

The actions delineated below were taken in open session of the EPSB at the September 20, 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
September 20, 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 September 20, 2010 EPSB meeting: Frank Cheatham, Michael Dailey, John DeAtley, Cathy Gunn, Mary Hammons, Lynn May, Becky Sagan, Sandy Sinclair-Curry, Zenaida Smith, Tom Stull, Mark Wasicsko, and Lorraine Williams. Bobbie Stoess, Cassandra Webb, and Cynthia York were absent.

Approval of August 2, 2010 EPSB Meeting Minutes

Motion made by Dr. Mark Wasicsko, seconded by Ms. Lynn May, to approve the August 2, 2010 minutes.

Vote: *Unanimous*

Open Speak

There were no requests for Open Speak.

Report of the Executive Director

Introduction of New Employee

Mr. Mike Carr introduced Norma Andrade to the board. Replacing Toni Lewis, who recently retired, Norma worked in the certification division for many years, retired a couple of years ago, and has returned. Dr. Rogers stated that two vacant staff positions were removed from the agency as part of the state's budget-balancing measures.

Report from the Council on Postsecondary Education (CPE)

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

- The Governor's Conference on Postsecondary Education Trusteeship was held on Monday, September 13th in Hebron, KY. The conference featured a range of discussions, from student success and college completion to innovations in teaching and learning, cost containment strategies, and achieving greater efficiencies in administrative practices.
- Improving Educator Quality proposals are due September 20th. Among those reviewing the proposals will be Dr. Rogers. It is anticipated that a decision on the proposals will be made by the November CPE meeting.
- Effort to provide for postsecondary faculty professional development related to Senate Bill 1 is underway. CPE plans to hire someone to coordinate this effort. Information

regarding this two-year position is posted on CPE's website at www.cpe.ky.gov. Each public university will receive \$200,000 to train postsecondary faculty on the use of Kentucky Core Content Standards.

Report from the Kentucky Department of Education (KDE)

Mr. Michael Dailey reported on recent events of KDE.

- KDE, along with 23 volunteer districts, is developing a principal and teacher professional growth and evaluation system to use across the state. The orientation meeting to kick off the beginning of this work was held on August 25th. Districts may use the website, <http://kyprofessionalgrowth.webs.com> to view a calendar of meetings. Mr. Dailey encouraged universities to attend the regional meetings in their districts.
- Mr. Dailey discussed a series of meetings he led recently - the teacher effectiveness steering committee, working conditions coalition meeting, principal advisory council, and principal effectiveness steering committee.
- A coalition of partners plans to sign a Memorandum of Understanding (MOU) for the Teaching, Empowering, Leading and Learning (TELL) Kentucky survey on September 28th.
- On September 18th, the Minority Teacher Recruitment Project (MTRP) celebrated 25 years of service to Jefferson County students. The MTRP was established in 1985 from a partnership between the University of Louisville College of Education and Jefferson County Public Schools (JCPS) to address the shortage of minority teachers in Jefferson County. MTRP has been a major source of support and financial assistance to students for 25 years.

INTASC Standards

Dr. Rogers stated that the new INTASC Model Core Teaching Standards are scheduled to close for comment on October 15th. He plans to develop a task force to review the Kentucky standards and possibly make changes based upon the new INTASC standards.

EPSB Staff KECC Contributions

Dr. Rogers was pleased to announce that the EPSB staff has currently raised \$4,500 for the Kentucky Employees Charitable Campaign (KECC) despite furlough days, a reduction in staff, and an increase in responsibilities. He said he is very proud of the generosity of the EPSB staff.

Recognition of Former Board Members

Chair Lorraine Williams recognized Lonnie Anderson (absent from meeting), Greg Ross, and Frank Cheatham for their hard work in making the EPSB a strong agency for Kentucky.

Mr. Greg Ross said that he misses the board and realizes with his new administrative position that everything the EPSB does has a distinctive purpose.

Dr. Frank Cheatham stated that it has been a pleasure to serve on the board. He thanked Chair Williams and Vice Chair Stull for their leadership and Dr. Rogers for his hard work.

Report of the Chair

Nominating Committee

Motion made by Dr. Cathy Gunn, seconded by Dr. Frank Cheatham, to elect Lorraine Williams as board chair.

Vote: 11 – Yes
1 – Recuse (Lorraine Williams)

Motion made by Dr. Gunn, seconded by Mr. Michael Dailey, to elect Tom Stull as board vice-chair.

Vote: 11 – Yes
1 – Recuse (Tom Stull)

Evaluation of the Executive Director Committee

Dr. Cheatham stated that the evaluations were sent to the board and staff with a return deadline of September 15th. There was a good response rate of about 50%. The tallies were made on September 19th and will be ready for review at the October meeting. He said that the responses have been overwhelmingly positive.

