CEO Scoring	October 1, 2010 – June 30, 2011	$8,721.85
Barette, Randy	CEO Scoring	July 1, 2010 – June 30, 2011	$8,721.85
Carroll, Mary	CEO Scoring	October 1, 2010 – June 30, 2011	$8,721.85
Cornett, Debra	CEO Scoring	October 1, 2010 – June 30, 2011	$8,721.85
Duckworth, Grace	CEO Scoring	July 1, 2010 – June 30, 2011	$8,721.85
Grainger Training & Consulting Group	CEO Scoring	October 1, 2010 – June 30, 2011	$8,721.85
Evans, Constance	CEO Scoring	July 1, 2010 – June 30, 2011	$8,721.85
Fulk, Robert	CEO Scoring	July 1, 2010 – June 30, 2011	$8,721.85
Glasscock, Laura	CEO Scoring	July 1, 2010 – June 30, 2011	$8,721.85
Kostelnik, Anna	CEO Scoring	July 1, 2010 – June 30, 2011	$8,721.85
Kurtz, Judy	CEO Scoring	July 1, 2010 – June 30, 2011	$8,721.85
McClain, Veda	CEO Scoring	July 1, 2010 – June 30, 2011	$8,721.85
Mobley, Pam	CEO Scoring	October 1, 2010 – June 30, 2011	$8,721.85
Moffett, Carol	CEO Scoring	October 1, 2010 – June 30, 2011	$8,721.85
Odham, Elissa	CEO Scoring	July 1, 2010 – June 30, 2011	$8,721.85
Owen, Angela	CEO Scoring	July 1, 2010 – June 30, 2011	$8,721.85

Pickerell, Judy	CEO Scoring	July 1, 2010 – June 30, 2011	$8,721.85
Smith, Pamela	CEO Scoring	October 1, 2010 – June 30, 2011	$8,721.85
Smith Thorne, Dani	CEO Scoring	October 1, 2010 – June 30, 2011	$8,721.85
Spencer, Karla	CEO Scoring	July 1, 2010 – June 30, 2011	$8,721.85
Stout, Nancy	CEO Scoring	July 1, 2010 – June 30, 2011	$8,721.85
Swanson, Robyn	CEO Scoring	July 1, 2010 – June 30, 2011	$8,721.85
Wade, Norma	CEO Scoring	July 1, 2010 – June 30, 2011	$8,721.85
Wells, Parthenia	CEO Scoring	October 1, 2010 – June 30, 2011	$8,721.85

Groups/Persons Consulted:

N/A

Contact Person:

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

Executive Director

Date:

September 20, 2010

EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE

Action Item A

Action Item

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

Applicable Statutes and Regulation

KRS 161.028 (1) (v) (d)
KRS 161.017 (3)

Applicable Goal

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

Issue

Should the Education Professional Standards Board (EPSB) authorize the executive director to enter into the specified contracts to conduct normal business operations?

Background

KRS 161.028 (1) (v) authorizes the EPSB to enter into contracts and KRS 161.017 (3) stipulates that with board approval the executive director may enter into agreements "…to enlist assistance to implement the duties and responsibilities of the board." The EPSB approved procedures for seeking approval and authorization for entering financial agreements at the October 23, 2006 EPSB meeting.

1. We are requesting approval to enter into a Memorandum of Agreement (MOA) with the Kentucky Virtual Campus (KYVC) at the Council on Postsecondary Education. This agreement is to establish the services and costs for KYVC to operate as an eLearning Application Service Provider to enable EPSB to provide online courses and professional development on KyEducators.org. The fee for service is based on an estimated number of enrollment seats for a year (2,500) at a cost of $12.00 per seat. This is a one-year agreement beginning July 1, 2010 through June 30, 2011.

    - Approximate cost of the contract: $30,000
    - Impact on budget: This MOA does not affect general fund expenditures because it will be charged to the agency-restricted funds for the CEO program. The cost of the contract is paid through fees collected from CEO candidates. The contract is increasing from $20,000 last year to $30,000 this year due to a per seat cost increase.
    - Type of entity providing service: State agency
    - Bidding process: Not required to bid
    - Singular vs. continuing service: Continuing

2. We are requesting approval to sign a Memorandum of Agreement (MOA) with the Office of Career and Technical Education (OCTE) within the Cabinet for Education and Workforce Development. This contract provides funds to support KTIP for new teachers in vocational placements. OCTE is providing us $170,000 to supplement our KTIP funds. This MOA received emergency approval by the Chair and Vice Chair of EPSB.
    - Approximate cost of the contract: $170,000
    - Impact on budget: This MOA has a positive impact on funding KTIP and will allow EPSB to receive funds that will support the KTIP program. There are no costs involved with this contract.
    - Type of entity providing service: State agency
    - Bidding process: Not required to bid
    - Singular vs. continuing service: Continuing

Alternative Actions

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

Staff Recommendation

Alternative 1

Rationale

These contracts are necessary to allow EPSB to continue training and testing on KyEducators and to provide funding and additional opportunities for first-year teachers to enter the KTIP program.

Contact Person:

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

_____
Executive Director

Date:

September 20, 2010

EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE

Action Item B

Action Item:

Amendment EPSB's Professional Conduct Procedure, Final Action

Applicable Statutes and Regulation:

KRS 161.028

Applicable Goal:

All Goals

Issue:

Should the EPSB approve the proposed amendments to the EPSB's Professional Conduct Procedure contained in the EPSB's Policy and Procedure Manual?

Background:

At the May 19, 2010, Board meeting, the Education Professional Standards Board reviewed the Professional Conduct Procedure in response to questions board members had at prior meetings regarding when to abstain or recuse from voting. The Professional Conduct Procedure first adopted in May of 2001 and then amended in August of 2002, outlines when a board member or an appointed board member should abstain from voting and details when it is appropriate for a member to recuse himself or herself. While reviewing the policy, the chairperson and staff discovered that the current policy would not allow a member who recuses from voting to be counted as present for quorum purposes. The chairperson asked staff to review whether this was consistent with *Robert's Rules of Order*. Chapter XI §40 of the 10th addition of *Robert's Rule of Order* states that "quorum refers to the number of such members *present*, not to the number actually voting on a particular question."

Therefore, in order to align the Board's policies with *Robert's Rules of Order* and to prevent loss of quorum if a member chooses to recuse from voting on a particular issue, the attached amendments to the policy is presented for initial review by the EPSB. The attached draft also includes changes to the principles of conduct so that the principles will now be mandatory for board and committee members.

Alternative Actions:

1. Approve the amendments to the Policy and Procedure Manual.
2. Modify and approve amendments to the Policy and Procedure Manual.
3. Do not approve the amendments to the Policy and Procedure Manual.

Staff Recommendation:

Alternative Action 1

Rationale:

These amendments will ensure that the Board does not lose quorum if members need to recuse themselves from decisions in the future and will align the Board's procedures with *Robert's Rules of Order.*

Contact Person:

Ms. Alicia A. Sneed, Director
Division of Legal Services
(502) 564-4606
E-mail: alicia.sneed@ky.gov

_____
Executive Director

Date:

September 20, 2010

Education Professional Standards Board

PROFESSIONAL CONDUCT

PROCEDURE

Approved May 14, 2001

AMENDED AUGUST 26, 2002

Amended September 20, 2010

Pursuant to KRS 161.028, the Education Professional Standards Board (hereinafter "the Board) has the authority and responsibility to oversee, evaluate, and review education curricula and various programs involving educators. In addition, the Board is empowered to establish standards and requirements for obtaining and maintaining teaching certificates, including the imposition of disciplinary action. Accordingly, the following principles of conduct shall govern the behavior and decisions of board members and [~~are suggested both for board members and for those~~] persons serving on committees of the Board:

- Board/committee members shall [~~should~~] be independent and impartial in rendering decisions.
- Board/committee decisions and policies shall [~~should~~] be made in open meetings, subject to those exceptions listed in KRS 61.810.
- Board/committee members shall [~~should~~] not use their position to obtain private benefits.
- Board/committee actions shall [~~should~~] promote public confidence in the integrity of the Board.
- *Board/committee members shall [~~should~~] not knowingly engage or be involved in any activity that has the potential to become or to be perceived as a conflict of interest with their position on the Board/committee. If such a conflict should arise, Board/committee members shall [~~should~~] recuse themselves from any deliberations related to said activity.*
- *Board/committee members shall [~~should~~] voluntarily recuse themselves from any decision in which they cannot render [~~afford a~~] fair and impartial decision [~~consideration~~].*

Procedural Matters

Terminology: ***Abstention***—the act of refraining from voting. The right of abstention may be exercised at any time. At the time of the actual vote, the member announces that he or she "abstains." [~~Abstentions do not affect the existence of a quorum or have any effect on the calculation of votes. In other words, the determination of a "majority" is more than half the number of members actually voting.~~]

Recusal—the act of removing oneself from participation to avoid a conflict of interest, either by not engaging in the discussion or by physically leaving the room. At the time of the actual vote, the member announces that he or she "recuses." [~~A recused member cannot be considered a present voting member and therefore is not included in establishing a quorum or determining the majority~~]

Grounds for recusal:

Having *ex parte* communications that would prejudice the proceedings.
Ex parte communication is an off-the-record communication between a decision-maker and an interested party (or one speaking on behalf of an interested party), outside the presence of the other parties to the decision, while the decision is pending. It does not include communications about routine procedural matters that do not touch on the merits of a pending case.

Having a pecuniary interest in the outcome of a decision. The pecuniary interest at stake must be a direct, non-speculative interest. A past pecuniary connection with the party or the mere possibility of future pecuniary gain does not qualify. Mere general interest or participation in the field under consideration or at issue in the decision is not sufficient to require recusal.

Having a personal bias toward any party in a decision that would cause a prejudgment on the outcome of the decision. Bias is not established merely by the existence of a prior relationship. There must be facts showing involvement in matters related to the case at hand. Strong convictions or a set point of view on questions of law, policy, or general facts are not a basis for a claim of bias requiring recusal.

Having a relationship that is, or could "create a perception" of, a conflict of interest.
For example, as a general rule, if the issue under consideration involves a person, agency, or institution within a board member's sphere of influence, he or she should refrain from the discussion and recuse from the vote.

BOTTOM LINE: In determining whether to merely refrain from discussion or to physically leave the room, Board members should apply these standards: 1) If the matter pertains to the particular district or institution that the member is affiliated with, or a program that is overseen by his or her employer, the member should physically leave the room. 2) If a Board member's presence in the room will affect the nature or course of the discussion, he or she should leave the room. These same standards would apply to Board members with intimate knowledge of a disciplinary case.