Information/Discussion Items

New Teacher Survey Results

Due to budget cuts, the New Teacher Survey has not been conducted since 2008. This interim gave EPSB staff the opportunity to analyze feedback regarding the alignment of the revised instrument to the Kentucky Teacher Standards. As a result, the survey was changed to mirror the Kentucky Teacher Standards, Initial-Level Performances. In addition to having the survey questions aligned to the Kentucky Teacher Standards, institutions requested the addition of the following survey items 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*.

The survey had a 37% response rate. The overall results show that indicators under Standard 2: *The Teacher Creates and Maintains Learning Climate* received the highest rating. Indicators under Standard 5: *The Teacher Assesses and Communicates Learning Results* and 10: *Provides Leadership Within School/Community/Profession* received the lowest ratings.

This information, along with a variety of statistical 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.

Dr. Rogers encouraged all institutions to read the comments because the comments reveal patterns and trends among constituents. He said that he hopes in the near future to conduct the New Teacher Survey and Working Conditions Survey in alternate years.

Ms. Lorraine Williams asked if the report addresses behaviorally at-risk children who may not be identified as special education students. Mr. Brown said the report does not address behaviorally at-risk children. Ms. Williams stated that she thinks those children are a challenge for teachers, and it would be a good idea for institutions to discuss how to better prepare teachers for such students.

16 KAR 3:050. Professional Certificate for Instructional Leadership—School Principal, All Grades, Notice of Intent

Mr. Mike Carr reported on proposed amendments to 16 KAR 3:050. Staff believes that guidance for private schools' participation in the KTIP program should be consistent with guidance regarding teaching experience to enter principal preparation programs. For this reason, 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 to update the language referring to career and technical school principals.

This proposed regulation will be placed on the October agenda for board approval.

Awarded Contracts

Mr. Gary Freeland informed the board of 24 Continuing Education Option (CEO) contracts that were awarded, each in the amount of \$8,721.85. Mr. Brown answered Dr. Mark Wasicsko's questions pertaining to the history and funding of the CEO program.

Action Items

Approval of Contracts

2010-061

Motion made by Dr. Cathy Gunn, seconded by Ms. Sandy Sinclair-Curry, to approve the memorandum of agreement with CPE and the memorandum of agreement with the Office of Career and Technical Education and authorize the executive director to execute the agreements.

Vote: 11 – Yes

1 – Recuse (Mr. John DeAtley)

Amendment to the EPSB's Professional Conduct Procedure, Final Action

2010-062

Motion made by Ms. Zenaida Smith, seconded by Dr. Frank Cheatham, to approve the amendments to the Policy and Procedure Manual.

Vote: Unanimous

Chair Williams noted that the most significant change to this policy is that board members should recuse before discussion of the topic begins rather than waiting to recuse during the board vote. After further discussion, Ms. Sneed advised the board that during closed session, leaving the room is an option for board members when they need to recuse. During an open meeting board members do not need to leave the room, if upon recusing they refrain from discussion or leave the table.

Approval of Professional Development Curriculum, Ace Corp

2010-063

Ms. Lynn May stated her pleasure at having a variety of quality remedial training issued by one company.

Motion made by Ms. May, seconded by Ms. Smith, to approve ACE Corp to provide remedial training in the following areas:

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

Vote: *Unanimous*

Mr. Greg Ross stated that he is confident that ACE Corporation is passionate about education and the ethical standards behind education. He said he is excited to provide a cost-effective training that will be very intensive for those enrolled.

16 KAR 6:020. Written Examination Prerequisites for Occupation-Based Career and Technical Education Teachers, Amendment, Final Action

2010-064

Motion made by Dr. Wasicsko, seconded by Ms. Smith, to approve the proposed amendments to 16 KAR 6:020.

Vote: *Unanimous*

16 KAR 2:150. Probationary Certificate for Teachers of Technology Education, Final Action

2010-065

Motion made by Dr. Wasicsko, seconded by Dr. Cheatham, to approve the proposed amendments to 16 KAR 2:150.

Vote: *Unanimous*

Approval to Offer Programs at an Off-Site Campus, Midway College

2010-066

Motion made by Mr. DeAtley, seconded by Dr. Cathy Gunn, to approve the Midway College request to establish an off-site campus in Lexington.

Vote: *Unanimous*

Approval of Teacher Leader Master of Education and Special Education, Campbellsville

2010-067

Motion made by Mr. DeAtley, seconded by Ms. Sinclair-Curry, to approve the Campbellsville University request for the Teacher Leader Master of Arts in Education, Special Education, and Endorsement Program Proposals.

Vote: 11 – Yes
1 – Recuse (Dr. Cheatham)

Dr. Brenda Priddy thanked the EPSB and recognized Campbellsville University's P-12 partners and Arts and Sciences faculty.