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Procedures for recusal:

> **Voluntary withdrawal.** Board members may voluntarily recuse themselves and withdraw at any time.
>
> **Withdrawal on motion.** A party may move to disqualify a Board member from a decision. Upon the filing in good faith of a timely and sufficient affidavit of personal bias or other disqualification of a board member, the Board shall determine the matter as a part of the record and decision in the case.

Recusals shall be noted in the minutes of the Board meeting.

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EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE

Action Item C

Action Item:

Board approval of ACE Corp to provide remedial training for educators with disciplinary cases before the EPSB.

Applicable Statute:

KRS 161.028, KRS 161.120, KRS 161.175

Applicable Goals:

Goal III: Every credentialed educator exemplifies behaviors that maintain the dignity and integrity of the profession by adhering to established law and the EPSB Code of Ethics.

Issue:

Should the Education Professional Standards Board approve ACE Corp to provide remedial training/ professional development for individuals with disciplinary cases before the EPSB?

Background:

Pursuant to its authority under KRS 161.120(1), the EPSB "may . . . impose probationary or supervisory conditions upon . . . any certificates" issued by the agency. In recent years, the EPSB has used this penalty to rehabilitate or remediate educators who are brought before the board for misconduct by ordering the educators to attend specific professional development or training in hopes of preventing further incidents of misconduct. In addition, at the November 19, 2007 board meeting, the EPSB amended its probable cause policy to include "deferral for training," which will be used as a diversionary option for educators who are brought before the board for minor offenses.

ACE Corp is requesting board approval to provide remedial training to educators in the following areas:

- Professional Code of Ethics for Kentucky School Certified Personnel
- Cultural Sensitivity Training for Certified Personnel
- Confidentiality Training
- Classroom Management Training
- Fiscal Management Training (KDE REDBOOK)
- Sexual Harassment in the Workforce

Enclosed under separate cover is ACE Corp's request to be approved by the Board and the program outlines for review.

Alternative Actions:

1. Approve ACE Corp to provide remedial training in the requested areas.
2. Do not approve ACE Corp to provide remedial training in the requested areas.

Staff Recommendation:

Alternative 1

Rationale

Staff has reviewed the program curriculum and method of delivery provided by ACE Corp and found that the program will address the needs of the educators referred to remedial training. In addition, having an additional pre-approved provider in the areas of ethics training, cultural sensitivity training, and confidentiality training will assist educators deferred for training or ordered to remedial training to complete this condition in a timely manner.

Contact Person:

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Executive Director

Date:

September 20, 2010

EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE

Action Item D

Action Item:

16 KAR 6:020. Written examination prerequisites for occupation-based career and technical education teachers.

Applicable Statutes and Regulation:

KRS 161.020, 161.028, and 161.030

Applicable Goal:

Goal 2: Every professional position in a Kentucky public school is staffed by a properly credentialed educator.

Issue:

Should the EPSB approve amendments to 16 KAR 6:020--Written examination prerequisites for occupation-based career and technical education teachers?

Background:

In early fall 2008, EPSB staff convened the Certification Task Force composed of university certification officers, district personnel directors, and other stakeholder groups to study current certification regulations and recommend to the EPSB possible changes to be enacted in this area. These recommendations, which were approved by the EPSB in its May 2009 meeting, included convening a work group from the Kentucky Department of Education and the Cabinet for Workforce Investment to discuss the unique needs of the occupation-based areas. The group met during the 2009-10 school year, and this proposed change in regulation is one of the recommendations from the work group.

Changes to this regulation reflect deletions in some areas for the primary assessments used in occupation-based certification, the National Occupational Competency Testing Institute (**NOCTI**) tests. Due to the low incidence of these K-12 certifications nationwide, NOCTI is ending production on some tests. As has been the practice in the past, the work group is suggesting alternative licensures or other requirements in each possible certification area for which no NOCTI test exists. Leadership at KDE and Workforce Investment will continue to work with higher education institutions to develop alternative means to determine occupational competence where a NOCTI test does not exist or where industry certifications have been determined to be more meaningful and up-to-date. The regulation also modifies some certificate names and prerequisites which reflect changes in the industry and the needs of CTE schools.

Alternative Actions:

1. Approve the proposed amendments to 16 KAR 6:020
2. Do not approve the proposed amendments to 16 KAR 6:020

Staff Recommendation:

Alternative 1

Rationale:

The proposed changes will bring the regulation in line with current examination and other evaluation practices used with occupation-based certification, and the changes will reflect changes in certificate titles in these certification areas.

Contact Persons:

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

_____
Executive Director

Date:

September 20, 2010

EDUCATION PROFESSIONAL STANDARDS BOARD

(AMENDMENT)

16 KAR 6:020. Written examination prerequisites for occupation-based career and technical education teachers.

RELATES TO: KRS 161.020, 161.028, 161.030

STATUTORY AUTHORITY: KRS 161.028, 161.030

NECESSITY, FUNCTION, AND CONFORMITY: KRS 161.030(3)(a) requires that all new teachers, including out-of-state teachers with less than two (2) years' experience, successfully complete appropriate written tests prior to initial certification in Kentucky and serve a one (1) year internship. This administrative regulation establishes the tests and passing scores for occupation-based career and technical education teachers certified under 16 KAR 2:220.

Section 1. (1) All new information technology, industrial education, health science, human service [~~services occupation~~], and public service teacher applicants, and other applicants for occupation-based career and technical education teacher certificates both with and without a teacher preparation degree, and out-of-state applicants for occupation-based career and technical education certification with less than two (2) years of teaching experience shall successfully complete the appropriate written tests prior to initial Kentucky certification.

(2) Each applicant without an educator preparation degree shall successfully complete either the Pre-Professional Skills Test (PPST) or the COMPASS Test for communication skills and general knowledge.

(3) All applicants shall demonstrate subject matter competency via passage of the specialty test in the occupational area for which certification is to be granted or completion of the

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appropriate state or national industry licensure, certification, or registration as established in this administrative regulation.

(4) The certificates, examinations, or [~~and examination~~] prerequisites shall be divided into the following three (3) [~~four (4)~~] categories:

(a) Industrial education and information technology:

1. National Occupational Competency Testing Institute's (NOCTI) Teacher Occupational Competency Test (TOCT) if one (1) corresponding to the teaching specialty is available;

2. Kentucky Department of Education or Kentucky Department of Workforce Investment developed or identified assessment corresponding to the teaching specialty;

3. Appropriate state or national industry licensure, certification, or registration; or

4. Minimum postsecondary educational attainment in a related area of study;

(b) Health science and human service: [~~services occupations~~.]

1. The appropriate state or national industry licensure, certification, or registration; or

2. Minimum postsecondary educational attainment in a related area of study; or

(c) Public-service:[~~.~~] The appropriate state or national industry licensure, certification, or registration. [~~; or~~

~~(d) Information technology. The appropriate national industry-recognized information technology certification.~~]

Section 2. The Education Professional Standards Board shall require the specialty tests and passing scores or other examination prerequisites identified in this section for each new teacher applicant and each teacher seeking an additional certificate.

(1) Preprofessional Skills Test:

(a) Reading - 167;

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(b) Mathematics - 166; and

(c) Writing - 167;

(2) In lieu of the Preprofessional Skills Tests identified in subsection (1) of this section, a new teacher applicant may meet the testing requirement by obtaining the following COMPASS Test scores:

(a) Reading - 78;

(b) 1. Prealgebra - 48; or

2. Algebra – any reported score; and

(c) Writing - 68.

(3) Specialty area tests or other examination prerequisites for industrial education certification:

(a) Auto body technology and collision repair and refinish:

1. NOCTI Collision Repair/Refinishing Technology Test - 61; or

2. Automotive Service Excellence (ASE) certification;

(b) Automotive technology:

1. NOCTI Automotive Technology Test - 63; or

2. Automotive Service Excellence (ASE) certification;

(c) Aviation flight technician. Federal Aviation Administration certified commercial license with instructor endorsement;

(d) Aviation maintenance technician. Federal Aviation Administration certified airframe and power plant;

(e) Building and apartment maintenance. NOCTI Building Trades Maintenance - 52;

(f) Construction Carpentry. NOCTI Carpentry - 58;

(g) Computer Aided Drafting and Drafting technology. NOCTI Technical Drafting - 62;

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(h) Diesel technology:

1. NOCTI Diesel Mechanics - 62; or

2. Automotive Service Excellence (ASE) certification;

(i) Digital media. No test identified;

(j) Electrical technology. NOCTI Electrical Technology Construction - 45;

(k) Engineering technology. Bachelor's degree in engineering or engineering technology;

(l) Environmental technology. No test identified;

(m) HVAC and Air conditioning technology. No test identified;

(n) Heavy equipment. Commonwealth of Kentucky license for equipment taught;

(o) Industrial chemical technology. Bachelor's degree in chemistry or related sciences;

(p) Industrial electronics technology. No test identified;

(q) Industrial maintenance technology. NOCTI Industrial Maintenance Mechanic - 44;

(r) Interior finishing and design. No test identified;

(s) Machine tool technology. NOCTI Precision Machining - 50;

(t) Major appliance technology. No test identified;

(u) Manufacturing. NOCTI Industrial Maintenance Mechanic - 44;

(v) Marine technology. No test identified;

(w) Masonry – No test identified;

(x) Metal fabrication. No test identified;

(y) Multimedia technology:

1. Macromedia Certified Professional; or

2. Adobe Certified Expert;

(z) Plastics technology. No test identified;

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(aa) Plumbing technology. NOCTI Plumbing - 55;

(bb) Printing technology. No test identified;

(cc) Small engine and motorcycle repair technology:

1. NOCTI Small engine technology- 71; or

2. Equipment and Engine Training Council (EETC) Outdoor Power Equipment Certification;

(dd) Visual communication art.

1. NOCTI Advertising and Design – 69; or

2. Adobe-certified expert in Photoshop or Illustrator;

(ee) Welding:

1. NOCTI Welding - 53; or

2. American Welding Society (AWS) Certified Welder; or

(ff) Wood manufacturing technology. No test identified;

(4) Specialty area tests or other examination prerequisites for health science and human service:

(a) Allied health sciences. Active licensure, certification, or registration by a state or nationally-recognized accrediting agency as a professional health care practitioner following completion of a minimum of an associate degree or technical diploma preparation program;

(b) Barbering. A license for teacher of barbering issued by the Kentucky Board of Barbering;

(c) Biomedical sciences. Baccalaureate or higher degree in biomedical or health science area.

(d) Culinary arts. In the field of culinary arts, an individual shall provide proof of one (1) of the following prerequisites:

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1. NOCTI Commercial Foods - 55; or

2. American Culinary Federation Professional Certification.

(e) Cosmetology. A license for instructor of cosmetology issued by the Kentucky Board of Hairdressers and Cosmetologists;

(f) Health science. An active Registered Nurse License in Kentucky and meet applicable accrediting body state and federal requirements;

(g) Practical nursing. An active Registered Nurse License in Kentucky and baccalaureate or higher degree in nursing.