Approval of the Recommendations to the Governor's Transforming Education in Kentucky (TEK) Task Force

2010-068

Dr. Rogers reported to the board on key recommendations to be considered by the TEK Task Force for inclusion in its final report to the Governor. There is no guarantee that all item submitted by the EPSB will be included in the final TEK report. The board briefly discussed the recommendations. Dr. Rogers said that the board will have multiple opportunities to review the recommendations if they are accepted by the TEK Task Force.

Motion made by Ms. May, seconded by Ms. Becky Sagan, to approve the recommendation of the TEK task force.

Vote: Unanimous

Waivers

16 KAR 6:010. Request to Waive Language Pertaining to Elementary (P-5) Certification Assessment

2010-069

Motion made by Dr. Wasicsko, seconded by Ms. Smith, not to accept the GACE Early Childhood Education (001) and (002) in lieu of the Praxis II Principles of Learning and Teaching: Grades K-6 (0522).

Vote: Unanimous

16 KAR 4:060. Request to Waive 1/3 of Renewal Requirement for a One-Time Extension of Certificate, Ms. Veronica Pyles

2010-070

Motion made by Mr. DeAtley, seconded by Mr. Michael Dailey, to approve the waiver request for Ms. Veronica Pyles.

Vote: 11 – Yes
1 – Recuse (Ms. Lorraine Williams)

Board Comments

There were no board comments.

**DISCIPLINARY MATTERS:
MINUTES OF CASE REVIEW
September 20, 2010**

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

Vote: *Unanimous*

Motion made by Mr. John DeAtley, seconded by Ms. Sandra Sinclair-Curry, 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, Zenaida Smith, Cathy Gunn, Michael Dailey, Sandra Sinclair-Curry, and Mark Wasicsko.

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

INITIAL CASE REVIEW

<u>Case Number</u>	<u>Decision</u>
1005348	Hear
1006365	Admonish
1005350	Defer for proof
1006367	Defer for proof
1006401	Defer for proof
1006375	Hear
1005342	Hear
1003175	Hear
1005301	Hear (<i>Mr. Dailey recused</i>)
1004246	Hear
1006422	Hear
1006371	Admonish
1007425	Defer for proof
1004257	Admonish
1005340	Hear
1005295	Hear
1005289	Defer for proof
1006390	Hear
1005329	Hear
1003146	Hear
1006360	Hear
1006383	Defer for proof
1006381	Defer for proof
1005346	Defer for proof

1006403	Admonish
1005287	Hear (<i>Mr. Dailey recused</i>)
1005322	Hear
1005333	Hear
1006414	Hear
1005307	Hear
1006410	Admonish
1007432	Hear
1005293	Hear
1005327	Hear
1005315	Hear
1005299	Hear
1004230	Hear
1005331	Hear
1006358	Hear
100281	Defer for proof
1006405	Dismiss
1005344	Defer for proof
1006416	Defer for proof
1006387	Defer
1006373	Admonish
0803655	Dismiss
0904161	Dismiss
0912739	Dismiss
0911614	Dismiss
0907442	Dismiss
1002103	Dismiss
1004203	Admonish
1003190	Admonish
1005284	Dismiss
1004234	Dismiss

Character/Fitness Review

<u>Case Number</u>	<u>Decision</u>
10299	Approve
10549	Approve
10556	Approve
10563	Approve
10564	Approve
10570	Approve
10572	Approve
10581	Approve
10575	Approve
10576	Approve
10589	Approve
10588	Approve
10601	Approve

10594	Approve
10599	Approve
10600	Approve
10602	Approve
10603	Approve
10610	Approve
10612	Approve
10624	Approve
10625	Approve
10636	Approve
10640	Approve
10641	Approve
10642	Approve
10643	Approve
10644	Approve
10597	Approve
10649	Approve
10657	Approve
10669	Approve
10584	Approve
10670	Approve
10665	Deny
10621	Approve
10622	Defer
10683	Approve
10673	Approve
10674	Approve
10695	Approve
10698	Approve
10627	Approve
10620	Approve
10628	Approve
10664	Approve
10703	Approve
10708	Approve
10675	Approve
10682	Approve
10618	Approve
10741	Approve
10735	Approve
10666	Approve
10709	Approve
10745	Approve
10428	Approve
10389	Deny
10751	Approve
10762	Approve
10761	Approve

10763	Approve
10767	Approve
10771	Approve

Agreed Orders

Case Number

Decision

06-0476 (Deborah Ward)

Accept Agreed Order which states as follows:
The Board directs and Respondent acknowledges that she, like all teachers and school administrators, has a professional responsibility to treat colleagues with dignity and respect in all circumstances. Civilly articulated disagreements between educators are not undignified, disrespectful, unprofessional, or unethical, and do not violate the Professional Code of Ethics for Kentucky School Personnel. Respondent is not now employed as a public school educator. Before Respondent accepts employment as a licensed educator in any Kentucky public school, Respondent shall provide the following documentation to the Board:

1. Written evidence that she has completed an anger management assessment performed by a Kentucky licensed mental health professional, approved by the Board and at her own expense, and has successfully completed any and all treatment recommendations.
2. Written evidence to the Board that she has completed three hours of professional development/training, approved by the Board, in professional courtesy. Any expense for this professional development/training shall be paid by Respondent.