(5) Specialty area tests or other examination prerequisites for public service:

(a) EMS training. First Responder Instructor Certification and EMT Instructor Certification by the Kentucky Board of Emergency Medial Services;

(b) Fire and rescue training. State Fire Commission Instructor Certification;

(c) Law Enforcement. Certification as a police officer or police instructor from the Kentucky Law Enforcement Council; or

(6) Specialty area tests for information technology:

(a) Computing Technology Industry Association (CompTIA):

1. A+ Certification;

2. Security+ Certification;or

3. Network+ Certification;

(b) Cisco Certified Network Associate (CCNA);

(c) Microsoft Certified Professional (MCP);

(d) Novell Certified Administrator (CAN); or

(e) NOCTI Computer Technology Test - 63.

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~~[(3) Specialty area tests or other examination prerequisites for occupation-based certification:~~

~~(a) Air conditioning technology. NOCTI Heating, Ventilation and Air Conditioning (#144) - 63;~~

~~(b) Aviation flight technician. Federal Aviation Administration certified commercial license with instructor endorsement;~~

~~(c) Aviation maintenance technician. Federal Aviation Administration certified airframe and power plant;~~

~~(d) Major appliance technology. NOCTI Appliance Repair (#277) - 64;~~

~~(e) Auto body technology:~~

~~1. NOCTI Collision Repair/Refinishing Technology Test (#138) - 61; or~~

~~2. Automotive Service Excellence (ASE) certification;~~

~~(f) Automotive technology:~~

~~1. NOCTI Automotive Technician Test (#303) - 63; or~~

~~2. Automotive Service Excellence (ASE) certification;~~

~~(g) Building and apartment maintenance. NOCTI Building Trades Maintenance (#125) - 52;~~

~~(h) Wood manufacturing technology. NOCTI Cabinetmaking and Millwork (#124) - 49;~~

~~(i) Carpentry. NOCTI Carpentry (#207) - 58;~~

~~(j) Visual communication art. NOCTI Advertising and Design (#136) - 69;~~

~~(k) Diesel technology:~~

~~1. NOCTI Diesel Mechanics (#152) - 62; or~~

~~2. Automotive Service Excellence (ASE) certification;~~

~~(l) Computer-aided drafting. NOCTI Technical Drafting and Design (#039) - 62;~~

~~(m) Electrical technology. NOCTI Electrical Construction (#261) - 45;~~

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~~(n) Electronics technology. NOCTI Electronics Technology (#253) - 44;~~

~~(o) Graphic technology. NOCTI Graphic Imaging Technology (#137) - 62;~~

~~(p) Heavy equipment operation. Commonwealth of Kentucky license for equipment taught;~~

~~(q) Industrial maintenance technology. NOCTI Industrial Technology (#076) - 44;~~

~~(r) Interior finishing and design. NOCTI Painting and Decorating (#135) - 44;~~

~~(s) Machine tool technology. NOCTI Precision Machining (#220) - 50;~~

~~(t) Masonry - NOCTI Masonry (#209) - 64;~~

~~(u) Multimedia:~~

~~1. NOCTI Graphic Imaging Technology (#137) - 62;~~

~~2. Macromedia Certified Professional; or~~

~~3. Adobe Certified Expert;~~

~~(v) Plumbing technology. NOCTI Plumbing (#110) - 55;~~

~~(w) Radio and television production. NOCTI Audiovisual Communication Technology (#249) - 52;~~

~~(x) Metal fabrication. NOCTI Sheet Metal (#211) - 60;~~

~~(y) Small engine repair technology:~~

~~1. NOCTI Air-cooled Gas Engine Repair (#256) - 71; or~~

~~2. Equipment and Engine Training Council (EETC) Outdoor Power Equipment Certification;~~

~~(z) Welding:~~

~~1. NOCTI Welding (#121) - 53; or~~

~~2. American Welding Society (AWS) Certified Welder;~~

~~(aa) Industrial chemical technology. Bachelor's degree in chemistry or related sciences;~~

~~(bb) Construction. NOCTI Carpentry (#207) - 58;~~

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~~(cc) Engineering technology. Bachelor's degree in engineering;~~

~~(dd) Environmental technology. No test identified;~~

~~(ee) Heavy highway construction. No test identified;~~

~~(ff) Manufacturing:~~

~~1. NOCTI Industrial technology (#076) - 44; or~~

~~2. NOCTI Precision Machining (#220) - 50;~~

~~(gg) Marine technology. NOCTI Marine Mechanics (#131) - 78; or~~

~~(hh) Plastics technology. No test identified;~~

~~(4) Specialty area tests or other examination prerequisites for health science and human services occupations:~~

~~(a) Barbering. A license for teacher of barbering issued by the Kentucky Board of Barbering;~~

~~(b) Cosmetology. A license for instructor of cosmetology issued by the Kentucky Board of Hairdressers and Cosmetologists;~~

~~(c) Health science. Registered Nurse License in Kentucky and meet applicable accrediting body state and federal requirements;~~

~~(d) Allied health sciences. Active licensure, certification, or registration by a state or nationally-recognized accrediting agency as a professional health care practitioner following completion of a minimum of an associate degree or technical diploma preparation program;~~

~~(e) Practical nursing. Practical Nurse License in Kentucky and meet applicable accrediting body state and federal requirements.~~

~~(f) Culinary arts. In the field of culinary arts, an individual shall provide proof of one (1) of the following prerequisites:~~

~~1. NOCTI Quantity Foods (#225) - 55;~~

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~~2. NOCTI Quantity Food Preparation (#117) - 39; or~~

~~3. American Culinary Federation Professional Certification.~~

~~(5) Specialty area tests or other examination prerequisites for public service:~~

~~(a) Law Enforcement. Certification as a police officer or police instructor from the Kentucky Law Enforcement Council;~~

~~(b) Fire and rescue training. State Fire Commission Instructor Certification;~~

~~(c) EMS training. First Responder Instructor Certification and EMT Instructor Certification by the Kentucky Board of Emergency Medial Services; or~~

~~(6) Specialty area tests for information technology:~~

~~(a) Computing Technology Industry Association (CompTIA):~~

~~1. A+ Certification;~~

~~2. I-Net+ Certification;~~

~~3. Server+ Certification; or~~

~~4. Network+ Certification;~~

~~(b) Cisco Certified Network Associate (CCNA);~~

~~(c) Microsoft Certified Professional (MCP);~~

~~(d) Novell Certified Administrator (CAN); or~~

~~(e) NOCTI Computer Technology Test (#226) - 63.]~~

Section 3. Teacher applicants in any occupation-based career and technical education programs for which no appropriate specialty test is yet available shall not be required to take a specialty test, except for research and validation purposes. After a new program has been piloted and fully implemented, a test shall be developed or identified and a new teacher applicant shall be required to pass a designated specialty test.

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Section 4. (1) Applicants for initial certification may take the written tests on any of the dates established by the Kentucky Department of Workforce Investment, with the tests to be administered on a regular basis.

(2) Public announcement of testing dates and locations shall be issued sufficiently in advance of testing dates to permit advance registration as required by the Kentucky Department of Workforce Investment.

(3) An applicant shall seek information regarding the dates and location of the tests and make application to the Kentucky Department of Workforce Investment for the appropriate tests prior to the deadlines established and sufficiently in advance of anticipated employment.

(4) Applicants shall authorize test results to be forwarded to the Education Professional Standards Board.

Section 5. Applicants shall pay an examination fee directly to the testing agency for the required tests. The testing agency shall publish the examination fee with the publication of testing dates.

Section 6. An applicant who fails to achieve at least the minimum score on any of the appropriate examinations may retake the test or tests during one (1) of the scheduled test administrations. All retakes shall meet the regularly scheduled testing dates. Initial certification shall not be granted until acceptable scores are achieved in each of the required areas.

Section 7. Assessment Recency. (1) An applicant for initial or additional Kentucky teacher certification shall comply with the assessment recency requirements established in this section.

(2) A test established in this administrative regulation shall be valid for five (5) years from the test administration date.

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(3) A passing score on a test established in this administrative regulation and completed on or after January 1, 2002 shall be valid for five (5) years from the test administration date.

(4)(a) A teacher shall complete application for certification to the Education Professional Standards Board within the five (5) year validity period of the test and the passing score.

(b) A teacher who fails to complete application for certification to the Education Professional Standard Board within the five (5) year validity period of the test and the passing score shall retake the appropriate test or tests and achieve the appropriate passing score or scores required for certification at the time of application.

(5) The test administration date shall be established by the National Occupational Competency Testing Institute or other authorized test administrator.

Section 8. The Education Professional Standards Board in conjunction with the Department of Workforce Investment shall collect data and conduct analyses of the impact of these tests as to permit a review of these administrative regulations on a regular basis.

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_____ _____

Date

Lorraine Williams, Chairperson
Education Professional Standards Board

PUBLIC HEARING AND PUBLIC COMMENT PERIOD: A public hearing on this administrative regulation shall be held on November 30, 2010 at 9:00 a.m. at the offices of the Education Professional Standards Board, 100 Airport Road, 3rd Floor, Conference Room A, Frankfort, Kentucky 40601. Individuals interested in being heard at this hearing shall notify this agency in writing five workdays prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing is received by that date, the hearing may be canceled. This hearing is open to the public. Any person who wishes to be heard will be given an opportunity to comment on the proposed administrative regulation. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted until November 30, 2010. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person.

Contact person: Alicia A. Sneed, Director of Legal Services
Education Professional Standards Board
100 Airport Road, Third Floor
Frankfort, KY 40601
(502) 564-4606
FAX: (502) 564-7080

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REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Regulation #: 16 KAR 6:020

Contact Person: Alicia A. Sneed, Director of Legal Services

(1) Provide a brief summary of:

(a) What this administrative regulation does: This administrative regulation establishes the written examination prerequisites and the corresponding passing scores for occupation-based and career and technical education teachers.

(b) The necessity of this administrative regulation: This administrative regulation is necessary to provide notice to teacher candidates of the assessment requirements for obtaining and maintaining a teaching certificate.

(c) How this administrative regulation conforms to the content of the authorizing statutes: KRS 161.020 requires a certificate of legal qualifications for any public school position for which a certificate is issued. KRS 161.028 requires the Education Professional Standards Board to establish standards and requirements for obtaining and maintaining a teaching certificate. KRS 161.030 places the responsibility of selecting the assessments and determining the minimum acceptable level of achievement on each assessment on the Education Professional Standards Board.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes: This administrative regulation lists the required teacher certification assessments and their corresponding minimum acceptable scores.