If Respondent fails to satisfy these conditions, her certificate shall be suspended until these conditions are met.

Vote: *Unanimous*

08111150 (Kasey Hodges)

Accept Agreed Order admonishing Respondent for her lack of professional judgment in interactions with students. Exchanging personal text messages with students is inappropriate no matter the intent. As an education professional, it is Respondent's responsibility to set and maintain appropriate boundaries with all students. She must be ever vigilant to treat all students with fairness and equity careful never to single out a particular student for special treatment and/or friendship.

On or before January 1, 2011, Respondent shall

provide written evidence to the Board that she has successfully completed twelve hours of professional development/training, approved by the Board and at her own expense, in appropriate teacher/student relationships and/or boundary issues and ethics. Should Respondent fail to satisfy this condition, her certificate shall be automatically suspended and remain so until this condition is met.

Vote: *Unanimous*

06-12295 (Arthur Smith)

Accept Agreed Order retroactively suspending Respondent's Professional Certificate for Instructional Leadership – Principal, All Grades, Level 2, for a period of one (1) year from September 1, 2008 through September 1, 2009. Upon acceptance of this agreement by the Board, Respondent shall immediately surrender the original and all copies of his certificate, by personal delivery or first class mail, to the Education Professional Standards Board, 100 Airport Road, Third Floor, Frankfort, Kentucky 40601.

Additionally, prior to renewing or obtaining any principal or administrative certificate, Respondent shall submit written proof to the Board that he has completed six (6) hours of professional ethics training and six (6) hours of leadership and/or school administrator training, as approved by the Board. Any expense required for said training shall be paid by Respondent. Should Respondent fail to satisfy this condition, the Board shall not renew, or issue Respondent, any principal or administrative certificate.

Further, upon accepting a principal or administrative position in any school district in the Commonwealth of Kentucky, Respondent's principal and/or administrative certificate(s) shall be on probation for a period of five (5) years and, during the probationary period, Respondent shall receive no disciplinary action involving neglect of duty from any school district in which he is employed. "Disciplinary action" is defined as any suspension, termination, or public reprimand issued by any school district in the Commonwealth of Kentucky and upheld, if requested, by either the tribunal and/or arbitration process. Should Respondent fail to satisfy this condition, his principal and/or administrative certificate(s) shall be automatically suspended for a period of six (6)

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

Vote: *Unanimous*

0905245 (Stacy Debose-Brown) Accept Agreed Order suspending Respondent's teaching certificate for a period of twenty (20) days from date the Board approves this Order. Upon acceptance of this agreement by the Board, Respondent shall immediately surrender the original and all copies of her certificate, by personal delivery or first class mail, to the Education Professional Standards Board, 100 Airport Road, Third Floor, Frankfort, Kentucky 40601.

Prior to the reinstatement of Respondent's teaching certificate at the conclusion of the twenty (20) day suspension period, in addition to any educational requirements, Respondent shall comply with the following:

1. Respondent shall submit written proof to the Board that she has completed twelve (12) hours of professional ethics training, with a confidentiality component, as approved by the Board. Any expense required for said training shall be paid by Respondent.

2. Respondent shall submit written proof to the Board that she has completed six (6) hours of professional development/training in classroom management, as approved by the Board. Any expense required for said training shall be paid by Respondent.

Further, upon reinstatement, Respondent's teaching certificate shall be on probation for a period of one (1) year and, during the probationary period, Respondent shall receive no disciplinary action involving conduct unbecoming or breach of student confidentiality from any school district in which she is employed. "Disciplinary action" is defined as a suspension, termination, or public reprimand issued by a school district in the Commonwealth of Kentucky and upheld, if requested, by either the tribunal and/or arbitration process. Should Respondent fail to satisfy this condition, her certificate shall be automatically suspended for a period up to one (1) year and subject to additional sanctions by the Board pursuant to KRS 161.120.

Vote: *Unanimous*

0806920 (Marianne Morris) Accept Agreed Order sanctioning Respondent's certificate as follows.

The Standard Certificate For Guidance Counselor, Secondary Grades 5-12 is suspended for a period of two (2) years from the date this Order is accepted by the Board. Respondent shall surrender the original and all copies of the certificate immediately, by first class mail or personal delivery to the EPSB, 100 Airport Road, Third Floor, Frankfort, Kentucky 40601.

The Home Economics Vocational Standard High School Certificate, including any and all current or future endorsements or areas of certification, shall be subject to the following probationary conditions for a period of two (2) years from the date of acceptance of this Order by the Board.

1. Respondent shall submit written proof by June 1, 2011 that she has completed twelve (12) hours of training in ethics as approved by the Board. Any expense for said training shall be paid by Respondent.

2. Respondent shall have no access to the Infinite Campus except to enter the grades of her own classes. At the end of each academic quarter during the probationary period, Respondent shall provide a letter from her principal stating that she has complied with this condition.

3. Respondent shall have no disciplinary action against her during the two (2) year probationary period. For the purposes of this Order, the parties agree that "disciplinary action" is defined as any admonishment, reprimand, suspension, or termination issued by any school district in the Commonwealth of Kentucky and upheld by either the tribunal and/or arbitration process.

By entering into this Agreed Order, Respondent agrees that should she fail to satisfy any of these conditions, her certificate, including all areas of certification and endorsements, shall be automatically suspended for a period of two (2) years.

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

Vote: *Unanimous*

0912706 (Leslie Senn)

Accept Agreed Order admonishing Respondent for tugging on a student's ear. The Board reminds Respondent that she has a duty to take reasonable measures to protect the health, safety, and emotional well-being of students. An educator should only touch students when protecting oneself or others from harm or to assist a student. The Board will tolerate no further incidents of misconduct from Respondent.

Respondent has submitted written proof that in June and July 2010 she completed twelve (12) hours of professional development/training in the area of classroom management, as approved by the Board.

Vote: *Unanimous*

0911577 (Carla Criswell)

Accept Agreed Order retroactively suspending Respondent's certificate for a period of ninety (90) days beginning on May 1, 2010 and running through July 29, 2010. During the ninety (90) day suspension period, Respondent shall neither apply for nor be issued a teaching certificate in the Commonwealth of Kentucky. Upon acceptance of this agreement by the Board, Respondent shall 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 reinstatement of Respondent's certificate at the conclusion of the ninety (90) day suspension period, Respondent shall undergo a comprehensive substance abuse assessment by a Kentucky licensed and/or certified chemical dependency counselor as approved by the Board and shall present written evidence to the Board that she has complied with the assessment process and has successfully completed any and all treatment recommendations. Any expense for the assessment, treatment and/or written reports shall be paid by Respondent.

Upon reinstatement, Respondent's certificate, and any future endorsements or new areas of certification, shall be subject to the following probationary conditions for a period of two (2) years from the date of issuance:

1. Respondent shall immediately submit to any random drug testing that is requested by the Board and shall have no positive drug tests. Any expense for said testing shall be paid by Respondent.

2. Prior to July 1, 2011, Respondent shall complete twelve (12) hours of ethics training as approved by the Board. Any expense for required training shall be paid by Respondent.

3. Respondent shall comply with all court orders related to United States District Court, Western District of Kentucky Case No. 1:09CR-00032-002-M.

4. Respondent shall receive no disciplinary action. "Disciplinary actions" is defined as any public reprimand, suspension, or termination issued by any school district in the Commonwealth of Kentucky and upheld, if requested, by either a tribunal and/or arbitration process.

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

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

Vote: *Unanimous*

100272 (Tyler Bennett)

Accept Agreed Order permanently revoking Respondent's certificate. Respondent shall neither apply for, nor be issued, a teaching and/or administrative certificate in the Commonwealth of Kentucky at any time in the future.

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

Vote: *Unanimous*

05-11199 (Michael Brody)

Accept Agreed Order reminding Respondent that he has a duty to take reasonable measures to preserve the health, safety, and emotional well-being of students. For future reference, the Board reiterates that all school personnel should always conduct themselves in an appropriate and professional manner.

This settlement agreement is expressly conditioned upon Respondent providing written proof to the

Board that he has received twelve (12) hours of Board approved professional ethics training for educators prior to applying for certification or renewing his certificate. 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 not be renewed nor shall Respondent apply for, or be issued, a teaching certificate in the Commonwealth of Kentucky until Respondent provides written proof to the Board that he has satisfied the above condition.

Vote: *Unanimous*

1003166 (Ashley DeLaney) Accept Agreed Order admonishing Respondent for failing to uphold the dignity and integrity of the profession. As a certified teacher, Respondent represents the profession and her judgment in this matter endangered the trust that the Commonwealth has in its teachers. Educators are role models for students and their choices both inside and outside the classroom are watched by students and parents. No further acts of misconduct by Respondent will be tolerated by Board.