(2) If this is an amendment to an existing administrative regulation, provide a brief summary of:

(a) How the amendment will change this existing administrative regulation: This amendment deletes the primary assessments used in some areas of occupation-based certification due to the National Occupational Competency Testing Institute (NOCTI) ending production on these tests. Where possible, alternative licensures or other requirements have been added in certification areas where NOCTI tests no longer exist. This amendment also modifies some certificate names and prerequisites which reflect changes in the industry and the needs of Career and Technical schools.

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(b) The necessity of the amendment to this administrative regulation: This amendment is necessary to ensure that the required assessments and corresponding scores are adequately set to produce the most competent educators.

(c) How the amendment conforms to the content of the authorizing statutes: The authorizing statues, KRS 161.020, 161.028, and 161.030, govern the certification of professional school personnel and grant the Education Professional Standards Board certification authority and the responsibility for establishing the requirements for obtaining and maintaining a certificate. This amendment establishes the required assessments and corresponding passing scores for Kentucky teacher certification.

(d) How the amendment will assist in the effective administration of the statutes: This amendment more closely aligns assessment options with opportunities within an actual school setting.

(3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation: The Cabinet for Workforce Investment, the Kentucky Department of Education, 174 Kentucky school districts, 30 educator preparation programs, and educators seeking new and additional teacher certification in occupation-based and career and technical education.

(4) Provide an analysis of how the entities identified in question (3) will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:

(a) List the actions that each of the regulated entities identified in question (3) will have to take to comply with this administrative regulation or amendment: The school districts will not be required to take any additional action. The educator preparation programs will need to continue to direct students to the Education Professional Standards Board website for current assessment requirements. Applicants will need to continue to refer to the Education Professional Standards board website for current assessment requirements.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (3): There should not be any additional cost to the entities impacted by the regulation.

(c) As a result of compliance, what benefits will accrue to the entities identified in question (3): The educator preparation programs and applicants will be positively affected by

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the clarifications to the regulation. The Cabinet for Workforce Development, the Kentucky Department of Education, and districts will be positively affected by a supply of teachers who are competent in their content area.

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

(a) Initially: None

(b) On a continuing basis: None

(6) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation: State General Fund

(7) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change if it is an amendment: No increase in fees or funding will be necessary to implement this administrative regulation.

(8) State whether or not this administrative regulation established any fees or directly or indirectly increased any fees: This administrative regulation does not establish any fees, or directly or indirectly increase fees.

(9) TIERING: Is tiering applied? (Explain why or why not) NO, tiering does not apply since all candidates for each certificate will be held to the same standard.

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FISCAL NOTE ON STATE OR LOCAL GOVERNMENT

Regulation No.16 KAR 6:020 Contact Person: Alicia Sneed_____

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

Yes X No ___

If yes, complete questions 2-4.

2. What units, parts or divisions of state or local government (including cities, counties, fire departments, or school districts) will be impacted by this administrative regulation? School districts, regional universities, the Cabinet for Workforce Investment, the Kentucky Department of Education, and the Education Professional Standards Board.

3. Identify each state or federal statute or federal regulation that requires or authorizes the action taken by the administrative regulation. KRS 161.028(1) and KRS 161.030

4. Estimate the effect of this administrative regulation on the expenditures and revenues of a state or local government agency (including cities, counties, fire departments, or school districts) for the first full year the administrative regulation is to be in effect. There should be none.

(a) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for the first year? There should be no revenue generated.

(b) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for subsequent years? There should be no revenue generated.

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

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

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

Revenues (+/-):

Expenditures (+/-):

Other Explanation: This is not a fee generating or a revenue costing regulation, but merely establishes the testing requirements for teacher candidates to obtain certification.

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EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE

Action Item E

Action Item:

16 KAR 2:150. Probationary certificate for teachers of technology education.

Applicable Statutes and Regulation:

KRS 161.020, 161.028, and 161.030

Applicable Goal:

Goal 2: Every professional position in a Kentucky public school is staffed by a properly credentialed educator.

Issue:

Should the Education Professional Standards Board (EPSB) approve amendments to 16 KAR 2:150—Probationary certificate for teachers of technology education?

Background:

In early fall 2008, EPSB staff convened the Certification Task Force composed of university certification officers, district personnel directors, and other stakeholder groups to study current certification regulations and recommend to the EPSB possible changes to be enacted in this area. These recommendations, which were approved by the EPSB in its May 2009 meeting, included convening a work group from the Kentucky Department of Education and the Cabinet for Workforce Investment to discuss the unique needs of the occupation-based areas. This group met during the 2009-10 school year, and this recommended change in regulation is one of the recommendations from the work group.

Alternative Actions:

1. Approve the proposed amendments to 16 KAR 2:150
2. Do not approve the proposed amendments to 16 KAR 2:150

Staff Recommendation:

Alternative 1

Rationale:

Changes to this regulation would reflect the change in the name of the technology education certificate (now Engineering and Technology) as adopted by the EPSB in 16 KAR 2:010 during the October 2009 meeting. The change would also incorporate by reference a new application form for this type of certificate, Form TC-ET, which is needed for processing these certifications.

Contact Person:

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

_____
Executive Director

Date:

September 20, 2010

EDUCATION PROFESSIONAL STANDARDS BOARD

(AMENDMENT)

16 KAR 2:150. Probationary certificate for teachers of engineering and technology [~~education~~].

RELATES TO: KRS 161.020, 161.028(1)(a), (c), 161.030

STATUTORY AUTHORITY: KRS 161.028(1)(a), (c), 161.030

NECESSITY, FUNCTION, AND CONFORMITY: KRS 161.020 and 161.030 require that a teacher and other professional school personnel hold a certificate of legal qualification for their respective position to be issued upon completion of a program of preparation prescribed by the Education Professional Standards Board. Pursuant to KRS 161.028, a teacher education institution is required to be approved for offering the preparation program corresponding to a particular certificate on the basis of standards and procedures established by the Education Professional Standards Board. This administrative regulation establishes a plan for recruiting certified classroom teachers into positions for teachers of engineering and technology [~~education~~].

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Section 1. Definition. "Qualified teacher" means a teacher who holds certification as an engineering and [~~a~~] technology [~~education~~] teacher unless the superintendent of the employing school district has documented evidence that the teacher is unsuitable for appointment.

Section 2. Requirements for a Probationary Certificate for Teachers of Engineering and Technology [~~Education~~]. (1) If a qualified teacher is not available for the position of engineering and technology [~~education~~] teacher as attested to by the local superintendent, the superintendent may request by filing a Form TC-ET with the Education Professional Standards Board that a one

(1) year probationary certificate be issued [~~for a specific technology education offering~~] as approved by the Division of Career and Technical Education to a teacher who:

(a) Holds one (1) of the following:

1. A valid classroom teaching certificate for teaching in the middle school or secondary school; or

2. A bachelor's degree in a related area of concentration or major approved by a Division of Career and Technical Education engineering and technology consultant and a designated university teacher educator;

(b)1. Has a cumulative grade point average of 2.5 on a 4.0 scale; or

2. Has a grade point average of 3.0 on a 4.0 scale on the last sixty (60) hours of credit completed, including undergraduate and graduate coursework;

(c) Meets the minimum standards for admission to a teacher education preparation program at an approved institution of higher education;

(d) Develops a continuous plan for curriculum completion with an approved institution for engineering and technology [~~education~~]; and

(e) Documents 1000 clock hours or six (6) months of full-time employment of work related experience or other exceptional life experience related to teaching engineering and technology [~~education~~].

(2) Upon completion of all requirements established in subsection (1) of this section, the candidate shall be issued a probationary certificate for teachers of engineering and technology [~~education~~], valid for one (1) year. [~~The Division of Career and Technical Education, in cooperation with a technology education teacher educator, shall grant approval for each course to be taught by a probationary teacher.~~]

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Section 3. Requirements for Renewal of a Probationary Certificate for Teachers of Engineering and Technology [~~Education~~]. (1) The first renewal of the probationary certificate for teachers of engineering and technology [~~education~~] shall be for one (1) year, based upon the successful completion of the following requirements:

(a) Evidence of employment by a participating district;

(b) Completion of eighteen (18) clock hours of orientation and management training provided through the engineering and technology [~~education~~] new teacher institute, within the first six (6) weeks of employment;

(c) Completion of at least six (6) semester hours from the continuous curriculum plan; and

(d) Successful completion of the internship program required by KRS 161.030 and 16 KAR 7:010.

(2) The probationary certificate may be renewed a maximum of two (2) times and shall require at the time of application proof of the completion of at least six (6) hours of additional credit from the preapproved continuous curriculum plan.

(3) Upon successful completion of all requirements for an approved teacher preparation program, including successful completion of all required assessments identified in 16 KAR 6:010, a professional certificate for engineering and [~~industrial~~] technology shall be issued valid for five (5) years.

Section 4. [~~Approval of Additional Technology Offerings. A teacher with a probationary certificate may be approved to teach additional technology education offerings upon recommendation by the Division of Career and Technical Education and the technology education teacher educator.~~

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~~Section 5.~~] Upon recommendation by the teacher education institution, teaching experience performed in a full-time position requiring certification for engineering and technology [~~education~~] teachers shall be substituted for the student teaching requirement.

Section 5. Incorporations by Reference.

(1) Form TC-ET, 09/2010,is incorporated by reference.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Education Professional Standards Board, 100 Airport Road, 3rd Floor, Frankfort, Kentucky 40601, Monday through Friday, 8:00 a.m. to 4:30 p.m.

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_____
Date

_____
Lorraine Williams, Chairperson
Education Professional Standards Board

PUBLIC HEARING AND PUBLIC COMMENT PERIOD: A public hearing on this administrative regulation shall be held on November 30, 2010 at 9:00 a.m. at the offices of the Education Professional Standards Board, 100 Airport Road, 3rd Floor, Conference Room A, Frankfort, Kentucky 40601. Individuals interested in being heard at this hearing shall notify this agency in writing five workdays prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing is received by that date, the hearing may be canceled. This hearing is open to the public. Any person who wishes to be heard will be given an opportunity to comment on the proposed administrative regulation. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted until November 30, 2010. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person.

Contact person: Alicia A. Sneed, Director of Legal Services
Education Professional Standards Board
100 Airport Road, Third Floor
Frankfort, KY 40601
(502) 564-4606
FAX: (502) 564-7080

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Regulation #: 16 KAR 2:150

Contact Person: Alicia A. Sneed, Director of Legal Services

(1) Provide a brief summary of:

(a) What this administrative regulation does: This administrative regulation establishes a plan for recruiting certified classroom teachers into positions for teachers of engineering and technology.

(b) The necessity of this administrative regulation: This administrative regulation is necessary to provide notice to school districts and applicants of the requirements for obtaining a probationary certificate for teaching engineering and technology.