Respondent's certificate is subject to the following probationary conditions:

1. Respondent shall undergo a comprehensive drug abuse assessment by a mental health professional certified to assess and treat chemical dependency as approved by the Board by January 1, 2011. Respondent shall comply with any treatment recommendations recommended by the mental health professional and supply proof of her compliance to the Board. Any expense for the evaluation or the treatment shall be paid by Respondent. If Respondent fails to satisfy this condition by January 1, 2011, any and all certificates issued to Respondent will automatically be suspended until such training is completed and the appropriate written proof is provided to the Board.

2. Respondent shall provide written proof to the Board that she has received twelve (12) hours of professional development/training in the area of ethics, as approved by the Board, no later than July 1, 2011. Any expense incurred for said training shall be paid by Respondent. If Respondent fails to satisfy this condition by July 1, 2011, any and all

certificates issued to Respondent will automatically be suspended until such training is completed and the appropriate written proof is provided to the Board.

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

4. Respondent shall have no criminal convictions other than minor traffic violations. Respondent shall submit a state and federal criminal background records report to the Board with any application for renewal of her certificate or additional 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 her certificate or the additional certification shall be denied. If Respondent is convicted for any crime other than minor traffic violations, any and all certificates issued to Respondent shall be automatically suspended for a period six (6) months and a new disciplinary case that may result in additional sanctions shall be initiated.

Respondent is aware that should she violate KRS 161.120 in the future, the Board shall initiate a new disciplinary action and seek additional sanctions.

Vote: *Unanimous*

07-0481 (David Wahl)

Accept Agreed retroactively suspending Respondent's certificate for a period of thirty (30) days, from April 1, 2007 through May 1, 2007. Upon the acceptance of this agreement by the Board, Respondent shall immediately surrender the original and all copies of his certificate, by personal delivery or first class mail, to the Education Professional Standards Board, 100 Airport Road, Third Floor, Frankfort, Kentucky 40601.

Respondent's teaching certificate expired on June 30, 2007. The re-issuance of any certificate to Respondent, or on his behalf, in addition to any

educational requirements, is subject to the following conditions:

1. Respondent shall provide written proof to the Board that he has completed six (6) hours of professional development/training in classroom management, with an emphasis on de-escalation strategies and proper discipline/control techniques, as approved by the Board; and
2. Respondent shall provide written proof to the Board that he has completed a course in anger management, as approved by the Board.

Any expense required to fulfill the above conditions shall be paid by Respondent. If Respondent fails to satisfy the above conditions, the Board shall not issue any certificate to Respondent or on his behalf. If Respondent does satisfy the above conditions, any certificate issued to Respondent, or on his behalf, shall be subject to the following probationary conditions for a period of three (3) years:

1. Respondent shall not be convicted of any crime involving a minor. By July 1st of each year of the probationary period, Respondent shall submit a copy of his current criminal record, as prepared by the Kentucky State Police. Any expense in meeting this condition shall be paid by Respondent.
2. Respondent shall receive no disciplinary action involving assault or inappropriate physical force against a student from any school district in which he is employed. "Disciplinary action" is defined as a suspension or termination issued by any school district in the Commonwealth of Kentucky and upheld, if requested, by either the tribunal and/or arbitration process.

Should Respondent violate the above conditions, his certificate shall be automatically suspended for a period of ninety (90) days and subject to additional sanctions by the Board pursuant to KRS 161.120.

Vote: *Unanimous*

0911538 (Imelda Garcia)

Accept Agreed Order suspending Respondent's teaching certificate for a period of one (1) year and eight (8) months commencing retroactively on October 9, 2009 through June 9, 2011. Upon acceptance of this agreement by the Board, Respondent shall immediately surrender the original and all copies of her certificate, by personal

delivery or first class mail, to the Education Professional Standards Board, 100 Airport Road, Third Floor, Frankfort, Kentucky 40601.

Vote: *Unanimous*

0906419 (Anthony Beeler)

Accept Agreed Order admonishing Respondent for conduct unbecoming a teacher and inappropriate use of technology. As an administrator, Respondent has a duty to his profession, students and employer to devote his time to the sole purpose of providing educational services in consonance with best practices and procedures. The Board reminds Respondent that, as an educator, he must exemplify behaviors which maintain the dignity and integrity of the profession. The Board will not tolerate any further incidents of misconduct by Respondent.

Additionally, Respondent's certificate shall be on probation for a period of one (1) year and, during the probationary period, Respondent shall comply with the following 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 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 Respondent completes the required training and provides the appropriate written proof to the Board.

2. Respondent shall submit written proof to that the Board that he has completed six (6) hours of professional development/training in the area of appropriate use of technology, 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 Respondent completes the required training and provides the appropriate written proof to the Board.

3. Respondent shall receive no disciplinary action involving conduct unbecoming or the inappropriate use of technology from any school district in which he is employed during the probationary period.

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

violate this condition, the Board may initiate a new disciplinary action and seek additional sanctions.