(c) How this administrative regulation conforms to the content of the authorizing statutes: KRS 161.020 requires a certificate of legal qualifications for any public school position for which a certificate is issued. KRS 161.028 requires the Education Professional Standards Board to establish standards and requirements for obtaining and maintaining a teaching certificate.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes: This administrative regulation delineates the process and states the requirements for obtaining a probationary certificate for teaching engineering and technology.

(2) If this is an amendment to an existing administrative regulation, provide a brief summary of:

(a) How the amendment will change this existing administrative regulation: This amendment reflects the change in the name of the technology education certificate now known as engineering and technology in 16 KAR 2:010 and incorporates by reference a new application form, TC-ET, for this certification.

(b) The necessity of the amendment to this administrative regulation: This amendment is necessary to ensure consistency in the teacher certification regulations and to ensure proper processing of applications for probationary certificates for teachers of engineering and technology.

(c) How the amendment conforms to the content of the authorizing statutes: The authorizing statues, 161.028, and 161.030, govern the certification of professional school personnel and grant the Education Professional Standards Board certification authority and the responsibility for establishing the requirements for obtaining and maintaining a certificate.

(d) How the amendment will assist in the effective administration of the statutes: This amendment delineates the process and states the requirements for obtaining a probationary certificate for teaching engineering and technology.

(3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation: The Cabinet for Workforce Investment, the Kentucky Department of Education, 174 Kentucky school districts, 30 educator preparation programs, and educators seeking new and additional teacher certification in occupation-based and career and technical education.

(4) Provide an analysis of how the entities identified in question (3) will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:

(a) List the actions that each of the regulated entities identified in question (3) will have to take to comply with this administrative regulation or amendment: The school districts, the Cabinet for Workforce Investment, and applicants will have to complete the new form when applying for a probationary certificate for teachers of engineering and technology.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (3): There should not be any additional cost to the entities impacted by the regulation.

(c) As a result of compliance, what benefits will accrue to the entities identified in question (3): The Cabinet for Workforce Development, the Kentucky Department of Education, and districts will be positively affected by an additional supply of teachers of engineering and technology.

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

(a) Initially: None

(b) On a continuing basis: None

(6) What is the source of the funding to be used for the implementation and enforcement

of this administrative regulation: State General Fund

(7) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change if it is an amendment: No increase in fees or funding will be necessary to implement this administrative regulation.

(8) State whether or not this administrative regulation established any fees or directly or indirectly increased any fees: This administrative regulation does not establish any fees, or directly or indirectly increase fees.

(9) TIERING: Is tiering applied? (Explain why or why not) NO, tiering does not apply since all candidates for each certificate will be held to the same standard.

FISCAL NOTE ON STATE OR LOCAL GOVERNMENT

Regulation No.16 KAR 2:150 Contact Person: Alicia Sneed_____

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

Yes X No ___

If yes, complete questions 2-4.

2. What units, parts or divisions of state or local government (including cities, counties, fire departments, or school districts) will be impacted by this administrative regulation? School districts, regional universities, the Cabinet for Workforce Investment, the Kentucky Department of Education, and the Education Professional Standards Board.

3. Identify each state or federal statute or federal regulation that requires or authorizes the action taken by the administrative regulation. KRS 161.028(1) and KRS 161.030

4. Estimate the effect of this administrative regulation on the expenditures and revenues of a state or local government agency (including cities, counties, fire departments, or school districts) for the first full year the administrative regulation is to be in effect. There should be none.

(a) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for the first year? There should be no revenue generated.

(b) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for subsequent years? There should be no revenue generated.

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

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

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

Revenues (+/-):

Expenditures (+/-):

Other Explanation: This is not a fee generating or a revenue costing regulation, but merely establishes the testing requirements for teacher candidates to obtain certification.

Summary of Material Incorporated by Reference

Form TC-ET, 09/2010
This is a two (2) page application form to be completed by the employing school district, an institution of higher education, and an applicant who seeks a probationary teaching certificate in engineering and technology.

EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE

Action Item F

Action Item:

Midway College request to offer programs at an off-site campus

Applicable Statutes and Regulation:

161.028, 161.048
16 KAR 5:010, Section 28

Applicable Goal:

Goal 1: Every approved educator preparation program meets or exceeds all accreditation standards and prepares knowledgeable, capable teachers and administrators who demonstrate effectiveness in helping all students reach educational achievement.

Issue:

Should the Education Professional Standards Board (EPSB) approve Midway College's request to establish one off-site campus?

Background:

Regulation 16 KAR 5:010 Standards for Accreditation of Educator Preparation Units and Approval of Programs was revised in 2007 to require Education Professional Standards Board (EPSB) approval for off-site campuses established by educator preparation institutions. The change was made to assist staff in monitoring the various off-site campuses that continue to grow across the state without EPSB oversight. The regulation requires educator preparation institutions to seek approval from the EPSB before establishing off-site campuses when offering single courses or whole programs. It should be noted that 16 KAR 5:010, Section 28 regulates the location of the off-site campus and the resources available to candidates in attendance.

Midway College's Teacher Education Program is requesting permission to offer programs at the following campus: Lexington, 2700 Rosebud, Third Floor, Lexington, KY and a floor plan is included with this staff note. The location is accessible from I-75 and Man-of-War. The facility is a new building with ADA accommodations for students with special needs. There is a learning resource room and technology smart classrooms.

Midway College will offer P-5 Elementary Education, 5-9 Middle School (all four subject areas), Secondary English, Secondary Mathematics, and Learning & Behavior Disorders. The college has also included a list of resources for various subject areas. Midway College is already approved to offer courses and programs at community colleges in the following locations: Louisville, Somerset, London, Maysville, Cynthiana, and Whitesburg. Supporting documentation is under separate cover.

Alternative Actions:

1. Approve the Midway College request to establish an off-site campus in Lexington.
2. Modify and approve the Midway College request to establish one off-site campus in Lexington.
3. Do not approve the Midway College request to establish one off-site campus in Lexington.

Staff Recommendation:

Alternative 1

Rationale:

Midway College can provide the necessary resources, educational supplies, advisement, and faculty to support the additional off-site campus. Candidates will have full access to instructional and technological resources and the college's library.

Contact Person:

Ms. Allison Bell, Consultant
Division of Educator Preparation
502.564.4606
E-mail: allison.bell@ky.gov

Executive Director

Date:

September 20, 2010

RELATES TO: KRS 161.028, 161.030, 164.945, 164.946,164.947, 20 U.S.C. 1021-1030

STATUTORY AUTHORITY: KRS 161.028, 161.030

NECESSITY, FUNCTION, AND CONFORMITY: KRS 161.028(1) authorizes the Education Professional Standards Board to establish standards and requirements for obtaining and maintaining a teaching certificate and for programs of preparation for teachers and other professional school personnel, and KRS 161.030(1) requires all certificates issued under KRS 161.010 to 161.126 to be issued in accordance with the administrative regulations of the board. This administrative regulation establishes the standards for accreditation of an educator preparation unit and approval of a program to prepare an educator….

Section 28. Approval of Off-site and On-line Programs. (1) Institutions in Kentucky with educator preparation programs shall seek approval from the Education Professional Standards Board before offering courses or whole programs at an off-campus site.

(a) The institution shall submit a written request to the board to begin offering courses at the off-site location describing the location and physical attributes of the off-campus site, resources to be provided, faculty and their qualifications, and a list of courses or programs to be offered.

(b) The off-site location shall be approved by the board before the institution may begin offering courses at the location.

(2)(a) Until May 31, 2008, initial and continuing on-line educator preparation programs shall be regionally or nationally accredited and accredited or approved, as applicable, by the program's state of origin.

(b) Beginning June 1, 2008, initial and continuing on-line educator preparation programs originating from outside Kentucky shall be regionally accredited, accredited or approved, as applicable, by the program's state of origin, and accredited by NCATE….

EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE

Action Item G

Action Item:

Campbellsville University's Teacher Leader Master of Arts in Education, Special Education, and Endorsement Program Proposals.

Applicable Statute and Regulation:

161.028, 161.048
16 KAR 5:010, Section 12

Applicable Goal:

Goal 1: Every approved educator preparation program meets or exceeds all accreditation standards and prepares knowledgeable, capable teachers and administrators who demonstrate effectiveness in helping all students reach educational achievement.

Issue:

Should the Education Professional Standards Board (EPSB) approve Campbellsville University's request for a Teacher Leader Master of Arts in Education, Special Education, and Endorsement Program Proposals?

Background:

After several years in discussion and with the assistance of numerous P-16 educators across the state, the Education Professional Standards Board (EPSB) appointed committees to address how Kentucky could refashion the way institutions educate experienced teachers and school leaders. The Master's Redesign Committee was charged with developing programs for rank change so that they are not only concerned with the transmission of knowledge but also with involvement in the processes by which knowledge is attained. The new programs are envisioned as representing current best practices, focusing on how educators learn while engaging them in intellectual discourse. The redesigned master's is to develop teacher leaders through research-based practices, district partnerships and collaboration, mixed delivery methods, clinical experiences, and job-embedded professional experiences. A representative group of PreK-12 practitioners, administrators, and educational leaders was appointed to serve on the Master's Review Committee for a two-year period.

Campbellsville University submitted the Teacher Leader Master of Arts in Education, Special Education and Endorsement for review by the committee. The program's foundational goal is *empowerment for learning*. Candidates will acquire knowledge, skills, and dispositions to be effective teacher leaders. Candidates are empowered to learn and achieve and thereby impact others through "Christian servant leadership".

The Teacher Education Advisory Council (TEAC) was responsible for the design of the proposal. The University's Education and Arts and Science faculty and area school district personnel partnered in the design of the program and will co-deliver. A unique feature of the proposal includes the Teacher Leader Action Research Project that will involve a review by the candidate's

peers, administrators, and SBDM Council. Other features include the Teacher Leader Professional Growth Plan and the Assessment Design Project. The cohort model will be encompassed in a professional learning community model.

Campbellsville University responded to concerns and questions posed by the review committee and staff. All concerns have been addressed to the satisfaction of the Master's Review Committee. The recommendation for approval is listed below. (An Executive Summary is attached.)

Groups/Persons Consulted:

Master's Review Committee

Alternative Actions:

1. Approve the Campbellsville University request for the Teacher Leader Master of Arts in Education, Special Education and Endorsement Program Proposals.
2. Modify and approve the Campbellsville University request for the Teacher Leader Master of Arts in Education, Special Education and Endorsement Program Proposal.
3. Do not approve the Campbellsville University request for the Teacher Leader Master of Arts in Education, Special Education and Endorsement Program Proposal.