Vote: *Unanimous*

09115590 (Barrett Nelson) Accept Agreed Order suspending Respondent's Professional Certificate for Instructional Leadership – Principal, All Grades, Level 1, for a period of five (5) years commencing retroactively on December 1, 2009 through December 1, 2014. Upon acceptance of this agreement by the Board, Respondent shall surrender the original and all copies of his Professional Certificate for Instructional Leadership – Principal, by first class mail or personal delivery, to the Education Professional Standards Board, 100 Airport Road, Third Floor, Frankfort, Kentucky 40601.

Additionally, Respondent shall provide written proof to the Board that he has successfully completed twelve (12) hours of professional ethics training, as approved by the Board, by June 1, 2011. Any expense required for said training shall be paid by Respondent. Should Respondent fail to satisfy this condition, his certificate shall be automatically suspended until he completes the required training and provides the appropriate written proof to the Board.

Further, prior to the issuance or reissuance of any administrative or leadership certificate, Respondent shall submit written proof to the Board that he has successfully completed a professional development/training course in education law, and three (3) hours of instructional leadership training, as approved by the Board. Any expense required for said training shall be paid by Respondent. Should Respondent fail to satisfy this condition, his certificate shall be automatically suspended until Respondent completes the required training and provides the appropriate written proof to the Board.

Vote: *Unanimous*

100137 (Beulah Sumner) Accept Agreed Order permanently revoking Respondent's certificate. Respondent shall neither apply for, nor be issued, a teaching and/or administrative certificate in the Commonwealth of Kentucky at any time in the future. Upon acceptance of this agreement by the Board, Respondent shall immediately surrender the original and all copies of her certificate, by personal

delivery or first class mail, to the Education Professional Standards Board, 100 Airport Road, 3rd Floor, Frankfort, Kentucky 40601.

Vote: *Unanimous*

100243 (Julie Clark)

Accept Agreed Order suspending Respondent's certificate for a period of ten (10) days from the date the Board approves this Order. Upon acceptance of this agreement by the Board, Respondent shall immediately surrender the original and all copies of her certificate, by personal delivery or first class mail, to the Education Professional Standards Board, 100 Airport Road, Third Floor, Frankfort, Kentucky 40601.

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 undergo a comprehensive alcohol/substance abuse assessment by a Kentucky licensed and/or certified chemical dependency counselor, as approved by the Board, by March 1, 2011. Respondent shall submit written proof that she has successfully completed any and all treatment recommendations, if any, by the end of the probationary period. If Respondent is not able to complete all treatment recommendations by the end of the probationary period, she shall submit quarterly written progress reports from her chemical dependency counselor until such time as the counselor releases her from treatment. Any expense required for the assessment, treatment and/or written progress reports shall be paid by Respondent;

2. Respondent shall submit written proof to the Board that she has completed twelve (12) hours of professional ethics training, as approved by the Board, by June 1, 2011. Any expense required for said training 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, including driving under the influence, during the probationary period. Respondent shall submit a copy of her current criminal record, as prepared by the Kentucky State Police, by August 1st of each year of the probationary period. Respondent shall pay any expense required to satisfy this condition.

Should Respondent fail to satisfy any of 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*

0912640 (Brian Schneider) Accept Agreed Order retroactively suspending Respondent's certificate for a period of six (6) months from November 30, 2009 through May 30, 2010. Upon acceptance of this agreement by the Board, Respondent shall immediately surrender the original and all copies of his certificate, by personal delivery or first class mail, to the Education Professional Standards Board, 100 Airport Road, 3rd Floor, Frankfort, Kentucky 40601. Prior to the issuance or re-issuance of any certificate to Respondent, including a substitute teaching certificate, in addition to any educational requirements necessary for certification, Respondent shall comply with the following:

1. Respondent shall submit written proof to the Board that he 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;
2. Respondent shall submit written proof to the Board that he has successfully completed a course in safe crisis/physical management, as approved by the Board. Any expense required for said training shall be paid by Respondent; and
3. Respondent shall submit written proof to the Board that he has successfully completed twelve (12) hours of classroom management training, with an emphasis on appropriate discipline techniques, as approved by the Board. Any expense required for said training shall be paid by Respondent.

If Respondent fails to satisfy the above conditions, the Board shall not issue or re-issue any certificate to Respondent, or on his behalf. If Respondent does satisfy the above conditions, any certificate issued to Respondent, or on his behalf, shall be on probation for a period of three (3) years from the date of issuance. During the three (3) year probationary period, Respondent shall not receive any disciplinary action involving assault, inappropriate discipline techniques, inappropriate language towards students, and/or threats against

students from any school district in which he is employed. "Disciplinary action" is defined as any suspension, termination, or public reprimand issued by any school district in the Commonwealth of Kentucky and upheld, if requested, by either the tribunal and/or arbitration process. Should Respondent violate this condition, his certificate shall be automatically suspended for a period of one (1) year and subject to additional sanctions by the Board pursuant to KRS 161.120.

Vote: *Unanimous*

0912743 (Gail Bradford)

Accept Agreed Order admonishing Respondent for failing to properly supervise a special needs student. As an educator, Respondent is responsible for the supervision and safety of her students. The Board reminds Respondent that she has a duty to protect the health, safety and welfare of her students, and student safety must be of the utmost concern. Ensuring the safety and supervision of each and every student is a responsibility that cannot be overlooked. The Board will not tolerate any further incidents of misconduct by Respondent.

Respondent shall submit written proof to the Board that she has completed six (6) hours of professional development/training in appropriate student safety and classroom management, as approved by the Board, by June 30, 2011. Any expense required for said training shall be paid by Respondent. If Respondent fails to satisfy this condition, her certificate shall be automatically suspended until Respondent completes the required training and provides the appropriate written proof to the Board. Further, upon accepting a teaching or administrative position in any school district in the Commonwealth of Kentucky, including a substitute teaching position, Respondent's teaching certificate shall be on probation of a period of one (1) year.

Respondent shall provide written notice to the EPSB that she has accepted a teaching or administrative position within fifteen (15) days of accepting said position; the written notice shall include the name of the school district, the position accepted and the date of acceptance. During the probationary period, Respondent shall not receive any disciplinary action involving failure to properly supervise students. "Disciplinary action" is defined as a suspension, termination, or public reprimand

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

Vote: *Unanimous*

0612291 (Garrett Sanborn) Accept Agreed Order dismissing Case Number 06-12291 without prejudice based on the following: Respondent has provided proof that he has completed training in High School Redesign Around Career Themes: Increasing Postsecondary Access, Career Preparation, and Life Readiness; and FCCLA: New STAR Events, Paperwork and Implementations.

Vote: *Unanimous*

10011 (Susan Sizemore) Accept Agreed Order admonishing Respondent for conduct unbecoming a teacher. The Board reminds Respondent that, as a teacher, she 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 October 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 she has complied with the assessment process and has successfully completed any and all treatment recommendations. If Respondent is not able to complete all treatment recommendations on or before October 1, 2010, she shall submit quarterly written progress reports from her chemical dependency counselor until such time as the counselor releases her 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 she is in compliance with the terms of the Agreed Order.

Vote: *Unanimous*

0904185 (Chastity Fox)

Accept Agreed Order retroactively suspending Respondent's certificate for a period of two (2) years beginning on March 17, 2009. 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.

In addition to any educational requirements, reinstatement of Respondent's certificate at the conclusion of the two (2) year suspension period is expressly conditioned upon Respondent complying with the following:

1. Respondent shall undergo a comprehensive substance abuse assessment by a Kentucky licensed and/or certified chemical dependency counselor as approved by the Board and shall present written evidence to the Board that she has complied with the assessment process and has successfully completed any and all treatment recommendations. Any expense for the assessment, treatment and/or reports shall be paid by Respondent.
2. Respondent shall provide written proof that she is currently in compliance with all court orders related to Letcher District Court Case Nos. 09-M-00480 and 09-F-00236.

Following the two (2) year suspension period, Respondent's certificate, and any future endorsements or new areas of certification, shall be subject to the following probationary conditions for a period of three (3) years:

1. Respondent shall continue to comply with all court orders related to Letcher District Court Case Nos. 09-M-00480 and 09-F-00236.
2. Respondent shall immediately submit to any random drug testing that is requested by the Board and shall have no positive drug tests. Any expense for said testing shall be paid by the Respondent.
3. Respondent shall receive no disciplinary action. "Disciplinary actions" is defined as any public reprimand, suspension, or termination issued by any school district in the Commonwealth of Kentucky and upheld, if requested, by either a tribunal and/or arbitration process.

By entering into this Agreed Order, Respondent agrees that should she fail to satisfy any of these conditions, her certificate shall be automatically suspended for a period of six (6) months. If

applicable, at the conclusion of the six (6) month suspension, her certificate shall remain suspended until such time as all of the above conditions are met.

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

Vote: *Unanimous*

Recommended Orders

Case Number

Decision

060348 (Rikki Hill)

Adopt the Hearing Officer's Recommended Order of Default and decline to reissue a certificate to Respondent until she has been evaluated by a mental health professional approved by the Board and has been declared fit to re-enter the teaching profession.

Vote: *Unanimous*

0609243 (Douglas Fisher)

Adopt the Hearing Officer's Recommended Order of Default and permanently revoke Respondent's certificate.

Vote: *Unanimous*

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

Vote: *Unanimous*

Meeting adjourned at 2:10 p.m.

Next Meeting: October 25, 2010
 9:00 AM
 EPSB Board Room
 Frankfort, Kentucky