Staff Recommendation:

Alternative 1

Rationale:

The Master's Review Committee recommends approval for the Campbellsville University Teacher Leader Master of Arts in Education, Special Education and Endorsement proposal. In addition to recommending program approval, the committee commended the college for the following aspects of its proposal:

a) Well constructed and organized
b) Aligned both the Master of Arts in Education and Special Education programs with common themes throughout
c) Promoted collaboration with districts and A&S faculty
d) Very focused on serving needs of districts; involved SBDM councils in research
e) Capstone project built over coursework that is focused on student learning
f) Holistic approach to program development
g) Demonstrated how teacher leadership is aligned to student achievement
h) Professional growth plan–reflective process and input of IHE and principal in shaping the plan
i) Program appears flexible and adaptable to changes
j) Serious about servant leader notion which makes it unique to this institution

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Executive Director

Date:

September 20, 2010

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

RELATES TO: KRS 161.028, 161.030, 164.945, 164.946,164.947, 20 U.S.C. 1021-1030
STATUTORY AUTHORITY: KRS 161.028, 161.030
NECESSITY, FUNCTION, AND CONFORMITY: KRS 161.028(1) authorizes the Education Professional Standards Board to establish standards and requirements for obtaining and maintaining a teaching certificate and for programs of preparation for teachers and other professional school personnel, and KRS 161.030(1) requires all certificates issued under KRS 161.010 to 161.126 to be issued in accordance with the administrative regulations of the board. This administrative regulation establishes the standards for accreditation of an educator preparation unit and approval of a program to prepare an educator….

Section 12. Teacher Leader Master's Programs and Planned Fifth-Year Programs for Rank II. (1) All master's programs for rank change or planned fifth-year program for Rank II approved or accredited by the EPSB prior to May 31, 2008 shall no longer be approved or accredited as of December 31, 2010.

(a) Master's programs for initial certification shall be exempt from the requirements of this section.

(b) A master's program or planned fifth-year program for Rank II approved by the EPSB prior to May 31, 2008 shall cease admitting new candidates after December 31, 2010.

(c) Candidates admitted to a master's program or planned fifth-year program for Rank II approved by the EPSB prior to May 31, 2008 shall complete the program by January 31, 2013.

(d) An institution of higher learning with a master's program or a planned fifth-year program for Rank II approved by the EPSB prior to May 31, 2008 may submit a redesigned program for approval pursuant to the requirements of subsection (2) of this section beginning May 31, 2008.

(e) An institution may become operational beginning January 1, 2009, if the institution:

1. Submits a redesigned master's program or a planned fifth-year program for Rank II for review pursuant to the requirements of subsection (2) of this section; and

2. Receives approval of the redesigned program by the EPSB pursuant to Section 22 of this administrative regulation.

(f) Institutions submitting a redesigned master's program or planned fifth-year program for Rank II shall not be subject to any submission dates for program approval until December 31, 2010.

(g)1. The EPSB shall appoint a Master's Redesign Review Committee to conduct reviews of redesigned master's programs and planned fifth-year programs for Rank II submitted for approval between May 31, 2008 and December 31, 2010.

2. A master's program or a planned fifth-year program for Rank II submitted for approval between May 31, 2008 and December 31, 2010 shall not be reviewed by the Continuous Assessment Review Committee, Content Program Review Committee, or the Reading Committee prior to presentation to the EPSB pursuant to Section 22(2) of this administrative regulation, but shall be reviewed by the Master's Redesign Review Committee.

3.a. After review of a master's program or planned fifth-year program for Rank II, the Master's Redesign Review Committee shall issue one (1) of the following recommendations to the Educational Professional Standards Board:

i. Approval;

ii. Approval with conditions; or

iii. Denial of approval.

b. The EPSB shall consider recommendations from staff and the Master's Redesign Review Committee and shall issue a decision pursuant to Section 22(4) of this administrative regulation.

(2) Beginning May 31, 2008, the educator preparation unit shall prepare and submit to the EPSB for each separate master's program or planned fifth-year program for Rank II for which the institution is seeking approval a concise description which shall provide the following information:

(a) Program design components which shall include the following descriptions and documentation of:

1. The unit's plan to collaborate with school districts to design courses, professional development, and job-embedded professional experiences that involve teachers at the elementary, middle, and secondary levels;

2. The unit's collaboration plan with the institution's Arts and Science faculty to meet the academic and course accessibility needs of candidates;

3. The unit's process to individualize a program to meet the candidate's professional growth or improvement plan;

4. The unit's method to incorporate interpretation and analysis of annual P-12 student achievement data into the program; and

5. The institution's plan to facilitate direct service to the collaborating school districts by education faculty members.

(b) Program curriculum that shall include core component courses designed to prepare candidates to:

1. Be leaders in their schools and districts;

2. Evaluate high-quality research on student learning and college readiness;

3. Deliver differentiated instruction for P-12 students based on continuous assessment of student learning and classroom management;

4. Gain expertise in content knowledge, as applicable;

5. Incorporate reflections that inform best practice in preparing P-12 students for postsecondary opportunities;

6. Support P-12 student achievement in diverse settings;

7. Enhance instructional design utilizing the Program of Studies, Core Content for Assessment, and college readiness standards;

8. Provide evidence of candidate mastery of Kentucky Teacher Standards utilizing advanced level performances and Specialized Professional Associations (SPA) Standards if applicable; and

9. Design and conduct professionally relevant research projects; and

(c) The unit's continuous assessment plan that includes, in addition to the requirements of Section 11(2) of this administrative regulation:

1. Instruments to document and evaluate candidate ability to demonstrate impact on P-12 student learning;

2. Clinical experiences and performance activities; and

3. A description of a culminating performance-based assessment.

(3)(a) A master's program for rank change approved pursuant to this section shall be known as a Teacher Leader Master's Program.

(b) Upon completion of a Teacher Leader Master's Program and recommendation of the institution, a candidate may apply to the EPSB for a Teacher Leader endorsement.

(c)1. An institution with an approved Teacher Leader Master's Program may establish an endorsement program of teacher leadership coursework for any candidate who received a Master's degree at an out of state institution or who received a master's degree from a Kentucky program approved prior to May 31, 2008.

2. Upon completion of the teacher leadership course work and recommendation of the institution, a candidate who has received a master's degree at an out of state institution or a master's degree from a Kentucky program approved prior to May 31, 2008, may apply to the EPSB for a Teacher Leader endorsement….

EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE

Action Item H

Action Item:

Approve submission of recommendations from the EPSB for the Governor's Transforming Education in Kentucky Task Force (TEK) final report.

Applicable Statutes and Regulation:

KRS 161.028

Applicable Goal:

Goal 1: Every approved educator preparation program meets or exceeds all accreditation standards and prepares knowledgeable, capable teachers and administrators who demonstrate effectiveness in helping all students reach educational achievement.

Goal 2: Every professional position in a Kentucky public school is staffed by a properly credentialed educator.

Goal 3: Every credentialed educator exemplifies behaviors that maintain the dignity and integrity of the profession by adhering to established law and EPSB Code of Ethics.

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

Issue:

The EPSB has the opportunity to submit key recommendations to be considered by the TEK task force for inclusion in its final report to the Governor. Most of these recommendations have been discussed often by the EPSB; some are recent recommendations from the CRACE task force.

There is no guarantee that all items submitted by the EPSB will be included in the final TEK report. The following recommendations to the task force have been vetted with EPSB staff and through an informal polling of the EPSB:

1. Require that all new teacher candidates pass a rigorous basic skills test in math, reading, and writing prior to admission to a teacher preparation program.
2. In a graduated fashion over the next five years, raise the minimum GPA for admission to a teacher preparation program from 2.50 to 3.0.
3. Document at admission and track throughout the preparation program that all new teacher candidates demonstrate the essential teacher dispositions and 21st Century Skills including: critical thinking, collaboration, creativity, and communication.
4. Ensure that all new teachers have the benefit of a supportive induction into the teaching profession by adequately funding the Kentucky Teacher Internship Program (KTIP).

5. Ensure a sufficient number of high-quality clinical experiences to allow candidates to demonstrate that they possess the knowledge, skills, and dispositions needed to facilitate the learning, growth, and development of all students.
6. Document that all new teacher candidates show evidence during student teaching of their ability to increase K-12 student learning.
7. Conduct a survey on teacher working conditions every two years.
8. Increase the number of collaborative IHE preparation programs for native speakers of world languages to become certified teachers in Kentucky.
9. Offer high quality mentoring for those entering the teaching profession via an alternative pathway.
10. Develop a certificate endorsement for teachers providing online instruction.
11. Explore how to expand paid, year-long pre-teaching clinical experiences such the SKY-Teach model at Western Kentucky University.
12. Require all districts to provide one hour of EPSB-approved ethics training each year for all certified staff.
13. Implement a system that uses high quality professional development for renewal of a teacher's certificate.

Background:

In October of 2009 Governor Beshear appointed the Transforming Education in Kentucky Task Force (TEK). The press release announcing the formation of the task force indicated, "In a move to re-energize the support of public schools that nearly 20 years ago sparked Kentucky to implement the nation's most comprehensive school reform, Gov. Steve Beshear today launched his new education initiative, Transforming Education in Kentucky (TEK). The goal is to create a unified vision of what schools in the Commonwealth need to offer in order to better serve students today and tomorrow."

The EPSB executive director has represented the EPSB on the task force and the EPSB Chair, Lorraine Williams, served as a co-facilitator of the TEK community forum convened in Lexington on August 17, 2010, one of ten forums held around the state that evening. EPSB member Becky Sagan was also in attendance at the August 17th forum held in Lexington. On June 8, 2010 Robert Brown, director of the EPSB Division of Professional Learning and Assessment, facilitated a panel that included EPSB member and Dean of the School of Education at Morehead State University, Cathy Gunn; Sam Evans, Dean of the School of Education at Western Kentucky University; Cindy Gnadinger, Dean of the School of Education at Bellarmine University; and Verna Lowe, Dean of the School of Education at Asbury University. The panel discussed the new teacher leader master's degrees that are being implemented in Kentucky's teacher preparation programs.

Alternative Actions:

1. Approve the recommendations to the TEK task force.
2. Modify and approve the TEK task force recommendations.
3. Do not provide any recommendations to the TEK task force

Staff Recommendation:

Alternative Action 1 or 2

Rationale:

The EPSB has an important responsibility to address its goals through all available means. While there is no guarantee that any of the EPSB recommendations will be included in the TEK task force's recommendations, the board should take advantage of the opportunity to include the board's voice in the TEK task force's final report to the Governor.

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Executive Director

Date:

September 20, 2010

EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE

Action Item, Waiver A

Action Item:

Request to waive the language in 16 KAR 6:010 pertaining to Elementary (P-5) certification assessment requirement

Applicable Statutes and Regulation:

KRS 161.028; KRS 161.030
16 KAR 6:010

Applicable Goal:

Goal 2: Every professional position in a Kentucky public school is staffed by a properly credentialed educator.

Issue:

Should the Education Professional Standards Board waive language in 16 KAR 6:010 requiring an individual pursuing Elementary (P-5) certification to successfully complete the Praxis II *Principles of Learning and Teaching: Grades K-6(0522)*?

Background:

Kentucky requires the Praxis II tests listed below for Elementary (P-5) certification.

·*Principles of Learning and Teaching: Grades K-6 (0522)*
·*Elementary Education: Content Knowledge (0014)*

To determine whether the *GACE Early Childhood Education (001) and (002)* are equivalent to the *Principles of Learning and Teaching (0522)*, staff reviewed the *GACE* Test Design and Framework and the Educational Testing Service (ETS) Test at a Glance (TAAG) documents.
The *GACE Early Childhood Education (001)* assesses a candidate's knowledge of content in the areas of Reading and English Language Arts (40 multiple choice and one constructed response) and Social Studies (20 multiple choice and one constructed response).
The *GACE Early Childhood Education (002)* assesses a candidate's knowledge of content in the following areas:

- Mathematics (25 multiple choice and one constructed response)
- Science (20 multiple choice and one constructed response)
- Health, Physical Education, and the Arts (15 multiple choice)

The Praxis II *Principles of Learning and Teaching (0522)* assesses a candidate's knowledge of pedagogy in the following areas:

- Students as Learners (multiple choice)
- Instruction and Assessment (multiple choice)
- Teacher Professionalism (multiple choice)
- Students as Learners (short answer)
- Instruction and Assessment (short answer)

- Communication Techniques (short answer)
- Teacher Professionalism (short answer)
  The test contains twelve short answer questions and 24 multiple choice questions.

Alternative Actions:

1. Do not accept the *GACE Early Childhood Education (001) and (002)* in lieu of the Praxis II *Principles of Learning and Teaching: Grades K-6 (0522).*

2. Accept the *GACE Early Childhood Education (001) and (002)* in lieu of the Praxis II *Principles of Learning and Teaching: Grades K-6 (0522).*

Staff Recommendation:

Alternative Action 1

Rationale:

The *Principles of Learning and Teaching: Grades K-6 (0522)* assesses a candidate's knowledge of pedagogy. The *GACE Early Childhood Education (001) and (002)* assess a candidate's knowledge in specific content areas of the elementary curriculum and is not an assessment of pedagogy.

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_____
Executive Director

Date:

September 20, 2010

EDUCATION PROFESSIONAL STANDARDS BOARD
(As Amended at ARRS, August 10, 2010)

16 KAR 6:010. Written examination prerequisites for teacher certification.

RELATES TO: KRS 161.020, 161.028(1), 161.030(3), (4)
STATUTORY AUTHORITY: KRS 161.028(1)(a), 161.030(3), (4)
NECESSITY, FUNCTION, AND CONFORMITY: KRS 161.028(1)(a) authorizes the Education Professional Standards Board to establish standards and requirements for obtaining and maintaining a teaching certificate. KRS 161.030(3) and (4) requires the Education Professional Standards Board to select the appropriate assessments required prior to teacher certification. This administrative regulation establishes the written examination prerequisites for teacher certification.

Section 1. A teacher applicant for certification shall successfully complete the appropriate written tests identified in this administrative regulation prior to Kentucky teacher certification.

Section 2. The Education Professional Standards Board shall require the test or tests and passing scores identified in this section for each new teacher applicant and each teacher seeking an additional certificate.
(1) [~~Beginning September 1, 2009,~~] An applicant for Interdisciplinary Early Childhood Education certification (birth to primary) shall take "Interdisciplinary Early Childhood Education (0023)[~~.~~]" with a passing score of 166.
(2) An applicant for Elementary certification (grades P-5) shall take "Elementary Education: Content Knowledge (0014)" with a passing score of 148.
(3) An applicant for certification at the middle school level (grades five (5) through nine (9)) shall take the content test or tests based on the applicant's content area or areas with the corresponding passing scores as identified in this subsection:
(a) Middle School English and Communications: "Middle School English Language Arts (0049)" - 158;
(b) Middle School Mathematics: "Middle School Mathematics (0069)" - 148;
(c) Middle School Science: "Middle School Science (0439)" - 144; or
(d) Middle School Social Studies: "Middle School Social Studies (0089)" – 149.
(4) An applicant for certification at the secondary level (grades eight (8) through twelve (12)) shall take the content test or tests corresponding to the applicant's content area or areas with the passing scores identified in this subsection:
(a) Biology: "Biology: Content Knowledge (0235)" - 146;
(b) Chemistry: "Chemistry: Content Knowledge (0245)" - 147;
(c) Earth Science: "Earth and Space Sciences: Content Knowledge (0571)" – 147;
(d) English:
1."English Language, Literature and Composition: Content Knowledge (0041)" - 160; and
2. "English Language, Literature and Composition Essays (0042)" - 155;
(e) Mathematics:
1. "Mathematics: Content Knowledge (0061)" - 125; and
2. "Mathematics: Proofs, Models and Problems, Part 1 (0063)" - 141;
(f) Physics: "Physics: Content Knowledge (0265)" - 133; or
(g) Social Studies:
1. "Social Studies: Content Knowledge (0081)" - 151; and
2. "Social Studies: Interpretation of Materials (0083)" – 159.
(5) An applicant for certification in all grades shall take the content test or tests corresponding to the applicant's area or areas of specialization**[**~~with the passing scores~~**]** identified in this subsection**, and, if a passing score is established in this subsection, the applicant shall achieve the passing score or higher**:
(a) Art:
1. "Art: Content Knowledge (0133)" - 158; and
2. "Art Making (0131)" - 154;
(b) French: "French: **World Language[**~~Content Knowledge~~**]** (0174)"[~~(0173)" - 159~~];
(c) German: "German: **World Language[**~~Content Knowledge~~**]** (0183)"[~~(0181)" - 157~~];
(d) Health: "Health Education (0550)" - 630;
(e) Health and Physical Education:
1. "Health and Physical Education: Content Knowledge (0856)"; and
2. "Physical Education: Movement Forms - Analysis and Design (0092)" - 151;
(f) Integrated Music:
1. "Music: Content Knowledge (0113)" - 154; and
2. "Music: Concepts and Processes (0111)" - 145;
(g)[~~(f)~~] Instrumental Music:
1. "Music: Content Knowledge (0113)" - 154; and
2. "Music: Concepts and Processes (0111)" - 145;
(h)[~~(g)~~] Vocal Music:
1. "Music: Content Knowledge (0113)" - 154; and
2. "Music: Concepts and Processes (0111)" - 145;
(i)[~~(h)~~] Latin: "Latin (0600)" - 700;
(j)[~~(i)~~] Physical Education:
1. "Physical Education: Content Knowledge (0091)" - 147; and
2. "Physical Education: Movement Forms-Analysis and Design (0092)" - 151;
(k)[~~(j)~~] School Media Librarian: "Library Media Specialist (0311)[~~(0310)~~]" - 156[~~640~~];

(l)[~~(k)~~] School Psychologist: "School Psychologist (0401)" – 161; or
(m)[~~(l)~~] Spanish: "Spanish: **World Language[**~~Content Knowledge~~**]** (0195)[~~(0191)~~]" [~~– 160~~].

(6) An applicant for certification for teacher of exceptional children in Communication Disorders, Learning and Behavior Disorders, Hearing Impaired, Hearing Impaired with Sign Proficiency, Visually Impaired, or Moderate and Severe Disabilities shall take the content test or tests based on the applicant's area or areas of specialization with the corresponding passing scores as identified in this subsection:
(a) Communication Disorders:
1. "Education of Exceptional Students: Core Content Knowledge (0353)" - 157; and
2. "Speech-Language Pathology (0330)" - 600;
(b) Hearing Impaired:
1. "Education of Exceptional Students: Core Content Knowledge (0353)" - 157; and
2. "Education of Deaf and Hard of Hearing Students (0271)" - 167;
(c) Hearing Impaired With Sign Proficiency:
1. "Education of Exceptional Students: Core Content Knowledge (0353)" - 157;
2. "Education of Deaf and Hard of Hearing Students (0271)" – 167; and
3. One (1) of the following tests with a passing score of Intermediate Level:
a. "Sign Communication Proficiency Interview (SCPI)"; or
b. "Educational Sign Skills Evaluation (ESSE)";
(d) Learning and Behavior Disorders:
1. "Education of Exceptional Students: Core Content Knowledge (0353)" - 157; and
2. "Education of Exceptional Students: Mild to Moderate Disabilities (0542)" - 172;
(e) Moderate and Severe Disabilities:
1. "Education of Exceptional Students: Core Content Knowledge (0353)" - 157; and
2. "Education of Exceptional Students: Severe to Profound Disabilities (0544)" – 156; or
(f) Visually Impaired:
1. "Education of Exceptional Students: Core Content Knowledge (0353)" - 157; and
2. "Teaching Students with Visual Impairments (0281)[~~(0280)~~]" - 161[~~700~~].

(7)(a) Except as provided in paragraph (b) of this subsection, an applicant for Career and Technical Education certification to teach in grades five (5) - twelve (12) shall take the content test or tests corresponding to the applicant's area or areas of specialization**[**~~with the passing scores~~**]** identified in this paragraph**, and, if a passing score is established in this paragraph, the applicant shall achieve the passing score or higher**:
1. Agriculture: "Agriculture (0700)" - 520;
2. Business and Marketing Education: "Business Education (0101)[~~(0100)~~]" [~~- 590~~];
3. Family and Consumer Science: "Family and Consumer Sciences (0121)" - 162; or
4. Engineering and Technology Education: "Technology Education (0050)" - 600.

(b) An applicant for Industrial Education shall take the content test or tests corresponding to the applicant's area or areas of specialization with the passing scores identified in 16 KAR 6:020.

(8) An applicant for a restricted base certificate in the following area or areas shall take the content test or tests based on the applicant's area or areas of specialization with the corresponding passing scores as identified in this subsection:
(a) English as a Second Language: "English to Speakers of Other Languages (0361)[~~(0360)~~]" - 157[~~620~~];
(b) Speech/Media Communications: "Speech Communication (0221)[~~(0220)~~]" - 146[~~580~~]; or
(c) Theater: "Theatre (0640)" - 630.

(9) An applicant for an endorsement in the following content area or areas shall take the content test or tests based on the applicant's area or areas of specialization with the passing scores identified in this subsection:
(a) English as a Second Language: "English to Speakers of Other Languages (0361)[~~(0360)~~]" - 157[~~620~~];
(b) Learning and Behavior Disorders, grades eight (8) - twelve (12): "Education of Exceptional Students: Mild to Moderate Disabilities (0542)" – 172;**[**~~or~~**]**
(c) Gifted Education, grades primary[~~preschool~~] - twelve (12): "Gifted Education (0357)" – 152; **or[**~~and~~**]**
(d) Reading Primary through Grade 12: "Teaching Reading (0204)".

Section 3. In addition to the content area test or tests established in Section 2 of this administrative regulation, each new teacher shall take the pedagogy test and meet the passing score identified in this section that corresponds to the grade level of certification sought. If a certified teacher is seeking additional certification in any area, the applicant shall not be required to take an additional pedagogy test.

(1) An applicant for Elementary certification (grades preschool - five (5)) shall take "Principles of Learning and Teaching: Grades kindergarten - six (6) (0522)"**, with a passing score of[**~~–~~**]**161.

(2) An applicant for certification at the middle school level (grades five (5) through nine (9)) shall take "Principles of Learning and Teaching: Grades five (5) - nine (9) (0523)"**, with a passing score of[**~~–~~**]**161.

(3) An applicant for certification at the secondary level (grades eight (8) through twelve (12)) shall take "Principles of Learning and Teaching: Grades seven (7) - twelve (12) (0524)"**, with a passing score of[**~~–~~**]**161.

(4) An applicant for certification in all grades with a content area identified in Section 2(5) of this administrative regulation shall take either:
(a) "Principles of Learning and Teaching: Grades kindergarten - six (6) (0522)"**, with a passing score of[**~~-~~**-]** 161;
(b) "Principles of Learning and Teaching: Grades five (5) - nine (9) (0523)"**, with a passing score of[-]** 161; or
(c) "Principles of Learning and Teaching: Grades seven (7) - twelve (12) (0524)"**, with a passing score of[**~~-~~**-]** 161.

(5) An applicant applying only for certification for teacher of exceptional children shall not be required to take a separate pedagogy test established in this section. The content area test or tests established in Section 2 of this administrative regulation shall fulfill the pedagogy test requirement for a teacher of exceptional children.

(6) An applicant for Career and Technical Education certification in grades five (5) through twelve (12) shall take either:
(a) "Principles of Learning and Teaching: Grades five (5) - nine (9) (0523)"**, with a passing score of[-]** 161; or

(b) "Principles of Learning and Teaching: Grades seven (7) - twelve (12) (0524)"**, with a passing score of[-]** 161.

(7) An applicant for a restricted base certificate shall take one (1) of the following pedagogy tests corresponding to the grade range of the specific restricted base certificate:

(a) "Principles of Learning and Teaching: Grades kindergarten - six (6) (0522)"**, with a passing score of[-]** 161;

(b) "Principles of Learning and Teaching: Grades five (5) - nine (9) (0523)"**, with a passing score of[-]** 161; or

(c) "Principles of Learning and Teaching: Grades seven (7) - twelve (12) (0524)"**, with a passing score of[-]** 161.

Section 4. Assessment Recency. (1) A passing score on a test established at the time of administration shall be valid for the purpose of applying for certification for five (5) years from the test administration date.

(2) A teacher who fails to complete application for certification to the Education Professional Standards Board within the applicable recency period of the test and with the passing score established at the time of administration shall retake the appropriate test or tests and achieve the appropriate passing score or scores required for certification at the time of application.

(3) The test administration date shall be established by the Educational Testing Service or other authorized test administrator.

Section 5. (1) An applicant for initial certification shall take the assessments on a date established by:

(a) The Educational Testing Service; **or**

(b) The agency established by the Education Professional Standards Board as the authorized test administrator.

(2) An applicant shall authorize test results to be forwarded by the Educational Testing Service, or other authorized test administrator, to the Kentucky Education Professional Standards Board and to the appropriate teacher preparation institution where the applicant received the relevant training.

(3)(a) Public announcement of testing dates and locations shall be issued sufficiently in advance of testing dates to permit advance registration.

(b) An applicant shall seek information regarding the dates and location of the tests and make application for the appropriate examination prior to the deadline established and sufficiently in advance of anticipated employment to permit test results to be received by the Education Professional Standards Board and processed in the normal certification cycle.

Section 6. An applicant shall pay the appropriate examination fee established by the Educational Testing Service or other authorized test administrator for each relevant test required to be taken.

Section 7. An applicant who fails to achieve at least the minimum score on any of the appropriate examinations may retake the test or tests during one (1) of the scheduled test administrations.

Section 8. The Education Professional Standards Board shall collect data and conduct analyses of the scores and institutional reports provided by the Educational Testing Service or other authorized test administrator to determine the impact of these tests.

LORRAINE WILLIAMS, Chairperson

APPROVED BY AGENCY: May 17, 2010

FILED WITH LRC: June 2, 2010 at noon

CONTACT PERSON: Alicia A. Sneed, Director of Legal Services, Education Professional Standards Board, 100 Airport Road, Third Floor, Frankfort, Kentucky 40601, phone (502) 564-4606, fax (502) 564-7080.

EDUCATION PROFESSIONAL STANDARDS BOARD
STAFF NOTE

Action Item, Waiver B

Action Item:

Request for Waiver of 1/3 of Renewal Requirement for a One-Time Extension of Certificate

Applicable Statute or Regulation:

16 KAR 4:060, Section 1 (5) (a)

Applicable Goal:

Goal 2: Every professional position in a Kentucky public school is staffed by a properly credentialed educator.

Issue:

Should the Education Professional Standards Board waive the requirement that one-third (1/3) of the renewal requirement be completed before a one-time, one-year extension is granted?

Background:

Ms. Veronica Dawn Pyles is requesting a waiver of the 1/3 of renewal coursework requirement for a one-year extension of her teaching certificate. Her Professional Certificate for Elementary School, Primary Through Grade 5, expired on June 30, 2010. Ms. Pyles has earned no graduate hours toward the fifteen (15) hours needed for the renewal of this certificate. Ms. Pyles is asking for this waiver of the hours needed for a one-year extension due to the sudden onset of personal problems in the 2009-2010 school year. Supporting materials have been provided under separate cover.

Alternative Actions:

1. Approve the waiver request
2. Do not approve the waiver request

Contact Person:

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

_____
Executive Director

Date:

September 20, 2010

16 KAR 4:060. Certificate renewals and successful teaching experience.

RELATES TO: KRS 161.020, 161.028, 161.030
STATUTORY AUTHORITY: KRS 161.028, 161.030
NECESSITY, FUNCTION, AND CONFORMITY: KRS 161.020, 161.028, and 161.030 require that a teacher and other professional school personnel hold a certificate of legal qualification for his or her respective position to be issued upon completion of a program of preparation prescribed by the Education Professional Standards Board. KRS 161.020 provides that the validity and terms for the renewal of a certificate shall be determined by the laws and administrative regulations in effect at the time the certificate was issued. This administrative regulation establishes certificate renewal provisions and the requirements for successful teaching experience for certificate issuance and renewal.

Section 1. Certificate Renewals. (1) If the renewal of a teaching certificate requires the completion of additional academic course work in lieu of teaching experience, the credits shall be selected from the Planned Fifth-Year Program.
(2) Except as provided in KRS 161.030(3), a teaching certificate shall be issued for a duration period of five (5) years, with provision for subsequent five (5) year renewals.
(3)(a) A certificate shall be renewed for subsequent five (5) year periods upon the completion of:
1. Three (3) years of successful teaching experience as established in Section 2 of this administrative regulation; or
2. At least six (6) semester hours of credit or the equivalent in professional development defined in 16 KAR 8:020.
(b) The requirements of this subsection shall apply to teachers who have completed the Fifth Year Program renewal requirements established in 16 KAR 8:020 and 16 KAR 2:010, Section 3.
(4) The renewal requirements shall be completed by September 1 of the year of expiration of the certificate.
(5)(a) Upon expiration, a regular certificate shall be extended for one (1) time for the one (1) year period immediately following the expiration date upon completion of at least one-third (1/3) of the renewal requirements and upon recommendation by the employing school superintendent. The remainder of the renewal requirements shall be completed within the one (1) year period of reinstatement.
(b) Application for the extension shall be made on Form TC-2.
(6)(a) Experience in the armed forces of the United States of America shall be accepted toward the renewal of a teaching certificate in lieu of required teaching experience as established in Section 2 of this administrative regulation, if the applicant held a valid certificate prior to entering military service.
(b) The validity period of a certificate held by a person at the time of entry into the armed forces of the United States of America shall be extended for the same period of time for which it was valid at the time of entry, beginning from the date of discharge.
(7) For a certificate requiring teaching experience for renewal, experience as a substitute teacher shall be accepted in lieu of required teaching experience as established in Section 2 of this administrative regulation if the holder of the certificate:
(a) Was employed officially by the local board of education;
(b) Was paid through the board of education; and
(c) Substituted in his certification area no less than thirty (30) teaching days per semester.
(8) Work experience at the Education Professional Standards Board, Kentucky Department of Education, or other state or federal educational agency with oversight for elementary and secondary education shall be accepted toward the renewal of a teaching certificate in lieu of teaching experience as established in Section 2 of this administrative regulation.
(9) Teaching experience at a regionally- or nationally-accredited institution of higher education in the academic subject area for which the teacher holds certification shall be accepted toward the renewal of a teaching certificate in lieu of teaching experience as established in Section 2 of this administrative regulation.
(10) Application for certification renewal shall be made on Form TC-2.

Section 2. Successful Teaching Experience for Certificate Issuance and Renewal. (1) Successful teaching experience shall be in a position directly corresponding to the type of teaching certificate for which the application is being made.
(2) A full year of experience shall include at least 140 teaching days of employment performed within the academic year.
(3) A half year of experience shall include at least seventy (70) teaching days of employment performed within an academic semester.
(4) The experience shall include employment on at least a half-time basis as defined in 16 KAR 7:010.
(5) The experience may include employment in either a public school or a regionally- or nationally-accredited nonpublic school.
(6) Experience as a home school teacher shall not be accepted as successful teaching experience.
(7) The superintendent of the employing district or chief school officer of the employing nonpublic school shall verify successful teaching experience on the certification application, Form TC-1 for initial certification or Form TC-2 for certificate renewal.

Section 3. Incorporation by Reference. (1) The following material is incorporated by reference:
(a) Form TC-1, rev. 9/2000, Education Professional Standards Board; and
(b) Form TC-2, rev. 9/2000, Education Professional Standards Board.
(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Education Professional Standards Board, 100 Airport Road, 3rd Floor, Frankfort, Kentucky 40602, Monday through Friday, 8 a.m. to 4:30 p.m. (SBE 42.821, .825, .826, .882, .887; 1 Ky.R. 495; eff. 3-12-75; Am. 5 Ky.R. 602; eff. 3-7-79; 11 Ky.R. 628; eff. 11-13-84; 23 Ky.R. 3922; eff. 7-2-97; 24 Ky.R. 1947; 2372; eff. 5-18-98; 28 Ky.R. 248; 626; eff. 9-5-2001; recodified from 704 KAR 20:060, 7-2-2002.)